

BEDFORD BOROUGH COUNCIL



**STANDARDS IN THE
PRIVATE RENTED SECTOR
GOOD PRACTICE GUIDE**

Adopted by
Bedford Borough Council on 19th March 2008

CONTENTS

| | |
|---------|---|
| Page 3 | Introduction |
| Page 4 | General Standards that apply to all Rented Property |
| Page 13 | Additional Standards for Houses in Multiple Occupation (HMOs) |
| Page 19 | Appendix 1 – Fire Safety in HMOs in Detail |
| Page 29 | Appendix 2 – Definition of “House in Multiple Occupation” (HMO) |
| Page 30 | Appendix 3 – Housing, Health & Safety Rating System (HHSRS) Hazards |
| Page 32 | Where to get more information - Contact Details |

Introduction

Landlords and letting agents have a general duty of care to ensure that the accommodation they offer for rent does not have a detrimental effect on the health, safety and welfare of their tenants. All dwellings should also provide a safe and healthy environment for occupants and visitors. The aim of this document is to help landlords meet these obligations, encourage good practice and to provide a guide to the minimum standards considered acceptable in the private rented sector as set out in the Housing Act 2004, the Regulations made under it and the 'Decent Homes' standard (which is used in the social sector). HHSRS is the risk assessment method used by housing professionals to link building defects to health. It is explained in more detail in Appendix 3 on page 30.

The standards for rented homes and for houses in multiple occupation contained in this guide were developed in conjunction with housing authorities in Hertfordshire and Bedfordshire and with Bedfordshire and Luton Fire & Rescue Service. They were adopted by Bedford Borough Council after consultation with stakeholders and other interested parties on 19th March 2008. This means that the guide provides the minimum enforceable standards in the rented sector and properties that fall below the standards will be asked to improve. The guide is principally aimed at the private rented sector but is also relevant to the social housing sector.

The Council operates an enforcement policy which provides the framework for all enforcement action – the way landlords and businesses are treated when enforcement takes place. This is more fully explained in no. 20 on page 11 of this guide.

The Government has set targets for both social housing providers and private sector landlords to improve their properties so that there are increased numbers of 'Decent Homes' in the UK housing stock. The target focuses on vulnerable households, including families with children, and deprived areas. Although this guide incorporates the Decent Homes standard as a baseline for good practice, there is currently no statutory requirement for private sector landlords to meet the standard. However, by meeting the HHSRS statutory requirement (see below) landlords will be achieving one element of the Decent Homes standard.

Decent Homes Standard

In order to be decent a home should be warm, weatherproof and have reasonably modern facilities. The Government has defined a dwelling that meets the 'Decent Homes' standard as one that:

- Meets the current statutory minimum standard for housing – i.e. it must be free of the most serious (category 1) hazards under the Housing, Health and Safety Rating System;
- Is in a reasonable state of repair;
- Has reasonably modern facilities and services; and
- Provides a reasonable degree of thermal comfort.

For a full definition please visit: the Communities website:

<http://www.communities.gov.uk/housing/decenthomes/whatis/>

'Dwelling' includes the structure, associated outbuildings, gardens, yards and/or other amenity space, and means of access.

General standards for all rented property

The standards are applicable to all rented property and are designed to help meet the requirements of both the Housing Health and Safety Rating System (HHSRS) under the Housing Act 2004.

Please note there are also specific standards which apply to Houses in Multiple Occupation (HMOs) - see section on HMOs on page 13.

1. **Repair** – A dwelling should be maintained in a reasonable state of repair. In practice this means that all the building elements in the property must be functional and perform properly. Some disrepairs will have more of an effect on the health and safety of the occupiers than others but even if there are no health effects now, the disrepair will cause the building to deteriorate and eventually cause more serious problems. It is, therefore, a matter for common sense and putting right what is failing. The Decent Homes definition says a building will fail if:

*One or more key building components are old and, because of their condition need replacing or major repair; or two or more other building components are old and, because of their condition need replacing or major repair. A building component can only fail to satisfy this criterion by being old **and** requiring replacing or repair.*

Key building components are those which, if in poor condition, could have an immediate impact on the integrity of the building and cause further deterioration in other components. They are the external components plus internal components that have potential safety implications and include:

- *external walls;*
- *roof structure and covering;*
- *windows/doors;*
- *chimneys;*
- *central heating boilers;*
- *gas fires;*
- *storage heaters;*
- *plumbing; and*
- *electrics.*

This standard can affect the assessment of all HHSRS hazards under Part 1 of the Housing Act 2004 and action required.

2. **Space heating** - There should be space heating appliances provided in every habitable room so that an ambient temperature of 20° C can be obtained inside the room when the outside temperature is -1 °C (after one hour of operation). The heating should be fixed, rather than moveable and consideration must be given to the affordability for the occupiers. (Provision of thermal insulation is important – see No. 16 below). Heating should be controllable by the occupants.

Examples of suitable installations include gas fired central heating, electric storage heating, electric direct radiators, oil fired central heating, warm air systems, modern eco friendly combined heating systems, underfloor systems or programmable LPG/solid fuel central heating. Gas fires should not be installed

in sleeping rooms unless they are fitted with a balanced flue – i.e. NOT traditional gas fires. Portable Paraffin or LPG heaters are NOT permitted in HMOs because of risk from fire and potentially hazardous combustion gases which are produced.

As heating costs rise and occupiers need to set aside more of their budget for heating, landlords need to consider the relationship between heating costs and the way their building is used. Lack of heating can lead to other problems like mould and dampness, both of which are difficult to put right. Affordable heating that keeps the occupiers warm and happy is a vital factor in building health and tenant satisfaction.

This standard is assessed under the excess cold HHSRS hazard. When deciding if a heating system is sufficient, temperatures will be measured to decide if the minimum, as described above, can be achieved.

3. **Washing and toilet facilities** - Suitable and sufficient washing and toilet facilities should be provided within a suitable room. All baths, showers and wash hand basins must be capable of providing a constant supply of hot and cold water as applicable. Tiled splashbacks to be provided for areas adjacent to baths, to areas above wash basins and to the walls of shower enclosures. Washable, impervious floor coverings to be fitted in all bath/shower rooms and WC compartments. For unfurnished accommodation, the provision of floor coverings is not applicable. Mechanical extract ventilation is strongly recommended to reduce condensation, mould growth and odours.

Houses in Multiple Occupation (HMOs) are subject to specific ratios of facilities to occupiers; see section on HMOs on page 13.

Washing and toilet facilities are assessed under the HHSRS personal hygiene and sanitation hazards.

4. **Kitchen facilities** - A kitchen of suitable design and size should be provided and equipped with reasonably modern facilities to enable occupants to safely store, cook and prepare food. The minimum requirements are:

- Sink/drainage with adequate supply of hot and cold water
- A cooker, with 3 rings min. plus oven and grill.
- Food preparation area minimum 1000mm work surface.
- A minimum of 4 electrical socket outlets at working height.
- 1000mm base/wall unit for equipment and dry goods.
- Suitably sized refrigerator with a freezer compartment.

Tiled splashbacks to be provided for areas adjacent to working areas of the kitchen. Washable, impervious floor coverings to be fitted in all kitchens (except for unfurnished lettings). Additional socket outlets to be provided for washing machines, fridges and freezers. Layout is very important to ensure the kitchen can be used safely without hazards from scalding, hot surfaces and fire. Cookers should not be sited close to doorways and should have work surfaces fitted on either side.

Houses in Multiple Occupation (HMOs) are subject to specific ratios of facilities to occupiers; see section on HMOs on page 13.

Kitchen facilities are assessed under the HHSRS food safety hazard and flames and hot surfaces.

