

# RIBBLE VALLEY BOROUGH COUNCIL REPORT TO HEALTH & HOUSING COMMITTEE

Agenda Item No. 14

meeting date: THURSDAY, 25 MAY 2017  
title: LICENSING OF HOUSING IN MULTIPLE OCCUPATION  
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## 1 PURPOSE

- 1.1 To ask Members to consider the approval of the Housing Licensing Policy charges, recommend a fee structure, and additional charges required to implement the licensing regime.
- 1.2 Relevance to the Council's ambitions and priorities
- Community Objectives – To meet housing needs of all sections of the community.
  - Corporate Priorities – To treat everyone equally and ensure that access to services is available to all, including our most vulnerable citizens. This is driven by two of the four Council's ambitions:
    - To ensure a well-managed Council providing efficient services based on identified customer needs.
    - To help make people's lives safer and healthier.
  - Other Considerations – None.

## 2 BACKGROUND

- 2.1 The Housing Act 2004 radically overhauled the regulations of the housing standards in the private sector. The major implications for the way in which the Council enforces standards in the private rented sector through the introduction of a new system of assessing housing conditions and the introduction of compulsory licensing for certain categories of Housing in Multiple Occupation (HMO).
- 2.2 The government consulted widely on the proposals of the introduction of a compulsory licensing regime of which Ribble Valley is still to follow.

## 3 ISSUES

### Scope over the Act/Definitions

- 3.1 A house in multiple occupation is a building occupied by more than one household, and includes houses containing bedsits, as well as hostels and shared house. The Housing Act 2004 includes a new definition of a household, which is families, including single persons and cohabiting couples (whether or not of opposite sex). This has clarified previous confusion and means that shared houses will, in the future, be regarded as a House of Multiple Occupation (HMO).
- 3.2 The Act places a duty on local authorities to licence HMO's as **three or more storeys** with **five or more occupants** but properties owned by registered social

landlords, police, health authorities, universities and some other listed organisations are exempt, as are buildings converted into flats.

- 3.3 The Act also allows local authorities to implement additional licensing or selective licensing schemes to licence HMOs that do not fall under the provisions of the mandatory scheme. Additional licensing might apply to properties with particular management problems or for example in areas of localised dilapidation. Selective licensing will be appropriate in a low demand area or where there is significant problems with anti-social behaviour. Any such system would require the consent of the Secretary of State.

#### Implementation of the Licensing Scheme

- 3.4 Licences will be granted where the house is deemed reasonably suitable for occupation as an HMO. The management arrangements are satisfactory and the licensee and/or manager are fit and proper persons. The application must be the most appropriate person to hold the licence.
- 3.5 HMO licensing is not a true enforcement tool insofar as the Council cannot refuse to issue a licence on the grounds of minor disrepair or other satisfactory conditions. The conditions relating to the property will be assessed under the Housing, Health and Safety Rating System (HHSRS) to identify disrepair, fire safety, amenity or other safety features. The assessment will be carried out within five years of issuing the licence.
- 3.6 The Housing Act 2004 sets out conditions that must be met by the licence holder. These conditions require the licence holder to supply an annual gas safety certificate, ensure that the electrical applications are in a safe condition, that smoke alarms are installed and the owners of the house are provide occupiers of the properties with a written statement of terms in which they may occupy it. The Act also sets out discretionary conditions that the Council may approve.

#### Implications for Ribble Valley Borough Council

- 3.7 Although at this time we do not know of any multi occupied properties, research suggests from other authorities that mandatory licensing will apply to traditional bedsits type HMOs with shared amenities and or at least three storeys. We are currently unsure of the numbers in this district.
- 3.8 It is proposed that the Council would issue the required licences for a five year period. However, if there were concerns about a particular property, the Council would wish to reserve the right to issue a two year licence. This will be linked with the fee structure as it is suggested that landlords should be charged the same fees regardless of the licence period.
- 3.9 Initially, the greatest burden for the Council will be administration as the government has stated that there is no prerequisite to inspect the property before licensing it. The Council must have systems in place to satisfy itself that the licence holder is a fit and proper person. The Council must also ensure that the licence holders proposed management structures and funding arrangements are suitable. All paperwork relating to mandatory and discretionary conditions will need to be verified. Although the typical condition of the property can be considered under the HHSRS System, officers will need to visit the property to ensure that the licence conditions are being met, for example the habitable rooms are of adequate size.

