

Private Sector Property – Amenity Standards Guide

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Private Sector Property – Amenity Standards Guide

(Updated July 2022)

Version 1.1

Amenity Standards for Private Owner Occupied and Rented Dwellings in Woking Borough: A Guide for the Owners, Landlords, Managing Agents and Tenants on Housing Standards.

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1. Introduction

Housing is a key determinant of health, with poor housing directly linked to poor health. The private rented sector contains properties with the poorest housing conditions, often linked to the age of the housing stock. This document aims to support improvements to housing conditions in the Borough, and as a result, to reduce the health inequalities related to sub-standard housing.

The Housing Act 2004 has important implications for the private rented sector in particular with the introduction of mandatory licensing of Houses in Multiple Occupation (HMOs), discretionary licensing for other privately rented housing in specific circumstances, plus a new rating system of assessing hazards linked to housing conditions known as the Housing Health and Safety Rating System (HHSRS) which replaces the former housing fitness standard.

The Council has a range of legal powers to ensure that accommodation within the private rented sector meets a wide range of statutory requirements. The Council is committed to working with landlords, managing agents and tenants to achieve the standards required in the private rented sector. The Council will provide advice and guidance on meeting these standards and will take enforcement action, where necessary, to ensure properties achieve and maintain those standards. This document can only be a guide to the standards and an assessment will be required to ensure compliance in any individual case. The information in this document has been drawn from legislation, Government guidance, the Decent Homes Standard, and what is regarded by Local Authorities as best practice. Definitive interpretation of the legislative requirements can only be made by the relevant court of law or Residential Property Tribunal.

Dwellings that are owner occupied or rented out to provide accommodation for tenants should provide a safe and healthy environment. The Housing Health and Safety Rating System (HHSRS) is the Government's approach to the evaluation of the potential risks to health and safety from any deficiencies identified in dwellings. The Council use the HHSRS to assess potential hazards and risks in properties. The minimum acceptable standard is the Decent Homes Standard (described below).

In the context of this publication, amenity standards describe the facilities, fixtures, fittings, management and other physical attributes of a privately rented property which contribute to its safety, comfort and suitability.

There have been various legislation changes and updates. The Council has therefore taken the opportunity to update the 2015 document and issue this revised standards document which is intended to act as a code of practice to which property owners, landlords and managing agents of private rented properties should be working in order to achieve compliance with new legislation.

The purpose of this document is to give advice to anyone letting a property in the private rented sector. It is to help property owners, landlords and managing agents to understand the minimum standards expected for local properties in the private rented sector.

The most common accommodation arrangements are described in this document, however, it is acknowledged that there will always be situations which do not match those examples given. In such circumstances you should contact the Housing Standards team for further guidance.

This document sets out the legal framework and gives guidance for living space, amenities, fire safety and good management adopted in the Borough. It is not intended

to provide an exhaustive list of all regulatory requirements and explain the law in detail and you should refer to the specific legislation or seek independent legal advice.

Woking Council is committed to working with landlords, managing agents and tenants to achieve the standards required in the private rented sector, having regard for the Woking Borough Council Housing Strategy Priority 5.5. The Council will provide advice and guidance on meeting these standards and will take enforcement action, where necessary, in line with the Housing Standards Enforcement Policy, to ensure properties achieve and maintain the standards.

This document should be read in conjunction with the Council's Licensing policy, other relevant legislation, regulations, codes of practice and other guidance. For advice about particular properties, please contact the Housing Standards team at Woking Borough Council:

housingstandards@woking.gov.uk

1.1. Definitions

Note that this list of definitions includes but is not limited to legislation at the time of writing this document and may be subject to change following legislative changes. Current legislation and guidance will be taken into account by the council when carrying out their duties.

Additional Licensing	The Government have provided councils with the power to implement an Additional Licensing Scheme which can necessitate the licensing of smaller HMOs that do not fall under the Mandatory Licensing scheme. Currently Woking Borough Council do not have an Additional Licensing scheme.
Article 4	An article 4 direction is made by the local planning authority. It restricts the scope of permitted development rights either in relation to a particular area or site, or a particular type of development anywhere in the authority's area. Where an article 4 direction is in effect, a planning application may be required for development that would otherwise have been permitted development.
BS 5839	British Standards - fire detection & alarm systems for buildings. Code of practice for the design, installation, commissioning and maintenance of fire alarm systems and fire detection equipment. This guide provides the most up to date best practice for the requirements on types of system, siting of equipment, and servicing and maintenance.

<p>Building Regulations</p>	<p>Building Regulations set out the requirements for buildings that are undergoing construction, alteration or change of use for example. A Manual can be found at the following link: Manual to building regs - July 2020.pdf (publishing.service.gov.uk)</p> <p>The Government publishes guidance called ‘Approved Documents’ on ways to meet building regulations. These contain:</p> <ul style="list-style-type: none"> • general guidance on the performance expected of materials and building work in order to comply with the building regulations • practical examples and solutions on how to achieve compliance for some of the more common building situations <p>They can be found at Approved Documents - GOV.UK (www.gov.uk) There is a list with hyperlinks for each of the approved documents in Section 4</p>
<p>Decent Homes Standard</p>	<p>A property which meets the following 4 criteria is classed as a Decent Home:</p> <ul style="list-style-type: none"> • it meets the current statutory minimum standard for housing • is in a reasonable state of repair • it has reasonably modern facilities and services • it provides a reasonable degree of thermal comfort <p>For more information, please see the Government document: A Decent Home: Definition and guidance for implementation</p>
<p>Dwelling</p>	<p>A building or part of a building occupied or intended to be occupied as a separate dwelling – Part 1, section1 of The Housing Act 2004</p>
<p>The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 (as amended)</p>	<p>The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 (“the 2015 Regulations”) introduced measures to improve the energy efficiency of certain private rented property in England and Wales.</p> <p>Part 3 of the 2015 Regulations prescribes a minimum level of energy efficiency for private rented properties, and makes it an offence to let a private rented property which fall below that standard (“sub-standard property”) unless one of the exemptions apply. It provides that, subject to prescribed exemptions, the landlord of a sub-standard property must not: (a) grant a new tenancy of the property after 1st April 2018, or (b) continue to let the property after 1st April 2020 (in the case of domestic private rented property), or after 1st April 2023 (in the case of non-domestic private rented property).</p> <p>Part 3 came into force on 1st October 2016, to enable landlords seeking to rely on a prescribed exemption when letting a sub-standard property, to register that exemption prior to the prohibition on letting sub-standard private rented properties coming into effect.</p> <p>For more information, see The Energy Efficiency (Private Rented Property) (England and Wales) (Amendment) Regulations 2016 (legislation.gov.uk)</p>

Housing Act 1985	<p>An Act to consolidate the previous Housing Acts (except those provisions consolidated in the Housing Associations Act 1985 and the Landlord and Tenant Act 1985), and certain related provisions, with amendments to give effect to recommendations of the Law Commission. This Act continues to be referenced by Housing Act 2004</p> <p>For more information, see Housing Act 1985 (legislation.gov.uk)</p>
Housing Act 2004	<p>An Act to make provision about housing conditions; to regulate houses in multiple occupation and certain other residential accommodation; to make provision for home information packs in connection with the sale of residential properties; to make provision about secure tenants and the right to buy; to make provision about mobile homes and the accommodation needs of gypsies and travellers; to make other provision about housing; and for connected purposes.</p> <p>For more information, see Housing Act 2004 (legislation.gov.uk)</p>
HMO Licence	<p>Under the national mandatory licensing scheme any HMO must be licensed if it has:</p> <ul style="list-style-type: none"> * One or more storeys and * Five or more tenants living as two or more households and * Shared facilities such as kitchen, bathroom and toilet. <p>This can be applied for at Apply for HMO Licence</p>
House in Multiple Occupation (HMO)	<p>A building or part of a building where the living accommodation is shared by persons not forming a single household and there is sharing of facilities and may also cover a self-contained flat with shared access. Section 254 of The Housing Act 2004</p> <p>Any property with 3 or more occupants from 2 or more households is required to conform to The Management of Houses in Multiple Occupation (England) Regulations 2006.</p> <p>For more information, see The Management of Houses in Multiple Occupation (England) Regulations 2006 (legislation.gov.uk)</p>
Household	<ul style="list-style-type: none"> • Couples married to each other or living together as husband and wife and couples in same sex relationships • Relatives living together, including parents, grandparents, children and step children, grandchildren, brothers, sisters, uncles, aunts, nephews, nieces or cousins- Section 258 Housing Act 2004

LACORS (Local Authorities Coordinators of Regulatory Services)	Guidance for landlords and fire safety enforcement officers in both local housing authorities (LHAs) and in fire and rescue authorities (FRAs) on how to ensure adequate fire safety in certain types of residential accommodation. Note that the LACORS guidance was correct at the time of writing (2008) but has been superseded by further regulations and legislation such as BS 5839. It still contains relevant information but should not be referred to in isolation. For more information see LACORS Housing Fire Safety
Lodgers	A person who pays to live in the same property as the landlord, with or without a written agreement. An owner occupier can have 2 tenants before the property becomes classed as a House in Multiple Occupation and hence requires conformity to The Management of Houses in Multiple Occupation (England) Regulations 2006
Owner Occupied Property	A property owned and inhabited by the owner. Note that owner occupied properties can be assessed under the HHSRS and notices served for improvements if necessary.
Permitted Development	You can perform certain types of work without needing to apply for planning permission. These are called "permitted development rights".. They derive from a general planning permission granted not by the local authority but by Government. Not all properties benefit from permitted development rights. For more information, see Guidance overview: Permitted development rights for householders: technical guidance - GOV.UK (www.gov.uk)
Selective Licence	All properties that are rented within a Selective Licence area require a licence in order to operate. For licensable HMOs this will continue to be an HMO licence All other rented properties will require a Selective Licence. At the time of writing this document, Canalside Ward is the only selective licence area in the Borough. The current scheme is valid until March 2023. Note that the scheme may be extended or ended after this date. Other areas may become subject to selective licensing and the landlord is responsible for ensuring their properties are compliant. Information about the Woking scheme can be found at About the Selective Licensing Scheme
Staff Accommodation	Accommodation occupied by staff working in an attached commercial unit. Note that this accommodation may fall within the definition of an HMO and, as such, must adhere to the management regulations.
Tenant	A person who pays rent for the use of land or a building. There does not have to be a written agreement but it is best practice to have a written tenancy agreement.
The Housing Health and Safety Rating System (HHSRS)	A methodology introduced in the Housing Act 2004 to assess the health and safety of dwellings. The underlying principle is that any residential premises should provide a safe and healthy environment for any potential occupier or visitor. In order to satisfy this basic principle, a dwelling should be designed, constructed and maintained with non-hazardous materials and should be free from both unnecessary and avoidable hazards. More information can be found at HHSRS Guide for Landlords and Property Related Professionals, and at Appendix 1

