

# **Licensing private rented multiple occupancy accommodation**

## **Proposal to make an additional licensing designation in Woking Borough**

**June 2025**



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# 1. Executive Summary

Woking Borough Council (the Council) is proposing to introduce an Additional Licensing scheme for Houses in Multiple Occupation (HMO) across the Borough that would require all accommodation that is rented privately to 3 or more people from 2 or more households to be licensed.

The Mandatory House in Multiple Occupation licensing states that all properties with 5 or more occupants from 2 or more households require a licence. This enables housing standards officers to inspect the property to ensure that property standards and management are adequate and that new requirements are implemented as necessary. HMOs provide accommodation for some of the most vulnerable residents within the Borough and standards need to be monitored to ensure they are not suffering with inadequate housing. Most commonly, these properties were not built for multiple occupation, and the risk of overcrowding and fire can be greater than with other types of accommodation.

There are many properties rented out to 3 and 4 occupants from more than 1 household which do not currently require a licence. Whilst carrying out our inspections due to complaints from occupants and neighbours, it has been found that the conditions within some of these properties are below standard. Where the owner of the property is not living in the property there is generally no individual taking overall control of the running of the residence, and conditions can deteriorate quickly. We have many complaints regarding conditions of these properties, illegal evictions, and lack of appropriate management from the landlords.

This scheme is intended to improve the standards in these properties and ensure that the landlords fulfil their responsibilities towards their tenants.

Should the Council decide to make a designation it would come into force on 01 January 2026 and would last for three or five years. The designation would require that all private rented accommodation with 3 or more occupants from 2 or more households is licensed by the Council for which an application fee would be payable by the landlord.

The Council is required to consult on its proposal, and following the careful consideration of the responses received during the public consultation, the Council will decide whether or not to make the additional licensing designation. More information about the consultation activities and timescales can be found at [Appendix 2](#).

## 2. Why are we considering additional licensing?

Woking is an affluent borough which does not exhibit issues resulting from low housing demand, significant levels of anti-social behaviour, deprivation, or crime. Woking is also proud of its heritage. It is home to Britain's oldest purpose-built mosque dating from 1889, it has a great sports and arts heritage, and was mentioned in the Domesday Book. It has responded positively to relatively high levels of migration over a number of years and has also undergone a huge transformation in the town centre and Sheerwater.

In short - Woking is a great place to live.

However, as a result, the housing market across Woking is subject to increasingly high demand fuelled by its location, employment opportunities and recreational space. The average cost of renting

a double room in Woking is £770 per calendar month. Spiralling private rents have resulted in some forms of private rented accommodation becoming unaffordable for many residents, and this is especially the case for those on low incomes and/or in receipt of means-tested benefits. This has resulted in many residents seeking to rent rooms or share accommodation rather than being able to rent a whole house or flat. Unfortunately, increasing demand has led to a number of landlords taking advantage of market conditions and, in turn, increasing the number of people living in sub-standard accommodation. Landlords are aware of the need to apply for a mandatory HMO licence if they accommodate 5 or more people from 2 or more households, and several will either try to operate under the radar or keep their occupancy under this level. However, some landlords do not then ensure their properties are safe and maintained adequately. Checks are only made on these properties where a complaint is made about them. Many occupants are unaware that they are able to complain and who they should raise issues to.

During the last three calendar years across Woking, the Council has received 118 complaints and other service requests from private tenants relating to small HMOs. These service requests include concerns over disrepair, overcrowding, inadequate heating, fire safety and a range of other matters. In one particular situation we found an elderly gentleman who had lived in the box room of a house, with no space for a bed, for the previous 15 years. We know that complaints are the tip of the iceberg, and conditions may not be reported to us for fear of eviction or retaliation by the landlord.

The Council has a wide range of tools available to intervene in the private rented sector and currently utilises its powers predominantly under Parts 1 and 2 of the Housing Act 2004 (housing conditions and licensing of HMOs respectively). Where significant health and safety hazards are found by officers inspecting private rented accommodation, enforcement action is instigated, for example by serving legal notices requiring the landlord to carry out remedial works. In another case, we found occupants hot bedding in a property where there was significant damp and mould and the bathroom floor was in danger of collapse.

Currently we are dependent on the tenants informing us when properties are sub-standard or landlords are not acting appropriately. A licensing scheme would enable us to be proactive in inspecting lower occupancy HMOs and ensure they are up to the required standard. This benefits current and future occupants of the property and enables us to support landlords in understanding their management responsibilities.

The forthcoming Renters' Rights Bill may help to identify rented properties with the proposed Landlords' Database. However, that may not be implemented fully for a few years. The bill may also encourage tenants to approach us more readily. However, many tenants who can only afford rooms are often frightened that they will lose their home if they raise awareness of issues at the property.

### **3. The Benefits of an additional licensing scheme**

The Woking for All Strategy sets out a number of aims including Thriving Communities. Within this, the focus is to be a place where residents feel safe and lead healthy and fulfilling lifestyles.

Key to these aims is ensuring that the housing across Woking provides a decent place to live that also supports resident's health and well-being. The introduction of an additional licensing scheme within the Borough will support the Council's Strategy through the following:

- HMO's will be managed more effectively, by supporting landlords to become more professional in their management of rental properties, which will benefit tenants and local communities.
- Licensing is a powerful tool that allows the Local Authority to implement measures to improve the management, tenancy arrangements, and conditions of smaller HMOs which often fall under the radar.
- A consistent approach will be achieved towards improving conditions, management and tenancy arrangements across the HMOs. Tenants will know the level of quality to expect and ultimately be provided with better quality and choice of accommodation.
- Reduced turnover of tenants leading to more settled communities.
- Landlords operating illegally or with a poor track record will be prevented from continuing to operate.
- Reducing the incidence of tenant exploitation including overcrowding, harassment and unlawful eviction.

If the Council introduces an additional licensing scheme it is anticipated that every small HMO property within the designated area will be inspected within the life of the designation, and that where significant health and safety hazards are found, enforcement action will be taken to remedy these hazards. The private rented sector is often the only tenure choice for many people including the most vulnerable households, and this remains the case in Woking. The combination of poor conditions, escalating rents, and the lack of security of tenure is a key cause of homelessness. Whilst the Renters' Rights Bill is seeking to address some of these issues, an additional licensing scheme will help to improve property conditions and landlord behaviours at the more affordable end of the private rented market. The Government have made it clear that the Landlords' Database is not a replacement for licensing schemes.

## 4. Legislative background

The Council's discretionary power to implement additional licensing of the private rented sector is set out in Part 2 of the Housing Act 2004. This enables the Council to extend the mandatory licensing of certain HMOs to encompass additional sizes of HMOs (additional HMO licensing).

The designation requirements are set out in Sections 56 - 60 of the Housing Act 2004. Consideration must take into account whether a significant proportion of the HMOs (of the type it is considering licensing) are being managed ineffectively giving rise to problems for the occupiers or members of the public. The Council must also consider whether:

- the use of additional licensing is in accordance with the overall housing strategy and is part of a co-ordinated approach to deal with wider issues such as anti-social behaviour;
- there are other courses of action that could be used to deal with the problems identified (e.g. voluntary accreditation schemes) and
- additional licensing, whether on its own or in conjunction with other policies, will make a significant contribution to dealing with the problems.

In consideration of the management of these HMOs, we are aware of 118 complaints that were directly related to small HMOs over the last 3 years. In fact, last year, 40% of our service requests were in relation to small HMOs or potentially unlicensed HMOs. This is a rise from 27% the previous

year. Many of the potential HMO reports are from neighbours where there are issues with multiple vehicles, noise, excess rubbish etc. On visiting, the safety features are not usually sufficient, some having no fire detection at all, and the communal areas are often not kept clean and tidy as would be expected in a licensed HMO. As there is not usually a single person in charge of the household, as is the case with a live-in landlord or family home, it is often the case that no-one takes ownership and the condition of the property deteriorates. It is the case that many landlords do not realise their property is an HMO by definition and do not consider their responsibilities in this regard. Sometimes their tenants sub-let without the landlord's knowledge which also puts the property into this category. Unscrupulous landlords can believe that they can remain under the radar by keeping the numbers slightly lower than for a property which required a mandatory licence, without realising that they are still bound by the Management Regulations for Houses in Multiple Occupation (England) Regulations 2006. There remain unlicensed mandatory HMOs in the Borough so having the additional licensing scheme will help identify these too.

Whilst the Woking for All Strategy is focusing on increasing the quality of council owned properties, this licensing will support the improvement in the quality of non-council property which is often the only option for many of our residents. They, too, deserve to have safe, well-maintained properties and responsible landlords.

Woking has attempted a voluntary accreditation scheme for landlords. However, the take up was poor and mainly consisted of the more compliant, responsible landlords. Unfortunately, this did not have an impact on improving the quality of the properties and would be unlikely to do so in the future. However, the additional licensing scheme would also enable us to provide best practice information regularly to the landlords who have licenses.

It is strongly believed that the conditions and management of low quality small HMOs and unlicensed HMOs is one of the main problems in the private rented sector in Woking. This scheme, along with the changes implemented from the Renters' Rights Bill, will make a difference to the quality of this vital type of property. Licensing will enable us to inspect them and ensure the standards and management are suitable.

There is no longer a requirement to obtain approval for additional licensing schemes from the Secretary of State. Under the [The Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation \(England\) General Approval 2024](#), every local housing authority in England that designates an area of their district or an area in their district as subject to additional licensing in relation to a description of HMOs specified in a designation made under section 56(1) of the Act has the Secretary of State's general approval of that designation for the purposes of section 58(1)(b) of the Act, provided they consult, for a minimum of 10 weeks, with persons who may be affected by the designation.

