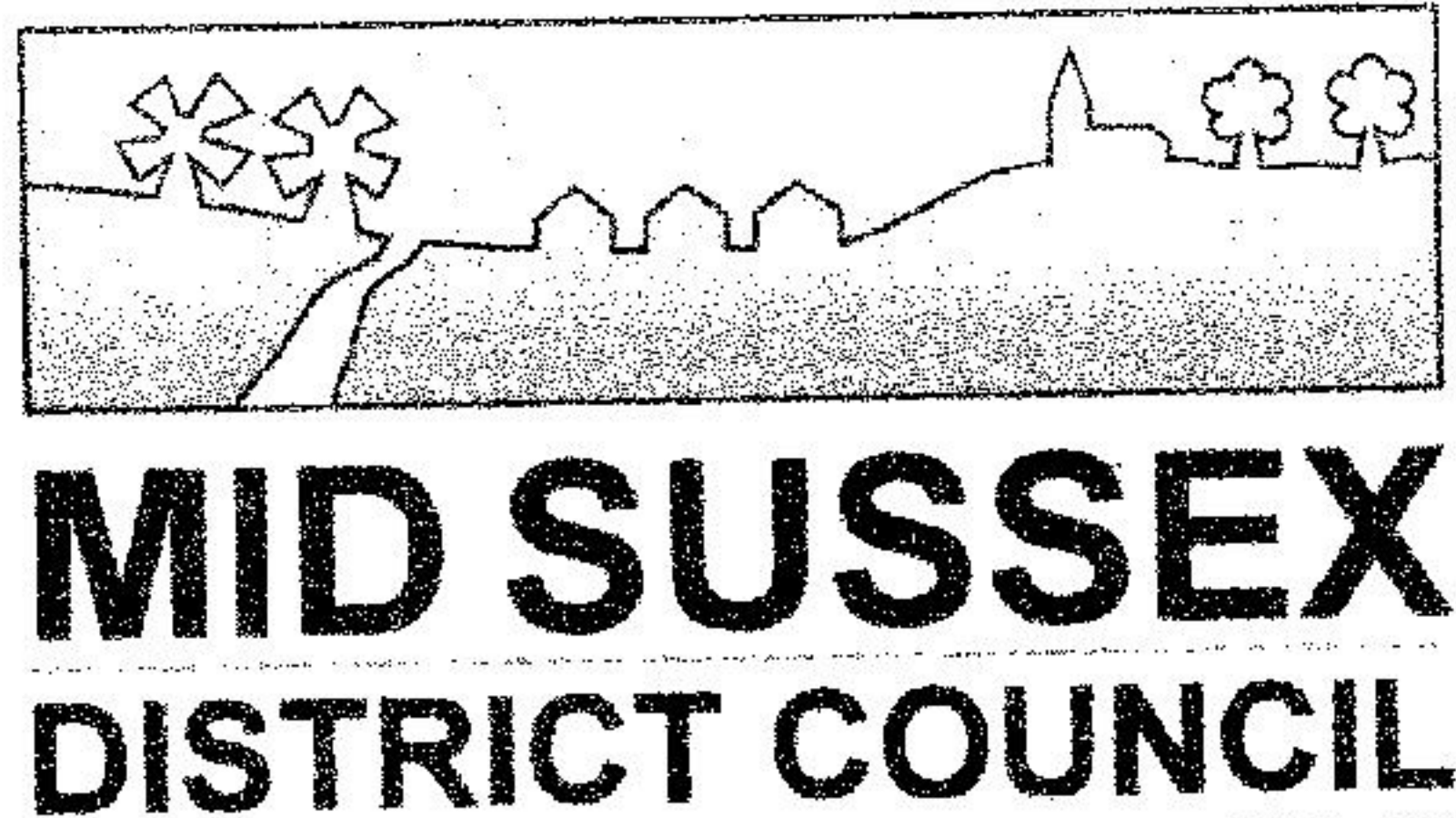




Housing Act 2004
Section 64(2)