<p>The Licensing and Management Regulations of Houses in Multiple Occupation and Other Houses (Miscellaneous provisions) (England) Regulations 2006</p>	<p>This instrument supplements the licensing provisions contained in Parts 2 and 3 of the Housing Act 2004 (“the 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 house in multiple occupation (“HMO”). It specifies the contents of applications for licences and the standards to be applied when determining the suitability of an HMO for licensing. It also sets out publication requirements relating to designations of areas that are to be the subject of additional or selective licensing, and revocations of such designations, and specifies the contents of registers held by local housing authorities of licences granted, temporary exemption notices and management orders. Finally it supplements schedule 14 of the Act by specifying other buildings that are not HMOs for the purposes of the Act.</p> <p>For more information, see The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 (legislation.gov.uk)</p>
<p>The Management of Houses in Multiple Occupation (England) Regulations 2006</p>	<p>The duties imposed upon owners, landlords, and/or managers of Houses in Multiple Occupation, including those which are not subject to a licence, to ensure suitable standards of management and suitable standard of accommodation and facilities. For more information see The Management of Houses in Multiple Occupation (England)</p>
<p>The Regulatory Reform (Fire Safety) Order 2005 (FSO)</p>	<p>This order does not apply to domestic dwellings except where there is sharing of living accommodation eg kitchens, bathrooms, and other common areas including halls and stairways. The Council is the enforcing authority in most Houses in Multiple Occupation (HMO). For more information see The Regulatory Reform (Fire Safety) Order</p>
<p>The Smoke and Carbon Monoxide Alarm (England) Regulations 2015</p>	<p>Private sector landlords are required from 1 October 2015 to have at least one working smoke alarm installed on every storey of their properties and a carbon monoxide alarm in any room containing a solid fuel burning appliance (eg a coal fire, wood burning stove). After that, the landlord must make sure the alarms are in working order at the start of each new tenancy. For more information see The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 (legislation.gov.uk)</p>

1.2. Housing Health and Safety Rating System

The HHSRS was introduced within the Housing Act 2004 as a method by which individual dwellings are inspected and assessed. The underlying principle of the HHSRS is that any residential premises should provide a safe and healthy environment for any potential occupier or visitor. Therefore in order to satisfy this basic principle, a dwelling should be designed, constructed and maintained with non- hazardous materials and should be free from both unnecessary and avoidable hazards.

Usually on the request of a tenant, but not always, the inspecting Housing Standards Officer (HSO) will conduct a HHSRS inspection with the aim to identify all the deficiencies within the dwelling. A deficiency is defined as being the failure of a particular element to meet the ideal or optimum standard as best to prevent or minimise a hazard. Such a failure could be inherent, such as a result of the original design, construction or manufacture, or it could be a result of deterioration, disrepair or a lack of repair or maintenance.

Once the deficiencies within a dwelling have been identified they are then related to a wide range of hazards where a health and safety risk calculation will be made by an HSO. The calculation will be based on the risk to the most vulnerable potential occupant of that dwelling, whether or not anyone, or a most vulnerable occupant, is resident in the premises at the time of the inspection. The calculation will result in the hazard being given a numerical score. That score will determine the band into which the hazard will fall. The regulations prescribe that hazards falling within bands A to C are Category 1 Hazards, while those within bands D to J are Category 2 Hazards. The HHSRS relates poor housing conditions to the kinds of harm attributable to such conditions - it does not try to assess a specific health outcome in relation to the current occupant.

The general principle of the Housing Act 2004 is to drive up housing standards and not to derogate back to past standards. The Act places a general duty on every local authority to take some form of action to remove or lessen a Category 1 Hazard once identified, using a range of powers contained in Part 1 of the Housing Act 2004. The Local Authority will therefore actively seek to have the necessary works to remove or lessen the Category 1 Hazard carried out within a suitable time frame. This will be done either by working with the landlord and agreeing when the work will be done on a voluntary basis and/ or by the serving of a formal enforcement notice.

Hazards falling in the lower bands, D to J are known as Category 2 hazards for which every local authority has discretionary powers to take action to remove or lessen.

1.3. Decent Homes Standard

The definition of what is a decent home has been updated to reflect the Housing Health & Safety Rating System (HHSRS) which replaced the Housing Fitness Standard on 6th April 2006. To be decent a dwelling should fulfil the following:

1. It meets the current statutory minimum standard for housing:

Dwellings which fail to meet this criterion are those containing one or more hazards assessed as serious ('Category 1') under the HHSRS.

2. It is in a reasonable state of repair:

Dwellings which fail to meet this criterion are those where either:

- One or more of the key building components are old and, because of their condition need replacing or major repair; or
- Two or more of the other building components are old and, because of their condition, need replacing or major repair.

3. It has reasonably modern facilities and services:

Dwellings that fail to meet this criterion are those that lack three or more of the following:

- A reasonably modern kitchen (less than 20 years old);
- A kitchen with adequate space and layout;
- A reasonably modern bathroom (less than 30 years old);
- An appropriately located bathroom and TOILET;
- Adequate insulation against external noise (where external noise is a problem); and
- Adequate size and layout of common areas for blocks of flats.

4. It provides a reasonable degree of thermal comfort:

This criterion requires a dwelling to have both effective insulation and efficient heating.

1.4. Minimum Requirements for All Properties

As set out above this document seeks to provide guidance on the requirements for Private Rented Properties. This section provides a summary of such requirements, and further details can be found within the relevant section of the document.

As a minimum all properties should:

- Not have any Category 1 Housing Health and Safety Rating System (HHSRS) hazards;
- Not have any significant Category 2 Housing Health and Safety Rating System (HHSRS) hazards;
- Meet the Decent Homes Standard;
- Be structurally sound and not cause a statutory nuisance to other properties;
- Be free from damp, or wet or dry rot;
- Be energy efficient and have an Energy Performance Certificate rating of the minimum set out in the Minimum Energy Efficiency Regulations;
- Provide with a form of fixed fire detection as appropriate for the type and use of the property as set out in the latest version of BS5839: Part 6
- Be provided with a fixed carbon monoxide detector in all rooms where there is a solid fuel burning combustion appliance (e.g. wood burning fire);
- Be suitably protected from external noise such that the occupiers are not subjected to noise which would impact their physical or mental health;
- Be free from pests;
- Not be occupied so that occupiers are overcrowded.
- All furniture and furnishings supplied must comply with The Furniture and Furnishings (Fire) (Safety) Regulations 1988 (as amended).
- All gas appliances and gas installations are to be safety checked at least once every 12 months by a Gas Safe Registered contractor, and a copy of the certificate provided to all tenants.
- All works to gas appliances and the gas installation (including all installations of gas appliances) are to be completed by a Gas Safe Registered contractor, and a copy of the certification provided to all tenants.
- All electrical installations should be inspected for safety periodically by a suitably qualified electrical contractor. All electrical installations are required to be inspected

at change of tenancy or at least once every five years, whichever is shorter, and have been a requirement for existing tenancies since April 2021

- All works to the electrical installation should be completed by a suitably qualified electrical contractor and a copy of the certification provided to all tenants.
- Any building works carried out to the property should be carried out in accordance with the Building Regulations and best practice.
- Any building works involving asbestos containing materials should be undertaken by a contractor suitably qualified to work with asbestos containing materials (i.e. a contractor licensed by the HSE).

Note that this list is not intended to be exhaustive, but to provide a guide as to the standards expected in all properties.

1.5. General Building Elements

For all buildings, the general building elements should be fit for purpose and in good condition and repair (and where appropriate watertight), and there should be a planned maintenance programme in place. In particular:

- The building elements should be structurally sound and not present a risk to the occupiers, visitors and members of the public.
- The building elements should not allow water ingress into the property or a neighbouring property.
- There should be adequate provision for surface and waste water drainage.
- The rainwater goods should discharge rainwater effectively into appropriate drains or soakaways.
- The waste water goods should discharge waste water effectively into appropriate drains.
- The exterior decoration should be in a good condition.
- All windows and doors should open and close effectively and be free from excessive draughts.
- All external windows and doors should be readily secured to prevent unauthorised access by means of an appropriate lock that can be opened easily in an emergency and which meets the appropriate British Standard.
- Any damp proof course should not be bridged, e.g. by external render.
- All air bricks should be unobstructed and should not provide access by pests, e.g. rats and mice.

Note that this list is not intended to be exhaustive, but to provide a guide as to the standards expected in all properties.

1.6. General External Space Requirements

- There should be adequate provision for refuse provided as appropriate for the number of occupiers.

- All refuse bins should be able to be stored in a suitable location within the curtilage of the property.
- All external spaces should be kept free from accumulations of refuse, furniture or any other materials.
- All external spaces should have suitable artificial lighting to enable occupiers to use the areas safely.
- All external steps, ramps and thresholds should be slip resistant to prevent slips and falls.
- All paths and areas of paving should be level and free from trip hazards.
- All external steps, ramps and thresholds should be suitably guarded and free from fall hazards.
- All changes in level should be suitably guarded and free from fall hazards.
- All external spaces should be well-drained such that surface water is discharged effectively into appropriate drains.
- All boundaries should be clearly defined, e.g. by fences or walls.
- All boundary fences and walls should be well maintained to prevent unauthorised access.

