

House in Multiple Occupation (HMO) Licensing Policy and Standards

1. Definitions

A “household” is made up of members of the same family.

A “house in multiple occupation” is any building or part of a building which is occupied by more than one household who share (or lack) kitchen, bathroom or toilet facilities. A building converted into self contained flats may also be an HMO if the conversion was completed before the 1st June 1992. Detailed definitions are to be found in the Housing Act 2004 (the Act).

There are many exemptions from the definition of an HMO (see Schedule 14 of the Act). Generally HMOs include bedsits, some shared houses, hostels and houses converted into flats.

2. Houses in Multiple Occupation

The Housing Act 2004 together with its accompanying secondary legislation introduced a new mandatory licensing system for certain types of HMOs. This policy sets out how the Council intends to implement this new legislation.

3. HMO Licensing

HMO's in many parts of the country are in poor condition and house vulnerable tenants. The government has introduced a licensing system that is intended to raise both property and management standards in a high risk category of HMO.

Certain types of HMO in the district now have to be licensed by the Council. The licence gives legal authorisation for the occupation of the house concerned by not more than a maximum number of households or persons specified in the licence

An HMO must have a licence if all the following apply:

- it is three or more storeys high
- it accommodates five or more people
- it holds two or more households, and
- the occupants share amenities such as bathrooms, toilets or cooking facilities.

3.1. Exemptions from licensing requirement

The following HMO's are exempt from licensing:

- Properties subject to a temporary exemption notice (see section 62 of the Act. SI 371
- Properties subject to an interim or final management order (see Chapter 1 of Part 4 of the Act. S.61(1)SI 371)

3.2 . Duty holder

The responsibility for ensuring that a relevant HMO is licensed rests with the person having control of, or the person managing, the property. This is basically the owner, or the person who lets the property and collects the rent.

3.3 Effective Implementation

The Council is required to make such arrangements as are necessary to secure the effective implementation in their district of the licensing regime. In order to achieve this the Council will:

- Adopt a suitable policy;
- Determine an appropriate fee;
- Prepare and provide suitable application forms;
- Prepare and provide written advice;
- Prepare procedures and train staff;
- Publicise licensing using the Council magazine/web-site;
- Alert relevant organisations

3.4 Applications

Application proformas will contain the prescribed content and any additional questions considered necessary to enable well-founded decisions to be made in a timely fashion as to whether a licence should be granted or refused.

Applications will be available in hard copy and will be downloadable via the Council's web site.

3.5. Register

The Council will maintain a register containing the prescribed information about licensed HMOs for the public to view.

3.6 Designation of areas subject to additional licensing

Section 56 of the Housing act 2004 enables Councils to extend the licensing regime beyond the mandatory bounds set. Licensing can be extended where HMOs are so badly managed as to give rise to particular problems such as anti social behaviour. Similarly it is possible to introduce selective licensing more broadly to private sector housing where there is low housing demand or anti-social behaviour. Currently the criteria for such action are not met and there are no proposals for this action to be taken.

4. Suitability for occupation

Licences can only be granted where the Council is satisfied that:

- the HMO is *reasonably suitable for occupation* by the number of persons permitted under the licence, or that it can be made so suitable by the imposition of conditions under the licence;
- the licence holder is a *fit and proper* person;
- the proposed licence holder, of all the persons reasonably available to be the licence holder, is the *most appropriate person* to hold the licence;
- the proposed manager, is either the person in control, or their agent or employee and is *fit and proper* to be the manager.
- the *proposed management arrangements* for the house are otherwise satisfactory.

Each of these elements is dealt with in detail in the succeeding paragraphs.

4.1 Reasonably suitable for occupation

The government has prescribed certain standards that must be complied with. If the house does not meet these standards it cannot be licensed. These current standards are detailed in the Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 Schedule 3. The standards relate to the following matters:

- Heating;
- Washing facilities;
- Kitchens;
- Fire precautions.

Even if the house meets these very basic standards a judgement still needs to be made concerning whether the house is reasonably suitable for occupation for a particular number of persons and households. The Council will complement the statutory standards with the standards shown in Appendix 1 when making this judgement about “reasonable suitability” in terms of both numbers of occupants and services and conditions in the property. Deviations from the Council standards may be permitted where the Council considers it reasonable in the circumstances.

