

Appendix 3

Halton Selective License Scheme – Proposed conditions

Mandatory conditions

- 1 Gas - If gas is supplied to the property, the licence holder shall ensure that all gas installations and appliances are kept in a safe condition. The licence holder must have available a current valid gas safety certificate obtained within the last 12 months by a Gas Safe registered engineer. Any defects noted on the certificate must be promptly rectified and certificated as satisfactory. This certificate must be provided to the Council within 28 days on demand. The licence holder shall provide a copy of the gas safety certificate to all tenants/occupiers at the beginning of their tenancy and keep a written record that it has been provided.
- 2 Electrical Appliances - The Licence holder shall keep all electrical appliances supplied in a safe condition and must provide a declaration as to their safety at the time of application and thereafter on demand.
- 3 Electrical Installation - The licence holder must ensure that the electrical installation in the property is inspected and tested by a person who is qualified and competent, at least every 5 years. Landlords must provide a copy of a satisfactory electrical safety report to the tenant and supply to the local authority on demand.
- 4 Furniture and Furnishings - The Licence holder shall ensure that furniture and furnishings supplied by them are compliant with the Furniture and Furnishings (Fire) (Safety) Regulations 1988 (as amended 1989 and 1993) and must provide a declaration as to their safety at the time of application and thereafter on demand.
- 5 Smoke Detectors and Carbon Monoxide Alarms - The licence holder must ensure that a minimum of one smoke detector is installed to each storey of the property where there is a room that is used wholly or partly as living accommodation (including bathroom or lavatory) and ensure any such alarm is in proper working order at the onset of any tenancy.
- 6 The licence holder must ensure that a carbon monoxide detector is installed in any room which is used wholly or partly as living accommodation and contains a fixed combustion appliance (excluding gas cookers) and ensure any such alarm is in proper working order at the onset of any tenancy.

- 7 The licence holder (or someone acting on the licence holder's behalf) must ensure all smoke and carbon monoxide alarms are repaired or replaced once informed and found that they are faulty and provide a declaration as to their position and condition to the Council on demand. Evidence of this must be kept for the term of the licence.
- 8 Tenant References - All landlords must demand references, in respect of prospective tenants, prior to the commencement of any tenancy.
- 9 Terms of Occupation - Occupiers of the house must be provided with a written, signed statement detailing the terms on which they occupy it (e.g., tenancy agreement or licence). The written agreement shall be clear about tenant's responsibility for not causing antisocial behaviour and that breach of this requirement may lead to eviction. This must be submitted to the Council within 7 days on request. Information provided to the tenant must include:
 - The amount of rent payable and the mechanism for any rent increases
 - Tenancy start and end dates
 - The details of any deposit required and the deposit scheme in which it is held
 - Details of what the deposit covers and arrangements for the return of the deposit – see also condition 19.
 - The frequency of payments
 - The details of any utilities or other charges included in the rent
 - The responsibility for payment of the Council Tax
 - The responsibility for the payment of utilities and arranging for the provision of such
 - Tenants responsibilities in regard of the use, occupation and condition of the licensed premises
 - Notice periods for ending the tenancy/ licence to occupy
 - Clauses relating to nuisance and/or anti social behaviour

- The location of any stop taps

Additional Conditions:

Property Standards

- 10 The licence holder must ensure tenants are aware of how to report any faults or disrepair to the landlord. This should include arrangements in the event of an emergency such as loss of heating, a drainage problem, a water leak or security of the property. The license holder should provide anticipated timescales for undertaking repairs when reported.
- 11 The licence holder must ensure the property is safe and free from any category 1 hazards.
- 12 The licence holder must ensure that the property is fit for human habitation at the start of, and at all times during any tenancy and must take all reasonable and practical steps to respond to repair and maintenance issues at their property and comply with their legal requirements. Any necessary works must be undertaken within a reasonable time and in accordance with the requirements of the tenancy agreement and the law.
- 13 An Energy Performance Certificate (EPC) is to be provided to the tenant before they occupy the property.
- 14 Under the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 properties must be rated E or above unless a valid exemption has been registered.
- 15 The licence holder must ensure that they or someone acting on their behalf carry out inspections once every 6 months to ensure the minimum standards are maintained in accordance with current legislation.
- 16 The licence holder must not let the property so that it would be overcrowded for the purposes of the Housing Act 1985 or give rise to an overcrowding hazard under Part 1, Housing Act 2004. Any tenancy agreement used by the licence holder must include a provision requiring the tenant to seek the licence holder's consent before allowing any other person to live in the property during the tenancy, and such consent must not be given if the additional occupier(s) would cause the property to be overcrowded.

