



Telford & Wrekin  
Co-operative Council

Protect, care and invest  
to create a better borough

# **Better Homes for All**

## **Houses in Multiple Occupation**

### **Amenities, Space & Management Standards**

**June 2024**

## **Introduction**

This guidance has been produced by Telford & Wrekin 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.

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 into 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. Unless it meets the requirements of section 20 of the Building Regulations 1991.
- If the conversion took place after June 1992, the Building Regulations that were in force at the time of conversion.

### **Mandatory Licensing**

All HMOs having 5 or more occupants in two or more households are required to apply to the Council for a licence. Telford & Wrekin currently only operate mandatory licensing.

### **Legal Standards in HMOs**

The Housing Act 2004 and associated regulations set out the minimum standards required 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 of Houses in Multiple Occupation (England) Regulations 2006 irrespective of whether they are required to be licensed or not. The Regulations impose duties on both managers and occupiers of HMOs. It is a criminal offence not to comply with the Regulations.

## **What HMOs does this guide cover?**

This guide sets out the standards to be applied to all HMOs which require a licence 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 m<sup>2</sup>** and **10.21 m<sup>2</sup>** may only be occupied as sleeping accommodation by one person.

Only a room with a usable floor area of **10.22 m<sup>2</sup>** or over may be occupied as sleeping accommodation by two persons.

A room with a useable floor area between **4.64 m<sup>2</sup>** and **6.5 m<sup>2</sup>** 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 **6.51m<sup>2</sup>** to a parent or guardian of the child.

No room of less than 4.64 m<sup>2</sup> in floor area may be occupied as sleeping accommodation

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

## **Telford & Wrekin Council Requirements**

Telford & Wrekin Council has adopted the following space standards as the minimum requirements. Telford & Wrekin Council stipulates different room size requirements depending on whether the property has additional communal space. Where there is no additional communal space, Telford & Wrekin Council requires a larger bedroom size.

The information on the next pages set out the required room sizes for:

- HMOs where occupants share a kitchen;
- HMOs where occupants have exclusive kitchen facilities and share a bathroom (bedsits).

## HMOs where occupiers share kitchen facilities

Please follow the table from left to right to identify the space requirements in your HMO.

Minimum Bedroom Sizes	Total Number Of People in HMO	Minimum Kitchen Size	1 - 2 Storey HMO Minimum Living space	3+ Storey HMO Minimum Living/Dining Space
1 occupant 6.51 m <sup>2</sup>  Or  2 occupants 10.22 m <sup>2</sup>	3-5 people	7m <sup>2</sup>	11m <sup>2</sup> separate living room  Or: 18 m <sup>2</sup> combined kitchen/living/dining room (of which 7m <sup>2</sup> must be dedicated kitchen area)	Either: 11m <sup>2</sup> separate living room within 1 floor distance of kitchen;  Or: 18m <sup>2</sup> combined kitchen/living/dining room (of which 7m <sup>2</sup> must be dedicated to kitchen area).
	6-10 people	10 m <sup>2</sup>	14 m <sup>2</sup> separate living room  Or: 24 m <sup>2</sup> combined kitchen/living/dining room (of which 10m <sup>2</sup> must be dedicated kitchen area)	Either: 14m <sup>2</sup> separate living room within 1 floor distance of kitchen;  Or: 24m <sup>2</sup> combined kitchen/living/dining room (of which 10m <sup>2</sup> must be dedicated to kitchen area).
1 occupant 10 m <sup>2</sup>  Or  2 occupants 15 m <sup>2</sup>	3-5 people	7 m <sup>2</sup>	No additional communal living space required	Either: 13m <sup>2</sup> kitchen/diner;  Or: 11m <sup>2</sup> separate dining room within 1 floor's distance of kitchen;  unless: all bedrooms within 1 floor's distance of kitchen
	6-10 people	10 m <sup>2</sup>	No additional communal living space required	Either: 16m <sup>2</sup> kitchen/diner;  Or: 14m <sup>2</sup> separate dining room within 1 floor's distance of kitchen;  unless: all bedrooms within 1 floor's distance of kitchen
<ul style="list-style-type: none"> <li>The minimum kitchen area must be provided in all cases.</li> <li>A living room will be accepted as a dining room and vice versa, provided the minimum space requirements (given above) are fulfilled</li> </ul>				

