

AGENDA FOR
LICENSING AND SAFETY COMMITTEE



Contact: Michael Cunliffe
Direct Line: 0161 253 5399
E-mail: m.cunliffe@bury.gov.uk
Web Site: www.bury.gov.uk

To: All Members of Licensing and Safety Committee

Councillors : T Rafiq (Chair), A Booth, R Brown, D Green, J Grimshaw, J Hook, B Ibrahim, L McBriar, D Quinn, I Rizvi and M Walsh

Dear Member/Colleague

Licensing and Safety Committee

You are invited to attend a meeting of the Licensing and Safety Committee which will be held as follows:-

Date:	Thursday, 19 February 2026
Place:	Peel Room, Bury Town Hall
Time:	7.00 pm
Briefing Facilities:	If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted.
Notes:	A drop in briefing for Members will take place from 6.30pm in the Peel Room.

AGENDA

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTEREST

Members of the Licensing and Safety Panel are asked to consider whether they have an interest in any of the matters on the agenda, and if so, to formally declare that interest.

3 MINUTES OF THE PREVIOUS MEETING (Pages 5 - 8)

The minutes of the meeting held on the 11th December 2025 are attached. Members of the Licensing and Safety Committee are asked to consider whether these are a correct record of the meeting, and if so, to formally approve them.

4 PUBLIC QUESTION TIME

Questions are invited from members of the public present at the meeting on any matters for which this Committee is responsible. Questions from members of the public may only be asked if notice has been given no later than midday two days before the day of the meeting.

A questioner who is present at the meeting and who has submitted a written question may, at the discretion of the Chair, ask one supplementary question. A supplementary question must arise directly out of the original question or the reply. A question must relate to an item included on the agenda, referenced in the Minutes or an area to which the committee has responsibility.

Approximately 30 minutes will be set aside for Public Question Time if required.

5 OPERATIONAL REPORT (Pages 9 - 22)

A report from the Executive Director (Corporate Core) is attached.

6 HMO LICENSING POLICY AND UPDATED STANDARDS AND AMENITY DOCUMENTS (Pages 23 - 78)

A report from the Unit Manager PRS Enforcement Team is attached.

7 URGENT BUSINESS

Any other business, which by reason of special circumstances, the Chair agrees may be considered as a matter of urgency.

8 EXCLUSION OF PRESS AND PUBLIC

To consider passing the appropriate resolution under section 100 (A)(4) of the Local Government Act 1972 that the press and public be excluded from the meeting during consideration of the following item of business since it involves the likely disclosure of the exempt information stated.

9 SUSPENSION / REVOCATION OF PUBLIC / PRIVATE HIRE DRIVER LICENCES *(Pages 79 - 92)*

A report from the Executive Director (Corporate Core) is attached.

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Minutes of:	LICENSING AND SAFETY COMMITTEE
Date of Meeting:	11 th December 2025
Present:	Councillor T Rafiq (in the Chair) Councillors A Booth, D Green, J Grimshaw, J Hook, B Ibrahim, D Quinn, I Rizvi and M Walsh
Also in attendance:	C Ashworth- Democratic Services M Bridge- Licensing Unit Manager A Bucior- Head of Public Protection M Cunliffe – Democratic Services D Rice– Legal Advisor B Thomson- Assistant Director Public Protection & Resilience
Public Attendance:	No members of the public were present at the meeting.

LSP.1 APOLOGIES FOR ABSENCE

Apologies for absence were submitted by Councillors R Brown and L McBriar. There was no substitute representative for Councillors R Brown and L McBriar.

LSP.2 DECLARATIONS OF INTEREST

There were no declarations of interest.

LSP.3 MINUTES OF THE PREVIOUS MEETING

Delegated decision:

That the Minutes of the last meeting held on the 6th November 2025 be approved as a correct record and signed by the Chair.

LSP.4 PUBLIC QUESTION TIME

No questions had been pre submitted to the meeting and no members of the public were in attendance at the meeting.

LSP.5 OPERATIONAL REPORT

The Executive Director (Operations) submitted a report advising Members on operational issues within the Licensing Service.

The report set out updates in respect of the following issues:-

The Licensing Service had dealt with a number of compliance and enforcement matters between the 27th October and the 30th November 2025.

LICENSING HEARINGS SUB-COMMITTEE

Following a request from Greater Manchester Police on the 11th November 2025 for a summary review of the premises licence for Overdraught, 28-30 Blackburn Street, Radcliffe, M26 1NQ. The Licensing Authority were obliged to hold a hearing within 48 hours of the receipt of the police application to consider whether interim steps should be imposed to promote the Licensing Objectives.

The Licensing Hearings Sub-Committee considered the application on the 13th November 2025. Members resolved to modify the conditions of the licence with immediate effect in order to promote the licensing objectives.

The Sub-Committee was therefore satisfied that there was sufficient evidence to mean immediate interim steps were necessary for amendments to the current premises licence under the licensing objectives recommended by GMP for the Prevention of Crime and Disorder.

Addition conditions to be implemented were contained within the report attached to the agenda pack.

The Full review of the premises licence was held on the 3rd December at 10.30am. An update of the decision made from this Licensing Hearings Sub-Committee was provided and the interim steps were to remain in place along with amendments to the licensing conditions.

IMMEDIATE SUSPENSIONS

The Licensing Service had immediately suspended a further 26 drivers for either not being registered on the update service or the certificate has changed since the last certificate has been issued.

PARTNERSHIP WORKING

The Licensing Service had submitted two prosecutions files for illegally plying for hire, no insurance and one driver was unlicensed. These drivers were from another Licensing Authority within Greater Manchester.

The Licensing Service alongside the APHA (Animal and Plant Health Agency) visited a farm following a complaint regarding the welfare of Cattle. An improvement notice was issued by APHA. A revisit was undertaken on the 27th November and 5 improvement notices were served and a further update would be reported back at the next meeting.

A Member asked about the second testing station and it was reported that this had been awarded to Sunnybank with details on the length of contract provided.

A Member stated they had raised a complaint about cattle and enquired if a complainant would be notified if APHA visits and actions. The Licensing Unit Manager would speak to Officers and contact the Member in relation to this query.

Delegated decision:

It was agreed that the report be noted.

LSP.6 URGENT BUSINESS

No urgent business was reported at the meeting.

LSP.7 EXCLUSION OF PRESS AND PUBLIC

Delegated decision:

That in accordance with Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items of business

since it involved the likely disclosure of information relating to individuals who hold Licences granted by the Authority or Applicants for Licences provided by the Authority.

LSP.8 SUSPENSION / REVOCATION OF PUBLIC / PRIVATE HIRE DRIVER LICENCES

Licence Holder 13/2025

The Executive Director (Corporate Core) submitted a report relating to Licence Holder 13/2025, who was in attendance at the meeting alongside their legal representative.

The Chair made introductions and alongside the legal advisor outlined the procedure to be followed and clarified that all those present had read the report. The report, which was accepted by the Licence Holder and their legal representative was presented by the Licensing Unit Manager and set out the reasons for the Licence Holder being before the Committee.

The Licensing Unit Manager reported and presented background information to the Committee on this case.

The Council's legal advisor and a number of Members asked questions in relation to the case.

The driver was before members for consideration to be given as to his suitability to be a private hire driver in Bury.

Delegated decision:

The Committee carefully considered the report and oral representations by the Licence Holder and their legal representative.

Taking into account the Council's Conviction Policy and Guidelines and in accordance with the powers granted under Section 61(1)(b) of the Local Government (Miscellaneous Provisions) Act 1976, the Committee resolved **to immediately revoke the licence**.

Given the overriding duty to protect the public, the **revocation** was to take **immediate effect**, as permitted under Section 61(2B) of the Act, which allows for immediate suspension where it appears to the authority that such action is necessary in the interests of public safety.

The driver was informed of their right to appeal this decision to the Magistrates' Court within 21 days of receiving written notification.

Licence Holder 14/2025

The Executive Director (Corporate Core) submitted a report relating to Licence Holder 14/2025 who was in attendance at the meeting. The Chair made introductions and alongside the legal advisor outlined the procedure to be followed and clarified that all those present had read the report. The report, which was accepted by the Licence Holder was presented by the Licensing Unit Manager and set out the reasons for him being before the Committee.

The Licensing Unit Manager reported and presented background information to the Committee on this case.

The Council's legal advisor and a number of Members asked questions in relation to the case.

The driver was before members for consideration to be given as to his suitability to be a private hire driver in Bury.

Delegated decision:

The Committee carefully considered the report and oral representations by the Licence Holder.

Taking into account the Council's Conviction Policy and Guidelines and in accordance with the powers granted under Section 61(1)(b) of the Local Government (Miscellaneous Provisions) Act 1976, the Committee resolved **to immediately suspend the licence for a period of 6 months.**

Given the overriding duty to protect the public, the **suspension** was to take **immediate effect**, as permitted under Section 61(2B) of the Act, which allows for immediate suspension where it appears to the authority that such action is necessary in the interests of public safety.

The driver was informed of their right to appeal this decision to the Magistrates' Court within 21 days of receiving written notification.

Licence Holder 15/2025

The Executive Director (Corporate Core) submitted a report relating to Licence Holder 15/2025, who was in attendance at the meeting alongside a friend and representative. The Chair made introductions and alongside the legal advisor outlined the procedure to be followed and clarified that all those present had read the report. The report, which was accepted by the Licence Holder and representative was presented by the Licensing Unit Manager and set out the reasons for him being before the Committee.

The Licensing Unit Manager reported and presented background information to the Committee on this case.

The Council's legal advisor and a number of Members asked questions in relation to the case.

The driver was before members for consideration to be given as to his suitability to be a private hire driver in Bury.

Delegated decision:

The Committee carefully considered the report and oral representations by the Licence Holder and their representative.

Taking into account the Council's Conviction Policy and Guidelines and in accordance with the powers granted under Section 61(1)(b) of the Local Government (Miscellaneous Provisions) Act 1976, the Committee resolved **to immediately suspend the licence for a period of 3 months.**

Given the overriding duty to protect the public, the **suspension** was to take **immediate effect**, as permitted under Section 61(2B) of the Act, which allows for immediate suspension where it appears to the authority that such action is necessary in the interests of public safety.

The driver was informed of their right to appeal this decision to the Magistrates' Court within 21 days of receiving written notification.

COUNCILLOR T RAFIQ
Chair

(Note: The meeting started at 7.00pm and ended at 9.25pm)



Classification	Item No. 5
Open / Closed	

Meeting:	Licensing and Safety Committee
Meeting date:	19 February 2026
Title of report:	Operational Report
Report by:	Executive Director (Corporate Core)
Decision Type:	N/A Report for information only
Ward(s) to which report relates	All

Executive Summary:

A report to advise members on operational issues within the Licensing service.

Recommendation(s)

That the report be noted.

Key considerations

Not applicable

1.0 BACKGROUND

1.1 The report advises Members on operational issues within the Licensing service.

2.0 COMPLIANCE/ENFORCEMENT

2.1 1 – 7 December

Client

Complaint 5

Enforcement 2

Premises

Enforcement 3

Multi Agency 1

Vehicles

Enforcement 2

2.2 **8-14 December**

Client

Complaint 4

Enforcement 2

Premises

Complaint 4

Enforcement 12

Multi Agency Visits 11

Vehicles

Enforcement 6

2.3 **15 – 21 December**

Client

Complaint 2

Enforcement 8

Premises

Enforcement 2

Multi Agency 30

Vehicles

Enforcement 4

2.4 **22 December – 4 January**

Client

Complaint 3

Enforcement 1

2.5 **5 – 11 January**

Client

Complaint 3

Enforcement 8

Premises

Complaint 2

Enforcement 6

Vehicles

Enforcement 9

2.6 **12 – 18 January**

Client

Enforcement 21

Premises

Complaint 2

Enforcement 2

Vehicles

Enforcement 5

2.7 **19 - 25 January**

Client

Complaint 3

Enforcement 4

Premises

Complaint 3

Enforcement 1

Vehicles

Enforcement 2

2.8 **26 January – 1 February**

Client

Enforcement 5

Premises

Enforcement 6

Multi Agency 1

3.0 LICENSING HEARINGS SUB- COMMITTEES

3.1 On the 18 December 2025, the Licensing Hearings Sub Committee considered an application to vary the Designated Premises Supervisor for the Towler Inn, 460 Walmsley Road, Bury. Members heard the evidence for Greater Manchester Police and decided to **refuse the application and remove the DPS.**

Reasons by the Sub- Committee included:-

- The position of DPS in charge of a licensed premises must be held by a responsible person.
- The nature and seriousness of the offence committed.
- Lack of notification to the Court about holding a personal licence.
- Doubts about personal self-control when in a position of being in charge of others.

The Chair advised of their right to appeal the decision to the Court within the relevant timescales upon receiving written notification.

3.2 On the 18 December 2025, the Licensing Hearings Sub Committee considered an application for the grant of a premises licence for Thani Whitefield, 190-194 Bury New Road, Whitefield. Members heard the evidence and decided to **grant the application subject to conditions as listed below:-**

- The last sales of food and drink off the premises would be 45 minutes before closing time on that particular day of operational hours.

