

LICENCE REFERENCE:

This Licence is issued subject to the conditions detailed below.

Section numbers referred to, relate to the Housing Act 2004 (as amended).

It is an offence under section 72(3) for the Licence Holder to fail to comply with any of these conditions. Where time limits are specified for compliance, these must be adhered to.

Reference to 'Licence Holder' below also includes any other person who has agreed - as part of the arrangements for the issuing of the licence - to be bound by these conditions. Persons so bound are listed in Schedule 5 (Column 2) to these conditions and indication as to which conditions apply to the respective individual are contained in Schedule 5 (Column 3).

As a condition of the Licence, the Licence Holder must:

SPECIFIED WORKS REQUIREMENTS

1. Carry out the works detailed in Schedule 1 (Column 2) to these conditions before the expiry of the time given in weeks from the date of issue of the licence as indicated in Schedule 1 (Column 3).

OCCUPATION

2. Ensure that the occupation of the House in Multiple Occupation (HMO), to which this licence refers, is occupied as sleeping accommodation by no more than the number of occupants and households than those shown on the licence.
3. Ensure that the use as sleeping accommodation of bedrooms in the HMO by the residents is specifically in accordance with the limitations as specified in Schedule 2(a) to these conditions. The bedrooms indicated in Schedule 2(a) (Column 2) shall be occupied by no more than the number and type of occupants, (by age and gender), specified in Schedule 2(a) (Column 3). In addition, the Licence Holder must ensure that only those rooms listed in Schedule 2(a) shall be used as sleeping accommodation.
4. Ensure that the occupation of the HMO by the residents is specifically in accordance with the limitations and directions as specified in Schedule 2(b) to these conditions. The rooms indicated in Schedule 2(b) (Column 2) shall only be occupied by the specific household indicated in Schedule 2(b) (Column 3) (by reference to household (Household A, Household B, etc.).
5. Ensure that in circumstances in which children are accommodated in the HMO, that such accommodation is only let and so occupied insofar as it is in connection with another room which is occupied by a parent or guardian of that child. 'In connection' means in this context, adjacent to, linked to via a connecting door, or otherwise in the vicinity of that room.
6. In addition to complying to the requirements of condition 3 and in any HMO in which there is adequate designated communal living space otherwise (as deemed acceptable by the Council):

- a. Ensure that 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 m²
- b. Ensure that 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 m²
- c. Ensure that 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 m²
- d. Inform the Council if at any time during the period of the licence any room in the HMO has a floor area of less than 4.64 m².

(where there is no such communal living space, sleeping accommodation shall include additional floor area as living space - in addition to the minimum floor areas contained in the above conditions a-d. The suitability of all such sleeping accommodation is as indicated in schedule 2(a)).

7. Ensure that in circumstances in which the above conditions pertaining to occupation have been breached for reasons beyond the control or knowledge of the Licence Holder, that the Licence Holder, on notification of the breach by the Council, shall rectify the breach within a reasonable time (as specified by the Council) of having received the said notification.

NOTIFICATIONS

8. Notify the Borough Council of King's Lynn and West Norfolk ('the Council') if any of the contact details previously provided as part of the licence application (or otherwise) are no longer extant. The Licence Holder must maintain with the Council a current and valid:
 - a. postal address
 - b. email address
 - c. telephone number (landline or mobile)

Changes to any contact details must be supplied to the Council on or before the date of change.

9. Notify the Council - on or before the date of such a change - if any of the following persons are no longer associated with the HMO in the manner as specified at the time of application:
 - a. any person (including the licence holder) who had an estate or interest in the HMO concerned (but is not a tenant under a lease with an unexpired term of 3 years or less)
 - b. any person who was a person managing or having control of the HMO
 - c. any person on whom any restriction or obligation was imposed by the licence in accordance with section 67(5)

And, in addition, the licence holder must inform the Council of the names and full contact details of any person who becomes associated with the HMO and who is similarly to be

described by categories a. and b. above. In all cases the Council must be notified of the date on which the relevant change occurred.

