

Private Rented Property Licensing

Guide for Landlords and Managing Agents

Page 2	1. Introduction
Page 3	2. Selective Licensing
Page 4	3. Mandatory Licensing
Page 5	4. Additional Licensing
Page 6	5. What is a HMO?
Page 7	6. How do I work out the number of households?
Page 7	7. How do I work out how the number of storeys?
Page 7	8. Are you fit and proper?
Page 8	9. The application process
Page 9	10. Who can apply for a Licence?
Page 9	11. How long will the licence last?
Page 10	12. What happens if I fail to apply for a Licence?
Page 11	13. How much will it cost?
Page 12	14. Right of appeal
Appendix 1	A guide to completing the online Property Licence Application Form
Appendix 2	A guide to licensing property standards
Appendix 3	Standard Selective licence conditions
Appendix 4	Standard HMO licence conditions

1. Private Rented Property Licensing – An Introduction

This guide provides you with information required to understand the property licensing schemes operational in the London Borough of Newham. The schemes have been in force since January 2013 and requires landlords of all privately rented properties in Newham to apply for a property licence.

This includes all property types and is not restricted to certain high-risk houses in multiple occupation (HMOs).

The Designation applies accordingly to all wards in the London Borough of Newham excepting and excluding Royal Victoria and Stratford Olympic Park.

Wards included in Designation: Beckton, Boleyn, Canning Town North, Canning Town South, Custom House, East Ham, East Ham South, Forest Gate North, Forest Gate South, Green Street East, Green Street West, Little Ilford, Manor Park, Maryland, Plaistow North, Plaistow South, Plaistow West & Canning Town East, Plashet, Royal Albert, Stratford, Wall End & West Ham

Wards excluded from Designation: Royal Victoria & Stratford Olympic Park.

The council aims to use private rented property licensing to ensure that all privately rented properties are well managed. Many landlords do this already, however there are problems in many areas where a small minority of rogue landlords neglect their management responsibilities. A number of well-intentioned landlords are not aware of their responsibilities and in some cases absentee landlords may not be aware of problems their tenants are causing. Arrangements must be in place for dealing with general tenancy issues and anti- social behaviour at the property.

Properties must also be suitable for the number of occupants and meet all the relevant health and safety regulations. The council will be working with and exchanging information with other enforcement and regulatory authorities in order to administer and enforce licensing.

Licensing of private rented accommodation aims to ensure that:

- Anti-social behaviour is dealt with effectively

- Tenants' health, safety and welfare are safeguarded
- Landlords are 'fit and proper persons' or employ agents who are
- Adequate property and tenancy management arrangements are in place
- Accommodation is suitable for the number of occupiers.
- All landlords and managing agents operate at the same minimum level of professional standards.

What if I don't get a licence?

Failure to apply for a licence may result in landlords and managing agents being prosecuted and subject to an unlimited fine. They can have control of their unlicensed properties taken away from them, and also being made to repay any rents they have received from their tenants.

There are three types of Property Licence.

*There are exceptions to the requirement to licence. Please read the following sections and then contact us if you believe you are exempt.

2. Selective Licensing

Selective licensing of residential accommodation under Part 3 of the Housing Act 2004 is intended to respond to the problems of anti- social behaviour (ASB) within the London Borough of Newham. It applies to all private rented properties within the borough that are not a House in Multiple Occupation (see sections 3 and 4). It is a tool to deliver sustainable improvements to private rented accommodation increasing the quality of existing stock in the private rented sector in terms of both physical conditions and management standards.

All landlords who rent out or let residential accommodation that is not a mandatory or additional HMO (House in multiple occupation) must have a selective licence. Please see next page for example and exemptions.

If your property meets the criteria above you should apply for a licence under part 3 of the housing act 2004.

In some cases properties maybe exempt from the requirement of licensing under part three of the housing act. The following list gives those exemptions:

- The house is a House in Multiple Occupation (HMO).

- A Temporary exemption notice is in force (s.62 or s.86 Housing Act 2004)
- A management order is in force (s.102 or s.113 Housing Act 2004)
- The tenancies or licences are granted by registered social landlords and housing providers.
- The tenancies and licences are subject to a prohibition order whose operation has not been suspended. (s.20/s.21 Housing Act 2004)
- The tenancy is a business tenancy
- Certain premises licensed for alcohol consumption (only on- licences not off licences)
- Certain agricultural tenancies
- Buildings controlled or managed by a Local Housing Authority
- Buildings controlled or managed by Police.
- Buildings controlled or managed by fire brigade
- Buildings controlled or managed by Health Service Body
- Tenancies, licences etc. regulated by other enactments
- Certain University/College accommodation occupied by students
- Where the owner or his relatives occupy a property on a long leasehold
- Where landlord lets to certain relatives
- Holiday Homes
- Where landlord/licensor or his relative lives at the property and shares facilities

If you think that your property is exempt from the requirement of licensing please contact us.

3. Mandatory HMO Licensing

Mandatory Houses in Multiple Occupation (HMO) licensing under Part 2 of the Housing Act 2004 applies to all HMOs **occupied by five or more persons living in two or more households**. It is intended to apply to those HMOs considered to present the highest risk to the health, safety and welfare of the occupiers.

If your property meets the criteria above you should apply for a licence under part 2 of the housing act 2004.

For the property to be used as an HMO, it must have the correct planning use class, and you may be required to apply for the planning class of the property to be changed from C3 (dwelling house) to C4 (house in multiple occupation). There is no guarantee

that this will be granted and planning requirement remains separate to Property Licensing requirement.

Please contact Newham's Planning Enforcement Team planning.enforcement@newham.gov.uk for further planning requirement advice for your property.

In some cases properties maybe exempt from the requirement of licensing under part two of the housing act. The following list gives those exemptions:

- Buildings controlled or managed by a Local Housing Authority
- Buildings controlled or managed by registered social landlords and housing providers.
- Buildings controlled or managed by Police.
- Buildings controlled or managed by fire brigade
- Buildings controlled or managed by Health Service Body
- Buildings regulated by other enactments
- Certain University/College accommodation occupied by students
- Buildings occupied by religious communities (except section 257 HMO's)
- Any building occupied by two persons who form two households.

If you think that your property is exempt from the requirement of licensing please contact us.

4. Additional HMO Licensing

The additional licensing scheme of Houses in Multiple Occupation (HMOs) will require all landlords who let a property that is occupied by three to four non-related occupiers that are sharing some basic facilities or amenities such as a kitchen or bathroom to have a licence.

If your property meets the criteria above you should apply for a licence under part 2 of the housing act 2004.

For the property to be used as an HMO, it must have the correct planning use class, and you may be required to apply for the planning class of the property to be changed from C3 (dwelling house) to C4 (house in multiple occupation). There is no

guarantee that this will be granted and planning requirement remains separate to Property Licensing requirement.

Please contact Newham's Planning Enforcement Team planning.enforcement@newham.gov.uk for further planning requirement advice for your property.

5. What is a HMO

A house in multiple occupations (HMO) is a property that is occupied by 3 or more unrelated individuals/households who share facilities such as a kitchen or bathroom, or do not have exclusive occupation of the whole property.

For example, HMOs can commonly be occupied by a group of individuals sharing a house or flat, individuals living in bedsit accommodation, and some properties that have been converted into several flats.

Bed and breakfast and hostel accommodation occupied by individuals as their main and permanent address are also considered to be HMO.

A House in Multiple Occupation is defined by the Housing Act 2004. There are four tests that define what a HMO is:

1. **The standard test:** Any building which consists of one or more units of accommodation which are not self-contained and where two or more households share one or more basic amenities, or where the accommodation is lacking basic amenities.
2. **The self-contained flat test:** Any part of a building which is a self-contained flat, which consists of one or more units of accommodation, in which two or more households share one or more basic amenities or where the accommodation is lacking basic amenities.
3. **The converted building test:** Any building, which has been converted and contains one or more units of accommodation, which are not self-contained (whether or not the building also consists of some self-contained units).
4. **Certain converted blocks of flats:** Any building which has been converted into and consists of self-contained flats only, and it does

not comply with 1991 Building Regulations and less than two thirds of the flats are owner occupied, (more than one third on short tenancies).

6. How do I work out the number of households?

'Households' for the purposes of the Housing Act 2004 includes members of the same family living together who are:

- couples married to each other or living together as husband and wife (or in an equivalent relationship in the case of persons of the same sex)
- relatives living together, including parents, grandparents, children (and step-children), grandchildren, brothers, sisters, uncles, aunts, nephews, nieces or cousins
- Half-relatives who are treated as full relatives.
- A foster child living with his foster parent is treated as living in the same household as his foster parent.
- An unrelated single occupant/sharer will be classed as one household

7. How do I count the number of storeys?

When counting the number of storey's in the building you need to include:

- basements and attics if they are occupied or have been converted for occupation by residents or if they are in use in connection with the occupation of the HMO by residents
- any storey's which are occupied by you and your family if you are a resident landlord
- all the storey's in residential occupation, even if they are self- contained
- any business premises or storage space on the ground floor or any upper floor.

8. Are you Fit and Proper?

In order to obtain a private rented property licence the applicant will need to demonstrate that they are a 'fit and proper' person. This will involve making a declaration to confirm their status with regards to criminal offences. The licence holder must have a registered address in the UK. In determining whether an applicant is 'fit and proper' the council must take into account any evidence found that the person applying for a licence has:

- committed any offence involving fraud or other dishonesty, violence, drugs and certain sexual offences
- practised unlawful discrimination on the grounds of sex, colour, race, ethnic or national origins or disability in connection with any business
- contravened any provision of the law relating to housing or landlord and tenant law.

The applicant must also be able to demonstrate satisfactory management and financial arrangements are in place for each rented property. Failure to meet the fit and proper person test may result in an application for a licence being refused or a reduced duration of a licence.

9. The Application process?

If your property is required to be licensed you should complete your application online by logging onto [Apply for a property licence – Rented property licensing – Newham Council](#). The online application is the quickest and cheapest option to obtain a property licence.

See Appendix 1 of this Guide for a Step-by-Step Guide to completing the online Property Licence application from

Before you make an online application please visit our website to view the current fees and charges [Application, fees and charges – Rented property licensing – Newham Council](#) .

You may make an application by a paper form but there is an extra £100 charge for this service.

It is your responsibility to ensure you have made a full and valid licence application. If we become aware that your property is licensable and you have not applied for a licence you will be liable for prosecution, subject to a fine up to an unlimited fine (plus costs) and you may still be required to complete an application.

In addition, the s.21 possession proceedings cannot be taken whilst a property that is required to be licensed is not licensed and the council may make a Rent Repayment Order (RRO) for up to 12 months rent (see section 12 below).

More information on property licensing can be found on our website www.newham.gov.uk/propertylicensing

10. Who can apply for a property Licence?

Anyone can apply for a property licence, however they must be the most appropriate person to do so. Normally this will be the owner or a manager employed by the owner. The proposed licence holder needs to be the most appropriate person, namely the landlord, person in receipt of rent or in control of the property. If it is a limited company please give the full company name and address of a UK registered office and listed director who will be the proposed licence holder. At the very least, the council expects the licence holder to have the power to:

- let and terminate the tenancies;
- access all parts of the premises to the same extent as the owner.

The council also requires details of all interested parties involved in the ownership or management of the property to be provided at the time of application.

A Renewal Licence Application can only be made:

- When the Property licence is 'Issued',
- The original applicant is the current licence holder
- The original applicant has access to the My Newham account that made the application
- The applicant holds the current issued licence reference number.

If you were not the original applicant you will need to make a new application for your property once the current licence expires.

