

Additional HMO and Selective Licensing proposals

Evidence for Consultation 2026

Fair for landlords. Safe for tenants. Better for Medway.



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Glossary

Term	Meaning
Private rented sector (PRS)	The portion of housing in the borough that is rented from private landlords
Privately rented	Homes rented from a private landlord
Socially rented	Homes rented from the council or a housing association
Selective licensing	A discretionary licensing scheme which requires landlords to have a licence to legally let their property to a family or no more than two unrelated sharers
Additional houses in multiple occupation (HMO) licensing	A discretionary licensing scheme which requires landlords to have a licence to legally let eligible HMOs occupied by three or four unrelated persons living in two or more separate households sharing one or more basic amenity, which fall outside the scope of mandatory HMO licensing
Mandatory houses in multiple occupation (HMO) licensing	A national scheme which requires landlords to have a licence to legally let eligible HMOs occupied by five or more unrelated persons living in two or more separate households sharing one or more basic amenity
Designation	A geographical area chosen for licensing that meets relevant legal tests
Housing Health and Safety Rating System (HHSRS)	A government prescribed system that rates housing hazards based on their risk to occupiers' health, safety, and welfare
Category 1 hazard (Category 1)	The most serious hazards under the HHSRS, which include immediate risk to a person's health, safety and welfare
Category 2 hazard (Category 2)	Less serious hazards under the HHSRS. Whilst considered less serious they can still be regarded as placing the occupiers' health, safety and welfare at risk
Statutory notice	A legal document issued by the council that requires the recipient to complete specified actions within a specified timeframe
Anti-social behaviour (ASB)	Behaviour related to the occupiers of, and/or visitors to, a rented property that causes nuisance, annoyance and irritation to neighbours and the community. Most commonly noise, litter and waste
Deprivation	Living on low income and not having the money to pay for some basic requirements
Indices of Multiple Deprivation	A dataset produced by the government to give a relative value to how deprived an area is, compared to the rest of the country
Barriers to housing and services	One of the government's measures of deprivation. It combines measures relating to housing affordability, overcrowding and homelessness
Minimum Energy Efficiency Standard (MEES)	Regulations that set a minimum energy efficiency standard (EPC rating of E) that applies to privately rented properties
Energy Performance Certificate (EPC)	EPCs rate how energy efficient properties are using grades from A to G (with 'A' the most efficient grade)
Accreditation	Schemes overseen by various organisations, including local authorities and landlord associations, to provide training and encourage good practice by private landlords

1. Executive Summary

Medway Council is committed to creating a fairer private rented housing sector by improving the condition and quality of properties in the rental market and developing a fair environment for both tenants and responsible landlords, targeting rogue operators and those letting unsuitable properties, driving up standards to the benefit of all. To achieve this, we are consulting on new licensing proposals for the private rented sector (PRS) in Medway. Property licensing is a way of ensuring safer and better standards in private rented homes.

Medway is consistent with London and the South East in that it has a shortage of affordable housing, with house prices remaining out of reach for many. The demand for social housing far outstrips the supply. As a result, private rented property is increasingly becoming the only viable option for many Medway residents, including those who are vulnerable and on low incomes. Currently, 23.2% of Medway's housing stock is in the PRS, and this is expected to continue to rise in the future.

While the majority of properties in the PRS are well maintained and safe, there is a growing number of properties that are substandard and potentially dangerous. Even landlords with good intentions may not always be aware of the latest legal and safety requirements. These properties pose a risk to the health, safety, and wellbeing of tenants, cause issues with neighbours, and require numerous interventions from council teams that are already under pressure. It is crucial for the council to utilise all available tools to improve the situation for tenants renting properties in this sector. Licensing plays a key role in this effort.

The Renters' Rights Act 2025 will give private renters more security and stability. However, it does not replace private sector licensing but aims to work in harmony with it to improve the experience of those within the sector. Though the Act will give the council greater enforcement and investigatory powers, it does not put in place the proactive approach to housing standards that licensing enables. Therefore, without licensing, the council would still be reliant on tenants reporting issues.

The council has made significant progress in raising standards in the PRS through the administration and enforcement of the current mandatory HMO licensing scheme. This scheme has provided a regulatory framework requiring landlords to proactively manage and maintain their HMO properties by meeting conditions attached to their licences. Since the mandatory HMO scheme came into force in 2006 this has led to improvements in private rented homes through a combination of informal collaboration with landlords and agents, and formal enforcement action where needed.

Despite these improvements, private renting continues to be a necessity rather than a choice for many tenants due to factors such as lack of rent controls and security of tenure. While the council has improved a large number of privately rented homes, the worst housing conditions are still likely to be experienced by tenants who rent privately, and communities are more likely to be adversely impacted by issues arising from poorly managed privately rented properties.

In order to build on the achievements of the current scheme, the council is proposing, subject to consultation, to implement new property licensing schemes which would include:

- additional HMO licensing– this would apply to all HMOs within six wards except those that require a mandatory HMO licence.
- selective licensing - for all privately rented homes (excluding HMOs) within seven wards to address the prevalence of poor housing conditions.

These schemes would be implemented concurrently and subject to approval by the council's cabinet, could be implemented in November 2026.

Whether you are a tenant, landlord, managing or letting agent, business, service provider, local authority, voluntary organisation, local resident or another key stakeholder in Medway or a surrounding area, this is your chance to have your say on private rented property licensing in Medway.

2. Introduction

This consultation document provides information about the scale of problems relating to poor housing conditions and poor property management in Medway's PRS and the evidence to support the council's proposals to introduce new licensing schemes. It also provides a detailed description of the proposed licensing schemes, licence conditions, fees and scheme objectives.

We want to know your views on our proposals before any final decision is made about the future of property licensing in Medway. We are keen to hear from all those who are likely to be affected by the proposals, including local tenants, landlords, managing agents and members of the community who live, operate businesses or provide services in the proposed designated areas and/or the surrounding areas.

We would encourage you to complete our online survey by visiting:

[Private Rented Sector Licensing Consultation](https://www.medway.gov.uk/PropertyLicensing)
(<https://www.medway.gov.uk/PropertyLicensing>)

We shall also be holding a number of forums during the consultation period. If you are interested in sharing your experiences and views, please email

prsconsultation@medway.gov.uk

The consultation will run for 10 weeks from 23 March to 31 May 2026.

For further information about the proposed new licensing schemes, assistance with completing the questionnaire or to request a paper copy of the consultation please contact:

- email: prsconsultation@medway.gov.uk
- telephone number: 01634 331200
- post: Medway Council, Gun Wharf, Dock Road, Chatham, Kent ME4 4TR

Once the consultation has closed the council will review the replies. A full consultation report, including the council's response to any alternatives suggested, will be published on the property licensing pages of the website.

3. The private rented sector in Medway

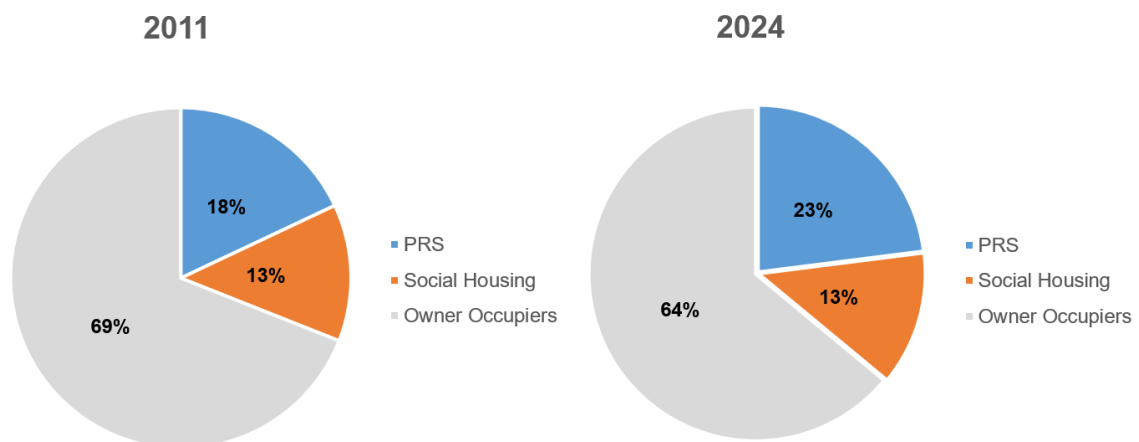
In order to obtain a greater understanding of the PRS in Medway, the council worked with internal and external agencies to review multiple intelligence sources relating to the housing stock in the local authority, undertaking analysis to provide estimates of:

- current levels and breakdown of PRS properties and tenure change over time
- levels of serious hazards that might amount to a category 1 hazard (HHSRS)
- other housing related stressors, including ASB, service demand, population and deprivation linked to the PRS.

