

# Cherwell District Council

## HMO Standards 2018

### 1. Introduction

1.1. This document sets out the House in Multiple Occupation (HMO) standards which apply in the Cherwell District. These standards were first introduced in 2008 and revised in 2012. This 2018 version is the third revision.

1.2 They are the standards the Council will use to determine the 'suitability for occupation' of HMOs for licensing purposes in accordance with the provisions of the Housing Act 2004, the Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 (as amended), The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018, and its own *HMO Licensing Policy*.

1.3 The Council will also use the bedroom space-standards in this document as the relevant standard for overcrowding enforcement in all other HMOs.

1.4 The Council expects the standards in this document to be achieved in all HMOs and they will inform the Council's enforcement decisions. In the case of licenced HMOs, compliance is a legal requirement.

### 2. Definition of a House in Multiple Occupation

2.1 An HMO is defined in law as a house or flat in which three or more unrelated persons forming two or more households share an amenity such as a bathroom, toilet, or cooking facilities. A "household" is defined as either a single person or members of the same family who are living together. This includes shared houses and bedsits. An HMO is also a building which has one, or more, non-self-contained units. A non-self-contained unit is where one, or more, of the facilities is not within the occupant's room. This applies even if the facility is for exclusive use of the occupant.

2.2 Certain buildings converted into flats are also HMOs (section 257 HMOs): If they have been converted into self-contained flats, less than two-thirds of which are owner occupied, and the conversion does not meet the appropriate Building Regulations, the building is an HMO. If the property was converted before June 1991 the appropriate Building Regulations are the 1991 Regulations and if the property was converted after June 1992, the conversion must meet whichever Building Regulations were in force at the time of conversion.

#### 2.3 Legal Standards in HMOs

2.3.1 The Housing Act 2004 and associated Regulations state the minimum standards in HMOs. This guide will explain the legal requirements and sets out the Council's approach as to how those standards should be achieved whether licensed or not.

#### 2.4 Management Regulations

2.4.1 All HMOs are subject to relevant Management Regulations whether or not they require a licence.

### 3. Space Standards

3.1 *The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018* specify the legal minimum size of bedrooms

in licensable HMO's. For a bedroom occupied by one person aged over 10 years the minimum is 6.51m<sup>2</sup> and for two people aged over 10 years is 10.22m<sup>2</sup>.

### 3.2 Shared houses

3.2.1 Cherwell District Council has decided that the following space standards are the appropriate requirements for shared houses in its district. (Shared houses are those where occupiers share facilities such as a bathroom and kitchen).

*(The size requirements for bedsits (where occupiers have exclusive use of facilities) are given in section 3.3 below.)*

Minimum bedroom size	Total number of people in HMO	Minimum kitchen size	1 to 2 storey HMO minimum living space	3+ storey HMO minimum living/dining room
1 occupant over 10 years 6.51m <sup>2</sup>  Or  1 occupant under 10 years 4.64m <sup>2</sup>  Or  2 occupants 11m <sup>2</sup>	3-5 people	7m <sup>2</sup>	11m <sup>2</sup> separate living room <b>Or</b> 18m <sup>2</sup> combined kitchen/living room	<b>Either:</b> 11m <sup>2</sup> separate living room within 1 floor distance <b>Or:</b> 13m <sup>2</sup> kitchen/diner and 11m <sup>2</sup> living room elsewhere; <b>Or:</b> 18m <sup>2</sup> combined kitchen/living/dining room
	6-10 people	10m <sup>2</sup>	14m <sup>2</sup> separate living room; <b>Or</b> 24m <sup>2</sup> combined kitchen/living room	<b>Either:</b> 14m <sup>2</sup> separate living room within 1 floor distance of kitchen; <b>Or:</b> 16m <sup>2</sup> kitchen/diner and 14m <sup>2</sup> living room elsewhere; <b>Or:</b> 24m <sup>2</sup> combined/kitchen/living/dining room
1 occupant over 10 years 8.5m <sup>2</sup>  Or 1 occupant under 10 years 6.51m <sup>2</sup>  Or  2 occupants 14m <sup>2</sup>	3-5 people	7m <sup>2</sup>	No additional communal living space required	<b>Either:</b> 13m <sup>2</sup> kitchen/diner; <b>Or:</b> 11m <sup>2</sup> separate dining room within 1 floor distance of the kitchen; <b>Unless:</b> all bedrooms within 1 floor distance of kitchen
	6-10 people	10m <sup>2</sup>	No additional communal living space required	<b>Either:</b> 16m <sup>2</sup> kitchen/diner; <b>Or:</b> 14m <sup>2</sup> separate dining room within 1 floor distance or kitchen; <b>Unless:</b> all bedrooms within 1 floor distance of kitchen
<ul style="list-style-type: none"> <li>• The minimum kitchen area must be provided in all cases.</li> <li>• A living room will be accepted as a dining room and vice versa, provided the minimum space requirements (given above) are fulfilled.</li> <li>• Rooms less than 4.64m<sup>2</sup> must not be used as bedrooms in any circumstances.</li> </ul>				

