

Grounds of Appeal

RE: 17 Fordwych Road, London, NW2 3TN

Background

1. This Statement contains the Grounds of Appeal in response to an Enforcement Note (the 'Notice') issued by Camden Council (the 'Council') on the 27 February 2025. The Notice takes effect on the 11 April 2025 unless an appeal is made against it beforehand.
2. The Notice alleges that 'Without planning permission a change of use from 7 non-self-contained residential units with shared facilities (HMO) and a 1 x 3-bed self-contained residential unit to 8 self-contained units' has occurred (the 'Breach').
3. The Notice requires to cease the use of the property for 8 x self-contained residential units; completely remove the kitchenettes in the 7 x studio units; reinstate the shared kitchen that was previously located at the first floor level; completely remove the shower rooms in the 7 x studio units; reinstate the bathrooms previously located at the ground and first floor and make good any damage caused as a result of the above works.

Grounds of Appeal

4. The appeal is lodged under Grounds (B) i.e. that those matters alleged in the Notice have not occurred; and Ground (F) i.e. that the steps required by the Notice exceed what is necessary to remedy any breach of control.
5. The appeal is lodged on behalf of Sternglade Ltd.

Ground (B)

6. No 17 Fordwych Road was granted an HMO Licence (REF: Misc. Act. /093783) on the 10 April 2019 in the name of Sternglade Ltd. A copy of this licence is attached. It was granted for a period of 5 years. Application to renew the Licence was submitted to the Council and

acknowledged on the 11 April 2024 (REF: Misc. Act. /093783) with a request for further information issued by email on the 22/04/2024 (REF: 093783).

7. The HMO Licence states that the maximum permitted number of persons allowed to occupy the property is 12 persons. The Licence describes the property as comprising 7 bedsits and 'Studio No 3' with a total maximum permitted number of 14. A shared kitchen on the 1st floor rear was identified in the Licence as suitable for use by 10 persons and an exclusive kitchen on the ground floor back addition as suitable for use by 2 persons. Shared Bath/ WC/ WHB facilities were listed in the Licence as suitable for 10 persons sharing and 2 persons for exclusive use. This was the arrangement licensed in 2019.
8. In response to a request from the Council's Principal Planning Officer, the Appellant facilitated a site visit which was conducted on 14 October 2024. The Officer emailed the Appellant on the 02 December 2024 indicating that on the basis of:

"Apologies for the delay in responding since the site meeting.

I acknowledge your confirmation on-site that the top floor is designated as a 'living area.' However, during the site visit, it was evident that the space was primarily being used for storage rather than as a functional living area accessible to tenants. I am also concerned about the baby's cot found on the top floor, which appeared to be in use. Additionally, blankets and cushions were stored on top of the cot, seemingly concealed by a large painting, along with a mattress that was also stored there.

Considering the absence of any apparent shared, usable space within the development, I believe the property has been converted into self-contained studio units rather than operating as an HMO.

Considering the above, I confirm that it is my intention to issue a formal enforcement notice for a breach of planning, as the self-contained studio units are considered too small and are therefore unacceptable in principle. Alternatively, your client should revert the property to a HMO use."

9. It is apparent therefore that the only evidence that the subject property is not being used as an HMO is the evidence gathered during the October site visit – in other words, that the top floor was being used as storage rather than as a functional living area accessible to tenants, and the absence of any apparent shared, usable space.

10. At best this evidence is tenuous. Why would the Appellant persist with applying to renew the HMO Licence if it was the intent to transform the rooms into self-contained flats.
11. In addition, on the 27 September 2019, under the terms of Planning Application 2019/1027/P the Council granted planning permission for the 'Installation of dormer window to rear roofslope, rooflights to side and front roofslope and erection of single storey rear extension to add additional residential floorspace to existing HMO'.
12. In arriving at their decision, the Council reported that "The Council's housing team were consulted and had concerns about the size of the new HMO room at roof level which would not comply with minimum size standards due to the sloping roof. The proposals have been revised so that the new room in the roof would be a communal room and not a bedroom".
13. The floor plan (Drawing No 11 Rev E) approved as part of this application clearly showed the 3rd floor of the property as a communal room. This is the precisely the use observed when the Council's Principal Planning Officer visited the property. For the officer to suggest that a room annotated and approved as a communal room was not used as a functional living area accessible to tenants is disingenuous for the reasons that it remains accessible to tenants and a communal room is no different from a functional living area. The difference between one classification and the other is sufficiently imprecise to suggest that the Council's allegation of a breach is unfounded.

Ground (F)

14. In the event that the Ground (B) appeal is not successful, the Ground (F) appeal is based on the fact that the steps required are excessive simply because the property remains in use as an HMO, and the Council's suggestions that the shared kitchen that was previously located at the first floor level should be reinstated; the shower rooms in the 7 x studio units should be reinstated together with the bathrooms previously located at the ground and first floor are not determinative of whether a property is in use as an HMO or not.
15. Simply put such steps are excessive and undermine the lawfulness of the property as an HMO.
16. If further information or clarification on any aspect of this appeal is required, please contact the undersigned.

