

Physical Property Standards Shared Houses/Flats

Housing Act 2004
**Property and Management Standards
Applicable to Houses in Multiple
Occupation (HMOs)**

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Cheshire West
and Chester

This document sets out the minimum room sizes together with the minimum provision of amenities, fire precautions and heating for shared houses. Property and management standards applicable to bedsits and self contained flats are also available. Please contact the Housing Standards Team should you require a copy of either of these documents.

Definition

Shared houses/Flats are described as HMOs where the whole property has been rented out by an identifiable group of sharers such as students, work colleagues or friends as joint tenants. Each occupant normally has their own bedroom but they share the kitchen, dining facilities, bathroom, WC, living room and all other parts of the house. All the tenants will have exclusive legal possession and control of all parts of the house, including all the bedrooms. There is normally a significant degree of social interaction between the occupants and they will, in the main, have rented out the house as one group. There is usually a single joint tenancy agreement. In summary, the group will possess many of the characteristics of a single family household, although the property is still legally defined as a HMO because the occupants are not all related.

General Principles of Occupation

- Children below the age of 10 years now count as a whole person.
- In no case shall any room be occupied by more than two persons.
- Persons of the opposite sex over the age of 12 shall not be permitted to share the same room for sleeping purposes unless they are of marriageable age and are either married or living as partners.
- The sharing of a room for sleeping purposes by persons who are neither related or living as a married couple or partners shall be permitted only when both persons give their consent.
- No unit of accommodation shall be occupied on the basis of a divided or shared tenancy or licence. This is to avoid the situation arising whereby a unit of accommodation may be occupied by different persons at different times of the day or different days of the week (for

instance shift workers or seasonal/migrant workers who occupy a property in connection with their employment).

- Only rooms designated as living rooms, bedrooms or bed/sitting rooms may be used for living or sleeping purposes.
- Circulation spaces such as hallways, landings and other rooms such as kitchens, bathrooms, or cellars, roof spaces etc shall be deemed unsuitable for use as sleeping or living accommodation.
- Irrespective of overall floor area, consideration will be given to the shape and useable living space within the room when determining its suitability for occupation. No account will be taken of any part of a room where the ceiling height is less than 1.525m (5ft).
- A single bed/sitting room containing cooking facilities is not suitable for accommodating a child below the age of 5 years.

General Specification Applicable to all Categories of HMO

Permissions

The conversion of a single occupancy property to a House in Multiple Occupation (HMO) or an

increase in the level of occupancy of an existing HMO may require planning permission and or building control approval. Advice should be sought from the Council's planning and building control departments prior to initiating works. Further information on planning and building control approval may be obtained by calling 0300 123 8 123.

Certain larger HMO's of 3 storeys or more with five or more occupants will require a mandatory HMO licence. Further information on mandatory licensing can be obtained from the Housing Standards Team.

Kitchens

The Room

All kitchens, whether for exclusive or shared use must have floor coverings which are impervious, reasonably smooth and easily cleansable and separated from any adjoining carpeted floor area by suitable dividing strips securely fixed in position. Ideally floor coverings should be slip resistant. Walls and ceilings must also be reasonably smooth such that they can be kept clean and easily redecorated.

Ventilation

Kitchens for exclusive use may also need to be provided with mechanical extract ventilation

where there is inadequate natural ventilation or where a gas cooker is provided and opening a window would lead to excessive draughts that might extinguish the burner flames. Required extract rates are 30 litres per second where the extraction is immediately above the cooker, or 60 litres per second elsewhere.

Lighting

Adequate ceiling mounted electric lighting must be provided to the working area of the kitchen.

Layout

Kitchens must be arranged such that hot food can be prepared and handled safely.

In particular cookers must be located away from any door, which might open on to and collide with a person standing in front of the cooker and must be safely positioned within the room such that they do not compromise escape in the event of a fire associated with the cooker. In particular gas cookers must not be positioned directly adjacent to openable windows where flames are likely to be extinguished by excessive draughts or where curtains are likely to catch fire.

