

THE HOUSING ACT 2004: LICENSING OF HOUSES IN MULTIPLE OCCUPATION AND SELECTIVE LICENSING OF OTHER RESIDENTIAL ACCOMMODATION (ENGLAND) GENERAL APPROVAL 2015

The Secretary of State for Communities and Local Government in exercise of powers under sections 58(6) and 82(6) of the Housing Act 2004 gives to all local housing authorities in England the following general approval:

Commencement and Interpretation

1. This general approval comes into force on 1st April 2015.
2. Words and expressions used in this consent shall, unless the context otherwise requires, take the same meaning that is given to them in the Housing Act 2004 (“the Act”).

General Approval

3. Subject to the condition contained in paragraph 5, every local housing authority in England that designates an area of their district or an area in their district as subject to additional licensing in relation to a description of HMOs specified in a designation made under section 56(1) of the Act has the Secretary of State’s general approval of that designation for the purposes of section 58(1)(b) of the Act.
4. Subject to the conditions contained in paragraphs 5 and 6, every local housing authority in England that designates an area of their district or an area in their district as subject to selective licensing under section 80(1) of the Act has the Secretary of State’s general approval of that designation for the purposes of section 82(1)(b) of the Act.

Conditions to be satisfied

5. The general approval described in paragraphs 3 and 4 is not given in relation to a designation in respect of which the local housing authority has not consulted persons who are likely to be affected by it under section 56(3)(a) or section 80(9)(a) of the Act for not less than 10 weeks.
6. The general approval described in paragraph 4 is not given in relation to a designation of an area as subject to selective licensing which falls within either of the following criteria:

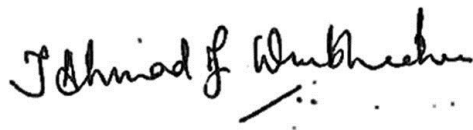
- a) the designation, either by itself, or in combination with other selective licensing designations made by the local housing authority, would cover more than 20% of the geographical area of the local housing authority; or
- b) the designation, either by itself, or in combination with other selective licensing designations made by the local housing authority, would affect more than 20% of privately rented homes in the local housing authority area, based on figures from census data.

Revocation of previous General Approval

7. The general approval given by the Secretary of State for Communities and Local Government on 30th March 2010 (“The Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2010”) is revoked from 1st April 2015.

8. For the avoidance of doubt, this revocation shall not affect the validity of designations made and published by a local housing authority in accordance with section 83(2) or section 59(2) of the Act before 1st April 2015, regardless of the date of coming into force of such designations.

Signed by authority of the Secretary of State for Communities and Local Government



Lord Tariq Ahmad of Wimbledon

Parliamentary Under Secretary of State

Department for Communities and Local Government

26th March 2015