



Cheshire West & Chester Council

# Property and Management Standards Applicable to Houses of Multiple Occupation (Amenity Standards)

Housing Act 2004



This document sets out the minimum room sizes together with the minimum provision of

amenities, fire precautions and heating for shared houses and bedsit HMOs. Property and management standards applicable to self-contained flats are also available. Please contact the Housing Standards Team should you require a copy.



Building futures, opening doors



Cheshire West  
and Chester

## Definition

The definition of a house in multiple occupation (HMO) is complex. In essence a property that is occupied by more than one household is a HMO. One household is considered as an individual unrelated person, or a couple, or a family living together. Two unrelated persons sharing a property are however exempt from the HMO definition. Full details of the HMO definition can be found in section 254 of the Housing Act 2004.

In Cheshire West there are 3 main types of HMOs; Shared Houses, Bedsits and Self-contained flats (converted prior to 1991 Building Regulations.)

Shared houses are types of HMOs where the whole property has been rented by an identifiable group of sharers such as students, work colleagues or friends as joint tenants on a whole house contract. Each occupant is unrelated and has their own bedroom, but they share facilities such as the kitchen, dining facilities, bathroom, WC, living room etc. 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 locks are not provided on bedroom doors. 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.

Bedsit HMOs are another type of HMO. The property is rented on a room by room basis, either to a group of friends, or to individuals. There is some sharing of kitchens and/or bathrooms and some rooms may even have their own kitchenettes or en-suite. Each occupant is unrelated and has their own contract for legal possession of one particular room in the house. Tenants are not liable for rent payments if one occupant moves out, although they may be consulted when finding any replacement tenants. Locks are normally provided on bedroom doors. The vast majority of student HMO properties fall into this category.

Self-contained flats, converted prior to 1991 Building Regulations are another form of HMO. Many large properties were converted into self-contained flats prior to the introduction of modern fire safety standards. These properties require fire precautions and amenity standards similar to those required in shared houses and bedsits.

## General Principles of Occupation

- Children are not permitted in HMOs (unless with prior consent from the Local Authority).
- In no case shall any room be occupied by more than two persons.
- Persons who are not living as a couple or related, are only permitted to share a room when consent has been given by the Local Authority. (Max 2 persons-as above)

No unit of accommodation shall be occupied on the basis of a divided or shared tenancy or licence (eg 'Hot bedding' where different shift workers occupy the same bed on a rota type basis).

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 1.53m (5ft).

# 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.

Planning permission is required for all new HMOs in certain parts of Chester that are subject to Article 4 restrictions (Garden Quarter, Brook Lane/Newry Park, King Street.)

Further information on planning and building control approval may be obtained via the Council's website or by calling 0300 123 8 123.

## HMO licensing

HMOs with 5 or more occupants will require a Mandatory HMO Licence. Further information and online mandatory licensing applications can be made via [www.cheshirewestandchester.gov.uk](http://www.cheshirewestandchester.gov.uk) or by contacting the Housing Standards Team on 0300 123 7038

Landlords who are a member of the Cheshire Landlord Accreditation Scheme (CLAS) are able to get a 10% discount on HMO licence application fees.

More details can be found on our website.



# 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:

<b>Bedroom</b>	Single	6.51m <sup>2</sup>
	Occupancy Double	10.5m <sup>2</sup>
Combined Bedroom and Living Room (with separate kitchen)	Single	10.5m <sup>2</sup>
	Double	15m <sup>2</sup>
	Occupancy	
<b>Combined Bedroom/Living Room/Kitchen</b>	<b>Single</b>	<b>13m<sup>2</sup></b>
	Double	20m <sup>2</sup>
	Occupancy	
Living Room	Single	9m <sup>2</sup>
	2–5 persons	11m <sup>2</sup>
	6+ persons	12.5m <sup>2</sup>
<b>Kitchen</b>	Single	3.5m <sup>2</sup>
	2–5 persons	6.5m <sup>2</sup>
	6 persons	7.5m <sup>2</sup>
	7 persons	8.5m <sup>2</sup>
	8 persons	9.5m <sup>2</sup>
	9–10 persons	10.5m <sup>2</sup>
Combined kitchen/Living area	Single	10.5m <sup>2</sup>
	2–5 persons	11.5m <sup>2</sup>
	6 persons	12.5m <sup>2</sup>
	7 persons	13.5m <sup>2</sup>
	8 persons	14.5m <sup>2</sup>
	9–10 persons	15.5m <sup>2</sup>

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 attic rooms, any floor area in the eaves of the room where the ceiling height is less than 1.53 metres.
- does not include any fire lobby or bathroom lobby.

