

Guide to Amenity Standards applicable to Houses in Multiple Occupation that require a Licence

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Further related guides are available:

1. A Guide to HMO Licensing in Reading

This can be obtained from: www.reading.gov.uk/hmo

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Introduction

This document provides proposed licence holders and their managers with a guide to implementing the standards required under mandatory HMO licensing.

The document sets out the information so that it is clear which part of the Housing Act 2004, or the regulations made under it, the standards are designed to achieve. It tells the reader the physical location the standard applies to, the steps that can be taken to achieve it, and where appropriate gives recommendations of good practice.

This document forms part of our Policy for Housing Standards Regulation including Houses in Multiple Occupation, which states that any standards that the Council adopts should be:

- Related to its overall policy aims
- Directly related to the needs of the HMO occupants
- Practicable to achieve
- Enforceable (relevant legal powers or the opportunity to achieve the standard)

Mandatory licensable properties have a set of national *minimum* standards relating to:

- Sanitary conveniences (toilets);
- Personal washing facilities; and
- Bedroom sizes.

These are prescriptive standards and in licensable properties the Council must apply these when setting the number of occupants permitted in the house.

Where the Government has not prescribed standards, the Council must still consider other facilities in the house. Accordingly, the Council has locally adopted guidance relating to other amenities to promote consistency across licensed properties. The Council considers the locally adopted guidance as providing a baseline that ensures that HMO occupiers have safe and convenient access to facilities within in their home.

The Council will normally expect amenities in the property to meet the guidance set out in this document. The Council will consider representations from applicants to deviate from this guidance, but it is the responsibility of the applicant to demonstrate any alternative proposal will be satisfactory.

Officers will have regard to the guidance in this document when considering those amenities not prescribed by law and in assessing hazards at the property. National standards and local guidance are clearly marked as such in the following pages.

Where the property is an HMO that does not require a licence, all sections of the standards can be taken as guidance and the Council will have regard to these.

If further national guidance or prescriptive standards are published, or areas of law clarified, then the Council will have no option but to reissue this guidance.

For all licensable properties, the following shall be taken into account:

- All properties shall be free of Category 1 hazards, as determined using the Housing Health and Safety Rating System (HHSRS). A category 1 hazard is one which the Council has a duty to ensure that the proposed licence holder removes.
- Where the installation of additional amenities are required as a condition of the licence (in particular bathrooms), licence holders must be aware of the minimum room sizes, to ensure that the installation of the bathroom or other amenity does not result in another room becoming too small to use.
- Planning Permission or Building Regulations approval may be required; in particular, building works and the installation of bathrooms and other facilities requiring drainage will require building regulation approval. Your attention is also drawn to the existence of an Article 4 direction area in Reading, which removes some permitted development rights relating to conversion to small HMOs.
- The granting of a HMO licence or compliance with the HMO standards in this guide does not mean that planning permission or building regulations approval will be granted. Planning Control and Building Control enforce these requirements under separate legislation.

Miscellaneous recommended facilities

A number of facilities are recommended, where appropriate:

- (i) clothes washing facilities
- (ii) clothes drying facilities (to help reduce the likelihood of condensation)
- (iii) children's play facilities (where appropriate)
- (iv) cycle storage on site
- (v) communal amenity space with direct access from all units
- (vi) noise attenuation measures

- (vii) access for people with disabilities
- (viii) common living room (2 square metres per person sharing the use of the room)
- (ix) storage space for personal possessions, including prams and pushchairs (where appropriate).

The above are recommendations and will not routinely form a part of licence conditions.

