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## Guidance for Selective Licensing Application Form Housing Act 2004, Part 3

It is important that you fill the form in correctly and completely as failure to do so may result in processing delays. Please read all guidance notes carefully and do not hesitate to contact the private sector housing solutions team if you have a query.

### **N.B:**

**If you are making a number of applications where the details on pages 3, 4, 5 and 6 are identical, you may attach copies of pages 1 and 2 fully completed to one set of pages 3-6.**

### **Section 1 Property Details**

#### **1.1 Postal address**

Please complete this section with the full postal address of the property that requires a licence.

#### **1.2 Age of property**

Please give details of the year in which the oldest part of the property was completed. Please provide a best estimate if documentary information is not available.

#### **1.3 People living in the property**

**Separate letting units** – The number of separate tenancies / licensees in the property.

**Household** - for the purposes of licensing a household comprises any tenants who are members of the same family living together including couples (whether they are married or not), immediate relatives and half-relatives or step-relatives, adopted or fostered children.

**Occupants** – Please give the total number of people including children and babies who occupy the property.

**1.4 Property Type** – Please tick the type of property.

#### **1.5 Levels within the property**

Please indicate how many floors your property has by circling the appropriate words.

#### **1.6 Rooms and amenity details**

Please give the total number of each type of room in the property.

Bedrooms

Living/dining rooms

Kitchens - total number of kitchens in the property available for use by residents.

Bath/shower rooms - total number of bathrooms and shower rooms

Toilets

Wash basins

Sinks

## **Section 2 Management of the properties.**

### **2.1 Installations and appliances**

Gas appliances will include gas fires, gas cookers, and gas boilers/water heaters. Gas installations are the pipes, meter and fittings that enable appliances to be connected to the gas supply. Installations and appliances should be maintained in a safe condition and in accordance with the Gas Safety (Installation and Use) Regulations 1998. You will need to send a copy of the gas safety report provided by your gas engineer.

Ensure that the electrical installation in the premises is checked and tested by a competent electrician and carry out any necessary repairs and modifications in accordance with the requirements of the current IEE Regulations. Please enclose a copy of a valid current electrical installation condition report (EICR) with your application form.

If you supply any portable electrical appliances (e.g. kettle, vacuum cleaner) for use by the tenants in the property they must be tested by a qualified contractor and given a PAT safety certificate. Please enclose this certificate with your application form

### **2.2 Heating**

Answer each question regarding the heating system.

### **2.3 Furniture and soft furnishings**

If you provide any soft furnishings such as beds, sofas, armchairs etc then you must ensure that they conform to Fire Safety Regulations (under The Furniture and Furnishings (Fire) (Safety) Regulations 1988 (amended 1989 & 1993)). You may be asked to provide supporting evidence e.g. in the form of receipts that show when the furniture was purchased or by displaying a label to show it complies with Fire Safety Regulations.

The regulations apply to:

- Beds, headboards of beds and mattresses
- Sofa-beds, futons and other convertibles
- Nursery furniture
- Garden furniture which is suitable for use in dwelling
- Scatter cushions and seat pads
- Pillows
- Loose and stretch covers for furniture
- Extra or replacement furniture purchased for rented accommodation

The regulations do not apply to:

Antique furniture or any furniture made before 1950

Bed-clothes (including duvets)

Loose covers for mattresses

Pillowcases

Curtains

Carpets

Sleeping bags

More information about this can be found at [www.letlink.co.uk/Facts/Lfacts3a.htm](http://www.letlink.co.uk/Facts/Lfacts3a.htm) or <http://blackburnwithdarwen.tradingstandards.uk/business-display.htm?frmClient=77FB2EF6-DFA8-89D5-607B718A492C4F3A&frmItemID=122650&frmShared=1> or by contacting your local trading standards office.

## **2.4 Fire prevention**

Answer each question that applies to the property.

## **2.5 Tenancy agreement**

Please indicate whether you provide your tenants with a written tenancy agreement. If you do, then please enclose a copy with your application form. It is a condition of the licence that you provide your tenants with a written statement or tenancy agreement.

## **2.6 Anti-social behaviour**

Please provide a brief description of any steps you take to prevent the occupants or visitors to the property causing anti-social behaviour around the property. This might include any action you have taken in the past or may be a clause in your tenancy agreement. It is a condition of the licence that you take action if necessary.

