

London Borough of Haringey Council
River Park House
225 Station Road
London
N22 8HQ

Soaring Heights Care Ltd (Creanna Dodson)
9 Bruce Castle Road
Haringey
N17 8NL
United Kingdom

020 8489 5521
HMO.Licensing@haringey.gov.uk

02 September 2021

Dear Soaring Heights Care Ltd (Creanna Dodson)

**Licensing Of Houses In Multiple Occupation (Housing Act 2004 Part 2)
Notice of Approval to Grant a Licence (Schedule 5 Part 1)**

**Re: 9, Bruce Castle Road, Tottenham
London
N17 8NL**

**LICENCE REFERENCE: HAR-112972-1
YOUR PIN: 5891-9077**

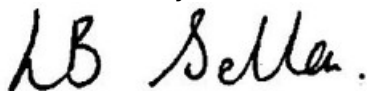
The local authority is proposing to grant a licence in respect of the above property. A licence is to be granted as it is **a house in multiple occupation to which Part 2 of the Act** applies and is required to be licensed under that Part. A draft copy of the licence is enclosed, together with its terms and conditions and a Notice of Intention to grant a licence.

The licence specifies the maximum permitted number of persons that may occupy the property. It applies only to new residents. Where the current number of occupants is greater than the maximum permitted number, stated on the licence, no person living there at the time the licence is issued would be required to leave.

Your comments on the proposal are invited and any representations must be received before **23 September 2021** and will be considered prior to the issue of a licence. If you wish to make any comments or a representation, please go to propertylicensing.haringey.gov.uk, select 'respond to a request' and use the licence reference and PIN provided above.

Please do not hesitate to contact us if you require any further information or advice.

Yours sincerely,



Lynn Sellar



HOUSING ACT 2004 Part 2 and Schedule 5 (1)

**Notice of Intention to Grant a Licence in Respect of a House
in Multiple Occupation (HMO)**

LICENCE REFERENCE: HAR-112972-1

9, Bruce Castle Road, Tottenham, London, N17 8NL

[Proposed Licence Holder]

To: Soaring Heights Care Ltd (Creanna Dodson)
Of: 9, Bruce Castle Road, Haringey, N17 8NL

The London Borough of Haringey is proposing to grant a licence for the house in multiple occupation known as 9, Bruce Castle Road, Tottenham, London, N17 8NL 'the house'.

The Council is of the opinion that the following matters have been satisfied and they are the reasons for granting the licence:

- ▶ The house is reasonably suitable for occupation by not more than the maximum number of households or persons specified, or that it can be made so suitable by the imposition of conditions as detailed in the attached proposed licence.
- ▶ The proposed licence holder is the most appropriate person to be the licence holder of the house
- ▶ The proposed licence holder is a fit and proper person.
- ▶ The proposed managing agent of the house is either the person having control of the house or a person who is an agent or employee of the person having control of the house.
- ▶ The proposed managing agent of the house is a fit and proper person to be the manager of the house.
- ▶ The proposed management arrangements for the house are otherwise satisfactory.

A copy of the proposed licence is attached to this notice which includes the main terms and conditions of the licence.

If you consider that the licence should not be approved or that the requirements should be changed, please use the following guidance to make a representation to the case officer by **23 September 2021**. Go to propertylicensing.haringey.gov.uk, select 'respond to a request' then use the licence reference and PIN provided on the first page.

Any comments which you make and which you do not withdraw will be considered before any final decision is made.

It is the licence holder's responsibility to ensure that they have read and understood the conditions attached to the licence.

Please contact the Property Licensing Team by e-mail to discuss your case further
HMO.Licensing@haringey.gov.uk.

Date
02 September 2021

Signature

Lynn Sellar

Notes

1. House in multiple occupation (HMO).

A HMO is a house or flat that is occupied, as a main residence, by three or more persons who form more than one household, where occupiers share facilities such as kitchens, bathrooms and WCs. This would include for example, house containing bedsits, a combination of bedsits and self-contained flats where the bedsits share facilities, shared houses and hostels.

2. Household

The definition of household relates to any members of the same family, including spouses, aunts, uncles, nieces, nephews, grandparents etc and partners living together as husband and wife (or in an equivalent relationship in the case of persons of the same sex).