4.2 Fit and proper person

The Council is required to assess whether the applicant and any manager are fit and proper people to own or manage an HMO. In making this assessment the Council must have regard to any evidence showing:

- s/he has committed offences involving fraud, dishonesty, violence, drugs, prescribed sexual offences;
- s/he has practised unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in or in connection with, the carrying on of any business;
- s/he has contravened any housing or landlord and tenant law;
- s/he has acted otherwise than in accordance with any applicable Code of Practice under s233 of the Act;
- persons associated with, or formerly associated with, the persons in question, whether in a personal or business capacity has done any of the above and the Council considers this is relevant to whether the individual is fit and proper to be the licence holder or manager.

The Council can take other relevant matters into account, and our assessment will consider whether the applicant has:

- been refused an HMO licence
- been in control of a property subject to an HMO Control Order, an Interim Management Order (IMO) or Final Management Order (FMO)
- been in control of a property where work in default was carried out by a local authority and the debt is outstanding
- not been deemed fit and proper by another Local Authority or
- not been compliant with the Tenancy Deposit scheme (new national scheme).

At the time a licence application is made applicants will not be required to carry out a Criminal Records Bureau (CRB) check and provide us with details of the results. It is considered this step at this time is likely to delay licensing unreasonably. A CRB check will be undertaken by the Council when the licence application is received and the licence could then be issued on the basis of the self-declared information on the application form. Once the CRB check information is received revocation action will be taken if the check indicates the licence holder is not a fit and proper person.

4.3 Most Appropriate Person

The Council will (must) assume, unless the contrary is shown, that the person having control of the house is a more appropriate person to be the licence holder than a person not having control of it. (Section 64 of the Act)

4.4 Proposed Management arrangements

In deciding whether proposed management arrangements for a house are otherwise satisfactory regard will (must) be had to :

- a) whether any person proposed to be involved in the management of the house has a sufficient level of competence to be so involved;
- b) whether any person proposed to be involved in the management of the house (other than the manager) is a fit and proper person to be so involved; and
- c) whether any proposed management structures and funding arrangements are suitable.

Regard will also be had to whether the following are in place:

- a system for tenants to report defects (including emergencies) and arrangements for responding;
- a system of periodic inspections to identify repair or maintenance matters;
- a declaration from the owner, where he is not the manager, that adequate funding will be provided to the manager to deal with repairs.

5. Duration of licences

Licences will usually be granted for five years. Where there are concerns about the property or the management a shorter period may be used but this will not be less than 12 months.

6. Licence Fees

Councils are permitted to charge a fee for licensing work. The fee can take account of all costs incurred in carrying out the licensing functions. The fee to be charged currently will be £501 per property.

7. Licence conditions

An HMO licence will specify the maximum number of occupants who may occupy an HMO. The occupancy number will depend on the number and size of rooms and the kitchen and bathroom facilities.

Certain mandatory conditions are prescribed. Currently these are:

- if gas is supplied to the house, to produce to the local housing authority annually for their inspection a gas safety certificate obtained in respect of the house within the last 12 months;
- to keep electrical appliances and furniture made available by him in the house in a safe condition;
- to supply the authority, on demand, with a declaration by him as to the safety of such appliances and furniture.
- to ensure that smoke alarms are installed in the house and to keep them in proper working order;
- to supply the authority, on demand, with a declaration by him as to the condition and positioning of such alarms.
- to supply to the occupiers of the house a written statement of the terms on which they occupy it.

The Council is entitled to add discretionary conditions relating to the following areas:

- a) the management, use and occupation of the house concerned, and
- b) its condition and contents.

The Council will apply conditions that are considered reasonably necessary such as:

- *HMOs will comply with the statutory Management Regulations within three months*
- *owners or managers must provide copies of up to date reports of fire detection, alarm system and emergency lighting to the Council annually*
- *a requirement for regular maintenance of the property and facilities*
- *the name, address and telephone number of the licensee or manager, a copy of the licence, a copy of the valid gas safety certificate must be displayed in the common parts or sent to every tenant*
- *that tenancy agreements must set out how owners or managers intend to deal with anti social behaviour from tenants or visitors*
- *that any anti-social behaviour arising in the HMO is dealt with under the terms of the tenancy agreement.*

Other specific **conditions** relevant to particular properties may also be applied such as requiring facilities or equipment at the property, or works to be **undertaken** within a particular timescale.

8. Inspection Policy

An Environmental Health Officer will undertake an inspection of every property subject to a licence application. Wherever practicable a Fire Officer will also attend at the same time.