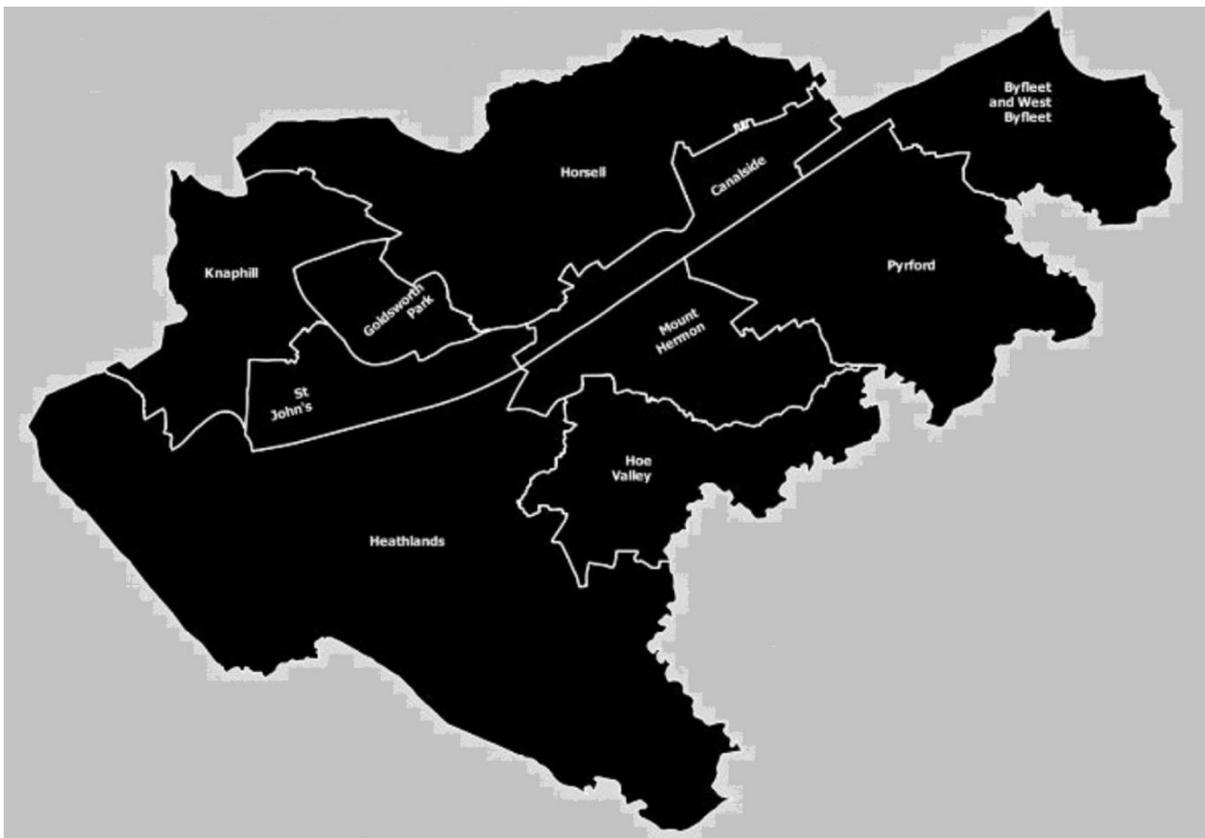
Where a licence is granted the licence will require the landlord to meet a range of licence conditions. Once the proposed designation has come into force, it will be a criminal offence for a private landlord to operate any house in multiple occupation in the Borough without a licence. This offence carries an unlimited fine on summary conviction in the Magistrate's Court, and the Council may also apply to the First-tier Tribunal for a Rent Repayment Order (RRO), to recover certain housing benefit payments made in respect of the unlicensed property. Additionally, the Council is able to issue a fixed penalty notice of up to £30,000 (to increase to £40,000 with the implementation of the Renters' Rights Bill) as an alternative to instigating prosecution proceedings. Tenants are able to apply for Rent Repayment Orders where they have been living in a property which does not have the required licence.

## 5. Woking Demographics

The Borough of Woking lies in the western side of the County of Surrey. Its close proximity to London allied to excellent rail links to the capital, the south coast and the west country have resulted in Woking developing as a commuter town.

Woking is one of 11 Boroughs in Surrey and consists of 10 wards across 6,357 hectares. Between the last two censuses (held in 2011 and 2021), the population of Woking increased by 4.8%, from just under 99,200 in 2011 to around 103,900 in 2021. There are approximately 41,400 households in Woking of which 8,777 are estimated to be rented privately, 21.2% of the total stock. Woking now has a slightly larger private rented sector than the national average (20.6%). The private rented stock is not uniformly distributed across the Borough, with higher densities found linked to transport arteries and also in areas where the housing stock is older and where newer housing stock has been delivered for the property investment market. Development has also taken place since the 2021 census was undertaken so the figures will have changed more recently.

Wards in Woking



The following table shows the housing tenure by area:

	Owner-occupied	Social rented	Private rented
Woking	67.3%	11.6%	21.2%
South East	67.1%	13.6%	19.3%
England	62.3%	17.1%	20.6%

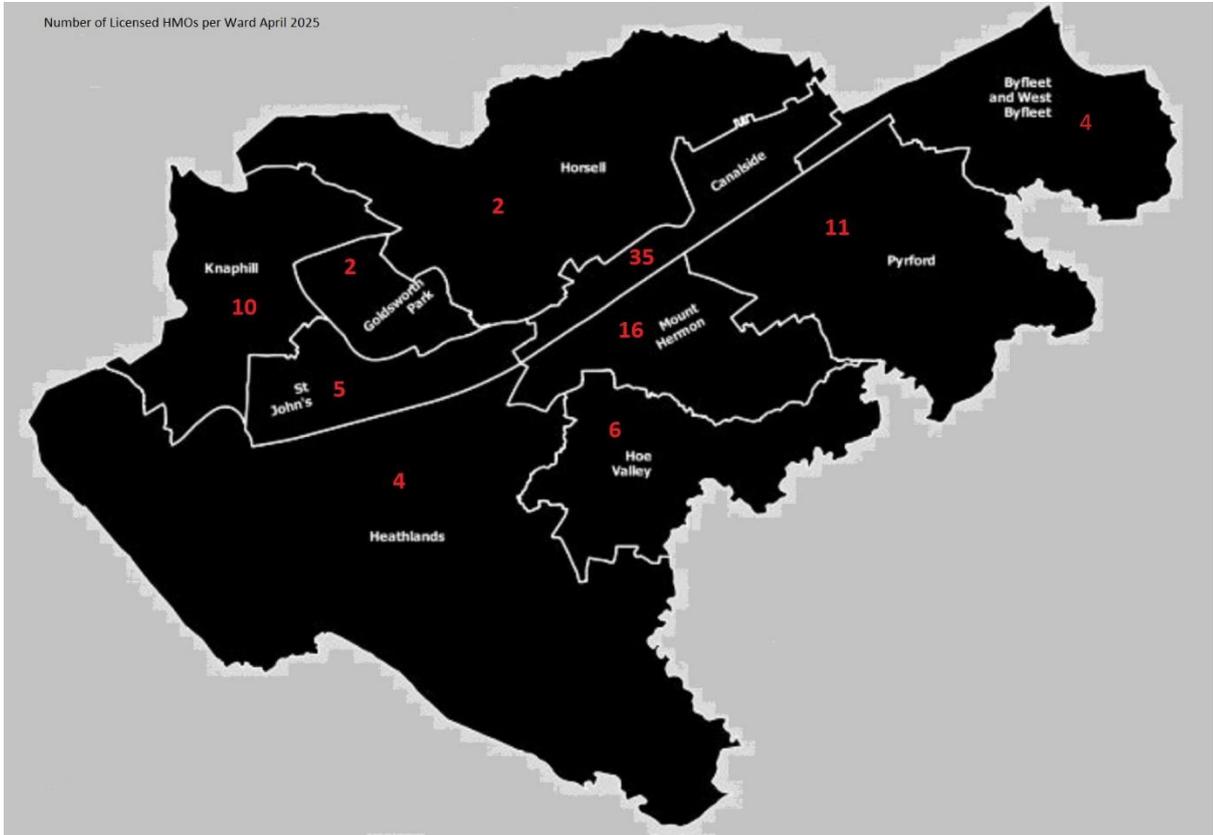
Thus the private rented sector in Woking is higher than that of the South East and of England. The social rented sector is lower than that of the South East and of England.

Across the wards of Woking Borough, this is broken down as follows:

	Owner-occupied	Social rented	Private rented
Byfleet and West Byfleet	74.4%	9.5%	16.1%
Canalside	44.7%	20.0%	35.3%
Goldsworth Park	60.0%	18.0%	22.0%
Heathlands	80.8%	5.4%	13.9%
Hoe Valley	64.4%	20.5%	15.2%
Horsell	79.2%	8.8%	12.0%
Knaphill	72.7%	10.0%	17.3%
Mount Hermon	51.8%	5.8%	42.3%
Pyrford	83.7%	5.9%	15.4%
St John's	68%	13.5%	18.4%

### 6. Woking’s private rented sector

Mandatory licensing applies to multi occupied properties with 5 or more occupants from 2 or more households across the borough. The current distribution of licensed HMOs across the wards is shown in the following map:



The Council has undertaken a desktop review of the distribution of private rented accommodation across the Borough using the most recent Census data (2021 Census). This has been used to extrapolate the number of all potential houses in multiple occupancy across the Borough, where there are more than 2 households living together. This has been compared with the number of HMO Licences in all of the wards.

