

ADVISORY STANDARDS FOR HOUSES IN MULTIPLE OCCUPATION

Epsom & Ewell Borough Council

Epsom and Ewell Amenity Standards

Epsom and Ewell Amenity Standards were previously amended and adopted in 2005. These revised Standards include the new National Minimum Standard. Where the national standard requires further amplification, this has been provided and where no national standard exists, the Epsom and Ewell standard has been applied. Also included are the explanation of parts of the National Minimum Standard as supplied by the Office of the Deputy Prime Minister (ODPM).

The Housing Act 2004 has also introduced mandatory licensing of Houses in Multiple Occupation (HMO's) from 6 April 2006, with two or more households, comprising five or more occupants in properties that are three storeys or over.

It is impracticable to anticipate every type, layout and construction detail on the HMO theme, unless it is a national minimum standard, it is not intended to rigidly apply standards where viable alternatives are proposed by the person having control of the property.

The 'Fitness Standard' was replaced on 6 April 2006 by the Housing Health and Safety Hazard Rating System, which aims to ensure that dwellings present a minimal risk to the health and safety of all occupants and visitors to the property. These standards are designed to help meet this ideal and should be applied irrespective of the age of the current occupants.

This document should be read in conjunction with the [LACORS Housing Fire Safety Guidance](#).

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1 Heating

1.1 Each unit of living accommodation in an HMO must be equipped with adequate means of space heating.

1.1.1 Heating should be provided in every habitable room and bathroom which is capable of maintaining a 20 degrees Celsius (°C) temperature difference with the external air when the outside temperature is -1°C. (The provision of insulation can assist in meeting this standard).

1.1.2 Such heating provision must be capable of being used at any time.

1.1.3 Heating may be by means of:

- (a) Central heating, OR
- (b) Solid fuel in the form of an authorised smokeless fuel or alternatively solid fuel burnt in a smokeless appliance. If solid fuel is used proper fuel storage facilities shall be provided outside the building in a readily accessible position for each unit of accommodation, OR
- (c) Gas heaters connected to a suitable flue and terminal outlet, OR
- (d) Oil heaters connected to a suitable flue and terminal outlet, OR
- (e) Electricity – if electricity is to be used to heat a room, an electric point shall be provided for that exclusive purpose. Individual heaters (except oil filled radiators) must be a fixed installation.

1.1.4 Except for central heating, wherever practicable heaters shall be fixed to an existing chimney breast or otherwise be positioned so as to direct heat towards the centre of the room.

1.1.5 The use of portable paraffin or oil fired heaters and liquefied petroleum gas heaters (LPG) (bottled gas heaters) shall not be acceptable under any circumstances, whether provided by the landlord or the tenant.

1.1.6 Installations in the house for space heating shall be maintained in good repair and proper working order and serviced annually by a competent person.

2 Washing facilities

2.1 Where all or some of the units of living accommodation in an HMO do not contain bathing and toilet facilities for the exclusive use of each individual household:

- (a) where there are four or fewer occupiers sharing those facilities there must be at least one bathroom with a fixed bath or shower and a toilet (which may be situated in the bathroom);
- (b) where there are five or more occupiers sharing those facilities there must be:
 - (i) one separate toilet with wash hand basin with appropriate splash back for every five sharing occupiers; and
 - (ii) at least one bathroom (which may contain a toilet) with a fixed bath or shower for every five sharing occupiers;
 - (iii) Each separate occupancy shall be provide with a wash hand basin, with appropriate splashback, together with constant supplies of hot and cold running water sited within the unit of accommodation within a period of time to be determined by the Local Authority.

Note: the ratio of toilets and wash hand basin to number the of occupants may be reduced in properties where the addition of these facilities is not practicable.

2.1.1 The splash-back to a wash hand basin or bath shall be a minimum of 300mm high and extend to at least equal to the width of the wash hand basis and all joints shall be adequately sealed.

