

## **The Hastings Borough Council Designation of an Area for Selective Licensing 2015**

The Hastings Borough Council in exercise of their powers under section 80 of the Housing Act 2004 (“the Act”) hereby designates for selective licensing the area described in paragraph 4.

### **CITATION, COMMENCEMENT AND DURATION**

1. This designation may be cited as the Hastings Borough Council Designation of an Area for Selective Licensing 2015.
2. This designation is made on 30 March 2015 and shall come into force on 26<sup>th</sup> October 2015.
3. This designation shall cease to have effect on 25<sup>th</sup> October 2020 or earlier if the Council revokes the scheme under section 84 of the Act.

### **AREA TO WHICH THE DESIGNATION APPLIES**

4. This designation shall apply to all streets in Braybrooke, Castle, Central St Leonards, Gensing, Old Hastings, Ore and Tressell wards as delineated and edged red on the map at Annex A.

### **APPLICATION OF THE DESIGNATION**

5. This designation applies to any house<sup>1</sup> within the area described in paragraph 4 which is let or occupied under one or more tenancies or licences unless:
  - (a) the house is a house in multiple occupation and is required to be licensed under Part 2 of the Act;<sup>2</sup>
  - (b) the house is subject to a temporary exemption under section 86 of the Act;<sup>3</sup>
  - (c) the house is subject to an Interim or Final Management Order under Part 4 of the Act;<sup>4</sup>
  - (d) the house is occupied under a single tenancy or licence which is exempt under the Act, or under more than one tenancy or licence at least one of which is exempt under the Act.<sup>5</sup> A tenancy or licence is exempt if:
    - (i) it is granted by a non-profit registered provider of social housing,
    - (ii) it is granted by a profit-making registered provider of social housing in respect of social housing<sup>6</sup>,

---

<sup>1</sup> For the definition of “house” see sections 79 and 99 of the Act

<sup>2</sup> Section 85(1)(a) of the Act. Section 55 of the Act defines which Houses in Multiple Occupation are required to be licensed under the Act. See also The Licensing of Houses in Multiple Occupation (Prescribed Descriptions) (England) Order 2005 (SI 2006/371)

<sup>3</sup> Section 85(1)(b).

<sup>4</sup> Section 85(1)(c).

<sup>5</sup> Section 79(4) of the Act and SI 2006/370.

## **The Hastings Borough Council Designation of an Area for Selective Licensing 2015**

(iii) it falls within an exemption as defined in Annexe B.<sup>7</sup>

### **EFFECT OF THE DESIGNATION**

6. Subject to sub paragraphs 5(a) to (e) every house in the area specified in paragraph 4 that is occupied under a tenancy or licence shall be required to be licensed under section 85 of the Act.<sup>8</sup>
7. The Hastings Borough Council will comply with the notification requirements contained in section 83 of the Act and shall maintain a register of all houses registered under this designation, as required under section 232 of the Act.<sup>9</sup>
8. Landlords, persons managing or a tenant within the designated area should seek advice from the Local Housing Authority by contacting them as specified in Paragraphs 11, 12, and 13 to ascertain whether their property is affected by this designation.
9. Failure to license a property, which requires licensing by virtue of the designation, may result in a fine of up to £20,000 on summary conviction under Section 95 of the Housing Act 2004. It also gives tenants and the Local Housing Authority, in the case of Housing Benefit payments, the ability to apply to the Residential Property Tribunal under Section 96 (5) and (6) and Section 97 of the Housing Act 2004, for a rent repayment order.

### **INSPECTION OF THE DESIGNATION**

10. Hastings Borough Council is the Local Housing Authority, which made the designation. The designation may be inspected during office hours at the address as outlined in Paragraph 11 below and also at the Town Hall, Queens Road, Hastings, TN34 1QR.

### **APPLICATION FOR SELECTIVE LICENCE AND GENERAL ADVICE ABOUT SELECTIVE LICENSING**

11. Applications for selective licences and general advice about selective licensing should be made at the Council's office at the following address:

Hastings Borough Council  
Housing Services  
Aquila House  
Breeds Place  
Hastings  
East Sussex

---

<sup>6</sup> Within the meaning of Part 2 of the Housing and Regeneration Act 2008.