Alan Gunne-Jones MRTPI

Managing Director

10 April 2025 | 1039/AGJ

COPY OF HMO LICENCE

Date: 10 April 2019
Our Reference: Misc. Act./093783
Direct Phone Number: 020 7974 5969
Contact: Lloyd Riley



Private Sector Housing Team
Supporting people
London Borough of Camden
8th floor, 5 Pancras Square
Town Hall
Judd Street
London
WC1H 9JE



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C/o The Company Secretary
Sternglade Ltd
Lower Ground Floor
48 Castlewood Road
LONDON
N16 6DW

Tel: 020 7974 4444 (Switchboard)
E-mail: hmolicensing@camden.gov.uk
www.camden.gov.uk

Dear Sir/Madam

HMO Mandatory Licensing
Notice Granting Licence

Address: 17 Fordwych Road London Greater London NW2 3TN

I write further to the application for a HMO Licence for the above property. Please find enclosed the following documents, which you should read very carefully;

- HMO Licence including conditions (copy)
- Notice granting HMO licence setting out:
 - the reasons for deciding to grant the licence and the date on which the decision was made,
 - the right of appeal against the decision under Part 3 of Schedule 5 of the Housing Act 2004; and
 - the period within which an appeal may be made.

A copy of the above information has been sent to the applicant, licence holder and all relevant person(s).

Please note that the property will be inspected for compliance with the conditions attached to this licence. It is important you read all attached documentation carefully. Should you have any questions regarding your HMO licence please contact the HMO licensing team.

Yours faithfully,

Lloyd Riley
Private Sector Housing

Martin Pratt
Executive Director

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Notes about Appealing against a Licensing Decision

1. The applicant or any relevant person may appeal against the granting of this licence. *(Sch 5 31(1))*
2. All appeals should be made to the First – tier Tribunal (Property Chamber), 10 Alfred Place, London WC1E 7LR
3. An appeal should be lodged with the First – tier Tribunal (Property Chamber) within 28 days from the decision date on this licence – **see note 4 below** *(Sch 5 33(1))*
4. The First – tier Tribunal (Property Chamber) may allow an appeal that is lodged after 28 days if it is satisfied that there is good reason for the failure to appeal within the usual permitted time period. *(Sch 5 33(3))*
5. An appeal can be made on any of the stated terms of the licence. *(Sch 5 31(2))*

Powers of the First – tier Tribunal (Property Chamber)

1. An appeal will be by way of a re-hearing. *(Sch 5 34(2))*
2. The First – tier Tribunal (Property Chamber) may make a decision on an appeal on matters the Council did not know about. *Sch 5 34(2))*
3. The First – tier Tribunal (Property Chamber) may confirm reverse or vary the decision of the Council. *(Sch 5 31(3))*
4. The First – tier Tribunal (Property Chamber) may direct the Council to grant the licence on terms stipulated by the Tribunal *(Sch 5 34(4))*

Relevant Person

1. Any person having an estate or interest in the House in Multiple Occupation. *(Sch 5 36(2a))*
2. Any person managing or having control of the House in Multiple Occupation. *(Sch 5 36(2a))*
3. Any person on whom any restriction or obligation is or is to be imposed by the licence made under section 67(5) of the Act - Licensing conditions. *(Sch 5 36(2b))*

LONDON BOROUGH OF CAMDEN
HOUSING ACT 2004
Schedule 5, Part 1 (7)

Notice granting a Licence for a House in Multiple Occupation

To Sternglade Ltd
Of Lower Ground Floor
48 Castlewood Road
London
N16 6DW

The London Borough of Camden, as required under Schedule 5 (7) of the Housing Act 2004, give notice that a Licence for a House in Multiple Occupation has been granted at

17 Fordwych Road London Greater London NW2 3TN

The decision to grant the licence was made on **10 April 2019**

The reasons for the decision are:

- the house falls within the definition of a licensable HMO;
- the house is reasonably suitable for occupation by not more than the maximum number of households or persons specified in the application or some other maximum number decided by the authority or it can be made so suitable by the imposition of conditions;
- the proposed licence holder is judged to be a fit and proper person to be the licence holder;
- the proposed licence holder is the most appropriate person to be the licence holder;


Under Schedule 5, Part 3 of the Housing Act 2004, you have the right of appeal against the decision to grant a licence and in particular any conditions of the licence.

If you wish to make an appeal you must contact the HM Courts & Tribunals Service within 28 days of the decision being made.

