

Mr Marc Weston

[REDACTED]

Date: 28 July 2021

Reference: [REDACTED]

Phone: 01273 292417

E-mail: [tony.goldsmith@brighton-hove.gov.uk](mailto:tony.goldsmith@brighton-hove.gov.uk)

Dear Mr Weston

**Housing Act 2004**  
**Licensing of Houses in Multiple Occupation**  
■ Vale Road Portslade BN41 1GE

I refer to the Draft Licence sent to you on 22nd June 2021 relating to the above property.

I am now pleased to enclose the full licence.

The inspection previously made at the property was for licensing condition purposes. Please note that during the period of the licence we are also statutorily required to ensure that there are no problems under the Housing Act 2004 Housing Health and Safety Rating System (HHSRS) that should be remedied. An officer from this section will therefore arrange with you to visit the house at some stage during the life of the licence to carry out a HHSRS assessment. The type of things that we will be considering include safety handrails, trip hazards, surfaces that can be easily cleaned (eg floor covering in kitchens and bathrooms), adequacy of ventilation, safety glass in doors etc.

Please feel free to telephone me if you require advice on any aspect of the licence. Otherwise I would be grateful if, by the due dates, you would send me any required certificates and notify me when works have been completed.

I would advise you that the issue of an HMO licence does not grant any planning consent that might be required for the property to be used as a house in multiple occupation. If you are unsure if any planning consent is needed please see the Planning team's pre-application advice webpages <http://www.brighton-hove.gov.uk/content/planning/planning-applications/do-i-need-planning-permission> and <https://www.brighton-hove.gov.uk/content/planning/planning-applications/small-houses-multiple-occupation>.

While writing, the council is keen to promote energy efficiency and I would like to draw your attention to the following:

The council strongly supports the use of energy efficient products and appliances. We would therefore ask you, when you provide any replacements, to choose products that carry the 'energy saving recommended' logo. More information on this can be found on the council website at <http://www.brighton-hove.gov.uk/index.cfm?request=c1164028> If



**Private Sector Housing**  
Room G14  
Hove Town Hall  
Norton Road  
Hove  
BN3 3BQ

you have any questions or would prefer to be sent leaflets with this information, please contact me by e-mail or phone using the contact details above.

Finally we would draw your attention to the information published on the council's website relating to refuse collection and recycling. This can be found at <http://www.brighton-hove.gov.uk/index.cfm?request=c1228662> or by going to the main Brighton and Hove City Council Website and following the links to Recycling and Refuse. Please ensure your tenants are aware of this information and if you have any questions or you would prefer to be sent leaflets with this information, please contact Cityclean directly on 01273 292929.

Yours sincerely

Tony Goldsmith  
**Private Sector Housing Team**

Copy:



**Private Sector Housing**  
Room G14  
Hove Town Hall  
Norton Road  
Hove  
BN3 3BQ

## **HOUSING ACT 2004**

### **SCHEDULE 5 PART 1(7)**

#### **NOTICE OF DECISION TO GRANT AN HMO LICENCE**

**To: Mr Marc Weston**

**Of: [REDACTED] Hove [REDACTED]**

Being the licence holder of the house in multiple occupation known as  
■ **Vale Road Portslade BN41 1GE** which is required to be licensed.

The Council, in exercise of its powers under Section 64 of the Act, decided on 28th July 2021 to grant a licence for the reasons detailed in Schedule 1.

The rights of appeal against this notice are detailed in the attached notes and must be made within 28 days from 28th July 2021.

**Dated: 28 July 2021**

**Signed:**

**Authorised Officer**

## **NOTES**

Statutory references are to the Housing Act 2004.

### **Right of appeal**

If you do not agree with this order you may appeal against it to the Residential Property Tribunal but you must do this within 28 days of the date on which the decision was made. The Residential Property Tribunal may confirm or reverse the decision of the Local Authority. If the Residential Property Tribunal reverses the decision, it must direct the Local Authority to serve a temporary exemption notice that comes into force on such a date as the tribunal directs.

### **Residential Property Tribunal**

If you decide to appeal you will need to apply to the local Residential Property Tribunal Service office. For the Southern area this is at:

First Tier Tribunal (Property Chamber)  
Residential Property  
Havant Justice Centre  
The Court House  
Elmleigh Road  
Havant  
PO9 2AL  
Tel: 01243 779394  
Email: [rpsouthern@hmcts.gsi.gov.uk](mailto:rpsouthern@hmcts.gsi.gov.uk)

You must put with your request a copy of this notice. You will also need an extra copy of your request for the Tribunal to send to the Council.

