

Houses In Multiple Occupation (HMO) Property standards



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CITY COUNCIL

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Houses in Multiple Occupation Property Standards

This guidance has been produced by Newport City Council for Houses in Multiple Occupation (HMOs). This guide has been written to assist owners, agents, and occupiers in relation to the standards they should expect in such accommodation. For any further information, please contact the Environmental Health Housing Team by emailing EHHousing@newport.gov.uk or telephoning: 01633 656656. Such property standards apply to HMOs and licensable HMOs in Newport.

Please note; 'Houses in Multiple Occupation [HMO Licensing Application Advice Document](#) is available as a separate document which provides guidance on how to complete a HMO licensing application and provides guidance on what is required

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HMO definitions and licensing

HMO is the abbreviation for House in Multiple Occupation. Any property in Newport which houses three or more unrelated people forming more than two households must hold a licence unless specified as exempt.

The Government introduced Licensing in June 2006. There are two licensing schemes in operation in Newport:

- **Mandatory Licensing:** applies to properties which have three or more storeys and are occupied by five or more persons forming two or more households.
- **Additional Licensing:** is when the Local Authority can impose a licence on types of HMOs for which licensing is not mandatory. This is implemented if it considers that a significant proportion of these HMOs are being poorly managed. In Newport this has been implemented which covers all properties with three or more unrelated people forming more than two households in the same building.

This document is to be used in conjunction with the Newport City Council's [HMO Licensing Application Advice Document](#).

HMO Pre-Licence Inspection service

Newport City Council offers a Pre-Licence HMO Inspection service for landlords/owners who are considering operating a HMO. Following the property inspection, a schedule of works with attached floor plans will be provided to you detailing the requirements if the property were to

be licensed, including fire safety. The floor plan can be submitted with the HMO licence application. Valuable guidance and advice will be given to help you comply with such property standards. To arrange and pay for a HMO pre-licence inspection, please visit www.newport.gov.uk/hmo. To discuss the service, please contact the Environmental Health Housing team on 01633 656656 or email EHHousing@newport.gov.uk.

Licensable HMO categories

The categories of accommodation in which the HMO Standards document applies to are listed below.

Bedsits – Category A

Where occupiers share amenities; a kitchen, bathroom and/or toilet but otherwise live independently of others. Each occupancy would be separately rented on individual occupation contracts.

Shared House – Category B

Where occupiers live together as a group, each with their own bedroom but sharing all other facilities such as bathroom & kitchen including a communal living space. Sometimes, the house will be let to a defined group on a single occupation contract and not on an individual basis.

Resident Landlord or Live-In Landlord – Category C

A landlord living in the same building as three or more unrelated people.

Also, any combination of the above property types which make up the same building.

HMO licensing relates to the number of unrelated people occupying a property and is not affected by joint occupation contracts, company let agreements, council tax payee responsibility, housing benefit claimants, homeless.

You're allowed to have two 'non family' members before your property is classified as a HMO. If three non-family, paying lodgers occupy the property it will change. It does not matter if the lodgers are related to each other or not – the rule is around forming two or more separate households.

Hostels, Guesthouses, Bed and Breakfast – Category D

Occupiers have no other permanent place of residence within the UK.

The includes properties used by local councils to house people with no permanent address.

Residential Homes – Category E

Care Inspectorate Wales Residential Homes.

A property where the company is regulated by the Care Inspectorate Wales then a HMO licence is not required. Residential homes which do fall under a HMO inspection are regulated by the fire service who should be contacted via southwales-fire.gov.uk

Check the register: www.careinspectorate.wales.com

Individual flats occupied by three or more unrelated people – Category F9

Where occupiers live together as a group, each with exclusive use of a bedroom but sharing all other facilities, including a communal living space within the flat.

This applies even if the property has been converted to the 1991 Building Regulations.

Self-Contained Flats (you do not share any facilities with any other people other than those living inside the flat) – Category F

If a property is purpose built as flats and has evidence that it is compliant to Building Regulations 1991 then this is NOT a HMO. You will be required to provide certification of such Building control approval to Environmental Health Housing who will determine if the property is exempt or from HMO licensing.

If the property is rented, has been converted into flats and does not have evidence that it is compliant to Building regulations 1991, this is determined as a HMO.

Single households

Section 258 of the Housing Act 2004 explains when people are seen as not forming a single household.

To count as a single household, people must be members of the same family, including married couples, or those living as husband and wife, including those in a same sex relationship, or where one is a relative of the other, e.g., parent, grandparent, child, grandchild, brother, sister, aunt, uncle, nephew, niece or cousin, and half relatives, stepchildren, and foster children.

Domestic Employees

If you have someone who lives with you but does not pay rent and is employed by you, then they are classed as a member of your household. Examples of domestic employees: Nanny, Au Pair, Nurse, Carer, Governess, Servant (maid, cook or cleaner), Chauffeur, Gardener, Secretary or Personal assistant

Standards for Accommodation

To determine the number of occupants who may occupy the house, consideration must be given to the number, type, and quality of amenities available in the property. The standards on the following pages will be applied to all properties subject to licensing.

Where reasonably practicable all HMO licensing standards must be complied with. However, every case will be considered on its own merits as Councils cannot apply a blanket set of standards for all HMOs in its district taking no account of the individual circumstances of the HMO in question. This will particularly be in respect of those standards that are not prescribed by legislation. If you have any queries relating to HMO licensing standards, please contact the Environmental Health Housing team via EHHousing@newport.gov.uk or telephone Newport City Councils contact centre: 01633 656656.

Room Size Requirements

The following guide provides information on the minimum floor area required for rooms within each category of HMO, based on the number of persons in occupation. For more details information on HMO Category definitions see page 3 of this document.

Bedsits

One person accommodation

One room unit
13m ² including kitchen facilities
10m ² where provided with separate shared kitchen*

Two or more-person accommodation

One room unit
18m ² including kitchen facilities
13m ² where provided with separate shared kitchen*

*Where a separate shared kitchen is provided it must be a minimum of 2.5m² per person using the facilities

Two or more roomed units (within the bedsit)	
Each kitchen	3m ²
Each living room/kitchen	10m ²
Each living room/bedroom	10m ²
Each living room	8.5m ²
Each bedroom	6.51m ²

Two or more roomed units (within the bedsit)	
Each kitchen	5m ²
Each living room/kitchen	13m ²
Each living room/bedroom	13m ²
Each living room	10m ²
Each bedroom	10m ²

Shared Houses and Lodgers

One person accommodation

One room unit	
Bedroom	6.51m ²

Two-person accommodation

One room unit	
Bedroom	11m ²

Communal rooms

	Up to 5 persons	6 persons	7 Persons	8 Persons	9 persons	10 persons
Kitchens	7m ²	10m ²	10m ²	10m ²	10m ²	10m ²
Living rooms	10m ²	12m ²	14m ²	16m ²	18m ²	20m ²

Hostels, Guest House & Bed & Breakfast Accommodation

The standards for these premises will depend on the nature of the occupation and the appropriate standards would be applied from one of the other Categories. Please contact the Environmental Health Housing Team for further information.

Residential Care Homes

The standards for this category of premises are primarily determined by the conditions imposed by the [Registered Care Home Regulation](#) and from the [South Wales Fire & Rescue Service](#). The standards for premises that are not required to register under these regulations will depend on the nature of the occupation and the appropriate standards would be applied

from one of the other Categories. Please contact the Environmental Health Housing Team for further information.

Self-Contained Flats

One person accommodation

One room unit
13m ² including living room, kitchen, and bedroom

Two or more-person accommodation

One room unit
18m ² including living room, kitchen, and bedroom

Two or more roomed units	
Each kitchen	3m ²
Each living room/kitchen	10m ²
Each living room/bedroom	10m ²
Each living room	8.5m ²
Each bedroom	6.51m ²

Two or more roomed units	
Each kitchen	5m ²
Each living room/kitchen	13m ²
Each living room/bedroom	13m ²
Each living room	10m ²
First bedroom	11m ²
Additional bedroom	6.51m ²

Guidance on taking room size measurements

Only practical useable living space must be measured. This space:

- Does not include any area taken up by bathroom facilities within the room.
- Does not include the chimney breast and small alcoves.
- Does not include the floor area where the ceiling height is less than 1.5m.
- Does not include the floor area in the eaves of any attic rooms where the soffit height is less than 1.5m.

Facilities

Your property is required to have an adequate number of facilities to accommodate the level of occupants. The guides in the following sections set out the requirements for kitchens, bathrooms/shower rooms & water closets in regard to bedsits and shared accommodation.

General bathroom and water closet specification applicable to all categories of HMO

- All bathrooms or separate compartments containing a WC must be provided with a wash hand basin.
- Baths or showers shall not be permitted in kitchens in shared accommodation.
- Each bath or shower must be provided with a constant and adequate supply of hot and cold water.
- Each wash hand basin must be provided with a tiled splash back with a constant and adequate supply of hot and cold water.
- Bathrooms shall be of adequate size to enable users to dry themselves and get dressed without undue restriction.

- Floors to bathrooms shall be impervious, reasonably smooth, and easily cleanable. Ideally floor coverings should be slip-resistant.
- Walls to bathrooms shall be easily cleanable.
- Obscured glazing must be provided to bathroom windows and doors as appropriate.
- A suitable locking mechanism must be fitted internally e.g. thumb turn or sliding lock (key locks are not permitted), within the bathroom or W/C and positioned out of reach from children to the access door to ensure privacy.
- A proper system of drainage shall be provided to all houses and all above and below ground drainage shall comply with the requirements of the Building Regulations currently in force.
- Each bathroom/shower room/water closet must be provided with adequate ventilation. Mechanical extractor ventilation giving an extraction rate of at least 15 litres per second with a 20-minute overrun must be fitted where there is no openable window to provide natural ventilation. Alternatively, a humidistat-controlled extractor may be provided.
- For areas directly above or can be reached within 0.6m outside the perimeter of the bath/shower, (EG Zone 1 and 2 from current building regulations), then ensure any lighting provided to the bathrooms/shower rooms/toilet rooms are sealed type covers so they satisfactorily protect the appliance from moisture within the room e.g. ensure that they meet IP65 rating, and they comply with current Building Regulation specification, location and requirements.
- Where ceilings are higher than 2.85m then no IP rating is required. However, we would recommend sealed light units and IP rating of IP65.
- For lighting inbuilt into the bath/shower cubicle (zone 0 within building regulations) then ensure that a low voltage system is used, maximum of 12 volts, and a minimum of IP67 sealed lighting units and ensure they comply with current Building Regulation specification, location and requirements.

If you have any queries on the bathroom and water closet requirements, please contact the Environmental Health Housing Team on Tel: 01633 656656 or email: EHHousing@newport.gov.uk

Definitions		
	Combined Bathroom or Combined Shower Room a room containing a bath or shower, water closet <u>and</u> wash hand basin	Bathroom or Shower Room - a room containing a bath or shower <u>and</u> wash hand basin only
		Water Closet A room containing a water closet <u>and</u> wash hand basin only
No. of Persons	Minimum Requirements	
1 to 4	1 Combined Bathroom or 1 Combined Shower Room	

5			1 Bathroom or 1 Shower Room	+	1 Separate Water Closet		
6			2 Combined Bathrooms or 2 Combined Shower Rooms				
7 to 9			1 Combined Bathroom or 1 Combined Shower Room	+	1 Bathroom or 1 Shower Room	+	1 Separate Water Closet
10					2 Bathrooms or 2 Shower Rooms	+	2 Separate Water Closets
11 to 14			1 Combined Bathroom or 1 Combined Shower Room	+	2 Bathrooms or 2 Shower Rooms	+	2 Separate Water Closets
15					3 Bathrooms or 3 Shower Rooms	+	3 Separate Water Closets

Kitchens

Kitchen facilities must be provided in a separate or clearly defined area and contain the following minimum provisions.