10. Notify the Council by telephone or e-mail as soon as is practicable and at least within 48 hours of becoming aware of the occurrence of a significant fire or other similar catastrophe having occurred at the HMO.
11. Notify the Council (at the time of application) if any Planning Application has been made in relation to the HMO or the curtilage of the HMO which may potentially have a significant impact upon the facilities, amenities or occupation of the HMO.
12. Not significantly alter the arrangements in place for the management of the property from those declared in the licence application without first obtaining a variation to the licence conditions from the Council.
13. Provide to the Council within one week of the issue of the licence - and thereafter on any instance of there being a change of occupancy at the HMO - a list of the full names of all the residents of the HMO. This list shall also include reference to which room each resident occupies.
14. Supply to the occupiers of the HMO a written statement of the terms on which they occupy it and, on demand from the Council, provide a copy of all such extant statements to the Council within 7 days of such a demand being made.
15. Notify the Council in advance of making any significant material changes to the layout, amenity provision, fire precautions or mode of occupation of the house. Such notice shall be supplied sufficiently in advance of any proposed changes and be of a level of detail (including floor plans if appropriate) so as to allow the Council to properly consider the suitability of any such material changes. The licence holder shall not make any significant change to the HMO unless such changes have been so notified and approved by the Council.
16. Provide to the Council - on any instance of there being a significant change to the HMO - a 1:50 scaled plan of the property and of the site of a standard equivalent to that required for an application for a HMO licence at that time.
17. Notify the Council within 7 days if, since becoming the Licence holder, they are found by the appropriate authority to have been in breach of any of the matters referred to in Schedule 3 to these conditions.
18. Notify the Council within 7 days if, since the onset of the licence, the nominated manager of the HMO or any other person significantly involved in the management of the HMO has been found by the appropriate authority to have been in breach of any of the matters referred to in Schedule 3 to these conditions.
19. Not cause or permit any person who has previously applied for a property licence in respect of the premises and has either;
 - a. been found not to be a Fit and Proper person, or
 - b. been made subject to a Banning Order under the Housing and Planning Act 2016

to have active control or management of the premises, or to carry out or arrange any repair, improvement or other building works at the premises.

20. Ensure that a minimum of 24 hours' notice is provided to each resident before attempting or allowing entry into any part of the HMO for which there is a right to exclusive possession by residents.
21. Display a facsimile copy of the documents listed in Schedule 4 to these conditions on a display board and in a suitable position in the common parts of the HMO.

SAFETY OF SERVICES, EQUIPMENT AND FACILITIES

22. Ensure that a Landlord Gas Safety Record is obtained in respect of the gas appliances supplied to the HMO. This record must be obtained and distributed in accordance with the requirements of The Gas Safety (Installation and Use) Regulations 1998 (as amended) and a copy of any such Landlord Gas Safety Record obtained must be provided to the Council within 7 days of it so having been obtained.
23. Supply to the Council, a copy of all Electrical Installation Condition Reports (EICRs) or Domestic Electrical Installation Certificates (DEICs) that are obtained in respect of the property during the period of the licence. Copies must be forwarded to the Council within 14 days of any such report having been obtained. The Licence Holder shall ensure that all C1 faults identified in any report are remediated immediately and C2 faults are remediated as a matter of urgency; C3 type faults shall be remediated where practicable and justified. Where the report indicates further investigation is required (FI), the licence holder must ensure that this investigation, and any ensuing remedial actions necessary, are undertaken in an appropriate timescale (as indicated above for C1, C2 and C3 codes).

The licence holder must also:

- a. ensure that every electrical installation in the house is in proper working order and safe for continued use for the duration of the licence; and
 - b. supply the authority, on demand (and within 7 days of that demand), with a declaration by him or her as to the safety of such installations.
24. Ensure that the Automatic Fire Detection and Alarm (AFD) system provided at the property is tested and maintained in accordance with the recommendations of BS 5839 as it pertains to the system installed at the HMO. And shall, on demand from the Council, provide a declaration as to the condition and positioning of all such alarms and detectors.
 25. Ensure that all failures of the AFD system notified to the Licence Holder or identified during routine inspection are dealt with in a timescale appropriate to the risks associated with the failure. In particular, where warning lights on the fire alarm panel indicate a failure of any part of the system these faults must be dealt with adequately by a competent person as a matter of urgency.
 26. Ensure that all fire precautionary equipment installed at the HMO is adequately maintained and tested in accordance with the relevant British Standard. 'Fire precautionary equipment' shall include: all fire doors, fire-fighting equipment and structures or constructions required to provide adequate fire separation and compartmentation in the HMO.

