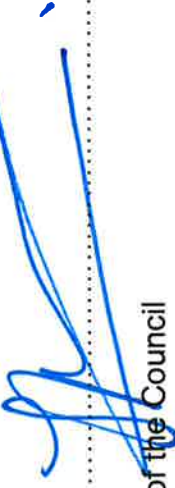


NOTICE OF DELEGATION OF DECISION TO CABINET MEMBER BY STRONG LEADER

Section 15(4) of the Local Government Act 2000, the senior executive member may discharge any of the functions that are the responsibility of the Cabinet or may arrange for them to be discharged by another member of the Cabinet or Officer. On 1st December 2010, the Council adopted the Strong Leader Model for Corporate Governance 2011 as required under Part 3 of The Local Government and Public Involvement in Health Act 2007 (The 2007 Act).

I, J-P Campion, as Strong Leader, delegate the decisions to approve the amendments to the Houses in Multiple Occupation enforcement policy detailed in the Forward Plan to the Cabinet Member/Officer detailed below:

Cabinet Member/Officer Anne Hingley

Dated: 2/4/13
Signed: 
Leader of the Council


NOTICE OF DECISION OF CABINET MEMBER

Pursuant Section 15(4) of the Local Government Act 2000, as amended by section 63 of the Local Government and Public Involvement in Health Act 2007, the senior executive member may discharge any of the functions that are the responsibility of the Cabinet or may arrange for them to be discharged by another member of the Cabinet or Officer. On 1st December 2010, the Council adopted the Strong Leader Model for Corporate Governance 2011 as required under Part 3 of The Local Government and Public Involvement in Health Act 2007 (The 2007 Act).

In accordance with the authority delegated to me by the Leader, I have made the following decision:

Subject	Decision	Reason for decision	Date for Decision to be taken
Houses in Multiple Occupation Enforcement Policy	To approve amendments to the existing policy in line with changes to the national policy advice around Houses in Multiple Occupation	The national guidance has been amended and we now need to bring our enforcement policy in line or we will find it difficult to enforce some elements of the policy.	

I confirm that the appropriate statutory officer consultation has taken place with regard to this decision.

Dated: 3/4/13
 Signed: 
 Councillor: Cabinet Member

Wyre Forest District Council

Houses in Multiple Occupation Policy 2013

1.0 Background

- 1.1 This Policy responds to the new legislation on Houses in Multiple Occupation (HMO) and sets the policy for licensing under the Housing Act 2004. Further this Policy and HMO Licensing replaces the existing Houses in Multiple Occupation policy.
- 1.2 A House in Multiple Occupation is defined as '*a house which is occupied by persons who do not form a single household and who share one or more facilities*', typical dwellings include shared houses, bedsits and hostels. The exact definition is described by standard tests which are detailed in S.254 of The Housing Act 2004.
- 1.3 The risk to health and risk of death and injury from fire is greatly increased in this type of dwelling and persons who live in such properties tend to be more vulnerable than persons in other types of accommodation. The Government has therefore introduced a mandatory licensing scheme for certain types of HMO and has also introduced standards specific to these properties over and above those expected of normal rented dwellings.
- 1.4 We aim to ensure that the occupiers of Houses in Multiple Occupation live in safe and healthy homes by providing advice, education and where appropriate enforcing the relevant provisions of the Housing Acts. We are taking a proactive approach by actively identifying and inspecting HMO's in the district.
- 1.5 We recognise that good quality; well managed HMO's provide a valuable source of accommodation for many single people some of whom are unable to access any other type of housing.
- 1.6 An office based survey of potential HMO's revealed that Wyre Forest has at least 20 licensable properties and approximately 50 other HMO's that are of note. There are also other properties that fall under the definition of HMO's but are covered by other legislative provisions, for example care homes.
- 1.7 The survey also indicates that most of the HMO stock already has fire precautions in place and have received advice and information on relevant standards from the Council and the Fire Service.
- 1.8 This policy works alongside the Housing Enforcement Policy and the Private Sector Housing Assistance Policy. This is in recognition that there is a balance between assistance and enforcement that needs to be considered in the methods used to improve or maintain standards.
- 1.9 The use of specific provisions relating to HMO's, for example licensing, is in addition to the enforcement powers under the Housing Act 2004, Housing, Health and Safety Rating System (HHSRS). This system for assessing properties identifies significant hazards, considers the risks associated with them and guides towards appropriate potential actions, including the use of formal notices to improve conditions or prohibit circumstances. Further details are contained in the Housing Enforcement Policy.
- 1.10 The Council actively liaises with the Hereford and Worcester Fire Service in considering appropriate fire precautions required in particular properties. The Council also uses relevant

British Standards and other guidance as models for standards where appropriate, for example British Standard 5839 Part 1 and Part 6, Fire Detection and Alarm Systems.