Opening Times:

Sunday to Thursday 11.00am to 23.00pm
Friday and Saturday 11.00am to 12.00pm (Midnight)
New Years Eve 11.00am to 01.30am

Supply of Alcohol (on and off the premises):

Sunday to Thursday 11.00am to 23.00pm
Friday and Saturday 11.00am to 12.00pm (Midnight)
New Years Eve 11.00am to 01.30am

Late Night Refreshment

Sunday to Thursday 11.00am to 23.00pm
Friday and Saturday 11.00am to 12.00pm (Midnight)
New Years Eve 11.00am to 01.30am

Playing of Recorded Music (Indoors)

Sunday to Thursday 11.00am to 23.00pm
Friday and Saturday 11.00am to 12.00pm (Midnight)
New Years Eve 11.00am to 01.30am

Performance of Live Music (Indoors)

Sunday to Thursday 11.00am to 23.00pm

Friday and Saturday 11.00am to 12.00pm (Midnight)

New Years Eve 11.00am to 01.30am

The Live Music Act permits Live Music and Recorded Music at a licensed Premises between the hours of 8.00am to 23.00 hours.

Operating Schedule

General

The premises licence holder must ensure that:

1. The premises are operated responsibly and in full compliance with the Licensing Act 2003;

2. All staff are trained to uphold the four licensing objectives;

3. A high-quality CCTV system is maintained covering all key areas, with recordings retained for at least 30 days;

4. A Challenge 25 policy is put in place for all alcohol sales to prevent underage drinking;

5. The premises are kept clean, well lit, and safely managed with clear escape routes and regular fire safety checks;

6. Noise levels are controlled by keeping doors and windows closed during evening hours, as well as by reminding customers to leave quietly;

7. Clear notices are displayed regarding age restrictions, noise control, and responsible behaviour; and

8. There is a close working relationship with local authorities and neighbours to prevent nuisance or disturbance.

The prevention of crime and disorder

The premises licence holder must ensure that:

9. A CCTV system covering internal and entrance areas, recordings kept 30 days and the Challenge 25 policy is in operation.

Public safety

The premises licence holder must ensure that:

10. Fire extinguishers and emergency lighting is maintained regularly; and

11. Clear evacuation routes are marked and staff are trained in fire procedures.

The prevention of public nuisance

The premises licence holder must ensure that:

12. Doors and windows closed when music is playing.; and

13. Customers are encouraged to leave the premises quietly.

The protection of children from harm

The premises licence holder must ensure that:

14. no alcohol service to persons under 18 and signage to this effect is displayed; and.

15. children are accompanied by adults whilst on the premises.

The Chair advised of their right to appeal the decision to the Court within the relevant timescales upon receiving written notification.

- 3.3 On the 19 December 2025, the Licensing Hearings Sub Committee considered an application vary the premises licence for Rawas Indian Street Food, 453 Bury New Road, Prestwich. Members heard the evidence and decided to grant the variation in the terms requested and agreed during the hearing noting the opening hours would remain the same.

Opening Hours:

Monday to Sunday 12.00 Noon to 23.00pm

For Supply of Alcohol (On and off the premises):

Monday to Sunday 12.00 Noon to 23.00pm

Playing of Recorded Music (Indoors)

Monday to Sunday 12.00 Noon to 23.00pm

Provision of Late-Night Refreshment (Indoors)

Monday to Sunday 12.00 Noon to 23.00pm

Operating Schedule

The prevention of crime and disorder

1. The premises licence holder must ensure that:

- I. CCTV cameras are located within the premises to cover all public areas including all entrances and exits.
- II. The system records clear images permitting the identification of individuals.

- III. The CCTV system is able to capture a minimum of 24 frames per second and all recorded footage must be securely retained for a minimum of 28 days.
- IV. The CCTV system operates at all times while the premises are open for licensable activities [or specify timings]. The Premises Licence Holder or the Designated Premises Supervisor must notify the licensing office or the Police in the event of CCTV breakdown or malfunction as soon as is reasonably practicable and in any event within 24hrs.
- V. All equipment must have a constant and accurate time and date generation.
- VI. The CCTV system is fitted with security functions to prevent recordings being tampered with, i.e. password protected.
- VII. There are members of trained staff at the premises during operating hours able to provide viewable copies on request by the police or authorised officer of the local authority officers as soon as is reasonably practicable or in any case within 12 hours of receiving the request whether that be verbal or written request.

2. All staff authorised to sell alcohol shall be trained in:

- I. Relevant age restrictions in respect of products
- II. Prevent underage sales
- III. Prevent proxy sales
- IV. Maintain the refusals log
- V. Recognising signs of drunkenness and vulnerability
- VI. How overservice of alcohol impacts on the four objectives of the Licensing Act 2003
- VII. VII. How to refuse service
- VIII. VIII. The premises' duty of care policy, understanding and dealing with situations involving vulnerable people, and incidents of harassment
- IX. Action to be taken in the event of an emergency, including the preservation of a crime scene and reporting an incident to the emergency services
- X. The conditions in force under this licence.

3. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Bury Council.

4. No person in possession of a drink in a sealed or unsealed container shall be allowed to enter the premises except for the purposes of delivery or from moving from one part of the premises to another.

5. No alcoholic beverage shall be removed from the premises in an unsealed container.

6. An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the Police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:

- I. all crimes reported to the venue, or by the venue to the Police
- II. all ejections of patrons
- III. any incidents of disorder

- IV. any faults in the CCTV system
- V. any visit by a relevant authority or emergency service

Public safety

- 7. Customers are to be prevented from leaving the premises with glasses or open bottles.
- 8. Alcohol will only be served to customers who have ordered food.
- 9. Customers will only be permitted to consume alcohol if sat at a table. No standing consumption will be permitted.
- 10. All glass drinking containers will be cleared from tables in a timely manner and as soon as reasonably practicable.

The prevention of public nuisance

- 11. Prominent, clear and legible notices must be displayed at all exits requesting that customers respect the needs of local residents and to leave the premises and area quietly.
- 12. Management and staff are to use their best endeavours to prevent persons loitering outside the premises and to ensure that persons refused entry or ejected are asked to leave the vicinity of the premises.
- 13. All external doors and windows are to be kept closed when live entertainment or recorded music is in progress.

The protection of children from harm

- 14. The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, a card bearing the PASS hologram, or any electronic or biometric age verification technology approved by the licensing authority.
- 15. The premises shall display prominent signage indicating at any point of sale that the Challenge 25 scheme is in operation.
- 16. A refusals record must be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be made available for inspection and copying within 24 hours of a request by an officer of a Responsible Authority.

The Chair advised of their right to appeal the decision to the Court within the relevant timescales upon receiving written notification.

3.4 On the 19 December 2025, the Licensing Hearings Sub Committee considered an application for the grant of a premises licence for KFC, Bury New Road, Prestwich. Members heard the evidence and decided to grant the application subject to conditions as listed below:-

- The erection of a permanent barrier to block access onto the car parking area from midnight until opening time of the business the following day.

An advisory notice was also issued by the panel to request the provision of additional noise reduction measures adjacent to the nearby housing to minimise the potential impact on those neighbours due to extended opening times.

Operating Schedule

General

The premises licence holder shall train all staff for their job and function on the premises in a suitable manner. This training shall be written into a programme of ongoing review and will be made available to relevant responsible authority upon request. In addition to this, training shall be provided to all staff engaged, or to be engaged, related to:

- a. General safety
- b. Fire and other emergencies
- c. Allergens policy

Prevention of Crime and Disorder

1. CCTV will be in operation at the premises: The CCTV system shall be fully operational at the commencement of the licence. The CCTV equipment shall be maintained in good working order and continually record when licensable activity takes place. The premises licence holder shall ensure images from the CCTV are retained for a period of 31 days.

2. The premises licence holder shall ensure that there are trained members of staff available during licensable hours to be able to disclose CCTV images to officers upon request. The premises licence holder shall provide, subject to GDPR, such images at the request of an authorised officer of the licensing authority or the local constabulary.

3. There shall be clear signage indicating that CCTV equipment is in use and recording at the premises during all licensable hours.

4. An incident log shall be maintained at the premises and made available on request to an authorised officer, the Local Authority or Police. The register shall record the following:

- a. All crimes reported to the venue.
- b. All ejections of patrons.

- c. Any complaints received concerning crime and disorder.
- d. Any incidents of disorder.
- e. All seizures of drugs or offensive weapons.
- f. Any visit by a relevant authority or emergency service.

Public Safety

5. All exit routes and high traffic areas shall be kept unobstructed, shall have non slippery and even surfaces, shall be free of trip hazards and shall be clearly signed.

6. No accumulation of combustible rubbish, dirt, surplus material or stored goods shall be permitted to remain in any part of the premises except in an appropriate place and of such quantities so as not to cause a nuisance, obstruction or other safety hazard.

7. Notices detailing the action to be taken by staff in the event of fire or other emergencies including how the fire service can be summoned shall be prominently displayed and shall be protected from damage or deterioration

The Prevention of Public Nuisance

8. All delivery drivers will be obliged to comply with a code of conduct as to delivery methodology.

The Chair advised of their right to appeal the decision to the Court within the relevant timescales upon receiving written notification.

4.0 IMMEDIATE SUSPENSIONS

4.1 The Licensing Service are continuing, following consultation with the Chair, to immediately suspend drivers who do not have a valid subscription with the DBS Update Service. Since the last Licensing and Safety Committee on 11 December 2025 a further 55 drivers have been suspended.

5.0 PARTNERSHIP WORKING

5.1 Licensing Enforcement Officers worked alongside Greater Manchester Police on 3 evenings over the Christmas Period including "Mad Friday" visiting licensed premises, giving advice and ensuring compliance with conditions. A number of issues were identified and dealt with.

5.2 Officers from Trading Standards and Licensing alongside Wagtail (Dora the tobacco dog) on a day of action. Dora and her handler are from wagtail who work in partnership with Trading Standards. The partnership worked in action across the borough, visiting off licences, mini markets, and newsagents. The visits took place across the borough, from Prestwich though to Ramsbottom. Dora was on hand to find all the concealed hiding place. Seven premises were visited, and a total of 1300 packets of illegal cigarettes, 200 pouches of illegal hand rolling tobacco and 127 illegal vapes, and 38 counterfeit and unsafe toys

were seized which has a street value of around £25,000. Councillor Morris and James Frith MP attended the day of action with the officers.

6.0 Hackney Support Fund

6.1 The Licensing Service have been advised by TfGM and the Growth Company that 100% of eligible vehicle proprietors of non-compliant Hackney Carriages have submitted applications to receive the Hackney Support Fund to enable them to upgrade to a compliant vehicle. This equates to 24 vehicle proprietors.

7.0 Proposed Private Hire Vehicle Support Fund

7.1 A press release has been issued by Transport for Greater Manchester [Greater Manchester steps up support for taxi drivers with new £4.45m vehicle fund](#)

7.2 Greater Manchester is proposing a new £4.45 million Private Hire Vehicle (PHV) Support Fund to help locally licensed private hire drivers upgrade to cleaner, lower- emission vehicles. Under the scheme, eligible drivers would be able to access either a £5,000 interest- free loan or a £1,000 non- repayable grant to support the transition to compliant vehicles, complementing the existing £8m fund for hackney cab owners. The initiative forms part of Greater Manchester's investment- led approach to improving air quality and follows extensive engagement with the taxi trade, where drivers highlighted the need for additional financial support. If approved, the fund is expected to open for applications later this year

Community impact / links with Community Strategy

Not applicable

Equality Impact and considerations:

24. *Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:*

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

25. *The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.*

Equality Analysis	<i>Please provide a written explanation of the outcome(s) of either conducting an initial or full EA.</i>
<i>The Licensing Service have considered the Equality Act 2010 and due to each application being dealt with on its own merits there is no positive or negative on any of the protected characteristics.</i>	

Assessment of Risk:

The following risks apply to the decision:

Risk / opportunity	Mitigation
None	.

Consultation:

Not applicable

Legal Implications:

Not applicable

Financial Implications:

Not Applicable

Report Author and Contact Details:

Mr M Bridge
Licensing Unit Manager
3 Knowsley Place
Duke Street
Bury
BL9 0EJ Tel: 0161 253 5208 Email: m.bridge@bury.gov.uk

Please include a glossary of terms, abbreviations and acronyms used in this report.

Term	Meaning
None	

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Classification	Item No. 6
Open / Closed	

Meeting:	Licensing and Safety Committee
Meeting date:	Licensing and Safety Committee – 19th February 2026
Title of report:	HMO Licensing Policy and Updated Standards and Amenity documents
Report by:	Danielle Ryan – Unit Manager PRS Enforcement Team
Decision Type:	Council
Ward(s) to which report relates	All

Executive Summary

This report seeks approval from the Licensing and Safety Committee to adopt the proposed HMO Licensing Policy and the updated Standards and Amenities Guidance for Houses in Multiple Occupation (HMOs) across the borough. The introduction of a formal licensing policy is necessary due to the increasing volume of HMO licence applications and the Council's commitment to strengthening regulatory oversight of HMOs.

The updated guidance provides clearer, more detailed technical standards to support licence applicants, ensuring that HMOs meet statutory requirements relating to space, amenity provision, safety, and management. It also reflects recent legislative changes, including enhanced penalty powers under the Housing and Planning Act 2016 and revisions introduced through the Renters Rights Act 2025.

The policy sets out how the Council administers and enforces HMO licensing, ensuring consistency, transparency and robust decision-making. Adoption of the documents will support improved regulation of HMOs, assist developers and landlords in meeting mandatory conditions, and enable the Council to maintain safe, compliant accommodation for residents. Following approval, delegated authority is requested to allow the Assistant Director for Public Protection and Resilience to make further amendments arising from consultation and any future legislative changes.

Options & Recommended Options

That the Committee approves the HMO Licensing Policy and the updated Standards and Amenities Guidance, and delegates authority to the Assistant Director for Public Protection and Resilience to make any necessary amendments arising from consultation, as well as any future amendments required to reflect new or amended legislation.