<sup>7</sup> Under The Licensing of Houses in Multiple Occupation (Prescribed Descriptions) (England) Order 2005 (SI 2006/371).

<sup>8</sup> Section 86 of the Act provides for certain temporary exemption. As to suitability see section 89. Note, if the house is not suitable to be licensed the Council must make an Interim Management Order - see section 102.

<sup>9</sup> Section 232 of the Act and paragraph 11 of SI 373/2006.

## **The Hastings Borough Council Designation of an Area for Selective Licensing 2015**

TN34 3UY

12. The contact number for the Housing Renewal Team is: 01424 451100

13. The email address for the Housing Renewal Team is: [housingadmin@hastings.gov.uk](mailto:housingadmin@hastings.gov.uk)

## **The Hastings Borough Council Designation of an Area for Selective Licensing 2015**

Date and authentication by the Council: 30 March 2015

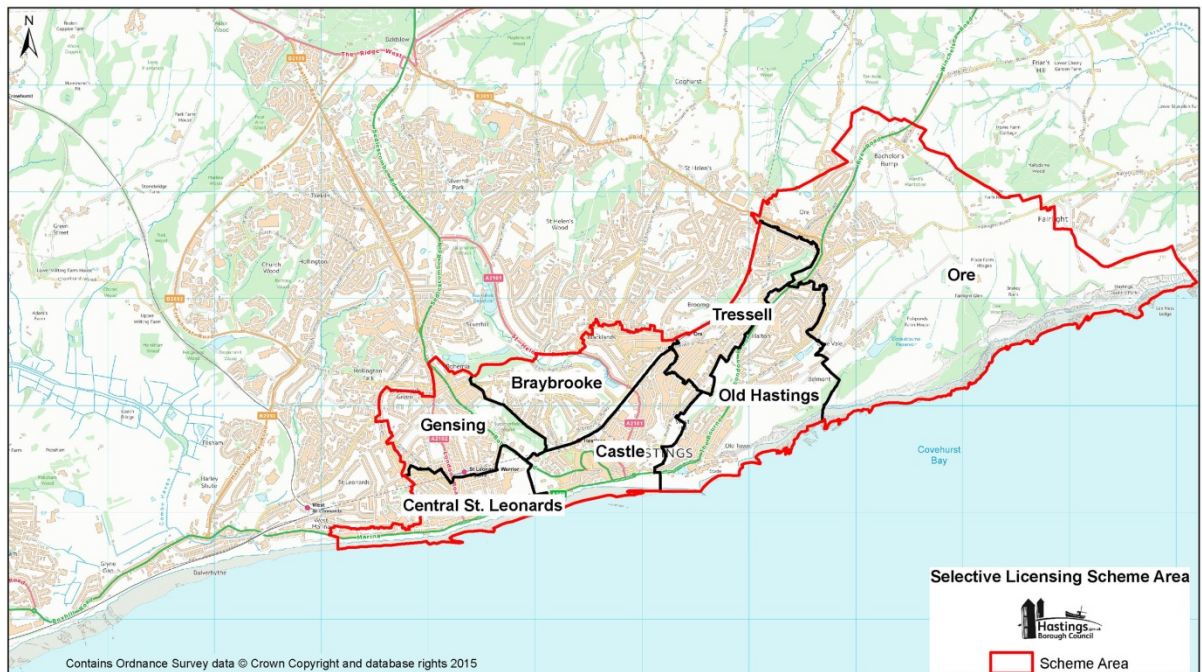
Signed

Simon Hubbard, Director of Regeneration, an officer authorised by Hastings Borough Council

Date 30 March 2015

# The Hastings Borough Council Designation of an Area for Selective Licensing 2015

## Annexe A - Paragraph 4: Map of Designated Area



The area covers the following wards:

- Braybrooke
- Castle
- Central St Leonards
- Gensing
- Old Hastings
- Ore
- Tressell

A full list of the streets affected is given below:

ALBERT ROAD  
ALDBOROUGH ROAD  
ALEXANDRA ROAD  
ALFRED ROAD  
ALFRED STREET  
ALL SAINTS CRESCENT  
ALL SAINTS STREET  
ALPINE ROAD  
AMHERST CLOSE  
AMHERST GARDENS  
AMHERST ROAD  
ANGLESEA TERRACE  
ASHBURNHAM ROAD  
ATHELSTAN ROAD

