



## City of Westminster

### **Westminster City Council Designation of an Area for Additional Licensing of Houses in Multiple Occupation 2021**

Westminster City Council in exercise of their powers under section 56 of the Housing Act 2004 ("the Act") hereby designates for additional licensing of Houses in Multiple Occupation ("HMOs") the area described in paragraph 4.

#### **CITATION, COMMENCEMENT AND DURATION**

1. This designation may be cited as the Westminster City Council Designation for an Area for Additional Licensing of Houses in Multiple Occupation 2021.
2. This designation is made on 21<sup>st</sup> April 2021 and shall come into force on 30<sup>th</sup> August 2021.
3. This designation shall cease to have effect on 30<sup>th</sup> August 2026 or earlier if the Council revokes the scheme under section 60 of the Act.

#### **AREA TO WHICH THE DESIGNATION APPLIES**

4. This designation shall apply to the whole area of the district of the City of Westminster.

#### **APPLICATION OF THE DESIGNATION**

5. This designation applies to all HMOs as defined by section 254 of the Housing Act 2004 that are occupied by 3 or more persons comprising 2 or more households, and HMOs as defined in section 257 of that Act where less than two-thirds of the self-contained flats are owner-occupied within the area described in paragraph 4 unless –
  - (a) the building is of a description specified in Schedule 14 of the Housing Act 2004 (Buildings which are not HMOs for the purpose of the Act- excluding Part 1);
  - (b) the HMO is subject to an Interim or Final Management Order under Part 4 of the Act;
  - (c) the HMO is subject to a temporary exemption under section 62 of the Act;
  - (d) the HMO is required to be licensed under section 55(2)(a) of the Act (mandatory licensing); or
  - (e) the HMO is specifically excluded from the scheme as it is either:
    - (i) a section 257 HMO consisting solely of two flats where neither of the flats is situated above or below commercial premises; or
    - (ii) a section 257 HMO where the flats share no internal or external common parts and which are no more than two storeys high.

EFFECT OF THE DESIGNATION

6. Subject to sub paragraphs 5(a) to (e) above, every HMO of the description specified in that paragraph in the area specified in paragraph 4 shall be required to be licensed under section 61 of the Act.
7. Westminster City Council 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.

This designation is given general approval by the Cabinet of Westminster City Council.

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 Housing Act 2004, 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 01 April 2015.

THE COMMON SEAL of THE LORD MAYOR AND CITIZENS  
OF THE CITY OF WESTMINSTER                    )  
Was hereunto affixed:                                )

Seal No
247 / 63370
2122



A handwritten signature in blue ink, appearing to be "J. [unclear]".

PRINCIPAL SOLICITOR