Key considerations

This is a Council Function that is delegated to the Licensing and Safety Committee by the Council's Constitution.

This paper is within the public domain.

Community impact / Contribution to the Bury 2030 Strategy

The Policy and standards document is consistent with values of the Lets Do It strategy, including, improving living conditions and therefore reducing deprivation and associated ill-health, whilst enabling a consistent and clear approach with expectations of landlords which will in turn support economic growth.

Equality Impact and considerations:

Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

The public sector equality duty requires us to consider how we can positively contribute to the advancement of equality and good relations and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.

In undertaking this review, the Council has also considered whether the proposed policy or updated guidance may have any indirect or disproportionate impacts on individuals with protected characteristics. The licensing process applies equally to all landlords and properties and is designed to ensure minimum safety

and management standards across the sector. Importantly, the policy strengthens safeguards for occupants by promoting safer living conditions, which can positively benefit groups who may be more vulnerable to poor housing standards, such as younger tenants, low-income households, or certain minority groups. However, no differential adverse impacts have been identified, and the policy is considered to be applied in a fair, transparent and proportionate manner consistent with the Public Sector Equality Duty.

Assessment of Risk:

The following risks apply to the decision:

Risk / opportunity	Mitigation
As we do not have a specific HMO licensing policy, we are leaving ourselves open to legal challenge if our decisions lack a clear policy basis	The introduction of policy, strengthens the decision making process and holds the Council accountable to due process. It also provides transparency in our approach to HMO licencing.
Unmanaged HMO growth	The policy sets out the legislative framework surrounding HMOs and combined with our enforcement and civil penalty policies, allows the Council to exercise enforcement powers where operators of HMOs fail to secure a licence (if one is required) The updated guidance document provides useful information to assist compliance with regulations for developers, and promotes safe and quality housing. Although the housing Act 2004 cannot limit the growth of the HMO sector, through the guidance document, we can ensure properties are safe, decent and compliant.
Decline in housing standards and conditions in HMOs without updating standards	Regular reviews of the guidance document to reflect legislative change, ensuring standards are maintained and improving.

Consultation:

There is no statutory requirement to consult on the policy. However, following approval of the updated Standards and Amenity Guidance, a public consultation of six weeks will be undertaken with landlords, developers and other stakeholders . This report seeks delegated authority for the Assistant Director – Public

Protection and Resilience to approve any necessary amendments following the consultation period. As there have been no significant changes, it is not anticipated that revisions will be necessary.

Legal Implications:

The Council has a statutory duty to implement mandatory HMO licensing. The Council is entitled to charge a fee for an HMO licence, pursuant to section 63(3) of the Housing Act 2004.

Failure to consider and respond to new legislation could cause subsequent enforcement action to be outdated and flawed and compromise the Council's ability to tackle poor housing standards. Failure to publish a policy could leave the Council open to legal challenge.

Financial Implications:

Report Author and Contact Details:

Danielle Ryan
3 Knowsley Place
Duke Street
Bury
Telephone No: 0161 253 5561
Email: d.ryan@bury.gov.uk

Background papers:

HMO Licensing Policy
HMO Guidance for Landlords

Please include a glossary of terms, abbreviations and acronyms used in this report.

Term	Meaning
HMO	Houses in Multiple Occupation

1.0 Background

1.1 Public Protection has produced a licensing policy (Appendix 1), and updated standards and amenities guidance for Houses in Multiple Occupation (HMOs) across the borough which has been retitled 'HMO Guidance for Landlords.' (Appendix 2).

- 1.2 The need for the introduction of a policy has arisen due to the volume of applications received for HMO licensing. At present we have over 150 large, licensed HMOs and also as a response to the Council motion to introduce a borough wide HMO policy.
- 1.3 As HMOs are covered by a number of regulatory frameworks, it is not possible to have a borough wide, blanket HMO policy. Therefore, work has been undertaken jointly across Public Protection and Development Control to ensure the Council is in a robust position regarding the development and licensing of HMOs across the borough.
- 1.4 The HMO licensing policy is a formal statutory policy framework explaining how Bury Council administers and enforces HMO licensing under the Housing Act 2004. It is written to assist and support for Council officers, managers and committees in their decision making. It provides and outlines the structure for licensing, compliance, planning checks, conditions, renewals, revocations, and enforcement for HMOs across the borough.
- 1.5 The regulation of Houses in Multiple Occupation (HMOs) through licensing under the Housing Act 2004 is inherently limited because planning powers sit outside the remit of Private Rented Sector (PRS) Enforcement teams. HMO licensing focuses on property standards, safety, and management arrangements, but it does not control land use decisions, density of HMOs, or the wider community impacts associated with their proliferation. Planning controls, such as the requirement for planning permission when changing a property from a family dwelling (Use Class C3) to an HMO (Use Class C4), operate independently and are governed by the Town and Country Planning system. Article 4 Directions (not yet in place in Bury) can remove permitted development rights and require full planning permission for new HMOs, giving planning authorities, not PRS enforcement, the power to limit concentrations of HMOs and protect neighbourhood character. Because these planning decisions fall within the statutory responsibilities of the Local Planning Authority, PRS Enforcement officers cannot influence the approval or refusal of HMO developments, nor address issues such as overconcentration, parking pressures, or the cumulative impact of HMOs. These matters sit firmly within planning policy rather than housing enforcement. As a result, HMO regulation through licensing alone cannot manage the spatial distribution or growth of HMOs, meaning effective oversight depends on close coordination between planning and PRS enforcement use decisions, density of HMOs, or the wider community impacts associated with their proliferation. Planning controls, such as the requirement for planning permission when changing a property from a family dwelling (Use Class C3) to an HMO (Use Class C4), operate independently and are governed by the Town and Country Planning system. Article 4 Directions concentration, parking pressures, or the cumulative impact of HMOs-use decisions, density of HMOs, or the wider community

impacts associated with their proliferation. Planning controls, such as the requirement for planning permission when changing a property from a family dwelling (Use Class C3) to an HMO (Use Class C4), operate independently and are governed by the Town and Country Planning system. Article 4 Directions -concentration, parking pressures, or the cumulative impact of HMOs

2.0 ISSUES

- 2.1 There are two licensing regimes under the Housing Act 2004 that relate to HMOs. One is a mandatory and statutory requirement for larger size HMOs, and the other a discretionary power available to Local Authorities to introduce licensing schemes for smaller HMOs.
- 2.2 Currently, Bury only operates mandatory licensing, meaning in broad terms, those larger HMOs, which are occupied by 5 or more persons, forming 2 or more households, sharing an amenity such as kitchen or bathroom require a licence to operate.
- 2.3 The HMO licensing process, as detailed in the newly prepared policy (Appendix 1) outlines the licensing process, and the necessary checks which are undertaken before a license is issued. For a license application to be successful the Local Authority must be satisfied that: the property is suitable for the number of occupants, satisfactory management arrangements are in place, and the license holder and manager of the HMO is a fit and proper person. Once the Local Authority is satisfied on these grounds, it is duty bound to issue a licence.
- 2.4 Conditions are attached to each HMO license, and these a specific requirements relating to the amenities including space, management and condition of the property. The conditions attached to licences are mandatory conditions under schedule 4 of the Housing Act 2004.
- 2.5 To ensure that developers of HMOs are able to meet the mandatory conditions, and be successful in the application for a HMO license, guidance regarding standards and amenities in available on the Council's website. As part of our work around HMOs, in conjunction with colleagues in planning, this guidance document has been updated to reflect the growth in HMOs that has been witnessed, and the new updated guidance is titled 'HMO Guidance for Landlords.', and the new updated guidance is titled 'HMO Guidance for Landlords, February 2026.'
- 2.6 The updated guidance document reflects updates licensing requirements, penalties to reflect the Housing and Planning Act 2016 powers and new Renters Rights Act 2025 revisions – increasing maximum civil penalties up to £40,000. It also expands and provides further detail around technical standards expected in HMOs across the borough.

3.0 CONCLUSIONS

- 3.1 The proposed HMO Licensing Policy and the updated Standards and Amenities Guidance provide a strengthened and transparent framework for regulating Houses in Multiple Occupation across the borough. Together, these documents enhance clarity for landlords, support consistent decision-making, and ensure that HMOs meet statutory requirements relating to safety, suitability, and management. By formalising the Council's approach, the policy mitigates legal risk, improves regulatory oversight, and helps maintain safe, high-quality accommodation for residents.

4.0 APPENDICES

Appendix 1 HMO Licensing policy

Appendix 2 HMO Guidance for landlords

Appendix 3 HMO Standard condition

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Houses in Multiple
Occupation (HMO)
Licensing policy

2026

Public Protection

Introduction:

The Housing Act 2004 defines a house in multiple occupation (HMO) as a dwelling which is;

- Occupied by three or more people
- Forming two or more separate households
- Sharing one or more basic amenity, such as a toilet and bathroom or kitchen.

Under Part 2 of the Act, there are two types of licensing schemes for HMOs. Mandatory and additional.

Under the mandatory licensing scheme, all properties that are occupied by 5 or more persons, forming 2 or more households sharing an amenity require a licence.

Additional licensing applies only to smaller HMOs, those occupied by only 3 or 4 persons, forming 2 or more households. Similar to selective licensing, the local authority may designate ward(s) where smaller HMOs are subject to additional licensing. The LA can also include 's.257' HMOs within additional licensing schemes.

A S257 HMO is a building which has been converted, or part converted, into self-contained flats that did not comply with the appropriate building standards and still does not comply with those standards, and less than two-thirds of the self-contained flats are owner occupied.

The Council has discretionary powers under the Act to designate areas across the borough for selective and additional licensing and may consider these powers where appropriate.

Selective licensing is the process where by the local authority designate specific ward(s) as areas for selective licensing, meaning as such all private rented properties (excluding HMOs) require a licence from the local authority.

This policy sets out the approach the Council will adopt when administering and implementing the licensing provisions under the Act.

Further information regarding HMO licensing can be found on the Council's website:

<https://www.bury.gov.uk/housing/private-rent/landlords/hmo-licence>

For any further enquiries please contact HMOs@bury.gov.uk

Or alternatively contact;

PRS Enforcement Team

Public Protection

2nd Floor

3 Knowsley Place

Duke Street

Bury

MANDATORY LICENSING SCHEME

The Act places a duty on Local Authorities to ;

Implement a licensing scheme:

Applications for new licences, renewals and verification are available and received online via the Council's website;

<https://www.bury.gov.uk/housing/private-rent/landlords/hmo-licence>

Subject to any changes in legislation, a valid application for an HMO licence will comprise:

- A fully completed, signed and dated application form.
- All required documents which are fully completed, signed and dated.
- A Gas safety certificate where there is a gas supply (issued within the last 12 months).
- Electrical installation safety certificate (issued within the last 5 years).
- Emergency lighting inspection and test certificate.
- Fire alarm test certificate where a fire alarm system is installed (issued within the last 12 months).
- Evidence of working smoke and carbon monoxide detectors.
- Floor plan or sketch of the property detailing the size in square metres, the layout and position of each room. Rooms must meet statutory minimum sizes: <https://www.legislation.gov.uk/ukxi/2018/616/made> and Bury Councils HMO standards.
- Copy of an Assured Shorthold Tenancy agreement or licence.
- DBS certificate (for anyone with a responsibility) dated within the last 3 months.

Applications will only be considered if the application is fully completed along with all the required documents.

Determine any application in a reasonable time frame:

Application length will vary based on each property's individual circumstances. The Council will endeavour to process applications in a timely manner, avoiding any

unnecessary delays. During times of high demand for service, the Council will advise applicants of possible delays in processing applications.

and

Secure applications where licences

are required:

The Council will continue to actively seek compliance with mandatory licensing requirements through both communication and engagement with tenants, landlords, managing agents and organisations representing them; and proactive investigations and enforcement action where appropriate, which may include financial penalties up to £30,000 or an unlimited fine should the matter proceed to criminal prosecution. Where the Council takes action, it will be in line with the Private Sector Housing's Enforcement Policy and the Council's Civil financial penalty policy.

Exemptions

There are a number of exemptions prescribed that are exempt from mandatory licensing. Categories of exemptions are listed below, however, this is not a definitive list and you should refer to the legislation itself for details of the specific requirements for each category which are often complex.

- Buildings controlled or managed by public sector bodies
- Buildings controlled or managed by a co-operative society
- Buildings regulated otherwise than under this Act
- Buildings occupied by students where the person managing/in control is specified in national regulations
- Buildings occupied by religious communities
- Buildings occupied by owners and their households
- Buildings occupied by two persons who form two households

If you are in any doubt as to whether an exemption applies you are strongly recommended to contact the Council for clarification and/or take your own legal advice.

Licensing process

Following receipt and consideration of the application, the Council can either grant or refuse a licence. All properties will be subject to inspection throughout the licensing process to check compliance with licence conditions, management responsibilities and minimum standards. Where inspections have been pre-arranged, applicants will be required to provide access to all rooms in the HMO.

In determining whether to grant or refuse a licence, the Council must satisfy itself of the following:

- That the proposed licence holder of the HMO is a **fit and proper** person and the most appropriate person to hold the licence; and
- That the manager of the HMO is a fit and proper person;
- That there are **satisfactory management arrangements** in place or that such arrangements can be put in place by the imposition of conditions in the licence.
- That the house is reasonably **suitable for occupation** by not more than the maximum number of households or persons or that it can be made so suitable by the imposition of conditions

Fit and proper

In deciding whether a person is a 'fit and proper' person to hold a licence or to be a property manager, the Council is required to have regard, amongst other things, to any evidence that a person has an unspent conviction for an offence involving;

- Fraud or other dishonesty
- Violence or drugs
- Any offence listed in schedule 3 to the sexual offences act 2003 (offences attracting notification requirements)
- Practised unlawful discrimination
- Contravened provisions in relation to housing or landlord and tenant law
- Failed to act in accordance with any Code of Practice approved by an appropriate national Authority

The Council may also verify the information provided with other departments across the Council such as council tax, planning and building control in relation to the application.

