

JOINT LONDON BOROUGH CODE OF PRACTICE

THE USE OF HOTEL/HOSTEL ACCOMMODATION FOR THE PLACEMENT OF HOMELESS PEOPLE

CODE OF GUIDANCE

PURPOSE:

This document sets out a common code of guidance and set of standards to be used in respect of privately-managed hotels or hostels and similar residential accommodation being used for temporary accommodation of the priority homeless. It is intended to be used by:-

- a) Boroughs within whose area such temporary accommodation falls; and
- b) Boroughs placing homeless persons in temporary accommodation whether it is in their own borough or another.

GENERAL AIM:

The main objective is to discontinue the use of such premises for the accommodation of homeless persons in priority need, but for some councils this objective is clearly unobtainable in the short-term. Homeless households will often be placed in hotels and hostels located outside their own borough boundaries. Wherever possible, authorities should place homeless persons in hotels and hostels within the borough. It is clearly desirable to establish agreed procedures and standards as a basis for local authority co-operation in relation to the use of such accommodation for homeless households. Effective co-operation between authorities requires agreement on the standards of the hotels and hostels used for homeless persons, the procedures for notification between authorities and relevant health and education authorities and arrangements, where necessary, for social services support.

CODE OF GUIDANCE: STANDARDS

1. Before any establishment is first used for the placement of any homeless person, the placing authority shall notify the authority in which the premises are situated (the receiving authority) of its intention to use those premises for the accommodation of the priority homeless and give two weeks' notice for the receiving authority to comment on the proposal. Initial notification should be made by telephone. The placing authority should also contact the Bed and Breakfast Information Exchange (BABIE) to find out any information held by them on a property.
2. If they have not done so within the previous six months, the receiving authority shall inspect the premises to ensure that they comply with the Standards as to minimum space and provision of amenities, as set out in Appendix 1 to this Code of Practice, and that they are in good repair, properly managed, hygienic and in a safe condition. They shall also satisfy themselves that the premises have planning consent for the purpose for which they are being used and that the area fire authority is satisfied that the fire precautions and means of escape are satisfactory, taking into account the proposed use of the premises for the placement of homeless persons. The receiving authority should then notify the

placing authority in respect of all these matters. This notification may be through BABIE.

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3. If the notifying authority is unable to give two weeks' notice to the receiving authority, it may then be required by the receiving authority to inspect the premises and satisfy themselves as to the requirements set out above. If, in exceptional circumstances, such as several notifications being received in the same week, the receiving authority is unable to inspect the notified premises within the two week period, it should advise the placing authority immediately. In these circumstances, the placing authority should then satisfy themselves as to the standards of the premises.
4. If the notifying authority decides, in the light of the above enquiries, to proceed with a placement, it shall give advance notification to the authority in which the premises are situated. If the notifying authority decides not to proceed with a placement because of inadequate standards, it shall advise the hotel or hostel that it will not consider making any placement at the premises concerned until the standards are improved as necessary.
5. Before any establishment is first used for the placement of any homeless person, the placing authority shall enter into an agreement with the owner or operator of the premises which shall contain provisions to enforce the following standards of management:
 - i) that the facilities required by Appendix 1 to this Code of Practice shall be provided and maintained and made available for use at all reasonable times. Residents should have access to their rooms at all times except when rooms are being cleaned. Provision should be made to accommodate residents at these times.
 - ii) that the operator shall provide effective management to ensure the maintenance of fire and other safety precautions;
 - iii) that the operator accepts that the appropriate officers of the authority in whose area the premises are situated may inspect the premises as and when they consider necessary, to ensure that the requirements are being complied with;
 - iv) that the operator will allow such inspections to take place, if necessary without notice;
 - v) that the operator accepts that officers of the area health authority, local authority and authorised community workers for the area in which the premises are situated, may visit the occupiers of the premises and interview them in private in the room(s) they occupy;
 - vi) that a manager with adequate day to day responsibility to enforce the provisions of the agreement shall be contactable at all times;
 - vii) that the operator shall not either directly or indirectly contravene the provisions of the Race Relations Act 1976 with particular regard to the selection of clients or treatment of residents;
 - viii) that there should be available within the premises a working telephone available for use by the occupiers and a notice shall be displayed by the telephone with

information on the address and telephone numbers of: the local Environmental Health Department, Fire Brigade, Gas Company, Electricity Company, Police Station and local doctors.

