



St. Helens
Council

Information Sheet 2

Self-contained Flats

General guidance on suitability for occupation

This information sheet relates to all self-contained flats regardless of whether they have been purpose-built or, if they are in a converted building, to what standard of building regulations the conversion has been done.

The information is for guidance on our standards only and may vary with changes in legislation. You are advised to contact us to check the current status of this advice.

The Housing Act 2004 has changed the way we assess housing conditions. Under previous housing law, we made a judgement as to whether a house was 'fit for human habitation' by comparing its condition to a pre-determined set of standards. This has since been changed by the Housing Health and Safety Rating System (HHSRS) which allows us to more accurately measure the *actual* risks to the health, safety and welfare of occupants rather than survey the condition of the building.

HHSRS is based on 29 nationally recognised hazards, such as falls on the stairs, dampness and fire safety. We will assess the hazards and determine the level of risk to the *current* occupants. You can find out more about HHSRS, the hazards and how we assess them and how HHSRS affects you on www.communities.gov.uk/hhsrs. If you do not have access to the internet, The Department for Communities and Local Government has published a guide titled "Housing Health and

Safety Rating System - Guidance for Landlords and Property Related Professionals" which can be purchased for £12 from DCLG Publications, PO Box 236, Wetherby LS23 7NB. Tel: 0870 1226 236, Fax: 0870 1226 237, Text phone: 0870 1207 405, Email: communities@twoten.com

Please quote ISBN 978 185 112 8563 when ordering.

Self-contained flats and flats-in-multiple-occupation

Purpose-built blocks of self-contained flats and houses or other buildings converted into self-contained flats in accordance with Building Regulations made in 1991 or later are not HMOs. However, they are subject to HHSRS and some of the risks associated with multi-occupied properties may apply.

If a self-contained flat is occupied by 3 or more persons none of whom are in the same household, then it may be a flat-in-multiple-occupation to which the guidance in "Information Sheet 1 Bedsits/Shared Houses General Guidance on Suitability for Occupation" will apply.

HHSRS AND the general standards apply to all self-contained flats in converted buildings that were not converted in accordance with Building Regulations made in 1991 or later whether, or not they are flats-in-multiple-occupation,

Repair and maintenance

All parts of the HMO must be resistant to the weather, structurally stable and in a reasonable state of repair inside and out. The HMO must not present any unreasonable risk to the health and safety of the occupants, e.g. due to a broken handrail on the stairs.

Bathroom and WC Facilities

All bathrooms and toilets contained within each unit of accommodation must be of adequate size and should, where practicable, be no less than 1.8m across the narrowest part.

Baths, showers and wash hand basins must have an uninterrupted supply of hot and cold water. Bathrooms and WCs must be provided with adequate heating, lighting and ventilation (see space heating, ventilation and lighting sections in this document)

Bathrooms and WCs must be situated such that each unit of accommodation is within a reasonable distance of a bathroom and a toilet which are, where practicable, on the same floor.

Bathrooms and WCs must be provided with a lock on the door to protect privacy.

All bathrooms and WCs must have non-porous walls and floors that can be easily cleaned.

Kitchens

The layout of the kitchen should take account of the cooking appliances and the food storage/preparation areas. Wherever practicable the cooking appliance should not be located near to the exit from the kitchen.

Each kitchen should have:

- A non-porous fixed worktop (not including the draining board) no less than 1m x 0.6m
- A cooker with two rings (four rings if 2 persons sharing), grill and oven

- A twin 13amp power socket outlet located above worktop height in addition to any sockets serving major electrical appliances. It must be located adjacent to the worktop and no less than 1.0m from the sink/basin
- A suitable sized sink unit and fixed integral draining board. It must be provided with an uninterrupted supply of hot and potable cold water.
- Minimum 150mm non-porous splash back along the length of the sink unit.
- A suitable storage cupboard with a minimum capacity equivalent to a 500mm wall unit, per person.
- Not less than 0.15m³ capacity of refrigerated food storage.

