



## **A. Standard conditions**

### **Gas installations**

- 1.1 If gas is supplied to the house, the licence holder shall ensure that each gas appliance and flue at the house is checked for safety at intervals not exceeding 12 months by a Gas Safe registered engineer.
- 1.2 The licence holder shall obtain from the person conducting the gas safety check a certificate specifying the results of the check.
- 1.3 The licence holder shall supply to the Authority within 7 days of its demand a gas safety certificate obtained within the last twelve months in respect of the house.

### **Electrical installations**

- 2.1 The licence holder shall ensure that every fixed electrical installation in the house is kept safe and in proper working order.
- 2.2 The licence holder shall ensure that every fixed electrical installation is inspected and tested at intervals not exceeding five years by a person competent to undertake such inspection and testing.
- 2.3 The licence holder shall obtain from the person conducting that inspection and testing a certificate specifying the results of the inspection and testing.
- 2.4 The licence holder shall supply to the Authority within 7 days of its demand any such certificate.

### **Electrical appliances**

- 3.1 The licence holder shall ensure that electrical appliances made available in the house by them are kept in a safe condition and proper working order.
- 3.2 The licence holder shall ensure that such electrical appliances in the house are inspected and tested as appropriate, depending on the type of appliance, by a person competent to undertake such inspection & testing.
- 3.3 The licence holder shall ensure that unsafe electrical appliances are removed from the house.
- 3.4 The licence holder shall ensure that a record of visual inspections and tests is maintained.



- 3.5 The licence holder shall supply to the Authority within 7 days of its demand the record of visual inspections and tests.
- 3.6 The licence holder shall supply to the Authority within 7 days of its demand a declaration as to the safety of electrical appliances.

#### **Carbon monoxide alarms**

- 4.1 The licence holder shall ensure that a carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance. Any such alarm must be kept in proper working order.
- 4.2 The licence holder shall supply to the Authority within 7 days of its demand a declaration as to the condition and position of any carbon monoxide alarms in the house.

#### **Smoke alarms & fire detection systems**

- 5.1 The licence holder shall ensure that at all times a smoke alarm or fire detection system is installed in the house and is maintained in proper working order. There must be at least one smoke alarm installed on each storey of the house on which there is a room used wholly or partly as living accommodation. For these purposes a bathroom or lavatory is a room used as living accommodation.
- 5.2 The licence holder shall ensure the fire alarm system in the house is inspected, tested and serviced as appropriate, depending on the category and grade of the system, by a person competent to undertake such inspection, testing and servicing.
- 5.3 For Grade A systems, the licence holder shall obtain from the person conducting such inspection and testing a certificate specifying the results of the inspection and testing
- 5.4 The licence holder shall supply to the Authority within 7 days of its demand any such certificates.
- 5.5 The licence holder shall supply to the Authority within 7 days of its demand a declaration as to the condition and position of any smoke alarms/detectors in the house.



### **Emergency escape lighting**

- 6.1 The licence holder shall ensure that any escape lighting in the house is inspected, tested and serviced by a person competent to undertake such inspection, testing and servicing.
- 6.2 The licence holder shall obtain from the person conducting such inspection and testing a certificate specifying the results of the inspection and testing.
- 6.3 The licence holder shall supply to the Authority within 7 days of its demand any such certificates.

### **Furniture and furnishings**

- 7.1 The licence holder shall ensure that the furniture made available by them is kept in a safe condition.
- 7.2 The licence holder shall supply to the Authority within 7 days of its demand a declaration as to the safety of such furniture.

### **Environmental management & amenity of the neighbourhood**

- 8.1 The licence holder shall ensure that the exterior of the house is maintained in a reasonable decorative order and in reasonable repair.
- 8.2 The licence holder shall ensure that at all times gardens, yards and other areas within the curtilage of the house are kept in a reasonably clean and tidy condition, and free from rodent infestations.
- 8.3 The licence holder shall ensure that suitable and adequate provision for refuse storage and collection is made at the house. This shall include a closable bin(s) of suitable capacity as specified by the Authority. Arrangements shall be immediately made for the proper collection and disposal of any rubbish additional to that within the bins, and such rubbish shall be stored at the rear of and within the curtilage of the house. The licence holder shall ensure that all refuse containers are returned within the curtilage of the house on the same day that they are emptied by the Authority.
- 8.4 The licence holder shall comply with any scheme which is provided by the Authority to the licence holder and which relates to the storage and disposal of household waste at the house pending collection.