3. The most appropriate person.

The most appropriate person is normally the owner if s/he is receiving all rents directly. If however, a managing agent has financial control of the HMO they may be the more appropriate person to hold the licence.

Protected tenants or leaseholders with an un-expired rental period of less than three (3) years may wish to make comments about whether the licence should be issued to the applicant and/or about conditions being placed on the licence.

4. Fit and proper persons

The proposed licence holder and any proposed manager of the property must be “fit and proper” person. The Council will consider any evidence of offences committed/malpractice in deciding whether the proposed licence holder and/or manager are “fit and proper”. Offences to be considered include:

- ▶ Offences involving fraud/dishonesty/violence/drugs or certain sexual offences.
- ▶ Unlawful discrimination on the grounds of sex/colour/race/ethnic or national origins/disability, in, or in connection with, the carrying out of any business.
- ▶ Contravention of any Housing/Landlord and Tenant/Planning legislation.

5. Management Arrangements

The Council will ensure that management arrangements are satisfactory, and in deciding this, the Council must consider the following:

- ▶ Anyone involved in the management of the property must have a sufficient level of competence and be a fit and proper person.
- ▶ Management structures and funding arrangements must be suitable.

Conditions on the licence may be applied to ensure management arrangements are satisfactory.

6. Penalties

A person having control or managing a house in multiple occupation who fails to:

- ▶ license the house or
- ▶ allows the house to be occupied by more persons or households than is permitted by the licence

commits an offence (section 72) and may be subject to a financial penalty notice of up to £30,000 or an unlimited fine.

A licence holder or person who has restrictions or obligations placed on him by the licence and who fails to comply with the conditions of a licence commits an offence and is liable to an unlimited fine for each condition breached(section 72) and the potential loss of licence.

7. Advice

If you do not understand this licence or wish to know more about it, you can contact the Council. If you want

independent advice about your rights and obligations, you should go to a Citizens Advice Bureau, Housing Aid Centre, Law Centre or a solicitor.

LICENCE REFERENCE: HAR-112972-1



DRAFT PROPERTY LICENCE

Under Section 64 of the Housing Act 2004

I hereby certify that the House in Multiple Occupation situated at

9, Bruce Castle Road, Tottenham, London, N17 8NL

has been licensed with London Borough of Haringey under the above legislation and is subject to the attached conditions.

Proposed Licence Holder:	Soaring Heights Care Ltd (Creanna Dodson)
Valid from:	02 September 2021
Expiry date:	01 September 2026
Occupation:	This property is licensed for a maximum of 5 people living as 3 households regardless of age

Date
02 September 2021

Signature 

Lynn Sellar

A copy of this licence must be displayed in a prominent and accessible position within the above property at all times. Please note: This licence is non-transferable, and does not guarantee that the property has been inspected and approved as being of an acceptable standard. If you have any queries or complaints about the standard of the property please contact the Council.

Property Licence Conditions

Property Address: 9, Bruce Castle Road, Tottenham, London, N17 8NL

1. Permitted Occupation

A new resident must not be permitted to occupy the house or any part of the house if that occupation:

- ▶ exceeds the maximum permitted number of persons for the house as detailed in the schedule of permitted occupation below
- ▶ exceeds the maximum permitted number of households for the house as detailed in the schedule of permitted occupation below
- ▶ exceeds the maximum permitted number of persons for any letting as detailed in the schedule of permitted occupation below

A new resident means a person who was not an occupier of the house and/or the specific room at the date of the issue of the licence

Please note: Maximum permitted persons stated is regardless of age unless specified

Occupancy and Maximum Permitted Persons per Letting

Letting	Location	Area (sqm)	Max permitted per room
Bedroom 1	First floor front	14.3	2 persons
Bedroom 2	First floor middle	9.48	1 person
Bedroom 3	Second floor	22.49	2 persons

Current number of occupants in the house:	3
Current number of households:	3
Total maximum permitted number of persons for the house:	5
Total maximum permitted number of households:	3
There is a bathroom located on:	First floor rear
There is a bathroom located on:	Ground floor (under the stairs)
There is a kitchen	24.8 sqm

1.1 The licence holder must 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 m²;
- ▶ 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 m²;
- ▶ 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 m²;
- ▶ any room in the HMO with a floor area of less than 4.64 m² is not used as sleeping accommodation.

