MANCHESTER
CITY COUNCIL

Licence Ref Number: 091389/OL2

Address of licensed premises:-
97 Wellington Road
Old Moat
Manchester
M14 6BN

Licence holder:-
Name: Mr Dermot McKenna
Address: T/A DMK Properties
Unit 3
Boundary Court
Crossley Road
Heaton Chapel
Stockport
SK4 5GA

Person / company managing this property:-
Name: Philip James Partnership
Address: 679-681 Wilmslow Road
Didsbury
Manchester
M20 6RA

The licence was granted on:- **11th March 2019**

and is valid until:- **10th January 2024**

This licence is not transferable and is issued subject to the conditions in the attached schedules.

The council is satisfied that the licensed premises are reasonably suitable for occupation by not more than **9** occupants and/or **9** households.

Dated this day: 11 March 2019

Signed:

On behalf of, and in the name of, Fiona Worrall
Strategic Director for Neighbourhoods

Manchester City Council
Houses in Multiple Occupation
Conditions

The licence holder must adhere to the following licence conditions. These conditions will be monitored by the Council and inspections will be carried out to ensure these are being complied with during the period of the licence.

Failure to adhere to one or more of these licence conditions could result in formal proceedings against you, with an unlimited fine, a civil penalty and/or the loss of your licence. The Council may also consider whether it is appropriate to make a Management Order to take over management of the premises.

Compliance inspections will be carried out to ensure the premises is safe, free from disrepair and well maintained by using the Housing Health and Safety Rating System. Any issues found will be dealt with via the enforcement means available under the Housing Act 2004 (as amended) and other relevant legislation.

Mandatory Conditions in Schedule 4 Housing Act 2004

1. If gas is supplied to the licensed premises the Licence Holder must produce annually to Manchester City Council (the Council) for their inspection, a gas safety certificate obtained in respect of the house named on the licence within the last 12 months.

2. The Licence Holder must;
   i. Keep electrical appliances and furniture supplied by him in a safe condition

   ii. Supply to Council, on demand, with a declaration by him as to the safety of such appliances and furniture**.**

3. The Licence Holder Must;
   i. Ensure that smoke alarms are installed in the house and must keep them in a proper working order.

   ii. Supply the Council, on demand, with a declaration by him as to the condition and positioning of such alarms.

4. The licence holder must;

i. Ensure that a carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation and contains a

solid fuel burning combustion appliance, and must keep them in a proper working order.
(Note: for the purpose of this condition a "room" includes a hall or landing and a bathroom or lavatory is to be treated as a room used as living accommodation.)

ii. Supply the Council, on demand, with a declaration by him as to the condition and positioning of such alarms.

5. The Licence Holder must supply to the tenant/occupiers of the house a written statement of the terms on which they occupy it.

Mandatory Conditions relating to Floor Area

1. The licence holder must:

i. Ensure that the floor area of any room in the HMO used as sleeping accommodation by one person aged over 10 years is not less than 6.51 square metres;

ii. Ensure that the floor area of any room in the HMO used as sleeping accommodation by two persons aged over 10 years is not less than 10.22 square metres;

iii. Ensure that the floor area of any room in the HMO used as sleeping accommodation by one person aged under 10 years is not less than 4.64 square metres;

iv. Ensure that any room in the HMO with a floor area of less than 4.64 square metres is not used as sleeping accommodation.

2. The licence holder shall ensure that:

i. Where any room in the HMO is used as sleeping accommodation by persons aged over 10 years only, it is not used as such by more than the maximum number of persons aged over 10 years specified in the licence;

ii. Where any room in the HMO is used as sleeping accommodation by persons aged under 10 years only, it is not used as such by more than the maximum number of persons aged under 10 years specified in the licence;

iii. Where any room in the HMO is used as sleeping accommodation by persons aged over 10 years and persons aged under 10 years, it is not used as such by more than the maximum number of persons aged over 10 years specified in the licence and the maximum number of persons aged under 10 years so specified.

3. Where;

i. Any of the requirements imposed by conditions 1 and 2 relating to floor area have been breached in relation to the HMO,

ii. The licence holder has not knowingly permitted the breach, and

iii. the local housing authority have notified the licence holder of the breach,

The licence holder must rectify the breach within the specified period. The specified period means the period which is specified in the notification, which shall be not more than 18 months beginning with the date of the notification.

4. The licence holder shall notify the local housing authority of any room in the HMO with a floor area of less than 4.64 square metres.

Notes in relation to Mandatory Conditions relating to Floor Area

i. Reference to a number of persons using a room in an HMO as sleeping accommodation does not include a person doing so as a visitor of an occupier (as defined by Section 262(6) of the Housing Act 2004) of the HMO.

ii. A room is used as sleeping accommodation if it is normally used as a bedroom, whether or not it is also used for other purposes.

iii. Any part of the floor area of a room in relation to which the height of the ceiling is less than 1.5 metres is not to be taken into account in determining the floor area of that room for the purposes of this paragraph.

iv. Conditions 1, 2 and 3 of this section do not apply to an HMO which is managed by a charity registered under the Charities Act 2011, and which is a night shelter, or consists of temporary accommodation for persons suffering or recovering from drug or alcohol abuse or a mental disorder.

Mandatory Conditions relating Waste

1. The licence holder must comply with any scheme which is provided by the local housing authority to the licence holder and which relates to the storage and disposal of household waste at the HMO pending collection

General Conditions Applicable to all Mandatory HMO Licences

1. The Licence Holder must inform the Council in writing or via email of any changes in their address and contact details within 28 days of any changes.
2. The licence holder must ensure that any persons involved with the management of the house including themselves to their best knowledge are "fit and proper persons" for the purpose of the Act. Any change in these circumstances shall be notified to local authority in writing.

i. The Licence Holder must advise the Local Authority immediately if there will be any transfers in ownership, sale of the licensed property OR management of the property.

ii. The Licence Holder must (if applying as a company/partnership etc) inform the Council in writing within 14 days of any changes affecting the company/partnership status, i.e. bankruptcy, changes in Directors, Partners or Company Secretaries.