27. Ensure that all facilities provided at the HMO are maintained to an adequate and suitable standard and in a proper and safe working condition. The term 'facilities' shall include all wash hand basins; sinks; cooking facilities; toilet bowls and cisterns; kitchen worktops and cupboards; mechanical air extraction equipment and any means of natural ventilation; refrigerators; freezers; shower units and baths; and shall also include all such equipment associated with those facilities such as: taps and shower heads (and the provision of running water thereof); drains; catches, hinges, hooks, rails, locks and latches, fittings, fixtures and switches.
28. Ensure that all electrical equipment provided at the HMO are properly maintained in a safe, hygienic and working condition. In particular, the licence holder shall ensure that all lighting equipment in the common parts is properly maintained (including the replacement of light bulbs when necessary).
29. Ensure that all signage relating to the emergency fire escape routes at the HMO are maintained in a good condition or, where necessary, replaced with new.
30. Submit to the Council for their inspection, within 28 days of the date of demand, a copy of all periodical inspection report/test certificates for any AFD, emergency lighting and firefighting equipment provided in the property.
31. Provide to each resident, at the start of their occupation, with clear advice as to what action should be taken in the event of an emergency or in the event of a failure of any of the services or equipment provided at the HMO.
32. Provide to each resident, at the start of their occupation suitable written instructions to enable them to safely operate all equipment provided at the HMO. 'Equipment' shall include water boilers, gas fires, immersion heaters and thermostats.
33. Ensure that all electrical equipment provided to the occupiers conforms to the requirements for safety contained in the Electrical Equipment (Safety) Regulations 1994 (as amended). The Licence Holder must take all reasonable steps to ensure the ongoing safety of such equipment. This may be achieved by portable appliance testing and visual inspection by a competent person at appropriate intervals. The Licence Holder shall provide to the Council on demand and within 14 days, a declaration as to the safety of all electrical equipment provided at the HMO.
34. Ensure that all furniture provided to the occupiers conforms to the requirements for safety contained in the Furniture and Furnishings (Fire) (Safety) Regulations 1988 (as amended). The Licence Holder shall take all reasonable steps to ensure for the ongoing safety of all such furniture items. The Licence Holder shall provide to the Council on demand and within 14 days, a declaration as to the safety of all furniture provided at the HMO.
35. Ensure that liquefied petroleum gas (LPG) is not used or stored on the premises, and take suitable steps to prevent occupiers from so doing.

36. Ensure that all security devices and measures in the HMO are adequately maintained so as to adequately resist unwanted egress into the HMO by intruders. 'security devices and measures' includes adequate locking devices to all external doors and windows to any ground or basement floor level and any other door or window easily accessible from outside of the building. An 'adequate locking device' must, in respect of an external door, meet the specification recommended in BS 8621.
37. 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 fixed combustion appliance (other than a gas cooker). And shall ensure that any carbon monoxide alarm provided at the property is tested and maintained in proper working order. And shall also, on demand from the Council, provide a declaration as to the condition and positioning of all such alarms and detectors.
38. Ensure that the electric supply to the AFD is not unreasonably interrupted and, in particular, ensure that the electrical supply for the AFD is not subject to interruption due to non-payment of bills. Additionally, the licence holder must not allow a change of the electrical meter supplying the AFD to one requiring a pre-payment token.

ANTI-SOCIAL BEHAVIOUR

39. Ensure that all measures are taken as are reasonably practical to prevent or deal effectively with any anti-social behaviour by occupiers of the HMO or their guests.
40. Record all incidences of complaints received in relation to anti-social behaviour at the property and shall provide to the Council, on demand, a copy of that record.
41. Keep a copy of all correspondence, message or telephone conversation sent to any residence in relation to a complaint of anti-social behaviour at the property and shall provide to the Council, on demand, a copy of that correspondence message or telephone conversation.
42. If so required by the Council, and within 6 months of such a demand being made, attend specified training in relation to the management of rented properties.
43. Deal with any occurrence of activation of the sounders in the fire alarm system in a timely manner from having been notified or having become aware of this occurrence. In particular, the licence holder must have arrangements in place to ensure that any activation is dealt with in a reasonable time and at any time of the day or year.