- 3.10 Where there is no prospect of an HMO being licensed, the Act requires the Council to use interim management powers. This enables the Council to take over the management of the HMO and become responsible for the running of the property and collecting rent for up to a year. In extreme cases this can be extended to five year management orders that the Council also have interim tenancies. However, this must be stressed that this is in exceptional circumstances.
- 3.11 Landlords who fail to licence their HMOs when requiring a licence may face severe penalties. Following the initial transition period of three months, failure to obtain a licence will be an offence which upon conviction could result in a fine up to £20,000. Action could also be taken by the Council to recover up to 12 months' rent.

### Resources

- 3.12 Whilst the demand of the legislation will place a considerable burden on the private sector team with environmental health, due to the unknown quantities of HMOs within the borough, it is unlikely that this will generate a high workload. The government have not provided additional funding to assist Councils in implementing this new function and there is an expectation that local authorities should fulfil their duties through existing resources.
- 3.13 Should HMOs become a significant problem within the Borough and lead to additional workloads, then there will be a review of the service.

### Fees

- 3.15 A robust fee structure is based on two elements. The first part of the fee is based on the administrative time it takes to process the licence application and the second part relates to the officer's time required to inspect the property for the licence purposes. Licence fees within the borough are proposed to be as follows:

- A standard fee of £750 per dwelling up to a maximum of 10 units of accommodation in an HMO – for every unit above this an extra £50 per unit will be charged.
- If the licence applicant is a member of a Landlord Scheme, then there is a proposal of a reduction of 20% to be made.
- The renewal of licences, whether or not original with two or five year licence will be charged at a standard fee of £750.
- The variation of a licence for changing ownership etc will be charged at the standard fee of £130.

Ribble Valley Borough Council will review the licence fees charged periodically and reserve the right to increase or decrease as the case may be.

## 4 CONCLUSIONS

- 4.1 This legislation introduces a radical approach to the regulations for shared housing in the private sector; it is difficult to predict how landlords will react to the increased publicity of this provision. At this time we do not know if the projective demand on resources will be high, however it is thought to be minimal within the Borough. The department will allow the opportunity to apply for a licence should landlords be found to be operating without however, if they fail to meet their legal responsibilities further enforcement may be considered.

## 5 RISK ASSESSMENT

5.1 The approval of this report may have the following implications:

- Resources – Administrative resources may be increased however we are unsure by how much.
- Technical, Environmental and Legal – Introduction and enforcement of the licence may increase interest in private sector housing grants.
- Political – The report demonstrates the Council's commitment to the delivery of safe housing for all.
- Reputation – It is important to maintain housing standards and protect tenants of shared accommodation to ensure the housing provision meets the needs and ambitions of the Council.
- Equality & Diversity – None identified.

## 6 RECOMMENDED THAT COMMITTEE/CONCLUSION

6.1 Approve the adoption of the Environmental Health Housing Licensing Policy for properties in the private rented sector.

6.2 The approval of the introduction of charges with immediate effect for mandatory licensing in the scheme as outlined in 3.15.

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## **ENVIRONMENTAL HEALTH – HOUSING**

# **LICENSING POLICY FOR HOUSES IN MULTIPLE OCCUPATION IN THE PRIVATE RENTED SECTOR**

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# 1. INTRODUCTION

- 1.1 The Housing Act 2004 gives Local Authorities wide ranging powers to improve housing conditions within their districts. In short, Part 1 of the Act replaced the 'fitness standard' with the Housing Health and Safety Rating System, which assesses hazards within a property and the potential affects they may have on occupiers or visitors. Parts 2 and 3 introduce licensing of prescribed properties within the Private Rented Sector.
- 1.2 This policy document sets out how Ribble Valley Borough Council will carry out licensing of relevant Private Rented Sector dwellings.
- 1.3 The Council aims to work closely with Landlords and Managing Agents to improve housing conditions and to ensure that our Private Rented Sector provides decent, safe, well- managed affordable accommodation for our residents.

