



WIRRAL COUNCIL

STANDARDS AND GUIDANCE

FOR

HOUSES IN MULTIPLE OCCUPATION

Consisting of :

Shared house,

Bedsit accommodation,

Flat in multiple occupation,

Combination of self-contained flats and any of the above,

Converted buildings which contain only self-contained flats

Address Metropolitan Borough of Wirral
Delivery Services
PO Box 290
Wallasey
CH27 9FQ

Telephone 0151 691 8150
email hmlicensing@wirral.gov.uk

September 2018

Amended June 2019 – Kitchens, shared facilities

Amended May 2021 - Various changes – ‘Whats new’ help boxes added

Amended Jan 2024 – Gas and Electrical Safety section- Requirement for CO alarms for any room which contains a solid fuel burning appliance amended to ‘CO alarm in any room which contains a fixed combustion appliance (exc. gas cookers)’ in line with updated legislation.

Introduction

This guidance has been produced by Wirral Council ('the Council') to give general advice and applies to any type of house in multiple occupation ('HMO'). The guidance document has been written to assist owners, developers, agent's and occupiers with regards to the expected standards in such accommodation. Each HMO property will be considered on its own merits, under the Housing Act 2004 ('the 2004 Act').

To assist, additional '**What's new**' help boxes have been added to the end of each section with the intention to show the changes and/or the amendments that have been made since the previous HMO standards and guidance document was published in June 2019.

This document will be implemented from January 2024 and all new HMO conversions must comply with these new requirements.

The following properties are generally regarded as HMO's:-

- A house which has been converted entirely into bedsits or other non-self-contained units of accommodation occupied by three or more persons in two or more households, and share basic facilities such as a WC, personal washing facilities or cooking facilities.
- A self-contained flat where three or more occupants in two or more households live and share basic facilities such as a WC, personal washing facilities or cooking facilities.
- A converted house which contains one or more flats which are not wholly self-contained and occupied by three or more persons who form two or more households, whereby the flat does not have its own WC, personal washing facilities and/or cooking facilities (e.g. does not have exclusive use).
- Any building which has been converted entirely into self-contained flats were the conversion did not meet the standards of the 1991 Building Regulations and more than one-third of the flats are let on short-term tenancies.

Properties let to students and migrant workers will be treated as their only or main residence.

This document should be used solely as guidance and before commencing or undertaking any works in relation to an HMO or part of an HMO you should seek advice from the HMO team, they can be contacted by email hmolicensing@wirral.gov.uk. Please note that a charge will be made for any advice exceeding 15 minutes.

Planning permission

Planning permission is required:

- For the use of a house in multiple occupation where it is proposed seven or more persons live, in two or more separate households and share the basic facilities such as a WC, personal washing facilities or cooking facilities.
- To create a house in multiple occupation through the conversion and change of use of non-residential property.

Currently there are permitted development rights on using a dwelling house as an HMO for no more than six people, who share basic facilities.

If you do not have planning permission for the use of the property as a HMO, you should contact the planning department by email for further advice: planningapplication@wirral.gov.uk

Building Regulations

Building Regulations apply to a wide range of works relating to the conversion of a building to an HMO. Examples include, but are not limited to, structural alterations, provision of ensuite bathroom facilities, replacing windows, upgrading/renewing electrical wiring and upgrading/renewing certain heating systems.

Prior to works commencing, you must ensure you have submitted a Building Regulations application for any works controlled under the Building Regulations. Failure to do so is a contravention of the regulations and could result in enforcement action and prosecution being taken against you. Detailed information and advice is available on the Council's website or you can contact Building Control by email buildingcontrol@wirral.gov.uk.

What's new?

- Planning Permission text amended
- Building Regulations text amended

Mandatory HMO licensing

Licensing of Houses in Multiple Occupation (HMO's)

An HMO property requires a mandatory licence if it is occupied by five or more persons, who form two or more separate households, regardless of the number of storeys. The legislation changed on the 1st October 2018 when the three or more storey requirement was removed.

A mandatory HMO licence in Wirral is currently set at 3 years from the date of issue. However, the Council may vary the term of the licence where it is considered appropriate.

The licence will specify the maximum number of persons and households per room and contain mandatory and additional licence conditions. The occupancy number will depend upon the number and size of rooms and the basic facilities that are available.

It is a mandatory condition that the size of rooms that can be used as 'sleeping accommodation' are as follows:-

- ensure that the floor area of any room in the HMO used as sleeping accommodation by one person aged over 10 years is not less than 6.51 square metres;
- ensure that the floor area of any room in the HMO used as sleeping accommodation by two persons aged over 10 years is not less than 10.22 square metres;
- ensure that the floor area of any room in the HMO used as sleeping accommodation by one person aged under 10 years is not less than 4.64 square metres;
- ensure that any room in the HMO with a floor area of less than 4.64 square metres is not used as sleeping accommodation.

There is also a requirement for licence holders to have appropriate arrangements in place for the storage and disposal of household waste, pending collection.

The Council is required to establish and maintain a public register of all mandatory HMO licences they have issued.

Please note if you require a copy of the full register which contains the prescribed particulars of the licence holder and HMO details, Wirral Council will provide this subject to a formal written request. This will be subject to payment of a reasonable fee. The Council will provide a PDF version which will be certified to be a true copy.

Alternatively, the public register can be viewed by appointment only by emailing the hmlicensing@wirral.gov.uk.

House in Multiple Occupation standards and guidance

In determining the standards and guidance for the provision of WC, personal washing facilities, cooking facilities; heating; ventilation; space standards; structural stability; disrepair and fire precautions; in an HMO, the Council must have regard to the following :-

- Housing Health and Safety Rating System (HHSRS) Operating Guidance,
- The Management of Houses in Multiple Occupation (England) Regulations 2006,
- The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006,
- The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007.