Definition of overcrowding “Section 325 of the Housing Act 1985 provides that there is overcrowding wherever there are so many people in a house that any two or more of those persons, being ten or more years old, and of opposite sexes, not being persons living together as husband and wife, have to sleep in the same room”.

- 17 Where the property is a House in Multiple Occupation that is not already subject to mandatory licensing, the Licence Holder must:
 - Ensure that the licensed premises comply with The Management of Houses in Multiple Occupation (England) Regulations 2006 SI 372 (Management Regulations), and any updated versions of this regulation and continue to do so throughout the period of the licence.
 - Comply with the Council’s Amenity Standards for Houses in Multiple Occupation throughout the period of the licence unless otherwise specified in the licence and must maintain those standards throughout the period of the licence.
- 18 The licence holder must ensure that the premises have adequate security measures on all exit doors and windows and that all keys are provided to occupiers. Where a burglar alarm is fitted to the premises, the licence holder will change the code at the onset of each new period of occupation.

External areas and waste management

- 19 The exterior of the property must be maintained in a reasonable condition and good state of repair.
- 20 Tenants should be advised of their responsibility to keep gardens and yards within the boundary of the property clean and tidy.
- 21 At the start of each tenancy the licence holder will ensure that any waste left by a previous tenant within the curtilage of the property (inside and outside) is removed. If employing a third party to carry out any such clearances, they must ensure that they are a registered waste carrier and are able to provide written evidence for inspection on request.
- 22 The licence holder must provide tenants with adequate facilities for the storage and disposal of household refuse, including the provision of a refuse

and recycling facilities. The licence holder must at the beginning of the tenancy provide written information to the occupiers on:

- a) Which day refuse collections take place
- b) What type of bins to use for household and recycling waste
- c) Details on the Council's waste management services
- d) The occupier's responsibility to put bins out ready for collection and return to the boundary of the property after collection
- e) That the occupiers should arrange for disposal or collection of any additional waste that does not fit in the bin as soon as reasonably possible
- f) The licence holder will as far as reasonably possibly adhere to these conditions when the property is unoccupied.

- 18 Where the premises is alley gated the licence holder is responsible for providing the key to the tenant free of charge at the start of the tenancy.

Deposit Protection

- 19 Landlords must ensure that all new tenancy deposits are protected in one of the statutory tenancy deposit protection schemes within 30 days of receiving the deposit and provide a certificate of protection and the prescribed information to the tenant and any other relevant persons. The prescribed information must be re-served if there are changes or extensions to the tenancy. is to be provided to the tenant before the commencement of each tenancy.

Anti Social Behaviour

- 20 The license holder must co-operate with Halton Council or Cheshire police in regard to any investigations into nuisance or antisocial behaviour associated with the property.
- 21 The licence holder must take proactive measures to deal with antisocial behaviour and nuisance as soon as they become aware of a problem.

General

- 22 The licence holder shall inform the Council directly in writing or email of any change of ownership or management of the property and any change in address, email, or telephone number of the licence holder or managing agent
- 23 The licence holder shall allow the Council to carry out licence compliance inspections. The council will give the licence holder at least 48 hours' notice of these visits. If the inspection is because the Council suspects there has been a breach of licence conditions, then no notice period will be provided.
- 24 The licence holder must be a permanent resident in the United Kingdom or have a managing agent in place that is a permanent resident in the United Kingdom.
- 25 The address supplied on the application form will be the one used for service of notices, letter and other documents and it is the responsibility of the licence holder to ensure they collect any documentation sent to them.