

# Selective Licence Application form Guidance

Below is guidance that should be used to assist you when filling in the proceeding application. An individual application should be made for each property to be licenced including individual flats. Where part one details remain the same however this need only be completed once for multiple applications.

## **Part One – Application Summary**

For every licence there must be a named licence holder. The council has a duty to grant a licence to the most appropriate person and in most circumstances, this would be the owner of the property. In some circumstances however, it may be a leaseholder or a managing agent/manager. It is the owner's responsibility to ensure that an application for a licence is made for their property.

The proposed licence holder must have the power to:

- Collect rental income
- Set up and terminate tenancies
- Access all parts of the dwelling
- Authorise repairs and maintenance to the property

If the owner has nominated a managing agent to be the proposed licence holder, they must have the power to undertake the listed conditions above.

If the proposed licence holder is not available to manage the property, it is advisable to appoint a local manager who is authorised to deal with emergency repairs and any issues concerning anti-social behaviour. This manager will be named on the licence.

If the owner/freeholder of the property has leased the property to another person or company, the leaseholder will be the person having control of the property and may then be then be the most appropriate person to be a licence holder.

If a company applies to be licence holder, they must nominate an appropriate person to hold the licence within that company.

## **Part Two – Fit and Proper Person Details**

In deciding whether an application should be granted, the Council must have regard to the evidence that shows that the proposed licence holder and manager are fit and proper persons. In some cases the Council may require a full declaration of suitability by requesting the Licence Holder and Manager to complete a Disclosure and Barring Service check.

## **Part Three – Property Details**

A single household refers to persons who are all members of the same family such as: married or cohabiting couples or other relationships such as parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew, niece, cousin, half-blood relationship and stepchild. Additionally, a person living with his/her employer is classed a living in the same household, such as carer.

**If you require any assistance filling in this application then please get in contact**

## **Part Four – Declarations**

Please complete all the declarations applicable. It is a criminal offence to knowingly supply information that is false or misleading for the purposes of obtaining a licence. Under Section 238 of the Housing Act 2004, a person who commits an offence is liable to a fine not exceeding £30,000).

## **Documents**

Documents can either be scanned and emailed to the housing team, posted to our mailing address or brought in to the town hall offices from 9:00AM to 5:00PM Monday –Friday.

## **Supporting Documents**

To ensure your application is valid, you have to submit all documents listed below along with the application form and ensure you submit separate application forms if you are applying for more than one property.

- Proof of identity (photo ID) of proposed licence holder e.g. passport, driver licence (with photograph). (copies only)
- Licence holder evidence of permanent residential address e.g. utility bill, bank statement dated within six months. (copies only)
- Copy of current gas safety certificate of the rented property. (copies only)
- If the property is leased, please provide a copy of the current lease. (copies only)
- Copy of the written action plan outlining procedures for dealing with anti-social behaviour at the property.
- Copy of the latest tenancy agreement.
- Proof of legal ownership for the property, e.g. Land registry title.
- Authorisation letter from the property owner/co-owner (if the proposed licence holder is not the owner or is a joint owner) stating that the owner(s) give the proposed licence holder permission to manage the property on their behalf. The proposed licence holder must have the power to collect rental income, set up and terminate tenancies, access all parts of the dwelling and able to authorise repairs and maintenance to the property.
- EPC – Energy Performance Certificate
- EICR – Electrical Installation Condition Report

### **If the property is a House in Multiple Occupation**

- Property fire risk assessment (copies only)
- Satisfactory test certificate for fire detection (copies only)
- Satisfactory test certificate for emergency lighting (copies only)

## **Payment for your licence**

Following receipt of a valid and complete application, you will be sent an invoice for the fee of the licence. Details of how to pay this fee will be included with that documents. For further information on search Selective Licensing on our website: <http://www.eaststaffsbc.gov.uk>

**If you require any assistance filling in this application then please get in contact**

# Selective Licence Renewal Application

**Housing Act 2004**

**PART 3**



Please return and complete this application form to the following address:

**Address:** East Staffordshire Borough Council, Town Hall, King Edward Place, Burton on Trent, Staffordshire, DE14 2EB

**Telephone** 01283 508 523

**Email:** [selectivelicensing@eaststaffsbc.gov.uk](mailto:selectivelicensing@eaststaffsbc.gov.uk)

**For Office Use only:**

Licence Holder

HSO Ref:

Received Date

## PART ONE: APPLICATION SUMMARY

This section must be completed in full

Before completing this form, please read the guidance notes to ensure that your property requires a licence and your property is located in a Selective Licensing designated area. If you have any doubt, or require assistance completing this form, please contact the department.

