INTRODUCTION

GENERAL INFORMATION

The Housing Act 2004 places a duty on the Council to inspect and improve Houses in Multiple Occupation (HMO). Officers from the Residential Environmental Health Service of the Council inspect HMOs on a regular basis and respond to housing condition complaints.

What is a HMO?
The full definition of a HMO is found in sections 254 to 260 of the Housing Act 2004. In broad terms a HMO can be described as follows:

An HMO is a building or part of building (flat) which is:

• Occupied by more than one household (which is defined as occupiers of the same family and includes spouses, co-habitees, same sex couples and any blood relative). Where:
  o At least one of the households shares or lacks access to a basic amenity (These include bedsit type properties, houses partly converted into self-contained flats and bedsits, hostels, accommodation above shops and shared houses and flats) or
  o The building is fully converted into self-contained flats or studios and the conversion work does not fully comply with the building standard of the 1991 Building Regulations AND less than 2/3rd of the flats are occupied by long leaseholders.

(Basic amenities means a WC, personal washing facilities and cooking facilities)

The Residential Environmental Health Service aims to:

• Provide information and advice in plain language about the legislation we apply to HMOs.
• Discuss general issues and specific problems with anyone experiencing difficulties.
• Provide a courteous, efficient and helpful service.
• Actively seek the views of those that receive our services and use this information to develop our service.

Officers from the Service will contact landlords to discuss the condition and requirements for their HMO property. A clear list of what is needed to be done to comply with legislation and standards applicable to HMOs will be provided.

A Statutory Notice is often also served and this requires specified works to be undertaken within a defined time period; this type of Notice will also provide details of how to appeal to a Residential Property Tribunal.

If a Statutory Notice is not complied with the Council may prosecute and may organise for the work to be done and recharge the cost, plus fees, to the owner of the property.
HOUSING HEALTH AND SAFETY RATING SYSTEM (HHSRS)

The Housing Health and Safety Rating System (HHSRS) is a system for assessing the health and safety risks in dwellings, and is a method used to inspect properties in Westminster. A HMO can comprise of a number of separate dwellings, for example every bedist room or self contained flat within a HMO is a dwelling.

The principle of HHSRS is that any residential premises (including the structure, means of access, and any associated outbuilding, garden or yard) should provide a safe and healthy environment for any potential occupier or visitor. HHSRS is a risk assessment process and is comprehensive in its coverage of key health and safety risks in dwellings. In very broad terms, the Rating System works by assessing the risk associated with certain home hazards and if the likelihood of harm is significant the Council may take action to ensure that the risk is removed or reduced.

For a fuller explanation of HHSRS contact the Service, details of which are on the back page.

HMO REGISTRATION AND LICENSING

Certain categories of HMO require either to be registered or licensed by the Council. Registration and licensing aim to improve conditions and management within HMOs by ensuring:

- Conditions within a HMO comply with the Council’s HMO standards.
- Landlords and/or their agents can be considered as ‘fit and proper’ persons as defined in the Housing Act 2004.
- Management arrangements for the HMO are appropriate.

For advice on whether your property needs to be registered or licensed, and general advice on how registration and licensing is operated within the City of Westminster, contact the Service, details of which are on the back page.

HOW TO USE THE HMO GUIDES

Residential Environmental Health Service has produced 4 guides for each of the following types of HMO:

- HMOs comprising bedsits/studio rooms.
- HMOs comprising self contained flats.
- Flats in multiple occupation (FMOs) where flats are multiply occupied by more than one household.
- Hostel/staff accommodation.

Some properties will have a mix of accommodation and more than one of the guides will apply. Contact the Service for advice on which guide(s) best fits your property, contact details are on the back page.
HMO STANDARDS FOR HOSTELS

APPLICATION OF THIS STANDARD
Hostels must have appropriate planning consent for lawful operation as a hostel and cater for a specific group or groups of occupiers
For example
- Long term vulnerable residents
- Short term vulnerable residents
- Privately managed student accommodation
- Privately managed nurses accommodation
- Homeless persons
- Staff accommodation provided in connection with employment.