### 3.3 Bedsits

3.3.1 A bedsit is a unit of accommodation in which sleeping, living and cooking amenities are provided for exclusive use by occupants within the unit of accommodation (i.e. one room). Cherwell District Council has decided that the following space standards are the appropriate requirements for bedsits in its district.

3.3.2 A bedsit can be occupied by a maximum of two persons who must be a single household.

- 3.3.3 The minimum size for a 1 person bedroom/sitting room/kitchen is 14m<sup>2</sup>.
- 3.3.4 The minimum size for a 2 person bedroom/sitting room/kitchen is 18m<sup>2</sup>.
- 3.4 **Buildings converted entirely into self-contained flats (“Section 257” HMOs)**
- 3.4.1 Section 257 HMOs are buildings converted entirely into self-contained flats each occupied by a single household (or up to two people from two households). (See section 2.2). Cherwell District Council has decided that the following space standards are the appropriate requirements for Section 257 premises in its district.
- 3.4.2 Bedrooms must meet the size standards in 3.2 and/or 3.3 as applicable.
- 3.4.3 Where the kitchen is provided in a room separate from the bedroom/sitting room:
- In flats occupied by one or two people the kitchen must be a minimum of 4m<sup>2</sup>.
  - In flats occupied by three or more people the kitchen must meet the standards given in 3.2.
- 3.5 **Matters applying to all rooms regardless of HMO type**
- 3.5.1 In order to be counted, floor-space must be “usable space”. Space occupied by chimney breasts and bulkheads will not be counted as usable space but skirting boards will be ignored. Any part of a floor which has a ceiling height of less than 1.5m<sup>2</sup> (5ft) will be disregarded for the purpose of measuring the total space in the room. Fitted wardrobes may be counted as useable space provided the remaining free space and utility are not compromised (see below).
- 3.5.2 Rooms must be able to accommodate the required amount of appropriate furniture, allow its effective use and provide sufficient space for movement around the room. Where this is judged not to be the case, for whatever reason, including unusually irregular or narrow layout, or the number and relative location of doorways, additional floor space over and above the minimum may be required.
- 3.5.3 The space standards given in this document are the minimum acceptable but there may be exceptional circumstances in which some variation is appropriate. Any permissible variation will be confirmed in writing.

## 4. Heating

- 4.1 The Council will assess the suitability of heating in all habitable rooms, bathrooms and shower rooms by means of the Housing Health & Safety Rating System (HHSRS); but will, in particular, take into account the adequacy of thermal insulation, the adequacy of heat output, the control available, affordability and the suitability of arrangements for payment of fuel bills so as to secure continuity of supplies.
- 4.2 Pre-payment meters which control power supplies to shared facilities (such as fire detection, lighting, heating and hot-water) are unsuitable for use in HMOs because of the potential for disputes over responsibility for payment and the likelihood that supplies will be interrupted when credit payments expire. They are not recommended in any HMOs and will not be accepted in licensed HMOs<sup>1</sup>. Pre-

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<sup>1</sup> The Management of HMOs (England) Regulations 2006 place a duty on managers of all HMOs to maintain gas & electricity. Failure to do so is an offence. The Council may also take enforcement action in connection with any HMO if arrangements for the supply of gas or electricity are judged to give rise to a serious hazard assessed using the Housing Health & Safety Rating System.

payment meters serving only independent facilities within a letting room, which are not required by or accessible to other residents, may be accepted. All space heating appliances must be fixed. Portable or removable appliances are not acceptable.