You may fill in this form digitally or in **black** ink only, write clearly within the boxes provided and complete in conjunction with the guidance notes.

**FAILURE TO APPLY FOR A LICENCE FOR A PROPERTY THAT IS SUBJECT TO LICENSING IS A CRIMINAL OFFENCE AND MAY RESULT IN A CIVIL PENALTY OF £10,000 OR AN UNLIMITED FINE.**

### ADDRESS OF PROPERTY TO BE RE-LICENSED:

Postcode:

Licence Holder's interest in the property:

Other (specify):

### 1.1 PROPOSED LICENCE HOLDER: The Applicant must be a named individual

Title:  Mr  Mrs  Miss  Ms  Other:

Full Name:

Business Name if relevant:

Residential or Business Address:

Postcode:

Home Telephone No:

Work Telephone No:

Mobile Telephone No:

E-mail Address:

### 1.2 OWNER Details: (where this is different from the Licence Holder)

Title:  Mr  Mrs  Miss  Ms  Other:

Full Name:

Business Name if relevant:

Residential or Business Address:

Postcode:

Home Telephone No:

Work Telephone No:

Mobile Telephone No:

E-mail Address:

| 1.3 MANAGING AGENT Details: (where this is different from the Licence Holder) |   |
|---|---|
| Title:  | <input type="radio"/> Mr <input type="radio"/> Mrs <input type="radio"/> Miss <input type="radio"/> Ms <input type="radio"/> Other: |
| Full Name:  |   |
| Business Name if relevant:  |   |
| Residential or Business Address:  |   |
|   | Postcode:   |
| Home Telephone No:  |   |
| Work Telephone No:  |   |
| Mobile Telephone No:  |   |
| E-mail Address:   |   |

| 1.4 LEASEHOLDER Details: (if not any of the above) – must be a named individual |   |
|---|---|
| Title:  | <input type="radio"/> Mr <input type="radio"/> Mrs <input type="radio"/> Miss <input type="radio"/> Ms <input type="radio"/> Other: |
| Full Name:  |   |
| Business Name if relevant:  |   |
| Residential or Business Address:  |   |
|   | Postcode:   |
| Home Telephone No:  |   |
| Work Telephone No:  |   |
| Mobile Telephone No:  |   |
| E-mail Address:   |   |
| Freeholder <input type="radio"/>  | Leaseholder <input type="radio"/> Neither <input type="radio"/>   |

| 1.5 If the proposed licence holder is part of a company, partnership, charity or trust please provide contact details below: |   |                         |                                |
|--|---|-------------------------|--------------------------------|
| Limited Company <input type="radio"/>  | Partnership <input type="radio"/> Charity <input type="radio"/> Trust <input type="radio"/> |                         |                                |
| Full Name:   |   |                         |                                |
| Business Address:  |   |                         |                                |
|  |   |                         |                                |
| Postcode:  |   |                         |                                |
| Telephone no:  |   |                         |                                |
| E-mail:  |   |                         |                                |
| Registered Company Number:   |   |                         |                                |
| <b>Please send a copy of the current lease with the application form.</b>  |   |                         |                                |
| 1.6 Have any of the above applied to another authority for a Housing Licence?  | <input type="checkbox"/> Yes <input type="checkbox"/> No                                    |                         |                                |
| 1.7 Have any of the above applied to ESBC for a Housing Licence?   | <input type="checkbox"/> Yes <input type="checkbox"/> No                                    |                         |                                |
|  |   |                         |                                |
| <b>Local Authority</b>   | <b>Applicant Name</b>   | <b>Property Address</b> | <b>Date Applied or Granted</b> |
|  |   |                         |                                |
|  |   |                         |                                |

The proposed Licence Holder and Manager (if applicable) must complete Part Two (Fit and Proper Persons Details) if this is the first application for this designated area. If this is a subsequent licence application, please go direct to Part Three (property Details).