### **Advice**

If you do not understand this notice or wish to know more about it, you should contact the Council. If you want independent advice about your rights and obligations, you should go to a Citizens' Advice Bureau, Housing Aid Centre, Law Centre or a solicitor. You may be able to obtain help with all or part of the cost of legal advice from a solicitor under the Legal Aid Scheme. If you do not know whether you could apply for Legal Aid you can see a solicitor who may be prepared to give you half-an-hour of legal advice for a small fee.

## **SCHEDULE 1 – Reasons for decision**

The Council considered the following reasons in reaching its decision to grant a licence:

1. There is no Management Order in force on the property.
2. There is no Temporary Exemption Notice in force on this property.
3. The property falls into a category of HMO required to be licensed under section 55 of the Act.
4. The property consists of 3 storeys and is occupied by 5 people who form 2 or more households.
5. The tenants share facilities.
6. The house can be made suitable for occupation by not more than the maximum number of people (5) specified in the licence by the imposition of conditions.
7. The conditions attached to the licence are appropriate.
8. The licence holder appears to be fit and proper person to hold such a licence.
9. The licence holder is the most appropriate person to be the licence holder.
10. The management arrangements for the house are otherwise satisfactory.



## Housing Act 2004

### **Licence to Use a Property as a House in Multiple Occupation**

**The House in Multiple Occupation situated at:**

**■ Vale Road  
Portslade  
BN41 1GE**

**is licensed by Brighton & Hove City Council in accordance  
with the provisions of  
Part 2 of the Housing Act 2004 until**

**17 May 2025**

**The Licence is awarded subject to the conditions attached**

**The Licence is issued to: Mr Marc Weston**

**The maximum number of households is: 4**

**The maximum number of occupants is: 5**

**Licence Number:** ■■■■■

**The Registers of Licences are available for public inspection online at  
[brighton-hove.gov.uk/HMRegisters](http://brighton-hove.gov.uk/HMRegisters)**

**Date: 28 July 2021**

**Signed:** 

**Authorised Officer**

## Conditions of Licence

<b>Address of Licensed Property:</b>	<b>[REDACTED] Vale Road Portslade BN41 1GE</b>
<b>Licence Number:</b>	<b>2020/01709/HMO/PS</b>
<b>Name of Licence Holder:</b>	<b>Mr Marc Weston</b>
<b>Address of Licence Holder:</b>	<b>[REDACTED]</b>

### Conditions required by virtue of Schedule 4 and Section 67 Housing Act 2004

#### 1. Gas Supply and Appliances

The licence holder must produce to Brighton & Hove City Council a gas safety certificate obtained in the last 12 months confirming that the gas installation(s) and appliances are safe. **The next landlord gas safety record is due on 01/12/2021 and then annually thereafter upon renewal.**

#### 2. Electrical Installation and Appliances

- a) The licence holder must ensure that electrical safety standards are met and maintained during any period when the residential premises are occupied under a tenancy. The licence holder must ensure that the electrical installations are inspected and tested at intervals not exceeding 5 years by a person qualified to undertake such inspection and testing. The licence holder must produce a comprehensive electrical installation condition report that provides an assessment of the condition of an electrical installation against the requirements of the edition of BS 7671 current at the time of the inspection and confirms that the fixed electrical installations are safe (unless such a certificate has been previously provided and remains current). The licence holder must supply a copy of the report to the tenants within 28 days. The current 'satisfactory' electrical installation condition report is dated 14/04/2020. **The next electrical condition report is due on or before 14/04/2025.**
- b) The licence holder must supply a copy of the last report to any new tenant before occupation, or any prospective tenant within 28 days of a request from the prospective tenant.
- c) Where the report requires the licence holder to carry out further investigative or remedial work, they must undertake such further investigative or remedial work within 28 days (or within such lesser time period as specified in the report). The

licence holder must obtain and supply written confirmation of completion of such further investigative or remedial work to the tenant and the council.

- d) Electrical appliances provided by the landlord must be kept in a safe condition and a declaration of electrical safety must be supplied to the council on demand.

### **3. Maintenance of Fire Precautions**

The licence holder must ensure that all existing fire precautions (see attached plans for information), and additional precautions required by the council (if any), are maintained and kept in proper working order. On demand, current test certificates confirming the proper operation of fire alarm and emergency lighting systems must be supplied.

### **4. Furniture**

All furniture provided by the landlord must be kept in a good and safe condition and comply with current regulations. On demand, a declaration as to the safe condition of the furniture must be supplied.

### **5. Written Agreements for Tenants**

The licence holder must supply to the occupants of the house a written statement of the terms on which they occupy it and shall on demand send a copy to the council.