11. How long with the licence last?

The council aims to work with landlords to licence their properties within a timely manner. Licences can last up to a period of five years. Where the Council has determined that there is cause for concern regarding premises or management arrangements, or requests to apply for licensing have not been responded to in a timely manner, or there are significant council tax arrears (where the landlord is the liable person) the council may determine that the licence should be granted for a shorter period.

Any application requiring to be renewed or a re-application as a result of the Council revoking the licence will be dealt with as a new application and will be charged the current licence fee for the applicable licence type.

12. What happens if I fail to apply for a licence?

It is a criminal offence to let a property that is required to be licensed on a certain date by law without applying for a licence. There is a range of sanctions that could be applicable depending on the individual circumstances; these are detailed below:

- Failure to apply for a licence can lead to a fine of an unlimited amount on conviction.
- If the council cannot grant a licence or a licence is revoked, the council has the powers to make an Interim Management Order (IMO). This will transfer the management of the property to the council for a specified period after which a Final Management Order (FMO) may be made.
- An unlicensed landlord is not able to use the section 21 Possession Procedure. The section 21 procedure entitles them to regain possession of the property without a court hearing, following the service of a valid notice giving the tenant at least 2 months notice.
- For any period where an unlicensed property is being privately rented, an application can be made to the Residential Property Tribunal for a Rent Repayment Order. This could mean a landlord having to repay up to 12 months of rent.

Where the London Borough of Newham has had to take enforcement action, a licence may be revoked or varied and may require a new application for all licence types. This includes a licence being varied so that is only valid for a shorter period of time.

13. How much will it cost?

Licence fees will be taken in two parts.

- Part A will be taken upon application and will cover the cost to process and the administration to determine the application. The application fee is non-refundable, regardless of whether the application is successful.
- Part B will be taken once the Council has determined to grant a licence and will cover the administration, management, and enforcement of the licensing functions for the scheme.

You are not obligated to make payment of Part B in advance of Part A however we are willing to comply with requests for this. Should you proceed with this option and your licence is subsequently refused, you will be entitled to a refund for the Part B payment.

Any Property Licensing Application forms received without payment (or where incorrect or deficient information is supplied) will not constitute a valid application.

Failure by a landlord to pay the part B fee will result in the application being refused and the fee for Part A being retained by the council.

The most efficient way in which to pay for a property licence is using our automated service when completing the application online. [Types of licence – Rented property licensing – Newham Council](#)

The fee is calculated from the information given on the type of licence sought and in some cases the size of the accommodation.

Selective and Additional licence applications (New or Renewal)

Licence Type	Licence Fees
Selective Licence	<p>£750</p> <p>All applicants will be required to pay Part A £400 and Part B £350 for up to a five-year licence</p>
Additional Licence	<p>£1250</p> <p>All applicants will be required to pay Part A £400 and Part B £850 for up to a five year licence</p>

Mandatory HMO licence applications (New or Renewal)

Number of Rooms	Application Fee
Up to 5 lettings	£1050.00
6 to 9 lettings	£1,200.00
10 to 14 lettings	£1,350.00
15 to 19 lettings	£1,500.00
20 lettings and above	£1,650.00

There are discounts available for warmer homes and being a certified member of a landlord accreditation organisation. Full details on licence fees and how to apply for a discount can be found on the council website: [Fees and charges – Rented property licensing – Newham Council](#)

NOTE: Where the London Borough of Newham has had to take enforcement action, discounts will not apply, a licence may be revoked or varied and may require a new application for all licence types.

14. Right of Appeal

The Property Licensing & Technical Support Team will work hard to support applicants throughout the application process and to assist you in meeting the criteria in order to qualify for a licence.

If a landlord feels that the council has made a decision that is unfair, in the first instance we would request that they contact the Property Licensing & Technical Support Team at the council on 0203 373 1950 so that we can explain the reasons for our decision and hopefully resolve the problem. If, however, the landlord still feels that the council has acted unfairly by:

1. Refusing to grant a licence.
2. Imposing certain conditions on a licence.
3. A decision to vary a licence.
4. A decision to revoke a licence.

The landlord can appeal to the Residential Property Tribunal (RPT). The RPT is an expert independent tribunal that act in the same way as the County Court to confirm, vary or overturn the council's decision.

Residential Property Tribunal Service
10 Alfred Place
London
WC1E 7LR
Tel: 020 7446 7700
Fax: 020 7637 1250

If you wish to make a complaint about the service you have received you can contact either:

**The Council's Corporate
Complaints Team at:**

Corporate Complaints
Newham Dockside
4th Floor West Wing E16
2QU

Tel: 020 8430 2000

Email:
Corporate.Complaints@newham.gov.uk

**The Local Government
Ombudsman at:**

Local Government Ombudsman
PO Box 4771
Coventry
CV4 0EH

Tel: 0300 061 0614/
0845 602 1983

Email: advice@lgo.org.uk

Appendix 1

A guide to completing the online Property Licence Application form

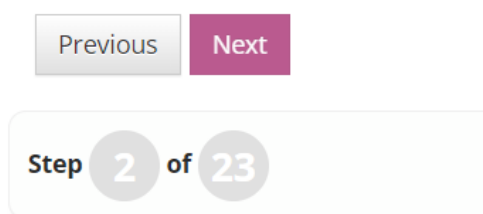
Below is a guide to all the questions that will need to be answered to make a valid property licence application. It goes through the process screen page by screen page.

Each screen page will need to be completed before going to the next. At the bottom of the screen, press the pink “next” button to progress to the next screen. You will be able to navigate through the whole form so you can review and edit any details before submitting your final application and payment.

If nothing seems to happen when the “next” button is pressed, scroll to the top of the page as there may be some information that you have failed to fill in correctly. This will be displayed in a highlighted box.

i The form could not be submitted for the following reasons:

You may click the “previous” button to review or change information you have entered.



If at any point you wish to stop filling in the application form you are able to continue an application by visiting your My Newham account, My enquiries section. Navigate to the arrow on the right hand side of your enquiries and ‘view detail’ and ‘edit application’ to continue the application you require.

My Enquiries

Status

Active
 Resolved
 Cancelled

Apply Filter

Enquiry Number	Enquiry Title	Status	Created On ↓	Target Completion Date	
ENQ0432181	ENQ0432181	Active	12/09/2012 9:44 AM		<input checked="" type="checkbox"/>

You are able to cancel an application you have made incorrectly from screen five onwards using the 'Cancel Application' button. If you cancel an application in error, please email propertylicensing@newham.gov.uk with your enquiry number and request for this to be reactivated. You will automatically be notified by email by My Newham once this enquiry has been actioned.

Step **3** of **23**

Introduction

Please ensure you have the following information to hand when completing this form. You can save and return to the form at any point.

Section 1: Property details

Current property use and occupation numbers

Section 2: Property interested party information

Details of all interested parties such as managing agents, mortgage companies, leaseholders, proposed licence holders and other relevant parties

Section 3: Property management & Fit and proper declaration

Details of property management arrangements including details of any unspent convictions

Section 4: Health & safety

Details of fire safety installations and health and safety arrangements

Section 5: Property Information

- a. Property dimensions:
Sizes and locations of all rooms within the property including bedrooms, kitchens, living rooms and dining rooms in square metres
- b. Bathroom facilities
Location and number of sinks, toilets and baths/showers
- c. Kitchen facilities
Location and number of hobs, ovens, fridge/freezers and sinks
- d. Fire alarms
Location of fire alarms

All information must be completed fully and accurately. Failure to provide accurate information about facilities will have an impact on licence conditions.

Please note that any electronic forms received either without payment, or where incorrect or deficient information is supplied, do not constitute a valid application.

Failure to provide full payment (i.e. received and cleared) and supply the required information will mean that no valid application has been submitted and an offence of failure to licence is being committed.

This form will take approximately 40 minutes to complete.


If you have any queries regarding this application please refer to the guidance notes or contact us on propertylicensing@newham.gov.uk or 020 3373 1950.

Address Search

Rented Property Licence Application

Please select the property for which you want to apply for a rented property licence

Property Details

Search Address 

Address Line 1

Postcode

Search

Current Address

You will need to select the address of the property you want to licence. Type in the first line of the address or postcode, then click search.

Look for the property you wish to apply for a licence for then click the save address button beneath it.

It will display the full address. If this is the correct address then click next, if this is not the right address search again. If your property address does not display please contact the Property Licensing Team.

Step 1 - Licence Type

Your unique application enquiry reference is now visible in the top left hand side of your application. Please take note of this reference so you are able to track your application later.

Licence Type

Enquiry Number

ENQ00168915

Q. You need to choose which licence you want to apply for either, Mandatory HMO Licence or Additional HMO Licence or Selective Licence. Please read sections 2, 3 and 4 of this guide to help you decide which licence you need to apply for. If you are not sure and enter the incorrect licence type on this screen the form will automatically select the correct licence type at the end of completing the whole application from the information given.

Step 2 – Property Usage

Property usage

How is the property used? *

Q.

How is the property used? You will need to select one option from the following:

- House in Multiple Occupation
- Flat in Multiple Occupation
- House rented to a single household
- Flat rented to a single household

See section 5 above for more information.

If your property is a flat, you will be prompted to give information regarding the type of flat it is:

How is the property used? *

Flat in multiple occupation

Type of flat

House converted into and comprising only of self-contained flats
Purpose built block of flats
Other

How many storeys does the property have? * ?

Q. How Many Storeys does the property have? (This is a numerical field only)

When counting the number of storeys in the building you need to include:

- basements and attics if they are occupied or have been converted for occupation by residents or if they are in use in connection with the occupation of the HMO by residents
- any storeys which are occupied by you and your family if you are a resident landlord
- all the storeys in residential occupation, even if they are self-contained
- any business premises or storage space on the ground floor or any upper floor

See section 7 above for more information

On what floors are they situated? (e.g. Ground floor, first floor and second floor) *

Q. On what floors are they situated? (This is a text field only)

You will need to type inside the text box what floor(s) your property is on. For instance "Ground Floor, First Floor"

How many storeys does the building have? *

Q. How many storeys does the building have? (This is a numerical field only)

You will need to type inside the text box how many storeys does the building have. For instance "A Block of purpose built flats total = 18

How many households currently live in the property? * ?

Q. How many households currently live in the property? (This is a numerical field only)

For example:

One related household = 1

Or

Three non-related sharers = 3

'Households' for the purposes of the Housing Act 2004 includes members of the same family living together who are:

- couples married to each other or living together as husband and wife (or in an equivalent relationship in the case of persons of the same sex)
- relatives living together, including parents, grandparents, children (and step-children), grandchildren, brothers, sisters, uncles, aunts, nephews, nieces or cousins
- Half-relatives who are treated as full relatives.
- A foster child living with his foster parent is treated as living in the same household as his foster parent.
- An unrelated single occupant/sharer will be classed as one household

See section 6 above for more information

How many people currently live in the property? *

Q. How many people currently live in the property? (This is a numerical field only) This includes any children and partners/guests of tenants etc.

Is your property currently a vacant property?

If the property is currently vacant, the following questions should be marked as 0 (ZERO) this will prompt some further questions for you to complete around the future intention of your rental property.

How many households currently live in the property? * ?

How many people currently live in the property? *

You have indicated that this property is currently vacant. When do you intend for this property to be occupied by tenants?

How many households do you intend to let the property to?

How many occupants do you intend to let the property to?

How many separate lettings are there? *

How many habitable rooms are there (excluding kitchens and bathrooms)? *

Age of property (approximately) *

How many separate lettings are there? *

Q. How many separate lettings are there?

This is the number of rooms or non-self-contained flats that are rented out on separate tenancies in the property that is to be licensed.

