

London Borough of Lewisham

Mandatory and Additional HMO
Licensing Schemes

Proposed Conditions

Mandatory and Additional HMO Licensing Schemes Proposed Conditions March 2020

Standard Conditions for Licences granted under Part 2 Housing Act 2004

Definitions

In these proposed licence conditions:

- a) "HMO" refers to the building or such part of it as is licensed under Part 2 of the Housing Act 2004;
- b) "Local Authority" or "Local Housing Authority" refers to the London Borough of Lewisham;
- c) "Licence Holder" refers to: (a) the person or the legal entity the Authority has granted this licence to; and (b) from the date of their consent, any other person or legal entity who agrees to comply with the licence restrictions and obligations that follow; and
- d) "Mandatory Licence Conditions" refers to conditions that the Authority is obliged to impose under any licence granted under Part 2 Housing Act 2004 by virtue of Schedule 4 of that Act.

Below includes local conditions to support enforcement of both mandatory and additional licence conditions.

Licence conditions

Occupation of the HMO

Written Statement of terms and conditions

1. The licence holder must ensure all occupants of the HMO are provided a written statement of the terms and conditions of occupation at the start of their tenancy, and must satisfy themselves that the tenant has understood their rights and responsibilities.

The licence holder must provide the local housing authority with a copy of any such statement or statements and how they were satisfied that the tenant understood their rights and responsibilities within 28 days on demand.

Advice and documentation for tenants

2. At the start of each tenancy, the license holder must ensure that
 - a) Occupants are given appropriate fire safety advice regarding the means of escape in case of fire and other fire precautions. In particular, the importance of keeping fire doors closed and keeping the escape route clear, plus how to use the fire alarm system, fire extinguishers and fire blankets.
 - b) Securely fixed notices are displayed in the common parts of the HMO with the following information,
 - i) Name, Address and Emergency Contact number of the Licence Holder or managing agent. The notice must include an emergency contact number which is available for use outside normal office hours.

- ii) Specify the occupancy limits as stated in this licence. A copy of the relevant pages of this licence may be displayed.
The notices must be in clear legible lettering, regularly checked and maintained in good condition.
 - c) A full inventory must be carried out at the start of each tenancy. The inventory must include all areas exclusively occupied by the tenant and the tenant must be provided with a signed copy and must be asked to sign an agreement that the inventory is correct.
 - d) Occupiers are given a written rent receipt within 7 days of receiving the rent, where rent or licence fees are collected or received in cash. This can be an email or written invoice confirming to the tenant, the date and amount paid. Copies of the rent receipts and records must be provided to the Authority within 28 days on demand.
 - e) Occupants of the HMO must receive a written notice about how they should deal with repair and maintenance issues and with emergencies, should they arise. Copies of the written statement of terms must be provided to the Authority within 28 days on demand.
3. Tenants must be told who is responsible for holding their deposit. If part of the deposit is to be withheld at the end of the tenancy, the tenant must be given a full written breakdown of defects and associated costs to explain why the deposit has been withheld.

Minimum Area Standards

4. The Licence Holder must ensure that:
- a) the floor area of any room in the HMO used as sleeping accommodation by one person aged over 10 years is not less than 6.51 square metres;
 - b) the floor area of any room in the HMO used as sleeping accommodation by two persons aged over 10 years is not less than 10.22 square metres;
 - c) the floor area of any room in the HMO used as sleeping accommodation by one person aged under 10 years is not less than 4.64 square metres; and
 - d) that any room in the HMO with a floor area of less than 4.64 square metres is not used as sleeping accommodation

Please note that the room floor areas referenced in this condition are nationally prescribed minimum standards. The local housing authority will determine the maximum occupancy limit per room during inspection of the HMO application.

5. The Licence Holder must ensure that:
- a) where any room in the HMO is used as sleeping accommodation by persons aged over 10 years only, it is not used as such by more than the maximum number of persons aged over 10 years specified in the licence;
 - b) where any room in the HMO is used as sleeping accommodation by persons aged under 10 years only, it is not used as such by more than the maximum number of persons aged under 10 years specified in the licence;
 - c) where any room in the HMO is used as sleeping accommodation by persons aged over 10 years and persons aged under 10 years, it is not used as such by more than the maximum number of persons aged over 10 years specified in the licence and the maximum number of persons aged under 10 years so specified.

