

Reading Borough Council

Reading Borough Council Additional Licensing for Housing in Multiple Occupation Designation 2025.

Designation of Area for Additional Licensing for Houses and Flats in Multiple Occupation

This designation is made in accordance with sections 56 of the Housing Act 2004 (“the Act”).

This Designation falls within a description of designations in relation to which the Secretary of State has given a general approval under sections 56 and 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 2024.

Reading Borough Council considers that a significant proportion of the HMOs covered by the designation are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public. The particular problems are poor property condition, which can affect the safety and welfare of the occupants.

Reading Borough Council has consulted persons who are likely to be affected by it under section 56(3)(a) of the Act for not less than 10 weeks and considered any representations made in accordance with the consultation and not withdrawn..

Reading Borough Council has, in exercise of its powers under section 56 of the Housing Act 2004, designated the area of the district for additional licensing.

CITATION, COMMENCEMENT AND DURATION

1. The Designation may be cited as the Reading Borough Council Additional Licensing for Housing in Multiple Occupation Designation 2025.
2. The Designation was made on 13 November 2025 and shall come into force on 1 March 2026.
3. The Designation shall cease to have effect on 28 February 2031 or earlier if the Council revokes the scheme under section 60 of the Act.

AREA TO WHICH THE DESIGNATION APPLIES

4. The Designation shall apply to the entire district of the Reading Borough Council.

PROPERTIES TO WHICH THE DESIGNATION APPLIES

5. The Designation applies the Houses in Multiple Occupation (HMOs) ¹ within the area described in paragraph 4, as defined in the Housing Act 2004 where the following conditions are met:

A building or a part of a building is a “house in multiple occupation” if—

- (a) it meets the conditions in section 254(2) (“the standard test”);
- (b) it meets the conditions in section 254 (3) (“the self-contained flat test”);
- (c) it meets the conditions in section 254 (4) (“the converted building test”);
- (d) an HMO declaration is in force in respect of it under section 255

The designation applies to all properties, including flats, which are occupied by 3 or more persons comprising of 2 or more households. This is irrespective of the number of storeys. This also includes single storey flats and two, three or more storey properties

6. The following properties are excluded
 - a) Properties subject to schedule 14 of the Housing Act 2004, buildings that are not HMOs for the purposes of the Act.
 - b) Properties subject to mandatory licensing under section 55(2)(a) of the Housing Act 2004.
 - c) a temporary exemption notice is in force in relation to it under the Housing Act 2004 – section 62 or
 - d) an interim or final management order is in force in relation to it under the Housing Act 2004 Chapter 1 of Part 4.
 - e) Buildings or parts of buildings which are converted block of flats to which section 257 applies (flats converted pre 1991 without building control approval) are not subject to the designation. However individual flats or

¹ For the definition of “house in multiple occupation” see section 254-257 of the Housing Act 2004

parts of the building are subject to the designation where criteria in paragraph 5 apply to those parts.

THE EFFECT OF THE DESIGNATION

7. Subject to the exemptions above and any further exemptions specified in law, every house in multiple occupation of the description specified in paragraph 5 and in the district of the Borough of Reading shall be required to be licensed under section 61 of the Act:
8. An application for a licence must be made to the local housing authority under section 63 of the Act, made in accordance with such requirements as the Council may specify and accompanied by a fee fixed by the Council.
9. The Reading Borough Council will comply with the requirements of Part 2 of the Act and shall maintain a register of all houses registered under this designation, as required under section 232 of the Act.
10. Upon this Designation coming into force, any person who:
 - a) manages or has control of a licensable HMO which is not so licensed;
 - b) manages or has control of a licensed HMO and knowingly permits the HMO to be occupied by more persons or households than is authorised under the licence;
 - c) is the licence holder and has obligations or restrictions imposed upon them by the licence and fails to comply with any condition of the licence,

commits a criminal offence and is liable to prosecution under section 72 of the Act. At the time of designation maximum penalty on summary conviction is an unlimited fine.

Alternatively, a Civil Penalty Notice may be issued by the Council. At the time of designation the maximum penalty is up to £30,000.00.

In addition, any person managing or having control of an unlicensed HMO which is required to be licensed may, on the application of a tenant or the Council, be ordered by the First-tier Tribunal to repay up to 12 months' rent to the tenant or, in the case of certain benefits, the Council (a rent repayment order).

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 house so long as it remains an unlicensed house.

A handwritten signature in black ink, consisting of several overlapping, slanted strokes that form a stylized representation of the name 'Matthew Golledge'.

Signed:

Matthew Golledge
Acting Assistant Director for Planning, Transport and Public Protection

Dated: 17 November 2025