



Oversight and Governance

Chief Executive's Department

Plymouth City Council

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Delegated Decisions

Delegated Executive/Officer Decisions

Notice of call-in for non-urgent decisions must be given to the Democratic Support Team by 4.30 pm on 18 March 2026. Please note – urgent decisions and non-key Council Officer decisions cannot be called in. Copies of the decisions together with background reports are available for viewing as follows:

- on the Council's Intranet Site at <https://modgov/mgDelegatedDecisions.aspx>
- on the Council's website at <https://tinyurl.com/3hwmppzp>

The decisions detailed below may be implemented on 19 March 2026 if they are not called-in.

Delegated Decisions

1. Councillor Tudor Evans OBE, Leader of the Council:

1.a. L21 25/26 - Charlton Road Junction Scheme: Phase 2 Construction (Pages 1 - 40)

2. Councillor John Stephens (Cabinet Member for Strategic Planning and Transport):

2.a. SPT14 25/26 - 2137321 – Budshead Road – Zebra Crossing (Pages 41 - 58)

3. Councillor Chris Penberthy (Cabinet Member for Housing, Cooperative Development and Communities):

3.a. HCD03 25/26 HMO Standards 2026 (Housing Standards) (Pages 59 - 102)

EXECUTIVE DECISION

made by a Cabinet Member



REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL CABINET MEMBER

Executive Decision Reference Number – L2I 25/26

Decision	
1	Title of decision: Charlton Road Junction Scheme: Phase 2 Construction
2	Decision maker: Councillor Tudor Evans OBE (Leader of the Council)
3	Report author and contact details: Steven Flaxton (Strategic Transport Programme Coordinator) E.steven.flaxton@plymouth.gov.uk
4	<p>Decision to be taken:</p> <ol style="list-style-type: none"> 1. Approve the award of the main construction contract for Phase 2 of the Charlton Road Junction Scheme to South West Highways to a total value of £1,347,077.03 in accordance with the Procurement Decision Record. 2. Delegate to the Strategic Director for Growth approval of any contract modification(s) in relation to compensation events, where they do not already have authority to do so, provided that the modification(s) do not alter the overall nature of the contract and do not exceed the available project budget.
5	<p>Reasons for decision:</p> <p>To enable construction of Phase 2 of the Charlton Road Junction Scheme which is to be delivered through the Scape Procure Civil Engineering & Infrastructure Framework. The scheme installs a new traffic signal-controlled junction and includes the reintroduction of the right turn facility from Tavistock Road into Charlton Road along with widening on Charlton Road to support a new pedestrian crossing island.</p>
6	<p>Alternative options considered and rejected:</p> <ol style="list-style-type: none"> 1. Do not award the construction contract: This has been rejected. The scheme restores access to the local community in the Charlton Road area and is a priority project for the Council. 2. Other options including reducing the scope and value of the project: These have also been considered and rejected. Value engineering has been undertaken throughout and the scope has already been reduced as far as possible without jeopardising the project's overall objectives and significant external funding secured for its delivery. 3. Delay the scheme: This has also been rejected as the project would incur additional inflationary costs and global events may impact on construction industry markets for

	materials and components.			
	4. Other procurement options: These have been considered and are detailed in the Part II Procurement Decision Record document.			
7	Financial implications and risks: The cost of this contract award is £1,347,077.03. Funding has already been accounted for within the approved capital project budget. (L26 23/24 Charlton Road Junction Scheme Phase Two, 12/10/2023) The main financial risks relate to utility works and impact as a result of recent global events on construction industry markets for materials and components.			
8	Legal Implications: Direct award under the Term Maintenance Contract, an existing contract with the Council. The TMC gateway and award process has been followed.			
9	Is the decision a Key Decision? (please contact Democratic Support for further advice)	Yes	No	Per the Constitution, a key decision is one which:
			X	in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total
			X	in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1million annually
		X	is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority.	
	If yes, date of publication of the notice in the Forward Plan of Key Decisions	N/A		
10	Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:	The scheme aligns with the Council's Corporate Plan: Fewer potholes, cleaner, greener streets, and transport: This Scheme will improve journey times and reduce congestion while improving the resilience of the transport network in the north of the city. Keeping Children, adults and communities safe: The scheme will introduce new pedestrian crossing facilities over Charlton Road and improve access to Charlton Road and the surrounding area. The Plymouth Plan:		

		<p>The Scheme supports:-</p> <p>Strategic Objective 1: Delivering a Healthy City “Providing a safe, efficient, accessible and health-enabling transport network which supports freedom of movement and active travel and promotes low carbon lifestyles.</p> <p>Policy HEA6: Delivering a safe, efficient, accessible, sustainable and health-enabling transport system.</p>
11	Please specify any direct environmental implications of the decision (carbon impact)	<p>A Climate Impact Assessment has been completed for this decision and is attached as an appendix.</p> <p>The scheme introduces a new set of traffic lights, which could result in an increase in pollution in the area due to idling vehicles. To mitigate this potential impact, the A386 traffic will always be prioritised within the traffic signal timings to ensure it operates as efficiently as possible to reduce potential negative impacts.</p> <p>The re-introduction of the right turn facility will remove the need for residents to travel the extra mile to the Derriford Roundabout and back, therefore removing their impact on pollution and congestion at Derriford Roundabout and the Sendall’s Way and William Prance Road junctions.</p>

Urgent decisions

12a	Is the decision urgent and to be implemented immediately in the interests of the Council or the public?	Yes		(If yes, please contact Democratic Support (democraticsupport@plymouth.gov.uk) for advice)
		No	X	(If no, go to section 13a)

12b Reason for urgency:

12c	Scrutiny Chair Signature:		Date	
	Scrutiny Committee name:			
	Print Name:			

Consultation

13	Are any other Cabinet members’	Yes	X	
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a	portfolios affected by the decision?	No		(If no go to section 14)
13 b	Which other Cabinet member's portfolio is affected by the decision?	Councillor Stephens (Cabinet Member for Strategic Planning & Transport)		
13 c	Date Cabinet member consulted	07/03/2026		
14	Has any Cabinet member declared a conflict of interest in relation to the decision? Please type an X into the relevant box	Yes		If yes, please discuss with the Monitoring Officer
		No	X	
15	Which Corporate Management Team member has been consulted?	Name	Glenn Caplin-Grey	
		Job title	Strategic Director for Growth	
		Date consulted	07/03/2026	
Sign-off				
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS81 25/26	
		Finance (mandatory)	DN.25.26.041	
		Legal (mandatory)	LS/00001312/1/AC/11/3/26	
		Procurement (if applicable)	HG/PS/827/ED/0326	
		Corporate property (decisions involving Council owned land or facilities) (if applicable)	N/A	
		Human Resources (if applicable)	N/A	
Appendices				
17	Ref.	Title of appendix		
	A	Charlton Road Junction Scheme: Phase Two Construction Contract Award Part 1. Briefing report for publication		
	B	Charlton Road Equalities Impact Assessment		
	C	Charlton Road Climate Impact Assessment		
Confidential/exempt information				

18 a	Do you need to include any confidential/exempt information? Please type an X into the relevant box	Yes	X	If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in 18b below. (Keep as much information as possible in the briefing report that will be in the public domain)				
		No						
		Exemption Paragraph Number						
		1	2	3	4	5	6	7
18 b	Confidential/exempt briefing report title: Procurement Decision Record			X				
Background Papers								
19	Please list all unpublished, background papers relevant to the decision in the table below. Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.							
Title of background paper(s)		Exemption Paragraph Number						
		1	2	3	4	5	6	7
Cabinet Member Signature								
20	I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act (2010) and those who do not. For further details please see the EIA attached.							
Signature				Date of decision	11/03/2026			
Print Name	Councillor Tudor Evans OBE (Leader of the Council)							

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The following relates to exempt or confidential matters (Para(s) 3 of Part 1, Schedule 12A of the Local Govt Act 1972). Any breach of confidentiality could prejudice the Council/person/body concerned & might amount to a breach of the councillors /employees codes of conduct.

Document is Restricted

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CHARLTON ROAD JUNCTION SCHEME: PHASE TWO CONSTRUCTION CONTRACT AWARD PART I BRIEFING REPORT



1. INTRODUCTION

- 1.1. This contract award relates to the award of a contract for Phase 2 main construction of the Charlton Road Junction Scheme. The contract value is £1,347,077.03 (Ex VAT) and works involve a range of civil engineering activities including road widening, improvement of existing pedestrian footways and crossings, drainage works, traffic signal installations and carriageway reconstruction and surfacing.
- 1.2. Construction is being procured through the Council's Term Maintenance Contract (TMC) with works delivered by South West Highways and their Parent Company Taylor Woodrow.
- 1.3. This award will approve the delivery of Phase 2 of the Charlton Road Junction Scheme which has been a priority project for both the current and previous administrations.

2. BACKGROUND

- 2.1. The junction of Charlton Road and Tavistock Road is a known accident hotspot and there have been ongoing concerns about safety at this location and multiple incidents and one fatality from a cyclist using the southbound bus lane.
- 2.2. Tavistock Road is a key strategic route into the city centre. It experiences high traffic flows, congestion and delays during peak traffic periods. In addition, during the inter-peak period high levels of traffic continue to use the route.
- 2.3. In order to address the accident witnessed at this location, some improvements were made as part of the Derriford Transport Scheme (DTS) in 2018. This closed the uncontrolled right turn facility into from Tavistock Road into Charlton Road and also reduced the length of the bus lane on the southbound approach to the junction to allow drivers more time to slow down and turn left into Charlton Road. The disadvantage of the right turn closure is that it introduced a lengthy diversion for local residents. This diversion via Derriford Roundabout adds an additional mile onto every journey the residents make contributing to additional traffic and congestion at Derriford Roundabout, Sendall's Way and William Prance Road junction and the resultant exhaust emissions in the area.
- 2.4. As a result of the restricted access and the problems the local community were facing, the Council agreed to reintroduce the right turn facility but in order to do so without reintroducing the previous accidents issues requires the introduction of a new traffic signal-controlled junction.
- 2.5. Phase I of the Charlton Road scheme was completed in March 2021 following acquisition of third-party land. The physical works consisted mainly of the reinstatement of the new property boundary and minor works to secure the land transferred to the Council ready for Phase 2.
- 2.6. The Charlton Road junction doesn't have any pedestrian facilities at present and is more challenging to cross a wide junction without an island. Pedestrians have to check over their shoulder to cross when heading southbound whilst also checking for traffic coming out of Charlton Road. Adding a pedestrian island will reduce the need to check in three directions at once when crossing. Additionally, adding traffic lights will give pedestrians safe gaps in the flow of traffic to cross.

- 2.7. There is a speed camera a short distance south of the Charlton Road junction which is outdated. Replacing this with an upgraded speed camera will reduce speeds that vehicles are travelling through the area, which will also make it safer for pedestrians to cross the junction.

3. PROJECT DETAILS

- 3.1. A new traffic signal controlled junction will be installed southbound at the Tavistock Road / Charlton Road junction allowing traffic to right into Charlton Road safely, restoring access for the local community.
- 3.2. The scheme installs traffic signals on Tavistock Road (southbound), Charlton Road, and in a new right turn lane north-east bound into Charlton Road.
- 3.3. Charlton Road itself is to be widened at the junction to allow the construction of a new traffic island to house the signal pole and head and improve safety for pedestrians and cyclists. The northbound traffic on Tavistock Road will not be signal controlled.

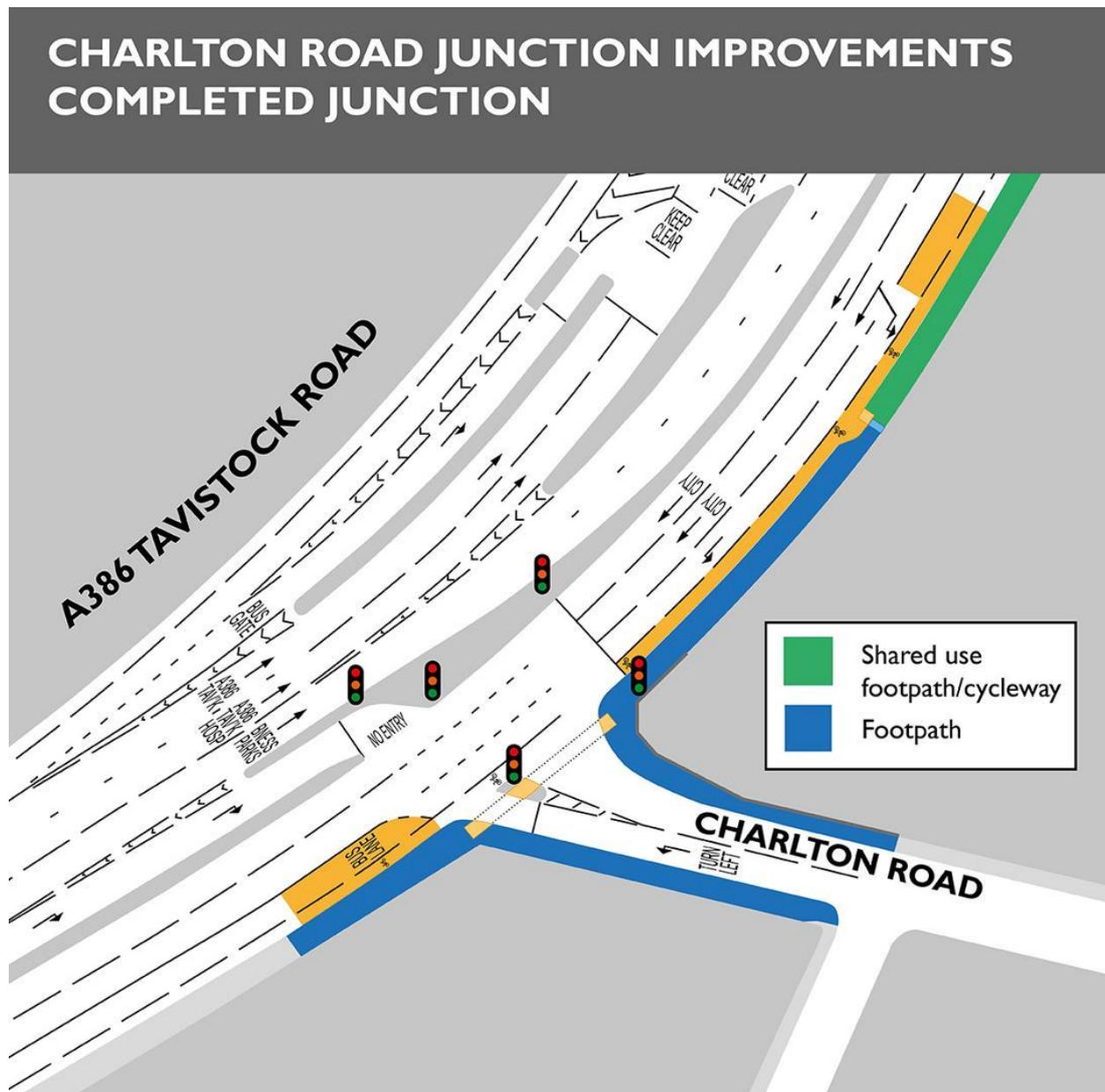


Figure 1 Charlton Road Junction Scheme General Arrangement

4. BENEFITS OF THE SCHEME

- 4.1. The project will provide a signalised junction to allow residents of Charlton Road and surrounding streets to restore access to the area safely, without causing a danger to vehicles and cyclists travelling southbound. It will also reduce cars away from the northern section of Tavistock Road and Derriford Roundabout who don't need to be making that additional journey.
- 4.2. Installing a new signalised junction in this area will also allow pedestrians to cross the junction of Charlton Road in a safe manner without fear of cars crossing the bus lane and then pulling into Charlton Road at high speed. The new pedestrian island at the junction increases their safety allowing them to be seen and be seen much better.
- 4.3. The existing speed camera will be relocated and upgraded to a red light camera to ensure drivers are not travelling through the area at excessive speed or jumping red lights. Any that do continue to travel through in excess of the speed limit will be ticketed.

5. PROJECT COST

- 5.1. The total project cost is £2,579,702.
- 5.2. This total cost includes work carried out to date during phase 1 including land acquisition and also the design and development of the phase 2 scheme. An allocation has been made for risk and inflation along with other anticipated project costs.