	Up to 5 persons	6 or more persons
Sinks	Bedsits - each separate household provided with cooking facilities must have a sink provided with a constant and adequate supply of hot and cold water	
	There must be a suitably sized sink and drainer, provided with a satisfactory supply of cold and constant hot water which is properly connected to the drainage system	An additional sink or dishwasher must be provided for every additional 5 persons

Food Storage	Each separate household shall be provided with a dry food store of half a standard base unit or a standard wall unit (equivalent to 0.16m ²). If occupants are found to be storing food in their rooms or we receive complaints regarding food being misplaced, we will require the dry food store to be locked. The space under a sink unit will not be accepted, ventilated or otherwise	
Refrigerator	A refrigerator must be provided for each kitchen.	An additional refrigerator per kitchen must be provided for every additional 5 persons (irrespective of their age).
Freezer	A freezer compartment must be provided.	An additional freezer compartment must be provided for every additional 5 persons (irrespective of their age).
Food Preparation	Each separate occupancy and shared kitchen shall be provided with suitable and adequate impervious work tops to enable users to prepare food safely and hygienically. A preparation surface of 1.5 linear meters should be provided, part of which must be adjacent to the cooking facilities	An additional preparation surface of 1.5 linear meters should be provided for every additional 5 persons
Cooking	Bedsits - each separate household shall be provided with a proper cooking appliance. (Minimum acceptable being 2 rings or hot plates together with either a grill or an oven).	
	Shared kitchens, a cooker consisting of 3 or 4 rings or hot plates together with a grill and oven. Ensure that any cookers are located away from any door, which might open on to and collide with a person standing in front of the cooker and must be safely positioned within the room such that they do not	An additional cooker consisting of 3 or 4 rings or hot plates together with a grill and oven or a microwave oven should be provided for every additional 5 persons. (No kitchen shall contain more than 2 cooking appliances)

	compromise escape in the event of a fire associated with the cooker. Gas hobs must not be positioned underneath electrical sockets. 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.	
Electrical Sockets	Electrical sockets must be sufficient to facilitate the use of each fixed appliance (i.e. washing machine, fridge) plus an additional two double socket outlets above the worktop.	
Ventilation	If there is no external opening window or mould growth present within the kitchen mechanical ventilation shall be installed to the outside air at a minimum extraction rate of 60 litres /second or 30 litres/second if the fan is sited within 300mm of the centre of the hob.	

General kitchen specification applicable to all categories of HMO

- A single kitchen is not suitable for use by more than 10 persons regardless of its size.
- All kitchens, whether for exclusive, or shared use must have floor, coverings which are impervious, reasonably smooth, and easily cleansable and separated from any adjoining carpeted floor area by suitable dividing strips securely fixed in position. Ideally floor coverings should be slip resistant.
- Walls and ceilings must also be reasonably smooth such that they can be kept clean and easily redecorated.
- Kitchens must be arranged such that hot food can be prepared and handled safely.
- In particular cookers must be located away from any door, which might open on to and collide with a person standing in front of the cooker and must be safely positioned within the room such that they do not compromise escape in the event of a fire associated with the cooker. 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.
- There must be adequate space in front of any cooker for persons to retrieve hot food from the oven. There should also be fixed work surfaces either side of any cooker.

- Sinks must have a tiled or similar waterproof splash back (where the sink abuts a window reveal, the sill of the window must be clad in waterproof tiles or similar) extending to a minimum height of 150mm above the sink top. There must be a flexible waterproof joint between the sink and the splashback.
- Food preparation surfaces must be of impermeable, heat resistant, durable, and easily cleansable materials. Where these are fixed, the joint between the food preparation surface and any abutting units or the wall must be watertight, and a tiled splash back as detailed above for sinks must be provided.
- Must be installed according to the manufacturer's instructions and in particular, electric cookers must be connected via an appropriately rated switch and fuse. Gas cookers must be fitted with a safety restraint to prevent them tipping over.
- Where meals are provided as part of the board arrangements the landlord/owner may be required to register as a food business with the City Council Environmental Health Food Safety Team and comply with the requirement of the Food Safety Act 1990 and any regulations made there under. Contact this team direct via email: environmental.health@newport.gov.uk or visit [Starting a food business | Newport City Council](#)

Heating

All types of heating systems

All heating systems shall be capable of maintaining the following internal temperatures when the external temperature is -1°C. The heating system should always be available, be under the control of the occupier and be programmable.

Bedrooms, lounge/ dining room	21° C
Bathroom / shower room / water closet	22° C
Elsewhere, including kitchens, common landing / stairs / hallways	18° C

Living rooms should have an additional heating source if a gas fire is present.

When gas, electric or oil wet fired central heating are not provided.

- Design and install a full programmable electric fixed heating system for the whole building using off peak storage heaters. The system shall include the following: All bed sitting rooms shall be provided with a fan assisted combination storage heater with thermostatically controlled top up convector heater. All bed sitting rooms, except those between 8 and 11 m² in area with one external wall, standard ceiling height, and with another heated space above and below, shall be provided with wall mounted electric panel heaters with timers and electronic thermostats. Storage heaters shall be sized and with the appropriate wattage suitable for the room they are intended to heat. There are many online resources available which provide calculators that help you determine the appropriate size heater.

- Kitchens of sufficient size and bathrooms where practicable shall be provided with storage heaters or on demand peak down flow heaters otherwise.
- All storage heaters shall have automatic charge control and a thermostatically controlled damper outlet.
- All storage heaters shall have automatic charge control and a thermostatically controlled damper outlet.
- For sizing and positioning of storage heaters regard shall be had to the method set out in DOM 8: Guide to the design of Electrical Space Heating Systems, The Electrical Heating and Ventilation Association, 2006. In particular the system shall be designed so that 90% of the annual heat requirement is available at the off-peak rate.
- Ensure all details of the heating system proposed are provided to the Environmental Health Housing Team along with details in relation to expected running costs for our consideration. No works are to be carried out until the heating system has been approved by the Environmental Health Housing Team.
- All works must comply with the latest edition of the IEE Regulations and Part P of the current Building Regulations.
- A annual Gas Safety test should be conducted by a registered [Gas Safe](#) engineer and an annual satisfactory certificate provided. A copy should be issued to the contract holders.

If you have any queries on heating requirements, please contact the Environmental Health Housing Team on Tel: 01633 656656 or email: EHHousing@newport.gov.uk

Electrical Safety and Sockets

The minimum number of socket outlets to be provided is set out in the table below. The socket outlets shall be positioned across individual rooms to limit the use of extension leads.

Room Type	Small - Medium Dwelling - Rooms Typically 4-25m ²	Larger Dwelling Rooms Typically 25-225m ²
Living Room	4	6
Dining Room	4	4
Bedroom	4	4
Studies	4	6
Utility Room	4	4
Halls	1	2
Kitchens	Electrical sockets must be sufficient to facilitate the use of each fixed appliance (i.e. washing machine, fridge) plus an additional two double socket outlets above the worktop.	

General electrical safety and socket specification applicable to all categories of HMO

- In accordance with BS 7671 (Regulations for Electrical Installations) All socket outlets likely to supply portable equipment for use outdoors must be protected by a 30mA residual current device.
- Any electrical switches, sockets or equipment in the bathroom must be safely positioned and comply with the latest edition of the IEE Regulations and Part P of the current Building Regulations.
- If any electrical work is carried out, it must be undertaken by an authorised competent person registered under the self-certification scheme to comply with Part P of the current Building Regulations. Electrical works should be certified with a Minor Works Certificate and Electrical Installation should be inspected by a competent person every 5 years unless a shorter interval is advised if the report highlights areas of safety concern. Any electrical improvement works must be approved by the Environmental Health Housing team. An Electrical Installation check should be completed every 5 years and a satisfactory certificate provided. This is a Renting Homes Wales requirement.
- A copy of the EICR (Electrical Installation Condition Report) must be made available to the contract holder within 14 days of the occupation date. If the test is carried out after the occupation date a copy of the EICR must be provided to the contract holder within 14 days of the inspection date.

If you have any queries on heating requirements, please contact the Environmental Health Housing Team on Tel: 01633 656656 or email: EHHousing@newport.gov.uk

Refuse and recycling

The licence holder will need to ensure that suitable and sufficient receptacles and storage facilities for the storage of general household waste and recycling are provided at the property. In addition, the licence holder and manager are responsible for monitoring contract holders to ensure that they are properly using such receptacles and storage facilities.

The domestic refuse capacity entitlement (bin size) is detailed below. The licence holder is entitled to one domestic wheelie bin per property where council tax is paid (no matter who pays council tax). For recycling collections, the entitlement depends upon the number of households. The entitlement for domestic waste and recycling is detailed below:

Residual Waste		
HMO occupants	Bin entitlement	Whilst awaiting bin
Up to 4 people	120 litre bin	2 sacks
5 - 7 people	180 litre bin	3 sacks
8 or more	240 litre bin	4 sacks

For recycling collections, the entitlement depends upon the number of occupants or households and is detailed below:

Recycling			
Individual properties*		Flats	
Regardless of no. of residents	1 blue reusable sack: card and paper	Kerbside boxes (see column on the left)	Up to 5 flats
	1 green box: glass and small electricals	1 x 360 litre card/paper 1 x 360 plastic/cans; 1 x 240 glass; 1 x 240 food + food caddies.	6 - 12 flats
	1 red reusable sack: cans, plastics, cartons	1 x 660 litre card/paper 1 x 660 plastic/cans; 1 x 360 glass; 1 x 240 food + food caddies	12 - 18 flats

If the residents generate more recycling, they can request additional recycling containers. Clothes and shoes are to be put in a tied plastic bag (NOT black) placed next to the other recycling containers.

Capacity (litre)	Width (mm)	Depth (mm)	Height (mm)
240	575	730	1060
360	580	875	1080
660	1360	780	1190

HMO's that have four or more residences (this applies to flats if there are more than 4 residences, or shared accommodation if there are more than 4 people separately paying council tax), the HMO will require a site inspection to assess the storage area and to determine the level of receptacles required. It is the licence holder's responsibility at the start of the contract to arrange the site inspection with the Waste Management Team; this can be arranged with Newport City Council Contact Centre via telephone number: 01633 656656.

If accumulations are present on the grounds of the property or within, the landlord/licence holder/owner is responsible for clearing and appropriately disposing of such to a licensed site. Enforcement action may be taken if complaints are received or if the property is causing detriment to the local area.

Enforcement action such as a Community Protection Notice, S.215 of the Town and Country Planning Act or a Prevention of Damage by Pests Act 1949 Notice can be issued on the contract holder or the owner of the property depending on the severity of accumulation. Failing to comply with the notices issued can lead to a fixed penalty or prosecution and works being carried out in default which may incur further costs.

If a contractor is used for the transportation and disposal of the waste or overgrowth, the contractor must have a waste carrier licence. Ensure that any waste/overgrown vegetation is disposed of correctly and where necessary, taken to a suitably licensed waste site for its disposal.

Newport City Council, Environmental Health Housing would require you to produce evidence where the items have been disposed of, as necessary.

Where a contractor is used, for the transportation and disposal ensure that they have confirmed that they possess a current 'Waste Carriers Licence', which is their authority to transport controlled waste as required by Section 5 of the Control of Pollution (Amendment) Act 1989. Only those companies that have this licence issued by Natural Resource Wales are permitted to transport your waste materials. Evidence of the location of the disposal and/or details of the contractors engaged – business name and business address, along with their waste carrier registration number should be sent within seven days of the disposal via email to EHHhousing@Newport.gov.uk.