The inspection of each HMO will involve the application of the Housing Health and Safety Rating System (HHSRS), which is set out in the Housing Act 2004 and replaces the current housing fitness standard. This will include a risk assessment of the effect of housing conditions on the health and safety of occupiers. The HHSRS involves the assessment of 29 potential hazards and scoring their severity to decide whether improvements are needed. If more serious "category 1" hazards are found the Council has a duty to take action. If less serious "category 2" hazards are found, the Council has the discretionary power to require action.

In general the Council will seek to identify, remove or reduce category 1 or category 2 hazards in the house by the exercise of Part 1 functions of the Act and not by means of licence conditions.

The Council will not unreasonably delay the granting of the licence pending any of its Housing Act enforcement responsibilities but it will prioritise enforcement in certain circumstances eg where a fire hazard warrants a prohibition order.

9. Interim and final management orders

An interim management order is a short-term intervention by the Council lasting up to 12 months. It's effect is that the Council takes control of the property to enable it to

- (a) take any necessary urgent steps to protect the health, safety or welfare of persons occupying the house, or persons occupying or having an estate or interest in any premises in the vicinity, and
- (b) any other steps relating to the proper management of the house pending the grant of a licence in respect of the house or the making of a final management order in respect of it.

There are situations where the Council has a statutory duty to make such an Order and this will be fulfilled.

The Council may make such an Order in other circumstances such as where an HMO falls outside the scope of the licensing regime but the same steps as above are still necessary. All such Orders have to be authorised by a Residential Property Tribunal (RPT). Applications for such Orders to a RPT will be carefully considered and will not be made without the express approval of the Head of Environmental Health.

A final management order is an order (expiring not more than 5 years after it is made) that the Council can make for the purpose of securing the proper management of the house on a long-term basis in accordance with a management scheme contained in the order.

These powers will only be used where circumstances warrant such serious action and only with the authorisation necessary from the Residential Property Tribunal (see section 16 for details). Arrangements will be made as necessary with any partner Registered Social Landlord as necessary subsequent to any Housing Stock Transfer.

10. Temporary exemption notices

Where a landlord is, or shortly will be, taking steps to make an HMO non-licensable, the Council may serve a Temporary Exemption Notice (TEXN). A TEXN can only be granted for a maximum period of three months. A second three-month TEXN can be served in exceptional circumstances.

The service of a TEXN will be considered where an owner of a licensable HMO states in writing that he/she is taking steps to make an HMO non-licensable and states that the HMO will not be licensable within three months. Further such notices will only be served in exceptional circumstances at the discretion of the Head of Environmental Health.

11. Penalties for non compliance

The Housing Act 2004 makes it a criminal offence if a person controlling or managing an HMO does not have the required licence. A person found guilty of such an offence will be subject to a fine up to a maximum of £20,000. Breaching any condition of a licence is also an offence, punishable by a fine not exceeding level 5 on the present scale (£5,000 currently).

All incidences of non-compliance will be dealt with in accordance with the Environmental Health Department current enforcement policy.

12. Rent Repayment Orders

The new legislation allows applications to the Residential Property Tribunal (RPT) for a Rent Repayment Order (RRO), where a landlord is convicted for failure to license.

If rents were paid through Housing Benefit, the Council will use its powers under the Act to seek RROs for repayment of twelve months Housing Benefit or for the period since the landlord was required to license the HMO, if less.

13. Re-inspections

Re-inspections will be carried out with regard to licensing requirements. Re-inspections may be necessary to check on the progress of works that have been required or to routinely check on compliance with the terms of the licence. The frequency of routine re-inspections will be based on a risk rating system.

14. Variations

Variations to issued licences may be made at any time with the agreement of the licence-holder or on the Council's own initiative. Variations made on the Council's initiative will be subject to the Appeal provisions in the Act.

15. Revocations

The Council will exercise the power to revoke a licence with extreme care. It is recognised that unless the house ceases to be a licensable HMO this is a serious step but it will be taken where the circumstances specified in the Act occur.

16. Appeals

Informal appeals regarding an officer's decision to set particular licence conditions or to refuse, revoke or vary a licence can be made to the Head of Environmental Health. Representations concerning an intention to serve an IMO can also be made to the Head of Environmental Health.

