

**TELFORD & WREKIN COUNCIL
CABINET: 15th February 2018**

**HOUSES IN MULTIPLE OCCUPATION REVISED LICENSE FEES STRUCTURE AND
LICENCE CONDITIONS**

1.0 SUMMARY OF MAIN PROPOSALS

- 1.1 The Housing Act 2004 introduced a major overhaul of the way in which the private rented sector was regulated. One of the most important changes was to allow local authorities to charge for licensing functions on HMOs that were three stories and above containing five, or more occupants, forming two or more households. These properties are termed mandatory licensable HMOs.
- 1.2 The Act allows local authorities to add conditions to a licence, provided that they relate to the management, use and occupation of the property concerned and, in the case of HMOs, their condition and contents. Those conditions may, in particular, include conditions as follows:-
- (a) Imposing restrictions or prohibitions on the use or occupation of particular parts of the house by persons occupying it;
 - (b) Requiring the taking of reasonable and practicable steps to prevent or reduce anti-social behaviour by persons occupying or visiting the house;
 - (c) Requiring facilities and equipment to be made available in the house for the purpose of meeting standards prescribed under section 65;
 - (d) Requiring such facilities and equipment to be kept in repair and proper working order;
 - (e) Requiring, in the case of any works needed in order for any such facilities or equipment to be made available or to meet any such standards, that the works are carried out within such period or periods as may be specified in, or determined under, the licence;
 - (f) Requiring the licence holder or the manager of the house to attend training courses in relation to any applicable code of practice approved under section 233 of the Act.
- 1.3 Having recently consulted on a proposed Selective Licensing scheme, it was an opportune time to use the feedback received from that consultation to inform a change to the conditions to be applied to those multiply occupied properties which are required to hold a licence. The current conditions are no longer deemed fit for purpose having not been reviewed for a number of years.
- 1.4 The council consulted on 48 conditions, over and above those which are considered mandatory under Schedule 4 (1) of the Act. **Section 1** of this report contains a detailed document which sets out the revised conditions intended to be applied to those multiply occupied properties which are required to hold a licence by virtue of Part 2 of the Housing Act 2004, from 1st January 2018 and which have been amended in line with feedback gained through the consultation process.
- 1.5 In addition the council has reviewed the fee for the 5 year licence. Fees are calculated in accordance with the methodology set down in the Act and are compliant with the EU Services Directive and subsequent Provision of Services Regulations 2009. Fees have to be calculated taking into account each task involved in the process, the average amount

of time taken to complete each task; and the job role and on costs of the Officer completing the task, the council is not allowed to make a profit on the licence fee.

- 1.6 The proposed changes would result in a fixed fee of £723 per 5 year licence for HMO's with up to 5 bedrooms ; £745 for HMO's with 6-10 bedrooms and £783 for HMO's with 11+ bedrooms
- 1.7 The report seeks Cabinet approval for the adoption of the Fees and Charges Policy and recommends that fees be set in accordance with those laid out in this report. The report also asks for a change to the conditions that are laid down for operation of the accommodation by the licence holder, and to approve a change to the application process to require DBS checks to be submitted for the intended holder of the licence, and any short term substitutes proposed.

2. RECOMMENDATIONS

- 2.1 That Cabinet approve the revised standards and conditions for the licensing of Houses in Multiple Occupation as set out **Section 1** of this report.
- 2.2 That Cabinet approve the revised fee structure for the issue of licences for Houses in Multiple Occupation which include a fixed fee of £723 per 5 year licence for HMO's with up to 5 bedrooms ; £745 for HMO's with 6-10 bedrooms and £783 for HMO's with 11+ bedrooms
- 2.3 That Cabinet delegate authority to the Assistant Director for Customer & Neighbourhood Services in consultation with the Cabinet Member for Housing and Enforcement to approve any future minor amendments to the HMO Fees structure; and the Conditions for Houses in Multiple Occupancy required to be licenced
- 2.4 That Cabinet approve an amendment to the Houses in Multiple Occupation licence application process to require applicants to acquire and submit an up to date self-check Disclosure and Barring Service Check by scot.gov.uk.to allow an assessment of the applicant's 'fitness' to hold such a licence

