



The London Borough of Hounslow Designation of an Area for Additional Licensing of Houses in Multiple Occupation (4) 2025.

The London Borough of Hounslow (the 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 London Borough of Hounslow Additional Licensing of Houses in Multiple Occupation Scheme (4) 2025.
2. This designation is made on 11th September 2025 and shall come into force on 11th December 2025.
3. This designation shall cease to have effect on 10th December 2030 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 whole area of the district of the London Borough of Hounslow as delineated and edged red on the map at annex A.

APPLICATION OF THE DESIGNATION

5. This designation applies to all HMOs

as defined by section 254 Housing Act 2004 (as detailed in Annex B), which are occupied by three or more persons in two or more households; and

Converted building HMOs, as defined by section 257 of the Housing Act 2004 (as detailed in Annex B), but only where the building and all the dwellings in the building are either in the same ownership or considered by the housing authority to be effectively in the same control.

All 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).¹

EFFECT OF THE DESIGNATION

6. Subject to sub paragraphs 5(a) to 5(d) every HMO of the description specified in paragraph 5 and in the area specified in paragraph 4 shall be required to be licensed under section 61 of the Act.²

7. The London Borough of Hounslow 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.³

8. This 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 Act, namely the Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of other Residential Accommodation (England) General Approval 2015

9. A person having control of or managing a prescribed HMO must apply to the London Borough of Hounslow for a licence. Failure to apply for a licence in the designated area is an offence under section 72(1) of the Housing Act 2004, punishable on conviction by payment of an unlimited fine. As an alternative to commencing prosecution proceedings, the Council may impose a financial penalty of up to £30,000 under section 249A and Schedule 13A of the Act. The Council may also take over the management of an unlicensed HMO by the making of a Management Order under Part 4 of the Act. Additionally, liable persons 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 First Tier Tribunal (Property Chamber) under the provisions of section 73 and section 74 of the Housing Act 2004 for a rent repayment order. Under section 75 of the Act, no notice under section 21 of the Housing Act 1988 may be given in relation to an assured shorthold tenancy of the whole or part of an unlicensed HMO so long as it remains an unlicensed HMO. Landlords, persons managing and tenants are advised to seek advice from the Council as to whether their property is affected by this designation. Advice, applications for licences and a copy of this designation for inspection are available at: Housing Standards London Borough of Hounslow, Hounslow House, 7 Bath Road, Hounslow, TW3 3EB Telephone 020 8583 2000 or email Housing.Enforcement@hounslow.gov.uk