Formal appeals to the Residential Property Tribunal are provided for under the Act if the Council decides to:

- refuse a licence
- grant a licence with conditions
- revoke a licence
- vary a licence or
- refuse to vary a licence.

The Residential Property Tribunal has quasi-judicial status and is made up of housing lawyers, valuers, surveyors and lay people. Members qualified to chair committees and tribunals are appointed by the Lord Chancellor and other members are appointed by the ODPM. Three members usually sit on each committee or tribunal. An appeal against the decision of the RPT is to the Lands Tribunal and can only be made with the permission of the RPT or the Lands Tribunal.

17. Housing Assistance

Some housing assistance may be available to landlords to help towards the cost of improvement works. Currently assistance is available in relation to fire precaution work but this provision is reviewed annually as with all forms of housing assistance. The current housing assistance policy of the Council is available on the Council website.

18. Policy/standards amendments

In the event that putting the policy into effect highlights the need for amendments to be made to the policy/standards these will be brought back to the earliest Policy Committee.

COMPLEMENTARY STANDARDS TO THE STATUTORY STANDARDS APPLICABLE TO VARIOUS CATEGORIES OF HOUSE IN MULTIPLE OCCUPATION

(See policy para 4.1)

- CATEGORY A** Buildings or parts of buildings occupied as individual rooms, bedsits and flatlets which are considered to have a number of rooms for exclusive occupation, not necessarily behind one door, with some sharing of amenities usually bathroom and/or toilet and may be a kitchen. In such a house each occupancy would be separately rented.
- CATEGORY B** Buildings or parts of buildings occupied on a shared basis. Usually the house will be let to a defined group and not individuals. The house is most likely to be shared by four or more people and although most commonly students, other groups of people come together and share certain amenities as they wish but have certain individual facilities such as a bedroom.
- CATEGORY C** Buildings or parts of buildings let in lodgings i.e. catering for lodgers on a small scale but not living as part of the main household. This is the traditional "house let in lodgings" normally with a resident owner/occupier where meals are provided in a dining room and would be typified by a family or household who might take in a small number of students or other individuals away from their primary place of residence.
- CATEGORY D** Buildings or parts of buildings generally referred to as "hostels", "guest houses", "bed and breakfast accommodation". They provide accommodation for people with no other permanent place of residence as distinct from a hotel which provides accommodation for visitors to the area for a short time. This category would include hotels and bed and breakfast establishments used by Councils to house homeless families, or similar establishments which provide accommodation for single people whose only financial support is state benefit and who would otherwise be homeless. This category would include hotels used for such accommodation even on a casual basis and if there was a mix of homeless households with that hotel as their only place of residence, and short term visitors.

D. Ventilation

1. All habitable rooms, kitchens, bathrooms and water closet compartments shall have a minimum floor to ceiling height of 2.3m, except in the case of attic rooms, which shall have a minimum height of 2.3m over an area of the floor equal to not less than half of the area of the room, measured on a plane 1.5m above the floor.
2. All habitable rooms shall be ventilated directly to the external air by a window, the openable area of which shall be equivalent to at least 1/20th of the floor area of the room.
Neither an openable door giving access directly to the external air nor a louvred opening in such a door will be acceptable for the purpose of this requirement.
3. All kitchens, kitchen/diners, bathrooms, water closet compartments shall comply with 2. above but where this is not practicable, mechanical ventilation providing a minimum of three air changes per hour shall be provided.
4. Mechanical ventilation provided for bathrooms and wc's shall be fitted with an overrun device for a minimum of 20 minutes and be connected to the lighting circuit of the room.

E. Water Supply

1. A conveniently accessible supply of cold running water suitable for drinking purposes shall be available in each unit of accommodation separately or via sink taps in shared kitchens.

F. Sanitary Facilities

1. Each separate occupancy shall be provided with a wash hand basin together with its own supplies of hot and cold running water, situated within the unit of accommodation, and of minimum dimension 560mm x 430mm.
2. Baths, showers and wc's shall be provided in accordance with Schedule 3 of S.I. 2006 No.373 for every 5 occupants or part thereof.
3. External wc's shall not count.

G. Space Heating

1. All habitable rooms shall be adequately heated by a suitable central heating radiator or fixed space heating appliance of either gas or electricity that the occupying tenant can control. Solid fuel shall only be permitted on the ground floor where it can be shown that there is adequate fuel storage and that there will not be any risk to safety from the removal of hot ashes. Portable or removable heating appliances will not be acceptable.
2. All heating systems shall be of a sufficient output so as to heat adequately the main living rooms to a temperature of 18°C and other habitable rooms to 16°C with an outside temperature of -1°C.