2.1.2 In the case of a shower whether in its own compartment or over a bath, the splash-back shall be 150mm above the height of the shower head and up to the edge of a fixed shower screen. Where a shower curtain is used the splash-back should extend 300mm beyond the shower curtain. All joints shall be adequately sealed.

2.3 *All baths, showers and wash hand basins in an HMO must be equipped with taps providing an adequate supply of cold and constant hot water.*

a) Hot water may be provided by any of the following methods:

- (a) Piped from storage to boiler
- (b) Immersion Heater
- (c) Fixed gas appliance, e.g. multipoint
- (d) Instantaneous heaters (only to wash hand basins and electric showers) having a minimum rating of 6KW.

2.4 *All bathrooms in an HMO must be suitably and adequately heated and ventilated.*

- a) Heating provisions are detailed in paragraphs 1.1.1 to 1.1.6 above and the ventilation provisions are detailed in paragraphs 8.1 to 8.4 below.

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

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

2.7 All bathrooms and toilets in an HMO must be suitably located in or in relation to the living accommodation in the HMO

- a) Suitably located bathrooms mean that there shall be bathroom facilities not more than one floor distant in relation to the sleeping accommodation.
- b) Suitably located watercloset facilities shall be not more than one floor distant from living and sleeping accommodation.
- c) The walls and floor of any bathroom, shower room and WC should be reasonably smooth and non-absorbent and capable of being readily cleansed.
- d) The house shall be provided with an effective system, both above and below ground for the drainage of foul, waste and surface water.

3 Kitchens

3.1 Where all or some of the units of accommodation within the HMO do not contain any facilities for the cooking of food.

- (a) there must be 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;
- (b) 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;

Sinks shall be at the ratio of one sink for 5 persons. Where a house is occupied by 6 persons, the provision of a double bowled sink, or a dishwasher (in addition to a sink) may be treated as meeting this standard where the Council considers that such provisions adequately meet the occupier's needs.

A suitable splash-back, 300mm high should be provided to the sink and draining board, and all joints shall be adequately sealed.

(ii) *an adequate supply of cold and constant hot water to each sink supplied;*

Hot water may be provided by any of the following methods:

- (a) piped from storage and boiler
- (b) immersion heater
- (c) fixed gas appliance, e.g. multipoint
- (d) 3KW heater with a 10 litre storage reservoir.

(iii) *installations or equipment for the cooking of food;*

Kitchens shall be equipped with cookers with a minimum of 4 rings, a standard sized oven and a grill. They shall be usually provided at a ratio of one per 5 persons sharing the kitchen. Where an HMO is occupied by 6 persons the provision of a cooker with more than 4 rings and more than one oven, or, a combination microwave oven (in addition to a cooker with 4 rings, an oven and a grill) may be treated as meeting this standard where the Council considers such provision adequately meets the occupiers needs.

(iv) *electrical sockets;*

In addition to sockets provided for appliances required by these standards, a minimum of 4 sockets should be provided and located in a safe position. These should be at a ratio of one double socket for every two persons or part of two persons using the kitchen to be sited above worktop height.

(v) *worktops for the preparation of food;*

Worktops shall be a minimum of 500mm depth and a length of 0.5m plus 0.5m per person, in addition to any work surface taken by an appliance, sink unit or cooker required to satisfy the standards set out at paragraphs 3.1(b)(i) and (iii) above.

A suitable splash-back, 300mm high should be provided to any work surface that abuts a wall and all joints shall be adequately sealed.

(vi) *cupboards for the storage of food or kitchen and cooking utensils*

Food cupboard shall be a minimum of one 500mm wide base unit or wall cupboards per person. The space in a sink unit below the sink will not be acceptable.

- (vii) refrigerators with an adequate freezer compartment (or, where the freezer compartment is not adequate, adequate separate freezers);**

Fridge space shall be a minimum one cubic foot of space per person in addition to the freezer compartment.