5. **Clothes washing and drying facilities** - There should be space and plumbing for the occupiers to site a washing machine with an appropriate power socket adjacent. There should be somewhere to dry clothes, preferably both outside and inside, but this is a practical consideration. Internal clothes drying space could be an airing cupboard but where there is no airing cupboard in the house it is important to consider how clothes will be dried inside to minimize condensation - drying clothes internally without adequate ventilation is to be discouraged.

Assessed under the HHSRS domestic hygiene hazard.

6. **Gas safety** - Gas appliances must be properly maintained and an annual Gas Safety Certificate as required by the Gas Safety (Installation & Use) Regulations 1998 (as amended) must be obtained from a Gas Safe registered installer. A copy must be given to the tenants and if requested made available for inspection by the enforcing authority. Only balanced flue appliances may be considered for use in lounges or sleeping rooms, including bedsits, due to the risks associated with incomplete combustion and carbon monoxide poisoning. If supplied, landlords should also fit a CO detector in the room.

Assessed under the HHSRS carbon monoxide and explosion hazards.

7. **Electrical safety** - The electrical installation must be safe and in good condition. This can be certified by engaging a competent electrical contractor (belonging to an appropriate professional organisation) who is Part P registered (current Building Regulations Part P applies) to report on the condition of the installation and issue a report (which may detail defects to be remedied if necessary) and a certificate (on completion of those works). Test certificates usually last for 5 years. It is not mandatory for landlords of private rented accommodation to maintain a current electrical safety certificate, but it is advisable, so the landlord can demonstrate that the installation is in good condition. (Exception - landlords of licensed HMOs are required to maintain electrical safety certificates and if requested make them available for inspection by the Council).

In the event that the electrical system appears unsatisfactory or there is not a current test certificate available, the Council may require an inspection and report under the terms of Part 1 of the Housing Act 2004 (HHSRS) so that enforcement action can be taken.

Assessed under the HHSRS fire and electrical safety hazards.

8. **Electrical installation** - There must be suitably positioned and sufficient numbers of lighting points and power socket outlets. In general this would mean at least two double sockets in bedrooms, three double sockets in living rooms and four double sockets in kitchens with a minimum of four at working height. Additional sockets may be required for bedsitting rooms or study bedrooms as there is likely to be more personal electrical equipment used by the occupant. Landlords must manage the use of extension leads/socket outlets/adaptors to ensure installations are not overloaded and that such leads/extensions are separately fused.

Assessed under the HHSRS fire and electrical safety hazards.

9. **Portable electrical appliances** - Portable and movable electrical appliances supplied by the landlord should be maintained and examined on a regular basis and should be checked for safety by a competent person. PAT testing.
10. **Fire resisting furniture** - All furniture and furnishings must meet current Furniture and Furnishings (Fire Safety) Regulations 1998 standards (further details can be obtained from the Council's Trading Standards Officers – see contact details)
11. **Fire safety** - Dwellings should meet recommended fire safety standards. For single family type occupancies, as a minimum, smoke detectors should be installed on each landing level of the stairs. A basic minimum for single would be a good quality working battery operated smoke alarm installed on each floor – usually on the landing level of the staircase or suitable circulation space on each floor. Optical smoke detectors are now available in battery form - this reduces the incidence of false alarms. Some detectors can be purchased with long life batteries. Each detector should be tested weekly by the occupier and the batteries changed at least once a year or when a low battery warning sounds. Detectors should also to be tested on changes of tenancy, records of such testing and battery changes to be maintained. Problems with battery operated detectors can occur when batteries are removed or lose power. Sound levels must be sufficient to wake a sleeping occupier. Landlords must take responsibility for smoke detection in their rented property – it is not the tenant's responsibility.

The standard recommended in British Standard 5839 Part 6 2004 Grade D, category LD3 (Fire safety in dwellings) is for detector sounders that are powered by the mains electricity supply; this allows several detectors to be interconnected so that when one detector activates, all units sound thus allowing audibility levels to be maintained throughout the house. This is the current Building Regulation standard for new buildings.

3 storey or more single family houses or flats over shops have higher standards for smoke detection depending on whether the house is pre 1991 or older construction. The fire summaries at the back of this booklet give more details in Appendix 1 on page 20.

If there are serious fire safety issues within single occupancy dwellings then these can be assessed under the terms of Part 1 of the Housing Act 2004 (HHSRS) and action taken to eliminate Category 1 and 2 hazards as appropriate.

Fire safety in houses in multiple occupation is more complex and can vary depending on the size and occupation of such properties. HMOs and self contained converted flats are generally subject to higher standards of fire safety that are set out in the section on HMOs and in detail in Appendix 1 – Fire safety measures applicable to houses in multiple occupation.

12. **Natural lighting and ventilation** - There should be suitable and sufficient means of natural lighting and ventilation from openable windows to all habitable rooms (usually living rooms and bedrooms). Natural lighting should be at least 1/10th of floor area and natural ventilation should be 1/20th of the floor area. Bathrooms and kitchens should have suitable mechanical extract

ventilation to reduce condensation, mould growth and odours. Extract ventilation should be connected to the light switch and equipped with an overrun facility.

Assessed under the HHSRS lighting hazard and damp and mould.

13. **Refuse storage and disposal** - Appropriate refuse storage facilities should be provided within dwelling with suitable access to disposal facilities. Refuse containers to be located away from habitable rooms. Where dwellings do not have a yard or garden to store refuse bins, suitable bins should be provided to permit storage without causing odours or attracting vermin or pests. Landlords should encourage residents to recycle refuse as part of the Council's kerb side collection.

Assessed under the HHSRS domestic hygiene, pests and refuse hazard.

14. **Entry by intruders** -The dwelling should be capable of being secured against unauthorised entry without compromising the means of escape in the case of fire. Security locks should be provided with a thumb turn on the inside of the door so that occupiers do not need a key to exit the premises to a place of safety. Glazing in entrance doors and surrounds should be security glazing. Shared entry doors, such as of blocks of flats, should be fitted with door entry systems and entrance/exit doors should be self closing to avoid unauthorised access. Arson reduction is also an important element of entry by intruders, see Appendix 1 on fire safety.

Assessed under the HHSRS entry by intruders hazard.

15. **Thermal insulation** - Structural thermal insulation should be provided to minimise heat loss. Insulation measures appropriate to the construction of the property should be installed. For example, loft insulation to all loft spaces to be a minimum 200 mm thickness. Landlords should aim for this standard of loft insulation, particularly if existing loft insulation is absent or less than 50mm which is the "trigger level" in the Decent Homes standard. Increasing insulation benefits tenants and landlords. Warm homes can prevent damage by dampness and mould growth. Tenants can benefit from reduced fuel costs. Cavity wall insulation should be considered (if there are cavity walls that can be insulated effectively). Include for provision of insulation to hot water cylinders, draught proofing of doors and windows, while maintaining adequate ventilation (windows should not be sealed shut).

Energy Performance Certificates are now required for all rented housing. A landlord must provide this certificate prior to the commencement of a tenancy to show the level of thermal performance to enable prospective tenants to determine how expensive the property will be to keep warm.

This is assessed under the HHSRS excess cold hazard.

The government is implanting new energy efficiency and insulation deals – called the Green Deal, more information as details are put into place can be found on the www.decc.gov.uk website (Department of Energy and Climate Change. For occupiers on benefits, Warm Front is still in operation. Check www.direct.gov.uk and search 'warm front'.

16. **General terms of tenancy** - The property, and any furniture and appliances supplied, must be in good repair, clean condition and well decorated at the commencement of a tenancy and should be maintained throughout the tenancy, depending on the terms of the tenancy agreement. A written contract/tenancy (usually an assured shorthold tenancy) agreement should be supplied to tenants. An inventory of fixtures, fittings and appliances should be supplied and agreed between landlord and tenant so that any deposits can be fairly determined and returned at the end of the tenancy. Tenants also have obligations under tenancy agreements to occupy properties in a tenant-like manner (i.e. not to damage the property and appliances, etc) and to report any deterioration to the landlord.

