



HOUSES IN MULTIPLE OCCUPATION

RECOMMENDED STANDARDS

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Introduction

This document is intended to provide landlords with a guide to the minimum standards that Stockport Council considers appropriate for houses in multiple occupation (HMOs).

Properties that meet these standards are likely to comply with current housing legislation because the risks to the health, safety and welfare of the occupying tenants and any visitors to the property will have been reduced to an acceptable level.

The guide takes account of the 'prescribed standards' outlined in current statute for properties requiring a licence under the mandatory scheme. Where no 'prescribed standards' exist the standards previously adopted by the Council have been incorporated.

The guide primarily provides information on the standards required for landlords who need to apply for a HMO licence under the mandatory scheme, however, these standards are also of assistance to landlords of other types of HMO properties which are not subject to the mandatory licensing scheme but are still regulated in order to ensure safety.

If you require further advice or assistance please do not hesitate to contact the Housing Standards Team:

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Landlords must ensure that their properties comply with all the relevant planning legislation and / or Building Regulations in addition to any requirements recommended in this document or required for the purposes of licensing under the mandatory scheme.

Please note that the granting of an HMO license or acknowledging the existence of an HMO does not confer any Planning or Building Regulation approval

Section 1: What is a House in Multiple Occupation?

The following types of properties are considered to be houses in multiple occupation (HMOs) as defined by the Housing Act 2004:

- an entire house or flat that is let to 3 or more tenants who form 2 or more households and who share a kitchen, bathroom or toilet.
- a house that has been converted entirely into bedsits or other non self-contained accommodation (i.e. hostel type) and which is let to 3 or more tenants who form two or more households and who share kitchen, bathroom or toilet facilities.
- a house that is occupied by a resident landlord and his family together with three or more tenants (at least one of whom is unrelated to the others) and where the residents share a kitchen, bathroom or toilet.
- a converted house that contains one or more flats which are not wholly self contained (i.e. the flat does not contain a kitchen, bathroom and toilet behind a main entrance door) and which is occupied by 3 or more tenants who form two or more households.
- a building that is converted entirely into self-contained flats if
 - the conversion did not meet the standards of the 1991 Building Regulations;
 - and**
 - more than one-third of the flats are let on short-term tenancies.

NOTE: We may refer to this type of property as a Section 257 or s.257 HMO with reference to their definition in the particular provision the Housing Act 2004.
- A purpose built flat situated in a block comprising of no more than 2 self-contained flats (whether or not the block also contains non-residential premises).

'Main Residence'

In order to be an HMO, the property must be used as the tenants' only or main residence and it should be used solely or mainly to house tenants. Properties let to students and migrant workers will be treated as their only or main residence and the same will apply to properties which are used as domestic refuges.

'Households'

The following are 'households' for the purposes of the Housing Act 2004:

- members of the same family living together including:

- couples married to each other or living together as husband and wife (or in an equivalent relationship in the case of persons of the same sex) and relatives living together, including parents, grandparents, children (and step-children), grandchildren, brothers, sisters, uncles, aunts, nephews, nieces or cousins
- half-relatives will be treated as full relatives. A foster child living with their foster parent is treated as living in the same household as their foster parent
- any domestic staff are also included in the household if they are living rent-free in accommodation provided by the person for whom they are working.

As a result of the above:

- three friends / colleagues / students sharing together are considered to be three households.
- a couple sharing with a third person would count as two households.
- a family renting a property would be a single household. If that family had an au-pair to look after their children that person would be included in their household.

Exemptions

Certain types of properties are not classed as HMOs (other than for the purposes of the Housing Health and Safety Rating System – see Section 4). These include:

- two person flat share; a property, or part of a property, lived in by no more than two 'households' each of which consists of just one person
- a property where the landlord and his household is resident with up to 2 tenants
- buildings occupied entirely by freeholders or long leaseholders
- buildings managed or owned by a public body (such as the Police or the NHS), a local housing authority or a registered social landlord
- a building where the residential accommodation is ancillary to the main use of the building, for example, religious buildings, conference centres etc
- buildings which are already regulated (and where the description of the building is specified in regulations), such as care homes, bail hostels etc (however, domestic refuges are not exempt).