How many habitable rooms are there (excluding kitchens and bathrooms)? *

Q. How many habitable rooms are there (excluding kitchens)? This means rooms that are, or could be, used for sleeping accommodation. Not bathrooms, kitchens, undersized rooms.

Age of property (approximately) *

Q. Age of property?

Select from the drop down menu the age band your property falls into.

Are there any external structures, outbuildings or sheds used as part of the living accommodation?

No Yes

Select yes or no to any external structures to the main building that are also used as living accommodation?

Step 3 – Notification to all Interested Parties

You are required by law to let certain persons know in writing that you have made this application, or give them a copy of it.

Should a Property Licence be served a copy of the licence must be served on all known interested parties to the property. Banks and building societies set the rules for lending against properties and where you rent out your property you will need a buy-to-let mortgage. Many lenders consider a buy to let mortgage as higher risk so you may need to need certain conditions to be eligible for one.

Leaseholders may also require a consent to lease or agreement to sublet from your Freeholder.

When making the application provide the full name, UK address and contact details of the proposed licence holder and ALL persons with an interest in the property. If the proposed licence holder is a limited company, please give the full company name and address of a UK registered office and listed director who will be the proposed licence holder.

The proposed licence holder should be the landlord, person in receipt of rent or in control of the property.

To proceed and navigate to the next page the applicant must confirm using the button provided.

Interested Party Details

Notification to all relevant parties ?

You must let certain persons know in writing that you have made this application, or give them a copy of it. These are:

- Any mortgagee (e.g. of the property to be licensed)
- Any owner of the property to which the application relates (if that is not you) i.e. the freeholder and any head lessors who are known to you
- Any other person who is a tenant or a long leaseholder of the property or any part of it (including any flat) who is known to you other than a statutory tenant or other tenant whose lease or tenancy is for less than three years (including a periodic tenancy)
- The proposed licence holder (if that is not you)
- The proposed managing agent (if any) (if that is not you)
- Any person who has agreed to be bound by any conditions in a licence if it is granted

You must tell each of these persons:

- Your name, address, telephone number, email address or fax (if any)
- The name, address, telephone number and email address of the proposed licence holder (if it will not be you)
- whether this is an application for an HMO licence under part 2 or for a house licence under part 3 of The Housing Act 2004
- The address of property to which the application relates
- The names and address of the local housing authority to which the application will be made.
- The date the application will be submitted

Please provide the full name, UK address and contact details of the proposed licence holder and ALL persons with an interest in the property. If the proposed licence holder is a limited company please give the full company name and address of a UK registered office and listed director who will be the proposed licence holder.

The proposed licence holder should be the landlord, person in receipt of rent or in control of the property.

I/we declare that I/we have served notice of this application on the following persons who are the only persons known to me/us that are required to be informed that I/we have made this application as indicated by the date of notice served.

Step 4 – Applicant Details

To add an applicant or any interested party please use the option to the right hand side of the entry. Then when the look up page presents click the magnifying glass just to the right as shown below.

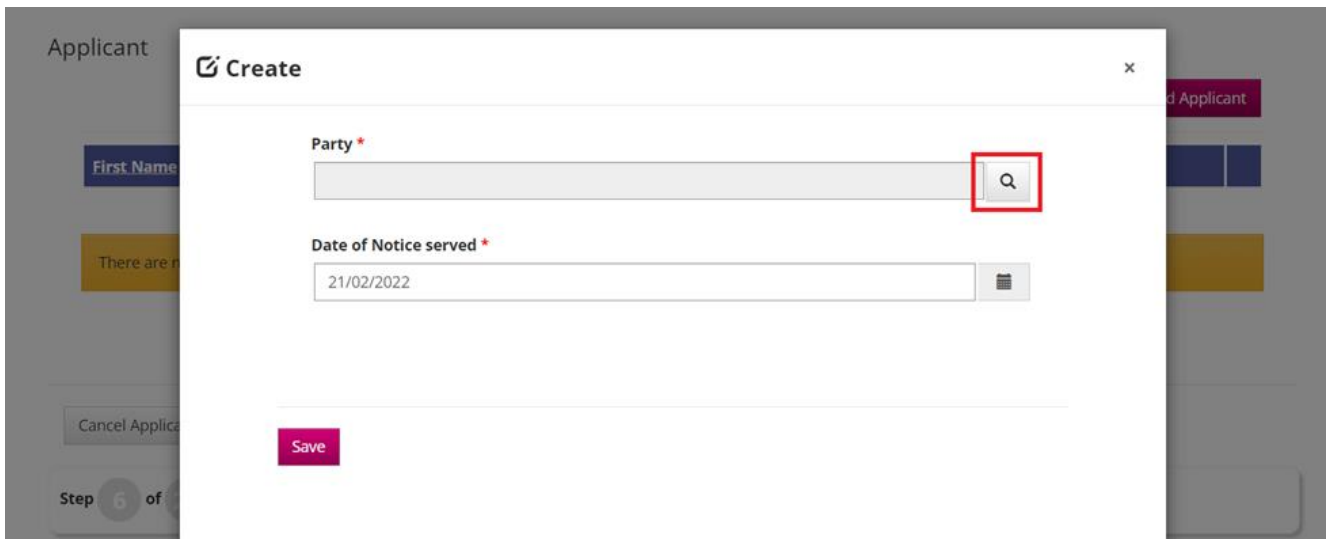
Applicant

First Name	Surname	Company Name	Email Address	Date of Notice served ↓
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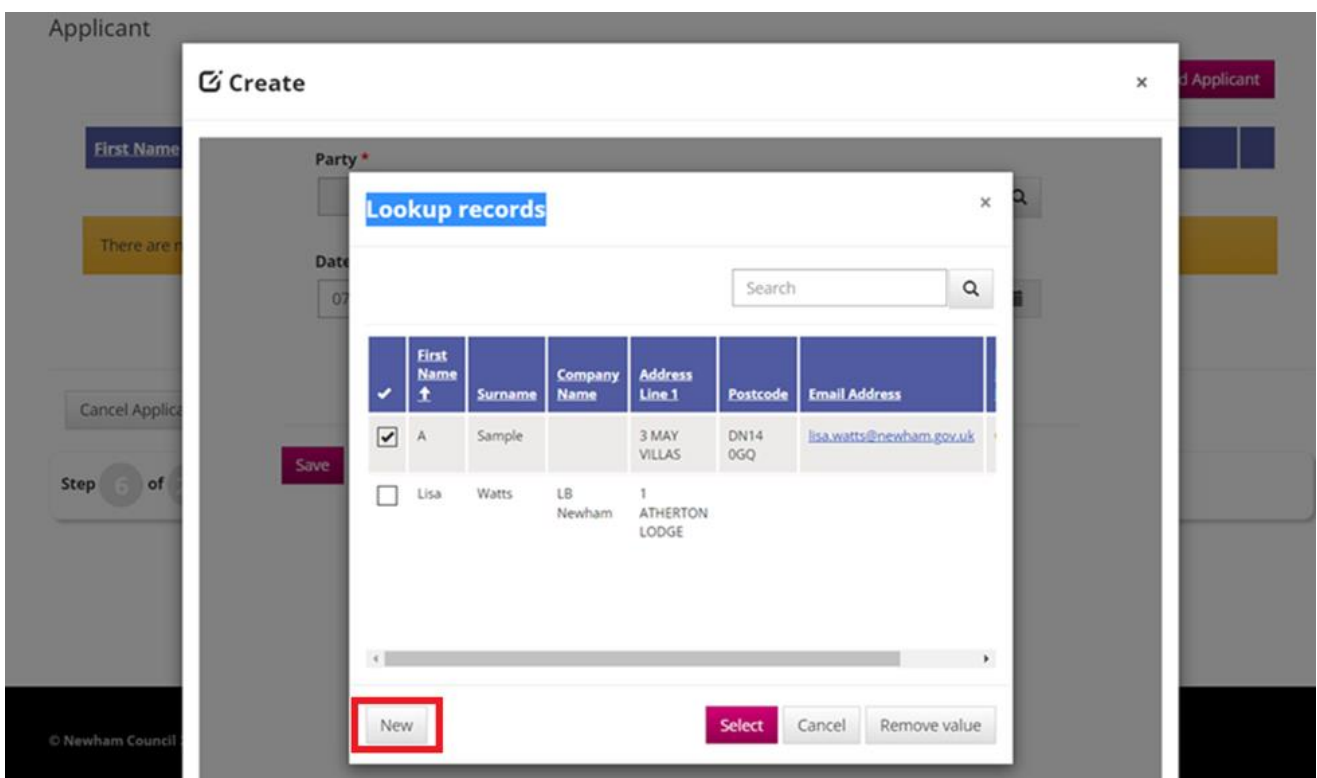
Add Applicant

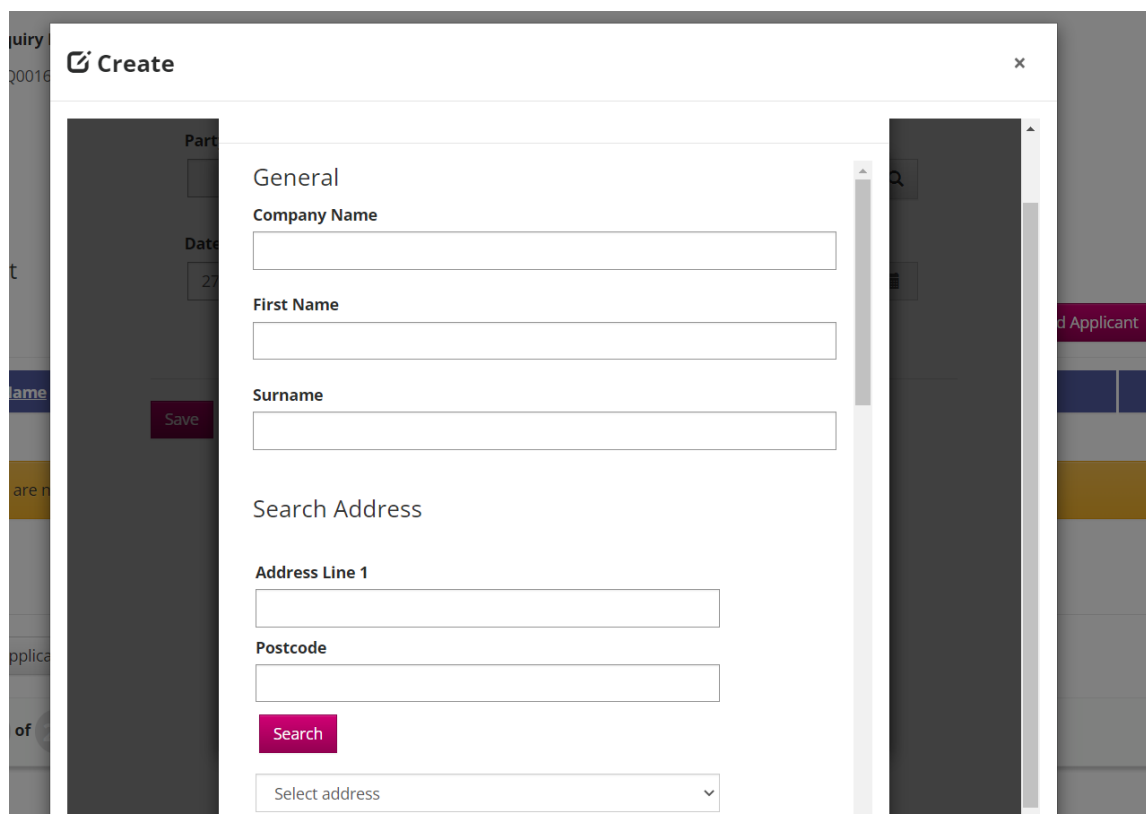
There are no records to display.