Landlords should ensure that arrangements for the payment of Council Tax, water charges, utility bills and any service charges (for example for cleaning or maintenance of common areas, servicing of fire alarms etc) are clearly indicated on the tenancy agreement and properly understood by the prospective tenant prior to commencement of the tenancy.

17. **Tenant complaints** – It is important that landlords take tenant's complaints about problems with their property seriously and fully investigate them. Tenants are the first to know about any defects and if they are not remedied the defects are likely to get worse and may result in a complaint being made to the Council's housing enforcement team. The Council would much prefer the landlord and tenant to resolve the matter themselves but if the Council gets involved because the tenant is not happy with the landlord's response then the Council will carry out an inspection and the result may be expensive enforcement action for the landlord. Tenants should not expect the Council to jump in and take action - the Council will usually expect the tenant to have given the landlord plenty of time to sort out the defects before complaining. Good communication between tenant and landlord is vital. More advice for tenants about 'getting repairs done' can be found on the Council's website <http://www.bedford.gov.uk> – click housing

Housing Associations are also private landlords and the Council does not distinguish between private and social landlords. However, all housing associations should have well developed and effective procedures for dealing with tenants' complaints and the repair and maintenance of their properties. The same 'rules' apply, therefore. Social tenants must use the property repair system of their landlord before contacting the Council, we will usually only get involved if we are satisfied that normal procedures have not been successful in finding a solution to the problem.

18. **Loan assistance** – subject to current policy and availability of resources, loan assistance is sometimes available to private landlords of HMOs to carry out specified works (usually major improvements to HMOs), subject to nomination rights. More information on home improvement loans can be obtained by contacting the Housing Grants & Loans team on 01234 718294
19. **Overcrowding** - The property must not be statutorily overcrowded under the provisions of the Housing Act 1985. In addition, under HHSRS, risk of harm from crowding and space must be considered. The number of people sleeping in a dwelling must not contravene either the room standard or the space standard of the Housing Act 1985. A summary of the overcrowding provisions is set out below:

Summary of the Overcrowding Provisions of the Housing Act 1985

For the purposes of this standard a person 10 years or older counts as one unit, a child under 10 years counts as half a unit and a child under one year counts as a zero unit.

The maximum permitted number (PN) of units that may sleep in a dwelling is the lower number specified in either Table I (in relation to the number of habitable rooms excluding kitchens and bathrooms), or Table II (in relation to size of the habitable rooms).

| | |
|----------------|---------------------|
| Table I | 1 room – 2 units |
| | 2 rooms – 3 units |
| | 3 rooms – 5 units |
| | 4 rooms – 7.5 units |
| | 5 rooms – 10 units |
| | 6 rooms – 12 units |
| | 7 rooms – 14 units |

Thereafter, increase limit by 2 units per room

| | |
|-----------------|--|
| Table II | under 4.6 sq m (50 sq ft) – permitted number (PN) nil units |
| | 4.6 but under 6.5 sq m (50 sq ft under 70 sq ft) – PN half unit |
| | 6.5 sq m but under 8.36 sq m (70 sq ft under 90 sq ft) – PN one unit |
| | 10.22 sq m or more (110 sq ft) PN 2 units |

Under the HHSRS space and crowding hazard of the Housing Act 2004 there should be sufficient provision for sleeping having regard to the numbers likely to be accommodated in the dwelling. As a guide, and depending on the sex of household members and their relationship, and the size of rooms, a dwelling containing one bedroom is suitable for up to two persons, irrespective of age, two bedrooms is suitable for up to three or four persons, three bedrooms is suitable for up to five or six persons and four bedrooms is suitable for up to seven persons.

The Council operates a carefully formulated procedure for overcrowding that takes all the many and varied factors into account. Landlords must take responsibility for overcrowding in permitting the occupation of their property by tenants. Ensure the tenant group is small enough so the property is not overcrowded. Contracts should forbid subletting. With the current pressures on the supply of rented housing, both private and housing association property, all tenants need to understand that overcrowding in a property does not trigger a fast route to a housing association offer of tenancy. **Bedford Homefinder** is the letting system operated by the local housing provider (bpha) and other housing associations in the area. Information on how to apply for social housing and the priority criteria can be found at www.bedfordshirehomefinder.co.uk.

20. What happens if a rented property fails to meet the standards set out in this document?

This will depend on the seriousness and the effects of the failure. Informal action is taken in the first instance in accordance with the Council's enforcement policy – we offer help, advice and guidance to encourage high standards. Where minimum legal requirements are not met our enforcement policy emphasises that formal action will be taken if informal action does not resolve the matter within a specified timescale. Landlords receive an informal notice which has full details of the works and with category 1 and 2 hazards clearly set out. The expected completion dates will also be given. However, but where there is a category 1 hazard which causes a serious risk to the health and safety of the occupier, formal action will be taken immediately.

Formal action means:

- For less serious hazards, Hazard Awareness Notices may be appropriate to bring to the attention of the landlord and tenant any defects and hazards that need to be addressed, together with recommended action.
- For more serious hazards, Improvement Notices with schedules of work to remedy category one and category two hazards may be appropriate. Works must be completed within prescribed timescales and failure to comply can result in prosecution and/or the Council carrying out the works in default.
- Prohibition Orders preventing occupation of all or part of a building may be appropriate where, for example, there is serious overcrowding or other serious category one hazards exist.
- Emergency Prohibition can also be taken by the Council to prevent occupation of part or all of a building where there is imminent risk of serious harm or Emergency Remedial Action can be taken to remove the hazard.

There are rights of appeal to a residential property tribunal against any of the above notices/orders apart from the hazard awareness notice.

There is a charge for taking formal action which is currently £292.95 (2012). The charge rises each year depending on the rate of inflation. It reflects the expenses that the Council incurs in taking formal action. It is designed to encourage good practice among landlords and discourage landlords from waiting for formal Council action to carry out essential works.

All enforcement action will be carried out having regard to the 7 principles specified in the Statutory Code of Practice for Regulators made under section 23 of the Legislative and Regulatory Reform Act 2006.

These are:

Economic Progress - Regulators should recognise that a key element of their activity will be to allow, or even encourage, economic progress and only to intervene when there is a clear case for protection.

Risk Assessment - Regulators, and the Regulatory system as a whole, should use comprehensive risk assessment to concentrate resources in the areas that need them most.

Advice and Guidance - Regulators should provide authoritative, accessible advice easily and cheaply.

Inspections and other visits - No inspection should take place without a reason.

Information Requirements - Businesses should not have to give unnecessary information or give the same piece of information twice.

Compliance and Enforcement Actions - The few businesses that persistently break regulations should be identified quickly and face proportionate and meaningful sanctions.

Accountability - Regulators should be accountable for the efficiency and effectiveness of their activities, while remaining independent in the decisions they take.

Houses in Multiple Occupation - specific standards for HMOs

Houses in multiple occupation (HMOs) comprises property known as bedsits, lodgings, shared houses and some converted self contained flats. The main feature is that there is sharing of facilities, kitchens and bathrooms/WCs so that occupiers do not have exclusive use of their own facilities. The Housing Act 2004 introduced a new definition that includes pre-1991 self contained flat conversions where more than 1/3rd of the flats are let on short tenancies. These HMOs are called **Section 257 HMOs**. There are additional management regulations which now apply to these converted blocks of flats. A full definition of HMO is found in **Appendix 2**.

HMO Licensing

Legislation came into force on 6th April 2006 with the effect that certain larger, higher risk HMOs require an HMO licence to operate.

The criteria for mandatory HMO licensing are: -

- It is an HMO with 3 or more storeys; and
- Occupied by 5 or more people, in more than one household; and
- all or some of these households either share a basic amenity or lack one, such as a bathroom or kitchen.