6. FUNDING

- 6.1. The £2,579,702 allocated budget is financed by:

- £1.834m of Corporate Borrowing;
- £0.616m of Grant Funding;
- £0.13m of Revenue Contributions.

7. PROJECT APPROVALS

- 7.1. Project funding has been approved and added to the capital programme by four previous Executive Decisions:

£793,463	Executive Decision L66 17/18 March 2018	Original approval & allocation made in the Council's capital programme.
£315,405	Executive Decision L35 19/20 March 2020	Additional funding approval
£620,783	Executive Decision L36 21/22 February 2022	Additional funding approval
£850,051	Executive Decision L26 23/24 October 2023	Additional funding approval

- 7.2. The works constitute Permitted Development (PD) as they are all contained within or adjacent to the Highway boundary and therefore Planning permission is not required. While the works themselves are PD, the Council is proposing utilising an alternative diversion route in land outside of the Highway boundary at Colborne Road and therefore a temporary Planning Permission is required. Planning approval was granted on 10 March 2026.
- 7.3. The scheme required a small parcel of land outside of the Council's ownership, which was secured under phase 1 of the scheme. No further third-party land acquisition is required although license agreements are to be utilised for the temporary diversion route.
- 7.4. Additional approvals to be obtained include Traffic Regulation Orders and Temporary Traffic Regulation Orders (TTRO). TTRO applications have been submitted to the Council's Network Management team to support implementation of the traffic management required for construction.

8. DELIVERY TIMESCALES

- 8.1. Construction of the Charlton Road Scheme is planned to start in Spring 2026 and finish in Autumn 2026. Construction is expected to take between eight and ten months.

9. MEMBER AND STAKEHOLDER SUPPORT

- 9.1. The Charlton Road Junction scheme has been a priority project for both the current and previous administrations.
- 9.2. A residents' meeting was held in September 2017 attended by around 150 people, where the Council was originally proposing to close the gap in the central reservation, thereby banning the right turn into Charlton Road permanently. Recognising this reduced access to Charlton Road, Council Officers also proposed reopening Colborne Road as an alternative access, linking Charlton Crescent to William Prance Road. The majority of respondents did not support the closure of the right turn gap in the central reservation and also did not support reopening Colborne Road.
- 9.3. The Council therefore pursued a signalised option for the junction of Charlton Road and Tavistock Road and consulted with local residents and the wider travelling public in March / April 2018.
- 9.4. A follow up residents meeting was held in November 2018 where proposals were put forward that still essentially the same as the scheme to be delivered now. The majority of respondents supported these proposals.

10. MAIN CONSTRUCTION CONTRACT PROCUREMENT

- 10.1. It is recommended to award the main construction contract through the Council's Term Maintenance Contract (TMC) with South West Highways and their Parent Company Taylor Woodrow.
- 10.2. The principle of the procurement strategy of utilising the Council's TMC for this scheme has long since been established, first approved under Executive Decision L35 19/20 in March 2020. Since this time the Council have engaged SWH / TW under Early Contractor Involvement (ECI) to help develop the scheme, including identify costs, programme and risks and develop the traffic management strategy and construction methodology.
- 10.3. The TMC very deliberately allows the delivery of transport projects in addition to the core highway maintenance activities.
- 10.4. The TMC was subject to a robust competitive procurement process starting in 2014 and concluding in late 2016 with the Contract Award. The TMC was to be operational by April 2017 and run until 2024 with an extension option to 2027. The contract was won by South West Highways following a robust collaborative procurement exercise between Plymouth City Council, Devon County Council and Somerset County.
- 10.5. The scale and nature of the works required for Charlton Road makes it an ideal candidate scheme for the TMC to be the delivery vehicle for.

11. ENSURING VALUE FOR MONEY

- 11.1. This procurement path ensures value for money as the TMC was compliantly procured, in accordance with Public Contract Regulations 2015.
- 11.2. The Charlton Road Junction scheme is to be procured through the established Term Maintenance Contract (TMC) under an Option C arrangement, which follows "open book" principles and provides a robust framework for cost certainty. The target price has been developed using a combination of pre-agreed rates within the TMC and benchmarked "star rates" for elements without established pricing.

- 11.3. The Target Price and Programme has been rigorously assessed through an open-book approach, ensuring transparency and accountability.
- 11.4. Under Option C, material quantities will be remeasured to reflect actual usage, while time-related elements within the price list remain fixed, offering further cost stability and programme delivery incentive.
- 11.5. Collaborative joint measurement sessions among parties have resulted in an auditable Bill of Quantities, mitigating scope ambiguity and enhancing cost certainty.
- 11.6. The Task Order benefits from SWH / Taylor Woodrow's trusted supply chain and directly employed workforce, ensuring competitive pricing, reliable lead times, and high-quality delivery.
- 11.7. A structured risk management process has been implemented, embedding quantified allowances and maintaining a live risk register to proactively address potential challenges. This approach, combined with the transparency of the Option C contract, ensures the Task Order is delivered efficiently and collaboratively, providing confidence that the Council is receiving demonstrable best value under the TMC.

12. ASSURANCE

- 12.1. The Council have procured experienced Contract Management, Project Management & QS support from AECOM who are qualified to work on NEC4 contracts and have experience working on similar schemes with SWH under the TMC.

13. TRACK RECORD

- 13.1. The Council have successfully delivered a number of transport projects of similar scale and complexity through the TMC with SWH including: Morlaix Drive, a number of Transforming Cities Funded projects, Southway Drive, Plymbridge Rd and the Eastern Corridor Junction Improvements to name a few.
- 13.2. The TMC is well understood and has demonstrated best value being achieved through these and other projects.

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EQUALITY IMPACT ASSESSMENT – CHARLTON ROAD

SECTION ONE: INFORMATION ABOUT THE PROPOSAL

Author(s): This is the person completing the EIA template.	Jake Holmes	Department and service:	Strategic Planning & Infrastructure	Date of assessment:	03/02/2026
Lead Officer: Please note that a Head of Service, Service Director, or Strategic Director must approve the EIA.	Paul Barnard	Signature:		Approval date:	09.03.2026
Overview:	<p>The junction of Charlton Road and Tavistock Road is a known accident hotspot, with 12 collisions, including one fatality, recorded between 2006 and 2016.</p> <p>The Derriford Transport Scheme public consultation events held in both 2014 and 2015 and feedback from the Council's regular 'Meet the Team' sessions had highlighted the concerns about safety and the difficulties this causes for users of this junction. In addition, the road safety audit for the DTS also found the junction to be unsafe and recommended that we either introduce traffic signals (the proposed scheme) or close the gap in the central reserve and prohibit the right turn into Charlton Road. At the time of the DTS scheme the junction was closed to ensure this safety requirement was met.</p> <p>The proposed Charlton Road scheme will deliver safety improvements to this known accident hot spot whilst ensuring that local residents are still able to access their properties avoiding lengthy diversion routes due to the nature of the A386 in this area.</p> <p>The scheme seeks to optimise the existing transport network maintain access to local communities whilst minimising the impact on the A386.</p> <p>The key objectives for this scheme are:</p> <ul style="list-style-type: none"> • To improve safety at a known accident hot-spot including the site of a fatality. • Improve pedestrian and cycle facilities along Tavistock Road • Maintain access to existing community 				

Decision required:	<ol style="list-style-type: none"> 1. Approve the award of the main construction contract for Phase 2 of the Charlton Road Junction Scheme to South West Highways to a total value of £1,347,077.03 in accordance with the Procurement Decision Record. 2. Delegate to the Service Director for Strategic Director for Growth approval of any contract modification(s) in relation to compensation events, where they do not already have authority to do so, provided that the modification(s) do not alter the overall nature of the contract and do not exceed the available project budget.
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SECTION TWO: EQUALITY IMPACT ASSESSMENT SCREENING TOOL

Potential external impacts: Does the proposal have the potential to negatively impact service users, communities or residents with protected characteristics?	Yes	✓	No	
Potential internal impacts: Does the proposal have the potential to negatively impact Plymouth City Council employees?	Yes		No	✓
Is a full Equality Impact Assessment required? (if you have answered yes to either of the questions above then a full impact assessment is required and you must complete section three)	Yes	✓	No	
If you do not agree that a full equality impact assessment is required, please set out your justification for why not.				

SECTION THREE: FULL EQUALITY IMPACT ASSESSMENT

Protected characteristics (Equality Act, 2010)	Evidence and information (e.g. data and consultation feedback)	Adverse impact	Mitigation activities	Timescale and responsible department

<p>Age</p>	<p>Plymouth</p> <ul style="list-style-type: none"> • 16.4 per cent of people in Plymouth are children aged under 15. • 65.1 per cent are adults aged 15 to 64. • 18.5 percent are adults aged 65 and over. • 2.4 percent of the resident population are 85 and over. <p>South West</p> <ul style="list-style-type: none"> • 15.9 per cent of people are aged 0 to 14, 61.8 per cent are aged 15 to 64. • 22.3 per cent are aged 65 and over. <p>England</p> <ul style="list-style-type: none"> • 17.4 per cent of people are aged 0 to 14. • 64.2 per cent of people are aged 15 to 64. • 18.4 per cent of people are aged 65 and over. <p>(2021 Census)</p>	<p>The scheme is not anticipated to have any adverse impact on specific age groups.</p>	<p>N/A</p>	<p>N/A</p>
<p>Care experienced individuals</p> <p>(Note that as per the Independent Review of Children’s Social Care recommendations, Plymouth City Council is treating</p>	<p>It is estimated that 26 per cent of the homeless population in the UK have care experience. In Plymouth there are currently 7 per cent of care leavers open to the service (6 per cent aged 18-20 and 12 per cent of those aged 21+) who are in unsuitable accommodation.</p> <p>The Care Review reported that 41 per cent of 19-21 year old care leavers are not in education, employment or training (NEET)</p>	<p>The scheme is not anticipated to have any adverse impact on care experienced individuals.</p>	<p>N/A</p>	<p>N/A</p>

care experience as though it is a protected characteristic).	<p>compared to 12 per cent of all other young people in the same age group.</p> <p>In Plymouth there are currently 50 per cent of care leavers aged 18-21 Not in Education Training or Employment (54 per cent of all those care leavers aged 18-24 who are open to the service).</p> <p>There are currently 195 care leavers aged 18 to 20 (statutory service) and 58 aged 21 to 24 (extended offer). There are more care leavers aged 21 to 24 who could return for support from services if they wished to.</p>			
Disability	<p>9.4 per cent of residents in Plymouth have their activities limited 'a lot' because of a physical or mental health problem.</p> <p>12.2 per cent of residents in Plymouth have their activities limited 'a little' because of a physical or mental health problem (2021 Census)</p>	During the period of construction there is potential for disruption to those requiring access to Derriford Hospital.	<p>Traffic Management will be put in place to mitigate potential disruption.</p> <p>Overall crossing and other facilities will be upgraded to support the visually and mobility impaired.</p>	<p>Traffic Management will be in place for up to eight months.</p> <p>The upgraded crossings will be a permanent feature.</p> <p>The Growth Department is the responsible department.</p>
Gender reassignment	0.5 per cent of residents in Plymouth have a gender identity that is different from their sex registered at birth. 0.1 per cent of residents identify as a trans man, 0.1 per cent identify as non-binary and, 0.1 per cent identify as a trans women (2021 Census).	The scheme is not anticipated have any adverse impact on this group.	N/A	N/A
Marriage and civil partnership	<p>40.1 per cent of residents have never married and never registered a civil partnership. 10 per cent are divorced, 6 percent are widowed, with 2.5 per cent are separated but still married.</p> <p>0.49 per cent of residents are, or were, married or in a civil partnerships of the same sex. 0.06 per cent of residents are in a civil</p>	The scheme is not anticipated have any adverse impact on this group.	N/A	N/A

	partnerships with the opposite sex (2021 Census).			
Pregnancy and maternity	The total fertility rate (TFR) for England was 1.62 children per woman in 2021. The total fertility rate (TFR) for Plymouth in 2021 was 1.5.	During the period of construction there is potential for disruption to those requiring access to Derriford Hospital.	Traffic Management will be put in place to mitigate potential disruption. Overall crossing and other facilities will be upgraded to support the visually and mobility impaired.	Traffic Management will be in place for up to eight months. The upgraded crossings will be a permanent feature. The Growth Department is the responsible department.
Race	In 2021, 94.9 per cent of Plymouth's population identified their ethnicity as White, 2.3 per cent as Asian and 1.1 per cent as Black (2021 Census) People with a mixed ethnic background comprised 1.8 per cent of the population. 1 per cent of the population use a different term to describe their ethnicity (2021 Census) 92.7 per cent of residents speak English as their main language. 2021 Census data shows that after English, Polish, Romanian, Chinese, Portuguese, and Arabic are the most spoken languages in Plymouth (2021 Census).	The scheme is not anticipated have any adverse impact on any race.	N/A	N/A
Religion or belief	48.9 per cent of the Plymouth population stated they had no religion. 42.5 per cent of the population identified as Christian (2021 Census). Those who identified as Muslim account for 1.3 per cent of Plymouth's population while Hindu, Buddhist, Jewish or Sikh combined totalled less than 1 per cent (2021 Census).	The scheme is not anticipated have any adverse impact on any religious groups.	N/A	N/A

Sex	51 per cent of our population are women and 49 per cent are men (2021 Census).	The scheme is not anticipated have any adverse impact on this group.	N/A	N/A
Sexual orientation	88.95 per cent of residents aged 16 years and over in Plymouth describe their sexual orientation as straight or heterosexual. 2.06 per cent describe their sexuality as bisexual, 1.97 per cent of people describe their sexual orientation as gay or lesbian. 0.42 per cent of residents describe their sexual orientation using a different term (2021 Census).	The scheme is not anticipated have any adverse impact on this group.	N/A	N/A

SECTION FOUR: HUMAN RIGHTS IMPLICATIONS

Human Rights	Implications	Mitigation Actions	Timescale and responsible department
	It is not anticipated that there will be any implications involving human rights as a result of this scheme.	N/A	N/A

SECTION FIVE: OUR EQUALITY OBJECTIVES

Equality objectives	Implications	Mitigation Actions	Timescale and responsible department
Celebrate diversity and ensure that Plymouth is a welcoming city.	It is not anticipated that there will be any implications on diversity as a result of this scheme.	N/A	N/A
Pay equality for women, and staff with disabilities in our workforce.	It is not anticipated that there will be any implications on equality in the workforce as a result of this scheme.	N/A	N/A

Supporting our workforce through the implementation of Our People Strategy 2020 – 2024	It is not anticipated that there will be any implications on supporting the workforce as a result of this scheme.	N/A	N/A
Supporting victims of hate crime so they feel confident to report incidents, and working with, and through our partner organisations to achieve positive outcomes.	It is not anticipated that there will be any implications involving hate crimes as a result of this scheme.	N/A	N/A
Plymouth is a city where people from different backgrounds get along well.	It is not anticipated that there will be any implications on people from different backgrounds as a result of this scheme.	N/A	N/A

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Charlton Road Junction Scheme Phase 2

Project details

Assessment author

Jake Holmes

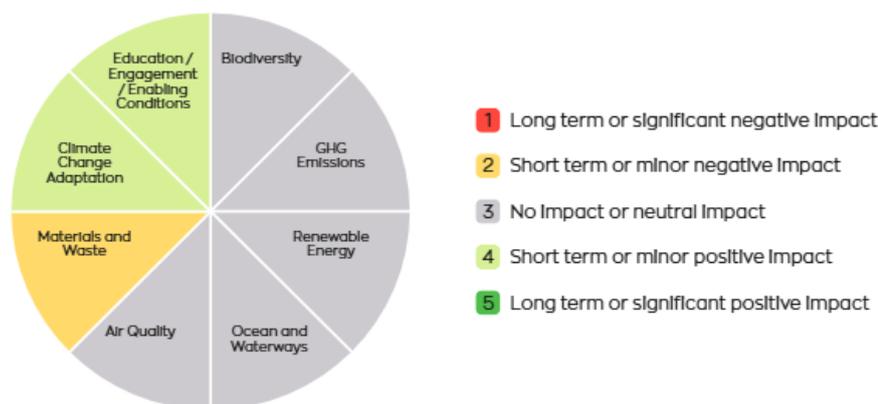
Project summary

The Charlton Road Junction Scheme will construct a whole junction upgrade to install traffic signals on each arm of the junction, including on the inbound side of Tavistock Road and the right turn into and left turn out of Charlton Road.