The Council may refuse to grant a licence where it is not satisfied that the licence holder and or property manager is not a fit and proper person.

Management arrangements in place

The management structures must be such that the manager is able to comply with any licence conditions and deal with the day-to-day operation management issues that arise, as well as being able to deal with longer term management issues. Where a licence holder resides over 75 miles from the borough of Bury, written confirmation of consent must be provided from a competent manager residing in the borough, who will take on the relevant management duties.

Suitable for occupation

The Council must be satisfied that the property is reasonably suitable for occupation by a specified maximum number of persons or households.

The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 (as amended) must be taken into consideration. These regulations require that the following matters must be taken into account when assessing suitability for occupation:

- The provision of an adequate means of space heating in each unit of living accommodation;
- The provision of adequate and sufficient toilet facilities, plus facilities for personal washing and bathing;
- The provision of adequate and sufficient kitchen facilities
- The provision of appropriate fire precautions and fire safety equipment

In addition the Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018 specify minimum requirements for sleeping accommodation.

Minimum statutory room sizes:

- 6.51 m² for one person over 10 years of age
- 10.22 m² for two persons over 10 years
- 4.64 m² for one child under the age of 10 years

A room smaller than the specified size must not be used as sleeping accommodation. The purpose of this is to reduce overcrowding in smaller HMOs.

There may be some cases where it is acceptable to provide additional space in a communal area where a room falls short of the minimum room sizes. Officers will exercise their discretion and when considering whether or not this offers a suitable solution, the existing size and layout of communal area will be taken into consideration.

Conditions

All licences are subject to mandatory conditions. The licence holder must comply with these conditions with immediate effect or within a specified period which is usually within 3 months of the conditions coming into effect.

The mandatory conditions require the licence holder to:-

- Provide the Council with a valid gas safety certificate on demand.
- Keep electrical appliances and furniture supplied by the licence holder in a safe condition.
- Ensure that fire alarms and smoke detectors are installed and maintained in proper working order.
- Provide tenants with a written statement of the terms on which they occupy the property.

The Council can impose its own local conditions on HMOs operating in Bury which may include those which are specific to a property, and which would regulate its occupation, use and management.

The standards determined by the Council are contained in the document "Bury Council HMO for Landlords, available on the Council's website ****insert link****

Planning permission

Enquiries will be made with the Council's planning department to ensure that the relevant planning permission is in place or in the process of being applied for. Any properties found to be in breach of planning requirements will be referred to the Council's planning enforcement team. For more information regarding planning requirements please contact the Planning and Development Team or visit <https://www.bury.gov.uk/planning-building-control>

Temporary exemptions (TEN)

In certain circumstances a landlord may decide on an alternative course of action for a property which, if put in place, would mean the property would not require a licence.

If the person having control of, or the person managing the house notifies the Council of that intention, the Council may, if it sees fit, serve a Temporary Exemption Notice (TEN) on that person in respect of the property. If a TEN is served the property will be exempt from the licensing requirement during the period that the TEN is in force.

The Council can only serve a TEN for a maximum period of three months, although under exceptional circumstances it may serve a second TEN for a maximum of a further three months. It cannot serve a further TEN on expiry of the second TEN.

Service of a TEN is at the discretion of the Council and the Council will need to be satisfied that there are valid reasons for doing so.

Examples may include, but not limited to:

- the owner requiring possession of the property for their own residence,
- the owner is subject to bankruptcy proceedings
- the property is being sold, converted or otherwise redeveloped.
- Licence holder dies

In any scenario where a TEN is being sought, the Council will require the person having control to furnish them with firm evidence of action being taken to secure that the property will not need a licence within a reasonable time period. For example, evidence that the property is actively on the market for sale, evidence of a planning application for redevelopment etc. In the absence of adequate evidence a TEN is unlikely to be served.

Where the Council decides not to serve a TEN, the person concerned may appeal to the First Tier Tribunal (Property Chamber) within 28 days of receiving a notification of the Council's decision not to serve a TEN

Refusal to grant licence

The Council may refuse to grant a licence. Reasons to refuse a licence include:

- the house cannot be made reasonably suitable for occupation,
- a Banning Order is in force against the applicant,
- the proposed licence holder or manager is not a fit and proper person
- Fee not paid

Where a licence application is refused, the Council may be required to take on the management of the property by making an Interim Management Order (IMO). A full options appraisal will be carried out before any decision to refuse to grant a licence is made and the making of a Final Management Order (FMO) should be regarded as a last resort.

IMO Interim management order

An Interim Management Order (IMO) transfers the management of a property to the Council for a period of up to 12 months.

An IMO will be made where a property falls within the definition of a licensable HMO but is not licenced and there is no reasonable prospect of it being licenced.

An IMO may also be issued to protect the health, safety or welfare of occupants of the property, or of neighbours or people having an interest in neighbouring properties.

An IMO permits the Council to:-

- Take possession of the property against the immediate landlord.
- Do anything in relation to the property which could have been done by the landlord.
- Collect rents and deduct from this income any relevant expenditure incurred in managing the property and sums due in compensation to a third party.
- Create new tenancies with the consent of the landlord.

The Council may vary an IMO where appropriate and may revoke one where a licence is subsequently issued for the property, or if the property ceases to be an HMO.

FMO Final management order

If an IMO expires and there has been no improvement, then the Council may issue a Final Management Order (FMO) that can last up to 5 years and may be renewed.

An FMO allows the Council to secure long-term management of the HMO.

The Council will periodically review the FMO, and the management scheme contained in it and will consider whether keeping it in force is the best course of action. Following a review, the FMO may be varied, revoked or a licence issued for the property.

A relevant person may appeal to the First-Tier Tribunal (Property Chamber) within 28 days of the Order being issued.

Revocation and variation of licences

The Council has the power to revoke a licence:

- with the agreement of the licence holder,
- where it considers that the licence holder or any other person has committed a serious breach of a condition of the licence or repeated breaches of such a condition,
- where the Council no longer considers that the licence holder is a fit and proper person to be the licence holder,
- where the authority no longer considers that the management of the house is being carried out by persons who are in each case fit and proper persons to be involved in its management.

Variation

The Council may vary a licence:

- with the agreement of the licence holder
- where there has been a change in circumstances, including discovery of new information.
- on the local authority's own initiative

An application to vary a licence can be made online:

need online form

Reasons to vary a licence may include:

- increase or decrease the number of permitted occupants,
- New, or amended legislative requirements,
- to add conditions relating to amenities, or to
- remove any conditions that are no longer applicable.

Where there has been a change in circumstances and the issue is about the maximum number of households or occupiers or the standards of amenities, the local authority must apply the standards to the circumstances as they were at the time when the licence was granted. However, if the prescribed standards have been

changed in regulations since the original licence was issued, the new standards apply.

Duration of licences

Where HMO licences are granted, they will normally be for the maximum five years allowed in accordance with the Housing Act 2004. However, where evidence exists that gives cause for concern about any person responsible for operating the HMO and/or the property conditions, it may be more appropriate to issue a licence for a shorter term.

Circumstances may include, but not limited to:

- Failure to apply for an HMO licence
- Failing to obtain relevant consents or approvals appropriate to the property use (such as non-compliance with planning requirements or building regulations)
- Failure to comply with HMO management regulations
- The property is for sale or the management is in the process of being changed

Any proposal to grant a licence for a shorter term will be subject to the statutory consultation process and any representations received about the proposed licence will be considered before a final decision is made.

After a shorter-term licence has been granted, the Council expects the licence holder to address the concerns that resulted in the granting of a shorter-term licence.

If the licence holder can demonstrate within the shorter-term period that the concerns have been addressed, they may apply to vary their licence.

However, if upon licence renewal there are on-going concerns (or non-compliance with licence conditions) then a further shorter-term licence may be issued. The Council may also consider it appropriate to take other enforcement action and this could include refusing to grant a new licence.

Appeals

You may appeal if we decide to:

- refuse a licence
- grant a licence with conditions
- revoke a licence
- vary a licence
- refuse to vary a licence
- Issue a FMO

Appeals should be made to the Residential Property Tribunal:

1st Floor
Piccadilly Exchange
2 Piccadilly Plaza
Manchester
M1 4AH
United Kingdom

Email: rpnorthern@justice.gov.uk

Telephone: 0161 237 9491

Fax: 01264 785 128

Appeals must be made within 28 days beginning with the date specified in the notice.

Power of the tribunal

On appeal, the tribunal may;

- confirm, reverse or vary the decision of the Council.
- direct the Council to grant a licence to the applicant for the licence on such terms as the tribunal may direct.

The Tribunal will also hear appeals regarding any enforcement notices that the Council may serve.

HMO Declaration

To remove any uncertainty as to whether a property is an HMO or not the Council can declare it as an HMO by serving an HMO Declaration on the owner or person managing or controlling the property. Such uncertainties may, for example, arise where the number of occupants in a property may fluctuate, thus falling in and out of the three tests for establishing if a property is an HMO under S254 of the Act. These are: the Standard Test, the Self-Contained Flat Test and the Converted Building Test.

A typical situation in which an HMO Declaration might be served is where the use of a property by the occupants is not as their only or main residence but where they occupy the property on a longer-term basis than is usual. Typically, this would apply to certain types of hotels or hostels.

The owner or person managing the property may appeal against the HMO Declaration to the First-Tier Tribunal (Property Chamber) within 28 days. The Tribunal must either confirm the declaration or revoke it.

The Council may revoke an HMO Declaration either by its own volition or upon an application from the property owner or manager. The Council must be satisfied that the property is no longer used significantly by persons as their only or main residence.

Enforcement

The Council has the power to take enforcement action where HMOs are found to be operating without a licence or where operators of HMOs are failing to comply with management regulations.

As an alternative to prosecution, the Council can issue civil penalty notices up to £30,00 (per offence). For further information of the Council's approach to enforcement, please refer to the Private Sector Housing Enforcement Policy:

<https://www.bury.gov.uk/asset-library/bury-private-sector-housing-enforcement-policy.pdf>

and the Civil (Financial) Penalty Policy:

<https://www.bury.gov.uk/asset-library/bury-private-sector-housing-civil-penalty-policy.pdf>

Fees

Section 63 of the Housing Act 2004 permits the Council to require any application for a licence under Part 2 is accompanied by a licence fee and that this fee may properly cover all costs incurred by the Council in carrying out its functions.

Current fees and charges in relation to HMO licensing can be found on the Council's website. Please refer to the website as fees and charges are subject to annual increases.

<https://www.bury.gov.uk/housing/private-rent/landlords/hmo-licence>

Please be aware there is no reduction for issuing a shorter – term licence. This is because the fees are based on the costs involved in processing and determining the application and for the continued administration of the licence scheme and related enforcement costs.

Caution in respect of mortgage applications etc prior to licence approval

In the Council's experience, some mortgage lenders may not approve a mortgage application or other financial product in relation to a property that should be licenced but is not so licenced. Landlords and managing agents are advised to exercise caution and are recommended to ensure a final licence is in place for the property prior to taking out any financial product in respect of the property.

Where this is not possible, they are strongly advised to contact the lender and ascertain directly from them their policy in relation to property licensing.

The Council will not be able to fast-track licence applications to facilitate applications for mortgages or other financial products linked to any property.

Agenda item 6- Appendix 2



Houses in Multiple Occupation Guidance for landlords

Applicable to all licensable and non-licensable HMOs across Bury

The Housing Act 2004 defines an HMO, however this definition is detailed and complex, but generally an HMO will be a property occupied by more than one household and more than two people, and may include bedsits, shared houses and some self-contained flats.

This guidance document is applicable to **ALL** HMOs across Bury.

HMO's where some or all amenities are shared occupied by 5 or more occupants require a HMO license.

However, all HMOs whether the landlord needs a license or not are subject to The Management of Houses in Multiple Occupation (England) Regulations 2006

These regulations exist to ensure that HMO owners and managers control a range of health and safety risks that are greater in HMOs and include;

- Fire safety - to ensure that equipment is maintained and that there is a safe route of escape
- Repair, maintenance and cleanliness of communal areas including gardens
- Repair and maintenance of fixtures, fittings and appliances in communal areas such as stairs, handrails, ventilation and heating appliances
- Provision of services including water, drainage, electricity and gas
- Provision and management of waste disposal facilities

Consequently, there is a responsibility placed on both the landlord and tenant to undertake the following;

Landlord responsibilities

- Give tenants your contact details and tell them how they can report any problems
- Provide adequate, uninterrupted water supply and drainage
- Maintain common parts, fixtures, fittings and appliances
- Supply and maintain gas (if any) and electricity
- Obtain a gas safety certificate each year
- Obtain an electrical safety condition report (EICR) every 5 years
- Provide suitable rubbish disposal

Tenant responsibilities

- Report any repairs that need to be carried out to your landlord
- Do not use any dangerous electrical appliances
- Comply with the conditions of your tenancy agreement
- Do not deliberately damage anything that the landlord must keep in repair
- Comply with arrangements for fire safety and refuse disposal
- Allow the landlord reasonable access so they can carry out their duties

Badly managed HMOs put residents at risk, encourage anti-social behaviour and can impact on entire neighbourhoods. If an owner or landlord is breaching management regulations it can result in fines up to £30,000 (this will increase to £40,000 from 1st May 2026) per offence or an unlimited fine if prosecuted through the Court system. In addition to the Management Regulations landlords have a responsibility to ensure their properties meet satisfactory housing conditions under the **Housing Health and Safety Rating System (HHSRS)**.