Licence to Operate a House in Multiple Occupation

Mid Sussex District Council, Oaklands, Oaklands Road,
Haywards Heath, West Sussex, RH16 1SS

HMO 52

The Council is granting this Licence to:

Benbro Limited
Orchard House
The Way
Reigate
Surrey
RH2 0LB

to operate the house in multiple occupation situated at:

Drury Lodge
Cranston Road
East Grinstead
West Sussex
RH19 3HW

The property is licensed by Mid Sussex District Council in accordance with the provisions of Part 2 of the Housing Act 2004

From: 17th September 2020
Until: 16th September 2025

Subject to the conditions, issued with this licence, which are required by Schedule 4 of the Act and any additional conditions imposed by virtue of Section 67 of the Act which form part of this licence

The maximum permitted number of occupiers is: 20 persons

Date: 17th September 2020

Signed:

Yvonne Leddy
Business Unit Leader Environmental Health & Building Control

HOUSE IN MULTIPLE OCCUPATION LICENCE CONDITIONS**1. Permitted Occupation**

The maximum number of permitted persons, including children, as specified in the licence must not be exceeded. The maximum number of persons permitted to occupy the property is:

20

The number permitted to occupy each room are as follows:

Room name	Room size: Square metres	Maximum occupancy	Households
Room 1- Ground Floor Front Right	19.85	2	1
Room 2- Ground Floor Rear Right	23.26	2	1
Room 3- Ground Floor Rear Left	29.43	2	1
Room 4- Ground Floor Front Left	17.38	2	1
Room 5- First Floor Mezzanine	14.25	1	1
Room 6- First Floor Front Right	47.71	2	1
Room 7- First Floor Rear Right	21.38	2	1
Room 8- First Floor Rear Left	14.90	1	1
Room 9- First Floor Front Left	16.68	2	1
Room 10- Second Floor Front	35.03	2	1
Room 11- Second Floor Rear Right	24.40	2	1
Room 12- Second Floor Rear Left	23.47	2	1

The persons permitted to occupy the property must not form more than **12** households.

2. Minimum Room Sizes

Rooms less than 4.64 square metres are not permitted to be used as sleeping accommodation.

The licence holder must notify the Council of any room in the HMO with a floor area of less than 4.64 square metres.

The licence holder must ensure compliance with the following minimum room sizes:

Rooms used as sleeping accommodation by one person over the age of 10 must be at least 6.51 square metres.

Rooms used as sleeping accommodation by two people over the age of 10 must be at least 10.22 square metres.

Rooms used as sleeping accommodation by a child under the age of 10 must be at least 4.64 square metres.

A bedsit room containing kitchen facilities occupied by one person must be at least 13 square metres.

A bedsit room containing kitchen facilities occupied by two persons must be at least 15 square metres.

N.B Any part of the floor area of a room where the height is less than 1.5 metres should not be taken into account when determining the floor area of that room.

A room is considered as sleeping accommodation if it is usually used as a bedroom, whether or not it is used for other purposes.

3. Written Statement of terms of Occupation

All occupiers of the property must be supplied with a written statement of the terms on which they occupy it.

The manager of the property must ensure that his/her contact details are provided to each household in the HMO.

4. Tenancy Deposit Protection

All deposits paid by occupiers of the property must be protected in one of the following government backed tenancy deposit schemes (TDS):

-Deposit Protection Service

-MyDeposits

-Tenancy Deposit Scheme

5. Furnished Properties

The licence holder and manager must ensure that any furniture provided in the property is supplied and maintained in a safe condition and must supply upon demand to the Council a declaration stating the safety of such furniture.

6. Gas safety

There must be a valid gas safety certificate (if applicable) at all times during the period of this licence. Copies of the annual test certificates must be provided to the Council.