# 2. STRATEGIC CONTEXT

- 2.1 The Housing Act 2004 follows on from these past interventions by giving Local Authorities the tools to work more closely with private landlords and take enforcement action against some of the poorest properties in our area.
- 2.2 It is widely accepted that the Private Rented Sector plays a valuable role in meeting demand and offering choice and flexibility in the housing market. However, it is also widely accepted that some of our worst housing conditions can be found within this sector with concerns that some landlords lack the basic skills and knowledge to manage their properties in a professional manner. It is against this backdrop that the Government have placed a duty upon us to licence the most high risk houses in multiple occupation(HMO) and ensure that:
  - a. Landlords are fit and proper persons or employ agents who are
  - b. Standards of tenancy relations management and property management employed by a landlord or agent are adequate
  - c. Local Authorities have measures available to ensure that landlords are encouraged to cooperate with licensing
  - d. Where landlords are unwilling to or unable to meet the required criteria, local authorities can step in to manage properties.
  - e. Vulnerable tenants can be protected
  - f. High risk properties and their landlords are identified, so that health and safety measures under Part 1 (Housing Health and Safety Rating System) of the Act can be targeted on the worst cases
- 2.3 Within the Act provision is given to widen the scope of licensing and designate specific areas or properties to be licensed under discretionary powers.

### **3. HMO DEFINITIONS**

- 3.1 Sections 254 - 260 of the Act specify what an HMO is. The previous definition of an HMO under the Housing Act 1985 has been replaced with the new definition which is intended to make it explicitly clear on what is and what is not a house in multiple occupation. A HMO is:
- a. One or more units
  - b. Living accommodation occupied by persons who do not form a single household
  - c. Two or more of the households who occupy the living accommodation share one or more basic amenities or the living accommodation is lacking in one or more basic amenities.
  - d. A building is a HMO where it has been converted into a block of self-contained flats, it does not comply with Building Regulations 1991 and less than two thirds of the flats are owner occupied
- 3.2 The new definition of 'households' includes single persons and cohabiting couples (whether or not of opposite sex) and means that shared houses will always be HMOs whether or not the occupiers are on one tenancy agreement i.e. students.
- 3.3 If the Council is unclear whether households are occupying the building as their only or main residence it can make a declaration that the building is an HMO to remove any doubt. The Council must serve a notice on the landlord or the manager of the property within 7 days of deciding to make the declaration and allow 28 days from service for appeals to the Residential Property Tribunal.
- 3.4 Certain types of buildings will not be classed as HMOs. These include buildings managed by local housing authorities, housing associations, police, fire or health authority and educational establishments. Also, buildings predominantly owner-occupied, including resident landlords, buildings occupied by religious communities and buildings occupied by only two persons who do not form a single household. The Act also counts children when calculating the number of persons in a household.

### **4. LICENSING**

Ribble Valley Borough Council will encourage licence applications by using a number of methods:

- Letters to letting agents in the district.
- Local Press.
- Website.

All licence application packs sent out will contain explanatory notes and contact details for the Environmental Health's Housing team. However, it is the applicant's responsibility to submit a fully completed application form, including supporting documentary evidence and licence fee. The Council is not in a position to assist applicants with the completion of forms.



## **4.1 Licensable Properties**

- 4.1.1 HMOs of three or more stories, with five or more occupiers, living as at least two separate households have to be licensed. Stories consist of basements, attics and commercial premises (ie shops).
- 4.1.2 Converted self-contained flats that meet the requirements of the Building Regulations 1991 will not fall within the mandatory licensing scheme. However, it is the License Applicant's responsibility to provide documentary evidence to support a statement that the property meets the 1991 Building Regulations. If the original documentation is not available a certificate from a RIGS approved surveyor will be required.
- 4.1.3 Singly occupied houses let under a single tenancy or licence that are not exempt under section 79(3) of the Act and are in an area of the borough that has been designated as a Selective Licensing Area under Section 80 of the Act.

## **4.2 Licensable Conditions**

- 4.2.1 A license can be granted for a maximum of five years, although they may be granted for a lesser period. Ribble Valley Borough Council will decide on an individual basis the period each license will cover (either 2 years or 5) taking into account factors such as management standards, amenities and any concerns over meeting the 'fit and proper person' criteria (See 4.4 below).
- 4.2.2 The Act states that any license granted must contain the following mandatory conditions:
- The licence holder must supply to the Council a gas safety inspection certificate obtained in respect of the house within the last 12 months
  - The licence holder must keep electrical appliances and furniture made available by him/her in the house in a safe condition
  - The licence holder must supply to the Council, on demand, with a declaration by him/her as to the safety of such appliances and furniture
  - The licence holder must ensure that smoke alarms are installed in the house and to keep them in proper working order
  - The licence holder must supply to the Council, on demand, with a declaration by him/her as to the condition and positioning of such alarms.
  - The licence holder must supply to the occupiers of the house a written statement of the terms on which they occupy it (Tenancy Agreement)
  - The licence holder must demand references from the person who wishes to occupy the house (houses covered by Selective Licensing only).
- 4.2.3 In addition to the mandatory conditions for licensed houses outlined above, Ribble Valley Borough Council will apply the following discretionary conditions:
- HMOs will comply with the current and any future statutory Management Regulations as set down by the government.

