

Conditions for Regulating the Management, Use and Occupation of the Premises, plus its condition and contents (Section 67 and Schedule 4 of the Housing Act 2004)

Schedule 1

1. General Management, Occupation and Provision of Information

- 1.1 The Licence Holder must ensure that a copy of the licence is clearly displayed within a suitable common part of the house where it can be viewed by all occupiers. The schedule of licence conditions must also be provided for viewing by any occupier upon request or may be displayed adjacent to the licence.
- 1.2 The Licence Holder must not permit the house to be occupied in any other way or by more than the number of households or persons specified in the licence.
- 1.3 The Licence Holder must supply to all occupiers of the house a written statement of the terms on which they occupy it. This may take the form of a tenancy agreement or a separate written statement.
- 1.4 The Licence Holder must ensure that as far as practicable the common areas of the house, including shared living rooms, kitchens, hallways and landings etc. are not used for sleeping purposes either by any of the occupiers or their guests.
- 1.5 The Licence Holder must ensure that the house is properly managed at all times and in particular that the requirements of The Management of Houses in Multiple Occupation (England) Regulations 2006 and The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007 are complied with.
- 1.6 The Licence Holder must ensure that any person or persons involved with the management of the house are to be best of their knowledge “fit and proper persons” for the purposes of Section 66 of the Act.
- 1.7 The Licence Holder must ensure that appropriate procedures are put in place to respond to emergency repairs within a period of 24 hours of any initial notification and that sufficient funds are available at all times to finance such emergency repair work. Emergency repairs work shall include the following:
 - Any leaking water or waste pipe, tank, cistern or boiler leading to severe dampness or flooding within the premises
 - Failure of the automatic fire detection and warning system
 - Failure of the electricity, gas or water supplies resulting from any defect which is the responsibility of the Licence Holder to rectify

- Making secure any window or door which has been left insecure following a break-in
 - Failure of the heating to all or part of the house
 - Blockage of any drain soil pipe or water closet leading to ingress of sewage within any part of the house or the flooding of any yard, passageway or path providing direct access to the house
 - Damage to roof coverings and/or associated rainwater goods leading to severe rainwater penetration within the house
- 1.8 The Licence Holder must ensure that appropriate procedures are put in place to respond to general repairs within an appropriate period of any initial notification according to the nature and extent of the reported defect.
- 1.9 The Licence Holder must consult with the Council before making any material changes to the layout, provision of amenities fire precaution or occupation limits of the house.
- 1.10 The Licence Holder must inform the Council without undue delay or any changes to the ownership or management of the house.
- 1.11 The Licence Holder must take reasonable steps to prevent or where appropriate, reduce anti-social behaviour by persons occupying or visiting the house. This would include notifying the appropriate authority, be the Police or the Council of any problems of anti-social behaviour which may be beyond the licence holder's reasonable capability to control and to reasonably co-operate with any action being taken in respect of the matter.
- 1.12 The Licence Holder and/or the Manager (if a manager is employed) must, if required by the Council attend a training course in relation to any applicable code of practice approved under Section 233 of the Act.
- 1.13 The Licence Holder must ensure that the correct legal procedure is followed when bringing any tenancy to an end. (Licence in this context refers to the status of an occupier as a licensee and not to the property licence).
- 1.14 The Licence Holder must comply with any direction issued by the Council restricting or prohibiting the use or occupation of any particular part or parts of the house by persons.
- 1.15 The Licence Holder must allow any Authorised Officer of the Council access to the premises at all reasonable times for the purposes of carrying out any duties under the Act.
- 1.16 The Licence Holder must ensure that any items of bulky waste from the licensed property, such as furniture, mattresses, refrigerators etc. are properly disposed of either by taking them to an authorised waste disposal site or presenting them for collection by prior arrangement with the Council's Waste Management Department. Such items must never be placed on the public footpath or highway other than in accordance with an arrangement made with the Council.
- 1.17 The Licence Holder must not knowingly discriminate against any occupier or potential occupier of the Premises on the grounds of sex, colour, race, religion, ethnic or national origins or disability. (Hostels or similar establishments which operate on the basis of accommodating a specific gender would not be regarded as being in breach of this condition on the grounds of sex discrimination).