Housing Health and Safety Rating System (HHSRS)

Previously, the Council used the Housing Fitness Standard which assessed dwellings as either fit or unfit. With the introduction of the 2004 Housing Act, this changed the way in which the Council assessed housing conditions. The new risk-based system is known as the Housing Health and Safety Rating System, or HHSRS in short.

HHSRS considers 29 different hazards. Where a hazard or a number of hazards within a dwelling are found, the HHSRS scoring system is used to determine what the hazard is and the likelihood of an occurrence happening within a 12-month period, and also what will be the outcome of injury from such a hazard or hazards. The action taken to remedy the hazard will depend on its severity and could include service of improvement notices, prohibition orders or undertaking emergency remedial action.

The Council must satisfy itself that there are no category 1 hazards (the most severe hazards) in any HMO. This requires them to carry out a HHSRS inspection on the property.

Under HHSRS, an owner or licence holder may have to carry out work to remedy identified hazards. The sort of work that needs to be carried out and the severity of the enforcement measures will vary depending on how serious the hazard is.

The Management of Houses in Multiple Occupation (England) Regulations 2006

These regulations apply to any HMO where there is sharing of the basic amenities such as WC, personal washing facilities or cooking facilities. These regulations impose the duties of persons managing an HMO and the corresponding duties of occupants (whether the HMO is licensable). The manager's duties include the duty to take safety measures, the duty to maintain the water supply and drainage, to supply and maintain gas and electricity and have the gas and fixed electricity installations regularly tested and inspected, the duty to maintain common parts, fixtures and fittings and living accommodation. The regulations set out what occupiers must do with a view to assisting managers to undertake their duties.

A person managing commits an offence if he fails to comply with a duty imposed by these regulations.

The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006

These regulations supplement the licensing provisions contained in Parts 2 and 3 of the 2004 Housing Act. It sets out when persons are to be regarded as forming a single household, for the purpose of deciding whether a building is a HMO, it provides that accommodation occupied to migrant workers, seasonal workers and asylum seekers is to be treated as their only or main residence for the purposes of the definition of HMO, it also specifies the contents of applications for licences and the standards to be applied when determining the suitability of an HMO for licensing.

The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007

These regulations apply to any HMO which is a building converted entirely into individual self-contained flats where the conversion did not meet the 1991 Building Regulations.

The manager's duties include the duty to take safety measures, the duty to maintain the water supply and drainage, to supply and maintain gas and electricity and have the gas and fixed electricity installations regularly tested and inspected, the duty to maintain common parts, fixtures and fittings and living accommodation. The Regulations set out what occupiers must do with a view to assisting managers to undertake their duties.

A person managing commits an offence if he fails to comply with a duty imposed by these regulations.

HMO room sizes

Room sizes – bedsit and shared accommodation

When assessing the suitability of an HMO property, the Council will have regard to the functionality and practicality of the entire property both for sleeping accommodation, communal living area, personal washing facilities and cooking facilities. The room sizes below are considered to provide a reasonable standard of accommodation.

Internal Room Sizes		
Single bedrooms (1 person) (sq. metres)	10.21*	* plus, separate communal kitchen as per table below.
or	6.51**	** plus, a separate communal kitchen and living/dining room; or kitchen, separate living room and separate dining room; or alternatively a separate living room and combined kitchen/diner in accordance with the table below.
Main bedrooms (2-person household) (sq. metres)	14*	* plus, separate communal kitchen as per table below.
or	10.22**	** plus, a separate communal kitchen and living/dining room; or kitchen, separate living room and separate dining room; or alternatively a separate living room and combined kitchen/diner in accordance with the table below.

All rooms used as sleeping accommodation must be capable of accommodating as a minimum:-

- i) a bed
- ii) a wardrobe (unless there is a built-in wardrobe or cupboard of adequate size)
- iii) a chest of drawers

All rooms used for sleeping accommodation must have natural ventilation, natural lighting, and an unobstructed outlook from any window.

Communal Facilities Minimum Internal Sizes							
No. Occupiers	3	4	5	6	7-8	9-10	11-12*
Living room in a dwelling with a separate dining room and kitchen or combined kitchen/diner							
internal floorspace	13m ²	14m ²	15m ²	16m ²	18.5m ²	21m ²	24m ²
Living room/diner in a dwelling with a separate kitchen							
internal floorspace	15m ²	16m ²	17.5m ²	18.5m ²	24m ²	26.5m ²	29m ²
Kitchen/diner							
internal floorspace	10m ²	11m ²	12m ²	13m ²	18m ²	19m ²	21.5m ²
Dining room							
Internal floorspace	9.5m ²	11m ²	12m ²	14.5m ²	15.5m ²	16.5m ²	18.5m ²
Kitchen							
internal floorspace	7m ²	8.5m ²	10m ²	11m ²	13m ²	14m ²	16m ²
* A proportionate increase will be required for every additional resident.							

For shared kitchens, **the kitchen must be no more than one floor distance from a room used as sleeping accommodation** unless the provision of a kitchen/diner or a separate dining room is available on the same floor, which meets the requirements of the table above.

Where a living room, dining room and kitchen are combined in the same room it should be a minimum of 27.5m² for 5 persons sharing where it can be shown the layout of this area is suitable, functional and practicable for communal living. There must be a proportionate increase relevant to the numbers of occupants.

All rooms shall have a minimum ceiling height of 2.35m, except in existing attic rooms where 2.10m will be accepted.

Ideally all rooms used for sleeping accommodation that are in the attic area should access to suitable windows that provide a view. A lack of suitable window can have a psychological effect on an occupying tenant.