Full details of all the exemptions can be found in Schedule 14 of the Housing Act 2004

Section 2: Licensing in Stockport

The Housing Act 2004 introduced three distinct licensing regimes:

- Mandatory licensing of certain high risk HMOs. This is a national scheme and is limited to properties where five or more persons who form two or more households share amenities such as a kitchen or a bathroom. There is no longer consideration given to the number of stories in the property, all properties are considered if they meet the occupation and sharing criteria. In practice this will cover hostels, bedsits and shared houses with the appropriate level of occupancy. Please note that properties converted into self contained flats are excluded from this scheme.
- Additional licensing – an authority can seek approval from the Secretary of State to licence other categories of HMO if there is a particular problem in their area.
- Selective licensing – an authority can seek approval from the Secretary of State to licence all rented property in a defined area. This is aimed at areas of low demand with major housing concerns, absentee landlords and significant problems with anti-social behaviour.

At present Stockport Council only implements the mandatory HMO licensing scheme. **If your property appears to meet the relevant criteria above for mandatory licensing you must apply for a licence without delay.** Further information and advice on licensing can be obtained from the Housing Standards Team.

Section 3: HMO Management Regulations

All HMOs, regardless of whether they are licensable or not, are subject to legislation about how they are managed.

There are two main pieces of management legislation; the first being the Management of Houses in Multiple Occupation (England) Regulations 2006 and the second the Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007.

This legislation places certain duties on the individuals managing the property. The duties include the following:

- To provide all occupiers with the manager's name, address and telephone number, this information must be clearly displayed within the property
- To ensure that all fire escapes are clear of any obstacles and that they are kept in good order, to ensure that all fire safety measures are maintained in good working order and that adequate fire safety measures are in place with regards to the design, structural conditions and number of occupiers in the HMO
- The manager must maintain an adequate water supply and drainage to the dwelling
- The manager must not unreasonably cause the electric and gas supply to be interrupted
- The manager must ensure that every fixed electrical installation is inspected and tested by a suitably qualified person, at intervals not exceeding five years
- The manager must provide the electrical and gas inspection certificates within seven days of receiving a request of writing from the local housing authority
- To ensure that all common parts of the HMO are maintained in good decorative order, and safe and working condition. This includes out-buildings, boundaries and gardens
- The manager must ensure each unit of living accommodation and its contents are clean before occupiers move in and are maintained in good repair and clean working order throughout the occupation by the tenant
- The manager must provide adequate facilities to dispose of all waste produced by the property

This legislation also puts responsibility on the tenant to:

- Allow the manager access to the accommodation at all reasonable times to carry out the above duties

- Conduct themselves in a way that will not hinder or frustrate the manager in the performance of their duties
- Take reasonable care to avoid damaging the landlord's property.
- Store and dispose of waste properly
- Comply with reasonable instructions regarding fire safety at the property

It is important that landlords make themselves familiar with and comply with these regulations as non-compliance with this legislation is a 'strict offence' meaning that ignorance of the responsibility is not an applicable defence.

If an individual fails to comply with the HMO management regulatory conditions it can be dealt with as a criminal offence by the Local Authority. They could be tried in a Magistrate's Court and if convicted could receive an unlimited fine.

The Housing and Planning Act 2016 also provides powers that permit local authorities to impose a civil penalty of up to £30,000 as an alternative to prosecution for a range of offences under the Housing Act 2004, the HMO Management Regulations, and where a landlord or property agent has breached a banning order under the Housing and Planning Act 2016.

Section 4: The Housing Health & Safety Rating System

The Housing Health and Safety System (HHSRS) is a risk assessment tool used to assess potential risks to the health and safety of occupants in residential properties. It is part of the Housing Act 2004 and came into effect in April 2006.

The HHSRS is an evidence based assessment system that currently covers the 29 hazards most likely to be found in housing. It looks at the likelihood of an incident arising from the condition of the property and the likely harm outcomes.

The 29 HHSRS hazards are as follows:

1. Damp And Mould Growth
2. Excess Cold
3. Excess Heat
4. Asbestos And Manufacture Mineral Fibres – MMF
5. Biocides
6. Carbon Monoxide And Fuel Combustion Products
7. Lead
8. Radiation
9. Uncombusted Fuel Gas
10. Volatile Organic Compounds
11. Crowding And Space
12. Entry By Intruders
13. Lighting
14. Noise
15. Domestic Hygiene, Pests And Refuse
16. Food Safety
17. Personal Hygiene, Sanitation And Drainage
18. Water Supply For Domestic Purposes
19. Falls Associated With Baths
20. Falls On The Level
21. Falls Associated With Stairs And Steps
22. Falls Between Levels
23. Electrical Hazards
24. Fire
25. Hot Surfaces And Materials
26. Collision And Entrapment
27. Explosions
28. Ergonomics
29. Structural Collapse And Falling Elements

The overall principle behind the system is that all dwellings (including the building structure, outbuildings, gardens, yards and access routes), should provide a safe and healthy environment for the people who live in and visit them. Dwellings should be free from unnecessary hazards or, if they are unavoidable, they should be made as safe as reasonably possible.