What is your preferred contact method from us?

## PART TWO: FIT & PROPER PERSON DETAILS

This section must be completed in full

When considering an application to licence, the Local Authority must be satisfied that the proposed Licence Holder is a "Fit and Proper" person to hold a Licence. It is therefore necessary that the following details be supplied about the proposed Licence Holder and any other person that the applicant proposes will be involved in the management of the house.

### 2.1 PROPOSED LICENCE HOLDER: The Applicant must be named individual

|   |                                   |                                       |  |  |                                 |
|---|-----------------------------------|---------------------------------------|--|--|---------------------------------|
| Title:  | <input type="radio"/> Mr          | <input type="radio"/> Mrs             | <input type="radio"/> Miss                 | <input type="radio"/> Ms                 | <input type="radio"/> Other:    |
| Full Name:  |                                   |                                       |  |  |                                 |
| Business Name if relevant:                                  |                                   |                                       |  |  |                                 |
| Residential or Business Address:                            |                                   |                                       |  |  |                                 |
|   | Postcode:                         |                                       |  |  |                                 |
| Home Telephone No:  |                                   |                                       |  |  |                                 |
| Work Telephone No:  |                                   |                                       |  |  |                                 |
| Mobile Telephone No:  |                                   |                                       |  |  |                                 |
| E-mail Address:   |                                   |                                       |  |  |                                 |
| Date of Birth: dd/mm/yyyy                                   | Place of Birth:                   |                                       |  |  |                                 |
| Proof of identity and current address (two to be supplied): | <input type="checkbox"/> Passport | <input type="checkbox"/> Utility Bill | <input type="checkbox"/> Birth certificate | <input type="checkbox"/> Drivers Licence | <input type="checkbox"/> Other: |
| Interest in property:                                       | <input type="checkbox"/> Owner    | <input type="checkbox"/> Manager      | <input type="checkbox"/> Leaseholder       | <input type="checkbox"/> Other:          |                                 |

### 2.2 MANAGING AGENT: (if different from the licence holder)

|   |                          |                           |                            |                          |                              |
|---|--------------------------|---------------------------|----------------------------|--------------------------|------------------------------|
| Title:  | <input type="radio"/> Mr | <input type="radio"/> Mrs | <input type="radio"/> Miss | <input type="radio"/> Ms | <input type="radio"/> Other: |
| Full Name:  |                          |                           |                            |                          |                              |
| Business Name if relevant:  |                          |                           |                            |                          |                              |
| Residential or Business Address:  |                          |                           |                            |                          |                              |
|   | Postcode:                |                           |                            |                          |                              |
| Home Telephone No:  |                          |                           |                            |                          |                              |
| Work Telephone No:  |                          |                           |                            |                          |                              |
| Mobile Telephone No:  |                          |                           |                            |                          |                              |
| E-mail Address:   |                          |                           |                            |                          |                              |
| <b>Please fill in the details below if you are an individual and not part of a company.</b> |                          |                           |                            |                          |                              |
| Proof of identity and current address (two to be supplied):                                 | <b>Passport</b>          | <b>Utility Bill</b>       | <b>Birth certificate</b>   | <b>Drivers Licence</b>   | <b>Other</b>                 |
| Interest in property:   | <b>Owner</b>             | <b>Manager</b>            | <b>Leaseholder</b>         | <b>Other:</b>            |                              |

### 2.3 Is the proposed licence holder a member of any landlords association e.g. RLA NLA? please indicate:

| Organisation | Since |
|--------------|-------|
|              |       |
|              |       |
|              |       |

**2.4** Please list any training courses attended – relevant to property management – by the proposed licence holder in the last three years.

| Training Course | Date |
|-----------------|------|
|                 |      |
|                 |      |
|                 |      |

The local authority must consider evidence whether the proposed licence holder and manager is are fit and proper persons.