3. SUMMARY IMPACT ASSESSMENT

Community Impact	Do these proposals contribute to specific Co-Operative Council priority objective(s)?	
	Yes	<ul style="list-style-type: none"> protect and support our vulnerable children and adults regenerate those neighbourhoods in need and work to ensure that local people have access to suitable housing
	Will the proposals impact on specific groups of people?	
	Yes	Residents and owners of property used as Houses in Multiple Occupation.
Target Completion/Delivery Date	1 st March 2018	
Financial/Value for Money Impact	<p>The HMO fees detailed in the policy have been calculated using the principle of total cost recovery.</p> <p>Hourly rates for officers include salary costs plus on costs and an amount to cover overheads. An estimate of officer time taken for each activity was made and then applied to the relevant hourly rate in order to arrive at a suitable fee.</p>	

		Income generated from HMO Fees will go towards administering the scheme.
Legal Issues		<p>The licensing and control of Houses in Multiple Occupation (HMO's) is a statutory function under Part 2 of the Housing Act 2004. The Council already exercises the power to make a charge for the issue of HMO licences. The proposed revised fees are in accordance with the Council's powers under Section 63 of the Housing Act 2004 to set licensing fees for HMO's under the statutory scheme.</p> <p>The fees must reflect the administrative costs incurred by the Council in implementing the licensing scheme and the irrecoverable costs of any statutory enforcement action. The proposed fees are considered to be reasonable and an accurate reflection of the Council's true costs.</p> <p>If Cabinet approve the revised fee structure the council must publish the revised fees before implementation.</p> <p>The legal minimum standards for Houses in Multiple Occupation (HMOs) are prescribed in regulations under the Housing Act 2004 and are enforced via conditions of licence. These relate to provision of kitchens, bathrooms, toilets, fire safety and heating within HMOs.</p> <p>Under the Housing Act 2004, more detailed local HMO standards can be set to reflect local housing conditions, provided they do not fall below the national standards. The revised standards/conditions have been developed following a public consultation exercise.</p>
Other Impacts, Risks & Opportunities		
Impact on Specific Wards	Yes	All Wards will be affected

4. ADDITIONAL INFORMATION

- 4.1 The local authority must be satisfied that any property being used as a HMO is reasonably suitable for occupation by a maximum number of people, and the licence holder must pass a fit and proper person test, as required by the Housing Act.
- 4.2 Since 2006, landlords, and/or agents letting such a property are required by law to apply for the licence, failure to obtain a licence is an offence in law. Under the legislation applicants can be charged for a new licence application, if granted the licence lasts for 5 years under normal circumstances. In 2006, upon commencement of the Act, Telford and Wrekin Council set the fixed fee for a mandatory licensable HMOs at £475, provided that that the property does not exceed 6 units of accommodation (rooms, or bedsits), after this there is an additional £75 charge per unit.
- 4.3 As previously stated fees are calculated in accordance with the methodology set down in the Act and are compliant with the EU Services Directive and subsequent Provision of Services Regulations 2009.

- 4.4 The proposed changes would result in a fixed fee of £723 per licence for HMO's with up to 5 bedrooms ; £745 for HMO's with 6-10 bedrooms and £783 for HMO's with 11+ bedrooms
- 4.5 The licence is normally issued with some standard conditions. These conditions set out some basic rules for the licence holder to work within to ensure the safe and fair operation of the accommodation. It is the view of the officers of the council that these conditions are not extensive enough at present and are required to provide a more robust framework for the operation of such accommodation. The new conditions seek to ensure safer, fairer and also to limit the impact on the neighbourhood, as far as possible, in respect of the street scene and any antisocial behaviour.
- 4.6 The proposed conditions were consulted on as part of a Selective Licensing Consultation that ran for 12 weeks ending on 21st August 2017. The feedback has been considered, and changes have been made to the conditions which reflect the feedback received, these can be found in **Section 1** of this report. Alongside these changes, in order to ensure that a licence holder is 'fit and proper' as required by the legislation, a further change is proposed to the application process which would require the licence holder, and any proposed short term substitute, to submit with their application a self-check from the disclosure and barring service facility, available from scot.gov.uk. At the present moment, all applicants self-certify that they have not got any unspent convictions which would prevent them from holding an HMO licence. The proposed change would provide robust verification to assist officers with their decision making. The amendment was also consulted on as part of the Selective Licensing Consultation.
- 4.7 On the 28th December 2017 the government published its long overdue response to a consultation paper '*Houses in Multiple Occupation and residential property licensing reforms*' published in October 2016, which sought views on the means to implement a number of measures consulted on in its November 2015 discussion paper on HMO reforms. This Council took part in the consultation and lobbied for more powers to license HMO's and a change in the current criteria.