6. The placing authority shall ensure that sufficient rooms are provided for each homeless person's use, so that those rooms would not be overcrowded, in accordance with the standards contained in Appendix 1. They shall also have regard to the regime of management at the premises, to the need for people to have access to their rooms throughout the day and to any special needs of particular homeless households or categories of households. If there is any evidence of discriminatory practices by the management, the operator should be advised that the premises will not be used, unless such practices are ended.
7. *Further inspections by receiving authorities.* Further inspections should be made following any incident or change of circumstances that suggests that a hotel or hostel is no longer complying with the standards. All hotels and hostels should also be regularly inspected while they continue to be used for homeless persons and all premises should be inspected not less than twice a year.

CODE OF GUIDANCE: NOTIFICATION

1. Within one week of any homeless person being placed in such premises, the placing authority shall notify the placement to the receiving authority. The health authority should be notified where the placement involves a move to the district of another health authority.
2. Each authority shall nominate a named officer to receive these notifications. The Association of London Government shall ensure that up to date records of the names and contact addresses and telephone numbers of the nominated officers are maintained and made available to all authorities in London.
3. As soon as a homeless person vacates such premises the placing authority shall notify the other authorities concerned and indicate the homeless person's new address, if possible.
4. When an authority ceases to use an establishment for homeless persons, it should notify the receiving authority. In particular, it should notify the receiving authority and BABIE if it has ceased to use the establishment because of any failure to comply with the required standards. In such a case the receiving authority or BABIE should then notify any other authority known to be using the same establishment for homeless persons.

REVIEW OF ARRANGEMENTS

The placing and receiving authorities shall regularly review the arrangements set out above to ensure that they are being implemented. The Code of Guidance, its operation and its effectiveness, shall be reviewed after one year from its date of implementation.

APPENDIX 1

JOINT LONDON BOROUGH CODE OF PRACTICE FOR THE USE OF HOTEL/ HOSTEL ACCOMMODATION FOR THE PLACEMENT OF HOMELESS PERSONS

HOUSES IN MULTIPLE OCCUPATION

Standards relating to minimum space and fitness for occupation - Housing Act 1985
Section 358, Sections 352 and 604 (as amended).

Standards relating to Bed and Breakfast Establishments, Guest Houses, Hotels and
similar residential accommodation, adopted by the Association of London Government.

1. (a) *Space Standards for Sleeping Accommodation*

Cooking facilities provided in a separate room/kitchen

<i>Floor Area of Room</i>	<i>Maximum No of Persons</i>
Less than 70 sq ft (6.5 m ²)	Nil persons
Not less than 70 sq ft (6.5 m ²)	1 person
Not less than 110 sq ft (10.2 m ²)	2 persons
Not less than 160 sq ft (14.9 m ²)	3 persons
Not less than 210 sq ft (19.6 m ²)	4 persons
Not less than 260 sq ft (24.2 m ²)	5 persons

Cooking facilities provided within the room

<i>Floor Area of Room</i>	<i>Maximum No of Persons</i>
Less than 110 sq ft (10.2 m ²)	Nil persons
Not less than 110 sq ft (10.2 m ²)	1 person
Not less than 150 sq ft (13.9 m ²)	2 persons
Not less than 200 sq ft (18.6 m ²)	3 persons
Not less than 250 sq ft (23.2 m ²)	4 persons
Not less than 300 sq ft (27.9 m ²)	5 persons

In no case shall a room be occupied by more than 5 persons.
The standard is to be applied irrespective of the age of the occupants.

Sharing of rooms shall be avoided unless the individuals concerned consent to
share the room. No persons of the opposite sex who are aged 12 years or over
shall share a room unless they are living together as partners.

Irrespective of the floor area, consideration shall be give to the shape and usable living space within the room to determine whether it is suitable for occupation and to what occupancy level.

All rooms must have a minimum floor to ceiling height of at least 7 feet (2.14 metres) over not less than 75% of the room area. Any floor area where the ceiling height is less than 5 feet (1.53 metres) shall be disregarded.

Separate kitchens and bathrooms are deemed unsuitable for sleeping accommodation.

(b) *Notices in Sleeping Accommodation*

There shall be prominently displayed in each room used or suitable for use as a bedroom, a clearly legible notice in the following prescribed form:

"(Location and/or room number)

This room is not to be used for sleeping purposes by more than persons".

