

# HOUSING ACT 2004

## Licence Conditions and Requirements

Any reference to 'the Council' shall mean Newport City Council which relates to Environmental Health Housing, Newport City Council, Civic Centre, Newport NP20 4UR, telephone (01633) 656656 or email [hmo@newport.gov.uk](mailto:hmo@newport.gov.uk)

**Important:**

**Please read this document carefully as it contains the conditions attached to your licence. The conditions must be complied with and may include a requirement to undertake works within a specified timescale.**

**Failure to comply with any condition attached to this licence is an offence and legal proceedings may be taken against the licence holder with an unlimited fine.**

1. The maximum number of persons residing at the property shall not exceed the maximum number stated on the licence.
2. The use and level of occupancy of each room shall not be changed without the approval of the council.
3. Any material changes of circumstances in respect of the licence holder, manager or anyone else involved with the property, the property itself or its management must be notified to the council within seven days of such a change occurring. This includes change of contact details.
4. No alteration that may impact on the licence conditions will be made to the property without prior notification and consultation with the council.
5. The licence holder shall supply all occupiers of the house with a written statement of the terms on which they occupy it. This requirement will normally be satisfied by the provision of a tenancy agreement.
6. The licence holder shall provide each new occupier at the start of their occupancy with:
  - a) Written information on recycling and refuse storage, collection and disposal arrangements. Refer to [www.newport.gov.uk/recycling](http://www.newport.gov.uk/recycling) for advice
  - b) Written information on procedures for the escape from the building in case of fire, including, but not limited to, understanding the alarm, the importance of fire doors and protecting the escape route, keeping the escape route free from obstruction and the use of fire-fighting equipment provided. The licence holder shall ensure that all occupiers are fully aware of procedures for dealing with false fire alarms.
  - c) Written details of the arrangements that are in place for dealing with repairs or works which are needed to the premises or to any facilities, equipment or appliances supplied by the landlord. This should include the names, telephone numbers and email addresses of the details of any arrangements made with the managers, tradesmen or other contractors for carrying out these services.
  - d) Written information on expected standards of behaviour and the potential consequence of anti-social behaviour by the occupiers and or visitors they may have which is detailed under noise and antisocial behaviour.
7. The licence holder shall ensure that each occupier, following receipt of the information above, signs the declaration of understanding included as

Appendix A to this licence. A copy of the signed declaration must be kept in a logbook and submitted to the council on demand within seven days of such a request being made.

8. Should the licence holder reside over 50 miles from the city of Newport, then a competent manager residing within 50 miles of the authority's area must be appointed.
9. All reasonable requests for access to the property by the local authority must be met and the licence holder or manager shall ensure that such access is gained.

### **Condition of the property**

10. The licence holder shall ensure that all issues concerning repairs to the fabric of the building, appliances, equipment and furniture notified to them by the tenant, council or visitors are undertaken within an appropriate timescale depending on the risk and urgency of works
11. The licence holder shall maintain in good condition the external appearance of the house including gardens, boundary walls and fences
12. All gardens, yards and forecourts shall be kept free from refuse, litter or other accumulations and shall be maintained in a clean and tidy condition
13. The licence holder shall ensure that the property complies with the council's adopted space standard
14. If gas is supplied to the property, the licence holder shall produce annually and on demand to the council, a satisfactory gas safety certificate for the property dated within the last 12 months. This shall be from a contractor registered with Gas Safe Register for each gas installation, appliance and flue provided by the licence holder within the property.
15. The licence holder shall submit to the council, on demand, a current satisfactory electrical safety test and inspection certificates for each electrical installation within the property, including any landlord supply. Such certificates should be provided by contractors who are members of an appropriate trade association or council which ensures their competence (or who can otherwise demonstrate their competence to the council e.g. by registration for the purposes of Part P of the Building Regulations 2010).
16. The licence holder shall ensure that the electrical installation condition report for the property is renewed every five years at a minimum. All code 1 and 2 works listed in the defects and suggestions section on the electrical report shall be undertaken and remedied to a satisfactory standard. On demand, the licence holder shall supply the report to the council.
17. The licence holder shall keep all electrical appliances supplied by them to the house in a safe condition. An annual Portable Appliance Testing (PAT) test certificate shall be provided to the council as evidence.
18. Electrical installations providing power to the fire alarms or emergency lighting (if applicable) systems must not be supplied via token meters or via any occupier's metered supply.
19. The licence holder shall ensure there is a continuous mains electrical supply and that there is no interruption that would affect the functioning of the fire

alarm system and emergency lighting system (if applicable) to the whole property.

