



<b>Subject:</b>	<b>Update on Transfer of Houses in Multiple Occupation</b>
<b>Date:</b>	4th September 2018
<b>Reporting Officer:</b>	Nigel Grimshaw, Strategic Director, City and Neighbourhood Services, ext 3260
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<b>Restricted Reports</b>	
<b>Is this report restricted?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>If Yes, when will the report become unrestricted?</b>	
<b>After Committee Decision</b>	<input type="checkbox"/>
<b>After Council Decision</b>	<input type="checkbox"/>
<b>Sometime in the future</b>	<input type="checkbox"/>
<b>Never</b>	<input type="checkbox"/>

<b>Call-in</b>	
<b>Is the decision eligible for Call-in?</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of Main Issues</b>
1.1	The new legislative control, the Houses in Multiple Occupation (HMO) Act NI 2016 completed Final Stage on 15 <sup>th</sup> March 2016 and received Royal Assent on 12 <sup>th</sup> May 2016. On commencement of this Act, HMO regulation will transfer to local Councils.
1.2	The Committee will recall that an update paper was presented at the meeting on 10 <sup>th</sup> April 2018. A further paper regarding the Department of Health Consultation on proposals to make amendments to the Fire and Rescue Services (Northern Ireland) Order 2006 was presented to the Committee on 8 <sup>th</sup> May.

1.3	This paper provides a further update on the progress with the transfer of Houses of Multiple Occupation (HMO) function from the Northern Ireland Housing Executive (NIHE) to Councils.
<b>2.0</b>	<b>Recommendation</b>
2.1	<p>The Committee is asked to:</p> <ul style="list-style-type: none"> <li>• note the update information regarding the Houses of Multiple Occupation function and the current status of the programme of transfer.</li> </ul>
<b>3.0</b>	<b>Key Issues</b>
3.1	The Regional Board, made up of representatives from the three cluster leads (ie Belfast City Council, Causeway Coasts and Glens Borough Council, and Derry City and Strabane District Councils), and representatives from DfC and NIHE, now meets on a monthly basis.
3.2	In order to manage BCC's workload and responsibilities, a BCC HMO Board has been established, and also meets on a monthly basis, usually the week before the Regional Board meeting.
3.3	The date for the transfer of functions is 31st March 2019.
	<b><u>Legislation/regulations</u></b>
3.4	The Department of Health proposed that amendments should be made to the Fire and Rescue Services (Northern Ireland) Order 2006, as outlined in the P&C Committee paper in May 2018. Given that the operation of the HMO licensing scheme will be the responsibility of councils, the proposed amendments would have allowed Councils to carry out all the checks/inspections (including fire safety) required to license or otherwise an HMO. The Department for Health has informed the Regional Board that without an Assembly they cannot make the amendments as it is a change to primary legislation, so therefore would not be in place for commencement of the HMO Act in April 2019. Members of the Regional Programme Board are meeting with representatives from the NIFRS to consider the development of a mechanism to ensure public safety, possibly via a Memorandum Of Understanding (MOU), until the legislation is in place.
3.5	DfC is currently considering the process required to lay the necessary regulations to allow for the transfer including setting a licence fee. The Councils are continuing their work on calculating the cost of the new regime and this will feed into the Department's legislative timetable.

3.6	<p><b><u>Operating Model:</u></b></p> <p>Committee reports have been presented to all 11 Councils regarding the future operating model, as well as the ongoing work in relation to the estimating the cost of the new regime, fee setting, transferring staff and the procurement of a new ICT system.</p>
3.7	<p><b><u>SLA</u></b></p> <p>A draft SLA has been prepared and following consultations with other Councils it will be brought to committee for approval.</p>
3.8	<p><b><u>Legal</u></b></p> <p>Work continues to identify the most appropriate options, and potential costs, regarding the regional supply of legal services to Councils in the new scheme.</p>
3.9	<p><b><u>Staff Transfer – HR</u></b></p> <p>Consultation with staff transferring from NIHE to BCC continues. Two members of NIHE staff will form a transition team, and started work in BCC offices in August for two days a week to start preparing a procedure manual and other relevant documentation.</p>
3.10	<p><b><u>ICT</u></b></p> <p>BCC's Digital Services has lead on the process to procure a regional ICT solution for the new scheme. This will be paid for by the DfC as a transition cost. The specification was developed which required significant consultation with other Councils, EHNI and NIHE. The procurement process is nearing completion, and it is anticipated that the contract will be awarded shortly. Digital Services are currently developing a SLA for ICT support across all the Councils.</p>
3.11	<p><b><u>Financial and Resource Implications</u></b></p> <p>It is anticipated that all costs associated with the new HMO licencing scheme will be met by fee income. Given that this is a transferring function with a new legislative regime coming in, decisions around financial, resource implications and transfer will be taken via the Strategic Policy and Resources Committee.</p>
3.12	<p><b><u>Equality or Good Relations Implications/Rural Needs Assessment</u></b></p> <p>No equality or Good Relations implications have been identified.</p>
4.0	<p><b>Documents Attached</b></p> <p>None</p>