

**2010 No. 2615**

**HOUSING, ENGLAND**

**The Housing (Codes of Management Practice) (Student  
Accommodation) (England) Order 2010**

<i>Made</i>	- - - -	<i>28th October 2010</i>
<i>Laid before Parliament</i>		<i>4th November 2010</i>
<i>Coming into force</i>	- -	<i>25th November 2010</i>

The Secretary of State makes the following Order in exercise of the powers conferred by sections 233(1) and (4) and 250 of the Housing Act 2004(a).

He has taken reasonable steps to consult the persons mentioned in section 233(2)(a) and (b) of that Act and is satisfied as to publication arrangements as required by section 233(3) of that Act.

**Citation, commencement, application and interpretation**

1.—(1) This Order may be cited as the Housing (Codes of Management Practice) (Student Accommodation) (England) Order 2010 and come into force on 25th November 2010.

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

(3) In this Order, “the Act” means the Housing Act 2004.

**Approval of code of practice**

2. The code of practice entitled the Universities UK/Guild HE Code of Practice for the Management of Student Housing, which is dated 17th August 2010(b) and which lays down standards of conduct and practice to be followed with regard to the management of living accommodation comprised in buildings falling within paragraph 4 of Schedule 14 to the Act (buildings occupied by students)(c), is approved for the purposes of section 233 of the Act (approval of codes of practice with regard to the management of HMOs etc).

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- (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) of the Act. As respects Wales, by virtue of paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c. 32) the functions formerly exercisable by the National Assembly for Wales are now exercisable by the Welsh Ministers.
- (b) A copy of this code of practice may be obtained from Universities UK, Woburn House, 20 Tavistock Square, London, WC1H 9HQ, by e-mailing [info@universities.ac.uk](mailto:info@universities.ac.uk) or via the internet at [www.universitiesUK.ac.uk](http://www.universitiesUK.ac.uk). A copy of this code of practice has been lodged in the libraries of both Houses of Parliament.
- (c) By section 233(1)(a) of the Act 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) of the Act 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).

### **Withdrawal of approval of code of practice**

3. The approval of the code of practice entitled the Universities UK/Standing Conference of Principals Code of Practice for the Management of Student Housing and dated 20th February 2006(a) is withdrawn.

### **Revocations and Savings**

4.—(1) Subject to paragraph (2)—

- (a) the Housing (Approval of Codes of Management Practice) (Student Accommodation) (England) Order 2006(b) (“the 2006 Order”); and
- (b) the Housing (Approval of a Code of Management Practice) (Student Accommodation) (England) Order 2008(c) (“the 2008 Order”),

are revoked.

(2) The following codes of practice(d) continue to be approved for the purposes of section 233 of the Act—

- (a) the Accreditation Network UK/Unipol Code of Standards for Larger Developments for Student Accommodation Not Managed and Controlled by Educational Establishments, dated 20th February 2006 and approved by the 2006 Order; and
- (b) the ANUK/Unipol Code of Standards for Larger Developments for Student Accommodation Managed and Controlled by Educational Establishments, dated 28th August 2008 and approved by the 2008 Order.

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

*Andrew Stunell*

Parliamentary Under Secretary of State

Department for Communities and Local Government

28th October 2010

### **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order applies in relation to premises in England only. Article 2 of this Order approves a code of practice (the Universities UK/Guild HE Code of Practice for the Management of Student Housing, dated 17th August 2010) laying down standards of conduct and practice to be followed with regard to the management of living accommodation comprised in buildings that fall within paragraph 4 of Schedule 14 to the Housing Act 2004 (“the 2004 Act”).

Schedule 14 lists buildings which are not Houses in Multiple Occupation (“HMOs”) for the purposes of the 2004 Act (apart from Part 1, which deals with housing conditions). HMOs are defined in section 254 of the 2004 Act. Paragraph 4 of Schedule 14 refers to any building occupied by persons for the purpose of undertaking full-time further or higher education courses at specified educational establishments, where the person managing or having control of that building is the educational establishment in question or a specified person or a person of a specified description. The Houses in Multiple Occupation (Specified Educational Establishments)

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(a) This code of practice was approved by the Secretary of State under section 233 of the Act. See the Housing (Approval of Codes of Management Practice) (Student Accommodation) (England) Order 2006 (S.I. 2006/646).

(b) S.I. 2006/646, amended by S.I. 2008/2345.

(c) S.I. 2008/2345.

(d) Copies of both these codes of practice may be obtained from the 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](mailto:info@unipol.leeds.ac.uk) or via the internet at [www.unipol.leeds.ac.uk](http://www.unipol.leeds.ac.uk) or [www.anuk.org.uk](http://www.anuk.org.uk).

(England) (No. 2) Regulations 2010 (S.I. 2010/2616) specify certain educational establishments for the purposes of paragraph 4 of Schedule 14.

Article 3 of this Order withdraws approval for one of the codes approved by the Housing (Approval of Codes of Management Practice) (Student Accommodation) (England) Order 2006 (S.I. 2006/646) (“the 2006 Order”), namely the Universities UK/Standing Conference of Principals Code of Practice for the Management of Student Housing dated 20th February 2006.

Article 4 of this Order revokes the 2006 Order and the Housing (Approval of a Code of Management Practice) (Student Accommodation) (England) Order 2008 (S.I. 2008/2345) (“the 2008 Order”), which approved earlier codes of practice, and saves the approvals in those Orders which have not been withdrawn. The purpose of these revocations is to make the legislation more accessible by reducing the number of pieces of relevant legislation. By virtue of this Order, there are now 3 codes of practice which are currently approved under section 233 of the Housing Act 2004 in relation to the management of student living accommodation. These are:

- The Accreditation Network UK/Unipol Code of Standards for Larger Developments for Student Accommodation Not Managed and Controlled by Educational Establishments, dated 20th February 2006 and approved by the 2006 Order (with the approval saved by this Order);
- The ANUK/Unipol Code of Standards for Larger Developments for Student Accommodation Managed and Controlled by Educational Establishments, dated 28th August 2008 and approved by the 2008 Order (with the approval saved by this Order); and
- The Universities UK/Guild HE Code of Practice for the Management of Student Housing, dated 17th August 2010 and approved by this Order.

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

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STATUTORY INSTRUMENTS

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£4.00