To ensure the calculation of a floor area is an adequate and appropriate size, consideration must be given to the points below and measured in the following manner:

- i) where a room has a sloping roof or ceiling which reduces the height of the room to less than 1.5m. This area will not be included when calculating the floor space.
- ii) Subject to any exclusion under (i) measurement of the floor area will include any floor space formed by a bay window extension, or any area at floor level which is occupied by fixed cupboards,
- iii) Subject to any exclusion under (i) measurement of the floor area will exclude any floor space formed by a projecting chimney breast,
- iv) All measurements of the floor area should be made at floor level, and subject to (i) and (ii), shall extend to the finished wall surface or back of all projected skirting.
- v) When assessing room size, the Council looks at floor area in the room. Built-in wardrobes (floor to ceiling) will be included in the calculation.
- vi) The width of a room used for sleeping accommodation must not be less than 2.15m.
- vii) The measured space in any room must be usable space. The room should be able to accommodate the required amount of appropriate furniture easily.

What's new?

- Table format for Internal room sizes has changed, room sizes used for sleeping accommodation remain the same.
- Minimum furniture requirements added
- 'Communal Facilities-Minimum Internal Sizes' table has been formatted and reduced from 15 persons to 12 persons
- Room size for a dining room added
- Shared kitchen room size increased
- Location of a shared kitchen amended
- Recommended room size of a combined communal living/diner/kitchen has increased from 25sqm to 27.5sqm.
- Information on calculating room sizes

Amenity requirements

The standards and guidance have been adopted by the Council to ensure that the facilities within any HMO are suitable for the number of persons and separate households in occupation.

The standards and guidance are those expected to provide suitable living accommodation for occupants of any HMO.

Personal washing facilities

There should be a sufficient number of WC's, washbasins (whb) and baths or showers provided with a satisfactory supply of hot and cold water. From a Public Health stance, shared washing facilities are no longer considered desirable for shared accommodation and therefore where practicable ensuite facilities should be provided where minimum room standards can still be achieved. The appropriate building control requirements must be met where ensuite rooms are added. Where this cannot or is not provided, the following bathroom/shower/wc/whb standards will apply:

Washing facilities & WC numbers	
A reasonable standard of personal washing and WC amenities for existing and future users is required at a ratio of:	
1-4 persons	At least 1 bath or shower cubicle, WC and wash hand basin (whb), the bath, whb and WC may be combined in one room.
5 persons	1no. bath or shower cubicle with a whb, plus 1 separate WC with whb (the separate WC and whb can be contained within a second bathroom).
6 - 10 persons	2 baths or 2 shower cubicles AND 2 separate WCs with whb (one of the WCs can be contained within one of the bathrooms)
11-12 persons*	3 baths or 3 shower cubicles AND 3 separate WCs with whb's (two of the WCs can be contained within each of bathrooms)
* A proportionate increase will be required for every additional 3 residents.	
A wash hand basin in each sleeping accommodation room must be provided where reasonably practicable, having regard to the age and character of the property.	

Wash hand basin	A minimum 500mm x 400mm wash hand basin with a constant supply of hot and cold running water and connected to the drainage systems.
Bath	A minimum 1700mm x 700mm standard bath with a constant supply of hot and cold running water and connected to the HMO drainage system with a 450mm high tiled splashback.
Shower	A minimum 800mm x 800mm shower tray, electric shower unit, or thermostatic shower unit and suitably connected to the drainage system. The shower cubicle area should be fully tiled.
WC	Standard WC with securely fitted seat and cistern, connected to the property drainage system and a permanent supply of cold water.

Bathrooms / Shower room

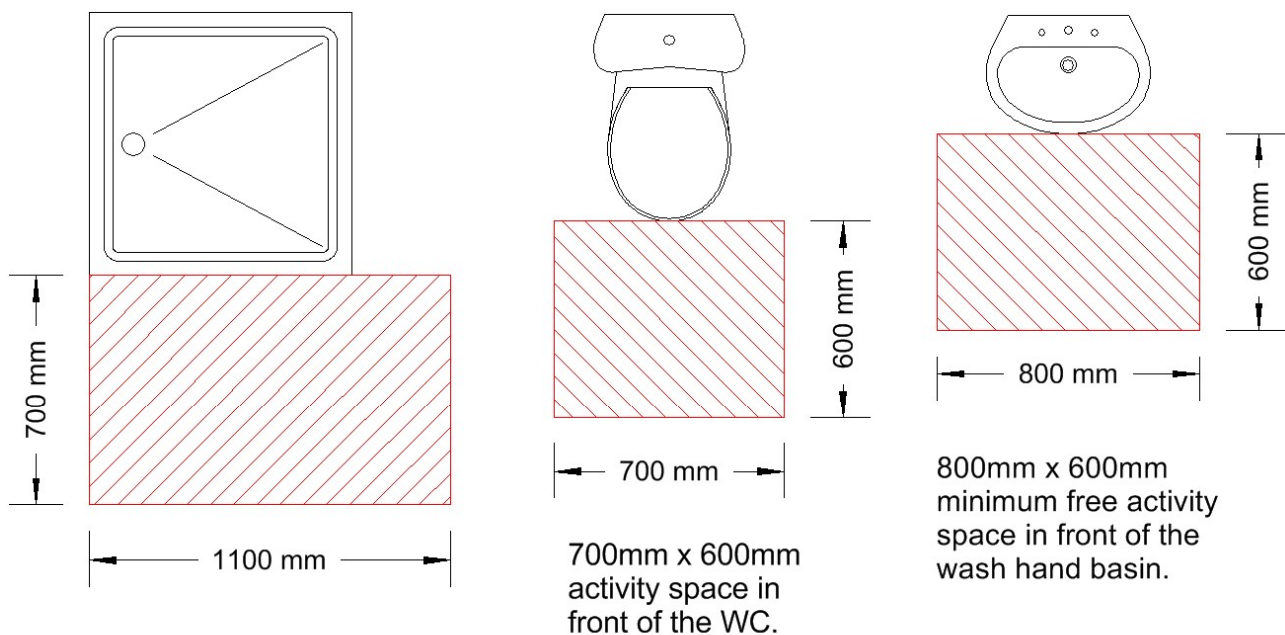
Where ensembles are provided, the ensuite must be of suitable design and sufficient layout to accommodate a free drying and changing space. Along with sufficient free activity space to the front of both the WC and wash hand basin.