## **The Hastings Borough Council Designation of an Area for Selective Licensing 2015**

BALDSLOW ROAD  
BARLEY AVENUE  
BARLEY LANE  
BARNFIELD CLOSE  
BEACON ROAD  
BEACONSFIELD ROAD  
BEATRICE CLOSE  
BECKET CLOSE  
BEDFORD ROAD  
BELMONT ROAD  
BEMBROOK ROAD  
BERLIN ROAD  
BETHUNE WAY  
BLOMFIELD ROAD  
BOHEMIA ROAD (Part)  
BOYNE ROAD  
BRACKENDALE  
BRAYBROOKE CLOSE  
BRAYBROOKE ROAD  
BRAYBROOKE TERRACE  
BREEDS PLACE  
BRIGHTLING AVENUE  
BRITTANY MEWS  
BRITTANY ROAD  
BROADLANDS  
BROOK STREET  
BROOKLAND CLOSE  
BROOMGROVE ROAD (Part)  
BURDETT PLACE  
CALVERLEY CLOSE  
CALVERT ROAD  
CAMBRIDGE GARDENS  
CAMBRIDGE ROAD  
CANUTE ROAD  
CARDIFF ROAD  
CARISBROOKE ROAD  
CARLISLE PARADE  
CASTLE GARDENS  
CASTLE HILL PASSAGE  
CASTLE HILL ROAD  
CASTLE STREET  
CASTLEDOWN AVENUE  
CASTLEDOWN TERRACE  
CAVENDISH PLACE  
CAVES ROAD  
CHAPEL PARK ROAD  
CHARLES ROAD

## **The Hastings Borough Council Designation of an Area for Selective Licensing 2015**

CHARLES ROAD WEST  
CHERRY TREE CLOSE  
CHURCH PASSAGE  
CHURCH ROAD  
CHURCH STREET  
CHURCHILL AVENUE  
CLAREMONT  
CLARENCE ROAD  
CLEGG STREET  
CLIFTON ROAD  
CLINTON CRESCENT  
CLIVE AVENUE  
CLOUDESLEY ROAD  
CLYDE ROAD  
COBOURG PLACE  
COGHURST ROAD  
COLLIER ROAD  
COMBERMERE ROAD (Part)  
COOKSON GARDENS  
CORNFIELD TERRACE  
CORNWALLIS GARDENS  
CORNWALLIS STREET  
CORNWALLIS TERRACE  
COURTHOUSE STREET  
CRANBROOK ROAD  
CROFT ROAD  
CROFT TERRACE  
CROMER WALK  
CROSS STREET  
CROWBOROUGH ROAD  
CROWN LANE  
CUMBERLAND GARDENS  
DANE ROAD  
DE CHAM AVENUE  
DE CHAM ROAD  
DECIMUS BURTON WAY  
DEEPDENE GARDENS  
DENMARK PLACE  
DEVONSHIRE ROAD  
DITCHLING DRIVE  
DORSET PLACE  
DUDLEY ROAD  
EARL STREET  
EAST ASCENT  
EAST BEACH STREET  
EAST BOURNE STREET  
EAST HILL PASSAGE

## **The Hastings Borough Council Designation of an Area for Selective Licensing 2015**

EAST PARADE  
EAST STREET  
EBENEZER ROAD  
EDGAR ROAD  
EDITH ROAD  
EDMUND ROAD  
EDWARD ROAD  
EDWIN ROAD  
EGREMONT PLACE  
ELFORD STREET  
ELLENSLEA ROAD  
ELLIS CLOSE  
ELPHINSTONE ROAD (Part)  
EMMANUEL ROAD  
EVERSFIELD PLACE  
EXMOUTH PLACE  
FAIRLIGHT AVENUE  
FAIRLIGHT ROAD  
FAIRSTONE CLOSE  
FALAISE ROAD  
FARLEY BANK  
FEARON ROAD  
FIRLE CLOSE  
FIVE ACRE WALK  
FOREST WAY  
FOUNTAIN ROUNDABOUT  
FOX WALK  
FREDERICK ROAD  
GENSING ROAD  
GEORGE STREET  
GILBERT ROAD  
GITHA ROAD  
GLADSTONE TERRACE  
GLENVIEW CLOSE  
GODWIN ROAD  
GORDON ROAD  
GRAND PARADE  
GRAYSTONE LANE  
GREVILLE ROAD  
GROSVENOR CRESCENT  
GROVE ROAD  
GURTH ROAD  
HALTON CRESCENT  
HALTON PLACE  
HALTON TERRACE  
HAMILTON GARDENS  
HAMPDEN CLOSE