There must be adequate space in front of any cooker for persons to retrieve hot food from the oven.

There should be fixed work surfaces either side of any cooker to shield any overhanging panhandles and so that hot foods and utensils can be placed down quickly and safely.

Sinks

Must be stainless steel or have a comparable impermeable, easily cleansable surface. They must be provided with a drainer, overflow, supplies of constantly available hot and cold water and all requisite drainage. The sink top (or surface into which it is inset) must be a minimum 900mm x 500mm. Sinks must have a tiled or similar waterproof splash back (where the sink abuts a window reveal, the sill of the window must be clad in waterproof tiles or similar) extending to a minimum height of 150mm above the sink top. There must be a flexible waterproof joint between the sink and the splash back.

Food Preparation Surfaces

Must be of impermeable, heat resistant, durable and easily cleansable materials. Where these are fixed, the joint between the food preparation surface and any abutting units or the wall must be watertight and a tiled splash back as detailed above for sinks must be provided.

Food Storage Cupboards

The internal and external surfaces must be of durable and easily cleansable materials and, where wall mounted, must be fixed securely to take the considerable weight of stored tinned/bottled foods. Food storage underneath a sink is not acceptable.

Cooking Appliances

Must be installed according to the manufacturer's instructions and in particular, electric cookers must be connected via an appropriately rated switch and fuse. Gas cookers must be fitted with a safety restraint to prevent them tipping over.

Cookers must be safely positioned within the room such that they do not compromise escape in the event of a fire associated with the cooker i.e. they must not be positioned adjacent to the exit doorway – in particular gas cookers must not be positioned directly adjacent to openable windows where flames are likely to be extinguished by excessive draughts or where curtains are likely to catch fire.

Compact Domestic Kitchens

Compact domestic kitchens in a modular layout are becoming increasingly available from various manufacturers.

Provided such kitchen facilities are

installed in accordance with the manufacturers recommendations and give an equivalent level of provision to that specified above, then their use may be acceptable rather than installing individual pieces of equipment. It is advisable to obtain prior approval of the Housing Standards Team before installing this type of kitchen.

Bathrooms (includes Shower Rooms)

The Room

Bathrooms must be of adequate size to enable users to dry themselves and get dressed without undue restriction. Showers fitted in to small restricted spaces such as under stairs cupboards may therefore not be regarded as being adequate.

Floors to bathrooms must be impervious, reasonably smooth and easily cleanable. Ideally floor coverings should be slip-resistant. Walls and ceilings must also be reasonably smooth such that they can be kept clean and easily redecorated.

Obscured glazing must be provided to bathroom windows and doors as appropriate and all shared bathrooms to be fitted with a privacy lock/bolt.

Ventilation

All bathrooms must be adequately

ventilated. Mechanical extract ventilation giving an extract rate of at least 15 litres per second must be fitted where there is no openable window to provide natural ventilation.

Any extractor fan installed in a bath or shower room must be provided with an "overrun" device which is connected to the artificial lighting circuit in the room and ensures that the fan continues to operate for 20 minutes (or at least one air change) after the artificial room lighting is switched off. This helps to remove moisture from the room, which might otherwise lead to condensation and black mould growth. Alternatively a humidistat controlled extractor may be provided.

Baths and Showers

Baths should be a minimum 1.67 metres in length and be provided with a two course tiled splashback or (tiled splashback to a height of at least 150mm) where they abut walls. A waterproof seal between the bath must be provided using a flexible silicon mastic sealant or a sealant gasket with a similar degree (high) elasticity.

Where showers are provided they must be either purpose designed waterproof shower cubicles or formed from a proper shower base with waterproof wall tiling and

associated waterproof screen/doors. Seals between the shower base and walls must be provided with elastic mastic sealant as specified for baths. Shower trays should be minimum 750mm x 750mm.

Showers which rely on a curtain to contain the water spray are not permitted above the ground floor.

Baths or showers shall not be provided in kitchens.