H. Refuse, Storage and Disposal

1. Refuse storage containers shall be provided sufficient for the needs of the house and of a type acceptable to the Council.

CATEGORY B HMO STANDARDS (Shared house type)

A. Space Standards

1. One Person Units of Accommodation

- (i) Each bedroom/study: 10m² except where a separate living room is provided which is not a kitchen or a kitchen/dining room, in which case the bedroom shall be 6.5m².

2. Two Person Units of Accommodation

- (i) Each bedroom/study: 15m² except where a separate living room is provided which is not a kitchen or a kitchen/dining room, in which case the bedroom shall be 11m².

3. Common Rooms

(i) Kitchens:

used by 1-5 persons	7m ²
used by 6-10 persons	10m ²
used by 11-15 persons	13.5m ²
used by 16+ persons	16.5m ²

(ii) Dining/ Kitchens:

used by 1-5 persons	11.5m ²
used by 6-10 persons	19.5m ²
used by 11-15 persons	24m ²
used by 16+ persons	29m ²

(iii) Living rooms and dining rooms:

used by 1-5 persons	11m ²
used by 6-10 persons	16.5m ²
used by 11-15 persons	21.5m ²
used by 16+ persons	25m ²

B. Natural Lighting

1. All habitable rooms shall be provided with an area of clear glazing situated in either a window and/or a door, equivalent in total area to at least 1/10th of the floor area of the room.
2. All kitchens, bathrooms and water closet compartments shall comply with 1. above. Where this is not practicable, adequate artificial lighting shall be provided in accordance with the requirements of part C, to the satisfaction of the Head of Environmental Health.
All glazing to windows in bathrooms and water closet compartments shall be obscure.
3. All staircases, landings and passages shall be provided with an area of clear glazing in a window. Where this is not practicable, adequate artificial lighting shall be provided in accordance with the requirements of part C, to the satisfaction of the Head of Environmental Health.

C. Artificial Lighting

1. All habitable rooms, kitchens, bathrooms, water closet compartments, staircases, landings and passages shall have adequate electric lighting.

There shall be sufficient switches to operate the artificial lighting on each landing, corridor or passage and each switch should allow adequate lengths of corridors, passages and stairways to be illuminated at the same time.

D. Ventilation

1. All habitable rooms, kitchens, bathrooms and water closet compartments shall have a minimum floor to ceiling height of 2.3m , except in the case of attic rooms, which shall have a minimum height of 2.3m over an area of the floor equal to not less than half of the area of the room, measured on a plane 1.5m above the floor.
2. All habitable rooms shall be ventilated directly to the external air by a window, the openable area of which shall be equivalent to at least 1/20th of the floor area of the room. Neither an openable door giving access directly to the external air nor a louvred opening in such a door will be acceptable for the purpose of this requirement.
4. All kitchens, kitchen/diners, bathrooms, water closet compartments shall comply with 2 above, but where this is not practicable, mechanical ventilation providing a minimum of three air changes per hour shall be provided.
5. Mechanical ventilation provided for bathrooms and wc's shall be fitted with an overrun device for a minimum of 20 minutes and be connected to the lighting circuit of the room.

E. Water Supply

1. A conveniently accessible supply of cold running water suitable for drinking purposes shall be available in each unit of accommodation separately or via shared kitchen sink taps.

F. Sanitary Facilities

1. Each unit of accommodation shall be provided with a wash hand basin together with its own supplies of hot and cold running water, situated within the unit of accommodation, and of minimum dimension 560mm x 430mm.

Where this is not practicable, a suitably located shared bathroom comprising wc, fixed bath or shower, and wash hand basin with hot and cold water supplies shall be provided for up to 4 occupiers sharing. All shared bathrooms to comply with Schedule 3 of S.I. 2006 No.373.

G. Space Heating

1. All habitable rooms shall be adequately heated by a suitable central heating radiator or fixed space heating appliance of either gas or electricity that the occupying tenant can control. Solid fuel shall only be permitted on the ground floor where it can be shown that there is adequate fuel storage and that there will not be any risk to safety from the removal of hot ashes. Portable or removable heating appliances will not be acceptable.
2. All heating systems shall be of a sufficient output so as to heat adequately the main living rooms to a temperature of 18°C and other habitable rooms to 16°C with an outside temperature of -1 C.