- (viii) appropriate refuse disposal facilities; and**

- (ix) appropriate extractor fans, fire blankets and fire doors.**

3.2 Where the landlord provides some catering services and additional services are required to comply with the food hygiene regulations the landlord must provide these services. Where all meals are provided by the landlord some self-catering facilities will need to be provided. The Council will consider the circumstances of the case and decide what self-catering services are required to adequately meet the occupier's needs.

4 Units of living accommodation without shared basic amenities

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

- (a) adequate appliances and equipment for the cooking of food;**

The minimum requirement is two rings/hot plates together with a minimum of 1 cu ft (28 litres) oven and a grill. For occupancies of two persons the minimum requirements is three rings/hot plates together with a full sized oven and grill. For occupancies of three or more persons a full size cooker is required.

- (b) a sink with an adequate supply of cold and constant hot water;**

A suitable splash-back, 300mm high should be provided to the sink and draining board, and all joints shall be adequately sealed.

- (c) a work top for the preparation of food;**

A suitable work surface a minimum 0.5m (1'8") deep and a length of 0.5m plus 0.5m per person using the facility shall be provided. A table in the kitchen area of suitable size and type may be considered an acceptable alternative for half of the requirement.

A suitable splash-back, 300mm high should be provided where any work surface abuts a wall and all joints shall be adequately sealed.

- (d) sufficient electrical sockets;**

A minimum of 2 socket outlets shall be located above the work surface for the use of portable appliances in addition to any sockets

required by these standards, situated in convenient positions for the appliances.

**(e) a cupboard for the storage of kitchen utensils and crockery;
and**

(f) a refrigerator;

Fridge space shall be a minimum of 1 cu ft (28 litres) of space per person plus a freezer compartment.

The fridge shall be capable of maintaining an internal temperature of 5°C.

Cupboards for the storage of food shall be required a minimum of one 500mm wide base unit or wall cupboard per person. The space located below the sink should not be treated as a food cupboard for the purpose of this standard.

4.2 Where there are no adequate shared washing facilities for a unit of living accommodation as mentioned in paragraph 2, an enclosed and adequately laid out and ventilated room with a toilet and bath or fixed shower supplying adequate cold and constant hot water must be provided for the exclusive use of the occupiers of that unit either:

(a) within the living accommodation; or

(b) within reasonable proximity to the living accommodation;

In paragraph 4.2(b) reasonable proximity to the living accommodation shall mean no more than one floor away from the living accommodation.

5 Fire precautionary facilities

Fire safety within the home and rented accommodation is an extremely important issue, especially in mixed use premises and where unrelated occupiers, who live independently from one another, share common areas of the same building.

These circumstances are covered by both the Housing Act 2004 and the Regulatory Reform (Fire Safety) Order 2005 (RRO).

Under the RRO the responsible person must carry out a [fire risk assessment](#) which covers the parts of the premises that are used in common by the occupants.

Advice on fire safety provisions for different types of existing housing is now contained in the Local Authority Coordinators of Regulatory Services (LACORS) guidance.

A copy of the document can be found at,
www.lacors.gov.uk/lacors/NewsArticleDetails.aspx?id=19844

In using this guidance it offers advice and assistance to enforcing officers, landlords, managing agents and tenants, amongst others, on ways to make residential buildings safe from fire, regardless of which piece of legislation is relevant.

We would encourage you to read this guidance to ensure that you are aware of your responsibilities and carry out a fire risk assessment whether your property requires licensing or not.

To make sure your property has adequate and appropriate fire safety measures in place, including providing adequate means of escape and warning in the event of fire, will protect yourself and those you have legal responsibilities toward.

- 5.1 Appropriate fire precaution facilities and equipment must be provided of such type, number and location as is considered necessary.
- 5.2 All means of escape from fire in the house (including any escape apparatus such as alarms, notices, extinguishers etc) must be maintained in proper repair and good working order and kept free from obstruction at all times.
- 5.3 The following standards apply to three categories of three storey HMO:
 - (a) small shared houses occupied by 5 or 6 persons;
 - (b) large shared houses occupied by 7 to 10 persons;
 - (c) bedsitting accommodation.
- 5.4 Different minimum standards will apply to different types of HMO and the following table shows the requirements for three categories mentioned in 5.3.