Where rooms are used by persons whose first language is not English, then the appropriate language in common use shall be used in addition to the statement in English.

FITNESS STANDARD

2. Stability

The premises shall be structurally stable.

3. Repair

The premises shall be free from serious disrepair that would render it unsuitable for occupation.

NOTE:

Under part VI of the Housing Act 1985, the premises should be maintained in a reasonable state of repair and free from defects which would materially affect the comfort of the occupiers.

4. Freedom From Dampness

The premises shall be free from dampness prejudicial to the health of the occupants.

5. Natural and Artificial Lighting

All habitable rooms shall have an adequate level of natural lighting.

All habitable rooms shall be provided with a glazed window. The glazed area to be equivalent to at least one-tenth of the floor area. Adequate electric lighting is also to be provided.

All staircases, landings, passageways, bathrooms and water closets are to be provided, where practicable, with a window.

Windows to bathrooms and water closets are to be glazed with obscured glass. Adequate electrical lighting points are to be provided to all staircases, landings, passages, bathrooms and water closets. All lighting to these common parts is to be provided, maintained and paid for by the owners or their agent.

Artificial lighting to staircases, landings and passages shall be controlled from a sufficient number of appropriately placed switched outlets. If a time switch system is used, the time period shall be reasonable and appropriate to the circumstances of the occupants.

6. Ventilation

All habitable rooms shall be ventilated directly to the external air by a window which has an openable area equivalent to one-twentieth of the floor area.

All bathrooms, shower rooms, water closet compartments and kitchens shall be ventilated directly to the external air by a window, the openable area of which shall be equivalent to at least one-twentieth of the floor area of the room. Where this is not practicable, mechanical ventilation supplying a minimum of three air changes per hour shall be provided, operated from the lighting circuit of the room and fitted with a 20 minute overrun.

All habitable rooms, kitchens, bathrooms and water closet compartments shall be provided with a permanent means of ventilation.

7. Water Supply

There shall be a supply of cold running water suitable for drinking, complying with statutory standards, labelled as such, provided to each bedroom direct from the rising main. Where this is not practicable, then such a supply shall be at a tap reasonably accessible on each floor, but not in a bathroom or water closet compartment. In all cases, the supply shall be sited over a wash hand basin/sink. The water supply shall be protected as necessary from frost damage. Stop taps are to be provided for each floor.

8. Installation for Heating

The premises shall have adequate provision for heating.

All habitable rooms and baths or shower rooms shall be provided with a fixed space heating appliance. The appliance must be capable of efficiently maintaining the room at a minimum temperature of 18°C when the outside temperature is -1°C.

"Fixed space heating appliance" means fixed gas appliance, fixed electrical appliance or an adequate system of central heating, operable at all times.

Each bedroom shall be provided with a minimum of two suitably positioned double 13 Amp electrical power sockets.

9. Drainage

The premises shall have an effective system, both above and below ground for the drainage of foul, waste and surface water.

10. *Facilities for the Storage, Preparation and Cooking of Food and Disposal of Waste Water*

Wherever practicable, each household shall have exclusive use of a full set of kitchen facilities as described in (a) below. In circumstances where the Local Authority is satisfied that the provision of kitchen facilities for exclusive use is not practicable or appropriate, the lesser standards may be applied, as described in sub-paragraphs (b) to (d) below.

(a) Kitchen facilities for exclusive use by households

Kitchen facilities shall meet the fire safety standards described in Appendix 2.

A full set of kitchen facilities shall be provided for each household.

Kitchen facilities shall be provided in a separate kitchen (of minimum size 5.5 m²/60 sq ft) wherever possible.

A set of cooking facilities shall comprise:

- An electric cooker with four burners, oven and grill. (In single person lettings, a cooker with a minimum of two burners, oven and grill is permissible.)
- A stainless steel sink and integral drainer (minimum size 1000 mm x 600 mm), set on a base unit. The sink is to be provided with a constant supply of hot and cold water and properly connected to the drainage system. A tiled splashback (minimum 450 mm high) shall be provided to the sink and drainer.
- A storage cupboard, minimum capacity 0.4 cubic metres (15 cubic feet). This provision is in addition to any base unit cupboards provided below the sink/drainage.
- A refrigerator, minimum capacity 0.14 cubic metres (5 cubic feet).
- Two double 13 amp electrical power sockets situated at worktop height. These are in addition to electrical power sockets provided elsewhere in the letting.
- A suitable worktop (minimum surface area 1000 mm x 600 mm).

