

Community & Housing

# Housing Standards

Within The Private Sector

## Information Book

If you require this booklet in a different format, please contact us on 01233 330624



ASHFORD  
BOROUGH COUNCIL





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# Introduction

Homes in England and Wales have to meet certain standards; you might have heard the term 'fit for human habitation' or the fitness standard which has been used in Housing Law since 1919.

The fitness standard could be found in section 604 of the Housing Act 1985 (as amended) and contained nine items which were:

- Structural Stability
- Serious Disrepair
- Dampness
- Heating Lighting & Ventilation
- Water Supply
- Cooking Facilities
- WC
- Bath or Showers
- Drainage

These have now been replaced (on 6th April 2006) by the Housing Health and Safety Rating System (HHSRS or the Rating System). The term 'fit for human habitation' is therefore obsolete.

Other standards such as the Decent Homes Standard also apply to properties, and can be considered alongside the Housing Health and Safety Rating System.

# What is the Rating System?

The Housing Health & Safety Rating System (HHSRS or the Rating System) is the new way of assessing housing conditions. It is contained in Part 1 of the Housing Act 2004.

The Rating System applies to all residential properties in England & Wales, irrespective of their ownership or occupation.

It is a risk assessment tool which identifies the main hazards in the home and provides a way for local authorities or other agencies to assess the severity of those hazards.

The Rating System can assess 29 separate hazards associated with the home.

The principle of the rating system is that any residential premises should provide a safe and healthy environment for any potential occupier or visitor.

Please note that all properties contain hazards, it is not possible to remove all the hazards found in a dwelling. The aim of the rating system is therefore to minimise the risk to health and safety of a hazard.



# What is a Hazard?

To understand the Rating System one needs to understand the terms used.

For the purposes of the Housing Act 2004:

- **A hazard** is any risk of harm to the health or safety of an actual or potential occupier that arises from a deficiency.
- **A deficiency** is a failure of an element (part, facility or amenity of a dwelling) to meet the ideal.
- **The ideal** is what is currently perceived to be the safest performance criteria that can be expected from an element. For example an obstruction at the top of a flight of stairs is classed as a deficiency which contributes to hazard 21 – Falling on stairs.

*The hazard categories are:*

- A** – Physiological requirements,
- B** – Psychological requirements,
- C** – Protection against infection, and
- D** – Protection against accidents

# Physiological & Psychological Requirements

## Group A – Physiological Requirements

### *Hazard No and Title*

- 1 Damp and mould growth
- 2 Excess cold
- 3 Excess heat
- 4 Asbestos (and Man Made Fibres or MMF)
- 5 Biocides
- 6 Carbon Monoxide & fuel combustion products
- 7 Lead
- 8 Radiation
- 9 Uncombusted fuel gas
- 10 Volatile Organic Compounds (VOC's)

## Group B – Psychological Requirements

### *Hazard No and Title*

- 11 Crowding and space
- 12 Entry by intruders
- 13 Lighting
- 14 Noise



# Protection Against Infection & Accidents

## Group C – Protection against infection

### *Hazard No and Title*

- 15** Domestic hygiene, pest and refuse
- 16** Food Safety
- 17** Personal hygiene, sanitation and drainage
- 18** Water supply

## Group D – Protection against accidents

### *Hazard No and Title*

- 19** Falls associated with baths etc
- 20** Falling on level surfaces etc
- 21** Falling on stairs etc
- 22** Falling between levels
- 23** Electrical hazards
- 24** Fire
- 25** Flames, hot surfaces etc
- 26** Collision and entrapment
- 27** Explosions
- 28** Position and operability of amenities
- 29** Structural collapse and falling elements



# How will the Rating System be applied?

If you know that your property / home contains hazards then you can contact us to see whether we can help you, we may need to visit the property to note any defects.

If we do visit we will judge whether there are any hazards and if there are whether the hazards identified are Category 1 hazards (where we have a duty to act) or Category 2 hazards (where we may act).