### **Landlord and tenant**

- 9.1 The licence holder shall supply to each occupier of the house within 28 days of the commencement of their tenancy a written statement of the terms on which they occupy it.
- 9.2 The licence holder shall supply to the Authority within 7 days of its demand a copy of such a written statement.
- 9.3 The licence holder shall ensure that notification in writing is given to all occupiers at the beginning of their occupancy of the arrangements in place to deal with emergency and other repairs.
- 9.4 The licence holder shall ensure that all reasonable and practical steps are taken to prevent or reduce anti-social behaviour by persons occupying or visiting the house.
- 9.5 The licence holder shall ensure that each occupier is made aware of any conditions imposed by the Authority relating to the behaviour of occupiers, and that compliance with any such conditions is made a condition of occupancy. Those conditions are that occupiers shall:
  - not cause nuisance and annoyance to other occupiers or to neighbouring residents;
  - comply with arrangements made by the manager for the storage and disposal of refuse;
  - not cause damage to fixtures, fittings, fire precautions or house;
  - not use abusive or threatening behaviour;
  - allow access to the agents/landlord to maintain communal areas, and with reasonable notice, to carry out works within the occupiers' own accommodation.

### **Change of details**

- 10.1 The licence holder shall inform the Authority within 21 days of any change to the name or address of the licence holder or of the person managing the house.

### **Fit and proper person**

- 11.1 The licence holder shall inform the Authority in writing within 21 days of becoming aware that the licence holder, the person managing the house or any person associated or formerly associated with that person has:



- (a) committed any offence
- involving fraud;
  - involving dishonesty;
  - involving violence;
  - involving drugs;
  - listed in Schedule 3 to the Sexual Offences Act 2003.
- (b) practised unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in, or in connection with, the carrying on of any business.
- (c) contravened any provision of housing or of landlord and tenant law. In particular
- has been subject to proceedings by a local authority;
  - where the local authority has had to carry out works in default;
  - has been subject to a management order under the Housing Act 2004;
  - has been refused an HMO licence or breached conditions of an HMO licence.
- (d) acted otherwise than in accordance with any applicable code of practice approved under section 233 of the Housing Act 2004.
- (e) a banning order under section 16 of the Housing and Planning Act 2016 in force against them.

### **Floor area etc**

12.1 The licence holder shall ensure that the floor area of any room in the house used as sleeping accommodation by:

- (a) one person aged over 10 years is not less than 6.51 square metres;
- (b) two persons aged over 10 years is not less than 10.22 square metres;
- (c) one person aged under 10 years is not less than 4.64 square metres.

The licence holder shall notify the Authority of any room in the house with a floor area of less than 4.64 square metres and shall ensure that any such room is not used as sleeping accommodation.



Any part of the floor area of a room in relation to which the height of the ceiling is less than 1.5 metres is not to be taken into account in determining the floor area of that room for the purposes of this condition.

- 12.2 The licence holder shall ensure that where any room in the house is used as sleeping accommodation, it is not used as such by more than the maximum number of persons specified in the table below.

For the purposes of the table only, a child is taken to be a person aged under 10 years, an adult is taken to be a person aged over 10 years.

References to left, right, front and back are as if the viewer is **inside** the house looking towards the street.

Room location	Maximum number of households	Maximum number of persons
<b><i>Example only</i></b> <i>First floor front left</i>	1	1 adult or 1 adult and 1 child or 3 children

The maximum permitted number of households and persons above apply from the date the licence comes into force, unless specified below.

## **B. Conditions to make the house suitable for occupation**

*Additional conditions to be applied if the house does not currently meet the Council's standards for amenities or room sizes.*

*Examples would be conditions requiring a further sink or cooker, or provision of a wash hand basin.*



## Guidance

**The following paragraphs are not licence conditions but offer guidance on how to comply with licence conditions and on other legislation the licence holder may be required to comply with or be aware of.**

### **Gas installations**

The Gas Safety (Installation and Use) Regulations 1998 (as amended) impose duties on the landlords of rented domestic properties

Gas Safe registered engineers can be found at <https://gassaferegister.co.uk/>

### **Electrical installations**

For fixed electrical installations, inspection and testing should be in accordance with BS 7671:2008 (as amended).