REFUSE STORAGE AND DISPOSAL

44. Ensure that adequate provision is maintained at the HMO for the storage and disposal of refuse, recycling waste and other household waste in accordance with the requirements specified in Schedule 1 to these conditions.
45. Ensure that all building waste or other such waste items or materials temporarily accumulating at the HMO, and not usually collected as refuse by the Council, is disposed

of in an acceptable manner at the soonest reasonable opportunity and that adequate measures are taken to protect the occupants from harm arising from the storage of such items in the interim period.

46. Ensure that whilst any alterations or construction works are in progress, the work is carried out in such a manner as to ensure for the safety to all persons occupying or visiting the premises and to minimise the disruption caused to any occupier or neighbours.
47. Ensure that all gardens, yards, grounds or other external areas associated with the HMO are maintained in a clean and tidy state.
48. Provide clear instructions to the occupiers of the HMO of the arrangements for the storage of household waste at the HMO and for the consequent disposal of such waste in accordance with the general requirements of the Council.

In particular, the Licence Holder must give any new tenant, within 7 days of the start of their occupation, the following information on Waste and Recycling, in writing;

- a. The collection days for the refuse and recycling bins for the property
- b. Details on what they can and can't recycle
- c. How they can dispose of bulky waste
- d. A written summary of the 'bins and recycling' guidance from the Council's website

A copy of the information provided to the tenant must be kept for 2 years and provided to the Council within 28 days on demand.

GENERAL

49. Ensure that the external decorative condition of the HMO is maintained such as to be, as a minimum, in keeping with the standard of decoration and general upkeep of the local neighbourhood and 'street scene'.
50. Ensure that the HMO is regularly inspected for the presence of pests or vermin and take appropriate action to eradicate any infestation in a reasonable and safe manner. Records shall be kept of such treatment programs and copies of these must be provided to the Council within 28 days on demand.
51. Ensure that in any parts of the HMO not the exclusive possession of the occupants (the common parts), occupiers and their guests are prohibited from smoking.
52. Ensure that where rents are collected or received from the occupiers then a rent receipt shall be issued and recorded. The Licence Holder must provide to the Council for inspection copies of the rent receipts and records within 28 days on demand.
53. Ensure that access to all of the shared amenities available to the occupiers by their terms of occupation is uninterrupted.

Notes 1.

1. 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 total floor area of that room for the purposes of these conditions.
2. In the above conditions reference to adequate provision as it pertains to fire precautions is as is described in the document 'Housing - Fire Safety (Guidance on fire safety provisions for certain types of existing housing)' produced and published by Lacors [ISBN 978-1-84049-638-3].
3. In these conditions any 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.
4. In proceedings against a person for an offence under section 72(3) it is a defence that he had a reasonable excuse for failing to comply with the condition.
5. The term "anti-social behaviour" includes the follows definitions:
 - Anti-social behaviour occurs where people act so unreasonably as to seriously damage the quality of life of their neighbours or the community as a whole;
 - It includes not only those acts for which occupiers are responsible but also by members of their family and/or visitors, both within the property or within the surrounding area;
 - It includes behaviour that interferes with the peace, comfort or convenience of other people, including any activity which amounts to discrimination or harassment on the grounds of race, sex, sexual orientation, disability, religious belief or age;
 - Examples of harassment include: the threat or use of violence, racist or homophobic language, damage to other peoples' homes and/or possessions, making unwelcome telephone calls, making unsolicited sexual advances, or putting rubbish or other substances near peoples' homes;
 - Examples of anti-social behaviour include: allowing noise, however it is caused, to be audible to others, so that in the opinion of the local authority it causes annoyance. This includes noise from a television, radio, music equipment and/or musical instruments, shouting, door slamming, letting off fireworks, offensive drunkenness and lighting bonfires; and
 - It also includes the use of their homes by occupiers for any immoral or illegal purpose, or the commission in the locality of the property of any unlawful activity such as the selling of any illegal or controlled drug or substance.

Notes 2.

