

Tewkesbury Borough Council

Environmental Health Department



Landlord's Guide to Amenities and Facilities for Houses in Multiple Occupation

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Introduction

This guidance has been produced by Tewkesbury Borough Council for Houses in Multiple Occupation (HMOs). The guide has been written to assist owners, agents and occupiers in relation to the standards they should expect in such accommodation.

Definition of a House in Multiple Occupation (HMO)

An HMO is defined in law as a house or flat in which three or more unrelated persons forming two or more households share an amenity such as a bathroom, toilet or cooking facilities

A 'household' is either a single person or members of the same family who are living together. This includes shared houses and bedsits.

An HMO is also a building which has been converted into one, or more, non-self-contained units. A non-self-contained unit is where one, or more, of the facilities is not within the occupant's room. This applies even if the facility is for the exclusive use of the occupant.

An HMO is also a building which has been converted self-contained flats where less than two-thirds are owner-occupied and the conversion does not meet the appropriate Building Regulations.

The appropriate Building Regulations are:

- If the property was converted prior to June 1992, the 1991 Building Regulations.
- If the conversion took place after June 1992, the Building Regulations that were in force at the time of conversion.

Licensing of HMOs

Mandatory Licensing

All HMOs having 5 or more occupants in two or more households require to be licensed by the Council.

Legal Standards in HMOs

The Housing Act 2004 and associated regulations state the minimum standards in HMOs. This guide will explain the legal requirements and provide the Council's approach on how those standards should be achieved.

Management Regulations

All HMOs are subject to the Management Regulations irrespective of whether they are required to be licensed.

What HMOs does this guide cover?

This guide sets out the standards to be applied to all HMOs which require to be licensed and will also be used as a baseline for standards expected to be achieved in non-licensable HMOs

Space Standards

Legal requirements

A room with a usable floor area between **6.51 m²** and **10.21 m²** may only be occupied as sleeping accommodation by one person.

Only a room with a usable floor area of **10.22 m²** or over may be occupied as sleeping accommodation by two persons.

A room with a useable floor area between **4.64 m²** and **6.5 m²** may be occupied as sleeping accommodation by a child under the age of 10, provided the room is let or occupied in connection with the letting or occupation of an adjacent room with a useable floor area of or in excess of **6.51m²** to a parent or guardian of the child.

No room may be occupied as sleeping accommodation if the floor area of the room is less than **4.63 m²**.

NOTE

These are absolute minimum sizes and are only applied where there is adequate shared living accommodation elsewhere in the HMO (see space guidance below).

Tewkesbury Borough Council Requirements

Tewkesbury Borough Council has adopted the following space standards as the minimum requirements.

HMOs where occupiers share kitchen facilities

| Minimum bedroom size | Total number of people in HMO | Minimum kitchen size | 1 to 2 storey HMO minimum living space | 3+ storey HMO minimum living/dining space |
|---|-------------------------------|---|--|---|
| 1 occupant 6.51 m ² or: 2 occupants 10.22 m ² | 3-5 people | 7m ² | 11m ² separate living room | Either 11 m ² separate dining room within 1 floor level of kitchen or: 13 m ² kitchen/diner and 11 m ² living room elsewhere or: 18 m ² combined kitchen/living/dining room |
| | | or: 18 m ² living/dining room | | |
| | 6-10 people | 10 m ² | 14 m ² separate living room | Either 14m ² separate dining room within 1 floor level of kitchen or: 16 m ² kitchen/diner and 14m ² living room elsewhere or: 24 m ² combined kitchen/living/dining room |
| | | or: 24 m ² living/dining room | | |
| 1 occupant 10 m ² or: 2 occupants 15 m ² | 3-5 people | 7 m² | No additional communal living space required | |
| | 6-10 people | 10 m ² | | |

The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 require kitchens, bathrooms and WCs to of adequate size, as set by this guide.

HMOs with kitchen facilities for the exclusive use of occupants (Bedsits)

1. A bedsit is where sleeping, living and cooking amenities are provided for exclusive use by occupants within a single unit of accommodation (i.e. one room).

2. A bedsit can be occupied by a maximum of two persons.

3. Room sizes:

1-person bedroom/sitting room/kitchen must be a minimum of 14 m²

2-person bedroom/sitting room/kitchen must be a minimum of 18 m²

1 or 2-person self-contained flats contained within a licensable HMO

1. Where the building is an HMO consisting of or including self-contained flats, the bedrooms must meet the minimum sizes of 6.51m² for one occupant and 10.22 m² for two occupants if used solely for sleeping.

2. Where no separate living space is provided, 10 m² for one occupant or 15 m² for two occupants.

3. Where the kitchen is included in the room, 14 m² for one occupant, 18m² for two occupants

4. The kitchen must be of adequate size and layout

Notes

The measured space in any room must be 'usable space'. The room should be able to accommodate the required amount of appropriate furniture easily and still allow space for free movement about the room.

Any floor space that has a ceiling height of less than 1.5 m² is disregarded for the purpose of measuring the total space in the room.

Ceiling Height

The ceiling height of any room used for habitation must be not less than 2.1 m² over not less than 50% of the floor area of the room.

Personal Washing Facilities

Legal requirements

The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 set standards for washing facilities as below:

1. Bath/showers shall be provided in the ratio of at least one to every five persons sharing.
2. The bathrooms or shower rooms shall be readily accessible and normally not more than one floor away from the user. Shared facilities shall be accessible from a common area. Facilities must be inside the building.
3. Bathrooms and shower rooms must be of adequate size and be laid out in such a way as to enable persons to undress, dry and dress themselves in a safe manner.
4. Each bath, shower and wash hand basin shall be provided a continuous and adequate supply of hot and cold running water, designed to ensure reasonable temperature control.
5. Bathrooms and shower rooms must have adequate lighting, heating and ventilation.
6. Bathrooms must be fit for the purpose.

Tewkesbury Borough Council requirements

To meet the above requirements of adequate size, layout, and fit for purpose, Tewkesbury Borough Council has adopted the following standards:

1. Where a child under 10 lives in the property, a bath must be provided.
2. An efficient and safe fixed space-heating appliance that is capable of maintaining each room, including kitchens and bathrooms at a minimum temperature of 21°C when the outside temperature is -1°C must be provided. The fixed space-heating appliance may be an adequate central heating system with thermostatic radiator valves (TRVs) or a fixed electrical appliance. The heating must be under the control of the occupiers for timings and temperature settings at all times. A pre-programmed thermostatic control incorporating an occupier over-ride facility is permissible.
3. Bathrooms must, in addition to any windows, have mechanical ventilation to the outside air at a minimum extraction rate of 15 litres/second in addition to any window(s). The system is to be either coupled to the light switch and incorporate a suitable over-run period, or an appropriately set humidistat.
4. A tiled splash-back at least 300mm high or full height adjacent to an over-bath shower must be provided to all baths and wash hand basins.