**2.5** Has the proposed licence holder or manager:

Committed any offence involving fraud or other dishonesty (including benefit fraud), violence, drugs or any offence listed in Schedule 3 to the Sexual Offences Act 2003? (Subject to the Rehabilitation of Offenders Act 1974?)

Proposed Licence Holder  
 Yes     No

Manager  
 Yes     No

**2.6** Has the proposed licence holder or manager:

Practiced unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in or in connection with any business?

Proposed Licence Holder  
 Yes     No

Manager  
 Yes     No

**2.7** Has the proposed licence holder or manager:

Contravened any legislation to housing, public health, environmental health or landlord and tenant law?

Proposed Licence Holder  
 Yes     No

Manager  
 Yes     No

**2.8** Has the proposed licence holder or manager, been convicted for non-compliance of a statutory notice under:

Housing, Environmental Health, Landlord and Tenant, Public Health, Health and Safety, Building Regulations or Planning laws.

Proposed Licence Holder  
 Yes     No

Manager  
 Yes     No

**2.9** Has the proposed licence holder or manager ever been in control of a property:

Subject to a Control Order or Management Order  
 Where works have been carried out in default?  
 Been refused a licence?  
 Breached conditions of a Housing Act 2004 licence?

Proposed Licence Holder  
 Yes     No  
 Yes     No  
 Yes     No  
 Yes     No

Manager  
 Yes     No  
 Yes     No  
 Yes     No  
 Yes     No

**2.10** A licence holder must have financial arrangements necessary to ensure the property is managed:

Do you have the authority to repair and maintain the property and have the financial arrangements necessary to repair the property? (further financial checks may be made)  
 Are you an undischarged bankrupt?  
 Are there any County Court Judgements (CCJs) against you or any company of which you are the director or secretary?

Proposed Licence Holder  
 Yes     No  
 Yes     No  
 Yes     No

Manager  
 Yes     No  
 Yes     No  
 Yes     No

**2.11** If you have answered yes to any of the above questions please provide more details below:

## PART THREE: DETAILS OF PROPERTY

This section must be completed in full

The following section is concerning the property requiring a licence.

|            |  |
|------------|--|
| <b>3.1</b> | <b>DETAILS OF PROPERTY TO BE LICENSED</b>  |
|            | <b>If a Block of flats converted in accordance with 1991 Building Regulations please provide a completion certificate.</b> Number of units in property which can be occupied: <input type="text"/>     |
|            | How many storeys are there in the property? Include basement and attic flats.  |
|            | 1 <input type="radio"/> 2 <input type="radio"/> 3 <input type="radio"/> 4 <input type="radio"/> Other: <input type="text"/>  |
|            | How many individual people occupy the property at present? (including children)  |
|            | <input type="text"/>   |
|            | What is the maximum amount of people that can occupy the property? (including children)  |
|            | <input type="text"/>   |
|            | Please indicate the type of property to be licensed  |
|            | <input type="radio"/> Detached <input type="radio"/> Semi-Detached <input type="radio"/> Mid- Terrace      End Terrace<br><input type="radio"/> Flat <input type="radio"/> Other: <input type="text"/> |
|            | If the property has been converted to self-contained flats, please supply the approximate date:  |
|            | Please give the approximate date of construction of the property:  |
|            | <input type="radio"/> Pre 1920 <input type="radio"/> 1920-1945 <input type="radio"/> 1946-1979 <input type="radio"/> Post 1979   |
|            | Is any part of the property used for separate commercial activity? <input type="checkbox"/> Yes <input type="checkbox"/> No  |
|            | If yes, please provide details and location of the commercial activity below:  |
|            | <input type="text"/>   |
|            | Is there a resident owner, landlord or manager residing at the property? <input type="checkbox"/> Yes <input type="checkbox"/> No  |
|            | Is the proposed licence holder the resident owner, landlord or manager? <input type="checkbox"/> Yes <input type="checkbox"/> No   |
|            | Total number of people in resident owner/landlord/manager's household including the landlord?: <input type="text"/>  |
|            | Which flat/rooms in the property are occupied by resident landlord's household?: <input type="text"/>  |



### 3.2 DETAILS OF INSTALLATIONS AND APPLIANCES

What form of heating is at the property?

