

Public Notice

DESIGNATION OF AN AREA OF SELECTIVE LICENSING

Notice is hereby given that Charnwood Borough Council, in exercise of its powers under Section 80 of the Housing Act 2004 ("The Act") on the 10th March 2022 hereby designated for Selective Licensing the area described in paragraph 4.

Citation, commencement and duration

1. The designation shall be known as the Charnwood Borough Council Designations for Areas for Selective Licensing. All privately rented residential accommodation situated within the designated areas must be licensed with the Council.
2. The Scheme to which the designation applies has General Approval under section 82(1)(b) of Housing Act 2004 by the Secretary of State under The Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2015. Therefore, the designation need not be confirmed and will come into force on 1st April 2023.
3. The designation shall cease to have effect on the 31st March 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 following areas of the Borough of Charnwood. Designation 1 and 2 are delineated and edged in black on the maps in Appendix 1. The full list of roads to which this designation applies can found at: www.charnwood.gov.uk/PropertyLicensing

Note: This designation shall cover whole and entire areas / roads within the existing boundaries for the duration of the 5 years Licensing Scheme and any future boundary changes shall not in any way alter the areas covered under this designation.

Designation 1

- Hastings ward

Designation 2

- Lemyngton ward

Application of the designation

5. This designation applies to all Private Sector Rented properties other than:

- (a) those licensed through the Mandatory Houses in Multiple Occupation Licensing Scheme under Section 55(2)(a) Part 2 of the Act or the Borough Wide Additional Licensing Scheme for Houses in Multiple Occupation.
- (b) The house is a House in Multiple Occupation that falls with the prescribed category of a House in Multiple Occupation that is required to be licensed under the Charnwood Borough Council Additional Licensing of Houses in Multiple Occupation made on 21st September 2021 under Section 56 of the Housing Act 2004.
- (c) The tenancy or licence of the house has been granted by a registered provider (formerly known as a Housing Association).
- (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; or
- (f) The house is occupied under a tenancy or licence which is exempt under the Act or the occupation is 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.

Effect of the designation

6. Subject to sub paragraph 5 (a) to (f) every house in the area specified in paragraph 4 that is occupied under a tenancy of licence shall be required to be licensed under Section 85 of the Act.

7. Charnwood Borough Council 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 Act.

A person having control of or managing a prescribed house must apply to Charnwood Borough Council for a licence. Failure to apply for a licence is an offence under Section 95(1) Housing Act 2004 punishable on conviction by payment of an unlimited fine or alternatively may be made subject to a financial penalty not exceeding £30,000. In addition, they 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 for a rent repayment order. Furthermore, no section 21 notice may be given in relation to a short hold tenancy of a house so long as it remains such a house.

Any landlord, managing agent or any tenant within the Borough may seek advice as to whether their property is affected by the designation during normal office hours, which are: 9am to 5pm, Monday to Friday.

A copy of the designation may be inspected at Charnwood Borough Council office, Southfield Road, Loughborough LE11 2TN

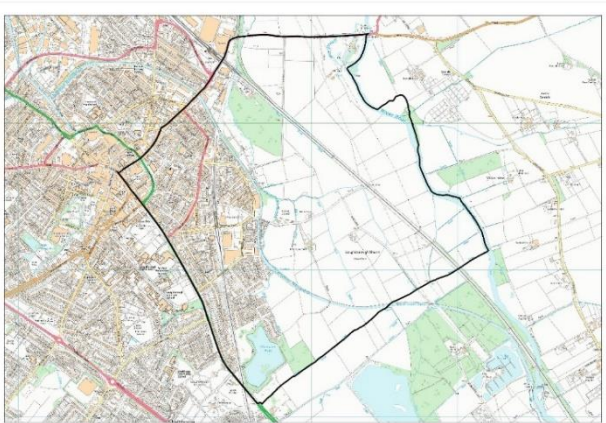
Online applications for the licensing scheme will open from 1st February, 2023. To obtain further information please visit www.charnwood.gov.uk/PropertyLicensing, call 01509 634651 or email: private.housing@charnwood.gov.uk.



Rob Mitchell
Chief Executive, Charnwood Borough Council

Appendix 1

Map of Hastings ward in Loughborough



Map of Lemyngton ward in Loughborough