Alternatively, if you dispose of the waste/overgrown vegetation yourself please visit: the following web pages and produce evidence where the items have been disposed of via email EHHousing@newport.gov.uk.

[Collections | Newport City Council](#) to view "what goes where/check your collection day/bulky waste collections/assisted collections/excess waste".

[Recycling and waste | Newport City Council](#) to view "household waste recycling centre/landfill site/reuse and repair/commercial collections".

Removal of Asbestos: In working with asbestos which includes the removal of this material to a licensed waste disposal facility.

Cement-bonded asbestos (such as that found in pipes or garage roofing) can be removed by hand, though care must be taken not to breathe in any fibres.

To dispose of other types of asbestos, contact an asbestos contractor for professional removal.

To find a company registered to deal with asbestos, please visit the [Asbestos Removal Contractors Association](#) website www.arca.or.uk.

Before hiring anyone to deal with cement-bonded asbestos, ensure that they have the necessary licence and paperwork from [Natural Resources Wales](#).

Small amounts of cement bonded asbestos may be deposited at the Household Waste Recycling Centre.

www.newport.gov.uk/contact. Visitors must make a booking before visiting the household waste recycling centre site.

NCC enforcement policy for waste presented in excess of residual capacity is detailed in the [household waste and recycling collection guidance](#) please contact Newport City Council City Services for additional information 01633 656656.

Fire Safety

All categories of HMOs will require a fire detection system. The guide that follows provides a summary of the different levels of detection required.

Fire Alarm Systems and Routine Testing

The following section details the main types of automatic fire detection and alarm systems together with the requirements of routine testing and maintenance.

Grade A Systems

A system of mains powered smoke/heat detectors, which are linked to a control panel to give information on the location of the fire or any fault. In general, the system must incorporate manual call points, which should be located on each floor level and at final points of exit. The alarm signal must achieve sound levels of not less than 65dB (A) in all accessible parts of the building and not less than 75dB (A) at all bed heads when all doors are shut. The electrical supply to the fire warning system must not be via a card or prepayment meter. The supply must not be interrupted and under the control of the Landlord.

Level of Coverage		Testing and Maintenance Requirements	
LD2	LD3	Routine Testing	Routine Maintenance
A system incorporating detectors in circulation spaces that form part of the escape route, and in all rooms that present a high fire risk (Kitchen, Bedrooms, Living Rooms) to occupants.	A system incorporating detectors in circulation spaces that form part of the escape route from the dwelling only (Hallway, Landings, Lounge and Kitchen).	At least one detector or call point in each zone should be tested weekly to ensure correct operation of the system. Any defect should be recorded in the logbook along with action taken to correct it.	A six-monthly service should be carried out by a competent person, usually a specialist alarm engineer to ensure compliance with BS 5839-6: current edition. It should be recorded in the logbook.

Grade D Systems

A system of one or more mains powered smoke/heat alarms each with battery standby supply. There is no control panel. The electrical supply to the fire warning system must not be via a card or prepayment meter.

Level of Coverage		Testing and Maintenance Requirements	
LD2	LD3	Routine Testing	Routine Maintenance
A system incorporating detectors in circulation spaces that form part of the escape	A system incorporating detectors in circulation spaces that form part of the escape	These systems should be tested every month by use of the test button	Must be tested annually to ensure compliance with BS 5839-6: current edition. All detectors

route, and in all rooms that present a high fire risk (Kitchen, Bedrooms, Living Rooms) to occupants.	route from the dwelling only (Hallway, Landings, Lounge and Kitchen).	on the smoke/heat detector.	should be cleaned periodically in accordance with the manufacturer's recommendations.
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All Systems

All detectors to be tested at least once a year to ensure they respond to smoke/heat. Tests should not involve the use of any form of smoke or non-specific aerosol that could contaminate the detection chamber or the electronics of the detector. Suitable test aerosols are available. These tests can be carried out by a specific alarm engineer who will issue a detection test certificate.

Fire Alarm and Detection Systems

In addition to the property having to confirm to standards adopted by the Council, the South Wales Fire and Rescue Service; SWFRS is notified of all licence applications. SWFRS provides [guidance](#) on fire safety measures and precautions within HMO's. In conjunction certain HMOs are subjected to the Regulatory Reform (fire safety) Order 2005; the FSO is regulated and enforced by the Fire Service. The FSO applies to the common parts of HMO's, flats, and maisonettes. The FSO does not apply to the dwelling themselves or any parts of shared houses. For enquiries please contact.

South Wales Fire and Rescue Service
Forest View Business Park
Llantrisant
CF72 8LX

Tel: 01443 232000
Home Safety Checks: 0800 169 1234

Email: swfs@southwales-fire.gov.uk

The National Lacors [Guidance](#) recommends that individual risk-based solutions to fire safety are applied to each individual property, and this document must not therefore be viewed as a prescriptive standard. Guidance recommends that individual risk-based solutions to fire safety are applied to each individual Housing - Fire Safety: Guidance on fire safety provisions for certain types of existing housing published by Lacors August 2008: www.lacors.gov.uk.

Where residential accommodation is above a commercial premise there should be 60-minute imperforate separation on all walls, doors, and ceilings. It is required that all properties above a commercial unit install an automatic main powered interlinked fire detection and alarms system, the commercial unit is to be interlinked with the residential system.

Please note that the works described in the Lacors document are a guide only. Alternative fire safety measures may be carried out to achieve an equivalent level of fire safety. However, if the recommendations in this Quick Reference Guide are followed it should be possible to achieve an acceptable level of fire safety in premises of normal risk. Additional

measures may be required in higher risk premises. A guide for the type of properties that require a fire safety assessment is detailed below.

Note – for the purposes of this guide the following definitions apply:

Single household occupancy – a house occupied by a single person, a co-habiting couple, or a family and where the property is not a house in multiple occupation.

Shared House HMO – A House in Multiple Occupation where the whole property has been rented out by an identifiable group of sharers such as students, work colleagues or friends as joint tenants. Each occupant normally has their own bedroom, but they share the kitchen, dining facilities, bathroom, WC, living room and all other parts of the house. There is a single tenancy agreement. The group shares the characteristics of a single-family household but is still technically an HMO because the occupants are not related.

Bedsit HMO with Shared Cooking Facilities – a building which has been divided into separate letting units (usually of one room only) and let to unconnected individuals. Kitchens, bathrooms, and WCs are usually shared.

Bedsit HMO with Individual Cooking Facilities - a building which has been divided into separate letting units (usually of one room only) and let to unconnected individuals. Each unit may contain cooking facilities, but bathrooms and WCs are shared.

Single Household Occupancy

Single Household Occupancy	
2 Storey	3 & 4 Storey
(Example D1)	(Example D2)
- No requirement for a protected route, but the escape route should be sound, conventional construction and should not pass through risk rooms. - Where means of escape is through a risk room, the option of escape windows to habitable rooms may be considered. - Where construction standards are poor, travel distances are long, or other high-risk factors are present, a 30 mins protected route may be required. 30 mins separation to cellar/basement (including door) OR accept sound traditional construction in good repair. - Fire blanket in kitchen. - Grade D LD3 Alarm system (i.e., interlinked smoke alarms to escape route plus cellar/basement).	- No requirement for a protected route, but the escape route should be sound, conventional construction and should not pass through risk rooms. - Where construction standards are poor, travel distances are long, or other high-risk factors are present, a 30 mins protected route may be required. 30 mins separation to cellar/basement (including door) OR accept sound traditional construction in good repair. - Fire blanket in kitchen. - Grade D LD3 Alarm system (i.e., interlinked smoke alarms to escape route plus cellar/basement).

Fire Safety Order does not apply to this type of property.

2 Storey (Shared HMO) & 2 Storey (Bed-Sit) Accommodation

2 Storey (Shared HMO)	2 Storey (Bed-Sit) (With shared cooking facilities)
(Example D4)	(Example D7)
1. Ideal standard (for normal risk property). (a) Solid, close fitting doors to rooms leading on to escape route. (b) 30-minute protected route with FD30S Fire Doors (with intumescent strips and cold smoke seals) on last door from the kitchen to the escape route. (c) Walls/ceilings between units of accommodation to be of sound, traditional construction. (d) 30 mins separation to cellar/basement (including door) OR accept traditional sound construction in good repair. (e) Multi-purpose AFFF 6 litre foam or 1.5kg dry powder extinguisher on each floor in escape route recommended. (f) Fire blanket in kitchen. (g) Grade D LD3 Alarm system (i.e., interlinked smoke alarms to escape route plus lounge and cellar/basement, and interlinked heat alarm to kitchen. OR 2. In low-risk shared houses (see below) • Solid, close-fitting doors, AND/OR escape windows to rooms leading on to escape route. Walls/ceilings on escape route to be of sound, traditional construction. • Additional fire door (FD30S) on last door from kitchen to escape route. • Plus, specifications as (b) to (g) above. NB. 'Low' risk properties are those having	'Bed-sit type' houses - individual rooms with shared cooking facilities. (e.g., where property is not occupied by a single group, there are individual contracts, locks on doors etc.). (a) Either - 30-minute protected route with FD30S Fire Doors or - in low-risk properties, close fitting, solid doors, and escape windows. (b) 30 mins separation to walls/ceilings between units of accommodation. (c) 30 mins separation to cellar/basement (including door) (d) Multi-purpose AFFF 6-litre foam or 1.5kg dry powder extinguisher required on each floor in escape route (subject to risk assessment under Fire Safety Order). Should fire extinguishers be present, see guidance on page 24 regarding fire extinguishers and alarm systems. (e) Fire blanket in kitchen. (f) Grade D LD2 Alarm – interlinked smoke alarms to escape route plus lounge and cellar/basement and heat alarm in each shared kitchen. PLUS: Interlinked Grade D smoke alarms in each bedroom.

the following characteristics: • low occupancy level - all able-bodied. • little chance of fire occurring and few combustible/flammable materials. • little chance of fire spreading throughout property. Quick detection to allow occupants to escape. • more than one acceptable escape route.	
If property is deemed as higher risk additional 30 minute FD30 fire doors on all habitable rooms maybe required 2 Storey + habitable basement/attic – treat property as 3 storey shared house.	Fire Safety Order may apply in these property types.
	2 Storey (Bed-Sit) Cooking Facilities in Bedrooms (Example D7)
	Traditional Bedsits – those with cooking facilities in each bedroom/unit of accommodation. (a) 30-minute protected route with FD30S Fire Doors. (b) 30 mins separation to walls/ceilings between units of accommodation. (c) 30 mins separation to cellar/basement (including door) (d) Multi-purpose AFFF 6-litre foam or 1.5kg dry powder extinguisher required on each floor in escape route (subject to risk assessment under Fire Safety Order). Should fire extinguishers be present, see guidance on page 24 regarding fire extinguishers and alarm systems. (e) Fire blanket in kitchen. (f) Mixed Alarm System. Grade D, LD2 system with interlinked smoke alarms to escape route and basement/cellar with interlinked heat alarms to each bedsit PLUS additional non-interlinked mains wired smoke alarm to each bedsit.

Fire Safety Order <u>does not</u> apply to this type of property.	Fire Safety Order applies to these property types.