Walking and cycling facilities will also be improved by introducing a traffic island on Charlton Road, allowing pedestrians and cyclists to cross in two stages.

This will remove the need for Charlton Road residents to divert to Derriford Roundabout to come back on themselves and use the left turn lane into Charlton Road.

Summary of assessment



The primary aim of the Charlton Road is reopening the access to Charlton Road northbound from Tavistock Road, following its closure due to safety reasons during the Derriford Transport Scheme.

The project will remove the need for residents of Charlton Road and surrounding streets to divert an extra mile to Derriford Roundabout and come back on themselves, therefore reducing trips in this area and in turn air pollution, greenhouse gases and congestion. However, the introduction of a signalised junction does increase the amount of waiting cars in the area, which could decrease air quality. These two factors, as well as the improvement in pedestrian facilities and reliability of the northbound bus service through reduced congestion, have given a neutral score across the board for this assessment.

This is a smaller project that is primarily vehicle focused but will have minimal impacts on the specific area and on the wider area.



Delivery of the scheme will be supported by the development and delivery of a Construction Environmental Management Plan (CEMP) to ensure delivery of the project in accordance with best practice. The CEMP and other project documents such as the Site Waste Management Plan will identify key mitigation to be implemented throughout construction.

Assessment scores

Biodiversity

Score

(3) No impact or neutral impact

Score justification

The scheme is not located within close proximity of any designated international or nationally protected sites and will not directly impact upon the conservation status of any designated site for nature conservation purposes. The dominant habitat of the site is hardstanding due to the current highway and associated infrastructure and the habitat is of negligible ecological value. Any measures identified are incorporated within the Construction Environmental Management Plan (CEMP). The fundamental aim of the scheme is to signalise an existing junction to allow access for the residents in the area. Therefore no vegetation will be removed and no trees are disrupted.

GHG Emissions

Score

(3) No impact or neutral impact

Score justification

The nature of construction work means that there is likely to be a short term negative impact on greenhouse gas emissions. The scheme adds a new set of signals which will increase waiting time and therefore increase GHG. However the reduced vehicle movements in removing the need for residents of the area to divert an extra mile to Derriford Roundabout and back is likely to offset that and therefore provide a neutral impact.

Less cars making the trip from Charlton Road to Derriford Roundabout unnecessarily will also reduce congestion on this stretch, meaning less cars idling in the area. Less congestion will also mean a more reliable bus service and timetable, improving people's confidence in the services offered.

The scheme includes a pedestrian island at the junction of Charlton Road, improving the safety of the crossing and a potential barrier to modal shift to sustainable travel.

As this is an existing junction there would be no increase to the amount of traffic using the area. The new signals and a new upgraded speed camera will reduce the likelihood of speeding in this area.

Renewable Energy

Score

(3) No impact or neutral impact

Score justification

It is not considered that the scheme will have any direct impact on renewable energy.

Ocean and Waterways

Score

(3) No impact or neutral impact

Score justification

Surface water run-off discharge to sewers will be appropriately restricted (in line with national and LLFA guidance) to ensure flood risk is not increased. A Construction Environmental Management Plan details best practice measures and mitigation to limit the risk of contamination of water resources. We are also not increasing the impermeable surface areas of the road so runoff won't increase. Improved drainage will be included in the scheme in the form of beany blocks.

Air Quality

Score

(3) No impact or neutral impact

Score justification

The scheme will help to improve local air quality through the reduction in journeys from the junction to Derriford Roundabout, saving about a mile for residents of Charlton Road and surrounding streets. However, it is likely to decrease air quality in the area through increased waiting time at the new signals. The two of these factors produce a neutral impact.

Less cars making the trip from Charlton Road to Derriford Roundabout unnecessarily will also reduce congestion on this stretch, meaning less cars idling in the area. Less congestion will also mean a more reliable bus service and timetable, improving people's confidence in the services offered.

The scheme includes a pedestrian island at the junction of Charlton Road, improving the safety of the crossing and a potential barrier to modal shift to sustainable travel.

As this is an existing junction there would be no increase to the amount of traffic using the area. The new signals and a new upgraded speed camera will reduce the likeliness of speeding in this area.

Construction in the area is also likely to cause a short term temporary negative impact on air quality during the works, but once the junction is open and residents don't have to make the mile long diversion, it is likely that the scheme will not negatively impact the air quality in the area. This is taking into account the increase in waiting time at the signals and the removal of an unnecessary diversion.

Materials and Waste

Score

(2) Short term or limited negative impact

Score justification

Best practice waste management techniques will be adopted throughout construction. A Site Waste Management Plan (SWMP) has been produced and will ensure that the principles of the waste management hierarchy (i.e. reduce, reuse, recycle) will be adopted. The reuse of site won materials will be prioritised and retained where possible. A Construction Environmental Management Plan (CEMP) will also support scheme delivery, but until that is available



we are unable to give a neutral score.

Climate Change Adaptation

Score

(4) Short term or limited positive impact

Score justification

The scheme will not contribute positively or negatively to the anticipated effects of climate change. It will not lead to changes in the risk of flooding. It will not lead to increased urban heat islands. Beany blocks will be included in the scheme, which help manage heavier rainfall, reduce flooding and require lower maintenance and therefore lower carbon over time.

Education / Engagement / Enabling Conditions

Score

(4) Short term or limited positive impact

Score justification

The Charlton Road scheme does include some pedestrian provision, in the form of a pedestrian island at the junction of Charlton Road, improving the safety of the crossing and a potential barrier to modal shift to sustainable travel.

The scheme is close to educational facilities such as Plymouth Marjon University and local schools. Although there will be a short term, temporary inconvenience, the improvement of pedestrian facilities at the junction will lead to an improved walking route to these areas and encourage young people to make the journey more sustainably.

Contractors from Aecom and Taylor Woodrow have apprentices that work on the project and site visit opportunities with local educational establishments.

There will be a travel plan in place from the contractor to ensure that staff will be accessing the site in the most sustainable way possible.

EXECUTIVE DECISION

made by a Cabinet Member



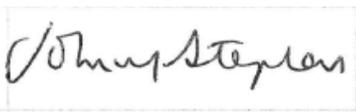
REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL CABINET MEMBER

Executive Decision Reference Number – SPT14 25/26

Decision	
1	Title of decisions: 2137321 – Budshead Road – Zebra Crossing
2	Decision maker: Councillor John Stephens (Cabinet Member for Strategic Planning and Transport)
3	Report author and contact details: Amy Neale, Senior Traffic Management Technician, email: trafficmanagementinbox@plymouth.gov.uk & Maria Kotowska, Transport Planning Officer.
4	Decision to be taken: To add a Zebra Crossing to Budshead Road, west of Whitleigh Green (east leg)
5	Reasons for decision: The proposed scheme is designed to benefit pedestrians, including people with disabilities. The scheme aims to deliver major health benefits providing an opportunity for the residents of Plymouth to walk more safely. The proposals also aim to encourage modal shift, reducing congestion on our roads and lowering the amount of carbon emissions from traffic. The proposal includes provision of a new zebra crossing on Budshead Road, at the eastern most junction with Whitleigh Green (near Well Pharmacy). This will improve the link between the local centre on Whitleigh Green and the residential areas and Woodland Wood Local Nature Reserve to the south. The proposal intends to improve the connectivity of the area and pedestrian safety.
6	Alternative options considered and rejected: a) Do nothing. This option was discounted on the basis that the changes are required to enhance road safety and enable people to make more sustainable travel choices. b) Locate the crossing elsewhere on Budshead Road This option was discounted as the proposed location is on a clear desire line for pedestrians approaching from both east and west to the Local Centre on Whitleigh Green and doctors' surgery.

	<p>There is currently a dropped kerb crossing point at the proposed location. The visibility to the crossing point is good and because there is a single lane of traffic through the crossing in each direction, the Belisha Beacons will be very visible to drivers.</p> <p>Locating the crossing further southeast (at the island) would impact on the current bus stops. The proposed position of the crossing is believed to represent an appropriate balance of the safety and convenience of all road users.</p>			
7	<p>Financial implications and risks:</p> <p>The scheme and associated works are being funded by Active Travel England (ATE) Consolidated Active Travel Fund (CATF), set out in decision: DL03 25/26</p>			
8	<p>Legal Implications:</p> <p>The relevant legal implications have been taken into account see paragraph 5 of the Briefing Report.</p>			
9a	<p>Is the decision a Key Decision? (please contact Democratic Support for further advice)</p>	Yes	No	Per the Constitution, a key decision is one which:
			x	in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total
			x	in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1million
		x	is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority.	
	<p>If yes, date of publication of the notice in the Forward Plan of Key Decisions</p>			N/A
10	<p>Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:</p>			The Local Transport Plan (LTP) details the transport strategies and policies that the City Council has adopted and will be key in helping the city meet its Corporate Plan priorities, and growth agenda.
11	<p>Please specify any direct environmental implications of the decision (carbon impact)</p>			None.
Urgent decisions				
12	<p>Is the decision urgent and to be implemented immediately in the interests of the Council or the public?</p>			<p>Yes</p> <p>(If yes, please contact Democratic Support democraticsupport@plymouth.gov.uk for advice)</p>

		No	x	(If no, go to section 13a)
12a	Reason for urgency:			
12b	Scrutiny Chair Signature:		Date	
	Scrutiny Committee name:			
	Print Name:			
Consultation				
13a	Are any other Cabinet members' portfolios affected by the decision?	Yes		
		No	x	(If no go to section 14)
13b	Which other Cabinet member's portfolio is affected by the decision?			
13c	Date Cabinet member consulted			
14	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes		If yes, please discuss with the Monitoring Officer
		No	x	
15	Which Corporate Management Team member has been consulted?	Name	Glenn Caplin-Gray	
		Job title	Strategic Director for Growth	
		Date consulted	15 December 2025	
Sign-off				
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	JS65 25/26	
		Finance (mandatory)	DN.25.26.008	
		Legal (mandatory)	LS/2960(71)/JP/1512 25	
		Human Resources (if applicable)	N/A	
		Corporate property (if applicable)	N/A	

		Procurement (if applicable)	N/A						
Appendices									
17	Ref.	Title of appendix							
	A	Briefing report for publication							
	B	Equalities Impact Assessment							
Confidential/exempt information									
18a	Do you need to include any confidential/exempt information?		Yes		If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in 18b below. (Keep as much information as possible in the briefing report that will be in the public domain)				
		No	x						
			Exemption Paragraph Number						
			1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title:								
Background Papers									
19	Please list all unpublished, background papers relevant to the decision in the table below. Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.								
Title of background paper(s)			Exemption Paragraph Number						
			1	2	3	4	5	6	7
Cabinet Member Signature									
20	I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not. For further details please see the EIA attached.								
Signature				Date of decision		26/01/2026			

Print Name	Councillor John Stephens (Cabinet Member for Strategic Planning and Transport)
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BUDSHEAD ROAD

1. INTRODUCTION

This report seeks delegated authority to implement a new zebra crossing on Budshead Road

2. TRAFFIC REGULATION ORDERS REQUIRED

2.1 The elements that need a Traffic Regulation Order are as follows:

There are no elements of this scheme that require a Traffic Order. However, the decision to be taken is to add a zebra crossing to Budshead Road.

3. STATUTORY CONSULTATION

Proposals

The proposals for the scheme were advertised on street, in the Herald and on the Plymouth City Council website on 12th July 2024. Details of the proposals were sent to the Councillors representing the affected wards and statutory consultees on 8th July 2024. In addition, letters were sent to approximately 600 residents and a consultation event, where Plymouth City Council officers were available to discuss the proposals, took place in Victoria Park on 20 July, 2024.

There has been a total of 7 representations received relating to the proposals. 3 were in favour of the proposals with 1 against. There were further 3 responses which were interpreted as supporting the proposals in part.

A strong theme amongst the positive comments was potential improvement of safety for pedestrians, especially for the elderly, children and disabled people (4/7). Particular negative comments expressed by the participants included: position of the proposed crossing should be changed (2/7) and the crossing is altogether unnecessary (1/7).

There are more formal consultation responses in favour of proceeding than against. Funding awarded by Active Travel England (ATE) Consolidated Active Travel Fund (CATF), is available to construct the scheme before 31 March 2028.

A list of the issues raised by respondents is detailed below along with Officer comments:

No	Comment	PCC response
1	'I feel this should have been brought into force a long time ago budshead Road is very dangerous. as far as I am concerned someone in the planning department wasnt wearing there thinking cap when they decided to build old Peoples bungalows offsite greatly needed as there have been approx fifty or more deaths on this road since this estate has been built I do hope this gets the approval it needs.'	The comments were logged and considered as part of the final decision-making process. Between Jan 2020 – Dec 2024 there have been 9 collisions reported on the stretch of Budshead Road between the western junction with Taunton Avenue and Whiteleigh Court, 7 slight and 2 serious. Only one of them, a slight one, involved a pedestrian. There were no fatal collisions recorded.

2	<p>'I would like to say that a zebra crossing on Budshead Road would be a real benefit especially for people coming from the doctor's surgery and needing the chemist. Really pleased with this plan.'</p>	<p>The comments were logged and considered as part of the final decision-making process.</p>
3	<p>'The proposed crossing in Whitleigh Green is a great idea, especially for people using mobility scooters, like myself, and people with pushchairs and young children. I have sat waiting for a clear road or hoping someone would stop and allow me to cross, so yes it's a brilliant move for everyone.</p> <p>Hopefully in the near future there could be a crossing in Transit Way, as again to cross is reliant on people stopping in both directions in order for you to cross. As it is, going across walkway bridge between Whitleigh and Crownhill Road, I have to turn right to go the crossing and then travel to Transit Way junction, there isn't a crossing at the lights, and then wait and try to cross to go to Tesco and then again to do journey back to Whitleigh Green. It can be a nightmare and dangerous, for both disabled people and those with pushchairs and young children.'</p>	<p>The comments were logged and considered as part of the final decision-making process.</p> <p>Active travel facilities on Crownhill Road or Transit Way fall outside the scope for this scheme.</p>
4	<p>'I think its good idea to put zebra crossing in Whitleigh Green as it should be done years ago,however location proposal may be questionable.I woul put in use existing island which is close to bus stop located on south side already build for purpose of crossing for pedestrians which makes the most sense traffic way and financial .</p> <p>Proposal of new location will not only need for more financing but add chaos to vehicle traffic on Budshed road as well outcoming traffic from Whileigh Green shops and estate itself.</p> <p>I live here for years and I can assure that my idea is the safe and efficient way to make safe this crossing go ahead .'</p>	<p>The comments were logged and considered as part of the final decision-making process.</p> <p>The proposed location of the crossing is determined by a number of factors, but in particular the desire to provide a convenient link to the Local Centre on Whitleigh Green and doctors surgery to the south for residents approaching from both east and west. The crossing would alleviate some of the community severance created by Budshead Road.</p> <p>There is currently a dropped kerb crossing point at the proposed location. The visibility to the crossing point is good and because there is a single lane of traffic through the crossing in each direction, the Belisha Beacons will be very visible to drivers.</p> <p>Locating the crossing further southeast (at the island) would impact on the current bus stops.</p>
5	<p>'I think it is completely unnecessary, a waste of money, time and space. There are already pelican crossings right up and down the road and one almost directly outside of the shops. This is not needed and I have heard no one mention needing nor wanting one. The crossing facilities around Whitley green are more than adequate. Maybe you should go have a real look before wasting tax payers money on needless endeavours.'</p>	<p>The comments were logged and considered as part of the final decision-making process.</p> <p>The funding for the scheme has been secured externally, specifically for the scheme, and it will not divert current council resources away from maintenance or other schemes.</p> <p>The nearest controlled crossing on Budshead Road is a zebra crossing at the junction with Kirkwall Road, over 1km southeast of the proposed crossing. In the other direction there</p>

		<p>is no controlled crossing facilities for the remaining length of Budshead Road (over 2km).</p> <p>During the recent survey 106 people were recorded crossing Budshead Road between the western junction with Whiteleigh Green and the eastern junction with Taunton Avenue in the hour of 14:00-15:00 alone, including 5 push chairs and 3 mobility scooters.</p> <p>The proposed scheme is designed to improve safety for pedestrians, including elderly, children and people with disabilities.</p>
6	<p>'I am writing to you to urge funding for and the construction of the proposed cycle-friendly parallel crossings at Cot Hill, Eldad Hill, Stoke, Alma Road, Budshead Road and Devonport Road. They are, it would seem, fully designed but as yet unfunded. Plymouth has an historic opportunity to lead the way in sustainable transport but only if it chooses to implement bold and imaginative measures to reduce traffic and emissions by taking cars off the road. Cycling is a big part of this. A massive concern to those who choose to cycle however is safety; all too often people choose not to cycle not because they do not wish to do so but because they feel unsafe on their bikes. These measures address very real safety concerns and should therefore proceed as soon as possible. In addition their completion would send a massive statement of intent about Plymouth's determination to move forward with more sustainable transport options. It's vital therefore these proposals proceed as soon as possible.</p> <p>[...]</p> <p>'As a resident of Plymouth who loves cycling I would absolutely say that pedestrianisation, cycling and effective public transportation need to be at the heart of a sustainable transport strategy for Plymouth going forward.'</p>	<p>The comments were logged and considered as part of the final decision-making process.</p> <p>Crossing proposed on Budshead Road is a Zebra crossing without a parallel cycle crossing. In accordance with The Highway Code cyclists will need to dismount and wheel their cycle across.</p> <p>The width of the current shared infrastructure connecting to the proposed crossing is too narrow to accommodate a parallel crossing to an LTN 1/20 standard. Additionally, there is no cycling facilities to the north of the proposed scheme that a cycle crossing could connect to.</p>
7	<p>'As residents of Lewes Gardens, my partner and I have no objections; in fact, we think it is a good idea.</p> <p>However, might we suggest a more pressing location for a crossing on Budshead Road, one where there are currently no islands or crossings at all, and which is on a major walking route for both primary and secondary schools [between Biggin Hill and Milford Lane].'</p>	<p>The comments were logged and considered as part of the final decision-making process.</p> <p>The proposed location of the crossing is determined by a number of factors, but in particular the desire to provide a convenient link to the Local Centre on Whiteleigh Green and doctors surgery to the south for residents approaching from both east and west. The crossing would alleviate some of the community severance created by Budshead Road.</p>

4. RECOMMENDATION

It is recommended that the proposals are implemented as advertised.