Note that the definition of a household is different in the Census data than in the Housing Act 2004 definition. In Census data a "household" is one person living alone, or a group of people (not necessarily related) living at the same address who share cooking facilities and share a living room, sitting room or dining area. A household can consist of a single family, more than one family or no families in the case of a group of unrelated people. A helpful way to think of the relationship between families and households is to consider families as a subset or portion of a household, as more than one family can live in a household, with or without other individuals.

Thus a household specified in the Census data can be read as house in the table below. This has been used to analyse the data.

The breakdown of the information from the 2021 Census per ward is as follows:

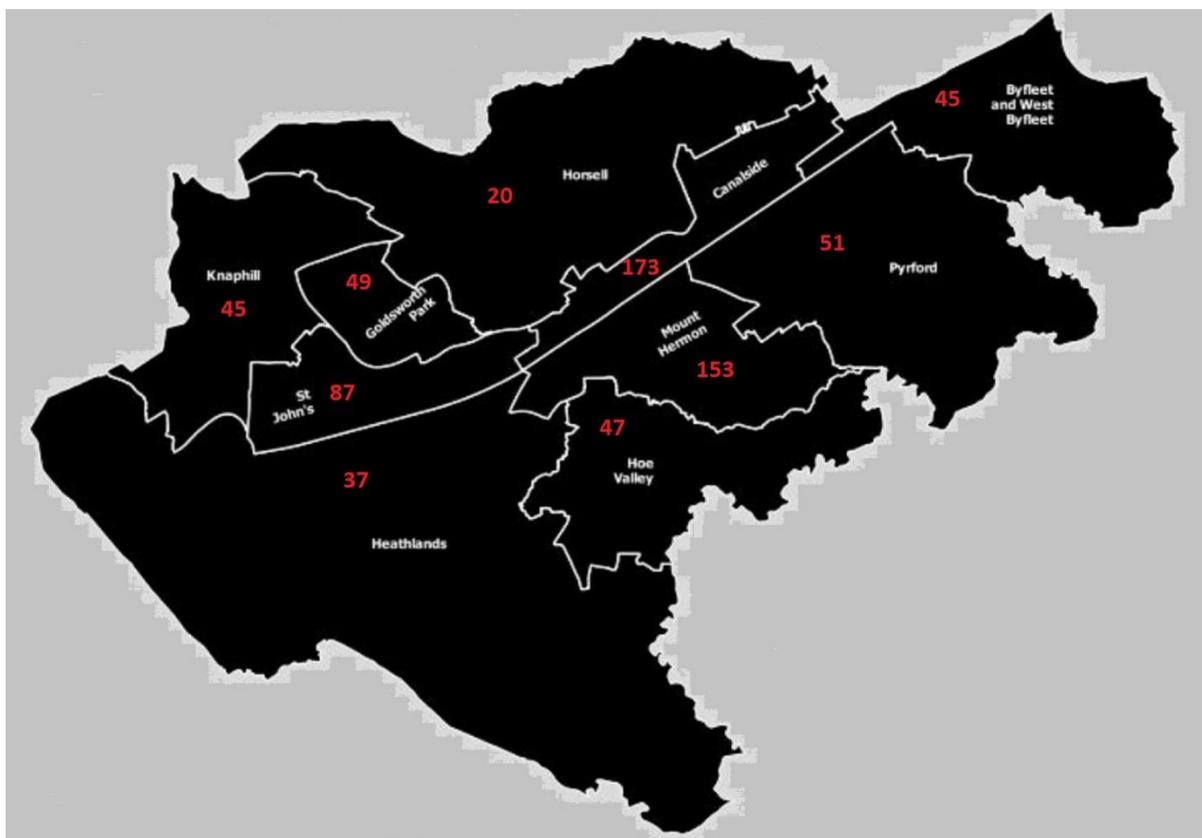
	Population	Number of Households	Tenure of Household – Private Rented	House made up of more than a single family	Calculation of potential number of HMOs	Licensed HMOs (mandatory scheme)
Byfleet and West Byfleet	11,900	4,900	16.1%	5.8%	45	4 (8.9%)
Canalside	10,900	3,900	35.3%	12.6%	173	38 (22.0%)
Goldsworth Park	9,400	4,100	22.0%	5.4%	49	2 (4.0%)
Heathlands	9,800	3,800	13.9%	7.0%	37	4 (10.8%)
Hoe Valley	10,100	3,700	15.2%	8.3%	47	7 (14.9%)
Horsell	10,300	3,900	12.0%	4.4%	20	2 (10.0%)
Knaphill	11,000	4,400	17.3%	5.9%	45	9 (20%)
Mount Hermon	11,000	4,900	42.3%	7.4%	153	16 (10.5%)
Pyrford	10,200	3,800	15.4%	8.7%	51	11 (21.6%)
St John's	9,700	4,100	18.4%	4.9%	87	5 (5.7%)
<b>Woking</b>	<b>104,300</b>	<b>41,400</b>	<b>21.2%</b>	<b>7.0%</b>		
<b>England</b>	<b>57,112,500</b>	<b>23,436,100</b>	<b>20.6%</b>	<b>6.9%</b>		

There are 3 wards where the percentage of private rented properties is higher than the average in Woking. These are Canalside, Goldsworth Park and Mount Hermon.

There are 5 wards where the percentage of houses made up of more than one household is more than the average in Woking. These are Canalside, Heathlands, Hoe Valley, Mount Hermon and Pyrford.

Using these two percentages, along with the number of houses in each ward, a calculation can be made of the potential numbers of houses within each area which are private rented and accommodated by more than one family. The final column shows the number of houses which have HMO licences currently in place in each ward, and the percentage to the potential number of HMOs.

The following map displays the number of potential HMOs per ward in the Borough.



Interestingly, Canalside, which was subject to the previous Selective Licensing scheme (a licensing scheme running between 01 April 2018 and 31 March 2023 within the Canalside Ward where all rental properties required a licence), has the highest percentage of potential HMOs. The selective licensing scheme did highlight many HMO properties that required licensing. However, there are still a large amount that are known to be small HMOs which may not be being managed appropriately.

The data demonstrates the potentially high numbers of properties which fit into the criteria of small HMOs. It also shows that every ward has far more small HMOs that we are not aware of, and which we do not know the condition of.

## 7. Concerns within smaller houses in multiple occupation

It is clear that there is more responsibility on landlords who are providing one property for people from multiple families. However, most landlords of the smaller HMOs which are not required to be licensed under the mandatory licensing scheme, are often unaware of the additional responsibilities and that The Management of Houses in Multiple Occupation (England) Regulations 2006 apply to them.

These properties are often rented by our more vulnerable residents who cannot afford individual housing options. They are also less likely to complain about a landlord as they do not wish to lose their home and do not have the means to find new accommodation where a deposit is required along with the initial rent payment.

In an HMO, there is generally lack of 'leadership' or one person taking on more responsibility in terms of safety, cleanliness, refuse etc, and these areas can become a problem for all members of the house and the neighbours. Neighbours are often concerned about multiple people coming and going from properties, with additional noise, cars, refuse etc.

We have also had issues with illegal immigrants and modern day slavery with multiple people being housed in small family homes which become overcrowded, do not have adequate or suitable amenities, and are in poor condition.

The Management of Houses in Multiple Occupation (England) Regulations 2006 state that landlords/managers have the following responsibilities:

### **Display their contact details (Reg 3)**

- a notice in a prominent position in the property stating the name, address and telephone number of the manager so that residents have someone to contact whenever necessary

### **To take safety measures (Reg 4)**

- All necessary measures to:-
  - Protect the Tenants from injury
  - Means of escape from fire are free from obstruction and in good order
  - The fire alarm system and any fire fighting equipment provided are maintained in good order

### **To maintain water supply and drainage (Reg 5);**

- Ensure that the water supply and drainage system serving the HMO is maintained in a good, clean and working condition – this includes in licensable HMOs conducting a Legionella risk assessment, if required.
- They must not be unreasonably interrupted from use by any occupier

### **To supply and maintain gas and electricity (Reg 6);**

- Not unreasonably cause the gas or electricity supply used by an occupier of the HMO to be interrupted ;
- Supply to the Council within 7 days of request, the latest gas appliance test certificate for the HMO;
- Ensure that every fixed electrical installation is inspected and tested at intervals not exceeding five years by a person qualified to undertake such inspection and

testing , obtain a certificate from that person specifying the results of the test AND supply that certificate to the Council, within 7 days of receiving a request.

**To maintain common parts, fixtures, fittings and appliances (Reg 7);**

Managers must ensure that all common parts of the HMO are maintained in good and clean decorative repair; maintained in a safe and working condition and kept reasonably clear from obstruction. This includes:-

- Appliances such as cookers, heaters, washing machines;
- Shared lighting and heating facilities, including hot water supplies;
- Shared toilets, baths, sinks and basins;
- Shared cooking, food storage and other installations;
- Staircase, handrails, halls and landings, including floor coverings;
- Windows and other means of ventilation;
- Outbuildings, paths, yards, boundary walls, fences and railings and garden areas;
- Provision of additional handrails/bannisters as are necessary for the safety of the occupiers

**To maintain living accommodation (Reg 8);**

- Each unit of living accommodation and any furniture supplied are in clean condition at the beginning of a person’s occupation of it;
- The internal structure of living accommodation and any fixtures, fittings or appliances supplied within it are maintained in good repair and clean working order

**To provide waste disposal facilities (Reg 9).**

- Provide sufficient bins for the storage of refuse pending their disposal, make sure rubbish does not accumulate and make further arrangements for the disposal of refuse and litter as may be necessary having regard to any service provided by the Council.