Related Policies

1.11 This policy works alongside the Wyre Forest District Council Private Sector Housing Assistance Policy and the Housing Enforcement Policy.

1.12 As well as the following legislation;

1. The Housing Act 2004
2. The Housing Act 1985
3. The Management of Houses in Multiple Occupation (England) Regulations 2006
4. The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006. The Selective Licensing of Houses (Specified Exemptions) (England) Order 2006
5. The Licensing of Houses in Multiple Occupation (Prescribed Descriptions) (England) Order 2006
6. The Regulatory Reform (Fire Safety) Order 2005
7. The Furniture and Furnishings (Fire)(Safety) Regulations 1988
8. The Gas Safety (Installation and Use) Regulations 1998
9. Electrical Equipment (Safety) Regulations 1994

1.13 The Housing Act 2004 brought in a new system of regulation for fire safety in existing residential premises by way of the housing health and safety rating system (HHSRS), licensing provisions for houses in multiple occupation (HMOs) and management regulations for HMOs. In practice the HHSRS is the principal tool used to assess and regulate fire safety standards, but HMO licensing conditions will reflect HHSRS assessments. The responsible person for the purposes of fire safety provision and maintenance at the residential accommodation is the person having control – usually the landlord or manager

1.14 Alongside the Housing Act 2004, the Regulatory Reform (Fire Safety) Order 2005 introduced duties in relation to fire safety in common areas of HMOs. The duty is placed on the responsible person, who is required to carry out a risk assessment and take specific action to minimise the risk of fire in the common parts. The 'responsible person' means 'the person having control of the premises in connection with the carrying on of a trade, business or other undertaking'. In practice this will usually be the landlord, but in the case of absentee landlords where 'the carrying on of the business' is undertaken by a managing agent. These provisions are enforced by fire and rescue authorities.

2.0 Identification and Inspection

2.1 Potential HMO premises are identified through Council records, housing surveys and from local information. The details of these properties are added to a premises database. Local Housing Authorities have powers to obtain information from benefit and tax records to assist with the functions under the Housing Act 2004.

2.2 Licensed HMOs will have certain details regarding the property and licence holder held on a public register, available upon request to the public and the Government who monitor the Council's activities in relation to HMOs through the Office of the Deputy Prime Minister (ODPM).

- 2.3 Details of the legislation regarding HMOs, the licensing scheme and landlord and tenant advice can be found on the ODPM website, www.odpm.gov.uk
- 2.4 Following identification or as part of the scheduled routine inspection under the licensing system, HMOs shall be inspected in accordance with the Health and Housing Safety Rating System set out in the Housing Act 2004 and assessed for compliance with standards set out in regulations made under the Act. Notification of any required improvements will be issued to the owner or person responsible.
- 2.5 Lower risk properties based upon an assessment of fire risk and occupation will not be subject to routine inspection if they meet the required standards. Other inspections shall be considered and planned on a risk based approach.
- 3.0 HMO Licensing**
- 3.1 HMO dwellings that comprise three or more storeys with five or more occupants and where one or more facility is shared will be subject to mandatory licensing. Persons who fail to licence premises or fail to comply with licence conditions commit an offence. Licences will be valid for five years, providing all the relevant conditions are met. The licence may not be transferred to another person, and the existing licence holder should notify the Council in writing if a change in ownership occurs.
- 3.2 The legal description of what constitutes a licensable House in Multiple Occupation is detailed in an order made under the Housing Act 2004 entitled: *The Licensing of Houses in Multiple Occupation (Prescribed Descriptions) (England) Order 2006*.
- 3.3 Offences and appeals under these provisions will be heard by a Residential Property Tribunal (RPT) who can judge cases relating to offences make fines and order the repayment of up to twelve months rent back to tenants and in the case of Housing Benefit back to the Council.
- 3.4 Applications for a HMO Licence must be made to Wyre Forest District Council in writing on the requisite form. The Council may vary or revoke a licence in accordance with the Housing Act 2004 S.69.
- 3.5 Licenses may be granted when the Council is satisfied that the house:
1. Is reasonably suitable for occupation,
 2. Has adequate management arrangements,
 3. The proposed licence holder and/or manager are a fit and proper person.
- 3.6 In deciding if the house is reasonably suitable for occupation the Council shall have regard for the number of persons occupying the dwelling and whether the property complies with statutory and local prescribed standards for fire safety, overcrowding and the provision of amenities.
- 3.7 In deciding if the house has adequate management arrangements the Council shall have regard for the system in place for collecting rents, undertaking repairs, and controlling anti-social behaviour.
- 3.8 In deciding that the licence holder and/or manager is a fit and proper person the Council shall in particular have regard to whether that person:

1. Is appropriate and competent to carry out that function
2. Has 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
3. Has 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
4. Has contravened any provision of the law relating to either housing or landlord and tenant law
5. Has acted otherwise than in accordance with any applicable code of practice approved under Section 233 Housing Act 2004

3.9 Applicants are required to provide a criminal records bureau disclosure or other form of personal check together with their application.

Licence Fee

3.10 The Council is able to charge a reasonable fee to cover costs associated with the licensing scheme. The fee has therefore been determined taking into account the various administrative, inspection, assessment and liaison costs involved over the 5 year period. The fee is £500. There will however be a reduction to only £300 if the application provided is full and satisfactory given that this will reduce costs for the authority.

The above fees and charges will apply from the commencement of this policy and will be reviewed annually.

Enforcement Charges

3.11 Distinct from the licensing fee, should separate enforcement action be needed, a charge may be incurred for an inspection and report where contraventions are identified. In addition any investigation costs will also be charged, for example specialist contractors used for gas and electric assessment. The licence fee includes for one inspection and report in the 5 year licence period.

Temporary Exemption

3.12 An owner or manager of a HMO may apply to the Authority for a Temporary Exemption Notice (TEN). If a TEN is granted the HMO is exempt from licensing and accordingly the owner or manager does not commit the offence of operating an HMO without a licence. A TEN can only be granted for a maximum period of three months, but in exceptional circumstances the Authority may issue a second TEN. Temporary exemption from licensing may be granted to landlords that wish to change the use of a dwelling to that other than a HMO.

Selective/Additional Licensing

3.13 The Housing Act 2004 and regulations made there under make provision for additional or selective licensing. This means that other HMOs and rented accommodation can be brought into a licensing scheme. However this can only be done in certain very limited circumstances through the approval of the Secretary of State and when demonstrated that a significant impact would be made upon anti-social behaviour for example. The current circumstances in the

District do not warrant and would not therefore be successful in an application for selective/additional licensing. This situation will be kept under review. It is anticipated that the Government may extend the scope of licensing in due course following a review of the scheme. Any further developments will be reported upon and this Policy considered for amendment.

Licence Procedures and Appeals (Schedule 5 Housing Act 2004)

- 3.14 The applicant or any relevant person may appeal to a Residential Property Tribunal against a decision made by the Local Housing Authority to refuse to grant the licence, or to grant the licence, (in relation to licence conditions) to vary or revoke a licence, or to refuse to vary or revoke a licence.
- 3.15 Appeals must usually be made within 28 days from the notification of decision. The Residential Property Tribunal may allow a late appeal if it is satisfied that there is good reason for the failure to appeal before the end of that period.

Licence Conditions

- 3.16 A licence may include such conditions, as the Council considers appropriate for management, use and occupation of the house. Any required improvement, alteration or repairs to the house such as structural works or installation of fire detection system will be enforced separately but must be satisfactorily completed within the first licence period.
- 3.17 All licences will require at least the national minimum standards set out in regulations under the Housing Act 2004. These regulations are:
1. The Management of Houses in Multiple Occupation (England) Regulations 2006.
 2. The Licensing and Management of Houses in Multiple Occupation and other Houses (Miscellaneous Provisions) (England) Regulations 2006.

