

Housing Act 2004

Application for a House in Multiple Occupation (HMO) Licence

Please send your completed form to

Operational Services
Environmental & Regulatory Services
Cotswold District Council
Trinity Road
Cirencester
Gloucestershire
GL7 IPX

Purpose of the Information

You are required to provide the information for the purpose of Multiple Occupation (HMO) Licence:

- 1. To identify the persons involved in the management of the HMO and to facilitate legal proceedings in the event of any offence connected with the licensing of the HMO.
- 2. To obtain information needed to assess the fitness and competence of the persons involved in the management of the HMO.
- 3. To link properties and persons involved in the management of the HMO.
- 4. To obtain information concerning the suitability of the property involved to be licensed as an HMO.

Data Protection Statement

We will only use your personal information gathered for the specific purposes of the of Multiple Occupation (HMO) Licence. We will not give information about you to anyone else or use information about you for any other purpose, unless the law allows us to. Some of the information you provide will be entered into a public register. The information may also be used for research, analysis and statistical purposes and to contact you regarding other issues relevant to HMO's. Further privacy information can be found on our website.

Please complete this form in capital letters

	Address of HMO to be licensed
Address	
Postcode	
Tostcode	

PART I – Applicant Details

THE INTENDED LICENCE HOLDER MUST COMPLETE THIS PART OF THE FORM

The first thing to establish is who will hold the Licence.

The persons likely to be involved in making an application are:

- I. The Owner of the house.
- 2. An Agent for the Owner (e.g. a firm of letting agents or a relative).
- 3. The Manager of the house.

Details must be provided of any persons involved in ownership, managing or running the house.

The Local Authority has a duty to award the Licence to the person it thinks is the most appropriate person to be the Licence Holder. Unless you can provide a good reason why someone else should be the Licence Holder, the Council will expect the Licence Holder to be the owner, but in any event, the Council will expect the Licence Holder to have the power to:-

(a) let to and evict tenants.

Full Name

- (b) access all parts of the premises to the same extent as the owner.
- (c) authorise expenditure up to 25% of the yearly rental income of the house for repairs etc.

Applicant/Proposed Licence Holders Details

Address	
Postcode	
Home telephone number:	
Mobile number:	
Email address:	
Further Applicant Details	How to complete this form
I am (please tick):	Tiow to complete this form
,	C 1
The Owner □	Complete parts I and 2
A Manager or Agent □	Complete parts 1, 2 and 3
The property will be managed	
by (please tick):	
The Owner	Complete parts I and 2
A Manager or Agent 🛚	Complete parts 1, 2 and 3

DETAILS OF LICENCES ALREADY HELD

I hereby give notice that I am the Licence Holder of the following properties in relation to Part II of the Housing Act 2004. (If none, please state as such). Give details of all licences including those outside of the Cotswold District.

Address (including post code)	Local Authority	Date of Licence

Continue on a separate sheet if necessary.

Information about the property to which this app	olication relates
What type of HMO does this application relate to?	 ☐ House in Multiple Occupation ☐ Flat in Multiple Occupation ☐ A house converted into only self contained flats ☐ A purpose built block of flats ☐ Other- (please describe)
State how many persons live in the house at the date of application	
State how many households _(note 3) there are in the house at the date of application	
State the maximum number of persons _(note 4) you intend to house in the property	
State the maximum number of households _(note) 3) you intend to house in the property	
State the number of separate letting units	
State the number of habitable rooms (excluding kitchens)	
State the number of bathrooms and shower rooms _(note 5)	
State the number of toilets and wash basins	
State the number of kitchens	
State the number of sinks	
Is there a mortgage outstanding on the property?	Yes □ No □
If Yes, please give Name and Address of Mortgage Lender:	Name:
	Address:
	Account Number:
At the date of application, are there any mortgage payment arrears exceeding three months?	Yes □ No □
Approx. Date of Construction	