**i. Service Requests**

The breakdown of service requests (complaints or requests for support relating to the condition or the management of the property) relating to multi occupied properties per ward is below (note that this does not include any service requests relating to single let properties):

	2024	2023
Byfleet and West Byfleet	1	2
Canalside	30	22
Goldsworth Park	1	2
Heathlands	1	0
Hoe Valley	6	6
Horsell	1	1
Knaphill	4	1
Mount Hermon	1	4
Pyrford	2	3
St John’s	2	3

Whilst reports in some wards is low, no ward is exempt from potential issues within HMOs. These can range from disrepair, damp and mould, fire safety, electrical safety, overcrowding, along with immigration and modern day slavery, illegal eviction and more. The following table demonstrates the range and number of issues that have been found in reported properties which are small HMOs over the last couple of years. Note that some properties had several issues.

	2024	2023
Damp and Mould	14	11
Heating issues	9	5
Electrical issues	15	13
Fire safety concerns	27	26
Occupation of an outbuilding	6	0
Insufficient or unsuitable amenities	10	3
Rooms too small	5	5
Potential illegal evictions	4	2
Hot-bedding / overcrowding	5	5
Unlicensed mandatory HMOs	15	8

This demonstrates that there are serious issues in some of these HMOs, and several of them were HMOs which required a mandatory licence. We were also able to confirm that some properties were not HMOs. However, there is another subsection where we could not ascertain whether they were HMOs or not. Whilst we may not have been able to do this, we were able to impact on the safety of the property for the occupants, whether related or not.

We have worked with immigration on 7 cases over the last 2 years, and with the police and other agencies on 5 cases, all of which related to potential HMO properties.

## ii. Overcrowding and related issues

Of the complaints that were lodged with the Council relating to small HMO properties in 2024 and 2023, there are certain issues that were raised which are of particular concern for the safety of occupants. These include overcrowding, use of garden buildings as residences, insufficient amenities for occupants and rooms being below the legal minimum size to be rented.

Of cases during the last 2 years, these practices were found in the following number of properties:

	2024	2023
Use of outbuilding for residential purposes	6	0
Complaints from neighbours	7	5
Insufficient or unsuitable amenities	10	3
Hot-bedding / overcrowding	5	5
Rooms too small to rent	5	5

As can be seen, we are becoming more aware of illegal activities and are likely to be scraping the surface at present.

### iii. Category 1 Hazards from Housing Health and Safety Rating System (HHSRS) Assessments

Where a property is found to have hazards which may need to be addressed through the use of notices such as Improvement Notices, it is necessary to carry out a full Housing Health and Safety Rating System assessment on the property. This may be due to the potential seriousness of the hazards, or where the landlord has not addressed hazardous situations where the council has used informal processes to ask them to do so. Thus, not all properties have a full HHSRS inspection.

However, these inspections are carried out on any type of property during investigations, and not limited to HMO type properties. This enables us to compare the number of single let properties that have Category 1 hazards, the most serious types of hazard, with the number of HMO and small HMO properties.

Over the last 2 years, there have been 49 full HHSRS assessments carried out on properties. The following table demonstrates the difference between single let and HMO type properties and the hazard levels found.

	2024	2023
Number of properties on which full HHSRS inspection carried out	25	24
Number (and percentage) relating to small HMO and HMO properties	15 (60%)	10 (42%)
Number of small HMO or unlicensed HMOs (and percentage of all HMOs) having required full HHSRS inspection	14 (93%)	7 (70%)
Number of HMO type properties (and percentage of all HMO type properties assessed) that had at least 1 Category 1 hazard	13 (87%)	9 (90%)
Number of single let properties (and percentage of all single let properties assessed) that had at least 1 Category 1 hazard	6 (60%)	5 (35.7%)
Total number of Category 1 hazards in all properties assessed through HHSRS	41	24
Number (and percentage) of Category 1 hazards within HMO type properties assessed through HHSRS	30 (73%)	18 (75%)

As can be seen clearly in the above table, the majority of HMO properties where an HHSRS inspection has been deemed the appropriate way forward has increased from 2023. This would indicate that we are being informed about issues with more HMO type properties, and that these have issues which would lead us to carry out a full HHSRS assessment. What is very evident is the high number of small and unlicensed HMOs that have required a full HHSRS assessment as compared to the licensed HMOs. This is likely due to the fact that licensed HMOs are inspected every 3 years and any issues found are addressed quickly. Licensing of smaller HMOs would bring these properties up to the same standards and the number of sub-standard properties with HHSRS hazards would reduce over the

time of the licensing scheme. Instilling good management and standards of properties is then likely to have a longer term effect on the properties.

Of note is the comparison between the percentage of single let properties that are found to have a Category 1 hazard, and those which are HMOs. Whilst an HHSRS assessment is often carried out where it is believed there is a Category 1 hazard, or where the assessment is required to confirm whether or not any hazards are deemed to be Category 1 hazards, the percentage of HMO assessments which result in Category 1 hazards is much higher than that for single lets. It is also worth noting, that a hazard in an HMO of any size is likely to have an impact on a number of individuals, whereas in a family home, there is usually a ‘lead’ person who will monitor and safeguard all the occupants of the family where there are hazards present. Often the advocate for an HMO property needs to be the landlord, and, unfortunately, in some cases, they can be driven by profits rather than safety.

Of all the Category 1 hazards found in properties over the last 2 years, around a quarter of them have been found in HMO type properties, and specifically 42% in small HMOs in 2023 and 68% in small HMOs in 2024. This is a real concern as the Category 1 hazards have been assessed as such as they are likely to have the more severe impact on the occupants. The more common Category 1 hazards found are Fire, Excess Cold and Electrical Hazards.

#### **iv. Enforcement Activity**

Currently, the ethos of Woking Borough council is to work informally with landlords where issues are found and where this is appropriate. There are some situations where formal enforcement action is required and must be taken as quickly as possible for the safety of the occupants. Non-compliance with the Management of Houses in Multiple Occupation (England) Regulations 2006 has a negative impact on all the occupants of the property and is considered to be very serious. Whilst smaller HMOs are required to adhere to these regulations, landlords of these properties are often unaware of this. Licensing the smaller HMOs will raise awareness to the landlords of the importance of maintaining their properties in a suitable condition.

Enforcement action can include issuing notices, issuing fines and prosecution. Over the previous 3 years, the following enforcement action has been taken.

	Improvement Notice	Prohibition Order	Civil Penalty Notice	Prosecution
2024	8 75% HMO	6 83% HMO	4 100% HMO	0
2023	6 67% HMO	3 33% HMO	7 86% HMO	0
2022	6 33% HMO	2 100% HMO	4 50% HMO	0

Note that ‘HMO’ in the table above indicates any property which has multiple occupants whether it requires a mandatory licence or not.

It is clear that enforcement action is far more likely to be taken against HMO type properties than single let properties. The conditions are usually much worse, affect more people, and require improvements or prohibition orders.

In relation to Civil Penalty Notices, over the last 3 years, only 3 penalties have been issued in relation to non-HMO properties. The rest were either small HMOs or unlicensed HMOs which fell under the Mandatory Licensing Scheme.

## **8. Unorthodox Rental Practices**

### **v. Rent to Rent model**

This is where a landlord will rent to a tenant or Rent to Rent 'company'. These companies advertise that they will provide a guaranteed rent to the landlord regardless of the occupancy of the property. The company (or individual, but we will refer to them as company for ease of reference) will then sub-let the property to other tenants creating an HMO. This may or may not be with the landlord's consent. Some companies divide up the property further with stud walls and dividers to increase the capacity in the property. However, they are often unaware of amenity standards requirements and are unlikely to ensure that there are sufficient facilities available for the number of occupants. In some cases, the management of the property will not be to the level expected. In extreme cases, neither the company nor the landlord will make any attempt at carrying out the improvements needed at the property in relation to levels of amenities required and improvements to fire safety for the number of people now living at the HMO. Often these HMOs are not declared and therefore remain hidden in the community. The subsequent tenants have little recourse as they are not the actual tenant of the property. This means tenants are often the people caught in the middle, leading to them being wrongly evicted from the HMO.

When confronted, it is common for the company and the landlord to blame each other for this practice. The company will often vanish leaving the landlord to clean up the mess created through bad management and incorrect tenancy practices.

There are some legitimate companies who guarantee rent for landlords and ensure properties are up to standards and licensed. They will have a management agreement with the landlord. However, where there is no management agreement with clear lines of responsibility, there are significant concerns about the suitability of the company, who may be swindling the landlord and the occupants.

### **vi. Beds in Sheds**

An unauthorised development, usually within the curtilage of an existing dwelling. This practice sees unsuitable buildings, such as outbuildings and garages converted into dwellings, often associated with HMO use. This is usually done without planning consent or Building Regulation approval. Sometimes approval has been given for a certain use other than residential, and renting it out contravenes the planning consent. They are often sub-standard and will usually require multi-agency intervention, such as planning enforcement, housing enforcement, etc.

There has been a large increase in the number of sheds that have been reported as being illegally occupied recently. They often go unnoticed as they are hidden from view from the street. However, they are often not built to a standard that would support a healthy lifestyle, particularly in terms of insulation, ventilation, electrical safety, and fixed heating.

## **vii. Avoidance Rental Model**

Smaller, two storey (4 or more bed) properties are purchased and then the rooms converted into small self-contained units, with minimal kitchen facilities and a small ensuite bathroom in the room. A 'shared kitchen' will also be provided. Vulnerable single persons are then sought, often through charities and local authorities to place in these rooms. This type of practice avoids the need for planning permission for the conversion (because of the shared kitchen making the use ambiguous), sees the 'flats' being separately assessed for Council Tax, thus creating a situation where the 'self-contained' Local Housing Allowance (LHA) rate can be applied rather than the significantly cheaper 'room' LHA rate. This type of development remains unregulated, building practices are often sub-standard (such as overloaded electrics) and leads to tenants being accommodated in tiny unsuitable units. Again this requires a coordinated interventionist approach to tackle.

