

Length of Licence Term Policy

1. Summary

- 1.1 In circumstances where the Council is minded to grant a property licence, it has some discretion as to the length of the term of any licence period, except that any granted licence must not exceed a 5-year period.¹

2. Licences granted for a reduced term

- 2.1 In exercising its discretion, the Council will look at the circumstances of each case, and will take account of any factors relating to the proposed licence holder/manager or to the property itself that indicate that it would not be appropriate to grant a full-term licence.
- 2.2 In such instances, the Council will normally grant a licence for a reduced term of one year.

3. Breach of planning control

- 3.1 When considering the terms of a licence the Council will take into consideration the planning status of a property.
- 3.2 Where a breach of planning legislation has occurred the Council may refuse the licence, or may grant it for a limited period of time so to allow the landlord time to resolve the planning issue and then reapply.²

4. Applications to extend a licence granted for less than 5 years under the existing additional and selective licensing schemes

- 4.1 Where an additional or selective licence has been granted under the current schemes for less than 5 years (i.e. with a licence expiry date of 31st December 2021) the Council will provide licence holders a time-limited opportunity to vary the term of that licence to a 5 year period.
- 4.2 Licence holders will be required to submit an application to vary the licence, however such applications may be made at no cost to the applicant.
- 4.3 If there are no contra-indications relating to person or property, the Council will normally agree to extend the term of such a licence to a maximum 5-year term.
- 4.4 In the event that the Council varies an existing licence to a 5-year term, the licence holder will be expected to comply from the date of the variation, with the same licence conditions that will be imposed in respect of licences approved under its new additional and selective licensing schemes. Accordingly, the licence holder will be required to agree to a corresponding variation of any existing licence conditions.

¹ Sections 68(4) and 91(4) Housing Act 2004

² [Waltham Forest London Borough Council V Mohammad Afzal Khan \[2017\] UKUT 153 \(Lc\)](#)