The HHSRS affects all owners and landlords, including social landlords. Private landlords should be aware that inspections of HMOs will be made using this methodology.

Any action taken by the council will be based on a three stage consideration:

- the hazard rating determined under the HHSRS assessment which has been carried out by Council staff
- whether the Council has a duty or power to act.
- the Council's judgement as to the most appropriate course of action to deal with the hazard.

Where an unacceptable hazard is identified, the Council has a range of options to improve the situation. These include:

- serving a hazard awareness notice informing of the presence of hazards
- serving an improvement notice requiring essential repairs or improvements.
- making a prohibition order, which closes the whole or part of a dwelling or restricts the number of occupiers
- taking emergency action where there is an imminent risk to the occupiers.

General guidance on the HHSRS can be found by referring to the relevant document produced by Central Government (see Appendix 1). This document is designed to give landlords and property related professionals a better understanding of the process and includes sections on landlord responsibilities, identifying hazards, cause of hazards and profiles of each of the potential health and safety hazards in dwellings.

However, to assist landlords further Stockport Council has now produced specific guidance on some of the more common hazards and this is now offered in the following sections.

Sections	Relevant Hazard(s)
Section 5: Fire Precautions	Fire
Section 6: Cooking Facilities	Food Safety
Section 7: Bathroom Amenities	Personal Hygiene, Sanitation & Drainage
Section 8: Heating, Ventilation & Thermal Insulation	Damp & Mould Growth Excess Cold
Section 9: Natural & Artificial Lighting	Lighting Falling On Level Surfaces Falling On Stairs
Section 10: Space Standards	Crowding & Space
Section 11: Waste	Domestic Hygiene, Pests And Refuse

Section 5: Fire Precautions

General Principles

Fire risks in HMOs can be complex. Such properties often provide accommodation for people from a wide range of backgrounds and may house vulnerable or disadvantaged groups. In some HMOs there is a high occupancy turnover rate with little social interaction or cohesion between occupiers. When mixed together these factors can lead to a higher than normal fire risk.

All HMOs should be provided with adequate means of escape and other fire precautions in case of fire. These requirements attempt to ensure that occupiers receive early warning of such events and are able to escape from their lettings and out of the building by travelling through the building in safety to a final exit point.

The general principles are to provide:

- a protected common internal route of escape (usually comprising the existing hallway, stairways and landings)
- measures to prevent the spread of fire and smoke (usually including the fitting of fire doors to rooms which lead onto the protected route of escape)
- adequate detection systems to warn occupiers of any danger (usually covering all of the rooms where there is the risk of a fire starting and comprising a mixture of 'break glass' call points along with smoke and heat detectors to ensure quick detection in the event of a fire whilst minimising false alarms)
- fire fighting equipment for use in limited circumstances (usually comprising a fire blanket fitted in each kitchen and where agreed necessary suitable extinguishers)

Current Legislation

At present five main separate pieces of legislation cover fire safety in HMOs. These are the:

- Housing Act 2004
- Regulatory Reform (Fire Safety) Order 2005
- Management of Houses in Multiple Occupation (England) Regulations 2006
- Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007.
- The Smoke and Carbon Monoxide Alarm (England) Regulations 2015

The Housing Act 2004 uses the HHSRS as outlined in Section 4 as the principal tool for assessing fire safety risks and regulating standards in all types and tenures of residential accommodation including HMOs. These requirements are policed by local housing authorities.

The Regulatory Reform (Fire Safety) Order 2005 places duties on housing providers to risk assess fire safety in their properties, to take adequate precautions to reduce that risk and to manage that risk which remains. The duties apply throughout a range of property types but in HMOs they apply only within the common areas (although housing providers need to consider the risk created within the private areas too). These duties are enforced by the fire & rescue authorities.

A national protocol between local housing and fire & rescue authorities has helped to identify discrete areas of inspection and enforcement in HMOs. Generally the lead enforcing roles have been allocated as follows:

Local housing authorities:

- shared houses
- all HMOs (whether or not subject to mandatory licensing)
- all self contained flats, whether purpose built or converted.