(b) Kitchens for communal use

Where the Local Authority is satisfied that the provision of kitchen facilities for exclusive use is not practicable or appropriate, kitchen facilities may be provided in the ratio of one set for every 5 persons, irrespective of age.

Such kitchen facilities shall comprise a minimum of shared:

- Gas or electric cooker with four burners, oven and grill.
- Stainless steel sink and integral drainer (minimum size 1000 mm x 600 mm), set on a base unit. The sink is to be provided with a constant supply of hot and cold water and

properly connected to the drainage system. A tiled splashback (minimum 450 mm high) shall be provided to the sink and drainer.

- Two double 13 amp electrical power sockets situated at worktop height.
- A suitable worktop (minimum surface area 1000 mm x 600 mm).
- Lockable storage cupboards, minimum capacity 0.14 m³ (5 ft³) for each bedroom whose occupants use the kitchen. In calculating the required provision of storage cupboards, base unit cupboards below sinks/drainers should be discounted.

In addition, the following facilities shall be provided within each bedroom, or within the total accommodation occupied by each household:

- A suitable worktop (minimum surface area 1000 mm x 600 mm).
- A refrigerator, minimum capacity 0.14 m³ (5 ft³).
- A storage cupboard, minimum capacity 0.4 m³ (15 ft³).

(c) Schemes comprising both shared and exclusive facilities

In schemes providing a mix of kitchens for shared and exclusive use, one set of kitchen facilities shall be provided for every five persons sharing. The number of persons who have kitchen facilities provided for their exclusive use shall not be included in the calculations.

(d) Mixed tourist/homeless persons hotels and hostels

Where an establishment is used to cater for tourists, other visitors to an area and to accommodate homeless persons, cooking facilities shall be provided for the homeless persons in accordance with (a), (b) or (c) above, as appropriate. In such cases the hotel/hostel operator should clearly identify the maximum number of homeless persons to be accommodated.

GENERAL REQUIREMENTS FOR COOKING FACILITIES

Location

Cooking facilities which are provided shall be reasonably located in relation to the room(s) occupied by the person(s) for whom they are provided and in any event not more than one floor distant from these rooms. Please note the exception for smaller establishments described below.

In smaller establishments of not more than three storeys and not more than 30 bedspaces, communal cooking facilities may be provided in one area of the premises more than one floor distant from some bedrooms. In such cases, these kitchens must be provided in association with a suitable dining room or dining rooms of adequate size.

Dining room facilities, where provided, should be of adequate size. The area (or aggregate areas, if more than one is provided) shall be calculated on the basis of 1 m² per bedspace. This shall include one area of at least 15 m². Only effective usable space will be considered when calculating the areas for the purpose of this requirement. Dining room facilities should be in reasonable repair (including decorative repair) and

provided with adequate natural lighting and ventilation. Dining room facilities shall be provided with adequate seating provision.

Design/Layout

Each set of cooking facilities shall be provided in a kitchen with a minimum area of 5.5 m² (60 sq ft) provided for each set of facilities. No more than two sets of cooking facilities shall be provided in any one kitchen.

Each kitchen should be large enough and designed to allow for the safe provision and use of all necessary facilities. Kitchens should be a minimum of 6 ft (1.8 m) wide to allow for the safe circulation of occupants within the room. Cookers should not be located too close to doorways and there should be enough floorspace for items to be safely retrieved from the oven.

Where two sets of cooking facilities are provided in a kitchen, the two sets of facilities (ie cooker, sink, worktop) shall be reasonably separate from each other to allow their safe and simultaneous use by two or more households.

Other requirements/considerations

Where a room is used for both cooking and sleeping purposes, a minimum of 3.7 m² (40 sq ft) shall be added to the relevant minimum floor area for each room so used. (See Overcrowding Standards for Sleeping Accommodation above.) In this case the cooking facilities shall comply with the Fire Safety Standards as set out in Appendix 2.

Kitchen facilities shall be made available for use 24 hours per day, subject to any representation from the owner/manager, which must be agreed by the receiving and placing authorities.