Heating

Description of legislation	
The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006. Regulation 8 and Schedule 3 (1)	
Item standard applied to:	National prescribed standard (unless indicated otherwise)
Individual Bedrooms and bedsits, all shower rooms and bathrooms	Each bedroom or bedsit within the HMO shall be equipped with an adequate means of space heating
	<p>Locally agreed guidance</p> <p>The Council believes this can be achieved by complying with the following:</p> <ul style="list-style-type: none"> • The heating appliance is capable of maintaining an internal temperature of 19 °C when the outside temperature is -1 °C; • The heating appliance is controllable by the occupier, either directly or by the use of features such as thermostatic radiator valves. <p>Heating appliances should be permanently fixed (not portable) to reduce the risk of fire. Adverse health effects are known to begin once the internal temperature falls below 19 °C. It is important that occupiers have control of temperature in their individual rooms.</p> <p>The Council's locally agreed standard requires that each shower room or bathroom requires a suitable fixed heating appliance capable of maintaining the room at a temperature of 19 °C when the outside temperature is -1 °C, unless deemed unnecessary upon inspection. As a guide, bathrooms with external walls should have heating.</p> <p>The reason for the above is to reduce the likelihood of localised spots of excessively hot or cold conditions in the building that may cause harm to health and also to help reduce damage due to condensation.</p> <p>When selecting heating arrangements, applicants are advised to take into account any existing insulation arrangements.</p>

Personal Washing Facilities and WC's

Description of legislation	
The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006. Regulation 8 and Schedule 3 (2), as amended by the Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007	
Applicable to:	National prescribed standard
Wash hand basins, baths, showers and WC's	<p>Where occupiers are sharing bathing and toilet facilities, there must be:</p> <ul style="list-style-type: none"> • an adequate number of baths/showers, toilets and wash-hand basins suitable for personal washing for the number of persons sharing these facilities; and • where reasonably practicable there must be a wash hand basin with appropriate splashback in each occupiers living accommodation.
	<p>Locally agreed guidance</p> <p>The following guidance has been agreed to promote a reasonable standard of bathroom and toilet amenities within properties, so that occupiers are able to access these facilities without unnecessary delay.</p> <p>For 1-4 persons using communal facilities, there must be:</p> <ul style="list-style-type: none"> • at least one bathroom containing either a fixed bath or shower; and • one toilet. <p>The toilet may be contained within the bathroom. Alternatively, it may be contained in a separate compartment with its own wash hand basin.</p> <p>For 5 people using communal facilities, there must be:</p> <ul style="list-style-type: none"> • at least one bathroom containing either a fixed bath or shower; and • a toilet in a separate compartment with a wash hand basin (this toilet may be contained within a second bathroom) <p>6-10 persons using communal facilities, there must be:</p> <ul style="list-style-type: none"> • at least two bathrooms containing either a fixed bath or shower; and • two separate toilets in rooms containing wash hand basins (one of the toilets may be contained in one of the bathrooms).

	<p>11-15 persons using communal facilities, there must be</p> <ul style="list-style-type: none"> • at least three bathrooms containing either a fixed bath or shower; and • three separate toilets in rooms containing wash hand basins (two of these toilets may be contained within two of the bathrooms). <p>Wash hand basins</p> <p>If reasonably practicable, each bedroom or bedsit within the HMO must contain a wash hand basin (unless there is a sink). The Council will assess this based on ease of installation and cost.</p> <p>As an alternative to wash hand basins in each room, the Council considers the following to be acceptable:</p> <ul style="list-style-type: none"> • 1-4 occupiers - the bathroom should contain a wash hand basin • 5-10 occupiers - at least one bathroom should contain a wash hand basin • 11-15 occupiers - at least two of the bathrooms should contain a wash hand basin <p>For the avoidance of doubt, any room containing a toilet must also contain a wash hand basin.</p> <p>Facilities</p> <ul style="list-style-type: none"> • A bath must be of minimum dimensions 1700 mm x 760 mm or a shower of minimum dimensions 800 mm x 800 mm. • A two course tiled splash back is to be provided to baths and wash hand basins. Any shower cubicles provided should have fully tiled walls or be self-standing cubicles. The hot and cold water should be adequate and available at all times. • Baths, showers and toilets shall not be provided in rooms containing facilities for the storage, preparation and cooking of food. • These facilities shall be not more than two floors distant from any user and should provide enough space to change and dry. • The walls and floor of any bathroom or shower room should be reasonably smooth and non-absorbent and capable of being readily cleaned. • A suitably located extractor fan or an openable window (opening to outside) must be present.
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Personal Washing Facilities and WC's: alternative to shared facilities

