

PUBLIC NOTICE

London Borough of Barking and Dagenham

NOTICE OF DESIGNATION OF AREAS FOR SELECTIVE LICENSING UNDER SECTION 80 OF THE HOUSING ACT 2004

1. The London Borough of Barking and Dagenham ("The Council") in exercise of its powers under section 80 of the Housing Act 2004 ("the Act") hereby designates the three areas of its district as described at paragraph 7, as subject to Selective Licensing.
2. This designation falls within a description of designations in relation to which the Secretary of State has given general approval under sections 82(5) and (6) of the Act, namely "The Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2024", which came into effect on **23 December 2024**.

CITATION, COMMENCEMENT AND DURATION

3. This designation may be cited as the London Borough of Barking and Dagenham Designation of Areas for Selective Licensing 2025. All privately rented residential accommodation situation within the three designated areas must be licensed with the Council unless subject to statutory exemption as set out in paragraph 8.
4. The designation of these areas was approved by the Assembly of the Council on **18 September 2024** and made by the Assembly of the Council on **6 January 2025**.
5. The Designation will come into force on **6 April 2025**.
6. The Designation shall cease to have effect on **5 April 2030** or earlier if the Council revokes the scheme under section 84 of the Act.

AREAS TO WHICH THE DESIGNATION APPLIES

7. This designation shall apply to the following three designated areas of the London Borough of Barking and Dagenham. Maps of the three designation areas are included in annex A below. The following wards are included in each designated area.

Wards included in Designation Area 1	Wards included in Designation Area 2	Wards included in Designation Area 3
Alibon, Barking Riverside, Beam, Becontree, Chadwell Heath, Eastbury, Goresbrook, Heath, Longbridge, Mayesbrook, Parsloes, Thames View, Valence, Village, Whalebone.	Abbey, Gascoigne, Northbury.	Eastbrook & Rush Green.

APPLICATION OF THE DESIGNATION

8. This designation applies to any house¹ which is let or occupied under a tenancy or licence within the areas described in paragraph 7 unless:
 - a. the house is a house in multiple occupation [HMO] that falls within the nationally prescribed category of HMO that is required to be licensed as a 'mandatory HMO' under section 55(2)(a) Part 2 of the Act², or any other type of HMO that is required to be licenced under part 2 of the act, in an area subject to Additional HMO Licensing
 - b. the tenancy or licence of the house has been granted by a non-profit registered provider of social housing or profit-making registered provider of social housing, in respect of social housing within the meaning of Part 2 of the Housing and Regeneration Act 2008³;
 - c. the tenancy or licence of the house has been granted by registered social landlord⁴
 - d. the house is subject to an Interim or Final Management Order or an Interim and Final Empty Dwelling Management Orders under Part 4 of the Act;
 - e. the house is subject to a temporary exemption under section 86 of the Act; or
 - f. the house is occupied under a tenancy or licence which is exempt under the Act, or the occupation is of a building or part of a building exempt as defined in "the Selective Licensing of Houses (Specified Exemptions) (England) Order 2006".

EFFECT OF THE DESIGNATION

- ⁵ Subject to sub paragraphs 8(a) to (f) every house in the areas specified in paragraph 7 that is occupied under a tenancy or licence shall be required to be licensed under section 85 of the Act.⁵
10. The 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.⁶

CONSEQUENCES OF FAILURE TO COMPLY WITH DESIGNATION

11. A person having control of or managing a licensable property as described above must apply to the London Borough of Barking and Dagenham for a licence. Failure to apply for a licence is an offence under Section 95(1) Housing Act 2004 punishable on conviction by payment of an unlimited fine or alternatively may be made subject to a financial penalty not exceeding £30,000. A person who breaches a condition of a licence, or who knowingly allows their property to be occupied by more than the number of persons or households permitted by the licence, will be similarly liable. In addition, they 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) Residential Property for a rent repayment order. Furthermore, no section 21 notice may be given in relation to a shorthold tenancy of a part of an unlicensed property so long as it remains unlicensed. The Council may also take over the management of an unlicensed property by the making of a Management Order under Part 4 of the Act.