## **viii. Beds to Rent**

As the name suggests rather than rooms being rented beds within rooms, such as bunk beds are rented. Often two people are allocated to one bed, with one person working a day shift and another working a night shift. This can be within an overcrowded HMO where the only thought is to accumulate as much rent as possible.

## **ix. AirBnB**

Whilst the majority of AirBnB properties are managed well and have suitable facilities for short term letting, increasingly they are being used by several contractors, for example, over the long term. Thus they avoid the need to register as an HMO but cause several issues often associated with badly managed HMOs. Some AirBnB properties are advertised with safety features, which don't exist in the properties. Often, there are too many beds in the rooms, which may be suitable for a short 'holiday' type let, but not for longer term stays, and they also put beds in sheds to increase the potential occupancy, even though these buildings do not have planning permission for this use. There is little regulation of AirBnB properties. Often they will have a cleaner visit in between bookings. The cleaner has no responsibility for ensuring the accommodation is safe. Whilst our remit with regard to these may be limited, there are situations where properties are being used less as short term and more for long term lettings, whilst hiding under the AirBnB umbrella.

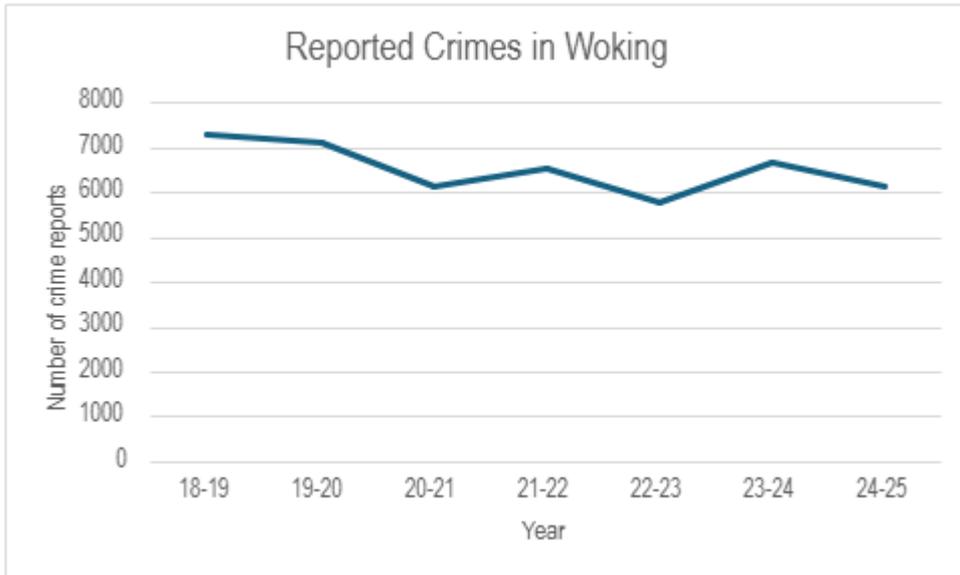
## **x. 'Families'**

Many landlords will inform their occupants to either not talk to the Council, or to tell them that they are all family. It can be very difficult to prove otherwise. When we hear phrases such as 'cousin' and 'distant sister' alarm bells will ring. Landlords who are aware that their property is being rented to people from multiple families, but don't want the expense of licensing it, or the necessity of an inspection, will often tell their tenants that they must always say they are from the same family. On speaking with the tenants, it is often clear that they do not know each other's names or any other information about them.

Whilst we are aware that there are extended families renting whole properties, we need to ensure that tenants are protected from sub-standard management. Usually the landlord will not want an inspection because they know that the property is not in good condition.

## 9. Crime and Anti Social Behaviour in Woking

Crime data in the Woking area shows that the trend has been downwards since 2018 – 2019. In particular there was a large drop when Covid hit. Levels have been rising since the lockdown years, but has not reached the levels present in 2018 – 2019.

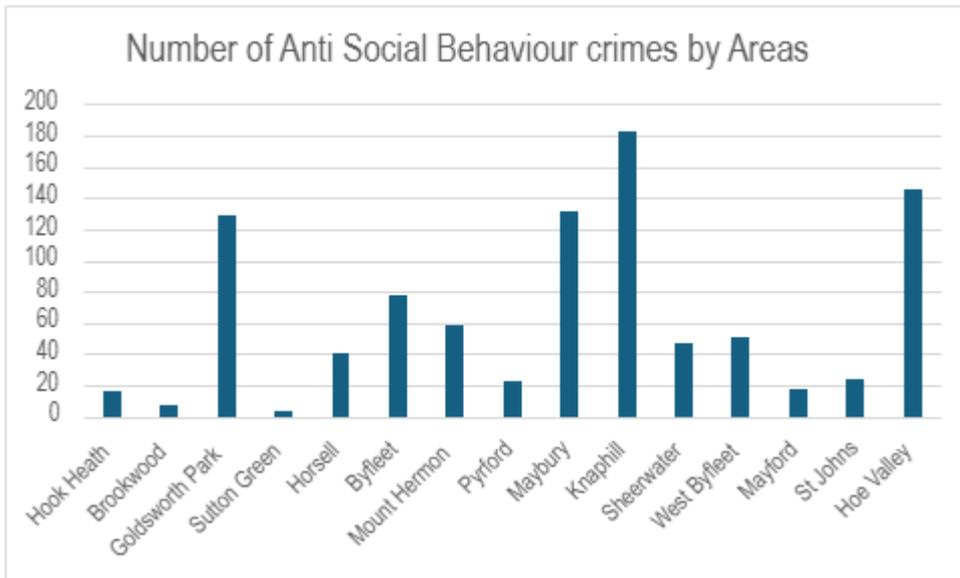


The Crime Survey for England and Wales for the year ending December 2024 showed that 36% of people experienced or witnessed anti-social behaviour (ASB). There was no statistically significant change from the previous year (35%).

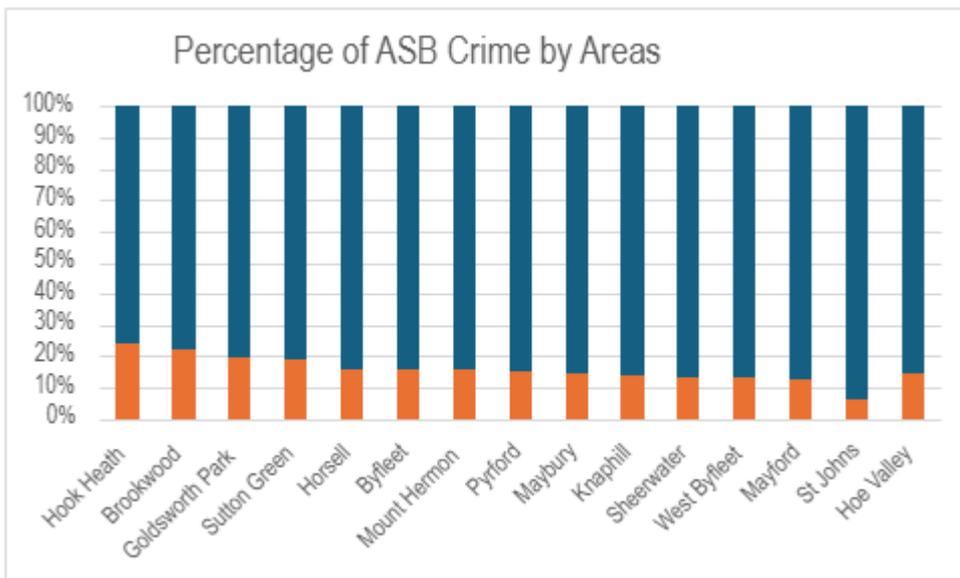
Despite often being described as ‘low-level crime’ existing evidence suggests that ASB can result in a range of negative emotional, behavioural, social, health and financial impacts. ASB has been linked to personal harm including avoidance behaviours, changed routines and an impact on quality of life. Other implications of ASB include negative mental health, such as living in fear and increased stress and anxiety, leading to experiences of panic attacks and depression.

The official definition of anti-social behaviour is, ‘behaviour by a person which causes, or is likely to cause, harassment, alarm or distress to persons not of the same household as the person’. This covers a wide-range of behaviours, such as verbal abuse, intimidation, threatening behaviour, vandalism, fly-tipping, uncontrolled animals, nuisance involving vehicles, excessive noise, and other potentially harmful behaviours.

Data over the last year on the prevalence of anti social behaviour in Woking demonstrates that it continues to be a problem in the area, with up to 23% of reported crime being associated with or categorised as anti social behaviour. The reporting areas for police data does not neatly link into the wards within Woking Borough so there is some cross over. However, the following data shows the number of crimes reported in total over the last year and the number which are ASB categorised.