All communal bath/shower rooms should have a suitable layout to accommodate enough space for drying and changing.

The activity space for both the WC and wash hand basin can overlap in to the free drying/changing space.

No sanitaryware should infringe into the doorway of the ensuite, there should be a suitable free space

The examples overleaf show the recommended drying/changing free space in an ensuite or communal bathroom (1100mm x 700mm), along the activity spaces in front of the WC (700mm x 600mm) and for the wash hand basin (800mm x 600mm). This is the recommended minimum space that should be provided within an ensuite shower or communal bathroom.



Appendix 1 at the back of this document shows examples of suitable and sufficient ensuite floor layouts.

Floor coverings should be well fitted, non-absorbent, slip-resistant and be easy to clean.

Wall finishes should have smooth, waterproof surfaces capable of being easily cleaned.

Bath and shower rooms must be constructed to ensure privacy which requires the door to be fitted with a suitable lock and the provision of suitable electric lighting.

Obscured glazing/film must be installed or fitted to all windows located within an ensuite, communal bath and/or shower rooms as necessary to ensure privacy.

Water closets

Every WC compartment must have a wash hand basin within the compartment. The WC compartment should be provided with adequate ventilation by means of either an openable window equal to 1/20th of the floor area, or mechanical extraction fan, to the outside air at a minimum extraction rate of 6 litres/second.

Electric lighting and a suitable locking mechanism must be fitted to the access door to ensure privacy.

Obscured glazing/film must be installed or fitted to all windows located within the bath and/or shower rooms.as necessary ensure privacy.

Ventilation

Bath and/or shower rooms must be provided with mechanical ventilation to the outside air at a minimum extraction rate of 15 litres/second in addition to any windows. The system is to be either coupled to the light switch and incorporate a suitable over-run period or an appropriately set humidistat.

What's new?

- Personal washing facilities text changed to incorporate where practicable, ensuites should be considered.
- Building Regulation requirements must be met when installing new ensuites
- Washing facilities & WC numbers – table format reduced to 12 persons, and inclusion of a wash hand basin in each sleeping accommodation is provided, unless an ensuite is present
- Bathrooms/Shower room – inclusion of the recommended minimum size of a drying/activity space in an ensuite and/or communal bathroom, including diagram of recommended drying/activity space.
- Inclusion of obscure glazing to ensuites, bath and/or shower rooms.
- Water closets – inclusion of ventilation requirements.
- Ventilation – requirements of ventilation to bath and/or shower rooms

Kitchen Facilities

Exclusive use kitchens:-

In accommodation where the units of accommodation have their own kitchen facilities, each unit of accommodation must contain the following facilities for the exclusive use of the occupant.

Sinks	1 single bowl sink with appropriate tiled splashback, a constant supply of hot and cold water and a suitable draining board.
Cookers	A 2-ring hob (gas or electric) with a single oven and grill.
Worktop	Adequate worktop space of at least 1000mm x 600mm is required. Worktops must be well-lit from above.
Food storage	Each unit of accommodation shall be provided with proper food storage, being a minimum of 0.20m ³ dry storage, or a 500mm wide base unit or a 1000mm wide highline wall cupboard. (Storage under the sink is not considered suitable for food storage).
Refrigerators / freezers	1 fridge freezer (100ltr/50ltr min. split).
Electrical sockets	Two double 13 amp switched power socket outlets in addition to any sockets serving major electrical appliances are to be provided adequately situated over the worktop.
Ventilation	Mechanical ventilation to the outside air at a minimum extraction rate of 60 litres/second, <u>or</u> 30 litres/second if the fan is sited within 300mm of the centre of the hob. This is in addition to any openable windows and doors.

Where exclusive use gas cooking facilities are provided within a room, consideration should be given to the installation of an appropriate Carbon Monoxide detector.

Cooking appliances are to be located away from doorways and must have a minimum of 300mm worktop to both sides.

Shared kitchen facilities:-

The width of the kitchen (when measured wall to wall) must not be less than 1.8m across at the narrowest point.

No kitchen must contain more than two sets of facilities or used by more than ten persons.

Where more than one kitchen is required, the kitchens must be located on separate floors.

There must be a suitably located kitchen in relation to the sleeping accommodation and must be no more than one floor away, and of such a layout and size and equipped with such facilities to be adequately, functional and practicable enable those sharing the facilities to store, prepare and cook food can be done in a safe and hygienic manner.

