

Bristol City Council

Better Lives in Bristol

Registered Providers delivering
Supported Shared Housing



This guidance is for registered providers (RPs) delivering supported shared housing (SupSH). It sets out:

- planning and licencing exemptions for this type of accommodation;
- the process to decide where to deliver this accommodation; and
- the communication and engagement approach.

SupSH is supported housing delivered in a shared property and is likely to house vulnerable households with support needs. RPs, working with Bristol City Council's (BCC) commissioning teams, will deliver this accommodation.

This guidance is intended to provide clarity to the Council's RP partners that restrictions on private sector shared housing do not apply to the provision of shared housing in the city where it is being delivered as part of commissioned services for people needing care and support. This will increase the potential of RP partners to meet the housing and support needs of vulnerable Bristol citizens through the market acquisition of larger homes in the city.

Licensing and SupSH

National mandatory house in multiple occupancy (HMO) licencing states a dwelling would be classed as a licensable HMO if it's occupied by five or more persons living in two or more households and sharing one or more basic amenities (cooking or bathroom facilities). There may also be 'additional' HMO licencing schemes in place in certain parts of the city which applies to HMOs occupied by three or four persons from two or more households. In general a licence is needed if someone is a private landlord or managing agent of a HMO.

However, certain properties are not HMOs for the purpose of licencing, with [Schedule 14 of the Housing Act 2004](#) setting out properties that are exempt. This includes:

A building where the person managing or having control of it is

- a local housing authority,
- **a non-profit registered provider of social housing;** or
- **a body which is registered as a social landlord under Part 1 of the Housing Act 1996 (c.52)**

Furthermore, certain types of accommodation would not be subject to selective licencing as laid out in the [Selective licencing of Houses \(Specified Exemptions\) \(England\) Order 2006](#), including properties managed or owned by public sector bodies i.e. Social Housing¹.

This shows under the two legislations most RPs would be exempt from licencing requirements for HMOs.

Further information on different licencing areas and whether one is needed can be found here: [Types of licence \(bristol.gov.uk\)](#)

¹ [New licencing schemes: August 2024 \(bristol.gov.uk\)](#)

Planning and Supported Shared Housing

In some areas planning permission will be required for works that would normally be covered by permitted development rights. Areas where permitted development rights don't apply are called Article 4 Direction areas. In some Article 4 Direction areas in Bristol a planning application will be required for a change of use between a dwelling house (Use Class C3) and a small House in Multiple Occupancy (Use Class C4).

However, under planning legislation the definition of a small HMO within Use Class C4 (occupied by between 3 to 6 individuals) is linked to the Housing Act 2004 definition. Therefore, **most RPs properties are not classified as a HMO under planning legislation, as Schedule 14 of the Housing Act exempts them.** Such smaller properties would be classified under planning as C3 Dwellinghouses provided they meet the relevant conditions of this Use Class.

Properties should not be occupied by more than 6 residents living together as a single household where care is or isn't provided. If the conditions are met, the property would not be subject to planning controls where the existing use of the property is C3 (as no change of use would occur) and therefore no planning permission would be required.

SupSH properties that do not meet the conditions of the C3 Use Class will be classified under planning as Sui Generis. This will include properties where there are more than 6 occupants and or the residents are not living together as a single household. Where the existing use of the property changes use class then planning permission would be required.

Where to deliver SupSH

There is an overriding need to create capacity in the sector to help the housing crisis and deliver the right type of accommodation for the client group. Therefore, accommodation can be delivered across the city as long as the provision is agreed by BCC Commissioners.

Below shows the key people and documents to consider when choosing where to deliver SupSH.

1. Early engagement with BCC commissioners is key. RPs must work with commissioners to make sure the proposed SupSH is in a suitable location. RPs should provide a business case to commissioners on how the accommodation and location meets the requirement of the future service users.
2. The Supported Housing Delivery Plan will support RPs find and deliver the right type of accommodation with clearer information on what the need is for future supported housing client groups, and providing geographical preferences were applicable. This must be considered for RPs proposed client group.
3. Commissioners must be aware of where existing SupSH utilising the PinPoint mapping system. RPs should be mindful of the level of other supported housing in close proximity to avoid a high concentration of supported accommodation in a small neighbourhood. Even though RPs are likely to be exempt from HMO planning and licencing requirements, RPs should be aware of what Article 4 Directions and licencing rules are applicable in the City in order to manage communications with the local community and ward councillors.

² Permitted development rights allow householders to improve and extend their homes without the need to apply for planning permission where that would be out of proportion with the impact of works carried out.



Engagement - RPs delivering Supported Shared Housing

It is important that RPs engage early and throughout the process with BCC's commissioning and housing benefit specialists, ward councillors and the local community. This is particularly important where they are delivering in Article 4 Directions and / or licencing areas.

1. BCC Commissioning and Housing Benefits Specialists Engagement:

Early engagement is essential with commissioning teams on delivering SupSH. Commissioners must confirm that the accommodation proposed is in a suitable location for the clients. If this is agreed the RP must work with commissioners and housing benefit specialists throughout the acquisition process, in order to ensure that properties meet required standards in terms of quality (accommodation standards) and value for money (rents and service charges) and support services provided are of good quality.

Commissioners will be available to answer questions to ward councillors and the local community, where necessary, on the scheme. This will show their support and give further reassurance.

2. Ward Councillors Engagement:

RPs should contact relevant ward councillors once it is agreed with commissioners that the accommodation can come forward. RPs should make ward councillors aware that they are working with BCC, give information on the scheme they will be delivering and how to contact them with further questions. This is important so ward councillors can answer questions and also speak to the RP where they / their constituents have further queries.

3. Local Community Engagement:

RPs should discuss proposals with the local community. In this conversation the RP should explain what type of accommodation will be provided, how the scheme will be run, explain their expertise on delivering the type of accommodation and provide a point of contact if the local community have queries. This is not a formal consultation process.

Equality and Inclusion

We recognise that many issues affect individuals differently and require specific solutions and we will work with Registered Providers to ensure that people's individual needs and protected characteristics are considered in line with the Equality Act 2010. This will include consideration to accessibility, reasonable adjustments and cultural needs, as required, in both the accommodation's design and in ongoing support and management.

Furthermore, public bodies are bound by the Public Sector Equality Duty and statutory obligations under this duty must be met.

For further information on delivering Supported Shared Housing please contact strategyandenabling@bristol.gov.uk