The paper confirmed that The Government will:

- Extend the scope of mandatory HMO licensing to remove the criteria around number of storey's which could see bungalows potentially being licensed as HMO's if they meet the rest of the criteria which we expect to still contain more than 5 people not related to each other.
- Introduce mandatory conditions in licences to regulate the size and use of rooms as sleeping accommodation in licensed HMOs.
- Introduce a mandatory condition in HMO licences requiring the licence holder to comply with their local authority scheme (if any) for the provision of facilities for the proper disposal and storage of domestic refuse.
- Will not introduce legislation to mandate criminal record certificates to be provided in connection with applications for licences under the Housing Act 2004. Stating that Local authorities already have discretion to do this should they so choose.

These powers have yet to be approved by parliament however as and when they are the new conditions will be applied to all properties that meet the revised criteria.

5. IMPACT ASSESSMENT – ADDITIONAL INFORMATION

The impacts of this report can be contained within existing resources.

6. EQUAL OPPORTUNITIES

The Act introduces improvements to the conditions of an HMO licence to ensure that safety and wellbeing of occupants of HMO's.

7. ENVIRONMENTAL IMPACT

None

8. PREVIOUS MINUTES

No Previous Minutes.

9. BACKGROUND DOCUMENTS

- Housing Act 2004
- A guide to the licensing and management provisions in Parts 2, 3 and 4 of the Housing Act 2004 – Department for Communities and Local Government.
- Houses in Multiple Occupation and residential property licensing reforms – 28th December 2017

Report prepared by Timothy Bage, Public Protection Manager (Environmental Health)

**SECTION 1
HOUSES IN MULTIPLE OCCUPATION
LICENSING CONDITIONS**

**Conditions for Houses in
Multiple Occupancy
(HMOs)
required to be licenced**

February 2018

Executive Summary

Under Section 55 (5) (a) of the Housing Act 2004 Telford and Wrekin Council are under a duty to make such arrangements as are necessary to secure the effective implementation in their district of the licensing regime provided for by Part 2 of the Act

Part 2 deals with those properties which are required to hold a licence by law, at this moment these are properties over three stories which containing five or more persons forming two or more households.

Section 67 of the Act allows local authorities to add conditions to a licence, provided that they relate to the management, use and occupation of the property concerned and, in the case of HMOs, their condition and contents.

Those conditions may, in particular, include conditions (so far as appropriate in the circumstances)—

- (a) imposing restrictions or prohibitions on the use or occupation of particular parts of the house by persons occupying it;
- (b) requiring the taking of reasonable and practicable steps to prevent or reduce anti-social behaviour by persons occupying or visiting the house;
- (c) requiring facilities and equipment to be made available in the house for the purpose of meeting standards prescribed under section 65;
- (d) requiring such facilities and equipment to be kept in repair and proper working order;
- (e) requiring, in the case of any works needed in order for any such facilities or equipment to be made available or to meet any such standards, that the works are carried out within such period or periods as may be specified in, or determined under, the licence;
- (f) requiring the licence holder or the manager of the house to attend training courses in relation to any applicable code of practice approved under section 233.

Having recently conducted consultation on a proposed Selective Licensing scheme, it was an opportune time to use the feedback received from that consultation to inform a change to the conditions to be applied to those multiply occupied properties which are required to hold a licence. The current conditions are deemed no longer fit for purpose and have not been reviewed for a number of years.