## **The Hastings Borough Council Designation of an Area for Selective Licensing 2015**

HARDWICKE ROAD  
HAROLD MEWS  
HAROLD PLACE  
HAROLD ROAD  
HARTING COMBE  
HATHERLEY ROAD  
HAVELOCK ROAD  
HAWTHORN ROAD  
HELENSDENE WALK  
HENRY TERRACE  
HIGH BANK CLOSE  
HIGH STREET  
HIGH WICKHAM  
HILL STREET  
HILLYGLEN CLOSE  
HOLMESDALE GARDENS  
HOPGARDEN CLOSE  
HORNTYE PARK  
HORNTYE ROAD  
HUGHENDEN PLACE  
HUGHENDEN ROAD  
HURRELL ROAD  
JENNERS LANE  
KENILWORTH ROAD  
KINGS ROAD  
KINGS WALK  
LANGHAM PATH  
LASER LANE  
LATON ROAD  
LEEDS CLOSE  
LIGHT STEPS  
LINTON CRESCENT  
LINTON ROAD  
LODGE ROAD  
LONDON ROAD (Part)  
LORDS LANE  
LOWER COASTGUARD LANE  
LOWER PARK ROAD  
LOWER SOUTH ROAD  
MAGDALEN ROAD  
MANHATTAN GARDENS  
MANN STREET  
MANOR ROAD  
MARINA  
MARINE PARADE  
MARKET PASSAGE  
MARKET PASSAGE

## **The Hastings Borough Council Designation of an Area for Selective Licensing 2015**

MARKET STREET  
MARKWICK TERRACE  
MARTINEAU LANE  
MAZE HILL  
MAZE HILL TERRACE  
MERCATORIA  
MEWS ROAD  
MIDDLE ROAD  
MIDDLE STREET  
MILL CLOSE  
MILL LANE  
MILWARD CRESCENT  
MILWARD ROAD  
MONTGOMERY ROAD  
MOSCOW ROAD  
MOUNT PLEASANT  
MOUNT PLEASANT  
CRESCENT  
MOUNT PLEASANT ROAD  
MOUNT ROAD  
MOUNTBATTEN CLOSE  
NELSON ROAD  
NEW ROAD  
NEWGATE ROAD  
NEWMANS WAY  
NOOK CLOSE  
NORMAN ROAD  
NORTH ROAD  
NORTH STREET  
NORTH TERRACE  
OAK PASSAGE  
OAKFIELD ROAD  
OFFA ROAD  
OLD HUMPHREY AVENUE  
OLD LONDON ROAD  
OLD SCHOOL PATH  
OLD TOP ROAD  
OLIVER CLOSE  
OXFORD TERRACE  
PARKER ROAD  
PASHLEY GARDENS  
PELHAM CRESCENT  
PELHAM PLACE  
PELHAM STREET  
PERCY ROAD  
PEVENSEY ROAD (Part)  
PHILIP COLE CLOSE

## **The Hastings Borough Council Designation of an Area for Selective Licensing 2015**

PILTDOWN CLOSE  
PINDERS ROAD  
PINDERS WALK  
PLEASANT ROW  
PLYNLIMMON ROAD  
PORTLAND PLACE  
PORTLAND STEPS  
POST OFFICE PASSAGE  
PRINCES ROAD  
PRIORY AVENUE  
PRIORY CLOSE  
PRIORY ROAD  
PRIORY STREET  
PROSPECT PLACE  
QUARRY CRESCENT  
QUARRY ROAD  
QUEENS AVENUE  
QUEENS PARADE  
QUEENS ROAD  
QUEENS SQUARE  
RED LAKE TERRACE  
REDMAYNE DRIVE  
RICHLAND CLOSE  
RICHMOND STREET  
ROBERT TRESSELL CLOSE  
ROBERTSON PASSAGE  
ROBERTSON STREET  
ROBERTSON TERRACE  
ROBERTSONS HILL  
ROCK CLOSE  
ROCK LANE  
ROCK-A-NORE ROAD  
ROCKLANDS LANE  
ROEBUCK STREET  
ROTHERFIELD AVENUE  
ROTHSAY ROAD  
RUSSELL STREET  
RYE ROAD  
SALISBURY ROAD  
SALTERS LANE  
SAN JOSE CLOSE  
SANDOWN ROAD  
SAUNDERS CLOSE  
SAXON ROAD  
SAXON STREET  
SCHOOL ROAD  
SELMESTON CLOSE