A ✓ (tick) indicates that the item is required as follows:

	5-6 bedroom shared accommodation	7-10 bedroom shared accommodation	Bedsitting accommodation
30 Minute Fire Doors			
Fire door on any kitchen or any room containing cooking facilities, fitted with hydraulic self-closer and intumescent strips, excluding doors with units of accommodation.	✓	✓	✓
Fire door, fitted with hydraulic self-closer and intumescent strips, between every unit of accommodation and the common staircase, hall and landing.	✓	✓	✓

	5-6 bedroom shared accommodation	7-10 bedroom shared accommodation	Bedsitting accommodation
Fire Blankets Fire blanket close to cooker, a minimum 1.1m ² (16 sq ft) to BS 6575.	✓	✓	✓
Smoke / Heat Alarm 240 volt smoke alarm system to BS 5446 Part 1, interlinked to cover all stairs, halls and landings and communal living rooms and cellars.	✓	✓	
Additional compatible smoke alarms covering all bedrooms not required above.		✓	
Additional smoke alarms with sounders, or sounders only, in bedrooms fitted with a fire door.	✓		
60°C heat alarm in a kitchen or in any room containing cooking facilities compatible to and linked to the smoke alarm system in the house.	✓	✓	
Automatic Fire Detection to BS 5839 Part 1, L2 with heat and smoke detection as required for the whole house.			✓
Emergency Lighting Emergency lighting to BS 5266 Part 1 to cover all common stairs, hall and landings.			✓

6 *Natural lighting*

- 6.1 All habitable rooms should be provided with adequate natural lighting. Each room shall have an area of clear glazing in a window and/or door equivalent in total area to at least 1/10th of the floor area of that room. The window shall be so positioned that the light from the window is able to illuminate most of the room.
- 6.2 All kitchens, bathrooms and watercloset compartments shall ideally comply with Item 6.1 above. All glazing to windows in bathrooms and watercloset compartments to be obscure. Where it is not practicable to provide natural light, adequate artificial lighting shall be provided.

7 *Artificial lighting*

- 7.1 All rooms, passageways, staircases and cellars in use shall be adequately lit with suitable switching, including two way switching to stairs and passageways etc, as necessary.
- 7.2.1 Time switches to common parts are not acceptable under Housing Health & Safety Rating system.
- 7.2.2 Lighting provided in shower rooms must comply with the current Building Regulations and the current edition of BS7671 and be checked and certified by a person who is registered under the competent person scheme.

8 Ventilation

- 8.1 All habitable rooms, should have a minimum floor to ceiling height of 2.3 metres (7'6") over an area of the floor equal to not less than half the area of the room, measured on a plane 1.52m (5'0") above the floor.
- 8.2 All habitable rooms should be ventilated directly to the external air by a window, the openable area of which shall be equivalent to not less than 1/20th of the floor area of that room. Alternatively, a whole house ventilation system, suitable for use in habitable rooms will satisfy this standard providing that it is installed and serviced in accordance with manufacturer's recommendations and has room by room control.
- 8.3 All kitchens, bathrooms and watercloset compartments shall comply with paragraph 8.2 above and where this is not practicable, mechanical ventilation providing a minimum of 6 air changes an hour shall be provided. Such an installation shall be fitted with an overrun device. In the case of bathrooms, this will usually be connected to the lighting circuit of the room, but in certain cases, for example, where the fan is humidity controlled, this may not be possible.
- 8.4 Permanent means of ventilation in the form of a flue, air brick, or trickle vent shall be provided in all living rooms, bedrooms, dining kitchens, kitchens, bathrooms, watercloset compartments and any other room containing either cooking and/or washing facilities.

