

Amenity Standards for Houses in Multiple Occupation

Private Sector Housing



www.milton-keynes.gov.uk/housing-mkc



This document has been prepared by
Private Sector Housing

For further information please contact:
Private Sector Housing
Milton Keynes Council
Civic Offices
1 Saxon Gate East
Milton Keynes MK9 3EJ

T +44 (0) 1908 253271
F +44 (0) 1908 253990
E privatesectorhousing@milton-keynes.gov.uk

This document gives advice to anyone involved with letting out housing in the private rented sector, whether as an individual letting or as a House in Multiple Occupation (HMO). Higher risk HMOs require licenses and these standards may well form the basis of conditions attached to a licence.

This document sets out the legal framework and gives guidance for living space, amenities, fire safety and good management, adopted in this local authority area. It is not meant to explain the detail of the law – if this is needed you should seek legal advice or refer to the Housing Act 2004.

Further Advice and Information:

If you need help in applying these standards to your own situation, or you have an alternative proposal for meeting a particular standard, please contact:

Private Sector Housing
Civic Offices
1 Saxon Gate East
Milton Keynes
MK9 3EJ

Telephone: 01908 252664 / 253271

Or e-mail: privatesectorhousing@milton-keynes.gov.uk

In addition to complying with these standards and any Licensing conditions, you may also need to apply for Planning Permission and Building Regulation Approval. If you need advice in these respects please contact:

Building Control
1 Saxon Gate East
Civic Offices
Milton Keynes
MK9 3EJ

Telephone: 01908 691691

Planning & Development Control
1 Saxon Gate East
Civic Offices
Milton Keynes
MK9 3EJ

Telephone: 01908 691691

Please note that compliance with these standards does not preclude the Local Authority from taking any necessary Enforcement Action, if the circumstances dictate.

To view a copy of The Management of Houses in Multiple Occupation (England) Regulations 2006 please use the following link: www.legislation.gov.uk/uksi/2006/372/contents/made

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Legislative Background

Part 1 of the Housing Act 2004 introduced a new method of assessing whether housing conditions are a risk to the health of the occupiers, called the Housing Health & Safety Rating System, or HHSRS. It looks at 29 hazards and assesses the likelihood of an incident occurring that causes harm, and the likely severity of that harm. If the Local Authority assesses a hazard as Category 1 (severe), the Local Authority has a duty to take action to reduce the hazard to an acceptable level. In less severe cases, referred to as Category 2, the Local Authority has the power to take action rather than a duty. The range of actions available include requiring the owner of a property to carry out improvements, prohibiting the use of parts of a property, the authority taking emergency action itself, serving an enforcement notice or, where appropriate, requiring the demolition of the property.

HHSRS applies to all residential property irrespective of how it is occupied. In privately rented property, it will be the main method of the Local Authority making judgements about whether enforcement action is needed to remedy unsatisfactory conditions, and the action to be taken.

The Management of Houses in Multiple Occupation (England) Regulations 2006 (SI2006/372) sets out the responsibilities of the manager of an HMO.

Part 2 of the Housing Act 2004 requires the licensing of higher risk HMOs. When considering an application, the Local Authority must be satisfied that the property is reasonably suitable for occupation by the number of people proposing to live there. Some standards are prescribed in The Licensing and Management of Houses in Multiple Occupation (Miscellaneous Provisions) (England) Regulations 2006 (SI2006/373). The Authority also has power to specify other standards and these standards are made under this power.

Section 67 of the Housing Act 2004 enables a local authority to issue a licence subject to conditions.

This guidance is based on recommendations by the Chartered Institute of Environmental Health and subsequently amended following changes in the law. They have been prepared in co-operation with neighbouring local authorities in Hertfordshire and Bedfordshire to provide a consistent approach to housing across the counties. The Local Authority has considered local needs before adopting them for use in this borough.

The structure of this document identifies

- **Legal requirements which are set out in bold type, and**
- Guidance that gives greater explanation of what is required is set out in boxes that follow each legal requirement.

Definitions and Categories of Property

House in Multiple Occupation

A property which is occupied by people who do not form a single household and share basic amenities such as bathroom, toilet and kitchen facilities.

House

'House' is not conclusively defined in legislation but includes flats, blocks of flats and the grounds, outbuildings and boundaries.