The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 require kitchens, bathrooms and WCs to be 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 cohabiting persons.
3. Room sizes:
  - 1-person bedroom/sitting room/kitchen must be a minimum of 14 m<sup>2</sup>
  - 2-person bedroom/sitting room/kitchen must be a minimum of 18 m<sup>2</sup>

## **1 or 2-person self-contained flats contained within a HMO**

1. Where the building is an HMO consisting of or including self-contained flats, the bedrooms must meet the minimum sizes of 6.51m<sup>2</sup> for one occupant and 10.22 m<sup>2</sup> for two occupants if used solely for sleeping.
2. Where no separate living space is provided, 10 m<sup>2</sup> for one occupant or 15 m<sup>2</sup> for two occupants.
3. Where the kitchen is included in the room, 14 m<sup>2</sup> for one occupant, 18m<sup>2</sup> for two occupants
4. The kitchen must be fit for purpose (*see pages 13, 14, and 16*)

## **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.

## **Ceiling Height**

For the avoidance of risk from Collision and Entrapment Hazards, any floor space that has a floor-to-ceiling height of less than 1.5m is disregarded for the purpose of measuring the total space in the room. Where the room has a sloping ceiling, at least 50% of the floor area should achieve a floor-to-ceiling height of at least 2.1m.

# 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.

## Telford & Wrekin Council Requirements

To meet the above requirements of adequate size, layout, and fit for purpose, Telford & Wrekin 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.

*A way of complying would be to provide a suitable set of operating instructions aimed at achieving economy in the use of fuel and power in terms that occupants can understand in a durable format that can be kept and referred to over the term of the tenancy. The instructions should be directly related to the particular system installed.*

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.

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

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 1.44m<sup>2</sup> (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.

## Telford & Wrekin Council Requirements

To meet the above requirements of adequate size, layout, and fit for purpose, Telford & Wrekin 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, accessible from within two or more rooms are not permitted as this would compromise fire separation between the rooms. There would also be concerns regarding privacy.

*"A Jack and Jill bathroom is a full-sized bathroom that is sandwiched between two bedrooms and is accessible by both bedrooms. This type of bathroom has at least two doors, like an ensuite bathroom but for two bedrooms rather than just one".*

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	<p>The minimum provision is: -</p> <ul style="list-style-type: none"> <li>➤ 1 bathroom containing toilet, bath or shower and wash hand basin</li> </ul>
5 people	<p>The minimum provision is: -</p> <ul style="list-style-type: none"> <li>➤ 1 bathroom with a bath or shower and 1 separate toilet with wash hand basin. The toilet may be located in a separate bathroom</li> </ul>
6-10 people	<p>The minimum provision is: -</p> <ul style="list-style-type: none"> <li>➤ 2 bathrooms each containing a bath or shower plus</li> <li>➤ 2 toilets with wash hand basins one of which must be in a separate room.</li> </ul>
11-15 people	<p>The minimum provision is: -</p> <ul style="list-style-type: none"> <li>➤ 3 bathrooms each containing a bath or shower plus</li> <li>➤ 3 toilets with wash hand basins one of which must be in a separate room</li> </ul>
Bedrooms with en-suites	<p>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.</p>

# 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.

# **Telford & Wrekin Council Requirements**

To achieve compliance with the above requirements for adequate size, layout and equipment, Telford & Wrekin 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.

## Examples of good and poor kitchen layouts

This layout is not suitable as neither the cooker nor the sink can be practically or safely used.



This layout meets the minimum requirements as there is adequate worktop to both sides of the cooker and suitably located extraction.



The cooker is in an unsafe location due to its proximity to the door.



This cooker location meets the minimum requirements for a suitably sited cooker with sufficient worktop to both sides of it.