Additional Licence Conditions

- 3.18 In addition to the standards set out in the above regulations, the Council also specifically requires the annual submission of the following:
1. Copies of safety certificates, details of occupation, works carried out in the past 12 months and works planned for the coming 12 months.
 2. A copy of the building insurance certificate.
 3. Copies of the fire precautions maintenance records and safety certificate.
 4. Copies of any new tenancy agreements
 5. Any amended or new details for the landlord, manager, emergency contact, key competent contractors used.

4.0 Standard Fire Precaution Requirements for Houses in Multiple Occupation

Fire Detection and Warning Systems

- 4.1 The purpose of the alarm system is to alert occupants and enable them to move to a place of safety whilst the escape routes are clear of smoke. An assessment of the fire risks must be undertaken to identify the precautions required at the property. In buildings that are considered high risk or those that have a complicated layout consultation with the fire officer may be required.

Standard Installations

Property Description	Alarm Type	Emergency Lighting	Fire Doors
<i>Shared house HMO of up to two storeys with shared kitchen facilities</i>	Grade D: LD3 coverage + additional detection to the kitchen, lounge and any cellar containing a risk (interlinked)	Conventional lighting	Kitchen
<i>Shared house HMO of three or four storeys with shared kitchen facilities</i>	Grade D: LD3 coverage & additional detection to the kitchen, lounge & any cellar containing a risk (interlinked)	Conventional lighting. Emergency escape lighting maybe appropriate if the route of escape is complex & there is no effective borrowed light	Kitchen and all doors on the escape route
<i>Shared house HMO of five or six storeys with shared kitchen facilities</i>	Grade A: LD2 coverage (detection in all risk rooms i.e. bedrooms, kitchen & lounge) (interlinked)	Conventional lighting & emergency escape lighting	Kitchen & all doors on the escape route plus all doors to risk rooms on escape routes
<i>Bedsit HMO of one or two storeys with individual cooking facilities within bedsits</i>	A mixed system: <ul style="list-style-type: none"> Grade D: LD2 coverage in common areas & heat detectors in bedsits (interlinked) Grade D smoke alarm in each bedsit to protect the sleeping occupants (non-interlinked) 	Conventional lighting & emergency escape lighting	All doors on the escape route & all doors to risk rooms on escape routes

<p><i>Bedsit HMO of three to six storeys with individual cooking facilities within bedsits</i></p>	<p>A mixed system:</p> <ul style="list-style-type: none"> • Grade A: LD2 coverage in the common areas & heat detectors in bedsits (interlinked) • Grade D smoke alarm in each bedsit to protect the sleeping occupants (non-interlinked) 	<p>Conventional lighting and emergency escape lighting</p>	<p>All doors on the escape route & all doors to risk rooms on escape routes</p>
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For any property type which is not detailed above please speak directly to a member of the Private Sector Housing Team.

Grade D of automatic fire detection and warning system as specified in BS 5832: part 6 (2004) is a system of one or more mains powered smoke (or heat) alarms each with integral battery standby supply. These are designed to operate in the event of mains failure and therefore could be connected to the local lighting circuit rather than an independent circuit at the dwelling's main distribution board. There is no control panel.

LD2 coverage is a system incorporating detectors in all circulation spaces that form part of the escape routes from the dwelling and in all rooms or areas that present a high fire risk to occupants i.e. risk rooms.

LD3 coverage, is a system incorporating detectors in circulation spaces that form part of the escape routes from the dwelling only.

System Requirements

- 4.2 Should at any time the alarm system be inoperable a temporary warning system such as battery operated alarms must be provided. The Landlord or responsible person should have in place a maintenance system to resolve alarm system faults within 8 hours from discovery.
- 4.3 The alarm should be loud enough to wake everyone in the dwelling, a minimum sound level of 75dB(A) should be achieved at the bed head and 65dB(A) in all other areas. Occupiers with hearing difficulties should be provided with a proprietary warning device.
- 4.4 The use of radio transmitter type systems will only be accepted following a manufacturer's site survey to establish suitability and submission of an agreed maintenance program.
- 4.5 Following installation landlords, responsible tenants and agents must be trained in the use and testing of the system and a log of system maintenance must be kept.

Emergency and Escape Lighting

- 4.6 Escape lighting is the normal natural or artificial lighting normally used to aid safe escape. The normal lighting should provide suitable levels of light together with accessible switches with sufficient time delay to allow safe egress.