Household

Each of these is a single household

- a single person;
- co-habiting couples whether or not of the opposite sex;
- families of related people.

Licensable HMO

An HMO that is

- 3 or more storeys high including habitable basements and attics and commercial property, and
- occupied by 5 or more people, and
- occupied by people as their only or main home.

1.0 Heating

1.1 Each unit of living accommodation in an HMO must be equipped with adequate means of space heating.

- 1 Heating shall be provided in every habitable room and bathroom capable of maintaining a temperature of 20 degrees Celsius (°C) when the outside temperature is -1 °C. (The provision of insulation can assist in meeting this standard.)
- 2 The heating provision must be capable of being safely used at any time and be suitably guarded.
- 3 Heating must be provided by a suitable, controllable heating system so the whole of the property can be adequately and efficiently heated. In the case of gas central heating, radiators must be fitted with thermostatic valves and a programmable timer clock fitted.
- 4 All such appliances shall be maintained by a competent person. Gas appliances shall be inspected annually by a Gas-Safe Registered Engineer and certificated in accordance with the Gas Safety (Installation & Use) Regulations 1994 and all applicable British Standards.
- 5 In the case of an electrical heating system (i.e. storage heaters on economy electricity) it must be certified as adequate by an N.I.C.E.I.C. or E.C.A. contractor or equivalent.
- 6 The use of any portable paraffin or oil fired heaters and liquefied petroleum gas heaters (LPG) (bottled gas heaters) are prohibited under any circumstances, whether provided by the landlord or the tenant.

2.0 Washing Facilities, Sanitary Conveniences (Shared)

2.1 Where all or some of the units of living accommodation in an HMO do not contain bathing and toilet facilities for the exclusive use of each individual household:

- (a) where there are four or fewer occupiers sharing those facilities there must be at least one bathroom with a fixed bath or shower and a toilet (which may be situated in the bathroom);
- (b) where there are five or more occupiers sharing those facilities there must be:
 - (i) one separate toilet with wash hand basin and appropriate splash back for every five sharing occupiers; and
 - (ii) at least one bathroom (which may contain a toilet) with a fixed bath or shower for every five sharing occupiers.

The provision of washing facilities shall be as follows:

Up to 5 people

One bathroom with wash basin and bath or shower

6 to 10 people

Two bathrooms

For every additional 5 people

One additional bathroom

1 Wash Basins

One standard sized wash basin, (approx 550mm x 400mm) with a 300mm waterproof splash back shall be supplied in each shared bath/shower room serving a maximum of five occupiers.

2 Bath and Shower Facilities

A readily accessible, standard sized bath, in a bathroom, or a standard sized shower, in a suitable room together with adequate drying and changing space, shall be provided. A 300mm waterproof splash back to the bath is to be provided. In the case of a shower whether it is over a bath or in it's own compartment, the splash back shall be 150mm above the shower head and up to at least the edge of a fixed shower screen. Where a shower curtain is used the splash back is to extend 300mm beyond the shower curtain. All joints shall be adequately sealed. Any shower shall have fully tiled walls or a complete self standing cubicle.

Toilet Facilities

Toilet Facilities required:

1- 4 people

1 toilet may be incorporated within the bathroom

5 people

1 toilet to be separate from the bathroom (although may be in second bathroom)

6 to 8 people

2 toilets may be sited within 2 separate bathrooms

9 to 10 people

2 toilets. 1 toilet must be separate from any bathrooms

11-15 people

3 toilets. 1 toilet must be separate from any bathrooms or provision of a 4th toilet separate from any bathroom.

For every 5 additional people

One additional toilet

- 3 Each separate toilet compartment shall be provided with a suitable wash basin with cold and constant hot water and a 300mm tiled splash back.
- 4 External toilets shall be ignored.
- 2.2 All baths, showers and wash hand basins in an HMO must be equipped with taps providing an adequate supply of cold and constant hot water.**
 - 1 The bath/shower, with adequate cold and constant hot water supplies, shall be available at all times.
- 2.3 All bathrooms in an HMO must be suitably and adequately heated and ventilated.**
 - 1 Heating provisions are detailed in 1.1 above and the ventilation provisions are detailed in paragraph 7.0 below
- 2.4 All bathrooms and toilets in an HMO must be of an adequate size and layout.**
- 2.5 All baths, toilets and wash hand basins in an HMO must be fit for the purpose.**
 1. The walls and floor of any toilet, bathroom or shower room must be reasonably smooth and non-absorbent and capable of being easily cleaned.
 2. All sanitary fittings must be of non-absorbent material and capable of being easily cleaned.
- 2.6 All bathrooms and toilets in an HMO must be suitably located in or in relation to the living accommodation in the HMO.**
 1. A bathroom shall be no more than one floor distant in relation to the bedroom.
 2. A toilet shall be no more than one floor distant from living and bedrooms.
 3. Where the bathroom and/or toilet facilities are shared, they must be accessible from a common area.