The full results are presented within the Housing Stock Conditions Report (HSCR), which is attached as **Appendix 1** however, some key findings from the report are detailed below.

3.1. Housing tenure

Consistent with the long term nationwide and regional trend, the PRS in Medway has grown steadily from 18% in 2011 to 23.2% in 2024. This represents a 29% increase over those years. There are a total of 126,091 residential dwellings in Medway, 29,204 of which are privately rented.

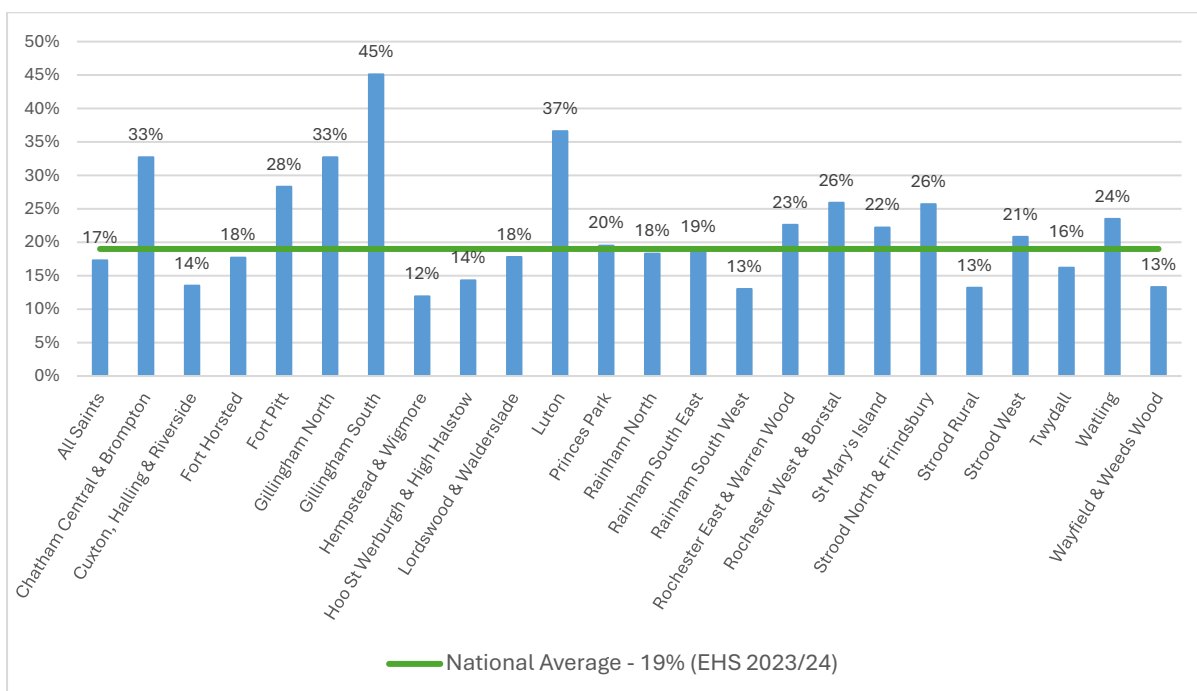


Housing Tenure in Medway 2011 & 2024 (Sources: ONS & Metastreet HSCR).

Tenure	2011 (Census) (Households)	2021 (Census) (Households)	2024 (HSCR) (Dwellings)
PRS	19,246	22,559	29,204
Social housing	13,996	15,130	15,791
Owner occupiers	72,967	73,768	81,096
Total	106,209	111,457	126,091

Number of households/dwellings by tenure 2011, 2021 & 2024

The PRS in Medway is distributed across all 24 wards. The number of PRS properties per ward ranges from 3693 (Gillingham South) to 362 (Fort Horsted). The percentage of PRS properties in each ward ranges between a maximum of 45% (Gillingham South) and a minimum of 12% (Hempstead & Wigmore). Therefore, 13 out of 24 Medway wards have a percentage PRS that is equal to or higher than the national average in 2024 (19%). The average rate of PRS across all wards is 22%.



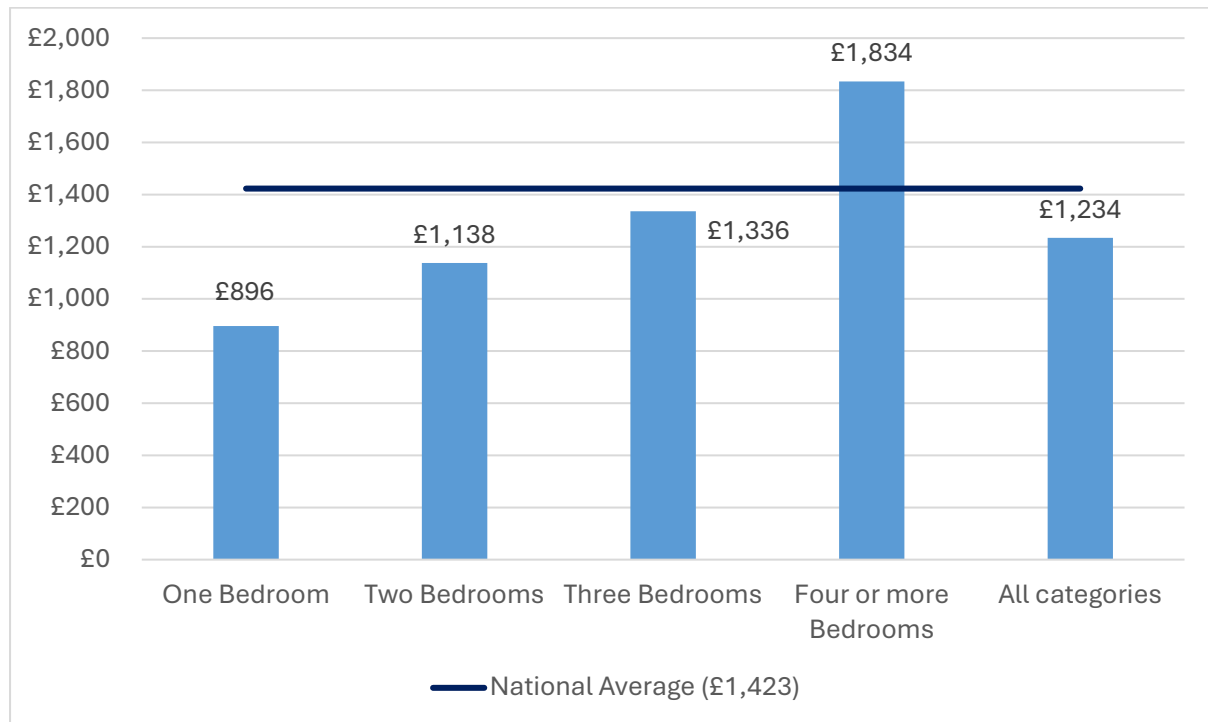
Percentage of PRS dwellings by ward (HSCR)

3.2. Rent and affordability

One of the major changes to the PRS across London and the South East over the last 20 years has been in the increase in rent. This has resulted in residents not being able to afford and access decent, affordable housing.

