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Designation of Central area public notice

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Blackpool Borough Council

Public Legal Notice

Housing Act 2004 Section 56

Designation of the central area of Blackpool for additional licensing scheme of houses in multiple occupation (HMOs)

1. Blackpool Borough Council ("The Council"), HEREBY GIVES NOTICE in accordance with paragraph 9 of The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 (SI 2006/373) and Section 59 of the Housing Act 2004 ("the Act") that the Council in exercise of its powers under Section 56 of the Act the Council has designated an area covering the Blackpool Borough Council for additional licensing of Houses in Multiple Occupation ("HMOs"). The scheme will be cited as "Blackpool Borough Council Designation of an Area for Additional Licensing of Houses in Multiple Occupation 2016". The Additional HMO licensing scheme will operate alongside the existing mandatory licensing scheme for HMOs.
2. The designation was made on 4th April 2016 and will come into force on 4th July 2016. The designation will last for 5 years and will cease to have effect on 3rd July 2021 or earlier if the Council revokes the scheme under section 60 of the Act.
3. The designation shall apply to the Central area delineated and edged blue on the map and in the streets listed at Annex A.
4. There is no longer a requirement for designations of such licensing scheme to be confirmed by the Secretary of State as a general approval under section 58 of the Housing Act has been issued through The Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2015.
5. The designation applies to all HMOs within the designated area, as defined by section 254 Housing Act 2004, which are occupied by 3 or more persons comprising 2 or more households (irrespective of the number of storeys within the HMO). This may be a property of any storey with sharing facilities or a property converted into self-contained flats that fall within section 257 Housing Act 2004 and are converted flats that do not comply with 1991 building regulations and where more than one third are rented out on short term tenancies.
6. Anyone who would like to inspect the designation, make an application for a licence or require general advice should contact :

Blackpool Council

Number One Bickerstaffe Square

Blackpool

FY1 3AH

Telephone: 01253 476841

Email: housing.licensing@blackpool.gov.uk

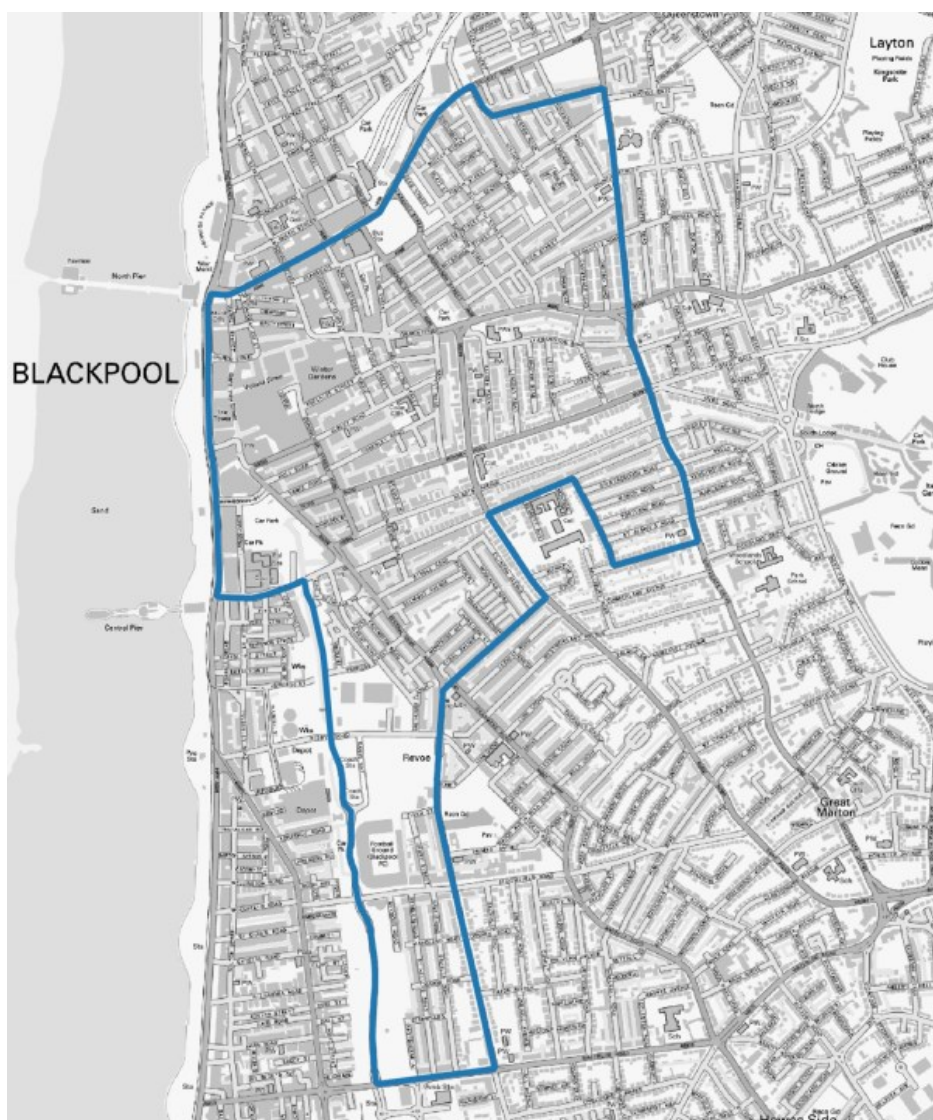
7. Any landlord, person managing premises or tenant within the designated area should seek advice from the local housing

authority with regard to whether their property is affected by the designation. Advice can be obtained at the above address or via the telephone number or email address above.

8. A landlord or agent for a landlord must apply for a licence. An application to license an HMO must be in a prescribed format, must contain certain particulars and must be accompanied by a prescribed fee. Failure to license a property which requires licensing by virtue of this designation may result in a fine on summary conviction under the provisions of section 72 of the Housing Act 2004. A person who breaches a condition of the licence is liable upon summary conviction to a maximum fine of £5,000. It also gives tenants and the local authority, in the case of housing benefit payments, the ability to apply to the appropriate tribunal under the provisions of section 73 (5) and (6) and section 74 of the Housing Act 2004 for a rent repayment order, in accordance with the provisions of those sections.
9. Upon the designation coming into force a person commits an offence and is liable to pay a fine of up to £20,000 if:
 1. He/she is a person having control of or managing a house which is required to be licensed but is not so licensed, or
 2. He/she is a licence holder or a person on whom restrictions or obligations under a licence are imposed and he fails to comply with any condition of the licence.

Failure to licence premises can result in a rent repayment order being made on application to the residential property tribunal and this may require the landlord to repay rent to the occupier, or if the occupier was in receipt of housing benefit, to repay the housing benefit to the local authority.

Annex A: Map of Designated Area



The designation shall apply to the Central area delineated on the map

[Streets in the central designated area](#)



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