All baths and showers must be provided with an adequate supply of constantly available hot and cold water and adequate drainage. Hot water to showers must be capable of being delivered at a thermostatically controlled temperature.

Wash Hand Basins

All wash hand basins must be provided with supplies of constantly available hot and cold water plus adequate drainage. Washbasins must be firmly and securely anchored to the wall which they abut or surface in which they are inset.

Unless there are severe space constraints the minimum dimension of wash-basins shall be 500mm x 400mm. All washbasins must be provided with an overflow and splash back with a minimum height of 150mm where they abut a

wall and be sealed to the splash back using a flexible silicon mastic sealant.

Water Closets

Every separate room or compartment containing a WC must have:

- an easily cleansable impervious floor covering
- reasonably smooth wall and ceiling surfaces which can be easily cleaned and redecorated
- adequate natural or mechanical extract ventilation supplemented by permanent background ventilation in the form of an air brick or trickle vent
- obscured glazing to windows and doors as appropriate
- a privacy lock fitted to the door
- WC pedestals must be securely fixed to the floor and properly connected to the drainage system in accordance with current Building Regulations
- be provided with a high or low level cistern fitted with an efficient flushing mechanism
- WCs accessed from outside do not count towards the overall number of WCs available for use in a property.

Cold Water Supplies

All HMOs must be provided with an adequate water supply via a proper service connection from the public supply provided by the relevant statutory undertaker. Three statutory undertakers, Dee Valley, United Utilities and Welsh Water, cover the area of Cheshire West and Chester.

The supply of water for drinking purposes (ie at the sink) must be taken from the rising main. Where there is any doubt as to whether a supply point is suitable for drinking water it shall be conspicuously marked accordingly.

In the rare event that a public water supply is not available the landlord must demonstrate that an adequate supply is available and that arrangements are in place to ensure that the supply is safe for drinking both from a chemical and bacteriological point of view. The Council will insist on seeing that periodical chemical and bacteriological tests are carried out to verify its wholesomeness.

All water supply pipes and any water control valves, apparatus and fittings connected with a supply of water must be protected from frost where they are vulnerable to freezing. This will generally be in any unheated common areas, but landlords should consider

insulating all water pipes where central heating is not employed in the house or where the house is not likely to be heated for several days, for example, over the Christmas period.

The water supply must be capable of being turned off in case of emergency or to enable repair works to be carried out – stop valves should therefore be provided to isolate individual units of accommodation or each floor within the HMO as appropriate.

Hot Water Supplies

All systems supplying hot water must be designed and installed so that hot water is available at wash-basins, sinks, baths or showers at all reasonable times. "Creda Corvette" type batch boiling appliances are not acceptable as a means of heating water. Electric instantaneous type heaters are only acceptable for sinks if they are rated at 5 Kilowatts or above and are fitted with a proper hot water delivery arm.

The cost of supplying hot water to wash-basins, sinks, baths or showers which are exclusive to particular lets may be met out of general rental charges or may be charged for by meter so long as the occupier of the let has total and exclusive control over the use of that hot water.

Any hot water storage tank must be provided with an accessible stop cock to the down service pipe, and be adequately insulated.

Hot water to showers must be capable of being delivered at a thermostatically controlled temperature.

Disposal of Waste Water and Drainage

All waste pipes serving sinks, wash hand basins, baths and showers must be of the appropriate diameter and fitted with a trap. Waste pipes must be adequately supported along their entire length to prevent sagging and to maintain proper drainage falls. Waste water must be discharged in to the correct drainage system in accordance with current Building Regulations and Water Authority Bye-Laws.

Electrical Safety and Sockets

A suitable number of appropriately sited electrical socket outlets must be provided throughout the property ensuring a minimum provision of 1 single outlet to hall and each landing, 2 double sockets separately circuited cooker point with an outlet at low level and 2 single sockets below the work surface at low level for floor standing appliances, with neon control switch above work top and 2

double socket outlets to the lounge and each bedrooms.

Any electrical switches, sockets or equipment within bathrooms must be safely positioned in accordance with current IEE Regulations and Part P of the Building Regulations.

