

2009 No. 2298

HOUSING, ENGLAND

The Houses in Multiple Occupation (Specified Educational Establishments) (England) Regulations 2009

<i>Made</i>	- - - -	<i>24th August 2009</i>
<i>Laid before Parliament</i>		<i>1st September 2009</i>
<i>Coming into force</i>	- -	<i>1st October 2009</i>

The Secretary of State, in exercise of the powers conferred by paragraph 4(2) of Schedule 14 to the Housing Act 2004(a), makes the following Regulations:

Citation, commencement and application

1.—(1) These Regulations may be cited as the Houses in Multiple Occupation (Specified Educational Establishments) (England) Regulations 2009 and shall come into force on 1st October 2009.

(2) These Regulations apply in relation to England only.

Educational establishments specified for certain purposes of the Housing Act 2004

2. An educational establishment is specified for the purposes of paragraph 4 of Schedule 14 to the Housing Act 2004 where—

- (a) it is listed in the Schedule to these Regulations; and
- (b) it is listed as the relevant educational establishment in respect of a building—
 - (i) listed on or before 3rd July 2009 in the Schedule annexed to The Universities UK/Standing Conference of Principals Code of Practice for the Management of Student Housing dated 20th February 2006(b); or
 - (ii) listed on or before 30th April 2009 in the second column of Schedule 1 of Appendix VII to the ANUK/Unipol Code of Standards for Larger Developments for Student Accommodation Managed and Controlled by Educational Establishments dated 28th August 2008(c).

(a) 2004 c.34. The powers conferred by paragraph 4(2) of Schedule 14 to the Housing Act 2004 (“the Act”) are exercisable, as respects England, by the Secretary of State. See the definition of the appropriate national authority in section 261(1). As respects Wales, by virtue of paragraph 30(2)(c) of Schedule 11 to the Government of Wales Act 2006 (c.32) the functions formerly exercisable by the National Assembly for Wales are now exercisable by the Welsh Ministers.

(b) This Code of Practice has been approved by the Secretary of State under section 233 of the Act. See the Housing (Approval of Codes of Management Practice) (Student Accommodation) (England) Order 2006 (S.I. 2006/646).

(c) This Code of Practice has been approved by the Secretary of State under section 233 of the Act. See the Housing (Approval of Code of Management Practice) (Student Accommodation) (England) (Order) 2008 (S.I. 2008/2345).

Revocation of earlier Regulations

3. The Houses in Multiple Occupation (Specified Educational Establishments) (England) Regulations 2008(a) are revoked.

Signed by authority of the Secretary of State for Communities and Local Government

24th August 2009

Bill McKenzie
Parliamentary Under Secretary of State
Department for Communities and Local Government

SCHEDULE

Regulation 2(a)

Educational establishments listed for the purposes of paragraph 4 of Schedule 14 to the Housing Act 2004

Anglia Ruskin University
Aston University
Balliol College, University of Oxford
Bath Spa University
Birmingham City University
Bishop Grosseteste University College
Blackfriars Hall, University of Oxford
Blackpool and Fylde College
Bournemouth University
Bradford University
Brasenose College, University of Oxford
Brunel University
Buckinghamshire New University
Campion Hall, University of Oxford
Canterbury Christ Church University
Castle College, Nottingham
Chichester College
Christ Church, University of Oxford
City University London

(a) S.I. 2008/2346.

Corpus Christi College, University of Oxford
Coventry University
Cranfield University
David Game College
De Montfort University
Edge Hill University
Exeter College, University of Oxford
Foundation for International Education
Goldsmiths, University of London
Green Templeton College, University of Oxford
Harper Adams University College
Harris Manchester College, University of Oxford
Hertford College, University of Oxford
Hillcroft College
Imperial College London
Institute of Education, University of London
Jesus College, University of Oxford
Keble College, University of Oxford
Keele University
Kellogg College, University of Oxford
King's College London
Kingston University
Lady Margaret Hall, University of Oxford
Lancaster University
Leeds Metropolitan University
Leeds Trinity & All Saints
Linacre College, University of Oxford
Lincoln College, University of Oxford
Liverpool Hope University
Liverpool John Moores University
London South Bank University
Loughborough College
Loughborough University
Magdalen College, University of Oxford
Manchester Metropolitan University

