



Durham County Council
County Hall

Durham
County Durham
DH1 5UQ

03000 268000
propertylicensing@durham.gov.uk

29 July 2024

AHMED J HOLDINGS LTD (Jamal Ahmed)
3 Woodbine Close
Huntington
Cannock
WS12 4UY
United Kingdom

Dear AHMED J HOLDINGS LTD (Jamal Ahmed)

**Housing Act 2004 Part 3 Section 88
Selective Licensing Of Other Residential Accommodation**

**Re: 1, Milton Grove
Durham
DH6 2RD**

LICENCE REFERENCE: DCC-569330782543

I am now able to confirm that a licence has been granted under the above legislation for the above property. Enclosed are the licence documents.

All person(s) associated with this licence are reminded that the conditions attached to this licence must be met. The licence holder and manager must not breach the conditions of the licence; doing so may result in penalties being imposed and legal action being taken. The property may be inspected by Council officers at any time and evidence that conditions are being adhered to can be requested.

It is an offence for a licence holder to fail to comply with any condition of a licence and is liable, on summary conviction, to a fine or may be subject to a penalty notice of up to £30,000.

If you have any further queries please contact the Selective Licensing Team on selectivelicensing@durham.gov.uk

Yours sincerely,

Ted Murphy
Building Safety and Standards Manager



HOUSING ACT 2004 Part 3 and Schedule 5 (1)

**Notice of Granting a Licence in Respect of a House in
an Area Designated for Selective Licensing**

LICENCE REFERENCE: DCC-569330782543

1, Milton Grove, Durham, DH6 2RD

[Licence Holder]

To: AHMED J HOLDINGS LTD (Jamal Ahmed)
Of: 3 Woodbine Close, Huntington, Cannock, WS12 4UY

The Durham County Council 'the Council' has approved an application for a licence for the part 3 house known as 1, Milton Grove, Durham, DH6 2RD 'the house'.

The decision to approve the licence was made on 29 July 2024


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

- ▶ That the proposed licence holder is a fit and proper person to be the licence holder.
- ▶ That the proposed licence holder is, out of all the persons reasonably available to be the licence holder in respect of the house, the most appropriate person to be the licence holder.
- ▶ That the proposed manager of the house is either the person having control of the house or a person who is an agent or employee of the person having control of the house.
- ▶ That the proposed manager of the house is a fit and proper person to be the manager of the house.
- ▶ That the proposed management arrangements for the house are otherwise satisfactory.

If you do not agree with the decision to approve the licence, or disagree with any of the terms or conditions of the licence, you may appeal to a First Tier (Property Chamber) Tribunal (FTT) within 28 days beginning on the date on which the decision was made. Full details of the FTT can be found in paragraph 5 of the notes that accompany this notice.

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

Date
29 July 2024

Signature 

Ted Murphy
Building Safety and Standards
Manager

Please contact the Selective Licensing Team by e-mail to discuss your application further:
selectivelicensing@durham.gov.uk

Notes

Below is an explanation of some of the definitions used to grant a licence in respect of a *part 3 house*.

1. Part 3 house.

A *part 3 house* is a *house* to which part 3 of the Housing Act 2004 applies (selective licensing of other residential accommodation). *House* means a building or part of a building consisting of one or more dwellings and references to house include (where the context permits) any yard, garden, outhouses and appurtenances belonging to, or usually enjoyed with it, (or any part of it).

2. The most appropriate person.

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

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

3. Fit and proper persons

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

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

4. Management Arrangements

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

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

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

5. Right of Appeal

The applicant or any 'relevant person' may appeal against the licence approval or terms of the licence to a First Tier (Property Chamber) Tribunal (FTT) within 28 days from the date the decision to grant the licence was made. (Schedule 5, section 31)

The 'relevant person' means any person having an interest or estate, managing or having control, of the *house*. It can also mean any person on whom any restriction or obligation is or is to be imposed by the licence.