## **5. Fire Protection**

- 5.1 The Council will assess the suitability of means of escape and other fire precautions by means of the Housing Health & Safety Rating System (HHSRS); but will, in particular, take into account national guidance on fire safety standards issued by LACORS, Building Regulations and such other guidance as it judges appropriate.
- 5.2 Requirements will vary according to assessed risk. Matters taken into account will include: the size of the property; number of storeys; layout; number of occupants; type of accommodation, and any particular characteristics applying to the intended tenant group. Assessed risk may vary if occupation changes.
- 5.3 An inadequate number of power points or their unsuitable location can result in increased fire risk as a result of overloading or the use of inappropriate or unsuitable extension leads. As a minimum the Council would specify two double sockets suitably located in each letting unit. The Council will assess the adequacy of power-points on the basis of the guidance provided by the most recent edition of the IET Wiring Regulations.

## **6. Ventilation**

- 6.1 The Council will assess the suitability of ventilation by means of the Housing Health & Safety Rating System (HHSRS), taking into account its impact on matters such as Pollutants and Hygrothermal Conditions, but will require the following:
- 6.2 All habitable rooms, kitchens, bathrooms and toilet compartments should be ventilated directly to external air by a window which has an openable area equivalent to one-twentieth of the floor area. Where reasonably practicable, kitchens, bathrooms and toilet compartments should have mechanical extract ventilation ducted to the outside air. Mechanical ventilation must comply in with Building Regulations.

## **7. Water supply**

- 7.1 The Council will assess the suitability of water supply to all appliances including those in kitchens, letting rooms, WC cubicles, bathrooms and shower rooms, by means of the Housing Health & Safety Rating System (HHSRS); but will, in particular, take into account the following: supplies must be wholesome, sufficient and uninterrupted. Water for drinking purposes should draw directly from a mains supply<sup>2</sup>.

## **8. Drainage**

- 8.1 The Council will assess the suitability of drainage by means of the Housing Health & Safety Rating System (HHSRS), taking into account its impact on matters such as Personal Hygiene, Sanitation and Drainage, but will expect dwellings to be provided with an effective system both above and below ground for the drainage of

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<sup>2</sup> The Management of HMOs (England) Regulations 2006 place a duty on managers of all HMOs to maintain water supply and drainage. Failure to do so is an offence. The Council may also take enforcement action in connection with any HMO if arrangements for the supply of water or drainage are judged to give rise to a serious hazard assessed using the Housing Health & Safety Rating System.

foul, waste and surface water. All new drainage works must comply with current Building Regulations.

## 9. Personal Washing Facilities and WCs

### 9.1 Location

9.1.1 Shared facilities must be accessible from a suitable common area.

9.1.2 WC cubicles, bathrooms and shower-rooms should not be more than one floor distance from the letting-rooms they serve.

### 9.2 Room dimensions

9.2.1 Rooms of the following dimensions are likely to be judged acceptable for the proper and safe use of the amenities shown. Where they fall short of these requirements, are irregular in layout or unduly narrow, they may be judged unsuitable:

Room containing only	Dimensions
Shower	1600 x 900mm
Bath	1700 x 1400mm
Shower & basin	2000 x 900mm
Bath & basin	1700 x 1600mm
Shower, WC & basin	1900 x 1700mm
Bath, WC & basin	2000 x 1700mm
WC & basin	1500 x 800mm

9.2.2 The Council will also have regard to the dimensions of facilities and amenity space (the space next to a facility needed to allow safe and unhindered use). Where facilities or available space fall short of these requirements they may be judged unsuitable:-

Amenity	Amenity size	Activity space*
Shower	800 x 800mm	900 x 700mm
Bath	1700 x 700mm	1100 x 700mm
Basin in WC cubicle	Hand-wash size only	-
Basins in other locations	500 x 400mm	1000 x 700mm
WC	700 x 400mm	800 x 600mm

(\*Note: activity spaces may overlap)

9.2.3 WC cubicles, bathrooms and shower-rooms must be laid out in such a way to enable safe unhindered use of the facilities. Bathrooms and shower-rooms must, in particular, have sufficient 'activity space' to allow users to undress, dry themselves, and dress in a safe manner.

9.2.4 Provision of en-suite facilities must not reduce the area of the associated habitable room below the minimum areas specified in Section 3.2 of these standards, and must not compromise the layout or appropriate use of the habitable room.

9.2.5 In the case of en-suite facilities in rooms occupied by one person only, the Council may accept a reduction in the activity space within the en-suite, provided the following requirements are met: 1) the en-suite bath/shower-room is accessed directly from the habitable room in question; 2) the habitable room can provide appropriate activity space, and 3) that use of the facilities is not judged unreasonably compromised or hazardous. Reduction in the activity space for WCs is least likely to be acceptable. Any agreed variation to the standard activity space will be confirmed in writing.

