

MAIDSTONE BOROUGH COUNCIL

RECORD OF DECISION OF THE CABINET MEMBER FOR REGENERATION

Decision Made: 25 March 2011

PRIVATE SECTOR HOUSING - HMO LICENCE FEES AND CONDITIONS

Issue for Decision

To consider:

1. The level of fees charged by the council for licensing Houses in Multiple Occupation with the intention of implementing the new charge from 1st April 2011.
2. Implementing changes to the Houses in Multiple Occupation licence conditions to include an anti social behaviour condition from 1st April 2011.

Decision Made

1. That the level of fee charged for a House In Multiple Occupation be agreed at an increased level of £350 for landlords who are accredited under the council's accreditation scheme and £400 for landlords who are not accredited; the fees to be levied from 1st April 2011.
2. That a condition relating to landlords' responsibilities in managing tenants who cause anti-social behaviour be agreed and added to licences from 1st April 2011.

Reasons for Decision

Houses in Multiple Occupation Licence fees

The council can charge reasonable fees in issuing licences for Houses in Multiple Occupation. Licences are issued for a period of 5 years. In 2005 the council set its fees at £300 per house and there is now a need to revise the fees to ensure administration costs are covered. Since setting the fees in 2005 an accreditation scheme for landlords has been introduced to improve standards in the private rented sector.

It is considered appropriate that landlords who become accredited should benefit from some incentive given the requirements of the scheme. It is therefore proposed to have a £50 differential between accredited and non accredited landlords. The average cost per application is calculated to be £353.

Licence conditions

Houses in Multiple Occupation tend to be occupied by younger, more transient tenants and in some residential areas this can give rise to problems with noise and anti social behaviour (ASB). The Council can impose a licence condition relating to the landlords' involvement in dealing with ASB issues. This is a discretionary condition and until now has not been added to any licence issued.

The Council has received a number of complaints about noise and ASB that have been difficult to resolve. These complaints would have possibly been easier to resolve with the involvement of landlords who are sometimes reluctant to take action. Having liaised with officers from the council's Community Safety Unit it was agreed that this condition will provide the council with another way of resolving ASB and noise issues in Houses in Multiple Occupation. Some research has been undertaken to establish what other councils are doing. Thanet is currently the only council in Kent to apply the condition; they have a greater number of Houses in Multiple Occupation than any other council in Kent. Other councils have found the condition to be useful and attached as Appendix 1 is the ASB condition used by Weymouth and Portland. Other examples were reviewed and were broadly similar but this was felt by officers to be a particularly good example that Maidstone could adapt and use.

Alternatives considered and why rejected

The Council could choose to keep Houses in Multiple Occupation licence fees at the current level. This is not thought appropriate as it would not cover the costs of administering the licence applications. This would also lose the opportunity to introduce an incentive for landlords to become accredited which is seen as a means of improving standards in the private rented sector.

The Council could choose not to introduce a condition for anti-social behaviour (ASB) on licences for Houses in Multiple Occupation. This would be a missed opportunity to help the council deal with ASB issues more effectively by requiring the involvement of landlords.

Background Papers

None

Should you be concerned about this decision and wish to call it in, please submit a call in form signed by any two Non-Executive Members to the Head of Change and Scrutiny by: **01 April 2011**