5. LEGAL CONSIDERATIONS

The lawful implications and consequences of the proposal have been considered and taken into account in the preparation of this report.

When considering whether to make a traffic order it is the Council's responsibility to ensure that all relevant legislation is complied with. This includes Section 122 of the Road Traffic Regulation Act 1984 (as amended) that sets out that it is the duty of a local authority, so far as practicable subject to certain matters, to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway. It is considered that the proposals comply with Section 122 of the Act as they practically secure the safe and expeditious movement of traffic in and around Plymouth and provide for suitable and adequate associated parking facilities.

EQUALITY IMPACT ASSESSMENT – BUDSHEAD ROAD CROSSING

SECTION ONE: INFORMATION ABOUT THE PROPOSAL

Author(s): The person completing the EIA template.	Maria Kotowska	Department and service:	SP&I Place	Date of assessment:	17/11/2025
Lead Officer: Head of Service, Service Director, or Strategic Director.	Philip Heseltine	Signature:		Approval date:	08/12/2025
Overview:	<p>The proposed scheme is designed to benefit pedestrians, including people with disabilities. The scheme aims to deliver major health benefits providing an opportunity for the residents of Plymouth to walk more safely. The proposals also aim to encourage modal shift, reducing congestion on our roads and lowering the amount of carbon emissions from traffic.</p> <p>The proposal includes provision of a new zebra crossing on Budshead Road, at the eastern most junction with Whitleigh Green (near Well Pharmacy).</p> <p>This will improve the link between the local centre on Whitleigh Green and the residential areas and Woodland Wood Local Nature Reserve to the south. The proposal intends to improve the connectivity of the area and pedestrian safety.</p>				
Decision required:	To add a Zebra Crossing to Budshead Road, west of Whitleigh Green (east leg)				

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SECTION TWO: EQUALITY IMPACT ASSESSMENT SCREENING TOOL

Potential external impacts: Does the proposal have the potential to negatively impact service users, communities or residents with protected characteristics?	Yes		No	x
Potential internal impacts: Does the proposal have the potential to negatively impact Plymouth City Council employees?	Yes		No	x

Is a full Equality Impact Assessment required? (if you have answered yes to either of the questions above then a full impact assessment is required and you must complete section three)	Yes		No	x
If you do not agree that a full equality impact assessment is required, please set out your justification for why not.				

SECTION THREE: FULL EQUALITY IMPACT ASSESSMENT

Protected characteristics (Equality Act, 2010)	Evidence and information (e.g. data and consultation feedback)	Adverse impact	Mitigation activities	Timescale and responsible department
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<p>Age</p>	<p>Plymouth</p> <ul style="list-style-type: none"> • 16.4 per cent of people in Plymouth are children aged under 15. • 65.1 per cent are adults aged 15 to 64. • 18.5 percent are adults aged 65 and over. • 2.4 percent of the resident population are 85 and over. <p>South West</p> <ul style="list-style-type: none"> • 15.9 per cent of people are aged 0 to 14, 61.8 per cent are aged 15 to 64. • 22.3 per cent are aged 65 and over. <p>England</p> <ul style="list-style-type: none"> • 17.4 per cent of people are aged 0 to 14. • 64.2 per cent of people are aged 15 to 64. • 18.4 per cent of people are aged 65 and over. <p>(2021 Census)</p>			
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<p>Care experienced individuals (Note that as per the Independent Review of Children’s Social Care recommendations, Plymouth City Council is treating care experience as though it is a protected characteristic).</p>	<p>It is estimated that 26 per cent of the homeless population in the UK have care experience. In Plymouth there are currently 7 per cent of care leavers open to the service (6 per cent aged 18-20 and 12 per cent of those aged 21+) who are in unsuitable accommodation.</p> <p>The Care Review reported that 41 per cent of 19-21 year old care leavers are not in education, employment or training (NEET) compared to 12 per cent of all other young people in the same age group.</p> <p>In Plymouth there are currently 50 per cent of care leavers aged 18-21 Not in Education Training or Employment (54 per cent of all those care leavers aged 18-24 who are open to the service).</p> <p>There are currently 195 care leavers aged 18 to 20 (statutory service) and 58 aged 21 to 24 (extended offer). There are more care leavers aged 21 to 24 who could return for support from services if they wished to.</p>			
<p>Disability</p>	<p>9.4 per cent of residents in Plymouth have their activities limited ‘a lot’ because of a physical or mental health problem.</p> <p>12.2 per cent of residents in Plymouth have their activities limited ‘a little’ because of a physical or mental health problem (2021 Census)</p>			

<p>Gender reassignment</p>	<p>0.5 per cent of residents in Plymouth have a gender identity that is different from their sex registered at birth. 0.1 per cent of residents identify as a trans man, 0.1 per cent identify as non-binary and, 0.1 per cent identify as a trans women (2021 Census).</p>			
<p>Marriage and civil partnership</p>	<p>40.1 per cent of residents have never married and never registered a civil partnership. 10 per cent are divorced, 6 percent are widowed, with 2.5 per cent are separated but still married.</p> <p>0.49 per cent of residents are, or were, married or in a civil partnerships of the same sex. 0.06 per cent of residents are in a civil partnerships with the opposite sex (2021 Census).</p>			
<p>Pregnancy and maternity</p>	<p>The total fertility rate (TFR) for England was 1.62 children per woman in 2021. The total fertility rate (TFR) for Plymouth in 2021 was 1.5.</p>			

<p>Race</p>	<p>In 2021, 94.9 per cent of Plymouth’s population identified their ethnicity as White, 2.3 per cent as Asian and 1.1 per cent as Black (2021 Census)</p> <p>People with a mixed ethnic background comprised 1.8 per cent of the population. 1 per cent of the population use a different term to describe their ethnicity (2021 Census)</p> <p>92.7 per cent of residents speak English as their main language. 2021 Census data shows that after English, Polish, Romanian, Chinese, Portuguese, and Arabic are the most spoken languages in Plymouth (2021 Census).</p>			
<p>Religion or belief</p>	<p>48.9 per cent of the Plymouth population stated they had no religion. 42.5 per cent of the population identified as Christian (2021 Census).</p> <p>Those who identified as Muslim account for 1.3 per cent of Plymouth’s population while Hindu, Buddhist, Jewish or Sikh combined totalled less than 1 per cent (2021 Census).</p>			
<p>Sex</p>	<p>51 per cent of our population are women and 49 per cent are men (2021 Census).</p>			
<p>Sexual orientation</p>	<p>88.95 per cent of residents aged 16 years and over in Plymouth describe their sexual orientation as straight or heterosexual. 2.06 per cent describe their sexuality as bisexual, 1.97 per cent of people describe their sexual orientation as gay or lesbian. 0.42 per cent of residents describe their sexual orientation using a different term (2021 Census).</p>			

SECTION FOUR: HUMAN RIGHTS IMPLICATIONS

Human Rights	Implications	Mitigation Actions	Timescale and responsible department
	No negative impact		

SECTION FIVE: OUR EQUALITY OBJECTIVES

Equality objectives	Implications	Mitigation Actions	Timescale and responsible department
<p>Work together in partnership to:</p> <ul style="list-style-type: none"> ▪ promote equality, diversity and inclusion ▪ facilitate community cohesion ▪ support people with different backgrounds and lived experiences to get on well together 	<p>Delivery of the crossing will physically improve the connections within the community. In addition, as part of the delivery consultation was undertaken thus actively engaging the community.</p>		
<p>Give specific consideration to care experienced people to improve their life outcomes, including access to training, employment and housing.</p>	<p>No negative impact</p>		
<p>Build and develop a diverse workforce that represents the community and citizens it serves.</p>	<p>No negative impact</p>		
<p>Support diverse communities to feel confident to report crime and anti-social behaviour, including hate crime and hate incidents, and work with partners to ensure Plymouth is a city where everybody feels safe and welcome.</p>	<p>No negative impact</p>		

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EXECUTIVE DECISION

made by a Cabinet Member



REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL CABINET MEMBER

Executive Decision Reference Number – HCD03 25/26

Decision					
1	Title of decision: HMO Standards 2026 (Housing Standards)				
2	Decision maker: Councillor Chris Penberthy (Cabinet Member for Housing, Cooperative Development and Communities)				
3	Report author and contact details: Christian Hackney (Technical Lead – Housing Standards) Christian.hackney@plymouth.gov.uk				
4	Decision to be taken: I. To approve the HMO standards 2026 (Housing Standards)				
5	Reasons for decision: I, To ensure that the standards remain current and clarify some areas within the standards.				
6	Alternative options considered and rejected: I. Keep the current HMO standards. This was rejected as there were updates that needed to be made and clarification to kitchen facilities for the number of tenants living at an HMO property.				
7	Financial implications and risks: There are no additional costs as enforcement of this policy will be absorbed into the existing resource of the Housing standards Team.				
8	Legal Implications: There are no additional legal implications.				
9	Is the decision a Key Decision? (please contact Democratic Support for further advice) Please type an X into the relevant boxes	Yes	No	Per the Constitution, a key decision is one which:	
			X		in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total
			X		in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1 million annually
		X	is significant in terms of its effect on communities living or working in an area		

				comprising two or more wards in the area of the local authority.
	If yes, date of publication of the notice in the Forward Plan of Key Decisions	N/A		
10	Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:	<p>Corporate Plan</p> <p>Democracy, responsibility, Fairness and cooperation.</p> <p>There have been queries raised recently with regards to some sections of the HMO standards by landlords as well as some Officers. These queries have been taken into consideration and amended where needed to ensure that they are easy to follow and to ensure there is an expectancy that people living within licenced HMO's in the Plymouth area are able to live in a safe environment.</p> <p>With the small minority of Landlords that do not comply with the HMO standards we are able to take action to enforce the non-compliance of the HMO standards.</p> <p>The policy is part of a toolkit of policies aimed at securing improvements to licensable HMO's within the city to improve our citizens' health and wellbeing. This will support the Corporate Plan; The HMO standards help to improve housing quality in Plymouth to allow tenants to enjoy a greater quality of life.</p>		
11	Please specify any direct environmental implications of the decision (carbon impact)	There is no anticipated direct environmental impact.		

Urgent decisions

12a	Is the decision urgent and to be implemented immediately in the interests of the Council or the public?	Yes		(If yes, please contact Democratic Support (democraticsupport@plymouth.gov.uk) for advice)
		No	X	(If no, go to section 13a)
12b	Reason for urgency:			
12c	Scrutiny Chair Signature:		Date	
	Scrutiny Committee name:			
	Print Name:			

Consultation

13a	Are any other Cabinet members' portfolios affected by the decision? Please type an X into the relevant box	Yes		
		No	X	(If no go to section 14)
13b	Which other Cabinet member's portfolio is affected by the decision?	N/A		
13c	Date Cabinet member consulted	N/A		
14	Has any Cabinet member declared a conflict of interest in relation to the decision? Please type an X into the relevant box	Yes		If yes, please discuss with the Monitoring Officer
		No	X	
15	Which Corporate Management Team member has been consulted?	Name	Gary Walbridge	
		Job title	Strategic Director Adults, Health and Communities	
		Date consulted	07 October 2025	
Sign-off				
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	JS49 25/26	
		Finance (mandatory)	OW.25.26.087	
		Legal (mandatory)	CM 11.11.2025 4035	
		Procurement (if applicable)	N/A	
		Corporate property (decisions involving Council owned land or facilities) (if applicable)	N/A	
		Human Resources (if applicable)	N/A	
Appendices				
17	Ref.	Title of appendix		
	A	Briefing report for publication		
	B	Equalities Impact Assessment		
	C	Climate Impact Assessment		
	D	HMO Standards 2025 final version		
Confidential/exempt information				
18a	Do you need to include any confidential/exempt information?			If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for

	Please type an X into the relevant box	No	publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in 18b below. (Keep as much information as possible in the briefing report that will be in the public domain)					
		Exemption Paragraph Number						
		1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title:							
Background Papers								
19	Please list all unpublished, background papers relevant to the decision in the table below. Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.							
Title of background paper(s)		Exemption Paragraph Number						
		1	2	3	4	5	6	7
Cabinet Member Signature								
20	I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act (2010) and those who do not. For further details please see the EIA attached.							
Signature		Date of decision						
Print Name	Councillor Chris Penberthy							

Community Connections

HMO Standards 2026 Briefing Note



HMO Standards 2026 (Community Connections - Housing Standards)

This briefing note sets out the changes and amendments made to the HMO standards.

Overview

The current HMO (House in Multiple Occupation) Standards have been in effect since October 2020. In recent months, several queries have been raised regarding specific sections of the Standards by landlords, license holders, and internal officers.

A comprehensive review of the Standards was always scheduled for 2025. In light of the feedback received, these queries have been carefully considered as part of the formal review process.

While the majority of the Standards remain unchanged, revisions have been made to improve clarity and usability. These include minor amendments to wording within existing paragraphs, as well as the introduction of new tables to enhance the structure and accessibility of the document.

Changes and proposed changes

As part of the scheduled 2025 review of the House in Multiple Occupation (HMO) Standards, a number of updates have been made to improve clarity, reflect statutory guidance, and address recurring queries raised by landlords, licence holders, and officers.

The key changes are outlined below:

General Wording and Formatting Updates

- Minor amendments have been made throughout the document to align terminology with statutory instruments under the Housing Act 2004.
- Sentences have been refined to more clearly articulate the requirements of each standard.
- The outdated PCC contact number has been replaced with the current Council-wide contact number.

Bedroom Standards

- A new sentence has been added to the minimum bedroom size table, advising that an HHSRS (Housing Health and Safety Rating System) assessment may be conducted at the discretion of the inspecting officer.
- A note on minimum ceiling height has been added to this section to clarify its impact on usable floor space, particularly in rooms located within roof spaces with sloping walls.

Lounge Space

- Although there is no statutory minimum size for lounges, a recommended minimum of 6m² has been introduced. This aims to discourage the practice of reducing lounge space to allow for smaller bedrooms.

Sanitary Facilities

- A new requirement has been added stipulating that all WCs must be fitted with a suitable seat and lid.

Kitchen Facilities

- The most significant revision concerns kitchen provision. Previously, for households of 6–9 people, a cooker and microwave could be provided instead of two cookers. This led to ambiguity regarding when two cookers were mandatory.
- To resolve this, a new table has been introduced specifying the expected kitchen facilities for different occupancy levels (e.g., 1–5, 6–7, 8–10 persons), offering clearer guidance for compliance.
- There is a requirement for Landlords to provide a sufficient amount of waste bins, internally & externally. This includes ensuring that there is enough food caddies provided, in line with Plymouth City Council implementing a new food waste collection service.