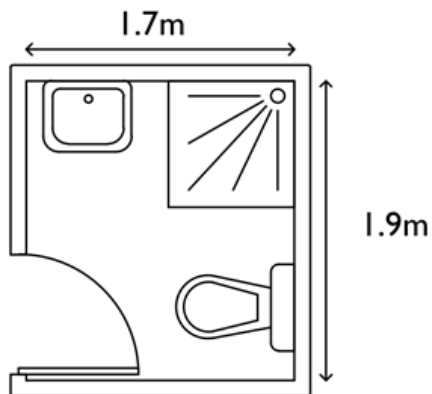
## En-suite Bathroom Layout Guidance

A bathroom must be capable of accommodating:

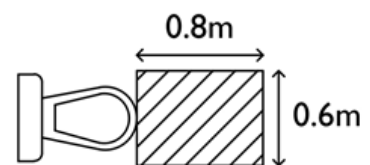
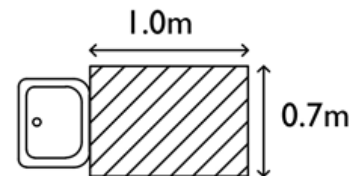
- a minimum 800x800mm shower tray
- a basin
- a WC
- a radiator towel rail
- an inward opening door that does not foul the space required for use of the sink or WC
- natural or artificial lighting and ventilation
- 1m<sup>2</sup> circulation space which is uninterrupted by any of the elements of the bathroom suite

The minimum dimensions capable of accommodating this are 1.9m x 1.7m (measured on the internal walls), as illustrated below.

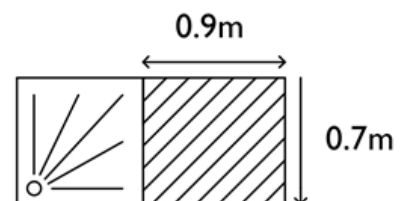
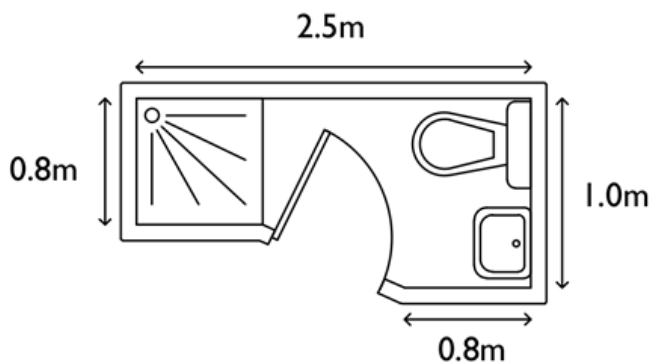
The example below sets out the expected standard for an en-suite bathroom for a 2 person letting room.



Usable space required for each piece of bathroom suite shown in hatching



The example below sets out the expected standard for an en-suite bathroom for a 1 person letting room.



### 9.3 **Bath & shower rooms**

- 9.3.1 Each bath and shower must be provided with a constant supply of hot and cold running water. The supplies must be adequate and capable of effective temperature control.
- 9.3.2 Baths must be provided with an appropriate tiled splash-back to all abutting walls and must be sealed to the splash-back to prevent leakage. Showers must be provided with fully tiled walls (or an acceptable purpose made cubicle enclosure) and fitted with a suitable water-resistant curtain or shower-cubicle door.
- 9.3.3 Bathrooms and shower-rooms must be provided with easily cleaned, non-slip flooring.
- 9.3.4 Bath and shower rooms must be capable of being used in privacy. In particular, doors must be capable of being secured from the inside, and any glazing must be suitably obscured.

### 9.4 **WC cubicles and rooms containing WCs**

- 9.4.1 Rooms containing WCs must have smooth, non-absorbent wall and ceiling finishes which can be readily and easily cleaned. The floor covering must be slip-resistant flooring and, where the cubicle or room is in shared use, must be impervious and capable of being readily and easily cleaned.
- 9.4.2 WC cubicles and rooms containing WCs should not open directly onto the area of a kitchen where food is prepared.
- 9.4.3 Separate WC cubicles must be fully compartmented with obscured glazing as necessary, and have a lockable door.