Hostels may provide some meals or welfare arrangements to the occupiers and have on site management.
In respect of temporary winter shelters for the street homeless, provided by other government departments, a flexible approach will be adopted, with priority given to the management, hygiene and health and safety issues within these properties.

ROOM SIZES FOR HOSTELS

<table>
<thead>
<tr>
<th>Maximum number of people</th>
<th>Minimum size of bedroom room</th>
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<tbody>
<tr>
<td>1</td>
<td>Not less than 6.5 m²</td>
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<tr>
<td>2</td>
<td>Not less than 10.2 m²</td>
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<td>3</td>
<td>Not less than 13.4 m²</td>
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<td>Not less than 16.5 m²</td>
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<td>Not less than 19.6 m²</td>
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<td>6</td>
<td>Not less than 22.7 m²</td>
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<td>And 3.1 m² per additional person.</td>
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Note: Where a bedroom is used for both sleeping and cooking, a minimum of 3.7 m² shall be added to the minimum bedroom floor area.

Guidance on taking measurements
Only practical useable living space must be measured. This space:
- Does not include any area taken up by bathroom facilities within the room.
- Does not include the chimney breast and small alcoves.
- Does not include the floor area where the ceiling height is less than 1.9 metres, or in addition, in attic rooms, any floor area in the eaves of the room where the soffit height is less than 1.53 metres.
- Does not include any fire lobby or bathroom lobby.

In calculating practical living space, the following can be taken into account:
- If a studio room has a partition, the floor area of both rooms can be included. In hostels rooms less than the minimum area permitted of 6.5 m² cannot be used for sleeping.
- Half the area taken provided by a bay window can be included.
• Entrance lobbies/corridors within bedrooms. Where the room door opens into a lobby/corridor that is less than 1.2 metres wide, the entire lobby/corridor should be discounted. Where the lobby/corridor is between 1.2 and 1.8 metres, some of the area may be counted (this reflects the fact that wider corridors are able to make a contribution to the storage capacity and spaciousness of bedrooms. The allowable area is calculated by deducting 1.2 metres from the width and multiplying this by the length of the corridor. For example, if a corridor into a room is 1.5 metres wide by 2.5 metres deep, the useable area of the corridor would be \((1.5 - 1.2 =) 0.3 \times 2.5\) metres. No deduction should be made where doors open into corridors/lobbies of more than 1.8 metres width.

**Occupation**

• Persons under age 10 of the opposite sex may sleep in the same room.
• 2 tier bunk beds are permitted providing the ceiling height is greater than 3.1m, and the permitted number standard above is not exceeded.

**LOUNGE**

Where there are more than 20 occupiers in the property a lounge area shall be provided for residents’ use. The area (or aggregate areas, if more than one is provided) shall be calculated on the basis of 1m² for each occupier; no lounge provided should be less than 10m² in area.

**FACILITIES FOR THE STORAGE, PREPARATION AND COOKING OF FOOD.**

1. **Exclusive Facilities**

Whenever practicable hostels should provide food preparation/cooking/storage facilities which are for the exclusive use of each household, these facilities must comply with the standard described below.

Where any **family with children** is in occupation, kitchen facilities shall be provided for their **exclusive use** in accordance with the standard below.

• An oven, grill, and at least 4 hobs. (In single bedrooms 2 hobs, oven and grill or 2 hobs and a combination microwave are acceptable). Cookers must not be sited adjacent to exit doors.

• A tiled surface as a cooker splashback; a lift-up cover to the appliance would be a suitable alternative.

• A suitable sink and integral drainer (minimum size 1000mm x 500mm) (or alternatively a dual sink) set on a base unit. The sink is to be provided with constant and adequate supply of hot and cold water and properly connected to the drainage system. A tiled splashback (minimum 300mm high) shall be provided to the sink and drainer.

• A fixed worktop, in addition to the drainer - minimum size 1000mm x 600mm, and provided with a tiled splashback (minimum 300mm high).

• A storage cupboard, minimum capacity 0.4 cubic metres (15 cubic feet). The storage space below the sink unit cannot be used for food storage.
- A fridge with freezer compartment - minimum size 4.5 cubic feet with adequate freezer space.
- 4 (13 amp) electric sockets in the food preparation area. At least 2 of these sockets to be above worktop level.

