



The Royal Borough of Kensington and Chelsea Designation of an Area for Additional Licensing of Houses in Multiple Occupation 2023

The Royal Borough of Kensington and Chelsea (“the Council”) in exercise of their powers under section 56 of the Housing Act 2004 (“the 2004 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 Royal Borough of Kensington and Chelsea Designation for an Area for Additional Licensing of Houses in Multiple Occupation (No.1) 2023 (“the Designation”).
2. The Designation is made on 20th October 2022 and shall come into force on 1st June 2023.
3. The Designation shall cease to have effect on 31st May 2028 or earlier if the Council revokes the scheme under section 60 of the 2004 Act.

AREA TO WHICH THE DESIGNATION APPLIES

4. The Designation shall apply to the whole area of the district of the Royal Borough of Kensington and Chelsea as delineated and edged black on the Map at Annex A.

APPLICATION OF THE DESIGNATION

5. The Designation applies to all HMOs as defined by section 254 of the 2004 Act that are occupied by 3 or more persons comprising 2 or more households within the area described in paragraph 4 unless –
 - (a) the building is of a description specified in Schedule 14 of the 2004 Act (Buildings which are not HMOs for the purposes of the 2004 Act – excluding Part 1);
 - (b) the HMO is subject to an Interim or Final Management Order under Part 4 of the 2004 Act;
 - (c) the HMO is subject to a temporary exemption under section 62 of the 2004 Act;
 - (d) the HMO is required to be licensed under section 55(2)(a) of the 2004 Act, as prescribed by Article 4 of the Licensing of Houses in Multiple (Prescribed Description) (England) Order 2018.

6. The Designation will not apply to HMOs as defined by section 257 of the 2004 Act, i.e., certain converted blocks of flats.

EFFECT OF THE DESIGNATION

7. Subject to sub paragraphs 5(a) to (d) and sub paragraph (6) above, every HMO of the description specified in paragraph 5 in the area specified in paragraph 4 shall be required to be licensed under section 61 of the 2004 Act.
8. The Council will comply with the notification requirements contained in section 59 of the 2004 Act and shall maintain a register of all houses registered under the Designation, as required under section 232 of the 2004 Act.

The Designation was given general approval by the Leadership Team of the Royal Borough of Kensington and Chelsea.

The 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 2004 Act, namely, the Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval which came into force on 1st April 2015.

THE COMMON SEAL of THE MAYOR AND BURGESSES OF
THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA)
Was hereunto affixed:



Sealed By: Kensington and Chelsea Council
Sealed Time: 20 October 2022 | 17:50 BST

361/66925/2223

Principal Solicitor

Annex A – Paragraph 4: Map of Designated Area