H. Refuse, Storage and Disposal

1. Refuse storage containers shall be provided sufficient for the needs of the house and of a type acceptable to the Council.

CATEGORY C HMO STANDARDS (Lodger type)

A. Space Standards

1. Bedrooms:

All bedrooms to be as follows:

1 person	6.5m ²
2 persons	10m ²
3 persons	16.5m ²
4 persons	21m ²

2. Living Rooms

All common living rooms to be as follows:

used by 1-5 persons	11m ²
used by 6-10 persons	16.5m ²
used by 11-15 persons	21.5m ²
used by 16+ persons	25 m ²

B. Natural Lighting

1. All habitable rooms shall be provided with an area of clear glazing situated in either a window and/or a door, equivalent in total area to at least 1/10th of the floor area of the room.
2. All kitchens, bathrooms and water closet compartments shall comply with B.I. above. Where this is not practicable, adequate artificial lighting shall be provided in accordance with the requirements of part C, to the satisfaction of the Head of Environmental Health.
All glazing to windows in bathrooms and water closet compartments shall be obscure.
3. All staircases, landings and passages shall be provided with an area of clear glazing in a window. Where this is not practicable adequate artificial lighting shall be provided in accordance with the requirements of part C, to the satisfaction of the Head of Environmental Health.

C. Artificial Lighting

1. All habitable rooms, kitchens, kitchen/diners, bathrooms, water closet compartments, staircases, landings and passages shall have adequate electric lighting.
There shall be sufficient switches to operate the artificial lighting on each landing, corridor or passage and each switch should allow adequate lengths of corridors, passages and stairways to be illuminated at the same time.

D. Ventilation

1. All habitable rooms, kitchens, bathrooms and water closet compartments shall have a minimum floor to ceiling height of 2.3m, except in the case of attic rooms, which shall have a minimum height of 2.3m over an area of the floor equal to not less than half of the area of the room, measured on a plane 1.5m above the floor.
2. All habitable rooms shall be ventilated directly to the external air by a window, the openable area of which shall be equivalent-to at least 1/20th of the floor area of the room.
Neither an openable door giving access directly to the external air nor a louvred opening in such a door will be acceptable for the purpose of this requirement.
3. All kitchens, kitchen/diners, bathrooms, water closet compartments shall comply with 2 above, but where this is not practicable, mechanical ventilation providing a minimum of three air changes per hour shall be provided.
4. Mechanical ventilation provided for bathrooms and wc's shall be fitted with an overrun device for a minimum of 20 minutes and be connected to the lighting circuit of the room.

E. Water Supply

1. A supply of cold running water suitable for drinking purposes shall be provided for the use of the occupants in the kitchen.

F. Personal Washing Facilities

1. Each unit of accommodation not occupied by the owner and his, her family, shall be provided with a wash hand basin together with its own continuous supplies of hot and cold running water, situated within the unit of accommodation, and of minimum dimension 560mm x 430mm.
2. Where this is not practicable, a suitably located shared bathroom comprising wc, fixed bath or shower, and wash hand basin with hot and cold water supplies shall be provided for up to 5 occupiers sharing, including the owner and his/her family. All shared bathrooms to comply with Schedule 3 of S.I. 2006 No.373.

G. Kitchen Facilities

1. Facilities must be available, either separately or by use of the main kitchen, for occupants to prepare light meals and hot drinks etc.

H. Space Heating

1. All habitable rooms shall be adequately heated by a central heating radiator or fixed space heating appliance of either gas or electricity that the occupying tenant can control. Solid fuel shall only be permitted on the ground floor where it can be shown that there is adequate fuel storage and no risk to safety from the removal of hot ashes. Portable or removable heating appliances will not be acceptable.
2. All heating systems shall be of a sufficient output so as to heat adequately the living rooms to a temperature of 18°C and other habitable rooms to 16°C with an outside temperature of -1°C.

I. Refuse, Storage and Disposal

Refuse storage containers shall be provided, sufficient for the needs of the house and of a type acceptable to the Council.

CATEGORY D HMO STANDARDS (Hostel type)

A. Space Standards

1. Bedrooms

All bedrooms to be as follows:

1 person 8.5m²

2 persons 11m²

3 persons 15m²

For each additional person there should be an additional 4.5m² of floor area.