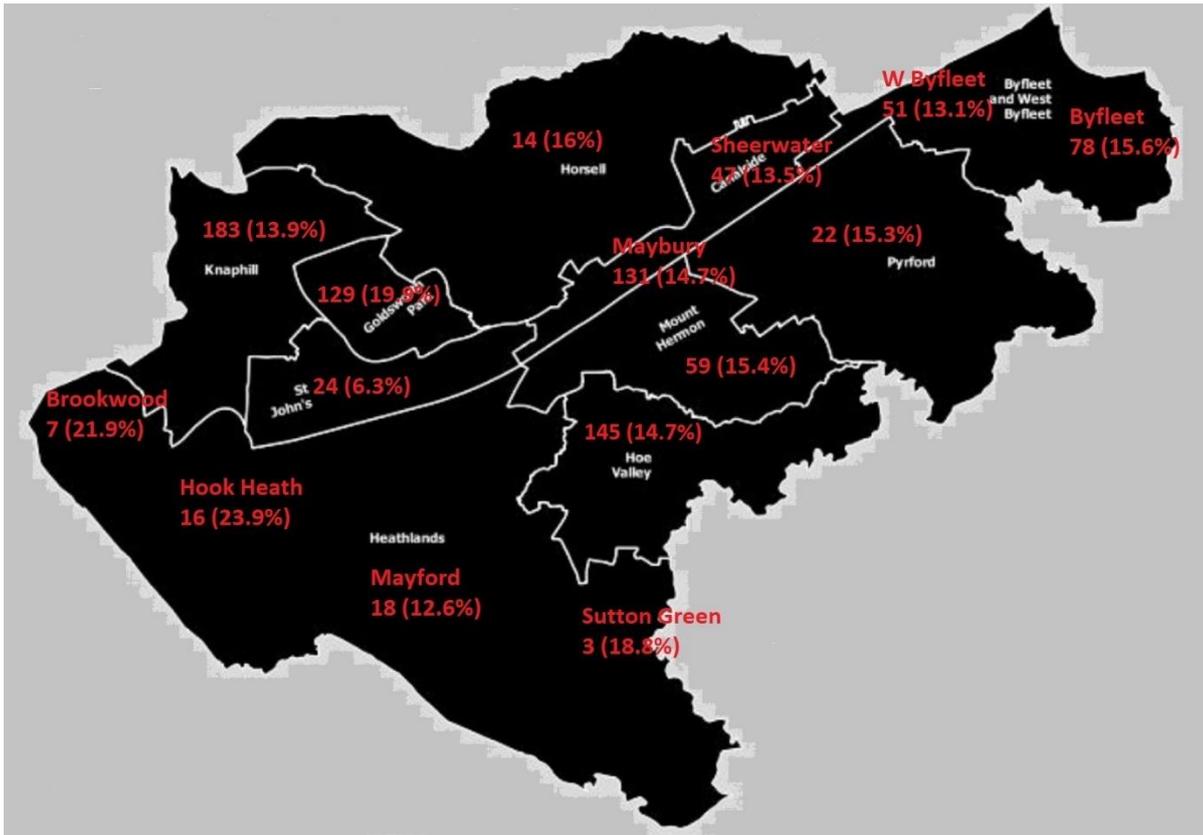
In the table below, this is shown as the percentage of total crimes reported per area (in orange).



It is important to look at both these tables as the percentage and actual figures can tell very different stories.

If considering pure numbers, there are several areas with more than 40 incidents of ASB crime. These are Goldsworth Park, Byfleet, Mount Hermon, Maybury, Knaphill, Sheerwater, West Byfleet and Hoe Valley.

This data has been placed on the map of Woking to show the number of ASB reports across the Borough. This is not a direct comparison with wards as the police boundaries and ward boundaries are not the same. A description of the area has been provided where this differs.



The number is the actual number and the % is the percentage of all crimes reported that are ASB related.

Areas of much lower crime levels have a higher proportion of ASB within them. These include areas such as Hook Heath, Sutton Green and Brookwood. Interestingly, St John's has a much lower proportion of ASB reports. The areas of more concern are Goldsworth Park, Byfleet and Mount Hermon. These areas are all predicted to have a higher number of small HMOs according to the census data. The number of licensed HMOs in these areas is small in comparison.

Whilst arguments have previously been made that landlords have little control over anti-social behaviour, they are able to raise awareness to their tenants that it will not be tolerated and are expected to record and report incidents of anti-social behaviour. There are also grounds for possession concerning anti-social behaviour and tenants who do not want to lose their home are more likely to refrain from this activity. Licensing of properties enables the Council to support landlords with their understanding of what actions they can take in respect of anti-social behaviour, which can, in turn, have a positive impact on the rest of the community.

## 10. Improvements in conditions of Mandatory HMOs

Mandatory HMO properties have an inspection prior to the issuing of the initial HMO licence and on renewal. This ensures that the property is of a suitable standard for the tenants and the landlord is fully aware of his responsibilities. We have had some properties refurbished into HMOs recently with

outstanding results. However, there are also many landlords that submit applications for their property's first licence where the conditions are not as they should be. This may be through a lack of understanding from the landlords that people renting these rooms have a right to good quality accommodation and amenities. However, when they understand what is required, the ongoing standard increases and the general management often improves.

Over time, the number of licensed HMO properties with serious hazards and / or unsuitable amenities has decreased. This is evident as these properties are visited every 3 years (or more frequently where an initial 1 year licence has been issued). It is clear from these visits that the many of our landlords are ensuring their properties remain of a good standard and the number of HHSRS assessments required on licensed properties has decreased, as has the number of improvements that have been asked for through informal communication. This clearly demonstrates that a licensing scheme does have a longer term impact on the quality of the properties that are part of the scheme. Landlords are required to provide their safety certificates when the previous ones expire, and reminders about this are sent out by the Council.

Considering the 94 properties which currently have a mandatory HMO licence, there are 23 (25%) which are in excellent condition and are providing very high quality housing for their tenants. There are 52 (55%) where we found minor improvements were needed to ensure they were up to standard. It is expected that, as these works are carried out, they will be in very good condition at their next licence renewal inspection, provided the landlords are managing the properties well. There are occasions where this does not happen and maintenance is not maintained.

We had to issue 5 improvement notices on properties where the issues found were very serious. This constitutes about 5% of properties registered as mandatory HMOs. The notice ensures that the works are carried out in a timely manner for the safety of the occupants. There were another 14 properties (15%) where there were issues which could have resulted in a notice being issued. However, in these cases we were able to work informally with the landlords to reduce the hazards quickly.

It is clear that there are properties where notices are required where the hazards are severe or management is not effective. However, we try to work with landlords who have a licence to improve the standards in their properties.

We expect this to be the case with the smaller HMOs in that there will be some which are excellent, but, unfortunately, there will be some where the conditions and managements are not as required. These put tenants' health and well being at risk and the Council have a duty to ensure that our residents to live in suitable accommodation. Thus we are required to take the most appropriate action.

## **11. Support for Landlords on the Scheme**

Whilst many parties will consider the scheme to be punitive rather than supportive, the Council proposes to include activities to support the landlords of these properties and of mandatory HMOs to support them to adopt, where necessary, professional behaviours and an understanding of the wealth of legislation relating to the Private Rented Sector. Landlords who are more aware of the reasons behind requirements are more likely to ensure they implement these within their properties, providing safer and more appropriate accommodation for their tenants. This knowledge will stay with them beyond joining the scheme and support any landlords who may have less understanding of the importance of their role with their property and tenants. We aim to help them to provide good quality

accommodation now and, in the future, and to improve relations with their tenants through knowledge and good communication.

#### **xi. Regular newsletters**

We will provide all landlords of licensed properties with a quarterly newsletter featuring information on safety, legislation, and best practice to support them with their important function in the community. Rather than a landlord just being told that they have to have certain items within their properties, these features will explain the reasoning and provide examples to enhance their understanding of requirements. They will be related both to Housing Standards and Tenant Relationships, with clear explanations of any process that they may require. Note that newsletters were provided to the landlords signed up to the Selective Licensing Scheme, particularly once Covid impacted the country, and informal feedback indicated that the information provided was very useful.

#### **xii. Landlord Forums**

Regular Landlord forums will be established to provide specific information for landlords with HMO properties. These will enable experts from different areas to come and share best practice with the landlords. The frequency of the forums has not been decided but is likely to be once or twice per year. With the forthcoming changes in legislation, this provides the opportunity to support landlords to navigate areas which can be very confusing. The private rented sector is an area that often sees changes in requirements, and we aim to use the licensing schemes (mandatory and additional) to keep landlords up to date.

#### **xiii. Reminders regarding Safety Certificates**

It can be easy to lose track of all the certificates required for a rental property. This can have an impact on the landlord in terms of enforcement, the inability to issue eviction notices, and potential rent repayment orders that could be issued through the courts. Being part of the licensing scheme means that the Council also keeps a record of when these certificates are due, and an automatic reminder is sent to the landlord. This ensures that they remain compliant and that the occupants' safety is prioritised.

## **12. Proposed Fees for Additional Licenses**

The amount of work involved in the administration of an Additional Licence will be the same as for a Mandatory Licence. Thus it is not expected that the fee will vary too much in relation to this. The fee is broken down into two parts. The first is a non-refundable administration fee (Part A), and the second is an ongoing monitoring and enforcement fee (Part B). It is expected that both parts will be paid in one payment at the beginning of the application process, and that the Part B fee will be refunded where the application is refused or does not go ahead. The proportion for Part A and Part B is to be confirmed.

All properties applying for a licence will be assessed in person and advice provided to the landlords to ensure that the property adheres to the requirements for that type of property, and additional information to help maintain suitable management going forward.

As per our licensing policy for Mandatory Licences, the initial time period for a licence will be 3 years. There are exceptions to this time period. If a landlord does not apply for a licence within the required

time period, they will only be issued with a 1 year licence, which will need renewing after the initial year. This is as per our current policy.

### 13. Proposed Licence Conditions

All HMO landlords letting HMOs in the Borough will require a licence from Woking Borough Council for each of their HMOs. The conditions for smaller HMOs are proposed to mirror the conditions for mandatory HMOs. These licence conditions are attached at [Appendix 1](#). They include certain mandatory conditions required under Schedule 4 of the Housing Act 2004 and additional conditions required by Woking Borough Council in relation to:

- Appliance safety and provision of safety certificates
- Amenity provision
- The number of persons and households permitted to occupy the HMO
- Tenancy management and arrangements
- HMO management and arrangements

The license will specify the maximum number of households the Council assess the HMO can accommodate, or limit the occupancy of the HMO. This might occur if a HMO size was unable to accommodate the number of households or if there was part of the HMO that would not be suitable as a bedroom, etc. Assessments of occupancy are based on Housing Act regulations and our Amenity Standards guide.