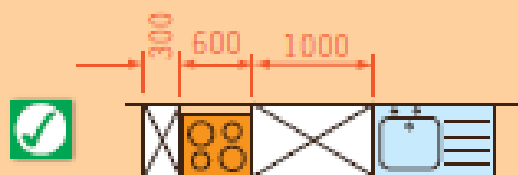


## Examples of good and poor kitchen layouts



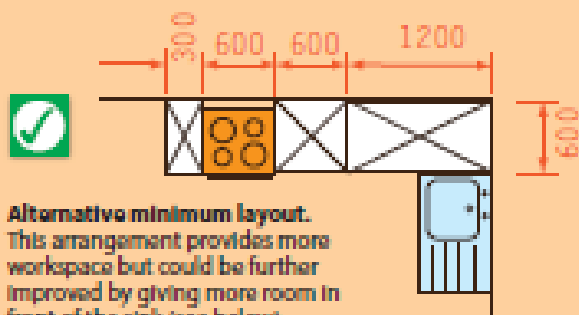
### Good practice

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.

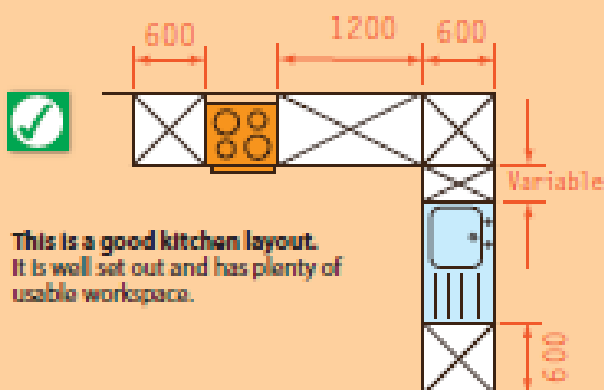


This is the minimum provision for a kitchen. It incorporates worktop on both sides of the cooker and working space both sides of the sink bowl.

Note 300mm is a 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).

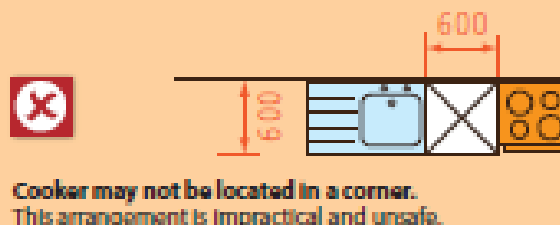


**This is a good kitchen layout.** It is well set out and has plenty of usable workspace.



### 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.



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



**The sink bowl must not be located 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 the 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 7m<sup>2</sup>
- For six to ten residents, kitchens must have a usable floor area of at least 10m<sup>2</sup>
- The width of the kitchen must be at least 1.8m to allow safe movement of occupants

Number of Persons irrespective of age	Minimum provision of kitchen facilities
3–5 people	<p><b>A complete set of kitchen facilities consisting of the following items must be provided for every five persons:</b></p> <ul style="list-style-type: none"> <li>➤ <b>Sink:</b> 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'</li> <li>➤ <b>Cooker:</b> 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.</li> <li>➤ <b>Electrical sockets:</b> At least three double 13amp electrical power points (in addition to those used for fixed appliances, such as washing machines.</li> <li>➤ <b>Worktop:</b> A kitchen worktop that is level, secure and impervious. The minimum dimensions are 1000mm length and 600mm width.</li> <li>➤ <b>Storage:</b> 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.</li> <li>➤ <b>Fridge/Freezer:</b> 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.</li> <li>➤ <b>Refuse disposal:</b> A durable and easily cleansable waste bin of at least 50 L capacity must be provided.</li> </ul>



	<ul style="list-style-type: none"> <li>➤ <b>Ventilation:</b> 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</li> <li>➤ <b>Fire precautions:</b> see fire safety section</li> </ul>
<b>6–7 people</b>	<p>Two complete sets of kitchen facilities as above with a 1500mm x 600mm work surface. However,</p> <ul style="list-style-type: none"> <li>➤ a combination microwave (min 32 litre capacity) is acceptable in place of a second cooker</li> <li>➤ a dishwasher is acceptable in place of a second sink (e.g. slimline will suffice)</li> </ul>
<b>8 –10 people</b>	<ul style="list-style-type: none"> <li>➤ Two complete sets of kitchen facilities as above with a 2000mm x 600mm work surface.</li> </ul>
<b>11 or more people</b>	<ul style="list-style-type: none"> <li>➤ 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.</li> </ul>
<p>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.