HM Courts & Tribunals Service First-tier Tribunal (Property Chamber) 10 Alfred Place, London, WC1E 7LR

Tel: 020 7446 7700 Fax: 01264785060

Email: rplondon@hmcts.gsi.gov.uk

Signed 
Authorised officer on behalf of the Council

Date: 10 April 2019

Contact Officer: Lloyd Riley
Tel: 020 7974 5969

**Licensed
landlord**

**Housing Act 2004
Licence for a House in Multiple
Occupation**

Licence No: 093783



The **London Borough of Camden** approved the application to operate a house in multiple occupation and hereby grant a licence within the HMO Mandatory Licensing Scheme under section 64 Housing Act 2004 in respect of:

17 Fordwych Road, London, NW2 3TN

1. This Authority is satisfied that the most appropriate person to be the licence holder is:

To **Sternglade Ltd**
Of **Lower Ground Floor 48 Castlewood Road London N16 6DW**

2. The maximum permitted number of persons allowed to occupy the property is **12**. *It is important to have regard to the tables at the end of this document for details of how this has been calculated.*
3. This licence is granted on the stipulation that the attached schedule of licence conditions shall apply for its duration.
4. The required works identified during the inspection to achieve compliance with condition 2 of this licence are detailed in the attached Schedule of Works. These works must be completed within the timescales specified on the Schedule of Works.

Licence Issue Date: 10 April 2019

Licence Expiry Date: 9 April 2024

Signed:

.....
On behalf of the London Borough of Camden

**SCHEDULE OF PERMITTED OCCUPATION FOR THIS HMO
BASED ON FLOOR AREA AND THE AVAILABLE KITCHEN, BATHING AND WC FACILITIES**

The maximum permitted number for the property is determined by the lowest figure from the tables that can be found at the end of this document.	
Maximum Permitted Number for Property	12
WAIVER GRANTED	None.

Schedule of licence conditions

1. The licence holder/manager is prohibited from allowing a new resident to occupy the HMO and/or parts of the HMO if: -
 - that occupation exceeds the maximum number of permitted persons in the HMO; or
 - that occupation exceeds the maximum number permitted for any unit of accommodation; and
 - a room used as sleeping accommodation has a maximum permitted number of zero the room must not be re-let/re-occupied again once the current tenant has vacated.

In addition, if a room currently used as sleeping accommodation is:

- below 6.51m² the licence holder must ensure it is vacated no later than 18 months from the licence issue date; or
- below 10.22m² and occupied by two persons the licence holder must ensure the number of occupiers is reduced to one no later than 18 months from the licence issue date; or
- below 4.64m² and occupied by a person under 10 years of age the licence holder must ensure it is vacated no later than 18 months from the licence issue date.

A 'new resident' is a person not in occupation in the property or part of the property at the date the licence is issued.

2. The licence holder shall ensure that the property is in compliance with the London Borough of Camden's Minimum HMO Standards. The works required to achieve this are detailed in the attached schedule.
3. The licence holder shall ensure the property is maintained in reasonable repair.
4. The licence holder shall ensure that the name, address, email and telephone number of the person responsible for managing the property is displayed in a prominent position in the common parts of the house. A 24 hour emergency telephone number should also be provided.
5. The licence holder shall ensure that a copy of the licence and licence conditions are displayed in a prominent position in the common parts of the house.
6. The licence holder shall supply the occupiers of the house with a written statement of the terms on which they occupy the house.
7. The licence holder shall take all reasonable and practicable steps to prevent or reduce antisocial behaviour by persons occupying or visiting the house. All complaints of anti-social behaviour by occupants or their visitors made by other occupants or neighbours shall be investigated and the appropriate action taken.
8. The licence holder shall, upon request, provide the London Borough of Camden with evidence of appropriate management practice and procedures to address any anti-

social behaviour that may arise. The details should be provided within such reasonable time as may be specified by The London Borough of Camden.

9. The written statement provided to occupiers on their terms of occupancy shall include an express prohibition on anti-social behaviour that causes a nuisance or annoyance to other occupiers or neighbours.
10. Where a gas supply is provided the licence holder shall submit to the London Borough of Camden annually for their inspection the current gas safety certificate obtained within the last 12 months in respect of all gas installations and appliances in the parts of the house under their control. Copies shall also be given to the occupants of the house.
11. The licence holder shall, upon request, provide the London Borough of Camden with a current test certificate for the fixed electrical installation in the parts of the house under their control. Any report should be less than five years old at the date of submission.
12. The licence holder shall ensure that electrical appliances and furniture made available by them in the house are kept in a safe condition. There should be a regular visual inspection of all such appliances and furniture to determine condition.
13. The licence holder shall, upon request, provide the London Borough of Camden with a declaration as to the safety of any electrical appliances and furniture they have supplied. Copies should be made available to occupants of the house.
14. All upholstered furniture and covers and fillings of cushions and pillows should comply with the requirements of the Furniture and Furnishings (Fire) (Safety) Regulations 1988 (as amended).
15. The licence holder shall keep smoke alarms in proper working order and, upon request, provide the London Borough of Camden with a BS5839 test report relating to the fire alarm and detection system and/or a BS5266 test report relating to the emergency lighting.
16. The licence holder shall ensure that a carbon monoxide alarm is installed in any room in the HMO which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance. The carbon monoxide alarm is to be kept in proper working order. And the licence holder shall on demand, supply the local authority with a declaration as to the position and condition of the alarm.
17. The licence holder shall, upon request, provide the London Borough of Camden with a written copy of the fire risk assessment (FRA) carried out by a responsible person under the Regulatory Reform (Fire Safety) order 2005.
18. The licence holder shall ensure that there are sufficient containers provided for household recycling and rubbish. All recycling and rubbish containers must be provided with a dedicated and appropriate storage area.
19. The licence holder must comply with any scheme provided by Camden Council which relates to the storage and disposal of household waste at the HMO pending collection.
20. The licence holder shall take such steps as are necessary to treat any pest infestation within the parts of the house under their control. Such steps should include engaging a pest control contractor to undertake a survey of the house and undertaking such treatment and proofing works as required. The Council will consider an exception where the infestation is clearly as a result of the tenant's behaviour or neglect.
21. The licence holder shall inform the Private Sector Housing Team at the London Borough of Camden in writing of any material change of circumstances in respect of the licence