3 & 4 Storey (Shared HMO) & 3 Storey (Bed-Sit) Accommodation

3 & 4 Storey (Shared HMO)	3 Storey (Bed-Sit) (With shared cooking facilities)
(Example D5)	(Example D8)
(a) 30-minute protected route with FD30 fire doors (with intumescent strips only and no cold smoke seals) on all habitable rooms (b) 30 minute FD30S fire door (with intumescent strips and cold smoke seals) on last door from the kitchen to the escape route. (c) 30 mins separation to walls/ceilings between units of accommodation. (d) 30 mins separation to cellar/basement (including door). (e) Multi-purpose AFFF 6 litre foam or 1.5kg dry powder extinguisher on each floor in escape route <u>recommended</u>. (f) Fire blanket in kitchen. (g) Grade D LD3 Alarm system (i.e. interlinked smoke alarms to escape route plus lounge and cellar/basement, and heat alarm to kitchen. (h) No requirement for emergency lighting or signage unless complex escape route.	a) 30-minute protected route with FD30S Fire Doors b) 30 mins separation to walls/ceilings between units of accommodation. c) 30 mins separation to cellar/basement (including door) d) Multi-purpose AFFF 6-litre foam or 1.5kg dry powder extinguisher required on each floor in escape route (subject to risk assessment under Fire Safety Order). Should fire extinguishers be present, see guidance on page 24 regarding fire extinguishers and alarm systems. e) Fire blanket in kitchen. f) Grade A LD2 Alarm system – interlinked smoke detectors to escape route plus each bedsit, lounge and cellar/basement, and heat detector to shared kitchen. To include control panel, call points and min 75db at bedhead. g) No requirement for emergency lighting or signage unless complex escape route.
	Fire Safety Order may apply in these property types.
	3 Storey (Bed-Sit) Cooking Facilities in bedrooms
	(Example D8)
	a) 30-minute protected route with FD30S Fire Doors b) 30 mins separation to walls/ceilings between units of accommodation.

	c) 30 mins separation to cellar/basement (including door) d) Multi-purpose AFFF 6-litre foam or 1.5kg dry powder extinguisher required on each floor in escape route (subject to risk assessment under Fire Safety Order). Should fire extinguishers be present, see guidance on page 24 regarding fire extinguishers and alarm systems. e) Fire blanket in kitchen. f) Grade A LD2 Alarm system – interlinked smoke detectors to escape route plus lounge and cellar/basement, and interlinked heat detector to each bedsit with cooking facilities. To include control panel, call points and min 75db at bedhead. PLUS Non interlinked Grade D smoke detectors in EACH bed-sit.
Fire Safety Order <u>does not</u> apply to this type of property.	Fire Safety Order applies to these property types.

Houses Converted to Self-Contained Flats

2 Storey	3 & 4 Storey
(Example D10)	(Example D11)
a) 30 minute protected common escape route with FD30S Fire Doors (with smoke seals) i.e., flat entrance doors. b) Within individual flats – sound, well-constructed and close-fitting doors. c) 30 mins separation to walls/ceilings between each flat. d) 30 mins separation to cellar/basement (including door) e) Multi-purpose AFFF 6-litre foam or 1.5kg dry powder extinguisher required on each floor in <u>common escape route</u> (subject to risk assessment under Fire Safety Order). f) Fire blanket in kitchen. g) Grade D LD2 Alarm system – interlinked smoke detectors to common escape route plus heat detector in entrance hall of each flat <u>PLUS</u> h) Non-interlinked Grade D smoke detectors in the hallway of each flat. No requirement for emergency lighting or signage unless complex escape route.	a) 30 minute protected common escape route with FD30S Fire Doors (with smoke seals) i.e., flat entrance doors. b) Within individual flats – sound, well-constructed and close-fitting doors. c) 30 mins separation to walls/ceilings between each flat. d) 30 mins separation to cellar/basement (including door) e) Multi-purpose AFFF 6-litre foam or 1.5kg dry powder extinguisher required on each floor in <u>common escape route</u> (subject to risk assessment under Fire Safety Order). Should fire extinguishers be present, see guidance on page 24 regarding fire extinguishers and alarm systems. f) Fire blanket in kitchen. g) Grade A LD2 Alarm system – interlinked smoke detectors to common escape route plus heat detector in entrance hall of each flat. To include control panel, call points and min 75db at bed head. <u>PLUS</u> h) Non-interlinked Grade D smoke detectors in the hallway of each flat. No requirement for emergency lighting or signage unless complex escape route.
Fire Safety Order applies to these property types.	

Fire Extinguishers and Alarm Systems

The provision of fire extinguishers can be useful in restricting the development and spread of small fires in their early stages. However, unless a fire is very small, the best advice is to evacuate the building to a place of safety and call the fire and rescue service. This is because for larger fires people need training to know what type of fire an extinguisher can safely be used on, how to tackle a fire safely, and when to give up and leave the property. The installation of extinguishers can also lead to problems if they are not properly maintained or where equipment is discharged through malice or horseplay. For these reasons extinguishers are not recommended inside units of accommodation unless there are resident staff who are trained in their use (a caretaker, housekeeper, warden or similar). In order to provide a facility for extinguishing small fires in their early stages, a simple multi-purpose extinguisher is recommended on each floor in the common parts of HMOs and buildings containing flats. It will not usually be practical to train contract holders in the use of these, but basic advice should be offered at the start of each new occupancy.

Where provided, fire extinguishers should:

- Comply with BS EN 3-7
- Be maintained in accordance with BS 5306-3 (see paragraph 32.7); and housing - fire safety 29
- Be appropriate to the risk.

In all HMOs where a [Fire Safety Order](#) applies (see page 28 for further details), including houses converted to self-contained flats and bedsits, multi-purpose extinguishers (type as above) are **required** unless the landlord can demonstrate through risk assessment that an acceptable level of safety can be achieved without the provision of extinguishers.

LD3 – A system incorporating detectors in circulation spaces that form part of the escape route from the dwelling only.

LD2 – A system incorporating detectors in circulation spaces that form part of the escape route, and in all rooms that present a high fire risk to occupants.

Grade D – A system of one or more mains powered smoke / heat alarms each with battery standby supply. There is no control panel.

Grade A – A system of mains powered smoke / heat detectors, which are linked to a control panel to give information on the location of the fire or any fault. In general, the system must incorporate manual call points, which should be located on each floor level and at final points of exit.

The fire detection and alarm system must be interlinked between the common parts of the residential accommodation and commercial premises.

Hostels, Guest Houses & Bed & Breakfasts

The standards for these premises will depend on the nature of the occupation and the appropriate standards would be applied from one of the other categories. Please contact the Environmental Health Housing Team for further information.

Residential Care Homes

The standards for these premises will depend on the nature of the occupation and the appropriate standards would be applied from one of the other categories. Please contact the Environmental Health Housing Team for further information.

Fire Blankets

Fire blankets must be provided in all kitchens. They should comply with BS 1869: current edition or equivalent be of light duty type which can deal with small fires and be mounted on the wall approximately 1.5m high and closer to the room exit than the cooking facility.

Emergency Lighting

Emergency lighting may be required if the protected escape route is not provided with adequate background lighting either natural or borrowed from street lighting to ensure the safe movement to the final exit door(s). Where emergency lighting is provided it must comply with BS5266-1: current edition. A yearly inspection should be completed by a competent engineer and a satisfactory certificate provided to EHHousing@newport.gov.uk as part of the HMO licencing application.

Other Fire Precautions

All escape routes must be kept clear of obstacles and combustible materials, this means there cannot be for example refuse, bicycles, ladders, clothing, condenser dryers etc. present in any hallway or landing. Regular management checks should be undertaken to ensure such areas are kept clear – this is a duty of the HMO manager.

The landlord must provide adequate fire safety instruction for residents and any employees. They must be brought to the attention of all tenants and must be kept available for inspection at the property.

Fridge/Freezers stored in bedrooms within 'shared house' type HMOs must have an annual PAT to ensure the electrical appliance is safe to use and not a fire hazard.

A fire precaution logbook must be used to record the periodic inspection and maintenance of the alarm system, and where applicable emergency lighting. It should be maintained and kept available for inspection at the property. If the property is to be left untenanted for 4 weeks or longer, the systems must be checked before tenants take up occupancy and always before re-letting the accommodation. An inspection should be completed by a competent engineer and a satisfactory certificate provided.

Any proposals to provide alternative means of protection in the event of fire (e.g. sprinkler systems) will be considered in consultation with the Fire Service.

Fire Separation

Every wall which forms part of the protected route of escape, must be 30 minutes fire resisting. Existing lath and plaster walls must retain their integrity and be in sound condition (the plaster must have a good key to the laths). Polystyrene tiles must be removed from ceilings. Where upgrading is necessary the application of 12.5mm plasterboard and 3mm

skim coat to the risk side will provide the necessary fire resistance. Walls may be over boarded using long reach nails.

Ensure gas and electrical meters in the escape route (if present) are 30 minutes fire resisting and can be accessed. An exemption to this is for all shared houses of not more than two storeys unless travel distances are long, or other high risk factors are present or if it is stated within the Fire Risk Assessment (refer to LACORS; Housing Fire Safety guidance: www.lacors.gov.uk)

A half hour fire resistant ceiling must separate any accommodation from the floor above. Existing ceilings construction with lath and plaster must be in sound condition (the plaster must have a good key to the laths). For separation between an occupied basement and the floor above, this resistance must be one hour. On un-boarded ceilings this can be achieved by over boarding with two layers of 12.5 mm plasterboard, fixed with staggered joints and 3mm skim coated.

Where sleeping accommodation is provided in basements there must be an alternative means of escape via a door or suitable escape window to the external ground level in addition to the access route from within the house.

Where residential accommodation is sited above commercial premises, generally there should be 60 minutes separation between the two. In lower risk commercial premises, it may be possible to reduce this to 30 minutes. The fire detection and alarm system must be interlinked between the common parts of the residential accommodation and commercial premises. Where upgrading to provide 60 minutes fire resistance is necessary, construct a 60-minute fire resistant ceiling of two layers 12.5mm plaster board (Gyproc Fireline) fixed with sherardised jagged plasterboard nails to the joist. Tapered edge joints and gaps should be filled and taped or provide a plaster skim finish.

Where an inner room (a room where the exit route would be through another risk room) is a bedroom on the ground or first floor and the exit is via a living room or kitchen, this is not permitted. An escape window must be provided in the bedroom with an unobstructed opening that has an area of at least 0.33m² with no dimension being less than 450mm and with a sill height between 800 – 1100mm from the floor. For use in an emergency, an additional key for the locking device must be permanently available from within the room. On second floors or higher, escape windows are not acceptable, and an alternative route will be required. Further advice can be sought from the Environmental Health Housing team.

Fire Doors

HMO fire doors, FD30 should be solid timber and capable of resisting fire for at least 30 minutes. They need to be self-closing and fitted in some cases with intumescent strips and smoke seals. Refer to the guidance above. The door frame must also be of a suitable fire-resistant standard. Fire doors should be installed and maintained in accordance with BS 476 parts 22 and 23 and BS 8214: current edition.

- **Self-Closing** - Fire doors should be fitted with a self-closing mechanism (like a dual speed hydraulic self-closer) to ensure they close properly after each use. A closer must be fitted to the door which is adequate for the size and weight of the door, the closer must be adjusted to ensure that the door closes smoothly and quietly into the rebate of the door frame overcoming any latching device. They should conform to BS 476: Parts 22 and 31 and BS 8214.