Licensable HMOs

For HMOs which are occupied by five or more persons forming two or more households licensing is mandatory and a license must be obtained from Bury Council.

In addition to the conditions required under the Management Regulations, other conditions will be specified relating to the facilities in the HMO, its condition and the management of the building, including how the licence holder deals with the behaviour of occupiers. The licence will contain the following information;

- the address of the licensed property
- the name and address of the licence holder
- the name and address of the person having responsibility for the management of the licensed property
- specify the maximum number of occupants and households who may occupy the HMO
- the period for which the licence is granted

The licence will usually be granted for a maximum of five years, however in certain circumstances the license may be granted for a shorter period.

Licenses can be applied for by the landlord/s or a managing agent provided the landlord has been notified of the application.

A person managing or controlling an HMO that should be licensed commits an offence if, without reasonable excuse, he fails to apply for a licence. We may issue a civil financial penalty up to £30,000 (increases to £40,000 from 1st May 2026) where HMO operates without a license, or the Court may issue an unlimited fine if the matter is taken before them.

In certain cases, rent from housing benefit or paid by tenants themselves can be reclaimed if a landlord is found to be operating a licensable HMO without a licence.

It is, therefore, in your interest to apply for a license promptly if the building requires one.

HMO licenses can be applied for online via the Council's website. Here you will also find information on the relevant fee for your license:

<https://www.bury.gov.uk/housing/private-rent/landlords/hmo-licence>

Advice and guidance

You can contact the PRS Enforcement Team via email – hmos@bury.gov.uk to discuss an application or speak to an officer for further advice and guidance.

This is recommended for all new applications as an officer can arrange to visit the property with the fire officer if necessary in order to provide assistance in ensuring the property meets the following requirements;

- There is sufficient and adequately sized amenities (i.e. Kitchens, bathrooms, toilets and communal lounge area) for the number of people specified on the license.
- Is free of Category 1 Hazards under the HHSRS in terms of the property condition.
- Has a satisfactory electrical condition report (EICR) – every 5 years.
- Has adequate fire safety measures in place to provide a protected means of escape (i.e. design of the route, fire doors and fire resistant building fabric, emergency lighting and fire detection).

More detailed guidance and information can be found at

The Housing Act 2004:

<http://www.legislation.gov.uk/ukpga/2004/34/contents>

The Management of Houses in Multiple Occupation Regulations 2006:

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

LACORS fire safety Guidance

http://www.cieh.org/library/Knowledge/Housing/National_fire_safety_guidance_08.pdf

HHSRS Guidance for Landlords & Property Related Professionals

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/9425/150940.pdf

The Amenity Standards for Houses of Multiple Occupation

http://www.cieh.org/uploadedFiles/Core/Policy/Publications_and_information_services/Policy_publications/Publications/Amenity_Standards_for_HMOs_1994.pdf

Before a licence can be granted we will also need to be satisfied;

- that the proposed licence holder and any manager of the property is a "fit and proper" person
- that the proposed licence holder is the most appropriate person to hold the licence
- that the person involved in the management of the HMO is competent and
- that the financial structures for the management are suitable
- that proper management standards are being applied at the property, including maintenance of the common parts fixtures, living accommodation and furniture safety

In deciding whether a person is a 'fit and proper' person to hold a licence or to be a property manager, the Council is required to have regard, amongst other things, to any evidence that a person has an unspent conviction for an offence involving;

- fraud or other dishonesty, or
- violence or drugs, or
- any offence listed in Schedule 3 to the Sexual Offences Act 2003 (offences attracting notification requirements) or
- practised unlawful discrimination or
- contravened provisions in relation to housing or landlord and tenant law or
- failed to act in accordance with any Code of Practice approved by an appropriate national Authority

Once a license has been granted our officers will undertake inspections when deemed necessary in order to ensure the property is being managed satisfactorily.

Do I need an HMO LICENSE?

Is my property an HMO and do I need a license?	
Is my property an HMO?	Housing Act 2004 Section & Schedule Numbers
It will be an HMO if it is one of the following:	
A shared house lived in by people who belong to more than one family* and who share one or more facilities**.	S254 (2) The standard test
A house in bedsits lived in by people who belong to more than one family* and who share one or more facilities**.	S254 (4) The converted building test
An individual flat lived in by people who belong to more than one family * and who share one or more facilities**.	S254 (3) The self contained flat test
A building of self contained flats that do not meet the 1991 Building Regulation Standards.	S257
Exemptions:	
If it is occupied by only two people	Sch 14, 7
If it is occupied by the owner (and their family) and one or two lodgers.	Sch 14, 6(c)
If it is occupied by a religious community	Sch 14, 5
If the occupiers have their main residence elsewhere***	S259
If no one in the property is required to pay rent	S254 92)(e)
If the owner or manager is a public body	Sch14, 2
If the owner or manager is an educational institution	Sch 14, 4
A building of self contained flats if two thirds or more of the flats are owner occupied	S257(2)(b) and s254(d)
If the property is part of a guest house or hostel (unless a HMO Declaration is made).	(s255(1))
How do I know If I need a license?	
An HMO must have a license if the following apply:	
1. It is an HMO (see definition of HMO above) and 2. It is occupied by five or more people	Regulations made under s55
Exemptions:	
• If the whole property is in self-contained flats	S258

<p>*Family – husband, wife, co-habitee, child, step-child, foster child, grandchild, parent, step parent, foster parent, grandparent, brother, half brother, sister, half sister, aunt, uncle, niece, nephew cousin. **Facilities – basic amenities: WC, wash hand basin, shower, bath, cooking facilities *** Accommodation used by full time students while they are studying is taken to be their main residence.</p>	
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Space Standards

Where all or some of the facilities are shared

All rooms should have a floor to ceiling height of at least 2.0m. Attic rooms shall have a floor to ceiling height of 2.0m over at least 50% of the room.

Any part of the room under 1.5m (5'0") shall not be taken into consideration when working out the floor area.

Ideally, children should not reside in HMOs, however where they are present, children under the age of 10 are counted as ½ a person. Any child over the age of ten is counted as 1 person.

Children over the age of 10 are not permitted to sleep in a room with a person of the opposite sex.

Table 1:

Where the room is for the sole use of the occupier	Number of persons	
	1	2 (cohabiting)
Bedroom only <i>(additional separate living space must be provided – refer to table 3)</i>	6.5m ²	10.2m ²
Kitchen	4m ²	5m ²
Combined spaces: Refer to table 2 for shared requirements		
Bedroom & living room	10m ²	14m ²
Bedroom and kitchen <i>(additional separate living space must be provided – refer to table 3)</i>	11m ²	15m ²
Bedroom, living room & kitchen (bedsit)	13m ²	20.5m ²

Table 2: Applicable where there is no requirement to provide additional living space

	Number of occupiers						
	3	4	5	6	7-10	11-15	16+
Shared rooms							
Kitchen only	5m ²	6m ²	7m ²	8m ²	10.2m ²	13.5m ²	16.5m ²
Separate living or dining room	8.5m ²	11m ²	11.2m ²	12.5m ²	16.7m ²	21m ²	24m ²
Combined Kitchen – dining	10m ²	11.5m ²	11.6m ²	13.1m ²	19.5m ²	24m ²	29m ²

Table 3: Where additional living space is required, you must meet the minimum standards below.

	Number of occupiers						
	3	4	5	6	7-10	11-15	16+
Shared rooms <i>where bedrooms 6.5- 10m single occupier & 10.2-14m double occupancy</i>							
Combined kitchen, living and dining	13.5m ²	17m ²	18.2m ²	20m ²	26.9m ²	34.5m ²	40.5m ²
Separate living room	8.5m ²	11m ²	11.2m ²	12.5m ²	16.7m ²	21m ²	24m ²
Kitchen	5m ²	6m ²	7m ²	8m ²	10.2m ²	13.5m ²	16.5m ²

There may be some cases where it is acceptable to provide additional space in a communal area where a room falls short of the minimum room sizes. (The minimum size you would be expected to 'make up' would be the shortfall.) Officers will exercise their discretion and when considering whether or not this offers a suitable solution. The existing size and layout of communal area will be taken into consideration, alongside ease of access and use of the additional space. You must not assume this will be satisfactory and this must be discussed with the officer processing your license.

Amenity standards

Bathroom facilities and personal hygiene

Where there are four or less occupiers sharing bathing and toilet facilities there must be at least one bathroom with a fixed bath or shower and a toilet (which maybe situated in the bathroom)

Where there are five or more occupiers sharing bathing and toilet facilities there must be one separate toilet with wash hand basin with appropriate splash back for every five sharing occupiers; and

at least one bathroom (which may contain a toilet) with a fixed bath or shower for every five sharing occupiers

The table below provides some examples of scenarios where a property that would meet the minimum requirement for the specified number of occupiers;

Number of Occupiers	Number of bathrooms without a toilet	Number of bathrooms with a toilet and wash hand basin	Number of additional separate toilets with wash hand basins.
1-4	1	-	1
1-4	-	1	-
5	1	-	1
5	-	1	1
6 to 10	2	-	2
6 to 10	1	1	1
6 to 10	-	2	1
11 to 15	3	-	3
11 to 15	2	1	2
11 to 15	1	2	1
11 to 15	-	3	1

Where there are exclusive use of facilities for personal hygiene, there must be a bath or shower, a WC and a wash-hand basin (WHB).

No unit of accommodation shall be more than one floor distant from a WC.

Personal washing facilities

Minimum sizes and requirements for a bathroom suite.

Appliance	Size	Additional information
Wash hand basin	560mm x 430mm	Appropriate splash-back
Wash hand basins in ensembles	380mm x 240mm depth of 130mm	Appropriate splash-back
Bath	1.67m in length	Appropriate splash-back of minimum height 450mm
Shower cubicle	800mm x 800mm	Purpose made cubicle

All facilities for hygiene should be located within proper rooms or compartments. External water closets will not be acceptable in regards to the amenity ratio requirements.

All bath/shower rooms and any separate WC compartments should have a suitable layout and be of a sufficient size to include adequate drying and changing space. Wall finishes and flooring should be readily cleansable, the flooring well-fitted and non-absorbent, and a suitable lock provided to the door of each bath or shower room and WC. There should be no glazing to the door.

All such rooms must be adequately heated, ventilated and have suitable and adequate means of artificial lighting.

All facilities provided for personal hygiene must be of a suitable size, design and must be readily cleansable.

All baths, showers and WHB's should be properly connected to a soil drainage system and should be provided with adequate and constantly available hot and cold water supplied via suitable fittings.

It is the responsibility of the management to ensure that a satisfactory level of cleanliness is maintained in all communal WCs and bath/shower rooms.

KITCHEN FACILITIES

Kitchens must be of a suitable size with a safe, cleansable and efficient layout. All facilities and equipment must be fit for purpose.

Requirements when facilities are shared usage.

Appliance/equipment	Minimum requirements
Sinks	<ul style="list-style-type: none"> • one per five occupiers (a dishwasher will be acceptable as a second sink) • appropriate splash back • provide constant hot and cold water • suitable draining area
Cookers	<ul style="list-style-type: none"> • four ring hob • oven and a grill per five occupiers (a 27 litre microwave with oven and grill will be acceptable as a second cooker)
Worktop	<ul style="list-style-type: none"> • smooth impervious work surface • minimum size of 500mm x 1000mm per five occupants
Floor covering	<ul style="list-style-type: none"> • impervious, easy clean, non-slip finish
Storage	<ul style="list-style-type: none"> • 0.3m³ dry goods storage cupboard other than a sink base unit per occupier either in each occupants room or in a (shared kitchen (held in lockable units))
Refrigerators	<ul style="list-style-type: none"> • two worktop height refrigerators with freezer compartment (or one worktop height fridge and one worktop height freezer) per five occupants
Ventilation	<ul style="list-style-type: none"> • mechanical ventilation to the outside air at a minimum extraction rate of 60 litres/second or 30 litres/second if the fan is sited within 300mm of the centre of the hob. Alternatively an accessible window of suitable size.

Requirements when facilities are exclusive use

Appliance / Equipment	Minimum requirements		
Sinks	<ul style="list-style-type: none"> • provide constant hot and cold water • draining area • tiled splash back 		
Cookers	<ul style="list-style-type: none"> • four ring hob • oven and separate grill 	or	<ul style="list-style-type: none"> • two ring hob • oven and grill combined • microwave
Worktop	<ul style="list-style-type: none"> • smooth impervious work surface of minimum area of 1000mm x 500mm 		
Storage	<ul style="list-style-type: none"> • 0.6m³ dry goods storage cupboard other than a sink base unit 		
Refrigerators	<ul style="list-style-type: none"> • a worktop height refrigerator with a freezer compartment 		
Separation	<ul style="list-style-type: none"> • Kitchens to be separated from the rest of the accommodation by a floor to ceiling partition 		

You must provide adequate facilities for storage and disposal of refuse and outline your tenant's responsibilities.

All kitchens must have adequate ventilation and artificial lighting.

One double electric power socket suitably positioned at least 150mm above the work surface is required, plus one per each additional major appliance (i.e. fridge and a washing machine).

If kitchens do not have a suitable dining area you must provide this facility within one floor distance of the kitchen.

In no circumstances shall kitchen facilities be installed within a staircase enclosure.

SPACE HEATING AND INSULATION

[A satisfactory heating system and thermal insulation must be provided to avoid excess cold.](#)

The heating system must be:

- A fixed installation which is controllable, programmable and accessible by all tenants.
- Safe.
- Properly and professionally installed.
- Capable of heating all habitable parts of the building and/or individual rooms.