Date and authentication by the Council: 11th September 2025



Signed

Vincent Lacovara | Director Planning and Buildings

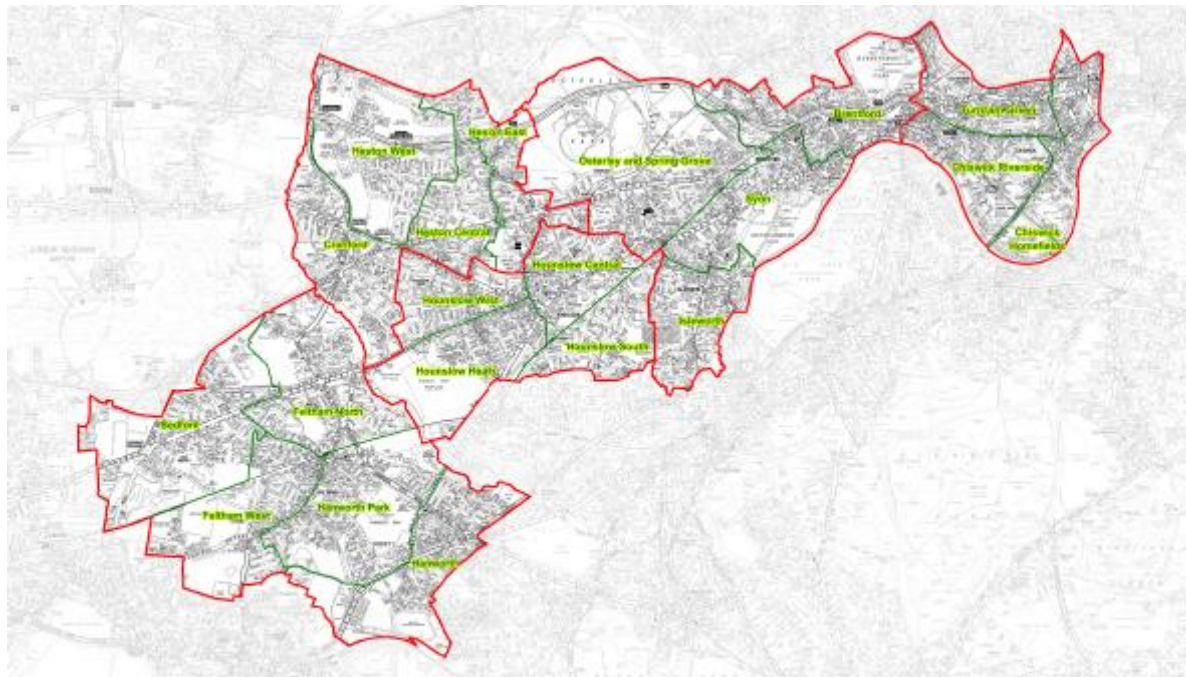
Officer authorised by the London Borough of Hounslow.

¹ For the application of mandatory licensing see SI 2018 No. 221– The Licensing of Houses in Multiple Occupation (Prescribed Descriptions) (England) Order 2018

² Section 62 of the Act provides for certain temporary exemptions. As to suitability for licensing see section 64. Note, if the house is not suitable to be licensed the Council must make an Interim Management Order - see section 102

³ Section 232 of the Act and paragraph 11 of SI 373/2006

Annex A – Paragraph 4: Map of Designated Area: all wards within the district of the London Borough of Hounslow



Legend
Ward Boundaries
Area Forums



Annex B: HMOs to which this designation applies (subject to paragraph 5 above)

Section 254, Housing Act 2004 (meaning of “house in multiple occupation”)

A building or a part of a building meets the standard test if—

- (a) It consists of one or more units of living accommodation not consisting of a self-contained flat or flats.
- (b) The living accommodation is occupied by persons who do not form a single household (S258 Housing Act 2004).
- (c) the living accommodation is occupied by those persons as their only or main residence or they are to be treated as so occupying it (S259 Housing Act 2004).
- (d) Their occupation of the living accommodation constitutes the only use of that accommodation.
- (e) Rents are payable, or other consideration is to be provided in respect of at least one of those persons' occupation of the living accommodation; and
- (f) Two or more of the households who occupy the living accommodation share one or more basic amenities or the living accommodation is lacking in one or more basic amenities.

A part of a building meets the self-contained flat test if—

- (a) It consists of a self-contained flat; and
- (b) Paragraphs (b) to (f) of standard test definition above apply (reading references to the living accommodation concerned as references to the flat).

A building or a part of a building meets the converted building test if—

- (a) It is a converted building.
- (b) It contains one or more units of living accommodation that do not consist of a self-contained flat or flats (whether or not it also contains any such flat or flats).
- (c) The living accommodation is occupied by persons who do not form a single household.
- (d) The living accommodation is occupied by those persons as their only or main residence or they are to be treated as so occupying it.
- (e) Their occupation of the living accommodation constitutes the only use of that accommodation; and
- (f) Rents are payable, or other consideration is to be provided in respect of at least one of those persons' occupation of the living accommodation.

“Basic amenities” means—

- (a) A toilet,
- (b) Personal washing facilities, or
- (c) Cooking facilities

“Converted building” means a building or part of a building consisting of living accommodation in which one or more units of such accommodation have been created since the building or part was constructed.

“Enactment” includes an enactment comprised in subordinate legislation (within the meaning of the Interpretation Act 1978 (c. 30)).

