



PUBLIC NOTICE

London Borough of Wandsworth

NOTICE OF DESIGNATION OF AN AREAS FOR SELECTIVE LICENSING

Section 80, Housing Act 2004

1. The London Borough of Wandsworth ("The Council") in exercise of its powers under section 80 of the Housing Act 2004 ("the Act") hereby designates for selective licensing the areas described in paragraph 7.
2. The designation has been made under the general approval granted under Section 80 of the Act and was approved by Cabinet decision taken on the 03 February 2025.
3. The designation falls within a description of designations for which confirmation is no longer required by Secretary of State under the General Approval issued on 23 December 2024. The Secretary of State has confirmed that the designation shall come into force on 01 July 2025.

CITATION, COMMENCEMENT AND DURATION

4. This Designation shall be known as the London Borough of Wandsworth Designation 1 for Areas for Selective Licensing 2025. All privately rented residential accommodation situated within the designated areas must be licensed with the Council unless subject to statutory exemption as set out in paragraph 8.
5. The Designations are made on 22 July 2024 and will come into force on 01/07/2025. In line with the Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2015 and the updated guidance issued by the Department for Communities and Local Government in March 2015 (Selective licensing in the private rented sector - A Guide for local authorities), the Designations fall within a description of designations for which, as long as the authority has consulted for at least ten weeks, do not need approval from the Secretary of State for Housing, Communities and Local Government (MHCLG) as the designated areas cover 20% or less than the total geographical area of the London Borough of Wandsworth's and includes 20% or less than its private rented properties.
6. The Designation cease to have effect on 30/06/2030 (not more than 5 years) or earlier if the Council revokes the scheme under section 84 of the Act.

AREA TO WHICH THE DESIGNATION APPLIES

7. The designation shall apply to the following areas of the London Borough of Wandsworth. Designation 1 is delineated in red with the area itself coloured yellow on the map in annex A below. The following wards are included in each designation.

Wards included in Designation 1

Furzedown

Tooting Bec

South Balham

Tooting Broadway

APPLICATION OF THE DESIGNATION

8. This designation applies to any house¹ which is let or occupied under a tenancy or licence within the area 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;
 - b. the house is a house in multiple occupation that falls within the prescribed category of HMO that is required to be licensed under the London Borough of Wandsworth Designation of an Area for Additional Licensing of Houses of Multiple Occupation made on 22/07/2024 under Section 56 of the Housing Act 2004³;
 - c. the tenancy or licence of the house has been granted by a registered social landlord⁴;
 - d. the house is subject to an Interim or Final Management Order 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 so exempt as defined in Paragraph 5(f): Exempted tenancies or licences, Selective Licensing of Houses (Specified Exemptions) (England) Order 2006 SI 370/2006.

EFFECT OF THE DESIGNATION

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

If you are a landlord, managing agent or a tenant, or if you require information regarding this designation, or to apply for a licence, further information and assistance is available from the Council's Private Sector Housing Team by telephone on **020 8545 3025** or by email to privatehousing@merton.gov.uk, or by writing to **Private Sector Housing, Civic Centre, London Rd, Morden SM4 5DX**.

The Designation may be inspected at the above address during office hours. Anyone wishing to inspect the designation should call **020 8545 3025** to arrange to do so.

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 Sector Housing Team.

Website: <https://www.wandsworth.gov.uk/housing/private-housing/>

Email: privatehousing@merton.gov.uk

Tel: 020 8545 3025

WARNING

Upon the designation coming into force on 1 July 2025, any person who operates a licensable property without a licence or allows a licensed property to be occupied by more households or persons other than as authorised by a licence, is liable to prosecution and upon summary conviction is liable to an unlimited fine. A person who breaches a condition of a licence is liable upon summary conviction to a maximum fine of £5,000 per breach.

The Authority may, as an alternative to initiating a prosecution, pursue one or more of a range of other enforcement actions including the imposition of a financial penalty of up to £30,000.

When an offence has been committed, an application may also be made by the Authority and/or tenant for a Rent Repayment Order to pay back up to 12 months' rent, Housing Benefit, or Universal Credit.



The Authority may also make an Interim Management Order whereby the Authority would take management control of the unlicensed property.

The Authority will also add any relevant offences to the Greater London Authority Rogue Landlord and Agent Register unless it considers that there are valid reasons for not so adding, which will be considered on a case-by-case basis.

Signed

A handwritten signature in black ink, appearing to read "Andy Diker".

**Portfolio holder and elected Cabinet Member
For and on behalf of London Borough of Wandsworth
Date: 03 February 2025**

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 Descriptions) (England) Order 2005 (SI 2006/371)

³ Additional Licensing covers HMOs that are not within the scope of Mandatory HMO Licensing where tenants share one or more 'basic amenities' i.e. a WC, personal washing facilities or cooking facilities. 'Section 257' HMO buildings would need a selective licence unless; an individual flat was itself multiply occupied which would need an additional or mandatory HMO licence depending on the number of persons accommodated or, where the building or part of a building is of three or more storeys that have been converted into three or more self-contained flats and where both the building and self-contained flats it contains are under the same ownership or considered by the council to be effectively under the same control.

⁴ Section 79 (3) of the Act. For the definition of a Registered Social Landlord see Part 1 of the Housing Act 1996

⁵ Section 232 of the Act and paragraph 11 of SI 373/2006

⁶ See the Selective Licensing of Houses (Specified Exemptions) (England) Order 2006 SI 370/2006

Annex A: Map showing selective licensing designations 1 with the boundary delineated in red and the areas in yellow.

Designation 1