Acceptable primary heating systems include:

- Gas, oil or solid fuel fired programmable central heating with thermostatically controlled radiator valves and where appropriate room thermostats.
- Thermostatically controlled and programmable fixed electric panels.

- Fixed slim line programmable electric storage heaters.

Liquid Petroleum Gas (LPG) and paraffin heaters are not acceptable under any circumstances

FIRE PRECAUTIONS

NOTE: A fire risk assessment is a requirement of the licensing process and The Regulatory Reform (Fire Safety) Order 2005. This will inform the level of detection required and other fire safety measures that are required for each particular building. It is best undertaken at the beginning of the development to determine type and cover level required.

Greater Manchester Fire and Rescue Service are the enforcing authority for the Regulatory Reform (Fire Safety) Order 2005 and as such are the certifying body to ensure that a fire risk assessment provided by the responsible person is suitable.

They do not complete fire risk assessments on behalf of the responsible person.

The fire safety standards in this note are taken from the Housing – Fire Safety Guidance published by LACORS. The requirements for fire safety are assessed on an individual basis as HMOs differ in many ways.

[Provide a means of escape so that:-](#)

- The staircase enclosure forms a protected route, from the topmost floor to ground level.
- All walls, screens and partitions forming the staircase enclosure to provide 30 minutes fire resistance.
- Doors within the escape route shall be of the same standard (FD30S/ E30Sa) unless the door is to a bathroom or WC that contains no fire risk.
- Bathrooms with gas boilers are to be fitted with doors that provide 30 minutes fire resistance.
- Fire resistance between floors shall be a minimum of 30 minutes.
- Fire resistance between individual occupancies shall be a minimum of 30 minutes.
- Fire resistance between the basement and ground floor shall be 60 minutes unless automatic fire detection units are provided in each compartment of the basement, in which case 30 minutes separation will suffice.
- All stairways, passageways and corridors forming the escape route shall not be used as storage space unless this is in the form of a locked cupboard provided with 30 minutes fire resistance.
- If the loft hatch is in the route of escape it shall provide 30 minutes fire resistance.
- Meters within the route of escape shall be boxed in and provided with 30 minutes fire resistance.
- Any gaps around services or pipe work throughout the premises shall be sealed by using intumescent collars, fire batt or another approved method to achieve suitable compartmentation dependent upon the size of the opening.
- If the property has associated commercial use, 60 minutes fire resistance shall be provided between the shop/business and the residential area.
- Inner rooms (those in which access is gained through another room) are not recommended as bedrooms and are only acceptable if the bedroom is provided with a suitable escape

window/s, automatic fire detection is provided in the access room and the access room is not of a higher fire risk than the internal room. Inner rooms are not acceptable.

- Glazing within the route of escape shall provide 30 minutes fire resistance and suitably marked (previously usually 6mm Georgian wired). Where timber frames are used, the glass is to be secured with hardwood beading with intumescent strips inserted between the glass and the beading on both sides.

Provide fire doors so that:-

- Half hour fire doors and frames are in accordance with BS 476: Part 22 or BS EN 1634 - 1 and to be of an FD30S/ E30Sa standard.
- All fire doors to be fitted with intumescent strips, smoke seals and an automatic self-closing device as appropriate in accordance with the standard.
- Intumescent strips and seals are not to be painted over.
- Any minor damage to the door must be made good, using suitable materials so as to ensure that the integrity of the door is not affected.
- If the integrity of the door is affected the door should be renewed with one that is undamaged.

All doors in the House should be capable of being opened from the inside without the use of a key or a security number/card.

Emergency lighting

Where necessary, emergency escape lighting must be designed to comply with BS 5266 and maintained in accordance with BS 5266-8: 2004 (BS EN 50172 :2004).

It will automatically illuminate upon the failure of the power supply to the conventional artificial lighting, when it must:

- illuminate the escape route to assist the occupants to move easily to exits and a place of safety;
- highlight any hazards such as stairs and changes in floor level or direction; and
- enable easy identification of any fire alarm call points and fire fighting equipment throughout the escape route.

Lighting of escape routes	
HMO of up to two storeys	Conventional lighting
HMO of three or more storeys	Conventional lighting and Emergency escape lighting

For conventional lighting most existing arrangements will be adequate, with the following conditions:

- light switches/controls should be obvious, simple and visible under all conditions
- switches should be located on every landing in a convenient and conventional position

Emergency lighting must operate not only when there is complete failure of the supply to the conventional artificial lighting, but also when there is a localised power failure within the lighting circuit that could be hazardous. The power supply to the luminaires should be designed to

prevent unauthorised disconnection, but it must incorporate a suitable means for simulating a mains failure (i.e. a test switch).

Installations are to be carried out by an NICEIC (National Inspection Council for Electrical Installation Contracting) registered contractor or equivalent and a satisfactory Emergency Lighting Completion Certificate is submitted on completion.

Emergency lighting systems are subject to 4 weekly testing, and annual inspections. The system must be checked by the property manager on a 4 weekly basis, and recorded.

Additionally, it must be inspected annually by a competent person, and a satisfactory inspections certificate produced within 7 days of the Authority's request.

Fire Routines and Notices

1. Make available for each unit of accommodation in the House a Fire Routine Notice explaining the procedure to be followed in the event of a fire. In the case of an HMO occupied by asylum seekers or other non-English speaking persons, the Fire Routine Notice shall be in their native language and ensure that it is prominently displayed.
2. Provide signs stating 'FIRE DOOR, KEEP SHUT' at eye level, on both sides of all fire doors.
3. Place notices indicating the location of fire escapes in positions that are clearly visible to occupants of the House.
4. Provide fire action signs on each level of the property with details of the emergency services number and the assembly point clearly marked

Fire Fighting Equipment

Provide any fire fighting equipment deemed necessary by your fire risk assessment and ensure all equipment provided is in line with the relevant British Standard and inspected at prescribed intervals.

Fire extinguishers – BS7683 and BSEN 3

Fire Blankets – BSEN 1869:1997

Never put water fire extinguishers in a kitchen.

N.B. Advise all occupiers and visitors that in the event of a fire they should get out of the House and stay out and call the fire service.

[Fire Detection](#)

HMOs Grade and coverage of fire detection	
Shared house HMO of up to two storeys (shared cooking facilities)	Grade D: LD3 coverage + additional detection to the kitchen, lounge and any cellar containing a risk (interlinked)
Shared house HMO of three or four storeys (shared cooking facilities)	Grade D: LD3 coverage + additional detection to the kitchen, lounge and any cellar containing a risk (interlinked)
Shared house HMO of five or six storeys (shared cooking facilities)	Grade A: LD2 coverage (detection in all risk rooms i.e. bedrooms, kitchen and lounge) (interlinked)
Bedsit HMO of one or two storeys with individual cooking facilities within bedsits	A mixed system: <ul style="list-style-type: none"> • Grade D: LD2 coverage in the common areas and heat detectors in bedsits (interlinked) • Grade D smoke alarm in each bedsit to protect the sleeping occupants (non-interlinked)
Bedsit HMO of three to six storeys with individual cooking facilities within bedsits	A mixed system: <ul style="list-style-type: none"> • Grade A: LD2 coverage in the common areas and heat detectors in bedsits (interlinked) • Grade D smoke alarm in each bedsit to protect the sleeping occupants (non-interlinked)
Two-storey house converted to self-contained flats (prior to Building Regulations 1991, approved document B standard)	A mixed system: <ul style="list-style-type: none"> • Grade D: LD2 coverage in the common areas and a heat detector in each flat in the room/lobby opening onto the escape route (interlinked) • Grade D: LD3 coverage in each flat (non-interlinked smoke alarm in the room/lobby opening onto the escape route) to protect the sleeping occupants
Three- to six-storey house converted to self-contained flats (prior to Building Regulations 1991, approved document B standard)	<ul style="list-style-type: none"> • Grade A: LD2 coverage in the common areas and a heat detector in each flat in the room/lobby opening onto the escape route (interlinked) • Grade D: LD3 coverage in each flat (non-interlinked smoke alarm in the room/lobby

	opening onto the escape route) to protect the sleeping occupants
Building converted partly into self-contained flats and partly into bedsits or non-self-contained lets	A mixed system: <ul style="list-style-type: none"> • Apply the appropriate recommendation for each unit of accommodation from this table and the appropriate whole-house system based on the storey height

The following applies to the fire detection system and coverage;

Ensure that any cellar/basement is included in the system. But, if the cellar/basement has been made/updated to provide 60 minutes fire resistance then automatic fire detection will not be required.

1. Ensure that the alarm sound level is 75 decibels at the bed head when all the doors are closed and attains 65 decibels or 5 decibels above background noise levels throughout the remainder of the property whichever is the greater.
2. Ensure that the installation is carried out by an NICEIC (National Inspection Council for Electrical Installation Contracting) registered contractor or equivalent and provide a satisfactory Installation and Commissioning Certificate on completion.
3. A satisfactory annual test certificate is to be produced within 7 days request of the Authority.

Requirements for escape windows

Any window provided for emergency escape purposes should have an unobstructed openable area that is at least 0.33m² and have a minimum 450mm height and 450mm width. The bottom of the openable area should not be more than 1,100mm above the floor.

Escape windows can only be considered if satisfied that it would be safe to use them in an emergency.

They should meet the following criteria:

- They serve rooms whose floor level is no more than 4.5m from the ground
- Every room served by the escape window has access to it without entering another habitable room with a lockable door (unless of a type that can be overridden from outside the room without the use of a key, tool or numerical code) and any tenancy agreement should ideally prohibit the fitting of alternative or additional locks. (This will usually be achievable in single household occupancies and most shared houses, but is unlikely in a bedsit-type HMO)
- If it is necessary to pass through the common escape route to reach the escape window, consideration should be had to the travel distance involved. Where the common escape route is not a protected route, unusually long travel distances may be unacceptable and other fire precautions may be necessary (this will not usually be the case in conventional houses)
- Occupiers are able-bodied individuals with no specific high-risk characteristics and who can reasonably be expected to exit via the window unaided

- There is no basement well or other encumbrance beneath the window such as railings or a conservatory
- The escape window is openable from the inside without the use of a removable key; and the ground below is level and free of obstructions
- The window or door should lead to a place of ultimate safety, clear of the building. However, if there is no practical way of avoiding escape into a courtyard or back garden from where there is no exit, it should be at least as deep as the building is high

Fixtures and fittings and Common Parts

1. Ensure all:-
 - handrails and banisters
 - stair coverings
 - windows and other means of ventilation in the common parts
 - fixtures and fittings used by two or more households in the HMO (except those outside the Licence Holder's control) are provided and in safe working order and are kept in good repair at all times.
2. Provide additional handrails and banisters as are necessary for the safety of the occupiers or as may be requested by the Authority.
3. Ensure adequate light fittings are fitted and are working in the common parts at all times.
4. Ensure any part of the House not in use for any length of time, including any passage and staircase leading directly to it is kept reasonably clean and free from refuse and litter.
5. Ensure that outbuildings, yards and forecourts which are used in common with two or more households in the House are maintained in good repair, clean condition and good order.
6. Ensure that any garden is kept in a safe and tidy condition.
7. Ensure that boundary walls, fences and railings (including railings in a basement area), belonging to the House are kept and maintained in good and safe repair so as not to constitute a danger to occupiers.

Living Accommodation

1. Ensure that each unit of living accommodation is in a clean condition at the beginning of the occupancy of the House by each household.
2. Ensure in respect of each part of the House used as living accommodation that:-
 - the internal structure is maintained in good repair;
 - all the fixtures, fittings and appliances within the House are maintained in good repair and clean working order
 - all the windows and other means of ventilation are kept in good repair.
3. This paragraph does not apply where the occupant has caused the damage by acting otherwise than in a tenant like manner* or where the item is a fixture or fitting which belongs to the occupant and is outside the Licence Holder's control.

Ventilation

All habitable rooms, kitchen, bathrooms and all non-habitable rooms must be ventilated by a window or other adequate means up to a reasonable standard in the opinion of the Authority. As

a guide this should be in the region of 1/20th of the floor area of the room. All bedrooms require natural ventilation and light.

Lighting - natural and artificial

All rooms must be illuminated up to a reasonable standard in the opinion of the Authority. This shall also apply to common areas such as staircases which shall be adequately lit by artificial lighting. Bathrooms and kitchens may however be illuminated only by artificial light, but in such circumstances must be provided with mechanical extract ventilation. As a guide a habitable room should have natural light in the region of 1/10th of the floor area of the room.

Planning permission & building regulations approval

Some works to HMO's will require planning permission and/or building regulations approval including; change of use to become an HMO, installation of plumbing and electrical works, thermal insulation, and structural alterations. You should check with the Councils planning department prior to the start of any development what permissions are required.

For further information please refer to the Councils website and supplementary planning advice:

<https://www.bury.gov.uk/planning-building-control/planning-policy/supplementary-planning-advice>

Please be aware that meeting building regulation standards does not imply that the house meets HMO standards and will be free from HHSRS hazards.

Houses in Multiple Occupation Licensing conditions



The Licence Holder or other Relevant Person¹ (collectively known as The Licence Holders in these conditions) must:

1 Amenity Standards

- 1.1 Ensure that the water supply, water fittings and drainage are maintained in a good, clean, working condition.
- 1.2 Ensure that any water storage receptacle is covered and kept clean.
- 1.3 Ensure that any water pipes (except overflow or mains supply pipe) or fittings are protected from frost damage.
- 1.4 Not unreasonably cause any interruption to the gas or electricity supply.
- 1.5 Keep all common parts² in good and clean decorative repair, in a safe and working condition and reasonably clear from obstruction.
- 1.6 Comply with the conditions listed in Schedule 2 to this licence.