If your property meets these criteria please refer to the HMO team for an HMO Licence information pack as, operating a licensable HMO without a licence is a serious offence which is punishable by a fine not exceeding £20,000. There are Regulations prescribing standards for deciding the suitability of HMOs for licensing purposes, which generally require 'adequate' means of heating, washing facilities, facilities for cooking food and fire safety measures to be provided. One of the purposes of this guide is to specify what standards the Council consider adequate, not only for licensable but also for non licensable HMOs (i.e. those that do not meet the above criteria).

A guide to the licensing of HMOs for landlords and managers is available free of charge from www.communities.gov.uk

The following specific standards apply to all HMOs (including licensable and non-licensable HMOs):

1. Fire safety;
2. Amenity standards - kitchen facilities;
3. Amenity standards - washing/bathroom and WC facilities
4. Crowding and space – within bed sitting rooms and shared houses;
5. Management (set out in regulations)

1. **Fire safety measures** – Government research into fire statistics has shown that the risk of dying in a fire increases by up to 8 times for occupiers of HMOs and there is an even greater risk if that HMO is 3 storeys or more. It is this evidence that has informed increased regulation, particularly fire safety requirements, in respect of these properties. Landlords who own HMOs should carry out their own **fire risk assessments** and seek individual advice on fire safety measures from the Council HMO team for their properties. If necessary a detailed schedule of work will be issued by the Council following, if appropriate, an individual risk assessment which may be a joint assessment with the Fire Safety Officer.

Appendix 1 details a summary of the current fire safety standards for houses in multiple occupation. This is only intended as a guide to the general standards

required. Each HMO must be inspected by the HMO team to determine the exact fire safety measures required. More detailed information is available by contacting the HMO team on 01234 718099. There is also more information in appendix 1 on fire risk assessments.

2. **Amenity standards (kitchens)** – lettings within houses in multiple occupation should include either individual kitchen facilities or access to the shared facilities in the ratios set out below. Alternative facility provision, for example individual cooking facilities, may be considered by the Council. Shared kitchens and bathrooms should be located within a reasonable distance from bedrooms, normally one floor distant.

Shared kitchens- Where shared kitchens are provided for use by the occupiers, a set of kitchen facilities should be provided on a ratio of **one set per five occupiers** or part thereof. A kitchen set should include the following minimum requirements:

- 1½ bowl sink/drainer with mixer tap and adequate supply of hot and cold water;
- A cooker, minimum 4 rings plus oven and grill, a microwave oven may also be included;
- Food preparation area minimum 1500mm length of work surface;
- A minimum of 6 electrical socket outlets at working height;
- Single base/wall unit for equipment and dry goods per occupant, which should be lockable;
- Suitably sized refrigerator with a freezer compartment.

Layout is very important to ensure the kitchen can be used safely without hazards from scalding, hot surfaces and fire. Cookers should not be sited close to doorways and should have work surface fitted on either side. A practical alternative for food storage is to provide either a base unit with worktop over within each individual letting, or a refrigerator within each letting, so tenants can store food individually. Tiled splashbacks should be provided for areas adjacent to working areas of the kitchen. Additional socket outlets should be provided for fridges, freezers and washing machines. Washable, impervious floor coverings to be fitted in all kitchens.

Individual kitchens in bedsits - it is recognised that more compact cooking and food preparation facilities may be more appropriate so a suitable single kitchen provision would be - minimum of 2 rings and mini oven with sink unit, fridge and work surface and 3 electric socket outlets for kitchen equipment. The layout and siting must be hygienic and safe to use – and the cooking facilities to be fitted/secured rather than free standing on a surface.

3. **Amenity standards (bathrooms and WCs and wash hand basins)** – lettings within houses in multiple occupation should include either:

- exclusive use of individual bath/shower room and WC facilities such as ensuite facilities; or
- where amenities are shared, the following ratios of amenities to occupiers are considered suitable for the purposes of providing an adequate number of bathrooms, toilets and wash-hand basins (suitable for personal washing) for the number of persons sharing those facilities: -

Up to 4 persons sharing: One bathroom, containing a bath or shower, wash basin and WC, with all hot and cold water supplies and drainage.

5 persons sharing: One bathroom and, in addition, a separate WC and wash basin must be provided in the house in a separately accessible compartment. The bathroom might contain just a bath/shower and wash basin.

6 - 8 persons sharing: two bathrooms, containing a bath or shower, wash basin and WC, with all hot and cold water supplies and drainage.

9 - 10 persons sharing: Two complete bath/shower rooms, at least one of which must have a WC fitted. In addition, a separate WC with basin in a separate compartment must be provided.

11 - 15 persons sharing: Three complete bath/shower rooms, at least two of which must have a WC fitted. In addition, a separate WC with basin in a separate compartment must be provided.

16 - 20 persons sharing: Four complete bath/shower rooms, at least three of which must have a WC fitted. In addition, a separate WC with basin in a separate compartment must be provided.

General rule: for five or more sharing occupiers there should be fitted bath/shower rooms in the ratio 1:5 (baths: occupiers). There should be WCs fitted, in the ratio 1:5 (WCs: occupiers) but at least one WC with wash basin must be sited in a separately accessible compartment.

All bathrooms and WCs to be supplied with hot and cold water as applicable and waste drainage. Tiled splashbacks to be provided for areas adjacent to baths, to areas above wash basins and to the walls of shower enclosures. Washable, impervious floor coverings to be fitted in all bath/shower rooms and WC compartments. External WCs do not count towards the minimum requirement above.

Wash hand basins – Where 5 or more persons occupy an HMO, a wash hand basin with hot and cold water and a tiled splash back should generally be provided, where reasonably practicable, within each letting (unless a sink is already provided) of sufficient size to allow personal washing. The most appropriate installations would be in rooms with adequate space for siting such a facility; access to existing waste drainage; sufficient falls within the drainage system to ensure waste water is properly disposed of.

4. **Crowding and space within bedsits and shared houses –** the minimum standards for overcrowding apply to HMOs but in addition there are considerations such as the floor space taken up by kitchens in rooms and whether or not there are communal lounges or dining rooms within the house, in which case the bedroom size can be reduced because the occupants have access to a living space in the house. If no communal space is provided, an allowance must be made in the bedsitting room for seating/TV etc. Overcrowding in HMOs is dealt with using enforceable parts of the Housing Act 2004, so keeping to the space limits is vital, to avoid notices. For licensed HMOs a mandatory maximum number will be included in the licence.

| One person unit with communal space available in the house | Floor area |
|---|---|
| One person unit no kitchen | 6.5m ² or 70ft ² |
| One person unit with kitchen | 9.5m ² or 105ft ² |
| One person unit - no communal space in the house | |
| One person unit no kitchen | 8m ² or 85ft ² |
| One person unit with kitchen | 11m ² or 120ft ² |

| Two person unit with communal space available in the house | Floor area |
|---|---|
| Two person unit no kitchen | 10.5m ² or 110ft ² |
| Two person unit with kitchen | 13.5 m ² or 145ft ² |
| Two person unit - no communal space in the house | |
| Two person unit no kitchen | 13m ² or 140ft ² |
| Two person unit with kitchen | 16m ² or 175ft ² |

Communal space means a furnished lounge area and/or dining room sufficient for residents to relax and enjoy using.

5. **Management of HMOs - All HMOs must comply with the Management of Houses in Multiple Occupation (England) Regulations 2006*. The Regulations state that it shall be the responsibility of the Manager of the HMO to ensure the following:**

(i) Safety measures - All means of escape from fire are to be kept free from obstruction and maintained in good order and repair. Any fire fighting equipment and fire alarms must be maintained in good working order. All notices indicating the means of escape must be displayed so that they are clearly visible to the occupiers.

The manager must take all measures to protect the occupiers from injury, having regard to the design, structural conditions and numbers of occupants, especially in relation to roofs and balconies, and any windows that have sills at or near to floor level.

