



**Date:** 31 July 2014  
**Your Reference:**  
**Our Reference:** RS/PSH/MXW  
**Enquiries to:** Mike Warren

**London Borough of Camden**  
Housing and Adult Social Care  
London Borough of Camden  
8<sup>th</sup> floor, 5 Pancras Square  
C/o Old Town Hall  
London WC1H 9JE  
Tel: 020 7974 2702

[www.mike.warren@camden.gov.uk](mailto:mike.warren@camden.gov.uk)

The Manager  
Commercial First Business Limited  
Lutea House,  
Warley Hill Business Park  
The Drive  
Brentwood,  
Essex CM13 3BE

Dear Sir / Madam

**Housing Act 2004**  
**Town & Country Planning Act 1990**  
**Address: Happy Vale Hotel, 21 Harrington Square, London,**  
**NW1 2JJ**

The above property was issued with an established use certificate as a hotel/B&B in 1996, but during the last decade it has been used as a sui generis house in multiple occupation. An application will soon be submitted for change of established use to that reflecting its current use.

Yours faithfully

Mike Warren  
Environmental Health Officer



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[REDACTED]  
Happy Vale Hotel  
21 Harrington Square  
London NW1 2JJ

Dear [REDACTED]

**Happy Vale Hotel, 21 Harrington Square, London NW1 2JJ  
Lawful Development Certificate for Existing Use  
Town and Country Planning Act 1990 Section 191, as amended**

In 1996 [REDACTED] was issued with a Certificate of Lawfulness for an Existing Use as a Bed and Breakfast / Boarding house, following the refurbishment of the premises.

However, for the last decade the property has been let to many households in receipt of Housing Benefit. The Social Security Contributions and Benefits Act 1992, section 130 requires the Council to only pay benefit if the applicant is liable to make payment in respect of a dwelling which he occupies as his/her home. All the tenants in receipt of benefit have to tick the box in the benefit application forms stating that they do not have any alternative home.

The Benefit records show that the property has been used as a house in multiple occupation for more than a decade. The building contains 16 lettable rooms plus your own accommodation. In order to prove that a building is an HMO, Section 254 and Schedule 14, paragraph 7 of the Housing Act 2004 have to be taken into account. In order to be a House in Multiple Occupation we have to show that at least 3 people, in at least two households resided in the building. I have evidence, including that submitted by yourself to the County Court, showing that the Happy Vale Hotel has been let as a 'house in multiple occupation' for more than the past decade. As a 'house in multiple occupation' is a different use class, I am intending to submit an Application for a Lawful Development Certificate as a sui generis house in multiple occupation

Yours sincerely

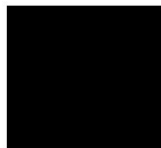
Mike Warren  
Environmental Health Officer  
Private Sector Housing Team

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Dear Mr [REDACTED]

**Happy Vale Hotel, 21 Harrington Square, London NW1 2JJ**  
**Interim Management Order**  
**Lawful Development Certificate for Existing Use**  
**Town and Country Planning Act 1990 Section 191, as amended**

Following two prosecutions for management, Housing Act 2004 and HMO licensing offences, Mr Gethin was given the opportunity to find a 'fit and proper person' to take over the management of the property, and to submit a valid HMO licence application. That did not happen before the deadline given, so an Interim Management Order was served. This order means that the Council has taken over responsibility for day to day management of this house in multiple occupation, and is taking action to remedy the most immediate safety issues present. The ownership of the property is not changed.

In 1996 Mr J.H. Wilson was issued with a Certificate of Lawfulness for an Existing Use as a Bed and Breakfast / Boarding house, following the refurbishment of the premises.

However, for the last decade the property has been let to many households in receipt of Housing Benefit. The Social Security Contributions and Benefits Act 1992, section 130 requires the Council to only pay benefit if the applicant is liable to make payment in respect of a dwelling which he occupies as his/her home. All the tenants in receipt of benefit have to tick the box in the benefit application forms stating that they do not have any alternative home.

The Benefit records show that the property has been used as a house in multiple occupation for more than a decade. The building contains 16 lettable rooms plus Mr Gethin's own accommodation. In order to be a House in Multiple Occupation we have to show that at least 3 people, in at least two households resided in the building. I have evidence, including that submitted by Mr Gethin to the County Court, showing that the Happy Vale Hotel has been let as a 'house in multiple occupation' for more than the past decade. As a 'house in multiple occupation' is a different use class, I am intending to submit an Application for a Lawful Development Certificate as a sui generis house in multiple occupation.

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Environmental Health Officer, Private Sector Housing Team

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