An appeal can be made to the First Tier (Property Chamber) Tribunal (FTT) at:

First Tier (Property Chamber) Tribunal (FTT)

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

6. Penalties

A person having control or managing a house which is required to be licensed under part 3 of the Housing Act 2004 which is not so licensed commits an offence and is liable on summary conviction to an unlimited fine (section 95) or may be subject to a penalty notice of up to £30,000.

A licence holder or a person on whom restrictions or obligations under a licence are imposed in accordance with section 90(6) of the Housing Act 2004 fails to comply with any conditions of the licence commits an offence and is liable on summary conviction to a fine (section 95) or may be subject to a penalty notice of up to £30,000.

7. Advice

If you do not understand this licence or wish to know more about it, you can contact the Council. If you want independent advice about your rights and obligations, you should go to a Citizens Advice Bureau, Housing Aid Centre, Law Centre or a solicitor.

LICENCE REFERENCE: DCC-569330782543



PROPERTY LICENCE

Under Section 88 of the Housing Act 2004

I hereby certify that the property situated at

1, Milton Grove, Durham, DH6 2RD

has been licensed with Durham County Council under the above legislation and is subject to the attached conditions.

Licence Holder:	AHMED J HOLDINGS LTD (Jamal Ahmed)
Valid from:	18 June 2024
Expiry date:	17 June 2029
Occupation:	This property is licensed for a maximum of 7 people living as 1 household regardless of age

Date
29 July 2024

Signature

A handwritten signature in black ink that reads "E Murphy".

Ted Murphy
Building Safety and Standards
Manager

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

Property Licence Conditions

Property Address: 1, Milton Grove, Durham, DH6 2RD

Permitted Occupation

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

- ▷ exceeds the maximum permitted number of persons for the house as detailed in the schedule of permitted occupation on the licence
- ▷ exceeds the maximum permitted number of households for the house as detailed in the schedule of permitted occupation on the licence
- ▷ exceeds the maximum permitted number of persons for any letting as detailed in the schedule of permitted occupation on the licence

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

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

Licence conditions

Mandatory Conditions

1. Gas - If gas is supplied to the property, the licence holder shall ensure that all gas installations and appliances are kept in a safe condition. The licence holder must have available a current valid gas safety certificate obtained within the last 12 months by a Gas Safe registered engineer.

Any defects noted on the certificate must be promptly rectified and certificated as satisfactory.

This certificate must be provided to the Council within 28 days on demand.

The licence holder shall provide a copy of the gas safety certificate to all tenants/occupiers at the beginning of their tenancy and keep a written record that it has been provided.

2. Electrical Appliances - The Licence holder shall keep all electrical appliances supplied in a safe condition and must provide a declaration as to their safety at the time of application and thereafter on demand.

3. Furniture and Furnishings - The Licence holder shall ensure that furniture and furnishings supplied by them are compliant with the Furniture and Furnishings (Fire) (Safety) Regulations 1988 (as amended 1989 and 1993) and must provide a declaration as to their safety at the time of application and thereafter on demand.

4. The licence holder must ensure that the electrical installation in the property is inspected and tested by a person who is qualified and competent, at least every 5 years. Landlords must provide a copy of a satisfactory electrical safety report to the tenant and supply to the local authority on demand.

5. Smoke Detectors and Carbon Monoxide Alarms - The licence holder must ensure that a minimum of one smoke detector is installed to each storey of the property where there is a room that is used wholly or partly as living accommodation (including bathroom or lavatory) and ensure any such alarm is in proper working order at the onset of any tenancy.

The licence holder must ensure that a carbon monoxide detector is installed in any room which is used wholly or partly as living accommodation and contains a fixed combustion appliance (excluding gas cookers) and ensure any such alarm is in proper working order at the onset of any tenancy.

The licence holder (or someone acting on the licence holder's behalf) must ensure all smoke and carbon monoxide alarms are repaired or replaced once informed and found that they are faulty, and provide a declaration as to their position and condition to the Council on demand. Evidence of this must be kept for the term of the licence.