### Telford & Wrekin Council Requirements

To achieve compliance with the above requirements for adequate size, layout and equipment, Telford & Wrekin 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

## Fire Protection Requirements

Telford & Wrekin Council will assess the suitability of means of escape and other fire precautions by means of the Housing Health & Safety Rating System (HHSRS); but will, in particular, take into account national guidance on fire safety standards issued by DLUHC, CIEH and such other guidance as it judges appropriate.

For guidance purpose only refer to the LACORS fire safety on the link below:

[guidance-on-fire-safety-provisions-for-certain-types-of-existing-housing.pdf \(cieh.org\)](#)

Requirements will vary according to assessed risk. Matters taken into account will include: the size of the property; number of storeys; layout; number of occupants; type of accommodation, and any particular characteristics applying to the intended tenant group. Assessed risk may vary if occupation changes.

## Generic Fire Precautions/Requirements

An inadequate number of power points or their unsuitable location can result in increased fire risk as a result of overloading or the use of inappropriate or unsuitable extension leads. As a minimum the Council would specify **three** double sockets suitably located in each letting unit. The Council will assess the adequacy of power-points on the basis of the guidance provided by the most recent edition of the IEE Wiring Regulations.

For further information on fire safety requirements in HMOs then please contact the Private Sector Housing Team. Their email address is: [PrivateSectorHousing@telford.gov.uk](mailto:PrivateSectorHousing@telford.gov.uk).

## 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 online at:

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

## Fire precaution requirements

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.

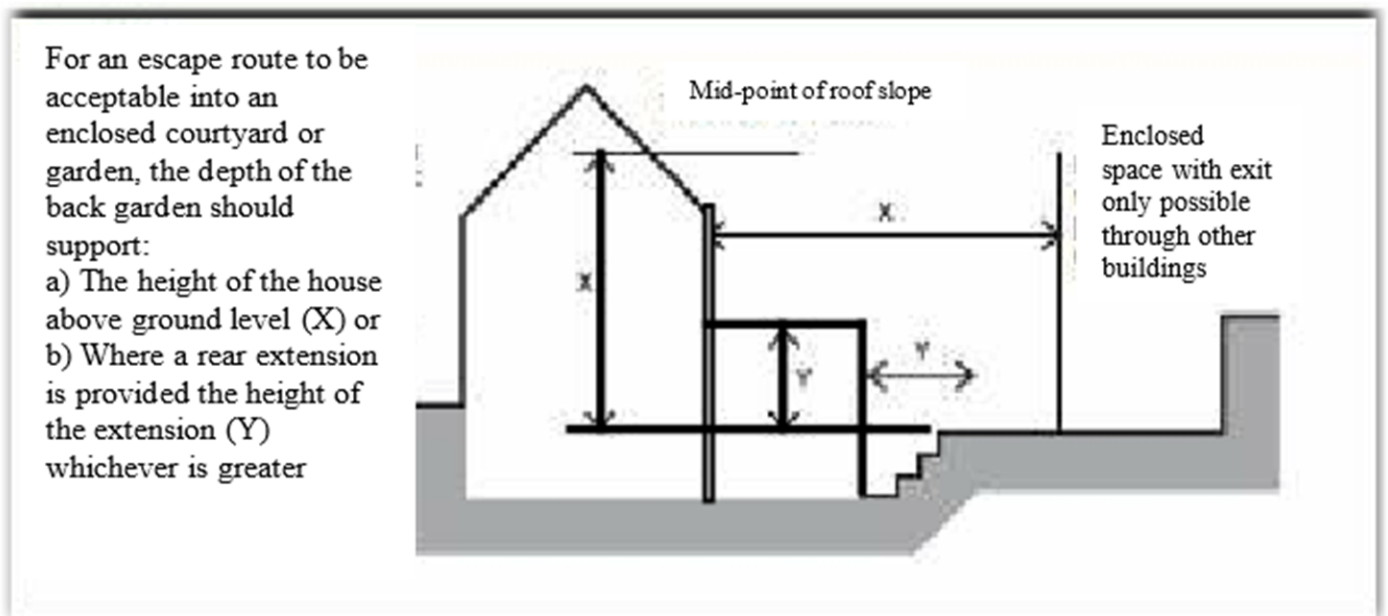
## Fire blankets

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.