(ii) Water supply and drainage - All means of water supply and drainage in the house are to be maintained, repaired, kept clean and be protected against frost damage. Tanks and cisterns must be clean and covered. The manager shall not unreasonably cause the supply of water to be interrupted.

(iii) Gas and electricity - The manager shall not unreasonably cause the supply of gas or electricity to be interrupted. The manager must supply a copy of the latest Gas Appliance Test Certificate within 7 days of a request from the local authority. The manager must ensure that every fixed electrical installation is inspected and tested by a suitably qualified person at intervals not exceeding 5 years, (from 15th February 2006) obtain a test certificate and supply a copy to the local authority within 7 days of receiving a request from the local authority.

(iv) Common parts, fixtures, fittings and appliances - The manager shall also ensure that all common areas such as staircases, passageways, corridors and entrances are kept reasonably free from obstruction, maintained in good and clean decorative repair and in safe working condition. All handrails and banisters and any stair coverings must be kept repaired or replaced or be provided where necessary for the safety of the residents. All fixtures, fittings and appliances used in common are to be maintained in good and safe repair and in clean working order, except those that an occupier is entitled to remove, or which are otherwise outside the control of the manager.

Included are installations that serve any part of the house in common use:

- installations for the supply of gas and electricity, for lighting and for space heating or heating water;
- sanitary conveniences, baths, sinks, washbasins and installations for cooking or storing food;
- receptacles or other installations provided in connection with the delivery to the house of postal packets;
- other installations (if any) in a kitchen, bathroom, W.C or washroom that are not subject to any other provisions of the Regulations.

The manager shall ensure that any part of the HMO not in use is kept reasonably clean and free from refuse and litter.

(v) Living accommodation - The internal structure of any part of the house occupied by a resident as his living accommodation including the installations for supply of water, gas, electricity, ventilation, and sanitation must be maintained in a good state of repair. The manager must ensure that each unit of living accommodation and any furniture supplied with it are in a clean condition at the start of any occupation by a tenant.

(vi) Lighting, windows and ventilation - All windows and other means of ventilation in common areas must be kept in good repair. The common parts must be fitted with adequate light fittings that are available for use at all times by every occupier whether or not they are in common use.

(vii) Outbuildings in common use - All outbuildings, yards and forecourts that belong to the house and are in common use must be maintained in repair, clean condition and good order, and any boundary walls, fences and railings must be kept and maintained in good and safe repair so as not to constitute a danger to residents. Any garden to be kept in a safe and tidy condition.

(viii) Waste disposal facilities - The manager must ensure sufficient bins or other suitable receptacles are provided for the requirements of each household for the storage of refuse and litter pending disposal, and make further arrangements for the disposal of refuse and litter as may be necessary having regard to any service for disposal provided by the local authority.

(ix) Information to occupiers - The name, address and telephone contact number of the manager must be made available to each occupier and the details clearly displayed in a prominent position in the house.

(x) Duties of occupiers - It is the duty of all residents of an HMO to ensure that the manager can effectively carry out his duties. All residents must:

- Allow the manager or agent access, at all reasonable times, to any occupied room, so that he may carry out his duties;
- Provide the manager or agent on request with any relevant information needed to carry out his duties;
- Comply with arrangements made by the manager or agent in respect of litter storage and disposal;
- Conduct himself in a way that will not hinder or frustrate the manager or agent in the performance of his duties;
- Take reasonable care to avoid damaging anything that the manager or agent is under obligation to supply, maintain or repair;
- Comply with the reasonable instructions of the manager or agent in respect to any means of escape from fire, prevention of fire and use of fire equipment;
- Treat the premises in a suitable tenant-like manner and conduct all activities as a reasonable tenant would do.

The manager of the HMO is the person who is responsible for the management as set out in the Management of Houses in Multiple Occupation (England) Regulations 2006. This may be the owner/landlord or a manager appointed by them or a residential letting agent.

*Or, for section 257 HMOs the **Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2006**

The manager or management company **may** be the responsible person for carrying out the statutory fire risk assessment. More information on fire risk assessments can be found on the Bedfordshire and Luton Fire and Rescue Service website <http://www.bedsfire.com> click business fire safety.

Appendix 1 - Summary of Fire Safety Measures in HMOs

HMOs of 3 storeys, 2 storeys, converted flats, single family houses and flats over shops.

| | |
|--|---|
| <p>HMOs of 3 storeys and above</p> <p>Storeys include Attics; Basements; Premises over the shop.</p> <p>Occupied in Bedsits; Shared houses; Hostels.</p> <p>May house vulnerable groups</p> | <p>Structural fire safety:</p> <p>A 30 mins fire protected route (walls, doors, ceilings) to be provided, normally the main staircase. Only one fire door required between the risk rooms and the escape route. Fire doors to be self closing and fitted with intumescent strips and smoke seals, with escape type locks.</p> <p>60 mins fire resistance between basements and ground floor but 30 minutes plus detection will be accepted after inspection if basement ceiling is in good condition, with 30 minutes fire protection and no voids/gaps.</p> <p>60 mins fire resistance between shops/other uses and HMO.</p> <p>Variations from 60 minute standard to be agreed with Fire Authority (usually by use of additional detection).</p> <p>Doors to letting rooms and final exit doors must be openable without the use of a key (night latches, mortice escape locks with thumb turn inside or other escape type lock.)</p> <p>Electric meters within the staircase to be enclosed in a fire resisting cupboard/housing.</p> <p>Kitchen/lounge fire doors which open directly onto the escape stairway (and are likely to be propped open by occupiers) may be required to be fitted with an automatic retaining device (connected to the fire alarm system) or 'Dorgards'.</p> <p>The staircase which is the protected route to be kept free from combustible materials and obstructions.</p> <p>Fire alarm system: FULL EVACUATION REQUIRED</p> <p>Option 1: A panel controlled fire alarm and detection system designed and installed to British Standard 5839 Part 6 2004 Grade A and category LD2 (detectors in escape routes and adjoining risk rooms), mixed systems may be considered. Optical smoke detectors in bedrooms, lounges etc and heat detectors in kitchens or rooms where there is cooking equipment.</p> <p>Option 2: A mains operated system of smoke and heat detectors conforming to British Standard 5839 Part 6 2004 Grade D and category LD2 (detectors in escape routes and adjoining risk rooms). Optical smoke detectors in bedsits and escape routes and heat detectors in kitchens. Multisensors may be appropriate. Remote hush/test/locate switch to be included on system.</p> |
|--|---|

More options including multisensors are set out in the full guidance document. The Council and Fire Service must be consulted and the system must be approved prior to installation – prior approval is required.

Emergency lighting:

Dependant on the level of borrowed light and the actual layout/staircase) but generally, to be installed in escape routes to BS 5266 Pt 1: 1999 Code of Practice for emergency lighting and be of category NM/2.

Fire extinguishing equipment:

Minimum of one fire blanket in every kitchen.

Maintenance and testing:

Panel controlled fire alarms to be tested weekly by competent person (as defined in the BS5839 2002), the results to be recorded in log book. All incidents, false alarms and faults to be recorded in log book. A six monthly service and test by a specialist fire safety engineer to be carried out to comply with BS5839 Part 1 2002. Test certificate to be issued by engineer.

Mains operated systems do not require scheduled tests except an annual test by a competent person. Detector heads to be replaced every 10 years.