Step 6 of 23



You can then use the magnifying glass to view entries used before or add in 'NEW' interested party details. As shown below.





Q. You will need to provide the full name, UK address and contact details of the proposed licence holder. If it is a limited company

Please give the full company name and address of a UK registered office and listed director who will be the proposed licence holder.

Q. For the address you will need to write either the first line of the address or postcode and use the search button.

If you are unable to locate the address from the search results provided please contact My Newham online for further assistance.

Q. Do you accept to be contacted and receive documentation from the London Borough of Newham via e-mail? Please select the check box if you understand and consent.

Part

Date

Do you accept to be contacted and receive Property Licensing application updates, documentation and news from the London Borough of Newham via email?

I understand and consent

Property Licensing Updates & News

The Private Sector Housing Service send out regular updates and news by email to Licence Holders relating to the processing of a Property Licensing application. Changes to legislation, consultations and information that may affect a licence holders business in operation in The London Newham of Borough.

Please note that these updates may also be used to publicise other council consultations or services that relate to the private rented sector.

Your data when you subscribe

When making your application for a property license we seek your consent to provide you updates and news.

We also use Mailchimp.com to send a quarterly Ebulletin to licence holders. By subscribing you acknowledge that your information will be transferred to Mailchimp for processing. The Stakeholder Database is stored externally, on a secure Mailchimp server and removed once the Ebulletin has been sent.

[See Mailchimp's privacy practices for information on how they store and manage data](#)

[See our Privacy Policy](#)

You can unsubscribe from receiving emails, by clicking on the unsubscribe link in the footer of any email you receive from us via Mailchimp, or by emailing us at propertylicensing@newham.gov.uk

Click save at the bottom of the screen to save the details you have provided for the applicant.

You can select a new applicant entered or one previously used. Once you have selected the applicant of choice click Select and Save.

Step 5 – Freeholder details

Freeholder

First Name	Surname	Company Name	Email Address	Date of Notice served
------------	---------	--------------	---------------	-----------------------

There are no records to display.

To add a Freeholder or any interested please party please use the option to the right hand side of the entry. Then when the look up page presents click the magnifying glass just to the right as shown above in section 6.

You can then use the magnifying glass to view entries used before or add in 'NEW' interested party details. As shown below.

Q. You will need to provide the full name, UK address and contact details of the proposed licence holder. If it is a limited company

Please give the full company name and address of a UK registered office and listed director who will be the proposed licence holder.

Q. For the address you will need to write either the first line of the address or postcode and use the search button.

If you are unable to locate the address from the search results provided please contact My Newham online for further assistance.

Q. Do you accept to be contacted and receive documentation from the London Borough of Newham via e-mail? Please select the check box if you understand and consent.

Click save at the bottom of the screen to save the details you have provided for the applicant.

You can select a new freeholder entered or one previously used. Once you have selected the freeholder of choice click Select and Save.

Step 6 – Leaseholder details

Leaseholder

Add Leaseholder

First Name	Surname	Company Name	Email Address	Date of Notice served ↓
------------	---------	--------------	---------------	-------------------------

There are no records to display.

To add a leaseholder or any interested please party please use the option to the right hand side of the entry. Then when the look up page presents click the magnifying glass just to the right as shown above in section 6.

If you are a leaseholder or completing on behalf of a leaseholder please complete this required section.

If you do not leaseholder information to declare please select Next to proceed.

Step 7 – Managing Agent Details

Managing Agent

Add Managing Agent

First Name	Surname	Company Name	Email Address	Date of Notice served ↓	
------------	---------	--------------	---------------	-------------------------	--

There are no records to display.

To add a managing agent or any interested please party please use the option to the right hand side of the entry. Then when the look up page presents click the magnifying glass just to the right as shown above in section 6.

If you have a managing agent please complete this required section.

If you do not have a managing agent to declare please select Next to proceed.

Step 8 – Mortgage/Lender Details

Mortgage/Lender

Add Mortgage/Lender

Company Name	Email Address	Date of Notice served ↓	
--------------	---------------	-------------------------	--

There are no records to display.

To add a mortgage/lender or any interested please party please use the option to the right hand side of the entry. Then when the look up page presents click the magnifying glass just to the right as shown above in section 6.

If you have a mortgage/lender please complete this required section.
 If you do not have a mortgage/lender to declare please select Next to proceed.

Step 9 – Licence Holder Selection

Licence Holder

Enquiry Number

ENQ00168915

Licence Holder

Who will be the licence holder for this rented property licence application? *

Does this party receive the property rent?

No Yes

Using the magnifying glass as highlighted above you are able to select one interested party as required to be the licence holder for this rented property licence application.

Licence

Enquiry
ENQ0016

Licence Hold

Who will be t

Does this par

No Yes

Lookup records x

<input checked="" type="checkbox"/>	First Name (Party)	Surname (Party)	Company Name (Party)	Party Type
<input checked="" type="checkbox"/>	Aname	Sample		Applicant
<input type="checkbox"/>	Example	Freeholder		Freeholder
<input type="checkbox"/>	Example	Agents	Managing Agents Newham	Managing Agent
<input type="checkbox"/>			Barclays	Mortgage/Lender

Select
Cancel
Remove value

Step 10 – Other Interested Parties

Other Interested Parties

Add Other

First Name	Surname	Company Name	Other Party Type Details	Joint Licence Holder	Date of Notice served
------------	---------	--------------	--------------------------	----------------------	-----------------------

There are no records to display.

If you require to enter details of a joint licence holder please 'add other' and enter the required details when prompted.

For joint licence holders please select 'Yes' and save to continue.

Other

Party *

Other Party Type Details

Joint Licence Holder
 No Yes

Date of Notice served *

Save

Step 11 – Fit & Proper person assessment and property management

Fit and Proper Person Assessment ?

Have you, or anyone associated to you, or mentioned on this form, had any unspent convictions relating to any of following: Fraud, Dishonesty, Violence, Drugs, Sexual Offences Act 2003 (Schedule 3) *

No Yes

Have you, or anyone associated to you, or mentioned on this form, been found by a court or tribunal to have been involved with any unlawful discrimination on grounds of: Sex, Colour, Race, Disability, Ethnic or national origins *

No Yes

Have you, or anyone associated to you, or mentioned on this form, had a judgement made against you or them by a court or tribunal relating to Housing, Public Health, Environmental Health or Landlord and Tenant Law? *

No Yes

Has any person named on this form previously held or do they currently hold a licence for any other property subject to licensing?

No Yes

Property Management

Does the proposed licence holder or manager have experience of managing rented property? *

No Yes

Does the proposed licence holder belong to an association of landlords? *

No Yes

Is the property visited to check its condition and for any antisocial activities of the tenants? *

No Yes

Are there funds to deal with uninsured damage/insurance and maintenance to the property? *

No Yes

Q. Have you or anyone associated to you, or mentioned on this form, any unspent convictions relating to any of following:

- Fraud
- Dishonesty
- Violence
- Drugs
- Sexual Offences Act 2003 (Schedule 3)

You do not need to ask any of the associated persons if they have any unspent convictions you only need to declare this if you already know of any.

Q. Have you, or anyone associated to you, or mentioned on this form, been found by a court or tribunal to have been involved with any unlawful discrimination on grounds of

- Sex
- Colour
- Race
- Disability
- Ethnic or nation origins

You do not need to ask any of the associated persons if they have been involved with any unlawful discrimination, you only need to declare this if you already know of any.

Q. Have you, or anyone associated to you, or mentioned on this form, had a judgement made against you or them by a court or tribunal relating to Housing, Public Health, Environmental Health or Landlord and Tenant Law?

You do not need to ask any of the associated persons if they have any judgements made against them you only need to declare this if you already know of any.

Q. Has any person named on this form previously held or do they currently hold a licence for any other property subject to licensing?

This can be anywhere inside or outside the London Borough of Newham?

If you are a portfolio landlord you can submit a list of your licensable properties to the property licensing team quoting your 'My Newham' account reference number and your name. This can be sent to propertylicensing@newham.gov.uk. You can then enter 'list supplied separately' in this box to save having to enter your property addresses for each application.

Q. Does the proposed licence holder belong to an association of landlords?

Such as:

- Association of Residential Letting Agents
- National Landlords Association
- Residential Landlords Association
- Southern Landlord Association
- Other similar type organisation.

Q. Is the property visited to check its condition and for any antisocial activities of the tenants?

The landlord should have good knowledge of their property and the behaviour of their tenants.

Q. Are there funds to deal with uninsured damage/insurance and maintenance to the property?

The landlord must have adequate funds and/or insurance cover to repair the property promptly and replace any defective items.

Step 12 – Other Licences

Other Licences

Have you or anyone associated with you within the last 5 years, been in control of a property that was subject to a control order? *

No Yes

Have you or anyone associated with you within the last 5 years, been in control of a property that has been refused a licence or breached conditions of a licence? *

No Yes

Have you or anyone associated with you within the last 5 years, been in control of a property that was subject to a Management Order? *

No Yes

Have you or anyone associated with you been subject to a banning order under section 16 of the Housing and Planning Act 2016? *

No Yes

Q. Have you or anyone associated with you within the last 5 years, been in control of a property that was subject to a control order?

A Control Order is defined under S379 of the Housing Act 1985.

Q. Have you or anyone associated with you within the last 5 years, been in control of a property that was subject to a Management Order?

A management order is either an interim, final management order or a special interim management order under the Housing Act 2004 sections 102, 103 and 113.

Q. Have you or anyone associated with you within the last 5 years, been in control of a property that has been refused a licence or breached conditions of a licence?

If you were refused a licence you would have been sent notices to that effect, usually under either Section 64(1) (b) or Section 88(1) (b) of the Housing Act 2004. Any breaches would have also been conveyed to you in written form and would have been in contravention of section 72 or section 95.

Step 13 – Health and Safety

How many smoke alarms are there in the common parts? (i.e. Halls, stairs and landings) *

Q. How many smoke alarms are there in the common parts? (This is a numerical field only)

The common parts means in the stairwells, hallways and landings of all property types (both single-family households and HMO's).

Does the property have fire doors fitted to the kitchens? *

Q. Does the property have fire doors fitted to the kitchens? A fire door is one where its construction and installation provide at least a 30-minute barrier to fire. If you are unsure then select no.

Does the property have fire blankets in all kitchens? *

Q. Does the property have fire blankets in all kitchens?

Fire Blankets should be compliant with British Standard BS EN 1869:1997. They should be located in the kitchen in a position away from the cooker or source of flame.

Does the property have fire extinguishers in the stairways? *

Q. Does the property have fire extinguishers in the common stairways?

Fire extinguishers should be compliant with British Standard BS EN3. They should be maintained in accordance with British Standard BS5306-3, which requires a basic annual service. In addition, they should be located in a position not to obstruct the mean of escape.

Does the property have a fire detection system? *

Q. Does the property have a fire detection system?

A fire detection system is where a property may have a higher level of smoke detection than just battery operated smoke alarms. For instance if you have interlinked smoke/heat detectors or a system which links smoke/heat detectors and call points to a control box.

Do you provide details of escape routes and other fire safety information to occupiers? *

Q. Do you provide details of escape routes and other fire safety information to occupiers?

This could be in written form with the tenancy agreement or a sign behind their bedroom door. A landlord should carry out a fire risk assessment on their property. See [this website](http://www.communities.gov.uk/fire/firesafety/firesafetylaw) for more information, <http://www.communities.gov.uk/fire/firesafety/firesafetylaw>

If so then you will need to provide details

Does the furniture you provide within the property comply with the Furniture and Furnishings (Fire Safety) Regulations 1988 (amended 1989 & 1993)? *

Q. Does the furniture you provide within the property comply with the Furniture and Furnishings (Fire Safety) Regulations 1988 (amended 1989 & 1993 & 2010)?