- holder, manager or anyone else involved with the property, the property itself or its management within seven days of such a change occurring.
22. The licence holder must advise the Private Sector Housing Team at the London Borough of Camden in writing of any proposed changes to the construction, layout or amenity provision of the house which would affect the licence or licence conditions. No such alterations shall be made without prior consent.
23. The licence holder shall arrange for access to be granted to all common parts, and where possible all other areas including rooms, at any reasonable time for the purpose of inspection to ensure compliance with licence conditions.
24. The licence holder shall if required by written notice provide the London Borough of Camden with the following particulars with respect to the occupancy of the house:
- The names and telephone numbers of individuals and households living in the house and the parts of the property they occupy; and
 - The dates when each individual and household moved into the property.
- The details should be provided within such reasonable time as may be specified by the London Borough of Camden.
25. The licence holder shall upon the request of the London Borough of Camden attend such training courses as required in relation to any applicable Code of Practice approved under the provisions of the Housing Act 2004 section 233.

Notes

- a) The property licence and conditions do not imply or grant by inference or otherwise any approval or permission for any other purpose including Building Control, Planning, LB Camden leasehold terms and conditions, the Regulatory Reform (Fire Safety) Order 2005. Conversely compliance with any of these requirements does not confer or imply compliance with the requirements of the Housing Act 2004 including HMO licensing.
- b) Failure to comply with any licence condition may result in loss of the licence and court proceedings leading to fines (there is no limit on the amount).
- c) Any arrangements relating to the licence and conditions are without prejudice to assessments and appropriate actions including enforcement actions under the Housing Act 2004 and associated management regulations. This includes actions to deal with category 1 and category 2 hazards as may be identified under the Housing Health and safety rating System (HHSRS) and does not prejudice such action. Also the Management of Houses in Multiple Occupation (England) Regulations 2006, or in the case of Section 257 HMO's, the Licensing and management of Houses in Multiple Occupation (Additional Provisions)(England) Regulations 2007.

SCHEDULE OF WORKS

Schedule items 1, 2 and 3 to be completed within 2 months of the date of issue of this licence.

1. Under stair cupboards. Install a self-closing device to the cupboard doors (which contain the electricity meters and a mega flow tank).
2. A section of intumescent strip and cold smoke seal on door to Bedsit 2 (section between door locks), is missing. Re-instate missing section.
3. All holes in walls/ceilings (for instance, where wiring/pipes go through) must be filled with intumescent paste (e.g. holes within small fuse box on the ground floor hallway opposite the under stairs cupboards).

Works Appendix

These notes are intended to be a guide to assist owners and builders who are required to carry out works as a result of the above licence conditions. Failure to follow this guidance could mean that enforcement action could be taken against the person responsible for failure to follow statutory requirements.

Directions/Conventions (Right/Left)

References to the right hand or left of the premises are to be taken to indicate those sides of the premises as viewed from the opposite side of the street when facing the building.

Alternative Works

Such alternative works may be carried out, in agreement, with the Environmental Health Officer or Technical Officer, so as to ensure satisfactory compliance with the requirements of the above work schedules.

Planning

The requirements contained herein are without prejudice to any action that the Council may take pursuant to the Town and Country Planning Acts and do not imply acceptance by the Council of the present or future use of the property. Any necessary planning permissions must be obtained before works commence.

Conservation Areas and Listed Buildings

If the property is in a Conservation Area or is on the Government's list of buildings of special architectural or historic interest (listed buildings) special considerations may apply as regards the way works are carried out and whether planning or listed building consent is required. Please contact the Council's Advice and Consultation Team on 020 7974 4444 or env.dev.con@camden.gov.uk to find out if any special planning considerations apply to this building.

Building Regulations

Proper building notice is to be given to the Building Control Officer, Camden Town Hall Extension, Argyle Street, London WC1H 8EQ, prior to commencement of works, where necessary. Ensure the Building Control Officer is advised at all appropriate stages of the work. The foregoing works are to be carried out to comply with any Local Authority by-Laws and the current Building Regulations

The Party Wall Act Agreement

Where work may affect the structural stability of a Party Wall a Party Wall Notice should be served to the adjoining property owner describing work that is proposed, and the method of carrying out such work with an approved drawing.

A written response should be received within 14 days from date of receipt, either in agreement and signed, or objecting to the works. If no agreement is reached an impartial independent surveyor or engineer can be engaged to represent both parties if they agree, or, each party engage their own surveyor, in which case the two surveyors must engage a third surveyor to act as arbiter in case of a dispute.

