

London Borough of Tower Hamlets

Public Notice

Notice of Designation of Areas for Additional Licensing for Houses and Flats in Multiple Occupation

This notice is published in accordance with section 56 of the Housing Act 2004 ("the Act") and Regulation 9 of the Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions)(England) Regulations 2006. NOTICE IS HEREBY GIVEN that the London Borough of Tower Hamlets in exercise of their powers under section 59 of the Housing Act 2004 gives notice that it has designated for additional licensing the area described in paragraph 4.

CITATION, COMMENCEMENT AND DURATION

1. The Designation may be cited as the London Borough of Tower Hamlets Council Designation for an Area for Additional Licensing of Housing in Multiple Occupation 2018.
2. The Designation was made on the 31st October 2018 and shall come into force on the 1st April 2019
3. The Designation shall cease to have effect on the 31st March 2024 or earlier if the Council revokes the scheme under section 60 of the Act.

AREA TO WHICH THE DESIGNATION APPLIES

4. The Designation shall apply to the entire district of the London Borough of Tower Hamlets as delineated and shaded on the map below, excluding the pre 2014 wards of Weavers, Whitechapel, Spitalfields and Banglatown.

APPLICATION TO WHICH THE DESIGNATION APPLIES

5. The Designation applies to all Houses in Multiple Occupation ¹ within the area described in paragraph 4 with the exception that, in respect of a converted block of flats which section 257 of the Housing Act 2004 applies, the Additional Licensing scheme will only apply where all the units of accommodation in the block are privately rented unless:
 - a) The building is of a description specified in Schedule 14 of the Housing Act 2004, buildings that are not HMO's for the purposes of the Act;

¹ For the definition of "house in multiple occupation" see section 254 of the Housing Act 2004

- b) The HMO is required to be licensed under section 55(2)(a) of the Act – mandatory licensing

The designation applies to all properties, including flats, which are occupied by 3 or more persons comprising of 2 or more households. This is irrespective of the number of storeys. This also includes single storey flats and two, three or more storey properties as well as section 257 flats (flats converted pre 1991 without building control approval).

THE EFFECT OF THE DESIGNATION

6. Subject to sub paragraphs 5 (a) to (b) above every house in multiple occupation of the description specified in paragraph 5 and in the area specified in paragraph 4 shall be required to be licensed under section 61 of the Act unless:
 - a) a temporary exemption notice is in force in relation to it under the Housing Act 2004 – section 62 or
 - b) an interim or final management order is in force in relation to it under the Housing Act 2004 Chapter 1 of Part 4.
7. The London Borough of Tower Hamlets will comply with the notification requirements contained in section 59 of the Act and shall maintain a register of all houses registered under this designation, as required under section 232 of the Act.
8. Upon the Designation coming into force, any person who operates a licensable property without a licence, is liable to prosecution under section 95(1) of the Act and upon summary conviction is liable to a fine of an unlimited amount. Under section 95(6) of the Act a person who breaches a condition of a licence is liable upon summary conviction to a fine of unlimited amount. In addition, such a person may be required to repay up to 12 months' rent if the tenant or the Council (in the case of universal credit) apply to the Residential Property Tribunal under the provisions of section 96 and section 97 of the Housing Act 2004 for a rent repayment order. No notice under section 21 of the Housing Act 1988 may be given in relation to an assured shorthold tenancy of the whole or part of an unlicensed house so long as it remains an unlicensed house.

Any landlord, managing agent or tenant within the designated area of the Borough should seek advice from the Council as to whether their property is affected by the Designation during normal office hours, which are 9am to 5pm, Monday to Friday.

General advice concerning the Designation may be obtained from the Environmental Health and Trading Standards Service at the London Borough

of Tower Hamlets, John Onslow House, 1 Ewart Place, London E3 5EQ (Tel: 0207 364 5008 and email; housing.licensing@towerhamlets.gov.uk)

The Designation in respect of additional licensing of Houses in Multiple Occupation 2018 may be inspected at John Onslow House, 1 Ewart Place, London E3 5EQ and a copy of the Designation can be obtained from the Council's website.

The Designation was given general approval by the Mayor in Cabinet of the London Borough of Tower Hamlets.

The Designation falls within a description of designations in relation to which the Secretary of State has given a general approval under sections 58(6) and 82(6) 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 which came into force on the 26th March 2015.

A map of the designated area is below.