1.2 The licence holder must ensure that –

- ▶ 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; 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;
- ▶ 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.

1.3 On being notified by the Council of any breach under 1.1 or 1.2 of which they are unaware, the licence holder must take steps to rectify that breach within 18 months of the notification.

1.4 The licence holder must notify the Council of any room with a floor area of less than 4.64 square metres.

Please note: The conditions in 1.1, 1.2, 1.3 and 1.4 are mandatory conditions introduced by The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018, but they are **not** a national standard. Local authorities are still able to set their own minimum HMO room sizes. Haringey's space standards can be found in Section 5 of the Council's HMO standards, which can be found on the Council's website.

2. Requirement for Works to be carried out

2.1 The licence holder must carry out the works in the attached schedule within the specified time period(s).

3. Tenancy management

3.1 The licence holder shall supply the occupiers of the property with a written statement of the terms on which they occupy the property and details of the arrangements in place to deal with repair issues and emergency issues. Copies of the written statement of terms must be provided to the Council for inspection within 7 days upon demand.

3.2 The licence holder shall protect any deposit taken under an assured short-hold tenancy by placing it in a statutory tenancy deposit scheme. The tenant must be given the prescribed information about the scheme being used at the time the deposit is taken. This information must be provided to the Council within 28 days on demand.

3.3 The licence holder must provide to the Council details in writing of the tenancy management arrangements that have been, or are to be, made to prevent or reduce anti-social behaviour by persons occupying or visiting the property. Copies of these must be provided to the Council within 28 days on demand.

3.3.1 The following arrangements shall be implemented to fulfil the requirements of this condition:

- ▶ Provision of an emergency contact number (including out of hours response arrangements)
- ▶ Formal arrangements for the disposal of rubbish and bulky waste
- ▶ Update of written records of property inspections for management and repair issues at least once every 3 months

3.4 The licence holder shall ensure that inspections of the property are carried out at least every **6 months** to identify any problems relating to the condition and management of the property. As a minimum

requirement the records must contain a log of who carried out the inspection, date and time of inspection and issues found, and action(s) taken. The records of such inspections shall be kept for the duration of this licence. Copies of these must be provided to the Council within 28 days on demand.

3.5 The licence holder shall effectively address problems of antisocial behaviour resulting from the conduct on the part of occupiers of, or visitors to the premises by complying with the requirements of paragraphs (a) to (i) below:

(a) The licence holder must not ignore or fail to take action, if he has received complaints of anti-social behaviour (ASB) concerning the visitors to or occupiers of the premises.

(b) Any letters, relating to antisocial behaviour, sent or received by the licence holder, or agent of the licence holder, must be kept for 3 years by the licence holder.

(c) The licence holder must ensure that written notes are kept of any meetings or telephone conversations or investigations regarding antisocial behaviour for 3 years.

(d) If a complaint is received, or antisocial behaviour is discovered, the licence holder must contact the tenant within 14 days. The tenant must be informed of the allegations of the antisocial behaviour in writing and of the consequences of its continuation.

(e) The licence holder shall from the date of receipt of the complaint of antisocial behaviour, monitor any allegations of antisocial behaviour.

(f) Where the antisocial behaviour is continuing after 28 days from receipt of the complaint, the licence holder, or his agent must within 7 days visit the premises concerned with a warning letter about the consequences should the anti-social behaviour continue.

(g) Where the licence holder or his agent has reason to believe that the antisocial behaviour involves criminal activity the licence holder shall ensure that the appropriate authorities are informed.

(h) If after 14 days of giving a warning letter the tenant has taken no steps to address the antisocial behaviour and the ASB is continuing the licence holder shall take formal steps under the written statement of terms for occupation, e.g. the tenancy agreement or licence and which shall include promptly taking any legal proceedings to address the anti- social behaviour.

(i) Where the licence holder is specifically invited they shall attend any case conferences or multiagency meetings arranged by the Council or Police. Any correspondence, letters and records referred to in condition 2.5 above must be provided to the Council within 28 days on demand.