Hours of work

Where any noise may be heard outside the site boundary, the contractor must restrict the work hours from 8:00am to 6:00pm Monday to Friday and 8:00am to 1:00pm Saturday. No work is to be carried out on Sundays or Bank Holidays.

Decoration and making good

All new external woodwork is to be knotted, stopped, primed and painted with two undercoats and one topcoat. All new internal woodwork is to be knotted, stopped and primed. Apply rust inhibitor and one coat metallic paint to all new external metalwork. When carrying out the works ensure all surfaces disturbed or damaged are made good and left to match existing

Asbestos

Only a specialist contractor, licensed by the Health and Safety Executive, may carry out works involving the removal or repairing of an asbestos material. The licensed contractor will make the necessary arrangements for ensuring the health and safety of the public, residents or other contractors during the course of the works and will be responsible for the safe disposal of all asbestos contaminated waste at an approved site.

Health and Safety

Whilst works are in progress due care and attention is to be paid towards the provisions of the Health and Safety at Work Act etc.1974 and the Control of Pollution Act 1974. All works are to be carried out in accordance with the provisions of the Health and Safety at Work etc. Act 1974 and all regulations and orders made there under.

Scaffolding

Where necessary, provide and erect prefabricated metal scaffolding of good design and construction and properly secured to ensure a safe and secure working environment to comply with BS 1139:1990 and HSE guidance including boarding out, toe boards, hand rails, ladders and ties. On completion of the required building works dismantle in a safe manner and remove from site.

Underpinning

When underpinning works are necessary it is in your interest to employ the services of a Specialist Contractor experienced in works of this nature.

Underpinning/foundation reinforcement may generally be carried out using any patented or proprietary method provided the Council's Building Control Officer is consulted prior to the commencement of works and that any recommendations made are incorporated into the scheme of works

Site Conditions/Cleanliness

While building works are in progress the common hallways, landing, corridors, stairways and other areas are to be kept free from accumulations of rubbish, debris and materials, etc. An adequate supply of electricity, gas and water must also be maintained throughout the building.

After works are completed to the satisfaction of the Local Authority, the site is to be cleared of all builders refuse, materials etc. and left in a clean and tidy condition.

Mixing Mortar

Mixing mortar is not normally to be carried out on the road or footway. If it is impossible to take a mixer through the house the road surface must be fully protected by tarpaulin or similar. Any wash from mixer or equipment must be prevented from entering the surface water drainage system.

Workmanship/British Standards/Codes of Practice

All the foregoing work shall be carried out in a proper workmanlike manner to the satisfaction of the Local Authority. All works are to be carried out in accordance with the appropriate British Standard and Codes of Practice, whether or not the British Standard or Code has

been specified. Where none applies, all materials shall be used and fixed according to the manufacturer's instructions. Undertake all works with skill and care in order to produce work fit for its intended use and of good quality. All materials are to be of good quality and conform to relevant British Standards.

Tenants

Insofar as tenants may remain in occupation during works, every effort is to be made to cause minimum inconvenience to them. In particular all washing and sanitary facilities and all supplies of gas and water are to be maintained in proper working condition. As necessary, adequate temporary facilities must be provided during works.

Where the works are major and require the tenants to be rehoused during the works, this is to be arranged by the landlord. Proper advanced notification of the works is to be given to all tenants. Help is to be given for moving furniture and effects, providing alternative services and suitable temporary housing. On completion of the work the tenant must be moved back into the property and allowed to occupy the same area under the same tenancy conditions as they enjoyed prior to the works being carried out

Temporary WC

Where a water-closet is either inaccessible or not usable during works, a temporary pan, suitably connected to the drainage system (or as appropriate) shall be provided for the occupant's use.

Compliance with Utility Services and Required Certificates

All works must comply, as appropriate, with the requirements of the statutory undertakers including Gas & Electricity Utilities and Thames Water.

As necessary, copies of the following certificates must be forwarded to this Department before the licence conditions can be deemed to have been complied with:

- Where works to the electrical installation are carried out a satisfactory Minor Works or Completion certificate signed by a competent electrician registered with one of the following bodies must be provided for the Council. **The National Inspection Council for Electrical Installation Contracting (N.I.C.E.I.C.), The Electrical Contractors Association (E.C.A) or the National Association for Professional Inspectors and Testers (N.A.P.I.T.).**
- Where new gas appliances are installed, the work must be carried out in accordance with the Gas Safety (Installation and Use) Regulations and a Building Regulations Compliance certificate obtained and provided for the Council. All work to gas installations or appliances must be carried out by a Gas Safe registered plumber and a report/certificate obtained and provided to the Council.
- Where works to the water supply are carried out, a satisfactory certificate from Thames Water or a competent plumber must be obtained to show compliance with the Water Supply (Water Fittings) Regulations 1999.

Internal Layout and Design

When works involve the installation, repositioning or redesign of bathrooms, kitchens or sanitary facilities, the advice contained in the Building Research Establishment's - **BRE Housing Design Handbook: Energy and Internal Layout** must be followed.

