



Housing Act 2004

2004 CHAPTER 34

PART 3

SELECTIVE LICENSING OF OTHER RESIDENTIAL ACCOMMODATION

Designation of selective licensing areas

80 Designation of selective licensing areas

- (1) A local housing authority may designate either—
 - (a) the area of their district, or
 - (b) an area in their district,as subject to selective licensing, if the requirements of subsections (2) and (9) are met.
- (2) The authority must consider that—
 - (a) the first or second set of general conditions mentioned in subsection (3) or (6), or
 - (b) any conditions specified in an order under subsection (7) as an additional set of conditions,are satisfied in relation to the area.
- (3) The first set of general conditions are—
 - (a) that the area is, or is likely to become, an area of low housing demand; and
 - (b) that making a designation will, when combined with other measures taken in the area by the local housing authority, or by other persons together with the local housing authority, contribute to the improvement of the social or economic conditions in the area.
- (4) In deciding whether an area is, or is likely to become, an area of low housing demand a local housing authority must take into account (among other matters)—
 - (a) the value of residential premises in the area, in comparison to the value of similar premises in other areas which the authority consider to be comparable

Changes to legislation: Housing Act 2004, Section 80 is up to date with all changes known to be in force on or before 28 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (whether in terms of types of housing, local amenities, availability of transport or otherwise);
- (b) the turnover of occupiers of residential premises;
 - (c) the number of residential premises which are available to buy or rent and the length of time for which they remain unoccupied.
- (5) The appropriate national authority may by order amend subsection (4) by adding new matters to those for the time being mentioned in that subsection.
- (6) The second set of general conditions are—
- (a) that the area is experiencing a significant and persistent problem caused by anti-social behaviour;
 - (b) that some or all of the private sector landlords who have let premises in the area (whether under leases or licences) are failing to take action to combat the problem that it would be appropriate for them to take; and
 - (c) that making a designation will, when combined with other measures taken in the area by the local housing authority, or by other persons together with the local housing authority, lead to a reduction in, or the elimination of, the problem.
- “Private sector landlord” does not include ^{F1}a non-profit registered provider of social housing or] a registered social landlord within the meaning of Part 1 of the Housing Act 1996 (c. 52).
- (7) The appropriate national authority may by order provide for any conditions specified in the order to apply as an additional set of conditions for the purposes of subsection (2).
- (8) The conditions that may be specified include, in particular, conditions intended to permit a local housing authority to make a designation for the purpose of dealing with one or more specified problems affecting persons occupying Part 3 houses in the area.
- “Specified” means specified in an order under subsection (7).
- (9) Before making a designation the local housing authority must—
- (a) take reasonable steps to consult persons who are likely to be affected by the designation; and
 - (b) consider any representations made in accordance with the consultation and not withdrawn.
- (10) Section 81 applies for the purposes of this section.

Textual Amendments

F1 Words in s. 80(6) inserted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2010 \(S.I. 2010/866\)](#), art. 1(2), [Sch. 2 para. 132](#) (with art. 6, Sch. 3)

Commencement Information

II S. 80 wholly in force at 25.11.2005; s. 80 in force for certain purposes at Royal Assent see s. 270(2) (b); s. 80 in force for E. at 15.6.2005 by [S.I. 2005/1451](#), [art. 3\(c\)](#); s. 80 in force for W. at 25.11.2005 by [S.I. 2005/3237](#), [art. 2\(d\)](#)

Changes to legislation:

Housing Act 2004, Section 80 is up to date with all changes known to be in force on or before 28 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act savings and transitional provisions for amendments by S.I. 2022/1166 by [S.I. 2022/1172 Regulations](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 66(1A) inserted by [2016 c. 22 s. 125\(3\)\(a\)](#)
- s. 66(3A)(3B) inserted by [2016 c. 22 s. 125\(3\)\(c\)](#)
- s. 89(1A) inserted by [2016 c. 22 s. 125\(6\)\(a\)](#)
- s. 89(3A)(3B) inserted by [2016 c. 22 s. 125\(6\)\(c\)](#)
- s. 139(7A)(7B) inserted by [2016 c. 22 s. 127\(3\)](#)