Electrical installations should be checked by a NICEIC or ECA or

other governing body approved electrician every five years, unless a shorter interval is advised. It is also recommended that the installation is checked every time the tenancy changes, with a visual inspection every year for tenancies lasting longer than 12 months. Any electrical appliances supplied should be P.A.T. checked each year.

Physical Property Standards

Room Sizes and Permitted Occupation

The following are the minimum floor areas required based on the room type and number of persons occupying the room:

Bedroom	Single Occupancy	6.5m ²
	Double Occupancy	10.5m ²
Combined Bedroom and Living Room (with separate kitchen)	Single Occupancy	10.5m ²
	Double Occupancy	15m ²
Combined Bedroom/Living Room/Kitchen	Single Occupancy	13m ²
	Double Occupancy	20m ²
Living Room	Single Occupancy	9m ²
	2-5 persons	11m ²
	6+ persons	13m ²
Kitchen	Single Occupancy	3.5m ²
	2-5 persons	6.5m ²
	6 persons	7.5m ²
	7 persons	8.5m ²
	8 persons	9.5m ²
	9-10 persons	10.5m ²
Combined kitchen/Living area	Single Occupancy	10.5m ²
	2-5 persons	11.5m ²
	6 persons	12.5m ²
	7 persons	13.5m ²
	8 persons	14.5m ²
	9-10 persons	15.5m ²

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.

Notes:

Communal kitchens within shared houses will be intensively used with perhaps several people all attempting to prepare their own separate meals at the same time. It is therefore important for there to be adequate space for all of the facilities as detailed in the document sub section "kitchen facilities for shared houses" to be installed and properly arranged so that food can be safely and hygienically prepared and cooked.

The overall floor area of a kitchen may not be so important as the usable space available. For instance a large kitchen with three or four doorways opening into it may have less usable space than a

smaller kitchen with only one or two doorways.

A single kitchen would not normally be suitable for use by more than 10 persons regardless of its size. In cases where more than 10 persons are using or are likely to have use of the same kitchen the advice and agreement of the Cheshire West and Chester Council must be sought.

Where a kitchen is large enough for it to be also used as a dining room, it is important that there is sufficient space for the majority of the intended number of users to sit around a table without impinging upon the working area of the kitchen. Similarly if there is a communal living room which also serves as a dining room there must be sufficient space for the majority of occupiers to sit and eat a meal and also for other social activities such as watching television etc. Again, the overall shape, layout and positioning of doorways may influence the amount of usable space available.

It is recognised that there is a growing trend for landlords to take down the dividing wall between the rear living room and the kitchen (which is normally situated within the rear wing building of the average terraced type house). This is in response to an increased

demand for a more modern open-plan living style. This is permissible provided adequate support is incorporated to the rear main wall in accordance with current Building Regulations.

The kitchen facilities within the open plan room must be suitably arranged such that food preparation and cooking activities are safely separated from the adjoining dining/living area.

Creating an open plan living/dining/kitchen in a three storey house may raise the overall risk of harm from fire where the stairs rise directly from such an open-plan room. You should consult with Private Sector Housing if you are planning to carry out such a conversion, or if a house you own or manage has already been converted in this way and the means of escape from fire has not yet been assessed.

It is recognised that many houses which are used to provide shared accommodation for students may have one bedroom which is marginally below the required floor area of $6.5m^2$. In such cases it is acceptable to allow for up to ten per cent shortfall in floor area subject to the following conditions:

- The occupiers must have approached the landlord/managing agent as a

group wishing to rent the house under the terms of a joint contract.

- The fact that one bedroom is marginally below the required floor area must be drawn to the attention of any potential occupiers prior to the signing of a tenancy agreement.
- The group of occupiers must decide amongst themselves who will occupy the small bedroom.
- Compensatory measures such as the use of a cabin-type bed with desk and storage space beneath should be employed.

