Selective licensing application guidelines

Please note: this selective licensing application guide document contains illustrative images that may not be fully accessible to all screen readers. If you require assistance completing the online selective licensing application form to which this guide refers, please <u>email</u> <u>selectivelicensing@leicester.gov.uk</u>

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- Notification letter template

Is my property in a selective Licensing area?

Visit our <u>mapping website</u> to check if the property is within the designated area. Start entering your property address in the area marked 'Enter Postcode, Street or house name' and a dropdown list of properties will appear.



Click on your property list and the screen will zoom in on the property. The scheme's designated areas have been shaded blue to denote properties that are with the designated area. If the pin is not in a blue area the property does not need to be licensed.



Selective licensing Application fee

The full fee for a licence is £1,090.

Various discounts may be available, depending on the circumstances of the proposed licence holder

- If you apply within the first six months of the scheme running you are eligible for a 10% discount on the full fee
- If you are a registered charity (Charity registration number will need to be supplied) you are eligible for a 10% discount
- If you are a member of an accredited landlord scheme (you will need to provide your membership number) you are eligible for a 10% discount
- If the property you are licensing has an EPC of A,B or C you are eligible for a 10 % discount
- Multiple applications by landlords or managing agents will pay the full applicable application fee on the first application. Subsequent applications will be discounted 10% for reduced processing of the fit and proper person checks
- Premises in the Leicester City Council Gold Leasing Scheme will be allowed a discount of 10% providing membership is maintained for the duration of the scheme
- Premises in the Leicester City Council Platinum Scheme will be **exempt** licensing providing membership is maintained for the duration of the scheme.

Licence Type	Full Fee	10% discount	20% discount	30% discount
Selective Licence	£1,090	£981	£872	£763

There is a maximum of three discounts available per property

The full fee payable will be required in two parts

In developing its fee structure Leicester City Council has had regard to the European Court of Justice ruling in R (Hemming) V Westminster City Council (Case C-316/15) and the High Court decision in R (Gaskin) v LB Richmond Upon Thames (2018) EWHC 1996 (Admin) which held that the EU's Provision of Services Directive, which is enshrined in UK law as the Provision of Services Regulations 2009, should apply to property licensing fees and the processes involved in implementing and delivering such schemes.

The judgements in Hemming and Gaskin, which require the overall licence fee to be paid in two stages, has therefore had the effect that the fee for a selective licence under Part 3 of the 2004 Act must be levied in two separate parts. The fee will be split for processing applications (part A) and enforcement (part B) of the fee. The council has identified an 80% / 20% split for the licence.

Licence Type	Full Fee	Part A Payable on application	Part B Payable before licence issued
Full Fee	£1,090.00	£872.00	£218.00
10% Discount	£981.00	£784.80	£196.20
20% Discount	£872.00	£697.60	£174.40
30% Discount	£763.00	£610.40	£152.60
Late fee	£1290.00	£1032.00	£258.00

The Part A and Part B fees are reproduced below

Documentation required

To fill in the application you will need the following documentation:

- Floor plan
- EPC certificate
- Terms of tenancy
- Fire risk assessment
- Gas safety certificate
- Electrical installation condition report (EICR)
- Proof of buy to let mortgage or statement of ownership.
- Fit and proper person number (provided by following the directions on page 7)

Registering With Leicester City Council's MyAccount / Forgotten password issue

Before applying for a landlord Licence application, all applicants must register with the Leicester City Council's MyAccount service – A quick and easy online system that puts you in control of your council accounts, wherever you are. It is a safe and flexible way to access council services.

Signing up for an account:

- Provide a valid email address. This address will be used for all email correspondence
- Create a password this needs to be minimum 9 characters and contain at least 1 lowercase letter and 1 number.

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Welcome to Leicester Environmental Health Online Services This portal works in conjuction with Leicester District Council in Great Britain to provide access to online services.	Sign In E-mail * Password *	A Please enter your email address
By registering and signing in you can have access to the following online services:	Forgot Password?	Accessibility Statement

Complete the online form (* all fields with an asterix are mandatory)

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Address		Address	
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You will need to click the relevant tick box to indicate you have read and agreed to the terms before you can continue.

Once you have registered you will be sent an email verification. Click on the verification link and you will be forwarded to the next page.

The data that you submit will only be used for the services provided by this portal. Your personal details will be treated with the upmost care and we will not use this information for any other reason.

You can remove your details from MyAccount at any time by logging on to your account and navigating to your User Profile screen. Once on your User Profile screen click 'Remove My Details' to have your details removed from the system.



