



The Company Secretary
Tuath Anam Ltd
Apartment 123 1 Quarter,
10, Blonk Street
Sheffield
S3 8BH

Our Ref: 460123
Enquiries to: Stacey Fieldsend - 07741 168806
E-mail: StaceyFieldsend@barnsley.gov.uk
Date: 09/10/2023

Dear Sir/Madam,

Housing Act 2004, schedule 5, para 7
Notice to Grant a Licence of a House in Multiple Occupation

Re: 120 Dodworth Road, Barnsley, S70 6HL.

I write to inform you that the application to license the above house in multiple occupation (HMO) has been granted.

As the proposed licence holder, please find enclosed a Notice to Grant a Licence, detailing the reasons for this decision and your rights to appeal, along with your licence.

Please note the Council will monitor the above address and carry out routine inspections as necessary to ensure the conditions of the licence are met and the relevant regulations are complied with. Failure to comply with the licence requirements or relevant regulations may lead to prosecution or a Civil Penalty.

If you require any further information or have any other questions relating to the notice, please do not hesitate to contact this office directly.

Yours faithfully,

Stacey Fieldsend - Case Management Officer



Housing Act 2004, schedule 5, para 7
Notice to Grant a Licence

To Tuath Anam Ltd

Of Apartment 123 1 Quarter, 10, Blonk Street, Sheffield, S3 8BH.

On 09 October 2023 Barnsley Metropolitan Borough Council (The Council), the Local Housing Authority, decided to grant a licence for a House in Multiple Occupation at:

120 Dodworth Road, Barnsley, S70 6HL.

Reasons and main terms of the licence:

- The property is deemed to be reasonably suitable for occupation by a maximum of **6** persons forming a maximum of 6 households.
- The proposed licence Holder is considered to be fit and proper person to be the licence Holder for the house and is the most appropriate person to hold the licence.
- The proposed management arrangements for the house are satisfactory.

Any relevant person may appeal to the Property Chamber of the First Tier Tribunal (PC) against this decision of the local housing authority. The appeal must be made within the period of 28 days beginning with the date of the authority's decision.

If no appeal is made against this notice, then the licence shall become operative on, 08 November 2023, being not less than 28 days after the decision to serve this notice was made.

DATED: 09 October 2023

This matter is being dealt with by: Stacey Fieldsend - Case Management Officer

(Signed) (The Officer appointed for this purpose)
Mr Paul Brannan, Head of Safer Neighbourhood Service.

REFERENCE: 460123

This proposal to grant a licence does not constitute compliance with all Planning and Building Control legislation. A separate application must be made to the relevant Departments to clarify these issues.

Note: Please read the notes enclosed with this notice.

Notes

Schedule 5: Part 1

Requirements following grant or refusal of licence

7(1) This paragraph applies where the local housing authority decide to grant a licence.

(2) The local housing authority must serve on the applicant for the licence (and, if different, the licence holder) and each relevant person:

- A copy of the licence, and
- A notice setting out:
 - The reasons for deciding to grant the licence and the date on which the decision was made
 - The right of appeal against the decision under Part 3 of this Schedule
 - The period within which an appeal may be made (see Paragraph 33(1))

(3) The documents required to be served under Sub-paragraph (2) must be served within the period of seven days beginning with the day on which the decision is made.

Schedule 5: Part 3

Right to appeal against refusal or grant of licence

31(1) The applicant or any relevant person may appeal to a Property Chamber of the First Tier Tribunal (PC) against a decision by the local housing authority on an application for a licence:

- To refuse to grant the licence, or
- To grant the licence

(2) An appeal under Sub-paragraph (1)(b) may, in particular, relate to any of the terms of the licence.

Time limits for appeals

33(1) Any appeal under Paragraph 31 against a decision to grant, or (as the case may be) to refuse to grant, a licence must be made within the period of 28 days beginning with the date specified in the notice under Paragraph 7 or 8 as the date on which the decision was made.

(2) Any appeal under Paragraph 32 against a decision to vary or revoke, or (as the case may be) to refuse to vary or revoke, a licence must be made within the period of 28 days beginning with the date specified in the notice under Paragraph 16, 21, 24 or 28 as the date on which the decision was made.

(3) A Property Chamber of the First Tier Tribunal (PC) may allow an appeal to be made to it after the end of the period mentioned in Sub-paragraph (1) or (2) if it is satisfied that there is a good reason for the failure to appeal before the end of that period (and for any delay since then in applying for permission to appeal out of time).