7. Electrical safety

The electrical installation and all electrical appliances supplied by or on behalf of the Licence Holder must be kept in a safe condition. The licence holder must supply upon demand to the Council a declaration stating the safety of electrical appliances in the property.

The licence holder and manager must ensure that the electrical installation in the property is inspected and tested for safety by a competent person at intervals of not more than five years.

The licence holder must ensure that the Council is in possession of a copy of a valid electrical installation condition report (EICR) obtained in respect of the property at all times. For the purpose of this licence, a valid EICR is an EICR that is not more than five years old and which originates from a competent person.

Upon demand, the Council must be supplied with valid portable appliance test ("PAT") certification for all electrical appliances provided in the house by the licence holder or manager. For the purpose of this licence, valid PAT certification is certification that is dated within the previous 12 months of the date on which it is submitted to the Council and which originates from a competent person.

8. Smoke and carbon monoxide alarms

The property must be provided with an automatically operated fire detection and alarm system appropriate to the type, layout and occupation of the property. The fire detection and alarm system required by this Condition must include the provision of at least one smoke detector on each storey of the property on which there is a room used wholly or partly as living accommodation.

Fire detection systems and equipment must be regularly inspected and tested, serviced by competent persons at appropriate intervals, and kept in good repair and proper working order at all times. The licence holder and manager must ensure that any faults identified affecting the fire detection and alarm system within the property are remedied immediately.

Copies of annual fire alarm test certificates must be provided to the Council upon request. As and when required, the licence holder must make a declaration as to the positioning and operation of the smoke alarms.

A carbon monoxide alarm must be installed in any room containing a solid fuel burning combustion appliance. The licence holder must ensure that any such alarm is maintained in proper working order and replaced when required.

9. Emergency lighting

Where installed, emergency lighting must be regularly inspected and tested, serviced by competent persons at appropriate intervals, and kept in good repair and proper working order at all times. The licence holder and manager must ensure that any faults identified affecting the fire detection and alarm system within the property are remedied immediately.

10. Fire Fighting equipment

Regular visual checks must be made throughout the licence period to ensure that fire blankets are maintained in good working order.

11. Means of escape from fire

The means of escape from fire must be maintained in good repair and kept clear and free from obstruction at all times.

Regular visual inspection of fire doors must be made throughout the licence period to ensure that they are maintained in good condition and that intumescent smoke strips, seals and door closers remain in working order.

12. General Maintenance

The house must be maintained in good order and repair at all times.

The licence holder and manager must put in place suitable and sufficient arrangements for dealing with repairs and general maintenance in respect of the house. The arrangements must include adequate provision for dealing with emergency repairs. All occupiers of the house must be kept fully aware of such arrangements.

Once notified, either by an occupier of the house or by the Council, that the house is in need of repairs and/or general maintenance, the necessary remedial works must be completed within reasonable timescales, or by the timescales set out by the Council.

When repairs and general maintenance are necessary, the works must be carried out to a good standard by competent persons.

The licence holder and manager must, in particular, ensure that:

- (i) The internal communal areas are regularly cleaned and kept clear and free from personal belongings, building materials and waste, refuse and litter;
- (ii) The internal communal areas are maintained in good and clean decorative repair;
- (iii) All handrails and banisters provided in the communal areas are kept in good repair;
- (iv) Any stair coverings within the communal areas are safely fixed and kept in good repair;
- (v) All windows and doors are kept in good repair;
- (vi) All lighting installations are kept in good repair and that all light fittings in communal areas are maintained with working light bulbs at all times;
- (vii) Any outbuildings, yards, gardens, alleyways, forecourts, boundary walls, fences and railings associated with the house are maintained in a safe and good condition;
- (viii) All external parts of the house are kept in good decorative repair; and
- (ix) The drainage system serving the house is maintained in a good, clean and working condition.