- 4.7 Emergency lighting operates automatically when the normal lighting fails in order to aid safe escape. Luminaires to be minimum 1 hour maintained (on all the time) or non-maintained (activate on failure of normal lighting) units and conform to BS 5266: Part 1. Units can be standalone or be incorporated into normal light fittings, units to be mains charged with integral battery.
- 4.8 The requirements for emergency lighting should take into consideration the complexity of escape route, the size of the dwelling and the risk to occupiers. Other issues such as borrowed light have a bearing on the siting and number of emergency lights.
- 4.9 The emergency lighting system should be designed to cover escape routes, exits, corridors, stairway enclosures and changes in floor level and direction. One or two units may be sufficient for small dwellings with a straightforward escape route. Larger dwellings will require the input of a design engineer and the Fire Officer.
- 4.10 Emergency escape route lighting will automatically illuminate upon the failure of the power supply to the conventional artificial lighting, when it must;
1. Illuminate the escape route to assist the occupants to move easily to exits and a place of safety
 2. Highlight any hazards such as stairs and changes in floor level or direction
 3. Enable easy identification of any fire alarm call points and fire fighting equipment throughout the escape route
- 4.11 Luminaires should be mounted close to two metres above floor level but not lower than two metres and should be sited in the following positions;
1. Near any intersection or corridors
 2. Above each final exit door
 3. Near each change of direction (other than on a stairway)
 4. Within each stairway so that each flight of stairs receives direct light
 5. Near any change of floor level
 6. Outside any secondary escape exit if the street lighting is poor
 7. Near each fire alarm call point
 8. Near fire fighting equipment (near is normally considered to be within two metres when measured horizontally)
- It should also operate when there is a localised power failure within the lighting circuit that could be hazardous.
- 4.12 In HMOs (except smaller shared houses) a dedicated lighting circuit should be installed so that the use of any one switch/control anywhere along the route will illuminate the entire escape route. In large properties where the escape route is divided into distinct, separated sections each section may have its own control provided it is obvious and visible under all conditions. In such cases (and where there is no borrowed light to the route) the switches themselves should be illuminated. The rule is that it should never be necessary to search for switches.
- 4.13 If push button slow release lighting switches are to be used careful consideration must be given to their duration setting. The rule is that people should never be plunged into darkness while using the route

- 4.14 Theft of light bulbs from common areas is a problem experienced in some properties. Light bulb holders with a different fitting to those within the accommodation units should be used.

Fire Doors

- 4.15 Fire door assemblies are required in doorway openings in fire resisting construction and for the protection of escape of routes.
- 4.16 Doors on escape routes and to risk rooms should be certified 1/2 hour fire resisting (FD30s/E30/BWF) and hung with three 1/2 hour fire rated hinges with a maximum gap of 4mm between the door and frame. The doorframe must be either certified 1/2 hour fire resisting or of substantial construction fitted tight and securely to supporting walls.
- 4.17 Where fire resisting partitions are required, any doorways within them must be fitted with fire resisting door assemblies providing fire resistance of at least to the same standard as the requirement for the partition itself, so 30 minute partitions will require a 30 minute fire resisting door and 60 minute partitions a 60 minute fire resisting door.

30 minute door sets are specified as FD30 (or E 30)

60 minute door sets are specified as FD60 (or E 60)

A letter 'S' after the figure (e.g. FD30S) or 'Sa' (e.g. E30 Sa) denotes a requirement for smoke seals to be fitted so as to restrict the passage of smoke including cold smoke.

- 4.18 All fire doors must incorporate intumescent heat and smoke seals to jambs and door head, seals should comply with BS EN 1634, BS 476-22 or BWF certified. All fire doors (except those to lockable cupboards and voids) to be maintained effectively self closing by a certified 1/2 hour fire rated self-closing device that will effectively fully close the door from any angle, closing devices to comply with BS EN 1154 or BS EN 1634-2.
- 4.19 Doors to be installed in accordance with BS8214: 1990 so that they are close fitting all round but remain readily operable by the occupants. Door locks must be readily operable from inside rooms without the use of a key. Fire door letterbox openings are to be lined with proprietary intumescent seal. Specialist and electrical door closing systems should be approved by the local Fire Authority.
- 4.20 The up grading on non-fire-resisting door assemblies should be avoided wherever possible as it is reliant upon strict adherence to an approved specification and upon a high standard of workmanship. Replacement with suitable, purpose designed and tested door set constructions is always preferable. There are several acceptable methods of upgrading available details of these are available from trade organisations such as TRADA and from English Heritage, whatever method is considered it must be accompanied by a valid and complete test report from a suitably qualified person

