

# Public Legal Notice

## SEFTON METROPOLITAN BOROUGH COUNCIL Designation of an area for Selective Licensing

1. Sefton Metropolitan Borough Council ("The Council") HEREBY GIVES NOTICE in accordance with Section 80 of the Housing Act 2004 ("the Act") that the Council in exercise of its powers under Section 80 of the Act has designated an area of Bootle in Sefton, Merseyside, as being subject to Selective licensing from 1st March 2018.

2. The designation was made on 21st September 2017 and will come into force on 1st March 2018. The designation will last for 5 years and will cease to have effect on 28th February 2023 or earlier if the Council revokes the scheme under section 60 of the Act.

3. 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.

4. The designation is available for inspection by appointment, between 9:00 and 17:00 on weekdays, or if you would like to make an application for a licence or require general advice should contact :

Sefton Council, Housing Standards  
1st Floor, Magdalen House, 30 Trinity Road, Bootle, L20 3NJ  
Telephone: 0345 140 0845  
Email: [landlord.licensing@sefton.gov.uk](mailto:landlord.licensing@sefton.gov.uk)      [www.sefton.gov.uk](http://www.sefton.gov.uk)

5. The designation applies to any privately rented property that is not a licensable house in multiple occupations or subject to any statutory exemption, and is occupied under a tenancy or a licence.

6. A full list of all streets affected and a copy of this notice will be posted on the Sefton Council website.

7. If you are a landlord, a person managing a property, or a tenant of a property within the areas of the designation you are advised to seek advice from the Council on whether your property is affected by the designation.

8. Under the designation coming into force on 1st March 2018 any person having control of or managing a licensable property without a licence shall be guilty of an offence under Section 95 (1) of the Act, and shall be liable to prosecution and upon summary conviction liable to a fine of any amount. A person who breaches a condition of a licence is liable to prosecution and upon summary conviction liable to a fine of any amount.

Furthermore, Housing Benefit payments may be recovered by way of a rent repayment order as set out in section 73 (5) and (6) and section 74 of the Housing Act 2004.

## SEFTON METROPOLITAN BOROUGH COUNCIL Designation of parts of Seaforth, Waterloo, Brighton-le-Sands and Central Southport for Additional Licensing scheme of houses in multiple occupation (HMOs)

1. Sefton Metropolitan 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 areas of the borough of Sefton for additional licensing of Houses in Multiple Occupation ("HMOs").

The scheme will be cited as "Sefton Council Designation of an Area for Additional Licensing of Houses in Multiple Occupation 2018". The Additional HMO licensing scheme will operate alongside the existing mandatory licensing scheme for HMOs.

2. The designation was made on 21st September 2017 and will come into force on 1st March 2018. The designation will last for 5 years and will cease to have effect on 28th February 2023 or earlier if the Council revokes the scheme under section 60 of the Act.

3. 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.

4. 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. 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.

5. Anyone who would like to inspect the designation, make an application for a licence or require general advice should contact Sefton Council, Housing Standards, 1st Floor, Magdalen House, 30 Trinity Road, Bootle, L20 3NJ  
Telephone: 0345 140 0845  
Email: [landlord.licensing@sefton.gov.uk](mailto:landlord.licensing@sefton.gov.uk)      [www.sefton.gov.uk](http://www.sefton.gov.uk)

6. A full list of all streets affected and a copy of this notice will be posted on the Sefton Council website.

7. A landlord or agent for a landlord must apply for a licence. Under the designation coming into force on 1st March 2018 any person having control of or managing a licensable property without a licence shall be guilty of an offence under Section 95 (1) of the Act, and shall be liable to prosecution and upon summary conviction liable to a fine of any amount. A person who breaches a condition of a licence is liable to prosecution and upon summary conviction liable to a fine of any amount. 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.

*Dated 21st September 2017*  
Jill Coule  
Head of Regulation and Compliance,  
Sefton Metropolitan Borough Council