



Deregulation Act 2015

2015 CHAPTER 20

Housing and development

44 Short-term use of London accommodation: relaxation of restrictions

- (1) The Greater London Council (General Powers) Act 1973 is amended as follows.
- (2) In section 25 (provision of temporary sleeping accommodation to constitute material change of use), after subsection (1) insert—

“(1A) Subsection (1) is subject to section 25A.”
- (3) After section 25 insert—

“25A Exception to section 25

- (1) Despite section 25(1), the use as temporary sleeping accommodation of any residential premises in Greater London does not involve a material change of use if two conditions are met.
- (2) The first is that the sum of—
 - (a) the number of nights of use as temporary sleeping accommodation, and
 - (b) the number of nights (if any) of each previous use of the premises as temporary sleeping accommodation in the same calendar year,does not exceed ninety.
- (3) The second is that, in respect of each night which falls to be counted under subsection (2)(a)—
 - (a) the person who provided the sleeping accommodation for the night was liable to pay council tax under Part 1 of the Local Government Finance Act 1992 in respect of the premises, or
 - (b) where more than one person provided the sleeping accommodation for the night, at least one of those persons was liable to pay council tax under Part 1 of that Act in respect of the premises.

Status: This is the original version (as it was originally enacted).

(4) For the purposes of subsection (2)(b), it does not matter whether any previous use was by the same person.”

(4) After section 25A (inserted by subsection (3) above) insert—

“25B Further provision about section 25A

(1) The local planning authority or the Secretary of State may direct that section 25A is not to apply—

- (a) to particular residential premises specified in the direction;
- (b) to residential premises situated in a particular area specified in the direction.

(2) A direction under subsection (1) may be given only if the local planning authority or (as the case may be) the Secretary of State considers that it is necessary to protect the amenity of the locality.

(3) The local planning authority may give a direction under subsection (1) only with the consent of the Secretary of State.

(4) A direction under subsection (1) may be revoked by the person who gave it, whether or not an application is made for the revocation.

(5) The Secretary of State may—

- (a) delegate the functions of the Secretary of State under subsection (1) or (4) to the local planning authority;
- (b) direct that a local planning authority may give directions under this section without the consent of the Secretary of State.

(6) The Secretary of State may revoke a delegation under subsection (5)(a) or a direction under subsection (5)(b).

(7) The Secretary of State may by regulations made by statutory instrument make provision—

- (a) as to the procedure which must be followed in connection with the giving of a direction under subsection (1) or in connection with the revocation of such a direction under subsection (4);
- (b) as to the information which must be provided where the local planning authority seeks the consent of the Secretary of State to the giving of a direction under subsection (1).

(8) A statutory instrument containing regulations under subsection (7) is subject to annulment in pursuance of a resolution of either House of Parliament.

(9) In this section, “local planning authority” has the same meaning as in the Town and Country Planning Act 1990 (see section 336(1) of that Act).”