The maximum number of persons who may occupy the HMO and the maximum number of persons who may occupy each room are specified in the licence

documentation. Both elements of these occupancy requirements must be met; please note that the [overall] maximum number of persons permitted to occupy the HMO may be lower than the sum of the total numbers of persons allowed to occupy the HMO on a room by room basis.

6. In the event that Lewisham Council has notified the Licence Holder of a breach of the licence conditions 4 or 5 above, the Licence Holder must ensure all necessary steps are taken to remedy the breach within the specified period, not exceeding 18 months from the date of notification of that breach.
7. The licence holder must notify the local authority of any room in the HMO with a floor area of less than 4.64 square metres.
8. The licence holder must provide the local authority with an up to date and accurate plan of the premises layout indicating each separate lettable unit and the location of fire doors and smoke alarms.

A lettable unit is a room within a property that is used or is capable of use as living accommodation by a household or part of a household and which is not part of the common parts of that property.

For purposes of conditions 4 - 0 above:

- a) A reference to a number of persons using a room in an HMO as sleeping accommodation does not include a person doing so as a visitor of an occupier of the HMO (as defined in section 262 Housing Act 2004).
- b) A room is used as sleeping accommodation if it is normally used as a bedroom, whether or not it is also used for other purposes.
- c) 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 paragraph.
- d) The conditions do not apply to an HMO which is managed by a charity registered under the Charities Act 2011 and which —
 - i. is a night shelter, or,
 - ii. consists of temporary accommodation for persons suffering or recovering from drug or alcohol abuse or a mental disorder

Health and Safety

Gas Safety

9. If gas is supplied to the property, a Gas Safe certificate must be submitted annually to the Council. The gas safety certificate must relate to the whole gas installation and include all gas appliances. It must demonstrate that all appliances have been serviced and safety checked within the previous twelve months. Any defects noted on the certificate must be promptly rectified.

The licence holder must demonstrate to the local housing authority that they must have held a valid gas safe certificate for the duration of the licence and must provide it within 14 days on demand. This will involve servicing and certifying the whole gas installation, including all gas appliances.

Electrical appliances and installations

10. All portable electrical appliances provided by the landlord must be maintained in a safe condition and proper working order. Portable Appliance Testing (PAT) should be carried out every twelve months with records kept for at least five years. Any necessary maintenance or repair work must be undertaken by a competent electrical engineer. Copies of all maintenance records and PAT testing must be provided to the local authority within 14 working days on demand.
11. The electrical installation must be maintained in a safe condition and proper working order. A full electrical safety inspection must be carried out at least every five years, or sooner if indicated in the report, and an NICEIC or other equivalent electrical safety certificate obtained. Any necessary maintenance or repair works must be undertaken by a competent electrical engineer in accordance with Part P of the Building Regulations. Copies of the electrical certificate must be provided to the Council on request.
12. The Licence Holder must obtain an electrical installation condition report (EICR) for the HMO, confirming that the condition of the installation is 'satisfactory', and provide a copy to the Authority within 28 days of demand. The EICR must be produced by a competent person who is appropriately qualified to prepare this report. If the person issuing the EICR is not properly registered with the Electrical Contractors Association (ECA), National Inspection Council for Electrical Installation Contracting (NICEIC), ELECSA, NAPIT or Registered Competent Person Scheme (www.electricalcompetentperson.co.uk), the Licence Holder must also provide written evidence that the electrician has the necessary qualification/s, skills and experience to issue the condition report within 28 days of demand.
(PLEASE NOTE: The Authority will not contact the electrician on your behalf).

Furniture

13. All furniture and furnishings provided in the house must be kept in a safe condition and must comply with the current furniture and furnishings fire safety regulations. A declaration of furniture safety must be provided to the local authority within 14 working days on demand.

Smoke Alarms

14. With regards to smoke alarms, the Licence Holder must ensure that:
 - a) A smoke alarm is installed on each storey of the HMO on which there is a room used wholly or partly as living accommodation; and that,
 - b) Each such alarm is kept in proper working order; and that,
 - c) On demand, the Authority is supplied with a declaration by them as to the condition and positioning of any such alarms; and that
 - d) The installed smoke alarms are appropriate to the house (see below).

For the purpose of condition 14, bathrooms and lavatories are treated as rooms used as living accommodation.

For the purpose of condition 14 d), hard-wired smoke alarms with battery back-up must be fitted in all cases in accordance with BS 5446.