The council consulted on 48 conditions, over and above those which are considered mandatory under Schedule 4 (1) of the Act. In summary:

- The majority of respondents either agreed or strongly agreed with all the proposed general conditions.
- The majority of respondents either agreed or strongly agreed with all the proposed health and safety conditions with the exception of the condition that dealt with instruction and or training tenants regarding all fire precautions and equipment provided where 41.8% agreed or strongly agreed
- The majority of respondents either agreed or strongly agreed with the proposed conditions relating to property, structure and services with the exception of the proposed conditions on energy performance where half agreed or strongly agreed and the provision of thermostatic radiator valves where 43.3% agreed or strongly agreed.
- The majority of respondents agreed or strongly agreed with all the proposed conditions relating to waste, refuse, fly- tipping, pest control and anti-social behaviour.

This document sets out the revised conditions which have been informed as a result of the consultation process and are now intended to be applied to those multiply occupied properties which are required to hold a licence by virtue of Part 2 of the Housing Act 2004, from 1st April 2018. Schedule 4 (1) requirements are first listed followed by Schedule 4(3) conditions

Schedule 4 (1) – Mandatory Conditions

A licence under Part 2 must include the following conditions:

- (1) If gas is supplied to the house, to produce to the local housing authority annually for their inspection a gas safety certificate obtained in respect of the house within the last 12 months.
- (2) To keep electrical appliances and furniture made available by him in the house in a safe condition;
- (3) To supply the authority, on demand, with a declaration by him as to the safety of such appliances and furniture.
- (4) Conditions requiring the licence holder— where the house is in England—
 - (i) to ensure that a smoke alarm is installed on each storey of the house on which there is a room used wholly or partly as living accommodation, and
 - (ii) to keep each such alarm in proper working order;
 - (iii) to supply the authority, on demand, with a declaration by him as to the condition and positioning of such alarms.
- (4A)
 - to ensure that a carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance;
 - to keep any such alarm in proper working order; and
 - to supply the authority, on demand, with a declaration by him as to the condition and positioning of any such alarm.
- (5) Conditions requiring the licence holder to supply to the occupiers of the house a written statement of the terms on which they occupy it.

N.B

- In sub-paragraph (4A) “room” includes a hall or landing.
- For the purposes of sub-paragraphs (4) and (4A), a bathroom or lavatory is to be treated as a room used as living accommodation.

Schedule 4(3) HMO conditions prescribed by the local housing authority

1. The licence holder, and / or their nominated representative, must notify all existing tenants and the local Authority immediately, in writing, regarding any change of their contact details which includes telephone contact number(s), correspondence address and email address which have been previously supplied with the Licence Application.
2. The licence holder, and / or their nominated representative, must be a permanent UK resident.
3. From the outset of the licence term, the licence holder, and / or their nominated representative, are required to provide an alternative suitable emergency and other management arrangements in the event of their temporary / short term absence. Therefore upon application, the name and contact details of a temporary emergency contact must be supplied to the Local Authority in writing for their verification.

Temporary contact arrangements must be provided in writing to all existing tenants together at the start of their tenancy and be clearly displayed in communal areas.

The temporary management cover must comply with all fit and proper person requirements as stated in the Licence Conditions and S.66 and S.89 of the Housing Act 2004.

The licence holder, and / or their nominated representative must inform the tenants of their absence, and that they must revert to the temporary / short term contact.

The licence holder, and / or their nominated representative must inform the local authority of any change to the temporary management cover.

4. The licence holder, and / or their nominated representative, must ensure that all tenants have the right to reside in the UK and undertake all necessary "Right to Rent" checks in accordance with the Immigration Act 2014 and National Guidance.
5. The licence holder, and / or their nominated representative, must supply to the occupiers of the premises a written statement of the terms on which they occupy it. This must be provided at the start of the tenancy. This must include the following minimum details:-
 - a. Details of the licence holder and nominated representative (if different) complete with a postal contact address for service & contact telephone number, which must be displayed in the property along with a copy of the licence.
 - b. The amount of rent payable and frequency of payment
 - c. Method in which rent is payable
 - d. Breakdown of utilities or other charges included / excluded in the rent
 - e. Responsibility for the payment of Council Tax
 - f. Responsibility for the payment of utilities and arranging the provision of such
 - g. Explanation of the repairing responsibilities between the landlord and the tenant together with a reporting mechanism in which the tenant can report defects / problems
 - h. Details of any deposit paid and information relating to the scheme under which this has been protected which must be one of the following: - Deposit Protection Service; MyDeposits or Tenancy Deposit Scheme. The prescribed information must be provided to the tenant within 30 days of payment of the deposit. Where the deposit is initially paid in cash, the tenant must be given a receipt in the interim period until the deposit is protected which states the amount paid and details of the person who received the deposit payment from them.
 - i. Details of the room(s) which the tenant has exclusive occupancy of; which must correspond to the property plan attached to this licence