## **Section 3 Other licensed properties**

If the proposed licence holder is also the licence holder for any other properties (under Parts 2 or 3 of the Housing Act) then the details of the property(ies) must be provided on a separate sheet.

## **Section 4 Details about the applicant and manager**

**4.1 Applicant details** – If the applicant is not the proposed licence holder, please complete this section.

**4.2 Details about the proposed licence holder and manager of the property** – Please complete all details of both the proposed licence holder and the proposed manager. Full names must be completed.

The local authority must be satisfied that the licence holder and the manager are fit and proper persons to fulfil those roles. It must also be satisfied that the proposed management arrangements are satisfactory. The management structure must be such that they are able to deal with the day to day operational management issues as well as longer term issues. If the licence holder does not operate within reasonable proximity to the property, they should appoint a local manager. The local authority can insist that a manager is appointed under the licence.

The licence is not transferable between licence holders, however, the licence can be varied if the manager changes. This means that careful consideration should be given to the decision as to who will be the licence holder as a change of licence holder will mean two full licence fees are payable, one for the first licence and one for the new licence.

- Where two or more individuals are the joint landlords of a property, a joint licence should be granted.
- Where the landlord is a company, a limited liability partnership or a board of trustees the licence should be granted to it.
- Where the landlord is an incorporated business it will be the individual owners of the

business who should jointly hold the licence and their full names should be completed as proposed licence holders.

Please identify who is responsible for the fees and the certification for the property.

#### **4.3 Basic Disclosure and Barring ( DBS) check**

The proposed licence holder and manager must provide a criminal records disclosure obtained within the 6 months preceding the date of receipt of the full application. However, if you have been convicted of an offence since the disclosure was obtained you must declare it.

The Basic Disclosure application form can be completed on line at <https://www.gov.uk/request-copy-criminal-record>

The licence will not be granted without a successful Basic Disclosure and Barring Service check.

#### **Additional Information**

The following information must be supplied in relation to any person that the applicant proposes will be involved in the management of the house:-

- a) information concerning any unspent convictions that may be relevant to the proposed licence holder's fitness to hold a licence and in particular any offence involving fraud or other dishonesty, or violence or 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 proposed licence holder that he has practised 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;
- c) details of any contravention on the part of the proposed licence holder of any provision of any enactment relating to housing, environmental health or of landlord and tenant law; including any civil proceedings in which judgement was made against the proposed licence holder;
- d) information about any property the proposed licence owner owns or has owned which has been subject to a control order under section 379 of the Housing Act 1985(a) in the last 5 years;
- e) information about any property for which the proposed licence holder has been refused a licence under Parts 2 or 3 of the Act;
- f) information about any condition of a licence granted under Parts 2 or 3 of the Act that the proposed licence holder has breached;
- g) information about any act on the part of the proposed licence holder that was otherwise than in accordance with a Code of Practice approved under section 233 of the Act that concerns a property owned by him;
- h) information about any property that the proposed licence holder owns or has owned that has been the subject of any proceedings (whether court or otherwise) by a local authority, including details of any work that the local authority has carried out as a result of default on the part of the proposed licence holder;

i) information about any property the proposed licence holder owns or has owned that has been the subject of an interim or final management order or a special interim management order under the Act;

In addition the Council may approach other Local Authorities and agencies such as the Police, Fire and Rescue Service, Office of Fair Trading, Citizens Advice Bureau, Health and Safety Executive and any internal department or agent of the Council.

If any of the items described in a) to i) above apply, please provide details on a separate sheet and tick the additional information boxes on the application form.

#### **4.4 Details about other people associated with the property**

##### **Person having control**

If the licence holder is not the owner or is one of a number of joint owners the names of the owner or other joint owners must be completed in this section. A person having control of the property in normal circumstances is the legal owner/freeholder of the property. In circumstances where the owner/freeholder has leased the property to another person or company, the leaseholder will become the person having control of the property.

Person bound by a condition.

If any persons agree to be bound by conditions on a licence you must give their details here.

#### **4.5 Additional licence holder details**

Please complete the information here if the proposed licence holder is a company, partnership or trust.

#### **4.6 Details of company secretary**

Please complete the information here if the proposed licence holder is a company.