4. Property Management

4.1 The licence holder shall ensure that all gas installations and appliances are in a safe condition at all times. The licence holder must have available a current valid gas safety certificate obtained within the last 12 months. This must be provided to the Council within 28 days on demand and copies must be provided to all tenants/occupiers at the start of their tenancy. All work on gas appliances must be carried out by gas safe certified operatives.

4.2 The licence holder shall ensure that all electrical appliances provided by the landlord in the property are in a safe condition. The licence holder must submit to the council, for their inspection, an electrical installation report (EICR) within 28 days upon request. (Note: The licence holder must ensure the EICR is supplied by a competent person, who is appropriately qualified to issue this report).

4.3 No refuse shall be kept in the front or rear garden other than in an approved storage container for that purpose.

4.4 Where the licence holder becomes aware of a pest problem or infestation at the property he shall take steps to ensure that a treatment program is carried out to eradicate the pest infestation. Records shall be kept of such treatment programs and these must be provided to the Council within 28 days on demand.

4.5 The licence holder must take general fire precautions to ensure, as far as is reasonably practicable, the safety of the people on the premises and in the immediate vicinity to include the carrying out of a fire risk assessment for the purpose of identifying the general fire precautions and other measures needed to comply with the Regulatory Reform (Fire Safety) Order 2005.

4.6 The licence holder shall install and maintain in good working order appropriate smoke alarms in the property and shall submit to the council, upon request, a declaration by him as to the condition and positioning of such alarms, in accordance with the LACORS housing fire safety guidance. A copy of the LACORS housing fire safety guidance can be accessed online and downloaded free of charge at: http://www.cieh.org/library/Knowledge/Housing/National_fire_safety_guidance_08.pdf.

(a) The licence holder shall ensure that a smoke alarm is installed on each storey of the house (which includes half-landings) on which there is a room used wholly or partly as living accommodation. (A bathroom or lavatory situated on the landing/half landing which form part of a living accommodation is to be protected with the appropriate alarm system; the alarm system is to be sited away from direct contact with steam that is likely to interfere with the operation of the alarm).

(b) The licence holder shall ensure each smoke alarm installed in any room in the house shall be kept in proper working order.

(c) The licence holder shall submit to the Council, on demand, a declaration by him as to the condition and positioning of any such smoke alarm.

(d) The licence holder shall 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. ("room" includes a hall or landing. A bathroom or lavatory is to be treated as a room used as living accommodation).

(e) The licence holder shall ensure any carbon monoxide alarm installed in any room in the house shall be kept in proper working order.

(f) The licence holder must supply the authority, on demand, a declaration by him as to the condition and positioning of any such carbon monoxide alarm.

4.7 The licence holder shall ensure that any fire-fighting equipment and fire alarms are maintained in good working order. The licence holder must submit to the council, for their inspection, a copy of all periodical inspection report/test certificates for any automatic fire alarm system, emergency lighting and fire fighting equipment provided in the property. These must be provided to the Council within 28 days on demand.

4.8 The licence holder shall ensure that furniture made available in the property is in a safe condition. All upholstered furniture and covers and fillings of cushions and pillows should comply with current fire safety legislation. A declaration as to the safety of such furniture must be provided to the Council within 28 days on demand.

4.9 In addition to the above management items, the licence holder must ensure that the manager of the property, be that the licence holder or some other person, complies with the requirements of regulations 3 to 9 of The Management of Houses in Multiple Occupation (England) Regulations 2006:-

Duty of manager to take safety measures

The manager must ensure that the property has a safe design and construction.

The manager must ensure that any means of escape from fire are maintained and kept free from obstructions, that all fire precautions are maintained, and that any fire notices are clearly visible.

Duty of manager to maintain water supply and drainage

The manager must maintain the water supply and drainage system to the property.

The manager must ensure that there is no unreasonable interruption to the water supply or drainage.

Duty of manager to maintain common parts, fixtures, fittings and appliances

The manager must ensure that all common parts, fixtures, fittings and appliances are well-maintained.

The manager must also ensure that outbuildings, yards, gardens, and boundary walls, fences and railings are well maintained and safe.

Duty of manager to maintain living accommodation

The manager must ensure that units of accommodation and any furniture supplied are clean and in good repair at the commencement of a tenancy, and that any fixtures, fittings or appliances within the letting are clean and in good working order.