Information about the property to which this app	olication relates continued
State approx. when the building first became a HMO	
Number of storeys (include basements and habitable attics)?	
Are any parts of the building used for non-residential purposes?	Yes □ No □
If Yes, please describe the part(s) of the building and their use	
Has a Building Regulation Approval ever been obtained for the building?	Yes □ No □
If Yes, please state:a) the nature of workb) the date completedc) enclose a copy of the completion certificate	
Does the property have a gas supply?	Yes □ No □
	If Yes, you must enclose an original "Landlord's Gas Safety Record" dated within the last 12 months.
Do you have a report carried out by a competent person in the last 5 years indicating	Yes □ No □ Installation Yes □ No □ Appliances
the state of the electrical installation and appliances?	If Yes, you must enclose an original certificate of inspection.
Does the property have a solid fuel appliance with a fixed flue?	Yes □ No □
Is any furniture to which the Furniture & Furnishings (Fire) (Safety) Regulations 1988 apply provided by the Landlord?	Yes No
Is the property provided with an adequate fire detection and warning system, with adequate fire doors and other fire precautions? (note 6)	Yes □ No □
(Compliance with standards contained within the LACORS housing fire safety guide Fire Safety Guide will be deemed adequate. Also see Note 6 regarding fire risk	
assessments.) If No, please describe how you propose to	
meet an adequate standard?	

Information about the property to which this app	olication relates continued		
Are the fire detection and warning system, fire	Yes □ No □		
doors, extinguishers and blankets inspected by a competent person at regular intervals?	You must enclose an original certificate of inspection for the fire detection system.		
Please confirm that you have the authority;			
a) To let and evict tenants.	Yes □ No □		
b) To authorise expenditure of up to 25% of the yearly rental income in urgent situations.	Yes □ No □		
Does the Owner or any person connected with the Owner live on the premises?	Yes 🗆 No 🗆		
If Yes, please give details			
Are you aware of any complaints about the behaviour of the current tenants from other residents in the neighbourhood? (note 7)	Yes □ No □		
If Yes, please give details.			
Are the Police or Environmental Health Dept currently investigating allegations of anti-social behaviour arising at the property?	Yes 🗆 No 🗆		
If Yes, please give details			
Provide details of the arrangements that are in place for dealing with requests and complaints from tenants including responding to emergencies			
(Continue on a separate sheet if necessary)			

DECLARATIONS

"You must let certain persons know in writing that you have made this application or give them a copy of it. The persons who need to know about it are-

- Any mortgagee of the property 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 then 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 he will be bound by any conditions in a licence if it is granted.

You must tell each of these persons-

- Your name, address, telephone number and e-mail address or fax number (if any)
- The name, address, telephone number and e-mail address or fax number (if any) of the proposed licence holder (if it will not be you)
- Whether this is an application for an HMO licence under Part 2 or for a house licence under Part 3 of the Housing Act 2004
- The address of the property to which the application relates
- The name and address of the local housing authority to which the application will be made
- The date the application will be submitted"

I declare that I have served a notice of the application on the following persons who are the only persons known to me that are required to be informed that I have made this application. (If none, please state as such.)

Name	Address	Description of Interest	Date of Service

I enclo	ose: (Please ti	ck ✓ and enter details where a	applicable)		
	Duly compl	eted part 2 (owner); or,			
		completed Part 2 has already been submitted and the details remain correct.			
	Duly compl	eted part 3 (manager); or,			
	A fully com	pleted Part 3 has already been s	submitted and t	he details remain correct.	
		of the property (suitably scaled smoke alarms and amenities pr	•	yout of the property,	
□ Distric	The Applica	ation Fee of £262 in the form of	f a cheque made	e payable to Cotswold	
	there is a ced for this.	further fee due upon issue	of the approv	ed licence. You will be	
	•	Certificate showing that the gas y a Gas Safe Registered Inspect		• •	
	Certificate n	number	•••••		
	inspected by	Certificate showing that the elember γ a competent person in the 5 y	ears prior to th	• •	
_		number			
	inspected by	Certificate showing that the fire a competent person in the 12	months prior to	9 ,	
_		number			
	A sample co	py of the written terms for ten	ants/licensees.		
	documents I	t be considered to have made a isted above have been received will be returned to you.	and are in goo	d order. All original	
I dec	documents I documents value that a	isted above have been received will be returned to you. Ill electrical appliances an property are in good safe	and are in goo d furniture p	d order. All original orovided for the use of	
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NOTES

- I. House in Multiple Occupation (HMO) means a building or part of a building that:
 - is occupied by more than one household and where more than one household shares or lacks an amenity, such as a bathroom, toilet or cooking facilities
 - is occupied by more than one household and which is a converted building, but not entirely self-contained flats (whether or not some amenities are shared or lacking)
 - is converted self-contained flats, but does not meet as a minimum standard the requirements of the 1991 Building Regulations and at least one third of the flats are occupied under short tenancies.
- 2. A Mandatory Licence for which this is an application relates only to HMO's that:
 - Have 5 or more people in more than one household, and
 - Either share amenities such as bathrooms, toilets and cooking facilities, or contain non self contained flats whether or not some amenities are shared or lacking.