The inspection must be carried out by a competent person. Electricians registered under a competency scheme may be competent to carry out inspections, but you should check with the organisation they are registered with. Registered organisations include:

British Standards Institution

Elecsa

NAPIT

NICEIC

Registered competent persons can be found at [www.electricalcompetentperson.co.uk/](http://www.electricalcompetentperson.co.uk/)

If an electrician is not registered on a competency scheme you will need to make further enquiries about competency, for example whether the electrician has a nationally-recognised qualification such as City & Guilds 2391-10.

The report of the inspection should be in the format recommended in Appendix 6 of BS 7671:2008 (as amended), such as an Electrical Installation Condition Report.



## **Electrical appliances**

The Electrical Equipment (Safety) Regulations 1994 apply to electrical appliances supplied to tenants.

Electrical appliances made available in the house by the landlord should bear at least a CE mark and ideally a British Standard Kitemark or BEAB Approved mark.

All appliances should be inspected visually for defects (e.g. frayed wiring, badly fitting plugs etc) at the beginning of each occupancy, regularly thereafter and in any event every two years.

Earthed appliances (Class 1) such as kettles and irons, and their associated leads and plugs, should be tested at the point of supply and at intervals not exceeding two years thereafter by a person competent to undertake such testing, for example a person who has a nationally-recognised qualification such as City & Guilds 2391-10.

## **Carbon monoxide alarms**

The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 apply to rented properties. Amongst other things, the landlord must ensure that a carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance. Any such alarm must be kept in proper working order.

## **Smoke alarms & fire detection systems**

The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 apply to rented properties. Amongst other things, the landlord must install a smoke alarm on each storey of the house on which there is a room used wholly or partly as living accommodation.

As a condition of this licence, the fire alarm system in the house must be tested, inspected and serviced as appropriate, depending on the type of system.

**Grade A systems** (which have a control panel) system should be inspected and serviced at periods not exceeding six months by a person competent to undertake such inspection and servicing and in accordance with the recommendations of Clause 45 of BS 5839-1.

**Grade D system** (mains wired interlinked smoke or heat alarms with battery backup) should at the very least be tested and cleaned periodically in accordance with the supplier's instructions.





**All other systems** should be tested, inspected and serviced in accordance with BS 5839-6.

Anyone carrying out testing, inspecting and servicing of alarm systems should be competent to do so. The level of competency required may vary according to the type of alarm system, but for Grade A systems the person should regularly inspect fire detection systems and be qualified to do so.

### **Emergency Escape Lighting**

Emergency escape lighting should be tested, inspected and serviced in accordance with BS EN 50172:2004/BS 5266-8 and with BS5266-1: 2011.

Certificates issued after inspection, testing and servicing should be in the format recommended by BS5266-1: 2011 (Annex C)

Anyone carrying out testing, inspecting and servicing of alarm systems should be competent to do so.

### **Furniture & Furnishings**

The Furniture and Furnishings (Fire Safety) Regulations 1988 as amended apply in respect of any upholstered furniture supplied to the house, including chairs, sofas, beds, upholstered head boards, mattresses, cushions, seat pads, pillows and upholstered garden furniture. The supplier, which may be the landlord or his agent, must ensure that the furniture and furnishings meet fire safety standards

### **Energy Performance Certificate**

An energy performance certificate is generally required for residential properties when let, although there are some exceptions.

The Energy Efficiency (Private Rented Property)(England and Wales) Regulations 2015 require, amongst other things, that the landlords of privately rented domestic and property must ensure that their properties reach at least an Energy Performance Certificate (EPC) rating of E before granting a new tenancy to new or existing tenants. These requirements will then apply to all private rented properties – even where there has been no change in tenancy arrangements – from 1 April 2020.

### **Deposits**

Deposits taken as security for a tenancy must be protected by placing it in an approved tenancy deposit scheme. The tenant must be given the prescribed information about the scheme being used within 30 days of giving the deposit.



The current schemes are:

Deposit Protection Service

MyDeposits

Tenancy Deposit Scheme

### **Lettings agents and property managers**

It is a legal requirement for lettings agents and property managers in England to join a government approved redress scheme.

The current schemes are:

The Property Ombudsman Limited

Property Redress Scheme

### **Right to rent**

Landlords must check that a tenant or lodger can legally rent residential property in England

Information on right to rent is available on the GOV.UK website [www.gov.uk](http://www.gov.uk)

### **Variations to licence**

Where the licence holder or a relevant person applies to vary a licence they should do so at the earliest opportunity. The original licence shall stay in force until the point that the variation is granted. As variations can be refused, the licence holder and other relevant persons should not assume that the variation has taken effect until the appropriate documents have been issued.