Shower cubicles must have fully tiled walls and be provided with a suitable water-resistant curtain or door to the cubicle. Bathrooms and shower rooms must have smooth, impervious wall and ceiling

surfaces, which can be easily cleaned. The flooring should be capable of being easily cleaned and slip resistant.

5. The following minimum dimensions apply:

| Item | Dimension |
|-----------------|----------------|
| Wash hand basin | 500mm x 400mm |
| Splash- back | 300mm high |
| Bath | 1700mm x 700mm |
| Shower | 800mm x 800mm |

6. Shared bathrooms and shower rooms must be constructed to ensure privacy, be provided with an internal locking device to the door, have facilities to hang clothes during bathing and have an unrestricted space of at least 1.44m² (1.2m x 1.2m) to permit users to dry and dress themselves.

Sanitary Conveniences (Toilet Facilities)

Legal requirements

The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 set standards for sanitary conveniences.

1. Where there are four or fewer occupiers sharing facilities there must be one toilet which may be situated in the bathroom.
2. Where there are five or more occupiers there must be one separate toilet with wash hand basin in the same room for every five sharing occupiers.
3. Toilets are to be provided in bathrooms or separate compartments of an adequate size and layout. The rooms shall have smooth, impervious wall and ceiling surfaces, which can be easily cleaned. The flooring is to be capable of being easily cleaned and slip resistant.
4. Toilets must be readily accessible and normally not more than one floor away from the user. Shared facilities must be accessible from a common area.
5. A toilet provided in a separate compartment must have a wash hand basin (cloakroom basin acceptable where a full-sized washbasin is provided elsewhere) with an appropriate splash-back.

Tewkesbury Borough Council requirements

To meet the above requirements of adequate size, layout, and fit for purpose, Tewkesbury Borough Council has adopted the following standards:

1. Separate toilet compartments should have minimum dimensions of 1300mm x 900mm with 750mm in front of the toilet.
2. Each toilet in a separate compartment is required to have a window equivalent to 1/20th of the floor area or mechanical ventilation to the outside air at a minimum extraction rate of six litres/second.
3. An efficient and safe fixed space-heating appliance that is capable of maintaining each room at a minimum temperature of 21°C when the outside temperature is -1°C must be provided. The fixed space-heating appliance may be an adequate central heating system with thermostatic radiator valves (TRVs), or a fixed, hardwired electrical appliance. The heating must be under the control of the occupiers for timings and temperature settings.
4. "Jack and Jill" shared facilities which are accessible from within two or more rooms are not permitted.
5. A wash hand basin/cloak room basin must be provided in the same compartment as the toilet.
6. Compartments must be constructed to ensure privacy including provision of an internal locking device to the door.
7. Facilities must be accessible from within the building without passing through any poorly insulated porch or outbuilding or the open air.

Sharing Ratios for Bathrooms and Sanitary Conveniences

Legal requirements

The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 set standards for the number of bathrooms/showers and toilet facilities in HMOs.

1. Where there are four or fewer occupiers sharing facilities there must be one bathroom with fixed bath or shower and a toilet (which may be situated in the bathroom).
2. Where there are five or more occupiers sharing facilities, there must be:
 - One separate toilet with washbasin for every five sharing occupiers
 - One bathroom (which may contain a toilet) with a fixed bath or shower for every five sharing occupants.

The information below explains this in more detail: -

| Number of people irrespective of age | Facilities required If a child under 10 lives in the property a bath must be provided |
|--------------------------------------|---|
| 1-4 people | The minimum provision is: - 1 bathroom containing toilet, bath or shower and wash hand basin |
| 5 people | The minimum provision is: - 1 bathroom with a bath or shower and 1 separate toilet with wash hand basin. The toilet may be located in a separate bathroom |
| 6-10 people | The minimum provision is: - 2 bathrooms each containing a bath or shower plus 2 toilets with wash hand basins one of which must be in a separate room. |
| 11-15 people | The minimum provision is: - 3 bathrooms each containing a bath or shower plus 3 toilets with wash hand basins one of which must be in a separate room |
| Bedrooms with en-suites | Where a letting room is provided with a complete en-suite facility (bath/shower, toilet and wash hand basin) for the exclusive use of the occupant of that room, that occupant will be disregarded when considering the required provision of shared sanitary conveniences. |

Facilities for Storage, Preparation and Cooking of Food

Shared kitchens

Legal requirement

The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 require:

1. A kitchen suitably located in relation to the living accommodation, and 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.
2. The kitchen must be equipped with the following equipment, which must be fit for the purpose and supplied in a sufficient quantity for the number of those sharing the facilities:
 - (i) Sinks with draining boards
 - (ii) An adequate supply of cold and constant hot water to each sink supplied
 - (iii) Installations or equipment for the cooking of food
 - (iv) Electrical sockets
 - (v) Worktops for the preparation of food
 - (vi) Cupboards for the storage of food or kitchen and cooking utensils
 - (vii) Refrigerators with an adequate freezer compartment (or, where the freezer compartment is not adequate, adequate separate freezers)
 - (viii) Appropriate refuse disposal facilities; and
 - (ix) Appropriate extractor fans, fire blankets and fire doors.

Tewkesbury Borough Council requirements

To achieve compliance with the above requirements for adequate size, layout and equipment, Tewkesbury Borough Council has adopted the following standards.

1. Location

The kitchen must be contained in the main building and located not more than one floor distant from the bedrooms. If this is not practicable in HMOs of not more than three storeys and not more than 10 persons, communal kitchens may be provided up to two floors distant from some bedrooms.

All kitchen facilities must be available for use 24 hours a day.