3.0 Kitchens (Shared)

3.1 Where all or some of the units of accommodation within the HMO do not contain any facilities for the cooking of food:

(a) there must be a kitchen, suitably located in relation to the living accommodation, and of such layout and size and equipped with such facilities so as to adequately enable those sharing the facilities to store, prepare and cook food.

(b) the kitchen must be equipped with the following equipment, which must be fit for the purpose and supplied in sufficient quantity for the number of those sharing the facilities –

(c) sinks with draining boards;

1. A suitable sink and drainer in good condition and of minimum dimensions 500 x 1000 mm set on a stable base or support shall be supplied at the ratio of one sink for 5 occupiers.
2. Where a house is occupied by 6 -10 occupiers, either the provision of a double bowled sink or a dishwasher in addition to a single sink may be treated as meeting this requirement, where the Council considers that such provision adequately meets the occupiers needs . Where practicable, a waterproof splash back shall be provided to the sink and draining board and all joints shall be adequately sealed. The sink(s) shall be connected to the drainage system via a suitable trap and provided with a plug and chain.
3. A wash basin shall not be used in place of a sink

(d) an adequate supply of cold and constant hot water to each sink supplied;

1. An adequate and constant supply of cold water and constant hot water. Stand alone water heaters are not a satisfactory supply of hot water.

(e) installations or equipment for the cooking of food;

Cooking Facilities required

1- 5 occupiers

1 full sized cooker with a minimum of 4 ring burners, a standard size oven and a grill.

6-10 people

2 full sized cookers with a minimum of 4 ring burners, a standard size oven and a grill or

1 full size cooker plus microwaves as required.

For every 5 additional people

One additional full-sized cooker with a minimum of 4 ring burners, a standard size oven and a grill.

(f) electrical sockets;

- 5 Three double sockets per five occupiers sharing the kitchen shall be provided to be sited at separate locations above the worktops, plus one socket for each fixed appliance. See 4.1.4.

To be of maximum benefit, the low level socket outlets in the kitchen should be positioned adjacent to where fixed appliances are to be located, and high level (above worktop) to facilitate safe and easy use of envisaged portable worktop equipment.

- Where additional socket outlets are required to meet this standard, all works must be certified as adequate by an N.I.C.E.I.C. or E.C.A. contractor or equivalent.
- 6 Electric cookers shall be provided with a dedicated cooker point outlet suitable for the rating of the cooker.
 - 7 Fixed electric space or water heating appliances sited in the kitchen shall be provided with a separate, dedicated point.
- (g) worktops for the preparation of food;**
- 8 A fixed worktop or table of smooth and impervious material of minimum size 500mm x 1500mm per 5 occupiers and suitably located; this is to be in addition to any space taken up by any large appliance, sink unit or cooker.
- (h) cupboards for the storage of food, crockery and cooking utensils;**
- 9 Each separate occupancy shall be provided with dry goods storage space either within the kitchen, or in an adjacent and readily accessible position. One double wall cupboard or a single base unit is required per occupancy for the storage of dry goods and utensils, although occupancies comprising more than one individual will require additional space. The space in a unit below the sink will not be accepted for the above purposes.
- (i) refrigerators with an adequate freezer compartment (or where the freezer compartment is not adequate, sufficient separate freezers);**
- 10 If possible, separate fridges should be provided per occupancy. Otherwise, each separate occupancy shall be provided with at least one shelf of refrigerator space either within the kitchen, or in an adjacent and readily accessible position. Adequate freezer space shall also be provided.
- (j) appropriate refuse disposal facilities (see 9.0); and**
- (k) appropriate extractor fans, fire blankets and fire doors (for fire precautions see 5.0).**
- 11 All kitchens shall be ventilated by means of suitably sited extractor fan in accordance with current Building Regulations. Cooker hoods can be used in place of extractor fans if they vent to the external air.