## Heating in HMOs

All units of accommodation, kitchens, living rooms, halls, landings and bathrooms must be provided with an adequate fixed form of heating, capable of heating the room to a temperature of 21oC when the outside temperature is -1oC. Whole house heating is the preferred option but fan assisted electric storage heaters with 'boost function' are also satisfactory. Timer and thermostatic controls are required for all heating appliances and to be located in communal areas. Thermostatic Radiator Valves (TRVs) are to be fitted (where applicable.)

For heating to be properly used by the tenants, it must be affordable. Heaters that use full price electricity are not normally acceptable as the main form of heating. Heating in any communal rooms/areas of bedsits must be funded by general rental charges. Prepayment meters solely for heating communal areas are not acceptable.

Paraffin heaters, LPG heaters, Solid fuel boilers, Open fires and freestanding plug in electric

heaters are not acceptable.

Gas fires may only be present as secondary heating in a communal living room, subject to appropriate safety certification.

All properties should be fully insulated and draught-proofed. All heating appliances must be fixed to either the wall or the floor and be provided with an appropriate base or surround to reduce the risk of fire. Where the property has an Energy Performance Certificate, it must meet current minimum rating criteria.

All heaters (and boilers) 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 and kitchens, whether for exclusive or shared use must also be provided with a fixed form of heating.

More details on heating can be found in Standards for Heating Privately Rented properties. Contact the Housing Standards team for a copy.

# Bathrooms (includes Shower Rooms)

## The Room

Bathrooms must be of adequate size and head height to enable users to use the facilities 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.

Suitable heating is required in bathrooms.

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

A ratio of one bath or shower to every 5 persons sharing is required. Either a shower or a bath may be provided, however a shower facility installed over a bath will only count as one facility. Examples of acceptable minimum combinations of shared 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 Housing Standards Team in circumstances where facilities are required for 15 or more persons.

Ideally, bathroom facilities should be located on each floor of the property. Where this is not achievable, occupants must not be required to travel more than one floor to use bathroom facilities.

Ensuite facilities can be included in the amenity provision with HMOs.

Baths/showers/WCs shall not be provided in kitchens.

## 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 equivalent.

Where showers are provided they must be either purpose designed waterproof shower cubicles or wetrooms.

Seals between the shower base and walls must be provided with waterproof flexible mastic sealant. 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.

All baths and showers must be provided with an adequate supply of constantly available hot and cold water and adequate drainage (see below). 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. Washbasins must be firmly and securely anchored to the wall/floor and have adequate drainage .

Shared wash hand basins must be at least 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.

Shared wash hand basins must be provided on a ratio of one wash hand basin to every 5 persons sharing.

Space saving wash hand basins are only permitted in ensuite accommodation and in WC compartments when a standard size basin is provided in the main shared bathroom



## Water Closets

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

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.

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 is required
- 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.

- Toilet seats must be fitted and the WC and flushing mechanism be maintained in good working order which is capable of being kept hygienically clean
- a wash hand basin- as above
- a suitable form of heating
- WCs accessed from outside do not count towards the overall number of WCs available for use in a property.

## 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 or if mould is present.

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

## 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 eg Welsh Water.

The supply of water for drinking purposes (i.e. 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 when 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 an emergency or to enable repair works to be carried out. Stop valves should therefore be readily accessible and where applicable, able to isolate individual units of accommodation.



## Hot Water Supplies

All systems supplying hot water must be designed and installed so that hot water at a reasonable pressure, is available at wash hand basins, sinks, baths or showers at all reasonable times. To reduce the risk of scolding, hot water must be capable of being delivered at a thermostatically controlled temperature.

Timers are required for immersion heaters and other hot water storage systems. Any hot water storage tank must be provided with an accessible stop cock to the down service pipe, and be adequately insulated.

Instantaneous electrical water heaters may be acceptable, providing they are energy efficient, have thermostats to prevent scolding, provide sufficient flow 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.

Hot water systems must be designed and maintained to minimise the potential for the growth of Legionella. All landlords have a duty to assess and minimise the risks to occupants. The risks to most residential properties is low due to the frequency of water use, and the presence of combi boilers and electric showers. Legionella risk increases where hot/warm water is kept in long pipe runs/cylinders, especially in larger properties. Control measures include 'flushing' systems and insulating pipes to reduce optimal growth conditions. Where the risk of Legionella increases, a detailed assessment of the risks is required. More details can be found at [www.hse.gov.uk](http://www.hse.gov.uk)

All risks assessments are to be reviewed on a regular basis.

## Disposal of Waste Water and Drainage

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

## Provision of Kitchen Facilities in HMOs

### Kitchens

Communal kitchens within HMOs 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 to be installed and properly arranged so that food

can be safely and hygienically prepared and cooked.

