

Status: Point in time view as at 06/04/2006.

Changes to legislation: Housing Act 2004, Cross Heading: Refusal to vary a licence is up to date with all changes known to be in force on or before 26 June 2024. 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)

SCHEDULES

SCHEDULE 5

LICENCES UNDER PARTS 2 AND 3: PROCEDURE AND APPEALS

PART 2

PROCEDURE RELATING TO VARIATION OR REVOCATION OF LICENCES

Refusal to vary a licence

- 19 Before refusing to vary 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 - (b) consider any representations made in accordance with the notice and not withdrawn.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.](#))

- 20 The notice under paragraph 19 must state that the authority are proposing to refuse to vary the licence and set out—
- (a) the reasons for refusing to vary the licence, and
 - (b) 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.](#))

- 21 (1) This paragraph applies where the local housing authority refuse to vary a licence.
- (2) The authority must serve on the licence holder and each relevant person a notice setting out—
- (a) the authority's decision not to vary the licence,
 - (b) the reasons for the decision and the date on which it was made,
 - (c) the right of appeal against the decision under Part 3 of this Schedule, and
 - (d) the period within which an appeal may be made (see paragraph 33(2)).

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- (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.

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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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