

## **Appendix 7 – The Declaration.**

**London Borough of Haringey**

### **Designation of an Area for Additional Licensing of Houses in Multiple Occupation**

#### **The London Borough of Haringey Designation of an Area for Additional Licensing of Houses in Multiple Occupation [YEAR].**

The London Borough of Haringey (“the Council”) in exercise of its powers under section 56 of the Housing Act 2004 (“the Act”) hereby designates for the 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 London Borough of Haringey Additional Licensing of Houses in Multiple Occupation (Tottenham area) Scheme [date].
2. This designation is made on [DATE] and shall come into force on [DATE].
3. This designation shall cease to have effect on [DATE] 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 [DESCRIPTION OF AREA]. This area is delineated on the map at Annex A.

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

5. This designation applies to:-
  - all HMOs, as defined in section 254 of the Act, which are occupied by three or more persons regardless of the number of storeys in the building, and
  - All HMOs, as defined in section 257 of the Housing Act 2004, but only where the number of dwellings exceeds the number of storeys in the building, and where the building and all of the dwellings in the building are in either in the same ownership or considered by the housing authority to be effectively in the same control. Examples

include (and are not exhaustive) where tenancy agreements of different dwellings point towards the same person/body being in control, or where dwellings owned by companies have the same director(s) to those of other companies owning dwellings in that building.”

- all categories of HMO in buildings containing a mix of commercial and residential uses,

**except for** those HMOs which are required to be licensed under section 55(2)(a) of the Act (mandatory licensing).<sup>1</sup>

## **EFFECT OF THE DESIGNATION**

6. Within the area described in paragraph 4 every HMO of the description specified in paragraph 5 shall be required to be licensed under section 61 of the Act.

7. The Council will comply with the notification requirements contained in section 59 of the Act and shall maintain a register of all HMOs licensed under this designation, as required under section 232 of the Act.<sup>2</sup>

Date and authentication by the Council. [DATE]

Signed

[NAME], [TITLE], an officer authorised by the London Borough of Haringey.  
[DATE]

<sup>1</sup> For the application of mandatory licensing see SI 371/2006 - The Licensing of Houses in Multiple Occupation (Prescribed Descriptions) (England) Order 2006

<sup>2</sup> Section 232 of the Act and paragraph 11 of SI 373/2006 - The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006

## **Explanatory Note**

*This explanatory note is provided to aid understanding of certain aspects of this designation. The note does not in itself form part of the designation and a full and complete understanding of any definitions or requirements shall only be taken by reference to the Housing Act 2004 and relevant subsidiary legislation.*

An HMO is a building that is let, as a main residence, to persons occupying as more than one household. HMOs include:

- buildings that consist of bedsit rooms where at least some facilities are shared,
- buildings with multiple units of accommodation that all have their own exclusive facilities but which are not all self-contained,
- buildings which contain a mixture of the above types of accommodation,
- buildings fully converted into self-contained flats or studios that do not comply with the Building Regulations 1991 (or later regulations, as applicable at the time of the conversion works) AND where less than two thirds of the flats are owner-occupied (these are known as 'Section 257 HMOs'),
- hostels,
- shared houses.

A 'household' is either a single person or certain members of the same family (parents, grandparents, children (including step and foster children), grandchildren, brothers, sisters, uncles, aunts, nephews, nieces or cousins). This includes people who are married or living together as married (including those in same-sex relationships).

### **The London Borough of Haringey Designation of an Area for Additional Licensing of Houses in Multiple Occupation [YEAR].**

#### **Annex A Map of Designated Area**

[INSERT MAP AND DESCRIBE BOUNDARIES]