3. A household is:

- A family (including single people, couples and same sex couples) husband, wife, child, step-child, foster-child, grandchild, parent, step-parent, foster-parent, grandparent, brother, half-brother, sister, half-sister, aunt, uncle, niece, nephew, cousin.
- Other relationships, such as fostering, carers and domestic staff.
- 4. Planning permission would normally be required:
 - when a property has been used as an HMO prior to the 6th April 2010 and is to be inhabited by more than 6 people, where more than one family are resident (change of use).
 - where before the 6th April 2010 a property was not previously an HMO, i.e. occupied by 3 or more people who are not all members of the same family and who share any kitchen, bathroom or toilet amenities.

It is recommended that you <u>contact the Planning Department</u> to seek advice on whether consent is needed. Should the necessary consents not be in place then this could result in enforcement proceedings under planning legislation.

- 5. Compliance with Amenity Standards as set out in Schedule 3 of the Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 within 6 months will be a condition of the issue of the Licence (see page 19).
- 6. The LACORS guide; 'Housing fire safety guidance on fire safety provisions for certain types of existing housing' is available at <u>Fire Safety Guide</u> (PDF) or on request from your local authority. Where the Regulatory Reform (fire safety) Order 2005 also applies to a property, a fire risk assessment may be required by Gloucestershire Fire and Rescue.
- 7. It is accepted that landlords may not be able to control the behaviour of their tenants, however, reasonable and practicable steps would include:
 - Inclusion of a clause within Tenancy agreement in relation to suitable behaviour of tenants & visitors, stating that anti-social behaviour is grounds for possession.

- In the event of anti-social behaviour occurring the manager should contact the tenant and request that the behaviour should cease. It is advised that any verbal warning is also confirmed in writing.
- Where anti-social behaviour persists the manager should end the tenancy and seek possession on the grounds of anti-social behaviour (assured short hold tenancies).
- 8. Compliance with the management requirements set out within The Management of House in Multiple Occupation Regulations 2006 within 6 months will be a condition of the issue of the Licence.
- 9. Information on HMO licensing can be found on the Communities and Local Government website www.communities.gov.uk/housing/rentingandletting/privaterenting/housesmultiple/
- 10. Compliance with the minimum bedroom sizes referred to in the Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018 will be a condition of the issue of the Licence; please see www.legislation.gov.uk/uksi/2018/616/made?view=plain
- II. Local standards for HMOs (both licensable and non-licensable) will also be used to provide guidance for officers carrying out inspections. Where relevant these can be downloaded from the Council's website:
 www.cotswold.gov.uk/residents/housing/private-sector-housing/houses-in-multiple-occupation/

PART 2 - Owner's Details

You need only fill in this part of the form once, no matter how many properties you own within the Cotswold District. This is, however, conditional on the details remaining the same for each application in which case you need only complete the box below. If any details are different (for example, if there is a different co-owner), you must fill in and submit a new form with your application. Should you, or your Agent, make future applications for an HMO Licence, the applicant will be asked to verify that the information you have given in this form remains correct. For this reason, you should keep a copy of this form when you have completed it.

_	ify that I am the owner of the pro n part 2 of the form, previously sub and correct:		
Address	and correct.		
Postcode			
Signature(s)		Print	
		Date	
		Print	
		Date	
		Date	

OWNERS DETAILS:

In the case of a limited Company or partnership, state the full name and registered office of the Company or partnership. In the case of an ordinary partnership, give the name and address of the principal partner and fill in the names of other partners in the connected ownership section on page 14.

In the case of individuals with co-ownership, please give one name and details below and the remainder in the connected ownership section on page 14. (In most cases the first named owner will be the Licence Holder and applicant).