The average monthly private rent in Medway reached £1,234 in January 2026, compared with £1,423 across England. Although rents in Medway are lower than the national average, they are rising at a much faster pace. The rate of rent inflation in

Medway for 2025-26 was 6%, compared with a much lower rate of 3.5% across England.¹



Average monthly private rents (£) in the 12 months to January 2026 (Source: ONS 2026). Horizontal black line shows national average for all categories (£1,423)

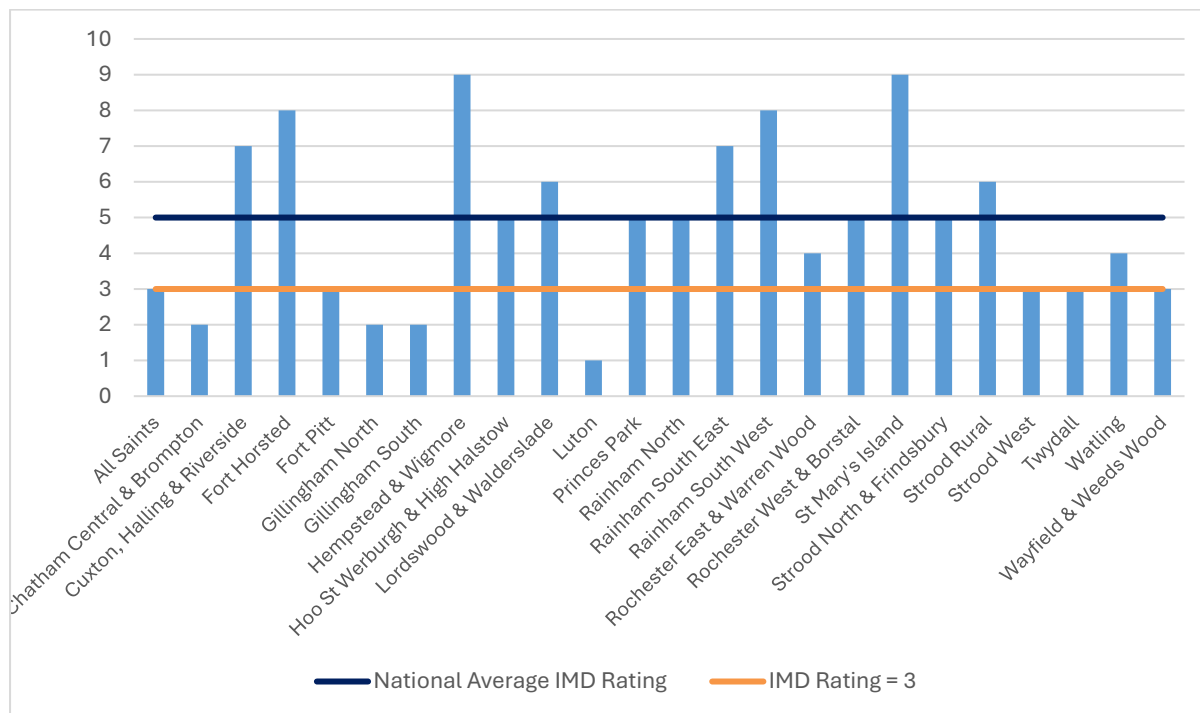
3.3. Deprivation

The indices of multiple deprivation (IMD) is a measure of relative deprivation for small areas (Lower Super Output Areas [LSOAs]), based on seven domains of deprivation:

- income
- employment
- education
- health
- crime
- living environment
- barriers to housing and services.

¹ [Private rent and house prices, UK: England, February 2026 \(ONS\)](https://www.ons.gov.uk/economy/inflationandpriceindices/bulletins/privaterentandhousepricesuk/february2026#private-rents-by-english-region)
(<https://www.ons.gov.uk/economy/inflationandpriceindices/bulletins/privaterentandhousepricesuk/february2026#private-rents-by-english-region>)

Medway ranks as the 91st most deprived local authority in England out of 296,² with a mixture of high and low deprivation wards. 11 of Medway's 24 wards have aggregated IMD rankings below the national average of 5. On this scale, 1 represents the most deprived and 10 represents the least deprived. 9 of Medway's wards are amongst the 30% most deprived in the country.



Average IMD decile by ward (ONS 2025)

3.4. Fuel poverty

Fuel poverty in England is measured using the Low-Income Low Energy Efficiency (LILEE) indicator. Under this indicator, a household is considered to be fuel poor if they are living in a property with a fuel poverty energy efficiency rating of band D or below and when they spend the required amount to heat their home, their disposable income is below the official poverty line.

In general, fuel poverty relates to households that must spend a high proportion of their household income to keep their home at a reasonable temperature.

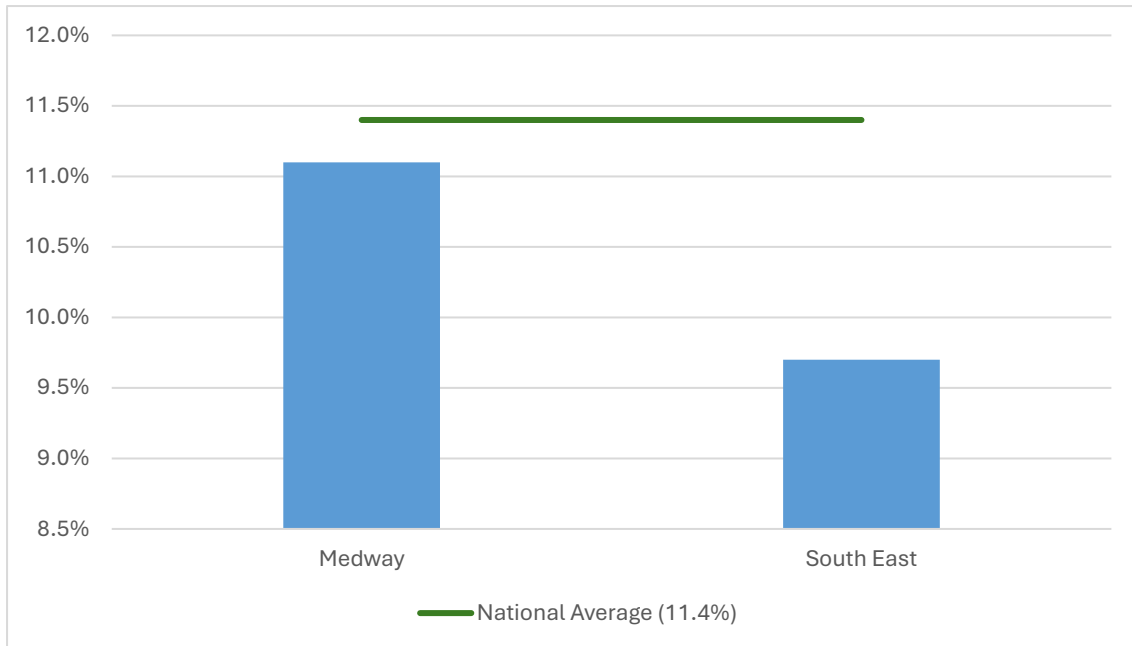
Fuel poverty is affected by three key factors:

- a household's income
- fuel costs

² [English Indices of Deprivation 2025 \(ONS\)](https://www.gov.uk/government/statistics/english-indices-of-deprivation-2025) (https://www.gov.uk/government/statistics/english-indices-of-deprivation-2025)

- energy consumption (which in turn is affected by the energy efficiency of the property).

The most recent fuel poverty score produced by the Department for Energy Security & Net Zero using 2023 data and published in 2025 shows that currently Medway has a higher proportion of households in fuel poverty (11.1%) when compared to the South East (9.7%) but has a slightly lower proportion when compared to the national average (11.4%).³ Over the coming years these figures are likely to change significantly because of acute fuel price increases during much of 2023/24.



Proportion of households in fuel poverty (%) by selected comparable areas (DESNZ 2025). Horizontal line shows the average across England (11.4%).