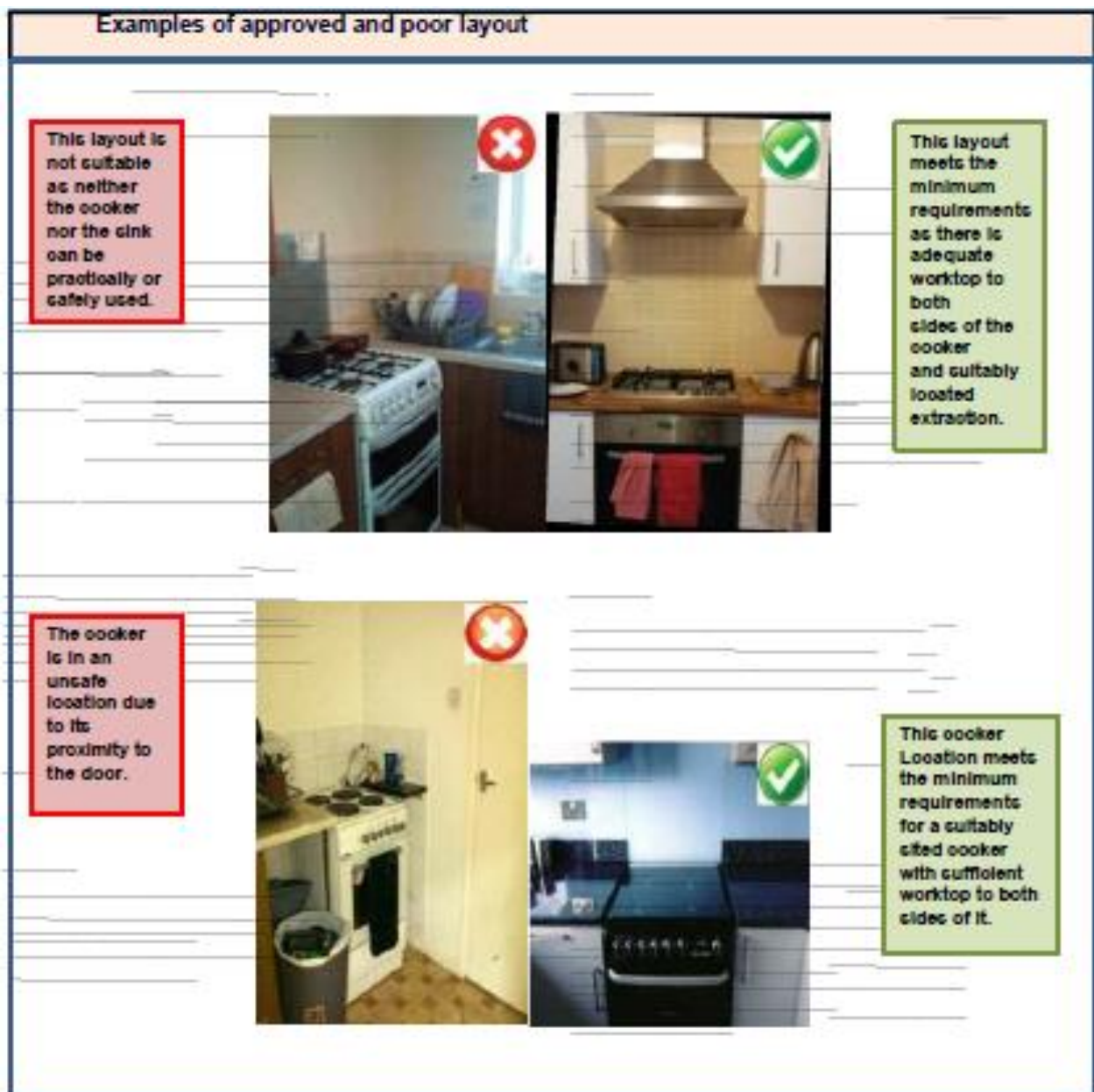
2. Layout

The kitchen layout must be safe, convenient and allow good hygienic practices.

Cookers should be located away from doorways and have enough floor space for items to be safely retrieved from the oven.

It must be possible to stand directly in front of the cooker and sink and to place utensils down on both sides of each.

Kitchen layout



Examples of approved and poor layout

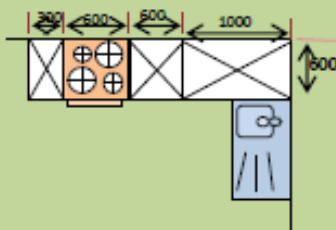


Good practice

A satisfactory kitchen must be safe, convenient and must allow good hygiene practices. It must be possible to stand directly in front of the cooker and sink and to place utensils down on both sides of each. Worktops must be secure, level and impervious and must be of adequate size. Adjacent walls require splash-backs and power points must be suitably located

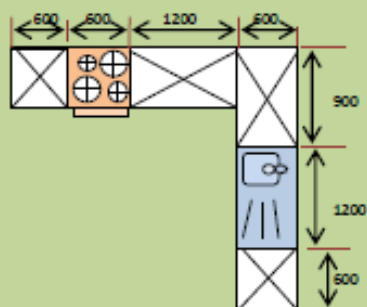


This is the minimum provision for a kitchen. It incorporates worktop on both sides of the cooker and working space both sides of the sink bowl. Note 300mm is the minimum width and should be made wider where possible.



Alternative minimum layout

This arrangement provides more workspace but could be further improved by giving more room in front of the sink (see below)

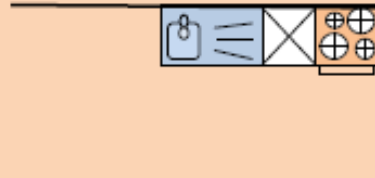


This is a good kitchen layout. It is well set out and has plenty of usable workspace



Unacceptable

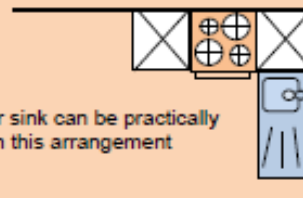
Cookers cannot be safely used if they are located in corners, do not have adequate worktop on both sides or are too close to sinks. Sinks require space to put dirty utensils on one side and clean on the other.



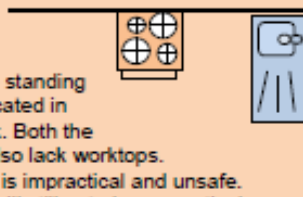
Cookers may not be located in a corner. This arrangement is impractical and unsafe.



The sink bowl must not be placed in a corner. This is an impractical arrangement and because there is no worktop next to the bowl and it is impossible to separate clean and dirty utensils it also creates a hygiene hazard



Neither cooker nor sink can be practically or safely used with this arrangement



The cooker is free standing and improperly located in relation to the sink. Both the cooker and sink also lack worktops. This arrangement is impractical and unsafe. Adding worktops will still not give a practical and safe kitchen