2. Fire Precautionary Facilities and Equipment

- 2.1 The Licence Holder must ensure that an automatic fire detection and warning system is installed in the premises in accordance with the appropriate category and grade of the current British Standard 5839.
- 2.2 The Licence Holder must ensure that the automatic fire detection and warning system is maintained in proper working order.
- 2.3 The Licence Holder must provide to the Council, on demand, a declaration as to the condition of the automatic fire detection and warning system. Such a declaration must include the provision of a test certificate or report issued by a suitably qualified person stating that the system is installed in accordance with the appropriate British Standard and is in proper working order.
- 2.4 Where appropriate, the Licence Holder must ensure that an emergency lighting system is installed within the communal fire escape route of the premises in accordance with the current British Standard 5266.
- 2.5 The Licence Holder must ensure that the emergency lighting system is maintained in proper working order.
- 2.6 The Licence Holder must provide to the Council, on demand, a declaration as to the condition of the emergency lighting system. Such a declaration must include the provision of a test certificate or report issued by a suitably qualified person stating that the system is installed in accordance with the appropriate British Standard and is in proper working order.
- 2.7 The Licence Holder must ensure that the premises are provided with a satisfactory means of escape from fire according to the size, layout and type of accommodation provided.
- 2.8 The Licence Holder must ensure that all upholstered furniture supplied by them for use by any occupier of the premises is compliant with the Furniture and Furnishings (Fire) (Safety) Regulations 1988 (as amended in 1989 and 1993). Any such furniture which fails to comply with these regulations must be removed from the premises without delay and properly disposed of. Suitable replacement furniture must be provided as appropriate.
- 2.9 The Licence Holder must on demand provide to the Council a declaration as to the safety of such furniture.
- 2.10 The Licence Holder must ensure that all fire fighting equipment, where provided, is maintained in accordance with the manufacturers recommendations and that replacement or refilled equipment is provided without delay following any usage which renders it no longer effective.

3. Gas Safety

- 3.1 If gas is supplied to the premises, the Licence Holder must provide to the Council a Landlord's Gas Safety Record (also known as a gas safety certificate) issued in accordance with the Gas Safety (Installation and Use) Regulations 1998 (as amended) with respect to all gas appliances, fittings, flues and pipework. Such a Gas Safety Record must have been obtained from a competent person and be dated within the 12 months prior to the date of application for this licence.
- 3.2 The Licence Holder must thereafter provide further gas safety records on an annual basis within 14 days of the expiry of the current record.

4. Electrical Safety

- 4.1 The Licence Holder must ensure that the fixed electrical installation of the premises is inspected and tested at intervals not exceeding **five** years by a person qualified to undertake such inspection and testing.
- 4.2 The Licence Holder must provide to the Council on demand a current periodic electrical inspection certificate for the premises in accordance with British Standard 7671.
- 4.3 The Licence Holder must ensure that all portable electrical appliances supplied by them for use by any occupier of the premises are maintained in a safe condition.
- 4.4 The Licence Holder must provide to the Council, on demand, a declaration as to the safety of such electrical appliances. Such a declaration must include the provision of a portable appliance test certificate or report issued by a suitably qualified person with respect to each item of electrical equipment so supplied.

5. Provision of Standard Amenities

- 5.1 The Licence Holder must ensure that the premises are provided with sufficient standard amenities for use by the current or intended number of occupiers according to the type of accommodation offered.
- 5.2 The Licence Holder must ensure that all standard amenities and equipment provided for use by the occupiers of the premises are maintained in good repair and proper working order.

6. Provision of Adequate Means of Space Heating

- 6.1 The Licence Holder must ensure that each unit of accommodation within the premises plus all bathrooms, whether shared or for exclusive use are adequately heated in accordance with the Council's approved standards for houses in multiple occupation.