INSPECTING THE DESIGNATION

12. The Designation may be inspected at the address provided at paragraph 13 during office hours. All landlords, managing agents or tenants within the designated area should obtain advice to ascertain whether their property is affected by the Designation by contacting the Council's Private Rented Property Licensing Team.

OBTAINING ADVICE

13. If you are a landlord, managing agent or tenant and require information regarding this designation or to apply for a licence, further information and assistance is available from the Council's Private Rented Property Licensing Team by telephone on **0208 724 8898** or by email to prpl@lbbd.gov.uk, or by writing to **Private Rented Property Licensing, Barking Town Hall, 1 Clockhouse Avenue, Barking, IG11 7LU**

Dated this 06 day of JANUARY 2025

The COMMON SEAL of the
MAYOR AND THE BURGESSES OF THE
LONDON BOROUGH OF BARKING AND DAGENHAM
was hereunto affixed in the presence of:

*Paul F. Field
P. A. F. FIELD*

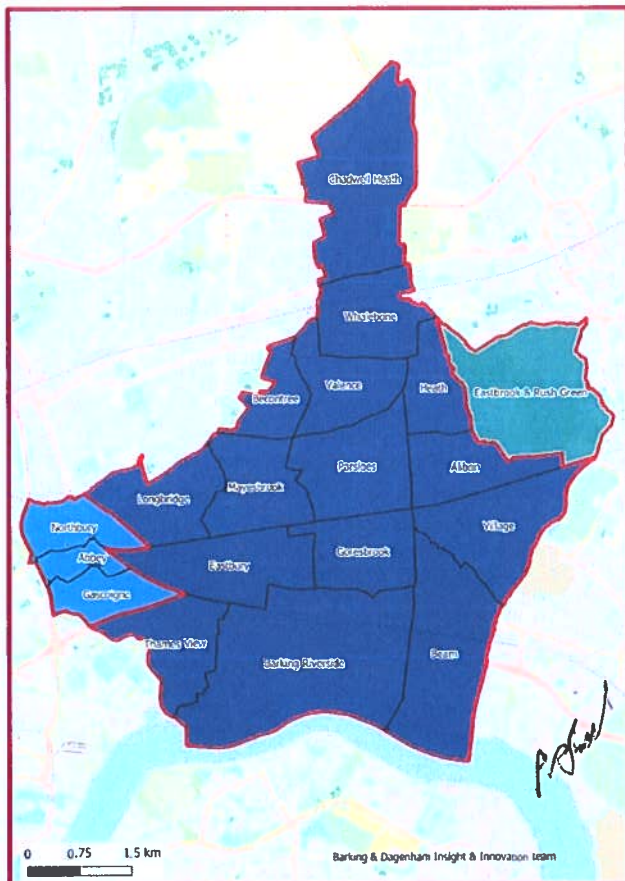


Being an Officer of the
Council of the said London Borough
authorised to attest the Common Seal thereof.
(Minute No. 24/07/24)
(Seal Register No. 53332)

- ¹ For the definition of "house" see sections 79 and 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 Description) (England) Order 2018 (SI 2018/221).
- ³ See Section 79(3) of the Act.
- ⁴ For the definition of a Registered Social Landlord see Part 1 of the Housing Act 1996.
- ⁵ See the Selective Licensing of Houses (Specified Exemptions) (England) Order 2006 SI 370/2006.
- ⁶ Section 232 of the Act and paragraph of 11 of SI 373/2006.

ANNEX A

Map of Selective Licensing designation areas 1, 2 and 3 with the boundaries delineated in red.



KEY: Designation 1 (dark blue, centre), Designation 2 (light blue, left side) and Designation 3 (turquoise, right side).