N.B. If you require full details of the Regulations you can obtain a copy from Stationery Office Ltd or at:

<https://www.legislation.gov.uk/uksi/2006/372/contents/made>.

5. Documents to be displayed

5.1 The licence holder shall display a copy of the licence to which these conditions apply in the common parts of the property.

5.2 The licence holder shall display a notice with the name, address and emergency contact number of the licence holder or managing agent in the common parts of the property.

5.3 The licence holder shall display a copy of the current gas safety certificate in the common parts of the property.

5.4 If there have been new tenancies issued after 1st October 2008 for the premises, the licence holder must obtain a valid Energy Performance Certificate (EPC) Copies must be/have been made available to all tenants/occupiers at the start of their tenancy and provided to the Council within 28 days on demand. Where individual rooms in a building are rented out and there are shared facilities (e.g. kitchen and/or bathroom), an EPC is not required.

6. Financial Management

6.1 No person other than the licence holder or the agent named on the licence may collect and receive rental monies from the occupants of the property. The licence holder and/or agent may pass on the rental monies to any third parties as required.

6.2 Where rents are collected or received from occupants, the licence holder must ensure that the payment is recorded and that the occupants receive a receipt for the payment, unless the occupant is an assured shorthold tenant and pays their rent via bank standing order or direct debit. The licence holder must keep a copy of all such records and receipts and must provide the council with a copy of the same within 28 days of any request to inspect them.

7. General

7.1 The licence holder must advise the Council's Property Licensing Team in writing of any proposed changes to the construction, layout or amenity provision of the house that would affect the licence or licence conditions. For planning and building regulation queries please refer to the planning pages on the Council's website.

7.2 The licence holder must arrange for access to be granted at any reasonable time and must not obstruct Council officers carrying out their statutory duties including the surveying of the property to ensure compliance with licence conditions and any relevant legislation.

7.3 The licence holder shall if required by written notice to provide the council with following particulars as may be specified in the notice with respect to the occupancy of the house:

- ▶ The names and numbers of individuals/households accommodated specifying the rooms they occupy within the property
- ▶ The number of individuals in each household

The particulars shall be provided to the Council within 28 days on demand.

7.4 The licence holder shall inform the Council of any change in ownership or management of the house.

7.5 The licence holder shall ensure that whilst any alteration or construction works are in progress, the work is carried out to ensure the safety to all persons occupying or visiting the premises.

7.6 The licence holder shall ensure that on completion of any works, the property shall be left in a clean tidy condition and free from builders' debris.

Failure to comply with any licence condition may result in proceedings including unlimited fines and loss of the licence or may be subject to a penalty notice of up to £30,000.

The property licence and conditions do not imply or grant by inference or otherwise any approval or permission for any other purposes including those for Building Control, Development Control and under The Regulatory Reform (Fire Safety) Order 2005. Conversely compliance with any of those requirements does not confer or imply compliance with the requirements of the Housing Act 2004 including property licensing.

Any HMO for more than six people may also require planning permission. The Council's Planning department made an Article 4 Direction to remove the permitted development rights for smaller HMOs (3-6 occupants) for change of use from dwelling house (Use Class C3) to HMOs (Use Class C4). The Direction came into force on 30 November 2013, which means that planning permission will be required for this type of development in the following wards: Bounds Green, Bruce Grove, Haringay, Northumberland Park, Noel Park, St Ann's, Seven Sisters, Tottenham Green, Tottenham Hale, West Green, White Hart Lane, Woodside.

Please contact the planning team to clarify what planning permissions are already in place for the property and advice on the process. Please note that unlawful HMO's may be subject to planning enforcement action.

The Council do have powers of enforcement against breaches of planning control and that, upon summary conviction, continued failure to meet the Council's enforcement requirements could ultimately result in an unlimited fine.

For planning and building regulation queries please refer to the planning and building control pages on the Council's website.

Any requirements relating to the licence and conditions are without prejudice to assessments and appropriate actions including enforcement actions under the Housing Act 2004. This includes actions to deal with category 1 and category 2 hazards as may be identified under Housing Health and Safety Rating System (HHSRS) and does not preclude such action.