Fire & rescue authorities:

- mixed commercial and associated residential accommodation
- sheltered housing
- hostels / bed & breakfast / hotels
- all HMOs owner or managed by local authorities

The HMO Management Regulations require that that all fire escapes are clear of any obstacles and that they are kept in good order, to ensure that all fire safety measures are maintained in good working order and that adequate fire safety measures are in place with regards to the design, structural conditions and number of occupiers in the HMO. The Regulations also place a duty on tenants to comply with reasonable instructions regarding fire safety at the property.

The Smoke And Carbon Monoxide Alarm (England) Regulations 2015 were introduced in October 2015 and helped to standardise and clarify the responsibilities of landlords when it comes to installing smoke and carbon monoxide (CO) alarms. Different types of properties are affected to different degrees and whilst HMOs come under greater scrutiny, there is now a universal baseline in terms of smoke and CO protection.

Relevant Standards & Guidance

The current national fire safety guide (see Appendix 1), which we commonly refer to as the 'LACORS guide', offers guidance on the relevant measures that should be provided in the different types and sizes of HMOs. Case studies of different types of commonly found HMO are provided within the document for guidance.

Landlords should follow this guidance which will enable them to reduce the fire safety risk in their properties to an acceptable level and in doing so, will be deemed to have satisfied the requirements of the current legislation.

Where you intend to deviate from the relevant guidance for your type of property, this change in approach should be justified by the submission of a robust and

comprehensive fire risk assessment which outlines the alternative measures that you are intending to implement to reduce the fire safety risk to an acceptable level.

Once the Local Authority and where necessary GMFRS have reviewed your proposals these can then be implemented subject to any changes.

Fire Risk Assessments

Suitably qualified and experienced, professional fire risk assessors may be employed to undertake a risk assessment of the premises. Even if you do appoint an external fire-risk assessor you, as the responsible person, can still be held accountable if mistakes are made. Although you are not expected to be an expert in fire safety, you should make reasonable checks to ensure that they are adequately qualified and experienced.

- Ensure they are on a professional register and that they meet the competency criteria established by the Fire Risk Assessment Competency Council
- Check that they have experience of undertaking fire-risk assessments for your kind of premises
- Request references from previous clients in premises of your type
- Ensure that the scope of the work you want carried out is agreed in advance
- Ensure that you provide the assessor with access to all areas and information
- Obtain alternative comparable quotes
- Ask for proof that they have sufficient insurances
- Keep records of the steps you took in selecting your fire risk assessor

Alternatively, in small, low risk and less complex HMOs, landlords can carry out their own risk assessment under the Regulatory Reform (Fire Safety) Order 2005 and prepare and submit them along with a suitable scheme of works for approval by Stockport Council and Greater Manchester Fire & Rescue Authority.

Please note that if undertaking their own risk assessment landlords should be confident that they are able to do so and should refer to the current national fire safety guidance which covers fire risk assessment and the principles of fire risk reduction.

Section 6: Cooking Facilities

General

Good quality facilities for the storage, preparation and cooking of food prevent the risk of infection from food poisoning organisms. A well designed and adequately sized kitchen will also prevent accidents and, where appropriate, will reduce the stress and anxiety associated with shared use.

Shared Cooking Facilities (includes Shared Houses and Hostels)

Kitchen facilities should be provided in a ratio of not less than one complete suite of facilities to five persons. Where more than five persons are accommodated then the table below prescribes the main additionally required amenities.

Any additional suites must be safely sited and a further kitchen may be required to accommodate the additional facilities.

Consideration should be given to the siting of kitchens with regards to nearby bedrooms in order to minimise disturbance to potential sleeping occupants from their use.

Where communal dining facilities are not provided consideration should also be given to travel distances between kitchens and the furthest bedroom using the kitchen so that occupants are not potentially travelling excessive distances whilst carrying hot food.

All kitchens must be suitably located in relation to the living accommodation and be of such layout and size and equipped with such facilities so as to adequately enable those sharing the facilities to store, prepare and cook food.