3.5. Housing conditions

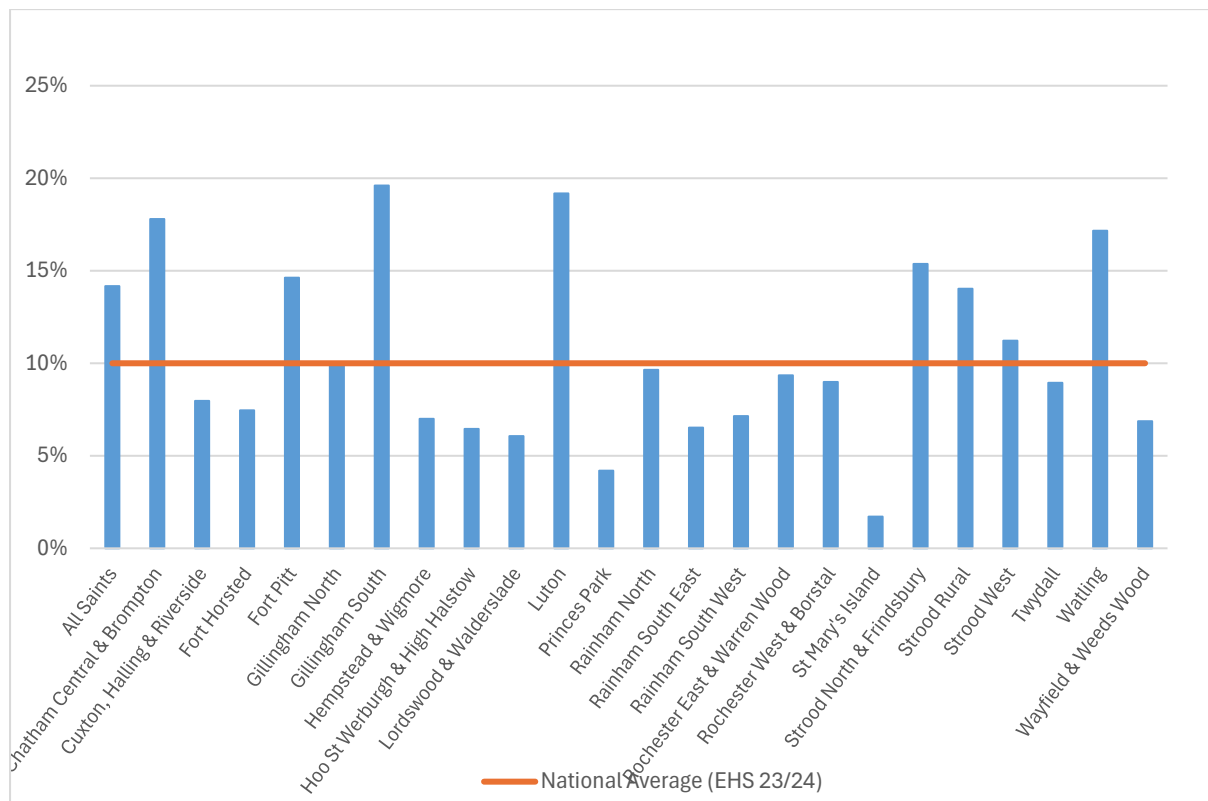
The recent review of Medway’s housing stock has provided insights about the presence and distribution of a range of housing factors in Medway.⁴ This was developed independently by Metastreet Ltd who implemented a stock-modelling approach based on metadata and machine learning to provide insights about the prevalence and distribution of a range of housing factors. This approach has been used by several councils to understand their housing stock and relationships with key social, environmental, and economic stressors.

³ [Annual fuel poverty statistics report, Department for Energy Security and Net Zero, 2025](https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fassets.publishing.service.gov.uk%2Fmedia%2F680f90d511d566056bcae988%2FSub-regional_fuel_poverty_statistics_2023.xlsx&wdOrigin=BROWSELINK) (https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fassets.publishing.service.gov.uk%2Fmedia%2F680f90d511d566056bcae988%2FSub-regional_fuel_poverty_statistics_2023.xlsx&wdOrigin=BROWSELINK)

⁴ Housing Stock Conditions Report, Metastreet, 2024

The main finding was that poor property conditions are likely to be widespread in the PRS. Under the HHSRS, Category 1 hazards are the most serious housing hazards and may result in the immediate risk to a person's health and safety. A significant Category 2 hazard, although less serious or less urgent, can still be regarded as placing the occupiers' health, safety and welfare at risk.

Our evidence shows that serious hazards (Category 1 and high scoring Category 2) in Medway's PRS are likely to be distributed across Medway with 3,619 private rented properties (including HMOs) predicted to have at least one serious hazard. Ten wards have predicted rates of serious hazards equal to or higher than the national average (10%).⁵



Predicted percentage of PRS properties with at least one serious hazard (HSCR)

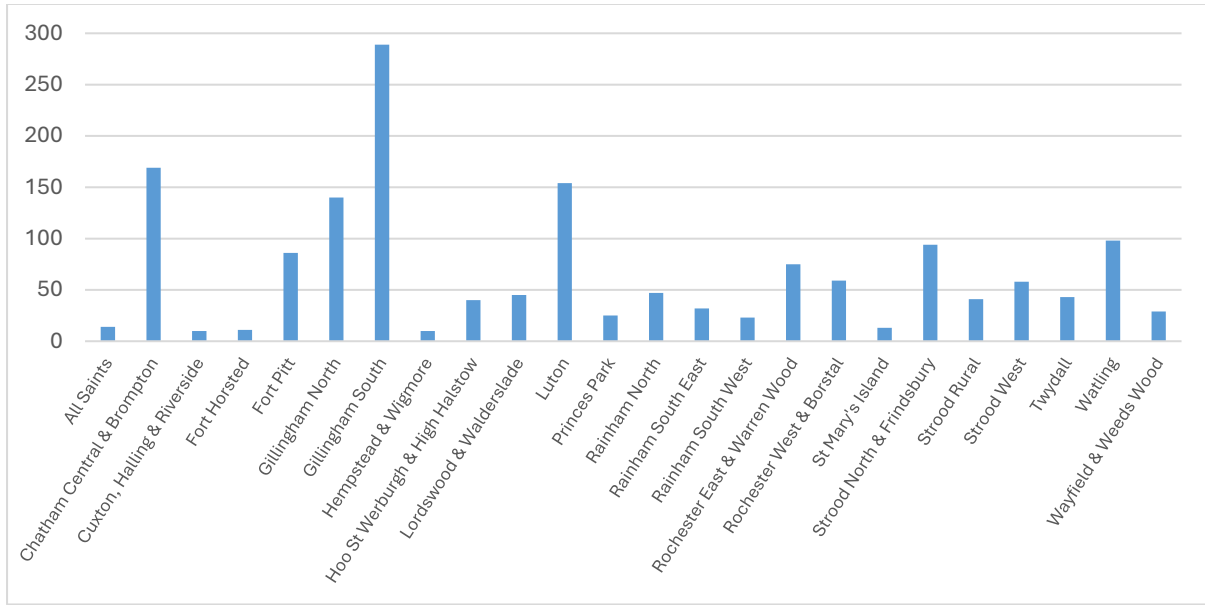
3.6. Anti-social behaviour

ASB incidents (noise and waste) linked to PRS properties include domestic noise (music, alarms and parties) and waste (e.g. accumulation of household waste in

⁵ [English Housing Survey 2023 to 2024: headline findings on demographics and household resilience. - GOV.UK](https://www.gov.uk/government/collections/english-housing-survey-2023-to-2024-headline-findings-on-demographics-and-household-resilience) (https://www.gov.uk/government/collections/english-housing-survey-2023-to-2024-headline-findings-on-demographics-and-household-resilience)

gardens, pavements or communal areas, fly-tipping by tenants or failure to dispose of bins properly).

The council recorded a total of 1,605 ASB incidents linked to PRS properties in Medway over a five-year period. Gillingham South (289) and Chatham Central & Brompton (289) had the highest levels of PRS ASB incidents.



Number of ASB incidents linked to PRS properties by ward (HSCR)

4. Types of property licensing schemes

4.1. What is property licensing?

Where the relevant legal test is met, property licensing allows the council to regulate private rented properties in their area by issuing a licence to the person responsible for the property, usually the landlord. The aim of such schemes is to improve the private rented market by ensuring that the licence holder is a 'fit and proper' person to hold the licence, and that the property is of a decent standard for a landlord to rent out.

Licences come with conditions that relate to the management, use, occupation, conditions and contents of the property. Some of these conditions are mandated by government, however the council has scope to add its own conditions that are tailored to dealing with specific problems in the designation relating to the PRS.

