PUBLIC NOTICE

London Borough of Wandsworth

NOTICE OF DESIGNATION OF AN AREA FOR ADDITIONAL LICENSING

Section 56, Housing Act 2004

1. The London Borough of Wandsworth ("The Council") in exercise of its powers under section 56 of the Housing Act 2004 ("the Act") hereby designates the entire area of its district as subject to Additional Licensing as described at paragraph 6. The designation applies to all Houses in Multiple Occupation ("HMOs'') as described at paragraph 7.

2. The designation has been made under the general approval granted under Section 56 of the Act and was approved by Cabinet decision taken on the 03 February 2025.
3. The designation falls within a description of designations in relation to which the Secretary of State has issued a General Approval under section 58 of the Act, namely, The Housing Act 2004: Licensing of Houses of Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2015 which came into force on 1 April 2015.

CITATION, COMMENCEMENT AND DURATION

4. This designation will be known as The London Borough of Wandsworth Designation of an Area for Additional Licensing of Houses in Multiple Occupation 2025. The Designation is made on 22 July 2024 and shall come into force on 01/07/2025.
5. The designation shall cease to have effect on 30/06/ 2030 (not more than five years) or earlier if the Authority revokes the scheme under section 84 of the Act.

AREA TO WHICH THE DESIGNATION APPLIES

6. This designation shall apply to the entire area of the London Borough of Wandsworth as delineated in red on the map in annex A below.

APPLICATION OF THE DESIGNATION

7. The designation applies to all Houses in Multiple Occupation (HMOs'') as defined by section 254 of the Act that are occupied by 3 or more persons comprising 2 or more households within the area described at paragraph 1 unless:
    a. the house is an HMO that falls within the nationally prescribed category of HMO that is required to be licensed as a 'mandatory HMO' under section 55(2)(a) Part 2 of the Act[1];
    b. the house is subject to an Interim or Final Management Order under Part 4 of the Act;
    c. the house is subject to a temporary exemption under section 62 of the Act;
    d. The house is an HMO that is a building or part of a building that is not an HMO for the purposes of licensing under Part 2 of the Act[2] Schedule 14 of the Act; or.
    e. it is a building converted into self-contained flats but does not meet the standards of conversion required by the Building Regulations 1991, and where less than two thirds of the flats are owner occupied to which Section 257 of the Housing Act 2004 applies where: the building or part of a building is of three or more storeys that have been converted into three or more self-contained flats and where both the building and self-contained flats it contains are under the same ownership or considered by the council to be effectively under the same control.

EFFECT OF THE DESIGNATION

8. Subject to sub paragraphs 7(a) to (e) above, every HMO of the description specified in that paragraph in the area specified in paragraph 6 shall be required to be licensed under section 61 of the Act.
9. The London Borough of Wandsworth will comply with the notification requirements contained in Section 29 of the Act and shall maintain a register of all houses registered under this designation, as required under section 232 of the Act.[3]

If you are a landlord, managing agent or a tenant, or if you require information regarding this designation, or to apply for a licence, further information and assistance is available from the Council's Private Sector Housing Team by telephone on 020 8545 3025 or by email to privatehousing@merton.gov.uk, or by writing to Private Sector Housing Team, Civic Centre, London Rd, Morden SM4 5DX .

The Designation may be inspected at the above address during office hours. All landlords, managing agents or tenants

within the designated area should obtain advice to ascertain whether their property is affected by the Designation by contacting the Council's Private Sector Housing Team.

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Website: https://www.wandsworth.gov.uk/housing/private-housing/

Email: privatehousing@merton.gov.uk

Tel: 020 8545 3025

WARNING

Upon the designation coming into force on 1 July 2025, any person who operates a licensable property without a licence or allows a licensed property to be occupied by more households or persons other than as authorised by a licence, is liable to prosecution and upon summary conviction is liable to an unlimited fine. A person who breaches a condition of a licence is liable upon summary conviction to a maximum fine of £5,000 per breach.

The Authority may, as an alternative to initiating a prosecution, pursue one or more of a range of other enforcement actions including the imposition of a financial penalty of up to £30,000.