- **Intumescent Strips and Smoke Seals** - These are crucial for containing fire and smoke. Refer to the guidance above which HMO categories require these. Intumescent strips expand when heated, sealing gaps, while smoke seals prevent smoke passage, according to a fire safety guidance document. A smoke seal is placed in the same places as an intumescent strip, but it is always visible. While the intumescent strip blocks off the fire itself, the smoke seal is designed to only block smoke-protecting you from smoke inhalation. They must be fitted into the rebate of the fire door or to the door frame. Any lock or latch must be sleeved in Intumescent material. They should conform to BS 476: Parts 22 and 31 and BS 8214.
- **Door Gap** - The gap between the door and frame should be minimal, ideally no more than ideally 3mm, to prevent smoke and fire spread. Gaps around the door, around the top and sides between the door leaf and frame should be maximum of 4mm (2-4mm), the gap under the door typically should be 8-10mm unless if smoke seals are present then it should be reduced to 3mm.

Where the gap at the bottom of the door is more than 10mm, refer to the doors manufacturing guidance. Surface mounted drop-down smoke seals or rebated drop-down some seals can be fitted to existing fire doors if the gap at the bottom of the door is at a maximum 14mm gap. Ensure the door is suitably aligned. Fire doors should conform with BS 476: Parts 22 and 31 and BS 8214.

- **Door Frames** - The door frame must be of the same fire-resistant standard as the door to prevent premature failure. They should conform to BS 476: Parts 22 and 31 and BS 8214.
- Associated **hardware** and **ironmongery** (hinges/locks/handles) must be fire-rated to the same 30 mins fire resistant standard. They should conform to BS 476: Parts 22 and 31 and BS 8214.
- **Regular Checks** – Fire doors should be checked during the management routine inspection to ensure they continue to function correctly, and any defects should be rectified.
- **Training** - Installers and property owners should have a good understanding of fire door standards and regulations.
- Where FDs are fitted, they should have **verification of their compliance** with fire safety regulations. Where **new fire doors are fitted, certification** must be provided to EHHousing@newport.gov.uk.

In HMOs, fire doors with a 60-minute fire resistance rating FD60 are often required for escape routes and between specific areas, particularly where a higher level of fire protection is needed or where the fire risk assessment indicates it. These doors, frames, and all associated hardware and ironmongery (hinges/locks/handles) must be fire-rated to the same 60 mins fire resistant standard

- **Mixed-Use Buildings** - In HMOs that also have commercial spaces, FD60 doors might be needed to separate the residential and commercial areas.

- **Surrounding area** – where FD30 or FD60 fire doors are required and fitted, the surrounding wall and ceiling should be of the same fire resistance.
- **Fire Risk Assessment** - A fire risk assessment should be revised if there are gaps in safety measures and changes made. Also, a review should be regular.

Provide an enclosure to the consumer unit to provide at least 30 minutes fire resistance. This may be achieved by undertaking the following: Provide an enclosure consisting of 100mm x 50mm softwood framing faced with 12.5mm plasterboard both sides or alternatively 6mm fire protective board) to the inner side of the framework, scrim joints and apply minimum 3mm plaster skim to outer surface.

Provide a half hour fire resisting door. Where a fire door is to be cut down to fit a smaller door opening, with solid half hour fire resistant door blanks. Glue and screw down to the leaf edges hardwood lipping's once the door blank has been cut to the required size.

Ensure points where pipes or cables penetrate the cupboard are tightly sealed with a non-combustible compound capable of maintaining the half hour fire resisting integrity of the cupboard structure (e.g. intumescent foam, etc).

Where glazing panels are fitted in or above doors or in walls, they must be capable of providing at least the same fire resistance as the surrounding material.

Locks on room doors and any other door leading from the unit of accommodation on to the protected route of escape and the final exit door(s) must be capable of being opened from the inside without the use of keys 'thumb turn lock'. Hasp and staple/padlock type of fastening to bedroom doors are not permitted.

Any cupboard within the escape route must not be used for the storage of flammable materials unless they are fire resisting, kept locked shut and smoke alarms/detectors are fitted within them. Any exemption to this is for all shared houses of not more than two storeys whereby cupboards should be adequately managed so as not to present an additional risk.

Carbon Monoxide Alarms

Carbon monoxide (CO) is a gas, produced when carbon-based fuel, such as coal, wood, oil or natural gas, is burnt without enough oxygen. You cannot see, smell or taste it but it can injure and kill quickly. Not only is CO responsible for many deaths and poisonings each year, but many people are also likely to be affected by CO without realising it.

Alarms are essential in providing perhaps the only warning an occupier will have of the presence of CO, which is a 'silent killer' and almost every fatality results from the lack of early warning to its presence.

Oil and gas boilers, gas and open fires, and heaters and stoves fuelled by solid fuel, oil or gas, all have the potential to cause CO poisoning if they are poorly installed, poorly maintained or incorrectly used. This is more often because there is no proper ventilation for these appliances, or the flues or chimneys required to take the CO away are not fitted properly or are blocked.

The [Fitness For Human Habitation Regulations](#) require a landlord to ensure that a CO alarm is present in any room which has a gas, oil or solid fuel burning appliance installed by the landlord. A landlord is not required to install a CO alarm in any room which only contains an

appliance installed by the contract-holder. However, the landlord and contract-holder can agree for the landlord to provide an alarm in such instances.

Under the [Renting Homes \(Wales\) Act 2016](#), landlords are required to ensure that rented homes are fit for human habitation. This includes the installation of carbon monoxide (CO) alarms. The Welsh Government has set out specific regulations that landlords must follow to comply with this requirement.

The carbon monoxide alarm should comply with British Standard BS EN 50291 and be powered by either a battery designed to operate for the working life of the alarm (it should also have a warning device to alert users when the working life of the alarm is due to pass) or a mains-powered alarm with fixed wiring (not plug-in) and a sensor failure warning device.

Additional information on the causes and effects of carbon monoxide can be found at the [Public Health Wales website](#).

The placement of CO alarms should be considered carefully. Smoke alarms are normally placed on the ceiling because heat and smoke rise, but this is not always the best place to install CO detectors. Since the concentration of CO could reach dangerous levels before reaching ceiling height, CO alarms are sometimes installed lower than smoke alarms. The guidance accompanying carbon monoxide alarms should always be followed carefully, including noting the expiry date of the alarm. CO sensors are usually more fragile than those within smoke alarms and so CO alarms generally need to be replaced more regularly. The CO alarm must be present from the occupation date or from 1 December 2022, where the contract holder is already living in the property.

Fire Safety Orders

A Fire Safety Order, formally known as the **Regulatory Reform (Fire Safety) Order 2005**, is a key piece of legislation in England and Wales. It places responsibility for fire safety on the "responsible person" for a building, such as an employer, owner, or occupier of premises. The order applies to almost all non-domestic premises, including workplaces, public buildings, and shared areas of residential properties.

Key duties under the order include:

- Conducting a **fire risk assessment** to identify and mitigate risks. **Fire Risk Assessment** - A fire risk assessment should be revised if there are gaps in safety measures and changes made. Also, a review should be regular.
- Implementing and maintaining **fire safety measures**, such as fire alarms, extinguishers, and clear escape routes.
- Providing **fire safety training** to employees.
- Ensuring **emergency plans** are in place and communicated.

Minimum Energy Efficiency Standards (MEES)

Minimum energy efficiency standards (MEES) were introduced by the government to improve the quality and increase the energy efficiency of the worst performing privately rented houses and buildings.

It is unlawful for a landlord or agent to rent out a domestic property with an EPC rating of F or G unless they have a valid exemption in place.

If you currently let a property with an EPC rating of F or G, you must improve the property's rating to E immediately or register an exemption.

If you plan to let a property with an EPC rating of F or G, you need to improve the property's rating to E, or register an exemption, before you start a new contract.

You will find more information about MEES on the www.gov.uk.

Exemptions - MEES

If an exemption applies to a property, a landlord must register and provide evidence of this on the [PRS Exemptions Register](#)

Energy Performance Certificates (EPC)

In 2008, the Government introduced EPC's. An EPC is a certificate that shows how energy efficient a property is.

They are issued by a qualified EPC assessor, and the EPC gives a rating from A (very efficient) to G (inefficient). Any properties that are rented need to have one.

The EPC will recommend improvements to the property and show what the energy efficiency rating could be if the improvements were made.

The certificate is valid for 10 years and required whenever a property is built, sold or rented. The EPC should be made available at the earliest opportunity and free of charge.

A landlord cannot serve a valid eviction notice where they have failed to provide the contract holder with a copy of the EPC when they are required to.

If an Energy Performance Certificate (EPC) fails to meet the required standards in Wales, Trading Standards can take action to ensure compliance. Here are some key points:

- **Legal Requirement:** Landlords and property sellers must provide a valid EPC when renting or selling a property. The EPC must meet the required energy efficiency standards.
- **Enforcement:** Trading Standards officers have the authority to enforce EPC regulations. They can issue penalties and take legal action against non-compliant landlords or sellers.
- **Penalties:** Failure to provide a valid EPC can result in fines. The amount of the fine can vary depending on the severity of the non-compliance.
- **Guidance and Support:** Trading Standards can provide guidance and support to landlords and property sellers to help them meet the EPC requirements.

For more detailed information, you can refer to the [Trading Standards Wales website](#) and the [Energy Performance Certificates guidance](#).

Enforcement and penalties – MEES and EPCs

The Minimum energy efficiency standard (MEES) Regulations are enforced by local authorities, who have a range of powers to check and ensure compliance.

The Regulations mean that, since 1 April 2018, private landlords may not let domestic properties on new tenancies to new or existing tenants if the Energy Efficiency Certificate (EPC) rating is F or G (unless an exemption applies).

From the 1st of April 2020 the prohibition on letting F and G properties will extend to all relevant properties, even where there has been no change in tenancy.

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

Non-compliance with the Regulations

The local authority may check for different forms of non-compliance, including one or more of the following:

- From 1 April 2018, you let your property in breach of the Regulations.
- From 1 April 2020, you continue to let your property in breach of the Regulations.
- You have registered any false or misleading information on the PRS Exemptions Register. Failure to register an exemption can result in penalties. For example, landlords may face fines for letting a property with an EPC rating of F or G without a valid exemption. The penalties can range from £2,000 to £5,000, depending on the duration of the breach and the nature of the non-compliance.

If you need more detailed information, you can check out the guidance on [PRS exemptions](#) and the [landlord guidance on MEES](#).

Exemptions - MEES

The regulations stop landlords from letting properties with an EPC rating below E. There are some exemptions, for which landlords must apply as soon as possible to stay compliant. These are recorded on the private rented sector exemptions register.

Exemptions include:

- Where improvements up to the value of £3,500 (inc. VAT) have been made but the property still cannot achieve an E rating
- High-cost exemption - where the cheapest improvement works exceeds £3,500 (where no low-cost measures are available)
- Wall insulation isn't suitable
- Third party consent has been denied - i.e. local planning authority, freeholder etc
- Property devaluation
- Six-month temporary exemption for a new landlord

Exemptions are time-limited, and most expire after 5 years. Unlike an EPC, which stays with a property, exemptions are linked to the landlord who registered the exemption.

EPCs are not required for the certain types of rented accommodation including a room in a hall or residence or hostel and bedsits or room lets where there is a shared kitchen, toilet and/or bathroom. (These types of properties usually have individual tenancy agreements for each room.)

Visit the [GOV.UK website](https://www.gov.uk) for more information and to register an exemption.

Penalties - MEES

Landlords must not market or let the property unless there is an EPC rating of E or above. They must also register a valid PRS exemption on the PRS exemptions register and provide the contract holder a copy of the EPC. Failure to do any of these is a breach of the regulations.

If the council finds that a property in Newport has been let in breach of the regulations, it can serve a financial penalty (of up to £5000) up to 18 months after the breach. The council may also publish details of the breach for at least 12 months.

The maximum penalties are applicable per property and per breach of the regulations.