If you act as Trustee, please give your details below adding "as Trustee" to your name and give ownership details in the connected ownership section on page 14.

If you are a leaseholder, give your own name below and detail all superior Landlords or Freeholders in the connected ownership section on page 14.

	Details of	the property	owner			
Full Name						
Address						
Post Code				TEL.	No.	
Email Address				FAX.	No.	
Date of Birth (not fo	r Companie	es)				
National Insurance Nor Company House		Number.				
☐ Freeholder	☐ Leaseho		lder		□ Ot	her
If Property is Leasehold:						
Give Length of Lease	9					
Length of Lease rem	aining					

Property owner's details Criminal Background Have you, (please tick ✓)	
(a) Committed any offence or received a caution, informal reprimand or formal warning involving:	
Fraud or dishonesty (including benefit fraud) Violence Drugs Matters listed in Sched.3 to the Sexual Offences Act 2003	Yes
(b) 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.	Yes □ No □
(c) Breached the conditions of an HMO Licence	Yes □ No □
(d) Been subject to an HMO Control Order or Management Order	Yes □ No □
(e) Failed to comply with a Housing Notice (requiring works etc.) served by a Local Authority in the UK	Yes □ No □
(f) Been prosecuted for breach of the HMO Management Regulations	Yes □ No □
(g) Been prosecuted for breach of Landlord and Tenant legislation	Yes □ No □
(h) Acted in contravention of any relevant Approved Code of Practice relating to the management of HMOs	Yes □ No □
(i) Been declared Bankrupt	Yes □ No □
(j) Been refused a Licence under Part II of the Housing Act 2004	Yes □ No □
If you answered Yes to any of the above questions, please give details below inc	cluding dates.
Continue on a separate sheet if necessary.	

Property owner Details of qualifications held that are relevant to your responsibilities as				
owner				
Date Awarded	Qualification	Name of A	Awarding Body	
	I			
Property Own	er Details of any Memberships of pr	ofessional or	ganisations, relevant to your	
responsibilities				
Date	Nature of Membership	Organisati	on	
Commenced	'			
I certify that	to the best of my knowledge and be	lief, the info	rmation given by me is true and	
correct. I u	nderstand that the Council may	need to car	ry out investigations to assess	
	a "fit and proper" person for the pe			
	rise the Council to make such enqu			
	with this application. Such enquir	es may inclu	de additional Criminal Records	
Bureau check	s			
Signature		Print		
		Data		
		Date	1	

Please Note that it is a criminal offence to knowingly supply information, which is false or misleading for the purpose of obtaining a HMO Licence. Evidence to substantiate any statements made in this application may be required at a later date. If the Council subsequently become aware of something which is relevant and which you should have disclosed or which is incorrectly stated or described, the Licence may be cancelled or other action taken. This may affect other HMO Licences with which you have any connection.

Owner Details - Connected Ownership

١. Full Name Address Post Code Tel. Number Email Address Fax. Number Date of Birth National Insurance Number Relationship 2. Full Name Address Post Code Tel. Number **Email Address** Fax. Number Date of Birth National Insurance Number Relationship 3. Full Name Address Post Code Tel. Number Email Address Fax. Number Date of Birth National Insurance Number Relationship 4. Full Name Address Post Code Tel. Number Email Address Fax. Number Date of Birth National Insurance Number Relationship

PART 3 - Manager Details

You need only fill in this part of the form once, no matter how many properties you manage within the Cotswold District. This is, however, conditional on the details remaining the same for each application in which case you need only complete the box below. If any details are different, you must fill in and submit a new form with your application. Should you, or your Agent, make future applications for an HMO Licence, the applicant will be asked to verify that the information you have given in this form remains correct. For this reason, you should keep a copy of this form when you have completed it.

I hereby certify that I am the manager of the property to which this application relates. The						
information in the part 3 form, previously submitted for the property detailed in this box,						
remains true and correct:						
Address						
Postcode						
Signature	Print					
	Date					

MANAGERS DETAILS:

In the case of a limited Company or partnership, state the full name and registered office of the Company or partnership. In the case of an ordinary partnership, give the name and address of the principal partner and fill in the names of other partners in the connected persons section on page 18.