Note that this list is not intended to be exhaustive, but to provide a guide as to the standards expected in all properties.

1.7. General Internal Space Requirements

- The internal arrangement should not present a risk to the occupiers due to collision and entrapment or any other hazard.
- All facilities should be maintained in good condition and be readily accessible
- All walls and ceilings should be free from cracks and signs of movement.
- Ceilings and walls should not have facing materials that present a fire risk, e.g. polystyrene tiles etc.
- All artex-type wall or ceiling coverings should be tested for asbestos content and appropriate action taken.
- All floors should be level and in good repair with no trip hazards, e.g. loose floor boards.
- All carpets should be well-fitted and not present a trip hazard.
- All thermos-plastic floor tiles should be tested for asbestos content and appropriate action taken.
- All doors and windows should open and close freely and be readily secured to prevent unauthorised access.
- All habitable rooms should be provided with an appropriately sized external window which has an area of glazing of at least one tenth of the floor area.
- All kitchens and bathrooms should have appropriate artificial lighting where the provision of an external window is not reasonably practicable.
- External windows should be able to be locked in an open position to enable natural ventilation to be provided.
- Any areas of glazing in windows below a height of 800mm from the floor level, or in glazed panels below a height of 1500mm from the floor level must meet relevant safety standards, or be suitably guarded to prevent injury.

- Any windows with a sill height lower than 1200mm from floor level should be guarded to prevent injury.
- Catches which restrict the distance a window can be opened to 100mm should be fitted to windows above ground floor level to reduce the possibility of an accident. Any opening limiter should be easy to over-ride by an adult in the event of fire
- All bathrooms and cloakrooms should be provided with obscure glazing for privacy.
- Louvre windows are not acceptable due to their poor level of security and energy efficiency.

Note that this list is not intended to be exhaustive, but to provide a guide as to the standards expected in all properties.

2. Houses in Multiple Occupation

If you let a property which is one of the following types, it is a House in Multiple Occupation:

- (i) An entire house or flat which is let to 3 or more tenants who form 2 or more households and who share a kitchen, bathroom or toilet
- (ii) A house which has been converted entirely into bedsits or other non-self-contained accommodation and which is let to 3 or more tenants who form 2 or more households and who share kitchen, bathroom or toilet facilities.
- (iii) A converted house which contains 1 or more flats which are not wholly self contained (ie. the flat does not contain within it a kitchen, bathroom and toilet) and which is occupied by 3 or more tenants who form 2 or more households.
- (iv) A building which is converted entirely into self-contained flats if 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 that are occupied by a defined group of friends or colleagues under one tenancy agreement and that are often referred to as “shared houses” are considered to be HMOs and will be treated by the Council as such.

HMOs can provide an affordable housing option for a wide range of people. However, they often provide accommodation for some of the most vulnerable and disadvantaged groups in society including Universal Credit claimants or those on low, fixed incomes, students, and asylum seekers. For many of these individuals HMOs represent the only housing option available. Traditionally HMOs have a poor reputation for providing some of the worst accommodation in the private rented sector and being badly managed.

The Housing Act 2004 introduced the mandatory licensing scheme for the higher risk HMOs, and introduced regulations to improve the standards and management of all HMOs.

2.1. Licensing

HMO's

Under the national mandatory licensing scheme any HMO must be licensed if it has:

- (i) One or more storeys and
- (ii) Five or more tenants living as two or more households and
- (iii) Shared facilities such as kitchen, bathroom and toilet.

You can apply for a HMO Licence via the Council's website at:

<https://woking.gov.uk/housing/private-housing/apply-or-renew-hmo-licence>

A guide to completing an HMO Licence application at the following link:

<https://woking.gov.uk/sites/default/files/documents/HousingDocs/slicappform.pdf>

Selective Licensing

In addition to HMO licensing, there is currently a Selective Licensing Scheme in the Canalside Ward of the Borough. This scheme requires ALL privately rented properties within this ward to be licenced. Therefore, smaller HMOs which do not require a mandatory licence will require a selective licence. Information about the Woking scheme can be found at [About the Selective Licensing Scheme](#). Note that the current scheme is ending on 31st March 2023 and the Executive have decided that a new scheme will not be implemented at present.

Additional licensing

The Council has discretionary powers to widen the remit of licensing to also include smaller HMOs to help to deal with the problems associated with HMOs that are not already covered by mandatory licensing. This is known as Additional Licensing.

The Council would need to consult with landlords and tenants organisations, local residents and advertise in the local newspapers before adopting an additional licensing scheme in the Borough. You should therefore become aware of any additional licensing scheme before it comes into operation.

The Council does not have any plans to implement an additional licensing scheme at the current time, however this may be kept under regular review.

2.2. Planning

Residential properties normally fall within the planning use class C3.

In planning, use classes for HMOs:

- Single family houses and flats are classified as class 'C3 dwelling-houses'
- 'Small HMOs' are privately-rented houses in multiple occupation with between three and six tenants, and are classified as 'small' or 'C4 Houses in Multiple Occupation'
- 'Large HMOs' are defined as HMOs with seven or more tenants. Large HMOs are in their own distinct planning use class known as 'sui generis'

Planning permission is required to create any large HMO.

Planning permission is not generally required to change the use of a single family home (Class C3) into a small HMO, but planning permission may be required depending on the extent of any other changes you are making to the property or other restrictions/conditions

attached to the property including Article 4. At the time of writing this document, there are no Article 4 Directions in the borough of Woking

For more information, and to discuss whether you need planning permission, please contact the Planning department or take a look at the planning portal at:

<https://woking.gov.uk/planning-and-building-control/planning/do-i-need-planning-permission>

When we receive an application for an HMO for more than 6 people, if planning permission has not been obtained for that property, we may grant the licence for up to 6 people only. If planning permission is later obtained, an application can be made to vary the licence to increase the permitted occupancy.

2.3. Management Regulations Overview

There are two main property and tenancy management regulations that apply to most HMOs whether or not they are required to be licensed. These regulations are:

[The Management of Houses in Multiple Occupation \(England\) Regulations 2006 \(Statutory Instrument 2006 No.372\)](#);

[The Licensing and Management Regulations of Houses in Multiple Occupation and Other Houses \(Miscellaneous provisions\) \(England\) Regulations 2006 \(Statutory Instrument 2006 No.373\)](#).

There is no provision for legal notices to be served under these management regulations. Non-compliance with the regulations is a strict offence. Where there are deficiencies, the Council can give landlords informal advice or, in more serious cases, prosecute the landlord in the Magistrates Court.

The Management of Houses in Multiple Occupation (England) Regulations 2006 imposes certain duties on the landlords of HMOs. (In legislative terms the landlords of HMOs are referred to as 'HMO managers'.) The regulations detail the management standards to be met and require the manager of the premises to carry out certain duties to maintain their property.

The Regulations are summarised below.

The duties of the Manager are :

1. Display their contact details (Reg 3)

- a notice in a prominent position in the property stating the name, address and telephone number of the manager so that residents have someone to contact whenever necessary

(Note that properties with an HMO licence also require additional paperwork to be displayed at the property as per the licence conditions.)

2. To take safety measures (Reg 4)

- All necessary measures to:-
 - Protect the Tenants from injury

- Means of escape from fire are free from obstruction and in good order
- The fire alarm system and any fire fighting equipment provided are maintained in good order

3. To maintain water supply and drainage (Reg 5);

- Ensure that the water supply and drainage system serving the HMO is maintained in a good, clean and working condition – this includes in licensable HMOs conducting a Legionella risk assessment, if required.
- They must not be unreasonably interrupted from use by any occupier

4. To supply and maintain gas and electricity (Reg 6);

Managers must:

- Not unreasonably cause the gas or electricity supply used by an occupier of the HMO to be interrupted ;
- Supply to the Council within 7 days of request, the latest gas appliance test certificate for the HMO;
- Ensure that every fixed electrical installation is inspected and tested at intervals not exceeding five years by a person qualified to undertake such inspection and testing , obtain a certificate from that person specifying the results of the test AND supply that certificate to the Council, within 7 days of receiving a request.

5. To maintain common parts, fixtures, fittings and appliances (Reg 7);

Managers must ensure that all common parts of the HMO are maintained in good and clean decorative repair; maintained in a safe and working condition and kept reasonably clear from obstruction. This includes:-

- Appliances such as cookers, heaters, washing machines;
- Shared lighting and heating facilities, including hot water supplies; Shared toilets, baths, sinks and basins;
- Shared cooking, food storage and other installations;
- Staircase, handrails, halls and landings, including floor coverings; Windows and other means of ventilation;
- Outbuildings, paths, yards, boundary walls, fences and railings and garden areas;
- Provision of additional handrails/bannisters as are necessary for the safety of the occupiers

6. To maintain living accommodation (Reg 8);

Managers must ensure that:

- Each unit of living accommodation and any furniture supplied are in clean condition at the beginning of a person's occupation of it;
- The internal structure of living accommodation and any fixtures, fittings or appliances supplied within it are maintained in good repair and clean working order

7. To provide waste disposal facilities (Reg 9).

Managers must:

- Provide sufficient bins for the storage of refuse pending their disposal, make sure rubbish does not accumulate and make further

arrangements for the disposal of refuse and litter as may be necessary having regard to any service provided by the Council.

The Regulations also place a duty on all occupiers of an HMO to: (Reg 10)

- Conduct themselves in a way that will not hinder or frustrate the manager in the performance of his duties.
- Allow the manager at all reasonable times to enter any living accommodation to enable him to carry out any duty. Except in the case of emergencies, at least 24 hours notice either in writing or by phone of any intended visit should be given to the occupiers.
- Provide the manager with any information requested to enable him to carry out his duties.
- Take reasonable care to avoid causing damage to the property and its contents.
- Store and dispose of refuse in accordance with the arrangements made by the manager.

Comply with the reasonable instructions of the manager in respect of any means of escape from fire, the prevention of fire and the use of fire equipment. HMOs which are subject to a licence are also bound by additional conditions contained within the licence. Please read your licence carefully to ensure you are complying to all conditions contained within it.