Furniture and Furnishings Regulations Precautions

All furniture within lettings commencing after 1st January 1997 must meet fire resistance requirements. All new furniture must carry a permanent label stating that it complies with the fire resistance standards.

The HMO licence holder shall only supply furniture to the property that complies with the requirements of the Furniture and Furnishings (Fire Safety) Regulations 1998. All such furniture is to be kept in safe condition and good repair. This requirement also applies to covers and fillings of cushions provided.

Documentation supporting the furniture's compliance with these requirements, or a signed declaration to this effect, must be placed in a logbook. The licence holder shall provide the Council with a declaration to this effect upon demand.

Ventilation within bedrooms

Where there is only an external exit door fitted within a bedroom one of the below options will need to be carried out:

- Change a panel within the door to an openable window.
- Change the door to a tilt and turn door.
- Install an openable window. The window will need to be fitted by a FENSA registered contractor or alternatively Building Regulation permission sought.
- Install a security restrictor, to restrict the door from being opened wider than 10cms. The restrictor shall be unable to be opened from the outside and provide a passive vent/air brick to the bedroom external wall.

If you have any queries on ventilation requirements, please contact the Environmental Health Housing Team on Tel: 01633 656656 or email: EHHousing@newport.gov.uk.

Harassment and illegal eviction

The law protects contract-holders (tenants) against harassment and illegal eviction.

Harassment can include:

- withdrawal of water, gas, and electrical services
- withholding keys
- threats of physical violence
- failure to carry out repairs
- repairs which are not completed
- large rent increases - [Rent and rent increases - Shelter Cymru](#)

The contract-holder may have a right to claim damages through a court.

It's also a criminal offence if landlords make contract holders:

- give up their tenancy rights
- leave the property before they have to by law
- It can count as harassment if someone else acts on behalf of the landlord.

Landlords can only end a contract in certain circumstances and with the appropriate notice, for full details visit the [Welsh government](#) website.

If a contract-holder believes they are being harassed or illegally evicted, they should not leave the property and should obtain further advice from the [Home Options website](#).

Environmental health housing should be contacted if a contract-holder considers they are illegally evicted or harassed. The council will consider findings and will decide whether to prosecute the owner. To contact the housing environmental health team email EHHousing@newport.gov.uk. If the owner is found guilty of an illegal eviction or harassment, the owner can be fined an unlimited amount and will receive a criminal punishment as determined by the Court.

Notice periods to end a contract

If a contract-holder breaches the contract, the minimum notice period that must be provided is one month.

This can be shorter if there is a breach of anti-social behaviour or the serious rent arrears terms.

Where a no-fault notice is issued, the minimum notice period that must be given is 6 months.

A landlord cannot give a notice until:

- 6 months after the contract starts

- they have followed certain obligations (registration and licensing with Rent Smart Wales and deposit protection rules)

A landlord break clause can only be incorporated into a fixed term occupation contract if the contract has a fixed term of 2 years or more.

Landlords cannot exercise a break clause within the first 18 months of occupation

Landlords seeking possession

The minimum notice period for a landlord to terminate a contract is six months, the landlord is not able to serve this notice during the first six months of the contract.

Serious rent arrears

If the contract-holder falls into 'serious rent arrears' the landlord may make a possession claim to the court after 14 days, but no later than 6 months, from the date of the notice served.

'Serious rent arrears' is defined as:

- two months unpaid rent where rent is payable monthly
- eight weeks unpaid rent where rent is payable weekly
- three months in rent arrears where the rental period is quarterly
- 25 per cent of the rent is more than three months in arrears where the rental period is a yearly

Illegal eviction

It is against the law for a landlord to use violence, or threaten to use violence, in order to enter a property when someone inside is opposed to that entry.

- changing locks when the contract-holder(s) are out
- being physically forced out of their rental home
- being physically unable to enter their rental home

Landlords must follow the law and can only evict you for certain reasons, this can include serious rent arrears and anti-social behaviour.

General Conditions and Management Arrangements

When operating a HMO property a licence holder/manager/managing agent have certain conditions and management obligations that they need to comply with.

When the licence holder has not employed a letting/managing agency or depending upon the letting/managing agency contract, the licence holder maybe the manager.

All properties need to be maintained in good repair and in a safe and clean condition.

Prior to a licence being issued (new/initial or renewal application) a full inspection of the property will be carried out. The property will also be subject to further risk-based

inspections throughout the duration of the licence. Access will be required to all rooms and the tenants should be given reasonable notice.

In Wales there are two different sets of management regulations.

The regulations place requirements on landlords, managers and contract holders.

They are:

- [The Management of Houses in Multiple Occupation \(Wales\) Regulations 2006.](#) which is for all HMOs.
- The Licensing and Management of Houses in Multiple Occupation ([Additional Provisions](#)) ([Wales](#)) [Regulations 2007](#) for all other HMOs

It is an offence under the Housing Act 2004, Section 234 to fail to follow these regulations and can lead to a criminal prosecution and upon summary conviction would receive an unlimited fine under Scale 5.

The Management Regulations impose duties on both managers and the occupiers of a HMO.

In brief, Managers must ensure that:

Safety Measures are taken to ensure that: -

- Means of escape from fire are in good order and free from obstruction
- Any firefighting equipment and alarms are maintained
- All fire escape notices are visibly displayed
- All other safety measures reasonably required to protect the occupiers must be taken having regard to design, structure and number of occupants of the HMO, particularly in relation to making safe any roof or balcony that are accessible and any window cills at or near floor level are suitably protected.
- Management details are supplied and displayed in the HMO
- Water supply and drainage are maintained
- Gas and electricity and installations are maintained and safe
- Common parts are in good condition, safe, clear of obstruction and clean, and particularly that handrails, banisters, stair coverings, windows, light fittings, and all other fixtures, fittings or appliances that are shared are in good order, safe and suitable.
- Externally, all gardens, outbuildings, yards, forecourts, boundary walls and fences of the HMO must be similarly kept in good order and safe.

The manager is also given certain responsibilities in respect of the disposal of refuse and litter, and the taking of reasonable precautions to protect occupiers and lodgers from dangers resulting from structural conditions or collapse within the property.

Occupiers also have responsibilities under the regulations being not to hinder nor frustrate the manager; allowing the manager access at all reasonable times; not to prevent the manager carrying out their legal duties, providing relevant information; avoid causing damage; disposing of waste following arrangements; and complying with fire safety instructions.

It is an offence to fail to follow these regulations which can lead to a criminal prosecution under the Housing Act 2004, Section 234 and upon summary conviction will be granted an unlimited fine under Scale 5.

The property should conform to the standards adopted by Newport City Council. Planning permission may also be needed for houses in multiple occupation.

Under the Town and Country Planning (Use Classes) Order 1987, shared houses with three or more occupiers or properties converted into flats or bedsits need planning consent.

It is the responsibility of the owner or person in control of the property to obtain the correct planning or building regulations.

HMO Licences are not transferable, any change in ownership will require a new HMO application to be submitted and a new property inspection carried out. Changes in management and variations in numbers of rooms also require an application form to be completed. Application form can be found online via please visit www.newport.gov.uk/hmo.

Before the Council can grant a licence, it must determine whether the proposed licence holder or proposed manager of the property is a fit and proper person. Further information can be found within the [HMO application guidance notes](#).

EH Housing Property Inspections

Inspections will be undertaken during the licence period and consist of the following:

Compliance with Licensing Conditions – see page 38 for licence conditions and compliance details.

Compliance with the [Management Regulations](#)

Compliance with the following acts:

[Rent Smart Wales Code of Practice](#)

[Housing Health and Safety Rating System \(HHSRS\)](#)

[Fitness for Human Habitation](#)

[Renting Homes Wales Act](#)

[Housing Act 2004](#)

[Newport City Council Licence Conditions](#)

Newport City Council provides detailed information on housing conditions and defects, focusing on the Housing Health and Safety Rating System (HHSRS). This system, introduced by the Housing Act 2004, assesses 29 potential hazards in a property, such as damp and mould, excess cold or heat, pollutants, lack of space, security, or lighting, excessive noise, poor hygiene or sanitation, water supply, drainage, and various types of accidents.

Hazards are categorized into two types:

- **Category 1 Hazards:** These are considered serious, and the local authority has a duty to take the most appropriate action to eliminate them.
- **Category 2 Hazards:** These are less serious, and the local authority has the discretion to take action to resolve them.

If a property is found to have unacceptable hazards, the council will contact the landlord with a report outlining how to remedy the identified hazards. If the landlord does not comply, enforcement action can be taken.

For more detailed information, you can visit the [Newport City Council's housing conditions and defects page](#).

Any works which are required because of an inspection must be undertaken within a specified time frame otherwise Newport City Council may consider it necessary to serve a legal notice and/or instigate legal proceedings.

The [Public Protection Enforcement Policy](#) is available via the website.

Housing Health and Safety Rating System (HHSRS) - 29 hazards	
• Damp and mould growth. • Excess cold • Excess heat • Asbestos • Biocides • Carbon monoxide and fuel combustion products • Lead • Radiation • Uncombusted fuel gas • Volatile Organic Compounds • Crowding and Space • Entry by Intruders • Lighting • Noise • Domestic Hygiene, Pests, Refuse	• Food Safety • Personal Hygiene, Sanitation and Drainage • Water Supply • Falls associated with baths etc. • Falls associated on level surfaces etc. • Falling on stairs etc. • Falling between levels • Electrical Hazards • Fire • Flames, Hot surfaces etc. • Collision and Entrapment • Explosions • Position and operability of amenities etc. • Structural collapse and falling elements

The Housing Act 2004, Section 49 allows local authorities to recover the cost of serving formal notices. These notices are served if the property is in disrepair and requires property owners to undertake work to deal with Category 1 or 2 hazards, or both. Such hazards are assessed using the Housing Health and Safety Rating System. Such formal notices may include:

- A Hazard Awareness Notice
- An Improvement Notice
- A Prohibition Order
- Emergency Remedial Action
- Emergency Prohibition Order

There is a charge of £485.06 for each formal notice and a £65.30 charge for each additional notice served on another recipient at the same time. If such a formal notice is served, the

Environmental Health Housing Team will retain this on file and will consider the notice when Fit and Proper is determined. Also, the team will record the notice on the land charge relating to the property until the works are completed and the notice charge is paid. This charge will show on searches if the property is sold. In addition, the notice is reported to Rent Smart Wales who will consider this when determining Fit and Proper. Such notices can also be shared across other Local Authorities and can be considered. Following enforcement policies, Local Authorities can take such formal notices into account when determining any future action i.e. all action maybe formal rather than providing an informal timescale for compliance.

If the repairs in the notice are not carried out by the responsible person we may prosecute as this is a criminal offence and upon summary conviction you would receive an unlimited fine. Alternatively, the council may undertake work and will incur costs. The cost of the works and an additional 10% - 20% administration charge will be invoiced to the responsible person, and this will be land charged against the property involved. The finance team will arrange a repayment plan.

If you receive a formal Housing Act 2004 notice and would like to discuss the situation, please contact EH Housing.

Standards for Accommodation

To determine the number of occupants who may occupy the house, consideration must be given to the number, type, and quality of amenities available in the property. The standards on the following pages will be applied to all properties subject to licensing.

Where reasonably practicable all HMO licensing standards must be complied with. However, every case will be considered on its own merits as Councils cannot apply a blanket set of standards for all HMOs in its district taking no account of the individual circumstances of the HMO in question. This will particularly be in respect of those standards that are not prescribed by legislation. If you have any queries about standards, please contact the Environmental Health Housing team via EHHousing@newport.gov.uk or telephone Newport City Council's contact centre: 01633 656656.

