

London Borough of Islington

Designation of an Area for Additional Licensing of Houses in Multiple Occupation

The London Borough of Islington Designation of an Area for Additional Licensing of Houses in Multiple Occupation 2020.

The London Borough of Islington (“The Council”) in exercise of its powers under section 56 of the Housing Act 2004 (“the Act”) hereby designates for the additional licensing of houses in multiple occupation (“HMOs”) the area described in paragraph 4.

CITATION, COMMENCEMENT AND DURATION

1. This designation may be cited as the London Borough of Islington Designation of an Area for Additional Licensing of Houses in Multiple Occupation 2020.
2. This designation is made on 22 October 2020 and shall come into force on 1 February 2021.
3. This designation shall cease to have effect on 1 February 2026 or earlier if the Council revokes the scheme under section 60 of the Act.

AREA TO WHICH THE DESIGNATION APPLIES

4. The Council hereby designates for additional licensing under section 56 of the Act the entire area that is the London Borough of Islington shown in Appendix A in relation to all HMOs that are not subject to mandatory licensing under section 55(2)(a) of the Act.

APPLICATION OF THE DESIGNATION

5. This designation applies to:-
 - all HMOs, as defined in section 254 of the Act, which are occupied by three or more persons who are not members of the same household (family) including flats located within purpose built blocks regardless of the number of storeys in the block.
 - all HMOs, as defined in section 257 of the Act, which are buildings converted to form self-contained flats but not in accordance with modern (1991 or later) Building Regulations and where all of those flats are privately rented and under a single freehold ownership.

except for those HMOs which are required to be licensed under section 55(2)(a) of the Act (mandatory licensing) ¹ and those HMOs that are registered and managed in accordance with a code of practice approved by the Secretary of State under section 233, Housing Act 2004.²

EFFECT OF THE DESIGNATION

6. Within the area described in paragraph 4 every HMO of the description specified in paragraph 5 shall be required to be licensed under section 61 of the Act.
7. The Council will comply with the notification requirements contained in section 59 of the Act and shall maintain a register of all HMOs licensed under this designation, as required under section 232 of the Act.³

This designation is approved by the Executive of the London Borough of Islington.

The designation falls within a description of designations in relation to which the Secretary of State has given a general approval under section 58 of the Act, namely The Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2015.

Date and authentication by the Council.

22 October 2020

Signed

A handwritten signature in blue ink that reads "K Townsend." The signature is written on a light blue rectangular background.

Keith Townsend, Corporate Director, Environment and Regeneration, an officer authorised by the London Borough of Islington.
22 October 2020

¹ For the application of mandatory licensing see SI 221/2018 – The Licensing of Houses in Multiple Occupation (Prescribed Descriptions) (England) Order 2018

² As of the date of this Designation the following codes of practice have been approved by the Secretary of State under section 233 of the Act:

1. Universities UK/Guild HE Code of Practice for the Management of Student Housing
<https://www.universitiesuk.ac.uk/policy-and-analysis/Documents/2019/accommodation-code-of-practice.pdf>
2. The Accreditation Network UK/Unipol Code of Standards for Larger Developments for Student Accommodation Managed and Controlled by Educational Establishments
<https://www.nationalcode.org/Handlers/Download.ashx?IDMF=8ecc93e6-3779-4490-bdc0-c21fc704f9f1>
3. The Accreditation Network UK/Unipol Code of Standards for Larger Developments for Student Accommodation Not Managed and Controlled by Educational Establishments
<https://www.nationalcode.org/Handlers/Download.ashx?IDMF=3e5ab9b5-48c2-4111-b18f-f6376d45dab0>

³ Section 232 of the Act and paragraph 11 of SI 373/2006 – The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006

Explanatory Note

This explanatory note is provided to aid understanding of certain aspects of this designation. The note does not in itself form part of the designation and a full and complete understanding of any definitions or requirements shall only be taken by reference to the Housing Act 2004 and relevant subsidiary legislation.

An HMO is a building that is let, as a main residence, to persons occupying as more than one household. HMOs include:

- buildings that consist of bedsit rooms where at least some facilities are shared,
- buildings with multiple units of accommodation that all have their own exclusive facilities but which are not all self-contained,
- buildings which contain a mixture of the above types of accommodation,
- buildings fully converted into self-contained flats or studios that do not comply with the Building Regulations 1991 (or later regulations, as applicable at the time of the conversion works) AND where less than two thirds of the flats are owner occupied (these are known as 'Section 257 HMOs'),
- hostels,
- shared houses.

A 'household' is either a single person or certain members of the same family (parents, grandparents, children (including step and foster children), grandchildren, brothers, sisters, uncles, aunts, nephews, nieces or cousins). This includes people who are married or living together as married (including those in same-sex relationships).

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Appendix A- Paragraph 4: Map of Designated Area