- Any anti-social behaviour arising within the dwelling is dealt with under the terms of the tenancy agreement.
- Any anti-social behaviour occurring outside the dwelling will be reported to the Council and the police by the license holder or manager who will work with them to find the best solution to eliminating it.
- The licence holder must supply annually to the Council copies of maintenance reports for fire detection, alarm system and emergency lighting where appropriate.
- Within the common parts of the HMO the licence holder will display clearly a:
  - a) copy of the licence;
  - b) copy of a valid gas safety certificate;
  - c) the name, address and telephone number for the licence holder or manager.

4.2.4 Ribble Valley Borough Council may apply further conditions to individual licenses with respect to the use, management and occupation of the rented property, where appropriate and may seek evidence of compliance with conditions at any time during the licence period.

### **4.3 Licence Fees**

4.3.1 A licence fee will be charged by the Council to cover costs associated with the application process and the issuing of licenses. The Act does not prescribe a minimum or maximum fee to be charged and therefore local authorities must ensure that fee levels are proportionate.

4.3.2 Ribble Valley Borough Council has a standard fee of £750 per dwelling (up to a maximum of 10 units of accommodation in an HMO). For every unit above this an extra £50 per unit will be charged.

4.3.3 If the licence applicant is a member of the Landlord Scheme submits a full application within the agreed timescales, then a reduction of 20% will be made.

4.3.4 Renewal of licenses, whether or not the original was a 2 or 5-year licence, will be charged at proposed a standard fee of £550.

4.3.5 Variation of the Licence will be charged at a standard fee of £130.

4.3.6 Ribble Valley Borough Council will review the licence fee charged periodically and reserves the right to increase or decrease as the case may be.

### **4.4 'Fit and Proper Person'**

4.4.1 The Act requires that the Council must ensure before granting a licence that the person or persons involved in the management of the property are sufficiently competent, whether they are a 'fit and proper person' and whether management structures and funding are adequate.

4.4.2 When deciding whether a licence applicant is a 'fit and proper person', the Council must have regard (among other things) to evidence which shows

that the applicant or any person associated or formally associated with him/her, whether personally or on a work basis, has:

- a) Committed an offence involving:
  - fraud;
  - dishonesty;
  - violence;
  - drugs;
  - Schedule 3 of the Sexual Offences Act
- b) Practiced unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in relation to a business.
- c) Contravened any provision of housing or landlord and tenant law. In particular, within the last 5 years been in control of any property:
  - subject to a control order;
  - subject to proceedings by a local authority;
  - where the local authority has had to carry out works in default;
  - subject to a management order under the Housing Act 2004;or been refused a licence or breached conditions of a licence.
- d) Acted in contravention of any Approved Code of Practice.

4.4.3 The Council may approach other local housing authorities, the Police, the Fire Service, the Office of Fair Trading, and any other such authority, for information and confirmation of statements made in relation to a licence application. The signing of the licence application form will be taken as your agreement to any such action.

4.4.4 In cases where Ribble Valley Borough Council is uncertain as to whether or not the applicant is a "fit and proper person" we may request that applicants provide a recent Criminal Records Bureau statement in support of their application.

## **4.5 Property Standards**

4.5.1 If a dwelling fails to meet certain standards; and it is unlikely that these standards will be met in the near future, then a licence application may be refused or specific conditions attached to the licence.

### **4.5.2 Amenities in HMOs**

The following information is a general overview to a complex area and further technical guidance can be found in the Council HMO Standards. Each HMO must provide for the number of occupants suitable:

- Bathing facilities
- Toilets
- Wash hand basins
- Areas of food preparation, cooking and storage
- Laundry facilities

- Other facilities as directed by the Government from time to time

4.5.3 Ideally, kitchen facilities should be provided within each unit of accommodation. However, this is not always possible and in some circumstances shared kitchen facilities are acceptable, particularly where most of the tenants are single persons.