The food preparation/cooking/storage area must comply with the following:

- Floor covering must be hard wearing and washable.
- There must be adequate mechanical ventilation, where practicable.
- Any mechanical ventilation provided to the kitchen area should be via an extract cooker-hood vented to the external air.
- There must be artificial lighting sufficient to carry out normal activities within a kitchen area.
- Kitchens provided in a separate room must be adequate in size, and in any case not less than 5.5m\(^2\), and be so arranged to allow safe access and use.
- Kitchen facilities must be suitably located to allow the occupants to adequately store, prepare and cook their food.
- Kitchens must not be installed in any hallway, corridor or lobby.

2. Shared facilities

In circumstances where the Council is satisfied that exclusive use facilities cannot be provided, shared kitchens providing facilities for the preparation and cooking of food may be provided.

Some examples of properties where this would be considered acceptable are:
- Long term hostels for vulnerable persons, e.g. Church Army, Housing Associations, Voluntary Welfare Societies, where there is an element of supervision and communal living, as part of a welfare role.
- Group Homes occupied by a defined group of residents, with special needs.

If sharing is to be permitted the organisation responsible must demonstrate that there is a need for sharing of amenities and that there is proper supervision/control and management at the property.

Each shared kitchen shall be provided with a set of food preparation/cooking/storage facilities at a ratio of at least 1 set of facilities per 5 occupiers. There should be no more than 2 sets of facilities within a kitchen, situated not more than one floor distant from each user.

Each set of facilities for the preparation, cooking and storage of food should comprise the following:
- An oven, grill, and at least 4 hobs. Cookers must not be sited adjacent to exit doors.
- A tiled surface as a cooker splash back; a lift-up cover to the appliance would be a suitable alternative.
- A suitable sink and integral drainer (minimum size 1000mm x 500mm) set on a base unit. The sink is to be provided with constant and adequate supply of hot and cold water and properly connected to the drainage system. A tiled splashback (minimum 300mm high) shall be provided to the sink and drainer.
- A fixed worktop, in addition to the drainer - minimum size 1000mm x 600mm, and provided with a tiled splashback (minimum 300mm high).
• Food storage should normally be provided in individual bedrooms but in certain circumstances food storage cupboards may be provided in the shared kitchen. If the food storage cupboard is provided in the kitchen it must be:
  • Exclusive to each household
  • Minimum size of 600mm x 500mm x 600mm
  • Secured against unauthorised access.
  • The storage space below the sink unit cannot be used for food storage.
• In addition to the fridges provided in the individual bedrooms, an additional fridge must be provided in the shared kitchen.
• 4 (13 amp) electric sockets in the food preparation area. At least 2 of these sockets to be above worktop level.

The food preparation/cooking/storage area must comply with the following:
• Floor covering must be hard wearing and washable.
• There must be adequate mechanical ventilation, where practicable.
• Any mechanical ventilation provided to the kitchen area should be via an extract cooker-hood vented to the external air.
• There must be artificial lighting sufficient to carry out normal activities within a kitchen area.
• The kitchen must be adequate in size, and in any case must not be less than 5.5m² and be so arranged to allow safe access and use.
• Kitchen facilities must be suitably located to allow the occupants to adequately store, prepare and cook their food.
• Kitchens must not be installed in any hallway, corridor or lobby.

Room exclusive facilities
The following facilities shall be provided within each bedroom
• A fridge minimum size 4.5 cubic feet with adequate freezer space
• A food storage cupboard, minimum size 600mm x 500mm x 600mm,

3. Meal provision

The Council requires either the provision of kitchen facilities exclusive to each household or shared kitchens at a minimum ratio of 1 set of kitchen facilities to 5 occupiers, as specified above. However, in certain circumstances the Council will consider a relaxation of this standard, where there is an element of meal provision within the property.

(a) Hostels with full meal provision on the premises.

If the hostel is provided with a full refectory service, there is no need to provide additional kitchen facilities. A full refectory service means a service, provided on site which provides 3 meals a day that are sufficient and suitable for the occupants. These are to be provided 7 days per week, 52 weeks per year. Examples of this type of hostel are those run by charities such as the Salvation Army, or staff/nurses accommodation, where meals are provided at a subsidised rate or as part of their employment conditions.