4.0 Units of Living Accommodation Without Shared Basic Amenities

4.1 Where a unit of living accommodation contains kitchen facilities for the exclusive use of the individual household, and there are no other kitchen facilities available for that household, that unit must be provided with:-

(a) adequate appliances and equipment for the cooking of food

- 1 The minimum requirement is two rings/hot plates together with a minimum of a full size oven and a grill. A microwave combination oven may be substituted subject to agreement with the Local Authority. All appliances must be properly connected to the gas or electricity supply and must be working correctly. All gas appliances shall be maintained by a competent person.

(b) a sink with an adequate supply of cold and constant hot water;

- 2 A full size sink with a draining board with a plug and a chain and a waterproof splash-back 300mm high to be provided. A wash basin shall not be used in place of a sink. Stand alone water heaters are not a satisfactory supply of hot water.

(c) a work top for the preparation of food;

- 3 A worktop or table of smooth and impervious material that is capable of being easily cleaned and of minimum size 500mm x 1000mm for single person units, or 500mm x 1500mm for two person units. A suitable waterproof splash-back 300mm high is to be

provided where any work surface abuts a wall and all joints shall be adequately sealed.

(d) sufficient electrical sockets;

- 4 Three double power sockets in addition to any serving major appliances set at a convenient height and safe position above the work surface.

To be of maximum benefit, the low level socket outlets in the kitchen should be positioned adjacent to where fixed appliances are to be located, and high level (above worktop) to facilitate safe and easy use of envisaged portable worktop equipment.

Where additional socket outlets are required to meet this standard, all works must be certified as adequate by an N.I.C.E.I.C. or E.C.A. contractor or equivalent.

(f) a refrigerator.

- 6 Separate fridges should be provided per occupancy. Otherwise, each separate occupancy shall be provided with at least one shelf of refrigerator space either within the kitchen, or in an adjacent and readily accessible position. Adequate freezer space shall also be provided.

4.2 Where there are no adequate shared washing facilities provided for a unit of living accommodation as mentioned in section 2, an enclosed and adequately laid out and ventilated room with a toilet and bath or fixed shower supplying adequate cold and constant hot water must be provided for the exclusive use of the occupiers of that unit either-

(a) **within the living accommodation; or**

(b) **within reasonable proximity to the living accommodation.**

- 1 Reasonable proximity to the living accommodation shall mean no more than one floor distance away from the living accommodation.
- 2 One standard sized wash basin, (approx 550mm x 400mm) with a 300mm waterproof splash back with cold and constant hot water shall be supplied in each shared bath/shower room serving a maximum of five occupiers.
- 3 Each occupancy shall be provided, where practicable, with a bath or shower in a separate room. Otherwise, a readily accessible, standard sized bath in a bathroom, or a standard sized shower in a suitable room together with adequate drying and changing space shall be provided. A 300mm waterproof splash back to the bath is to be provided. In the case of a shower whether it is over a bath or in it's own compartment, the splash back shall be 150mm above the shower head and up to at least the edge of a fixed shower screen. Where a shower curtain is used the splash back should extend 300mm beyond the shower curtain. All joints shall be adequately sealed. Any shower shall have fully tiled walls or a complete free standing cubicle.
- 4 Each separate toilet compartment shall be provided with a suitable wash hand basin with cold and constant hot water and a 300mm tiled splash back.
- 5 External toilets shall be ignored.
- 6 The bath/shower, with adequate cold and hot water supplies, shall be available at all times.
- 7 The walls and floor of any toilet, bathroom or shower room must be reasonably smooth and non-absorbent and capable of being easily cleaned.
- 8 All sanitary fittings must be of non-absorbent material and capable of being easily cleaned.

5.0 Fire Precautions

5.1 Appropriate fire precaution facilities and equipment must be provided of such type, number and location as is considered necessary.