### 9.5 **Wash basins in rooms**

- 9.5.1 A wash basin with continuous supplies of hot and cold running water, and a tiled splash-back should be provided within each letting in HMOs let as bedsits, unless there is a sink in the letting, or the occupant has sole access to a room containing a basin or sink.

### 9.6 **Wash basins in bathrooms and WCs**

- 9.6.1 A wash basin with continuous supplies of hot and cold running water and with a tiled splash-back must be provided in each separate toilet compartment, and each bathroom or shower-room containing a toilet.
- 9.6.2 Wash basins with continuous supplies of hot and cold running water and with a tiled splash-back should be provided in all shared bathrooms/shower rooms (whether or not a WC is present) unless basins are provided within separate letting rooms.

### 9.7 **Sharing ratios**

- 9.7.1 WCs and bathrooms/shower-rooms in shared use must be provided in the numbers specified in the following table.
- 9.7.2 A minimum of one suitable bathroom containing a full size bath with appropriate supplies of hot and cold water must be provided in all HMOs providing accommodation for children aged under 10 years old.

<b>Number of people sharing</b> (irrespective of age)	<b>Facilities required</b> (minimum)
<b>1 - 4</b>	<p>1 bathroom and 1 WC with wash basin (the bathroom and toilet may be combined)</p> <p><i>-minimum provision is one bathroom containing toilet, basin and bath or shower.</i></p>
<b>5</b>	<p>1 bathroom <i>and</i> 1 separate WC (the WC may be contained in a second bathroom)</p> <p><i>-minimum provision is one bathroom containing toilet, basin, bath or shower and one separate toilet, but two bathrooms with toilet, basin, bath or shower is acceptable.</i></p>
<b>6 - 10</b>	<p>2 bathrooms <i>and</i> 2 separate WCs with wash basins (but one of the WCs may be contained within one of the bathrooms).</p> <p><i>-minimum provision is two bathrooms containing toilet, basin and bath or shower and one separate toilet.</i></p>
<b>11 - 15</b>	<p>3 bathrooms <i>and</i> 3 separate WCs with wash basins (but two of the WCs may be contained within two of the bathrooms).</p> <p><i>-minimum provision is three bathrooms containing toilet, basin and bath or shower and one separate toilet.</i></p>
<b>Bedrooms with en-suites</b>	<p>Where a room is provided with a complete en-suite facility (bath/shower, toilet, and wash hand basin) for exclusive use of that occupant, then that occupant will be disregarded when considering the provision of sanitary facilities.</p> <p>e.g. Property with six occupants, one of which has exclusive use of a fully equipped en-suite. The requirement for the remaining occupants would be for five people.</p> <p>If, however, the en-suite only provides one facility (a WHB, bath/shower or a WC) then the occupant will not be disregarded for the missing amenity.</p>



## **10. Facilities for the Storage, Preparation and Cooking of Food**

### **10.1 Location**

10.1.1 Each occupant must have access to a suitable kitchen which should be no more than two floors distance from the letting-room(s). Occupants should not have to go outside in order to access kitchen facilities.

### **10.2 Availability**

10.2.1 Kitchen facilities must be available for use 24-hours a day.

### **10.3 Layout, dimensions and space**

10.3.1 Each kitchen must be large enough and laid out in such a way as to enable safe, unhindered use of the facilities. In particular, there must be adequate space for cookers, sinks and worktops and these must be placed in appropriate positions in the room and in relation to each other.

10.3.2 Kitchens must be a minimum of 1.8m wide so as to allow safe circulation and sufficient room for items to be safely retrieved from the oven.

10.3.3 Cookers must be located away from doors, door-openings and windows.

10.3.4 Sinks, worktops and immediately adjacent walls and floors should be non-porous and smooth, so as to facilitate cleaning. Walls abutting cookers, sinks and worktops should be provided with tiled splash-backs.

10.3.5 Where 2 sets of facilities are provided in one kitchen, the layout must allow both sets to be safely used at the same time. No more than 2 sets will normally be acceptable in a single room.

10.3.6 In cases where more than one kitchen is provided, each must be equipped with a suitable sink, traditional cooker and appropriate worktop.

10.3.7 The Council's Guidance note entitled: *Kitchen Layouts and Supplementary Kitchen Guidance* (below) sets out the relative location of appliances and the location and extent of worktop we expect to be achieved. Kitchens which fail to comply with this guidance are likely to be judged unsuitable.