The dining facilities shall be readily accessible and in any event not more than 5 minutes walk away from the hostel, and provided for by the same ownership as the hostel.
Where practicable, the following facilities shall also be provided within each bedroom, irrespective of any meal provision:

- A fridge minimum size 4.5 cubic feet with adequate freezer space
- A food storage cupboard, minimum (minimum size 600mm x 500mm x 600mm)

Hot and cold drinks must also be available at other times between meal times.

**(b) Hostels with limited meal provision**

If the hostel provides limited meals, each case will be judged on its merits, but shared kitchens will also need to be provided, in addition to the limited refectory service. If refectory services are provided for in a building more than 5 minutes away or meals are not provided for the whole week, this will be treated as limited meal provision.

Normally a ratio of 1 set of kitchen facilities to 5 occupiers will be the required standard where only limited meal provision is provided. The minimum ratio of kitchen facilities to occupiers is 1 to 20, and this will only be considered in exceptional cases, for example, where shift workers are using facilities and their patterns of work are such that they will not be using facilities at the same time.

Any shared kitchen(s) within the building shall preferably be on floor of occupation but in any event all such kitchens shall be not more than 1 floor distant from the majority of users and not more than 2 floors distant from any user.

Additionally, for staff working in public houses/restaurants and living on the premises where only some meals are provided as part of an employment contract:

- Shared kitchen facilities must be provided separately from any commercial kitchen on the premises.
- Where there are also “non staff” residents, facilities exclusive to these lettings must be provided.

**WC AND BATH/SHOWER FACILITIES**

**WC**

A separate WC in its own compartment must be provided, not being more than one floor distant from each user, and provided at a ratio of not less than one WC per five persons, irrespective of age.

(Note: Any WC within a bathroom will not be included for counting purposes as there must be a separate WC compartment)

**Bath/shower**

A bath (minimum dimensions 1600mm x 700mm) or shower (minimum dimensions 800mm x 800mm) with constant and adequate supply of hot and cold water, and properly connected to the drainage system, not being more than one floor distant from each user, should be provided at a ratio of not less than one bath or shower per five persons, irrespective of age.
Each WC (whether within its own compartment or within a bathroom) must have:
- Adequate ventilation and artificial lighting.
- Adequate size and layout.
- A suitable wash hand basin, minimum size 500mm x 600mm, provided with constant and adequate supply of hot and cold water and properly connected to the drainage system.
- A tiled splashback (minimum 300mm high) shall be provided to the wash hand basin.
- An appropriate door which is lockable and ensures privacy for the user.

Each shower room/bathroom must be provided with the following:
- A tiled splashback (minimum 450mm high) to the bath.
- If an over bath shower is provided then the adjacent walls should be fully tiled.
- A fully tiled shower or the shower must be in a purpose built shower cubicle, with a suitable water resistant shower curtain or door to the cubicle.
- Adequate heating, ventilation and artificial lighting.
- A suitable and washable floor covering, sealed at its edges.
- An appropriate door which is lockable and ensures privacy for the user.
- Adequate size and layout with adequate space for drying and dressing.
- Each bath or shower room (excluding shower enclosures) must have a wash hand basin, minimum size 500mm x 600mm, with hot and cold water and a tiled splashback (minimum 300mm high).

WASH HAND BASINS WITHIN SLEEPING ROOMS
- Each sleeping room must have a wash hand basin, minimum size 500mm x 600mm, provided with constant and adequate supply of hot and cold water and properly connected to the drainage system.
- A tiled splashback (minimum 300mm high) shall be provided to the wash hand basin.

SPACE HEATING AND HOT WATER
- An adequate means of space heating must be provided in all rooms, including bathrooms and common parts of the hostel taking into account affordability, insulation, ease of use and performance.
- Where space heating and hot water are provided centrally by the landlord, these services should be made available at all times. There must also be the ability to control the level of heating within each letting.

