



Housing Act 2004

Property and Management Standards Applicable to Houses in Multiple Occupation (HMOs)

Physical Property Standards Hostel and BBs

Hostels and Bed and Breakfast Establishments

Definition

Houses generally referred to as 'hostels', 'guest houses' and 'bed and breakfast hotels' or the like. These will provide accommodation for people with no other permanent place of residence as distinct from hotels which provide accommodation for temporary visitors to an area. This category would include establishments used by local authorities to house homeless families or persons pending permanent placement, and similar establishments which provide accommodation for people who would otherwise be homeless. It would also include bona fide hotels used for such purposes even on a casual basis and hotels housing a mixture of homeless households and visitors.

Normally each occupant (or family) has exclusive use of a room but would share bathroom and toilet facilities, although in some cases there may be en-suite facilities.

Some or all meals may be provided on a catered basis, however, some hostels operate on a fully self catering basis. There is usually a communal living room and dining room.

Room Sizes and Permitted Occupation for Hostel Type Accommodation

(a) General Principles of Occupation

- (i) The sharing of a room for sleeping purposes by persons who are neither related or living as a married couple or partners shall be permitted only where both persons give their consent.
- (ii) In general no bedroom shall be occupied by more than two unrelated persons.

It is, however, acceptable for a room to be occupied by a maximum of three unrelated persons provided the room is large enough (ie meets the family room standard for three persons – see details later) and the persons concerned have lived together for a prolonged period of time such that they have become interdependent. In such cases the occupation must reduce to a maximum of two when one or more of the group naturally leaves the property or agrees to move to another room.

It is not acceptable to permit any new occupation agreements to arise resulting in the multiple sharing of a room (i.e. more than two unrelated persons) as from July 2006.

- (iii) Provided a bedroom is large enough it may be used for occupation by more than two persons subject to them all being members of the same family (family includes married couples, or couples living as

husband and wife or equivalent same sex relationship, parent, grandparent, child, step-child, grandchild, brother, sister, uncle, aunt, nephew, niece or cousin).

- (iv) Persons of the opposite sex and of age 12 or over shall not be permitted to share the same room for sleeping purposes unless they are of marriageable age and are either married or living as partners.

An exception to this general rule may be considered appropriate in cases whereby a family is placed in emergency accommodation and their stay does not exceed five nights. For example, a mother with a son aged 13 and a daughter aged 14 may, in exceptional circumstances, be allowed to occupy a family room for a maximum of five nights if there is no other appropriate accommodation available within the same premises or within the locality

- (v) Family rooms are considered to be suitable for use only as temporary accommodation and for a maximum of four persons. Occupation must be limited to a maximum of 30 nights unless exceptional circumstances demand otherwise. Such circumstances must be agreed by the local housing authority.
- (vi) Rooms containing cooking facilities are not suitable to accommodate families with children below the age of five years.
- (vii) Children below the age of ten years now count as a whole person.
- (viii) No unit of accommodation shall be occupied on the basis of a divided or shared tenancy or licence. This is to avoid the situation arising whereby a unit of accommodation may be occupied by different persons at different times of the day or different days of the week (for instance shift workers or seasonal/migrant workers who occupy a property in connection with their employment).
- (ix) Only rooms designated as bedrooms may be used for sleeping purposes.
- (x) Circulation spaces such as hallways, landings and other rooms such as kitchens, bathrooms, or cellars, roof spaces etc, shall be deemed unsuitable for use as sleeping/living accommodation.
- (xi) Irrespective of overall floor area, consideration will be given to the shape and usable living space within the room when determining its suitability for occupation. No account will be taken of any part of a room where the ceiling height is less than 1.525 m (5ft).

- (b) The following are the minimum floor areas required:

- (i) Bedrooms where kitchen facilities are separately provided:

1 person	6.5 m ²	(10 m ²)
2 persons	11.0 m ²	(15 m ²)
3 person family room	15.0 m ²	(20 m ²)
4 person family room	19.5 m ²	(24 m ²)

(ii) Bedrooms where kitchen facilities are provided within the room

1 person	10.0 m ²	(13 m ²)
2 persons	14.0 m ²	(20 m ²)
3 person family room	18.5 m ²	(24 m ²)
4 person family room	23.0 m ²	(28 m ²)

The above room sizes are based upon the assumption that communal living space is also available for use by all occupants. In cases where there is no communal room available, the appropriate room sizes are indicated in brackets.

(iii) Communal Rooms

In general need or short term accommodation there must be a communal living room (or rooms) provided unless the bedrooms meet the higher room area standard as detailed above. A communal living room of at least 15 m² must be provided for the first four persons in occupation plus 1 m² for each additional person thereafter.

In long term accommodation where occupiers are likely to reside for periods of more than six months, perhaps for the purposes of rehabilitation etc, an additional 2 m² for each additional person shall be required.

Kitchen Facilities for Hostel Type Accommodation

- (a) Where any meals are provided for residents, all food must be stored, handled, prepared and served in accordance with the provisions of the Food Safety Act 1990 and associated regulations (in particular the Food Hygiene (England) Regulations 2006).