These regulations set levels of fire resistance for domestic upholstered furniture, furnishings and other products containing upholstery. You will normally know if a piece of furniture complies by looking at its label. If there is any doubt on compliance, you should remove and properly dispose of the item. If the property is provided unfurnished then please tick not applicable.

Is there a gas supply to the property? *

No Yes

If yes, do all gas appliances in the property to be licensed, meet the health and safety standards of relevant gas safety legislation and are tested annually?

No Yes

Q. Is there a Gas Supply to the property?

If yes, you will have to confirm that all gas appliances are safe. If you have gas appliances you should have them checked every 12 month by a qualified 'Gas Safe' qualified gas engineer. He will give a Gas Safety certificate. This should be retained as we may request a copy be sent to us in the future.

Note: Information provided here will not affect your licence application but it will affect the conditions bound to your licence. You do not need to carry out any additional works to your property to make this application.

Step 14 – Room Details

Room Details

Living Rooms / Dining Rooms / Other communal spaces

Add Living Room

Add Dining Room

Add Other Communal Room

Room Category	Location	Room size (m2) ↓	Shared or Exclusive
---------------	----------	------------------	---------------------

There are no records to display.

This property does not have any communal rooms

For each living room or communal area that is not a bathroom or kitchen click on the “Add living room” button. Communal areas in a single-family house include living and dining rooms.

- Q. Location
- Q. Room Size

Q. Shared or Exclusive

A shared communal area is one that is shared by two or more separate households.

Q. Smoke Alarm.

Tick if one is located in this room.

Q. Wash Hand Basin

Please select Yes or No.

Please enter living room details.

Living Room

Living Room Details

Location *

Ground Floor Rear

Room size (m2) *

20

Shared or Exclusive *

Shared

Living Room Facilities

Smoke/Heat alarm

No Yes

Wash Hand Basin?

No Yes

Save

Bedrooms

Add Bedroom

Location	Room size (m2)	Shared or Exclusive	Has Bathroom	Has Kitchen
----------	----------------	---------------------	--------------	-------------

There are no records to display.

This property does not have any bedrooms

For each bedroom click on the “Add bedroom” button.

Q. Location

Detail the location where in the property the room is located as if you were standing outside the front door looking at the property. For instance, ground floor rear right room or First Floor Front Left Room.

Q. Room Size

Please enter the room size in metres squared. You will have to measure the length and width of the room. Enter the actual figure with no text.

Q. Shared or Exclusive

Exclusive use is where facilities are in sole use by one household. If it is exclusively used, another box will appear and you will have to enter the name of the tenant who has exclusive use of this room. If the room is not occupied you can enter ‘vacant’ or ‘not known’.

Please enter bedroom details.

Bedroom

Bedroom Details

Location *

First Floor Front

Room size (m2) *

12.8

Shared or Exclusive *

Shared

Bathroom Facilities

Has bathroom facilities within bedroom

No Yes

Wash Basins

1

Toilets

1

Baths / Showers

1

If the bedroom has bathroom facilities please provide details of how many wash basins, toilets and baths or showers in place.

Kitchen Facilities

Has kitchen facilities within bedroom

No Yes

Ovens

1

Hobs

1

Sinks

1

Fridges

1

Freezers ?

1

Save

If the bedroom has kitchen facilities within it please provide details of how many ovens, hob set, sinks, fridges and freezers are in place.

Click Save to store the information per bedroom.

Click the “add additional bedroom” box for all other bedrooms.

Kitchens

Add Kitchen

Location	Shared or Exclusive	Ovens	Hobs	Sinks	Fridges	Freezers
----------	---------------------	-------	------	-------	---------	----------

There are no records to display.

This property does not have any kitchens

For each kitchen click on the “Add Kitchen” button.

Kitchen

Kitchen Details

Location *

Ground Floor Front

Room size (m2) *

20

Shared or Exclusive *

Shared

For each kitchen press the blue “add kitchen” button.

- Q. Location
- Q. Room Size

Q. Shared or Exclusive

A shared/communal kitchen is one that is shared by two or more separate households.

Q. Smoke Alarm.

Tick if one is located in this room

Q. Indicate the number of facilities available in the kitchen

- Ovens
- Hobs
- Sinks
- Fridges
- Freezers

Just type the actual number of each of the facilities above in to the corresponding box. If a freezer compartment is contained within the fridge, please enter '1'

If the property is provided unfurnished and tenants provide the kitchen facilities you will need to know what facilities are in the kitchen. This can be done by asking the tenants or visiting the property.

Kitchen Facilities


Smoke/Heat alarm
 No Yes

Ovens *

Hobs *

Sinks *

Fridges *

Freezers * 

[Save](#)

Bathrooms

[Add Bathroom](#)

Location	Shared or Exclusive	Baths / Showers	Wash Hand Basins	Toilets
----------	---------------------	-----------------	------------------	---------

There are no records to display.

This property does not have any bathrooms

For each bathroom, press the “Add Bathroom” button.

Q. Location

Q. Shared or Exclusive

Q Indicate the number of facilities available in the Bathroom

- Wash Hand Basin
- Toilet
- Bath/Shower

Enter the actual number of each of the facilities above in to the corresponding box.

Bathroom

Bathroom Details

Location *

Ground Floor Middle

Shared or Exclusive * ?

Shared

Bathroom facilities

Toilets *

1

Baths / Showers *

1

Wash Hand Basins *

1

Save

Step 15 – Tenant Details

Bedrooms

Location	Room size (m2)	Shared or Exclusive	Has Bathroom	Has Kitchen	
First Floor Front	12.80	Shared	Yes	Yes	<input type="checkbox"/>

View Tenants
Add Tenant to Room

Please add tenants to the bedroom details you have provided, click save to continue.

Step 16 – Licence Type Confirmation

Licence Type Confirmation

We have determined that you require the following licence type: *

Selective Licence

If this is different from the licence type you selected, please inform all relevant parties of this change. Click next to continue.

From the answers you have given, the online application determines the type of licence you are applying for.

If you think this is incorrect. You should go back using the “previous” button and check your answers are correct.

Step 17 – Application Summary

The summary page will tell you:

- The Licence being applied for
- Licence Type (decided)
- Property Address
- Application fee due
- Proposed Licence Holder
- Listed interested parties

If you think these are incorrect. You should go back using the “previous” button and check your answers are correct.

Select Next to continue.

Step 18 – Licence Holder Declarations

Please read the declaration in full. This section is to be completed by the Applicant.

It is a criminal offence to knowingly supply information, which is false or misleading for the purposes of obtaining a licence. Evidence of any statements made in this application with regard to the property concerned may be required at a later date. If we subsequently discover something which is relevant and which you should have disclosed, or which has been incorrectly stated or described, your licence may be cancelled or other action taken.

Tick the box to indicate you have read and understood the above declaration, then print your name and enter today's date.

Have you read and understood the above declaration? *

No Yes

Name *

Date *

Step 19 – Property Licence Register

The Housing Act 2004 requires every local authority to maintain a public register of properties licensed under the act. Together with any Temporary Exemption Notices served or any Interim/Final Management Orders.

The register is updated as we continue to issue property licences. An electronic online register is available on our website to view.

Step 20 – Payment Code

If you have a payment arrangement agreed with the Property Licensing Team and you have paid in advance, please enter your issued payment bypass code below. Click 'Use Bypass Code' and proceed to 'Next'.

To pay online with a credit or debit card, leave the field blank and continue.

Proceed to Payment Screen – Rented Property Licence Application Summary

This screen gives you an overview of the enquiry details.

If all details are correct then select the pink "Go to Payment".

If you select to not make payment your application will be held in your My Newham account as 'Awaiting Payment' until a time you wish to make the required payment for your application. Please note that upon progressing to the payment screen the payment will be re-calculated to the fees applicable at the time of making that payment. For full information on fees and charges please visit our website.

You will need either your credit card or debit card available. You need to enter your details. There are specific help windows in the payments screen to assist you.

When you come to the final screen press the “checkout now” button only once.

It will then ask you to wait. Your application will then be submitted to be processed by the Property Licence Team.

Please note that any online forms received without payment, or where incorrect or deficient information is supplied, do not constitute a valid application.

Failure to provide full payment (i.e. received and cleared) and supply the required information by the agreed date will mean that no valid application has been submitted and an offence of failure to licence is being committed.

Once you have made your application you will have to wait for your application to be processed. This means that you do not automatically have a licence. We must process and approve your application within ten weeks of receiving your application before you are granted a licence.

We will write to the Proposed Licence Holder if we are unable to process your application within our ten-week service standard, with a new time period and the reasons for the delay. If we request further information and you fail to provide this within the timescale set, your licence application may be refused.

We will tell you and any other interested parties whether we plan to grant or refuse a licence within ten weeks of receiving your application.

This will be followed by a 21-day consultation period which gives you and all interested parties the chance to **ask questions, challenge our decision or make comments**.

We will give you the notice that grant or refuses a licence, as well as a copy of the licence at the end of this consultation period.

If you have not heard from us within our ten-week service standard please email propertylicensing@newham.gov.uk

Continuing a Rented Property Licence Application

To continue an application you can access this via your My Newham, My enquiries. Navigate to the arrow on the right hand side of your enquiries and 'view details' and 'edit application' to continue the application you require. This should then take you to the payment pages following progression through the pages of the application. It will want you this time to go through each page of the form but these will already be completed.

My Services / My Enquiries

My Enquiries

Status

Active

Resolved

Cancelled

Apply Filter

Search

Enquiry Number	Enquiry Title	Status	Created On ↓	Target Completion Date	
ENQ0432181	ENQ0432181	Active	12/09/2012 9:44 AM		<input checked="" type="checkbox"/>

Application Type	Payment Status	
First Time Licence	Awaiting Payment	<input checked="" type="checkbox"/>

[Edit Application](#)

[Complete Payment](#)

Please make sure when navigating through the application pages you complete any boxes that may appear blank. For example selecting the Licence holder you wish to proceed with today:

Licence Holder

Who will be the licence holder for this rented property licence application? *

Does this party receive the property rent?

No Yes

Finally you must sign and complete the declaration with today's date:

Have you read and understood the above declaration? *

No Yes


Name *

A Sample

Date *

27/06/2022 

If at any time you decide not to continue to payment you will need to revisit My Enquiries and either edit the application as required or complete payment to activate your application to payment basket.

Application Type	Payment Status	
First Time Licence	Awaiting Payment	

[Edit Application](#)

[Complete Payment](#)

Renewals

You should renew your licence if it is about to expire and you still wish to licence the property. You must renew your licence three months before it expires.

[Renew an existing licence](#) →

You should also tell us if the property is no longer licensable.

A Renewal Licence Application can only be made:

- When the Property licence is 'Issued',
- The original applicant is the current licence holder
- The original applicant has access to the My Newham account that made the application
- The applicant holds the current issued licence reference number.

If you were not the original applicant you will need to make a new application for your property once the current licence expires. [Types of licence – Rented property licensing – Newham Council](#)

If you meet the applicant criteria above for a Renewal application to be made please navigate to 'Renew an existing licence'

Enter your current licence reference provided to you and click search.

Rented Property Licence Renewal

Reference Number *

Search

The original details entered of your previous application will be displayed to you.

To use the details shown for your Renewal Application as you have no changes to make select "Simple Renewal".

To edit some of these application details select "Simple renewal with changes". Please note you will not be able to change the licence type, Applicant or Proposed Licence Holder details. If these have changed at all please select 'Full Renewal'

If the licence type has changed, or you wish to fill in a new blank application for a property with an existing licence please select "Full Renewal".