6. Each tenant must be provided with a copy of the “How to Rent Guide” and associated documentation referred to therein which is applicable to each specific rental agreement. Evidence must be supplied to the Local Authority on demand to confirm that the “How to Rent Guide” has been provided to each tenant at the start of their tenancy.
7. Unless a tenant pays rent via direct debit or similar bank transfer, the tenant must be supplied with a receipt upon payment of rent which details the amount paid, the date of payment and the recipient of the payment, whether this is the manager, licence holder or agent for other relevant party. The receipt must be provided at the time the payment is made.
8. The licence holder and or their representative must take reasonable and practicable steps to prevent or reduce anti-social behaviour and prevent the use of the premises for illegal purposes by any persons occupying or visiting the premises. The following steps must be implemented as a minimum control measure in this regard:-
 - a. Co-operate with Telford and Wrekin Council, West Mercia Police and other agencies and organisations in resolving complaints of anti-social behaviour and / or illegal activity. The licence holder, and / or their nominated representative, will be required to undertake an investigation of any complaints regarding their tenants and any problems occurring within the curtilage or within close proximity to the curtilage of the licensed property. Written records of these investigations must be undertaken and provided to Telford and Wrekin Council upon request.
 - b. The licence holder, and / or their nominated representative, must undertake checks of the communal areas, communal rooms and external areas within the boundary of the property, at least weekly, to ensure that the property is in a decent state of repair and that the occupiers are not in breach of tenancy terms and conditions. Written records must be maintained of these checks with details of any action taken recorded and remedial works completed satisfactorily.
 - c. Ensure that each tenant is made aware that they are responsible for their own behaviour, their children’s behaviour and the behaviour of their visitors. Tenants must be made aware that if they, other occupiers, or their visitors:-
 1. Cause nuisance or annoyance to neighbours; or
 2. Use abusive or threatening language or behaviour to neighbours; or
 3. Fail to store or dispose of refuse properly; or
 4. Cause damage to fixtures, fittings, fire prevention or alarm equipment or installations, or
 5. Cause damage to the fabric of the premises; or
 6. Fail to give access to the landlord or his agent for the purpose of maintaining communal areas or, upon reasonable notice, to inspect or undertake works within their accommodation,
 7. they will be liable to enforcement action which may include possession proceedings either under the terms of the tenancy, pursuant to s.21 of the Housing Act 1988 or pursuant to Grounds 13 or 14 of Schedule 2 to the Housing Act 1988.
 8. Upon request from the Local Authority, the licence holder, and / or their nominated representative, must provide, in writing, a list of the current occupiers of the property.
9. The licence holder, and / or their nominated representative, must ensure that if accommodation is provided on a furnished basis all items of furniture and all items of portable electrical equipment, are in a sound condition.
10. The licence holder, and / or their nominated representative, must provide annual certification for the testing, inspection and maintenance of fire precaution equipment including smoke & heat alarms, emergency lighting installation and sprinkler system

undertaken by a person competent to complete such works in accordance with the relevant British Standards.

11. 'The licence holder, and / or their nominated representative, must undertake manual checks and testing of the fire detection system and precaution equipment at the premises on a frequency specified by the alarm manufacturer's instructions and current relevant British Standards. All routine checks must be recorded with any remedial action implemented to resolve the disrepair, as soon as practicable. These records must be kept for a minimum of two years and made available to officers from the Local Authority upon request'; and

The licence holder, and / or their nominated representative, must ensure the means of escape / protected route is kept clear of obstructions and all fire doors are kept in good working order.

