



Draft Designation of areas for selective licensing

The London Borough of Barnet Designation of Areas for Selective Licensing 2022.

The London Borough of Barnet in exercise of its powers under section 80 of the Housing Act 2004 ("the Act") hereby designates for selective licensing the areas described in paragraph 4.

CITATION, COMMENCEMENT AND DURATION

1. This designation may be cited as the London Borough of Barnet Designation for Areas for Selective Licensing 2022.
2. The designation is made on xx of xxxxx 2022 and shall come into force on xx of xxxx 2023.
3. The designation shall cease to have effect on xx of xxxx 2028 (not more than 5 years) or earlier if the Council revokes the scheme under section 84 of the Act.

AREAS TO WHICH THE DESIGNATION APPLIES

4. This designation shall apply to the wards of Burnt Oak, Colindale North and Colindale South delineated and edged in blue, but excluding the areas edged and cross hatched red, on the map at Annex A.

APPLICATION OF THE DESIGNATION

5. This designation applies to any house¹ of a description specified in Annex B within the area described in paragraph unless-
 - (a) the house is a house in multiple occupation [HMO] that falls within the nationally prescribed 'mandatory' HMO licensing provisions and is required to be licensed under s.55(2)(a) in Part 2 of the Act²;

¹ For the definition of "house" see sections 79 and 99 of the Act

² 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)

- (b) the house is a house in multiple occupation that falls within the prescribed category of HMO that is required to be licensed under the London Borough of Barnet Designation of an Area for Additional Licensing of Houses of Multiple Occupation 2020 made on xx of xxxx 2022 under Section 56 of the Act;
- (c) the tenancy or licence of the house has been granted by a registered social landlord³;
- (d) the house is subject to an Interim or Final Management Order under Part 4 of the Act;
- (e) the house is subject to a temporary exemption under section 86 of the Act;
- (f) the house is occupied under a tenancy or licence which is exempt under section 79(4) of the Act or the occupation is of a building or part of a building so exempt as defined in Paragraph 5(f): Exempted tenancies or licences, Selective Licensing of Houses (Specified Exemptions) (England) Order 2006 SI 370/2006.
- (g) The tenancy or licence of the house has been granted by a student accommodation provider that is subject to ANUK accreditation (The Accreditation Network UK).

EFFECT OF THE DESIGNATION

6. Subject to sub paragraphs 5(a) to (g) every house in the area specified in paragraph 4 that is occupied under a tenancy or licence shall be required to be licensed under section 85 of the Act⁴.
7. The London Borough of Barnet will comply with the notification requirements contained in section 83 of the Act and shall maintain a register of all houses registered under this designation, as required under section 232 of the Act⁵.
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 unlimited amount. A person who breaches a condition of a licence is liable upon summary conviction to a maximum fine of £5,000. As an alternative to prosecution, those operating without a licence or breaching any licence conditions may be subject to Civil Penalty Notices with a maximum fine of £30,000. 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 housing benefit payments, 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.
9. This 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,

³ Section 79(3) of the Act. For the definition of a Registered Social Landlord see Part 1 of the Housing Act 1996

⁴ Section 232 of the Act and paragraph 11 of SI 373/2006

⁵ See the Selective Licensing of Houses (Specified Exemptions) (England) Order 2006 SI 370/2006

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 1st April 2015.

10. The designation is herein made by the London Borough of Barnet under the power conferred by the General Approval 2015 as delegated by the London Borough of Barnet Housing and Growth Committee.

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 xxxx xxxx or by email to xxxxx@Barnet.gov.uk, or by writing to Private Sector Housing Team, London Borough of Barnet, 2 Bristol Avenue, Colindale, NW9 4EW. 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.