SECURITY
- The main hostel front door and room doors should be fitted with secure locks that can be opened from the inside without the use of a key (a fire safety requirement), to prevent the entry by intruders. It will normally be necessary to fit a deadlock in addition to a Yale-type latch to a room door.
- Any reasonably accessible window should be capable of being secured against intruders.
MEANS OF ESCAPE IN CASE OF FIRE

A House in Multiple Occupation must be provided with an adequate means of escape in case of fire, fire detection and emergency fire fighting equipment. It is strongly recommended that you discuss your proposals for providing an adequate means of fire safety within your property with the Residential Environmental Health Service before contractors are engaged or works carried out; our contact details are on the back page.

For any fire protection work a full specification is required that is relevant to the property. In practice the fire safety scheme needs to be fitted to the property having regard to the structure and use.

In general terms the following fire safety measures must be considered:

Provision of a Protected Escape Route

- The protected escape route leads from each sleeping room to the street exit through the building, and normally includes staircases, passageways, landings and protected lobbies. Protection is provided by fire doors and partitions with varying degrees of fire resistance. The protected escape route must be kept clear of rubbish, furniture and other stored items.

In 5 or 6 storey buildings (three options are available)

A storey is any floor above and including the ground floor.

- The stairway must be a protected route and an alternative escape route provided by an additional stairway (protected route). This may be external or
- The stairway must be a protected route, separated from the lettings by protected lobbies. A suitable upward escape route must be available within the existing stairway, or
- The stairway must be a protected route, separated from the lettings by protected lobbies and occupation is restricted to 5 storeys.

Protected lobbies must be provided and consist of two fire resistant doors between the letting and the protected route. The doors, walls and ceiling forming the lobby must be of 30 minutes fire resistant construction.

Provision of Fire Separation

- All rooms must be separated from each other and from the protected route by 30 minute fire resistant partitions. This includes floors, walls and ceilings.

Fire separation from commercial areas of the building

- Fire separation between commercial and residential uses within a building must be to 60 minutes fire resistant construction.
- The separation should be imperforate but if a door from a commercial letting opens into the residential protected route, lobbied separation may be acceptable. Provision of a single fire door providing 60 minutes fire resistance may be considered in exceptional circumstances, depending on risk. Extension of the
common parts fire detection system into the commercial parts of the building may also be required.

**Fire separation from other residential parts of the building not linked by common entrances** e.g. basement flat not linked to the ground floor hallway of all other lettings.
- Fire separation must be 60 minutes fire resistant construction OR fire separation to be 30 minutes fire resistant construction plus extension of the common parts fire detection system into the separate residential letting e.g. the basement flat.

**Fire Resistant Doors**
- Fire resistant doors are required on all doors opening onto the protected route. Normally the fire door must provide 30 minutes fire resistance when tested to British Standard (BS) 476. They should therefore be provided with:
  - Intumescent strips and cold smoke seals (to prevent the passage of smoke)
  - A self closing device (except on cupboard doors)
  - A lock (e.g. thumb turn) which does not require a key to open the door from the inside, in order to allow escape in the event of a fire.

**Automatic Fire Detection (AFD) System**
Provision of any form of AFD system requires specialist advice to design and install the system.
In general terms the installation of a Category L2 AFD system, in accordance with BS5839 Part 1 is required in a typical hostel property. This will require:-

- A system providing smoke detection to the protected escape route and to any cupboards in the stairway, together with manual call points. Smoke detectors and call points are normally installed at each landing level.

- Installation of smoke detectors in individual lettings and common living rooms as part of the L2 system. Heat detectors must be installed in any kitchen, including kitchen areas within individual lettings (replacing the smoke detector).

- All detectors are to be wired in circuit so that detection of smoke or heat will automatically activate the alarm throughout the house.

- Fire detection will normally be required to non-residential areas of the building that may affect the residential escape route. Any separate non-residential AFD system should be linked to (or interfaced with) the residential AFD system.

- Where individual rooms are NOT provided with smoke detection as part of the L2 system (usually as they contain a kitchen) we will require the installation of single point mains powered (with battery back-up) smoke alarms complying with BS 5446 in each sleeping room.