Carbon Monoxide (CO) Alarms

15. With regards to carbon monoxide alarm, the Licence Holder must ensure that:
- a) 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;
 - b) any such alarm is kept in proper working order; and
 - c) the local authority is, on demand, supplied with a declaration by them as to the condition and positioning of any such alarm

For the purpose of condition 15, "room" includes halls and landings; and bathrooms and lavatories are treated as bathrooms and lavatories are treated as rooms used as living accommodation.

Refuse Disposal

16. A licence under Part 2 must include conditions requiring the licence holder to comply with any scheme which is provided by the local housing authority to the licence holder and which relates to the storage and disposal of household waste at the HMO pending collection.
17. The Licence Holder must ensure that new occupiers of the HMO are, within 28 days of the start of their occupation, given the following information on waste and recycling, in writing:
- a) The collection days for the refuse and recycling bins for the house - <https://lewisham.gov.uk/myservices/wasterecycle/your-bins/collection>
 - b) Details on assistance available, where the occupants require assistance – <https://lewisham.gov.uk/myservices/wasterecycle/your-bins/assisted-collection-service>
 - c) Details on what they can and can't recycle - <https://lewisham.gov.uk/myservices/wasterecycle/recycling>
 - d) How they can dispose of large items- <https://lewisham.gov.uk/myservices/wasterecycle/dispose-of>
 - e) General waste guidance from the Lewisham's website: <https://lewisham.gov.uk/myservices/wasterecycle>

The licence holder must satisfy himself that the tenant has understood this information. A copy of the information provided to the occupiers must be maintained for the period of the licence and provided to the local authority within 28 days on demand.

18. The Licence Holder must ensure that occupants are provided with adequate facilities for the disposal of refuse and recycling. The Licence Holder must ensure that there are suitable and appropriate receptacles for the storage of household refuse and recycling between collections, so that bags or loose refuse and recycling are not stored outside the HMO.

19. The licence holder must ensure that old furniture, bedding, rubbish or refuse from the HMO is not left on, or immediately outside, the HMO or private land.
20. The licence holder must ensure that any type of waste which the local authority does not routinely collect such as hazardous waste is disposed of in a safe and lawful manner.
21. if the licence holder becomes aware that the occupiers of the HMO or their visitors are not using the waste disposal facilities provided and/or leaving waste outside the HMO or in its vicinity (for example old furniture, mattresses), a warning letter must be sent to the occupiers within 7 days advising them to remove the items immediately. A copy must be kept and must be provided to the Authority within 28 days on demand.

Fire Risk Assessment

22. A Fire Risk Assessment is required by the Regulatory Reform Order (Fire Safety) 2005. The licence holder must implement the recommendations of the Fire Risk Assessment and provide the local authority with a copy of this document within 7 days of demand.
23. The licence holder is required to implement and maintain the requirements of the Fire Risk Assessment.
 - a) All means of escape in case of fire and other fire precautions (including fire extinguishers if required by the fire risk assessment) must be maintained in good condition and proper working order at all times, in accordance with the Council's Standards for Licensable Houses in Multiple Occupation. Any servicing or maintenance work must be carried out by a suitably qualified person.
 - b) A log book must be kept with full details of all faults, repairs, servicing, tests and alterations to both the fire alarm and emergency lighting systems, including details of who carried out the work. The log book must be made available for inspection by the Council, on request.
 - c) The latest fire alarm and emergency lighting test certificates, if required by the fire risk assessment, must be submitted annually to the Council. The certificates must be completed by a suitably competent person and must demonstrate that the complete installation has been fully checked and serviced within the previous twelve months and in accordance with the relevant British Standards. Any defects noted on the certificate must be promptly rectified.

Property Management

Management of the licensed property

24. All landlords resident outside the UK are required to appoint a managing agent to oversee the management of the licensed property. Landlords based in the UK may also appoint a managing agent. The managing agent must:
 - a) be a person or a company based in the UK;
 - b) be a 'fit and proper person' within the meaning of Housing Act 2004 s66;
 - c) must provide their consent in writing to the imposition of the restrictions and obligations of the licence conditions on them;

- d) must have access to sufficient funds to enable them to carry out the day to day management of the property, including dealing with ASB, carrying out repairs, and dealing with emergencies;
25. The licence holder must inform the Council if the identity of any UK based person or company acting as managing agent changes within 7 days of any change. Where the licence holder has obtained a discount on their licence fee because the managing agent is a member of ARLA or another approved accreditation scheme, the licence holder must continue to instruct an ARLA or similar approved agent throughout the duration of the licence.