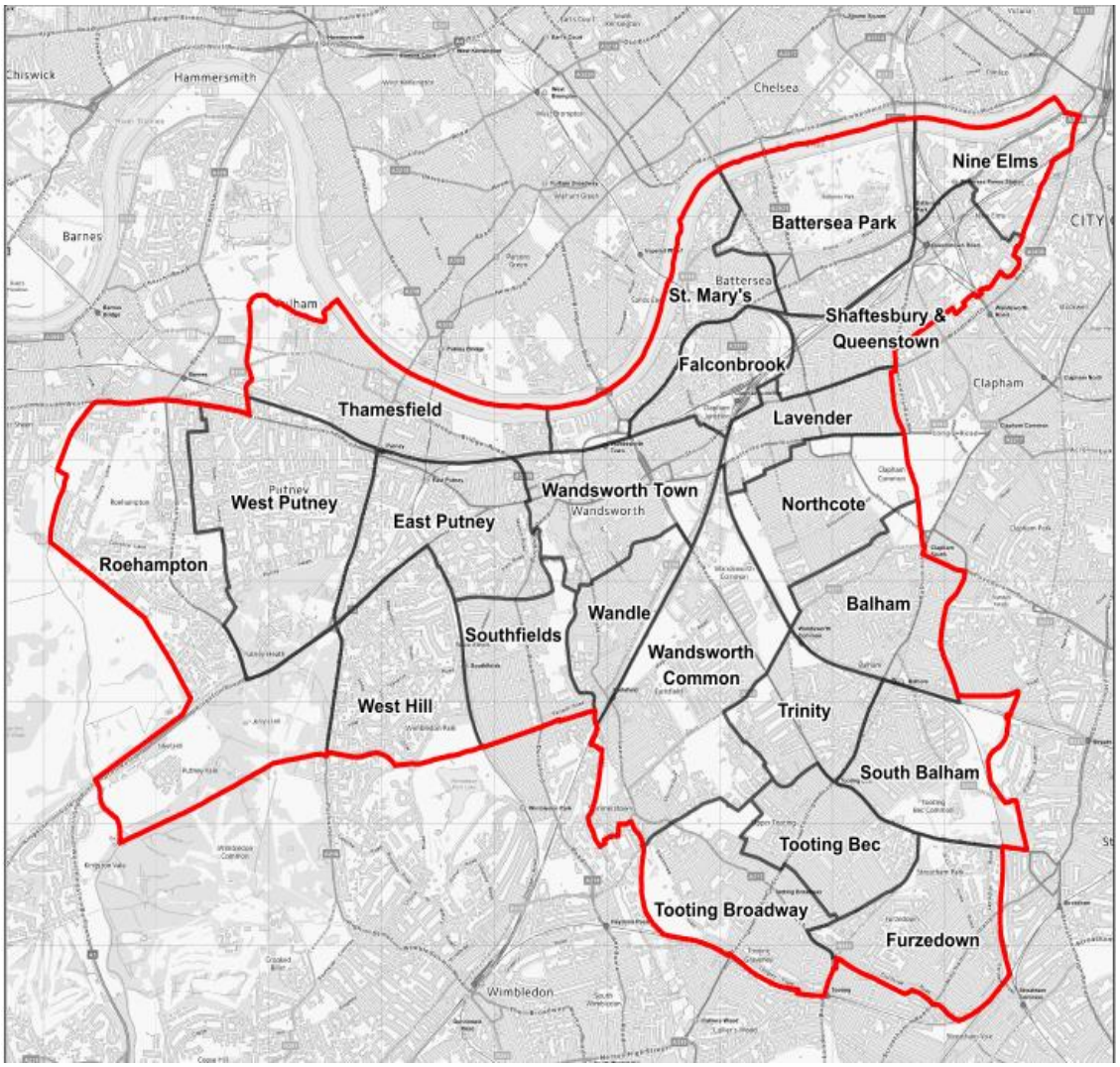
When an offence has been committed, an application may also be made by the Authority and/or tenant for a Rent Repayment Order to pay back up to 12 months' rent, Housing Benefit, or Universal Credit.

The Authority may also make an Interim Management Order whereby the Authority would take management control of the unlicensed property.

The Authority will also add any relevant offences to the Greater London Authority Rogue Landlord and Agent Register unless it considers that there are valid reasons for not so adding, which will be considered on a case-by-case basis.

Signed

Portfolio holder and elected Cabinet Member
For and on behalf of London Borough of Wandsworth
Date: **03 February 2025**

[1] Section 55 of the Act defines which Houses in Multiple Occupation are required to be licensed under the Act. See also The Licensing of Houses.in Multiple Occupation (Prescribed Descriptions) (England) Order 2005 (SI 2006/371)
[2] Schedule 14 Housing Act 2004 describes the buildings that are not HMOs other than for the purpose of Part 1 [HHSRS]
[3] Section 232 of the Act and paragraph 11 of SI 373/2006

Annex A: Map of the borough wide additional licensing designation showing the boundary delineated in red