Radiator(s) as part of the gas/oil fired central heating system  Yes  No  
 Individual wall-mounted electric heater(s)  Yes  No

Other, please state:

Smoke alarms at the property.

Is the property fitted with smoke alarms?  Yes  No  
 Are these mains wired?  Yes  No

Locations:

Is there a current fire alarm test certificate? If yes please provide a copy  Yes  No

Is a contractor employed to inspect and maintain the fire alarm system?  Yes  No

Has a fire safety risk assessment been undertaken?  Yes  No

Is there any gas appliances at in the property?  Yes  No

If NO, an electrical condition report must be provided within 2 months of application.  Yes  No

If YES, please **provide a copy of a valid Gas Safety Certificate**

Date of Certificate:

Is there an Electrical Installation Condition Report?  Yes  No

If YES, please **provide a copy.**

Date of Certificate:

Are any portable electrical appliances (such as kettles, vacuum cleaners, washing machines) supplied to the property?  Yes  No

If so have these been checked for safety?  Yes  No

Is any furniture or soft furnishings provided to the property?  Yes  No

Do these meet fire resistance standards laid out in the Furniture and Furnishings(Fire) (Safety) Regulations 1988?  Yes  No

### 3.3 PROPERTY MANAGEMENT AND TENANCY MANAGEMENT

|   |   |   |
|---|---|---|
| Is there a notice giving the direct contact details of the person managing the property, displayed in a suitable position?  | <input type="checkbox"/>  | <input type="checkbox"/>  |
| Are arrangements in place for general maintenance?  | Internal?<br>Yes <input type="checkbox"/> No <input type="checkbox"/> | External?<br><input type="checkbox"/> Yes <input type="checkbox"/> No |
| Is the property structurally sound, clean and in good repair?   | <input type="checkbox"/> Yes  | <input type="checkbox"/> No   |
| Maintained in a good external decorative repair?  | <input type="checkbox"/> Yes  | <input type="checkbox"/> No   |
| Kept free from accumulation of refuse/litter and have arrangements been made to ensure that gardens and paved area are kept in good order and tidy condition?   | <input type="checkbox"/> Yes  | <input type="checkbox"/> No   |
| Are there adequate storage facilities to store and dispose of refuse?   | <input type="checkbox"/> Yes  | <input type="checkbox"/> No   |
| Are all tenants provided with written details of the terms of their tenancy? Please provide a copy of the tenancy agreement   | <input type="checkbox"/>  | <input type="checkbox"/>  |
| Does the tenancy agreement include a clause relating to anti-social behaviour by the tenant, members of their household and visitors?   | <input type="checkbox"/> Yes  | <input type="checkbox"/> No   |
| How often is the property visited to ascertain that it is secure, the external appearance is not detrimental to the amenity of the area?  | <input type="checkbox"/> Yes  | <input type="checkbox"/> No   |
| How often is the property visited to ascertain that the behaviour of tenants, members of their household or visitors are not causing a nuisance?  | <input type="checkbox"/> Yes  | <input type="checkbox"/> No   |
| Are reasonable enquiries made to all prospective tenants as to past conduct before the tenancy is granted?  | <input type="checkbox"/> Yes  | <input type="checkbox"/> No   |
| There must be a 24 hour contact telephone number that can be used by tenants in relation to the property. Please give details below:  |   |   |
| Contact Number:   |   |   |
| Arrangements must be in place for management of the property in the absence of the proposed licence holder and or manager. Please give details below.   |   |   |
| Contact Number:   | Name:   |   |
| Do the licence holder and manager (if applicable) agree to take such steps as are reasonably practical to prevent the behaviour of the occupants from adversely affecting the amenity or character of the area? <b>Please submit an Anti-Social Behaviour plan with the form.</b> | <input type="checkbox"/> Yes  | <input type="checkbox"/> No   |
| Is there current relevant insurance (tenanted buildings) cover on the property?   | <input type="checkbox"/> Yes  | <input type="checkbox"/> No   |