Further information available from HMO team:

Fire doors specifications
Fire alarm system specifications
Fire alarm testing information

| | |
|---|---|
| <p>HMOs of 2 storeys</p> <p>This group are traditional bedsit type houses with all occupiers on their own contracts</p> <p>Storeys include Attics; Basements; Premises over the shop.</p> <p>Occupied in Bedsits; Shared houses; Hostels.</p> <p>May house vulnerable groups</p> <p>*Large, complex 2 storey HMOs with long travel distances from any bedroom to the final exit, unusual or complex layouts shall be considered to fall into the category as above for 3 storey HMOs - see page 16.</p> | <p>Structural fire safety:</p> <p>A 30 mins fire protected route (walls, doors, ceilings) to be provided, normally the main staircase. Only one fire door required between the risk rooms and the escape route. Fire doors to be self closing and fitted with intumescent strips and smoke seals, with escape type locks.</p> <p>60 mins fire resistance between basements and ground floor but 30 minutes plus detection will be accepted after inspection if basement ceiling is in good condition with no voids/gaps. Basement or cellar may make the house 3 storey – seek advice prior to works .</p> <p>60 mins fire resistance between shops/other uses and HMO.</p> <p>Variations from 60 minute standard to be agreed with Fire Authority (usually by use of additional detection).</p> <p>Doors to letting rooms and final exit doors must be openable without the use of a key (night latches, mortice escape locks with thumb turn inside or other escape type lock.)</p> <p>Electric meters within the staircase to be enclosed in a fire resisting cupboard/housing.</p> <p>Kitchen/lounge fire doors which open directly onto the escape stairway (and are likely to be propped open by occupiers) may be required to be fitted with an automatic retaining device (connected to the fire alarm system) or 'Dorgards'.</p> <p>The staircase which is the protected route to be kept free from combustible materials and obstructions.</p> <p>Fire alarm system: FULL EVACUATION REQUIRED</p> <p>A mains operated system of smoke and heat detectors conforming to British Standard 5839 Part 6 2004 Grade D and category LD2 (detectors in escape routes and adjoining risk rooms).Optical smoke detectors in bedsits and escape routes and heat detectors in kitchens. Multisensors may be appropriate. Remote hush/test/locate switch to be included on system.</p> <p>Other options are available – such as panel controlled systems, note as for 3 storey HMOS, prior approval of the fire alarm system is required.</p> <p>Emergency lighting:</p> <p>Not normally required, unless there is significant lack of borrowed lighting within staircase enclosure and layout/changes of level present exit difficulties in the event of a fire.</p> <p>Fire extinguishing equipment:</p> <p>Minimum of one fire blanket in every kitchen.</p> |
|---|---|

Maintenance and testing:

Fire alarm should be tested weekly by landlord or tenant. Remote test switch allows for easy testing. An annual check by a competent person to comply with BS5839 Part 6 2004 should include cleaning in accordance with manufacturer's recommendations. Each detector head should be replaced every 10 years (guaranteed life of the standby battery). If the building has been unoccupied or the mains power has been disconnected, the system should be tested to ensure the operation of the power supply and standby supply.

Further information available from HMO team:

- Fire doors specifications
- Fire alarm system specifications

| | |
|---|--|
| <p>HMOs of 2 storeys</p> <p>Permitted variation from 2 storey standard</p> <p>Sharers or student standard</p> <p>Occupied by students or professional sharers. Occupied on a single contract for whole house*</p> <p>No unusual layouts</p> <p>No cooking equipment in rooms</p> <p>6 occupiers maximum</p> <p>Max 18m travel distance to final exit</p> <p>No vulnerable groups permitted</p> | <p>Structural fire safety:</p> <p>Well fitting internal flush doors or panel that close and latch properly and are fitted with smoke seals.</p> <p>60 mins fire resistance between shops/other uses and HMO. Variations by agreement with Fire Authority.</p> <p>Doors to letting rooms and final exit doors must be openable without the use of a key (recommended mortice escape locks)</p> <p>Electric meters within the staircase to be enclosed in a fire resisting cupboard/housing.</p> <p>Escape route to be kept free from combustibile materials and obstructions.</p> <p>Fire alarm system: FULL EVACUATION REQUIRED</p> <p>A mains operated system of smoke and heat detectors conforming to British Standard 5839 Part 6 2004 Grade D and category LD3 (detectors in escape routes and the kitchen).Optical smoke detectors in escape routes and heat detectors in kitchens. Multisensors may be appropriate. Remote hush/test/locate switch to be included on system.</p> <p>Emergency lighting:</p> <p>Not normally required, unless there is significant lack of borrowed lighting within staircase enclosure and layout/changes of level present exit difficulties in the event of a fire.</p> <p>Fire extinguishing equipment:</p> <p>Minimum of one fire blanket in every kitchen.</p> <p>Maintenance and testing:</p> <p>Fire alarm should be tested weekly by landlord or tenant. Remote test switch allows for easy testing. An annual check by a competent person to comply with BS5839 Part 6 2004 should include cleaning in accordance with manufacturer’s recommendations. Each detector head should be replaced every 10 years (guaranteed life of the standby battery). If the building has been unoccupied or the mains power has been disconnected, the system should be tested to ensure the operation of the power supply and standby supply.</p> <p>Further information available from HMO team:</p> <p>Fire alarm system specifications</p> |
|---|--|

*Note - this variation to relax the fire safety measures is based on the evidence that groups of friends/colleagues sharing a house together have only a slightly increased risk of fire or harm from fire as a family. The group (who **must** have a single contract together) have full occupation of the whole house. Empty rooms are the responsibility of the group to re-let.

| | |
|--|---|
| <p>Houses converted into self contained flats 2 or 3 storeys and above</p> <p>Including attics and basements or over the shop</p> | <p>Structural fire safety:</p> <p>A 30 mins fire protected route (walls, doors, ceilings) to be provided, normally the main staircase. Only one fire door required between the risk rooms (the flat itself) and the escape route**.</p> <p>Therefore, all flat entrance doors must be 30 minute fire doors, no uPVC or solid wood doors or non fire resisting glazed doors are permitted unless 30 minutes can be proven. No cat flaps, letterboxes or damage is permitted. Non complying doors must be replaced.</p> <p>Fire doors to be self closing and fitted with intumescent strips and smoke seals, with escape type locks.</p> <p>60 mins fire resistance between basements and ground floor but 30 minutes plus detection will be accepted after inspection if basement ceiling is in good condition with no voids/gaps, with 30 minutes fire protection and no voids/gaps. Basement or cellar may make the house 3 storey – seek advice prior to works .</p> <p>60 mins fire resistance between shops/other uses and building.</p> <p>Variations from 60 minute standard to be agreed with Fire Authority (usually by use of additional detection).</p> <p>Doors to letting rooms and final exit doors must be openable without the use of a key (night latches, mortice escape locks with thumb turn inside or other escape type lock.)</p> <p>Electric meters within the staircase to be enclosed in a fire resisting cupboard/housing.</p> <p>The staircase which is the protected route to be kept free from combustible materials and obstructions.</p> <p>**To note – the existing flats, with fire doors in the flats (2 fire doors between the risk and the stairs) walls and ceilings may already be 60 mins fire resistance which is the Building Regulation standard for conversion to flats. However, experience that suggests the internal layout/internal fire doors have usually been modified or removed or just propped open during use and this reduces the level of protection (between the risk and the stairs) to 30 minutes. This fire safety standard is concerned with retro fitting basic fire safety measures into non complying buildings, therefore the <u>minimum</u> retro fit is to be 30 minutes fire resistance throughout plus improved detection. Lathe and plaster ceilings in good condition can provide a modified 30 mins fire resistance. Cracked/unkeyed ceilings will not meet this standard and should be improved.</p> <p>For flat conversions the advice/recommendations of the Council/Fire Service should be sought for all elements of fire safety prior to works taking place.</p> |
|--|---|