Fire Fighting Equipment

- 4.21 In kitchens provide a 1m x 1m, BS EN 1869 : 1997 compliant, fire blanket which should be of 'light duty' type which are capable of dealing with small fires such as cooking fires or fires involving clothing and be mounted on the wall approximately 1.5m high and closer to the room

exit than the cooking facility. Also a suitably located 1kg ABC, BS EN 3-7 compliant, type dry powder extinguisher.

- 4.22 In circulation areas provide a 13A rated 9ltr pressure water extinguisher, BS EN 3-7 compliant, for each 200m² floor area or 1 extinguisher on each floor.
- 4.23 Site fire fighting equipment close to fire risks in a conspicuous position but without causing an obstruction, heavy extinguishers to be hung 1metre from floor level and lighter extinguishers 1.5metres from floor level, or at a level to suit the occupant. They should be in a position that does not obstruct the escape route, be close to the exit position from each floor, not obstruct opening doors or located in recesses out of site. They should also be away from heaters or areas where they may be subject to damage.
- 4.24 Fire fighting equipment should be visually checked weekly for correct siting and faults, a full engineer service to be undertaken annually and recorded on maintenance tags.
- 4.25 Simple multi purpose fire extinguishers and fire blankets are provided in order to provide a facility for extinguishing small fires in early stages. Basic advice should be provided to tenants at the start of any new tenancy regarding the use of fire extinguishers and fire blankets.

Inspection and Testing

- 4.26 All apparatus and devices provided for fire safety must be maintained in working order. The landlord must ensure that they (or a responsible person) undertake regular inspections and servicing is undertaken and any defects rectified immediately.
- 4.27 It is good practice to test the alarm system at the same time each week and to test different detectors or call points each time, merely testing the sounders from the panel is not sufficient. All tests should be recorded in a log for the property, available to residents and enforcement officers.

Daily Checks by Occupiers

1. Ensure escape route is kept clear
2. Check fire alarm panel
3. Record any false alarms
4. Check log book
- 5.

Weekly Tests by Manager/Landlord

1. Test the fire alarm by operating a manual call point (alternate each week)
2. Check sounder audibility
3. Check extinguishers and fire blankets
4. Log actions
5. Check log book

Monthly Tests

1. Energise and test emergency lights
2. Visual check of alarm system batteries
3. Check all fire doors

Annual Test

1. Undertake full service and test by fire safety engineer, provide test certificate for alarm system including tests of all call points, detector heads and sounders, emergency lighting (discharge test) and fire fighting equipment.

Signage and Notices

- 4.28 A sign with the words '*Fire Door Keep Shut*' should be displayed on any fire doors.
- 4.29 A sign with the words '*Fire Door Keep Locked*' should be displayed on doors to cupboards, stores, boiler rooms or meters.
- 4.30 A sign with the words '*Fire escape Keep Clear*' should be displayed on the escape route.
- 4.31 Additional illuminated directional signage should be provided where the escape route is complicated or difficult to locate. In larger HMO premises fire action notices should be displayed on escape routes.
- 4.32 Fire fighting equipment which is obscured from view should be indicated with a sign.
- 4.33 Where fire safety signs are provided they should be in accordance with BS 5499 and the Health and Safety (Safety signs and signals) Regulations 1996
- 4.34 To comply directional signs must be pictographic. The pictogram can be supplemented by text to make the sign easily understood, but it cannot contain only text. 'Pictogram only' and 'pictogram with text' sign types should not be mixed in the same premises. They should provide clear, unambiguous information to enable people to safely leave a building in an emergency.
- 4.35 In long or complex escape routes, signs should be located so that a person escaping from the building will always see the next escape route sign in sight.
- 4.36 Signs should not be attached to fire doors by drilling methods as this will compromise the integrity of the door.
- 4.37 A sign detailing the person and number to contact in an emergency should be clearly displayed near to the entrance of the property.
- 4.38 A sign detailing the name and number of the person to report repairs to should be clearly displayed near the entrance of the property

5. HMO Amenity and Space Standards

- 5.1 These standards are distinct from any overcrowding standard that exists or may be introduced under Housing legislation.