Fire Safety Enhancements

- Strengthened requirements have been introduced to protect the main escape route from the kitchen, identified as the highest-risk room in the event of fire.
- Fire doors must now offer 30-minute fire resistance, be fitted with a self-closer, and be installed following consultation with a competent professional.
- These measures are designed to ensure safe evacuation for occupants in the event of a fire.

Contact Information

- Three outdated telephone numbers previously listed for advice and guidance have been removed.
- These have been replaced with the Council's central contact number and website address to streamline communication.

Financial implications

There are no foreseen financial implications to the Local Authority.

Time scale

It is proposed to introduce these changes as soon as possible.

The future

The policy will be reviewed next in 2028.

The next upcoming change is the Renters Rights Bill. As part of that, there will be the introduction of the Decent Homes Standard into the Private Rented Sector as well as for Social Housing. It is envisaged that when this is fully implemented, there will be additional requirements for the upkeep of HMO properties as well as all other Private Rented Sector

Official

properties.

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EQUALITY IMPACT ASSESSMENT –

HMO STANDARDS 2025

SECTION ONE: INFORMATION ABOUT THE PROPOSAL

Author(s): The person completing the EIA template.	Christian Hackney	Department and service:	Adults Health & Communities, Community Connections	Date of assessment:	9 th March 2026
Lead Officer: Head of Service, Service Director, or Strategic Director.	Matt Garrett	Signature:		Approval date:	9 th March 2026
Overview:	<p>The HMO standards have been reviewed as the previous HMO standards were published in 2020. Since the Standards were published there have been queries received from Landlords/HMO licence holders as well as our own SCCO officers.</p> <p>Although there are not whole sales changes to the HMO standards document there have been changes to some specific standards within the document where sections have been added or removed.</p> <p>This has been done to make the Standards clear for all that use them.</p>				
Decision required:	Approval of the updated HMO Standards 2026				

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SECTION TWO: EQUALITY IMPACT ASSESSMENT SCREENING TOOL

Potential external impacts: Does the proposal have the potential to negatively impact service users, communities or residents with protected characteristics?	Yes		No	X
Potential internal impacts: Does the proposal have the potential to negatively impact Plymouth City Council employees?	Yes		No	X

Is a full Equality Impact Assessment required? (if you have answered yes to either of the questions above then a full impact assessment is required and you must complete section three)	Yes		No	X
If you do not agree that a full equality impact assessment is required, please set out your justification for why not.	Whilst the amendments strengthen the existing regulations these will be applied by the Housing Standards Team across all vulnerabilities. There are no adverse impacts anticipated.			

SECTION THREE: FULL EQUALITY IMPACT ASSESSMENT

Protected characteristics (Equality Act, 2010)	Evidence and information (e.g. data and consultation feedback)	Adverse impact	Mitigation activities	Timescale and responsible department
Age	<p>Plymouth</p> <ul style="list-style-type: none"> • 16.4 per cent of people in Plymouth are children aged under 15. • 65.1 per cent are adults aged 15 to 64. • 18.5 percent are adults aged 65 and over. • 2.4 percent of the resident population are 85 and over. <p>South West</p> <ul style="list-style-type: none"> • 15.9 per cent of people are aged 0 to 14, 61.8 per cent are aged 15 to 64. • 22.3 per cent are aged 65 and over. <p>England</p> <ul style="list-style-type: none"> • 17.4 per cent of people are aged 0 to 14. • 64.2 per cent of people are aged 15 to 64. • 18.4 per cent of people are aged 65 and over. <p>(2021 Census)</p>	There are no adverse impacts anticipated.		

<p>Care experienced individuals (Note that as per the Independent Review of Children’s Social Care recommendations, Plymouth City Council is treating care experience as though it is a protected characteristic).</p>	<p>It is estimated that 26 per cent of the homeless population in the UK have care experience. In Plymouth there are currently 7 per cent of care leavers open to the service (6 per cent aged 18-20 and 12 per cent of those aged 21+) who are in unsuitable accommodation.</p> <p>The Care Review reported that 41 per cent of 19-21 year old care leavers are not in education, employment or training (NEET) compared to 12 per cent of all other young people in the same age group.</p> <p>In Plymouth there are currently 50 per cent of care leavers aged 18-21 Not in Education Training or Employment (54 per cent of all those care leavers aged 18-24 who are open to the service).</p> <p>There are currently 195 care leavers aged 18 to 20 (statutory service) and 58 aged 21 to 24 (extended offer). There are more care leavers aged 21 to 24 who could return for support from services if they wished to.</p>	<p>There are no adverse impacts anticipated.</p>		
<p>Disability</p>	<p>9.4 per cent of residents in Plymouth have their activities limited ‘a lot’ because of a physical or mental health problem.</p> <p>12.2 per cent of residents in Plymouth have their activities limited ‘a little’ because of a physical or mental health problem (2021 Census)</p>	<p>There are no adverse impacts anticipated.</p>		

Gender reassignment	0.5 per cent of residents in Plymouth have a gender identity that is different from their sex registered at birth. 0.1 per cent of residents identify as a trans man, 0.1 per cent identify as non-binary and, 0.1 per cent identify as a trans women (2021 Census).	There are no adverse impacts anticipated.		
Marriage and civil partnership	40.1 per cent of residents have never married and never registered a civil partnership. 10 per cent are divorced, 6 percent are widowed, with 2.5 per cent are separated but still married. 0.49 per cent of residents are, or were, married or in a civil partnerships of the same sex. 0.06 per cent of residents are in a civil partnerships with the opposite sex (2021 Census).	There are no adverse impacts anticipated.		
Pregnancy and maternity	The total fertility rate (TFR) for England was 1.62 children per woman in 2021. The total fertility rate (TFR) for Plymouth in 2021 was 1.5.	There are no adverse impacts anticipated.		

<p>Race</p>	<p>In 2021, 94.9 per cent of Plymouth’s population identified their ethnicity as White, 2.3 per cent as Asian and 1.1 per cent as Black (2021 Census)</p> <p>People with a mixed ethnic background comprised 1.8 per cent of the population. 1 per cent of the population use a different term to describe their ethnicity (2021 Census)</p> <p>92.7 per cent of residents speak English as their main language. 2021 Census data shows that after English, Polish, Romanian, Chinese, Portuguese, and Arabic are the most spoken languages in Plymouth (2021 Census).</p>	<p>There are no adverse impacts anticipated.</p>		
<p>Religion or belief</p>	<p>48.9 per cent of the Plymouth population stated they had no religion. 42.5 per cent of the population identified as Christian (2021 Census).</p> <p>Those who identified as Muslim account for 1.3 per cent of Plymouth’s population while Hindu, Buddhist, Jewish or Sikh combined totalled less than 1 per cent (2021 Census).</p>	<p>There are no adverse impacts anticipated.</p>		
<p>Sex</p>	<p>51 per cent of our population are women and 49 per cent are men (2021 Census).</p>	<p>There are no adverse impacts anticipated.</p>		
<p>Sexual orientation</p>	<p>88.95 per cent of residents aged 16 years and over in Plymouth describe their sexual orientation as straight or heterosexual. 2.06 per cent describe their sexuality as bisexual, 1.97 per cent of people describe their sexual orientation as gay or lesbian. 0.42 per cent of residents describe their sexual orientation using a different term (2021 Census).</p>	<p>There are no adverse impacts anticipated.</p>		

SECTION FOUR: HUMAN RIGHTS IMPLICATIONS

Human Rights	Implications	Mitigation Actions	Timescale and responsible department
	There are no adverse impacts anticipated.		

SECTION FIVE: OUR EQUALITY OBJECTIVES

Equality objectives	Implications	Mitigation Actions	Timescale and responsible department
Work together in partnership to: <ul style="list-style-type: none"> ▪ promote equality, diversity and inclusion ▪ facilitate community cohesion ▪ support people with different backgrounds and lived experiences to get on well together 	There are no adverse implications anticipated.		
Give specific consideration to care experienced people to improve their life outcomes, including access to training, employment and housing.	There are no adverse implications anticipated.		
Build and develop a diverse workforce that represents the community and citizens it serves.	There are no adverse implications anticipated.		
Support diverse communities to feel confident to report crime and anti-social behaviour, including hate crime and hate incidents, and work with partners to ensure Plymouth is a city where everybody feels safe and welcome.	There are no adverse implications anticipated.		

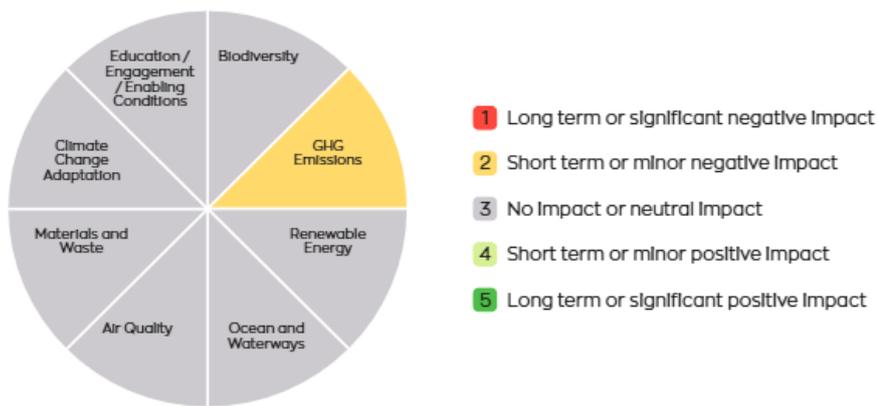
HMO standards 2025

Project details

Assessment author
Christian Hackney

Project summary
Review of HMO Standards

Summary of assessment



Assessment scores

Biodiversity

Score

(3) No impact or neutral impact

Score justification

This will cause no impact

GHG Emissions

Score



(2) Short term or limited negative impact

Score justification

Some minor building works may be required.

Renewable Energy

Score

(3) No impact or neutral impact

Score justification

This will cause no impact

Ocean and Waterways

Score

(3) No impact or neutral impact

Score justification

This will cause no impact

Air Quality

Score

(3) No impact or neutral impact

Score justification

This will cause no impact

Materials and Waste

Score

(3) No impact or neutral impact

Score justification

This will cause no impact

Climate Change Adaptation

Score

(3) No impact or neutral impact

Score justification



This will cause no impact

Education / Engagement / Enabling Conditions

Score

(3) No impact or neutral impact

Score justification

This will cause no impact

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LICENSED HOUSES IN MULTIPLE OCCUPATION (HMO)

Guidance on standards and levels of management required
March 2026

**PART ONE - AMENITY STANDARDS**

Indicative standards for room sizes, provision of bathrooms, WCs and kitchens etc. for HMOs.

PART TWO - HOUSING HEALTH AND SAFETY RATING SYSTEM (HHSRS)

Guidance on the HHSRS introduced by the Housing Act 2004 which may in some circumstances override the indicative standards given. This system applies to all dwellings not just licenced properties or HMOs and is a method of assessing the risk to health and safety to occupiers and visitors.

PART THREE - MANAGEMENT OF THE PROPERTY.

Summary of the requirements of the Management Regulations and expectations of the Manager of a licensed HMO, including dealing with Anti-Social Behaviour. These requirements apply to ALL HMOs regardless of whether or not they are licensable.

PART FOUR – FIRE SAFETY ORDER

Which properties this applies to and the duties it imposes. The order applies to certain HMOs regardless of whether or not they are licensable.

Please note that your property does not necessarily have to meet all these standards to allow a licence to be issued.

Please contact us if you have any queries about property standards or managing an HMO. In addition, more detailed information on your responsibilities as a landlord can be found in the government's "How to let" leaflet that can be downloaded from the web link below:

<https://www.gov.uk/government/publications/how-to-let>

Contact Details:

Telephone: 01752 668000

Email: communityconnections@plymouth.gov.uk

Website: www.plymouth.gov.uk

PART ONE - AMENITY STANDARDS

Indicative standards for room sizes, provision of bathrooms, WCs and kitchens and other requirements for HMOs.

I.1 - General

The standard for a licensed HMO is that the house is considered reasonably suitable for occupation by not more than the maximum number of households or persons as specified within the application or by the Local Authority.¹

As a part of this standard there are regulations which require that the HMO has adequate and suitable provision of; kitchen(s), bathroom(s), WC(s), heating, and fire precautions.

The Council has adopted guidance to give advice to licence holders and HMO managers; this is to help them comply with the legal requirements. This guidance also helps our officers to act in a fair, consistent and appropriate way. The guidance is based upon our understanding of:

- what is reasonable and practical for both licence holder and tenant
- the legal frameworks which would be expected to apply to housing in general and HMOs in particular. These include but are not limited to; the Housing Health and Safety Rating System, the Management Regulations (see Parts Two and Three of this document) and the Housing and Planning Act 2016.

This guidance will be relevant, and applicable, to the majority of HMOs; compliance will help ensure that licence holders are meeting the criteria for licensing. Where an HMO does not meet the guidance our officers will consider the design, layout, occupation and management of the HMO before deciding whether (or not) to demand compliance with the guidance.

As well as guidance, this part of the document sets out the explicit legal requirements for a licensed HMO. These can be identified by the use of the word “must”. Use of the words “generally”, “typical(ly)”, “should” etc. indicate that the phrase is guidance on how to comply with the law; these should be considered in accordance with the preceding paragraph.

Bedrooms

Indicative Sizes for Bedrooms				
Number of people	Age restrictions where applicable	Shared Lounge	Shared Kitchen	Minimum Room Size (m ²)
1	Under 10 years old*	Yes	Yes	4.64

¹ <http://www.legislation.gov.uk/ukpga/2004/34/section/64>

1	N/A	Yes	Yes	6.51
1	N/A	No	Yes	10
1	N/A	No	No	13
2	N/A	Yes	Yes	10.22
2	N/A	No	Yes	14
2	N/A	No	No	20.5

HHSRS assessments may require a room to be larger than the above.

*Child under 10 – only applicable in properties where there is a shared lounge and shared kitchen provided. In addition, the overall suitability of the property will always be considered, on a case-by-case basis, to ensure that occupation by a child is appropriate. The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018 amend Schedule 4 of the Housing Act 2004 to specify mandatory conditions for room sizes.²

Any part of the floor area of a room in relation to which the height of the ceiling is less than 1.5m² is not to be taken into account in determining the floor area of that room²

Generally, a single room should not be occupied by more than one household³.

It is not normally acceptable for a bedroom to be occupied by more than two people in one household. Please consult the Housing Improvement Team or advice in this situation. An assessment using the Housing Health and Safety Rating System (HHSRS) will be carried out to determine the risk from ‘Crowding and Space’. Where this is unacceptable improvement will be required.

Shared Lounges

Shared lounges should be of sufficient size and have sufficient soft furnishings. Generally, this should be a minimum of 6m² or large enough to allow at least two thirds of occupiers to sit together and socialise. Occupiers should be able to use this room to relax without interference from other activities. In rooms where more than one of the activities of lounging, dining and cooking are carried out the areas allocated to these activities should be arranged to avoid risk of accident and injury.

Dining Rooms/Dining Areas

In some circumstances, these will be required.

Where a person has to carry food or hot drinks more than one floor from the kitchen, a dining area/room is to be provided. A suitable dining area could be a breakfast bar with chairs/stools or dining table and chairs. If space allows, this could be located in a kitchen area or a lounge. Or alternatively in a separate room.

Measurement of Rooms

Room sizes are calculated by taking wall to wall measurements directly above the height of the skirting board. In general, where the layout of the room prevents some parts of it being properly used, these areas will be excluded from the assessment of size.

The following are examples of those areas which may be excluded:

² SI 2018/616 R2. Amends schedule 4 of HA2004

³ The word “household” is defined in law. A simplified meaning is that all the people in the household are all members of the same family, or are husband and wife (or living together as such including in same sex relationships)

- those areas which can only be used for access (for example some “L” shaped rooms with a narrow area in front of a doorway)
- parts of rooms located below sloping ceilings where the ceiling height is less than 1.5m (NB this is not a minimum ceiling height and the ceiling throughout the dwelling should be reasonable for normal usage).
- Parts of rooms occupied by en-suite facilities.