In accommodation where the units of accommodation have separate shared kitchen facilities, each shared kitchen must contain the following:

Kitchen facilities per person sharing	Kitchen sink with appropriate splashback and a constant supply of hot and cold water	Cooking provisions (either gas or electric)	Refrigeration/freezer
3 – 5 persons	1 single bowl sink with drainer.	1no. x 4 ring countertop hob with separate built-in oven, <u>or</u> a separate 1no. x 4 ring free standing cooker.	1no. fridge (130 ltr min.) & 1no. freezer (60ltr min.). 1 full height fridge freezer (130ltr/60ltr min. split).
6-8 persons	1 single sink with an additional dishwasher or double bowled sink and single drainer.	2no. x 4 ring countertop hobs with 2no. x separate built-in ovens, <u>or</u> 1no. x 4 ring countertop hob with separate built-in oven and 1 additional combi microwave.	2no. fridge (130 ltr min. each) & 1no. freezer (60ltr min.), <u>or</u> 1 full height fridge freezer (130ltr/60ltr min. split) plus 1no. freezer (60ltr min.). <u>or</u>

		2no. x 4 ring free standing cookers, or 1no 6 ring hob with a double oven and grill.	1no. American style fridge/freezer (260ltr/120ltr min. split),
9 – 10 persons	2 kitchen sinks.	2no. x 4 ring countertop hobs with 2no. x separate built-in ovens, and an additional combi microwave, or 2no. x 4 ring free standing cookers, with an additional combi microwave.	2no. fridges (130 ltr min. each) & 2no. freezers (60ltr min.), or 2no. full height fridge freezers (130ltr/60ltr min. split), or 1no. American style fridge/freezer (260ltr/120ltr min. split),
11 -12 persons	Additional kitchen is a requirement, which must be located on a separate floor within the HMO.		

Worktops	<p>For 3 persons or households an adequate impervious worktop space of 1500mm x 600mm is required as the minimum, increasing in increments of 300mm for each additional person or household sharing.</p> <p>The corner worktop area is not to be included in the above worktop calculation.</p> <p>Worktops must be well lit from above with suitable underlighting in addition to the normal lighting provisions.</p>
Food storage	Each occupant shall be provided with proper food storage, being a minimum of 0.20m ³ dry storage, or approx.. 500mm wide base unit or a 1000mm wide highline wall cupboard. (Storage under any sink is not considered suitable for food storage).

Electrical Sockets	Minimum of four double switched power socket outlets in additional to any sockets serving major appliances and be suitably located over the worktops.
Ventilation	Mechanical ventilation to the outside air at a minimum extraction rate of 60 litres/second, <u>or</u> 30 litres/second if the fan is sited within 300mm of the centre of the hob. This is in addition to any openable windows and doors.

Where gas cooking facilities are provided within in a shared kitchen, consideration should be given to the installation of an appropriate Carbon Monoxide detector.

All cooking appliances are to be located away from doorways and must have a minimum of 300mm worktop to both sides.

The kitchen must be equipped with the following equipment which must be fit for the purpose and supplied in sufficient quantities for the number of those sharing the facilities:

- i. Suitable storage for kitchen utensils and crockery must be provided for the number of persons sharing the facilities.
- ii. All kitchens shall be provided with a suitable fire blanket positioned at a convenient height adjacent to the cooker, where practicable.

Appropriate refuse disposal facilities

Poorly stored food and other household waste will attract vermin and pests which could contaminate other food sources and pose a risk to the health and safety of the occupants whether internally or externally. To minimise the hazards posed by household refuse, there must be suitable and sufficient provision for the storage and disposal of household waste both internally and externally. The refuse storage should be readily accessible to the occupants and sited so as not to be a danger to children, or cause problems with hygiene.

Natural lighting

All habitable rooms shall be provided with an area of clear glazing within a window opening to an external area, the glazed area must be equivalent of a total area to at least 1/10th of the floor area of the room.

Where practical all kitchens, bathrooms and water closet compartments shall be provided with natural light via an area of clear glazing in the kitchen, all glazing to bathroom and WC compartments must have obscure glazing.

Neither an openable door giving access directly to the external air, or louvered panels will not be accepted as an alternative.

Artificial Lighting

All habitable rooms, kitchens, bathrooms, WCs, staircases, landings and hallways must be adequately lit. There must be suitably located switches to operate the artificial lighting throughout each room and on each landing and hallway.

The use of timer switches should only be considered too staircases, landing areas and hallways and should stay on for an adequate time to allow a person to climb stairs and enter a room.

Soft Furnishings

You must ensure that any furniture and furnishings you supply meets the fire resistance requirements laid down in the Furniture and Furnishings (Fire) (Safety) Regulations 1988 (as amended). The regulations apply to:

- Beds, headboards of beds and mattresses
- Sofa-beds, futons and other convertibles
- Garden furniture which is suitable for use in dwelling
- Scatter cushions, seat pads, pillows, loose and stretch covers for furniture
- Extra or replacement furniture purchased for rented accommodation

What's new?

- Exclusive kitchens – additional information in respect of the facilities for food storage, refrigeration/freezers and ventilation
- Shared kitchen facilities - additional information for cooking provisions and , refrigeration/freezers requirements
- Worktops – additional information
- Food storage – additional information on storage space sizes
- Ventilation requirements for a communal kitchen
- Information on soft furnishing for fire safety purposes
- Gas and Electrical safety has been moved to its own section due to changes in legislation

Heating Provisions

The energy efficiency of a dwelling depends on the thermal insulation of the structure, on the fuel type, and the size and design of the means of heating and ventilation.

Adequate and appropriate space heating should be provided in every habitable room, hallway and bathroom and be capable of maintaining sufficient heat. Sleeping accommodation should be able to maintain a temperature of 21 Celsius (°C) and bathrooms should be able to maintain a temperature of 22 degrees Celsius (°C) with hallways and other communal areas maintaining a temperature of 18 degrees Celsius (°C). Where the external air outside reaches a temperature of -1°C. (The provision of insulation can assist in meeting this standard).

Heating should be controllable by the occupants, and safely and properly installed and also maintained. It should be appropriate to the design, layout and construction, such that the whole of the dwelling can be adequately and efficiently heated.

Such systems should be operated to ensure that occupants are not exposed to cold indoor temperatures and should be provided with controls to allow the occupants to regulate the temperature within their dwelling.

It is the Council's policy that where there is a requirement to install any form of heating in a HMO, that suitable heat loss calculations will be provided on demand to ensure sufficient heating provisions have been installed to provide the necessary temperature requirements as above.