Kitchen facilities within a living-room should be in a distinctive kitchen area away from the exit door so as not to impede escape. Where this is not practicable, other arrangements must be made to ensure the exit route is shielded from flames, should a fire occur in the kitchen area.

Kitchens must be provided with adequate lighting and ventilation (see the lighting and ventilation sections in this document).

Water Supply

All dwellings must be provided with at least one source of wholesome drinking water, usually piped directly from the mains supply, not through a storage tank.

All pipe work and fittings should not reduce the quality of the water.

The supply must comply with all water authority regulations and local water bylaws.

Lighting

Living rooms and bedrooms must have enough natural lighting during daylight hours to allow normal everyday activities, such as dressing, reading or moving around, to be carried out without having to resort to artificial lighting. Windows in these rooms that are 1/10th of the room's floor

area, which are not obstructed or obscured, should provide adequate natural light.

Artificial lighting should be bright enough to allow normal everyday activities.

Artificial lighting in hallways and stairs in common use is to be powered by the landlord's electricity supply, not that of the occupants. Timed switches are acceptable providing the time interval is sufficient for a person to pass through safely. Coin operated or other types of pre-payment meters are unacceptable.

Space Heating

Space heating must be provided sufficient to protect the occupiers from excess cold, and controllable enough to protect them from excess heat. When these hazards are assessed, the thermal efficiency of the dwelling, i.e. insulation, ventilation and glazing, will be considered.

Modern central heating systems in thermally efficient buildings will have the heating capacity and controllability to address these hazards. However, where central heating is not installed other adequate, affordable, programmable, controllable and efficient heating sources must be provided. These must be permanent, fixed and capable of heating living rooms and bedrooms to 21°C and to 18°C in all other rooms and common parts.

Coin-operated heating and/or hot water systems in common rooms and common parts are not acceptable.

Ventilation

Inadequate or inappropriate ventilation can contribute to damp, mould growth, excess cold, excess heat and the build up of pollutants in the air. These hazards can be reduced or eliminated by providing ventilation in the following forms:

Kitchens and Bathrooms

By providing mechanical extract ventilation with an extraction rate of 60 litres per

second, or 30 litres per second when located in cooker extraction hood, either wired to the room lighting circuit with a 15 minute overrun or humidistat controlled

Please note that if a bathroom has no natural ventilation mechanical ventilation **must** be provided. Where practicable, background ventilation in the form of trickle vents to the windows, or air bricks with a total area of 4000mm² controllable by the occupier should be provided and must vent to the outside air.

Living Rooms and Bedrooms

Living rooms and bedrooms must have windows with an opening of no less than 1/20th of the room's floor area.

Background ventilation, controllable by the occupier, must also be provided in the form of trickle vents to the windows, or air bricks, with a total area of 8000mm²

In rooms which are used as part of a letting and that have naturally restricted ventilation, such as a basement, a minimum floor to ceiling height of 2.13m (7ft) is required.

In rooms that are used for living or sleeping, the opening of the window should normally extend to at least 1.75m above the floor level.

Gas and Electricity Supplies

All gas and electric meter cupboards should be fire-resisting.

Gas

All gas supplies, distribution pipe-work and gas fired appliances must comply with the relevant gas safety regulations.

All gas appliances **provided by the landlord** must have an annual gas-safety check undertaken by a CORGI registered gas installer. A copy of the safety certificate must be made available to the occupier in accordance with the regulations.

All work to any gas appliances must be carried out by a suitably qualified gas engineer.

Where occupants need to operate controls for gas fired central heating or hot water systems, simple and precise instructions for their safe and efficient use must be available.

Electricity

The higher number of occupants in HMOs (compared to similar single-household dwellings) can impose a significant extra load on the electrical circuits. The capacity of these circuits must therefore be sufficient to maintain safe use.

All electrical installations including fixed equipment must be installed and maintained in accordance with the most recent version of the Institute of Engineering and Technology (IET) Regulations.

Any new installations or alterations to existing installations must be done in accordance with Document P of the current Building Regulations. For all such works you are also required to contact the council's Building Control section – telephone 01744 456242.