9 Drainage

- 9.1 All new drainage shall comply with current Building Regulations.

10 Refuse, Storage and Disposal

- 10.1 Refuse and recycling bins or containers shall be provided in sufficient numbers for the needs of the house, and an acceptable means of disposal provided.
- 10.2 All refuse containers should be located on hard standings with suitable access for cleansing of the area and removal of containers. Such hard standings should be located in an area away from habitable rooms and wherever practicable at the rear of the premises. If the hardstanding has

to be located at the front of the building or other exposed position it should be provided with a suitable screen where practical. The hardstanding shall be positioned so that the bins do not obscure natural lighting from windows below bin height.

11 Repairs

11.1 A house shall be maintained in reasonable repair, having regard to the Housing Act 2004 and the obligation of the Housing Health and Safety Hazard Rating System.

12 Gas and Electricity Supply

12.1 Gas - All gas cookers and fires must be safe to use. As a landlord you must ensure that:

- (a) Gas appliances are checked for safety at least once a year;
- (b) The safety check is to be carried out by a registered Gas Safe engineer;
- (c) The safety certificate is available to show to your tenants when they ask to see it;

12.1 Electricity

- (a) The wiring to the property should be checked and certified by a person who is registered under the competent person scheme to carry out electrical work complying with the requirements of the current Building Regulations and the current edition of BS7671.
- (b) Any electrical work carried out must comply with the latest British Standards.

13 Space Standards

13.1 Houses occupied as single rooms e.g. bedsits

One person units of accommodation	
One room units	13m ² including kitchen facilities
	10m ² where provided with a separate shared kitchen
Two or more roomed units	Each living room/kitchen 11m ²
	Each living room 9m ²
	Each bedroom 6.5m ²
Two or more person units of accommodation	
One room units	Not normally suitable for persons who are not married couples or co-habitees. In other cases for two persons only, not less than 15m ² .
Two (or more) roomed units	Each living room/kitchen 15m ²

	Each living room 12m ²
	Each living/bedroom 14m ²
	Each bedroom 10m ²

- (1) Separate kitchens, whether shared or used exclusively in connection with a particular single tenancy shall be of sufficient size for their purpose. Where kitchen facilities are provided within other rooms, as a guide, a minimum additional floor area of 3.7m² should be required.
- (2) The obligate sharing of rooms by persons of the opposite sex over the age of 12 shall not be permitted.
- (3) No staircase, landing or any room, which has been appointed as a kitchen or bathroom, shall be deemed suitable for sleeping accommodation.

14 Management of Houses in Multiple Occupation

The person having control or managing a House in Multiple Occupation is responsible for certain aspects of the dwelling maintenance and usage;

These include the maintenance of;

- Water Supply and drainage
- Gas and Electricity
- Common Parts, Fixtures, Fittings and Appliances
- Living Accommodation
- Waste Disposal Facilities

The occupiers of HMOs also have responsibilities with regard to the use of the property and how they conduct themselves.

These responsibilities include;

- conduct themselves in a way that will not hinder or frustrate the manager in the performance of their duties;
- allow the manager, for any purpose connected with the carrying out of any duty imposed on him by these Regulations , at all reasonable times enter any living accommodation or other place occupied by that person;
- Provide the manager at their request, with any such information as they may reasonably require for the purpose of carrying out any such duty;
- take reasonable care to avoid causing damage to anything which the

manager is under duty to supply maintain or repair under these Regulations;

- store and dispose of litter in accordance with the arrangements made by the manager;
- comply with the reasonable instructions of the manager in respect of any means of escape from fire, the prevention of fire and the use of fire equipment.

More detailed information on the Management of Houses in Multiple Occupation may be found in the Management of Houses in Multiple Occupation (England) Regulations 2006

12 Planning Policy

Town and Planning Use Classes Order 1987 (as amended 2010)

Planners are interested in the broad effect of changing the use of a property in terms of the impact on local residents and the local area and, for residential accommodation, also in terms of the suitability of the accommodation for future occupants.