2.4. Information to be Displayed in an HMO

As set out above, Regulation 3 of The Management Regulations require that the name, address and contact details to be displayed in an HMO. The Council also requires the following information and/or documents to be displayed in a prominent place in the HMO:

- The current HMO Licence and associated conditions (where the property is licensable)
- The name address and contact details of the landlord or the manager of the property
- The current Gas Safety Certificate (where applicable)
- The current Electrical Installation Condition Report
- The current Fire Detection Maintenance Certificates
- A notice regarding anti-social behaviour in and around the property
- Instructions on what to do in an emergency with information detailing location of the stop cock, consumer unit, gas cut off valve, and the Gas Leak emergency number

2.5. Overcrowding

The number of occupiers in any dwelling or HMO should be such that normal day to day activities can be carried out safely, without stress and in comfort. The numbers that can be accommodated in any given circumstance will predominantly depend upon the numbers, locations and spatial provision of any sanitary appliances, kitchens and bedrooms, (see individual sections for further guidance).

Limits on the numbers of people permitted to sleep in any dwelling are set by legislation contained in the Housing Act 1985. This relates to numbers, and sizes of rooms available for

sleeping and will need be considered on an individual basis. The age and sex of individual occupiers will also be taken into account.

Only rooms designated as living rooms, bedrooms or bed/sitting rooms may be used for living or sleeping purposes.

Other rooms such as kitchens, bathrooms, or cellars, roof spaces etc shall be deemed unsuitable for use as sleeping / living accommodation.

Garages and other outbuildings should not be used for sleeping/living accommodation unless they have been converted in accordance with the relevant Building and Planning Regulations.

Overcrowding and space is also assessed by HHSRS and relates to the whole dwelling's use for normal activities and is not specifically related to numbers of people in occupation and room sizes.

2.6. Room Sizes and permitted occupation

In order that accommodation in HMO's can provide a safe environment and a reasonable degree of comfort for occupiers the Council considers the number of occupants, the levels of provision of sanitary appliances, and also the spatial provision for living accommodation.

Minimum Room Sizes for One-Room Units of Accommodation Within an HMO:

Table 1: For HMOs which contain a shared communal area such as a living room or dining room, or large combined kitchen and communal area, which satisfies the dimensions as shown in Table 3:

Room use	Room size	
	1 person	2 people (as a couple)
Bedroom Only (where a separate kitchen and living room are provided elsewhere in the HMO).	6.5m ²	10.2m ²
Bedroom containing a Kitchen area	11.0m ²	16.5m ²

Table 2: For HMOs which do not contain a shared communal area:

Room use	Room size	
	1 person	2 people (as a couple)
Bedroom (where a separate kitchen is provided elsewhere in the HMO).	10.0m ²	14.0m ²
Bedroom containing a Kitchen area	13.0m ²	19.0m ²

Table 3: Minimum Room Sizes for Communal Use Rooms

For rooms shared by tenants (not living as a single family) in HMO-type accommodation:

Shared Room	Number of Occupants of the HMO				
	1 - 3	4	5	6	7 - 10
Kitchen	5.0m ²	6.0m ²	7.0m ²	9.0m ²	11.0m ²
Total Communal Living Space*	13.5m ²	17.0m ²	18.0m ²	20.0m ²	27.5m ²

*Area is inclusive of kitchen but the kitchen must be of the minimum size specified for number of occupants. It also excludes hallways, toilets, storage areas etc.

When supplying a floor plan to the council, we require the metric measurements of all walls in a room to enable us to calculate the dimensions of the room. In particular there are rooms which have unusual shapes and the usable dimensions cannot be calculated from only two dimensions.

The usable space in a room with a sloping ceiling is calculated from the point at which the ceiling is 1.5m from the ground. Any other area that is used solely for storage and has a headroom of 0.9m – 1.5m (such as under eaves) is counted at 50% of its floor area, and any area lower than 0.9m is not counted at all.

2.7. Kitchen Facilities

All kitchens should be supplied with a Fire Blanket fixed in a suitable place on the wall for easy access.

Appropriate refuse disposal facilities

The refuse should not cause problems of hygiene or attract pests and should not obstruct the means of escape in case of fire. A sufficient number of refuse receptacles must be provided in a suitable location for the storage of refuse awaiting collection both internally and externally. Separate containers for recycling should be provided.

Appropriate extractor fans

Electrical extraction in accordance with approved document F under the latest Building Regulations.

Appropriate surface finishes

Kitchen floors must be of a suitable material and finish to be slip resistant, water resistant, continuous and free from any cracks or crevices as to facilitate easy cleaning (eg: ceramic or vinyl floor tiles or linoleum flooring);

Kitchen walls adjacent to cookers, sinks and food preparation areas shall be provided with suitable splash backs;

Kitchen ceilings shall be in good repair.

Cooker Location

The cooker must be located such that it has a work surface of at least 300mm on at least one side, and preferably both. The cooker must be fully enclosed on both sides by units or a wall and a unit.

2.7.1. Shared Kitchens

Where all or some of the individual units of living accommodation/ bedsits in a HMO do not contain facilities for the cooking of food, the following are the requirements for the shared kitchen facilities:

Table 2: Kitchen facilities for shared kitchens.

Facility	Minimum Standard	Up To and Including 5- persons	More than 5-persons
Sinks	A fixed impervious sink with a drainer. It should be provided with an adequate and wholesome supply cold water and an adequate supply of constant hot water.	1 sink for up to 5 occupants	1 extra sink per 4 occupants and part of there after. A dishwasher may be regarded as an acceptable alternative to a second sink.
Cookers	A cooker should comprise of an electric or gas hob with 4 rings, an oven and grill.	1 cooker for up to 5 occupants	1 extra cooker per 4 occupants and part of there after. A microwave with a combination oven and grill may be an acceptable alternative as a second cooker.
Electric sockets	30 amp supply for an electric cooker. Points should be set at a convenient height and in a safe position	6 sockets (3 doubles) Additional dedicated sockets are required for a cooker and washing machine	An additional double per 4 occupants and part of there after. Additional sockets are required for a cooker, refrigerator and washing machine
Work tops for food preparation	Work tops should be secure, in good repair, fixed and of an impervious material.	500mm (length) x 600mm (width) per user to a maximum requirement of 2.5m length	Additional 500mm length per user above the maximum 2.5m length

Cupboards for the storage of kitchen and cooking utensils;	A floor based food storage cupboard 500mm wide and standard depth and height or a wall mounted food storage cupboard 1000mm wide and standard depth and height should be provided per person: (Note the space below the sink is not acceptable to comply with this standard)	One 500mm wide base unit or one 1000mm wall unit per room (note a room can only occupy a maximum of 2 people living as a couple)	Capacity to be increased proportionately for each additional occupant
Refrigerators with an adequate freezer compartment (or where the freezer compartment is not adequate separate freezer)	A large standard combined fridge/freezer Refrigeration	One fridge shelf and one freezer drawer per room (note a room can only occupy a maximum of 2 people living as a couple)	Capacity to be increased proportionately for each additional occupant

2.7.2. Kitchen Facilities within Rooms of Accommodation

Where individual bedsit rooms are large enough to accommodate a kitchenette or multi-room bedsits where one of the rooms is of adequate size to accommodate a separate kitchen for the exclusive use of the occupant(s) of that bedsit, the following applies.

Facility	Minimum Standard	Each Room
Sinks	A fixed impervious sink with a drainer. It should be provided with an adequate and wholesome supply of cold water and an adequate supply of constant hot water	One per each unit
Cookers	A cooker with at least two rings with an oven and grill	One per each unit
Electrical sockets	Points should be set at a convenient height and safe position	4 sockets (2 doubles) & additional dedicated sockets are required for a cooker and refrigerator

A work top for the preparation of food	The worktop should be secure, fixed and of impervious material, with no cracks or crevices	Minimum size 600mm x 1000mm
A cupboard for the storage of kitchen utensils and crockery	Floor or wall mounted. The space below the sink is not acceptable to comply with this standard	A floor based storage cupboard of 500mm wide and standard depth and height or a wall mounted food storage cupboard of 1000mm wide and standard depth and height
A refrigerator	A standard refrigerator with at least an ice box for frozen food storage	A refrigerator with minimum capacity of 150l

2.8. Bathroom and Sanitary Facilities

Where all or some of the individual units of living accommodation/ bedsits in a HMO or shared house do not contain bathing or toilet facilities for the exclusive use of each individual household please refer to Table 1 below:

Table 1: Schedule of Amenity Standards in Relation to Number of Persons Sharing Washing Facilities:

Number of Occupants	Amenity Provision
1-4 persons	At least 1 bathroom and 1 toilet with a wash hand basin (the bathroom and toilet may be combined)
5 persons	At least 1 bathroom and 2 toilets, each with wash hand basins, in the property (the second toilet can be contained in a second bathroom)
6-10 persons	At least 2 bathrooms and 2 toilets in the property (one of the toilets can be contained in one of the bathrooms)
11-15 persons	At least 3 bathrooms and 3 toilets with wash hand basins in the property (two of the toilets can be contained within two of the bathrooms)
16+ persons	Full consultation with the Local Authority required.

- A “bathroom” means a room containing a bath or shower; it may also contain a toilet and a wash hand basin
- All rooms containing a toilet must also contain a wash hand basin

- All baths, showers, and wash hand basins must be equipped with taps providing an adequate supply of cold and constant hot water;
- All bathrooms and toilets must be of an adequate size and layout, and must be fit for purpose;
- Baths and wash hand basins must have a suitable splash back;
- Bathroom doors should be provided with a lock for privacy which can be opened in the case of emergency from outside the bathroom.
- All bathrooms and toilets must be adequately ventilated (with mechanical ventilation linked to the light switch in bathrooms) and heated;
- The flooring in all bathrooms and toilets must be water resistant, non-slip, continuous and free from any cracks or crevices to facilitate easy cleaning (eg: ceramic or vinyl floor tiles or linoleum flooring);
- All bathrooms and toilets must be suitably located in relation to the living accommodation.
- All bedrooms must be a maximum of 1 floor from suitable facilities.