The Housing Act 2004 sets out three types of property licensing schemes and prescribes how the council can implement them.

4.2. Mandatory HMO licensing

The Housing Act 2004 introduced mandatory licensing for certain privately rented houses in multiple occupation (HMOs) and came into force in 2006. Generally, these are larger HMO properties occupied by five or more persons living in two or more households, and where those persons share facilities, such as kitchens/bathrooms/WCs. All local authorities in England must operate a mandatory HMO licensing scheme.

For the purpose of this consultation, mandatory HMO licensing is not being considered.

4.3. Additional HMO licensing (discretionary)

The Housing Act 2004 allows local authorities to designate areas as being subject to an additional licensing scheme, in relation to some or all of the houses in multiple occupation (HMO) in that area, which are not already subject to mandatory HMO licensing, for a period of up to five years. Generally, these are smaller HMO properties occupied by three or four persons living in two or more households, and where those persons share facilities, such as kitchens/bathrooms/WCs.

Additional licensing can also include properties converted into flats known as Section 257 HMOs. These are buildings which have been converted and consist entirely of self-contained flats where less than two thirds of the flats are owner-occupied, and the conversion into flats did not comply with the appropriate building regulations.

In order to make an additional licensing scheme, the local authority must consider that a significant proportion of the HMOs in the area are being managed ineffectively, so as to give rise to one or more particular problems, either for those occupying the HMOs or for the public. A proposed additional licensing scheme forms part of this consultation and the council welcomes feedback regarding the proposals.

4.4. Selective licensing (discretionary)

A selective licensing scheme for all other privately rented properties and not just HMOs can be implemented in selected or 'designated' areas for a period of up to five years. This includes, but is not necessarily limited to, properties rented to either an individual, a single family or two unrelated sharers.

A selective licensing designation can only be made if the designated area has a high proportion of properties in the PRS and is experiencing one or more of the following criteria:

- low housing demand (or is likely to become such an area)
- a significant and persistent problem caused by ASB
- poor housing conditions
- high levels of migration
- high levels of deprivation
- high levels of crime.

A proposed selective licensing scheme forms part of this consultation and the council welcomes feedback regarding the proposals

5. What are the benefits of property licensing schemes?

Property licensing schemes offer benefits to landlords, tenants, the wider community and the council. These include the following:

Benefits to tenants

- Through conditions that accompany any granted licence, licence holders are required to proactively manage and maintain their rented homes.
- Licensing improves the standard of private rented properties. This makes properties safer for tenants who occupy them.
- Licensing allows a local authority to adopt a much more proactive approach to tackling poor housing conditions and raising standards in private rented housing.
- Licensing encourages good practices – if a landlord is not able to demonstrate that they comply with fire, gas and electrical safety conditions, a licence will not be granted.
- Many people who are vulnerable, disabled and living on low incomes rely on private renting. Licensing helps the council to protect as many tenants living in private renting as possible.
- Through increased communication about licensing, tenants not only become more aware of their rights and responsibilities but also gain an improved understanding and greater access to council services that can support them.

Benefits to landlords

- Licensing encourages landlords to proactively manage their properties and to take reasonable action to address problems.
- The council will work with landlords to help support them and build their professionalism.
- Licensing enables the council to create a 'level playing field' for responsible landlords by taking a much more robust approach to the minority of 'rogue' landlords who fail to invest in their properties.
- Providing transparent and consistent regulation within the PRS market to ensure rogue or non-compliant landlords cannot undercut responsible ones.
- Professional management practices foster improved relationships with tenants enabling the swift resolution of any issues.

Benefits to the community

- Poorly managed privately rented properties have a negative impact on many neighbourhoods. Licensing will increase the number of landlords managing their properties effectively, including the enforcement of tenancy conditions to combat

neighbourhood nuisance caused by their tenants or people visiting their properties.

- Reducing ASB will make areas safer, more desirable and healthier places to live.
- There is a connection between HMOs and poor waste management. All property licences contain a condition that the holder must provide adequately sized bins and sufficient recycling containers for the occupiers.
- When an HMO is overcrowded, this is often linked to an increase in noise complaints. Through licensing the council is able to limit the number of occupants in a property, reducing overcrowding and the likelihood of noise nuisance.
- Licensing strengthens the council's ability to identify empty properties and encourage their return to the housing market.

Benefits to the Council

- Licensing enables the council to target support and information for both tenants and landlords more effectively.
- Licensing provides opportunity for improved engagement with landlords, managing agents, letting agents, and other stakeholders involved in the private rented sector
- Licensing leads to enhanced data quality, enabling a more intelligence-led approach to enforcement
- Licensing increases the council's ability to uncover previously unknown HMOs, some of which will fall under mandatory licensing.

6. Planning legislation in relation to HMOs

Certain properties require planning permission to be converted into an HMO. Planning permission defines HMOs as “use classes”. You can perform certain types of work without needing to apply for planning permission. These are called “permitted development rights”.

A local planning authority can issue an ‘Article 4 Direction’. This removes the permitted development rights which allow a change of use from a dwelling house (Class C3) to use as an HMO (Class C4). In January 2026, Medway Council introduced an Article 4 Direction aimed at controlling the spread of HMOs across the following seven wards:

- Chatham Central and Brompton
- Fort Pitt
- Gillingham North
- Gillingham South
- Luton
- Strood North and Frindsbury
- Watling.

The Article 4 Direction means that a house or flat cannot be lawfully converted into an HMO without first going through the formal planning process and obtaining planning permission.

The introduction of an Article 4 Direction does not mean that all planning applications for a change of use from a dwelling house to a Use Class C4 HMO will be refused. The Direction requires the submission of a planning application for consideration by the local planning authority. Each application will be determined on its own merits but allows the council to consider the impact of any HMO on the neighbourhood before deciding whether to grant permission. For example, the impact of increased noise and rubbish, the loss of parking spaces, and the loss of family-sized homes.

If I am granted an additional HMO licence, do I still need to obtain planning permission?

You should have the appropriate planning permission and building control approval before you convert the property into an HMO.

The granting of an HMO licence does not mean the property has the appropriate planning and building permission for this use. It will not have any bearing on the matter should planning or building control consider it necessary to pursue any formal action. The onus is on the applicant to fully consider and address all relevant planning and building control permissions.

Further information about Medway's Article 4 Direction, can be found on the [Council Website](https://www.medway.gov.uk/info/200147/applying_for_planning_permission/553/article_4_directions) (https://www.medway.gov.uk/info/200147/applying_for_planning_permission/553/article_4_directions).

7. Property licensing schemes in Medway

7.1. Mandatory HMO Licensing

Under Part 2 of the Housing Act 2004, HMOs falling within a prescribed, statutory description must be licensed in order that they can be legally let. Most HMOs occupied by five or more persons forming two or more households, who share amenities such as kitchens or bathrooms, fall within the scope of mandatory HMO licensing. This is a national scheme which all local authorities across England must enforce.

7.2. The impact of current licensing scheme

Since 2006, Medway Council has operated a mandatory HMO licensing scheme, under which a total of 369 properties have been licensed over the last 5 and a half years (including 2025-26 data). This scheme has enabled the council to proactively address problems within such properties in Medway, creating a deterrent for the minority of rogue HMO landlords to the benefit of their tenants and the wider community.

The five-person threshold associated with the mandatory scheme does, however, create market responses; in particular, some landlords opt to reduce occupancy levels below the threshold of five people to avoid HMO licensing and the increased scrutiny associated with the mandatory licensing scheme.

HMOs across the country are known to contain higher elements of risk, linked to key elements such as inadequate fire detection and protection. Fire risks are found to increase with occupancy, multiple ignition sources, vulnerable occupants, construction, and lack of fire prevention measures. HMO licensing helps to ensure that properties are not overcrowded and are free of serious hazards, including fire safety risks.

Through the mandatory licensing scheme, the council has been able to improve basic standards, often in the most dangerous housing at the bottom end of the housing market, where some of the most vulnerable people in society live. All licences have conditions attached which must be complied with, allowing the council to regulate licensable HMOs, improve housing conditions, and foster better management standards.