20. The licence holder shall only supply furniture to the property that complies with the requirements of the Furniture and Furnishings (Fire Safety) Regulations 1998. All such furniture is to be kept in safe condition and good repair. This requirement also applies to covers and fillings of cushions provided. Documentation supporting the furniture's compliance with these requirements, or a signed declaration to this effect, must be placed in a logbook. The licence holder shall provide the council with a declaration to this effect upon demand.
21. The licence holder shall ensure that there are appropriate means of escape; fire precaution facilities and equipment are provided at the property in line with the council's adopted standard. The licence holder shall ensure that any works listed in Schedule 1 to this licence are carried out and completed within the specified time period in respect of this requirement. The licence holder shall provide the council with a declaration, on demand as to the design, installation and condition of the system.
22. The licence holder shall ensure that all fire alarm, emergency lighting and fire extinguishers provided at the property are serviced and tested annually and maintained according to the manufacturer's instructions and/or relevant British or International standards. Any defects shall be remedied immediately. Such testing certificates and any repair works shall be provided and undertaken by contractors who are members of an appropriate trade association or council which ensures their competence or who can demonstrate their competence to the council. All documentation relevant to the annual servicing of this equipment must be kept in a logbook. This record must be available for inspection by the council on demand.
23. The licence holder shall ensure that an explanation is given to each tenant at the beginning of their occupancy regarding all fire precautions and facilities provided in the house. This should include, but is not limited to, understanding the alarm, the importance of fire doors and protecting the escape route, keeping the escape route free of obstructions and the use of fire-fighting equipment. Following the receipt of such instructions, each tenant must sign the declaration of understanding included in Appendix A to this licence. A copy of each signed declaration must be placed in a logbook and submitted to the council within seven days of such a request being made.
24. The licence holder shall ensure that the council is informed of a fire occurrence at the property within 24 hours of the fire occurrence being notified to the licence holder or their nominated representative.
25. The licence holder shall ensure that arrangements for an appropriate person having a connection with the property, is available continuously in the event of a false alarm to attend and ensure the fire alarm is reset.
26. The amenities provided at the property must meet minimum prescribed standards, having regard to the number of occupiers for which a licence has been granted. The licence holder shall ensure that any works listed in Schedule 2 to this licence are carried out and completed within the specified time period.
27. If the licence holder wishes to increase the permitted number of occupants, he/she shall make an application for variation of the licence conditions. Additional occupants may not be allowed to take up residence until such time as formal variation of the licence conditions has been approved and the necessary facilities have been provided.

## Waste

28. It is the duty of the licence holder to ensure that suitable and sufficient receptacles or storage facilities for the storage of general household waste and recyclable waste are provided at the start of every tenancy for waste pending its collection, to prevent access to the waste by animals and birds or unauthorised users.
29. It is the duty of the licence holder to ensure there is suitable and sufficient storage area to accommodate residual and recycling waste receptacles. All refuse and recycling containers and bins must be stored within the curtilage of the HMO, or if this is not possible they shall be stored in a lockable storage area or seek approval from the council's waste management and environmental health housing teams on (01633) 656656, email [streetscene@newport.gov.uk](mailto:streetscene@newport.gov.uk) and [hmo@newport.gov.uk](mailto:hmo@newport.gov.uk)
30. The licence holder shall apply for domestic receptacles or storage facilities by contacting Newport City Council's waste management team on (01633) 656656 or email [streetscene@newport.gov.uk](mailto:streetscene@newport.gov.uk) There may be a charge for such receptacles or storage facilities.
31. The licence holder shall apply for recycling receptacles or storage facilities by contacting Wastesavers, Esperanto Way, Liswerry, Newport NP19 0RD on (01633) 281281 or by email [reception@wastesavers.co.uk](mailto:reception@wastesavers.co.uk) There may be a charge for such receptacles or storage facilities. Refer to [www.wastesavers.co.uk](http://www.wastesavers.co.uk)
32. The domestic refuse entitlement bin size is detailed below and the licence holder is entitled to one domestic wheelie bin per property where council tax is paid (no matter who pays council tax). For recycling collections the entitlement depends upon the number of households. The entitlement for domestic waste and recycling is detailed below:

RESIDUAL WASTE		
One Council Tax	Bin entitlement	While waiting for bin:
Up to 5 people	180 litre bin	3 sacks
6-9 people	240 litre bin	4 sacks
10 or more	360 litre bin	5 sacks

Individual Council Tax	Bin entitlement	While waiting for bin:
Up to 2 people	140 litre bin	2 sacks
3-5 people	180 litre bin	3 sacks
6-9 people	240 litre bin	4 sack

RECYCLING			
Individual properties		Flats	
Regardless of number of	1 blue box for paper, small electrical items, textiles	Kerbside boxes (see column on the left)	Up to 5 flats

residents	1 green box: cardboard and glass	1 x 360 litre card/paper; 1 x 360 plastic/cans; 1 x 240 glass; 1 x 240 food + food caddies.	6—12 flats
	1 red reusable bag: cans, plastics	1 x 660 litre card/paper; 1 x 660 plastic/cans; 1 x 360 glass; 1 x 240 food + food caddies	12—18 flats
	1 small food caddie (internal) and 1 big food caddie (external) for food waste	2 x 660 litre card/paper; 2 x 660 plastic/cans; 2 x 360 glass; 1 x 240 food + food caddies	18—24 flats