**Emergency lighting**
- Emergency lighting which comes on if mains electricity fails must be fitted to illuminate the protected route and some internal staircases, and must be in compliance with BS 5266.
Fire Exit Signs

- Fire exit signs are required which may have to be illuminated although this is not required where they are adequately lit by emergency lighting.
- Signs must comply with BS 5499 and the Health and Safety (Safety Signs & Signals) Regulations 1996.

Fire fighting equipment

- Fire extinguishers, rated 13A (e.g. 9 litre water type extinguishers, also some smaller fine mist sprays may comply) must be provided within the common parts, normally 1 per landing; the number will depend on the size of the building.
- A 2kg carbon dioxide fire extinguisher and a fire blanket must be provided in shared kitchens or rooms containing any facilities for the cooking of food.
- Fire fighting equipment must be selected, installed and maintained in accordance with British Standard BS 5306.

Listed buildings

Fire protection works within listed buildings requires more specialist consideration and building techniques and you are strongly advised to contact the Listed Building section of the Planning Department before commencement of any works. Contact telephone number 020 7641 2513.

Planning consent

Compliance with these standards does not confer planning approval for any particular use; contact the Planning Department for further advice. Contact telephone number 020 7641 2513.
HOSTEL MANAGEMENT

The Management of HMOs Regulations 2006 apply to HMOs, including hostels, and detail full responsibilities of managers and occupiers. Failure by a manager to comply with the regulations may result in prosecution.

Responsibilities of the manager
The manager must ensure that:

- The manager’s name, address and any telephone contact number is made available to each household in the HMO and these details must be clearly displayed in a prominent position in the HMO.
- Each letting is in a clean condition at the beginning of any rental period and that the internal structure, fixtures/fittings/appliances, windows and mechanical ventilation are maintained in good repair and clean working order.
- All common parts i.e. staircases, passageways, corridors, halls, lobbies, entrances, balconies and steps are maintained in good and clean decorative repair, in a safe and working condition and kept reasonably clear from obstruction.
- Outbuildings, boundary walls, yards and fences are maintained in repair, clean condition and good order. The garden must be kept in a safe and tidy condition.
- The water supply is constant and not unreasonably interrupted and that the drainage system serving the hostel is maintained in good, clean and working condition.
- Annual gas safety tests are carried out on all gas appliances within the HMO by a CORGI registered engineer, and evidence is supplied to support this if requested by the Council.
- The electrical installation is inspected and tested at intervals not exceeding five years by a person qualified to undertake such inspection and testing, and evidence is supplied to support this if requested by the Council.
- The gas or electricity supply, used by any occupier within the HMO, is not unreasonably interrupted.
- All means of escape from fire, any automatic fire detection system and fire fighting equipment are maintained in good working order and are kept free from obstruction.
- All reasonable steps are taken to protect the occupiers of the hostel from injury, ensuring structural safety within the hostel, and that windows set close to or at floor level are suitably safeguarded.
- Sufficient bins or other suitable receptacles are provided for the storage of refuse and litter pending their disposal.
Responsibilities of occupiers:

Every occupier must ensure that:

- Reasonable access is provided into their letting in order for the manager to undertake any work required under the Management Regulations.

- Reasonable care is taken to avoid damage to any items which the manager has responsibility to supply, maintain or repair under the Management Regulations.

- Litter is stored and disposed of in accordance with arrangements made by the manager under the Management Regulations.

- Reasonable instructions from the manager, in respect of any means of escape from fire, the prevention of fire and the use of fire equipment, are complied with.

In addition, certain HMOs require licensing and general management conditions will apply to these licenseable properties. Full details of the requirements of licence conditions are available from the Residential Environmental Health Service, for which contact details are on the back page.

OTHER MANAGEMENT ISSUES

- Furniture and furnishings supplied in conjunction with the accommodation must comply with specified levels of fire resistance.

Gas Safety (Installation and Use) Regulations 1994:
- Gas safety inspections and tests must be completed by a CORGI (Confederation of Registered Gas Installers) registered gas installer/engineer annually. Certificates are required in relation to ALL gas appliances and the gas installation.
- All servicing and repairs are to be carried out by CORGI approved contractors.
- Records of annual safety inspections and tests must be made available to the Council for inspection, with a copy supplied to the tenant.

SERVICE CONTACT DETAILS

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