| | |
|--|---|
| <p>Houses converted into self contained flats 2 or 3 storeys and above (cont.)</p> <p>Including attics and basements or over the shop</p> | <p>Fire alarm system: PHASED EVACUATION</p> <p>Houses which were converted into self contained flats before the 1991 Building Regulations rely on fire separation but no detection. This standard promotes a mains operated phased smoke detection system which provides a high level of protection while minimising false alarms; it is designed particularly for use in converted buildings and is suitable for all such houses regardless of tenures (Leaseholds/short tenancies or mixture of both).</p> <p>Design and install a mixed system which comprises:</p> <p>(1) a mains operated fire alarm and detection system designed and installed to British Standard 5839 Part 6 2004 Grade D and category LD2 (detectors in escape routes and <u>heat</u> detector, 600mm from main entrance fire door within each flat), detectors to be interlinked together to form one system.</p> <p>(2) Inside each flat, in circulation space, single point optical smoke detector with remote hush/test switch to be fitted, not linked, but under control of occupant. System defaults to evacuate mode if a flat is on fire and heat detector activates prior to fire door being under threat from blaze. Minimises false alarms.</p> <p>Remote hush to be fitted to main system in a secure location to avoid false hushing or tampering(1)</p> <p>Note: Where such systems comprise more than 14 detectors in total on the interlinked system, an automatic panel controlled fire alarm may be considered, or radiolinking which increases the numbers which may be linked together. The manufacturers will usually provide technical guidance.</p> <p>Emergency lighting:</p> <p>Flat conversions usually reduce the lighting to the stairways, making them dark even in daytime. Emergency lighting to be installed in escape routes to BS 5266 Pt 1: 1999 Code of Practice for the emergency lighting and be of category NM/2.</p> <p>Fire extinguishing equipment:</p> <p>Minimum fire blanket in every kitchen.</p> <p>Maintenance and testing:</p> <p>Fire alarm should be tested weekly by landlord or tenant. Remote test switch allows for easy testing. An annual check by a competent person to comply with BS5839 Part 6 2004 should include cleaning in accordance with manufacturer's recommendations. Each detector head should be replaced every 10 years (guaranteed life of the standby battery). If the building has been unoccupied or the mains power has been disconnected, the system should be thoroughly tested to ensure the operation of the power supply and standby supply.</p> <p>Further information available from HMO team: Fire doors specifications, Fire alarm system specifications.</p> |
|--|---|

| | |
|---|---|
| <p>Single family houses</p> <p>All members of one family as defined in housing benefit legislation</p> <p>Non related sharers come under the HMO standard.</p> | <p>Structural fire safety:</p> <p>2 storey family houses will not require any additional structural fire safety measures. 3 storey houses constructed after 1991 will have a 30 mins fire protected route (walls, doors, ceilings) – fire doors on all risk rooms. 3 storey houses which are of existing traditional construction will not require any fire doors but will need additional smoke detection which is interlinked to allow alarms to be heard at second floor level if there is a fire at ground floor level.</p> <p>Fire alarm systems</p> <p>The ideal - BS 5839 Part 6, Grade D category LD3 mains operated detector/sounder, either optical smoke or ionisation, dependant on siting the detector away from kitchens/cooking equipment, to be installed on the ground floor level and first floor level of the staircase as a minimum requirement. Additional interlinked detection would be required on each floor should the premises consist of 3 or more floors.</p> <p>Acceptable – working battery operated smoke detectors BS 5839 Part 6, Grade F category LD3 on each landing level of the staircase for 2 storey properties.</p> <p>Poor layouts involving fire exit through risk rooms should be improved using additional detection or in the case of open plan ground floors the detection should be sited in the most suitable position to protect the sleeping occupiers if there is a fire at night.</p> <p>Emergency lighting:</p> <p>Not required</p> <p>Fire extinguishing equipment:</p> <p>Recommended fire blanket in every kitchen.</p> <p>Maintenance and testing:</p> <p>Fire alarm should be tested weekly by landlord or tenant. An annual check by a competent person to comply with BS5839 Part 6 2004 should include cleaning in accordance with manufacturer's recommendations. Each detector head should be replaced depending on manufacturers guarantee or for mains operated detectors - every 10 years (guaranteed life of the standby battery). Battery detectors to be replaced every 5 years and batteries replaced annually or when "bleeping". If the building has been unoccupied or the mains power has been disconnected, the system should be thoroughly tested to ensure the operation of the power supply and standby supply.</p> <p>Further information available from HMO team:</p> <p>Fire doors specifications Fire alarm system specifications</p> |
|---|---|

| | |
|---|--|
| <p>Over the shop</p> <p>Higher risk plus exit routes</p> | <p>Structural fire safety:</p> <p>Flats over shops are higher risk because of the use underneath which might be high risk and limitations of exit routes.</p> <p>Single flat over a shop (2 storeys max) with clear exit route to outside – no internal fire doors but flat door should be 30 minutes fire resisting if it is inside a staircase enclosure. 60 minutes between shop and flat floors.</p> <p>Several flats over a shop/s (2 storeys max) – 30 minute fire doors to each flat entrance door. Clear exit route out to a place of safety. 60 minutes between shop and flat floors.</p> <p>Several flats over a shop (3+ storeys) 30 minute fire doors to each flat door. 60 minutes between floors. Internal doors should also be fire resisting but refer to converted flat standard for explanation. Clear exit route out to a place of safety.</p> <p>The fire resistance standard is for both purpose built and converted flats over shops.</p> <p>No occupiers should have to pass through a potentially obstructed area (Shop yard or alley or staircase) to get out to a place of safety. Any locks on gates to be fire escape locks easily operable from the inside without using a key.</p> <p>Fire alarm systems – EVACUATION DEPENDS ON BUILDING TYPE</p> <p>Flats over shops which are converted buildings - Design and install a mixed system which comprises:</p> <p>Design and install a mixed system which comprises:</p> <p>(1) a mains operated fire alarm and detection system designed and installed to British Standard 5839 Part 6 2004 Grade D and category LD2 (detectors in escape routes and <u>heat</u> detector, 600mm from main entrance fire door within each flat), detectors to be interlinked together to form one system.</p> <p>(2) Inside each flat, in circulation space, single point optical smoke detector with remote hush/test switch to be fitted, not linked, but under control of occupant. System defaults to evacuate mode if a flat is on fire and heat detector activates prior to fire door being under threat from blaze. Minimises false alarms.</p> <p>Remote hush to be fitted to main system in a secure location to avoid false hushing or tampering(1)</p> <p>Note: Where such systems comprise more than 14 detectors in total on the interlinked system, an automatic panel controlled fire alarm may be considered, or radiolinking which increases the numbers which may be linked together. The manufacturers will usually provide technical guidance.</p> |
|---|--|

| | |
|-----------------------------------|--|
| <p>Over the shop cont.</p> | <p>Flats over shops which are purpose built buildings – no smoke detection system for the communal areas is required under this standard for purpose built blocks with sterile stairs/landings/escape routes. Inside each flat, in circulation space, single point optical smoke detector with remote hush/test switch to be fitted, not linked, but under control of occupant.</p> <p>Existing buildings which have been recently converted may already have smoke detection systems within communal stairways.</p> <p>Poor layouts involving fire exit through risk rooms should be improved using additional detection. Flats over shops often have the kitchen at the rear which gives out onto the exit staircase. Each case must be checked by the HMO team or Fire Officer before recommending extra detection.</p> <p>Prior approval of fire alarm systems must be sought before carrying out works.</p> <p>Emergency lighting:</p> <p>Dependant on the level of borrowed light and the actual layout/staircase) but generally, to be installed in escape routes to BS 5266 Pt 1: 1999 Code of Practice for emergency lighting and be of category NM/2.</p> <p>Fire extinguishing equipment:</p> <p>Minimum fire blanket in every kitchen.</p> <p>Maintenance and testing:</p> <p>Fire alarm should be tested weekly by landlord or tenant. Remote test switch allows for easy testing. An annual check by a competent person to comply with BS5839 Part 6 2004 should include cleaning in accordance with manufacturer's recommendations. Each detector head should be replaced every 10 years (guaranteed life of the standby battery). If the building has been unoccupied or the mains power has been disconnected, the system should be thoroughly tested to ensure the operation of the power supply and standby supply.</p> <p>Further information available from HMO team: Fire doors specifications Fire alarm system specifications</p> |
|-----------------------------------|--|

Fire risk assessments are required under the Fire Safety Order 2005. This is enforced by Bedfordshire and Luton Fire and Rescue Service. All HMOs, converted blocks of flats, purpose built blocks of flats (low rise or high rise), certain flats over the shop – any residential premises which have communal

areas which can be accessed by members of the public, visitors, flats dwellers, postmen etc. require a fire risk assessment.