Material change of circumstances

26. The Licence Holder must ensure that the local housing authority is informed within 28 days of any material changes in their own circumstances and, within 28 days of becoming aware of them, of any known and material change in the circumstances of any person managing or involved in the management of the HMO, such as:
- a) details of any unspent convictions not previously disclosed to the Authority that may be relevant to the Licence Holder or the property manager's status as a 'fit and proper persons', including in particular a conviction of any offence involving fraud or dishonesty, violence, drugs or any offence listed in Schedule 3 to the Sexual Offences Act 2003.
 - b) Details of any finding by a court or tribunal against the Licence Holder and/or the property manager that they have practised unlawful discrimination.
 - c) Details of any contravention on the part of the Licence Holder or property manager relating to housing, public health, environmental health, or landlord and tenant law, which has led to civil or criminal proceedings and a judgment or finding being made against them.
 - d) Information about any property the Licence Holder or property manager owns or manages, or has owned or managed:
 - i. which has been made subject to a control order under section 379 of the Housing Act 1985, in the five years preceding the date of the application; or
 - ii. which has been the subject of any enforcement action described under Part 1 sections 5(2) or 7(2) of the Housing Act 2004, concerning Category 1 and Category 2 housing condition hazards; or
 - iii. in relation to which a local housing authority has either refused to grant a licence under Part 2 or 3 of the Act or has revoked a licence; or
 - iv. which has been the subject of an interim or final management order under the Housing Act 2004
 - e) A change of property manager
 - f) A change of address of the Licence Holder or property manager
 - g) The undertaking of any substantial works to the HMO including conversions and modernisations that may affect the licence or the licence conditions

Managing agent's responsibility for compliance with license conditions

27. If the Licence Holder appoints a management agent to manage the HMO during the period of the licence, they must:
- a) before or upon the agent's appointment, obtain from the agent a written declaration identifying the licence conditions, above and below, if any, by which they agree to be bound;
 - b) ensure that the declaration includes:
 - i. A recital that the agent has read and understood the licence conditions;

- ii. A notice informing the agent that a failure to comply with the conditions may result in criminal and/or civil liability, including an unlimited fine or a financial penalty of up to £30,000 for each breach;
 - iii. A notice that, if the agent requires advice about the conditions or any failure to comply with them, he or she should consult a Citizens Advice Bureau or solicitor, before signing the declaration;
 - iv. A recital that the agent understands the consequences of failing to comply with the licence conditions;
 - v. A recital that either (a) the agent agrees to be bound by all of the licence conditions, above and below, (b) the agent agrees to be bound by such of the conditions as the declaration specifies or (c) a recital that the manager does not agree to be bound by any of the licence conditions, above or below; and
 - vi. In the case of (b) or (c) above, a statement that the person to whom the licence was granted alone is bound by the licence conditions;
- c) ensure that the aforementioned declaration is signed and dated by the appointed agent; and
 - d) within 28 days of the agent's appointment, ensure that the local housing authority is provided with a copy of the above declaration

Tenancy Management

References

28. The Licence Holder must ensure that
- a) References are demanded from and in respect of all persons who wish to occupy the house
 - b) Where they chose to allow an individual who cannot provide references to occupy a room in the HMO they must record their reasons for doing so. These reasons must be provided to the council within 28 days on demand.
 - c) Copies of obtained references are retained for the duration of the licence and that the Authority is provided with a copy of any such references and records within 28 days, on demand.

These conditions apply to any agreement made on or after the licence is granted

Access

29. The Licence Holder shall not cause or permit any person to have control or management of the HMO, or to carry out or arrange any repair, improvement or other building works at the HMO.
- a) who has previously applied for a property licence in respect of the HMO and has either:
 - b) been found not to be a Fit and Proper person,
 - c) who would not be found to be a fit and proper person should they make an application to hold a licence in their own right,
 - d) been made subject to a Banning Order under the Housing and Planning Act 2016,
 - e) If previous occupants have not surrendered keys to the HMO door, or to the doors of dwellings within the HMO, the Licence Holder must ensure that the relevant locks are changed, before new occupants move in.

Deposit and Rent Arrears

30. Where a deposit is taken the licence holder must provide the Occupier(s) with relevant information about the deposit scheme to which it relates and any other information required under section 213 of the Housing Act 2004. The licence holder shall within seven (7) days of any demand by the council provide this information.
31. If an occupant misses a rent payment, the Licence Holder must ensure that the occupant is contacted to ascertain whether he or she still occupies the HMO; and must ensure that a record of any such contact is kept. If no such contact is or can be made, the Licence Holder must ensure that the HMO is visited, no later than one month after the date on which the payment became due, to ensure that the HMO is secure and has not been abandoned.