3. Size

- For three to five residents, kitchens must have a usable floor area of at least 7m²
- For six to ten residents, kitchens must have a usable floor area of at least 10m²
- The width of the kitchen must be at least 1.8m to allow safe movement of occupants

| Number of residents irrespective of age | Minimum provision of kitchen facilities |
|---|---|
| 3–5 people | <p style="text-align: center;">A complete set of kitchen facilities consisting of the following items must be provided for every five persons:</p> <p>Sink: A durable and easily cleansable sink, integral drainer and a tiled splash-back, on a base unit. The sink must have constant supplies of hot and cold running water and be properly connected to the drains. The cold water must come directly from the rising water main. It must be possible to stand directly in front of the cooker and sink and to place utensils down on both sides of each'</p> <p>Cooker: A gas or electric cooker with four ring burners, oven and grill, that are capable of simultaneous use. The cooker is to be located away from doorways with a minimum of 300mm worktop to both sides. The hob may be separate from the cooker.</p> <p>Electrical sockets: At least three double 13amp electrical power points (in addition to those used for fixed appliances, such as washing machines.</p> <p>Worktop: A kitchen worktop that is level, secure and impervious. The minimum dimensions are 1000mm length and 600mm width.</p> <p>Storage: A lockable food storage cupboard for each occupant comprising of a 500mm wide base unit or a 1000mm wide wall unit. This may alternatively be provided within each occupant's room (The space in the unit beneath the sink and drainer or beneath a separate hob is not allowable for food storage</p> <p>Fridge/Freezer: A refrigerator with a minimum capacity of 130 litres plus a freezer with a minimum capacity of 60 litres. If not in the kitchen the fridge/freezer must be located in a communal space such as a utility room or shared dining room adjacent to the kitchen.</p> <p>Refuse disposal: A durable and easily cleansable waste bin of at least 50 L capacity must be provided.</p> <p>Ventilation: Mechanical ventilation to the outside air at a minimum extraction rate of 60 litres/second or 30 litres/second if the fan is sited within 300mm of the centre of the hob. This is in addition to any windows</p> <p style="text-align: center;">Fire precautions: see fire safety section</p> |
| 6–7 people | <p style="text-align: center;">Two complete sets of kitchen facilities as above with a 1500mm x 600mm work Surface. However, a combination microwave (min 32 litre capacity) is acceptable in place of a second cooker a dishwasher is acceptable in place of a second sink</p> |
| 8 –10 people | <p style="text-align: center;">Two complete sets of kitchen facilities as above with a 2000mm x 600mm work surface.</p> |
| 11 or more people | <p style="text-align: center;">Two or more separate kitchens containing the aggregated equivalent provision calculated from the above standards, each kitchen having at least the minimum provision for up to 5 people.</p> |
| <p style="text-align: center;">Where two sets of kitchen equipment are provided in one kitchen, each set must be sited so that each set of facilities, particularly the sink and hob, can be used independently by two people simultaneously and have at least 600mm of fixed work surface either side of each hob or sink. Double sinks and eight ring hobs are not acceptable alternatives for separate facilities</p> | |

Kitchens for exclusive use within letting rooms

Where each or some of the letting rooms are provided with their own kitchen facilities instead of having the use of a communal kitchen the following applies.

Legal requirements

The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 requires rooms without shared amenities to be provided with adequate equipment.

Tewkesbury Borough Council requirements

To achieve compliance with the above requirements for adequate size, layout and equipment, Tewkesbury Borough Council has adopted the following standards.

- 1. Cooking:** A gas or electric cooker with a minimum two-ring hob, oven and grill. This must be a conventional oven such as a “Baby Belling” and must be built-in or free standing, not counter-top. A microwave oven alone is not sufficient.
- 2. Storage:** A 130 litre refrigerator with freezer compartment plus at least one food storage cupboard for each occupant in the bedsit (base units shall be 500mm wide and wall units shall be 1000mm wide). The sink base unit cannot be used for food storage.
- 3. Preparation:** Worktop of at least 500mm deep and 1000mm long, comprising a minimum of 300mm both sides of the cooking appliance to enable utensils and pans to be placed down. All worktops must be securely supported, impervious and easy to clean.
- 4. Electricity:** Two double 13-amp power sockets suitably positioned at worktop height for use by portable appliances, in addition to sockets used by fixed kitchen appliances, plus two double sockets located elsewhere within the bedsit.
- 5. Washing:** A stainless steel sink and integral drainer set on a base unit with constant supplies of hot and cold running water. The sink shall be properly connected to the drainage system. The cold water shall be direct from the mains supply. A tiled splash-back shall be provided behind the sink and drainer.
- 6. Ventilation:** Mechanical ventilation to the outside air at a minimum extraction rate of 60 litres/second or 30 litres/second if the fan is sited within 300mm of the centre of the hob. This is in addition to any windows.
- 7. Layout:** The same principles of safe layout and design apply in bedsits as for shared kitchens. Cookers must not be located near doorways to avoid collisions and to reduce the possibility of a fire on the hob trapping an occupant in the room

Where a gas appliance or a solid fuel burning appliance is provided within a unit of accommodation, a carbon monoxide detector must also be provided.

Kitchenettes with limited facilities may be provided as an additional facility in rooms but do not remove the necessity to provide the appropriate level of shared kitchen facilities and the space taken up including 750mm deep working space adjacent to the kitchenette is not counted towards the floor area of the room for space standards.

Fire Safety

Legal requirement

The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 require appropriate fire precaution facilities and equipment must be provided of such type, number and location as considered necessary.

The Regulatory Reform (Fire Safety) Order 2005 requires all HMOs to have a sufficient risk assessment with regard to fire.

The Management Regulations require firefighting equipment and fire alarms to be maintained in good working order.

Tewkesbury Borough Council requirements

Tewkesbury Borough Council consider the necessary fire precaution facilities and equipment are in the “Home Stamp: A Guide to Fire Safety and Security in Multi-Occupied Residential Properties” <https://homestamp.com/landlords-fire-and-security-protection/> This document contains the latest advice and takes into consideration guidance contained in the LACORS Document ‘*Housing – Fire Safety (Guidance on fire safety provisions for certain types of existing housing)*’.

The information below is summarised from the Fire Safety Guidance document and provided to help landlords understand their responsibilities and the fire safety precautions judged necessary for HMOs.

1. Fire Risk Assessment

The licence holder must prepare or commission a Fire Risk Assessment (FRA) in respect of every HMO. The FRA is an organised and methodical look at the premises, the activities carried on there and the likelihood that a fire could start and cause harm to those in and around the premises. The aims of the FRA are:

- to identify fire hazards;
- to reduce the risk of those hazards causing harm to as low as reasonably practicable; and
- to decide what physical fire precautions and management arrangements are necessary to ensure the safety of people in the premises if a fire does start.

Licence holders who feel competent to do so may prepare their own FRA. The use of a suitable template such as that available at

<https://www.dashservices.org.uk/Media/Default/Docs/FireRisk%20AssessmentForm.pdf> will assist in ensuring that attention is given to the appropriate issues.

2. Fire precaution requirements

The requirements expected by Tewkesbury Borough Council will vary according to the observations and findings arising from any inspection undertaken and will be based on the advice detailed in the above guides. Landlords should also be aware that where premises are occupied in a manner other than that intended under the original construction, compliance with the Building Regulations at the time of that construction will not necessarily negate the requirement for additional fire safety measures.

