

Guide to amenity standards applicable to Houses in Multiple Occupation that require a licence

PRE LAUNCH DRAFT

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Further related guides can be obtained from: www.reading.gov.uk/hmo

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Introduction

This document provides guidance on the type and number of amenities the Council will be looking for when making decisions in relation to the mandatory or additional licensing of houses in multiple occupation (HMOs) within the borough. It is intended to help potential licence holders and their managers identify what is likely to be required under the mandatory and additional HMO licensing schemes. It does not include guidance on amenities in properties that may fall within the scope of the Council's proposed selective licensing schemes, as this is covered in a separate document.

Application of these guidelines

Licensable HMOs are subject to a set of national ***minimum*** standards relating to bedroom sizes, heating, washing facilities and kitchens. These standards are prescribed by law, and the Council must apply these when deciding whether an HMO is suitable.

We have also adopted local guidance relating to these and other amenities. The purposes of this guidance are:

- To promote consistency in approach to licensed HMOs.
- To ensure that occupiers have safe and convenient access to facilities within their home.

This guidance will be amended and reissued if there are changes in legislation, national guidance, or relevant case law.

We will normally expect amenities in the property to meet the guidance set out in this document. This is because we believe the guidelines ensure a reasonable provision of amenities for occupiers. This means that our usual approach will be to restrict the total number of occupiers permitted within an HMO to those that can be reasonably supported by the existing amenities. There may be occasions when we set licence conditions requiring existing amenities to be improved rather than capping the permitted number of occupiers. This approach is to prevent undue hardship, for example existing occupiers being made homeless.

As part of the licence application process, we will consider representations from applicants to deviate from this guidance. Please note, however, that it is the responsibility of the applicant to demonstrate that alternative proposals will be satisfactory. These guidelines will also be applied to applications for licences to be varied.

Prospective licence holders should also be aware of the following: -

- The Council is required to ensure category 1 hazards identified following an assessment using the Housing Health and Safety Rating System are removed from licensable premises.
- Where the installation of additional amenities is required as a condition of the licence (for example the creation of an additional bathroom), licence holders must be aware of the minimum room sizes set out in this document. Care must be taken to ensure the installation of the new amenity does not result in another room becoming too small for its intended use.
- Planning permission may be required for some works needed to meet these guidelines. For example, an extension to create more space for amenities that is not covered by permitted development rights will require planning permission. Building regulation approval will also be required for many types of construction works. As well as ensuring the basic soundness of the structure, areas that could be affected may include fire safety, installation of new plumbing or drainage and installation of new electrical circuits and switch gear. Landlords must seek advice if they are in any doubt.
- Planning Control and Building Control are separate regulatory regimes. The granting of an HMO licence or compliance with the HMO standards in this guide does not mean that planning permission or building regulations approval has been granted. Landlord and agents are advised to check our website in relation to planning and building regulations requirements before changing the use or making alterations to a building.

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.
	Locally agreed guidance The Council believes this can be achieved by complying with the following: • The heating appliance can maintain an internal temperature of 19 °C when the outside temperature is -1 °C. • The heating appliance is controllable by the occupier, either directly or using features such as thermostatic radiator valves. 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 the temperature in their individual rooms. 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. The reason for the above is to reduce the likelihood of localised spots of excessively cold conditions in the building. This guideline will also serve to reduce damage caused by condensation. When selecting heating arrangements, applicants should factor in any existing insulation arrangements.

Personal washing facilities and toilets

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	Where all or some units do not have their own washing and bathing facilities there must be: • An adequate number of baths/showers, toilets and wash-hand basins suitable for personal washing for the number of persons sharing these facilities. • Where reasonably practicable, there must be a wash hand basin with appropriate splashback in each occupier's living accommodation. • 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. • All bathrooms in an HMO must be suitably and adequately heated and ventilated. All bathrooms and toilets in an HMO must be of adequate size and layout. • All baths, toilets and wash hand basins in an HMO must be fit for the purpose. All bathrooms and toilets in an HMO must be suitably located in or in relation to the living accommodation in the HMO. Where there are no adequate shared washing facilities provided for a unit of living accommodation 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

Locally agreed guidance

Rooms and appliances

- 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 modular cubicles.
- 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 the outside) must be present.
- 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.
- The hot and cold water supply to these fittings 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.

	Shared facilities To help ensure occupiers do not experience undue delay in accessing bathroom or toilet amenities, the following guidelines have been adopted for shared facilities. For 1-4 persons using communal facilities, there must be: • at least one bathroom containing either a fixed bath or shower; and • one toilet. The toilet may be contained within the bathroom. Alternatively, it may be contained in a separate compartment with its own wash hand basin. For 5 people using communal facilities, there must be: • 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). 6-10 persons using communal facilities, there must be: • 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). 11-15 persons using communal facilities, there must be • 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). These facilities shall not be more than two floors distant from any user.
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	Facilities within lettings If there are no shared facilities, each letting must be provided with a toilet, washbasin and bath/shower meeting the standards above either in or close to the letting. In cases where an occupier has exclusive access to their own toilet, wash hand basin and shower/bath, these will not count towards the number of people using communal bathing and toilet amenities. Wash hand basins If reasonably practicable, each bedroom or bedsit within the HMO must contain a wash hand basin. The Council will assess this based on ease of installation and cost. Sinks for food preparation purposes within bedrooms are not an alternative to a hand basin. As an alternative to wash hand basins in each room, the Council considers the following to be acceptable: • 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.
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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: Shared kitchens	National prescribed standard
	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; (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.
	Locally adopted guidance
	This 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:
	The following must be provided in a shared kitchen: • 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.

