

THE OXFORD CITY COUNCIL DESIGNATION OF AN AREA FOR ADDITIONAL LICENSING OF HOUSES IN MULTIPLE OCCUPATION 2010

The Oxford 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 first Oxford City Council Designation for an Area for Additional Licensing of Houses in Multiple Occupation 2010. The Designation falls within a description of designations for which the Secretary of State has issued a General Approval dated 30th March 2010.

2. This designation is made on 18th October 2010 and shall come into force on the 24th January 2011.

3. This designation shall cease to have effect on 24th January 2016 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 district of the Council as delineated and edged black on the map at annex a.

APPLICATION OF THE DESIGNATION


5. This designation applies to the HMOs of the description specified in annex b within the area described in paragraph 4 unless –

- (a) the building is of a description specified in annex c (Buildings that are not HMOs for the purpose of the Act – other than 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; or
- (d) the HMO is required to be licensed under section 55(2)(a) of the Act (mandatory licensing).

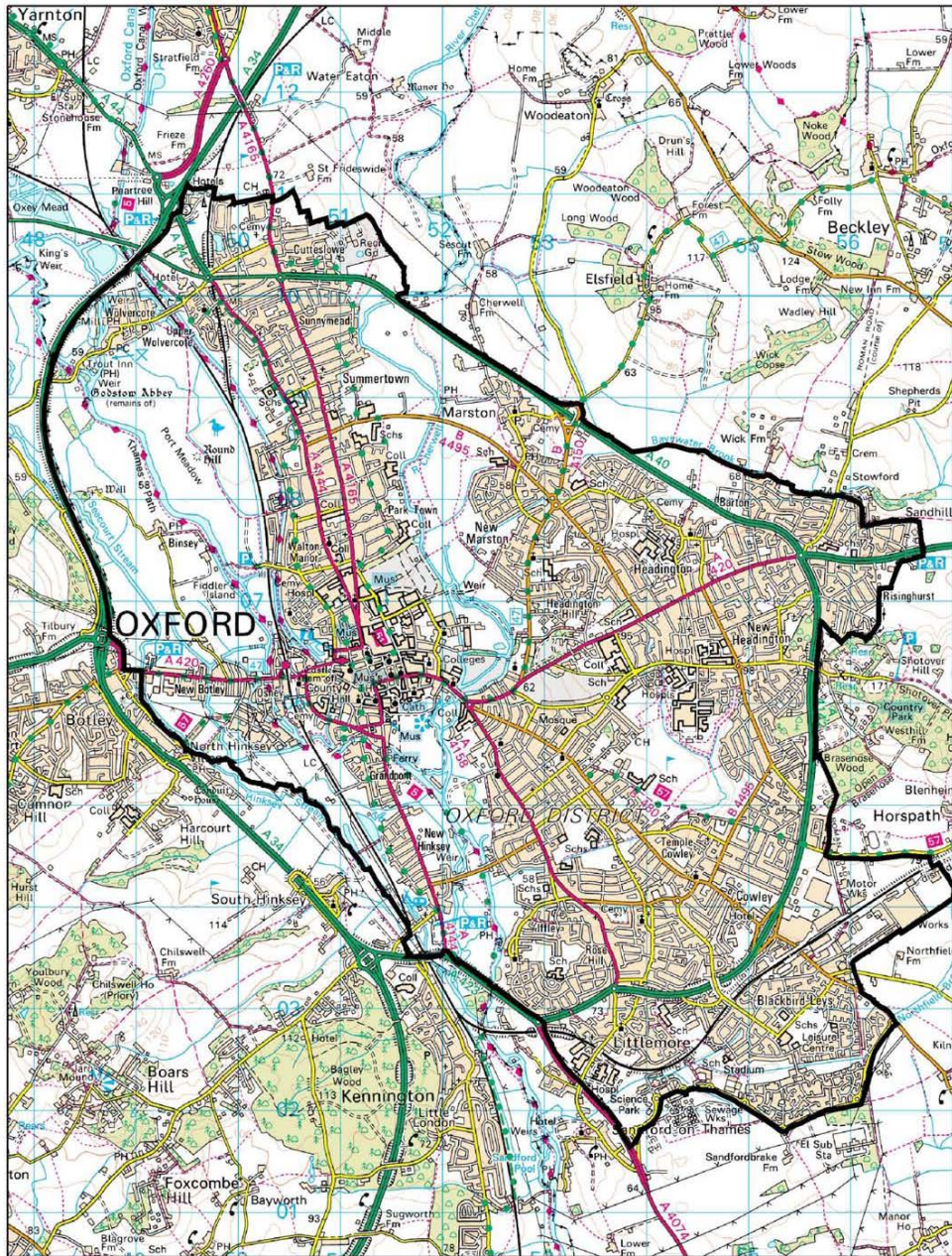
EFFECT OF THE DESIGNATION

Subject to sub paragraphs 5(a) to (d) every HMO of the description specified in annex b that are situated in the area specified by annex a shall be required to be licensed under section 61 of the Act.

The Oxford 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.

Date: 18th October 2010 Signed: 
Head of Environmental Development

Annex a – Paragraph 4: Map of Designated Area



Oxford city map with administrative boundary

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Annex b – Paragraph 5: HMOs subject to the designation

All three or more storey Houses in Multiple Occupation that contain three or four occupiers and all two storey Houses in Multiple Occupation that contain five or more occupiers.

Annex c – Paragraph 5(a): Buildings that are not HMOs for the purpose of the Act

Buildings controlled or managed by public bodies etc

1. A building where the person managing or having control of it is—
 - (a) a local housing authority,
 - (b) a body which is registered as a social landlord under Part 1 of the Housing Act 1996,
 - (c) a police authority established under section 3 of the Police Act 1996 or the Metropolitan Police Authority established under section 5B of that Act,
 - (d) a fire and rescue authority under the Fire and Rescue Services Act 2004
 - (e) a health service body within the meaning of section 4 of the National Health Service and Community Care Act 1990

Buildings regulated by other enactments

2. A tenancy, licence or occupation of a house which is regulated under the following enactments:

- (a) sections 87 to 87D of the Childrens Act 1989
- (b) section 43 (4) of the Prison Act 1952
- (c) section 34 of the Nationality, Immigration and Asylum Act 2002
- (d) The Secure Training Centre Rules 1998
- (e) The Prison Rules 1998
- (f) The Young Offender Institute Rules 2000
- (g) The Criminal Justice and Court Service Act 2000 (Approved Premises) Regulations 2001
- (h) The Care Homes Regulations 2001
- (i) The Children’s Homes Regulations 2001
- (j) The Residential Family Centres Regulations 2002

Certain student lettings etc

3. A building –
 - (a) which is managed or controlled by a specified educational establishment or is of a specified description of such establishments and
 - (b) the occupiers of the house or dwelling are undertaking a full time course of further or higher education at the specified establishment and
 - (c) the house or dwelling is being managed in conformity with an Approved Code of Practice for the management of excepted accommodation under section 233 of the Act.

Religious communities

4. A building which is occupied principally for the purpose of a religious community whose principal occupation is prayer, contemplation, education or the relief of the suffering except if the building is a converted block of flats to which section 257 of the Act applies.