Inspection and Preventative Actions

32. The Licence Holder must ensure that the Authority is provided, in writing, with details of the tenancy management arrangements that have been, or are to be, made to prevent or reduce anti-social behaviour by persons occupying or visiting the HMO. Evidence of these must be provided to the Authority within 28 days on demand and amongst other things shall include the following:
 - a) Notification of an emergency 24hr contact number (including out of hours response arrangements)
 - b) Written ASB procedures detailing how complaints are made to the licence holder will be dealt with, a copy of which shall be provided to the tenants in the information pack
 - c) Notification of arrangements for the disposal of rubbish and bulky waste
 - d) Written records of property inspections for management and repair issues
33. The licence holder will respect the tenants' right to quiet enjoyment of the property and will give tenants at least 24 hours' notice of any visit to the property setting out why this is required. Notice is not required when the purpose of the visit is urgent, for example to carry out emergency repairs.
34. The Licence Holder shall ensure that inspections of the HMO are carried out at least every six (6) months to identify any problems relating to the condition and management of the HMO. The Authority may increase the frequency of such inspections if it has good reason to be concerned about the condition or management of the HMO. The records of such inspections shall be kept for the duration of this licence. As a minimum requirement the records must contain a log of who carried out the inspection, date and time of inspection and issues found, and action(s) taken. Copies of these must be provided to the Authority within 28 days on demand.

Measures to address Anti-Social Behaviour [ASB]

35. The Licence Holder must ensure that all reasonable and practicable steps are taken to prevent and deal effectively with criminal and/or anti-social behaviour [ASB] resulting from the conduct of occupiers of, or visitors to, the HMO and must comply with the requirements of paragraphs (a) to (g) below (If the Licence Holder has an agent it is still the Licence Holder's responsibility to ensure their agent acts on their behalf in compliance of the conditions):
 - a) If the Licence Holder receives a complaint from any person or organisation (including the Authority) regarding antisocial behaviour involving the occupiers

of or visitors to the house, the Licence Holder must ensure that the occupiers are contacted within 7 days of receiving the complaint. The Licence Holder must ensure that the occupiers are informed in writing of the allegations of the ASB and of the consequences of its continuation.

- b) If the Licence Holder is informed by the Authority, Police or other organisation that any occupiers have entered into a Community Resolution; or have been issued with an Acceptable Behaviour Contract; or a civil injunction has been obtained against the occupiers; or if the occupiers have been prosecuted in relation to ASB, they must ensure that the occupiers are provided with a warning letter advising them (amongst other things) that their behaviour is not acceptable, that they are responsible for the conduct of their visitors, the impact on the victims and local community, and of the consequences of its continuation.
- c) Any letters, emails, legal notices or other documents relating to ASB, which are sent or received by the Licence Holder, or the agent on behalf of the Licence Holder, must be copied and kept for 5 years by the Licence Holder.
- d) Where the Licence Holder has reasonable grounds to suspect that the ASB involves criminal activity the Licence Holder must ensure that the appropriate authorities are informed.
- e) The Licence Holder shall co-operate with the Police and the Local Housing Authority in resolving ASB in any licensed property under their control. Such co-operation includes attending or being represented at any case conferences or multiagency meetings and providing information to the Police or the Local Housing Authority when requested.

Any correspondence, letters and records referred to in conditions 11(a) to (e) must be provided by the Licence Holder to the Local Housing Authority within 28 days on demand.

Property standards

36. The Licence Holder must ensure that any necessary improvement works, identified as being a condition of the issued licence, are carried out and completed. Where such works are specified, they should be undertaken within the given time periods.

Note: Additional management responsibilities relating to the management and maintenance of HMOs are contained within 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.