2.9. Heating, Insulation and Ventilation

Schedule 3 of The Licensing and Management Regulations of Houses in Multiple Occupation and Other Houses (Miscellaneous provisions) (England) Regulations 2006 requires each unit of living accommodation in a HMO to be provided with adequate means of heating. This includes the communal living / dining areas and the bedrooms. The heating appliance must be capable of achieving a room temperature of at least 21oC within one hour of turning on when the air temperature outside is –1oC.

Therefore, when deciding on what type of heating to install into an HMO it is recommended that landlords give due consideration to the following factors:

- The volume of the space to be heated;
- The number and type of windows in each room;
- The construction type of the HMO (e.g. solid brick walls, cavity wall construction);
- The orientation of the HMO and the number of external walls that form the dwelling;
- The level and quality of thermal insulation of the dwelling as to prevent heat loss;
- The running cost and efficiency of the chosen heating system

Fuel poverty in England is now measured using the Low Income Low Energy Efficiency (LILEE) indicator rather than the old Low Income High Costs (LIHC) indicator.

Under the LILEE indicator, a household is considered to be fuel poor if:

- they are living in a property with a fuel poverty energy efficiency rating of band D or below

and

- when they spend the required amount to heat their home, they are left with a residual income below the official poverty line

[Fuel poverty statistics - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

Heating in kitchens, bathrooms, cloakrooms, and hallways must be fixed to either the wall or the floor

Acceptable heating provision in HMOs:

- Any programmable gas or oil central heating system that is linked to a thermostatic control;
- Digital electric heating systems;
- Electric storage heaters linked to Economy 7 or 10 (or similar) low-cost energy provision;
- Warm air systems;
- Under floor heating systems;
- Programmable LPG/ solid-fuel central heating system;
- Similarly efficient heating systems which are developed in the future.

Not-acceptable heating provision:

- Plug-in, single-point, on-peak electric panel or convector heaters
- Portable heating appliances such as electric fires, convector or fan heaters, paraffin oil and LPG (bottled gas)
- Heating with no thermostatic control
- Electric storage heaters not connected to a low tariff (off-peak) energy provision
- Open fires
- Any system which the occupants of the HMO do not have full control over and fails to provide adequate heating throughout the whole day.

Heating Guidance:

- Whichever form of heating is installed it must be controllable by the occupants at all times.
- All heaters must be securely fixed in position
- Digital electric radiators and electric storage heaters must be mains powered into a dedicated and adequately rated fused control switch
- All habitable rooms and bathrooms should have a heating provision capable of raising the temperature of the room to 18°C and maintaining that temperature when the outside temperature is -1°C
- Communal areas should have a heating provision capable of achieving a room temperature of at least 21°C within one hour of turning on when the air temperature outside is -1°C.

Insulation Guidance:

- Loft spaces should be insulated with 270mm depth of suitable insulation;
- Windows should be of sound construction and well-maintained as to be draught-proof and water-tight;
- The front and rear doors to the main HMO building should be well-fitting, of sound construction and well-maintained as to be draught-proof, water-tight and secure;
- Where possible landlords should consider insulating the wall cavity of the building where a cavity exists;
- Where possible landlords should consider internally or externally insulating solid brick external walls

Ventilation Guidance:

- Windows should be double glazed and provided with trickle ventilation
- All bathrooms must have mechanical ventilation installed, vented to the outside where possible, linked to the light switch, and programmed to run on for at least 10 minutes after the light has been turned off, or a humidistat fan.

- All kitchens must have mechanical ventilation, vented to the outside where possible.
- Ventilation requirements are as specified in the Government's Domestic Ventilation Compliance Guide: [domestic_ventilation_compliance_guide_2010.pdf \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/428221/domestic_ventilation_compliance_guide_2010.pdf)
- According to the HHSRS, "There should be sufficient and appropriate means of ventilation to deal with moisture generated by normal domestic activities without the need to open windows. Opening windows can result in heat loss, noise, and may be a security risk."

2.10. Fire Safety and Means of Escape

As each property is unique in its own way it is not possible to provide the prescribed standards for each and every type of property. For example, in large or complex buildings, or those with unusual layouts there may be additional fire safety requirements. In such cases the Council will make assessments on a case-by-case basis and are happy to advise landlords accordingly. When legislation has been updated the Council will always refer to the latest legislation and standards.

In the majority of HMOs, there may be individual cooking facilities contained within each room or some of the rooms, and there may also be shared cooking facilities within a communal area. The use of a shared kitchen in an HMO has a greater chance of fire issues than in a family home because of the greater number of occupants and an increase in its use. Generally bathing and toilet facilities will mostly be shared. There may be a communal living and/ or dining room, which may contain items not usually found in these rooms such as fridges and freezers. Often the tenants will be separate individuals that live independently with little or no communal living between each other. Each letting within the HMO usually has its own individual tenancy agreement and there will usually be a lock on each individual letting door.

Within these properties, there is no individual occupant taking overall control to ensure the safety and maintenance of the property on a day to day basis. This makes an HMO a high risk property.

All HMOs must have a recently reviewed fire risk assessment completed and available for inspection. A new assessment should be carried out by a competent person at least every 3 years, and it is recommend that it be reviewed at least annually.

2.10.1. HMOs with no more than 2 storeys

This section guidance is aimed at one or two-storey houses that have been converted into no more than five individual rooms. As occupancy and the number of rooms increases, so does the likelihood of fire. Therefore in one or two storey HMOs with more than 5 occupants or 5 bedsits additional fire safety measures may be necessary depending on the fire risk assessment conducted for the property, and full consultation with the Council is required.

Escape Route:

- A protected escape route is required depending on the type of property (refer to the LACORS guidance including fire and smoke resisting construction, and fire

doors (with smoke seals, intumescent strips and self closers) to all risk rooms (kitchens, bedrooms, living rooms and communal rooms).

- Travel distance to a final exit must be within the requirements of Part B of the Building Regulations.
- Where there are locks on the individual bedroom doors, they must be capable of being unlocked and opened from the inside without the use of a key.
- The final exit doors from the property must be capable of being unlocked and opened from inside without the use of a key.
- Where bedrooms are accessed through risk rooms (e.g. kitchens and living rooms) then an alternative means of escape should be provided (e.g. an escape window or door)

Fire Separation:

- Floors, walls and ceilings should be of sound conventional construction.
- If a basement or cellar is present, separation between the cellar and the ground floor escape route is required dependent on the use of the property (refer to LACORS)

Fire Detection & Alarm System:

There is a requirement for a mixed Grade D, LD2 system. This typically consists of the following:

- Interlinked mains powered smoke alarms with integral battery back-up located throughout the escape route;
- Additional mains powered interlinked smoke alarms with integral battery back-up located in any room that opens out on the means of escape, and, in addition, in any communal living room;
- An interlinked mains powered heat sensing alarm with integral battery back-up located in each communal kitchen; and
- An additional interlinked mains powered smoke alarm with integral battery back-up located in each bedroom.
- A mains powered, interlinked smoke detector with integral battery back-up located in any room containing a consumer unit or other risk items

Lighting of Escape Routes:

- Emergency escape lighting is required only if the escape route is long or complex or where there is no effective borrowed light.
- Conventional artificial lighting is required in all escape routes

Fire Fighting Equipment:

- A fire blanket is to be provided in each bedroom with cooking facilities and in all kitchens

Management and Maintenance of Fire Safety:

- Fire blankets should be checked periodically to make sure they are in place and available for use.
- The escape route must be kept free from obstruction at all times.
- There should be no free storage on the escape routes.
- The automatic fire detection and warning system should be tested as in accordance with BS 5389: part 1: section 6. This entails:
 - Monthly routine testing of the smoke detectors according to the manufacturer's instructions. Prompt action must be taken to correct any faults;

- Periodic routine maintenance to include a clean of all detectors should be carried out as in accordance with the manufacturer's recommendations.
- A record of all tests, services, faults and repairs should be maintained by the landlord or managing agent.
- If present the emergency lighting system should be inspected and serviced annually as in accordance with BS 5266: part 8

2.10.2. HMOs with 3 storeys or more

This section is aimed at HMOs with three storeys or more. Where there are additional floors in a building, there are more concerns over containing fire to enable escape by occupants on the higher floors. For very large properties, and for properties with unusual layouts, full consultation with the Council is required.

The required fire protection will in most cases consist of:

Escape Route:

- A protected escape route is required (refer to the LACORS guidance including fire and smoke resisting construction, and fire doors (with smoke seals, intumescent strips and self closers) to all risk rooms (kitchens, bedrooms, living rooms and communal rooms).
- Travel distance to a final exit must be within the requirements of Part B of the Building Regulations.
- All cupboards leading onto the means of escape should be emptied of all flammable goods and kept locked, or must offer 30-minutes fire and smoke resistance;
- All cupboards leading onto the means of escape that contain a risk of ignition (such as electrical fuse boards or water heaters) must offer 30-minutes fire and smoke resistance.
- The doors to the individual units of accommodation and the final exit doors from the property must be capable of being unlocked and opened from inside without the use of a key
- Where bedrooms are accessed through risk rooms (e.g. kitchens and living rooms) then an alternative means of escape should be provided (e.g. an escape window or door)

Fire Separation:

- If a basement or cellar is present, separation between the cellar and the ground floor escape route is required dependent on the use of the property (refer to LACORS)
- **Three and Four Storey HMOs:** Floors, walls and ceilings should be of sound conventional construction.
- **Five Storey HMOs:** Fire rated lobby protection to all floors except the top floor or a secondary means of escape from the top floor is required.
- **Six Storey HMOs:** Fire rated lobby protection to all floors except the top floor and a secondary means of escape from the top two floors is required.

Fire Detection & Alarm System:

There is a requirement under BS 5839 Part 6 for a mixed Grade A, LD2 system. This typically consists of:

- A system of interlinked electrically operated smoke detectors in all circulation areas that form a part of the escape routes and that are linked to a control panel.