Each bedroom must meet the indicative room size. Equivalent amount of space cannot be made up by using two smaller rooms.

1.2 - Provision of Bathrooms, Toilets and Wash Hand Basins

Preferably each separate occupancy should be provided with its own bath (or shower), WC and wash hand basin. Where this is not practical there must be an adequate number of bathrooms, toilets and wash hand basins for the number of persons sharing those facilities.⁴ Generally, those facilities should be as described in the following table:

Number of people ^{i,iii}	Typical bathroom and toilet requirements ⁵
1-4	1 bathroom, 1 WC can be combined ^{ii, iv}
5	1 bathroom and 1 separate WC ^{ii,iv}
6-8	2 bathrooms and 2 WCs (separate WC not required) ^{ii,iv}
9-10	2 bathrooms and 2 WCs (1 WC must be separate) ^{ii,iv}
11-12	3 bathrooms and 3 WCs (separate WC not required) ^{ii,iv}
13-15	3 bathrooms and 3 WCs (1WC must be separate) ^{ii,iv}

ⁱThis refers to the number of people using shared facilities.

ⁱⁱAll compartments/rooms containing a WC should contain a wash hand basin. Where this is not possible, a wash hand basin may be required within an adjacent room/space where suitable (e.g. not a kitchen).

ⁱⁱⁱNumbers over 16 will be considered in accordance with the above principles.

Specific requirements for all baths, showers, toilets and wash hand basins:⁶

- All baths, showers and WCs must be located in a proper room of adequate size and layout⁷
- All WCs to must be provided with a suitable seat and lid.
- In bath/shower rooms there must be sufficient room for washing/bathing, drying, dressing and the placing of dry clothing having regard to the location of the bath/shower.⁸

⁴ SI 2007/1903 R12(4). Amends schedule SI 2006/373 Sch 3(2)

⁵ Derived from standard set out in SI 2006/373 Sch 3(2)[1][b] now repealed

⁶ SI 2006/373Sch 3 as amended and other legislation; see specific footnotes

⁷ SI 2006/373Sch 3(2)[5]. Also SI 2006/373Sch 3(4)[2] for non shared facilities

⁸ Inferred within the words “layout” SI 2006/373Sch 3(2)[5] and “laid out” in SI 2006/373Sch 3(4)[2]

- The room must be suitably located for occupiers using them;⁹ this will generally mean within one floor of those occupiers' bedrooms.
- Suitable steps should be taken to protect the privacy of those using the bathroom/WC. Typically, these will include provision of a privacy lock and obscured glazing/film to doors and windows must be fitted to ensure privacy.
- There must be an adequate supply of cold and constant hot water¹⁰. The hot water supply must be of sufficient capacity, temperature and flow for any wash hand basin, bath or shower and be available at all times. In the case of showers, the water temperature should be thermostatically controlled. In the case of wash hand basins, the cold-water supply should be potable (drinking water quality). All fittings must be permanently plumbed into the hot/cold water system and properly connected to mains drainage¹¹.
- All bathrooms and WC compartments must be adequately ventilated¹². An effective means natural/artificial ventilation must be provided. Any WC sited so as to open directly and immediately on to a space intended for the storage or preparation of food (e.g. kitchen) should be provided with mechanical ventilation in addition to any window.
- Heating: see later section on “Space Heating” and “Excess Cold” in Part Two. Note that all bath/shower rooms must be provided with adequate heating¹³.
- Electricity, hot and cold water supplies: please see section “Electricity, Gas and Water Supplies” which applies to metering of energy supplies.
- A bathroom/shower room and or WC must have floor covering that is water resistant, readily cleansable and suitably sealed to adjoining surfaces. When choosing floor coverings consideration should also be given to the possibility of slips and falls. On inspection an assessment using HHSRS will be carried out to determine the risk of slips and falls, where this is unacceptable improvement will be required.
- All baths, WCs and wash hand basins must be suitable for their purpose¹⁴
- Baths: a suitable splashback should be provided to protect each wall adjacent to the bath. Typically, this will be 300mm.
- Showers: a suitable waterproof covering should be provided to the walls to protect each wall adjacent to the shower area. Typically, this will be to a minimum height of 2100mm above the base of the shower. A shower curtain or screen should also be provided.
- Wash hand basins: a suitable splashback should be provided to protect each wall adjacent to the basin. Typically, this will be 300mm.

See also ‘Personal Hygiene, Sanitation and Drainage’ in Part Two.

⁹ SI 2006/373Sch 3(2)[7]. Also SI 2006/373Sch 3(4)[2] for non shared facilities

¹⁰ SI 2006/373Sch 3(2)[3] and SI 2006/373Sch 3(4)[2]

¹¹ See footnote 10 above re plumbed in water supplies. Re drainage connections, SI 2006/373Sch 3(2)[6] infers this in respect of shared bathrooms. Otherwise S64(3) Housing Act 2004 and S59 Building Act 1984, HHSRS etc.

¹² SI 2006/373 Sch 3(2)[4] does not mention ventilation of WC compartments for shared use. However para (4)[2] does require ventilation, but assumes that the room is a combined bathroom/WC; this paragraph does not consider the possibility of separate WC compartments. In all cases inferred under S64(3) Housing Act 2004 and HHSRS

¹³ SI 2006/373 Sch 3(3)[2] applies to shared bathrooms. No explicit provision for single household bathrooms, but inferred under SI 2006/373 Sch 3(1), S64(3) Housing Act 2004 and HHSRS.

¹⁴ SI 2006/373Sch 3(2)[6]. For single household amenities. Inferred under S64(3) Housing Act 2004 and HHSRS.

I.3 - Facilities for the Storage, Preparation and Cooking of Food and for the Disposal of Wastewater

Shared kitchens. There must be a kitchen/s suitably located in relation to the living accommodation, arranged and equipped as to enable users to store, prepare and cook food¹⁵. The numbers of fittings must be adequate for the number of users, and the equipment must be fit for its purpose¹⁶. These fittings must include sinks with a drainer (with adequate constant hot and cold water), cooking appliances, electrical sockets, worktops, storage cupboards, refrigerators (and freezer capacity), refuse disposal bins, a fire blanket and fire door¹⁷.

Single household kitchens. This applies where a unit of accommodation contains kitchen facilities for the exclusive use of the individual household; the facilities¹⁸ must include a sink with a drainer (with adequate constant hot and cold water), cooking appliance, electrical sockets, worktops, storage cupboards and a refrigerator. These must be adequate and fit for their purpose¹⁹.

All kitchens. In all cases safe kitchen facilities must be provided for the preparation of food and hot drinks²⁰. These facilities should be available for all occupiers at all times.

Kitchens should be provided as close to living accommodation as possible. Where a person has to carry food or hot drinks more than one floor from the kitchen, a dining area/room is to be provided. A suitable dining area could be a breakfast bar with chairs/stools or dining table and chairs. If space allows, this could be located in a kitchen area or a lounge. Or alternatively in a separate room.

The layout of the kitchen facilities provided must permit the safe preparation of food and hot drinks²¹. The size, layout and location of these facilities must be satisfactory and safe for the numbers of occupiers using them. Although no minimum size has been set you should aim to provide around 3m² for each person using any shared kitchen. The amount of space needed will depend on the layout of the facilities, shape of the room etc. and whether or not there are associated dining facilities.

On inspection kitchens will be assessed using HHSRS to determine if there are risks of burns and scalds, collision, falls, fire or poor ergonomics with regard to size, layout and potential number of users. Where risks are considered to be unacceptably high improvements will be required.

Electricity, hot and cold-water supplies: please see section “Electricity, Gas and Water Supplies” which applies to metering of energy supplies.

Flooring

- A Kitchen must have a floor covering that is water resistant, readily cleansable and suitably sealed to adjoining surfaces. When choosing floor coverings consideration should also be given to the possibility of slips and falls. On inspection an assessment using HHSRS will be carried out to determine the risk of slips and falls, where this is unacceptable improvement will be required.
- Where a kitchen is provided within a bedroom, a floor covering that is water resistant, readily cleansable and suitably sealed to adjoining surfaces must be provided up to a distance of 1 meter from any kitchen facility.

¹⁵ SI 2006/373Sch 3(3)[a]

¹⁶ SI 2006/373Sch 3(3)[b]

¹⁷ SI 2006/373Sch 3(3)[b]

¹⁸ SI 2006/373Sch 3(4) amended by SI 2007/1903 R12(8). There are exceptions where (a) the landlord is not contractually bound to provide these (b) the occupier is entitled to remove same or (c) the appliances are otherwise outside the control of the landlord. Generally, the landlord would be expected to provide these in licenced HMOs.

¹⁹ Not explicitly supported by SI 2006/373 Sch 3(4). Para 4 does refer to adequate appliances for cooking of food, but otherwise “adequate and fit for purpose” is inferred from S64(3)Housing Act 2004 and HHSRS

²⁰ With reference to provision, SI 2006/373 Sch 3(3)+(4)[1][a] apply. However, the word “safe” is not explicitly referred to. For shared kitchens, Sch 3(3)(a) refers to “adequately enable those sharing...to store, prepare and cook food” which implies doing so in safety. For single household kitchens this is inferred by S64(3)Housing Act 2004 and HHSRS

²¹ See footnote 20 above

Ventilation

Adequate ventilation must be provided including artificial ventilation where necessary²².

Lighting

There must be adequate artificial lighting to safely use, and cleanse, the kitchen and its fittings. Light switches must be suitably located.²³

Kitchen Facilities

The following table sets out the typical minimum requirements:

Fittings	Single household use kitchen	Shared kitchen (for every 5 persons using unless otherwise stated) ⁱ
Electrical sockets	2 number 13-amp sockets ⁱⁱ	2 number 13-amp sockets ⁱⁱ
Refrigeration	A refrigerator with freezer compartment ^{ix}	A refrigerator with freezer compartment
Dry food store	0.1m ³ storage (i.e. a 500mm wall unit) for each person using the kitchen ⁱⁱⁱ	0.1m ³ storage (i.e. a 500mm wall unit) for each person using the kitchen ^{iii,iv}
Storage for cooking utensils, etc.	0.15m ³ cupboard (i.e. a 500mm base unit) storage for cooking utensils, crockery and cutlery	0.15m ³ cupboard (i.e. a 500mm base unit) storage for cooking utensils, crockery and cutlery
Fixed cleansable worktop(s)	A total of two metres run with a minimum depth of 500mm ^{v,vi}	A total of two metres run with a minimum depth of 500mm ^{v,vi}
Sink and disposal of wastewater	A sink (with drainer) with its own permanently connected supplies of hot and cold (drinking) water and suitably connected to mains drainage and with a splashback of at least 300 mm ^{viii}	A sink (with drainer) with its own permanently connected supplies of hot and cold (drinking) water and suitably connected to mains drainage and with a splashback of at least 300 mm ^{viii}
Waste bin	A general refuse bin and a recycling bin both with lids including food waste caddies (Plymouth City Council are currently rolling out a new food waste collection service) Additional recycling bins may be required in accordance with any changes to Plymouth City Councils waste policy, sufficient for the number of people using the facilities.	A general refuse bin and a recycling bin both with lids including food waste caddies (Plymouth City Council are currently rolling out a new food waste collection service) Additional recycling bins may be required in accordance with any changes to Plymouth City Councils waste policy, sufficient for the number of people using the facilities.

Cooking appliances

Occupancy	Cooking appliances
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²² SI 2006/373 Sch 3(3) applies to shared kitchens and requires “appropriate extractor fans”. We have taken this to mean that it is appropriate where needed (for example, inadequate opening windows, mould problems). However, for single household kitchens there are no explicit requirements for ventilation. Inferred by S64(3) Housing Act 2004 and HHSRS

²³ SI 2006/373 Sch3(3)for shared kitchens (“equipped”). Inferred under safety (see note 19 above). Also management regulations R4(4) and R7(e) and HHSRS

1-5	For a single person, an appliance with two rings/hotplates together with either an oven or a grill ^{ix} . Otherwise, an appliance with three or four rings/hotplates together with a grill and oven ^{ix} .
6-7	Two appliances, each with three or four rings/hotplates together with a grill and oven or a six-ring hob with a double oven and grill ^{vii} . Alternatively, an additional cooking appliance is acceptable as a second cooker (i.e. combination microwave or double Air fryer).
8-10	Two appliances, each with three or four rings/hotplates together with a grill and oven or a six-ring hob with a double oven and grill ^{vii} . No alternative is acceptable.
11-12	Three appliances, each with three or four rings/hotplates together with a grill and oven or a six-ring hob with a double oven and grill ^{vii} . Alternatively, an additional cooking appliance is acceptable as a third cooker (i.e. combination microwave or double Air fryer).
13-15	Three appliances, each with three or four rings/hotplates together with a grill and oven or a six-ring hob with a double oven and grill ^{vii} . No alternative is acceptable.
16+	Contact the Housing Standards team for advice and guidance.

ⁱIn some cases, this may be reduced to one set to ten persons where meals are provided by the business.

ⁱⁱFor use with worktop appliances. Excludes any electrical sockets used for microwave cookers, refrigerators, and other large kitchen appliances.

ⁱⁱⁱThe space below a sink unit is not generally suitable for food storage

^{iv}Kitchen cupboards should be lockable or, may be provided in individual accommodation where located on the same floor as the kitchen. Locks on cupboard doors may be required if problems arise (i.e. theft of food).

^vAn area of work surface (minimum 500 wide by 500 deep) should also be provided adjoining each cooking appliance.

^{vi}Any area of a worktop on which items such as microwaves are permanently sited is to be excluded from the measurement of “free” worktop area.

^{vii}Provision of additional cooking facilities and dishwashing machines in addition to the standard set of facilities may allow variation to this guidance if more than one set of facilities is required within a kitchen.

^{viii}Hot water should be provided from an instantaneous gas water heater, hot water cylinder (hot water from a gas boiler or immersion heater), or 5 litre point of use electric storage water heater. Hot water must be available at all times.

^{vii}There are exceptions to this²⁴.

1.4 - SPACE HEATING

Adequate space heating must be provided to all units of accommodation²⁵. Heating must also be provided for bathrooms and shower rooms²⁶.

²⁴ SI 2006/373 Sch 3(4) amended by SI 2007/1903 R12(8). There are exceptions where (a) the landlord is not contractually bound to provide these (b) the occupier is entitled to remove same or (c) the appliances are otherwise outside the control of the landlord. Generally, the landlord would be expected to provide these in licenced HMOs.

²⁵ SI 2006/373 Sch 3(1)

²⁶ SI 2006/373(2)[4] in relation to shared bathrooms/shower rooms. No explicit provisions apply to single household bath/shower room; inferred by SI 2006/373 Sch 3(1) and HHSRS

Heating should be provided for all the rooms in each unit of accommodation and all the common parts associated with those units. The heating provision should always be controllable by the tenants. Where a fair usage limit is applied within the tenancy, this should not result in the restriction of heating.

Further guidance is given in the section on “Excess Cold” in Part Two.

I.5 - FIRE SAFETY

Appropriate fire precautions must be provided in the property²⁷. Consider the standards within LACORS Housing – Fire Safety to minimise the risk of additional works being identified following inspection of a property.²⁸ Specific provisions apply to shared kitchens; see Facilities for the Storage, Preparation and Cooking of Food.

The minimum standard we expect in a licensed HMO is:

- Grade D2 System with smoke detection fitted to the ceiling of each landing/hall of the communal parts, extended to include a heat detector in each shared kitchen.
- A fire blanket in a proper container in any shared kitchens. The container should be securely fixed to the wall in a prominent and readily accessible position, sited so as to prevent a user from being trapped in the event of the fire becoming out of control.
- A fire door separating each shared kitchen from the common hallway/stairwell. Fire doors must:
 - Be 30-minute fire resistant.
 - Have a self-closing mechanism fitted.
- Ensure that a suitably competent and qualified fire safety professional is consulted to identify inclusions of strips and seals, appropriate to the property detection and layout.
- Egress from each bedroom should be possible without the use of a key.
- Egress from any door leading to outside of the property should be possible without the use of a key.
- Where kitchen facilities are contained within the letting room, a stand-alone smoke detector fitted to the ceiling in close proximity to the kitchen facilities.
- Power to any fire alarm system is not to be supplied from a coin or card meter.
- A Fire Risk Assessment carried out by a competent person and reviewed annually to ensure that appropriate fire safety provisions are present in the HMO.

Further guidance is given in the section on “Fire” in Part Two.