“Self-contained flat” means a separate set of premises (whether or not on the same floor)— (a) which forms part of a building; (b) either the whole or a material part of which lies above or below some other part of the building; and (c) in which all three basic amenities are available for the exclusive use of its occupants.

Section 257, Housing Act 2004 (HMOs: certain converted blocks of flats)

A “converted block of flats” means a building or part of a building which -

- (a) has been converted into, and

(b) consists of, self-contained flats.

This section applies to a converted block of flats if—

(a) building work undertaken in connection with the conversion did not comply with the appropriate building standards and still does not comply with them; and

(b) less than two-thirds of the self-contained flats are owner-occupied.

“Appropriate building standards” means—

(a) in the case of a converted block of flats—

- (i) on which building work was completed before 1st June 1992 or which is dealt with by regulation 20 of the Building Regulations 1991 (S.I. 1991/2768), and
- (ii) which would not have been exempt under those Regulations, building standards equivalent to those imposed, in relation to a building or part of a building to which those Regulations applied, by those Regulations as they had effect on 1st June 1992; and

(b) in the case of any other converted block of flats, the requirements imposed at the time in relation to it by regulations under section 1 of the Building Act 1984 (c. 55).

A flat is “owner-occupied” if it is occupied—

- (a) by a person who has a lease of the flat which has been granted for a term of more than 21 years,
- (b) by a person who has the freehold estate in the converted block of flats, or
- (c) by a member of the household of a person within paragraph (a) or (b).

The fact that this section 257 applies to a converted block of flats (with the result that it is a house in multiple occupation under section 254(1)(e)), does not affect the status of any flat in the block as a house in multiple occupation.

“self-contained flat” here has the same meaning as in section 254 (see above).

Annex C – Paragraph 5(a) of the designation: Buildings that are not HMOs for the purpose of the Act⁴

Buildings controlled or managed by public bodies etc⁵

1. A building where the person managing or having control⁶ of it is
 - (a) a local housing authority,
 - (b) a non-profit registered provider of social housing,
 - (c) a body which is registered as a social landlord under Part 1 of the Housing Act 1996
 - (d) a police and crime commissioner,
 - (e) the Mayor's Office for Policing and Crime,
 - (f) a fire and rescue authority, or
 - (g) a health service body within the meaning of [section 9 of the National Health Service Act 2006].

“fire and rescue authority” means a fire and rescue authority under the Fire and Rescue Services Act 2004

1A - A building-

- (a) which is social housing within the meaning of Part 2 of the Housing and Regeneration Act 2008⁷, and
- (b) where the person managing or having control of it is a profit-making registered provider of social housing.

Buildings controlled or managed by a co-operative society.⁸

2. A building where—

- (a) the person managing or having control of it is a co-operative society whose rules are such as to secure that each of the conditions set out below is met, and
- (b) no person who occupies premises in the building does so by virtue of an assured tenancy, a secure tenancy or a protected tenancy.⁹

The conditions are—

- (a) that membership of the society is restricted to persons who are occupiers or prospective occupiers of buildings managed or controlled by the society,
- (b) that all management decisions of the society are made by the members (or a specified quorum of members) at a general meeting which all members are entitled to, and invited to, attend,
- (c) that each member has equal voting rights at such a meeting, and
- (d) that, if a person occupies premises in the building and is not a member, that person is an occupier of the premises only as a result of sharing occupation of them with a member at the member's invitation.

For these purposes “co-operative society” means a body that—

(a) is registered as a co-operative society under the 2014 Act¹⁰ or is a pre-commencement society (within the meaning of that Act) that meets the condition in section 2(2)(a)(i) of that Act and is neither—

- (i) a non-profit registered provider of social housing, nor
- (ii) registered as a social landlord under Part 1 of the Housing Act 1996.