Property management and safety

37. The Licence Holder must:-
- a) Comply with Lewisham Council's standards for HMO properties in respect of pest control and carry out regular checks to ensure that the HMO is free from infestation. Where the licence holder becomes aware of a pest issue, they must take all steps to ensure the pests are eradicated within 7 days. Copies of any complaint (including by email) and response must be provided to the Authority within 28 days on demand. Copies of receipts and/or invoices for any such works must be provided to the Authority within 28 days upon demand.
 - b) Ensure that any repairs, improvement works or treatments are carried out by competent person(s) who is employed directly by the Licence Holder or an

- agent/employee of the Licence Holder. Copies of receipts and/or invoices for any such works must be provided to the Authority within 28 days upon demand.
- c) All outhouses, garages and sheds are kept secure, are used for their intended purpose only. The Licence Holder must ensure that these structures are not used for human habitation.
 - d) The exterior of the HMO is kept clean and tidy and that issues of routine maintenance affecting the exterior, such as broken windows, are addressed promptly.
38. The Licence Holder and/or his agent must undertake Authority-approved training (e.g. UKLAP/LLAS/NLA property management training) where required to do so by the Authority

Financial management

39. The Licence Holder must:
- a) provide the Authority with details in writing of the payment arrangements to settle the annual council tax account within 28 days of demand.
 - b) ensure that, where the council tax account is in the name of the occupiers of the HMO, they contact the council tax department to change the account into the Licence Holder's name within 28 days of demand. This condition shall not apply to any letting in the HMO where the VOA has determined that the letting should be separately banded for Council Tax purposes.
 - c) inform the occupiers of the HMO of any change in liability of council tax within 28 days from the date of change.

General conditions

40. The licence holder must:
- a) Take all reasonable steps to arrange for access to be granted to Authority officers when requested, at any reasonable time. They must not impede Authority officers in carrying out their statutory duties including inspecting, surveying and investigating the house to ensure compliance with licence conditions and any other relevant legislation;
 - b) Provide the Authority, within 28 days of receiving a written notice, with such of the following particulars as may be specified in the notice with respect to the occupancy of the HMO:
 - i. The names and numbers of individuals and households in occupation specifying the rooms they occupy within the HMO.
 - ii. The names and number of individuals in each household.
 - c) Ensure that if any alteration or construction works are in progress, works are carried out at the HMO are carried out in such a manner as to ensure the safety of all persons occupying or visiting the HMO in compliance with Health and Safety legislation.
 - d) Ensure that on completion of any works, the HMO is left in a clean and tidy condition and free from builders' debris.

Limitations of licence

Licence Transfer

This licence cannot be transferred to another person or organisation or property.

Companies and Partnerships

If the Licence Holder is a company or partnership and it is dissolved while the licence is in force, the licence ceases to be in force on the date of dissolution.

Penalty for breach of Licence Conditions

Failure to comply with any of the above licence conditions may result in enforcement action and/or prosecution.

On conviction, a Court may impose an UNLIMITED fine for each breach of these licence conditions. Alternatively, the local authority may impose a financial penalty of up to £30,000 for each licence condition breach

Other statutory and legal requirements

Planning permission

This licence does **NOT** grant any planning approvals, consents or permissions under the Town and Country Planning Act 1990 or any related planning legislation, retrospectively or otherwise. If the property is being used as a House in Multiple Occupation (HMO) this may constitute a breach of planning control and you should check the Authority's website to ensure the correct planning permissions are in place. <https://walthamforest.gov.uk/content/search-planning-applications>. This licence does not offer any protection against enforcement action taken by the Planning Department. If you are unclear on the matters outlined above, you should seek professional planning advice.

Building control

This licence does **NOT** grant any Building Control (Development Control) approvals, consents or permissions, retrospectively or otherwise. This licence does not offer any protection or excuse against enforcement action taken by the Building Control (Development Control) Department.

Property condition

This licence is **NOT** evidence that the property is safe or free from hazards and defects. The licence does not offer any protection against criminal or civil legal action being taken against the Licence Holder, or anyone else with an interest in the property, in respect of any hazards, nuisances or any other problems discovered in relation to the condition of the property.

Consumer rights & unfair practices

The Licence Holder's attention is drawn to Office of Fair Trading's (OFT) guidance on unfair contracts in relation to their tenancies or licences. The Licence Holder must negotiate its agreements in good faith and must not carry out misleading or aggressive commercial practices. Full information should be supplied to any prospective occupier including details of this licence. Further advice can be found here:

<https://www.gov.uk/government/publications/unfair-contract-terms-cma37>

It is not the responsibility of the Licensing Team within the local authority to ensure the Licence Holder has complied with the above statutory requirements. If you are unclear on any of the matters outlined above, you should seek professional advice.

Prosecution / contraventions consequences

Please note that any prosecutions or enforcement action or legal action taken against the licence holder or anyone associated with licence holder, or the management of the property, may affect the licence holder's 'fit and proper' status. The Authority can revoke or vary the licence at any time, giving proper statutory notice.