After selecting the required Renewal Type you will be able to proceed through the application form. Make changes where possible, make payment and submit. If you require any support during the application process please refer to previous sections of this guidance where all the sections are the same and explained in detail.

Appendix 2

A guide to Licensing Property Standards

KITCHEN FACILITIES

The kitchen should be of satisfactory layout and have adequate provision for hygienic storage, preparation and cooking of food, so preventing the risk of infection to occupants.

The occupants should not be exposed by reason of layout, size, design or other feature to risk from hot surfaces or risk from burns or scalds caused by contact with flames or hot liquids.

Kitchen units and appliances should be free from defects and in good working order. In general, kitchen facilities should be less than 20 years old.

Kitchen facilities used by a **single household** should comprise:

- a cooker (4 cooking rings), oven and grill (suitably restrained and located);
- a sink with integral drainer set on a 1000mm base unit;
- constant hot and cold water supplies to the sink;
- a fixed impervious and readily cleansable work surface, minimum 2000 x 500mm;
- an adequate tiled splash-back to a height of at least 300mm above any sink or work surface;
- a direct drainage connection to the sink with a suitable water trap;
- adequate storage cupboard units, minimum 0.3 cubic metres;
- a suitable sized refrigerator;
- a minimum of 2 double electrical sockets above work surfaces (excluding appliance sockets).

In **Houses of Multiple Occupation** kitchens must be of an adequate size and shape to enable safe use of food preparation by the number of occupiers and the following guidelines for shared kitchens apply:

Number of sharers	Room size
Up to 3	5.5 sq m
4 – 5	7.5 sq m
6- 7	9.5 sq m
8 – 10	11.5 sq m

SPACE STANDARDS

Occupants should not be exposed to health risks caused by lack of space within the dwelling for living, sleeping and normal family life.

The following tables will be used to calculate the permitted number of occupants for the dwelling.

Maximum number of occupiers per room based on floor space in single household dwellings	
4.6 to 6.49 sq m (approx 50 to 69 sq ft)	1 person (under the age 10 years old)
6.5 to 10.19 sq m (approx 70 to 110 sq ft)	1 person (of any age)
10.2 sq m or more (approx 111 sq ft or more)	2 persons (see note below)

NOTE:

- Communal space, hallways, corridors, landings, kitchens, W.C's or bathrooms cannot be used as sleeping accommodation.
- Only persons under the age of 10 years old of the opposite sex may sleep in the same room, unless those persons are over 16 years old and are married to each other or live together as husband and wife (or in an equivalent relationship in the case of persons of the same sex)

Maximum number of occupiers per room based on floor space in Houses in Multiple Occupation with shared kitchen facilities in a separate room	
4.64 to 6.5 sq m (approx 50 to 69 sq ft)	1 person (under the age 10 years old)
6.51 to 10.21 sq m (approx 70 to 110 sq ft)	1 person (over the age of ten years old)
10.22 sq m or more (approx 111 sq ft or more)	2 persons (over the age of ten years old) (see note below)
Maximum number of occupiers per room based on floor space in Houses in Multiple Occupation with exclusive kitchen facilities within the room and self-contained studio bedsits/flats with kitchen facilities within the room	
13 sq m to 17.99 sq m (Approx 140 to 193.6 sq ft)	1 Person (1 household) (of any age)
18 sq m or more. (Approx 193.8 sq ft or more)	2 Persons (1 household)

NOTE:

- Lounges, communal space, hallways, corridors, landings, kitchens, W.C's or bathrooms cannot be used as sleeping accommodation.
- Only persons under the age of 10 years old of the opposite sex may sleep in the same room, unless those persons are over 16 years old and are married to each other or live together as husband and wife (or in an equivalent relationship in the case of persons of the same sex).
- For every 5 persons sharing there will need to be 1 set of bathing and kitchen facilities.
- 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.
- *Communal space is either a separate unlocked room at least 4.6sq m with seating or a kitchen with at least an additional 4.6sqm dedicated to a table and seating.

Appendix 3 Selective Licence Conditions

The following standard licence conditions will be applied to all licences that are issued. There will also be unique licence conditions applied to licences, which will be dependent on the information supplied at the time of application

Failure to comply with these conditions is a criminal offence.

Property Address: <<insert property address>>

Permitted Occupation

- 1) The Licence Holder must not allow a new resident to occupy the property or any part of the property if that occupation:
- a) Exceeds the maximum permitted number of persons for the property as detailed in the schedule of permitted occupation below.
 - b) Exceeds the maximum permitted number of households for the property as detailed in the schedule of permitted occupation below.
 - c) Exceeds the maximum number of persons per room as detailed in the schedule of permitted occupation below.
 - d) Exceeds the maximum permitted number of persons for any letting as detailed in the schedule of permitted occupation below.

A new resident means a person who was not an occupier of the property and/or the specific room at the date of the issue of the licence.

Occupancy and Maximum Permitted Person per Letting

2) Maximum numbers allowed in a dwelling and maximum numbers of persons per room.

An example of an occupancy schedule is reproduced below:

Letting	Location	Area (sq m)	Max permitted number per room
Bedroom 1	Ground floor	18.91	2
Bedroom 2	First floor	10.60	2
Bedroom 3	First floor	7.01	1
Living Room	Ground floor	14.68	2

TOTAL MAXIMUM PERMITTED NUMBER OF PERSONS FOR THE HOUSE - 7
(Determined by number of bed spaces)

TOTAL MAXIMUM PERMITTED NUMBER OF HOUSEHOLDS - 1

COMMENTS

Assessed as a family residence

Room 'Bedroom 1' has sufficient space for two people over the age of ten years old.
Room 'Bedroom 2' has sufficient space for two people over the age of ten years old.
Room 'Bedroom 3' has sufficient space for one person over the age of ten years old.
There is a bathroom located: First floor
There is one kitchen of 16.4sqm.

Notification of Changes

- 3) The Licence Holder shall inform the Council's Property Licensing Team directly, in writing or by email, of the following within 28 days of the change occurring:
- Any change in the ownership or management of the property.
 - Any change in address, email or telephone number for the licence holder and/or agent.
- 4) The address of the Licence Holder given on their application form shall be used as the address for the proper service of any letter notice or other document by the Council's Property Licensing Team on the Licence Holder. It is the Licence Holder's responsibility to ensure that they take all reasonable steps to receive and act upon any letter, notice or other document sent to that address.
- 5) The Licence Holder must advise the Council's Property Licensing Team directly, in writing or by email, if they create or remove any rooms, bathrooms, WCs or kitchens in the property, at least 28 days before starting works.

Tenancy Management

- 6) The Licence Holder shall supply the occupiers of the property with a written statement of the terms (such as a tenancy agreement) on which they occupy the property, details of the arrangements in place to deal with repair issues and emergency issues and a copy of this licence and its conditions. Copies of the written statement of terms must be provided to the Council within 7 days upon demand.
- 7) **Not Used.**
- 8) The Licence Holder shall not cause or permit any person who has previously applied for a property licence in respect of the property and has either:
- Been found not to be a Fit and Proper person, or
 - Been made subject to a Banning Order under the Housing and Planning Act 2016 to have control or management of the property, or to carry out or arrange any repair, improvement or other building works at the property.
- 9) a) The Licence Holder shall obtain references from persons who wish to occupy the property, or a part of the property, before entering into any tenancy or licence or other agreement with them to occupy the property. No new occupiers shall be allowed to occupy the property if they are unable to provide suitable references.
- (References should be as a minimum, checks to ensure the tenant's identity, whether they have the right to rent a property [see <https://www.gov.uk/check-tenant-right-to-rentdocuments/who-to-check>], their ability to pay rent and their past tenant history – see 8 B below for further details.)*

The Licence Holder must retain all references obtained for occupiers for the duration of this licence and provide copies to the Council within 28 days on demand.

b) In conjunction with 9 A above the Licence Holder shall carry out adequate checks prior to the tenancy commencing. These checks must incorporate a professional credit check, employment reference (where applicable) and previous landlord reference (where applicable). Evidence of this must be retained for the duration of licence. This evidence must be provided to the Council within 28 days on demand.

10) The Licence Holder shall carry out adequate checks and obtain satisfactory proof that occupiers belong to a single household. These checks must incorporate a professional credit check, employment reference (where applicable) and previous landlord reference (where applicable). Evidence of this must be retained for the duration of licence. This evidence must be provided to the Council within 28 days on demand.

11) The Licence Holder shall protect any deposit taken under an assured shorthold tenancy by placing it in an authorised tenancy deposit scheme. The tenant must be given the prescribed information about the scheme. The Licence Holder must comply with the requirements of the scheme and the operation of Part 6 in Chapter 4, Housing Act 2004 within the statutory time limit (currently 30 days). A copy of the prescribed information given must be provided to the Council within 28 days on demand.

12) The Licence Holder shall carry out a full property inventory at the commencement of each tenancy. A copy shall be provided to the tenant. A copy of the inventory must be provided to the Council within 28 days on demand.

13) The Licence Holder must provide to the Council, in writing, details of the tenancy management arrangements that have been, or are to be, made to prevent or reduce antisocial behaviour by persons occupying or visiting the property. Evidence of these must be provided to the Council within 28 days on demand and shall include the following:

- a) Notification of an emergency 24hr contact number (including out of hours response arrangements)
- b) Notification of financial arrangements for dealing with emergency issues as well as routine and planned maintenance or repairs
- c) Notification of arrangements for the disposal of rubbish and bulky waste
- d) Written records of property inspections for management and repair issues

14) **Not Used.**

15) a) The Licence Holder shall ensure that inspections of the property are carried out at least every **six (6)** months to identify any problems relating to the condition and management of the property. The Council may increase the frequency of such inspections if it has good reason to be concerned about the condition or management of the property. In particular the frequency

of property inspections will be reduced to once every four (4) months where the council has evidence of sub-letting of properties and/or other serious breaches are noted. The records of such inspections shall be kept for the duration of this licence. The records must either be on the council's inspection record template or on a template of sufficient detail. All inspection records must contain a record of who carried out the inspection, date and time of inspection, external inspection of the property, including all gardens and yards, and a room by room check including any issues found and action to be taken. Amenities are to be inspected e.g. heating system, washing and cooking facilities as well as tests of smoke alarm systems. The inspection record must be counter signed by the tenant who signed a written agreement, i.e. tenancy. Copies of these must be provided to the Council within 28 days on demand. The council inspection template form is available online at www.newham.gov.uk/propertylicensing and a copy will be provided with a copy of the final licence.

b) In conjunction with 15 A above the Licence Holder must also carry out checks to ensure that the AST named tenants are verified as still residing at the property and that the maximum occupant numbers are not exceeded, nor that other unnamed occupants have taken up residence. Names of all occupants (regardless of whether they are the named AST tenant or not) must be recorded and submitted as part of the inspection records in 15 A above.

Responsibility for Anti-Social Behaviour (ASB)

16) The Licence Holder shall take prompt action to address problems of antisocial behaviour (ASB) resulting from the conduct of occupiers of, or visitors to, the property and must comply with the requirements of paragraphs (a) to (f) 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 Council) regarding ASB involving the occupiers of or visitors to the property, the Licence Holder must contact the occupiers within 14 days of receiving the complaint. The Licence Holder must inform the occupiers in writing of the allegations of the ASB and of the consequences of its continuation.
- b) If the Licence Holder is informed by the Council, 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, the Licence Holder must visit the property within 7 days of being notified.
- c) During the visit, the Licence Holder must provide the occupiers with a warning letter advising them 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.

