

SCHEDULES

SCHEDULE 5

PREMISES: EXCEPTIONS

Small premises

- 4 (1) Section 36(1) does not apply if—
 - (a) the premises in question are small premises,
 - (b) the relevant person or a relative of that person resides, and intends to continue to reside, in another part of the premises, and
 - (c) the premises include parts (other than storage areas and means of access) shared with residents of the premises who are not members of the same household as the resident mentioned in paragraph (b).
- (2) The relevant person is the person who, for the purposes of section 36(1), is—
 - (a) the controller of the premises, or
 - (b) the responsible person in relation to the common parts to which the premises relate.
- (3) “Small premises” and “relative” have the same meaning as in paragraph 3.