All persons who are employed to handle food must have received appropriate and approved food hygiene training and the operation must be registered as a food business with the City Council's Community Services Directorate.

Kitchens must be adequately equipped according to the number of meals expected to be served on a daily basis.

Further information on food hygiene matters and the adequacy of kitchen facilities can be found on the Government's website www.food.gov.uk and follow the link to 'Safer Food Better Business' using the A-Z directory.

Advice leaflets are also available from the City Council's Community Services Directorate.

The following general principles apply to catered accommodation.

- Meals must be served and consumed in the premises in which the occupants reside (i.e. residents should not be expected to travel to another hostel/hotel or café premises in the locality to obtain their meals).

It is acceptable for hotels which have an annexe building within the same curtilage to serve meals in the main building provided there is safe and well lit access between the buildings.

- Where there are insufficient catering facilities within a particular premises, meals may be prepared elsewhere and brought in, provided the food is prepared in a food safety compliant kitchen and transported in hygienic conditions under proper temperature control.
- An appropriate dining room must be provided together with sufficient tables and chairs for the number of users. (Meals may be served on a sitting basis)
- Residents must not generally have access to any catering kitchen in order to prepare their own meals.
- In some small hostels (ie those with six or less occupants in total), it may be acceptable for residents to prepare some meals within the kitchen which is also used for catering purposes provided such meals are prepared under the supervision of a person having undertaken appropriate food hygiene training.

This will normally be 'Supported Lodgings' type accommodation where residents are assisted to gain skills which may help them to live independently in the community.

- The extent that meals are provided for residents will vary from premises to premises with some providing breakfast only, and some providing full board. Meal provision may also vary between weekdays and weekends.
There may also be variation from person to person with some choosing to take meals and some choosing to cater for themselves.

Whatever the arrangements, all residents must have access to adequate kitchen facilities (separate from any catering kitchen) in order to prepare their own food.

The following separate kitchen facilities shall be provided for use by residents according to the predominant characteristics of the catering operation:

(i) All Meals Provided (Three Meals per Day)

Kitchen facilities must be sufficient for residents to prepare light meals and hot drinks.

One set of facilities shall be provided for every **fifteen** persons consisting as a minimum of:

- One kitchen sink complete with hot and cold water supplies and trapped waste.
- A conventional four burner/hob cooker with oven and grill or a combination microwave oven/grill of minimum 20 litres capacity,
- A minimum two metre run of fixed work surface (minimum 500mm depth).
- A standard domestic refrigerator incorporating a freezer compartment.
- Two twin 13 amp switched power sockets suitably sited in relation to the work surface and in addition to any sockets serving major appliances.
- Adequate storage for cooking utensils, crockery and cutlery etc.
- A kettle for making hot drinks or a vending machine if considered appropriate.

Such facilities may be located within an appropriately laid out area within a communal room but should preferably be located within a separate kitchen or kitchens.

A minimum floor area of 10 m² per set of such kitchen facilities is required.

(ii) Breakfast and evening Meals Provided

A set of kitchen facilities as described above for premises providing all meals shall be provided on a ratio of one set of facilities to every **ten** persons.

(iii) Breakfasts Only Provided

One set of kitchen facilities shall be provided for every **seven** persons, consisting as a minimum of:

- One kitchen sink complete with hot and cold water supplies and trapped waste.

- A conventional four burner/hob cooker with oven and grill or two combination microwave ovens/grills of minimum 20 litres capacity each.

The use of microwave ovens may be more appropriate if there are any concerns over the ability of residents to prepare hot food safely.

The use of deep fat fryers shall not be generally permitted unless supervision of cooking activity is likely to take place.

- A minimum two metre run of fixed work surface (minimum 500mm depth).
- Two twin 13 amp switched power sockets suitably sites in relation to the work surface and in addition to any sockets serving any major appliances.

A minimum kitchen floor area of 10m² per set of such kitchen facilities is required.

- For food storage purposes a refrigerator plus adequate storage for dry/canned foods and utensils/crockery/cutlery shall be provided within each unit of accommodation.

(b) Self Catering Accommodation

For hostels providing fully self-catered accommodation, food preparation facilities may be located either within each unit of accommodation or within shared kitchens.

(i) Food Preparation Facilities within the Unit of Accommodation

The facilities shall comprise as a minimum:

- Cooking:

Single Person: a gas or electric cooker with two burners/hobs, oven and grill

Two Persons or Family Room: a gas or electric cooker with four burners/hobs, oven and grill

A microwave oven may be substituted for one or two of the burners/hobs respectively and a combination microwave oven / grill in place of a conventional oven.

- A metal or ceramic kitchen sink and drainer with a constant supply of hot and cold water.

