**Guide to Selective Licensing exemptions**

Some properties are exempt from licensing, in some circumstances.

A property is completely exempt if:

* It is subject to a current prohibition order
* It is being used for business premises
* It requires another type of licence (e.g. a HMO licence)
* It has a tenancy for agricultural land/holdings
* It is controlled by a local housing authority, a police authority, metropolitan police authority, a fire and rescue authority or a health service body
* It is a property occupied solely by students undertaking a full-time course of further or higher education and where the person managing or in control of it is the educational establishment
* The tenancy agreement has been granted for more than 21 years and where the agreement does not contain a provision allowing the landlord to end the tenancy (other than forfeiture) earlier than the term of the lease. (The house or dwelling must be occupied by the original person who was granted the tenancy or any members of their family)
* The tenant is a member of the landlord’s family. (The house must be the occupiers’ main residence. The person granting the occupancy must be the freeholder or leaseholder, which is for a period of more than 21 years. This lease must not contain a provision allowing the landlord to end the tenancy (other than forfeiture) earlier than the term of the lease)
* The tenancy or license is granted for the occupancy of a holiday home, or
* The occupier shares the accommodation with the landlord or licensor or a member of the landlord or licensor’s family.

A landlord may be eligible for a temporary exemption notice if they take steps to ensure that the property does not need a licence, for example:

* Where there is a sale agreed to someone who intends to live in the property themselves
* Where the owner is moving back into the property, or
* Where there is current conversion works to change the use of the property to commercial premises

If you believe you may qualify for an exemption, you should contact us immediately.

Please note that any building exempt or temporarily exempt from licensing remains as such as long as there are no changes in the circumstances relating to the exemption. Where the Council confirms exemption, the landlord should notify the team immediately in the event of any changes which may require the property to become licensed.

**It will be a criminal offence to operate a licensable property without a licence.**