Help is available to find out how to complete a fire risk assessment. The Council and Bedfordshire and Luton Fire and Rescue Service have guidance, templates and worked examples. Please contact Bedfordshire and Luton Fire and Rescue Service for information – 01234 845000 or www.bedsfire.com and click business fire safety for fire risk assessment choices.

Appendix 2 - Definition of House in Multiple Occupation - Summary

“House in Multiple Occupation” means a building or part of a building (e.g. a flat):

- which is occupied by more than one household and in which more than one household shares an amenity (or the building lacks an amenity) such as a bathroom, toilet or cooking facilities; or,
- which is occupied by more than one household and which is a converted building which does not entirely comprise self contained flats (whether or not there is also a sharing or lack of amenities); or
- which comprises entirely of converted self contained flats and the standard of conversion does not meet, as a minimum, which required by the 1991 Building Regulation and more than one third of the flats are occupied under short tenancies.

And is 'occupied' by more than one household:

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

And the households comprise:

- families (including foster children, children being cared for) and current domestic employees,
- Single persons
- Co-habiting couples (whether or not of the opposite sex).

A full definition is given under S254 and schedule 14 Housing Act 2004

Appendix 3 - Housing, Health and Safety Rating System (HHSRS) Hazards

| No. | Hazard | Common Causes |
|-----------------------------------|---|---|
| Physiological Requirements | | |
| 1 | Damp and Mould Growth | Health threat from dust mites and mould caused by dampness and/or high humidity. Includes threats to mental health from living with damp and condensation. |
| 2 | Excess Cold | Health threat from low indoor temperatures from lack of central heating or affordable heating, poor insulation, disrepair of heating system or building components etc. |
| 3 | Excess Heat | Health threat from high indoor temperatures caused by lack of ventilation, excess heating or heat gain in summer from poor insulation, large expanses of glass etc. |
| 4 | Asbestos (and MMF) | Health threat caused by exposure to asbestos fibres and manufactured mineral fibres (MMF) e.g. from insulation of pipework, lofts and cavity walls. Inhalation of fibres. |
| 5 | Biocides | Health threat from chemicals used to treat timber, insect infestation and mould growth in dwellings. Health effects may vary. |
| 6 | Carbon Monoxide (CO) and fuel combustion products | Health threat from excess levels of CO, nitrogen dioxide (e.g. from gas cookers), sulphur dioxide (e.g. from coal fires) and smoke in the dwelling. |
| 7 | Lead | Health threats from high levels of lead e.g. in old paintwork and old lead plumbing. |
| 8 | Radiation | Health threats from radon gas building up in sub-floor space from radiation emitting rock as part of normal ground conditions. |
| 9 | Uncombust-ed Fuel Gas | Health threat from escaping gas within a dwelling causing potential explosions/fire. |
| 10 | Volatile Organic Compounds | Health threats from organic chemicals such as formaldehyde found in a wide variety of materials in the home. |
| Psychological Requirements | | |
| 11 | Crowding and Space | Psychological as well as infectious disease health threats from overcrowding due to lack of living space including sleeping, cooking, washing etc. |
| 12 | Entry by Intruders | Psychological and actual health threat from intruders or fear of intruders due to poor security against unauthorised entry e.g. inadequate/broken door and window locks, fences. |
| 13 | Lighting | Lack of natural and/or artificial light or poorly positioned lights. Includes psychological effect from lack of a view. Assessment is of whole dwelling. |
| 14 | Noise | External noise from railways, airports, factories or roads, internally from adjacent dwellings lacking sound insulation (between flats), internal noise from plumbing, for example. |

| Protection Against Infection | | |
|-------------------------------------|--|---|
| 15 | Domestic Hygiene Pests and Refuse | Due to poor design and construction, damaged surfaces, access and harbourage for pests. |
| 16 | Food Safety | Inadequate facilities for storage, preparation and cooking of food. |
| 17 | Personal hygiene, sanitation and drainage. | Infectious disease and effects on mental health associated with poor personal hygiene due to inadequate washing and clothes washing facilities, sanitation and drainage. |
| 18 | Water Supply | Disease, poisoning and parasitic infections due to poor quality or contaminated domestic water supply. |
| Protection Against Accidents | | |
| 19 | Falls associated with Baths | Slipping getting in or out of bath or showers resulting in injury, fractures , cuts etc. |
| 20 | Falling on Level Surfaces | Falling on floors, yards, paths, trip steps less than 300mm resulting in injury, fractures, cuts etc. |
| 21 | Falling on Stairs etc. | Falls associated with internal or external stairs, steps over 300 mm and ramps resulting in injury. |
| 22 | Falling Between Levels | Where difference in level is over 300 mm - includes injuries arising from falls from balconies, landings, windows, accessible roofs, basement wells, retaining walls etc. |
| 23 | Electrical Hazards | Shocks and burns from electrocution due to defective wiring, plugs etc. Includes lightning strikes. |
| 24 | Fire | Potential fatality from burns and smoke inhalation caused by uncontrolled (accidental) fires frequently associated with cooking appliances, chip pans, defective heating/electrical appliances, dangerous wiring etc. |
| 25 | Flames and Hot Surfaces | Burns caused by contact with hot flames/surfaces or controlled fires or liquids (e.g. when cooking or from heaters) or scalds from hot liquids and vapours. |
| 26 | Collisions, Cuts and Strains | Physical injury from a) trapping body parts in architectural features, doors or windows; or b) collisions with architectural glazing, windows, doors, low headroom, ceilings and walls. |
| 27 | Explosions | Injury and the threat of injury from explosions from mains or stored gas. |
| 28 | Position and Operability of Amenities | Strains and injuries from awkward positioning of windows, amenities such as sinks and wash hand basins, kitchen cupboards, switches etc. |
| 29 | Structural Collapse and Falling Elements | Injury arising from falling slates, bricks, ceiling plaster or windows etc. and collapse from structural failure of roofs, walls or floors, guard rails etc. |

Where can I get more information?

HMO enquiries. The Housing Enforcement team with specialist HMO officers at Bedford Borough Council will be pleased to advise about any aspect of Houses in Multiple Occupation – contact 01234 718099.

Other Rented Property. The Housing Enforcement team can advise about other rented property enquiries – contact 01234 718099

Rent Deposit Scheme and private sector leasing – landlords enquiries about offering property to the Council for housing. The Housing Options Team can advise on different options – contact 01234 718681.

Loan Assistance. The Home Improvement Team can advise on the availability of loan assistance for carrying out essential works – contact 01234 227489.

Bedfordshire and Luton Fire and Rescue Service. Telephone 01234 845000 or email - naofiresafetyadministration@bedsfire.com.

The Bedford Borough Council website contains more information about rented property, including housing advice, empty homes, housing strategy, homelessness and grants and loans. The address is <http://www.bedford.gov.uk> click “Housing” in the menu.

The Department for Communities and Local Government website <http://www.communities.gov.uk> also contains useful information which can be downloaded or ordered in hard copy.

Enquiries regarding this Guide:

Environmental Health & Trading Standards
Community Regulation Team
Bedford Borough Council
Borough Hall
Cauldwell Street
Bedford
MK42 9AP

01234 718099 (HMO Team)

01234 718099 (Housing enquiries and complaints)

Email: ehadmin@bedford.gov.uk