4.5.4 Where facilities are shared there must be a minimum of one kitchen sink, one cooker (with at least four rings, oven, grill), adequate food preparation surface, a refrigerator, dry goods storage with closing door, one water closet (toilet), wash hand basin and a fixed bath or shower for every five people sharing.

***\*Where these standards are not met the Council shall require them to be met within 3 years of the issue of the licence.\****

#### 4.5.5 Minimum Space Standards

The following standards are subject to any future government prescribed standards. Ribble Valley Borough Council requires all licensable HMOs to meet a minimum space standard for the number of occupants. There are two specific categories of HMO, which this standard applies.

- 1) Properties where amenities are shared and occupants have the use of a communal living space of a minimum of 10m sq.
- 2) Bed-sit type fully contained units without the use of a communal living space or kitchen/dining room

For category (1) type accommodation the minimum space standard is:

- 1 person unit 6.5 m sq
- 2 person unit 10 m sq

For category (2) type accommodation the minimum space standard is:

- 1 person unit 8.5 m sq
- 2 person unit 12m sq

#### 4.5.6 Fire Detection and Protection

Automatic fire detection and protection must be provided in all HMOs. The facility to:

1. Detect fire or smoke at an early stage
2. Alert the occupiers of the HMO
3. Provide a safe exit route for them to leave the building.

4.5.7 The first two principles are normally covered by the installation and maintenance of an electrically operated detection and alarm system. The third is based mainly on the structural separation of accommodation from the common internal staircase and hallways (the escape route). In some instances, external or other alternative routes of escape may also be required.

## **4.6 Management Standards**

4.6.1 The Management of Houses in Multiple Occupations (England) Regulations 2006 is the current management standard by which all HMOs are required to meet. Ribble Valley Borough Council expects all HMOs in the borough to attain this standard or any future standard as prescribed by the Government or other national authority.

### **4.6.2 Supplying Information**

The name, address and telephone number of the manager or managers/license holder must be prominently displayed in the premises. Information relating to the occupancy of the HMO and how rooms are used must be supplied to the Council when requested.

### **4.6.3 Water Supply**

All water supply and drainage fittings must be kept in good repair, clean and protected from frost.

### **4.6.4 Common Parts**

Stairs, passages and all other parts of the house in common use must be kept clean, in good repair and unobstructed. The decorative condition of these areas must be kept in a reasonable state.

### **4.6.5 Common Installations**

Gas and Electricity Supplies for lighting and space heating must be properly maintained and communal kitchens, baths, sinks etc must be kept clean and in good order. Amenity lighting to common parts must work when required by the occupants.

### **4.6.6 Living Accommodation**

In individual lettings, the manager has a duty to maintain the internal structure of the accommodation in good repair. Water, gas, electricity supplies and fixed appliances must be properly maintained. The accommodation must be clean when a resident moves in.

### **4.6.7 Waste Disposal Facilities**

Provide adequate facilities for the disposal of household waste.

## **4.7 Application Process**

4.7.1 Licence applicants must complete the form and return it with the appropriate fee and all documentary supporting evidence. If the form is not complete or the fee and/or documentary evidence is not enclosed it will be returned with a letter requiring further action. It is the licence applicant's responsibility to provide all relevant information required and Ribble Valley Borough Council will not be assisting with the completion of forms.

4.7.2 Upon receipt of a fully completed application with all relevant supporting documentation and fee the Council will issue an acknowledgement letter with

a unique reference number stating the date we received the full application. The licence holder has five years from this date to ensure that any Category 1 hazards (HHSRS) are removed from the property. For more information on the Housing Health and Safety Rating System see the following section (6.0 HHSRS and Enforcement).

4.7.3 Once the full application is received an officer from the Environmental Health Section will make an appointment to confirm details provided and to prioritise for a full inspection under the HHSRS. The Housing Act 2004 clearly states that a local authority cannot refuse a licence for failure under the HHSRS. However, if during the initial inspection the officer has reason to be concerned about the condition of the property then a full HHSRS Inspection will be carried out and appropriate action taken.

4.7.4 Once all relevant checks have been made ("fit and proper person" etc.) the Council will send out the licence clearly detailing any conditions attached and date for renewal. It is envisaged that once a full application form is received and acknowledged the applicant will receive their licence within 8 weeks of this date.