Although an exhaustive list of likely requirements cannot be given in this document necessary measures may include fire doors on high risk rooms, fire separation and automatic fire detection systems.

Landlords are required to test and maintain fire alarm and emergency lighting systems in accordance with the British Standards.

- Grade D fire alarm systems should be tested weekly. All detectors must be cleaned at least annually. Testing and maintenance must be in accordance with the manufacturer's instructions. Landlords can self-certify this has been completed.
- Grade A fire alarm systems should be tested weekly. The system must be inspected and serviced at periods not exceeding six months in accordance with the recommendations of Clause 45 of BS:5839-1:2013. An inspection and servicing certificate of the type contained in H.6 of BS 5839-;2013 should be issued by a suitably qualified and competent person.
- Emergency lighting systems should be tested regularly and a full system test and service must be completed annually by a competent person in line with BS5266

Fire Extinguishers

The Fire Service discourages the provision of fire extinguishers except in premises with full time on-site staff who are trained in their use. The emphasis is on escape from danger rather than fighting a fire. Where fire extinguishers are provided, they must be serviced or replaced annually and a record of date of servicing or replacement attached to the equipment.

Fire blankets should be provided in kitchens to enable fires on hobs to be tackled before they get out of hand. Where provided they should be prominently mounted on the wall away from the hob and advice on their use should be prominently displayed nearby

3. Non-standard layout / Higher risk homes

If the property is of a non-standard layout or if the occupants present a higher risk due to factors such as drug/alcohol dependency or limited mobility then the risk may increase and additional precautions may need to be taken. This must be factored into your Fire Risk Assessment.

An example of a non-typical layout is 'inner rooms' where the bedroom is located such that the occupant passes through risk rooms (living rooms, kitchens or dining rooms) in order to reach the means of escape. There are various solutions available such as escape windows leading to a place of safety or water suppression systems. These should be discussed with a case officer before undertaking works.

4. Examples

The following examples are based on typical properties with a simple layout i.e. where all bedrooms lead onto the means of escape (i.e. the landing and hallway) and do not have to pass through any other room. These are also based on low risk occupants.

Low risk shared houses Applicants should be aware that a change in occupancy may require re-assessment of the property into a higher risk category, resulting in additional costs for upgrading

For properties let on a joint contract to a cohesive group of tenants such as student accommodation with shared kitchen facilities the following requirements apply:

| Area | Item | 1-2 Storey property | 3 storey property | 4+ storey property |
|--------------------------------|---|---------------------|-------------------|--------------------|
| Fire doors | Doors to kitchens must be 30-minute fire doors with intumescent strips and cold smoke seals | ✓ | ✓ | ✓ |
| | Bedroom doors must be solid, in good repair with no gaps and close fitting (not lightweight "egg-box" types or light paneled doors) | ✓ | ✓ | |
| | Bedroom doors must be 30-minute fire doors with intumescent strips but no smoke seals. | | | ✓ |
| | Fire door to living room with intumescent strips and cold smoke seals | | | ✓ |
| | Doors to any cellars must be 30-minute fire doors with heat and smoke seals | ✓ | ✓ | ✓ |
| Fire alarm system | Grade D1, LD2 interlinked fire alarm system with smoke alarms in escape routes at all levels and heat alarm in the kitchen. | ✓ | ✓ | ✓ |
| | Additional interlinked smoke alarms in any cellar | ✓ | ✓ | ✓ |
| | Additional interlinked smoke alarm in living room and any bedrooms above the first-floor level. | | ✓ | ✓ |
| | Additional smoke alarms to bedrooms if smoke seals are fitted to bedroom doors | | | ✓ |
| Fire fighting equipment | Fire blanket in kitchen | ✓ | ✓ | ✓ |
| Locks on doors | Final exit doors must have a security lock that can be opened from the inside without the use of a removable key. Break glass boxes are not acceptable. | ✓ | ✓ | ✓ |
| | Where locks are provided to bedroom doors, they must be capable of being opened from the inside without the use of a removable key. Break glass boxes are not acceptable. | ✓ | ✓ | ✓ |
| Protected escape Route | Under stairs cupboards must have a ceiling that is 30 minutes fire resistant. | ✓ | ✓ | ✓ |
| | Cellars must have a ceiling that is 30 minutes fire resistant. | ✓ | ✓ | ✓ |
| | 30-minute protected escape route | | | ✓ |

Higher risk shared houses / bedsit properties

Where properties are let on individual contracts with shared kitchen facilities, these are higher risk situations. Properties where kitchen facilities are within bedrooms are also higher risk. There will be little or no communal living between tenants.

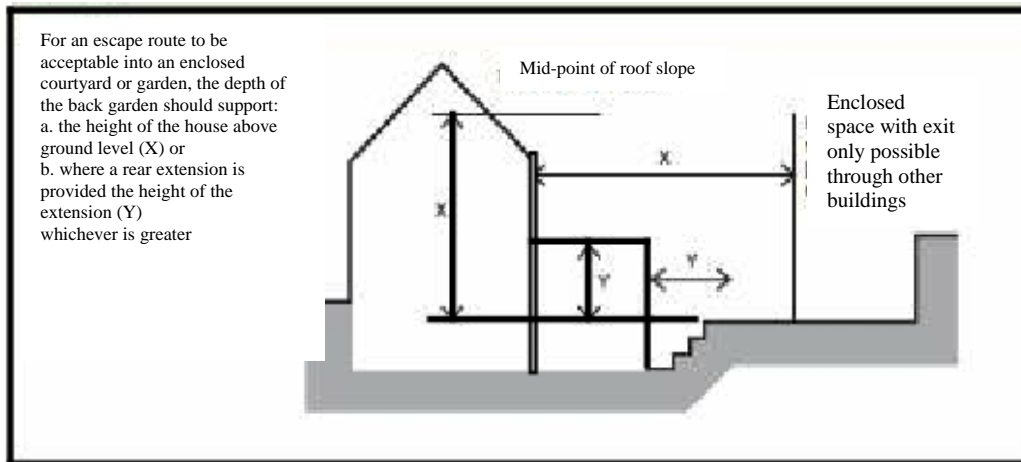
| Area | Item | 1–2 Storey property | 3 storey property | 4+ storey property |
|-------------------------------|---|---------------------|-------------------|--------------------|
| Fire doors | Doors to all risk rooms including letting rooms, living/dining rooms, kitchens and basements must be 30-minute fire doors with intumescent strips, smoke seals and effective self-closers | ✓ | ✓ | ✓ |
| Fire alarm system | Grade D1, LD1 system consisting of mains wired, interlinked smoke alarms in escape route at all levels, in all letting rooms, living/dining rooms, airing/meter cupboard and basements. Mains wired, interlinked heat alarm in kitchen or any room containing cooking facilities | ✓ | ✓ | ✓ |
| Firefighting Equipment | Fire blanket in kitchen | ✓ | ✓ | ✓ |
| Locks on doors | Final exit doors must have a security lock that can be opened from the inside without the use of a removable key. Break glass boxes are not acceptable | ✓ | ✓ | ✓ |
| | Where locks are provided to bedroom doors, they must be capable of being opened from the inside without the use of a removable key. Break glass boxes are not acceptable. | | | |
| Protected escape route | Under-stairs cupboards must have a ceiling that is 30 minutes fire resistant | ✓ | ✓ | ✓ |
| | Cellars must have a ceiling that is 30 minutes fire resistant. | ✓ | ✓ | ✓ |
| | 30- minute protected escape route direct from all risk rooms to a place of ultimate safety without passing through a higher risk area | ✓ | ✓ | ✓ |

