



**Northern Ireland
Assembly**

COMMITTEE FOR SOCIAL DEVELOPMENT

Please use this form to submit written submissions in relation to the Houses in Multiple Occupation (HMO) Bill. Return to committee.socialdevelopment@niassembly.gov.uk by Tuesday 6 October.

Name: Kevin O'Neill Group Commander (Community Development)

Organisation: (if applicable) Northern Ireland Fire & Rescue Service

Date: 05 October 2015

(where possible, please structure your response to the specific clauses of the Bill and, if appropriate, suggest alternative or additional wording to clauses, which may assist the Committee's consideration of the need for any amendments to the Bill)

Northern Ireland Fire & Rescue Service (NIFRS) wish to make the following comments in relation to the proposed Houses of Multiple Occupation (HMO) Bill

1. Art 1 NIFRS raise no objection to the wider definition of a HMO being used in the proposed bill.
2. Art 4 NIFRS would like the Department to consider including 'smoke detectors' as one of the "basic amenities" to be incorporated into the minimum expectation of living accommodation in a building or part of a building.
3. Art 7 NIFRS raise no objection to the wider use of a licensing scheme being used in the proposed bill.
4. Art 10 NIFRS raise no objection to the use of a fit and proper person test being applied to the registered owners of HMOs as outlined in the proposed bill.

5. Articles 78(2)(a)(ii) and (c), 80(2)(d), 82 and Schedule 4 to the Housing (NI) Order 1992 make provision in relation to fire safety and creates a dual responsibility for fire safety between NIFRS and the NIHE in all HMOs. NIFRS note that there is to be no duality of approach under the new proposed bill and query if this is because Article 48 of the Fire and Rescue Services (NI) Order 2006 voids any legislative requirement that might be made for fire safety in licensable HMOs through this bill.
6. Can you clarify if there is an expectation that owners of HMOs that register with the Local Council will have to seek approval or a 'clearance letter' from NIFRS to assuage the Local Council that the building meets the required Fire Safety Standards?
7. Art 35 Can you clarify if a Local Council inspector comes across a HMO premises and wishes to issue a 'rectification notice' under Art 35; are they able to do this if the matters that require rectifying relate to fire safety measures or does Art 48 of the Fire and Rescue Services (NI) Order 2006 void any ability that the Local Council inspector might have to rectify anything construed as fire safety measures.
8. Art 55 In the event that a Local Council inspector comes across a HMO premises with dangerous conditions relating to fire safety measures, are they able to deal with these issues under Art 55 or are all aspects of dangerous conditions relating to fire safety measures going to be deferred to NIFRS as per Art 58(7). This could be confusing as many H+S issues could also be construed as Fire Safety issues and visa-versa.
9. NIFRS sees in this draft bill significant potential for all aspects of fire safety enforcement to be removed from the NIHE directly to NIFRS without any fire safety enforcement being picked up at Local Council level and would value an early discussion about our current capacity to take on this extra workload. NIFRS currently operate a process of sample audit and work closely with NIHE in relation to Prohibition notices but would seek clarification from the working group leading on this bill if the expectation is that all fire safety matters are to be dealt with solely by NIFRS.
10. NIFRS has no objection to the proposal to open statutory information sharing gateways to assist in the identification and regulation of HMOs.

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