### **10.4 Kitchen Facilities**

10.4.1 Each kitchen must be provided with the facilities set out below, which comprise a 'set of facilities'. Where the number of users is such that 2 or more kitchens are required (see Sharing Ratios below), each kitchen will require a 'set of facilities'. Similarly, (where the size of the room permits it) the provision of 2 kitchens in a single room will require provision of 2 full sets of the facilities below.

### **10.5 Food preparation facilities**

10.5.1 A stainless-steel sink with integral drainer, on a secure base, provided with constant supplies of hot and cold running water and connected to a drainage system. Both water supplies must be adequate and capable of effective temperature control. The cold supply must be direct from the mains supply. A tiled splash back must be provided to walls abutting the sink and drainer.

10.5.2 A minimum of one undivided and securely supported worktop measuring 1000 x 600mm plus additional lengths of worktop necessary to ensure provision on both sides of each cooker and next to each sink bowl (in accordance with the Council's guidance provided sheet entitled *Kitchen Layout*). A tiled splashback must be provided to walls abutting all worktops.

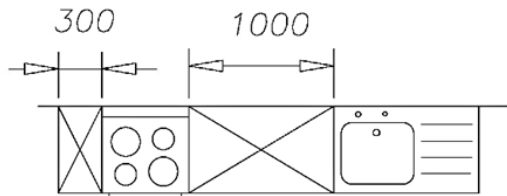
- 10.5.3 All kitchens should have a gas or electric cooker with 4 rings/burners, oven and grill, all of which are capable of simultaneous use. Electric cookers must be connected to the mains circuit by means of a fused spur connection.
- 10.5.4 A minimum of 3 twin 13amp sockets provided at appropriate heights directly above fixed worktop(s) plus such additional sockets, in appropriate locations, as are needed to serve fixed appliances such as washing-machines and fridges. Sinks, worktops and immediately adjacent walls and floors should be non-porous and smooth, so as to facilitate cleaning. Walls abutting cookers, sinks and worktops should be provided with tiled splash-backs.

# KITCHEN LAYOUTS

## Good Practice

A satisfactory kitchen must be safe, convenient and must allow good hygiene practices. It must be possible to stand directly in front of the cooker and sink and to place utensils down on both sides of each. Worktops must be secure, level and impervious and must be of adequate size. Adjacent walls require splashbacks and power-points must be suitably located.

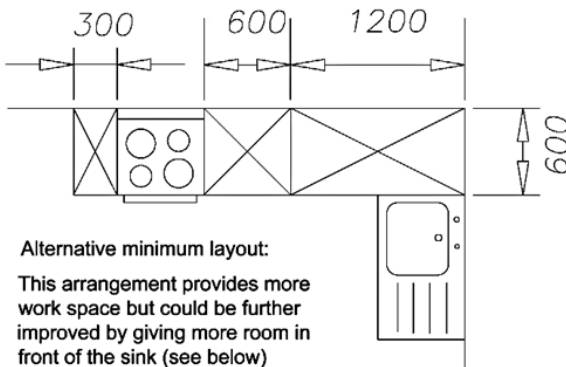
①



This is the minimum provision for a kitchen. It incorporates worktop on both sides of the cooker and working space both sides of the sink-bowl

Note: The 300mm worktop is a minimum and should be made wider where possible.

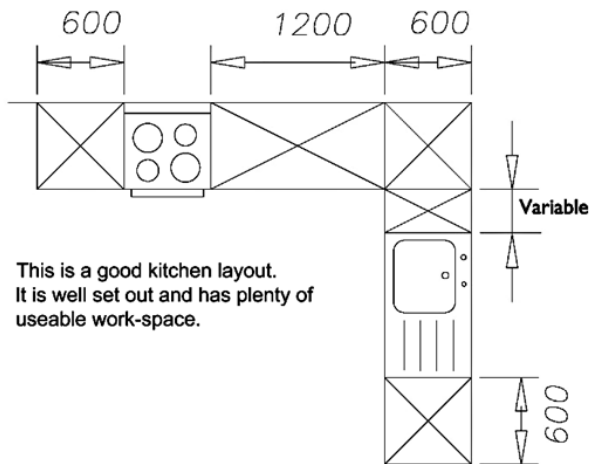
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Alternative minimum layout:

This arrangement provides more work space but could be further improved by giving more room in front of the sink (see below)

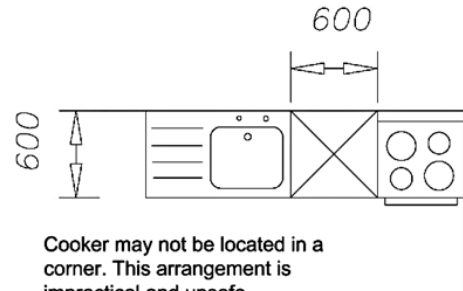
③



This is a good kitchen layout. It is well set out and has plenty of useable work-space.