A complete suite of facilities should comprise:

- a sink and drainer with a suitable splash back
- an adequate supply of cold and constant hot water to each sink supplied
- installations or equipment for the cooking of food. As a minimum there should be a suitable full size cooker comprising 4 hot rings, 1 grill and 1 oven or equivalent 'split level' provision
- a minimum of 2, 13 amp double electric power points immediately adjacent to a work top in addition to any dedicated point serving a cooker
- impervious work top surfaces for the preparation of food (recommended minimum total surface area of 2000mm x 600mm)

- suitable provision for the storage of dry food or kitchen and cooking utensils. This can be achieved by providing two standard double wall or base units (in addition to the storage under the sink) per 5 persons.
- a refrigerator with an adequately sized freezer compartment
- adequate refuse disposal facilities
- Where mechanical ventilation to atmosphere is used a dual speed extract fan capable of extracting 60 litres / second (or 30 litres / second when located adjacent to a hob) should be fitted, ducted to external air and terminating in a louvered wall cowl. It shall have a continuous background mode and boost mode controlled by a humidistat set to operate the fan when the relative humidity reaches 65% at a temperature of 20°C. Particular regard shall be had to the maximum recommend duct lengths, number of 90° bends, and siting of the roof/wall cowl to ensure optimal performance of the hood. The appliance shall comply with Part F of the current Building Regulations 2000.

Proposed Facilities/Person Sharing	Washing	Cooker	Fridge
1-5	1 kitchen sink & drainer	1 cooker (4 ringed with grill & oven)	1 fridge with adequate freezer space *
6-8	1 kitchen sink & additional dishwasher or a double bowled sink with drainer	1 cooker (4 ringed with grill & oven) & 1 additional combi microwave or an extra hob or Large range cooker with more than 4 rings with 2 oven compartments	1 fridge & separate freezer
9-10	2 kitchen sinks & drainers	2 cookers (4 ringed with grill & oven)	2 fridges & separate freezer
10-14	2 kitchen sinks & additional dishwasher or 2 double bowled sinks with drainers	2 cookers (4 ringed with grill & oven) & 1 additional combi microwave or an extra hob	2 fridges & 2 separate freezers
15	3 kitchen sinks & drainers	3 cookers (4 ringed with grill & oven)	3 fridges & 3 separate freezers

- * Either a full height refrigerator with a freezer compartment or one worktop height refrigerator with a separate worktop height freezer.

Additional Requirements for Hostels

Kitchens used by staff / management for preparing meals for the occupiers shall be regarded as a commercial kitchen and must comply with all relevant regulations relating to food hygiene and safety. Generally, occupiers must not prepare their own meals or snacks in the commercial kitchen.

Where additional services are required to comply with the relevant food hygiene regulations, the landlord must provide these services.

Where the provision of meals amounts to less than half board (half board being breakfast & evening meal), the landlord should provide self catering facilities in addition to those situated in the commercial kitchen. The facilities provided should comply with the minimum standards for a shared kitchen detailed above.

Where the provision of meals amounts to full or half board, the landlord should provide conveniently sited self catering snack facilities in a ratio of not less than one complete suite of facilities to five persons, in addition to the commercial kitchen.

A suite of snack facilities should comprise:

- a sink and drainer with a suitable splash back.
- a constant supply of hot and cold running water to the sink
- a suitable surface available for use solely as a work top with a minimum size of 1000 x 600 mm, 2 electric points should be provided at this work top.
- suitable provision for the cooking / reheating of food including a small cooker / grill or microwave, a toaster and a kettle.

Exclusive Cooking Facilities (includes self contained flats & bedsits).

Where a unit of accommodation contains kitchen facilities for the exclusive use of the individual household, and there are no other kitchen facilities available for that household, that unit should be provided with:

- a sink and drainer with a suitable splash back
- a constant supply of cold water and either a constant hot water supply or a hot water supply provided by an over / under sink storage unit with a minimum capacity of 10 litres
- equipment for the cooking of food. As a minimum there should be a full size cooker comprising:

2 hot rings, 1 grill and 1 oven for a letting occupied by one person; or
4 hot rings, 1 grill and 1 oven for a letting occupied by more than one person.

- impervious work top surfaces for the preparation of food (minimum total surface area of 1000mm x 600mm for a one person letting).
- a minimum of 2, 13 amp electric power points immediately adjacent to a work top in addition to any dedicated point serving a cooker
- suitable provision for the storage of dry food or kitchen and cooking utensils. This can be achieved by providing one standard double wall or base unit (in addition to the storage under the sink).
- a refrigerator with suitable freezer space.

Please note that the standards referring to the provision of refrigerators and equipment for cooking food do not apply if:

- the landlord is not contractually bound to provide such appliances or equipment;
- the occupier of the accommodation is entitled to remove such appliances or equipment from the HMO; or
- the appliances or equipment are otherwise outside the control of the landlord

However, in such circumstances landlords would still be required to provide adequate space together with suitable gas and / or electric supply points so that the refrigerators / equipment can be installed.