Description of legislation	
The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006. Regulation 8 and Schedule 3 (2) and as amended	
Item standard applied to:	Locally adopted guidance
Wash hand basins, baths, showers and WC's	<p>In cases where an occupier has exclusive access to their own toilet, wash hand basin and shower/bath within their own unit of accommodation, they will not count towards the number of people using the communal bathing and toilet amenities. The following provides a guide for the facilities required:</p> <ul style="list-style-type: none"> • Each toilet shall have a wash hand basin within the same compartment, to be supplied with constant hot and cold water supplies and a splashback. • Bath or shower rooms should provide enough space for the facilities and for safe changing and drying. The flooring around the shower/bath must be both slip- and water-resistant. • Baths, showers and toilets shall not be provided in rooms containing facilities for the storage, preparation and cooking of food. • A suitably located extractor fan or an openable window (opening to outside) must be present. • A bath must be of minimum dimensions 1700 mm x 760 mm or a shower of minimum dimensions 800 mm x 800 mm • A two course tiled splash back is to be provided to any bath. Any shower cubicle should have fully tiled walls or be self-standing cubicles. The hot and cold water should be adequate and available at all times. • The walls and floor of any bathroom or shower room should be reasonably smooth and non-absorbent and capable of being readily cleaned. • A suitably located extractor fan or an openable window (opening to outside) must be present. • It is not acceptable to have an unscreened bath or shower in a bedroom.

Facilities for the storage, preparation and cooking of food in shared kitchens

Description of legislation	
The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006. Regulation 8 and Schedule 3 (3)	
Applicable to:	Locally adopted guidance
Shared kitchens	<p>The following guidance has been adopted to promote the provision of shared kitchens in which occupiers can safely move around and prepare food, and also are reasonably conveniently located within the building:</p> <ul style="list-style-type: none"> • The kitchen should have a reasonable layout and not be less than 7 square metres in floor area. Parts of floor area that are deemed unsuitable for reasons of poor layout or safety will be subtracted from the total. • For the convenience of occupiers and to reduce the likelihood of accidents while moving hot food through the building, no occupier's living accommodation should normally be more than two floors distant from any shared kitchen, unless the living accommodation has its own food preparation amenities. • A sink on base unit supplied with an integral drainer; constant hot and cold water, trapped drainage and tiled splashback shall be provided for every six persons sharing the kitchen. To avoid cross-contamination of food, a wash hand basin shall not be used in place of a sink. The use of supplementary dish washers of adequate size will be considered, but there should be a minimum of at least one sink per shared kitchen • A cooking appliance with four rings or burners, oven and grill (or equivalent) shall be provided in a ratio of one for every three persons using the facilities. Where 3-6 occupants are using the kitchen, it is acceptable to provide a suitably sized combination microwave oven (to include grill/convection cooking option), rather than the second cooker. It is not acceptable to provide a microwave as the only appliance for cooking. • Two 13 amp electric sockets, in addition to any serving major appliances set at a convenient height and safe position should be provided for every six persons sharing the kitchen. • A fixed worktop of impervious material, minimum dimensions of available worktop space 50 cm x 200 cm should be provided for food preparation in every six persons sharing the kitchen; • A food storage cupboard (minimum capacity 0.16 cubic metres) per

	<p>person and a refrigerator (minimum capacity 0.15 cubic metres (150 litres)) with an adequate freezer compartment (or, where the freezer compartment is not adequate, adequate separate freezers) for every three persons using the facilities.</p> <p>In addition a shared kitchen must contain:</p> <ul style="list-style-type: none">• a suitably located extractor fan or an openable window to the outside, to reduce the likelihood of damp;• appropriate refuse disposal facilities;• a fire blanket;• there shall be a suitable fire door between shared kitchens and the means of escape from the building.
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Facilities for the storage, preparation and cooking of food alternative means to comply - individual kitchens