If the property contains a Category 1 or 2 hazard; the occupant (and the person in control of the property if it is rented) will be notified.

If the property does not contain any hazards that the Council can deal with we will give advice where appropriate.

In some cases the Council may be able to help with the cost of the essential work (for more information see the page on Housing Assistance). In others, the Council may inform the person in control of the property that works may need to be carried out to reduce the risk.



# The Rating System in rented properties

If the property in which the hazard is found is rented, the Council may carry out the following.

- 1.** The person in control of the property will be informed that the property contains hazards.
- 2.** It may also serve a Requisition for Information on the person in control of the property.  
A Requisition for Information asks for information as to the owner and any other person who has an interest in the property. This notice must be responded to within 2 weeks.
- 3.** If the person in control has responded and undertaken to carry out work at the property, the Council will ensure that the work is carried out within a reasonable time scale.
- 4.** If the work is not carried out in a reasonable time scale the Council may then serve a Hazard Awareness Notice to formally specify the Hazard(s) found at the property and the way to minimise these hazard(s).
- 5.** If no work has been started by the person in control, the Council may serve an Improvement Notice stating what works should be carried out and when they should be completed by.

# Residential Property Tribunal

An owner or agent who receives an enforcement notice (apart from a Hazard Awareness Notice) can appeal to the Residential Property Tribunal, normally within 21 days of receiving the notice.

The main grounds for appeal are likely to be:

- The deficiency(s) in the notice do not amount to a hazard.
- The notice has been served on the wrong person, or
- The works required in the notice are excessive and alternative works should be considered.

Appeals heard by a Residential Property Tribunal are a more informal way of considering appeals against notices.

Cases are heard by each side (landlord/agent and Council) and parties do not need to have lawyers to represent them.

The Tribunal will also usually make site visits to the property concerned.

Residential Property Tribunals can allow an appeal (rule in favour of the owner), dismiss an appeal or vary the requirements of a notice or order.



# Damp and mould growth

One of the main causes of damp and mould growth is condensation. Condensation occurs mainly in cold weather, it appears on cold surfaces and in places where there is little air movement.

Damp can also come from leaking pipes, rain seeping through a roof, or due to rising damp. These causes of damp often leave a 'tidemark'.

## ***Reduce condensation in the home:***

- 1.** Produce less moisture (e.g. vent tumble driers to the outside).
- 2.** Ventilate (e.g. keep kitchen and bathroom windows ajar and open them wider when you are cooking or washing and install humidistat controlled extractor fans in kitchens and bathrooms).
- 3.** Insulate and heat your home adequately (e.g. loft and cavity wall insulation) it will also keep your home warm and reduce fuel bills.

## ***Tackle the mould***

- 4.** Wipe down walls and window frames with a fungicidal wash (approved by the Health & Safety Executive).
- 5.** If appropriate, redecorate using a good quality fungicidal paint.

It is unlikely that the Council will be able to help in cases where the only problem is slight damp and mould growth.

# Excess Cold

The main cause of excess cold is a lack of a fixed form of affordable heating which typical occupiers find affordable to run.

Affordable heating systems include:

- Gas Central Heating
- Oil Fired Central Heating
- Gas room heaters
- Electric Storage Heaters running from off peak electricity

The heating system must be able to heat the living room and bedrooms to 21°C and 18°C respectively when it is -1°C outside.

In addition to an affordable heating system loft and cavity wall insulation should be installed to current Building Regulations to help keep in the heat that is produced. This is essential in properties which have electric storage heaters.

Plug in electric fires and portable heaters are not considered a satisfactory form of affordable heating.

In some cases the council may be able to help towards part of the cost of installing heating and insulation. For more information about this please contact the private sector housing team using the details within this booklet.



# Crowding and Space

The council has adopted minimum room sizes for dwellings occupied by one household (see below) and those occupied by more than one household (see the Houses in Multiple Occupation standards booklet).