Date and authentication by the Council. **xx of xxxxx 2022.**

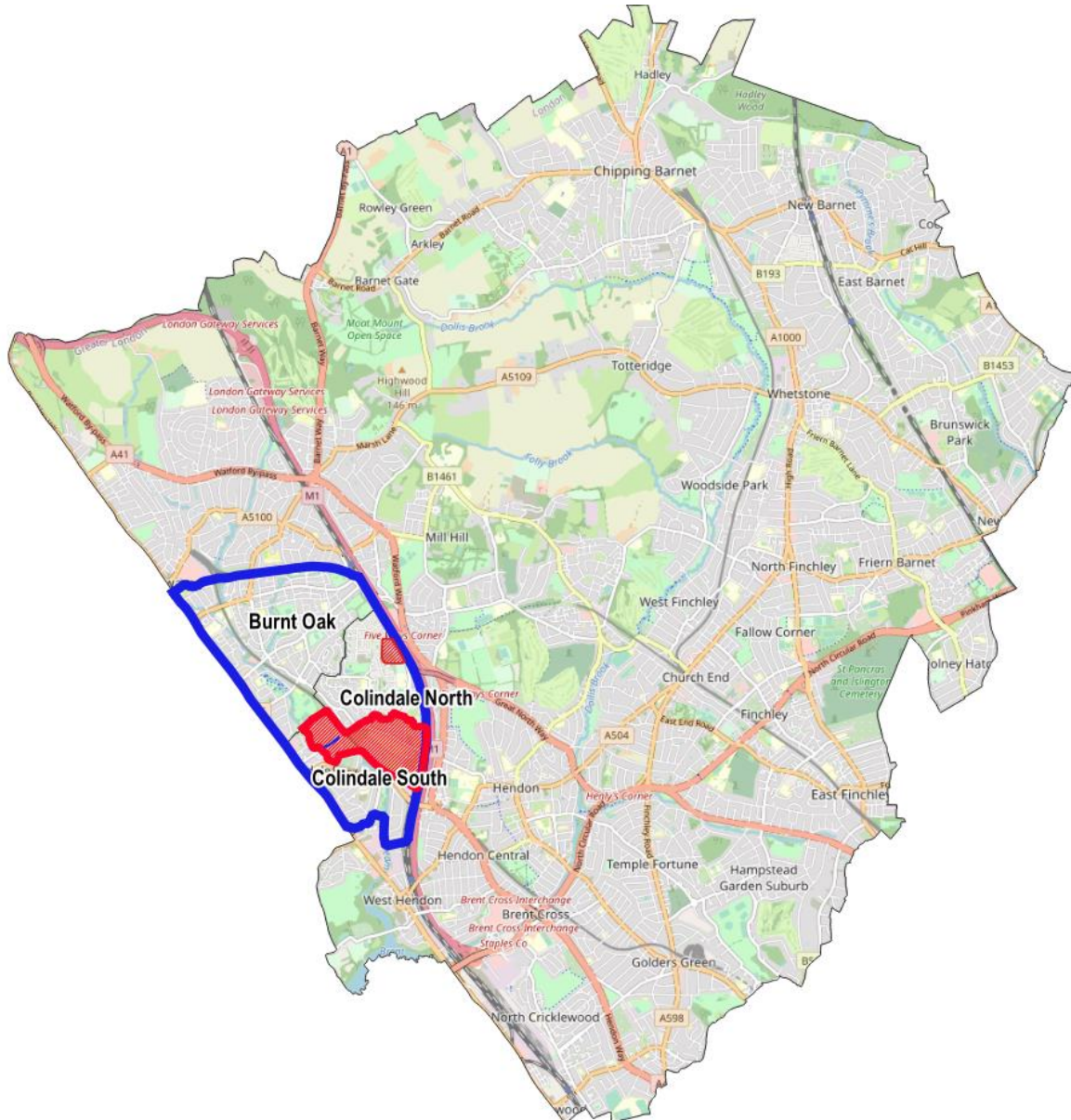
Signed


Deputy Chief Executive


For and on behalf of London Borough of Barnet

Annex A: Paragraph 4: Maps of the Designated Areas.