- 1 The property shall be provided with an adequately protected means of escape from fire, together with other fire precautions including so far as necessary, a detection and a warning system with emergency lighting to the satisfaction of the inspecting officer.
- 2 Further fire safety guidance is available from the following link:

LACORS Housing – Fire Safety: Guidance on fire safety provisions for certain types of existing housing
<http://www.bucksfire.gov.uk/BucksFire/Fire+Safety/LACORS.htm>

Other Matters

The following matters are not covered specifically in the Regulations but must be considered in regard to the Housing Health and Safety Rating System and for the purposes of HMO licensing they may form part of the licence conditions.

6.0 Natural and Artificial Lighting

- 1 All habitable rooms shall have an adequate level of natural lighting, provided via a clear glazed window or windows and/or door(s), the glazed area to be equivalent to at least 1/10th of the floor area and to extend normally to a point 1.75m above floor level. The window shall be so positioned that the light from the window is able to illuminate most of the room.
- 2 Windows to bathrooms and toilets are to be glazed with obscured glass.
- 3 Adequate electric lighting points are to be provided to all habitable rooms, staircases, landings, passages, kitchens, bathrooms and toilets. All lighting to common parts to be provided, maintained and paid for by the landlord. Lighting to staircases, landings and passages may be controlled by time switches or other devices having a similar effect and be illuminated for ease of location. Two way switches shall be provided on stairs and passageways as necessary.

7.0 Ventilation

- 1 All habitable rooms, kitchens, bathrooms, and toilet compartments shall have a minimum floor to ceiling height of 2130mm. In the case of rooms with sloping ceilings, there shall be a minimum height of 2130mm over half of the floor area of the room. Floor area measurements shall be taken on a plane 1500mm above the floor. Any floor area where the ceiling height is less than 1500mm high shall be disregarded.
- 2 All habitable rooms shall be ventilated directly to the external air by a window that has an openable area not less than 1/20th of the floor area of that room.
- 3 All bathrooms and toilet compartments shall have mechanical ventilation complying with current Building Regulations. Such an installation shall be fitted with an overrun device. In the case of bathrooms, this will usually connect to the lighting circuit of the room but in certain cases, for example, where the fan is humidity controlled, this may not be possible.
- 4 A kitchen shall have mechanical extract ventilation complying with current Building Regulations.

8.0 Drainage

- 1 All new drainage shall comply with current Building Regulations.
- 2 The whole house shall be provided with an effective system, both above and below ground for the drainage of foul, waste and surface water.

9.0 Refuse, Storage and Disposal

- 1 Refuse and recycling bins or containers shall be provided in sufficient numbers to meet the needs of the house and an acceptable means of disposal provided.
- 2 All refuse containers are to be located away from habitable rooms and wherever practicable at the rear of the premises. All bins to be positioned so that they do not cause obstruction of footways and access ways and do not obscure natural lighting from windows below bin height.

10.0 Electrical Supply

- 1 Electrical socket outlets shall be provided to individual rooms or lettings to a minimum standard as follows:
 - Living room**
3 double sockets
 - Bedroom/study**
3 double sockets
 - Bedroom within a letting comprising more than one room**
2 double sockets
 - Bedsits containing cooking facilities**
3 double sockets in kitchen area plus 3 double sockets elsewhere
- 2 In bedsit kitchen area, at least 2 double socket outlets shall be located above the work surface for the use of portable appliances. To be of maximum benefit, the socket outlets in the kitchen should be positioned adjacent to where fixed appliances are to be located, and to facilitate safe and easy use of envisaged portable worktop equipment.

Where additional socket outlets are required to meet this standard, all works must be certified as adequate by an N.I.C.E.I.C. or E.C.A. contractor or equivalent.

- 3 All socket outlets shall be located in positions which permit safe convenient and proper use at all times, having regard to the room layout. They shall not be positioned where the appliance cables are likely to pose a safety hazard.
- 4 All new electrical installations shall comply with Building Regulations and shall be suitably certified.
- 5 Installations must be checked at 5 yearly intervals and an Electrical Installation Condition Report (EICR) certificate obtained.
- 6 Steps are to be taken to ensure that all electrical appliances provided by the landlord under the terms of the tenancy are working effectively, in accordance with manufacturers' operational limits and in a safe way.

