

**MAIDSTONE BOROUGH COUNCIL**

**CABINET MEMBER FOR REGENERATION**

**REPORT OF THE HEAD OF HOUSING AND COMMUNITY  
SAFETY**

**Report prepared by Stuart White**

**Date Issued: 17 March 2011**

**1. Private Sector Housing: Review of Houses in Multiple Occupation licence fees and conditions**

1.1 Key Issue for Decision

1.1.1 To consider the level of fees charged by the council for licensing Houses in Multiple Occupation with the intention of implementing the new charge from 1<sup>st</sup> April 2011. In addition this report seeks changes to the Houses in Multiple Occupation licence conditions to include an anti social behaviour condition from 1<sup>st</sup> April 2011.

1.2 Recommendation of the Head of Housing and Community Safety

1.2.1 That the Cabinet Member for Regeneration agrees that the level of fee charged for a House In Multiple Occupation is increased to £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 1<sup>st</sup> April 2011.

1.2.2 That the Cabinet Member for Regeneration agrees that a condition relating to landlords' responsibilities in managing tenants who cause anti social behaviour be added to licences from 1<sup>st</sup> April 2011.

1.3 Reasons for Recommendation

1.3.1 The following information sets out the reasons for recommendation:

Houses in Multiple Occupation Licence fees

1.3.2 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.

- 1.3.3 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

- 1.3.4 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.
- 1.3.5 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.

#### 1.4 Alternative Action and why not Recommended

- 1.4.1 The council could choose to keep Houses in Multiple Occupation licence fees at the current level. This is not recommended 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.
- 1.4.2 The council could choose not to introduce a condition for 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.

1.5 Impact on Corporate Objectives

1.5.1 The recommendations support the council's objectives set out in the strategic plan, in particular improving the quality of the existing housing stock.

1.6 Risk Management

1.6.1 There is a slight risk that the fees proposed may not cover costs in full but this is considered unlikely as the proposed fees have been calculated on the total cost of staff involved. This is also for many landlords a second term of licencing so this should make the process easier.

1.7 Other Implications

1.7.1

1. Financial	X
2. Staffing	
3. Legal	X
4. Equality Impact Needs Assessment	
5. Environmental/Sustainable Development	
6. Community Safety	
7. Human Rights Act	
8. Procurement	
9. Asset Management	

1.7.2 Financial implications are explained in the report. This is a mandatory function and the council is allowed to recover costs in its administration. The fees are set at a level to allow the function to be cost neutral.

1.7.3 Legal implications There may be legal implications in dealing with non compliance with the ASB licence condition, however, this will probably be less of a burden than dealing with ASB issues by existing means.

1.7.4 Appendices Appendix 1 Weymouth and Portlands ASB condition

1.7.5 Background Documents None

**IS THIS A KEY DECISION REPORT?**

Yes

No

If yes, when did it first appear in the Forward Plan?

**September 2010**

This is a Key Decision because:

**It affects all wards**

Wards/Parishes affected: .....

.....

**How to Comment**

Should you have any comments on the issue that is being considered please contact either the relevant Officer or the Member of the Executive who will be taking the decision.

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