- Sufficient fixed work surface to enable food to be prepared safely and hygienically.
- A suitable refrigerator of adequate size according to the number of occupants. A family room would require a standard work top height refrigerator with freezer compartment.
- Sufficient storage cupboard space for dry and canned food goods plus cooking utensils, crockery and cutlery.
- Electric power sockets: two twin switched power sockets set at a convenient height and safe position in relation to the kitchen facilities.
- The kitchen area must be provided with an easily cleansable non-slip floor covering to an adequate extent and separated from any adjoining carpeted floor area by suitable dividing strips securely fixed in position.
- Cookers must be safely positioned within the room such that they do not compromise escape in the event of a fire associated with the cooker, ie they must not be positioned adjacent to the exit doorway. In particular gas cookers must not be positioned directly adjacent to openable windows where flames are likely to be extinguished by excessive draughts or where curtains are likely to catch fire.

(ii) Shared Kitchens

One set of kitchen facilities shall be provided for every five persons, consisting as a minimum of:

- One kitchen sink complete with hot and cold water supplies and trapped waste.
- A conventional four burner/hob cooker with oven and grill or two combination microwave ovens/grills of minimum 20 litres capacity each.

The use of microwave ovens may be more appropriate if there are any concerns over the ability of residents to prepare hot food safely.

The use of deep fat fryers shall not generally be permitted unless supervision of cooking activity is likely to take place.

- A minimum two metre run of fixed work surface (minimum 500 mm depth).
- Two twin 13 amp switched power sockets suitably sited in relation to the work surface and in addition to any sockets serving any major appliances.

- A minimum kitchen floor area of 7 m² per set of such kitchen facilities is required.
- For food storage purposes a refrigerator plus adequate storage for dry/canned foods and utensils/crockery/cutlery shall be provided within each unit of accommodation.

Personal Washing and Bathing Facilities for Hostel Type Accommodation

(a) Baths and Showers

Where it is not practicable to provide each unit of accommodation with its own bathroom, a readily accessible bathroom containing a bath or shower shall be provided on a ratio of one bath or shower to every five persons on occupation.

A bathroom must be available within one floor of any unit of accommodation. A shower facility installed over a bath will not count as an additional shower.

Institutionalised bathrooms with communal changing facilities shall not be permitted.

(b) Wash Hand Basins

Each separate occupancy shall be provided with a wash hand basin together with constant supplies of hot and cold water and sited within the unit of accommodation.

If a sink is fitted within a room then a separate wash hand basin will not be required.

All bathrooms or separate compartments containing a WC must be provided with a wash hand basin.

Toilet Facilities for Hostel-type Accommodation

Toilet facilities being not more than one floor distant from any unit of accommodation shall be provided in the following ratios in relation to the total number of occupiers of the accommodation.

- 1 – 4 persons - 1 WC which may be separate or located within a shared bathroom.
- 5 persons - 1 WC which must be separate from the bathroom but can be contained within a second bathroom.
- 6 – 10 persons - 2 separate WCs but one of the WCs can be contained within a bathroom.

11 – 15 persons - 3 separate WCs but 2 of the WCs can be contained within 2 bathrooms

This sequence would continue proportionally for every additional five persons.

Institutionalised toilets where there is more than one WC cubicle within the same room shall not be permitted.

Fire Precautions Hostel Type Accommodation

Hostel type accommodation may vary greatly in its size and complexity, ranging from small 'Supported Lodgings' schemes to large direct access hostels having over 50 bedrooms.

It is therefore difficult to specify standard fire protection schemes and as such each case must be assessed individually in consultation with Staffordshire Fire and Rescue Service. Owners must also have regard to 'The Regulatory Reform (Fire Safety Order) 2005.

Heating in Hostel Type Accommodation

All habitable rooms within a hostel or bed and breakfast establishment must be provided with an adequate fixed form of heating capable of achieving a room temperature of 21°C within one hour of turning on when the air temperature outside is -1°C.

For heating to be properly used by residents, it must be affordable. Central heating is the preferred option but electric night storage heaters and balanced flue gas heaters are also satisfactory.

Where open-flue gas fires are provided in a room used for sleeping purposes, they must be of modern design and fitted with an automatic oxygen depletion cut-off device.

Heaters which use full price electricity are not normally acceptable as the main form of heating.

In many hostels, the heating is operated by timer and under control of the landlord or manager. This is acceptable provided adequate temperatures are maintained and adjustments are quickly made when problems of cold or excessive heat are brought to attention.

Central heating radiators in residents rooms should be fitted with a thermostat under control of the occupier.

All heaters, other than water filled radiators, must be suitably positioned such that there is at least two metres between the heater and any bedding and such heaters must also not be located where curtains/blinds are likely to catch fire.

Paraffin heaters, LPG heaters and free standing plug-in electric heaters are not acceptable.

All heating appliances must be fixed to either the wall or the floor and be provided with an appropriate base or surround if one is specified by the appliance manufacturer.

All gas heaters or boilers of any type must be properly serviced and maintained in a safe condition in accordance with the manufacturer's recommendations and the Gas Safety (Installation and Use) Regulations 1998 (as amended).

All bathrooms, whether for exclusive use or shared use, must also be provided with a fixed form of heating. Electric fan or radiant wall heaters are acceptable in bathrooms provided they are design to operate in moist atmospheres.

Where heating is provided to any communal rooms or areas, the running costs must be met out of general rental charges or general energy charges rather than any type of pre-payment meter.