

2012 No. 249

HOUSING, ENGLAND

The Houses in Multiple Occupation (Specified Educational Establishments) (England) Regulations 2012

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| <i>Made</i> | - - - - | <i>2nd February 2012</i> |
| <i>Laid before Parliament</i> | | <i>8th February 2012</i> |
| <i>Coming into force</i> | - - | <i>14th March 2012</i> |

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

Citation, commencement and application

1.—(1) These Regulations may be cited as the Houses in Multiple Occupation (Specified Educational Establishments) (England) Regulations 2012 and come into force on 14th March 2012.

(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 (buildings occupied by students) where it is—

- (a) listed in the Schedule to these Regulations; and
- (b) a member of—
 - (i) the ANUK/UNIPOL Code of Standards for Larger Developments for Student Accommodation Managed and Controlled by Educational Establishments dated 28th August 2008(b); or
 - (ii) the Universities UK/Guild HE Code of Practice for the Management of Student Housing dated 17th August 2010(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) of the Act. In relation to Wales, the powers are exercisable by the Welsh Ministers as, by virtue of paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c.32), the functions of 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 See S.I. 2008/2345, which was revoked by S.I. 2010/2615 but with savings for this code of practice (see article 4 of the latter instrument).

(c) This code of practice has been approved by the Secretary of State under section 233 of the Act. See S.I. 2010/2615.

Revocation

3. The Houses in Multiple Occupation (Specified Educational Establishments) (England) (No. 2) Regulations 2010(a) are revoked.

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

Andrew Stunell

Parliamentary Under Secretary of State

Department for Communities and Local Government

2nd February 2012

SCHEDULE

Regulation 2

Educational establishments specified 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
Canterbury Christ Church University
Castle College, Nottingham
Chichester College
Christ Church, University of Oxford
Christ's College, University of Cambridge
Churchill College, University of Cambridge
Clare College, University of Cambridge
Clare Hall, University of Cambridge

(a) S.I. 2010/2616.

Corpus Christi College, University of Oxford
Corpus Christi College, University of Cambridge
Coventry University
Cranfield University
Darwin College, University of Cambridge
David Game College
De Montfort University
Downing College, University of Cambridge
Edge Hill University
Emmanuel College, University of Cambridge
Exeter College, University of Oxford
Fitzwilliam College, University of Cambridge
Foundation for International Education
Girton College, University of Cambridge
Goldsmiths, University of London
Gonville and Caius College, University of Cambridge
Green Templeton College, University of Oxford
Harper Adams University College
Harris Manchester College, University of Oxford
Hertford College, University of Oxford
Heythrop College, University of London
Hillcroft College
Homerton College, University of Cambridge
Hughes Hall, University of Cambridge
Imperial College London
Institute of Education, University of London
Jesus College, University of Cambridge
Jesus College, University of Oxford
Keble College, University of Oxford
Keele University
Kellogg College, University of Oxford
King's College London
King's College, University of Cambridge
Kingston University
Lady Margaret Hall, University of Oxford

Lancaster University
Leeds Metropolitan University
Leeds Trinity University College
Linacre College, University of Oxford
Lincoln College, University of Oxford
Liverpool Hope University
London School of Economics, University of London
London South Bank University
Loughborough College
Loughborough University
Lucy Cavendish College, University of Cambridge
Magdalen College, University of Oxford
Magdalene College, University of Cambridge
Manchester Metropolitan University
Mansfield College, University of Oxford
Merton College, University of Oxford
Middlesex University
Murray Edwards College, University of Cambridge
New College, University of Oxford
Newman University College, Birmingham
Newnham College, University of Cambridge
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 Cambridge
Pembroke College, University of Oxford
Peterhouse College, University of Cambridge
Queen Mary, University of London
Queen's College, University of Cambridge
Regent's Park College, University of Oxford
Richmond, The American International University in London
Robinson College, University of Cambridge

Roehampton University
Royal Agricultural College
Royal Holloway, University of London
Ruskin College, Oxford
Scholarship and Christianity in Oxford
Selwyn College, University of Cambridge
Sheffield Hallam University
Sidney Sussex College, University of Cambridge
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 Catharine's College, University of Cambridge
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, University of Cambridge
St John's College, University of 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
The Arts University College at Bournemouth
The Guildhall School of Music and Drama
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 Cambridge
Trinity College, University of Oxford
Trinity Hall, University of Cambridge
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 Cambridge
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 building 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 refers to any building which is occupied solely or principally by persons who occupy it for the purpose of undertaking a full time course of further or higher education at a specified educational establishment, or at an educational establishment of a specified description, and where the person managing or controlling the building is the educational establishment in question, or a specified person, or a person of a specified description.

Regulation 2 and the Schedule to these Regulations specify educational establishments. Where a building is managed or controlled by an educational establishment which is listed in the Schedule to these Regulations and that educational establishment is a member of either code of practice referred to in regulation 2(b), then that 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)(No. 2) Regulations 2010. They amend the definition of specified educational establishments and replace the list of educational establishments that were listed in the Schedule to those earlier Regulations.

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 can be obtained from National Administrator for the ANUK/Unipol National Code of Standards based at Unipol Student Homes, 155-157 Woodhouse Lane, Leeds, LS2 3ED by e-mailing info@unipol.leeds.ac.uk or via the internet at www.unipol.org.uk/leeds or www.anuk.org.uk.

A copy of Universities UK/Guild HE Code of Practice for the Management of Student Housing dated 17th August 2010 can be obtained from Universities UK, Woburn House, 20 Tavistock Square, London, WC1H 9HQ, by e-mailing info@universitiesUK.ac.uk or via the internet at www.universitiesUK.ac.uk.

Copies of the codes of practice referred to above 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 sector is foreseen.

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