All electrical installations must be inspected and tested in accordance with the IET Regulations, currently at least every 5 years, and the results recorded in an appropriate register. It is recommended that each system is fully checked on the commencement of a new tenancy.

Any electrical installation and/or alterations must be carried out by a suitably qualified electrical engineer.

Landlords must ensure that supplies of or electricity, gas or water are not unreasonably interrupted; e.g. for non-payment. In particular, disconnection of the electricity supply will result in the disabling of the automatic fire detection and lighting.

Guidance on Room Sizes

Shortage of space and overcrowding can increase the risks associated with other hazards, e.g. falls, collisions, burns and scalds, and fire. Therefore, sufficient space must be provided to enable the occupants

to utilise all facilities within the dwelling in a safe manner.

Space standards **MUST** be met so far as is reasonably practicable and action must be taken to comply where necessary. However, where there is an existing tenancy agreement with less than 12 months remaining, compliance must be achieved prior to commencement of the next tenancy.

The HMO must not be overcrowded. Sleeping accommodation must ensure adequate privacy. Any sharing of the sleeping accommodation will be dependant on the size of the room and the relationship of those sharing. Children 10 years old or over can share a sleeping room only with someone of the same sex.

Sleeping accommodation will be in the form of single or double rooms and each room must be occupied by a single household only. A landlord cannot place two unrelated persons in a room unless those persons have agreed between themselves, without coercion, to share a room which is large enough for two persons.

Typically, friends might choose a property with this sharing in mind but, should one of them choose to leave, the landlord **cannot** place another person to share the room with the remaining person from the original sharers.

Every room used as a sleeping room should be capable of accommodating together with activity space for each item at least:

- a bed
- a wardrobe (which may be built-in) or cupboard of adequate size
- a chest of drawers

Any floor area which does not have a minimum floor to ceiling height of **1.5m** will normally be discounted from the room area calculation.

Where rooms do not meet the guideline standards, discretion may be exercised if there are compensatory factors. The HMO team should be contacted for advice in such circumstances.

Refuse Storage and Disposal

Poorly stored food and other household waste will attract pests which could contaminate other food sources and pose a risk to the health and safety of the occupants. In order to minimise the hazards posed by household refuse there must be suitable and sufficient provision for the storage of household waste awaiting collection.

There should be refuse storage within the dwelling that is readily accessible to the occupants and sited so as not to be a danger to children, or cause problems with hygiene and attract pests.

There should be adequate provision of external refuse storage areas which should be adequately ventilated and capable of being cleaned easily. Any such areas must be sited so as not to allow air from the store to enter any living space.

Notices on the refuse collection arrangements should be placed in the common areas of the property

Security

The property and the dwellings within must be secure against unauthorised access by considering the use of window locks or deadlocks, burglar alarms, security lighting etc.

In particular all ground floor and other accessible windows should be protected by suitable window locks or other appropriate security measures. In the case of key operated window locks, such keys must be so located as to be readily available at all times.

The front and rear doors must be robust and undamaged. Outward-opening doors must have hinge bolts fitted.

Where the front door does not have a vision panel, a suitable viewer must be fitted.

The front door should be provided with a suitable safety chain.

Front and rear final exit doors must be provided with a secure lock. **Those doors fitted with a lock, including final exit**

doors forming part of the means of escape, must be capable of being opened from the inside without the use of a key. In addition, the rear door is to be provided with a barrel bolt (200mm min) unless the door is fitted with a shoot bolt locking mechanism (3 or 5 point locking).

Where electronic door entry systems are provided, these must be in good working order and regularly maintained.

Where necessary or appropriate, pedestrian routes to the main entrance of the property should be fitted with adequate security lighting.

Fire Safety

There is a greater risk of a fire occurring in multi-occupied dwellings than other domestic properties. In HMO properties of 3 or more storeys, the severity of injuries caused by fire is greater.