13. Water supply and drainage.

The licence holder and manager must not unreasonably cause or permit the water supply or drainage provision serving the house, or any unit of accommodation within the house, to be interrupted.

14. Supply and maintenance of gas and electricity

The licence holder and manager must not unreasonably cause or permit the gas or electricity supply to the house, or any unit of accommodation within the house, to be interrupted.

15. Heating

Every part of the property, including communal areas must be provided with an adequate and affordable means of fixed space heating. Heating appliances must be maintained in good repair and proper working order by the licence holder throughout the licence period.

The heating system provided must be fully controllable by occupiers and must be available for use at all times.

16. Washing and WC facilities

All fixed baths, showers and wash hand basins must be kept in good repair and proper working order, be maintained with an adequate and constant supply of hot and cold water and a satisfactory provision for drainage.

All WCs provided in the property must be fit for purpose and kept in good repair and proper working order, be maintained with an adequate and constant supply of water and a satisfactory provision for drainage

Shared bathrooms and WC rooms must be cleaned thoroughly on a regular basis.

17. Household waste

Suitable arrangements must be put in place for the containment, storage and disposal of refuse produced by occupiers of the property.

The licence holder must comply with the requirements of the Council's Household waste collection scheme at all times.

18. Anti-social behaviour

The licence holder shall take such reasonable and practicable steps as are necessary to prevent or reduce anti-social behaviour by persons occupying or visiting the house. This must include working with the Police to resolve such problems, and a clause in the tenancy or occupancy agreement to make it clear to tenants that they must not behave in a way that causes nuisance or distress to any other person in the HMO or locality of the HMO.

19. HMO Management Regulations

The licence holder and manager must comply with The Management of Houses in Multiple Occupation (England) Regulations 2006, Statutory Instrument 2006/372, at all times.

20. Duty to notify the Council (Licence holder)

The licence holder must notify the Council, in writing, of any change in their address.

The licence holder must notify the Council, in writing, of any changes in the ownership of the house or any part of it.

The licence holder must notify the Council, in writing, of any changes in the management of the house.

The licence holder must notify the Council, in writing, of any specified event which could affect their status as a fit and proper person. The specified events are: any conviction involving fraud or other dishonesty; any conviction involving violence or drugs; any conviction relating to an offence listed in

Schedule 3 to the Sexual Offences Act 2003; any finding of unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in, or in connection with, the carrying on of any business; and any contravention of the law relating to housing or landlord and tenant law.

The licence holder must notify the Council, in writing, if they become aware that the house is occupied by more persons or households than that permitted by this licence.

The licence holder must notify the Council, in writing, if they cease to be the person having control of the house.

All notifications required by this Condition must be made within 21 days of the change of circumstances.

21. Duty to notify the Council (Manager)

The manager must notify the Council, in writing, of any changes in their address.

The manager must notify the Council, in writing, of any specified event which could affect their status as a fit and proper person. The specified events are: any conviction involving fraud or other dishonesty; any conviction involving violence or drugs; any conviction relating to an offence listed in Schedule 3 to the Sexual Offences Act 2003; any finding of unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in, or in connection with, the carrying on of any business; and any contravention of the law relating to housing or landlord and tenant law.

The manager must notify the Council, in writing, if they become aware that the house is occupied by more persons or households than that permitted by this licence.

The manager must notify the Council, in writing, if they cease to be the person managing the house.

All notifications required by this Condition must be made within 21 days of the change of circumstances.

Penalty for breach of licence conditions

Anyone failing to comply with licence conditions commits an offence punishable on summary conviction to an unlimited fine per offence. A Civil Penalty Notice of up to £30,000 is an alternative sanction available to the local authority.