- The fire control panel located adjacent to the front door of the property, and a zone plan must be located adjacent to the fire control panel;
- Manual call points located next to the final exits and on each landing;
- The alarm signal must achieve sound levels of not less than 65dB(A) in all accessible parts of the building and not less than 75dB(A) at all bed-heads when all doors are closed as to arouse sleeping persons.
- A mains powered, interlinked heat sensing alarm with integral battery back-up located in each communal kitchen;
- An additional mains powered, interlinked smoke alarm with integral battery back-up located in each bedroom.
- An additional mains powered, interlinked smoke detectors with integral battery back-up located in each cellar, all communal living rooms, and any storage room that opens out on to the means of escape.
- A mains powered, interlinked smoke detector with integral battery back-up located in any room containing a consumer unit and any other risk items

Lighting of Escape Routes:

- Installation of an emergency lighting system in accordance with BS 5266: part 1.
- Conventional artificial lighting is required in all escape routes

Fire Safety Signs:

- Fire safety signs to be placed along the escape route if the route is long or complex.

Fire Fighting Equipment:

- To provide a fire blanket in each bedroom with cooking facilities and in all shared kitchens

Management and Maintenance of Fire Safety:

- Fire blankets should be checked periodically to make sure they are in place and available for use.
- The escape route must be kept free from obstruction at all times.
- There should be no free storage on the escape routes.
- The automatic fire detection and warning system should be tested as in accordance with BS 5389: part 1: section 6. This entails:
 - Weekly routine testing of one detector or call point in each zone and recorded in the system's log book. Any defects should also be recorded in the log book and action taken to correct the fault;
 - For properties with more than 13 fire zones, 2 call points must be tested weekly
 - A six-monthly service conducted by a suitably qualified specialist alarm engineer under a maintenance contract. This test should be recorded in the system's log book and a test certificate issued.
- If installed the emergency lighting system should be inspected and serviced as in accordance with BS 5266: part 8. This entails:
 - A monthly flash-test carried out by a responsible person. This is to be recorded in the system's log book. Any defects should also be recorded in the log book and action taken to correct the fault
 - An annual service that includes a full discharge test and must be carried out by a suitably qualified lighting engineer. The test must be recorded in the system's log book and a test certificate issued

Note: Additional fire safety management obligations (and other management obligations) will be required for all licensable HMOs as in accordance with the conditions of the HMO Licence issued for a property and all relevant legislation

2.11. Gas Safety

It is a requirement for the landlords of all HMO properties to have any gas boiler and appliance tested on a 12-monthly basis. The gas safety check and all repair works to any gas appliance must be conducted by a recognised engineer. A *recognised engineer* means an engineer approved and registered under regulation 3 of the Gas Safety (Installation and Use) Regulations 1998. Note that an Installation Certificate is not sufficient and a Gas Safety Check must be carried out and certified after an installation.

The test certificates issued must be retained by the landlord for a minimum period of two years. With regard to licensed HMOs it is advised that HMO managers retain all the gas safety certificates issued throughout the entire duration of their HMO licence. A copy of the Gas Safety certificate must also be issued to the tenants of the property at the beginning of their tenancy and whenever the certificate is renewed or updated.

A landlord of a HMO must make the latest gas appliance test certificate available to the Council within 7-days on receipt of a written request from the Council.

2.12. Electricity Safety

2.12.1. Electrical Installation Condition Report

The landlord must have the electrical installations in their properties inspected and tested by a person who is qualified and competent, at an interval of at least every 5 years. Landlords have to provide a copy of the electrical safety report to their tenants, and to their local authority if

When commissioning an inspection, in order to establish if a person is qualified and competent landlords can:

- check if the inspector is a member of a competent person scheme; or
- require the inspector to sign a checklist certifying their competence, including their experience, whether they have adequate insurance and hold a qualification covering the current version of the Wiring Regulations and the periodic inspection, testing and certification of electrical installations.

The standards that should be met are set out in the 18th edition of the Wiring Regulations.

For a new installation, a DEIC (Domestic Electrical Installation Certificate) is not sufficient and an EICR is required for the property.

The inspection and test certificates must be retained by the landlord and the landlord must make the latest electrical test certificate available to the Council within 7-days on receipt of a written request from the Council. A copy of the test certificate must also be issued to the

tenants of the property at the beginning of their tenancy and whenever the certificate is renewed or updated.

2.12.2. Portable Appliance Testing (PAT)

Portable Appliance Testing (PAT) is the inspection of electrical appliances to ensure they are safe.

Landlords should ensure the safety of electrical appliances in their properties. This applies to fridges, freezers, cookers, vacuum cleaners and any other portable electrical items or electrical appliances supplied as part of the fixtures and fittings of the property. The most appropriate way to do this is with a PAT test. The PAT test looks at the condition of the item, the cable, and tests other things too including the earth continuity, lead polarity, and insulation resistance of the appliance. PAT testing is not just a visual inspection. It is recommended that this is carried out annually.

2.12.3. Minor Domestic Electrical Installation Works Certificate

Pursuant to the following but not exclusively, The Landlord and Tenant Act 1985, The Housing Act 2004, The Electrical Equipment (Safety) Regulations 1994, and the Plugs and Sockets etc. (Safety) Regulations 1994, both of which come under the Consumer Protection Act 1987, there is an obligation for landlords to ensure that all electrical equipment (including retrospective improvements/ repairs to any part of the installation) is safe.

Under Part P of the Building Regulations, it is a requirement that certain types of electrical work in dwellings, garages, sheds, greenhouses and outbuilding also comply with the standards.

In all cases, a competent electrician must carry out all electrical repair and installation work. In order for a landlord to perform DIY electrical work, he/ she must belong to one of the Government's approved Competent Person Self-Certification schemes or submit a building notice to the local authority before doing the work.

In addition, electrical fuse boxes/meters that open out on to the means of escape in a HMO will need to be enclosed in a 30-minute fire resistant cupboard/ enclosure. Consultation with the Council is advised.

2.12.4. Plug sockets

Modern day living has a heavy reliance on electrical appliances. This can lead to the extensive use of multi-plug adaptors and extension leads in rooms where there is an insufficient number of plug outlets. Trailing extension leads can be dangerous and overload sockets which may cause fires, damage to property, injury, or even death.

Recommended Minimum Number of Double Socket-Outlets for HMOs:

The number of outlets per room is dependent on the use of that room. In accordance with guidance BS7671 (Wiring Regulations – 18th Edition) and issued by the Electrical Contractors Association (ECA) it is recommended that the minimum number of double outlets per room required by the Council are:

Room Type	No. of Double Outlets
Single bed-sit (bedroom only)	4
Double bed-sit (bedroom only)	5
Combined bedroom & living room (single occupancy)	5
Combined bedroom & living room (double occupancy)	6
Kitchen areas within bed-sits*	3 over-counter outlets** plus dedicated single outlets for large kitchen appliances.
Shared kitchens*	4 over-counter outlets** plus dedicated single outlets for large kitchen appliances.
Shared Lounges	4
Shared Dining Rooms	3

*Appliances built into kitchen furniture (integrated appliances) should be connected to a socket-outlet or switch fused connection unit that is accessible when the appliance is in place and in normal use. Alternatively, when an appliance is supplied from a socket-outlet or a connection unit, these should be controlled by an accessible double pole switch or switched fused connection unit.

**It is recommended that wall mounted socket-outlets above a work surface, are spaced at not more than 1 metre intervals along the surface.

2.13. Energy Performance Certificate (EPC)

Since 1 April 2020, landlords can no longer let or continue to let properties covered by the The Domestic Minimum Energy Efficiency Standard (MEES Regulations) if they have an EPC rating below E, unless they have a valid exemption in place.

If you are currently planning to let a property with an EPC rating of F or G, you need to improve the property's rating to E, or register an exemption, before you enter into a new tenancy.

If you are currently letting a property with an EPC rating of F or G, and you haven't already taken action, you must improve the property's rating to E immediately, or register an exemption.

If your property is currently empty, and you are not planning to let it, you don't need to take any action to improve its rating until you decide to let it again.

The MEES Regulations set a minimum energy efficiency level for domestic private rented properties.

The Regulations apply to all domestic private rented properties that are:

- let on specific types of tenancy agreement
- legally required to have an Energy Performance Certificate (EPC)

Answer these questions to find out whether your property is covered by the Regulations

1. Is your property let on one of the following types of domestic tenancies:

- an assured tenancy?
- a regulated tenancy?
- a domestic agricultural tenancy?

2. Is your property legally required to have an EPC?

If the property you let has been marketed for sale or let, or modified, in the past 10 years then it will probably be legally required to have an EPC.

If you answered Yes to both these questions, and your property has an EPC rating of F or G, you must take appropriate steps to comply with the requirements of the MEES Regulations.

If you answered No to one or both of these questions, your property is not covered by the Regulations, and you don't need to take action to improve the property rating. You may let it with an EPC rating of F or G.

There are various exemptions that apply to the prohibition on letting a property with an energy efficiency rating below E.

If your property meets the criteria for any of the exemptions, you will be able to let it once you have registered the exemption on the PRS Exemptions Register.

If the Council believes a landlord has failed to fulfil their obligations under the MEES Regulations, we can serve the landlord with a compliance notice. If a breach is confirmed, the landlord may receive a financial penalty.

2.14. Other

2.14.1. Gardens:

All communal garden/ yard spaces associated with the HMO are the responsibility of the landlord to maintain.

2.14.2. Bins:

There must be a sufficient number of bins or other suitable receptacles provided by the landlord that are adequate for the requirements of each household within the HMO for the storage of household and recycling waste pending its disposal.

The landlord of a HMO must make adequate arrangements for the collection and disposal of refuse whilst having regard for the service provided by the Council.

All bins must be regularly cleaned, have working lids and used correctly by the tenant

2.14.3. Furniture:

All upholstered furniture and soft furnishings (including beds, mattresses, pillows and cushions) that are provided by the landlord in HMOs, including any furniture that has been left in the property by previous tenants for the use of the current or future tenants, must comply with the Furniture and Furnishings (Fire) (Safety) Regulations 1988.