3. The Licence Holder must ensure that the licensed premises comply with The Management of Houses in Multiple Occupation (England) Regulations 2006 SI 372 (Management Regulations), and any updated versions of this regulation and continue to do so throughout the period of the licence

4. The Licence Holder must comply with the Council's Standards for Houses in Multiple Occupation and associated guidance throughout the period of the licence unless otherwise specified in the licence, and must maintain those standards throughout the period of the licence.

5. The licence holder must ensure that a fire detection system, which includes smoke alarms, is installed in the property and that the system is kept in proper working order. The Local Authority may request that the licence holder supplies a declaration that the detection is in proper working order and require details of the positioning of such alarms.
(Housing Act 2004 Schedule 4 1(4))

6. The Licence Holder must keep on file and have available for the council upon request originals of the following documents:

i. Fire detection equipment inspection and servicing certificate annually

ii. Firefighting equipment (extinguishers, blankets etc), inspection and servicing certificate annually

iii. Gas Safety Inspection certificate annually (if Gas is supplied to the HMO)

iv. Electrical installations inspection certificate on demand

v. Portable Appliance Test (P.A.T) certificate on demand

vi. Certificates supplied annually must be available on a date specified by the Council.

vii. Energy Performance Certificate

7. The Licence Holder must take all reasonable steps to arrange full access to the whole of the licensed premises for the purposes of a compliance inspection by Manchester City Council within 7 days of a written request to do so.
Tenants/occupiers of the licensed premises must be given a minimum of 24 hours notice of the need for inspection by the Licence Holder or his representative.

8. The Licence Holder must ensure that waste carrier licences are place where a contractor directly employed or employed by a third party working on behalf of the licence holder is used to remove waste from the property. The licence holder must have evidence of the carrier details available upon request of the Council.

9. The Licence Holder must take responsibility for waste and recycling, ensuring that there are adequate provisions inside the property to allow tenants to separate recycling.

10. The Licence Holder must ensure that there are sufficient external refuse and recycling containers available for tenants' use, ensuring that tenants/occupiers are given details in writing of the arrangements for the collection of refuse and bulky goods, throughout the tenancy and for specific periods like bank holidays and end of tenancies, and that the tenants /occupiers return the containers within the boundary of the property on the day of collection.

11. The Licence Holder must work with the Council to find solutions where tenants are not disposing of waste effectively.

12. The Licence Holder must ensure that any tenancy agreement used is written in plain English and must provide the Council with a copy within 30 days of a request to do so.
(Housing Act 2004 Part 2 Section 67 (2)(b))

13. The Licence Holder must have a written procedure in place to undertake reasonable steps to resolve complaints of nuisance, noise, or anti-social behaviour perpetrated by his or her tenant(s)/occupier(s) or visitor(s) to the licensed premises. The Licence Holder must keep on file and have available for the council upon request, evidence that tenants have been made aware of appropriate behaviour and the procedures that he or she will follow should such issues occur.

14. The Licence Holder must keep on file and have available for the council upon request, documented evidence of how he or she has followed his or her procedure relating to nuisance, noise, or anti-social where complaints have occurred

15. The Licence Holder must take reasonable steps to obtain references as to the character and behaviour of a prospective tenant/occupier from previous landlords and/or persons of standing in the community

16. The Licence Holder must act lawfully in requesting any advanced payments and in handling rents.

17. Where the Licence Holder demands a deposit he/she must provide the tenant/occupier with a statement of the terms of the tenancy deposit including:

i. Details of the deposit required;

ii. Details of what the deposit covers together with a written, agreed inventory signed by the tenants/occupiers;

iii. Details of the arrangements and timescales for the return of the deposit.

18. Where the premises is alley gated the licence holder is responsible for providing the key to the tenant free of charge at the start of the tenancy.

19. The licence holder must provide the occupants of adjoining properties with direct contact details in case of an emergency or to enable them to inform the licence holder of problems affecting their properties.

20. The licence holder must provide a basic guide to new occupiers on the operation of the boiler, fire alarm, house alarm (if installed), heating system and extractor fans. The licence holder must also advise the occupiers on the location of the stopcock, fuse box and meters. Upon request by the Council the licence holder must provide written evidence of the information which has been provided to the occupiers.

Unsupported Temporary accommodation Conditions;

1. The licence holder may be required to attend training courses in relation to any applicable code of practice approved by the appropriate national authority. Where there is a lack of adequate day to day management of the house, the authority may require the licence holder to attend appropriate training

2. The licence Holder will engage with support services as and when required

3. The licence holder must notify the Council within 10 days of any death on the premises for B&Bs

Other Statutory and Legal Requirements

PLANNING PERMISSION - This licence does NOT grant any planning approvals, consents or permissions under the Town and Country Planning Act 1990 or any related planning legislation, retrospectively or otherwise. If the property is being used as a House in Multiple Occupation (HMO) this may constitute a breach of planning control and you should check the Council's website to ensure the correct planning permissions are in place. https://www.manchester.gov.uk/planning. This licence does not offer any protection against enforcement action taken by the Planning Department. If you are unclear on the matters outlined above you should seek professional planning advice.

N.B. If a Licence Holder is prosecuted for a breach of the Management Regulations this may also affect his/her status as a Fit and Proper person to hold the licence and the Council may revoke that licence.