Buildings containing self-contained flats or above or connected with commercial premises

These buildings require additional fire precautions. Please contact the Environmental Health Department before undertaking works.

Inner Rooms.

Whenever it is possible, all letting rooms are required to have direct access to a protected route leading to a Place of Safety, i.e. the street or public space or a space complying with The following diagram.



Where it is not practical to provide such access, for instance where the exit from the basement passes through a kitchen or shared living room a secondary means of escape must be provided.

Secondary Means of Escape

The secondary means of escape must fully comply with the requirements of Building Regulations Approved Document B (Fire Safety)

Emergency egress windows and external doors

2.8 Any window provided for emergency egress purposes and any external door provided for escape should comply with the following conditions:

a. The window should have an unobstructed openable area that is at least 0.33 m² and at least 450mm high and 450mm wide (the route through the window may be at an angle rather than straight resistant.

through). The bottom of the openable area should be not more than 1100mm above the floor; and

b. The window or door should enable the person escaping to reach a place free from danger from fire. This is a matter for judgment in each case, but, in general, a courtyard or back garden from which there is no exit other than through other buildings would have to be at least as deep as the dwelling is high to be acceptable. See diagram above.

Note 1 Approved Document K, Protection from falling, collision and impact, specifies a minimum guarding height of 800mm, except in the case of a window in a roof where the bottom of the opening may be 600mm above the floor.

Note 2 Locks (with or without removable keys) and stays may be fitted to egress windows, subject to the stay being fitted with a release catch, which may be child resistant.

Note 3 Windows should be designed such that they remain in the open position without needing to be held by a person making their escape

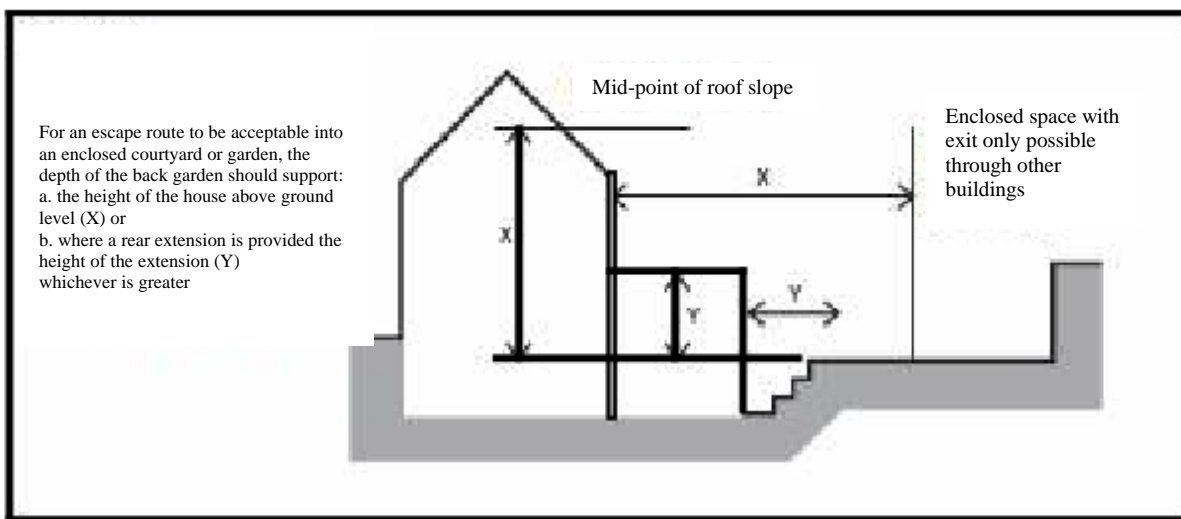
Basement Rooms

Basement rooms used for letting or communal living spaces within HMOs present particular difficulties in respect of: -

- Fire safety
- Room heights
- Natural lighting
- Ventilation
- Freedom from damp

Fire Safety

Wherever practical, the exit route from a basement letting room should be direct to a protected route communicating directly to the final exit (usually the front door) to a place of safety, i.e. the street or public space or a confined space complying with the following diagram.



Where it is not practical to provide such access, for instance where the exit from the basement passes through a kitchen or shared living room a secondary means of escape must be provided.

Secondary Means of Escape

The secondary means of escape must fully comply with the requirements of Building Regulations Approved Document B (Fire Safety)

Emergency egress windows and external doors

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Note 3 *Windows should be designed such that they remain in the open position without needing to be held by a person making their escape*

Of particular importance in the case of basements is the height of the cill (not more than 1100mm above floor level.) This does not permit the use of permanent or semi-permanent ladder type arrangements and access to the window must be unobstructed internally and externally.

Where the window gives access to a light well, there must be an easily negotiated staircase access to ground level, including all necessary handrails and guarding, leading to a place of safety as above.

The door at the head of the basement staircase giving access to the kitchen or living room should be provided with a fire-resistant glazed vision panel to permit the occupant to establish whether the primary escape route is safe to use.

Where none of these options are available, consideration will be given to the provision of fire suppression systems covering the whole of the escape route from the basement room.

As elsewhere in the premises the ceiling and any walls separating the rooms from other parts of the HMO must have half-hour fire protection. Especial attention needs to be given to the ceiling and walls of the staircase. The entrance to the room must, in all cases, be provided with a half-hour fire door with intumescent strips, cold smoke seals and automatic closer.

Room Height

The finished room height must be not less than 2.1 m over at least 50% of the required floor space of the room. No floor area with a height of under 1.5 m will be counted towards the usable floor space of the room.