Mansfield College, University of Oxford
Merton College, University of Oxford
New College, University of Oxford
Newman University College, Birmingham
Norwich University College of the Arts
Northumbria University
Nottingham Trent University
Nuffield College, University of Oxford
Oriental College, University of Oxford
Oxford Brookes University
Pembroke College, University of Oxford
Queen Mary (University of London)
Regent's Park College, University of Oxford
Richmond, The American International University in London
Roehampton University
Royal Agricultural College
Royal College of Music
Royal Holloway, University of London
Ruskin College, Oxford
Scholarship and Christianity in Oxford
Sheffield Hallam University
Somerville College, University of Oxford
Southampton Solent University
St Anne's College, University of Oxford
St Antony's College, University of Oxford
St Benet's Hall, University of Oxford
St Catherine's College, University of Oxford
St Chad's College, University of Durham
St Cross College, University of Oxford
St Edmund's College, University of Cambridge
St Edmund Hall, University of Oxford
St George's, University of London
St Hilda's College, University of Oxford
St Hugh's College, University of Oxford
St John's College, Durham

St John's College, University of Oxford
St Mary's University College, Twickenham
St Peter's College, University of Oxford
St Stephen's House, University of Oxford
Staffordshire University
Stanfords College UK
Thames Valley University
The Arts Institute at Bournemouth
The Guildhall School of Music and Drama
The London School of Economics and Political Science (University of London)
The Queen's College, University of Oxford
The Royal Veterinary College
The University of Bolton
The University of Hull
The University of Liverpool
The University of Manchester
The University of Northampton
The University of Nottingham
The University of Reading
The University of Salford
The University of Sheffield
The University of Surrey
The University of Warwick
The University of Winchester
The University of York
Trinity College, University of Oxford
University College Birmingham
University College for the Creative Arts
University College London
University College, Falmouth
University College Plymouth St Mark & St John
University College, University of Oxford
University of Bath
University of Bedfordshire
University of Birmingham

University of Brighton
University of Bristol
University of Buckingham
University of Central Lancashire
University of Chester
University of Chichester
University of Cumbria
University of Derby
University of Durham
University of East Anglia
University of East London
University of Essex
University of Exeter
University of Gloucester
University of Greenwich
University of Hertfordshire
University of Kent
University of Leeds
University of Leicester
University of Lincoln
University of London
University of Newcastle
University of Oxford
University of Plymouth
University of Portsmouth
University of Southampton
University of Sunderland
University of Sussex
University of Teesside
University of the Arts London
University of the West of England, Bristol
University of Westminster
University of Wolverhampton
University of Worcester
Wadham College, University of Oxford

Wolfson College, University of Oxford
Worcester College, University of Oxford
Writtle College
Wycliffe Hall, University of Oxford
York St John University

EXPLANATORY NOTE

(This note is not part of the Regulations)

Schedule 14 to the Housing Act 2004 (“the Act”) lists types of buildings that are not houses in multiple occupation (“HMOs”) for the purposes of the Act (excluding Part 1, which deals with housing conditions). HMOs are defined in section 254 of the Act.

Paragraph 4 of Schedule 14 to the Act provides that a building is not an HMO for the purposes of the Act (excluding Part 1) if it is a building which is occupied solely or principally by persons who occupy it for the purpose of undertaking a full-time course of further education at a specified establishment, or at an establishment of a specified description; and where the person managing or controlling the building is the establishment in question, or a specified person or a person of a specified description.

Regulation 2 of and the Schedule to, these Regulations specify establishments. Where a building is owned and managed by a specified establishment and the building is listed in either of the relevant Schedules to the Codes referred to in regulation 2(b), then the building is not an HMO for the purposes of the Act (excluding Part 1).

These Regulations revoke the Houses in Multiple Occupation (Specified Educational Establishments) (England) Regulations 2008. They replace the list of establishments that were listed in the Schedule to those Regulations.

A copy of the Universities UK/Standing Conference of Principals Code of Practice dated 20th February 2006 and the Schedule annexed to it may be obtained from Universities UK, Woburn House, 20 Tavistock Square, London WC1H 9HQ, by emailing info@universities.ac.uk or via the internet at www.universitiesUK.ac.uk.

A copy of the ANUK/Unipol Code of Standards for Larger Developments for Student Accommodation Managed and Controlled by Educational Establishments dated 28th August 2008 and the appendices attached to it may be obtained from the National Administrator for the ANUK/Unipol National Code of Standards based at Unipol Student Homes, 155-157 Woodhouse Lane, Leeds LS2 3ED, by emailing info@unipol.leeds.ac.uk or via the internet at www.unipol.leeds.ac.uk or www.anuk.org.uk.

Copies of the updated Schedules annexed to the ANUK/Unipol Code and the Universities UK Code have been lodged in the libraries of both Houses of Parliament.

An impact assessment has not been provided for this instrument as no impact on the private or voluntary sectors is foreseen.

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