Buildings regulated by other enactments¹¹

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

- (a) Sections 87 to 87D of the Children 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 1998¹²

- (e) The Prison Rules 1999¹³;
- (f) The Young Offender Institute Rules 2000¹⁴;
- (g) The Detention Centre Rules 2001¹⁵;
- (h) The Criminal Justice and Court Service Act 2000 (Approved Premises) Regulations 2001¹⁶;
- (i) The Care Homes Regulations 2001¹⁷;
- (j) The Children's Homes (England) Regulations 2015¹⁸;
- (k) The Residential Family Centres Regulations 2002.¹⁹

Certain student lettings etc²⁰

4. A building –

- (i) which is managed or controlled by a specified educational establishment or is of a specified description of such establishments and
- (ii) the occupiers of the house or dwelling are undertaking a full time course of further or higher education at the specified establishment²¹ and
- (iii) 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.²²

Religious communities²³

- 5. 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.

Buildings occupied by owners²⁴

6. A building which is only occupied by –

- (i) one or more persons who hold the freehold or a leasehold interest granted for a term of more than 21 years of the whole, or any part of, the building
- (ii) and/or any member of the household²⁵ of that person or persons but this exemption does not apply to a converted block of flats to which section 257 of the Act²⁵ applies, except for ascertaining the status of any flat within the block.

Buildings occupied by Resident Landlord etc²⁶

- 7. A building which is occupied by a person or persons to whom paragraph 6 applies (subject to the proviso therein) and no more than two other persons²⁷, not forming part of the owner's household.

Buildings occupied by two persons²⁸

- 8. Any building which is only occupied by two persons (forming two households)

Meaning of "building"

- 9. In this annex a "building" includes a part of a building. ²⁹

⁴ Schedule 14 of the Act and SI 373/2006

⁵ Paragraph 2 of schedule 14

⁶ For the definition of "person managing" and "person having control" see section 263 of the Act

⁷ Paragraph 2A of schedule 14

⁸ Paragraph 2B of schedule 14

⁹ "assured tenancy" has the same meaning as in Part 1 of the Housing Act 1988; "protected tenancy" has the same meaning as in the Rent Act 1977; "secure tenancy" has the same meaning as in Part 4 of the Housing Act 1985.

- ¹⁰ “the 2014 Act” means the Co-operative and Community Benefit Societies Act 2014
- ¹¹ paragraph 3 of schedule 14
- ¹² SI 472/1998 as amended by SI 3005/2003
- ¹³ SI 1999/728, as amended by SI 2000/1794, SI 2000/2641, SI 2001/1149, SI 2002/2116, SI 2002/3135, SI 2003/3301 and 2005/869.
- ¹⁴ SI 3371/2000 as amended by SI 2117/2002, SI 3135/2002 and SI 897/2005
- ¹⁵ SI 238/2001. Section 66 (4) of the Nationality, Immigration and Asylum Act 2002 provides that the reference to a detention centre is to be construed as a reference to a removal centre as defined in Part VIII of the Immigration and Asylum Act 1999
- ¹⁶ SI 850/2001
- ¹⁷ SI 3965/2001 as amended by SI 865/2001. SI 534/2003, SI 1590/2003, SI 1703/2003, SI 1845/2003, SI 664/2004, SI 696/2004, SI 1770/2004, SI 2071/2004 SI and SI 3168/2004
- ¹⁸ SI 2015/541
- ¹⁹ SI 3213/2002 as amended by SI 664/2004, SI 865/2004
- ²⁰ Paragraph 4 of schedule 14
- ²¹ The Houses in Multiple Occupation (Specified Educational Establishments) (England) Regulations 2013/1601
- ²² The Housing (Codes of Management Practice) (Student Accommodation) (England) Order 2010/2615
- ²³ Paragraph 5 of schedule 14
- ²⁴ Paragraph 6 of Schedule 14
- ²⁵ For the definition of “household” see section 258 and paragraphs 3 and 4 of SI 73/2006
- ²⁶ Paragraph 6 of schedule 14 and SI 373/2006
- ²⁷ Paragraph 6 (2) of SI 373/2006
- ²⁸ Paragraph 7 of schedule 14
- ²⁹ Paragraph 1 of schedule 14