I.6 - ELECTRICITY, GAS AND WATER SUPPLIES

The supplies of electricity, gas (where provided) and water to each letting (and the common parts) must²⁹ be sufficient to carry out normal domestic activities.

Sufficient electrical sockets must be provided to units of accommodation and kitchens to avoid the excessive use of extension leads and multi point adaptors³⁰. This includes provision in common areas to allow the use of vacuum cleaners etc.

All gas and electrical installations must be safe for use.³¹

²⁷ SI 2006/373 Sch 3(5)

²⁸ <https://www.cieh.org/media/1244/guidance-on-fire-safety-provisions-for-certain-types-of-existing-housing.pdf>

²⁹ Implicit requirements for heating, bathroom and kitchen facilities SI 2006/373 Sch 3. Also inferred by S64(3) Housing Act 2004, Management Regulations, HHSRS etc.

³⁰ This is a requirement of the Management Regulations R4(4) and R8. See Part Three

³¹ This is a requirement of the Management Regulations R4(4) and R7; see Part Three. Also see gas safety regulations SI 1998/2451, and electrical safety regulations SI2020/312

Where landlord's sub meters are provided, the charge for the power used must be within the limits set for the maximum retail price of electricity and gas³².

Where they are provided, prepayment card/key sub meters should be rechargeable by the tenant at his/her convenience. Tokens or cards provided by the landlord may lead to disconnection if the tenant cannot contact the landlord to obtain further credit.

Where lighting,³³ heating,³⁴ ventilation,³⁵ hot water,³⁶ electrical power,³⁷ kitchen facilities³⁸ or alarm systems³⁹ are provided for the shared use of all, or several, households, then:

- These services must be available at all times, and sufficient for the needs of the users in the function being carried out and
- The electricity and gas (where provided) should be provided from quarterly meters. Normally these will be landlords' meters. However, in the case of some smaller shared housing, metering may be the collective responsibility of all the occupiers.

See 'Carbon Monoxide etc', 'Uncombusted Fuel Gas', 'Water Supply', 'Electrical Hazards' in Part Two.

I.7 - CARBON MONOXIDE SAFETY

Solid fuel appliances

A carbon monoxide alarm must be fitted in any room of the property that contains a fixed combustion appliance other than a gas cooker. This includes solid fuel cookers, gas boilers, wood burning stoves and fire grates.

Gas, LPG and oil-fired appliances

You are advised to install a carbon monoxide alarm in the room containing that appliance, **especially where the appliance is not room sealed** (that is it takes combustion air from, or through, the room containing the appliance rather than directly from the exterior).

I.8 - REFUSE STORAGE AND DISPOSAL

Refuse storage facilities must be provided sufficient for the needs of the number of people occupying the house and of a type acceptable to the Local Authority (and in accordance with its recycling requirements)⁴⁰. If additional bins are required, this will likely need the co-operation of the tenant/s to set up a self-service account, with Plymouth City Council, to request additional bins. If there is an associated cost with this, then the HMO Licence Holder or HMO Manager should support the tenant/s with this element.

The licence holder must comply with any scheme which is provided by Plymouth City Council to the licence holder and relates to the storage and disposal of household waste at the HMO pending collection. For further information on waste management, please visit <https://www.plymouth.gov.uk/binsrecyclingandwaste>

Also see 'Domestic Hygiene, Pests and Refuse' in Part Two.

³² These are requirements set out in the legislation covering gas and electricity supply <https://www.ofgem.gov.uk/>

³³ Re lighting for kitchens; this must be available to satisfy "adequately enable those to ...prepare food" (etc). This infers continuous supplies to achieve this 2006/373Sch 3(3)[a]. Under the requirements of the Management Regulations there is a duty to ensure the availability of artificial lighting. See Part Three.

³⁴ Re heating; for common bathrooms/shower rooms these must be adequately heated (by inference at all times) 2006/373Sch 3(2)[4]. Otherwise HHSRS

³⁵ Re ventilation, 2006/373Sch 3(2)[4] and 2006/373Sch 3(3)[b][ix] which refer to adequate ventilation in bathrooms and in kitchens. This infers that ventilation is available for use at all times. No comparable provision for ventilators in WCs; however, S64(3) Housing Act 2004 and HHSRS in these cases

³⁶ Re hot water in shared amenities: SI 2006/373 Sch 3(2)[3] and (3)[b][ii] refer to constant supplies of hot water in shared facilities.

³⁷ Inferred under S64(3) housing Act 2004

³⁸ Re power for cooking, this must be available to satisfy "adequately enable those to ...prepare food" (etc). This infers continuous supplies to achieve this 2006/373Sch 3(3)[a]. For Refrigeration sockets should be live at all times to ensure food safety (HHSRS).

³⁹ Sch 4 requires the alarms to be operable. Under the requirements of the Management Regulations there is a duty to ensure the operating condition of the fire alarm system. See Part Three.

⁴⁰ This is a requirement of the Management Regulations R9. See Part Three

I.9 – Planning Permissions

It is the Licence Holder's responsibility to ensure that the property, for which an HMO licence application has been submitted, has the correct planning permissions in place for use as an HMO. If you are in doubt, please contact our Planning department by emailing planningconsents@plymouth.gov.uk.

If it is found that the property does not have the correct planning permissions in place, when deciding whether to grant a licence, we may look to issue a licence with a shorter licence period. We would expect the licence holder to make application to obtain the relevant permissions and notify the Housing Standards Department.

Plymouth City Council's Planning department are notified when new HMO licence applications have been submitted. This presents an opportunity to review at the earliest stage if the correct planning permissions are in place. In addition, we also periodically share the HMO register with planning to ensure that planning permissions are correct. Where there are discrepancies, we will notify the relevant person/s and work with them to identify the most appropriate course of action to take on a case-by-case basis.

Part Two – Housing Health and Safety Rating System (HHSRS)

Guidance on the HHSRS introduced by the Housing Act 2004 which may in some circumstances override the indicative standards given. This system applies to all dwellings not just licenced HMO properties or non-licensable HMOs and is a method of assessing the risk to health and safety to occupiers and visitors.

There are no 'set' standards in this section. The following are all 'hazards' that need to be assessed in each property. Improvement will be required where the hazards are found to give rise to unacceptable risks. Some hazards occur frequently and others very rarely. Those that occur most regularly are indicated with an asterisk.

Damp and Mould*

The property must be reasonably free from damp and mould that would be prejudicial to health. This includes the presence of black spot mould resulting from condensation. Typically, this requires that there are adequate heating, ventilation and insulation and that these provisions, and the property as a whole, are maintained in good order.

Excess Cold*

Each unit of accommodation, including associated bathrooms, must be provided with an adequate fixed heating system. Associated common areas should also be adequately heated. This must be sufficient to maintain the internal temperature at 19°C when the external temperature is -1 °C.⁴¹

The outputs of the system should reflect the thermal characteristics of the accommodation which include the heat losses through walls (including walls to the stairwell) etc, draughts and the volume of the room.

An appropriate and properly designed heating system throughout the property, which is controllable by the individual occupiers, combined with adequate insulation, would meet this requirement.

On inspection an HHSRS assessment will be carried out to determine the risk from excess cold and where this is unacceptable, improvement will be required. The assessment will include consideration of heating provision, its control, and the thermal characteristics of the property.

Also note information on metering in Part One "Electricity, Gas and Water Supplies".

⁴¹ SI 2006/373 sch3(1) and 3(2)[4]

Excess Heat

Provision must be made to allow heat to disperse from the property and prevent excessive heat gain for example in loft conversions.

Asbestos

Any asbestos in the property must be adequately protected against damage and dispersal of fibres into the air. Particular care must be taken when contractors are on site, and their work may disturb asbestos. Note also the requirements of the **Control of Asbestos Regulations 2006** which apply to the common areas of HMOs.⁴²

Biocides

This covers threats to health from those chemicals used to treat timber and mould growth in dwellings.

Carbon Monoxide and fuel combustion products

This category includes hazards resulting from the presence of excess levels in the atmosphere of carbon monoxide, nitrogen dioxide, sulphur dioxide and smoke. These are products associated with the combustion or incomplete combustion of gas, oil and solid fuel for heating and cooking. Problems can arise with poor installation and inadequate servicing/maintenance.

Lead

This covers threats to health from the ingestion of lead – mainly relates to small children unless there is still lead piping in the water supply.

Radiation

This covers the threats to health from radon gas and its progeny⁴³, primarily airborne, but also radon dissolved in water. Plymouth is a Radon Affected Area and there may be problems in some lower ground floor/ground floor rooms.

Uncombusted Fuel Gas

This category covers the threat of asphyxiation resulting from the escape of fuel gas into the atmosphere within a dwelling.

Volatile Organic Compounds

These are a diverse group of organic chemicals, which includes formaldehyde, that are gaseous at room temperature and are found in a wide variety of materials in the home. This is more likely to be a problem when materials have been used without due regard to safety or where there is inadequate ventilation.

Crowding and Space

⁴² Management Regs.

⁴³ http://www.ccnr.org/radon_chart.html

There must be adequate space for normal household activities to be undertaken safely. This relates to room sizes and numbers of people occupying the property⁴⁴. In addition the Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018 amend Schedule 4 of the Housing Act 2004 to specify mandatory conditions for room sizes.⁴⁵ There is further guidance on overcrowding that can also be found in LACORS – Regulation of ‘Crowding and Space’ in residential premises, and this document is freely downloadable from the internet. Depending upon the type and size of the accommodation, an HHSRS assessment may be required to determine suitability.

Entry by Intruders*

The property must have a reasonable level of security. A higher level may be required in some areas than others depending on the crime statistics for that area. Areas with high numbers of HMOs typically have a higher incidence of crime.

Lighting

Adequate artificial lighting must be provided in all areas sufficient for (a) the safe use of the accommodation (including external and common areas) (b) the maintenance of its cleanliness and (c) the carrying out of normal domestic activities⁴⁶. Adequate natural lighting and outlook should also be available. This can be a problem in lower ground floor rooms.

Also note information on metering in Part One “Electricity, Gas and Water Supplies”.

Noise

This covers threats to physical and mental health resulting from exposure to noise inside the dwelling or within its curtilage.

Domestic Hygiene, Pests and Refuse*

This covers hazards which can result from:

- Poor design, layout and construction such that the dwelling cannot be readily kept clean and hygienic
- Access into, and harbourage within, the dwelling for pests; and
- Inadequate and unhygienic provision for storing and disposal of household waste.

Food Safety

This covers threats of infection resulting from inadequacies in provision and facilities for the storage, preparation and cooking of food.

Personal Hygiene, Sanitation and Drainage*

This covers threats of infection and threats to mental health associated with personal hygiene, including personal washing and clothes washing facilities, sanitation and drainage. This can arise where poorly designed, installed or maintained facilities dissuade occupiers from their use. Defects become more serious where facilities are shared, in particular where these concern hand washing in shared WCs.

Also note information on metering in Part One “Electricity, Gas and Water Supplies”.

⁴⁴ S65 Housing Act 2004

⁴⁵ SI 2018/616 R2. Amends schedule 4 of HA2004

⁴⁶ S64(3) Housing Act 2004. SI 2006/373 Sch 3(3)[a] inferred for shared kitchens. Management regulations. R4 and R7

Water Supply

This category covers the quality and adequacy of the supply of water within the dwelling for drinking and for domestic purposes such as cooking, washing, cleaning and sanitation. It includes threats to health from contamination by bacteria, protozoa, parasites, viruses and chemical pollutants.

Falls*

This covers hazards which can result from falls:

- Associated with baths, showers or similar
- On level surfaces – where any change in level is less than 300 mm
- On stairs/steps/ramps etc. – where any change in level is more than 300 mm
- Between levels – where the change is more than 300 mm – this refers to falls from windows, balconies, landings, roofs etc.

Typical problems include lack of handrails, uneven steps, steps different in height, unguarded landings/roofs, low windowsills, windows without restrictors, slippery surfaces and lack of external lighting.

Electrical Hazards*

This category covers hazards from shock and burns resulting from exposure to electricity, including from lightning strikes (protection would be required in buildings with significant risk of lightning strike only).

Fire*

Appropriate fire precautions must be provided in the property. The minimum standard we expect in a licensed HMO is:

- Grade D2 System with smoke detection fitted to the ceiling of each landing/hall of the communal parts, extended to include a heat detector in each shared kitchen.
- A fire blanket in a proper container in any shared kitchens⁴⁷. The container should be securely fixed to the wall in a prominent and readily accessible position, sited to prevent a user from being trapped in the event of the fire becoming out of control.
- A fire door separating each shared kitchen from the common hallway/stairwell. Fire doors must:
 - Be 30-minute fire resistant.
 - Have a self-closing mechanism fitted.
- Ensure that a suitably competent and qualified fire safety professional is consulted to identify inclusions of strips and seals, appropriate to the property detection and layout.
- Egress from each bedroom should be possible without the use of a key. Where kitchen facilities are contained within the letting room, a stand-alone smoke detector fitted to the ceiling in close proximity to the kitchen facilities.
- Egress from any door leading to outside of the property should be possible without the use of a key.
- Power to any fire alarm system is not to be supplied from a coin or card meter.
- A Fire Risk Assessment carried out by a competent person and reviewed annually to ensure that appropriate fire safety provisions are present in the HMO.

⁴⁷ SI 2006/373 Sch3(3)

On inspection an HHSRS assessment may be carried out to determine the risk from fire and where this is unacceptable improvement may be required. It is possible that the minimum requirements quoted above will not be sufficient for your property. The assessment will take account of what fire precautions are provided, the layout and size of the property and whether there are any factors which increase the likelihood of fire.

Also note information on metering in Part One “Electricity, Gas and Water Supplies”.

Flames and hot surfaces*

This category covers threats of:

- Burns – injuries caused by contact with a hot flame or fire, and contact with hot objects or hot non-water-based liquids and
- Scalds – injuries caused by contact with hot liquids and vapours.

It includes burns caused by clothing catching fire from a controlled fire or flame e.g. by reaching across a gas flame.

Typically, these are problems associated with poorly designed kitchen layouts; see Part One “Facilities for the Storage, Preparation and Cooking of Food and for the Disposal of Wastewater.

Collision and entrapment

This category includes risks of physical injury from:

- Trapping body parts in architectural features, such as trapping limbs or fingers in doors or windows; and
- Striking (colliding with) objects such as architectural glazing, windows, doors, low ceilings and walls.

Explosions

This category covers the threat from the blast of an explosion, from debris generated by the blast, and from the partial or total collapse of a building as the result of an explosion.

Position and operability of amenities etc.

This category covers threats of physical strain associated with functional space and other features at dwellings. An example would be having to stand on a chair to open a window or operate a switch.

Structural collapse and falling elements.

This category covers the threat of whole dwelling collapse, or of an element or a part of the fabric being displaced or falling because of inadequate fixing, disrepair or as a result of adverse weather conditions. Structural failure may occur internally or externally within the curtilage threatening occupants, or externally outside the curtilage putting at risk members of the public.

PART THREE - MANAGEMENT OF THE PROPERTY

Summary of the requirements of the Management Regulations and expectations of the Manager of a licensed HMO, including dealing with Anti-Social Behaviour.

A Manager of a house in multiple occupation (HMO) has a duty to properly manage that house. This section explains:

- Some of the requirements and
- Who is responsible for complying with them

If you are employing a property management company to manage your HMO you need to consider how well they will meet these obligations. It is recommended that you review a number of companies to see which one will meet your needs. In addition, you should check to see whether they are 'accredited' by a professional organisation and what protection there is for your money should the company fail.

More detail on the relationship between landlords and their agents and the different types of contracts available can be found in the government's "How to let" leaflet that can be downloaded from the web link below:

<https://www.gov.uk/government/publications/how-to-let>

The Management of Houses in Multiple Occupation (England) Regulations 2006 apply to all licenced HMOs.