6. Tenant References - All landlords must demand references, in respect of prospective tenants, prior to the commencement of any tenancy. *Please see condition 8, additional discretionary condition, in relation to tenant referencing.*

7. Terms of Occupation - Occupiers of the house must be provided with a written, signed statement detailing the terms on which they occupy it (e.g. tenancy agreement or licence). The written agreement shall be clear about tenant's responsibility for not causing antisocial behaviour and that breach of this requirement may lead to eviction.

This must be submitted to the Council within 7 days on request.

Information provided to the tenant must include:

- Name and address of licence holder or managing agent
- Contact address and daytime telephone number
- Emergency telephone number
- Copy of the landlord licence including conditions
- Where a bond has been taken, deposit amount and information as to where the deposit is protected.

The licence holder must ensure they act within the responsibilities contained within the agreement and carry out all landlord functions in a professional manner.

Property Management

8. Tenant References - The licence holder must take all reasonable steps to obtain such references and keep a record of the steps that have been taken. The reference request must include requests for sufficient information as to allow the licence holder or their representative to make an informed decision regarding the suitability of the property for the proposed tenant.

The reference requests and any information received must be made available to the Council on request. If consent is required for the disclosure of any information to the Council, the licence holder must take all reasonable steps to obtain such consent and must keep a record of the steps taken to be disclosed to the

Council on request.

9. If the licence holder identifies any housing support needs for the tenant, they must ensure that a housing support plan, and the provision of support under the plan, are put in place for the tenant prior to the commencement of the tenancy. If any other support needs are identified, the licence holder will ensure that any necessary referrals are put in place prior to the commencement of the tenancy.

10. The licence holder must ensure the property is safe and free from category 1 hazards.

11. The licence holder must ensure that the property is fit for human habitation at the start of, and at all times during, any tenancy and must take all reasonable and practical steps to respond to repair and maintenance issues at their property and comply with their legal requirements. Any necessary works must be undertaken within a reasonable time and in accordance with the requirements of the tenancy agreement and the law.

12. Landlords of domestic accommodation should ensure a risk assessment is carried out for Legionella bacteria at the outset of each tenancy and thereafter maintain control measures to minimise the risk.

13. An Energy Performance Certificate (EPC) is to be provided to the tenant before they occupy the property.

Under the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 properties let to new tenants after 1st April 2018 must have a rating of E or above. From 1 April 2020 all tenancies must be rated E or above.

14. The licence holder must ensure that they or someone acting on their behalf carry out inspections once every 6 months to ensure the minimum standards are maintained in accordance with current legislation.

15. The licence holder must assist the tenant and their household to find suitable alternative temporary or replacement accommodation as necessary if substantial remedial works are undertaken unless the works required were as a result of wilful damage by the occupant. This would include liaising with the Council's Housing Solutions service.

16. The licence holder must not let the property so that it would be overcrowded for the purposes of the Housing Act 1985 or give rise to an overcrowding hazard under Part 1, Housing Act 2004.

Any tenancy agreement used by the licence holder must include a provision requiring the tenant to seek the licence holder's consent before allowing any other person to live in the property during the tenancy, and such consent must not be given if the additional occupier(s) would cause the property to be overcrowded.

Definition of overcrowding:

"Section 325 of the Housing Act 1985 provides that there is overcrowding wherever there are so many people in a house that any two or more of those persons, being ten or more years old, and of opposite sexes, not being persons living together as husband and wife, have to sleep in the same room".

(Please see 'Permitted Occupation' further above above).

17. The exterior of the property must be maintained in a reasonable condition and good state of repair

18. Exterior and boundary walls and fences must be kept maintained, secure and free from graffiti.

19. Advise occupants of their responsibility to keep gardens, yards and within the property boundary clean, tidy, and free from rodent infestations.

20. At the start of each tenancy the licence holder will ensure that any waste left by a previous tenant within the curtilage of the property (inside and outside) is removed. If employing a third party to carry out any such clearances, they must ensure that they are a registered waste carrier and are able to provide written evidence for inspection on request.