## **The Hastings Borough Council Designation of an Area for Selective Licensing 2015**

SHAW CLOSE  
SHEPHERD STREET  
SHERWOOD CLOSE  
SHORNDEN PASSAGE  
SILCHESTER ROAD  
SINNOCK SQUARE  
SOUTH STREET  
SOUTH TERRACE  
SOUTHWATER ROAD  
SPECKLED WOOD  
SPRING STREET  
SPRINGFIELD VALLEY  
ST ANDREWS SQUARE  
ST CATHERINES CLOSE  
ST CLEMENTS PLACE  
ST GEORGES ROAD  
ST HELENS ROAD (Part)  
ST JAMESS ROAD  
ST JOHNS ROAD  
ST MARGARETS ROAD  
ST MARGARETS TERRACE  
ST MARYS ROAD  
ST MARYS TERRACE  
ST MICHAELS PLACE  
ST PAULS PLACE  
ST PAULS ROAD  
ST PETERS ROAD  
ST THOMASS ROAD  
STAINSBY STREET  
STANHOPE PLACE  
STANLEY GARDENS  
STANLEY ROAD  
STAPLEY CLOSE  
STARRS COTTAGES  
STATION APPROACH  
STATION APPROACH  
STATION ROAD  
STOCKLEIGH ROAD  
STONE STREET  
STONEFIELD PLACE  
STONEFIELD ROAD  
STRONGS PASSAGE  
STURDEE PLACE  
SUSSEX ROAD  
SWAINES PASSAGE  
SWAN AVENUE  
SWAN TERRACE

## **The Hastings Borough Council Designation of an Area for Selective Licensing 2015**

TACKLEWAY  
TAMARISK STEPS  
TEDDER TERRACE  
TENNIS CLOSE  
TERRACE ROAD  
THE BOURNE  
THE BROADWAY  
THE CLOISTERS  
THE COPPICE  
THE COURTYARD  
THE CROFT  
THE GLEBE  
THE GREEN (Part)  
THE HEIGHTS  
THE LAWN  
THE PIER  
THE RIDGE (Part)  
THE SPINNEY  
THE STADE  
THE UPLANDS  
TICEHURST CLOSE  
TILEKILN LANE  
TILLINGTON TERRACE  
TORFIELD CLOSE  
TOWER ROAD  
TOWER ROAD WEST  
TRAVELLERS LANE  
TRINITY STREET  
TRINITY VILLAS  
TUPPENNEY CLOSE  
UNDERCLIFF  
UNION STREET  
UPPER CLARENCE ROAD (Part)  
UPPER PARK ROAD  
UPPER SOUTH ROAD  
VALLEY SIDE ROAD  
VERDANT CLOSE  
VERULAM PLACE  
VICARAGE ROAD  
VICTORIA AVENUE  
VICTORIA ROAD  
VIEWBANK  
VILLA ROAD  
WALDEGRAVE STREET  
WARRIOR GARDENS  
WARRIOR SQUARE  
WATERLOO PLACE

## **The Hastings Borough Council Designation of an Area for Selective Licensing 2015**

WATERSIDE CLOSE  
WATERWORKS ROAD  
WELLESLEY COURT  
WELLINGTON GARDENS  
WELLINGTON MEWS  
WELLINGTON PLACE  
WELLINGTON ROAD  
WELLINGTON SQUARE  
WEST ASCENT  
WEST HILL ARCADE  
WEST HILL ROAD (Part)  
WEST STREET  
WEST VIEW  
WESTERN ROAD  
WHITE ROCK  
WHITE ROCK GARDENS  
WHITE ROCK ROAD  
WHITEFRIARS ROAD  
WINCHELSEA LANE  
WINCHELSEA ROAD  
WINDING STREET  
WINTERBOURNE CLOSE  
WOODLAND VALE ROAD  
WOODS PASSAGE  
WYKEHAM ROAD  
YORK GARDENS

# The Hastings Borough Council Designation of an Area for Selective Licensing 2015

## Annexe B - Paragraph 5(d)(iii): Exempt Tenancies or Licences<sup>1</sup>

### Prohibition of occupation by law

1. A tenancy or licence of a house<sup>2</sup> or a dwelling<sup>3</sup> within a house where the house or the dwelling is subject to a prohibition order made under Section 20 of the Act the operation of which has not been suspended under Section 23.