Limitations of Licence etc.

LICENCE TRANSFER - This licence can NOT be transferred to another person or organisation or property.

SERVICE OF CORRESPONDENCE - The address details supplied by the Licence Holder as part of the licence application shall be held to be for all purposes the legitimate address for the delivery of all correspondence unless notification as specified in the conditions is given of any change.

REGISTERED COMPANIES - If the licence holder is a registered company and it is dissolved while the licence is in force, the licence ceases to be in force on the date of dissolution.

PLANNING PERMISSIONS - This property 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.

BUILDING CONTROL - This property licence does NOT grant any Building Control (Development Control) approvals, consent or permissions, retrospectively or otherwise.

PROPERTY CONDITION - This property licence is NOT proof or evidence that the house is safe and free from hazards and defects. The property licence does not prevent criminal or civil legal action being taken against the licence holder, or anyone else with an interest in the property, if any hazards or nuisances are found or any other problems discovered in relation to the condition of the property.

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 holders 'fit and proper' status.

LICENCE REFERENCE:

Schedule 2(a) – Limitation for occupation of bedrooms of the HMO by residents.**

Room No.	Bedroom location in HMO	Occupancy number and type
1	First floor front bedsit + Ensuite	2 Adults*
2	First floor rear right bedsit	1 Adult
3	First floor rear left bedsit	2 Adults*
4	Second floor front bedsit	1 Adult
5	Second floor rear right bedsit	1 Adult
6	Second floor rear left bedsit	2 Adults*

* may include - as an alternative - a parent and her or his child:

- - if the child is under the age of 10.
- - if the child is age 10 years or over and is of the same gender as the parent.

For the purposes of the above schedule, directional indication is as from the front of the building.

Schedule 2(b) – Limitation for occupation by households of the HMO by residents.**

Room No.	Room description and location in HMO	Household
Kitchen	Ground floor communal kitchen	ALL
Lounge/Diner	Ground floor communal living/dining space	ALL
1	First floor front bedsit + Ensuite	A
2	First floor rear right bedsit	B
3	First floor rear left bedsit	C
Bathroom	First floor communal bathroom	ALL
4	Second floor front bedsit	D
5	Second floor rear right bedsit	E
6	Second floor rear left bedsit	F
Bathroom	Second floor communal bathroom	ALL

For the purposes of the above schedule, directional indication is as from the front of the building.

****Irrespective of the above, the total number of households and occupants shall not exceed the overall limitations of the licence.**

LICENCE REFERENCE:

Schedule 3 – Matters relating to ‘Fit and Proper’ assessment.

‘Fit and Proper’ criteria

1. Offences involving:-

- Fraud
- Dishonesty
- Violence
- Drugs
- Schedule 3 of the Sexual Offences Act 2003 (offences attracting notification requirements)

If the applicant is subject to the Rehabilitation of Offenders Act 1974, and offences are not yet ‘spent’, the offences must be declared.

Unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in connection with a business where the proposed Licence holder/Manager is subject to the Rehabilitation of Offenders Act 1974.

Whether or not the Licence holder/Manager is subject to the Rehabilitation of Offenders Act 1974 for any contravention of any provision of housing or landlord and tenant law. In particular:-

- where any Local Authority has had to carry out works in default
- where a Management Order under the Housing Act 2004 has been made
- where an HMO licence has been refused or licence conditions breached
- cases where proceedings are taken by any Local Authority

Where the Licence holder/Manager has acted in contravention of any Approved Code of Practice concerning housing law.

LICENCE REFERENCE:

Schedule 4 – Documents to be displayed in the common parts of the HMO.

No.	Document description
1	The HMO licence or a copy thereof
2	The contact details for the manager of the HMO - to include current address, e-mail address and telephone number
3	The contact details for the Licence Holder of the HMO - to include current address, e-mail address and telephone number
4	The current Gas Safety Record (CP12)
5	The log book of testing for the Automatic Fire Alarm and Detection System
6	A copy of the Fire Risk Assessment for the HMO
7	The most recent Electrical Installation Condition Report (EICR) or a copy thereof

Schedule 5 – Other persons bound by these licensing conditions under section 67(5).

Person	Name	Conditions applicable
1	None	N/A