#### **5.0 Notification of Application**

##### **The details to be included in this section are:-**

1. Any mortgagee of the property
2. Any owner of the property to which the application relates (if that is not you ) i.e. the freeholder and any head lessees who are known to you
3. Any other person who is a tenant or long 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 for less than three years (including a periodic tenancy)
4. The proposed licence holder (if that is not you)
5. The proposed managing agent (if any) (if that is not you)
6. Any person who has agreed that he will be bound by any condition or conditions in a licence if it is granted

You must tell each of these persons:-

1. Your name, address, telephone number and e-mail address
2. The name, address, telephone number and e-mail address of the proposed licence holder (if it will not be you)
3. Whether this is an application under Part 2 or Part 3 of the Housing Act 2004
4. The address of the property to which it relates
5. The name and address of the local housing authority to which the application will be made

## 6. The date the application will be submitted

### Informing others about this application

You are legally obliged to inform the parties listed in this section of this application..

Examples of notices you may use for this purpose are included at the end of these guidance notes.

## 6.0 Declaration

When signing the application form the applicant is signing to confirm that all the information provided is correct. It is the applicant's responsibility to ensure they have obtained all the relevant information to enable them to correctly complete the form. Please note that it is a criminal offence to give false or misleading information on this application form and this may result in your licence not being granted or being revoked..

## Checklist

**To make a complete application you must provide the following documentation and the initial fee.** (For further advice ring: 01254 585457.)

- 1) **Initial fee of at least 20% of the total fee paid by cheque, cash or card.**(see enclosed document on the amount of the fees).
- 2) Payment of fees document completed
- 3) Direct Debit form if payment by instalments is agreed..
- 4) Copy of a satisfactory Gas safety record (must be obtained within last 12 months from a Gas Safe engineer).
- 5) Copy of a satisfactory electrical installation condition report by a competent electrician..
- 6) Copy of a PAT safety certificate (if required).
- 7) Copy of an Energy Performance Certificate (An EPC obtained within the last 10 years).
- 8) Copy of current tenancy agreement or written statement.
- 9) Additional data sheets from Sections 3, 4.2, 4.3, 4.4, 4.5 and 5.0 as necessary.
- 10) Original Disclosure Scotland check (must be obtained within 6 months preceding the date of receipt of the full application). It is a requirement that the Council has sight of the original certificate. This will be returned to you by post.
- 10) For HMO's only – copy of the annual fire detection and alarm system inspection and servicing report obtained within the last 12 months. Copy of the annual emergency lighting report and the equipment maintenance report (if applicable).

## **Equal Opportunities Monitoring Form**

This is used for monitoring purposes only. The information provided will be treated in the strictest confidence and will not be included in the licence application process

**HOUSING ACT 2004, PART 3**  
**Selective Licensing**  
**NOTICE OF APPLICATION FOR A SELECTIVE LICENCE**

Notice is given that an application has been made to:

Council: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_ postcode \_\_\_\_\_

Date application submitted: \_\_\_\_\_ / \_\_\_\_\_ / 20\_\_\_\_\_

For a Selective Licence at:  
\_\_\_\_\_  
\_\_\_\_\_ postcode \_\_\_\_\_

**DETAILS ABOUT THE APPLICANT AND PROPOSED LICENCE HOLDER**

Details of the Applicant:

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_ postcode \_\_\_\_\_

Tel No: \_\_\_\_\_ Email: \_\_\_\_\_

Details of the proposed licence holder: (if different from above)

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_ postcode \_\_\_\_\_

Tel No: \_\_\_\_\_ Email: \_\_\_\_\_

(a) Sample Licence Notice – Relevant Persons

**HOUSING ACT 2004, PART 3**  
**Selective Licensing**  
**NOTICE OF APPLICATION FOR A SELECTIVE LICENCE**

Notice is given that an application has been made to:

Council: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_ postcode \_\_\_\_\_

Date application submitted: \_\_\_\_\_ / \_\_\_\_\_ / 20\_\_\_\_\_

For a Selective Licence at:

\_\_\_\_\_

\_\_\_\_\_ postcode \_\_\_\_\_

**DETAILS ABOUT THE APPLICANT AND PROPOSED LICENCE HOLDER**

Details of the Applicant:

Name: \_\_\_\_\_

Details of the proposed licence holder: (if different from above)

Name: \_\_\_\_\_

Contact  
Address: \_\_\_\_\_

\_\_\_\_\_ postcode \_\_\_\_\_

Tel No: \_\_\_\_\_ Email: \_\_\_\_\_

(b) Sample Licence Notice – Tenants