Description of legislation	
The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006. Regulation 8 and Schedule 3 (3), Schedule 3 (4)	
Item standard applied to:	Locally adopted guidance
Kitchens within occupiers' own living accommodation	<p>Occupiers with suitable kitchen amenities in their own living accommodation do not count towards the requirements for kitchen amenities in any shared kitchens. In such cases, the number of amenities in any shared kitchen may be reduced in line with the guidelines outlined for shared kitchens elsewhere in this document.</p> <p>The following local guidance has been adopted as achieving a reasonable provision of kitchen amenities within individual bedrooms or bedsits.</p> <ul style="list-style-type: none"> • The layout of the kitchen and the living accommodation in which it is located should enable occupiers to safely move about and prepare food and also allow good separation between kitchen and living areas within the room. The overall floor area of the living accommodation should also reach the minimums specified elsewhere in this document. Parts of floor area that are deemed unsuitable for reasons of poor layout or safety will be subtracted from the total and the use of the room may ultimately be considered unacceptable. • The following minimum cooking facilities should be provided: <ul style="list-style-type: none"> ➤ One occupier - a hob with a minimum of two rings or burners; ➤ Two occupiers - a hob with a minimum of four rings or burners; ➤ The hob must be located so it is next to a work surface and so the rings or burners match the height of the adjacent work surfaces; ➤ The hob must be fixed securely in position. • An adequately sized oven/grill OR a combination microwave that includes a grill/convection option; • A sink on base unit supplied with constant hot and cold water, trapped drainage and tiled splashback; (a wash hand basin is not acceptable in place of a sink due to the risk of cross-contamination); • a fixed worktop of impervious material, minimum dimensions of

	<p>available worktop space 50 cm x 100 cm available for food preparation;</p> <ul style="list-style-type: none">• two 13 amp electric sockets, in addition to any serving major appliances set at a convenient height and safe position• a food storage cupboard (minimum capacity 0.16 cubic metres) and a refrigerator (minimum capacity 0.15 cubic metres (150 litres))• fire blanket (further information is available in the fire safety guide)
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Space standards

Description of legislation	
The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018, regulation 2	
Item standard applied to:	National minimum standard
Sleeping accommodation	<p>The following minimum floor areas shall apply:</p> <ul style="list-style-type: none"> • 4.64 square metres for one person aged under 10 years • 6.51 square metres for one person aged 10 years or over; • 10.5 square metres for two persons aged 10 years or over <p>In line with the requirements of the national minimum room size standard, the Council shall apply the following:</p> <ul style="list-style-type: none"> • any floor area where the ceiling height is less than 1.5 metres shall be disregarded; • the area taken by fixed fittings such as built in cupboards <i>within</i> the room shall be included in the floor area; • understair cupboards accessed from within a sleeping room where the ceiling height is at least 1.5 metres shall be included in the floor area.
	<p>Locally adopted guidance</p> <p>For rooms with cooking facilities within the room, the following minimum room sizes shall apply:</p> <ul style="list-style-type: none"> • 10.5 square metres (if occupied by one person) • 14.5 square metres (if occupied by two people) <p><i>Room sizes for bedrooms to be used to house more than two occupants will be determined on a case-by-case basis. All occupants, including children, are included for these standards.</i></p>

Temporary, emergency accommodation HMOs

For Licensable HMOs accepted as providing temporary, B&B accommodation, the following room size standards apply:

Floor Area of Sleeping Room	Maximum Permitted Number of Persons
4.64 m ² - 6.5 m ²	0.5
6.51 m ² - 10.21 m ²	1
10.22 m ² - 14.9 m ²	2
14.9 m ² - 19.6 m ²	3
19.6 m ² - 24.2 m ²	4
>24.2 m ²	5

In this type of accommodation only, and only for the purpose of calculating maximum occupancy of individual rooms:

Children between 0 -10 years = 0.5 persons

Children over 10 years = 1 person Adult = 1 person

Appendix 1: Mandatory Licensable Houses in Multiple Occupation

A House in Multiple Occupation (HMO) is a house, or a flat, that is:

- occupied by 3 or more tenants forming 2 or more households* who share - or the building lacks - a basic amenity such as cooking facilities, bathroom or toilet;
- occupied by more than one household (as above) and is a converted building but is not entirely self-contained flats (whether or not some amenities are shared or lacking);
- converted into self-contained flats, but does not meet the requirements of the 1991 Building Regulations, and at least 1/3 of the flats are occupied under short tenancies.

And is 'occupied' by more than one household*:

- as their only or main residence; or,
- as a refuge by persons escaping domestic violence; or,
- during term time by students; or,
- for some other purpose that is prescribed in regulations.

*A household is defined as a family (this includes single persons and couples) and their relatives, foster children and any domestic staff.

From 1st October 2018 mandatory licensing applies to HMOs that:

- have 5 or more occupants.