Fire Appendix

Guidance notes and definitions of standard terms

These notes are intended to be a guide to assist owners and builders who are required to carry out fire safety works as a result of the licence conditions.

Failure to follow this guidance could mean that the council will require further work to be carried out. Therefore, if there are any doubts in connection with the council's requirements you are advised to refer to the current British Standard and/or contact the Private Sector Housing Service.

Asbestos

All materials used as fire-proofing are to be asbestos-free material because of the dangers of working with asbestos based materials.

Fire Resisting

"Fire resisting" means that the construction is capable of resisting the action of fire and smoke for not less than 30 minutes or exceptionally 60 minutes, under prescribed test conditions, and in accordance with the current British Standards.

Door assemblies

Door assemblies refer to the complete door, matching frame and door hardware (and intumescent strips and smoke seals where appropriate).

Fire resisting door assemblies are those that normally provide fire resistance for 30 minutes (60 minutes in exceptional circumstances).

The following door assemblies will provide the appropriate standard:

- New purpose built door assembly that has been tested or assessed to BS 476 : Parts 22 & 31.1
- Provided the existing frame is in good condition, square **and** the architraves covering the frame wall junction are removed and any voids filled with plaster, intumescent material, or other suitable material before replacing the architraves, it may be possible to provide the necessary fire resistance by:
 - Replacing the door with a new door that has been tested or assessed to BS 476 : Parts 22 & 31.1 and is fitted in accordance with the manufacturer's test or assessment report
 - Retaining the existing door provided it has been built to an earlier standard but it must then be upgraded by fitting intumescent strips and smoke seals centrally in the sides and top of the door or frame.

Listed buildings

Where the existing doors do not conform to the fire resisting criteria, it is the policy of this authority that new fire resisting door assemblies tested to BS 476 Parts 22 & 31.1 are installed. These incorporate the latest technology and will perform consistently in a fire. OR In exceptional cases, if the existing doors must be retained for reasons of architectural or historical interest and proof of the requirement is obtained from the appropriate authority [The Head of Development Management (Planning) or English Heritage] the doors may be upgraded to meet the fire resisting criteria required but **each door and frame** will require an individual assessment of its suitability for upgrading and each door must be upgraded strictly in accordance with the requirements issued by the TRADA (Timber Research and Development Association) **and approved in advance** by the Private Sector Housing Service.

Door frame to wall junction

An important area, which is frequently overlooked, is the sealing of the frame to the surrounding structure. Architraves should be removed to check that no voids occur between the frame and surrounding structure. Voids should be filled with plaster, intumescent material or other suitable material before replacing the architraves.

Door rebates and stops

With the current design of fire doors incorporating heat activated intumescent door leaf/frame edge seals the doorstop is only required to prevent the door swinging beyond the design angle of the hinge and therefore the dimension of the stop is irrelevant.

Door intumescent strips and smoke seals

30 minute fire resisting door assembly (FD30)

- No part of the hinge should extend across the door thickness to a position closer than 12mm from the non-pivoting face. The single 10mm wide intumescent strip may be interrupted by the ironmongery.

60 minute fire resisting door assembly (FD60)

- No part of the hinge should extend across the door thickness to a position closer than 18mm from the non-pivoting face. A single 20mm or two 10mm wide intumescent strips may be used. At least 10mm of the strip must remain interrupted by the ironmongery.

Door and door frame gap

The gap between the edges of a fire resisting door and frame shall be not less than 2mm and not more than 4mm. (Less than 2mm and the door fitted with smoke seals fitted will not close properly, more than 4mm and the smoke seals will not prevent smoke escaping through the gap).

Door threshold gap and sealing

The gap at the bottom of the door should not be more than 10mm and no smoke or intumescent seals are required.

Door self-closing devices

All doors must effectively self-close through the use of an approved self-closing device. The device must ensure that the door closes from any angle and is held firmly in a closed position with or without a latch device. Rising butt hinges are not acceptable and it is strongly recommended that hydraulically controlled self-closing devices are used.

Door hinges

The fire doors must be hung on three 100mm long hinges which should be non-combustible having a melting point not less than 800°C.

Door ironmongery

All ironmongery fitted to fire resisting door assemblies shall conform to the relevant British Standards. Where mortice locks are fitted they must be operable from the inside without the use of a key. This would normally take the form of a 'snib' or thumb turn type mechanism.

Partitions, screens, spandrels and lobbies

New 30 minute stud partitions shall be constructed of a minimum of 75mm by 50mm timber studding faced on both sides with 12.5mm plasterboard, or fire protective boarding of appropriate thickness. All joints are to be filled solidly with non-combustible materials. If additional fire resistance is required or 75mm by 50mm stud partitions can't be fitted, further advice can be obtained from the Private Sector Housing Service.

Glazing

Fire resistant glazing is probably more dependent on good installation practice for its performance than almost any other construction product. Advice should normally be sought from the Private Sector Housing Service before any glazing, intended to be fire resisting, is installed.