This advice sheet gives brief details of the council's standards for means of escape in case of fire and other fire precautions within a licensable property of 3 or more storeys. **This is not a full schedule of Fire Precaution works and for further information you should contact Private Housing Initiatives on 01744 671602/456246.**

The Council's fire precaution standards require, in brief:

- An automatic fire detection system conforming to **BS5839; Part 6: 2004**
- A non-maintained Emergency Lighting system conforming to **BS5266 Part 1:1999**
- Half-hour fire resistance to all walls and ceilings throughout.
- 60-minute fire-resistant construction between any basement and the ground floor.
- FD30S fire doors fitted and certified as capable of achieving full half hour fire resistance in conjunction with their frames. All doors should be rendered and maintained self-

closing and close fitting into a minimum 12.5mm deep rebated frame. Provide intumescent strips and smoke seals as required. All works to comply with BS476:1987 (Part31 (1)). FD30S doors are required wherever the door in question opens onto the protected escape route, i.e. the common parts of the accommodation, and to kitchen doors.

- Fire blankets in containers compliant with BS6575:1985 in the kitchens. These should be positioned approximately 1.5m above floor level.
- Gas and electricity distribution panels, meters and fuse boxes in the common parts must be enclosed to give half hour fire resistance, and provided with a lockable door. Affix standard blue disc '**FIRE DOOR KEEP SHUT**' signs.
- The main exit door to the house must be capable of being easily opened from the inside without having to use keys or bolts. Mortice locks must have a turn-buckle on the internal side of the door.
- Affix the enclosed 'N1' notice and landlord details in a suitable location in the entrance hallway.

Additionally, fire extinguishers may be provided if tenants are to be instructed on their correct use; in which case they should be nine-litre water type, 13A rating, to BS EN3: 1996 and placed on every landing on the common staircase. They should be mounted on wall brackets, with the top of each extinguisher approximately one metre above floor level.

Flats Located Above Commercial Premises

In certain properties where the living accommodation is located above commercial premises, the structure separating the two different parts of the building must be fire resisting to a standard of 60 minutes. Any doors that link the

residential to the commercial parts must comply with BS476: Part 22 and be fire resisting to a standard of FD60s.

In addition, there must be at least one smoke or heat detector within the commercial part of the building which is linked to the residential fire alarm system in order to give occupants early warning should a fire occur in that part.

Inner Rooms

A room from which the only escape route is through another room is an "inner room". The room which has to be passed through is the "access room". Inner rooms must not be used as bedrooms because there is a much greater risk to the occupants should a fire start in the access room. This situation could arise, for example, where a bedroom is accessed from a living room.

An inner room situation can usually be overcome by redesigning the layout of the property or the provision of an emergency escape window or door leading to an alternative escape route.

For example in some cases, where the room is big enough, it may be possible to form a partition and create a protected passageway through the access room to the means of escape. In other cases it may be possible to form an additional doorway in the inner room which leads to the means of escape. It may also be possible to rearrange the layout so that the inner room is not a sleeping or living room.

It may be possible to overcome the problem by the fitting of an escape window. This will only be an acceptable solution if the window is on the ground floor or leads to a flat roof that has provision to escape to the ground floor level. See the section on escape windows below for further details.

In a situation where internal arrangements cannot practicably be changed, or an escape window cannot be used, the room will not be permitted to be used as a sleeping or living room.

Emergency Escape Windows

Escape windows must enable a person to reach a place of safety free from danger from fire and are therefore generally provided to ground floor windows only.

The escape window should have an unobstructed openable area that is at least 0.33m² and at least 450mm high and 450mm wide (the route through the window may be at an angle rather than straight through). The bottom of the openable area should be not more than 1100mm above the floor.

Keys for escape windows MUST always be kept either in the lock or in a specially designated and clearly-signed location as close as possible to the window itself.

Where there is an inner room, a hard wired smoke/heat detector must be located in the access room, which is interlinked with the appropriate fire alarm system in the building.

Disclaimer

The information and advice given in this leaflet is accurate to the best of our knowledge at time of writing. However, you are advised not to rely on this document exclusively as legislation or government advice may have changed since this leaflet was printed.

If you have a particular problem you should take the advice of a qualified expert in the relevant area. St Helens Council will not accept liability for loss resulting from relying on advice from this leaflet.