Non-compliance

Failure to adequately manage a House in Multiple Occupation or comply with any conditions attached to the HMO licence may result in a criminal fine on conviction with an unlimited fine for each offence.

[Section 72 of Housing Act 2004](#) makes it an offence punishable by an unlimited fine if a person controlling or managing an HMO does not have the required licence. However, no offence is committed by a person who has an outstanding application either for a licence or for a temporary exemption.

An offence is also committed when a licence holder knowingly permits the HMO to be occupied by more persons than are permitted to occupy it under the licence. Under the Housing Act 2004, landlords who operate a licensable HMO without a licence can face unlimited fines if prosecuted in the Magistrates' Court. A prosecution will be subject to a fit & proper assessment. The outcome could result in:

- **Unlimited Fines:** Landlords can face prosecution in the Magistrates' Court, resulting in unlimited fines.
- **Rent Repayment Orders:** Tenants/contract holders may apply for a rent repayment order, which could require landlords to repay rent collected during

the period the HMO was unlicensed. Applications can be made via www.residentialpropertytribunal.gov.wales

- **Legal Action:** Local authorities can take enforcement action against landlords who fail to comply with licensing requirements.
- **Invalid Possession Notices:** If a landlord is not registered with Rent Smart Wales, any possession notice they issue may be deemed invalid
- **Unable to act as a licence holder** or manager: If you an owner or agent is found guilty of managing an unlicensed HMO they may be prevented from managing acting as a licence holder or manager.

HMO Licencing Standards & Conditions

Below is an example of the licencing standards & conditions which will be included on every HMO licences. After a property has been inspected the officer will provide a schedule of works outline any work that needs to be completed and will determine a time scale for works to be completed.

Works required will be broken down into the following categories Schedule 1 Fire Safety, Schedule 2 Amenities Standards and Additional Conditions.

Example of licence conditions & requirements

HOUSING ACT 2004

LICENCE CONDITIONS & REQUIREMENTS

Any reference to 'the Council' shall mean Newport City Council which relates to department: Environmental Health Housing, Newport City Council, Civic Centre, Newport NP20 4UR, Telephone: 01633 656656 or email: EHHousing@newport.gov.uk

IMPORTANT:

PLEASE READ THIS DOCUMENT CAREFULLY AS IT CONTAINS THE CONDITIONS ATTACHED TO YOUR LICENCE. THE CONDITIONS MUST BE COMPLIED WITH AND MAY INCLUDE A REQUIREMENT TO UNDERTAKE WORKS WITHIN A SPECIFIED TIMESCALE.

FAILURE TO COMPLY WITH ANY CONDITION ATTACHED TO THIS LICENCE IS AN OFFENCE AND LEGAL PROCEEDINGS MAY BE TAKEN AGAINST THE LICENCE HOLDER WITH AN UNLIMITED FINE.

1. The maximum number of persons residing at the property shall not exceed the maximum number stated on the licence. Contact EHHousing@newport.gov.uk prior to making any changes to determine if they are permissible, and to determine if the HMO licence requires variation.
2. The use and level of occupancy of each room shall not be changed without the approval of the Council. Contact EHHousing@newport.gov.uk prior to making any

changes to determine if they are permissible, and to determine if the HMO licence requires variation.

3. Any material changes of circumstances in respect of the licence holder, manager or anyone else involved with the property, the property itself or its management must be notified to the Council within seven days of such a change occurring. This includes change of contact details.
4. No alteration that may impact on the licence conditions will be made to the property without prior notification and consultation with the Council.
5. The licence holder shall supply all occupiers of the house with a written statement of the terms on which they occupy it - occupation contract.
6. The licence holder shall provide each new occupier/contract holder at the start of their occupancy with as detailed: [Renting Homes: checklist for landlords and tenants](#) and in addition:
 - a) Provision of a [written statement of occupation contract](#) - s.31 Renting Homes (Wales) Act 2016, this is the agreement between the tenant or licensee called the 'contract-holder' – and their landlord. Most people who rent their home from a private landlord should receive a particular kind of occupation contract called a 'standard contract'. This will either be a fixed term standard contract or a periodic standard contract. Refer to [Standard occupation contracts: guidance](#)
 - b) Provision of information about the landlord (or agent) [form RHW2](#) - ss. 39-40, Renting Homes (Wales) Act 2016
 - c) Written information on recycling and refuse storage, collection, and disposal arrangements. Refer to [Waste & Recycling | Newport City Council](#).
 - d) Written information on procedures for the escape from the building in case of fire, including, but not limited to, understanding the alarm, the importance of fire doors and protecting the escape route, keeping the escape route free from obstruction and the use of fire-fighting equipment provided. The licence holder shall ensure that all occupiers are fully aware of procedures for dealing with false fire alarms.
 - e) Written details should outline the Landlord's obligation: fitness for human habitations - s.91, Renting Homes (Wales) Act 2016 and The Renting Homes (Fitness for Human Habitation) (Wales) Regulations 2022 - requires the landlord to make sure the home is 'fit for human habitation' (FFHH). The contract holder should be provided with information on how the dwelling meets the [Fitness For Human Habitation](#) (FFHH) requirements. The Renting Homes (Fitness for Human Habitation) (Wales) Regulations set out the 'matters and circumstances' to be considered when deciding whether a property is fit or not. If the property doesn't at any time meet such requirements, the licence holder should detail to the contract holder who to contact and how. Such written details should include arrangements that are in place for dealing with repairs or works which are needed to the premises or to any facilities, equipment or appliances supplied by the landlord. This should include the names, telephone numbers and email addresses of the details of any arrangements made with the managers, tradesmen, or other contractors for carrying out these services.
 - f) Written information on expected standards of behaviour and the potential consequence of anti-social behaviour by the occupiers and or visitors they may have which is detailed under Noise and Antisocial Behaviour.
 - g) Provision of information regarding holding deposits and the protection of deposit in an authorised scheme - a government approved tenancy deposit scheme - Schedule 2, Renting Homes (Fees Etc) Wales Act 2019 and The Renting

- Homes (Fees etc.) (Holding Deposit) (Specified Information) (Wales) Regulations 2019, s.45 Renting Homes (Wales) Act 2016 and The Renting Homes (Deposit Schemes) (Required Information) (Wales) Regulations 2022.
- h) Provision of a copy of valid **EPC** for the dwelling - s.6, Energy Performance of Buildings (England and Wales) Regulations 2012.
 - i) Provision of a copy of a valid Electrical Condition Report (ECR) - Regulation 6, The Renting Homes (Fitness for Human Habitation) (Wales) Regulations 2022.
 - j) Provision of a copy of a valid Gas Safety Certificate - Regulation 36, Gas Safety (Installation and Use) Regulations 1998.
7. The licence holder shall ensure that each contract holder, following receipt of the information above, signs the declaration of Understanding included as Appendix A to this licence. A copy of the signed Declaration must be kept in a logbook and submitted to the Council on demand within seven days of such a request being made.
8. Should the licence holder reside over 50 miles from the City of Newport, then a competent manager residing within 50 miles of the Authority's area must be appointed.
9. All reasonable requests for access to the property by the local authority must be met and the licence holder or manager shall ensure that such access is gained. If access is not permitted to all rooms within the property, or if the Environmental Health Housing Team is not notified of the cancellation within 48 hours of the original appointment, a charge will be incurred.
10. The licence holder shall ensure they are registered with Rent Smart Wales. If the landlord conducts letting and managing at the property, they must hold a Rent Smart Wales licence to do so or alternatively appoint a licensed agent to let and manage the property on their behalf. In addition to adhering to these HMO licence conditions, all landlords who let and manage their property shall ensure they adhere to their Rent Smart Wales licence conditions.

Condition of the Property

11. The licence holder shall ensure that all issues concerning repairs to the fabric of the building, appliances, equipment, and furniture notified to them by the contract holder, Council or visitors are undertaken within an appropriate timescale depending on the risk and urgency of works.
12. The licence holder shall maintain in good condition the external appearance of the house including gardens, boundary walls and fences.
13. All gardens, yards and forecourts shall be kept free from refuse, litter or other accumulations and shall be maintained in a clean and tidy condition.
14. The licence holder shall ensure that the property complies with the Council's adopted space standard.
15. If gas is supplied to the property, the licence holder shall produce annually and on demand to the Council, a satisfactory gas safety certificate for the property dated within the last 12 months. This shall be from a contractor registered with Gas Safe Register for each gas installation, appliance and flue provided by the licence holder within the property.

16. The licence holder shall submit to the Council, on demand a current satisfactory electrical safety test and inspection certificates for each electrical installation within the property, including any landlord supply. Such certificates should be provided by contractors who are members of an appropriate trade association or council which ensures their competence (or who can otherwise demonstrate their competence to the Council e.g. by registration for the purposes of Part P of the Building Regulations 2010).
17. The licence holder shall ensure that the electrical installation condition report for the property is renewed every five years at a minimum. All code 1 and 2 works listed in the Defects and Suggestions section on the electrical report shall be undertaken and remedied to a satisfactory standard. On demand, the licence holder shall supply the report to the Council.
18. The licence holder shall keep all electrical appliances supplied by them to the house in a safe condition. An annual Portable Appliance Testing: PAT test certificate shall be provided to the Council as evidence.
19. Electrical installations providing power to the fire alarms or emergency lighting (if applicable) systems must not be supplied via token meters or via any occupier's metered supply.
20. The licence holder shall ensure there is a continuous mains electrical supply and that there is no interruption that would affect the functioning of the fire alarm system and emergency lighting system (if applicable) to the whole property.
21. The licence holder shall only supply furniture to the property that complies with the requirements of the Furniture and Furnishings (Fire Safety) Regulations 1998. All such furniture is to be kept in safe condition and good repair. This requirement also applies to covers and fillings of cushions provided. Documentation supporting the furniture's compliance with these requirements, or a signed declaration to this effect, must be placed in a logbook. The licence holder shall provide the Council with a declaration to this effect upon demand.
22. The licence holder shall ensure that there are appropriate means of escape; fire precaution facilities and equipment are provided at the property in line with the Council's adopted standard. The licence holder shall ensure that any works listed in Schedule 1 to this licence are carried out and completed within the specified time period in respect of this requirement. The licence holder shall provide the Council with a declaration, on demand as to the design, installation and condition of the system.
23. The licence holder shall ensure that all fire alarm, emergency lighting and fire extinguishers provided at the property are serviced and tested annually and maintained according to the manufacturer's instructions and/or relevant British or International standards. Any defects shall be remedied immediately. Such testing certificates and any repair works shall be provided and undertaken by contractors who are members of an appropriate trade association or council which ensures their competence or who can demonstrate their competence to the Council. All documentation relevant to the annual servicing of this equipment must be kept in a logbook. This record must be available for inspection by the Council on demand.
24. The licence holder shall ensure that an explanation is given to each contract holder at the beginning of their occupancy regarding all fire precautions and facilities

provided in the house. This should include, but is not limited to, understanding the alarm, the importance of fire doors and protecting the escape route, keeping the escape route free of obstructions and the use of fire-fighting equipment. Following the receipt of such instructions, each contract holder must sign the Declaration of Understanding included in Appendix A to this licence. A copy of each signed declaration must be placed in a logbook and submitted to the Council within seven days of such a request being made.

25. The licence holder shall ensure that the Council is informed of a fire occurrence at the property within 24 hours of the fire occurrence being notified to the licence holder or their nominated representative.