12. The licence holder, and / or their nominated representative, must inform tenants at the start of each tenancy that smoking is not permitted to take place in the communal and circulation areas of the premises by any person. They must install appropriate signage. If evidence of smoking in the communal and circulation areas is found during inspections of the property, action must be taken by the landlord, or their nominated representative.
13. This licence has been granted based on the property layout and use of rooms as detailed on the plan attached to the licence. The layout, structure, provision of amenities, use and size of rooms must not be altered without prior consultation and written approval of the Local Authority. Room numbers / letters for identification purposes as contained on the floor plan must also remain in place for the duration of the licence period.
14. The Licence Holder, and /or their nominated representative, must not allow the property to become overcrowded. This means that the maximum permitted occupancy of each bedroom, stipulated on the licence, must be complied with at all times. Where a room is deemed suitable for 2 people, this is based upon the room being occupied by a co-habiting couple only. Rooms other than bedrooms are not used for sleeping purposes.
15. The licence holder, and / or their nominated representative, must make suitable arrangements for the cleaning of all common parts, communal areas and shared facilities on a regular basis. This must be organised, managed and paid for by the licence holder, and / or their nominated representative.
16. Prior to re-letting individual bedrooms / bedsits / the whole property, the licence holder, and / or their nominated representative must make suitable arrangements for the property to be cleansed and returned to an acceptable standard of decorative repair to be undertaken to the room / bedsit / whole property and ensure that all facilities and furniture are in clean, working order. This must be organised, managed and paid for by the licence holder, and / or their nominated representative
17. Where previous tenants have not surrendered keys, the licence holder, and / or their nominated representative, will arrange for a barrel change to be undertaken to the locking mechanism prior to new tenants moving in, ensuring that all current tenants are provided with a new key for all changed barrels. The barrel changes must also include any communal entrance doors to the property.
18. The licence holder, and / or their nominated representative, must notify the Local Authority, of any fires or incidents at the property which involve the Police or Fire and Rescue within 24 hours of becoming aware of the incident occurring, or the next working day, i.e. Monday morning if the event occurred on a Friday / Saturday / Sunday.
19. The licence holder, and / or their nominated representative, must ensure that a Legionella Risk Assessment is undertaken for the premises and reviewed annually. A copy of the risk assessment must be provided to the Local Authority upon demand.

20. The Licence holder, and / or their nominated representative, must ensure that appropriate information is given to each tenant at the beginning of their occupancy, regarding all fire precautions and equipment provided in the dwelling.

This must include, but not limited to, a simple understanding of how the alarm system operates, the importance of the fire doors in containing fire, protecting the escape route and the importance of keeping the escape route free of obstructions and the use of any fire-fighting equipment that has been provided.

A written record must be kept of such training including the date of the information was provided, what was discussed and with whom these discussions were had.

21. The operation of the emergency lighting, automatic fire detection system and any other communal facility, communal appliance & communal lighting must be powered from the landlord's supply of electricity which is not permitted to be on a pre-payment top up meter.
22. The operation of the gas supply to the property must not be unreasonably interrupted, as such the communal boiler must be on the landlord's supply of gas which is not permitted to be on a pre-payment top up meter.
23. The licence holder, and / or their nominated representative, must ensure that there is a fire blanket which conforms to the current British Standard located in all rooms where there are cooking appliances. The fire blanket must be fixed to the wall at an exit door away from the cooking facility at approximately 1.5m high.
24. The provision of whole house space heating in the property shall be capable of achieving a constant temperature of at least 18°C when the external temperature is -1°C. Electric convector heaters will not be acceptable as the main form of whole house heating system in any circumstances.
25. Radiators in habitable rooms (bedrooms and communal rooms) must be fitted with thermostatic radiator valves.
26. Hot water must be available upon demand in sufficient volume for the number of occupiers and potential users, for bathing, domestic purposes and personal hygiene use.
27. There must be enough electric sockets for the number of portable appliances likely to be used within the property, in order to minimise the use of multi-socket adapters. This must be no fewer than 2 double gang electric sockets in all bedrooms and no fewer than 4 double gang electric sockets in the communal kitchen which are in addition to the following household appliances which must have their own dedicated electric socket:- washing machine, dish washer, microwave(s), tumble drier, fridge(s), freezer(s). All sockets must be appropriately sited to ensure ease of use.
28. All habitable rooms, including those in basements, be fitted with an openable window which provides adequate and suitable ventilation in accordance with current Building Regulations. It is not permitted for habitable rooms to only be equipped with a door as the sole means of natural ventilation.
29. All ground floor, basement windows, low level windows & readily accessible roof lights must have suitable windows locks and are fully secured to prevent unauthorised access from the outside. Keys for all windows must be available to tenants to permit intended use.
30. Where a ground floor bedroom is located off a high risk room, such as a kitchen, lounge, dining room or other communal room which is not directly accessible to the communal escape route, the room must be fitted with an escape window or a door to allow access direct to the outside. There must be a clear and unobstructed escape route from the external area to a point of safety away from the property.