When deciding to grant a licence Woking Borough Council must be satisfied that the proposed licence holder is a 'fit and proper person'. A Fit and Proper test is a legislatively defined test (section 66 of the Housing Act 2004). Amongst other things, it considers whether the person has:

(a) committed any offence involving fraud or other dishonesty, or violence or drugs, or any offence listed in Schedule 3 to the Sexual Offences Act 2003 (c. 42) (offences attracting notification requirements);

(b) practised unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in, or in connection with, the carrying on of any business;

(c) contravened any provision of the law relating to housing or of landlord and tenant law; or

(d) acted otherwise than in accordance with any applicable code of practice approved under section 233 of the Housing Act 2004.

Where landlords fail to license a property Woking Borough Council will take enforcement action against them and following successful prosecution, they could face an unlimited fine or the imposition of a civil penalty of up to £30,000. Tenants and, where benefits are used to contribute to the rent, the Council, can claim back rent for a period of up to a year (potentially to be extended to 2 years following the implementation of the Renters' Rights Bill) during the time a HMO has not been licensed. Landlords cannot use section 21 eviction proceedings to evict their tenants whilst the HMO remains unlicensed.

## Appendix 1 HMO Licence Conditions

### Mandatory conditions imposed by Part 3, Schedule 4 of the Housing Act 2004 (as amended)

1. If gas is supplied to the house the licence holder must produce to the Council a gas safety certificate obtained in respect of the house within the last 12 months.
2. The licence holder must keep electrical appliances and furniture supplied by them in the house in a safe condition, and, on demand, to supply the Council with a declaration as to the safety of such appliances and furniture.
3. The licence holder must:
  - i) ensure that, as a minimum, a smoke alarm is installed on each storey of the house on which there is a room used wholly or partly as living accommodation, and
  - ii) keep each such alarm in proper working order, and
  - iii) supply to the Council, on demand, with a declaration as to the condition and positioning of such alarms.

Note that condition 2 applies to a bathroom and lavatory which are treated as a room used as living accommodation.

4. The licence holder must:
  - i) ensure that a carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation and contains a fixed combustion appliance other than a gas cooker, and
  - ii) to keep any such alarm in proper working order, and
  - iii) to supply to the Council, on demand, with a declaration as to the condition and positioning of such alarms.

Note that condition 3 applies to a bathroom and lavatory which are treated as a room used as living accommodation. 'Room' also includes a hall or landing.

5. The licence holder must supply the occupier(s) of the house with a written statement of the terms on which they occupy it (tenancy agreement)
6. The licence holder must comply with the scheme provided by the local housing authority which relates to the storage and disposal of household waste at the HMO pending collection
7. The licence holder is required to ensure that:
  - i) the floor area of any room in the HMO used as sleeping accommodation by one person aged over 10 years is not less than 6.51 square metres;
  - ii) the floor area of any room in the HMO used as sleeping accommodation by two persons aged over 10 years is not less than 10.22 square metres;

- iii) the floor area of any room in the area used as sleeping accommodation by one person aged under 10 years is not less than 4.64 square metres;
- iv) any room in the HMO with a floor area of less than 4.64 square metres is not used as sleeping accommodation
- v) where any room in the HMO is used as sleeping accommodation by persons aged over 10 years only, it is not used as such by more than the maximum number of persons aged 10 years specified in the licence;
- vi) where any room in the HMO is used as sleeping accommodation by persons aged under 10 years only, it is not used as such by more than the maximum number of persons aged under 10 years specified in the licence;
- vii) where any room in the HMO is used as sleeping accommodation by persons aged over 10 years and persons aged under 10 years, it is not used as such by more than the maximum number of persons aged over 10 years specified in the licence and the maximum number of persons aged under 10 years so specified;
- viii) to notify the local housing authority of any room in the HMO with a floor area of less than 4.64 square metres.

### **Additional conditions imposed under Section 67 of the Housing Act 2004 (as amended)**

#### **1.0 Information to be displayed/notification of changes**

- 1.1 The licence holder must display a copy of the licence to which these conditions apply in the common parts of the property where it can be viewed by all occupiers. The schedule of licence conditions must also be available for viewing by any occupier either by providing copies to each person before the start of their tenancy or by displaying them along with the licence.
- 1.2 The licence holder must provide all occupiers of the property at the start of their tenancy with the name(s) of the licence holder and/or manager including a contact address, day time telephone number and an emergency telephone number. The above information must also be clearly displayed in a prominent position inside the property where all occupiers and emergency services are able to view the said information.
- 1.3 The licence holder and their managing agent must inform the council within 14 days of any changes in their circumstances as follows:
  - i) details of new convictions/cautions not previously disclosed to the council that may be relevant to the licence holder and/or their managing agent and their fit and proper person status; and
  - ii) Information about any property the licence holder and/or their managing agent owns or manages which a local housing authority has refused to grant a licence or revoked a licence under Part 2 or 3 of the Housing Act 2004; and
  - iii) change in ownership or management of the licence property; and
  - iv) change of address of the licence holder or landlord; and

- v) change in managing agent or the instruction of a managing agent; and
  - vi) advertising the property for sale
- 1.4 The licence holder must inform the housing standards licensing team by telephone (01483 743882) within 72 hours of becoming aware of the occurrence of a fire at the property.
- 1.5 The licence holder shall display a copy of the current gas safety certificate in the common parts of the property where it can be viewed by all occupiers.
- 1.6 The licence holder shall display a copy of the current electrical safety certificate in the common parts of the property where it can be viewed by all occupiers.
- 1.7 The licence holder and/or manager must ensure that all upholstered furniture supplied by them for use by any occupier of the premises, whether new or second-hand is compliant with the Furniture and Furnishings (Fire) (Safety) Regulations 1988 (as amended). Any such furniture which fails to comply with these regulations must be removed from the premises without delay and properly disposed of. Suitable replacement furniture must be provided as appropriate. The licence holder and/or manager must provide to the Council, on demand, a declaration as to the safety of furniture.
- 1.8 The licence holder and/or manager must maintain a file for the property holding copies of all tenancy agreements for inspection at any time.
- 1.9 The licence holder and/or manager must on request provide a written statement to the Council detailing names of persons occupying the property together with the rooms which they occupy, their tenancy start date and any agreement, within 14 days of receiving such a request.
- 1.10 The licence holder and/or manager must ensure that occupants of the property receive written confirmation detailing the arrangements that have been put into place to deal with repair issues and emergencies should they arise.
- 1.11 The licence holder and/or manager must give at least 24 hours' notice of his intention to enter the HMO to the occupiers for non-emergency repairs and inspecting rooms. In an emergency, the licence holder and/or manager is able to enter the property (including the rooms) without notice to address immediate issues in the following circumstances:
- If there is suspected violent criminal activity happening inside the property.
  - If there is a fire in the property.
  - If there is a smell of gas or suspected gas leak in the property.
  - If there has been structural damage to the property that needs urgent attention.

## **2.0 Management of property**

- 2.1 The licence holder must not permit the house or any part of the house to be occupied in any other way or by more than the number of households or persons

stipulated within the licence. Where a room is deemed suitable for two people, this is based upon the room being occupied by a co-habiting couple only.

- 2.2 The licence holder and/or manager must ensure that any installations in common use or which serve any part of the house in common use, are in and are maintained in good repair, a clean condition and in good order (including where appropriate proper working order). Installations include the supply of gas and electricity and sanitary facilities and facilities for the cooking and storage of food.
- 2.3 The licence holder and/or manager must ensure that such parts of the house in common use including staircases, passageways, corridors, halls, lobbies and entrances are clean, maintained in a good state of repair and kept free from obstruction.
- 2.4 The licence holder and/or manager must ensure that all outbuildings, yard areas and forecourts belonging to the property and are used in common are maintained in a good state of repair and in a clean condition, and that any garden belonging to the property is kept in a safe and tidy condition.
- 2.5 The licence holder must write to the housing standards team before making any material change to the layout, amenity provision, fire precautions or mode of occupation.
- 2.6 The licence holder and/or manager must ensure that appropriate procedures are put in place to receive and respond to a notification from any occupier or officer of the council relating to a defect or defects of a general nature and to carry out suitable remedial work within an appropriate period according to the nature and extent of the reported defect.
- 2.7 The licence holder or their manager must be resident within the UK.
- 2.8 The licence holder and/or manager must take reasonable steps to prevent smoking in the common parts of the property. Such reasonable steps include informing the tenants at the start of each tenancy that smoking is not permitted to take place in the communal areas of the premises by any person. If evidence of smoking in the communal areas is found during inspections of the property, reasonable steps must be taken by the licence holder or nominated manager to prevent any further contraventions.
- 2.9 The licence holder must provide a sufficient number of receptacles for the occupiers to dispose of waste. They are also responsible for ensuring that any kind of refuse which the Council will not ordinarily collect (e.g. large items of furniture, hazardous waste etc.), are disposed of responsibly and appropriately in accordance with current legal requirements.
- 2.10 The licence holder must give new tenants in writing within seven days of the start of their occupation information on waste and recycling. The information must include:
  - i) the collection days for the refuse and recycling bins for the property;
  - ii) contact details for refuse/bulky item collections undertaken by Woking Borough Council or other waste collection services; and
  - iii) details on what they can and cannot recycle.

- 2.11 The licence holder must retain a copy of the information provided to each tenant for a period of five years, signed by the tenant acknowledging receipt and produce to Woking Borough Council within 28 days on demand.
- 2.12 The licence holder and/or manager must, if required by the Council, attend a training course (or otherwise demonstrate, as directed by the Council), competence in relation to any applicable code of practice under Section 233 of the Housing Act 2004.