11.0 Gas Safety

- 1 The Gas Safety (Installation and Use) Regulations 1998 requires landlords to ensure that gas appliances, fittings and flues provided for tenants' use are safe. An annual safety check must be carried out by a GAS SAFE registered engineer and records kept for 2 years. A copy of the safety record must be prominently displayed within the premises.
- 2 The landlord must comply with the requirements of the Gas Safety (Installation & Use) Regulations 1994 (as amended). These Regulations are enforced by the Health and Safety Executive but are a requirement under the Management Regulations 2006.

12.0 Furniture Safety

- 1 The Furniture and Furnishings (Fire) (Safety) Regulations 1988 (as amended) set down levels of fire resistance for items of domestic upholstered furniture, furnishings and other products containing upholstery. They require that certain furniture included in accommodation that is made available for let complies with the fire safety requirements detailed in the regulations. Landlords, estate agents and letting agents who let accommodation during the course of a business therefore have duties under the above regulations.
- 2 In licensed premises the furniture safety requirements form part of the licence condition. Further information can be obtained from your local Trading Standards Service.

Regulatory Services

Civic Offices

1 Saxon Gate East

Milton Keynes MK9 3EJ

Tel: 01908 691691

13.0 Personal Safety and Security

Sufficient measures must be in place to provide a secure environment for the occupiers, including appropriate locks to external doors and tenant's own rooms to prevent unauthorised access but permit safe keyless egress. Vulnerable windows must also be capable of being effectively secured against entry without compromising the means of escape in case of fire. Appropriate arrangements must be in place to control the issue and return of house keys on changes of tenancy, or the changing of locks. Any advice on crime prevention measures provided by the Police Crime Prevention Officer must be acted on. Simple locks must be provided to communal bathrooms and toilets to provide privacy

14.0 Thermal Efficiency

All dwellings should be capable of achieving and maintaining a suitable room temperature without undue heat loss. To achieve this, you may need to install cavity wall insulation and/or loft insulation and or other works. You should contact your energy provider for details of any grant aid that may be available.

15.0 Asbestos

- 1 Landlords have a duty to manage any Asbestos containing materials in their property. If the material is in good condition and not liable to damage or disruption, for example during alteration work, then it is normally appropriate to leave it alone. If in doubt, you should seek further advice from the Health & Safety Executive

Health & Safety Executive

Woodlands Manton

Lane Manton Lane Industrial Estate

Bedford Tel: 0845 345 0055

<http://www.hse.gov.uk/>

- 2 If you are aware of any Asbestos containing materials you should keep a record of the location and type of material and confirm that it is in a sound condition. You should then check every 6 months to see there has been no damage etc, and date and sign the record to show that you have done this.

16.0 Space Standards

- 1 The number of people sharing includes babies and children. Everyone must have their own allocation of space.
- 2 Everyone over the age of 10 years must be able to occupy sleeping accommodation so that they do not have to share with someone who is not a close relative or with someone of the opposite sex unless they are living together/co-habiting.
- 3 'Close relative' means parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew, niece or cousin.

- 4 All habitable rooms, kitchens, bathrooms, and toilet compartments shall have a minimum floor to ceiling height of 2130mm. In the case of rooms with sloping ceilings, there shall be a minimum height of 2130mm over half of the floor area of the room. Any floor area where the ceiling height is less than 1500mm high shall be disregarded.
- 5 The standards are based on usable floor area. Certain layouts may require an increase in floor area.

16.1 One Person Units of Accommodation

(i) One room units

including kitchen facilities in the room **11m²**
separate individual or shared kitchen **8m²**

Note: These room sizes can be reduced by up to 1.5m² down to a minimum of 6.5m² at the discretion of the inspecting officer where a communal living room or kitchen with dining area exists. This will depend on the size and nature of the communal facilities and adequate standards of management. Health and Safety issues will also be taken into consideration when accepting reduced space standards.

(ii) Two or more room units

As a guide, rooms in two or more roomed units of accommodation should meet the following sizes:

Each living room/kitchen	10m²
Each Living room	8.5m²
Each bedroom	6.5m²

Note: Trade off between room sizes in 2 or more roomed units may be acceptable at the discretion of the inspecting officer, providing the proposed layout is acceptable and the aggregate habitable floor area of the rooms is not less than 14.5m²

A staircase, landing or any room, which has been appointed as a kitchen or bathroom, shall not be used as sleeping accommodation

16.2 Two Person Units of Accommodation

(i) One room units

including kitchen facilities	16m²
with a separate individual or shared kitchen	13m²

Note 1: Not normally suitable for persons who are not either married couples or co-habitees.