- d) 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. Any correspondence, letters and records referred to in conditions 14(a) to (f) must be provided by the Licence Holder to the Council within 28 days on demand.
- e) Where the Licence Holder has reasonable grounds to suspect that the ASB involves criminal activity the Licence Holder shall ensure that the appropriate authorities are informed.
- f) The Licence Holder shall co-operate with the Police and Council 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 Council when requested.

Property Management and Safety

- 17) The Licence Holder shall ensure that, if they are informed, in writing, by email or other form or communication, a complaint of disrepair or pest infestation in the property from the occupiers or the Council, they take action to remedy the disrepair and/or infestation. The Licence Holder shall respond in writing to any such complaint, within 14 days, stating what action they have or are taking.
- 18) Copies of any such written complaint (including by email) and the Licence Holder's response referred to in condition 15 must be provided by the Licence Holder to the Council within 28 days on demand.
- 19) The Licence Holder shall ensure that any repairs, improvement works or treatments at the property 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 Council within 28 days upon demand.
- 20) If gas is supplied at the property, the Licence Holder shall take all reasonably practicable steps to ensure that all gas installations and appliances are in a safe condition. The Licence Holder must keep a current valid gas safety certificate obtained within the last 12 months by a Gas Safe registered Engineer or, if the boiler was installed less than 12 months ago, a Gas Safe Installation Certificate. A copy must be provided to the Council within 28 days on demand. Copies of this certificate must also be provided to all occupiers at the start of their occupation.
- 21) The Licence Holder shall take all reasonably practicable steps to ensure that all electrical appliances provided at the property are in a safe condition. The Licence Holder must obtain an

electrical appliance test report in respect of all electrical appliances that are provided by the landlord and provide a copy to the Council within 28 days of demand.

- 22) The Licence Holder shall take all reasonably practicable steps to ensure that the electrical installation at the property is in a safe condition. The Licence Holder must obtain a 'satisfactory' electrical installation condition report (EICR) for the property and provide a copy to the Council 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 Council will not contact the electrician on your behalf).*
- 23) The Licence Holder must give new occupiers of the property within 7 days of the start of their occupation, the following information on Waste and Recycling, in writing:
- The collection days for the refuse and recycling bins for the property (see <https://my.newham.gov.uk/Maps/>)
 - Details on what they can and can't recycle (www.newham.gov.uk/Recycling)
 - How they can dispose of bulky waste. (www.newham.gov.uk/bulkywaste)
 - General waste guidance from the Council's website: www.newham.gov.uk/wasteguidance.)
A copy of the information provided to the occupiers must be kept for 5 years and provided to the Council within 28 days on demand.
- 24) The Licence Holder must provide the tenants 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 property.
- 25) The Licence Holder shall carry out regular checks and ensure that the common parts, gardens and yards are free from waste, which could provide harbourage for pests and/or is a nuisance and/or is detrimental to the local amenities, other than waste stored in appropriate receptacles for the storage of household refuse and recycling; and that waste such as old furniture, bedding, rubbish or refuse from the property is not left outside the property or in its vicinity.
- 26) The Licence Holder must not leave old furniture, bedding, rubbish or refuse from the property on the immediately outside the property or private land.
- 27) The Licence Holder must ensure that any type of waste which the Council does not routinely collect such as hazardous waste is disposed of in a safe and lawful manner.

- 28) If the Licence Holder becomes aware that the occupiers of the property or their visitors are not using the waste disposal facilities provided and/or leaving waste outside the property or in its vicinity (for example old furniture, mattresses), they must write a warning letter to the occupiers within 7 days advising them to remove the items immediately. A copy must be kept and must be provided to the Council within 28 days on demand.
- 29) The Licence Holder shall carry out regular checks and ensure that the property is free from pest infestation. Where the Licence Holder becomes aware of a pest problem or infestation at the property they shall, within 7 days, take steps to ensure that a treatment program is carried out to eradicate the pest infestation. Records shall be kept of such treatment programs and copies of these must be provided to the Council within 28 days on demand.

Fire Safety

- 30) The Licence Holder shall ensure that a smoke alarm is installed on each storey of the property on which there is a room used wholly or partly as living accommodation. (A bathroom or lavatory is to be treated as a room used as living accommodation).
- 31) The Licence Holder shall ensure each smoke alarm installed in the property shall be kept in proper working order and shall submit to the Council, on demand, a declaration by him as to the condition and positioning of any such smoke alarm.
- 32) The Licence Holder shall ensure that a carbon monoxide alarm is installed in any room in the property which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance. ("Room" includes a hall or landing. A bathroom or lavatory is to be treated as a room used as living accommodation.)
- 33) The Licence Holder shall ensure each any carbon monoxide alarm installed in any room in the house shall be kept in proper working order.
- 34) The Licence Holder must submit to the Council, on demand, a declaration by him as to the condition and positioning of any such carbon monoxide alarm.
- 35) **Not Used.**
- 36) The Licence Holder shall ensure that furniture made available in the property is in a safe condition. All upholstered furniture and covers and fillings of cushions and pillows should comply with current fire safety legislation. A declaration as to the safety of such furniture must be provided to the Council within 28 days on demand.

Please Note: Compliance with these conditions does not automatically mean your property is free from the hazard of fire. Subsequent enforcement action may have to be taken to reduce the hazard. More information can be found here: www.newham.gov.uk/propertylicensing

Financial Management

37) **Not Used.**

38) When rent or licence fees are collected or received from the occupiers, a written rent receipt must be given to the occupiers, within 7 days of receiving the rent. (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 Council within 28 days on demand.

39) **Not Used.**

General Conditions

40) The Licence Holder must arrange for access, to be granted to Council officers when requested, at any reasonable time. They must not impede Council officers in carrying out their statutory duties including inspecting, surveying and investigating the property to ensure compliance with licence conditions and any other relevant legislation.

41) The Licence Holder shall provide the Council, 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 property:

- a) The names and numbers of individuals and households in occupation specifying the rooms they occupy within the property.
- b) The names and number of individuals in each household.

42) The Licence Holder shall ensure that if any alteration or construction works are in progress, works are carried out at the property are carried out in such a manner as to ensure the safety of all persons occupying or visiting the property in compliance with Health and Safety legislation.

43) The Licence Holder shall ensure that on completion of any works, the property is left in a clean and tidy condition and free from builders' debris.

Limitations of Licence

LICENCE TRANSFER - This licence can **NOT** 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.

WARNING

PENALTY FOR BREACH OF LICENCE CONDITIONS- Failure to comply with any of the above licence conditions may result in enforcement action and/or prosecution.
The fine for a breach of these licence conditions is now UNLIMITED for each offence.

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 Council's website to ensure the correct planning permissions are in place. www.newham.gov.uk/planning. 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> and
<https://www.gov.uk/government/publications/unfair-terms-in-tenancy-agreements--2>.

It is not the responsibility of the Council's Property Licensing Team to ensure the Licence Holder has complied with the above statutory requirements, or any other set of statutory requirements that may apply to letting out a property. 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 Council can revoke or vary the licence at any time, giving proper statutory notice.

Appendix 3 HMO Licence Conditions

The following standard licence conditions will be applied to all licences that are issued. There will also be unique licence conditions applied to licences which will be dependent on the information supplied at the time of application

Property Address: <<insert property address>>

Permitted Occupation

- 1A) The licence holder shall check and ensure the following applies for the licensed property,
- 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 square metres;
 - 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 square metres;
 - 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 square metres;
 - **that any room in the HMO with a floor area of less than 4.64 square metres is not used as sleeping accommodation.**
 - 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;
 - 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;
 - 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.

PLEASE NOTE: Any part of the floor area of a room in relation to which the height of the ceiling is less than 1.5 meters is not to be taken into account in determining the floor area of that room.

- 1B) If any of the conditions imposed in paragraph 1A have been breached in relation to the HMO and the licence holder has not knowingly permitted the breach, the local housing authority will notify the licence holder of the breach allowing a specified time period for you to take action to remedy the breach.

If action is not taken and the breach(es) remain after this notification period, the Council will take enforcement action against you, which may include serving a financial penalty notice (FPN) for up to £30k, Prosecution in Court and other enforcement action.

- 1) The Licence Holder must not allow a new resident to occupy the property or any part of the property if that occupation:
- a) Exceeds the maximum permitted number of persons for the property as detailed in paragraph 1A (above) and in the schedule of permitted occupation below.
 - b) Exceeds the maximum permitted number of households for the property as detailed in paragraph 1A (above) and in the schedule of permitted occupation below.
 - c) Exceeds the maximum number of persons per room as detailed in paragraph 1A (above) and in the schedule of permitted occupation below.
 - d) Exceeds the maximum permitted number of persons for any letting as detailed in paragraph 1A (above) and in the schedule of permitted occupation below.

A new resident means a person who was not an occupier of the property and/or the specific room at the date of the issue of the licence.

Occupancy and Maximum Permitted Person per Letting

2) Maximum numbers allowed in a dwelling and maximum numbers of persons per room.

An example of an occupancy schedule is reproduced below:

Letting	Location	Area (sq m)	Max permitted number per room
Bedroom 1	Ground floor	13.42	2
Bedroom 2	First floor	12.69	2
Bedroom 3	First floor	8.27	1
Bedroom 4	Second floor	5.32	1
Bedroom 5	Loft	4.01	0

TOTAL MAXIMUM PERMITTED NUMBER OF PERSONS FOR THE HOUSE - 6
(Determined by number of bedroom spaces)

TOTAL MAXIMUM PERMITTED NUMBER OF HOUSEHOLDS - 4

COMMENTS

Assessed as a multiple occupancy residence

Room '1' has sufficient space for two people aged over 10 years old.

Room '2' has sufficient space for two people aged over 10 years old.

Room '3' has sufficient space for one person aged over 10 years old.

Room '4' has sufficient space for one person aged under 10 years old. Room '5' is undersized and should not be used as sleeping accommodation at the end of the existing tenancy.

There is a bathroom located: Ground Floor

There is a bathroom located: First Floor

There is a kitchen of 20 sqm located on the ground floor

Notification of Changes

- 3) The Licence Holder shall inform the Council's Property Licensing Team directly, in writing or by email, of the following within 28 days of the change occurring:
 - a) Any change in the ownership or management of the property.
 - b) Any change in address, email or telephone number for the licence holder and/or agent.
- 4) The address of the Licence Holder given on their application form shall be used as the address for the proper service of any letter, notice or other document by the Council's Property Licensing Team on the Licence Holder. It is the Licence Holder's responsibility to ensure that they take all reasonable steps to receive and act upon any letter, notice or other document sent to that address.
- 5) The Licence Holder must advise the Council's Property Licensing Team directly, in writing or by email, if they create or remove any rooms, bathrooms, WCs or kitchens in the property, at least 28 days before starting works.
- 5A) The Licence Holder must provide to the Council, in writing, if any room in the property has a floor area of less than 4.64 square metres. These details must be provided to the Council within 28 days on demand.

PLEASE NOTE: Any part of the floor area of a room in relation to which the height of the ceiling is less than 1.5 meters is not to be taken into account in determining the floor area of that room

Tenancy Management

- 6) The Licence Holder shall supply the occupiers of the property with a written statement of the terms (such as a tenancy agreement) on which they occupy the property, details of the arrangements in place to deal with repair issues and emergency issues and a copy of this licence and its conditions. Copies of the written statement of terms must be provided to the Council within 7 days upon demand.
- 7) **Not Used**
- 8) The Licence Holder shall not cause or permit any person who has previously applied for a property licence in respect of the property 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 control or management of the property, or to carry out or arrange any repair, improvement or other building works at the property.