Notice	Housing Act 2004 Part 2 Schedule 5: Part 1: Paragraph 7
	Notice of Approval of a Licence for a House in Multiple Occupation
Recipient	Name: Mrs Caroline Bennett Address: [REDACTED] Reigate, Surrey. RH2 0LB Name: Mr Martin Brown Address: [REDACTED] Lingfield, Surrey, RH7 6PQ Name: Interbay Commercial Address: PO Box 706, Fareham. PO14 9PS
Relating to	Relating to: Drury Lodge, Cranston Road, East Grinstead, West Sussex. RH19 3HW
Approval of Licence	On 17th September 2020 it was agreed by Mid Sussex District Council, the local housing authority that the licence be granted for a house in multiple occupation at the above address. The reasons for this decision are: • A valid licence application has been made; • The house is reasonably suitable for occupation by not more than the maximum number of households or persons specified in the licence or can be made so suitable by the imposition of licence conditions; • The licence holder is a fit and proper person, and is, out of all the persons reasonably available to be the licence holder in respect of the house, the most appropriate person to be the licence holder; • The manager is either the person having control of the house, or a person who is an agent or employee of the person having control of the house; • The manager is a fit and proper person; • The management arrangements are otherwise satisfactory.
Appeal	A copy of the licence is enclosed with this notice. You have the right of appeal against this decision. You may appeal this decision to the Property Chamber of the First-tier Tribunal (PC) Service. The office of the First-tier Tribunal (Property Chamber) for the region in which Mid Sussex District Council is located and to which appeals should be made is First-tier Tribunal (Property Chamber) Residential Property Havant Justice Centre The Court House Elmleigh Road Havant Hampshire PO9 2AL

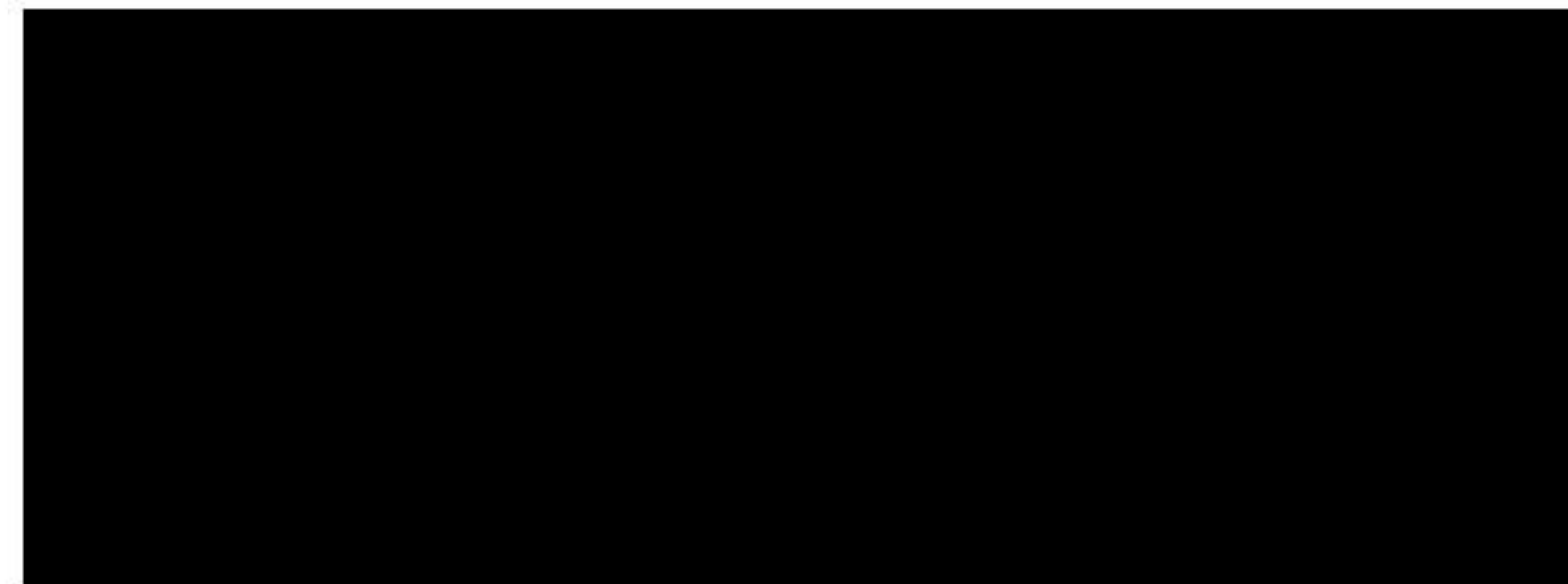
Email: rpsouthern@justice.gov.uk Telephone: 01243 779394