### Certain tenancies which cannot be assured tenancies

2. A tenancy which cannot be an assured tenancy by virtue of section 1 (2) of the Housing Act 1988 comprised in Part of Schedule 1 of the Act and which is:
  - (a) a business tenancy under Part II of the Landlord and Tenant Act 1954
  - (b) a tenancy under which the dwelling-house consists of or comprises premises, which, by virtue of a premises licence under the Licensing Act 2003, may be used for the supply of alcohol (within the meaning of Section 14 of that Act) for consumption on the premises<sup>4</sup>
  - (c) a tenancy under which agricultural land, exceeding two acres, is let together with the house<sup>5</sup>
  - (d) a tenancy under which the house is comprised in an agricultural holding or the holding is comprised under a farm business tenancy if it is occupied (whether as tenant or as a servant or agent of the tenant), in the case of an agricultural holding, by the person responsible for the control of the farming of the holding, and in the case of a farm business tenancy, by the person responsible for the control of the management of the holding<sup>6</sup>

### Tenancies and licences granted etc by public bodies

3. A tenancy or licence of a house or dwelling within a house that is managed or controlled<sup>7</sup> by:
  - (a) a local housing authority;
  - (b) a police authority established under Section 3 of the Police Act 1996 or the Metropolitan Police Authority established under Section 5B of that Act;

---

<sup>1</sup> See The Selective Licensing of Houses (Specified Exemptions) (England) Order 2006 SI 370/2006

<sup>2</sup> Sections 79 (2) and 99 of the Act

<sup>3</sup> For the definition of a dwelling - see section 99 of the Act

<sup>4</sup> See paragraph 5 of Schedule 1 of the 1988 Act as amended by Section 198 (1) and paragraph 108 of schedule 6 of the Licensing Act 2003

<sup>5</sup> For the meaning of "agricultural land" section 26 (3) (a) of the General Rate Act 1967

<sup>6</sup> See paragraph 7 of Schedule 1 of 1988 Act as amended by section 40 and paragraph 34 of the Schedule to the Agricultural Tenancies Act 1995

<sup>7</sup> For the definition of "person managing" and "person having control" see section 263 of the Act

## **The Hastings Borough Council Designation of an Area for Selective Licensing 2015**

- (c) a fire and rescue authority under the Fire and Rescue Services Act 2004;
- (d) a health service body within the meaning of Section 4 of the National Health Service and Community Care Act 1990.

### **Tenancies, licences etc regulated by other enactments**

- 4. A tenancy, licence or occupation of a house which is regulated under the following enactments:
  - (a) sections 87 to 87D of the Children Act 1989
  - (b) section 43 (4) of the Prison Act 1952
  - (c) section 34 of the Nationality, Immigration and Asylum Act 2002
  - (d) The Secure Training Centre Rules 1998<sup>8</sup>
  - (e) The Prison Rules 1998<sup>9</sup>
  - (f) The Young Offender Institute Rules 2000<sup>10</sup>
  - (g) The Detention Centre Rules 2001<sup>11</sup>
  - (h) The Criminal Justice and Court Service Act 2000 (Approved Premises) Regulations 2001<sup>12</sup>
  - (i) The Care Homes Regulations 2001<sup>13</sup>
  - (j) The Children's Homes Regulations 2001<sup>14</sup>
  - (k) The Residential Family Centres Regulations 2002<sup>15</sup>

### **Certain student lettings etc**

- 5. A tenancy or licence of a house or a dwelling within a house -
  - (i) which is managed or controlled by a specified educational establishment or is of a specified description of such establishments and
  - (ii) the occupiers of the house or dwelling are undertaking a full time course of further higher education at the specified establishment<sup>16</sup> and