## Inner Rooms

Wherever 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 m<sup>2</sup> and at least 450mm high and 450mm wide (the route through the window may be at an angle rather than straight 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 diagram above.

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, as detailed above.

**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 1/10<sup>th</sup> 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 1/20<sup>th</sup> 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 night time, 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**

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

# Attic Rooms

Attic rooms require additional 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

For the avoidance of risk from Collision and Entrapment Hazard, any floor space that has a ceiling height of less than 1.5m is disregarded for the purpose of measuring the total space in the room. Where the room has a sloping ceiling, at least 50% of the floor area should achieve a floor-to-ceiling height of at least 2.1m”

## Windows

As with other rooms, the window(s) must be not less than 1/10<sup>th</sup> of the floor area of the room and an opening portion of at least 1/20<sup>th</sup> of the floor area to allow both adequate lighting and adequate natural ventilation.

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 work surface, 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. The gas and electricity should be in the control of the occupant.

## 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 on Ofgem website 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](http://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 Management Regulations. Telford & Wrekin 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, however, the most common are as follows:

### 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.

#### ***Preventive measures and the ideal***

*There should be within the HMO space for a washing machine with an appropriate power socket adjacent. There should also be clothes drying facilities, preferably both outside and internally. Internal provision can consist of a cabinet with a means of heating at low level. Alternatively, there should be space for the installation of a clothes drier with a connection for the vent outlet and an appropriate power socket adjacent.*

### 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.

## **Planning**

### **Legal requirement**

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.

Planning permission controls the number of HMOs in a defined area. Further information may be obtained from planning department.

Planning permission may need to be obtained before the property is occupied as an HMO. Planning permission stays with the property. Once obtained, there is no requirement to reapply for planning permission unless the house falls back into C3 (family) use or the permission was not enacted within the timeframe given.

HMO Licensing is to ensure the property meets minimum standards and is not over-crowded and the property is well managed. A licence is granted to a named person for a specific period of time and must be renewed on expiry.

Grant of one does not give tacit consent for the other.

For further information contact Planning Enquiries at

By telephone at **01952 380380**

By e mail at **[planning.control@telford.gov.uk](mailto:planning.control@telford.gov.uk)**

Online at **<https://www.telford.gov.uk/info/20170/planning>**



# Building Control

The Building Act 1984 and associated regulations, require 'building work' to be in accordance with the Building Regulations.

You must check if you need approval before you construct or change buildings in certain ways. The owner of the building will be at fault if approval has not been given and may be served with an enforcement notice for non-compliance.

Generally if you are planning to carry out 'building work' as defined in regulation 3 of the building regulations, then it must comply with the building regulations.

For further information contact Telford & Wrekin Council Building Control:

By email [\*\*building.control@telford.gov.uk\*\*](mailto:building.control@telford.gov.uk)

By telephone: **01952 384555**

Online at [\*\*https://www.telford.gov.uk/info/20171/building\\_control\*\*](https://www.telford.gov.uk/info/20171/building_control)

# 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. These Regulations also require landlords to make arrangements for the disposal and storage of waste, as necessary, to comply with the service provided by the local authority.

The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 SI 373 require 'appropriate refuse disposal facilities' for HMOs.

The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018 require licences under Part 2 must include conditions requiring the licence holder to comply with any scheme which is provided by the local housing authority to the licence holder and which relates to the storage and disposal of household waste at the HMO pending collection.

For further information contact waste and recycling at:-

**Online at:**                **[https://www.telford.gov.uk/info/1003/bins\\_and\\_recycling](https://www.telford.gov.uk/info/1003/bins_and_recycling)**

**Email:**                    **[recyclefortelford@telford.gov.uk](mailto:recyclefortelford@telford.gov.uk)**

**Telephone:**            **01952 384384**

# 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
4. Submit the application form and all required documentation

Documents should be submitted in PDF format and photographs placed in a word document and then sent as PDF document.

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 issues 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. It should be noted, once issued the licence is not transferable.

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.

Renewals received after licence expiry will be rejected and you will be required to submit a full new application and pay a higher fee.

Other information on the HMO Licensing process, standards and which houses require a licence can be found on the Telford & Wrekin Council website: <https://www.telford.gov.uk/site/>