

TONBRIDGE & MALLING BOROUGH COUNCIL
COMMUNITIES and HOUSING ADVISORY BOARD

10 November 2020

Report of the Director of Planning, Housing and Environmental Health

Part 1- Public

Matters for Recommendation to Cabinet - Key Decision

1 CHARGES & FEES 2021/22

Summary

This report updates members of the existing fees charged to licence a house in multiple occupation (HMO) or caravan site and the recommended charge following a review of the costs to process the respective applications. The proposals if adopted would result in fee increases for both HMO and Caravan site licencing, which have been benchmarked against neighbouring authorities.

1.1 Review of HMO licensing fees

- 1.1.1 Under the Housing Act 2004 Part 2 houses in multiple occupation (HMOs) occupied by five or more persons living in two or more households are required to be licensed. HMOs in self-contained flats in purpose built blocks where the block comprises three or more self-contained flats are excluded from this licensing requirement.
- 1.1.2 There are currently 22 licensed HMOs in the Tonbridge & Malling area.
- 1.1.3 The aim of licensing is to improve the controls on HMOs and to raise the standard of some of the highest risk properties that are often occupied by some of the most vulnerable people, whilst maintaining an adequate supply of rented accommodation.
- 1.1.4 The licence is for a maximum of five years and cannot be transferred. The licence can end as a result of the passage of time, the death of the licence holder, the sale of the property or the revocation of the licence by the Council. The licence is held on a public register maintained by the Council.
- 1.1.5 Following a review of administrative costs and using the same HMO licence fee cost calculator developed by the Kent and Medway local authorities that has previously been used, the proposed revised charges are detailed in the table below:

Service	Current Charge	Recommended Charge	Predicted Income Full Year 2021/22
New HMO licence application fee	£537	£545	£2,725 for five new licence applications
Renewal of an HMO Licence application	£495	£500	£2,500 for five licence renewal due in this period

- 1.1.6 The charge for a new HMO licence application fee is comparable to our neighbouring Kent authorities of Tunbridge Wells at £575 (for 5 persons) and Sevenoaks at £654 (for 5 persons). Over the five year period the fee of £545 equates to approximately a cost of £109 per annum and £9 per month.
- 1.1.7 The charge for the renewal of a HMO licence application is comparable to our neighbouring authorities of Tunbridge Wells of £460 (for 5 persons) and £412 for Sevenoaks. This lower cost for renewal is attributed to the reduced inspection time.

1.2 Caravan Site Licensing

- 1.2.1 The Mobile Homes Act 2013 amended the Caravan Sites and Control of Development Act 1960 to allow local authorities from the 1 April 2014 to charge a fee for the licensing of residential mobile (park) home sites (“relevant protected sites”) and recover their costs in undertaking this function.
- 1.2.2 A caravan site must have planning consent for use as a caravan site before it can be licensed and once licensed it remains in perpetuity until a change of use or planning consent has expired.
- 1.2.3 Following a review of administrative costs associated with charging for caravan site licences based on our experience over the last twelve months the proposed revised charges are shown in the table below:

Service	Current Charge	Recommended Charge	Predicted Income Full Year 2020/21
New caravan site licence application fee	£390	£395	£395 for one new licence
Transfer of a caravan site licence	£185	£190	£380 based on the transfer of two caravan site licences

- 1.2.4 The charge to process a licence application for a new caravan site is comparable to Tunbridge Wells where the cost is £300. The charge in Sevenoaks is based on an incremental cost from £542 dependent on the number of pitches above one. The charge to transfer a caravan site licence at Sevenoaks is £84.

1.3 Legal Implications

- 1.3.1 The Council is legally required to licence certain HMOs and caravan sites under the Housing Act 2004 Part 2 and the Caravan Sites and Control of Development Act 1960 (as amended by the Mobile Homes Act 2013) respectively. For this licensing function they may charge a fee to fund the costs to process an application.

1.4 Financial and Value for Money Considerations

- 1.4.1 The cost to process the HMO and caravan site licence applications is reflected in the fee charged to the applicant. Therefore, there should be no additional financial and value for money considerations.

1.5 Risk Assessment

- 1.5.1 There are no risks associated with this report.

1.6 Equality Impact Assessment

- 1.6.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act, with no perceived impact to end users.

1.7 Recommendations

- 1.7.1 Members are **RECOMMENDED** to **AGREE** charges from the 1 April 2021 for the following:
- £545 for processing a new mandatory HMO licence application;
 - £500 for the processing of a renewal application for a mandatory HMO licence;
 - £395 for processing a new caravan site licence application where the use of the site is for permanent residential use; and
 - £190 for the transfer of a caravan site licence for a permanent residential use site.

Background papers:

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Nil

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