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

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





## Ventilation

Kitchens are required to have suitable mechanical extract ventilation. Required extract rates are 30 litres per second where the extraction is immediately above the cooker, or 60 litres per second elsewhere. 'Recirculating' cooker hoods are not recommended.

## Lighting

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

## The Room

All kitchens, whether for exclusive or shared use must have floor coverings which are impervious, reasonably smooth and easily cleansable. Ideally floor coverings should be slip resistant and secure. Walls and ceilings must also be reasonably smooth such that they can be kept clean and easily redecorated. Suitable heating is required in kitchens.

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 doorway. Minimum room sizes are given in the table above.



## Layout

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

To prevent accidents, cookers must be located away from any door, and not compromise escape in the event of a fire. In addition, 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 and ideally, there should be at least 500 mm of fixed work surfaces either side of any hob to shield any overhanging panhandles and so that hot foods and utensils can be placed down quickly and safely.

Open plan kitchen/living rooms must be suitably arranged such that food preparation/ cooking activities are safely separated from the adjoining dining/living area. There must be sufficient space for the majority of the intended number of users to sit and eat a meal without impinging

upon the working area of the kitchen. There must be sufficient electric sockets, and suitably located, to minimise the risk of overloading and fire (see below).

## Sinks

Sinks must be stainless steel or have a comparable impermeable, easily cleansable surface and be suitably located. They must be provided with a fixed 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.

Dishwashers as an alternative to double sinks with a drainer, are permitted in some situations. The ratio of facilities per number of occupants is given in the table below.

## Food Preparation Surfaces

Kitchen 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. Minimum work spaces for the number of occupants is given in the table below.

## Food Storage Cupboards

The internal and external surfaces of food cupboards must be of durable and easily cleansable materials and, where wall mounted, must be fixed securely to take the considerable weight of stored items. At least one standard cupboard is required per occupant. Food storage underneath a sink is not acceptable.

Cold food storage, (fridges and freezers) are also required. These must be well maintained and not located on an escape route.

The minimum storage space required is determined by the number of occupants- see the table below



## Cooking Appliances

All cooking appliances must be installed according to the manufacturer's instructions. Electric appliances 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 (see above) and the number of ovens/hobs per occupants is detailed below.

The number of ovens and hobs required will depend on the number of occupants. Combination microwaves (with grill) are acceptable in some situations - see the table below.

## Exclusive Bedsit Kitchens

Compact domestic kitchens and kitchenettes may be acceptable in bedsits. Compact kitchens must be installed and maintained in accordance with the manufacturer's recommendations.

Such facilities must give an equivalent level of provision to that specified above. Room sizes must be sufficient and fire precautions enhanced. It is advisable to obtain prior approval of the Housing Standards Team before installing this type of facilities.



Facility	Number of Persons		
	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	1	
Standard kitchen sink and drainer			2
Double sink with drainer		1(*)	
Standard kitchen sink and drainer and Dishwasher		1(*)	

**Key:** (\*) either option will meet the Cheshire West amenity standards



Facility	Number of Persons		
	2-5	6	7-10
<b>Worktops</b>	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.
<b>Cold Food Storage</b>	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.	2 tall upright fridge freezer or 3 standard domestic under counter refrigerator with freezer compartments.
<b>Storage of Dry Food</b>	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.

Facility	Number of Persons		
	2-5	6	7-10
<b>Electrical Sockets</b>	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.
<b>Mechanical Ventilation</b>	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.

## Electrical Safety and Sockets

A suitable number of appropriately sited electrical socket outlets must be provided throughout the property. The number of sockets is determined by the number of people sharing the facilities. More details can be found above. As an overview, 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.

Satisfactory Electrical Installation Condition Reports (EICRs) are required for HMOs. 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 Portable Appliance Tested (P.A.T) each year by a competent person and records kept.

## Fire Precautions in HMOs

Fire precautions required will vary according to the size, risks, and use of the property. A protected means of escape is generally required with Fire doors (FD30s) on all bedrooms, living rooms and kitchens that lead onto the hall stairs and landing.

A risk assessment approach is followed. However, to ensure consistency, the level of fire protection suggested is outlined in the latest housing fire safety publication by the Local Authority Co-ordinating body on Regulatory Services (LACORS now called Local Government Regulation). Full details of the suggested fire precautions required can be found in LACORS 'Housing Fire Safety- Guidance on fire safety provisions for certain types of existing housing'. This document is available on line and is provided as general guidance on fire doors, fire detection, and other fire precautions.

Fire Risk assessments are required for HMOs. The risk assessment will take into account the nature of the tenants, size of property and management and maintenance of fire precautions. There is a wealth of information on line. Fire risk assessments must be reviewed on a regular basis.

## 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](mailto:equalities@cheshirewestandchester.gov.uk)**

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