It should include the following:

- a) Details of how deposits will be held and terms of return.
- b) An inventory of contents and condition at the commencement of the tenancy.
- c) Details of rent and dates due, rent payment methods, and how and when rent may be increased.
- d) Details of the means of contact for repairs reporting etc.
- e) Conditions expressly prohibiting antisocial behaviour (which causes a nuisance or annoyance to adjacent occupiers or the community, whether carried out by tenants or their guests) and a warning that breach of the prohibition could lead to a loss of accommodation. When asked to do so by the council, the licence holder should produce evidence to show that they are taking appropriate action to enforce tenancy conditions relating to nuisance prevention.

### **6. General Property Maintenance**

The licence holder (or the property manager) shall attend to the property at frequent intervals to ensure the proper management of the property and that health and safety problems are not present or quickly eliminated.

### **7. Changes in the Property**

The licence holder is required to notify the council of any changes at the property that may affect the licence. This includes changes to the ownership or management; events that may affect the fit and proper person status of the owner, licence holder or manager; structural alterations and any increase in the number of occupiers.

## **8. Disposal of Rubbish and Recycling Facilities**

The licence holder must ensure that suitable and appropriately sited refuse and recycling containers are provided which are on a scale adequate to the reasonable requirements of the residents. Rubbish must be disposed of in accordance with the council's arrangements for the street. Any rubbish containers must have a lid. Recycling containers must have a lid or a net. Bin envelopes should be kept in a clean and tidy condition and not stored outside the curtilage of the property. Yards, gardens and the front of the property must be kept in a clean and tidy condition and in good order. If there is inadequate or no space to store rubbish and recycling within the boundaries of the house, and no way of providing extra space, the licence holder/property manager may have to make arrangements for extra collections. The licence holder should ensure that at the end of each tenancy any rubbish or unwanted household goods left behind should be removed and disposed of appropriately before the start of the next tenancy. In particular, any rubbish or goods left in front or back gardens or the pavement in the front of the HMO should be removed immediately.

## **9. Room Sizes**

The licence holder must ensure that the floor area of any room in the HMO used as sleeping accommodation by:

- one person aged over 10 years is not less than 6.51 square metres;
- two persons aged over 10 years is not less than 10.22 square metres;
- one person aged under 10 years is not less than 4.64 square metres;

and ensure that any room in the HMO with a floor area of less than 4.64 square metres is not used as sleeping accommodation.

Note:

- the number of persons using a room in an HMO as sleeping accommodation does not include a person doing so as a visitor of an occupier of the HMO.
- a room is used as sleeping accommodation if it is normally used as a bedroom, whether or not it is also used for other purposes.
- also any part of the floor area of a room where the height of the ceiling is less than 1.5 metres is not to be taken into account in determining the floor area of that room.

The licence holder must also ensure that where any room in the HMO is used as sleeping accommodation by:

- persons aged over 10 years only, it is not used as such by more than the maximum number of persons aged over 10 years specified in the occupancy table below;
- persons aged under 10 years only, it is not used as such by more than the maximum number of persons aged under 10 years specified in the occupancy table below;
- persons aged over 10 years and persons aged under 10 years, it is not used as such by more than the maximum number of persons aged over 10 years and the

maximum number of persons aged under 10 years as specified in the occupancy table below:

### **Occupancy Table**

<b>Maximum number of occupants due to amenities and room sizes combined = 5</b>			
<b>These people may occupy the sleeping rooms in any combination of the following, but the total must not exceed the figure above (5):</b>			
<b>Bedroom Number/Location</b>	<b>Size (m<sup>2</sup>)</b>	<b>Number of possible occupants</b>	<b>Actual number of occupants (must equal 5)</b>
1. First rear	>10.22	2	1
2. First front	>10.22	2	2
3. Second front	>6.51<10.22	1	1
4. Second rear	>6.51<10.22	1	1

### **Special Conditions Requiring Further Action**

#### **10. Ventilation**

Install an electrically operated mechanical fan in the shared kitchen area to provide intermittent extract ventilation to comply with Approved Document F under the Building Regulations 2010. The fan must extract room air to the outside air via a duct if necessary, at a minimum rate of 60 litres/second (or if an extractor over a hob 30 litres/second). Any automatic control must have a manual override to allow the fan to be switched on by the occupants. Fans should be installed as high as possible preferably within 400mm of the ceiling.

**[To be carried out by 28/01/2022].**

#### **11. Fire Precaution Facilities & Equipment**

Upgrade the understairs cupboard with suitable materials to provide 30-minutes fire resistance. The inside of the partition and door should be lined with a suitable fire resisting board. The door should close against 25 x 35 mm door stops.

**[To be carried out by 28/01/2022].**