2 General Maintenance Requirements

- 2.1 Keep the house in good order and repair and to do such repairs within time frames determined by the Authority which are calculated upon reasonableness and balanced against the nature of the job or the repair item.
- 2.2 Make any further repairs to anything in or related to the house (or of any item placed/installed in the House by the Licence Holder or already in the House at the time of occupancy and which is not the responsibility of the tenant) which may become necessary during the Licence Period; and in particular at the request of the Authority to make any repairs that are in the opinion of the Authority reasonably necessary.
- 2.3 Renew any of the fixtures or fittings, furniture, electrical or gas installations (or of any item placed/installed in the House by the Licence Holders or already in the House at the time of occupancy and which is not the responsibility of the tenant) which may become necessary during the Licence Period because for instance they are beyond repair; and in

¹ 'Other Relevant Person' means person other than the Licence Holder who has consented in writing to comply with these conditions.

² As defined by Regulation 7 of the Management of Houses in Multiple Occupation (England) Regulations 2006

particular at the request of the Authority to make any repairs that are in the opinion of the Authority reasonably necessary.

3 Safety of Gas Appliances

- 3.1 Produce to the Authority³ annually or within 7 days of a written request by the Authority for inspection a Gas Safety Certificate obtained in respect of all gas appliances in respect of the House⁴ within the last 12 months.
- 3.2 Such Gas Safety Certificate produced in 3.1 above must have been issued by a registered Gas Safe registered engineer in respect of all gas appliances at the House (e.g., gas central heating boiler, gas pipes, gas oven-hob or any other) (as required by the Gas Safety (Installation and Use) Regulations 1998).

4 Safety of Electrical Appliances and Furniture

- 4.1 Keep all electrical appliances and all furniture made available by him/her in the House in a safe condition, in good repair and in a clean condition.
- 4.2 Ensure that all fixed electrical installations are inspected and tested at intervals not exceeding 5 years by a person qualified to undertake such inspection and testing and obtain a certificate from the tester specifying the results of the test.
- 4.3 Ensure that the person referred to in 4.2 is an approved electrical contractor on a suitable and approved competent person scheme. The test certificate provided should be an electrical installation condition report (EICR).
- 4.4 Provide to the Authority, on demand, declarations signed by him/her as to the safety of such appliances and furniture, as detailed in 4.5, 4.6 and 4.7.
- 4.5 The declarations in 4.4 should demonstrate to the satisfaction of the Authority compliance with relevant safety legislation including the Electrical Equipment (Safety) Regulations 1994; the Plugs and Sockets (Safety) Regulations 1994 and the Furniture and Furnishings (Fire) (Safety) Regulations 1988, as amended in relation to all electrical appliances and furniture in the House. This requirement also applies to children's furniture, e.g. cots, small chairs and to covers and fillings of any cushions supplied with any furniture.
- 4.6 Provide to the Authority within 7 days of a written request by the Authority evidence that all portable electrical appliances supplied as part of the letting are safe for use and comply with the Electrical Equipment (Safety)

³ 'Authority' = Bury Metropolitan Borough Council

⁴ 'House' = Property being licensed under Part 2 Housing Act 2004.

regulations 1994 and the Plugs and Sockets (Safety) Regulations 1994; and ensure they are subjected to annual inspections and PAT (Portable Appliance Test) tests. The Authority will require written evidence of inspections and tests.

- 4.7 Provide to the Authority within 7 days of a written request by the Authority evidence that all furniture supplied as part of the letting is safe for use and complies with the Furniture Furnishings (Fire) (Safety) Regulations 1988, as amended.

5 Terms of Occupation

- 5.1 Supply to the occupants of the House a tenancy agreement or lease showing the terms upon which they occupy it and show to the Authority written evidence that this has been done⁵. For instance, a tenancy under Part 1 of the Housing Act 1988 will suffice and tenancies should contain terms relating to date of commencement, rent, termination, security of tenure, grounds for possession, repairs, lodgers, succession, consultation on changes, subletting, assignment, improvements, inventory, condition of property, access, communal areas, pets, nuisance, harassment and annoyance to third parties.

6 Automatic Fire Detection System

- 6.1 Ensure that an Automatic Fire Detection System is fitted at each storey of the property on which there is a room used wholly or partly as living accommodation and is compliant with BS5839: Part 1 for an L2 specification (or suitable equivalent) and is installed and maintained in good working order.
- 6.2 Supply to the Authority on demand a declaration by him / her as to the condition of the Automatic Fire Detection System referred to in 6.1. including suitable and legible inspection and test certificates obtained in accordance with the said BS5839: Part 6.
- 6.3 The whole installation shall be inspected and tested in accordance with BS 5839: Part 6 by a competent person. An inspection logbook shall be duly completed and retained for examination by the Authority at the time of re-inspection

NOTE:

Where a Grade A system is provided:

- The system shall be subject to inspection and servicing at intervals not exceeding six months, carried out by a competent person possessing specialist knowledge of fire detection and fire alarm systems.

⁵ Provision of a copy of the Tenancy Agreement or Lease will suffice plus evidence that it has been served on the tenant, e.g. by letter acknowledged by the tenant.

- Each inspection shall be recorded in the system logbook, and a periodic inspection and test certificate shall be issued.
- The system shall be tested weekly in accordance with BS 5839-1:2017. The result of each weekly test, along with the identity of the manual call point used, shall be recorded in the system logbook.
-

Where a Grade D system is provided:

- The system shall be subject to inspection and servicing at intervals not exceeding twelve months, carried out by a competent person possessing specialist knowledge of fire detection and fire alarm systems.
- Each inspection shall be recorded in the system logbook, and a periodic inspection and test certificate shall be issued.
- The system shall be tested monthly. The result of each monthly test shall be recorded in the system logbook.

7 Carbon Monoxide Detection

- 7.1 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 or a gas boiler.
- 7.2 Ensure all carbon monoxide alarms are maintained in good order and repair.
- 7.3 Supply the authority, on demand, with a declaration by him/her as to the condition and positioning of any such carbon monoxide alarm.

8 General Fire Precautions

- 8.1 Ensure all the fire precautions listed in Schedule 1 are put into place at the house, ensure that a smoke alarm is installed on each storey of the house on which there is a room used wholly or partly as living accommodation and ensure all fire escapes are kept free from obstruction.
- 8.2 Ensure all alarms, fire escapes and any other such equipment relating to fire safety are maintained in good order and repair.
- 8.3 Supply the authority, on demand, with a declaration by him/her as to the condition and positioning of such smoke alarms.

9 Waste Arrangements

- 9.1 Ensure that sufficient bins or other suitable receptacles are provided as are adequate for the requirements of each household in the House for the storage of refuse and litter pending their disposal.

- 9.2 Give instructions to tenants, at the beginning of their occupancy, regarding the storage and disposal arrangements in place in respect of refuse.

Note: that if recycle bins are provided ask and encourage tenants to use them.

- 9.3 Ensure that wherever possible waste arising from building works or improvements to the house, does not accumulate in the curtilage to the property. Where such accumulations are unavoidable, they shall be removed as soon as reasonably practicable.

- 9.4 Not allow other waste such as old furniture or such items as old fridges to accumulate in the curtilage to the property. If arrangements have been made for the removal of such items, they may only be placed to the front of the property on the date of collection.

10 Anti-social Behaviour

- 10.1 Take all reasonable and practicable steps to prevent or reduce anti-social behaviour by persons occupying or visiting the house.

- 10.2 Include the following terms into the Tenancy Agreement in addition to the ordinary terms setting out the rights of the occupant and make the occupants aware of the terms prior to their occupation of the House.

Include a term defining anti-social behaviour as conduct on the part of occupiers or visitors to the house:-

- a) which causes or is likely to cause a nuisance or annoyance to persons residing, visiting, or otherwise engaged in lawful activities in the vicinity of such premises, or
- b) which involves or is likely to involve the use of such premises for illegal purposes.

- 10.3 Include a term stating that if the occupiers engage in anti-social behaviour as defined in 10.2 above, that shall be a ground on which the Licence Holder (Landlord) can apply for a court order for repossession of the House.

- 10.4 Give information to the tenant prior to occupation about anti-social behaviour and the standard of behaviour expected and what the results of anti-social behaviour could be, namely that the police or local authority could become involved, that they may have to appear in Court or lose their tenancy.

- 10.5 Keep a written record of all complaints received from third parties about any instances of anti-social behaviour including name and contact details of the complainant, time and date of the incident, and a

description of the incident and identity of the perpetrator wherever possible.

- 10.6 Allow the Authority to enter and inspect the house for the purpose of enforcing any of these conditions, such entry not to be unreasonably withheld.

11 Local Management Arrangements

- 11.1 Appoint a competent manager residing within the authority's area in cases where the Licence Holder resides over 75 miles from the Metropolitan Borough of Bury who has consented in writing to comply with these conditions.
- 11.2 Secure access to the House for inspection by the Authority whenever it is required by the Authority (such access not to be unreasonably withheld).

12 Other Management Responsibilities

- 12.1 Make available his/her name address and telephone number to all occupants of the House and to display these details in a prominent position at the House and generally to comply with the requirements of the Management of Houses in Multiple Occupation (England) Regulations 2006 and all other relevant legislation. The licence holder should ensure he/she complies with the management conditions listed in Schedule 2, Amenity Standards for Houses in Multiple Occupation.
- 12.2 Ensure the House is covered by suitable buildings insurance and contents insurance for those relevant items listed in the inventory which is referred to in paragraph 12 below.

13 Logbook Requirements

- 13.1 Keep at the House a Logbook containing all safety and test certificates for the house including those relating to gas, fire detection systems and electrical installations, electrical appliances and furniture as required by the licensing conditions. Place and maintain up to date copies of the following:
- a) HMO licence and conditions
 - b) An inventory of all the furniture and appliances supplied by you
 - c) Furniture safety documentation/declaration (if applicable)
 - d) Gas safety certificate
 - e) Electrical Installation Safety Certificates
 - f) Documentation relating to the safety of electrical appliances provided by the Licence Holder (PAT testing)
 - g) Emergency lighting test certificate
 - h) Fire detection equipment inspection and testing records
 - i) Fire extinguisher inspection and annual service records

- j) The Management of Houses in Multiple Occupation (England) Regulations 2006
- k) Contact details, i.e., name address and telephone number for the Licence Holder (and other relevant person and/or manager where applicable).

Any other information you consider relevant to the safe occupation of the property.

14 General

- 14.1 Ensure that the number of persons residing at the property shall not exceed the maximum number stated on the licence.
- 14.2 Not change the use and level of occupancy of each room/unit without the prior application to the Authority for a variation of the Licence which has been granted by the Authority in accordance with the Authority’s licensing procedure.
- 14.3 Inform the Authority immediately of any material change of circumstances in respect of the Licence Holder, manager, or anyone else involved with the property, the property itself or its management, including for example any criminal convictions arising after the granting of the licence.
- 14.4 Not make any alterations to the House without prior application to the Authority for a variation of the Licence which has been granted by the local authority in accordance with the Authority’s licensing procedure.

Declaration

I confirm that I have read these terms and conditions including those in Schedule 1 and Schedule 2 and that I understand that I have to abide by them so as not to be in breach of my licence. I further understand that s72(3) Housing Act 2004 makes it a criminal offence to fail to comply with any of the conditions of this licence including those in the schedules of this document.

Signed: Licence Holder

Name:

Address:

Signed: Manager (Other relevant person)

Name:

Address:

Note: Where, in the opinion of the Council, and as necessary by the local fire and rescue authority, it is not reasonably practicable to comply with any of the conditions in Schedule 1 Fire Precautions and Facilities and Schedule 2 Amenity and Management then the Council may at their discretion moderate against any condition but only where the health, safety and welfare of any occupants or visitors to the house is not adversely affected by any such moderation.

Schedule 1

Fire Precautions and Facilities

Standards for Houses in Multiple Occupation

The Licence Holders must:-

- 1.0 Provide appropriate fire precaution facilities and equipment of such type, number, and location as is considered necessary in accordance with the current guidance in the Local Authorities Coordinators of Regulatory Services (LACORS) ...or equivalent, and any relevant legislation.

Where, in the opinion of the Council, and as necessary by the local fire and rescue authority, it is not reasonably practicable to comply with any of the conditions in Schedule 1 Fire Precautions and Facilities then the Council may at their discretion moderate against any condition but only where the health, safety and welfare of any occupants or visitors to the house is not adversely affected by any such moderation.

1.1 Provide a means of escape so that:-

- (a) the staircase enclosure forms a protected route, from the topmost floor to ground level.
- (b) all walls, screens and partitions forming the staircase enclosure to provide 30 minutes fire resistance.
- (c) doors within the escape route shall be of the same standard (FD30S/ E30Sa) unless the door is to a bathroom or WC that contains no fire risk.
- (d) bathrooms with gas boilers are to be fitted with doors that provide 30 minutes fire resistance.
- (e) fire resistance between floors shall be a minimum of 30 minutes.
- (f) fire resistance between individual occupancies shall be a minimum of 30 minutes.
- (g) fire resistance between the basement and ground floor shall be 60 minutes unless automatic fire detection units are provided in each compartment of the basement, in which case 30 minutes separation will suffice.
- (h) all stairways, passageways and corridors forming the escape route shall not be used as storage space unless this is in the form of a locked cupboard provided with 30 minutes fire resistance.
- (i) if the loft hatch is in the route of escape, it shall provide 30 minutes fire resistance.
- (j) meters within the route of escape shall be boxed in and provided with 30 minutes fire resistance.
- (k) any gaps around services or pipework throughout the premises shall be filled with intumescent paste/foam.
- (l) if the property has associated commercial use, 60 minutes fire resistance shall be provided between the shop/business and the residential area.