- An oven and grill (or equivalent) shall be provided **for every three people** using the facilities. Where 3-6 occupants are using the kitchen, it is acceptable to provide a suitably sized air fryer (5l capacity or more) or combination microwave oven (to include grill/convection cooking option), rather than the second cooker. It is not acceptable to provide a microwave or an air fryer as the only appliance for cooking
- A hob with four rings must be provided for **every six people** sharing the kitchen. The hob must be securely fixed and located so it is next to a work surface and so the rings or burners match the height of the adjacent work surfaces.
- 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, with minimum dimensions of 50 cm x 200 cm, should be provided for food preparation in **every six people** sharing the kitchen.
- A food storage cupboard (minimum capacity 0.16 cubic metres) **per person**.
- Refrigerator capacity of 50 litres per person and freezer capacity of 30 litres per person.

In addition, a shared kitchen must contain:

- 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 fixed on the wall, around 1.5m, in a safe and visible location (for example not directly above a hob).
- a suitable fire door between shared kitchens and the means of escape from the building.

The kitchen should have a reasonable layout and not normally 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.

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:	National prescribed standard
Kitchens within occupiers' own living accommodation	Where a unit of living accommodation 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; (b)a sink with an adequate supply of cold and constant hot water; (c)a work top for the preparation of food; (d)sufficient electrical sockets; (e)a cupboard for the storage of kitchen utensils and crockery; and (f)a refrigerator.
	Locally adopted guidance
	Occupiers with suitable kitchen amenities in their own living accommodation do not count towards the requirements for kitchen amenities in any shared kitchen. 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.
	The following local guidance has been adopted as achieving a reasonable provision of kitchen amenities within individual bedrooms or bedsits: • 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 kitchen facilities should be provided: • A sink on base unit supplied with a drainer, 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).

- Cooking facilities
 - 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 fixed securely in position and located so it is next to a work surface and so the rings or burners match the height of the adjacent work surfaces;
- An adequately sized oven/grill OR a combination microwave that includes a grill/convection option.
- A fixed worktop of impervious material, minimum dimensions of available worktop space 50 cm x 100 cm available for food preparation.
- 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)).
- Refrigerator capacity of 50 litres per person and freezer capacity of 30 litres per person.
- A fire blanket fixed on the wall, around 1.5m, in a safe and visible location (for example not directly above a hob).

Bedrooms - space standards, lighting and ventilation

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	The following minimum floor areas shall apply: • 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 people aged 10 years or over. In line with the requirements of the national minimum room size standard, the Council shall apply the following: • 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.
	Locally adopted guidance
	For rooms with cooking facilities within the room, the following minimum room sizes shall apply: • 10.5 square metres (if occupied by one person) • 14.5 square metres (if occupied by two people) 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. Bedrooms must be provided with an openable window providing access to natural lighting and ventilation, to be considered suitable for use as a bedroom. Ceilings should ideally be a minimum of 2.4m. Note that any area with ceiling height less than 1.5m is not counted when measuring the useable floor space. If there is low headroom, for example, doors or under beams, precautions must be in place to prevent collisions.

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

Description of legislation	
The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018	
Applicable to:	National prescribed standard
Waste and refuse arrangements	Where the HMO is in England, a licence 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.
	Locally agreed guidance The licence holder shall ensure that the occupiers of the property are given the following information in writing about waste and recycling within 21 days of the start of their occupation: - • The collection days for the household waste, recycling, and food waste for the house. • Details on what they can and cannot recycle. • How they can dispose of bulky waste. • How they can access the borough waste and recycling centre. • Instructions to the occupiers to remove any refuse bin provided by the Council from the public pavement after the bin has been emptied by the Council. Unless the occupiers have access to a communal bin shared by more than one separate properties, the licence holder must ensure that adequate space and bins are provided for the storage of refuse and recyclables generated in the property. The licence holder shall also ensure that such bins are labelled with the number of the property. Where refuse generated by the occupiers exceeds a level that will be removed as part of the Council's normal collection service, the licence holder must also ensure that suitable lawful arrangements are made for the removal of any excess.

Miscellaneous recommended facilities

While not forming part of our guidelines, we recommend the following facilities be made available for the use of occupiers:

- Appliances for clothes washing and drying. We believe that clothes drying appliances in particular will help reduce the use of clothes horses and clothes drying on radiators, both of which can result in internal damp. These appliances must not be placed in the fire escape route.
- External cycle storage on site. This will help reduce damage to internal décor from bicycles being wheeled through and help prevent bicycles from being stored in lounges, hallways and other internal communal spaces.
- Noise attenuation measures. This means taking steps to reduce the transmission of noise between separate lettings and between the common parts and lettings.
- Where feasible, access for people with disabilities.
- A communal living room. This will help reduce isolation between occupiers and help promote a sense of community.