- 9) a) The Licence Holder shall obtain references from persons who wish to occupy the property, or a part of the property, before entering into any tenancy or licence or other agreement with them to occupy the property. No new occupiers shall be allowed to occupy the property if they are unable to provide suitable references.

(References should be as a minimum, checks to ensure the tenant's identity, whether they have the right to rent a property [see <https://www.gov.uk/check-tenant-right-to-rentdocuments/who-to-check>], their ability to pay rent and their past tenant history – see 8 B below for further details.)

The Licence Holder must retain all references obtained for occupiers for the duration of this licence and provide copies to the Council within 28 days on demand.

- b) In conjunction with 9 A above the Licence Holder shall carry out adequate checks prior to the tenancy commencing. These checks must incorporate a professional credit check, employment reference (where applicable) and previous landlord reference (where applicable). Evidence of this must be retained for the duration of licence. This evidence must be provided to the Council within 28 days on demand.

10) **Not Used**

- 11) The Licence Holder shall protect any deposit taken under an assured shorthold tenancy by placing it in an authorised tenancy deposit scheme. The tenant must be given the prescribed information about the scheme. The Licence Holder must comply with the requirements of the scheme and the operation of Part 6 in Chapter 4, Housing Act 2004 within the statutory time limit (currently 30 days). A copy of the prescribed information given must be provided to the Council within 28 days on demand.

- 12) The Licence Holder shall carry out a full property inventory at the commencement of each tenancy. A copy shall be provided to the tenant. A copy of the inventory must be provided to the Council within 28 days on demand.

- 13) The Licence Holder must provide to the Council, in writing, details of the tenancy management arrangements that have been, or are to be, made to prevent or reduce antisocial behaviour by persons occupying or visiting the property. Evidence of these must be provided to the Council within 28 days on demand and shall include the following:

- a) Notification of an emergency 24hr contact number (including out of hours response arrangements)
- b) Notification of financial arrangements for dealing with emergency issues as well as routine and planned maintenance or repairs
- c) Notification of arrangements for the disposal of rubbish and bulky waste
- d) Written records of property inspections for management and repair issues.

- 14) **Not Used.**

- 15) a) The Licence Holder shall ensure that inspections of the property are carried out at least every **six (6)** months to identify any problems relating to the condition and management of the property. The Council may increase the frequency of such inspections if it has good reason to be concerned about the condition or management of the property. In particular the frequency of property inspections will be reduced to once every four (4) months where the council has evidence of sub-letting of properties and/or other serious breaches are noted. The records of such inspections shall be kept for the duration of this licence. The records must either be on the council's inspection record template or on a template of sufficient detail. All inspection records must contain a record of who carried out the inspection, date and time of inspection, external inspection of the property, including all gardens and yards, and a room by room check including any issues found and action to be taken. Amenities are to be inspected e.g. heating system, washing and cooking facilities as well as tests of smoke alarm systems. The inspection record must be counter signed by the tenant who signed a written agreement, i.e. tenancy. Copies of these must be provided to the Council within 28 days on demand. The council inspection template form is available online at www.newham.gov.uk/propertylicensing and a copy will be provided with a copy of the final licence.
- b) In conjunction with 15 A above the Licence Holder must also carry out checks to ensure that the AST named tenants are verified as still residing at the property and that the maximum occupant numbers are not exceeded, nor that other unnamed occupants have taken up residence. Names of all occupants (regardless of whether they are the named AST tenant or not) must be recorded and submitted as part of the inspection records in 15 A above.

Responsibility for Anti-Social Behaviour (ASB)

16) The Licence Holder shall take prompt action to address problems of antisocial behaviour (ASB) resulting from the conduct of occupiers of, or visitors to, the property and must comply with the requirements of paragraphs (a) to (f) 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 Council) regarding ASB involving the occupiers of or visitors to the property, the Licence Holder must contact the occupiers within 14 days of receiving the complaint. The Licence Holder must inform the occupiers in writing of the allegations of the ASB and of the consequences of its continuation.
- b) If the Licence Holder is informed by the Council, 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, the Licence Holder must visit the property within 7 days of being notified.

- c) During the visit the Licence Holder must provide the occupiers with a warning letter advising them 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.
- d) 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. Any correspondence, letters and records referred to in conditions 13(a) to (f) must be provided by the Licence Holder to the Council within 28 days on demand.
- e) Where the Licence Holder has reasonable grounds to suspect that the ASB involves criminal activity the Licence Holder shall ensure that the appropriate authorities are informed.
- f) The Licence Holder shall co-operate with the Police and Council 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 Council when requested.

Property Management and Safety

17) The Licence Holder shall ensure that, if they are informed, in writing, by email or other form or communication, a complaint of disrepair or pest infestation in the property from the occupiers or the Council, they take action to remedy the disrepair and/or infestation. The Licence Holder shall respond in writing to any such complaint, within 14 days, stating what action they have or are taking.

18) Copies of any such written complaint (including by email) and the Licence Holder's response referred to in condition 14 must be provided by the Licence Holder to the Council within 28 days on demand.

19) The Licence Holder shall ensure that any repairs, improvement works or treatments at the property 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 Council within 28 days upon demand.

20) If gas is supplied at the property, the Licence Holder shall take all reasonably practicable steps to ensure that all gas installations and appliances are in a safe condition. The Licence Holder must keep a current valid gas safety certificate obtained within the last 12 months by a Gas Safe registered Engineer or, if the boiler was installed less than 12 months ago, a Gas Safe

Installation Certificate. A copy must be provided to the Council within 28 days on demand. Copies of this certificate must also be provided to all occupiers at the start of their occupation.

21)The Licence Holder shall take all reasonably practicable steps to ensure that all electrical appliances provided at the property are in a safe condition. The Licence Holder must obtain an electrical appliance test report in respect of all electrical appliances that are provided by the landlord and provide a copy to the Council within 28 days of demand.

22)The Licence Holder shall take all reasonably practicable steps to ensure that the electrical installation at the property is in a safe condition. The Licence Holder must obtain a 'satisfactory' electrical installation condition report (EICR) for the property and provide a copy to the Council 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 Council will not contact the electrician on your behalf).*

23)The Licence Holder must give new occupiers of the property 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 (see <https://my.newham.gov.uk/Maps/>)
- b. Details on what they can and can't recycle (www.newham.gov.uk/Recycling)
- c. How they can dispose of bulky waste. (www.newham.gov.uk/bulkywaste)
- d. General waste guidance from the Council's website: [www.newham.gov.uk/wasteguidance.](http://www.newham.gov.uk/wasteguidance)) A copy of the information provided to the occupiers must be kept for 5 years and provided to the Council within 28 days on demand.

24)The Licence Holder must provide the tenants 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 property.

25)The Licence Holder shall carry out regular checks and ensure that the common parts, gardens and yards are free from waste, which could provide harbourage for pests and/or is a nuisance and/or is detrimental to the local amenities, other than waste stored in appropriate receptacles for the storage of household refuse and recycling; and that waste such as old furniture, bedding, rubbish or refuse from the property is not left outside the property or in its vicinity.

26) The Licence Holder must not leave old furniture, bedding, rubbish or refuse from the property on the immediately outside the property or private land.

27) The Licence Holder must ensure that any type of waste which the Council does not routinely collect such as hazardous waste is disposed of in a safe and lawful manner.

28) If the Licence Holder becomes aware that the occupiers of the property or their visitors are not using the waste disposal facilities provided and/or leaving waste outside the property or in its vicinity (for example old furniture, mattresses), they must write a warning letter to the occupiers within 7 days advising them to remove the items immediately. A copy must be kept and must be provided to the Council within 28 days on demand.

29) The Licence Holder shall carry out regular checks and ensure that the property is free from pest infestation. Where the Licence Holder becomes aware of a pest problem or infestation at the property they shall, within 7 days, take steps to ensure that a treatment program is carried out to eradicate the pest infestation. Records shall be kept of such treatment programs and copies of these must be provided to the Council within 28 days on demand.

Fire Safety

30) The Licence Holder shall ensure that a smoke alarm is installed on each storey of the property on which there is a room used wholly or partly as living accommodation. (A bathroom or lavatory is to be treated as a room used as living accommodation).

31) The Licence Holder shall ensure each smoke alarm installed in the property shall be kept in proper working order and shall submit to the Council, on demand, a declaration by him as to the condition and positioning of any such smoke alarm.

32) The Licence Holder shall ensure that a carbon monoxide alarm is installed in any room in the property which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance. ("Room" includes a hall or landing. A bathroom or lavatory is to be treated as a room used as living accommodation.)

33) The Licence Holder shall ensure each any carbon monoxide alarm installed in any room in the house shall be kept in proper working order.

34) The Licence Holder must submit to the Council, on demand, a declaration by him as to the condition and positioning of any such carbon monoxide alarm.

35) The Licence Holder shall carry out a fire risk assessment in accordance with The Regulatory Reform (Fire Safety) Order 2005 and take action to minimise the risk of fire in accordance with the assessment. The Licence Holder shall ensure that any fire fighting equipment and fire alarm at the property are maintained in good working order. The Licence Holder must provide to the Council, within 28 days on demand, a copy of the fire risk assessment, all periodical inspection

reports and test certificates for any automatic fire alarm system, emergency lighting and fire fighting equipment provided in the property <https://www.london-fire.gov.uk/safety/property-management/landlords-responsibilities/>

36) The Licence Holder shall ensure that furniture made available in the property is in a safe condition. All upholstered furniture and covers and fillings of cushions and pillows should comply with current fire safety legislation. A declaration as to the safety of such furniture must be provided to the Council within 28 days on demand.

Please Note: Compliance with these conditions does not automatically mean your property is free from the hazard of fire. Subsequent enforcement action may have to be taken to reduce the hazard. More information can be found here: www.newham.gov.uk/propertylicensing

Financial Management

37) **Not Used.**

38) When rent or licence fees are collected or received from the occupiers, a written rent receipt must be given to the occupiers, within 7 days of receiving the rent. *(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 Council within 28 days on demand.

Documents to be displayed

- 39) The Licence Holder shall display notices in the common parts with the following information,
- Name, Address and Emergency Contact number of the Licence Holder or managing agent; AND
 - a notice specifying the occupancy limits as stated in this licence. *(You may wish to display a copy of the relevant pages of this licence)*

General Conditions

40) The Licence Holder must arrange for access, to be granted to Council officers when requested, at any reasonable time. They must not impede Council officers in carrying out their statutory duties including inspecting, surveying and investigating the property to ensure compliance with licence conditions and any other relevant legislation.

41) The Licence Holder shall provide the Council, 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 property:

- a) The names and numbers of individuals and households in occupation specifying the rooms they occupy within the property.
- b) The names and number of individuals in each household.

42)The Licence Holder shall ensure that if any alteration or construction works are in progress, works are carried out at the property are carried out in such a manner as to ensure the safety of all persons occupying or visiting the property in compliance with Health and Safety legislation.

43)The Licence Holder shall ensure that on completion of any works, the property is left in a clean and tidy condition and free from builders' debris.

Limitations of Licence

LICENCE TRANSFER - This licence can **NOT** 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.

WARNING
PENALTY FOR BREACH OF LICENCE CONDITIONS- Failure to comply with any of the above licence conditions may result in enforcement action and/or prosecution.
The fine for a breach of these licence conditions is now UNLIMITED for each offence.

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 Council's website to ensure the correct planning permissions are in place. www.newham.gov.uk/planning. 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> and
<https://www.gov.uk/government/publications/unfair-terms-in-tenancy-agreements--2>.

It is not the responsibility of the Council's Property Licensing Team to ensure the Licence Holder has complied with the above statutory requirements, or any other set of statutory requirements that may apply to letting out a property. 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 Council can revoke or vary the licence at any time, giving proper statutory notice.