11. Drainage and Sanitary Conveniences

The premises should be adequately drained.

One internal water closet shall be provided for every five persons irrespective of age. The water closet must be within a reasonable distance from its users and not more than one floor distant and, where practicable, a water closet shall not be situated within a bathroom. At least 50% of the water closets that are required to be provided shall be situated in separate accommodation.

The number of persons occupying a bedroom where this facility is provided for their exclusive use shall not be included in the calculations.

Water closets should be provided in bathrooms or separate compartments of suitable size and layout. Where water closets are provided in separate compartments, these compartments should have minimum dimensions of 1300 mm x 800 mm.

12. Personal Washing Facilities

A suitable wash hand basin (minimum dimensions 500 mm x 400 mm) with constant hot and cold water supplies, shall be provided in every bedroom, except where an en suite bathroom is available, when the wash hand basin may be provided in that bathroom. A tiled splashback (minimum 300 mm high) is to be provided to each wash hand basin.

Each separate water closet compartment and bathroom shall be provided with a suitable wash hand basin (minimum dimensions 500 mm x 400 mm), together with constant

supplies of hot and cold running water. A tiled splashback (minimum 300 mm high) is to be provided to each wash hand basin.

Where cooking facilities are provided within a bedroom, then a wash hand basin need not be required in addition to the sink which is provided. A wash hand basin will always be required where a letting is provided with an en suite water closet.

One bath (minimum dimensions 1700 mm x 700 mm) or one shower (minimum dimensions 800 mm x 800 mm) shall be provided for every five persons, irrespective of age. These facilities must be within a reasonable distance of each user and not more than one floor distant. Not less than half of the facilities which are required to be provided shall be baths and a minimum of one bath shall be provided in every property.

The number of persons having the exclusive use of a bath or shower shall not be included in the calculations.

Where the operator chooses to provide showers for the exclusive use of each separate household or the majority of households, a minimum provision of baths, rather than showers will always be required. In such circumstances a minimum of one communal bath should be provided for every 20 persons, irrespective of age. These facilities must be within a reasonable distance of each user and not more than one floor distant.

Each bath shall be situated in a separate bathroom of adequate size. Each shower shall be situated in a suitable shower room (minimum dimensions 1600 mm x 900 mm).

Each bath and shower shall be provided with a constant, freely available supply of hot and cold water. A tiled splashback (minimum 300 mm high) shall be provided to all baths. Shower cubicles shall have fully tiled walls. Showers shall be provided with a suitable water resistant shower curtain or door to the cubicle.

Shared amenities are to be accessible from a common area.

13. Means of Escape in Case of Fire

The premises shall be provided with a protected escape route and shall comply with the Department of the Environment's Circular 12/92 "Houses in Multiple Occupation, Guidance to Local Housing Authorities on Standards of Fitness under Section 352 of the Housing Act 1985". In the case of premises operating as hotels, the Fire Precautions Act 1971 enforced by the London Fire and Civil Defence Authority will apply in addition to HMO legislation.

Further Information

1. DOE design bulletin 24 - "Spaces in the Home" HMSO 1972.
2. The Building Regulations 1985.

APPENDIX 2

FIRE SAFETY STANDARDS TO BE ACHIEVED WHEN COOKING FACILITIES ARE PROVIDED IN HOTEL OR HOSTEL BEDROOMS

1. Cooking is to be by electricity only.
2. The cooking appliance must be sited remote from the room exit, against a wall/partition enclosing the room and away from draughts.
3. No furniture, bedding, drapes etc shall be within 600 mm of the cooker. To ensure this is obtained, screens finished with non-combustible materials or plasterboard shall be provided as follows:
 - (a) To the sides of the cooking appliance to the height of:
 - (i) Not less than 1.6 m where provided less than 400 mm from the appliance, or
 - (ii) Not less than 850 mm otherwise.
 - (b) Opposite the cooking appliance, to a height not less than 850 mm.
4. No drapes or curtains shall be provided within the area of the cubicle containing the cooking appliance.
5. Deep fat frying should not be permitted and notice to that effect should be displayed in the cubicle containing the cooking appliance in English and such other languages as are considered appropriate.
6. The walls/partitions enclosing the room containing the cooking appliance shall be to a standard of fire resistance of not less than half an hour. Any door therein shall be fire resisting and rendered effectively self-closing.