Kitchen Facilities for Shared Houses

A shared kitchen should ideally be not more than one floor distant from any unit of accommodation having use of it. It is however, acceptable for a kitchen to be a maximum of two floors distant where there is a communal dining area adjacent to the kitchen or where the kitchen is of sufficient size to serve as a kitchen/dining room.

Facility	Number of Persons Sharing		
	2-5	6	7-10
Conventional gas or electric cooker with 4 burners/hobs, oven and grill	1	1	2
Combination microwave with grill		1	
Standard kitchen sink and drainer	1		2
Double sink		1(*)	
Standard kitchen sink and drainer and Dishwasher		1(*)	

Key: (*) either option will meet the amenity standard

Facility	Number of Persons Sharing		
	2-5	6	7-10
Worktops	Sufficient fixed work surface to enable each user to prepare food safely and hygienically. A minimum 500mm clear run of work surface per person will be required. Minor variations of up to 20 per cent shortfall may be acceptable provided there is still a good practical working area.	Sufficient fixed work surface to enable each user to prepare food safely and hygienically. A minimum 500mm clear run of work surface per person will be required. Minor variations of up to 20 per cent shortfall may be acceptable provided there is still a good practical working area.	Sufficient fixed work surface to enable each user to prepare food safely and hygienically. A minimum 500mm clear run of work surface per person will be required. Minor variations of up to 20 per cent shortfall may be acceptable provided there is still a good practical working area.
Cold Food Storage	2 standard domestic under counter refrigerators with freezer compartments or a tall upright fridge freezer.	2 standard domestic under counter refrigerators with freezer compartments or 1 tall upright fridge freezer and a 1 standard domestic under counter refrigerator with freezer compartments.	2 tall upright fridge freezer or 3 standard domestic under counter refrigerator with freezer compartments.

Facility	Number of Persons Sharing		
	2-5	6	7-10
Storage of Dry Food	A half standard base unit or standard single wall unit per person will be acceptable for this purpose. The space beneath a sink is not acceptable for food storage purposes.	A half standard base unit or standard single wall unit per person will be acceptable for this purpose. The space beneath a sink is not acceptable for food storage purposes.	A half standard base unit or standard single wall unit per person will be acceptable for this purpose. The space beneath a sink is not acceptable for food storage purposes.
Electrical Sockets	2 double sockets separately circuited cooker point with an outlet at low level and 2 single sockets below the work surface at low level for floor standing appliances, with neon control switch above work top.	3 double sockets separately circuited cooker point with an outlet at low level and 2 single sockets below the work surface at low level for floor standing appliances, with neon control switch above work top.	4 double sockets separately circuited cooker point with an outlet at low level and 2 single sockets below the work surface at low level for floor standing appliances, with neon control switch above work top.
Mechanical Ventilation	Mechanical extract ventilation of minimum 30 litres per second flow rate where the extraction is immediately above the cooker, or 60 litres per second elsewhere.	Mechanical extract ventilation of minimum 30 litres per second flow rate where the extraction is immediately above the cooker, or 60 litres per second elsewhere.	Mechanical extract ventilation of minimum 30 litres per second flow rate where the extraction is immediately above the cooker, or 60 litres per second elsewhere.

Personal Washing and Bathing Facilities for Shared Houses

(a) Baths and Showers

Where some or all of the units of living accommodation do not contain bathing facilities for the exclusive use of each individual household, there must be an adequate number of suitably located bathrooms to enable those facilities to be used on a shared basis. Such bathroom facilities must be provided not more than one floor distant from any intended user and must be accessible from a common area. Either a shower or a bath is suitable for this purpose, however a shower facility installed over a bath will not count as an additional shower.

Where shared facilities are provided a readily accessible bathroom containing a bath, of minimum dimensions 1700mm x 760mm (or minimum of 1.67m in length), or shower of minimum dimensions 750mm x 750mm together with adequate drying and changing space shall be provided on a ratio of one bath or shower to every 5 persons sharing.

(b) Wash Hand Basins

Where some or all of the units of living accommodation do not contain personal washing facilities for the exclusive use of each individual household, there must be an adequate number of suitably located full sized (min. 500mm x 400mm) wash hand basins together with constant supplies of hot and cold water to enable those facilities to be used on a shared basis.