Note 2: Room sizes can be reduced by up to 2m² at the discretion of the inspecting officer where a communal living room or kitchen with dining area exists. This will depend on the size and nature of the communal facilities and adequate standards of management. Health and Safety issues will also be taken into consideration when accepting reduced space standards.

Note 3: Trade off between room sizes in 2 or more roomed units may be acceptable at the discretion of the inspecting officer, providing the proposed layout is acceptable and the aggregate habitable floor area of the rooms is not less than 19.5m²

16.3 Common Rooms

(i) Kitchens

If more than 5 occupiers are sharing a kitchen and there is no separate dining area then additional facilities may be required. The kitchen must be sited no more than one floor distance from the bedroom or dining area.

Used by 1-5 occupiers	6m²
Used by 6-10 occupiers	11m²

Note 1: the above are minimum space standards based on optimum shape and layout. In practice, it may be necessary to have a larger space standard to ensure that there is sufficient space to fit in all the facilities required and provide a

circulation area which permits safe use of the kitchen for the number of users.

Note 2: This standard may be reduced at the discretion of the inspecting officer depending on the size and nature of the communal facilities and standards of management. Health and Safety issues will also be taken into consideration when accepting reduced standards.

(ii) Kitchen-Diners

Used by 1-5 occupiers	8.5m ²
Used by 6-10 occupiers	12.5m ²

(iii) Living Rooms or Dining Rooms

Used by 1-5 occupiers	8.5m ²
Used by 6-10 occupiers	12.5m ²

A staircase, landing or any room, used as a kitchen or bathroom, shall not be used as sleeping accommodation.

16.4 Hostel/Dormitory/Board and Lodgings

This is dealt with under separate guidance. Please ask for details.

17 Management

17.1 Introduction

17.1.1 The manager of the house is ultimately responsible for maintaining standards within the building. Where the manager is not resident he or she must make suitable arrangements to ensure that conditions and facilities are kept in good order.

In order to fulfill their duties managers must undertake to regularly visit the property either personally or via a representative to ensure standards are maintained and where necessary improved.

17.2 General Management Duties

- 17.2.1 The manager of an HMO must comply with the Management Regulations 2006. A copy of the legislation can be found at <http://www.legislation.gov.uk/uksi/2006/372/contents/made>

A good standard of management shall be observed in the house. In particular this shall ensure the repair, maintenance, cleaning and good order of –

- all means of water supply and drainage in and serving the house;
- all means of escape from fire and all apparatus, systems and other things provided by way of fire precautions and alarm;
- kitchens, bathrooms and toilets in common use;
- Sinks and wash basins in common use; common staircases, corridors and passages, and outbuildings, yards and gardens in common use;
- The repair and maintenance of all lettings and facilities within lettings;
- And to make satisfactory arrangements for the disposal of refuse and litter from the house and to ensure that all means of escape from fire are kept clear of obstructions

17.3 Enforcement

- 17.3.1 The Council will encourage owners to comply with their legal obligations with information, advice and support. Where owners or managers are unwilling to meet their obligations or where failures are significant, the Council will take appropriate

enforcement action in accordance with the enforcement policy to protect the health, safety or well-being of occupiers and others affected.

This may include:

- any of the actions available to the Council in Part 1 of the Housing Act 2004 following a Housing Health & Safety Rating System (HHSRS) assessment;
- prosecution for breaches of the Management Regulations or licence conditions;
- the making of Interim and Final Management Orders where the health, safety or wellbeing of tenants is of serious concern

Where an HMO is licensed:

- taking action to revoke the licence.
- Where formal enforcement action is taken this may affect future decisions as to whether someone associated with a licence or property is a fit and proper person and future applications for the grant, renewal or variation of licenses.

17.4 Prosecution

- 17.4.1 The Council can prosecute a manager if it shows that there were relevant defects in the house and that the defendant failed to comply with the Regulations without reasonable excuse.

For further information please email
privatesectorhousing@milton-keynes.gov.uk or
telephone 01908 252664 / 253271.

Private Sector Housing
Milton Keynes Council
Civic Offices
1 Saxon Gate East
Milton Keynes
MK9 3EJ

www.milton-keynes.gov.uk/housing-mkc