In particular, we have been able to impose a level of 'self-regulation' within licensable HMOs, as landlords will not be granted a licence unless they are able to demonstrate at the time of application that they are a 'fit and proper' person to be the licence holder and also that the property complies with fire, gas, and electrical safety conditions. This currently only applies to HMOs that are licensable under the mandatory scheme. The introduction of the proposed selective and additional HMO licensing schemes will extend this 'self-regulation' to the whole PRS in the designated wards, to the benefit of PRS tenants and the wider community.

Since 2020, Medway's Private Sector Housing Team has conducted over 600 HMO property inspections under the mandatory licensing scheme and issued 30 civil penalties to address HMO housing offences. The council has also used a range of other enforcement actions, including statutory housing and public health notices, to address issues across licensed and unlicensed HMOs. These measures have resulted in much-needed improvements to HMO housing standards across Medway. The introduction of the proposed selective and additional HMO licensing schemes will enable similar regulation and enforcement to be applied to all PRS properties within the designated wards, helping the council proactively address poor housing conditions across the whole PRS.

7.3. Reduction in ASB

Poorly managed privately rented properties have a negative impact on many neighbourhoods. In particular, high levels of noise complaints and accumulations of rubbish can be linked to the failure of private landlords to manage their properties and tenancies effectively.

Poor waste management and fly tipping are linked to the PRS, particularly within HMOs. All HMO licences contain a condition that the licence holder must provide adequately sized bins and sufficient recycling containers for the occupiers. They must also display a notice for the occupiers of the property indicating the day of the week rubbish and recycling is collected. Through partnership working and sharing of intelligence, we continue to educate both landlords and tenants on their responsibilities in terms of waste disposal.

When a property is overcrowded, this is often linked to an increase in noise complaints. Through licensing, we have been able to limit the number of occupants in a property, reducing overcrowding and the likelihood of noise nuisance.

We have seen, through licensing, a notable increase in landlords managing their properties more effectively in order to ensure they do not breach licence conditions. This includes the enforcement of tenancy rules to prevent ASB by tenants or their visitors.

7.4. Working with and supporting good landlords and agents

We recognise that the majority of landlords in Medway are both responsible and cooperative. We have taken a more educational approach seeking to work with landlords and bring about compliance through informal means.

We have particularly encouraged landlords to become accredited to increase their professionalism in managing their properties. Through accreditation, landlords are able to achieve a level of knowledge and competence before letting a home, which is key to raising standards in the PRS. As of the end of 2025, Medway had 1,188 landlords accredited to the Kent Landlords Accreditation Scheme (KLAS).

Detailed guidance for landlords on their legal obligations and responsibilities has been produced and made available online: [Information for Private Landlords](https://www.medway.gov.uk/info/200153/private_housing/96/information_for_private_landlords/4) (https://www.medway.gov.uk/info/200153/private_housing/96/information_for_private_landlords/4).

7.5. Supporting PRS tenants

In promoting tenants' rights and responsibilities, tenants' awareness of the minimum standards to be expected in rented accommodation can dramatically be increased. Since the introduction of the mandatory HMO licensing scheme, tenants have been encouraged to report landlords who have not licensed their HMO properties or who do not comply with licensing conditions. All PRS tenants are encouraged to report disrepair in their privately rented accommodation. Over a five-year period (2018-2023), the council received 3,045 complaints and service requests from tenants in the PRS, resulting in significant interventions and property improvements.⁶

It is clear from running the mandatory HMO licensing scheme that licensing allows the council to work proactively with landlords and tenants. Licensing provides clear conditions for landlords to comply with, promotes an improvement in property conditions, and enables ASB to be minimalised through better, more effective management. Licence conditions can be enforced much more effectively and efficiently than using other powers available to the council, such as Part 1 of the Housing Act (2004). Formal action under Part 1 is generally a slow process, with appeals allowed for most types of notices, which can significantly delay the time period for compliance. Whilst the mandatory HMO licence scheme has enabled the council to begin to make some progress in raising standards in the PRS, the introduction of selective licensing and additional HMO licensing schemes will enable the council to deliver greater impact in supporting tenants across the whole PRS.

⁶ Housing Stock and Stressors Report, Metastreet 2024

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Case study 1: Collapsed ceiling and severe water damage

Background

The Private Sector Housing Team received a complaint from a tenant reporting significant disrepair in their privately rented accommodation. The tenant stated that part of the ceiling had collapsed, and despite notifying the landlord, no remedial action had been taken to resolve the damage.



Hazards identified.

A Private Sector Housing Officer inspected the property and Category 1 and Category 2 hazards were identified under the Housing Health and Safety Rating System (HHSRS). A large section of the bedroom ceiling had collapsed, exposing insulation and dangerous structural materials. Debris was scattered across the bed and floor, and there was evidence of severe, ongoing water damage within the property.



Licensing status

The property was not an HMO and therefore did not meet the criteria for inclusion in the current mandatory licensing scheme. As a result, the property was not licensable under current regulations.

Council action

The council served an Improvement Notice under Sections 11 and 12 of the Housing Act 2004. This notice required the landlord to carry out specified works to rectify the poor condition of the property, assess structural movement, and investigate age-related deterioration. Further enforcement action can only be taken against the landlord if the notice is not complied with.

As the property was not licensable, there is nothing in law preventing the landlord from continuing to manage such properties in this way, and profiting from the rental income.

The proposed selective licensing scheme would bring this type of property within licensing controls (in the designated area), enabling the council to take a proactive approach in tackling and preventing poor housing standards in the PRS

7.6. Working in partnership to improve the PRS

The current mandatory HMO licensing scheme has been a key tool used alongside other initiatives to tackle issues affecting the PRS. The council has engaged in several joint working initiatives with partners including the Kent Fire and Rescue Service, Kent Police, and Kent Housing Group. The Private Sector Housing Service has undertaken joint operational visits in collaboration with these partners, harnessing their specialist knowledge and enabling a co-ordinated assessment and response to fire safety risks, criminal activity, safeguarding issues, anti-social behaviour, and other property-related risks. Case Study 2 highlights the value of multi-agency partnerships in addressing issues affecting the PRS.

Medway's Private Sector Housing Service has also undertaken joint training sessions with Kent Fire and Rescue service and Kent Housing Group, supporting best-practice development and improving the quality and consistency of multi-agency responses. In addition to these partnerships, the Private Sector Housing Service engages in a variety of community events aimed at supporting private sector residents and landlords, including:

- **Luton Coffee Mornings:** The Private Sector Housing Service attended coffee morning events alongside multi-agency partners to offer informal drop-in sessions for residents seeking advice.

- **World Homeless Day:** The Private Sector Housing Service delivered a series of presentations to landlords and professionals across Housing, Health, and Adult Social Care, providing an overview of property condition standards, HMO licensing requirements, and the support available to both landlords and tenants.
- **Quarterly Landlord Forums:** The Private Sector Housing Service actively supports these forums, which bring together a range of partners to share information and updates regarding legislation, best practice, and emerging housing issues in Medway.

We will continue to work with partners, stakeholders, and the wider community to ensure the safety and wellbeing of tenants, improve housing standards, and address any emerging challenges within the PRS.

Case study 2: Partnering to tackle overcrowded HMO with severe hazards

Background

The Private Sector Housing Team received a complaint from a neighbour about noise and overcrowding in an unlicensed HMO. The neighbour reported that there were up to 15 people living in the 7-bedroom property and its rear outbuildings. The licensing status of the property was checked and it was found to be unlicensed.



Partnership inspection - hazards identified

A warrant of entry was obtained under Section 40 of The Housing Act 2004. The warrant was executed as part of a coordinated multi-agency inspection including the Police, the Council Planning Team, Building Control, and Kent Fire and Rescue Service. On inspection the property was found to be occupied by at least 11 people, several of whom were living in the conservatory and outbuilding. The inspection identified severe hazards including damp and mould, fire safety risks, electrical issues, and inadequate insulation, posing significant risk to the health and safety of the occupiers.



Licensing status

Although found to be operating as an HMO no licence was in force.

