

Changes to legislation: Housing Act 2004, Cross Heading: Variation of licences is up to date with all changes known to be in force on or before 11 August 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

SCHEDULES

SCHEDULE 5

LICENCES UNDER PARTS 2 AND 3: PROCEDURE AND APPEALS

PART 2

PROCEDURE RELATING TO VARIATION OR REVOCATION OF LICENCES

Variation of licences

- 14 Before varying a licence, the local housing authority must—
- (a) serve a notice under this paragraph on the licence holder and each relevant person, and
 - (b) consider any representations made in accordance with the notice and not withdrawn.

Commencement Information

- I1** Sch. 5 wholly in force at 16.6.2006; Sch. 5 not in force at Royal Assent see s. 270(4)(5); Sch. 5 in force for E. at 6.4.2006 by [S.I. 2006/1060](#), [art. 2\(1\)\(a\)](#) (with [Sch.](#)); Sch. 5 in force for W. at 16.6.2006 by [S.I. 2006/1535](#), [art. 2\(a\)](#) (with [Sch.](#))

- 15 The notice under paragraph 14 must state that the local housing authority are proposing to make the variation and set out—
- (a) the effect of the variation,
 - (b) the reasons for the variation, and
 - (c) the end of the consultation period.

Commencement Information

- I2** Sch. 5 wholly in force at 16.6.2006; Sch. 5 not in force at Royal Assent see s. 270(4)(5); Sch. 5 in force for E. at 6.4.2006 by [S.I. 2006/1060](#), [art. 2\(1\)\(a\)](#) (with [Sch.](#)); Sch. 5 in force for W. at 16.6.2006 by [S.I. 2006/1535](#), [art. 2\(a\)](#) (with [Sch.](#))

- 16 (1) This paragraph applies where the local housing authority decide to vary a licence.
- (2) The local housing authority must serve on the licence holder and each relevant person—
- (a) a copy of the authority's decision to vary the licence, and
 - (b) a notice setting out—
 - (i) the reasons for the decision and the date on which it was made,
 - (ii) the right of appeal against the decision under Part 3 of this Schedule,and

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(iii) the period within which an appeal may be made (see paragraph 33(2)).

(3) The documents required to be served under sub-paragraph (2) must be served within the period of seven days beginning with the day on which the decision is made.

Commencement Information

I3 Sch. 5 wholly in force at 16.6.2006; Sch. 5 not in force at Royal Assent see s. 270(4)(5); Sch. 5 in force for E. at 6.4.2006 by [S.I. 2006/1060](#), [art. 2\(1\)\(a\)](#) (with [Sch.](#)); Sch. 5 in force for W. at 16.6.2006 by [S.I. 2006/1535](#), [art. 2\(a\)](#) (with [Sch.](#))

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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\(3\)](#)