Floor area of bedroom	Number of persons
11m <sup>2</sup> (110ft <sup>2</sup> ) or more	2
8m <sup>2</sup> (90ft <sup>2</sup> ) - 11m <sup>2</sup> (110ft <sup>2</sup> )	1½
6.5m <sup>2</sup> (70ft <sup>2</sup> ) - 8m <sup>2</sup> (90ft <sup>2</sup> )	1
4.5m <sup>2</sup> (50ft <sup>2</sup> ) - 6.5m <sup>2</sup> (70ft <sup>2</sup> )	½

A person is calculated as follows:

- 1 person – someone 11 years or older
- ½ person – a child between 1 and 10 years
- 0 person – a baby under 1 year

A dwelling is crowded if the number of occupants exceeds the permitted number (the maximum the dwelling can contain).

Living rooms, kitchens and bathrooms are not classed as sleeping rooms.

# Falls

## Falls associated with baths etc

Baths and showers should be stable and securely fixed and be provided with slip resistant surfaces.

## Falling on the level surface etc

Surfaces should be even and be slip resistant. Any external areas should also be well lit and be provided with adequate drainage.

## Falling on stairs etc

Handrails should be provided to at least one side of the stair and extend the full length. Adequate lighting and light switches should be provided at the top and bottom of the stairs. The stair covering should be slip resistant and be in good condition.

## Falling between levels

Windows should be between 800 to 1100mm from the floor level and be provided with adequate catches.

Guarding should be provided to balconies and landings to prevent falls. It should be at least 1100mm high and designed and constructed so as to discourage children climbing and strong enough to support the weight of people leaning against it.



# Electrical Hazards

There are a number of measures that can be taken to ensure the safety of the electrical installation:

- Electrical repairs must be carried out by competent persons – ideally an electrician registered with the NICEIC (National Inspection Council for Electrical Installation Contracting) or the ECA (the Electrical Contractors Association) and be in compliance with the Building Regulations.
- The installation should be inspected periodically by a competent electrician and a report provided certifying there are no dangerous defects.
- Any smoke detection system should be inspected periodically by a competent electrician.
- Sufficient electrical sockets outlets should be provided to prevent overloading and the use of trailing extension cables. The following number of double sockets should be provided:
  - 4 sockets in the kitchen
  - 3 sockets in the living room
  - 2 sockets in the bedroom
  - 1 socket in the hallway and landing(s)



# Fire

The dwelling should limit the chances of carelessness causing a fire; limit the spread of fire and provide a safe and ready means of escape.

Enough electric sockets should be provided to reduce the need for extension leads and overloaded sockets. The electric installation should meet current requirements and regularly checked and tested. There should be no defects to socket outlets or switches.

Space heating appliances must be adequate for the dwelling and be in repair and good order.

Cookers should be in an adequate position away from any flammable materials such as curtains and not be near doorways providing means of escape.

Smoke detectors should be provided in the hallway and landings. A fire blanket should also be installed in the kitchen.

If the property is occupied by more than one household then the property will need to be assessed by the Council as extra fire precautions will be required.



# Energy Efficiency

An energy efficient home is more comfortable to live in and costs less money to run.

Energy saving tips:

- Lag the hot water tanks and hot water pipes
- Use energy saving light bulbs which last longer and use less electricity
- Have at least 270mm of loft insulation
- Draught proof external doors and windows
- When the boiler needs replacing choose an energy efficient one
- When the windows need replacing choose double glazing
- Replace old storage heaters with the modern energy efficient ones

For more information on Energy Efficiency measures, grants and discounts contact the Energy Savings Trust on 0300 123 1234.

# Contact Numbers

Ashford Borough Council	01233 331111
Housing Services	01233 330688
Citizens Advice Bureau	01233 626185
Empty Home Agency	020 3135 0674
Energy Savings Trust	0300 123 1234
Gas Emergency	0800 111 999
Gas Safe Register	0800 408 5500
Occupational Therapy	03000 416161
Shelter	03445 151444

## Private Sector Housing

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