Section 7: Bathroom Amenities

General Principles

Well designed and maintained bathroom facilities prevent the spread of infectious diseases and, where appropriate, will reduce the stress and anxiety associated with shared use.

All baths, showers and wash hand basins in an HMO should be equipped with an adequate supply of cold and constant hot water.

All bathrooms in an HMO should be suitably and adequately heated and ventilated.

Where mechanical ventilation to atmosphere is used a dual speed extract fan capable of extracting 15 litres / second should be fitted, ducted to external air and terminating in a louvered wall cowl. It shall have a continuous background mode and boost mode controlled by a humidistat set to operate the fan when the relative humidity reaches 65% at a temperature of 20°C. Particular regard shall be had to the maximum recommend duct lengths, number of 90° bends, and siting of the roof/wall cowl to ensure optimal performance of the hood. The appliance shall comply with Part F of the current Building Regulations 2000.

All bathrooms and toilets in an HMO should be of adequate size and layout.

All baths, toilets and wash hand basins in an HMO should be fit for the purpose.

All bathrooms and toilets in an HMO must be suitably located in or in relation to the living accommodation in the HMO (generally facilities should not be more than one floor distant from the user's sleeping accommodation).

Exclusive Bathroom Facilities

Where there are no adequate shared washing facilities provided for a unit of living accommodation, an enclosed and adequately laid out and ventilated room with a toilet, wash hand basin and bath or fixed shower must be provided for the exclusive use of the occupiers of that unit either:

- within the living accommodation; or
- within reasonable proximity to the living accommodation

The room containing these facilities must be readily accessible and not more than one floor away from the living accommodation.

Shared Bathroom Amenities

This applies where all or some of the units of living accommodation in an HMO do not contain bathing and toilet facilities for the exclusive use of each individual household.

Where there are four or fewer occupiers sharing those facilities there should be at least one bathroom with a fixed bath or shower, wash hand basin and a toilet (which may be situated in the bathroom).

Where there are five or more occupiers sharing those facilities there should be:

- one separate toilet with wash hand basin with appropriate splash back for every five sharing occupiers; and
- at least one bathroom (which may also contain a toilet and wash hand basin) with a fixed bath or shower for every five sharing occupiers.

Where reasonably practicable there should also be a wash hand basin with an appropriate splash back in each unit except those where a kitchen sink has already been supplied. Although this would apply to bedrooms in shared houses and hostels it is likely that in most cases the extent of plumbing and the practical difficulties involved in supplying suitable drainage to each wash hand basin preclude this from being a viable option.

Please note that where macerator or pump type WCs and WHB are installed (typically in basement rooms or where a gravity system will not be available) they should be installed in accordance with Building Regulations and a separate gravity fed system should be permanently available for the tenant(s).

All baths, showers, WC and WHB should be properly connected to a soil drainage system.

The following table has been included to help you interpret the information above:

Facilities per person sharing	Shower or bath	WHB & WC	WHB & WC must be separate from the existing bath or shower room
5	1		1
6-9	2	2	
10	2	1	1
11-14	3	3	

15	3	2	1
16-19	4	4	
20	4	3	1

Section 8: Heating, Ventilation & Thermal Insulation

General

Adequate provision for heating, ventilation and thermal insulation in a property is vital to prevent two of the most common hazards associated with residential accommodation namely 'excess cold' and 'damp & mould'.

Heating

Each unit of living accommodation in an HMO should be equipped with an effective means of space heating.

The main habitable rooms should be provided with a central heating system or a fixed heating appliance capable of maintaining a temperature of 18°C or more when the outside temperature is -1°C. If the central heating serves more than one letting then heating must be available 24 hours each day to each of the lettings and must be capable of being controlled to each letting by the occupier.

Examples for consideration could include:

- Gas / oil programmable central heating
- LPG / solid fuel central heating
- Modern gas fires / balanced flue gas wall heaters
- Electric storage radiators
- Fixed modern panel heaters

The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 require that a carbon monoxide alarm is fitted in any room used as living accommodation where solid fuel is used and the landlord must make sure the alarms are in working order at the start of each new tenancy.