3. Single Let Properties (non- HMOs)

This section covers all dwellings that are rented out to a single related family. A single family dwelling is defined as being a dwelling occupied solely by a person or persons that are living as a single household. This includes people that are married or living together as a couple (including those persons in same-sex relationships). “*Family*” means specific relatives: parents, grandparents, children, step-children, foster children, grandchildren, brothers, sisters, uncles, aunts, nephews, nieces or cousins.

All privately rented single family dwellings should, as a minimum standard, meet with the decent homes standard (see Section 1.3)

3.1. Licensing

There is currently a Selective Licensing Scheme in the Canalside Ward of the Borough. This requires that ALL privately rented properties within this ward have a valid licence. This current scheme is valid until March 2023. Note that the scheme may be extended or ended after this date. Other areas may become subject to selective licensing and the landlord is responsible for ensuring their properties are compliant. Information about the Woking scheme can be found at [About the Selective Licensing Scheme](#). Note that the current scheme is ending on 31st March 2023 and the Executive have decided that a new scheme will not be implemented at present.

3.2. Overcrowding

The number of occupiers in any dwelling should be such that normal day to day activities can be carried out safely, without stress and in comfort. The numbers that can be accommodated in any given circumstance will predominantly depend upon the numbers, locations and spatial provision of any sanitary appliances, kitchens and bedrooms, (see individual sections for further guidance).

Limits on the numbers of people permitted to sleep in any dwelling are set by legislation contained in the Housing Act 1985. This relates to numbers, and sizes of rooms available for sleeping and will need be considered on an individual basis. The age and sex of individual occupiers will also be taken into account.

Only rooms designated as living rooms, bedrooms or bed/sitting rooms may be used for living or sleeping purposes.

Other rooms such as kitchens, bathrooms, or cellars, roof spaces etc shall be deemed unsuitable for use as sleeping / living accommodation.

Garages and other outbuildings should not be used for sleeping/living accommodation unless they have been converted in accordance with the relevant Building and Planning Regulations.

Overcrowding and space is also assessed by HHSRS and relates to the whole dwelling’s use for normal activities and is not specifically related to numbers of people in occupation and room sizes.

3.3. Room Sizes

There are laws in place to help make sure everyone's home is safe and comfortable. [The Housing Act 1985](#) states that a room shared by children aged 10 years or over and of opposite sex may be considered overcrowding.

This act also places requirements on minimum room size, for which we have provided the measurements in square metres for convenience and calculated from the original square footage to an appropriate degree.

The Council also recognises the need for these areas to have fair dimensions. For example, a room of 8m length but 1.3m width would meet the minimum area for two people but not provide for healthy habitation. As such we apply minimum dimensions for a room (the main part of) and cannot count any dimension under 0.6m or the main part of a room being below 1.3m.

Overall Area of the room (m²)	Maximum Occupancy
Under 4.65 m ²	0
Between 4.65 m ² and 6.50 m ²	0.5
Between 6.50 m ² and 8.36 m ²	1
Between 8.36 m ² and 10.22 m ²	1.5
Greater than 10.22 m ²	2

Any persons below the age of 1 years are not considered to count towards occupancy.

Any persons between the ages of 1 and 10 years old are considered to count as 0.5 for occupancy.

Any persons over the age of 10 are considered to count as 1 for occupancy.

A room may be let as a combination of these ages so long as they can reasonably be considered a close familial relation (i.e parent and child or siblings).

Where a room is suitable for 2 persons these must be considered a close familial relation (i.e. blood siblings or a cohabiting couple).

No room may be used by more than two individuals if over the age of 10 or 3/4 individuals if between 1 and 10.

No room shall be considered if it is below 4.65m² in any circumstance.

These are the minimum room sizes as required by law, however the Council shall be sympathetic in the case of children turning 1 and 10, and the wider needs of the community.

The Housing Act 1985 also considers the availability of an alternative room that can be used as a room for sleeping when considering the permitted occupation of a private rented property. In order for this to be considered, the room must not contain any shared facilities or be the through route to such rooms or facilities. A stand-alone living room or dining room with a suitable door can be used as a sleeping room where it affords the required privacy.

When supplying a floor plan to the council, we require the metric measurements of all walls in a room to enable us to calculate the dimensions of the room. In particular there are rooms which have unusual shapes and the usable dimensions cannot be calculated from only two dimensions.

The usable space in a room with a sloping ceiling is calculated from the point at which the ceiling is 1.5m from the ground. Any other area that is used solely for storage and has a headroom of 0.9m – 1.5m (such as under eaves) is counted at 50% of its floor area, and any area lower than 0.9m is not counted at all.

Studio apartments are slightly different in that the sleeping area is within the living and / or kitchen area. In a studio apartment, there is either one person or a maximum of 2 adults sharing the property. This means that there is no issue with other people accessing the facilities through the sleeping room.

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.

3.4. Kitchen Facilities

Food preparation and cooking facilities should be located within individual dwellings. Kitchens should provide safe, hygienic provision for food storage, preparation, cooking and cleansing of utensils. Adequate heating, lighting and ventilation must be provided, and the size of the kitchen and its layout will be an important consideration in helping to meet those aims.

A sink is considered to be for food preparation and the cleansing of utensils used in food preparation only. Each dwelling should have a source of drinkable water straight from the incoming mains water supply. This will normally be at the kitchen sink cold water tap.

Sinks that are only provided with water at a pre-controlled temperature should have a separate drinking water point clearly marked as such.

In all cases sinks should be surrounded by surfaces capable of being readily cleaned and maintained and, where there is likelihood of water escaping beyond the confines of the appliance, the surfaces should be impermeable

All kitchen surfaces should be capable of being easily cleaned and should be well maintained.

Kitchens are considered to be high risk areas for fire escape purposes therefore the location of a kitchen or cooking area within a dwelling should not compromise the fire escape route. A fire blanket should be provided.

A single family dwelling should contain a kitchen or dedicated cooking area with a sink and drainer, space for a cooker with a dedicated electricity or gas supply, work surfaces and food storage provision, (both sized relative to the size of the dwelling).

3.5. Bathroom and Sanitary Facilities

Sanitary appliances include baths, showers, toilets, wash hand basins and sinks. They must be provided with constant supplies of hot and cold water or a supply of water at a suitably controlled temperature. Sanitary appliances must be located within the dwelling whose occupants are to use them. All access should be internal from within the dwelling or building. The location of any individual sanitary appliance should accord with normal industry practice and not compromise the comfort and use of any dwelling or building.

All appliances must be fixed to the structure of the dwelling and should be of suitable construction and in such condition as to allow full functionality, safe use and adequate cleansing.

In all cases sanitary appliances should be surrounded by surfaces capable of being readily cleaned and maintained and, where there is likelihood of water escaping beyond the confines of the appliance, the surfaces should be impermeable.

A wash hand basin is considered to be for personal hygiene only. A sink within a kitchen is not considered suitable for personal hygiene use.

Each single family dwelling should contain one bath or shower in a bathroom, a toilet in a bathroom or separate cubicle and a wash hand basin co-located with the toilet.

A bathroom or cubicle should be of adequate size to allow the sanitary appliance(s) to be used in a safe manner and to allow the normal associated operations of body drying. Bathrooms and cubicles should be provided with adequate heating, lighting and ventilation.

Bathroom doors should be provided with a lock for privacy which can be opened in the case of emergency from outside the bathroom.

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

3.6. Heating, Insulation and Ventilation

A single family dwelling should be provided with adequate thermal insulation and a suitable and effective means of space heating that is capable of heating the bedrooms to an average temperature of 18°C and the living rooms to an average temperature of 21°C and maintaining that temperature when the outside air temperature is -1°C.

- Therefore, when deciding on what type of heating to install in the property it is recommended that landlords should give due consideration to the following factors:
The volume of the individual rooms and other areas of the dwelling to be heated;
- The number and type of windows in each room;
- The construction type of the property (e.g. solid brick walls, cavity wall construction);
- The orientation of the property and the number of external walls that form the dwelling;
- The level and quality of thermal insulation of the dwelling as to prevent heat loss;

- The running cost and efficiency of the chosen heating system

Fuel poverty in England is now measured using the Low Income Low Energy Efficiency (LILEE) indicator rather than the old Low Income High Costs (LIHC) indicator.

Under the LILEE indicator, a household is considered to be fuel poor if:

- they are living in a property with a fuel poverty energy efficiency rating of band D or below

and

- when they spend the required amount to heat their home, they are left with a residual income below the official poverty line

[Fuel poverty statistics - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

Heating in kitchens, bathrooms, cloakrooms, and hallways should be provided and must be fixed to either the wall or the floor

Acceptable heating provision in single family dwellings:

- Any programmable gas or oil central heating system that is linked to a thermostatic control;
- Interlinked digital electric heating systems;
- Electric storage heaters linked to Economy 7 or 10 (or similar) low-cost energy provision;
- Warm air systems;
- Under floor heating systems;
- Programmable LPG/ solid-fuel central heating system;
- Similarly efficient heating systems which are developed in the future.

Not-acceptable heating provision:

- Plug-in, single-point, on-peak electric panel or convector heaters with no thermostatic control;
- Portable heating appliances such as electric fires, convector or fan heaters, paraffin oil and LPG (bottled gas);
- Electric storage heaters not connected to a low tariff (off-peak) energy provision;
- Open fires; Gas fires;
- Any system which the occupants of the dwelling do not have full control over and fails to provide adequate heating on demand.