For the purpose of calculating these standards, a child under the age of one shall be disregarded, and a child more than one and less than 10 years of age shall count as 1/2 person.

2. Lounge:

A minimum provision of 3m² per person is required.

3. Dining:

A minimum of 2m² per person is required.

4. Combined Lounge/Dining Areas:

A provision of 4m² per person is required if the floor areas of lounge and dining rooms are combined.

B. Natural Lighting

1. All habitable rooms shall be provided with an area of clear glazing situated in either a window and/or a door, equivalent in total area to at least 1/10th of the floor area of the room.

2. All kitchens, bathrooms and water closet compartments shall comply with 1 above. Where this is not practicable, adequate artificial lighting shall be provided in accordance with the requirements of part C, to the satisfaction of the Head of Environmental Health.

C. Artificial Lighting

1. All habitable rooms, kitchens, bathrooms, water closet compartments, staircases, landings and passages shall have adequate electric lighting and it shall be available at all times. There shall be sufficient switches to operate the artificial lighting on each landing, corridor or passage and each switch should allow all corridors, passages and stairways to be illuminated at the same time.

D. Ventilation

1. All habitable rooms, kitchens, bathrooms and water closet compartments shall have a minimum floor to ceiling height of 2.3m, except in the case of attic rooms, which shall have a minimum height of 2.3m over an area of the floor equal to not less than half of the area of the room, measured on a plane 1.5m above the floor.

2. All habitable rooms shall be ventilated directly to the external air by a window, the openable area of which shall be equivalent to at least 1/20th of the floor area of the room. Neither an openable door giving access directly to the external air nor a louvred opening in such a door will be acceptable for the purpose of this requirement.

3. All kitchens, bathrooms, water closet compartments shall comply with 2 above, but where this is not practicable, mechanical ventilation providing a minimum of three air changes per hour shall be provided.

4. Mechanical ventilation provided for bathrooms and wc's shall be fitted with an overrun device for a minimum of 20 minutes and be connected to the lighting circuit of the room.

E. Water Supply

1. Each bedroom shall be provided with a supply of cold running water suitable for drinking purposes, either directly off the rising main or by such other means as are acceptable to the relevant water authority. Where this is not practicable and subject to the agreement of the Head of Environmental Health, such supply shall be provided at cold water taps in self-catering kitchens or at a tap accessible on each floor, but not in a bathroom or water closet compartment. The tap shall be suitably marked "Drinking Water".

F. Sanitary Facilities

1. Separate male and female sanitary facilities may be required to the satisfaction of the Head of Environmental Health.
2. Additional water closet and urinal accommodation to the satisfaction of the Head of Environmental Health may also be required to be provided on floors, used for communal purposes.

G. Kitchen Facilities

1. Self-Catering Hostels:
 - (a) Each occupancy shall have its own kitchen separate from the sleeping room, and of an area of 4m². Where this is not practicable, each occupancy shall have its own kitchen facilities within the unit of accommodation and 4m² shall be added to the floor areas in A. I.
 - (b) Shared kitchens may be provided for single person occupancies, but on the same floor as the accommodation provided for those people sharing the kitchen.
2. Hostels Providing Meals
 - (a) Kitchen facilities for the cooking and preparation of food for residents as part of the service provided by the establishment shall not be allowed to be used by residents.
 - (a) Separate kitchen facilities must be available for occupants to prepare light meals and hot drinks etc. Such provision to comply with Schedule 3 S.I. 2006 373.
 - (c) Kitchen facilities for the purpose of (b) above shall be available for use 24 hours a day and the cost of running the appliances will be included in the residential charge.
 - (d) Separate provision as required by (b) above will not be required in circumstances where it can be shown to the satisfaction of the Head of Environmental Health, either by virtue of the scale of their provision of meals or because of the manner in which the premises are occupied, that such provision would not be reasonable. In these cases a lesser standard may be applied.

H. Space Heating

1. A fixed heating system capable of heating living rooms to a temperature of 18°C and other habitable room to 16°C shall be provided and properly fitted to all rooms. The system shall be capable of attaining these temperatures when the outside temperature is -1°C. The cost of running the heating system is to be included in the residential charge, and shall be under the exclusive control of the manager.

A full central heating system shall be deemed to be adequate for this purpose.

I. Refuse, Storage and Disposal

1. Refuse storage containers shall be provided, sufficient for the needs of the hostel.