Powers of Property Chamber of the First Tier Tribunal (PC) hearing appeal

34(1) This paragraph applies to appeals to a Property Chamber of the First Tier Tribunal (PC) under paragraph 31 or 32.

(2) An appeal:

- Is to be by way of a re-hearing, but
- May be determined having regard to matters of which the authority was unaware

(3) The tribunal may confirm, reverse or vary the decision of the local housing authority.

(4) On an appeal under Paragraph 31 the tribunal may direct the authority to grant a licence to the applicant for the licence on such terms as the tribunal may direct.

Right to appeal against refusal or grant of licence

You may appeal this decision to the Property Chamber of the First Tier Tribunal (PC) Service. The office of the First Tier Tribunal (Property Chamber) for the region in which Barnsley Metropolitan Borough Council is located and to which appeals should be made is Manchester - Northern Region, Residential Property, 1st Floor, 5 New York Street, Piccadilly, Manchester, M1 4JB. Telephone 0845 100 2614; Fax 0161 237 3656 or Email: northern.rap@rpt.gsi.gov.uk.

More information can be found at <http://www.justice.gov.uk/tribunals/residential-property> where it is also possible to download the appropriate forms.

These notes are intended as general information to the recipient(s) of this as a summary of their rights of appeal against the notice. The notes are not intended to be definitive and any person(s) considering an appeal are advised to seek independent legal advice and/or refer to the full version of Schedule 1 to the Housing Act 2004. Further advice can be obtained from the Property Chamber of the First Tier Tribunal (PC) www.rpts.gov.uk



Housing Act 2004, Part II

HOUSE IN MULTIPLE OCCUPATION LICENCE

LICENCE REFERENCE: ML 651

PROPERTY ADDRESS: 120 Dodworth Road, Barnsley, S70 6HL.

THE LICENCE HOLDER: Tuath Anam Ltd, Apartment 123 1 Quarter, 10, Blonk Street, Sheffield, S3 8BH.

PROPERTY MANAGER: Shield Accommodation, 118 Dodworth Road, Barnsley, S70 6HL.

On 09 October 2023 under Schedule 5, Part 1 of the Housing Act 2004 the Council hereby grant a licence for a House in Multiple Occupation, subject to the licence conditions attached.


Licence Duration: The licence is valid for 5 years.

Maximum Permitted Occupancy: The licence is granted for occupancy by a maximum Number of 6 People forming a maximum of 6 households.

Room No / Location	Max No of Occupants
Room 1-Ground floor front left	2
Room 2-First floor front left	2
Room 3-First floor front right	1
Room 4-First floor back right	1
Room 5-First floor back left	1
Room 6-Second floor attic	2

Note: Rooms are only permitted to be occupied by persons who form a single household.

DATED: 09 October 2023

(Signed)  . (The Officer appointed for this purpose)
Mr Paul Brannan, Head of Safer Neighbourhood Service.

This licence is issued subject to the conditions attached. It is an offence for the licence holder or a person who has consented to the imposition of an obligation on him/her to fail to comply with the conditions. Where time limits are specified for compliance, these must be strictly adhered to.

The grant of the licence and the conditions attached are based on the information supplied in the application form by the applicant. This property may be subject to an inspection from the Council and if the inspection reveals that the facilities and equipment in the property are not in accordance with that detailed in the application form, the Council may either revoke or vary this licence or institute other proceedings.

Where the Council have to take any such action it will seek to recover its costs of doing so. This licence is not transferable.

This licence does not constitute compliance with all Planning and Building Control legislation and requirements. A separate application must be made to the relevant Departments to clarify these issues.



LICENSING CONDITIONS

PROPERTY ADDRESS: 120 Dodworth Road, Barnsley, S70 6HL.