The fire resisting glass used will determine the specification for the framing materials and advice should be sought from the manufacturer or from the installer who is a member of a reputable trade association such as the Glass and Glazing Federation (GGF) fire resistant glazing group. As a guide the following framing details will normally provide a satisfactory 30 minute fire resisting frame;

- 75mm x 63mm timber soft or hardwood studwork.
- Hardwood beads about 20mm and not less than 15mm high preferably chamfered away from the glass.
- Steel pins, not less than 31mm long at an angle of nominally 45° to the face of the glass

Glass used in critical locations (identified in the Building Regulations) must also be safety glass tested to BS 6206.

Staircase Lighting

Adequate conventional lighting must be provided throughout the entire escape route (i.e. staircase and landings). The lighting should be wired so that the use of any one switch/push button along the route will illuminate the whole route. If a push button system is installed it must be designed so that the staircase will be illuminated for a minimum of 4 minutes.

Emergency lighting and Automatic fire detection & alarm systems

Prior to the commencement of any works it is recommended that the Private Sector Housing Service is consulted prior to the commencement of works to ensure compliance with the legislation and appropriate British Standard.

- Fire detection and alarm systems must be installed in accordance with British Standard 5839: Part 6 (except in hostel type accommodation where BS 5839 Part 1 applies)
- Escape lighting must be installed in accordance with British Standard 5266: Part 1.

Completion of Works

On completion of the installation of the automatic fire detection system and/or emergency lighting system or if there is a major alteration to the existing installation, a commissioning certificate must be supplied to the user of the system and to the Private Sector Housing Service.

Record drawings and Operating instructions

The record drawings and operating instructions of the automatic fire detection system and/or emergency lighting system must be supplied on completion of the installation(s).

Log Book

A logbook for the automatic fire detection system which is used to record the following information must be supplied to the owner and kept on the premises so that it is available for inspection:

- The name of the responsible person.
- Date and time of all alarms, whether genuine, practice, test or false (unwanted) together with their causes where known. If the alarms have been caused by the operation of a detector or a manual call point, then the location of the device should be recorded if known.
- Date of any completion certificate including any certificate relating to alterations.
- Date of each periodic inspection and test certificate.
- Date and brief details of each service, inspection or test carried out.
- Date and brief details of any defects and remedial action taken.
- Date and brief details of any alterations to the emergency lighting installation.
- Date and time of all periods of disconnection or disablement of the alarm system.

Prevention of False (unwanted) Alarms

Many false (unwanted) alarms are caused by operations in the vicinity of detectors, carried out either negligently or in ignorance. The responsible person should ensure that staff and visiting contractors are aware that the building is fitted with an automatic fire detection system.

Permanent notices should be displayed at the entrance to all areas in which detectors are sited.

Where temporary work involving the generation of dust, smoke, etc. is to be carried out in an area protected by smoke detectors, suitable precautions should be taken to prevent false alarms or damage to the detectors by contamination. The responsible person shall ensure that when the work is completed any temporary screening, covering and residual dust is removed. Any substituted smoke detectors should be replaced and the system properly reinstated. After reinstatement, a competent person shall make an operational check of the system.

Repeated false (unwanted) alarms may indicate that an inappropriate type of detector has been used and advice should be sought from the installer of the system or other competent person. Any changes to the detector head should be recorded on the drawings and the log book.

Calculation tables for maximum permitted number

The tables below are used to calculate the maximum permitted number for the HMO. The maximum permitted number will be the lowest total figure from the following tables.

Room Sizes				
HMO Standards				
Minimum floor area where kitchen facilities are provided in a separate room		Minimum floor area where kitchen facilities (not enclosed) are included in the room		
Single 9m ²	Double 11m ²	Single 12m ²	Double 14m ²	
Minimum floor area for rooms without kitchen in HMO's where a shared living room of at least 10m ² is provided and where there are cohesive living arrangements.				
Single (where no WHB is installed or required) 7.1m ²	Single with WHB (where a WHB is installed or required) 7.3m ²	Double (with or without WHB) 10.2m ²		
The maximum permitted number for self-contained flat(s) within the HMO, occupied by persons living as one household, is calculated based on the number and size of bedroom(s) in accordance with guidance in Part 1 of the Housing Act 2004.				
Lets	Location	Area (m ²)	Current occupiers	Maximum permitted number
Bedsit 1	Ground floor front	23.97	0	2
Bedsit 2	Ground floor rear	15.60	2	2
Bedsit 4	First floor front	28.80	1	2
Bedsit 5	First floor back addition	13.68	1	2
Bedsit 6	Second floor front right	18.62	1	2
Bedsit 7	Second floor rear right	15.96	0	2
Storage	Second floor front left	6.66	0	0
Studio no. 3	Ground floor back addition		1	2
	Bedroom	13.76		
	Kitchen	5.60		
Total Maximum Permitted Number				14
Notes: none.				