Such shared wash hand basins may be located either within a bathroom, separate WC compartment or other suitable room and must be provided on a ratio of one wash hand basin to every 5 persons sharing.

All bathrooms or separate compartments containing a WC must be provided with a wash-hand basin.

Small wash hand basins or corner wash hand basins within separate WC compartments are acceptable however, such wash hand basins will not be counted towards the total number of shared wash hand basins for personal washing purposes.

(c) Toilet Facilities

Toilet facilities shall be provided not more than one floor distant from any user.

Examples of acceptable minimum combinations of WCs and bathrooms are given in the table below.

Number of Persons Sharing	Full Suite	Separate WC & WHB
2-4	1	
5	1	1
6-9	2	
10	2	1
11-14	3	

Key:

Full Suite = bathroom containing a bath or shower, a wash hand basin and WC.

Separate WC = WC with a wash hand basin in a separate compartment.

Advice should be taken from the Private Sector Housing Team in circumstances where en-suite facilities are provided or facilities are required for 15 or more persons.

Fire Precautions in Shared Houses

Full details of the required level of fire protection can be found in an advice booklet entitled "A guide to Fire Protection in Multi-Occupied Residential Properties" which has been produced by the Homestamp consortium. A copy of the advice booklet mentioned above can be found on our website www.cheshirewestandchester.gov.uk or a copy can be requested from the Housing Standards Team by calling 0151 356 6493. To ensure consistency the level of fire protection has been taken from the latest housing fire safety publication by the Local Authority Co-ordinating body on Regulatory Services (LACORS now called Local Government Regulation).

Fire precautions will vary considerably between individual HMO's and therefore this document will only provide general guidance. It is recommended that a full inspection of the property be carried out.

Heating in Shared Houses

All units of accommodation must be provided with an adequate fixed form of heating to all habitable rooms, inclusive of kitchen, dining

and bathrooms, capable of heating the room to a temperature of 21°C when the outside temperature is -1°C.

For heating to be properly used by the tenants, it must be affordable. Central heating is the preferred option but electric night storage heaters and/or balanced flue gas heaters are also satisfactory.

Where open-flue gas fires are provided in a room used for sleeping purposes, they must be of modern design and fitted with an automatic oxygen depletion cut-off device. All heaters, other than water filled radiators, must be suitably positioned such that there is at least two metres between the heater and any bedding and such heaters must not be located where curtains are likely to catch fire.

Heaters that use full price electricity are not normally acceptable as the main form of heating.

Whichever form of heating is installed it must be controllable by the occupants of each individual unit at all times. Where heating is

provided to any communal rooms or areas, the running costs must be met out of general rental charges or general energy charges rather than any type of prepayment meter.

Paraffin heaters, LPG heaters and freestanding plug in electric heaters are not acceptable.

All properties should be fully insulated and draught – proofed accommodation.

All heating appliances must be fixed to either the wall or the floor and be provided with an appropriate base or surround if one is specified by the appliance manufacturer.

All gas heaters or boilers of any type must be properly serviced and maintained in a safe condition in accordance with the manufacturers recommendations and the Gas Safety (Installation and Use) Regulations 1998 (as amended).

All bathrooms, whether for exclusive or shared use must also be provided with a fixed form of heating.

Accessing Cheshire West and Chester Council information and services

Council information is also available in Audio, Braille, Large Print or other formats. If you would like a copy in a different format, in another language or require a BSL interpreter, please email us at equalities@cheshirewestandchester.gov.uk

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যদি আপনি এই ডকুমেন্টে অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

Pokud byste požadovali informace v jiném jazyce nebo formátu, kontaktujte nás

Jeżeli chcieliby Państwo uzyskać informacje w innym języku lub w innym formacie, prosimy dać nam znać.

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如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

Türkçe bilgi almak istiyorsanız, bize başvurabilirsiniz.

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو ہرے ہمراں پاہنی ہم سے پوچھئے۔

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