26. The provision of fire blankets and fire extinguishers:

26.1 The provision of fire blankets and simple fire extinguishers can be useful in restricting the development and spread of small fires in their early stages. However, unless a fire is very small, the best advice is to evacuate the building to a place of safety and call the fire and rescue service. This is because for larger fires people need training to know what type of fire an extinguisher can safely be used on, how to tackle a fire safely, and when to give up and leave the property. The installation of extinguishers can also lead to problems if they are not properly maintained or where equipment is discharged through malice or horseplay. For these reasons extinguishers are not recommended inside units of accommodation unless there are resident staff who are trained in their use (a caretaker, housekeeper, warden or similar). In order to provide a facility for extinguishing small fires in their early stages, a simple multi-purpose extinguisher is recommended on each floor in the common parts of HMOs and buildings containing flats. It will not usually be practical to train contract holders in the use of these, but basic advice should be offered at the start of each new occupancy.

26.2 Fire blankets are recommended as good practice in kitchens of all premises covered by this guide, including single household occupation and bedsit rooms.

26.3 Fire blankets should:

- comply with BS 6575 or equivalent;
- be of 'light duty' type which are capable of dealing with small fires such as cooking fires or fires involving clothing; and
- be mounted on the wall approximately 1.5m high and closer to the room exit than the cooking facility.

26.4 Where provided, fire extinguishers should:

- comply with BS EN 3-7
- be maintained in accordance with BS 5306-3 (see paragraph 32.7); and housing - fire safety 29
- be appropriate to the risk.

26.5 Extinguishers should be located as follows:

- on a dedicated stand or hung on wall brackets with the handle approximately 1.5m from floor level;
- in a position such that they do not obstruct the escape route;
- close to the exit position from each floor; Should fire extinguishers be present, see guidance on page 24 in regard to fire extinguishers and alarm systems.
- not obstructed by opening doors and not in recesses out of sight; and
- away from heaters or areas where they may be subject to damage

27. The licence holder shall ensure that arrangements for an appropriate person having a connection with the property, is available continuously in the event of a false alarm to attend and ensure the fire alarm is reset as soon as possible.
28. The licence holder shall ensure anything considered as emergency work must be fixed within 24 hours e.g., boiler breakdown / no electricity / no access to water etc.
29. The licence holder shall provide a carbon monoxide alarm in any room which has a gas, oil, or solid fuel-burning appliance. The carbon monoxide alarm should comply with British Standard BS EN 50291 and be powered by either a battery designed to operate for the working life of the alarm (it should also have a warning device to alert users when the working life of the alarm is due to pass) or a mains-powered alarm with fixed wiring (not plug-in) and a sensor failure warning device.
30. The licence holder shall ensure the property has a minimum energy performance rating of E and shall provide satisfactory certification to the Council to provide evidence. Properties rated F or G should not be rented as prescribed under [The Energy Efficiency \(Private Rented Property\) \(England and Wales\) Regulations 2015 \(legislation.gov.uk\)](#). Further information can be found at [Energy Performance Certificates guidance](#). The licence holder shall ensure the property complies with the Domestic Minimum Energy Efficiency Standard (MEES) Regulations [Domestic private rented property: minimum energy efficiency standard - landlord guidance](#).
31. The amenities provided at the property must meet minimum prescribed standards, having regard to the number of occupiers for which a licence has been granted. The licence holder shall ensure that any works listed in Schedule 2 to this licence are carried out and completed within the specified time period
32. If the licence holder wishes to increase the permitted number of contract holders, he/she shall make an application for variation of the licence conditions. Additional contract holders may not be allowed to take up residence until such time as formal variation of the licence conditions has been approved and the necessary facilities have been provided.

Waste

33. It is the duty of the licence holder to ensure that suitable and sufficient receptacles or storage facilities for the storage of general household waste and recyclable waste are provided at the start of every contract for waste pending its collection, to prevent access to the waste by animals and birds or unauthorised users.
34. It is the duty of the licence holder to ensure there is suitable and sufficient storage area to accommodate residual and recycling waste receptacles. All refuse and recycling containers and bins must be stored within the curtilage of the HMO, or if this is not possible they shall be stored in a lockable storage area or seek approval from the NCC Waste and Recycling Teams and Environmental Health Housing via telephone number: 01633 656656 email: info@newport.gov.uk and EHHousing@newport.gov.uk.
35. The licence holder shall apply for domestic residual waste receptacles, recycling receptacles or storage facilities by contacting Newport City Council, Waste and Cleansing, Newport NP20 4UR Tel number: 01633 656656 or order online at www.newport.gov.uk/en/Waste-Recycling/Order-new-bags-and-bins. There may be a charge for such receptacles or storage facilities.

36. The domestic refuse entitlement bin size is detailed below, and the licence holder is entitled to one domestic wheelie bin per property where council tax is paid (no matter who pays council tax). For recycling collections, the entitlement depends upon the number of households. The entitlement for domestic waste and recycling is detailed below:

RESIDUAL WASTE		
One Council Tax	Bin entitlement	Whilst awaiting bin
Up to 4 people	120 litre bin	2 sacks
5-7 people	180 litre bin	3 sacks
8 or more	240 litre bin	4 sacks

Individual Council Tax	Bin entitlement	Whilst awaiting bin
Up to 4 people	120 litre bin	2 sacks
5-7 people	180 litre bin	3 sacks
8 or more people	240 litre bin	4 sacks

Capacity (litre)	Width (mm)	Depth (mm)	Height (mm)
240	575	730	1060
360	580	875	1080
660	1360	780	1190

RECYCLING			
Individual properties		Flats	
Regardless of no. of residents	1 green box for glass bottles and jars, and small electrical items	Kerbside boxes (see column on the left)	Up to 5 flats
	1 reusable red bag for mixed metals and plastics, including: - metal cans, tins, aerosols, and foil, - plastic bottles, pots, tubs, and trays, and - food and drink cartons (such as Tetra Pak and crisp tubes).	1 x 660 litre card/paper; 1 x 660 plastic/cans; 1 x 240 glass; 1 x 240 food + food caddies.	6 - 12 flats

	1 reusable blue bag cardboard and paper, and	1 x 1100 litre card/paper; 1 x 1100 plastic/cans; 1 x 360 glass; 1 x 240 food + food caddies	12 - 18 flats
	1 small food caddie (internal) and 1 big food caddie (external) for food waste	2 x 660 litre card/paper; 2 x 660 plastic/cans; 2 x 360 glass; 1 x 240 food + food caddies	18 - 24 flats

37. With HMO's that have four or more contract holders (this applies to flats if there are more than 4 contract holders, or shared accommodation if there are more than 4 people separately paying council tax), the HMO will require site inspections to assess the storage area and to determine the level of receptacles required. It is the licence holder's responsibility at the start of the occupation contract to arrange the site inspection with the NCC Waste and Recycling Teams; this can be arranged with Newport City Council Contract Centre via telephone number: 01633 656656.
38. At the issue of the licence, if the property does not meet these requirements; the licence holder shall complete the works outlined in the attached appendix within a period of (insert timescale) of the date of the licence.
39. The licence holder shall notify Newport City Council's NCC Waste and Recycling Teams immediately upon notice of a lost/stolen or damaged bin recycling receptacles or storage facilities to request a replacement online at www.newport.gov.uk/en/Waste-Recycling/Order-new-bags-and-bins.aspx. Failure to notify, could result in the properties waste not being collected
40. The Licence holder shall ensure that an explanation is provided to contract holders at the beginning of their occupancy, regarding the storage and disposal arrangements in place in respect of their waste. The bins and containers shall be presented for collection by 6:00am on the day of collection regardless of what time the crew usually arrives. Furthermore, the licence holder shall obtain and keep safe at the beginning of any occupancy, the signed declaration of each occupier understanding of the arrangements, and their agreement to abide by them. The Declaration of Understanding required is included in Appendix A to this licence. Copies of the signed declaration shall be kept in a logbook and submitted to the local authority within seven days of such a request being made.
41. The licence holder shall ensure that wherever possible any waste arising from building work or improvements to the house, does not accumulate in the curtilage to the property. Where such accumulations are unavoidable, they shall be removed without delay to a licensed waste disposal facility.
42. The licence holder shall take all reasonable steps as a diligent property manager to ensure that all contract holders store and dispose of their waste in a proper manner. Such steps may include verbal or written advice etc. as appropriate. If waste does accumulate, the licence holder shall arrange for a registered waste carrier to remove the waste or shall remove the waste themselves by taking it to a suitably licensed refuse facility; Household Waste Recycling Centre or Landfill site located at Docks Way, Maesglas, Newport, Gwent NP20 2NS.
43. The licence holder shall advise contract holders that unwanted furniture, appliances, and other household fixtures shall not be permitted to accumulate

within yards, gardens, or forecourts of the property and that those items can be disposed of via arranging a collection with a small fee or delivered by themselves by using the Household Waste Recycling Centre located at Docks Way, Maesglas, Newport, Gwent NP20 2NS. For more information about opening times, fees and items accepted visit [Waste & Recycling | Newport City Council](#).

44. Any waste left by occupiers leaving the property shall be removed by the licence holder as soon as possible and prior to new contract holders occupying the property.
45. The licence holder shall ensure all contract holders are fully aware of their responsibilities with respect to cleanliness of gardens, yards, and forecourts.
46. The licence holder shall ensure that gardens, forecourts, and boundary walls/fences of the property shall be kept free from overgrowth, litter or other accumulations and maintained in a clean and tidy condition.

Noise and Anti-Social Behaviour

47. The licence holder shall take all reasonable and practicable steps to prevent or reduce anti-social behaviour and to control noise by persons occupying or visiting the house. This shall include the following: -
 - i) What is meant by antisocial behaviour
 - ii) The standards expected by the occupation contract holder and their visitors.
 - iii) Explaining the impact of antisocial behaviour on others in the area, including repercussions from the Police, Educational establishments and the Local Authority.
 - iv) Recording details of all complaints received directly in respect of antisocial behaviour.
 - v) Invoking contract sanctions and action being taken under the occupation contract.
48. Following the receipt of information in respect of Anti-social behaviour, each contract holder will be required to sign the declaration included as Appendix A to this licence. Copies of the Declaration of Understanding must be kept in a logbook and submitted to the Council within seven days of such a request being made.
49. The licence holder will cooperate with the Council in order to eradicate problems relating to noise or antisocial behaviour and will, on request demonstrate that they have taken reasonable steps to manage the problem.
50. A logbook shall be kept and maintained by the licence holder. A copy shall be retained at the property; the logbook must contain up to date information in respect of the following:
 - Contract holder agreements including information about the landlord (or agent) – [form RHW2](#) and, the holding and protection of deposits.
 - The furniture documentation/declaration.
 - Appendix A: Declaration of Understanding detailing fire precaution, refuse arrangement, noise and anti-social behaviour and waste management declarations.
 - Satisfactory Gas safety certificates.
 - Satisfactory Electrical Safety Installation Certificates.
 - Satisfactory Portable Appliance Testing; PAT certificates.
 - Satisfactory Fire Alarm service records.
 - Satisfactory Fire Alarm testing certificates.

- Satisfactory Fire extinguisher service records.
- Satisfactory Emergency lighting test certificates (if applicable).
- Satisfactory Energy Performance Certificate; EPC for the dwelling.
- A copy of the HMO licence and conditions.
- Service inspections or receipts for any fire-fighting equipment present at the property.
- How the dwelling meets the [Fitness For Human Habitation](#) (FFHH) requirement and if the property doesn't at any time meet such requirements, detail who to contact and how.
- Information sheets provided to the occupiers concerning the disposal and maintenance/storage of refuse and recycling, Anti-social behaviour and how this is not permitted, fire safety etc.

Schedule 1 Fire Safety

Schedule 2 Amenities Standards

Additional Conditions: Appendix