## Unacceptable

Cookers cannot be safely used if they are located in corners, do not have adequate worktop on both sides or are too close to sinks. Sinks require space to put dirty utensils on one side and clean on the other.



Cooker may not be located in a corner. This arrangement is impractical and unsafe.

The sink bowl must not be located in a corner. This is an impractical arrangement and, because there is no worktop next to the bowl and it is impossible to separate clean and dirty utensils, it also creates a hygiene hazard.

Neither the cooker or sink can be practically or safely used with this arrangement.

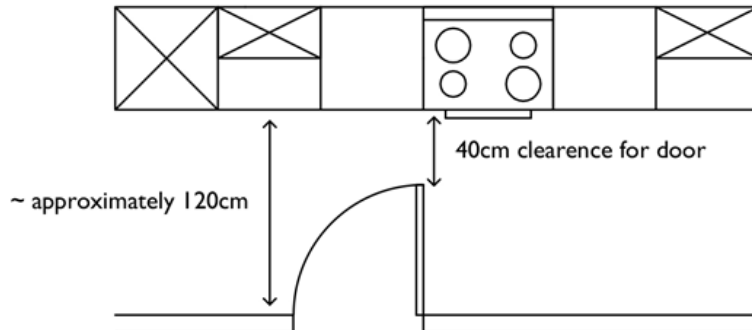
The cooker is free-standing and improperly located in relation to the sink. Both the cooker and sink also lack adequate worktops.

This arrangement is impractical and unsafe. Adding worktops will still not give a practical and safe kitchen.

## Supplementary Kitchen Guidance

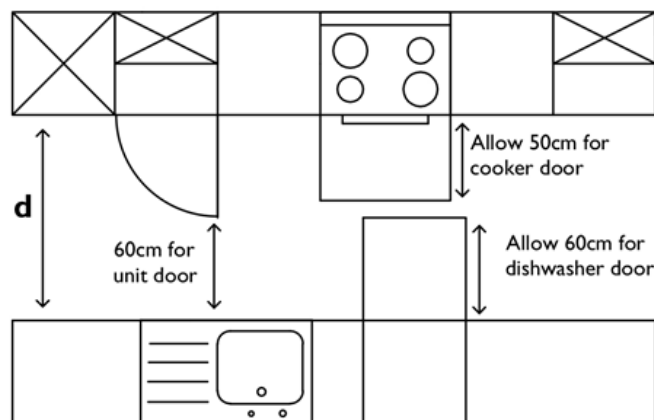
Ensure that there is at least 40 cm clearance between a kitchen door and the nearest units.

This roughly means allowing for 120 cm between the units and the wall with the door



If you have a room less than 180 cm wide you cannot comfortably use standard 60 cm deep units. Some manufacturers offer 50 cm deep units but they may be difficult to combine with appliances.

Ensure at least 120 cm clearance between runs of kitchen units.



Most unit doors open up to a maximum of 60 cm. Dishwashers doors usually open by 60 cm and oven doors usually about 50 cm.

The distance **d** between runs of kitchen units should be a minimum of 120 cm. If more than one person is working in the kitchen **d** should ideally be 140 cm or more.

## 10.6 Sharing ratios

10.6.1 Kitchens in shared use must be provided according to the following tables (and must be provided with a full 'sets of facilities' in each case). Any household with exclusive access to a kitchen (bedsits) will be excluded from this assessment.

*Please refer to section 3.2 for kitchen sizes.*

<b>Number of people sharing</b> (irrespective of age)	<b>Facilities required</b> (minimum)
3-5	1 kitchen (as above)
6-7	2 complete sets of kitchen facilities  <b>However</b> <ul style="list-style-type: none"><li>• a combi microwave (with oven and grill function) is acceptable as a second cooker</li><li>• a dishwasher is acceptable as second sink</li></ul>
8-10	2 complete kitchen set of kitchen facilities as above with a 2000mm x 600mm work surface
11+	At least 2 separate kitchens, containing 3 complete sets of kitchen facilities as above, each kitchen with 500mm x 600mm of work surface.