#### **4.8 Temporary Exemption**

4.8.1 In certain circumstances the Act allows us to serve a Temporary Exemption

Notice (TEN) where a person who is required to be licensed notifies the Council that they propose to take steps to secure that the property is no longer required to be licensed. The TEN is served on the most appropriate person/persons who would otherwise have applied for the licence.

4.8.2 The Temporary Exemption Notice exempts that property from being licensed for a period of three months from the date the Notice is served. In exceptional circumstances, the Council may serve a second TEN, which lasts for a further 3 months from the date the last one ended. No further TEN can be served after the expiry of the second Notice.

#### **4.9 Management Orders**

4.9.1 Sections 101 to 131 of the Act give local authorities the power to make Interim or Final Management Orders where there is no prospect of a dwelling being licensed.

4.9.2 The legislation states that if there is no reasonable prospect of a dwelling being licensed in the near future, or the health, safety or welfare of the occupants is at risk, then an order will be made (A threat to evict persons – not in accordance with the procedures laid down in Statute- may be regarded as putting occupants' health, safety and welfare at risk).

##### **4.9.3 Interim Management Orders**

An IMO allows the Council to take over the management of the dwelling for one year and recharge the landlord for the cost of repairs and other relevant costs incurred.

##### **4.9.4 Final Management Orders**

Where the Council is of the opinion that it is necessary, in order to protect the health, safety and welfare of the occupants on a long-term basis, it can make a FMO, which lasts for five years. This will allow the Council to undertake works to a much greater extent than in the IMO. As with an IMO the Council will recharge the landlord for any costs incurred.

#### **4.9.5 Empty Dwelling Management Orders**

Where the council is of the opinion that an Empty House is causing problems to the surrounding area and the owner of that property is unwilling to bring the property back into use then it may be appropriate to use its power to serve an Interim Empty Dwelling Management Order on the owner.

##### **4.9.5.1 Interim Empty Dwelling Management Order (IEDMO)**

This effectively takes the property into Local Authority Control for a maximum of 12 months. The owner retains the right to refuse to allow any tenant that the Council puts forward. The Council must have a management scheme in place and the owner is entitled to any excess rent after the costs of management and repair have been deducted. In order to use an Empty Dwelling Management Order the Council must apply to the Residential Property Tribunal (RPT) for approval.

##### **4.9.5.2 Final Empty Dwelling Management Order (FEDMO)**

If the property has not been returned to use during the period of the IEDMO or the Council is of the opinion that the owner will not manage the property correctly and maintain its occupation then the Council can serve a Final Empty Dwelling Management Order. This has the effect of taking all control from the owner for a period of up to seven years. During that period the Council can let the property without the agreement of the owner. The Council must maintain the property and have a management procedure in place and pay any excess rent to the owner after covering the management and maintenance costs. If at the end of the seven year life of the FEDMO the Council are satisfied that the owner will continue to manage the property and keep it occupied then the order must be revoked. If they feel that the owner will not manage the property and maintain its occupation then a further FEDMO can be served for a further seven years.

## **5. THE HOUSING HEALTH & SAFETY RATING SYSTEM**

- 5.1 Part 1 of the Housing Act 2004 introduced a risk-based assessment aimed at tackling health and safety issues within a dwelling. The fitness standard under S604 the Housing Act 1985 has been replaced by the HHSRS. This is a much more evidenced based system of assessing properties and it allows local authorities to prioritise and take action where there is the most imminent risk of serious harm.
- 5.2 The HHSRS looks at 29 possible hazards within a dwelling and based on the evidence found will calculate a score determining the likelihood of a vulnerable

person being affected by this hazard. Once the likelihood and harm outcomes have been calculated an overall score is given. Depending on the score arrived at the outcome will either be a Category 1 or a Category 2 Hazard. Local Authorities have a duty to take action on all Category 1 hazards and a discretionary power to deal with Category 2 Hazards.

- 5.3 When granting a licence Ribble Valley Borough Council will not be considering hazards found within dwellings. However, during the licensing process the Council may take action under Part 1 of the Act (HHSRS) if it feels the health and safety of the occupants is at serious risk.
- 5.4 Local Authorities must ensure that all licensed properties are free of category 1 hazards within five years from the granting of a licence. However, the Council cannot require specific conditions to be attached to a licence where intervention under Part 1 (HHSRS) can be instigated. It is therefore our intention to issue licences based on information provided with the application and the undertaking of an initial risk assessment to prioritise for a full HHSRS inspection.