Such heating provision must be capable of being used at any time.

Heating may be by means of:-

- Gas fired Central heating,
- Combination electric storage heaters connected to a low electricity tariff (i.e. economy 7, economy 10) will be required. The storage heaters must be appropriately sized and sufficient to maintain the stated temperatures. Additional insulation work to external and walls adjacent to unheated areas will be required to minimise heat loss through the building envelope,
- Gas wall heaters connected to a suitable flue and terminal outlet,
- Alternatively, a heating provision agreed with the Council,

Except for central heating, wherever practicable , heaters shall be fixed to an existing chimney breast or otherwise be positioned to direct heat towards the centre of the room.

Stand alone or fixed electric panel heaters will not be accepted as a suitable form of central heating.

The use of portable electric, paraffin or oil-fired heaters or liquefied petroleum gas heaters (LPG) (Bottled Gas heaters) shall not be acceptable under any circumstances, whether provided by the landlord or the tenant.

The dwelling should be provided with adequate thermal insulation to the building envelope and a suitable and effective means of space heating so that the dwelling space can be economically maintained at a reasonable temperature.

What's new?

- Heating must be controllable by the occupants
- Heating requirements can economically maintained with adequate thermal insulation provisions

Gas Safety

The Gas Safety (Installation and Use) Regulations 1998 place legal duties on landlords to ensure that gas appliances are safe and well maintained by a Gas Safe registered engineer. The Gas Safety (Installation & Use) Regulations 1998 require you to:

- Amendments to the Gas Safety Regulations introduced a degree of flexibility to the timing of landlords' annual gas safety checks. The change means that landlords can carry out the annual gas safety check in the two months before the due date and retain the existing expiry date. This avoids landlords waiting until the last minute and not gaining access or having to shorten the annual cycle check to comply with the law. There is no change to the legal requirement for an annual gas safety check or for maintenance to be carried out on each gas appliance, gas supply pipework and flue in the HMO by a competent Gas Safe registered engineer.
- All gas appliances should be serviced and maintained in line with manufacturers' recommendations.
- Keep records for a minimum of two years of all inspection dates, any defects and details of action taken to remedy any problems
- Provide copies of gas safety certificates to existing tenants within 28 days of the safety check being completed
- New tenants must be given a copy of the record before they move in, and
- Copies of the above records must be available to authorised officers upon request.

Under new legislation introduced in October 2015, private residential landlords in England are obliged to fit a carbon monoxide alarm in any room which contains a fixed combustion appliance (exc. gas cookers). It is considered best practice to provide carbon monoxide detectors in any room which contains any gas appliance.

Electrical Safety

Landlords are required to ensure that the electrical equipment and fixed installations in any HMO are safe.

[The Electrical Safety Standards in the Private Rented Sector \(England\) Regulations 2020](#) require that Landlords of HMO accommodation must:

- Ensure national standards for electrical safety are met. These are set out in the [18th Edition of the 'Wiring Regulations'](#), which are published as British Standard 7671.
- Ensure the electrical installations in their rented properties are inspected and tested by a qualified and competent person at least every 5 years.
- Obtain a report from the person conducting the inspection and test which gives the results and sets a date for the next inspection and test.
- Supply a copy of this report to the existing tenant within 28 days of the inspection and test.
- Supply a copy of this report to a new tenant before they occupy the premises.
- Supply a copy of this report to any prospective tenant within 28 days of receiving a request for the report.
- Supply the Council with a copy of this report within 7 days of receiving a request for a copy.
- Retain a copy of the report to give to the inspector and tester who will undertake the next inspection and test.
- Where the report shows that remedial or further investigative work is necessary, complete this work within 28 days or any shorter period if specified as necessary in the report.
- Supply written confirmation of the completion of the remedial works from the electrician to the tenant and the Council within 28 days of completion of the works.

The Council will only accept documentation from an approved scheme member who is registered with <https://www.electricalcompetentperson.co.uk/> for both installation work and inspection documentation.

Landlords who provide any electrical appliances (cookers, kettles, toasters, washing machines, immersion heaters, fridges, tumble driers, etc) as part of the tenancy, the Electrical Equipment (Safety) Regulations 1994 and both the 2006 and 2007 Management Regulations will be required to ensure the appliances are safe to use..

What's new?

- Gas Safety Regulations have been amended for landlord annual gas safety checks
- New legislation for the test and inspection of electrical installations in privately rented accommodation has been made.

Fire precaution measures

Wirral Council work closely with Merseyside Fire and Rescue Service ('MFRS') to ensure the correct fire precaution measures are installed and maintained in all HMO's. This is to ensure the required fire precaution measures are suitable, effective, practicable and appropriate for the type and layout of HMO and most likely to protect the occupants should an incident occur.

Fire safety is always a concern in multi-occupied properties. The risk rises with increased occupancy, multiple ignition sources (cooker, heaters, fires, smoking etc.), vulnerable occupants, poor construction and lack of adequate passive and active fire precaution measures.

The [LACORS – Fire Safety](#) document provides guidance and case studies for different types of HMO commonly found by Council's. Although the document is to be used as guidance it will assist any proposed or current property owner or manager of the fire precaution requirements for an HMO.

Under the [Regulatory Reform \(Fire Safety\) Order 2005](#) there is a requirement to have a fire risk assessment carried out to the communal parts, commonly known as a 'type 1 fire risk assessment'. Wirral Council require a 'type 3' fire risk assessment which extends to the units of sleeping and living accommodation as well as the communal areas.

Fire Doors – Maintenance

Fire doors are an integral part of providing a protected means of escape from the property. Fire doors must be fitted to the manufacturer's instructions and meet the relevant standards. Maintenance of a fire doors should be carried out as part of regular property inspections to ensure they are free from disrepair and are still fit for purpose.