- (m) inner rooms (those in which access is gained through another room) are not recommended as bedrooms and are only acceptable if the bedroom is provided with a suitable escape window/s, automatic fire detection is provided in the access room and the access room is not of a higher fire risk than the internal room. Inner inner rooms are not acceptable.
- (n) glazing within the route of escape shall provide 30 minutes fire resistance (usually 6mm Georgian wired). Where timber frames are used, the glass is to be secured with hardwood beading with intumescent strips inserted between the glass and the beading on both sides.

1.2 Provide Fire Doors so that:

- (a) Half hour fire doors and frames are in accordance with BS 476: Part 22 or BS EN 1634 - 1 and to be of an FD30S/ E30Sa standard.
- (b) All fire doors to be fitted with intumescent strips, smoke seals and an automatic self-closing device as appropriate in accordance with the standard.
- (c) Intumescent strips and seals are not to be painted over.
- (d) Any minor damage to the door must be made good, using suitable materials to ensure that the integrity of the door is not affected.
- (e) If the integrity of the door is affected the door should be renewed with one that is undamaged.

All doors in the House should be capable of being opened from the inside without the use of a key or a security number/card.

1.3 Emergency Lighting

- (a) Provide an emergency lighting system, designed, and installed in accordance with BS 5266: Part 1 and 7 code of practice and BS EN 1838 and ensure that the system is maintained and tested in accordance with these BS / EN standards.
- (b) Ensure that the installation is carried out by an NICEIC (National Inspection Council for Electrical Installation Contracting) registered contractor or equivalent and a satisfactory Emergency Lighting Completion Certificate is submitted on completion.
- (c) Ensure that the installation accords with Part P of the current Building regulations.
- (d) Produce a satisfactory test certificate for the lighting every year and within 7 days of the Authority's request in writing.

1.4 Fire Routines and Notices

- (a) Make available for each unit of accommodation in the House a Fire Routine Notice explaining the procedure to be followed in the event of a fire. In the case of an HMO occupied by asylum seekers or other non-English speaking persons, the Fire Routine Notice shall be in their native language and ensure that it is prominently displayed.
- (b) Provide signs stating 'FIRE DOOR, KEEP SHUT' at eye level, on both sides of all fire doors.
- (c) Place notices indicating the location of fire escapes in positions that are clearly visible to occupants of the House.

1.5 Fire Fighting Equipment

- (a) Provide any fire fighting equipment deemed necessary by your fire risk assessment and ensure all equipment provided is in line with the relevant British Standard and inspected at prescribed intervals

NB. Advise all occupiers and visitors that in the event of a fire they should get out of the House and stay out and call the fire service.

1.6 Automatic Fire Detection - Three and Four Storey Properties

- (a) Provide an automatic fire detection system which conforms to the conditions relating to fire precautions in condition 6, Automatic Fire Detection System.
- (b) Ensure that any cellar/basement is included in the system. But, if the cellar/basement has been made/upgraded to provide 60 minutes fire resistance then automatic fire detection will not be required, as detailed in 1.1 (g).
- (c) Ensure that the alarm sound level is 75 decibels at the bed head when all the doors are closed and attains 65 decibels or 5 decibels above background noise levels throughout the remainder of the property whichever is the greater.
- (d) Provide heat detectors in kitchens, bathrooms with boilers and boiler rooms.
- (e) Ensure that the installation is carried out by an NICEIC (National Inspection Council for Electrical Installation Contracting) registered contractor and provide a satisfactory Installation and Commissioning Certificate on completion.
- (f) Produce a satisfactory annual test certificate within 7 days request of the Authority.

1.7 Five storey and above properties

- (a) Provide to the satisfaction of the Authority an automatic fire detection system which conforms to the conditions relating to fire precautions in condition 6. Automatic Fire Detection System and

anything else considered necessary related to fire safety by the Authority or by the Greater Manchester Fire Service.

1.8 Self-contained Lettings

- (a) In self-contained flats with lobbies provide an automatic fire detection system to BS 5839: Part 1 in communal areas, stairways, landings, cellars/basements, and the lobby of each separate letting. Ensure that the sounders linked to this system are provided in the bedrooms in each letting.
- (b) Ensure that each separate letting has domestic type smoke alarm/detector units, which comply with BS 5446: Part 1 and ensure that all units are mains wired to a separate, labelled fuse and interconnected to BS 5839: Part 6.
- (c) Provide an integral battery back-up facility and re-chargeable or long-life batteries and an audible 'low battery' warning sounder for all units.
- (d) Ensure that the units are to be sited in accordance with BS 5839: Part 1 for an L2 system.
- (e) Provide heat detectors/alarms in kitchens, bathrooms with boilers and boiler rooms.
- (f) Ensure that the installation is carried out by an NICEIC (National Inspection Council for Electrical Installation Contracting) registered contractor or equivalent and provide a satisfactory Installation and Commissioning Certificate on completion.
- (g) Produce a satisfactory annual test certificate within 7 days of a request by the Authority as requested for lettings that are not self-contained by condition 6, page 3.

Schedule 2

Amenity and Management

Standards for Houses in Multiple Occupation

The Licence holders must:-

2.0 Fixtures and fittings and Common Parts

- (a) Ensure all:-
- handrails and banisters.
 - stair coverings;
 - windows and other means of ventilation in the common parts; and
 - fixtures and fittings used by two or more households in the HMO (except those outside the Licence Holder's control).
- Are provided, are in safe working order and are always kept in good repair.
- (b) Provide additional handrails and banisters as are necessary for the safety of the occupiers or as may be requested by the Authority.
- (c) Ensure adequate light fittings are fitted and are always working in the common parts.
- (d) Ensure any part of the House not in use for any length of time, including any passage and staircase leading directly to it is kept reasonably clean and free from refuse and litter.
- (e) Ensure that outbuildings, yards and forecourts which are used in common with two or more households in the House are maintained in good repair, clean condition and good order.
- (f) Ensure that any garden is kept in a safe and tidy condition.
- (g) Ensure that boundary walls, fences and railings (including railings in a basement area), belonging to the House are kept and maintained in good and safe repair so as not to constitute a danger to occupiers.

2.1 Living Accommodation

- (a) Ensure that each unit of living accommodation is in a clean condition at the beginning of the occupancy of the House by each household.
- (b) Ensure in respect of each part of the House used as living accommodation that:-
- i. the internal structure is maintained in good repair.
 - ii. all the fixtures, fittings and appliances within the House are maintained in good repair and clean working order
 - iii. all the windows and other means of ventilation are kept in good repair.
- (c) Save that this paragraph does not apply where the occupant has caused the damage by acting otherwise than in a tenant like

manner* or where the item is a fixture or fitting which belongs to the occupant and is outside the Licence Holder's control.

2.2 Heating

Ensure that each unit of living accommodation in the House has an adequate means of programmable fixed space heating installed. Adequate shall be taken to mean to a standard that is in the opinion of the Authority reasonable in all the circumstances based upon the expertise of the Authority representatives and with reference to approved Government Guidance.

Note: that the Council does not allow portable heating appliances which are dependent upon liquid fuel or fuel gas under pressure.

2.3 Shared Bathroom and Toilet Facilities

Ensure that there is in the House:-

- a) An adequate number of bathrooms (containing either a bath or suitable shower cubicle), toilets and wash hand basins (suitable for personal washing, e.g. for washing face, hands and wrists) for the number of persons sharing those facilities;
- b) Every bath, shower cubicle and wash hand basin must have taps providing an adequate supply of cold and constant hot water;
- c) All bathrooms must be suitably and adequately heated and ventilated.
- d) All bathrooms and toilets must be of an adequate size and layout, and they must be suitably located in or in relation to the living accommodation in the House; and
- e) All baths, toilets, wash hand basins must be fit for the purpose.

* As defined in Para 8 (5) the Management of Houses in Multiple Occupation (England) Regulations 2006

2.4 Single Unit Bathroom Facilities

Where there are no adequate shared washing facilities provided for a unit of living accommodation the Licence Holder must provide an enclosed and adequately laid out and ventilated room with a toilet and bath or fixed shower supplying adequate cold and constant hot water for the exclusive use of that unit either:

- a) within the living accommodation; or
- b) within reasonable proximity to the living accommodation.

2.5 Shared Kitchen Facilities

- a) There must be a kitchen suitably located in relation to the living accommodation and of such a safe layout and size and equipped with such facilities to adequately enable those sharing the facilities to store, prepare and cook food.
- b) The kitchen must be equipped with the following equipment, which must be fit for the purpose and supplied in sufficient quantity for the number of occupiers sharing the facilities:-
 - i. sinks with draining board.
 - ii. an adequate supply of cold and constant hot water to each sink supplied.
 - iii. installations or equipment for the cooking of food.
 - iv. electrical sockets.
 - v. worktops for the preparation of food.
 - vi. cupboards for the storage of food or kitchen or cooking utensils.
 - vii. refrigerators with an adequate freezer compartment (or where the freezer compartment is not adequate, adequate separate freezers).
 - viii. appropriate refuse disposal facilities ; and
 - ix. appropriate extractor fans, fire blankets and fire doors.

2.6 Kitchens for Single Units

Where there is only one kitchen for one unit of living accommodation provide that unit with:-

- i. adequate appliances and equipment for the cooking of food.
- ii. a sink with an adequate supply of cold and constant hot water.
- iii. a fixed worktop for the preparation of food.
- iv. sufficient electrical sockets.
- v. a cupboard for the storage of kitchen utensils and crockery; and
- vi. a refrigerator.

The standards referred to in paragraphs i to vi shall not apply in relation to a unit of living accommodation where:-

- (a) the landlord is not contractually bound to provide such appliances or equipment.
- (b) the occupier of the unit of accommodation is entitled to remove such appliances or equipment from the HMO; or
- (c) the appliances or equipment are otherwise outside the control of the landlord

2.7 Space standards

- (a) Ensure all rooms have an adequate floor to ceiling height, any part of the room under 1.5 metres (5ft) shall not be taken into consideration when working out the floor area.
- (b) In relation to bedrooms or other sleeping rooms children under the age of 10 years are counted as half a unit and children over this age are not to sleep in a room with a person of the opposite sex. (Until further change of legislation as may be notified)
- (c) Ensure that adults do not share a room with another person unless living together as husband and wife or co-habitees).
- (d) Ensure that bedrooms when there is a separate communal living room have the following minimum floor space:
 - Single, minimum floor area of 6.5 metres² (70ft²)
 - Double, minimum floor area of 10.2 metres² (110ft²)
- (e) Within the bedrooms ensure that adequate provision is made for the storage of residents' clothing and personal possessions.
- (f) Ensure that all bedrooms are accessed off a common landing or staircase.
- (g) Ensure that bedrooms are provided with suitable and sufficient beds, mattresses and pillows and in bedsits provide one upholstered chair per person. All furniture to comply with the Furniture and Furnishings (Fire Safety) Regulations 1998, as amended (or the current Regulations), with the statutory labels attached.
- (h) Ensure kitchens are of an adequate floor area to accommodate safely all facilities provided for the storage, preparation and cooking of food.
- (i) Ensure kitchen/diners are of an adequate floor area to

accommodate safely all facilities provided for the storage, preparation and cooking of food and a suitable table and sufficient chairs to accommodate at peak demand.

- (j) Ensure dining room/s are of an adequate floor area to accommodate safely a suitable table and sufficient chairs to accommodate at peak demand.
- (k) Ensure living/dining rooms are of an adequate floor area to accommodate safely one upholstered seat per person and a suitable table and sufficient chairs to accommodate at peak demand.
- (l) Ensure living rooms are of an adequate floor area to accommodate safely one upholstered seat per person.
- (m) Provide in communal living rooms and bedsit rooms (which are let as furnished) one upholstered seat per person, as specified in 2.7 (g). NOTE: That if bedsit rooms have been provided for all persons there is no need for a communal living/sitting room.
- (n) Provide dining rooms (which are let as furnished) with a suitable table and sufficient chairs to accommodate at peak demand (NOTE: That children over one year are counted as a full person in relation to the numbers sharing communal rooms and facilities).
- (o) Ensure only rooms designated as bedrooms are used as sleeping rooms.
- (p) Do not use cellars for any accommodation purpose (A cellar is defined as a room where more than half of the room height is below ground level).
- (q) Ensure that cellars are provided with appropriate and adequate ventilation.
- (r) Ensure that basements are only used as accommodation if there is adequate light and ventilation, and the room meets other requirements laid down by the relevant fire safety guide and current Building Regulations and any other relevant legislation; including current Building Regulations where the basement is to be converted into living accommodation. (A basement is defined as a room where more than half of the room height is above ground level.)

2.8 Ventilation

All habitable rooms, kitchen, bathrooms, and all non-habitable rooms must be ventilated by a window or other adequate means up to a

reasonable standard in the opinion of the Authority. Where there is a shower in a bathroom there should be an overrun facility of at least 20 minutes.

2.9 **Lighting - natural and artificial**

All rooms must be illuminated with natural and artificial light up to a reasonable standard in the opinion of the Authority. This shall also apply to common areas such as staircases which shall be adequately lit by artificial lighting. Bathrooms may however be illuminated only by artificial light, but in such circumstances must be provided with mechanical extract ventilation.

By virtue of paragraph(s) 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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