Capacity (litre)	Width (mm)	Depth (mm)	Height (mm)
240	575	730	1060
360	580	875	1080
660	1360	780	1190

33. With HMOs that have four or more residences (this applies to flats if there are more than four residences, or shared accommodation if there are more than four people separately paying council tax), the HMO will require a site inspection to assess the storage area and to determine the level of receptacles required. It is the licence holder's responsibility at the start of the tenancies to arrange the site inspection with the council's waste management team which can be arranged by calling (01633) 656656 or by email [info@newport.gov.uk](mailto:info@newport.gov.uk)
34. At the issue of the licence, if the property does not meet these requirements; the licence holder shall complete the works outlined in the attached appendix within a period of (insert timescale) of the date of the licence.
35. The licence holder shall notify the council's waste management team immediately upon notice of a lost, stolen or damaged bin to arrange an immediate replacement; the same applies in notifying Wastesavers regarding recycling receptacles or storage facilities. Failure to notify could result in the property's waste not being collected.
36. The licence holder shall ensure that an explanation is given to tenants at the beginning of their occupancy, regarding the storage and disposal arrangements in place in respect of their waste. The bins and containers shall be presented for collection by 7:00am on the day of collection regardless of what time the crew usually arrives. Furthermore, the licence holder shall obtain and keep safe at the beginning of any occupancy, the signed declaration of each occupier understanding of the arrangements, and their agreement to abide by them. The declaration of understanding required is included in Appendix A to this licence. Copies of the signed declaration shall be kept in a logbook and submitted to the local authority within seven days of such a request being made.
37. The licence holder shall ensure that wherever possible any waste arising from building work or improvements to the house, does not accumulate in the curtilage to the property. Where such accumulations are unavoidable, they shall be removed without delay to a licensed waste disposal facility.
38. The licence holder shall take all reasonable steps as a diligent property manager to ensure that all tenants store and dispose of their waste in a proper manner. Such steps may include verbal or written advice etc. as appropriate. If waste does accumulate, the licence holder shall arrange for a registered waste carrier to remove the waste or shall remove the waste themselves by taking it to a suitably licensed refuse facility e.g the Household

Waste Recycling Centre or landfill site at Docks Way, Maesglas, Newport, Gwent NP20 2NS.

39. The licence holder shall advise tenants that unwanted furniture, appliances and other household fixtures shall not be permitted to accumulate within yards, gardens, or forecourts of the property and that those items can be disposed of via arranging a collection with a small fee, or delivered by themselves by using the Household Waste Recycling Centre at Docks Way, Maesglas, Newport, Gwent NP20 2NS. For more information about opening times, fees and items accepted visit [www.newport.gov.uk/recycling](http://www.newport.gov.uk/recycling)
40. Any waste left by occupiers leaving the property shall be removed by the licence holder as soon as possible and prior to new tenants occupying the property.
41. The licence holder shall ensure all tenants are fully aware of their responsibilities with respect to cleanliness of gardens, yards and forecourts.
42. The licence holder shall ensure that gardens, forecourts and boundary walls and fences of the property shall be kept free from overgrowth, litter or other accumulations and maintained in a clean and tidy condition.

#### **Noise and anti-social behaviour**

43. The licence holder shall take all reasonable and practicable steps to prevent or reduce anti-social behaviour and to control noise by persons occupying or visiting the house. This shall include the following:
  - i) What is meant by antisocial behaviour
  - ii) The standards expected by the tenants and their visitors
  - iii) Explaining the impact of antisocial behaviour on others in the area, including repercussions from the police, educational establishments and the local authority
  - iv) Recording details of all complaints received directly in respect of antisocial behaviour
  - v) Invoking tenancy sanctions and action being taken under the tenancy agreement
44. Following the receipt of information in respect of anti-social behaviour, each tenant will be required to sign the declaration included as Appendix A to this licence. Copies of the declaration of understanding must be kept in a logbook and submitted to the council within seven days of such a request being made.
44. The licence holder will cooperate with the council in order to eradicate problems relating to noise or antisocial behaviour and will, on request demonstrate that they have taken reasonable steps to manage the problem.
45. A logbook shall be kept and maintained by the licence holder. A copy shall be retained at the property, the logbook must contain up to date information in respect of the following:
  - tenancy agreements
  - the furniture documentation/declaration
  - Appendix A: declaration of understanding detailing fire precaution, refuse arrangement, noise and anti-social behaviour and waste management declarations.
  - Gas safety certificates
  - Electrical safety installation certificates
  - PAT certificates
  - Fire alarm service records
  - Fire alarm testing certificates
  - Fire extinguisher service records

- Emergency lighting test certificates (if applicable)
- A copy of the HMO licence and conditions
- Service inspections or receipts for any fire-fighting equipment present at the property
- Information sheets provided to the occupiers concerning the disposal, maintenance and storage of refuse, anti-social behaviour, fire safety etc.

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House in Multiple Occupation Licence Conditions

**Schedule 1 Fire Safety**

**Schedule 2 Amenities Standards**

**Additional Conditions: Appendix**

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