Mandatory conditions:

1. If gas is supplied to the house, to produce to the Council ("the Council") annually for inspection a copy of the gas safety certificate obtained in respect of the house within the last 12 months.
2. To keep the electrical appliances and furniture in a safe condition, and to supply to the Council on demand, a declaration as to the safety of such appliances and furniture.
3. To ensure that every electrical installation in the house is in proper working order and safe for continued use; and to supply the authority, on demand, with a declaration by him as to the safety of such installations.
4. To ensure that smoke alarms are installed in the house, to keep them in proper working order and to supply to the Council on demand, a declaration by the licence holder as to the condition and positioning of the fire detection system.
5. To supply to the occupiers of the house a written statement of the terms upon which the house is occupied.
6. To ensure that a carbon monoxide alarm is installed in any room used as living accommodation which contains a solid fuel burning combustion appliance.
7. 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;
 - by two persons aged over 10 years is not less than 10.22 square metres;
 - by one person aged under 10 years is not less than 4.64 square metres;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.
8. Ensure that any room in the HMO with a floor area of less than 4.64 square metres is not used as sleeping accommodation. The licence holder must notify the local housing authority of any room in the HMO with a floor area of less than 4.64 square metres.
9. Ensure any room in the HMO is used as sleeping accommodation:
 - by persons aged over 10 years only, is not used as such by more than the maximum number of persons aged over 10 years specified in the licence;
 - by persons aged under 10 years only, is not used as such by more than the maximum number of persons aged under 10 years specified in the licence;

- by persons aged over 10 years and persons aged under 10 years, 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.
10. Provide refuse and recycling bins or containers in sufficient numbers and type for the needs of the house and compatible with the requirements of the refuse collection service. All refuse containers shall be located on hard standings with suitable access for cleansing the area and removing of containers, located away from habitable rooms and where reasonably practicable at the rear of the house unless a proper housing is provided at the front. Where reasonably practicable such containers shall be positioned so that bins do not obscure natural light from windows below bin height.

Additional conditions:

1. The licence holder/manager must not knowingly permit the occupancy of the house to exceed the number permitted by the licence.
2. All waste and recycling bins are to be provided by the landlord or managing agent and where removed, destroyed or broken, be replaced within one month. Where there is a new tenancy, all waste and recycling vessels must be in situ at the start of the tenancy.
3. The licence holder is required to take reasonable and practicable steps to prevent or reduce anti-social behaviour by persons occupying or visiting the house as detailed below:
 - a) You must take reasonable steps to ensure your tenants and their visitors do not use in the property, or supply from the property, any controlled drug or other substance that is illegal under the Misuse of Drugs Act 1971 or any part of the criminal law.
 - b) You must take reasonable steps to ensure your tenants and their visitors not do anything in or to communal areas that may cause offence to other users of those areas or that will cause damage to the communal areas, for example, car breaking, car repairs, bonfires, games or parties.
 - c) You must take reasonable steps to ensure your tenants and their visitors do not cause any nuisance, annoyance, offence or harm to any:
 - neighbour;
 - other tenants and their visitors;
 - other persons living in the area near the property, or any member of their household, lodger, subtenant or visitor; or
 - persons in the area near the property.
 - d) You must take reasonable steps to ensure your tenants and their visitors do not commit, or threaten to commit, any form of discrimination, intimidation or harassment because of someone's race, colour, religion, sex, sexuality, age or disability.
 - e) In condition d) above, discrimination, intimidation or harassment because of someone's race will include any act of verbal or physical abuse directed at individuals or groups because of their colour or origin, when the victim believes that the attack is of a racist nature or there is direct evidence of a racist motive. It is very different from other forms of harassment. Racial harassment is a crime.
 - f) You must take reasonable steps to ensure your tenants and their visitors get rid of their household waste properly and that they must take reasonable care to make sure that it does not become scattered in communal areas or in the area near the property or cause a nuisance or annoyance to any person.

- g) You must take reasonable steps to ensure your tenants and their visitors do not operate any device or equipment, or do any activity, which creates so much noise that it causes nuisance or annoyance to your neighbours or can be heard outside the property, particularly between 11pm and 7.30am. This includes playing any television or radio, musical instrument, or any video, record, tape or other recording, very loudly. It also includes using power tools and activities such as parties.
4. To ensure the licence holders name, address and telephone number (or that of the manager of the house) is displayed in the common parts of the house. A copy of the licence shall also be displayed in the common parts or be made available to the occupiers at the outset of their occupation. – **to be completed within 1 calendar month from the date of this licence being issued.**

Advisory:

Fire Risk Assessment – The licence holder must comply with the requirements of the **Fire Regulatory Reform (Fire Safety) Order 2005**, and is responsible for carrying out, maintaining records and providing, when called upon, written evidence of a **Fire Risk Assessment** for the common areas of the property.