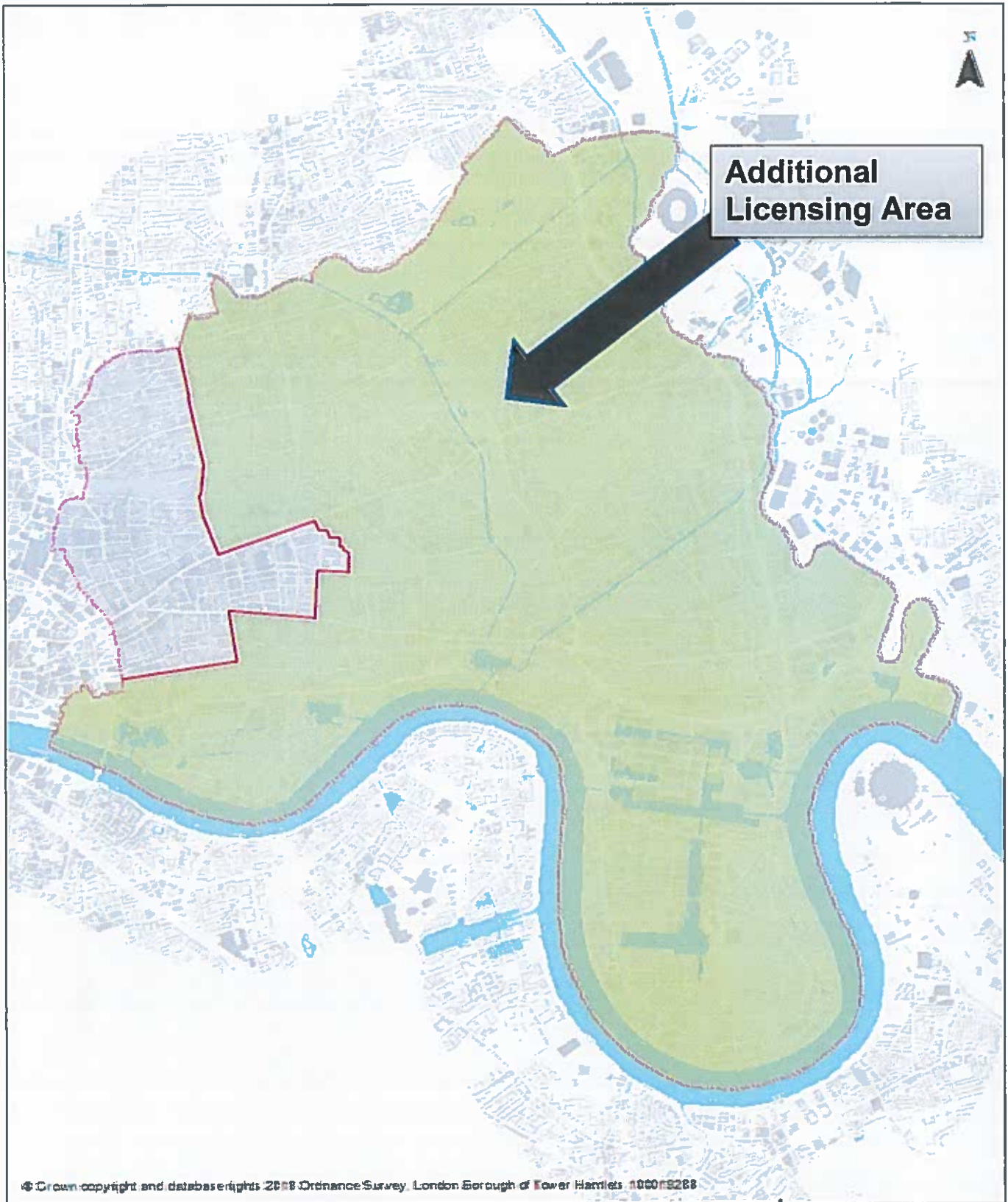
Signed:



Ann Sutcliffe, Acting Corporate Director Place



Dated: 31st October 2018

Annex A: London Borough of Tower Hamlets designation of an area for additional licensing for houses and flats in multiple occupation



HMO Additional Licensing Area

Legend

-  HMO Additional Licensing
-  Borough Boundary

Scale @ 1:33,523
0 100 200 300 400 Meters



GIS for
Place Directorate
LONDON BOROUGH OF TOWER HAMLETS
Date: 12/10/2018
Job Ref: 0121