Kitchen Facilities			
HMO Standards			
Minimum floor area for shared use kitchens			
3 - 4 persons (1 set of kitchen facilities)	5 persons (1 set of kitchen facilities)	6 - 10 persons (2 sets of kitchen facilities)	11 - 15 persons (3 sets of kitchen facilities)

4.8m ²		6m ²		11m ²		16m ²	
Minimum floor area for shared use kitchen diners							
3 - 4 persons (1 set of kitchen facilities)		5 persons (1 set of kitchen facilities)		6 – 10 persons (2 sets of kitchen facilities)		11 – 15 persons (3 sets of kitchen facilities)	
8m ²		8m ²		15m ²		22m ²	
Minimum floor area for separate exclusive use kitchen							
1 person				2 persons			
4m ²				4.5m ²			
Shared kitchen	Kitchen diner	Exclusive kitchen	Location		Area (m ²)	Suitable for use by	
x	x		First floor rear		16.80	10	
		x	Ground floor back addition		5.60	2	
Notes: -							
Maximum Permitted Number							12

Bathing & WC Facilities						
HMO Standards						
Minimum floor area (m ²) for rooms containing sanitary facilities & maximum number of persons permitted to share bathing facilities						
Bath only	Bath / WHB	Bath / WC / WHB	Shower only	Shower / WHB	Shower / WC / WHB	WC / WHB
2.3m ²	2.5m ²	2.8m ²	1.7m ²	2m ²	2.2m ²	1.2m ²
4 or fewer occupants		At least one bathroom with a fixed bath/shower, wash hand basin and a WC (which may be situated in the bathroom).				
5 persons sharing facilities		<ul style="list-style-type: none"> Two bathrooms each containing a bath/shower, WC and wash hand basin or A bathroom containing a bath/shower/WHB and a WC/WHB in a separate compartment 				
6 or more persons sharing facilities		<ul style="list-style-type: none"> 6 - 10 persons - Two full sets of facilities (bath/shower/WC/WHB) 11 – 15 persons - Three full sets of facilities (bath / shower / WC / WHB) 16 - 20 persons Four full sets of facilities (bath / shower / WC / WHB) etc. <p>Note: At least 1 of the WC's must be in a separate compartment.</p>				

Amenity	Location	Shared facility	Exclusive use	Suitable for use by
Bath / WC / WHB	First floor rear	x		10
WC / WHB	First floor rear	x		
Shower / WHB	Second floor rear left	x		
Shower / WC / WHB	Ground floor back addition		x	2
Notes: -				
Maximum Permitted Number				12

THIS DOCUMENT DOES NOT FORM PART OF THE HMO LICENCE
Reference: 17 Fordwych Road London Greater London NW2 3TN

IMPORTANT INFORMATION

Licensed HMOs will be monitored for compliance with Camden's HMO standards. Inspections will also be carried out to ensure there are no breaches of management regulations and to confirm that the housing conditions are acceptable.

During the course of the inspection problems were identified with the current condition and/or management of the HMO. You are advised to carry out works to address the issues listed below to ensure compliance with your legal obligations. Please note that further hazards or management contraventions may be identified when we carry out our next inspection.

List of Management Contraventions (requires immediate attention)

1. Radiator to Bedsit 7 (second floor rear right) is detached (hanging) from the wall.

List of hazards/defects (advisory only – will form part of any future HHSRS inspection)

2. Electric cables in the loft space have been buried under layer of thermal insulation wool which may lead to over-heating therefore, increasing the likelihood of fire hazards. It is possible that electric cables running in the roof void above the shared bathroom have been affected similarly. Electric cables are to run above any layer of thermal insulation.

Notes

1. The person managing the property commits an offence for failing to comply with Management Regulations and can be prosecuted for such an offence. A person who commits such offences is liable on summary conviction to a fine and a criminal conviction. The maximum penalty applicable to offences for each breach carries an unlimited fine. A criminal conviction could result in the licence being revoked.
2. All homes should be free from Category 1 health and safety hazards when assessed using the Housing Health and Safety Rating System (HHSRS) – Licensable HMOs are subject to inspection to ensure that they are free from Category 1 hazards. Where Category 1 hazards are identified, the council is under a legal duty to take enforcement action and we charge extra for this additional work. Failure to undertake works to reduce or eliminate the hazards under HHSRS may result in a statutory notice being served to ensure the works are undertaken. The Council charges for the service of such notice and it's likely to be in excess of £1000. Refusing to comply with the notice once it becomes operative is an offence. A person who commits such an offence is liable on summary conviction which carries a fine no longer limited to £5000. Again a criminal conviction could result in the licence being revoked.
3. **If any of the above defects relate to Heating and/or Insulation:** They are likely to lead to a category 1 hazard for excess cold hazard and it is likely that any building elements given in the above 'list of defects' will be required to be improved to building regulation standards or; if necessary replaced. Replacement heating systems should be zoned gas central heating systems or if there is no gas supply; high retention electric storage heaters on an off peak rate. Any electric heating is likely to require wall insulation and double glazing to reduce the hazard to an acceptable level. As from the 1st April 2018 there will be a requirement for any properties rented out in the private rented sector to normally have a minimum energy performance rating of E on an Energy Performance Certificate (EPC). * All works subject to obtaining appropriate planning/ listed buildings consent.

For further information on the HMO Management Regulations and HHSRS please go to **Camden's website**. www.camden.gov.uk/hmolicensing