Natural Lighting

As with any habitable room, the area of natural lighting provided must be equal to at least 1/10th of the floor area of the room and must be of appropriate shape and position to allow for reasonable daylight penetration throughout the room. There should be sufficient natural light during daylight hours to enable normal domestic tasks to be carried out without eyestrain.

It is particularly difficult to meet this requirement where the property abuts directly onto the footpath and the window depends on the provision of a bulkhead in the ceiling encroaching on the room above. It is necessary for the bulkhead to have sufficient depth to not interfere with the light distribution, but consideration must be given to the effect on the floor area and space in the room above.

Artificial lighting must be sufficient for the normal use of the room outside daylight hours and on dull days but will not be considered a viable alternative to adequate natural lighting.

Ventilation

Sufficient ventilation, preferably by natural means must be provided to ensure that the room is not unduly affected by excess heat during summer months and also to assist in ensuring that basement rooms are not affected adversely from dampness connected with condensation. Generally, an opening window of at least 1/20th of the floor area of the room is considered sufficient. Trickle ventilation should also be provided to permit background ventilation without compromising security when the room is unoccupied or at nighttime, especially considering that such rooms often abut the public footpath. Artificial ventilation or air conditioning may be considered appropriate to provide in addition to natural means.

Freedom from damp

Especial attention needs to be given to the prevention of penetrating and rising dampness in basement rooms.

Attic Rooms

Attic rooms require particular attention to ensure that they meet HMO standards. In particular in respect of access, room heights, fire safety and space.

Access and Fire Safety

Steep, narrow and winding staircases, which may be acceptable in a family home giving access to a single bedroom, are seldom suitable for a letting room in an HMO where the occupant has only the one space to store all their possessions and is more likely than in a single-family home to require to evacuate their room in an emergency. Staircases giving access to attic letting rooms should be of equal dimensions to those provided for access to the main floors and where not suitable may lead to the relevant rooms being excluded from an HMO licence. Doors should not open over a staircase or be located directly adjacent to the top step without an intervening landing.

Room Height and Floor Space

The finished room height must be not less than 2.1 m over at least 50% of the required floor space of the room. No floor area with a height of under 1.5 m will be counted towards the usable floor space of the room.

Windows

As with other rooms, the window(s) must be not less than 1/10th of the floor area of the room and an opening portion of at least 1/20th of the floor area.

Windows in attic or second floor rooms should meet the requirements of Building Regulations Approved Document B (see above) regardless of whether they are inner rooms or have direct access to the primary means of escape.

Catered Hostel Accommodation

In the case of hostels providing supported or emergency accommodation the level of kitchen facilities required may be relaxed at the discretion of the Council to take account of the level of catering provided and to permit the accommodation of family groups in suitable rooms.

In all cases where three main meals are provided daily, one set of kitchen facilities will be required for every 5 households or 10 occupants, accessible at all times to all occupants (or a kitchenette consisting of sink and drainer, 1000mm worksurface, 500mm food storage cupboard refrigerator and microwave oven in each room).

Family rooms will be permitted as follows: -

| Room Size | Adults | Children under 10 |
|------------------|--------|-------------------|
| Minimum 15 sq. m | 2 | 0 |
| | 1 | 2 |
| 17.5 – 20 sq. m | 2 | 1 |
| | 1 | 3 |
| 20-22.5 sq. m | 2 | 2 |
| | 1 | 4 |
| 22.5-25 sq. m | 2 | 3 |
| | 1 | 5 |

Plus an additional 2 sq. m where a kitchenette is provided in the room.

At least one bath (rather than shower), in a reasonably accessible location, must be provided for every 5 children likely to be accommodated.

Gas and Electricity Supplies

Location of gas and electricity meters and control equipment

Other than “smart meters”, gas and electricity meters and associated isolating switches, valves and consumer units must always be located within communal parts of the HMO so as to be accessible to all occupiers at all times. Under no circumstances will they be permitted to be located within a letting room.

Pre-payment Meters

Where lettings are on an inclusive basis, where gas and electricity are supplied by the landlord, the use of pre-payment meters is discouraged, but where they are used, there must be a robust arrangement in place to ensure that the supplies of gas and electricity are maintained at all times without requiring tenants to contact the landlord to arrange for the “topping up” of meters.

Re-sale of gas and electricity to tenants

The practice of charging tenants separately for their use of gas and electricity, usually through the use of individual meters is not encouraged, but where it does occur is restricted to the maximum resale price.

What is maximum Resale Price?

| | |
|---|--|
| <p>The maximum resale price is the most that anyone can charge for resupplying gas or electricity which has already been bought from an authorised supplier . It is set by Ofgem.</p> <p>Anyone who charges more than the maximum resale price may face civil proceedings for the recovery of the amount overcharged and may be required to pay interest on amounts overcharged</p> | <p>From 1st January 2013 the maximum price at which gas or electricity may be resold is the same price as that paid by the person who is reselling it (“the reseller”), including any standing charges</p> |
|---|--|

Further advice regarding resale of gas and electricity is available at

<https://www.ofgem.gov.uk/ofgem-publications/74486/11782-resaleupdateoct05.pdf>

Management

Legal requirement

There are management regulations that apply to all HMOs.

The Management of Houses in Multiple Occupation (England) Regulations 2006 apply to all HMOs except those consisting entirely of self-contained flats. For HMOs consisting of self-contained flats, then The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007 apply.

The Regulations can be accessed in full at www.legislation.gov.uk. Under both sets of Regulations the person in control of or managing the HMO has a number of duties:

- Provision and display of the manager's contact information to the occupiers
- Maintenance of common parts, fixtures, fittings and appliances
- Maintenance of living accommodation
- Safety measures, including fire safety
- Supply and maintenance of gas and electricity
- Maintenance of water supply and drainage
- Provision of waste disposal facilities.

Occupiers of HMOs have a duty to ensure that they take reasonable care to avoid damage and disrepair to the property, and do not act in such a way as to obstruct the manager in complying with any Management Regulation.

It is an offence to fail to comply with the Regulations. Tewkesbury Borough Council can prosecute or issue a civil penalty of up to £30,000 per offence when landlords or agents do not comply with the Regulations. If found guilty, on summary conviction the Court can impose an unlimited fine per breach.

Housing Health and Safety Rating System (HHSRS)

Legal requirements

The HHSRS is the legislation giving minimum standards for all homes, regardless of tenure. It is a risk-based evaluation tool to help local authorities identify and protect against potential risks and hazards to health and safety from any deficiencies identified in dwellings.

The HHSRS system applies to all HMOs in addition to the regulations regarding licensing, standards and management.