Under planning legislation, it is possible to use premises for different purposes if those uses fall within the same Use Class as identified by the above legislation.

If the new use of a property does not fall within the same Use Class as the existing use then in most instances planning permission will be required to change the use.

Dwellinghouses fall within Class C3 of the Use Class Order and are defined as:

Use as a dwellinghouse (whether or not as a sole or main residence) by—

- a) a single person or by people to be regarded as forming a single household;*
- b) not more than six residents living together as a single household where care is provided for residents; or*
- c) not more than six residents living together as a single household where no care is provided to residents (other than a use within Class C4).*

Houses in Multiple Occupation (HMO) with more than 6 occupants are defined as *sui generis* for the purposes of the Use Class Order which means that they do fall in to any of the designated use classes. As such planning permission is normally required to change the use of a single dwellinghouse to a HMO.

Further information on planning issues can be obtained from the Epsom & Ewell Borough Council's Planning Department.

13 Building Control

Building regulations are set down by Parliament to ensure that buildings provide a safe and healthy environment in which to work and live. The Building Control Section of the Council monitors work, which falls within those regulations.

The types of work that may require you to contact Building Control include:

- Erecting or extending a building
- Changing non-domestic premises into dwellings
- Changing a single family house into a house in multiple occupation
- Converting part of a building into a flat
- Alterations to a flat
- Installation of WCs, sinks, etc,
- Structural alterations
- Alterations to means of escape

13.1 Making an Application

Making an application – under the Building Regulations

There are three ways to obtain approval of building work:

- Full Plans application
- Building Notice
- Regularisation application.

13.1.1 Full Plans application

The main advantage of a Full Plans application is that we will check the plans and structural calculations and issue an approval notice showing that the proposal complies with the Regulations. The approval notice may be required from a bank or building society in order to borrow money for the project and it will help a builder to give you an accurate quote for the work.

A Full Plans application must be made where the proposal involves:

- a workplace – eg. shop, office, hotel, etc
- building work within three metres of a public sewer
- erection of a building fronting onto a private street.

13.1.2 Building Notice

You do not have to submit detailed plans for a Building Notice, however, sufficient details should be supplied in order to determine the scope of the work being carried out. In the case of an extension a block plan should be supplied with your application. You can start the building work after giving the minimum two days notice of commencement. No approval of the plans is given and we may require additional information to show compliance with the Regulations. A Building Notice is suited to small building works such as:

- replacement windows and/or doors
- drainage alterations
- opening in a load bearing wall
- electrical installation

- removal of a chimney breast.

The overall charge of either a Full Plans application or Building Notice is the same and a similar number of inspections are made for both types of application.

13.1.3 Regularisation application

If building work has been carried out without obtaining Building Regulation approval you can apply for a Regularisation Certificate. The work must have started after 11 November 1985 and comply with the Building Regulations. The regularisation procedure is a means of confirming that unauthorised building work meets the requirements of the regulations.

Further information on planning issues can be obtained from the Epsom & Ewell Borough Councils Building Control Service.

Appendix 1

Office of the Deputy Prime Minister SCHEDULE OF AMENITY PROVISIONS IN RELATION TO NUMBER OF PERSONS	
Note: Amenity Standards are to be viewed as a guidance.	
1 - 4 persons	No requirement for wash hand basins in sleeping rooms At least 1 bathroom and 1 WC (the bathroom and WC may be combined) WHB not required in bedrooms
5 persons	1 WHB required in each sleeping room plus 1 bathroom AND 1 separate WC with WHB (but the WC can be contained within a second bathroom)
6 - 10 persons	1 WHB required in each sleeping room plus 2 bathrooms AND 2 separate WCs with WHBs (but the one of the WCs can be contained within one of the bathrooms.)
11 - 15 persons	1 x WHB required in each sleeping room plus 3 bathrooms AND 3 separate WCs with WHBs (but the WHBs can be contained within 2 of the bathrooms).