Bedrooms

- 5.2 Floor areas for bedrooms (rooms used for sleeping) are listed below. Rooms must have adequate ceiling height of minimum 2.1m and be of adequate size and shape to accommodate necessary furniture and facilities.

The minimum size for a bedroom to be let to an adult is 6.5 m² (70 sq. feet) but in all cases rooms must be safe and fit for their purpose.

	Separate kitchen, bathroom and lounge	Separate kitchen bathroom, no lounge	Rooms with kitchen facilities
<i>Single Room</i>	6.5 m ²	8 m ²	11 m ²
<i>Double Room</i>	10 m ²	12 m ²	14 m ²

- 5.3 No two persons of the opposite sex, aged 11 or more, shall share a bedroom unless they are both adults who are married or co-habiting.
- 5.4 All bedrooms must have a glazed window to the open air not less than 10% of the floor area with at least one opening casement. The walls, floor and ceiling must be of permanent construction with a solid door entrance, occupation of other parts of the house for sleeping purposes is not permitted. Each bedroom shall have a minimum of two double sockets in addition to a dedicated socket for electrical heating if provided.

Kitchens

- 5.5 One kitchen to be provided per 5 adult occupiers or a separate kitchen within individual units.
- 5.6 Larger communal kitchens must provide equivalent sufficient amenities. Kitchens to be available for the exclusive use of the house occupants and should be located no more than two floors distance from the user's bedrooms and also no further than 20meters distance.
- 5.7 All surfaces to be readily cleansable and splash backs to be provided at sinks.
- 5.8 The floor covering is to be non-slip and readily cleansable.
- 5.9 A suitable sized sink and drainer supplied with mains pressure cold water and piped hot water. Wash hand basins are not acceptable in place of sinks.
- 5.10 A suitable sized cooking appliance located in such a position so that its use is unobstructed. A worktop area should be located adjacent to the cooker/oven for transfer purposes. Bedsit rooms with individual kitchens may be provided with a two-ring hob and oven, for up to two

people. A minimum of a four-ring hob, one oven and one grill is considered suitable for up to five persons.

- 5.11 Provide within the kitchen impervious worktop of suitable size for the preparation of food and a suitable number and volume of storage units (one base cupboard and one wall cupboard per occupant) and a suitably sized fridge and freezer.
- 5.12 Provide within the kitchen a 150mm electrical extractor fan or a glazed window, to the open air, not less than 10% of the floor area with at least one opening casement. In addition permanent ventilation to be provided and connected where a tumble dryer is provided.
- 5.13 Kitchen areas to have a suitable number of lights and power outlets with a minimum of one switched light and three twin power socket outlets. No socket should be located within 600mm of a water outlet. It should also be a minimum distance of 150mm above any work surface.

Bathroom and WC

- 5.14 Bathrooms and WC's to be available for the exclusive use of the house occupants.
- 5.15 Provide one proprietary bath or shower with permanent piped supply of hot and cold water per five occupants, not located more than 20m travel distance, from bedrooms.
- 5.16 Bathrooms to be of adequate size to allow for drying and changing.
- 5.17 Provide within each bathroom a 100mm electrical extractor ensuring that it produces an extraction rate of at least 25 l/s or a glazed window, which is open to the open air, not less than 10% of the floor area with at least one opening casement.
- 5.18 Provide one WC per five occupants, not located more than 20m-travel distance from bedroom, and wash hand basin with permanent piped supply of hot and cold water.
- 5.19 Floor covering to WC's and bathrooms is to be non-slip and readily cleansable.
- 5.20 Each bathroom to have one pull cord switched light, power outlets are not permitted.
- 5.21 External WC's and bathrooms are not permitted.
- 5.22 Windows to bathrooms and WC's shall consist of obscure glazing and have at least one opening light.

