

2008 No. 2345

HOUSING, ENGLAND

**The Housing (Approval of a Code of Management Practice)
(Student Accommodation) (England) Order 2008**

<i>Made</i>	- - - -	<i>2nd September 2008</i>
<i>Laid before Parliament</i>		<i>8th September 2008</i>
<i>Coming into force</i>	- -	<i>1st October 2008</i>

Having taken reasonable steps to consult the persons mentioned in section 233(2)(a) and (b) of the Housing Act 2004(a), and being satisfied as to publication arrangements as required by section 233(3), the Secretary of State makes the following Order in exercise of the powers conferred by section 233(1), (3) and (4) of that Act:

Citation, commencement and application

1.—(1) This Order may be cited as the Housing (Approval of a Code of Management Practice) (Student Accommodation) (England) Order 2008 and shall come into force on 1st October 2008.

(2) This Order shall apply in relation to premises in England only.

Approval of code of practice

2. The ANUK/Unipol Code of Standards for Larger Developments for Student Accommodation Managed and Controlled by Educational Establishments, which is dated 28th August 2008(b) and which lays down standards of conduct and practice to be followed with regard to the management of—

- (a) houses in multiple occupation that are occupied solely or principally by persons who occupy them for the purpose of undertaking a full-time course of further or higher education(c); or
- (b) buildings falling within paragraph 4 of Schedule 14 to the Housing Act 2004 (buildings occupied by students)(d),

(a) 2004 c.34. The powers conferred by section 233 of 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 exercised by the National Assembly for Wales are now exercisable by the Welsh Ministers.

(b) A copy of this Code may be obtained from the National Code Administrator, 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. A copy of this Code has been lodged in the libraries of both houses of Parliament.

(c) For the meaning of house in multiple occupation see sections 254-259 of the Act.

(d) By section 233(1)(a) the appropriate national authority may approve a code of practice laying down standards of conduct and practice to be followed with regard to the management of houses in multiple occupation or of excepted accommodation. Excepted accommodation is defined in section 233(6) as being such description of living accommodation falling within any provision of Schedule 14 (buildings which are not HMOs for the purposes of provisions other than Part 1 of the Act as is specified in an order under subsection (1)).

is approved for the purposes of section 233 of that Act.

Withdrawal of approval of code of practice

3.—(1) The approval of the Accreditation Network UK/Unipol Code of Standards for Larger Developments for Student Accommodation Managed and Controlled by Educational Establishments dated 20th February 2006 (“the 2006 Code”) is withdrawn.

(2) The Housing (Approval of Codes of Management Practice) (Student Accommodation) (England) Order 2006(a), which approved the 2006 Code, is amended by the omission of paragraph 2(2)(a).

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

John Healey

Minister of State

2nd September 2008

Department for Communities and Local Government

EXPLANATORY NOTE

(This note is not part of the Order)

This Order approves a code of practice laying down standards of conduct and practice to be followed with regard to the management of houses in multiple occupation (“HMOs”) and certain other buildings that are occupied solely or principally by full-time students.

The other buildings specified by this Order are those falling within paragraph 4 of Schedule 14 to the Housing Act 2004 (which provides for a description of buildings occupied by students which are not HMOs for the purposes of that Act). Students who occupy such buildings must do so for the purpose of undertaking full-time education courses at specified educational establishments. The Houses in Multiple Occupation (Specified Educational Establishments) (England) Regulations 2008 (SI 2008/2346.) specifies certain educational establishments for the purposes of paragraph 4 of Schedule 14.

This Order withdraws approval for one of the codes approved by the Housing (Approval of Codes of Management Practice) (Student Accommodation) (England) Order 2006 (SI 2006/646) and amends that Order accordingly.

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

(a) S.I. 2006/646.