Fire alarms and Emergency lighting- Maintenance and Servicing

A common question the Council get asked is about maintenance and servicing of fire alarm systems and emergency lighting systems. The following information is provided based on the provision set out in the relevant British Standards.

2 storey HMO's

Lower-risk HMOs are typically 2 storey in height and are installed with mains-powered, interlinked smoke alarms in corridors, sleeping accommodation and communal rooms, if provided, with a heat detector in the kitchen.

- **Regular tests and checks** – The minimum testing frequency will vary depending on the size and type of HMO. As a minimum you should press test smoke and CO alarms and visually check emergency lighting LEDs are on during all routine visits.
 - Press the emergency lighting test buttons during programmed management inspections and make sure all lights come on.
 - Advise tenants to test their detectors weekly.
- **Annual alarm maintenance** – All detectors must be maintained in accordance with manufacturers' instructions. For Grade D1 systems this usually requires periodic cleaning/vacuuming of all detectors and changing batteries, as necessary.
- **Annual emergency lighting maintenance** – Full test of lights (eg 3-hour full run down) following manufacturer's instructions. This test should be done when the property is unoccupied, or alternative lighting provided until units have re-charged. Any issues should be investigated by a competent professional.

3 storey and above HMO's

Large, complex and 'bedsit' (individually let) HMOs are higher-risk properties which require more rigorous management, more frequent inspection, and professional servicing of fire alarm panels etc., as follows:

- **Weekly fire alarm tests and visual checks** – Carried out by a competent tenant and test results recorded in a logbook.
- **Monthly emergency lighting test** – Activate and confirm all emergency lights are working during routine management inspections.
- **Six-monthly fire alarm service** – Carried out by a competent professional (eg, such as a specialist alarm engineer under a maintenance contract). An Inspection and Servicing Certificate should be issued in accordance with BS 5839-1.
- **Annual emergency lighting service** – Full duration test (eg 3-hour run down) and service undertaken by a competent professional in accordance with BS 5266. This test should be done when the property is unoccupied, or alternative lighting must be provided until units have re-charged. A certificate confirming this testing should be provided to the Council.

What's new?

- Information on fire door maintenance
- Fire alarms and emergency lighting – Maintenance and Servicing for 2 and 3 storey HMO's, includes testing, checks, maintenance requirements.

Reference information

Standards and guidance are generally taken, but not limited to the following provisions:

- Housing Act 2004; <https://www.legislation.gov.uk/ukpga/2004/34/contents>
- Housing Health and Safety Rating System Operation Guidance; <https://www.gov.uk/government/publications/hhsrs-operating-guidance-housing-act-2004-guidance-about-inspections-and-assessment-of-hazards-given-under-section-9>
- Housing Health and Safety Rating System Enforcement Guidance; <https://www.gov.uk/government/publications/housing-health-and-safety-rating-system-enforcement-guidance-housing-conditions>
- Housing Health and Safety Rating System Guidance for Landlords and Property Related Professionals; <https://www.gov.uk/government/publications/housing-health-and-safety-rating-system-guidance-for-landlords-and-property-related-professionals>
- The Management of Houses in Multiple Occupation (England) Regulations 2006; <https://www.legislation.gov.uk/uksi/2006/372/contents/made>
- The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006; <https://www.legislation.gov.uk/uksi/2006/373/contents>
- The Licensing and Management of houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007; <https://www.legislation.gov.uk/uksi/2007/1903/contents/made>
- The Licensing of Houses in Multiple Occupation (Prescribed Description) (England) Order 2018; <https://www.legislation.gov.uk/uksi/2018/221/made>
- Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018; <https://www.legislation.gov.uk/uksi/2018/616/made>
- Housing Act 1985 Part X; <https://www.legislation.gov.uk/ukpga/1985/68/part/X>
- New Metric Handbook 'Planning and Design' (6th Edition) edited by David Adler
- LACoRS Guidance - 'Regulation of 'Crowding and Space' in Residential Premises'; <https://webarchive.nationalarchives.gov.uk/20140718065653/http://www.newark-sherwooddc.gov.uk/media/newarkandsherwood/imagesandfiles/housing/privatehousing/LACoRS%20Guidance%20-%20Crowding%20and%20Space.pdf>
- GOV.UK Housing Quality Indicator System; https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/366634/721_hqi_form_4_apr_08_update_20080820153028.pdf
- New Metric Handbook 'Planning and Design' (6th Edition) edited by David Adler
- CIEH excess cold enforcement guidance; <https://www.cieh.org/media/3762/cieh-excess-cold-enforcement-guidance.pdf>

- The Energy Performance of Buildings (England and Wales) Regulations 2012;
<https://www.legislation.gov.uk/uksi/2012/3118/contents/made>
- The Gas Safety (Installation and Use) Regulations 1998;
<https://www.legislation.gov.uk/uksi/1998/2451/contents/made>
- The Gas Safety (Installation and Use) (Amendment) Regulations 2018;
<https://www.legislation.gov.uk/uksi/2018/139/contents/made>
- Gas Safety (Installation and Use) Regulations 1998 (as amended). Approved Code of Practice and guidance (download); <https://www.hse.gov.uk/pubns/books/I56.htm>
- The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020;
<https://www.legislation.gov.uk/uksi/2020/312/contents>
- LACoRS guidance – Fire Safety; <https://www.cieh.org/media/1244/guidance-on-fire-safety-provisions-for-certain-types-of-existing-housing.pdf>
- Regulatory Reform Order 2005;
<https://www.legislation.gov.uk/uksi/2005/1541/contents/made>
- Wirral Council Enforcement Policy - 2014 (as amended);
<https://democracy.wirral.gov.uk/documents/s50068741/Enforcement%20Policy%20-%202020%20vFINAL.pdf>

Appendix 1

Examples and details of recommended ensuite floor layouts

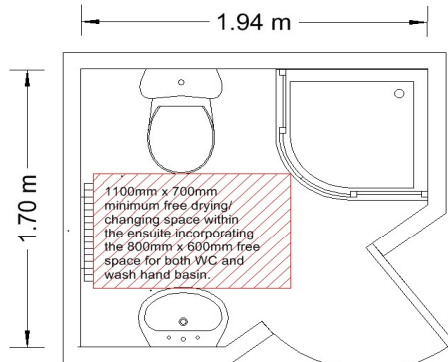


Fig 1. Typical ensuite with corner entry shower screen with appropriate drying/changing area.