Energy Performance Certificate (EPC)

In HMOs that comprise a building that is converted entirely into self-contained flats where the conversion did not meet the standards of the 1991 Building Regulations and more than one-third of the flats are let on short-term tenancies (what is referred to as a Section 257 or s.257 HMO) it is a legal requirement that the individual flats have a minimum energy performance rating of E on an Energy Performance Certificate (EPC). The regulations came into force for new lets and renewals of tenancies with effect from 1st April 2018 and for all existing tenancies on 1st April 2020. It is unlawful to rent a property which breaches the requirement for a minimum E rating, unless there is an applicable exemption. A civil penalty of up to £4,000 can be imposed for breaches.

In HMOs where there is an element of shared facilities an EPC is not required but consideration needs to be given to the potential of 'fuel poverty' for tenants where

heating is provided by electricity rather than gas, with the cost per unit of fuel being much greater without factoring in the efficiency and effectiveness of the specific heating system.

Ventilation

All habitable rooms must be ventilated directly to the external air by a window, the openable area of which should be equivalent to at least 1/20th of the floor area of the room. It is also essential for non-habitable rooms such as bathrooms and water closets to be provided with sufficient natural ventilation.

Ideally non-habitable rooms should be provided with adequate natural ventilation but where this is not possible they must be provided with suitable dual speed mechanical ventilation in accordance with the following:

Kitchens	60 litres / second (or 30 litres / second adjacent to a hob)
Bathrooms	15 litres / second.

The siting and fixing of all units must be in accordance with the manufacturer's instructions and the unit(s) should be ducted to external air and terminating in a louvered wall cowl. It shall have a continuous background mode and boost mode controlled by a humidistat set to operate the fan when the relative humidity reaches 65% at a temperature of 20°C. Particular regard shall be had to the maximum recommend duct lengths, number of 90° bends, and siting of the roof/wall cowl to ensure optimal performance of the hood. The appliance shall comply with Part F of the current Building Regulations 2000.

Thermal Insulation

The following measures should be provided where appropriate:

- a minimum of 270mm loft insulation.
- cavity wall insulation (where the wall cavities are greater than 50 mm)
- lagging to all pipes passing through unheated spaces and to all primary hot water pipework.
- water tank / hot water cylinder jackets

Internal or external insulation for solid walls in older pre-1920 properties should only be considered if a landlord is planning to completely renovate the whole property.

The provision of double glazed units may also be a consideration where the glazed area of the window(s) forms a significant part of the external wall and the units themselves are in a state of disrepair and / or are ill fitting.

Section 9: Natural & Artificial Lighting

General

Adequate natural and artificial lighting should be provided to prevent falls on the level or on the stairs as well a whole range of other physical and psychological effects.

Relevant Standards

All habitable rooms must have adequate natural lighting and should be provided with an area of clear glazing situated in a window or a door that has a total glazed area equivalent to 1/10th of the floor area of the room. It is also desirable for non-habitable rooms such as bathrooms and water closet compartments, and common circulation areas such as landings and stairways to be provided with suitable and sufficient natural lighting.

All parts of the house must have adequate artificial electrical lighting. All wiring and fittings must be in a safe condition and all light switches must be conveniently and safely located. It is particularly important that the hallway, stairways and landings are adequately illuminated to allow safe travel along a level or from one level to the next. Stairs lighting should be capable of being independently turned on and off at both levels. Time delay switches are only permissible on communal routes of travel and must allow adequate time for occupiers or visitors to make their journeys safely.

Section 10: Space Standards

General

Lack of space and overcrowded conditions have been linked to a number of health outcomes, including psychological distress and mental disorders, especially those associated with a lack of privacy and childhood development.

Deficiencies can also increase the risks associated with a number of other hazards. The risk of domestic accidents is greater where there is insufficient space for occupants. Small kitchens also increase the risk of accidents. Similarly beds and other furniture can end up being placed too close to fixed heating appliances giving rise to a heightened risk of fire

Inadequate sound insulation and noise transmission can also become a problem, particularly where sleeping accommodation is located close to social areas such as kitchens and living rooms.

Room Sizes

The following are mandatory as the minimum room sizes for licensable HMOs and are also the recommended minimum for other types of HMO:

- 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 meters (70 sq.ft);
- 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 meters (110 sq.ft);
- the floor area of any room in the HMO used as sleeping accommodation by one person aged under 10 years is not less than 4.64 square meters (50 sq.ft);
- any room in the HMO with a floor area of less than 4.64 square meters (50 sq.ft) is not used as sleeping accommodation.