|   |
|---|
| <b>DECLARATION OF APPLICANT AND PROPOSED LICENCE HOLDER</b> |
|---|

**You must let certain people know in writing that you have made this application or give them a copy:**

- Any mortgagee of the property.
- Any owner of the property to which this application relates if that is not you.
- Any other person who is a tenant or 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 of less than three years, including periodic tenancy.
- The proposed licence holder – if that is not you
- The proposed managing agent, if any – that is not you
- Any person who has agreed that they will be bound by any condition(s) in a licence if it is granted.

**You must tell each of these people:**

- Your name, address, telephone number and e-mail address.
- The name, address telephone number and email address of the proposed licence holder – if it will not be you.
- This is an application under Part 3 (selective licensing and additional licensing properties) of the Housing Act 2004.
- The address of the property it relates to.
- The name and address of the local authority to which the application will be made.
- The date of the application will be submitted.

**Please provide full details of all persons with an interest in your property.**

**E.g. your Mortgage Provider.**

**Name of mortgage provider:**

Full postal Address:

Postcode:

e-mail address:

Date you informed them:

**Name:**

Full postal Address:

Postcode:

e-mail address:

Date you informed them:

**Name:**

Full postal Address:

Postcode:

e-mail address:

Date you informed them:

## PART FOUR: DECLARATION

This section must be completed in Full

- I/We, declare that the information contained in this application is correct to the best of my knowledge.
- I/We, understand that a criminal offence is committed if I supply any information to a local housing authority in connection with this application for a licence that is knowingly false or misleading and on conviction may be fined £5,000.
- I/We, the Owner of the property, hereby consent to the licence holder having the authority to let and terminate tenancies, access all parts of the building to the same extent as myself and is authorised to arrange emergency repairs.
- I/We, the proposed licence holder, hereby authorise any statutory body holding information about me, which falls within the categories above, to provide information on request by the Council.

All information provided will be treated in confidence and in accordance with the General Data Protection Regulations 2018 and will only be used to process your application.

As part of our duty under the Housing Act 2004 we may have to share and/ or check your information with other agencies including the Police, Fire & Rescue service, Office of Fair Trading, other Local Authorities and other relevant department within this Council, for example Council Tax, Revenues and Benefits and Debtors. We also are required to inform the mortgage company for the property.

**Note if you are the Applicant/Owner and the Proposed Licence Holder and Manager you must sign all the relevant section below.**

Applicant/Owner (Print Name):

Signature

Date:

**Proposed Licence Holder, if different, (Print Name):**

Signature

Date:

**Agent (Print Name):**

Signature

Date:

**Please do not send payment with this application form. You will be invoiced at a later date once the application form and supporting documentation has been assessed.**

**Privacy Notice**

### How is your information used?

We collect information to assess your suitability and fitness to be issued a selective licence and to assist us in processing your application. We may also use your contact details in the event that we need to contact you in relation to your application for a selective licence.

### Who has access to your information?

Information is shared with other regulatory and enforcement authorities including, but not limited to, other Council services; Councillors; the Police; HM Revenues and Custom; Home Office Immigration; Cabinet Office; and other local authorities when allowed to by law for the purposes of the administration and enforcement of authorisations, and for the purposes of the prevention and detection of crime, public safety, public health, protection of the environment and prevention of fraud.

Under S.232 of the Housing Act 2004 the Council has a duty to establish and maintain a register of all licences issued. The following particulars are prescribed for each entry in a register. (a) name and address of licence holder; (b) name and address of person managing the licensed house; (c) address of licensed house; (d) short description of the licensed house; (e) summary of licence condition; (f) commencement date and duration of the licence; (g) summary information of any matter concerning the licensing of the house that has been referred to a residential property tribunal or to the the lands tribunal; and (h) summary information of any decision of the tribunal referred to in (g) that relate to the licensed house, together with the reference number allocated to the case by the tribunal. More information on the requirement to publish can be found here: <http://www.legislation.gov.uk/ukxi/2006/373/regulation/11/made>