Floor area
2.80sqm

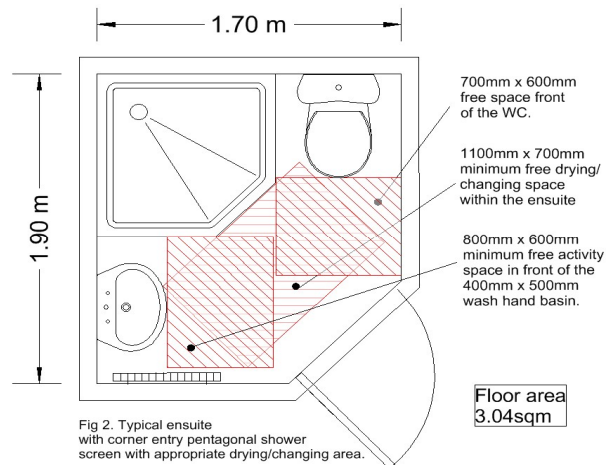


Fig 2. Typical ensuite with corner entry pentagonal shower screen with appropriate drying/changing area.

Floor area
3.04sqm

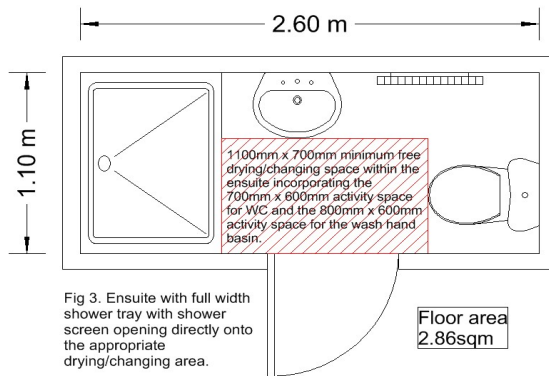


Fig 3. Ensuite with full width shower tray with shower screen opening directly onto the appropriate drying/changing area.

Floor area
2.86sqm

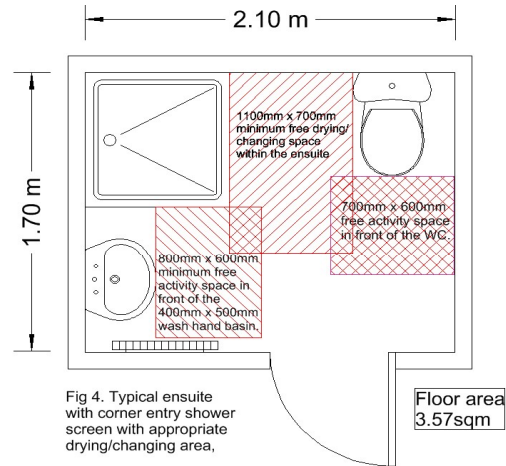


Fig 4. Typical ensuite with corner entry shower screen with appropriate drying/changing area.

Floor area
3.57sqm

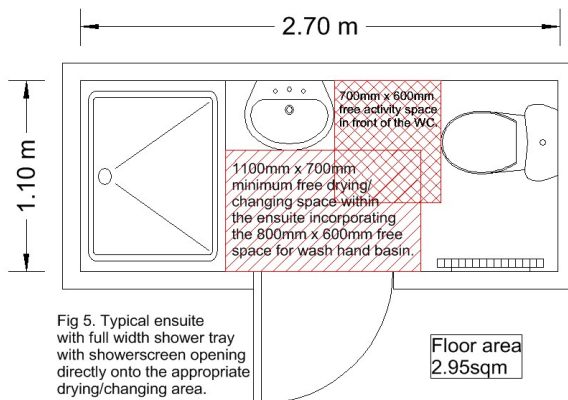


Fig 5. Typical ensuite with full width shower tray with showerscreen opening directly onto the appropriate drying/changing area.

Floor area
2.95sqm

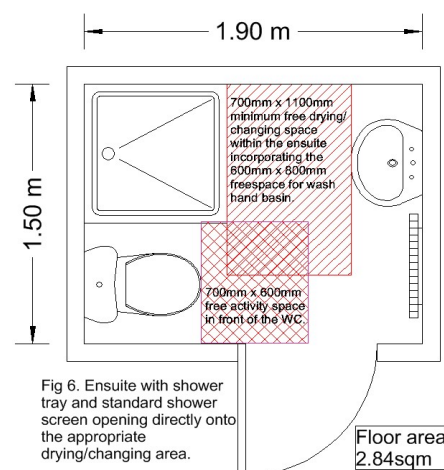


Fig 6. Ensuite with shower tray and standard shower screen opening directly onto the appropriate drying/changing area.

Floor area
2.84sqm

Sanitaryware dimensions

630mm WC and cistern

500mm x 400mm wash hand basin

850mm x 850mm Quadrant shower tray (fig 1)

1000mm x 1000mm Pentagonal shower tray (fig 2)

1100mm x 850mm full width shower tray (figs 3 and 5)

800mm x 800mm shower tray (figs 4 and 6)