Heating Guidance:

- All heaters must be securely fixed in position and fully controllable by the tenant at all times
- Digital electric radiators and electric storage heaters must be mains powered into a dedicated and adequately rated fused control switch
- All habitable rooms and bathrooms should have a heating provision capable of raising the temperature of the room to 18°C and maintaining that temperature when the outside temperature is -1°C
- Living rooms should have a heating provision capable of raising the temperature of the areas to 21°C and maintaining that temperature when the outside temperature is -1°C

Insulation Guidance:

- Loft spaces should be insulated with 270mm depth of suitable insulation;
- Windows should be of sound construction and well-maintained as to be draught-proof and water-tight;
- The front and rear doors to the property should be well-fitting, of sound construction and well-maintained as to be draught-proof, water-tight and secure;
- Where possible landlords should consider insulating the wall cavity of the building where a cavity exists;
- Where possible landlords should consider internally or externally insulating solid external walls

Ventilation Guidance:

- Windows should be double glazed and provided with trickle ventilation
- All bathrooms must have mechanical ventilation installed, vented to the outside where possible, linked to the light switch, and programmed to run on for at least 10 minutes after the light has been turned off, or a humidistat fan.
- All kitchens must have mechanical ventilation, vented to the outside where possible.
- Ventilation requirements are as specified in the Government's Domestic Ventilation Compliance Guide:
[domestic ventilation compliance guide 2010.pdf \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/428221/domestic_ventilation_compliance_guide_2010.pdf)
- According to the HHSRS, "There should be sufficient and appropriate means of ventilation to deal with moisture generated by normal domestic activities without the need to open windows. Opening windows can result in heat loss, noise, and may be a security risk."

3.7. Fire Safety and Means of Escape

As each property is unique in its own way it is not possible to provide exact and prescribed standards for each every type of property. For example, in large or complex buildings with unusual layouts there may be additional fire safety requirements. In such cases the Council will make assessments on a case-by-case basis and are happy to advise landlords accordingly.

Escape Route:

- The escape route should have sound, conventional construction and should not pass through risk rooms (kitchens and living rooms). Where the escape route passes through risk rooms suitable escape windows should be provided from first floor bedrooms and living rooms.
- Sound, well-constructed and close-fitting conventional doors are required as a minimum.

Please note that where construction standards are poor, travel distances to the final exit doors are long or other higher risk factors are present then a fire-rated protected route may be required.

Fire Separation:

- Floors, walls and ceilings should be of sound, conventional construction.
- If a basement or cellar is present, fire-rated separation between the cellar and the ground floor escape route is ideal.

Fire Detection & Alarm System:

- Interlinked mains powered smoke detectors with integral battery back-up to be located in the escape route on the ground and first floors.
- Interlinked mains powered heat detector with integral battery back-up located in the kitchen.
- Where the layout is complex, or there are beams or other items which will interfere with smoke reaching the detection in a suitable timescale, additional smoke detection may be required
- A smoke detector will be required in a room containing the consumer unit if this is not the escape route
- A smoke detector is required in a utility room
- It may be necessary to have additional smoke detection in other rooms depending on the layout and use of the rooms

Fire Fighting Equipment:

- It is recommended and good practice to provide a fire blanket in the kitchen

Management and Maintenance of Fire Safety:

- It is recommended that all doors are kept closed at night.
- Fire blankets should be checked periodically to make sure they are in place and available for use.

3.8. Gas Safety

It is a requirement for the landlords of all rented properties to have any gas boiler and appliance tested on an annual basis. The gas safety check and all repair works to any gas appliance must be conducted by a recognised engineer. A *recognised engineer* means an engineer approved and registered under regulation 3 of the Gas Safety (Installation and Use) Regulations 1998. These engineers subscribe to the Gas Safe scheme. Note that an Installation Certificate is not sufficient and a Gas Safety Check must be carried out and certified after an installation.

The test certificates issued must be retained by the landlord for a minimum period of two years. A copy of the test certificate must also be issued to the tenant.

A landlord of a privately rented dwelling must make the latest gas appliance test certificate available to the Council on receipt of a written request from the Council.

3.9. Electricity Safety

The landlord must have the electrical installations in their properties inspected and tested by a person who is qualified and competent, at an interval of at least every 5 years. Landlords have to provide a copy of the electrical safety report to their tenants, and to their local authority if

When commissioning an inspection, in order to establish if a person is qualified and competent landlords can:

- check if the inspector is a member of a competent person scheme; or

- require the inspector to sign a checklist certifying their competence, including their experience, whether they have adequate insurance and hold a qualification covering the current version of the Wiring Regulations and the periodic inspection, testing and certification of electrical installations.

The standards that should be met are set out in the 18th edition of the Wiring Regulations.

For a new installation, a DEIC (Domestic Electrical Installation Certificate) is not sufficient and an EICR is required for the property.

The inspection and test certificates must be retained by the landlord and the landlord must make the latest electrical test certificate available to the Council within 7-days on receipt of a written request from the Council. A copy of the test certificate must also be issued to the tenants of the property at the beginning of their tenancy and whenever the certificate is renewed or updated..

3.9.1. Portable Appliance Testing (PAT)

It is advisable that landlords ensure the safety of electrical appliances in their properties. If any electrical equipment has been supplied by the landlord of a privately rented dwelling it is advisable that it has been portable appliance tested. This applies to fridges, freezers, cookers, vacuum cleaners and any other portable electrical items or electrical appliances supplied as part of the fixtures and fittings of the property. It also includes those electrical appliances that have been left in the property by previous tenants for the use of the current or future tenants. It is advised that PAT tests are carried out annually.

3.9.2. Minor Domestic Electrical Installation Works Certificate

Landlords must be able to demonstrate that all electrical repair work and alterations to the electrical installation are carried out by a suitably qualified electrical engineer. Therefore the person undertaking the electrical work is to issue a minor electrical works certificate. The certificate is to be retained by the landlord and made available to the Council within 7-days of such a request being made.

3.9.3. Plug sockets

Modern day living has a heavy reliance on electrical appliances. This can lead to the extensive use of multi-plug adaptors and extension leads in rooms where there is an insufficient number of plug outlets. Trailing extension leads can be dangerous and overloaded sockets, and cause fires, damage to property, injury, or even death. It is therefore recommended that all rooms are furnished with an adequate number of plug sockets.

Recommended Minimum Number Of Twin Socket-Outlets For Dwellings:

Room Type	Smaller Rooms (Up to 12m²)	Medium Rooms (12-25m²)	Larger Rooms (More than 25m²)
Main Living Room	4	6	8
Dining Room	3	4	5
Single Bedroom	2	3	4
Double Bedroom	3	4	5

Utility Room	3	4	5
Kitchen	6	8	10

3.10. Energy Performance Certificate

Since 1 April 2020, landlords can no longer let or continue to let properties covered by the The Domestic Minimum Energy Efficiency Standard (MEES Regulations) if they have an EPC rating below E, unless they have a valid exemption in place.

If you are currently planning to let a property with an EPC rating of F or G, you need to improve the property's rating to E, or register an exemption, before you enter into a new tenancy.

If you are currently letting a property with an EPC rating of F or G, and you haven't already taken action, you must improve the property's rating to E immediately, or register an exemption.

If your property is currently empty, and you are not planning to let it, you don't need to take any action to improve its rating until you decide to let it again.

The MEES Regulations set a minimum energy efficiency level for domestic private rented properties.

The Regulations apply to all domestic private rented properties that are:

- let on specific types of tenancy agreement
- legally required to have an Energy Performance Certificate (EPC)

Answer these questions to find out whether your property is covered by the Regulations

1. Is your property let on one of the following types of domestic tenancies:

- an assured tenancy?
- a regulated tenancy?
- a domestic agricultural tenancy?

2. Is your property legally required to have an EPC?

If the property you let has been marketed for sale or let, or modified, in the past 10 years then it will probably be legally required to have an EPC.

If you answered Yes to both these questions, and your property has an EPC rating of F or G, you must take appropriate steps to comply with the requirements of the MEES Regulations.

If you answered No to one or both of these questions, your property is not covered by the Regulations, and you don't need to take action to improve the property rating. You may let it with an EPC rating of F or G.

There are various exemptions that apply to the prohibition on letting a property with an energy efficiency rating below E.

If your property meets the criteria for any of the exemptions, you will be able to let it once you have registered the exemption on the PRS Exemptions Register.

If the Council believes a landlord has failed to fulfil their obligations under the MEES Regulations, we can serve the landlord with a compliance notice. If a breach is confirmed, the landlord may receive a financial penalty.

3.11. Other

3.11.1. Gardens:

At the commencement of a new tenancy the landlord should ensure (where applicable):

- That all gardens are clean and tidy, free of all rubbish and items discarded by previous occupancies
- That any lawns are recently mown and any hedges are trimmed
- That all fencing is in a good state of repair
- That all outbuildings, sheds and garden structures are safe for purpose
- That all electric or petrol powered gardening equipment provided for tenant uses is regularly tested and certified as being safe for purpose
- That all gates (especially to rear gardens/yards) can be closed and locked where there is a possible security risk (for example, rear gardens that back onto an alleyway)
- Any secluded or rear access routes, especially if that route is the sole means of entry/ egress to the dwelling, is adequately illuminated during hours of darkness
- That the responsibility for the ongoing maintenance of any garden spaces during the period of a tenancy, is clearly defined and understood by the tenant, at the beginning of that tenancy.

3.11.2. Bins:

All households should be provided with the correct bins for the storage of household waste designated for disposal at landfill and waste that is sent for recycling.

3.11.3. Furniture:

All upholstered furniture and soft furnishings (including beds, mattresses, pillows and cushions) that are provided by the landlord in private rented dwellings, including any furniture that has been left in the property by previous tenants for the use of the current or future tenants, must comply with the Furniture and Furnishings (Fire) (Safety) Regulations 1988.

Any furniture and appliances that have been left in the property by previous tenants and are retained for the use of the current or future tenants become the responsibility of the landlord to maintain in a safe condition.

4. Useful Information

4.1. List of Building Regulations Approved Documents

[Part A: Structure](#)

[Part B: Fire safety](#)

[Part C: Site preparation and resistance to contaminants and moisture](#)

[Part D: Toxic substances](#)

[Part E: Resistance to sound](#)

[Part F: Ventilation](#)

[Part G: Sanitation, hot water safety and water efficiency](#)

[Part H: Drainage and waste disposal](#)

[Part J: Combustion appliances and fuel storage systems](#)

[Part K: Protection from falling, collision and impact](#)

[Part L: Conservation of fuel and power](#)

[Part M: Access to and use of buildings](#)

[Part P: Electrical safety](#)

[Part Q: Security in dwellings](#)

[Part R: High speed electronic communications networks](#)

[Part 7: Material and workmanship](#)