

# The Luton Borough Council designation of an area for selective licensing 2023

The Luton Borough Council, in exercise of their powers under [section 80 of the Housing Act 2004](#) (the act), hereby designates for selective licensing the area described in paragraph 4.

## Contents

Citation, commencement and duration .....	1
Area to which the designation applies.....	1
Application of the designation .....	1
Effect of the designation .....	2
Date and authentication by the council .....	2

## Citation, commencement and duration

1. This designation may be cited as the Luton Borough Council designation for an area for additional licensing of houses in multiple occupation 2023.
2. This designation is made on **25 October 2023**, and shall come into force on **5 February 2024**.
3. This designation shall cease to have effect on **4 February 2029** 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 the whole of the area edged black on the map at [annex a](#).

## Application of the designation

5. This designation applies to any house<sup>1</sup> which is let or occupied under a tenancy or licence within the area described in paragraph 4 unless either:

- (a) the house is a house in multiple occupation and is required to be licensed under part 2 of the act<sup>2</sup>
- (b) the tenancy or licence of the house has been granted by a registered social landlord<sup>3</sup>
- (c) the house is subject to an interim or final management order under part 4 of the act
- (d) the house is subject to a temporary exemption under section 86 of the act
- (e) the house is occupied under a tenancy or licence which is exempt under the act<sup>4</sup> or the occupation is of building or part of a building so exempt as defined in [annex b](#)

## Effect of the designation

6. Subject to sub paragraphs 5(a) to (e) every house in the area specified in paragraph 4 that is occupied under a tenancy or licence shall be required to be licensed under section 85 of the act.<sup>5</sup>

7. Luton 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.<sup>6</sup>

## Date and authentication by the council



(Service Director, Housing)  
**25 October 2023**

## Footnotes

1) For the definition of 'house' see section 79 and section 99 of the act.

2) Section 55 of the act defines which Houses in Multiple Occupation are required to be licensed under the act. See also The Licensing of Houses in Multiple Occupation (Prescribed Descriptions) (England) Order 2005 (SI 2006/371).

3) Section 79 (3) of the act. For the definition of a registered social landlord see part 1 of the Housing Act 1996.

4) Section 79 (4) of the act and SI 370/2006.

5) Section 86 of the act provides for certain temporary exemptions. As to suitability see section

89. Note: if the house is not suitable to be licensed the council must make an interim management order – see section 102.

6) Section 232 of the act and paragraph 11 of 373/2006.