6. Heating and Insulation

- 6.1 All void roof spaces to be insulated to a minimum of 270mm-thickness mineral wool or equivalent. Cavity walls to be insulated with mineral wool cavity slab, thermal insulation board, blown mineral wool or polystyrene beads. Sloping ceilings to habitable rooms should be insulated with blown mineral wool or thermal insulation board.
- 6.2 A system of suitable and sufficient heating to be provided to all rooms and circulation areas. The system shall be capable of heating rooms to 18° centigrade when the outside temperature is at -

1° centigrade. Heating systems shall comprise of either an energy efficient wet system with radiators or energy efficient storage heaters.

- 6.3 Electrical heaters such as fans and convector heaters can be used in small rooms such as WC's but must be splash proof and permanently fixed in a suitable and safe location.

7. Furniture and Appliances

- 7.1 All furniture in the house whether supplied by the landlord or otherwise must be in a clean condition and in good repair, divan bases and mattresses must comply with BS7177: 1996 and other soft furnishings with the Furniture and Furnishings (Fire Safety) Regulations 1988 (as amended in 1989, 1993 and 2010).
- 7.2 All non-fixed electrical appliances in the house must be properly wired with a three-pin plug and routinely inspected for damage or faults.
- 7.3 Portable Appliance Testing (PAT) is the periodic testing of electrical equipment in order to provide evidence that it is suitable for the purpose for which it is used or provided. It includes electrical items such as kitchen equipment, televisions, and heaters etc that are provided for use of the occupier. This should be undertaken on an annual basis. It should be undertaken by a competent person who has undergone recognised training and is in possession of suitably calibrated testing equipment.

8. Management

- 8.1 A reliable system of management shall be in place to ensure the repair, cleansing and maintenance of kitchens, bathrooms, WC's, circulation areas, staircases and outbuildings.
- 8.2 All means of escape from fire in the house and all fire safety installations and fire fighting equipment are in and are maintained in good order and repair and are kept free from obstruction at all times.
- 8.3 Commission a competent engineer to undertake an annual service of fire alarm systems, emergency lighting and fire fighting equipment and provide an annual safety certificate.

General Requirements

- 8.4 Ensure that services including the supply of hot and cold water, gas, electricity, heating and lighting are maintained in good order and repair.
- 8.5 Keep electrical appliances and furniture in a safe condition. Commission an approved contractor to undertake a fixed electrical safety check every five years.
- 8.6 Commission a competent engineer to undertake an annual service of all oil or gas (if any) appliances in the building.
- 8.7 Commission an inspection by NICEIC or other approved engineer on the fixed electrical wiring system every five years, provide a safety test certificate for compliance with wiring regulations BS 7671:2001.

- 8.8 Provide a copy of the annual and five yearly safety and testing certificates to the authority.
- 8.9 All circulation and common areas including shared amenities, passageways, yards and staircases shall be adequately lit by switched electrical lights.
- 8.10 Provide suitable and adequate refuse receptacles and ensure suitable arrangements are made for proper collection of refuse. The manager shall ensure that refuse and litter from the house are not allowed to accumulate in or around the property.
- 8.11 The manager shall provide a suitable system for occupiers to notify problems, repairs and contact details in case of emergencies.

9.0 Enforcement and Advice

- 9.1 The main emphasis of our enforcement role will be based on education, and advice. This will be made available through information leaflets, the Council website and direct advice available over the telephone or in person from the Private Sector Housing Team and the local Fire Officer.
- 9.2 Where landlords are not co-operative in achieving the statutory standards we shall, where appropriate, take formal action under the relevant provisions contained in the Housing Acts.

10.0 Areas of Enforcement

- 10.1 The Housing Act 2004 provides under the HHSRS facilities for improving fire safety in any domestic dwelling including houses, flats and HMO's.
- 10.2 The Management of Houses in Multiple Occupation (England) Regulations 2006 which places certain duties upon owners and managers such as providing information to occupiers, take safety measures, maintain water supply, drainage, gas and electricity etc.
- 10.3 The Hereford & Worcester Fire and Rescue Service provide consultation and technical support for fire safety in HMO's.
- 10.4 Fire Authorities also have powers under The Regulatory Reform (Fire Safety) Order 2005 and although this does not apply to private dwellings it can be used for common areas in HMO's, purpose built flats and workplace accommodation.

Please note: *Specific circumstances may vary from the standard and the Council reserves the right to ask for a greater level of protection following consultation with the Fire Service where appropriate.*