Accessing the application form

On the left menu click on Licensing and you will see the link to Selective Licence lower down



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A Home A Licensing Interview Interv	pply for a licence lease use the below options to determine which sort of cence you need to apply for.	If you know which licence type you need to apply for, you can select it from the options below to apply online.
Apply For A Licence Taxi Licensing Houses of Multiple Occupancy Selective Licence	Please select the required licence Use this menu to select the licence your property requires, either: Mandatory HMO Licence	Taxi Licensing • Taxi Driver • New Taxi driver Application • Test PHV licence • New PHV Licence • Renewal of Private Hire Vehicle
 Requests Accessibility Statement Terms & Conditions 	Housing Selective Licence Selective licence	Houses of Multiple Occupancy • HMO Mandatory Licence • HMO: New • HMO: Renewal • HMO: Variation
		Selective Licence Selective Licence New Selective Licence

The link will take you to the page below. Click on the Housing Selective Licence link

You will be taken to Step 1. Click on the Licence Type dropdown and select Selective Licensing

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This will open another dropdown box. Select New Selective Licence

Select Next on the lower right hand side and you will be sent to step 2. Please read the Additional Information section. If you have not already done the fit and proper person test and recorded your number, please follow the link shown below. (https://my.leicester.gov.uk/)



Fit and proper person declaration

The link will bring you where you can access the fit and proper person declaration



Login with your created MyAccount details by pressing Login and following the directions (or register for an account if you don't already have one). Do not continue without an account as the data entered in MyAccount populates the form later on in the application process.

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When you see the page below, select Planning and Licensing and then Licensing

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A list will appear and select the Fit and Proper Person declaration

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> Apply for a taxi operator licence							
> Application to licence a hackney carriage or private hire vehicle							
 Apply for street trading consent 							
 Apply to renew an existing street trading consent 							
 Street café licensing 							
> Application to Vary a Designated Premises Supervisor							
HMO Licensing							
• Fit and Proper person declaration							
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Complete the form and by continuing you accept the fair processing/privacy notice terms (follow the link to read these).

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	Any personal information that you provide will be processed in accordance with current Data Protection laws. It will be used by Leicester City Council and our partners to deliver and improve services and fulfil our legal duties. We will not disclose any personal information to anyone else unless required or allowed to do so by law. Read more about how we use personal data in our Fair Processing / Privacy Notice on our website: leicester.gov.uk.			

The form is used for both selective licensing and HMO licensing

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This form must be completed by the	proposed licence hold	ler and/or property mana	ger before an application for an HMO					
licence is submitted.								

If you cannot find your address from the post code finder, click on the box next to 'The address is not listed'. You will then be able to manually input your address details. Once completed click Next.

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You will need to declare whether you are declaring on behalf of Licence Holder/Property Manager, Licence Holder, Property Manager, or declaring as a nominee of a company. Click Next after you have selected one of these options.

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I am making the declaration as * Proposed Licence Holder/Property Manager Proposed Licence Holder Proposed Property Manager			
Are you making the declaration as a No			
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Need some help using My Account or want to give us some feedback?			÷

You will need to complete the questions. If you cannot answer all questions as NO this does not automatically disqualify you from the fit and proper person requirements to hold a licence. The council will determine on a case by case basis whether there are grounds to fail a fit and proper person test.

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	Do you have a sex, colour, ra	any unspent convictior ace, ethnic or national o	ns from a court or tribur origins or disability, in o	nal for having practised unlawful r in connection with carrying out	discrimination on the grounds of any business? *					ľ		
	Have you contravened any provision of housing law (e.g. noncompliance with a statutory notice that required specified works to be carried out to a rented house) or landlord and tenant law (e.g. illegal eviction or harassment of a tenant)? This includes any civil proceedings in which judgement was made against you? * Yes No											
Have you ever owned any property which has been subject to a control order (made under Section 379 of the Housing Act 1985												

You must state by ticking the boxes on the Fit and Proper declaration to progress. By completing the statements, you are declaring all the requirements of the fit and proper person test have been satisfied and can be held by the declaration at a later date.

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I declare that the information provided in this form is correct to the best of my knowledge. I understand that I commit an offence if I supply any information to a Local Housing Authority in connection with their functions under Parts 1 to 4 of the Housing Act 2004 that is false or misleading and which I know is false or misleading, or I am reckless as to whether it is false or misleading. This field is required				
I understand that if my circumstances changes in the future relating to the Fit and Proper declarations or anything else on this application, then I must notify the Housing Renewal team immediately. Failure to do so may invalidate my Fit and Proper Person Certificate and any property licence that I may hold This field is required				
I understand that the Council may obtain information about me from certain third parties, or give information to them, to check the accuracy of information; to prevent or detect crime; as permitted by law. These third parties include other government departments, local authorities and other public authorities. This field is required				ľ
Read more about how we use your personal data in our Privacy Notice on our website: https://www.leicester.gov.uk/your- council/how-we-work/our-website/privacy/				
I understand that submitting this application will be taken as my agreement to the information being used in this way.				-

Once you have completed the declaration press Submit at the bottom of the summary page. You can view the summary of the declaration and save this for your records if you wish.

