



Designation of areas for selective licensing

The London Borough of Barnet Designation of Areas for Selective Licensing – Phase 2 2025.

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 - Phase 2 2025.
2. The designation is made on [date]. The Designation falls within a description of designations for which confirmation is required by the Secretary of State and will come into force no sooner than 3 months after confirmation is received.
3. The designation shall cease to have effect after 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 Childs Hill, Cricklewood, Edgware, Edgwarebury, Finchley Church End, Golders Green, Hendon, Mill Hill, West Finchley, West Hendon delineated and edged in blue 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-

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

- (a) the house is a house in multiple occupation [HMO] and is required to be licensed as a Part 2 of the Act²;
- (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 in Multiple Occupation 2022 made on 4th of July 2022 and coming into force on 5th October 2022, under Section 56 of the Housing Act 2004;
- (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

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)

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

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. 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 <https://www.barnet.gov.uk/housing/privatehousing> by telephone on 020 8359 5355, by email to hmos@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. **[Date]**.

Signed

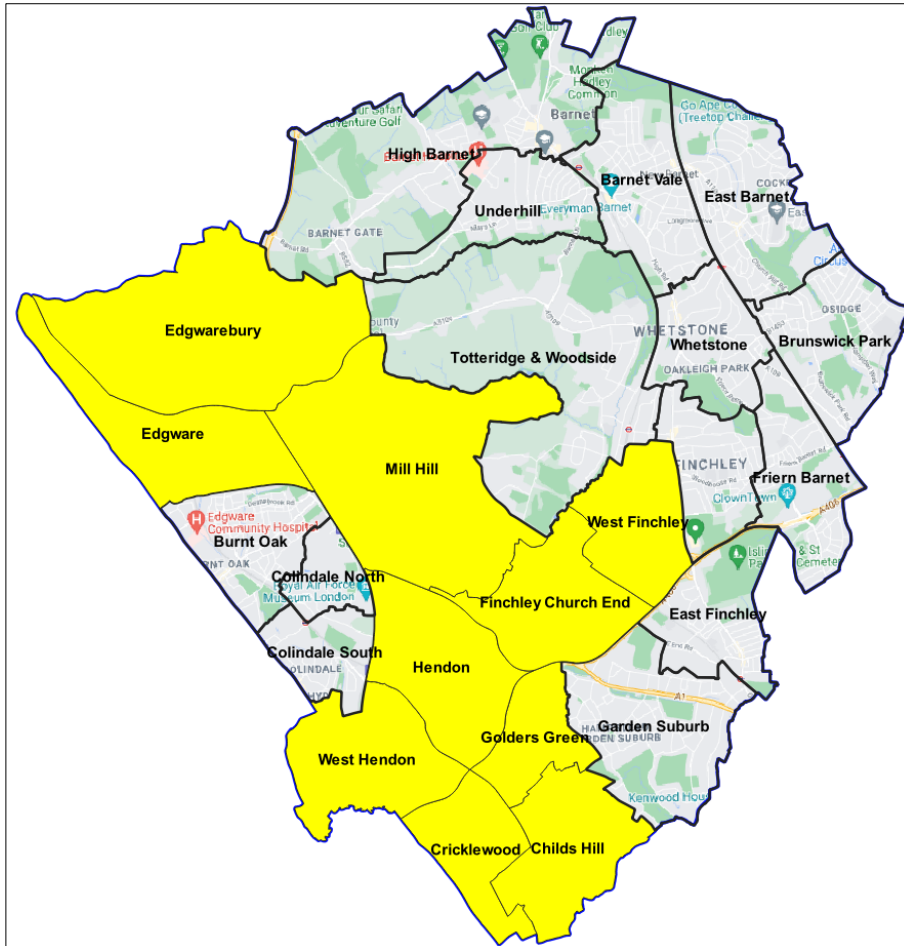
Deputy Chief Executive


For and on behalf of London Borough of Barnet

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

Map 1

(to be replaced with map to be supplied by Matt Boxall)



 Area within the designation

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)