When calculating the floor area account is taken of the wall to wall area of the sleeping room only, discounting any areas where the ceiling height is less than 1.5m. However, this measurement is only of the sleeping room and so any additional space such as an en-suite bathroom is not part of the calculation.

Please note however that a ceiling height of 1.5m (4.9ft) may still, depending upon the area of the room it applies to, contribute to the hazard of collision under HHSRS and therefore still be unacceptable but the Local Authority will make that decision on the individual merits of the property.

In addition to the above where a HMO is subject to mandatory licensing the Local Authority must also specify the maximum number of persons who can sleep in each room as a condition in the license.

Whilst temporary visitors are not regarded as occupiers for the purpose of above the Local Authority has powers to deal with permanent unlawful occupiers being represented as temporary visitors.

The following are recommended as the minimum room sizes for HMOs

Combined Rooms (Bedsits)			
Bedroom / Living Room	One Person	10.22 sq.m	110 sq.ft
	Two Person	14.86 sq.m	160 sq.ft
Living Room / Kitchen	One Person	11.15 sq.m	120 sq.ft
	Two Person	14.86 sq.m	160 sq.ft
Bedroom / Living Room / Kitchen	One Person	13.00 sq.m	140 sq.ft
	Two Person	24.15 sq.m	260 sq.ft
Living Rooms and Dining Rooms (Shared Houses & Hostels)			
Two to Five Persons		11.15 sq.m	120 sq.ft
Six to Ten Persons		16.62 sq.m	180 sq.ft

Kitchen Facilities		
The minimum areas given below are a guide only. Smaller rooms could be acceptable if the Authority can be satisfied that the size, design and layout still allow the occupants to prepare, cook and serve food in a safe and hygienic manner.		
Kitchens (Individual Lettings)		
One Person	4.65 sq.m	50 sq.ft
Kitchens (Shared Houses and Hostels)		
Two to Five Persons	7.43 sq.m	80 sq.ft
Six to Ten Persons	10.22 sq.m	110 sq.ft
Dining Kitchens (Shared Houses & Hostels)		
Two to Five Persons	11.61 sq.m	125 sq.ft
Six to Ten Persons	19.51 sq.m	210 sq.ft

Section 11: Waste

Adequate and hygienic provisions for the storage and disposal of household waste prevents pests, reduces the potential for pathogenic organisms to multiply and reduces unwanted odours from refuse.

These requirements are regulated under HHSRS, the HMO Management Regulations and the licence conditions of properties covered under the mandatory scheme.

Landlords should ensure there is suitable and sufficient provision for the storage of refuse awaiting collection or disposal outside the dwelling. There should also be suitable and sufficient provision for the storage of household refuse within the dwelling.

Storage should be readily accessible to the occupants, but sited so as not to create a danger to children. The refuse facilities should not cause problems of hygiene, nor attract and allow access to pests.

In houses and buildings which have been converted into HMOs it is usually best to provide a clearly defined area for refuse containers. This is best located in the open air, away from windows and ventilators and, if possible, in the shade or shelter.

In HMOs which are in purpose built blocks, communal chutes or waste storage containers with free ventilation may be better suited.

The Stockport Borough Council's Recycling And Refuse Collections Policy, available via www.stockport.gov.uk, provides further guidance and information on the Council's methods for deal with recycling and refuse collections.

Final Note

If you wish to deviate from any of the standards contained in this document you must discuss this in advance with the Housing Standards Team.

Stockport Council encourages quality accommodation and adopts a flexible approach to discussions with landlords.

If you are able to provide an alternative solution that works for your property that is within the legislative framework this will be considered by the Council.

Appendix 1: Additional Relevant Guidance

Housing, Health & Safety Rating System

“Housing, Health & Safety Rating System: Guidance for Landlords & Property Related Professionals”

Published by: Department of Communities & Local Government

Hard copies of this publication and alternative formats are available from:

DCLG Publications
PO Box 236
Wetherby
West Yorkshire
LS23 7NB

Tel: 08701 226 236
Fax: 08701 226 237
Textphone: 08701 207 405
Email: odpm@twoten.press.net

or online via the website: www.communities.gov.uk

National Fire Safety Guide

“Housing – Fire Safety”

Published by: LACORS (Local Authorities Coordinators of Regulatory Services)

Hard Copies of this publication cost £20 and can be obtained from:

LACORS (Private Sector Housing)
3rd Floor, Local Government House
Smith Square
London
SW1P 3HZ

E-mail: housing@lacors.gov.uk