---

<sup>8</sup> SI 472/1998 as amended by SI 3005/2003

<sup>9</sup> SI 728/1999 as amended by SI 1794/2000, SI 1149/2001, SI 2116/2002, SI 3135/2002, SI 3301/2003 and SI 869/2005

<sup>10</sup> SI 3371/2000 as amended by SI 2117/2002, SI 3135/2002 and SI 897/2005

<sup>11</sup> SI 238/2001. Section 66 (4) of the Nationality, Immigration and Asylum Act 2002 provides that the reference to a detention centre is to be construed as a reference to a removal centre as defined in Part VIII of the Immigration and Asylum Act 1999

<sup>12</sup> SI 850/2001

<sup>13</sup> SI 3965/2001 as amended by SI 865/2001, SI 534/2003, SI 1590/2003, SI 1703/2003, SI 1845/2003, SI 664/2004, SI 696/2004, SI 1770/2004, SI 2071/2004 and SI 3168/2004

<sup>14</sup> SI 3967/2001 as amended by SI 865/2002, SI 2469/2002, SI 664/2002 and SI 3168/2004

<sup>15</sup> SI 3213/2002 as amended by SI 664/2004, SI 865/2004 and SI 3168/2004

<sup>16</sup> See the schedule to The Houses in Multiple Occupation (Specified Educational



## **The Hastings Borough Council Designation of an Area for Selective Licensing 2015**

- (iii) the house or dwelling is being managed in conformity with an Approved Code of Practice for the management of excepted accommodation under Section 233 of the Act<sup>17</sup>

### **Long leaseholders**

- 6. A tenancy of a house or a dwelling within a house provided that -
  - (i) the full term of the tenancy is for more than 21 years and
  - (ii) the tenancy does not contain a provision enabling the landlord (or his successor in title) to determine it other than by forfeiture, earlier than at the end of the term and
  - (iii) the house or dwelling is occupied by a person to whom the tenancy was granted or his successor in title or by any members of either of those person's family.

### **Certain family arrangements**

- 7. A tenancy or licence of a house or a dwelling within a house where -
  - (i) the person who has granted the tenancy or licence to occupy is a member of the family of the person who has been granted the tenancy or licence and
  - (ii) the person who has granted the tenancy or licence to occupy is the freeholder or long leaseholder of the house or dwelling and
  - (iii) the person occupies the house or dwelling as his only or main residence (and if there are two or more persons at least one of them so occupies).

### **Holiday lets**

- 8. A tenancy or licence of a house or a dwelling within a house that has been granted to the person for the purpose of a holiday.

### **Certain lettings etc by Resident Landlord etc**

- 9. A tenancy or licence of a house or a dwelling within a house under the terms of which the person granted the tenancy or licence shares the use of any amenity with the person granting that tenancy or licence or members of that person's family. An "amenity" includes a toilet, personal washing facilities, a kitchen or a living room but excludes any area used for storage, a staircase, corridor or other means of access.

---

Establishments) (England) (No 2) Regulations 2006 for the list of specified bodies

<sup>17</sup> The relevant codes of practice are approved under SI 646/2006 - The Housing (Approval of Codes of Management Practice) (Student Accommodation) (England) Order 2006

## The Hastings Borough Council Designation of an Area for Selective Licensing 2015

### Interpretation

10. In this annexe:

- (a) a “person” includes “persons”, where the context is appropriate
- (b) a “tenancy” or “licence” includes “a joint tenancy” or “joint licence”, where the context is appropriate
- (c) “long leaseholder in paragraph 7 (ii) has the meaning conferred in paragraphs 6 (i) and (ii) and in those paragraphs the reference to “tenancy” means a “long lease”
- (d) a person is a member of the family of another person if -
  - (i) he lives with that person as a couple
  - (ii) one of them is the relative of the other; or
  - (iii) one of them is, a relative of, one member of a couple and the other is a relative of the other member of the coupleand
  - (iv) For the purpose of this paragraph -
    - (1) “couple” means two persons who are married to each other or live together as husband and wife or in an equivalent arrangement in the case of persons of the same sex
    - (2) “relative” means a parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew, niece or cousin
    - (3) a relationship of the half-blood is to be treated as a relationship of the whole blood and
    - (4) a stepchild of a person is to be treated as his child