If you sign this form as a Partnership or Company, you must ensure that any persons to whom you delegate management duties are fit and proper persons for the purposes of their duties. Any failure in management duties or responsibilities by such persons may result in you losing your acceptability to manage HMO's and may lead to any or all Licences for HMO's which you manage, being withdrawn.

	Details of the property	manager		
Full Name				
Address				
Post Code			TEL. No.	
Email Address			FAX. No.	
Date of Birth (not for Companies)				
National Insurance No. or Company House Registration Number.				

	Property manager's details Criminal Background Have you, (please tick ✓)				
(a)					
	Fraud or dishonesty (including benefit fraud) Violence Drugs Matters listed in Sched.3 to the Sexual Offences Act 2003	Yes No Yes			
(b)	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.	Yes □ No □			
(c)	Breached the conditions of an HMO Licence	Yes □ No □			
(d)	Been subject to an HMO Control Order or Management Order	Yes □ No □			
(e)	Failed to comply with a Housing Notice (requiring works etc.) served by a Local Authority in the UK	Yes □ No □			
(f)	Been prosecuted for breach of the HMO Management Regulations	Yes □ No □			
(g)	Been prosecuted for breach of Landlord and Tenant legislation	Yes □ No □			
(h)	Acted in contravention of any relevant Approved Code of Practice relating to the management of HMOs	Yes □ No □			
(i)	Been declared Bankrupt	Yes □ No □			
(j)	Been refused a Licence under Part II of the Housing Act 2004	Yes □ No □			
	ou answered Yes to any of the above questions, please give details below inc ntinue on a separate sheet if necessary.	luding dates.			

Property manager	Details of qualifications held tha	t are relevant to your responsibilities as
nanager		
Date Awarded	Qualification	Name of Awarding Body
Property manager responsibilities as r	· · · · · · · · · · · · · · · · · · ·	professional organisations, relevant to your
Date Commenced	Nature of Membership	Organisation
correct. I under whether I am a "f hereby authorise	rstand that the Council may it and proper" person for the p the Council to make such enqu	lief, the information given by me is true ar need to carry out investigations to asse urposes of Part II of the Housing Act 2004. iries and share information as it sees properties may include additional Criminal Record
		1 · · · · · · · · · · · · · · · · · · ·
Manager's Signature		Date

Please Note that it is a criminal offence to knowingly supply information, which is false or misleading for the purpose of obtaining a HMO Licence. Evidence to substantiate any statements made in this application may be required at a later date. If the Council subsequently become aware of something which is relevant and which you should have disclosed or which is incorrectly stated or described, the Licence may be cancelled or other action taken. This may affect other HMO Licences with which you have any connection.

Manager - Connected Persons

National Insurance Number

Relationship

Full Name Address Post Code Tel. Number Email Address Fax. Number Date of Birth National Insurance Number Relationship 2. Full Name Address Post Code Tel. Number Email Address Fax. Number Date of Birth National Insurance Number Relationship 3. Full Name Address Post Code Tel. Number Email Address Fax. Number Date of Birth National Insurance Number Relationship Full Name Address Post Code Tel. Number Email Address Fax. Number Date of Birth

Continue on a separate sheet if necessary

The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006, as amended by SI.2007/1903

GUIDANCE ON PROVISION OF BATHROOMS, WCs AND WASH HAND BASINS

Number of persons	Provision of washing facilities
I – 5 Persons	At least 1 bathroom and WC, containing a wash hand basin (WHB) (the bathroom and WC may be combined).
	Bathroom – may contain either a bath or a shower cubicle. Where both are located in the same room this will only count as I bathroom.
6 – 10 Persons	2 bathrooms AND 2 separate WCs with a WHB in each (I of the WCs can be contained within I of the bathrooms)
II – I5 Persons	3 bathrooms AND 3 separate WCs with a WHB in each (2 of the WCs can be contained within 2 of the bathrooms).

Wash Hand Basins: For shared houses (not bed and breakfast hostels or bedsits) the Council will not require the provision of wash hand basins in every bedroom as a licence condition. However, they may be deemed necessary following an assessment under the Housing Health and Safety Rating System if a Category One Hazard is found under the Personal Hygiene, Sanitation and Drainage Category.