

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 2015.

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 Additional Licensing of Houses in Multiple Occupation (Caledonian Road and Holloway Road) Scheme 2015.
2. This designation is made on 10 April 2015 and shall come into force on 1 September 2015.
3. This designation shall cease to have effect on 1 September 2020 or earlier if the Council revokes the scheme under section 60 of the Act.

AREA TO WHICH THE DESIGNATION APPLIES

4. This designation shall apply to Caledonian Road¹ and Holloway Road.

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), and
 - 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 less than two thirds of those flats are owner-occupied by persons or members of their household who have the freehold estate or a lease granted for a term of not less than 21 years

except for those HMOs which are required to be licensed under section 55(2)(a) of the Act (mandatory licensing)² 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 2004.³

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.⁴

This designation is given general approval 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 2010.

Date and authentication by the Council.

10 April 2015

Signed



Kevin O'Leary, Corporate Director, Environment and Regeneration, an officer authorised by the London Borough of Islington.
10 April 2015

¹ Kember Street is included in the scheme by virtue of fronting onto Caledonian Road

² For the application of mandatory licensing see SI 371/2006 – The Licensing of Houses in Multiple Occupation (Prescribed Descriptions) (England) Order 2006

³ As of the date of this Designation one code of practice, known as the ANUK National Code of Standards, has been approved by the Secretary of State under section 233 of the Act.

⁴ 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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