### **3.0 Antisocial behaviour**

- 3.1 The licence holder and/or manager must take reasonable steps to prevent and deal with antisocial behaviour by persons occupying or visiting the property and shall if appropriate take legal advice and act either to issue formal warnings or evict those responsible for the antisocial behaviour.
- 3.2 The licence holder and/or manager must take reasonable and effective steps to deal with any complaints regarding antisocial behaviour by the occupants and/or their visitors of the house made directly to them or via the Council.
- 3.3 The licence holder shall keep a record of all complaints made directly to them or via the Council regarding antisocial behaviour by occupants and/or their visitors of the house, and on demand from the Council's HMO licensing team, provide details including copies of warning letters, notices seeking possession, within 14 days of it being demanded.
- 3.4 The record shall include the:
- i) date and time of complaint
  - ii) name and addresses of complaint (person making complaint)
  - iii) date and time of incident
  - iv) details of the incident/complaint (location, what exactly happened, who was involved)
  - v) details of any witnesses
  - vi) name and address of alleged perpetrator, and
  - vii) action taken by the licence holder to resolve the problem (e.g. contact made with the alleged perpetrator, face to face or by letter or both).
- 3.5 A sign must be displayed at all times in a prominent position in the hallway/common area of the house stating that antisocial behaviour in the premises will not be tolerated.

### **4.0 Fire protection facilities**

- 4.1 The licence holder must ensure that the premises are provided with a satisfactory means of escape from fire according to the size, layout and type of accommodation provided.

- 4.2 The licence holder must ensure that, where required, an emergency lighting system is installed within the communal fire escape route of the premises in accordance with the current British Standard 5266.
- 4.3 The licence holder and/or manager must ensure that, where required, the emergency lighting system is maintained in proper working order.
- 4.4 The licence holder and/or manager must provide to the Council, on demand, a declaration as to the condition of the emergency lighting system.
- 4.5 Such a declaration must include the provision of a test certificate or report issued by a suitably qualified person stating that the system is installed in accordance with the appropriate British Standard and is in proper working order.
- 4.6 The emergency lighting must be tested and certified on an annual basis by a competent person in accordance with the current British Standard 5266; further declarations including an up to date test certificate or report must be supplied to the Council upon demand.
- 4.7 The licence holder must ensure that an automatic fire detection and warning system is installed in the premises in accordance with the appropriate category and grade of the current British Standard 5839.
- 4.8 The licence holder and/or manager must ensure that the automatic fire detection and warning system is maintained in proper working order.
- 4.9 The licence holder and/or manager must provide to the Council, on demand, a declaration as to the condition of the automatic fire detection and warning system. Such a declaration must include the provision of a test certificate or report issued by a suitably qualified person stating that the system is installed in accordance with the appropriate British Standard and is in proper working order.
- 4.10 The licence holder and/or manager must thereafter provide a further annual fire detection certificate to the Council within 14 days of the expiry of the most recent fire detection certificate or upon demand as the Council deems necessary.
- 4.11 The operation of the emergency lighting and the fire alarm system and any other communal appliance and lighting must be powered from the landlord's supply of electricity which is not permitted to be on a pre-payment top up meter.
- 4.12 The licence holder and/or manager must ensure that all firefighting equipment, where provided, is maintained in accordance with the manufacturer's recommendations and that replacement or refilled equipment is provided without delay following any usage which renders it no longer effective.
- 4.13 The licence holder and/or manager must ensure that a suitable and sufficient fire risk assessment is carried out for the property to identify what fire hazards exist at the premises and what measures have been taken (or will be taken) to minimise the risk.
- 4.14 The licence holder and/or manager must provide to the Council, on demand, a written copy of the risk assessment. A new fire risk assessment is required every 3 years and a review of the current fire risk assessment must be carried out every year in between. Evidence of the review must be supplied to the Council annually.

- 4.15 The licence holder must ensure that:
- i) Means of escape are maintained and kept free from obstruction.
  - ii) Electricity supplies to automatic fire detection and emergency lighting systems are not disconnected or threatened with disconnection for any reason.
  - iii) Fire notices are clearly visible.
  - iv) All residents are fully aware of the procedures to be followed in the event of a fire.
- 4.16 The licence holder should advise all new tenants to contact the Surrey Fire and Rescue Service for a free home safety fire check. They can request a safe and well visit by calling 0800 085 0767 or [make a request online](#)

## **5.0 Electrical installation and appliances**

- 5.1 The licence holder and/or manager must ensure that the fixed electrical installation of the premises is inspected and tested at intervals not exceeding five years by a person qualified to undertake such inspection and testing and must provide to the council, on demand, a current periodic electrical inspection certificate for the premises in accordance with the current British Standard 7671.
- 5.2 The licence holder and/or manager must thereafter provide a further periodic electrical inspection certificate to the Council within 14 days of the expiry of the most recent electrical certificate or upon demand as the Council deems necessary.
- 5.3 The licence holder and/or manager must ensure that all portable electrical appliances supplied by them for use by any occupier of the premises are maintained in a safe condition. This includes kettles, toasters, fridges, freezers, lawn mowers etc.
- 5.4 The licence holder and/or manager must provide to the council, on demand, a declaration as to the safety of such electrical appliances. Such a declaration must include the provision of a portable appliance test certificate or report issued by a suitably qualified person with respect to each item of electrical equipment so supplied.

## **6.0 Provision of standard amenities**

- 6.1 The licence holder must ensure that the premises are provided with sufficient and adequate standard amenities as defined in Council's Private Sector Property Amenity Standards Guide for use by the current or intended number of occupiers according to the type of accommodation offered.
- 6.2 The licence holder and/or manager must ensure that all standard amenities and equipment provided for use by the occupiers of the premises are maintained in good repair and proper working order.

## **7.0 Provision of adequate means of space heating**

- 7.1 The licence holder must ensure that each unit of accommodation within the premises including all bathrooms, shower rooms and toilets, whether shared or for

exclusive use are adequately heated in accordance with the Council's Private Sector Property Amenity Standards Guide.

## 8.0 Summary of Certificates Required

8.1 The following table provides a list of required certificates and the frequency with which they need to be renewed:

<b>Certificate</b>	<b>Renewal Frequency</b>	<b>Notes</b>
Gas Safety	Annually	
Electrical Installation Condition Report (EICR)	Every 5 years	
Fire Risk Assessment (FRA)	Every 3 years, after an incident or change in circumstances	In between each renewal the FRA must be reviewed annually and signed to state it has been reviewed
Automatic Fire Detection (AFD)	Annually	
Emergency Lighting (where required)	Annually	
Portable Appliance Testing (PAT)	Annually	

New certificates should be provided to the Council within 14 days of the expiry of the previous certificate.

## Appendix 2 – Consultation Process

To help inform the consultation process, this document provides information about Woking Borough Council's proposal for introducing an Additional Houses in Multiple Occupation Licensing scheme for the Borough.

Woking Borough Council will be consulting on the proposed licensing scheme from 23 June 2025 for 10 weeks until 31 August 2025. To ensure that as many people and organisations as possible have the opportunity to comment on the Council's proposal a range of methods is being used to draw attention to the plans and to provide people and organisations the opportunity to comment on them, including:

- Direct email to landlords, national organisations, managing and letting agents
- Direct email to voluntary organisations and community groups
- Direct email to partner Statutory Agencies
- Social Media
- Press release
- Direct email to neighbouring local authorities.
- Briefing for Councillors and staff
- Information on the Council's website
- Online survey for all residents, landlords, agents and businesses
- Hard copy questionnaire for those without internet access

Your views on the proposed licensing scheme, whether as landlord, manager, freeholder, leaseholder, tenant, neighbour or local business are needed.

To give your views please go online to: [Additional HMO Licensing Scheme consultation | Woking Borough Council](#)

Alternatively, you can request a set of the consultation questions and/or give your comments:

- in letter form to:  
  
Licensing Consultation  
Housing Standards  
Woking Borough Council  
Civic Offices  
Gloucester Square  
Woking  
GU22 6BL
- by e-mail address: [property.licensing@woking.gov.uk](mailto:property.licensing@woking.gov.uk)

Any comments you give will be held electronically and held in strictest confidence and only used for the purpose of this project.

We are proposing to hold a number of meetings and drop in sessions for landlords, letting agents and residents to answer questions and support them to complete the consultation. The dates and times of these meetings are:

Landlords:

Tuesday 1<sup>st</sup> July 2025, 7pm – 9pm, Maybury Centre, 27 Board School Road, GU21 5HD

Letting Agents:

Thursday 3<sup>rd</sup> July 2025, 10am – 12pm, Maybury Centre, 27 Board School Road, GU21 5HD

Residents:

Drop in sessions being held on:

Monday 14<sup>th</sup> July 2025, 6pm - 8pm, Maybury Centre, 27 Board School Road, GU21 5HD

Tuesday 15<sup>th</sup> July 2025, 2pm – 4pm, St John’s Memorial Hall, St John’s, GU21 7SQ

Wednesday 16<sup>th</sup> July 2025, 10am – 12pm, Maybury Centre, 27 Board School Road, GU21 5HD

Friday 18<sup>th</sup> July 2025, 2pm – 4pm, Byfleet Library, High Rd, Byfleet, KT14 7QN

Wednesday 23<sup>rd</sup> July 2025, 2pm – 4pm, Civic Offices, Gloucester Square, GU21 6YL

Friday 25<sup>th</sup> July 2025, 10am – 12pm, Civic Officers, Gloucester Road, GU21 6YL

Your responses are crucial in helping the Council reach a decision. Please tell Woking Borough Council what you think about the proposals no later than 31 August 2025.