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Thank you for completing the fit and proper person declaration.				
To see a summary of your answers please click on the View Summary box below.				
Please check all of your answers carefully, as once you click on the submit button you will be unable to make any changes.				
A copy of your form summary will be attached to your confirmation e-mail.				
View Summary				
Previous X Cancel	Submit			Ţ

Once you have pressed submit you will receive a declaration number. Make a note of this – you will need it for the application form. The declaration number is valid for three Months and then will have to be redone.

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Home My feedback My requests											
Declaration number: FPR											
Your declaration has been successfully submitted.											
A copy of your declaration will be e-mailed to you at the following address: tony.cawthorne@leicester.gov.uk											
The declaration is valid for use for three months from today's date. The reference number will need to be entered in any HMO licence applicati submitted during this period.	ions			1							
If you need to contact us about your declaration, please quote the reference number above.											
Continue »				•							

Go back to the application form and confirm you have read the requirements and press the NO and it will change to YES



Select correct licence fee

You will need to identify the fee payable as outlined on page 2. The discounts will only be available for the first 18 months of the scheme, then an additional £200 will be added to the licence fee and the full fee will be required: £1,290. The application form will be amended at that time and the choice of discounts will be removed.

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	Ne Addr	w Selective Licence ess of Property to be Licenced	Copy From User Profile House Name or Number * Postcode * Search Can't find your address? Click here to enter it manually.			

Input the address of the property in the contact details using the postcode search facility. If you click on Proposed Licence Holder the site will automatically populate these details

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			I am the *	Proposed Licence Holden Agent				
			Additional Proposed Licence Holder(s)	Add				•

If there are additional people required on the licence or additional contacts. Please enter their details on the Add buttons

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						I am the * Additional Proposed Licence Holder(s) Additional Contacts Please provide details of the person having control of the house and any	Proposed Licence Holder Agent					

Enter the questions in turn

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 Houses of Multiple Occupancy 	Property Management Details	
 Selective Licence 		
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Left Accessibility Statement	Holder also the Property Manager	
🖹 Terms & Conditions	Licence Holder Fit and Proper Reference Number Please provide your Fit and Proper Reference Number	
	Property Manager Title	•

Uploading documents

Where there are documents to be uploaded click on the relevant link(s) to select / upload appropriate documents.

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		Terms Of Tenancy	Drop files here or click to upload. Max File Size Of 8M8					
			Please provide a copy of the current tenancy agreement provided to tenants					
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Once you have uploaded a document you will see a thumbnail copy of the document.

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You will be required to confirm that the application and declarations are on behalf of the licence holder and any other party and by answering YES this forms a completed application form. You will still need to upload a confirmation of Buy to Let or Statement of Ownership on the next page and make the Part A payment for your application to make a 'Duly Made Application'.



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Upload a proof of Buy to Let or Statement of Ownership, as appropriate

You can save a copy of your application and come back to it at a later date if you wish. When you log onto MyAccount you will see any applications you've saved. By pressing save you will get the pop up box with instructions. By clicking Next you will see a summary of the application.

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MyAccount and returning to saved applications

All your applications will be stored on your MyAccount, where you will be able to see the status of application(s) and any outstanding issues you need to be aware off.



Notification letters note

You must let certain persons know in writing (serving notices to all declared relevant parties) that you have made this application - or give them a copy of it. (There is an example template attached at the end of this document.)

The persons who need to know about it are:

- any mortgagee of the property (i.e. mortgage company) to be licensed
- any owner of the property to which the application relates if that is not you (i.e. the freeholder and any head lessors who are known to you)
- 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)
- the proposed licence holder (if that is not you)
- the proposed managing agent (if any) (if that is not you)
- any person who has agreed that they will be bound by any conditions in a licence if it is granted

If any relevant persons are a couple please declare them individually

A relevant person may also include businesses or company loans, which are listed on land registry. If you are unsure who the relevant person is, please consider checking the latest version of the land registry. There may be more than one land registry per property, particularly if the property is a flat (flats owners are typically leaseholders and land owners are typically freeholders). Please note Leicester City Council does not administer land registry, please contact them directly if you have any queries about the results. https://www.gov.uk/search-property-information-land-registry.