31. The exterior of the property must be maintained in reasonable decorative condition and state of repair.
32. Suitable and adequate provision must be made for the storage and collection of refuse and waste generated from the property. Only designated receptacles for waste and recycling which are provided by the approved waste carrier can be used. Where waste levels indicate that the existing provision of receptacles is inadequate for the current number of occupiers at the property, the licence holder, and / or their representative, must obtain additional waste receptacles at their own expense and ensure that collections of the waste are undertaken from the property.
33. At the beginning of each new tenancy the licence holder will inform tenants in writing of proper refuse management. This must include information covering the usual days of refuse and recycling collection, contact details for refuse / bulky item collections undertaken by Telford and Wrekin Council or other waste collection services. The licence holder must retain a copy of the information provided to each tenant, signed by the tenant acknowledging receipt and produce this upon request to Telford and Wrekin Council.

The licence holder, and / or their nominated representative, must ensure that the waste receptacles are ready for collection at the stated time and place and brought back into the refuse storage area following collection.

34. The licence holder, and / or their nominated representative, is responsible for ensuring that the property including all gardens, yards, external areas including storage areas are kept clean, free from accumulations of waste, rubbish & fly-tipping and pest infestations. The licence holder, and / or their nominated representative, must arrange, undertake and pay for any clearance, treatment, baiting or other necessary works to comply with this.
35. Where waste items are removed from the property, other than through kerb side collections by the local Waste Authority, the licence holder, and / or their nominated representative, must ensure that the waste is disposed of in accordance with current legal requirements.
36. All tenants, must be able to access, at all times, all external areas of the property including the front and rear garden, yard areas, external refuse storage areas and any other area within the curtilage of the property boundary. There must be ground floor access to all aforementioned areas from the inside of the property. In the case of a house in multiple occupation it will not be permitted for such access to be granted through a room occupied exclusively by another tenant.
37. The licence holder and / or their representative must inform the Authority immediately if at any time during the licence period any fit and proper person criteria, as detailed as appropriate in S.66 and S.89 of the Housing Act 2004, apply to any relevant person associated with the licensed property, including the manager, licence holder and owner. This includes, but is not limited to:-
 - a. Details of any unspent convictions not previously disclosed to the Local Authority that may be relevant to the Licence Holder and / or the property manager and their fit and proper person status and in particular any such conviction in respect of any offence involving fraud or dishonesty, violence, drugs or any offence listed in Schedule 3 to the Sexual Offences Act 2003;
 - b. Details of any finding by a court or tribunal against the Licence Holder and /or the manager that he/she has practiced unlawful discrimination on grounds of sex, colour, race, ethnic or national origin or disability in, or in connection with, the carrying on of any business;
 - c. Details of any contravention on the part of the Licence Holder or manager of any provision of any enactment relating to housing, public health,

environmental health or landlord and tenant law which led to civil or criminal proceedings resulting in a judgment or finding being made against him/her;

- d. Information about any property the Licence Holder or manager owns or manages or has owned or managed for which a local housing authority has refused to grant a licence under Part 2 or 3 of the Act, or has revoked a licence in consequence of the Licence Holder breaching the conditions of his/her licence;
- e. Information about any property the Licence Holder or manager owns or manages or has owned or managed that has been the subject of an interim or final management order under the Housing Act 2004;
- f. Successful claims against the licence holder, and / or their nominated representative, for default of tenancy deposits.