The HHSRS identifies 29 hazards, the most common being:

Damp and Mould growth

Houses should be warm, dry and well-ventilated, maintained free from rising, penetrating and persistent condensation and there should be adequate provision for the safe removal of moisture-laden air to prevent damp and mould growth.

Excess cold

Houses should be adequately insulated to prevent excessive heat loss; in particular, roof spaces should be properly insulated and windows and doors draught proofed. The property should have an efficient heating system capable of maintaining temperature.

Entry by intruders

Houses should be capable of being secured to deter against unauthorised entry. Windows and doors should be robust and fitted with adequate security. Externally, the curtilage of the property should be restricted and be properly gated. Sheds or outbuildings should be maintained in good order and made secure.

Lighting

All habitable rooms should have an adequate level of natural lighting. Where practicable, all staircases, landings, passages, kitchens, bathrooms and toilets should be provided, with a window. All rooms and circulations areas within the property should have provision for electric lighting.

Electrical hazards

The electrical installation should be maintained in a safe condition. There is a legal requirement for the electrical installations in Houses in Multiple Occupation (HMOs) to be inspected every five years. Electrical installations must be inspected by a competent person.

Flames, hot surfaces etc.

Heating and cooking appliances should all be maintained in a safe condition and be suitably located so as not to become unreasonably hazardous. Cooking appliances should be set on an even surface and heating appliances securely fixed with a suitable position within the room.

Falls

Externally, paths and walkways should be even, be properly drained and steps should be maintained in good condition and be free from disrepair. Internally, floors should be even and comprise a non-slip finish and be maintained in a good condition. Stairs should be maintained in good condition and be free from disrepair. Stair coverings should be properly and securely fitted and should not be worn or loose. A securely fixed handrail should be provided the full length of the stairway. Balconies and basement light wells should have securely fixed guarding.

Personal hygiene, sanitation and drainage

Bathroom and kitchen, surface finishes should be capable of being readily cleaned. The external of the property should be free from disrepair and free from access by pests, such as rats and mice. There should also be suitable provision for the storage of domestic waste inside and adequate receptacles outside the property.

Water supply

An adequate supply of cold potable drinking water should be available from the kitchen sink. All pipework should be adequately protected from frost damage.

Further information

Further guidance can be found in Housing Health and Safety Rating System by following this link:

<https://www.gov.uk/government/publications/housing-health-and-safetyrating-system-guidance-for-landlords-and-property-related-professionals>

Planning

Legal requirement

HMOs with seven or more occupiers

HMOs with seven or more occupiers require planning permission and owners and managers are recommended to contact the Planning Service to clarify the planning status of the property.

For further information contact Planning Enquiries at

By telephone at [01684 272151](tel:01684272151)

By e mail at developmentapplications@tewkesbury.gov.uk

Online at www.tewkesbury.gov.uk/planning

Building Control

Works of alteration and/or improvement, including those requested by the Council such as drainage works to provide additional bathroom facilities, window replacement or alterations to the electrical system, may require Building Regulation or Building Notice approval.

For further information contact Cheltenham & Tewkesbury Building Control:

By email BuildingControl@cheltenham.gov.uk

By telephone [01242 264321](tel:01242264321)

Online at <https://www.ctbuildingcontrol.co.uk/contact-us>

Recycling and Waste Management

Legal requirement

The Management of Houses in Multiple Occupation (England) Regulations 2006 require Landlords to provide adequate bins for the storage of refuse, having regard to the disposal services provided by the Local Authority.

For further information contact waste and recycling at:-

Online at www.tewkesbury.gov.uk/waste-and-recycling

By telephone [01684 295010](tel:01684295010)

By e-mail customerservice@tewkesbury.gov.uk

Applying for a HMO Licence

To make a valid HMO licence application you must:

1. Fully complete the application form
2. Sign and return the declaration
3. Pay the licence fee online by visiting: -

https://webpayments.tewkesbury.gov.uk/live/webpayments/ml_webpayselect.asp

The screenshot shows the 'tewkesbury.gov.uk' website interface. At the top left is the council logo and name. The main content area contains a welcome message and instructions. Below this, there is a section titled 'Please specify details of your payment(s)'. This section includes a dropdown menu for 'Type of Payment' with 'Licensing' and 'HMO Initial Payment' as options. Below the dropdown is a text input field for 'Enter your a/c reference' with 'LICS/9260' entered. To the right of this is another text input field for 'Amount to Pay (£)' and an 'Add' button. Red circles highlight the 'Licensing' option in the dropdown and the 'Amount to Pay (£)' field.

4. Submit the application form and **all required documentation**

By e-mail attachment to:-

enquiries@tewkesbury.gov.uk

Documents should be submitted in PDF format and photographs placed in a word document (maximum two to an A4 page)

Once an application is valid, we will process the application, which may, at the Council's discretion require an inspection of the HMO and then forward a copy of a notice of intention to issue an HMO licence to the proposed licence holder and all interested parties including any other owners of the property, proposed manager and any mortgagee or leaseholder as relevant

There is a two-week consultation period before the final licence or 'Decision Notice' is issued. If you disagree with any conditions on the licence you can make representation against the condition.

Any representations received will be reviewed and we may amend the licence as requested or reject the representation.

The actual licence is then issued. You have the right of appeal to the First Tier Tribunal (formerly Residential Property Tribunal) against conditions on the licence.

This must be done within 28 days of the date of the Licence.

An initial HMO licence is normally valid for a period of five years from when it is considered duly made or when it becomes operative if the application is made in advance of the property being first used as a HMO.

You must renew your licence before the current licence expires. A valid renewal requires timely submission of the renewal application form, usually at least 28 days prior to the expiry date of the previous licence, signed declaration and fee payment. A renewal licence is usually valid for five years from the expiry date of the old licence.

Other information on the HMO Licensing process, standards and which houses require a licence can be found on the Tewkesbury Borough Council website:

<https://www.tewkesbury.gov.uk/houses-in-multiple-occupation>

Application Fees

The total cost of the Licence for a five occupant HMO is **£890.30** payable in two instalments as follows:

1. An initial payment of **£290.30** which must accompany the application
2. A secondary payment of **£600.00**, which will be requested prior to the issue of any licence, should the application be successful.
3. An additional charge of **£40 per person** will be added to the secondary payment for each additional occupant above 5.

Payment of the initial fee should be made on-line by visiting
https://webpayments.tewkesbury.gov.uk/live/webpayments/ml_webpayselect.asp

Should an application be unsuccessful, or the secondary payment not made when requested, the initial payment will not be refunded.

Should an applicant fail to submit a full and valid (duly made) application, including all of the relevant and correct documentation, additional charges may be made based on an hourly rate reflecting the actual costs incurred by Tewkesbury Borough Council