## 10.7 Mini-kitchens

10.7.1 A number of manufacturers make compact all-in-one mini-kitchens typically comprising sink, fridge, storage and some form of cooking facility (most usually hot plates). Unless these units satisfy the requirements for kitchen provision set out above, they will not be judged to provide adequate facilities for the storage, preparation and cooking of food. They are, in particular, unlikely to provide sufficient worktop, food storage or an appropriate cooker. As a result the provision of typical mini-kitchens will not be accepted as an alternative to the kitchen and cooking provisions set out in the sections above. However, mini-kitchens can provide an additional level of facilities welcomed by residents, and may allow some limited reduction in the provision of sinks, cookers and microwaves in shared kitchens. Any such revision will be determined following an assessment of the circumstances of each case and confirmed in writing.

10.7.2 Mini-kitchens must be securely fixed and appropriately connected to services. Cold water supplies must be directly from the cold-water main. Their installation must avoid the creation of actionable hazards identified by means of the HHSRS.

10.7.3 Mini-kitchens will not be acceptable if the available free floor space in the room is reduced below 8.5m<sup>2</sup> as a result of their installation.

## 10.8 Provision of meals by employer

10.8.1 In the case of premises provided as staff accommodation and where some meals are provided to employees as part of their employment, the employees must have the use of kitchen facilities whenever meals are not available. Ideally this will be through the provision of exclusive use or shared facilities as set out in section 10 above.

10.8.2 In certain circumstances the use of the commercial kitchen may be possible. However, for this arrangement to be acceptable, the Council will have to be satisfied that access by the occupants to the kitchen is available at all times. In addition, the Council's Public Protection Team will have to be satisfied that there is

appropriate and effective management of the kitchen, that all of the users have adequate food safety training to be using the commercial kitchen and that all users are complying with all applicable food hygiene regulations.

**Note: Failure to meet these obligations could result in prosecution under legislation concerned with food safety and hygiene.**

- 10.8.3 In addition each occupant must be provided with:
- A refrigerator (of notional size (h) 850 x (w) 580 x (d) 580mm, such as is intended to fit under standard worktop) incorporating an adequate freezer compartment. (The refrigerator must be connected to a dedicated socket.)
  - A food storage cupboard, minimum (minimum size 600mm x 500mm x 600mm)
  - Provision to make hot and cold drinks at all times.

## **11. Recycling and Waste Management**

### **11.1 Waste and recycling storage facilities**

- 11.1.1 Landlords must ensure that suitable and sufficient facilities are provided at the HMO for the storage of household waste and recycling pending collection by the Local Authority.
- 11.1.2 The number and type of bins must be adequate for the requirements of each household and provided in accordance with the Council's waste and recycling policies and guidance.
- 11.1.3 The minimum bin allocation is a green bin for rubbish, a blue bin for recycling, a brown bin for garden waste and a brown caddy for food waste collections. The rubbish bins are collected one week, with the recycling and garden/food waste bins collected the following week and so on.
- 11.1.4 .For large multi-occupancy dwellings and flats, the Council will typically provide communal bins for rubbish and recycling that tenants share. The number and size of bins will be calculated by the council, depending on the size of the property, the number of occupants and access to the property.
- 11.1.5 Flats and other multi-occupancy dwellings may require specially constructed bin stores to house the bins. The size and design of these are usually decided at the planning and development stage and separate guidelines are available for this.
- 11.1.6 Landlords/managing agents/housing associations should not source their own bins and should contact the council if any of the bins are damaged or go missing. Bins remain the property of the council at all times.

### **11.2 Information to occupiers**

- 11.2.1 Landlords must ensure that suitable instructions are given to all occupiers regarding the correct use of all waste and recycling containers. In particular, the following information must be provided to all occupiers upon their moving into the HMO:
- 11.2.2 The number and colour of bins at the property, and the types of waste which should be placed into each bin; and where and when each bin should be stored, placed for collection, and returned after collection.
- 11.2.3 A notice clearly summarising this information must be prominently displayed within a communal area of the HMO at all times. We recommend you use the Council's waste and recycling posters and other resources, available from [www.cherwell.gov.uk/recycling](http://www.cherwell.gov.uk/recycling)