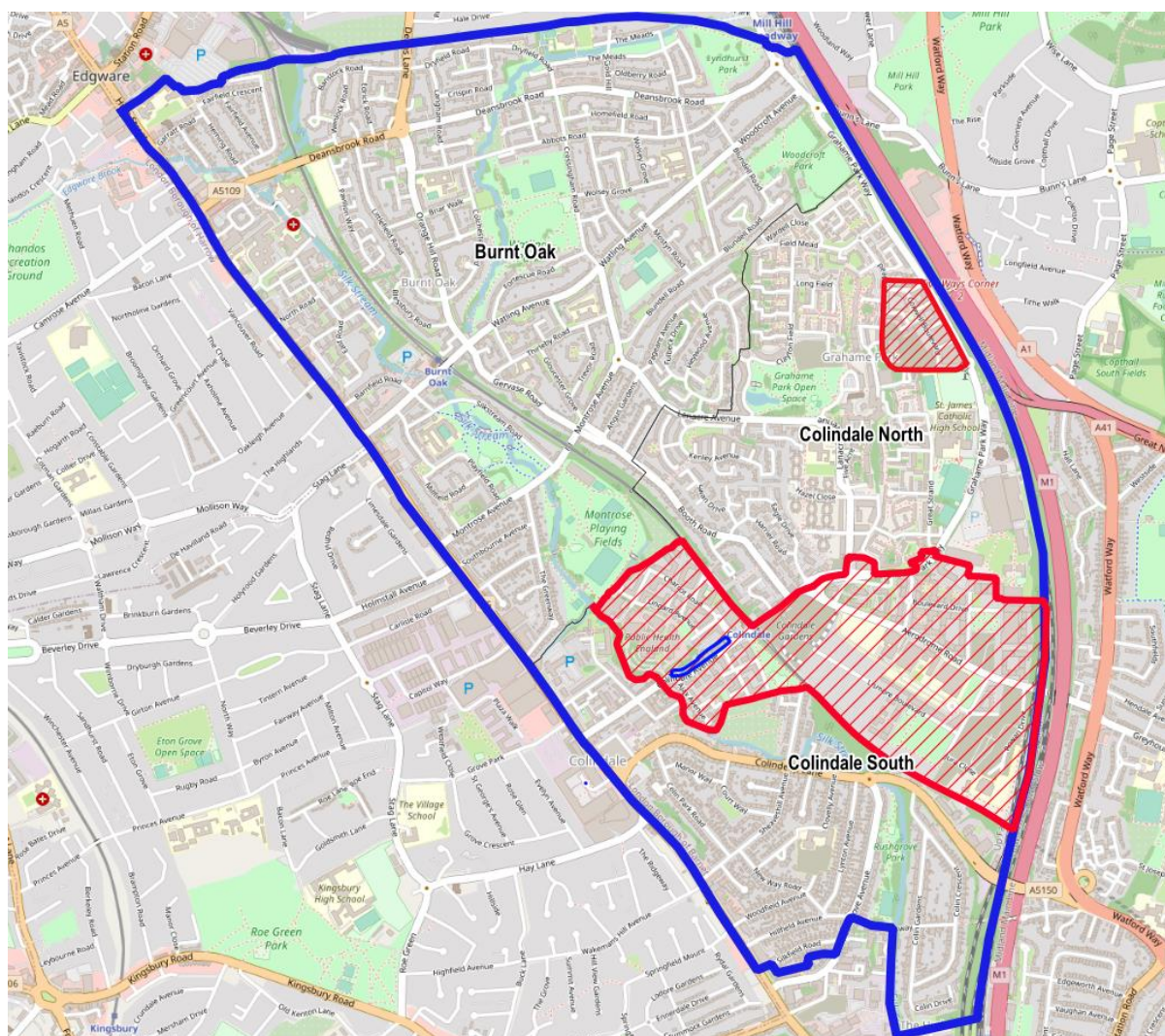
Map 1




 Area within the designation


 Areas excluded from the designation

Map 2



 Area within the designation

N.B. The area delineated with a blue line along Colindale Avenue is included within the designation.

 Areas excluded from the designation

The areas delineated within a red line and hatched red are known as:

Colindale Gardens

Beaufort Park

The Pulse (former Colindale hospital sites)

Edition (Former Newspaper library site)

Trinity Square (Former Barnet and Southgate College)

Annex B – Paragraph 5: houses subject to the designation

This scheme will require the following types of property to require a licence:

Houses or flats rented to either:

- A single person
- Two people sharing (regardless of their relationship to one another)
- Any number of persons forming a single household (family)