21. The licence holder must provide tenants with adequate facilities for the storage and disposal of household refuse, including the provision of a refuse and recycling facilities. The licence holder must at the beginning of the tenancy provide written information to the occupiers on:

- a. Which day refuse collections take place
- b. What type of bins to use for household and recycling waste
- c. Details on the Council's waste management services
- d. The occupier's responsibility to put bins out ready for collection and return to the boundary of the property after collection
- e. That the occupiers should arrange for disposal or collection of any additional waste that does not fit in the

bin as soon as reasonably possible

f. The licence holder will as far as reasonably possibly adhere to these conditions when the property is unoccupied.

22. The licence holder shall ensure adequate security measures are in place by complying with the following:

- a. That any emergency works needed to protect the security of the property are carried out within 48 hours of being notified – e.g. open to access or damage to doors/windows
- b. the security provisions for the access to the dwelling (including but not limited to locks, latches, deadbolts, and entry systems) must be maintained in good working order
- c. Where window locks are fitted, that keys are provided to the occupant
- d. Where previous tenants have not surrendered the keys that a lock change is carried out prior to new occupants moving in

Tenancy Management

23. Landlords must ensure that all new tenancy deposits are protected in one of the statutory tenancy deposit protection schemes within 30 days of receiving the deposit and provide a certificate of protection and the prescribed information to the tenant and any other relevant persons. The prescribed information must be re-served if there are changes or extensions to the tenancy, as required by the individual scheme. Failure to do so may invalidate a section 21 notice for possession. For further information contact: www.gov.uk/tenancy-deposit-protection

24. The licence holder must provide the tenant with a written receipt for all cash rental payments received (this does not affect the legal requirement to provide a rent book for rent paid on a weekly basis). Where rent is paid monthly, the licence holder must provide the tenant with a clear rent statement when requested by the tenant.

Anti-Social Behaviour

25. The licence holder must take all reasonable and practicable steps to prevent antisocial behaviour should it be found that the property is the source of antisocial behaviour or being used for illegal or immoral use. Evidence of the steps taken must be kept for the duration of the licence period and be made available to the Council upon request.

26. The licence holder will co-operate with Durham County Council, Durham Constabulary, and other agencies in resolving complaints of antisocial or criminal activity at their property and where the licence holder (or someone acting on their behalf) has been invited to a multi-agency meeting or case conference in relation to their tenant, they shall endeavour to attend. The licence holder will provide information to the Council on how complaints will be dealt with.

27. The licence holder must take proactive measures to deal with antisocial behaviour and nuisance (warnings, legal action) as soon as they become aware of a problem. The licence holder must take steps to terminate the tenancy following advice from the Council should it be found that the property is a source of antisocial behaviour or being used for illegal or immoral purposes.

28. The licence holder will inform the tenant in writing within 14 days of receiving a complaint to advise the tenant of the nature of the complaints and the consequences of its continuation up to and including eviction.

29. The licence holder will make tenants aware of services and how to report Anti-Social or nuisance behaviour.

30. The licence holder will provide to the Council upon request the full names and dates of birth for each occupant if there is Anti-Social behaviour at the property.

General

31. Where the licence holder has benefited from a licence discount rate for being a member of an accredited scheme, they must keep their membership valid for the duration of the licence or the discount will be removed.

32. The address supplied on the application form will be the one used for service of notices, letters and other documents and it is the responsibility of the licence holder to ensure they collect any documentation sent to them.

33. The licence holder must be a permanent resident in the United Kingdom or have a managing agent in place that is a permanent resident in the United Kingdom.

34. The licence holder and/or their nominated managing agent shall undertake training courses provided

through the Council when requested.

35. The licence holder shall inform the licensing team at the Council directly in writing or email of the following within 28 days of the change occurring:

- a. Any change of ownership or management of the property
- b. Any change in address, email, or telephone number of the licence holder
- c. Of any matter that may affect whether the licence holder is still a fit and proper person during the continuation of the licence.

36. The licence holder shall allow the Council to carry out licence compliance inspections. The council will give the licence holder at least 48 hours' notice of these visits. If the inspection is because the Council suspects there has been a breach of licence conditions, then no notice period will be provided.

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

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

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

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