The purpose of the regulations is to ensure that "the manager" exercises proper standards of management. These duties include ensuring the house is in and maintained in a good state of repair, all facilities are kept in proper working order, and all steps are taken to protect tenants from risk of injury

The main requirements are as follows:

- The manager is to provide his name, address and telephone number to all the occupiers, and display this in a prominent position
- All means of escape from fire to be kept free from obstruction
- Fire alarms and firefighting equipment to be kept in good order
- Take all reasonable steps to ensure the safety of the occupiers. This includes protecting occupiers from falls (e.g. from low windows, off flat roofs and into light-wells as well as other hazards), but will also cover electrical, gas and other safety
- The water supply is maintained, tanks covered and fittings protected from frost. The water supply is not to be unreasonably interrupted
- The drainage system (including rainwater drainage) is maintained
- The manager must supply a copy of the latest gas certificate within seven days of the Council requiring it
- Ensure that the electrical wiring is tested at no less than five yearly intervals, and supply a copy of the test certificate within seven days of the Council requiring it
- Ensure that the supply of gas and electricity to each tenant is not unreasonably interrupted
- Maintain the common parts and fittings of the HMO in good order, clean decorative repair and free from obstruction. This includes handrails, stair-carpets, windows, light fittings and appliances
- Common parts lighting is to be adequate and lighting available at all times
- The common outbuildings, yards etc. are kept in good order
- The boundary walls, fences etc. are kept safe and in good order
- The doors to each letting are kept in good order
- Each unit of accommodation, and any furniture provided with it, should be clean at the beginning of the occupation
- Each unit of accommodation, its windows and ventilators are to be kept in good repair and working order. The fittings and appliances are to be kept clean and in good working order. There are exceptions where problems arise from poor tenant behaviour

- Proper facilities and arrangements are provided for the storage and disposal of refuse. This may require greater provision than the Council may ordinarily make. Full copies the regulations can be obtained from <http://www.legislation.gov.uk>

Who is the Manager?

The manager can be:

- The owner of the property
- A person receiving rent or other monies (for example meter money)

It is important that if you delegate some management duties to someone else, you are each clear about your respective responsibilities. If you are an agent collecting rent or other monies, you may be held responsible for complying with the regulations. This applies even if the function falls outside your management role as defined in your contract with the owner.

What happens if things go wrong?

When there is a failure to comply with a requirement of these regulations, we would normally seek your agreement to deal with the problem. Where this is not possible:

- The Council may prosecute
- The Council may issue a civil penalty and/or take other action/s as considered appropriate under the Housing and Planning act 2016.
- (In the case of a licensed HMO) there may be grounds to revoke the licence.

Isn't the Tenant responsible?

Tenants may be responsible under the terms of the tenancy agreement, but under the regulations the manager is responsible for ensuring that things are put right when problems do occur. This is because the failure of one tenant can result in all the others being put at risk.

Under the regulations tenants do have some legal responsibilities; these are to:

- Take care not to hinder the manager in the performance of their duties under these regulations
- Allow access to the manager at reasonable times so that he can carry out his duties
- Provide information which the manager may require to comply with his duties
- Take care and avoid damaging the property
- Comply with the manager's arrangements for the storage and disposal of rubbish

And:

- Comply with the manager's reasonable instructions in respect of means of escape from fire, prevention of fire and the use of fire equipment.

Although the Council can prosecute the tenant for failing to comply with these requirements, it will usually be more appropriate, and effective, for the manager to use his powers under the tenancy agreement.

General advice on management practice

These are some of the factors that will help you to determine how frequently you need to visit the house and what to look for.

You will know the physical nature of your property. You will be aware that the fire alarm system needs to be checked at regular intervals, when light bulbs need to be replaced, that the parapet gutters are liable to obstruction, etc. etc. You will also be aware of the nature of your tenants, and whether any are likely to cause

problems in the management of the property. Disposal of refuse can be a problem, so visiting after the refuse collection can be helpful.

You will need to balance your duties as a manager with a tenant's right to "quiet enjoyment" of their home. Inspection of their accommodation must be with their knowledge and consent. Except in emergencies you must always give at least 24 hours' notice that you would like access to the accommodation. This notice does not give you an automatic right of entry into the accommodation if it is not convenient for your tenant. (If reasonable access is refused you should obtain advice from your solicitor or a professional organisation before taking any action.)

Management records

You should keep records of your visits and any repairs or action taken, as this will help demonstrate an effective management system. You also need to keep certificates and other records to demonstrate that the necessary maintenance checks (e.g. gas safety checks and servicing of fire alarm systems) have been carried out. You may be asked to produce these documents on inspection and as required by the Council.

You should encourage your tenants to report problems and respond promptly when they do.

It is a requirement to display your (and your manager's), name, address and telephone contact number, so that in the event of an emergency, contact can be made and the appropriate action taken. Although not a requirement of the regulations, it is good practice to have a notice board displaying information on tenancy rules, how to reset the alarm system, copies of certificates and how to report any problems to the landlord. This board can also be used to display documents as required by any HMO licence.

Common parts lighting

The manager is responsible for ensuring that the light fittings are in working order. This includes light bulbs, so it is worth considering a lighting system where the fittings have a long life, and bulbs are protected from theft. The switches are to be properly sited, and all the lighting must be supplied from a single quarterly meter, which will usually be in the control of the manager.

Services

The water, gas or electricity supplies must not be cut off unannounced. For repair work, residents must be notified in advance and the supply restored as soon as possible. Where necessary, alternative facilities should be provided until the supply is restored.

Heating

Lack of an adequate fixed heating system is a major contributory factor to both fire and illness. It increases the use of portable gas heaters, electric fires and extension leads. These also contribute to dampness, electrocution and falls. The Council will require improvement to the heating and insulation of the property, usually to a minimum standard of full central heating and 270mm of loft insulation (or equivalent standard). Further guidance can be found in 'The Domestic Private Rented Property Minimum Standard' document that is freely downloadable from the internet.⁴⁸

Gas safety

Each year people are known to die from carbon monoxide poisoning caused by poorly installed or badly maintained gas appliances and flues. It is believed that the number of non-fatal illness is considerably higher.

⁴⁸ SI 2015/962

The Gas Safety (Installation and Use) Regulations 1998 place wide-ranging duties on landlords of all rented property to ensure that the gas appliances, flues and supply are:

- installed and maintained in a safe condition, works only being carried out by a competent contractor whose name appears on the "Gas Safety Register" (the "GSR" replaced CORGI),
- annual safety checks must be carried out; the contractor must be a competent GSR fitter
- certificates are issued to tenants and
- records are kept for 2 years.

Electrical safety

A landlord of any rented property has a duty to ensure that the electrical installation is safe and in good order; a current electrical installation test certificate will demonstrate this. In HMOs the possession of such a certificate is a requirement (see above), as is the need to show this to every new tenant from 1st July 2020. Every landlord must ensure that the condition of the electrical installation is safe and that they are compliant with the *Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020*.

We also advise you that to avoid trailing cables and overloading, it is recommended that at least two twin 13A power points are available in each room and are conveniently located. Consideration should be given to latest product developments (e.g. combination sockets that provide 2 x 13A power points and 2 x additional USB points). It is also recommended that two additional twin 13A sockets are conveniently located above a kitchen worktop.

Landlords' electrical appliances must also be safe, and a yearly test certificate will help demonstrate this.

Maintenance of fire precautions

- Fire alarm systems, escape lighting and firefighting equipment should be maintained in accordance with the relevant British standards. Guidance is available from the Housing Improvement Team; it is recommended that you enter into a maintenance contract with a specialist contractor.
- Fire doors must be kept in good condition, including the integrity and effectiveness of the smoke seals, and should be checked on a regular basis. Fire doors should not be propped open.
- The protected (or escape) route must be kept free of all obstruction and flammable items or sources of ignition. Tenants should be advised of this requirement and the area checked on a regular basis.

Expectations of you as a Manager or Licence Holder

- You will comply with the Management Regulations above and any licence conditions that are imposed.
- You will issue your tenants with:
 - comprehensive written agreements (i.e. tenancy, or licence) that set out the rights and obligations of both parties and include requirements prohibiting anti-social behaviour. You will also make sure that they are aware of the contents of the agreement they are signing.
 - a 'how to rent' guidance leaflet (freely downloadable from the internet)
 - details of the deposit protection scheme, where their deposit will be placed.
 - a copy of the latest Gas Safety Certificate pertaining to the property (if applicable)
- You will fully comply with the 'Right to Rent' requirements unless the property qualifies for an exemption.⁴⁹
- You will be aware of the requirements for the production and provision of an Energy Performance Certificate (EPC) for the property and fully comply with the requirements under *The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015*. These include requirements relating to restrictions and offences when letting F or G energy rated accommodation.

⁴⁹ <https://www.gov.uk/check-tenant-right-to-rent-documents>

- You will be aware of, and fully comply with, the requirements placed on landlords to remain compliant with *The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020*.
- You will have a clear process for tenants to report faults and procedures for responding to these reports and undertaking repairs. Responses should be appropriate to the urgency of the repair.
- You will have a programme of planned maintenance work in order to prevent break downs, failures and elements falling into disrepair.
- You will have a list of contractors who are available to deal with problems as they arise and to carry out planned maintenance work.
- You will provide information on when household waste and recyclable waste will be collected and how it should be put out for collection. You will also ensure there is sufficient storage for waste awaiting collection.
- You will provide information on the operation of facilities within the property e.g. heating system, alarm system and landlord appliances
- You will comply with the Anti-Social Behaviour Code and work with statutory bodies to resolve issues in your properties and
- You will have adequate procedures for commencing and ending tenancies/licenses and addressing any tenancy/licensee problems as they may arise. If you are uncertain of the complexities of tenancy issues, we recommend that you join a landlord's association so that you have access to expert advice and support. They can also assist you with additional training and accreditation.

Failure to maintain a good standard of management would be an indication that you are not a 'Fit and Proper' person to hold a licence or be a manager of a licenced property.

Advice on complying with Condition 9 of your licence – dealing with anti-social behaviour.

Condition 9 states: The licence holder shall investigate complaints of anti-social behaviour arising from this HMO and being caused by occupiers or occupiers' visitors. Where appropriate, the licence holder will seek legal advice or lawfully evict to address the problem. Anti-social behaviour is defined in Section 57(5) of the Housing Act 2004.

Anti-social behaviour is defined as:

Conduct on the part of occupiers of, or visitors to, residential premises—

- (a) which causes or is likely to cause a nuisance or annoyance to persons residing, visiting or otherwise engaged in lawful activities in the vicinity of such premises, or
- (b) which involves or is likely to involve the use of such premises for illegal purposes.

The City Council wishes to support landlords who must deal with anti-social behaviour in their properties. Most commonly this arises as noise from the property and poor management of household waste e.g. accumulations of waste in the garden or in the lanes, leaving bins out in the street. This could be in the form of advice or practical support in taking specific actions.

Please visit our website on www.plymouth.gov.uk or contact us on 01752 668000

The following sections set out advice and guidance for landlords in order to help them meet their responsibility.

The Written Statement of the Terms of the Tenancy.

Any new tenancy agreement should include an express prohibition on anti-social behaviour. This should include the following points. The government has published a model agreement and accompanying guidance that you may consider useful.⁵⁰

1. Anti-social behaviour is anything which causes:
 - a nuisance or annoyance to other occupiers and nearby neighbours,
 - harassment to anyone in the local area (because of their race, colour, nationality, ethnic origin, sexuality, sex, religion, politics, age, medical condition, or disability) or
 - violence (including domestic abuse) against any person (including the landlord or persons acting on their behalf).
2. Anti-social behaviour also includes:
 - interfering with security or safety equipment,
 - using the property (including all communal areas bin stores, yards and gardens etc) for any criminal, immoral or illegal purpose, including buying, selling or using any illegal drugs, or storing or handling stolen goods, or
 - damaging any part of the premises.
3. It is also anti-social behaviour to encourage anyone else to carry out or threaten to carry out any of the above. The occupier, under the terms of the tenancy, is responsible for the behaviour of themselves, their family and their visitors.
4. The terms of the tenancy should also state that the landlord will not tolerate anti-social behaviour and include a warning that legal action against the occupiers breaching the terms of tenancy may be taken. This could lead to them losing their accommodation.

Dealing with Anti-Social Behaviour

1. The licence holder or his/her manager shall fix, in a prominent position, within the communal area, a sign containing a statement that anti-social behaviour will not be tolerated and encouraging the reporting of those responsible (should it arise). The appropriate contact details for reporting incidents to be included.
2. It is recommended that contact details for the licence holder or his/her manager are given to neighbours who may be affected and can give you early notice of problems at the house.
3. The licence holder or his/her manager should keep a record of all complaints received from occupiers, neighbours etc about noise and anti-social behaviour.

The record will contain the following information:

 - Date of complaint
 - Name and address of complainant
 - Details of the complaint
 - Name and address of the alleged 'perpetrator'
 - Action taken by the landlord to resolve the problem

(Note action could include making contact with the 'alleged perpetrator' face to face or by letter or both)
4. The licence holder or his/her manager should encourage the complainant to

⁵⁰https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/69594/5/Model_Agreement_for_an_Assured_Shorthold_Tenancy_and_Accompanying_Guidance.pdf

complete diary sheets as a record of the frequency and seriousness of the incidents.

5. The licence holder and/or his/her manager should liaise cooperatively with officers from Plymouth City Council when they are investigating complaints of anti-social behaviour, (including noise) from members of the public.
6. The licence holder or his/her manager shall inform the police or City Council's Anti Social Behaviour Unit where he has reason to believe that a criminal offence has been, or is being, committed on the premises.
7. The licence holder or his/her manager will take action to evict tenants who do not cooperate with requests to modify behaviour.

Signs

The Licence Holder shall affix in a prominent position, within the communal area, a sign containing a statement that the licence holder will not tolerate anti-social behaviour and to encourage the reporting of those responsible, including a telephone number or an address to which complaints should be made. This sign shall be replaced if it is torn, defaced or removed. (sign on following page)

**NOISE AND ANTI SOCIAL BEHAVIOUR
NOTICE TO TENANTS AND THEIR VISITORS**

Whilst you occupy this property you and your guests must respect the rights of other people and not do anything (either in or near the property or on the street where the property is) which would cause a nuisance or annoyance, including harassment of other people.

In particular (but not limited to the examples given) please:

- Be respectful of your neighbours into whose community you have moved.
- Be conscious of the level of noise coming from the house and garden at all times but especially after 10pm at night. This includes playing music, raised voices, door banging, running up and down stairs etc. Please keep noise levels down at all times and especially if a neighbour lets you know that you are disturbing them.
- Be conscious of the level of noise you may be making as a group on the street when you are going out or coming home after an evening out. Try not to disturb people in the houses you pass, especially late at night when they will be sleeping.
- Ensure that you store refuse appropriately in the bins provided and put it out for collection on the correct day. You should also bring the bins in after collection. Do not allow refuse to accumulate inside or outside the property.

Your tenancy agreement prohibits behaviour which causes nuisance or annoyance to others and such behaviour will not be tolerated.

If complaints are received, you will be reminded of your obligations under your tenancy agreement. If conditions continue to be broken, or in the case of serious incidents, legal action may be taken to evict you from the property.

If you are suffering from the noisy or anti-social behaviour of others within the property you can report them to:

Name:

Tel No:

Email:

PART FOUR – FIRE SAFETY ORDER

Regulatory Reform (Fire Safety) Order 2005

Fire risk assessments are required in housing covered by the above (the FSO) which is administered by the Devon and Somerset Fire and Rescue Service (DSFRS). It applies to buildings occupied as bedsits, self-contained flats, non-self-contained flats, hostels and bed and breakfast premises.

The aims of a fire risk assessment are to:

- identify the fire hazards,
- reduce the risks of those hazards to as low as reasonably practicable and
- decide what physical fire precautions and management arrangements are necessary to ensure the safety of people in the premises if a fire does start.

The duties under the FSO (where it applies) are for the “responsible person” (the landlord or a managing agent acting on his behalf) to:

- complete a fire risk assessment,
- carry out/instigate remedial and management improvements as identified and
- record the risk assessment where:
 - the HMO is licensable or
 - 5 or more people are employed in the course of the business, either at the property or elsewhere

The Order does not apply to HMOs let as shared houses. These are properties occupied by persons who collectively have a single tenancy and also comprise a clearly identifiable group. Typically, these might be students, work colleagues or friends. Further guidance on what constitutes a ‘shared house’ can be found on page 39 of LACORS Housing - Fire Safety guidance document which is freely downloadable from the internet.

Although it may not be a requirement that a fire risk assessment is carried out in all cases, it is a recommendation.

Further information is available from DSFRS, the Council’s web pages and reading the document “LACORS Housing - Fire Safety; guidance on fire safety provisions for certain types of existing housing”. The following links may be helpful:

www.plymouth.gov.uk

www.dsfire.gov.uk