and more information can be provided by that office.

More information can be found at <http://www.justice.gov.uk/tribunals/residential-property> where it is also possible to download the appropriate forms.

You must contact the Property Chamber of the First-tier Tribunal (PC) Service within 28 days of the decision being made. In this instance that is by the 14th October 2020

Officer



Lisa Cairns
Senior Environmental Health Officer
Housing Standards Team

Date: 17th September 2020

Mid Sussex District Council
Oaklands
Oaklands Road
Haywards Heath
West Sussex
RH16 1SS

Email: housingstandards@midsussex.gov.uk
Telephone: 01444 477292

Schedule 5: Part 1

Requirements following grant or refusal of licence

7(1) This paragraph applies where the local housing authority decide to grant a licence.

(2) The local housing authority must serve on the applicant for the licence (and, if different, the licence holder) and each relevant person:

- A copy of the licence, and
- A notice setting out:
 - The reasons for deciding to grant the licence and the date on which the decision was made
 - The right of appeal against the decision under Part 3 of this Schedule
 - The period within which an appeal may be made (see paragraph 33(1)).

(3) The documents required to be served under sub-paragraph (2) must be served within the period of seven days beginning with the day on which the decision is made.

Schedule 5: Part 3

Right to appeal against refusal or grant of licence

31(1) The applicant or any relevant person may appeal to a Property Chamber of the First-tier Tribunal (PC) against a decision by the local housing authority on an application for a licence:

- To refuse to grant the licence, or
- To grant the licence.

(2) An appeal under sub-paragraph (1)(b) may, in particular, relate to any of the terms of the licence.

Time limits for appeals

33(1) Any appeal under paragraph 31 against a decision to grant, or (as the case may be) to refuse to grant, a licence must be made within the period of 28 days beginning with the date specified in the notice under paragraph 7 or 8 as the date on which the decision was made.

(2) Any appeal under paragraph 32 against a decision to vary or revoke, or (as the case may be) to refuse to vary or revoke, a licence must be made within the period of 28 days beginning with the date specified in the notice under paragraph 16, 21, 24 or 28 as the date on which the decision was made.

(3) A Property Chamber of the First-tier Tribunal (PC) may allow an appeal to be made to it after the end of the period mentioned in sub-paragraph (1) or (2) if it is satisfied that there is a good reason for the failure to appeal before the end of that period (and for any delay since then in applying for permission to appeal out of time).

Powers of Property Chamber of the First-tier Tribunal (PC) hearing appeal

34(1) This paragraph applies to appeals to a Property Chamber of the First-tier Tribunal (PC) under paragraph 31 or 32.

(2) An appeal:

- Is to be by way of a re-hearing, but
- May be determined having regard to matters of which the authority were unaware.

(3) The tribunal may confirm, reverse or vary the decision of the local housing authority.

(4) On an appeal under paragraph 31 the tribunal may direct the authority to grant a licence to the applicant for the licence on such terms as the tribunal may direct.

Advice

If you do not understand the contents of this notice or would like to know more about it, please contact the local authority. If you would like to receive independent advice about the contents of this notice, your rights and obligations then please contact Citizens Advice, Housing Aid Centre, Law Centre or solicitor. Please be aware that you may qualify for legal aid or otherwise free independent advice from a solicitor or legal advisor for up to half an hour.