Council action

In response to the serious risks identified, the council served Prohibition Orders on the main dwelling and the associated outbuildings, restricting their use until the hazards are adequately remedied and the accommodation is brought up to acceptable standards. The council is also pursuing formal enforcement action in relation to the failure to license the property and breaches of HMO management regulations, with the aim of securing compliance and preventing further harm to occupiers.

The proposed additional licensing scheme will enable the council to hold all HMOs to the same standards (in the designated area), enabling a more proactive and consistent approach to addressing poor housing conditions in HMOs.

8. Proposal for selective licensing

The PRS in Medway is affected by various housing issues including poor housing conditions, which are worsened by other issues such as ASB, fuel poverty, deprivation, overcrowding, homelessness and the age profile and low energy efficiency of the housing stock.

The council has been truly selective in proposing the areas for this licensing scheme. Thorough evidence gathering and research has been carefully carried out to ensure that the most severe problems in each ward can be dealt with. All properties in the designated areas that are rented to a single household (e.g., a family) or two unrelated sharers (e.g., two friends living together) would need to have a licence to be legally let.

Based on this evidence, it is proposed, subject to consultation, that the council introduces a selective licensing scheme covering 7 out of 24 wards in which there is a high percentage of PRS and high levels of poor housing conditions. These wards

are experiencing high levels of serious hazards (Category 1 and high scoring Category 2 hazards) above the national average, as well as representing a geographically coherent area within the borough. The proposed wards are outlined below:

- Chatham Central & Brompton
- Fort Pitt
- Gillingham North
- Gillingham South
- Luton
- Strood North & Frindsbury
- Watling.

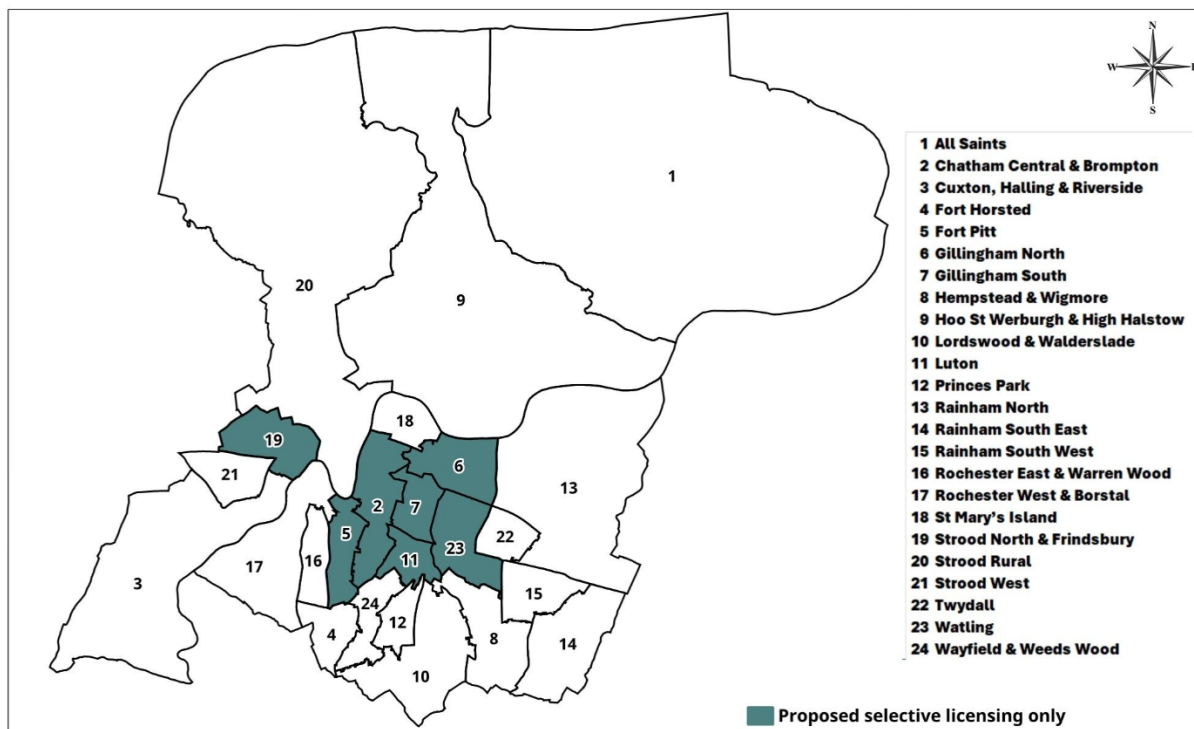
The total size of the selective licensing designation would affect 52% of its privately rented housing (excluding known HMOs). Until late 2024, a selective licensing designation of this size would have required the council to seek approval from the Ministry of Housing, Communities and Local Government (MHCLG); councils may now approve the introduction of selective licensing schemes of any size, locally through the council cabinet, though they still must satisfy all legal requirements in regards to evidencing the need for a scheme, thoroughness of public consultation and proof that, if introduced, a scheme is being properly administered.

Subject to consideration of the responses in the consultation process, the council is keen to address the serious problems of poor housing conditions in these seven wards as soon as reasonably practicable and could implement this scheme in November 2026 which would run for five years.

The designation may change in response to consultation findings, and the council invites contributions to help shape the final scheme.

8.1. Map of the proposed selective licensing designation

Map of the proposed selective licensing scheme:



8.2. Designation criteria: poor housing conditions

8.2.1. What is the evidence of poor housing conditions in this designation?

Our evidence shows that in the seven wards within this designation, the proportion of PRS properties (excluding HMOs) with at least one serious hazard (Category 1 and high scoring Category 2, HHSRS) is predicted to be higher than or equal to the national average of 10%,⁷ ranging from Gillingham North with a 10% predicted hazard rate to Gillingham South with 20%.

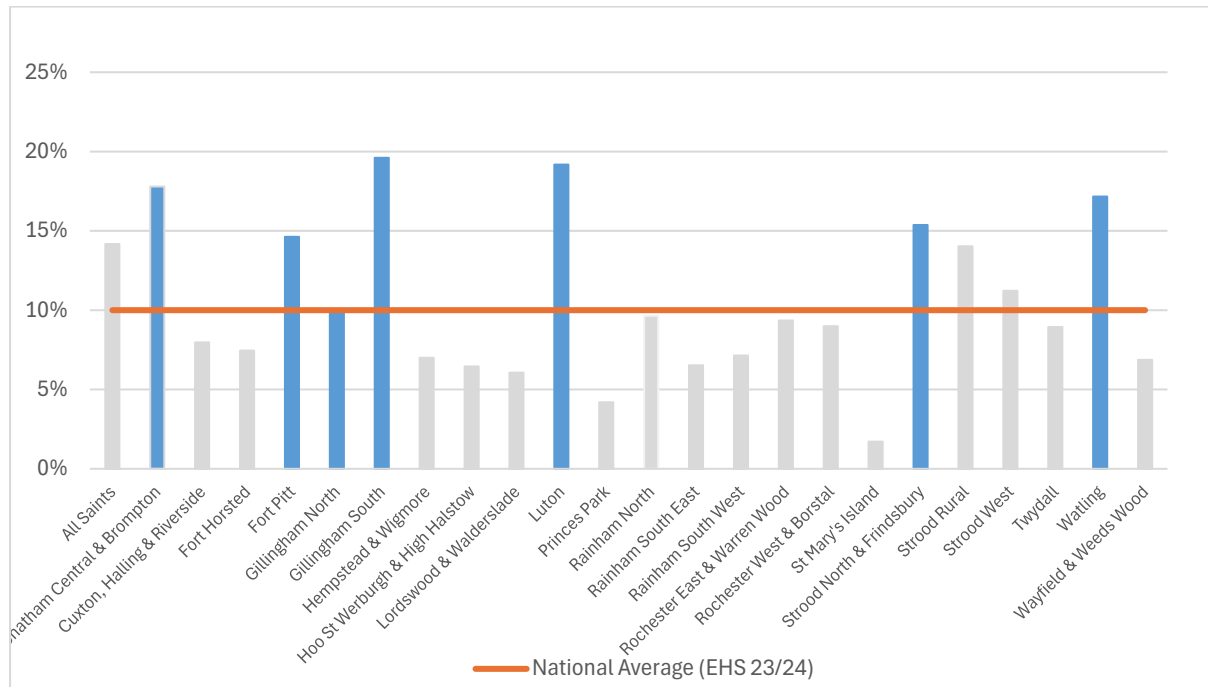
The predicted hazard rates in the seven designated wards are as follows:

- Chatham Central & Brompton (18%)
- Fort Pitt (15%)
- Gillingham North (10%)
- Gillingham South (20%)
- Luton (19%)
- Strood North & Frindsbury (15%)
- Watling (17%)

⁷ [English Housing Survey 2023 to 2024: headline findings on demographics and household resilience. - GOV.UK](https://www.gov.uk/government/collections/english-housing-survey-2023-to-2024-headline-findings-on-demographics-and-household-resilience) (https://www.gov.uk/government/collections/english-housing-survey-2023-to-2024-headline-findings-on-demographics-and-household-resilience)

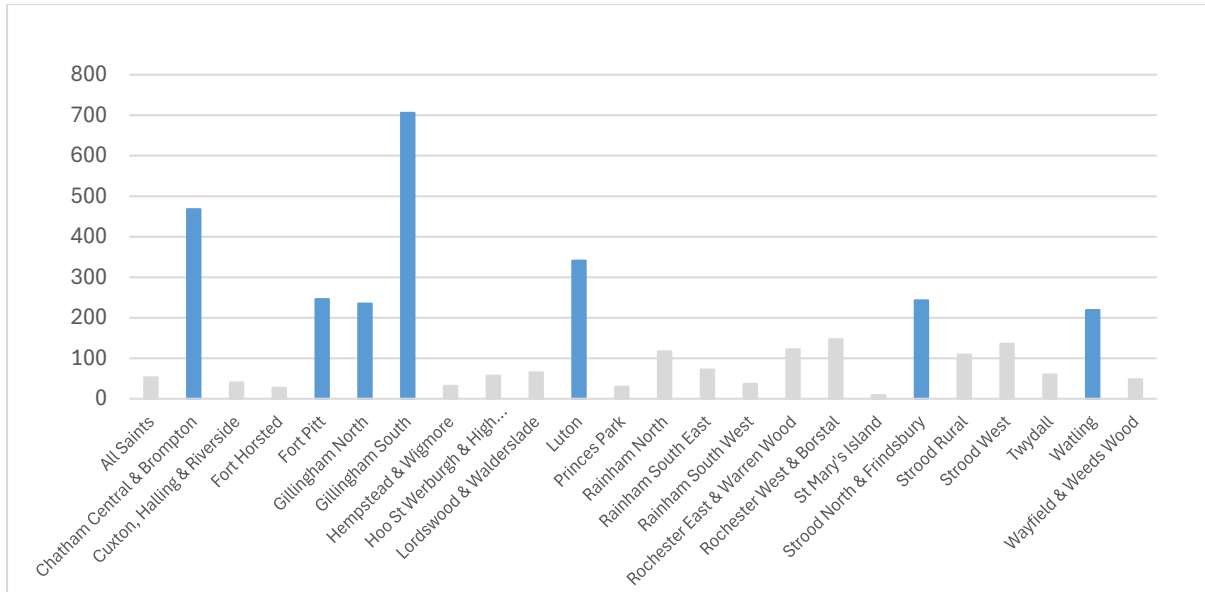
Overall, in these seven wards, 2,458 PRS properties (excluding known HMOs) are predicted to have at least one serious hazard.⁸

It is also highly likely that these properties will also have at least one Category 2 hazard. A significant number of these properties would need to be inspected to accurately identify and assess the presence of serious hazards and ensure tenant safety.



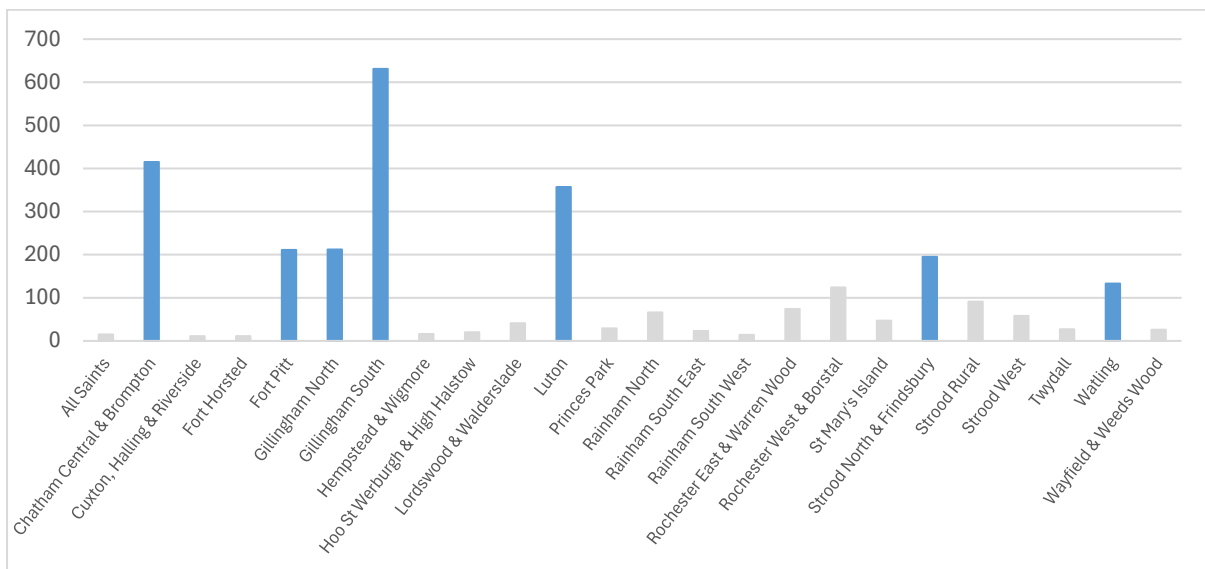
Predicted percentage of PRS properties (excluding known HMOs) with at least one serious hazard by ward (HSCR)

⁸ Housing Stock Conditions Report, Metastreet, 2024



Predicted number of PRS properties (excluding known HMOs) with at least one serious hazard by ward (HSCR)

Complaints made by PRS tenants and others to the council about poor housing conditions and inadequate property management are a direct indicator of the poor quality within the PRS. Medway received 2,154 complaints from PRS tenants (excluding known HMOs) in these seven wards over a five-year period (2018-2023). Gillingham South (631) and Chatham Central & Brompton (415) had the highest levels of complaints.



Complaints linked to PRS properties (excluding Known HMOs) by ward (HSCR)

8.3. Other factors impacting poor housing conditions

8.3.1. Damp and mould

Damp and mould is one of 29 hazards assessed under the HHSRS. The HHSRS is a risk-based analytical tool that enables local authorities to assess and rate potential hazards in residential properties based on the likelihood of harm and the severity of its possible outcomes. Hazards assessed at the most dangerous level using issued government guidance are classified as 'Category 1'. All other assessable hazards that are judged to be significantly worse than average are 'Category 2' hazards. Local authorities have a duty under the Act to take enforcement action on category 1 hazards and a power to take enforcement action on Category 2 hazards.

Damp and mould primarily affect the airways and lungs, but they can also affect the eyes and skin. The respiratory effects of damp and mould can cause serious illness and, in the most severe cases, death. The presence of damp and mould can also affect tenants' mental health. This could be due to worries about the health impacts of damp and mould, unpleasant living conditions and destruction of property and belongings, among other concerns.

Everyone is vulnerable to the health impacts of damp and mould, but people with certain health conditions, children under the age of 14 and older adults are at greater risk of more severe health impacts. In 2022, the media reported widely on poor conditions caused by damp and mould in social and private rented housing. This was primarily prompted by highlighting the tragic case of two-year-old Awaab Ishak who died in 2020 due to prolonged exposure to mould in his social housing property.

National data provides that some groups are more likely than others to live in homes with damp and mould⁹ This includes:

- people with a long-term illness
- people who struggle to heat their homes and/or are experiencing fuel poverty
- people on low incomes
- people with disabilities
- people from ethnic minority backgrounds
- people living in temporary accommodation.

8.3.2. Overcrowding

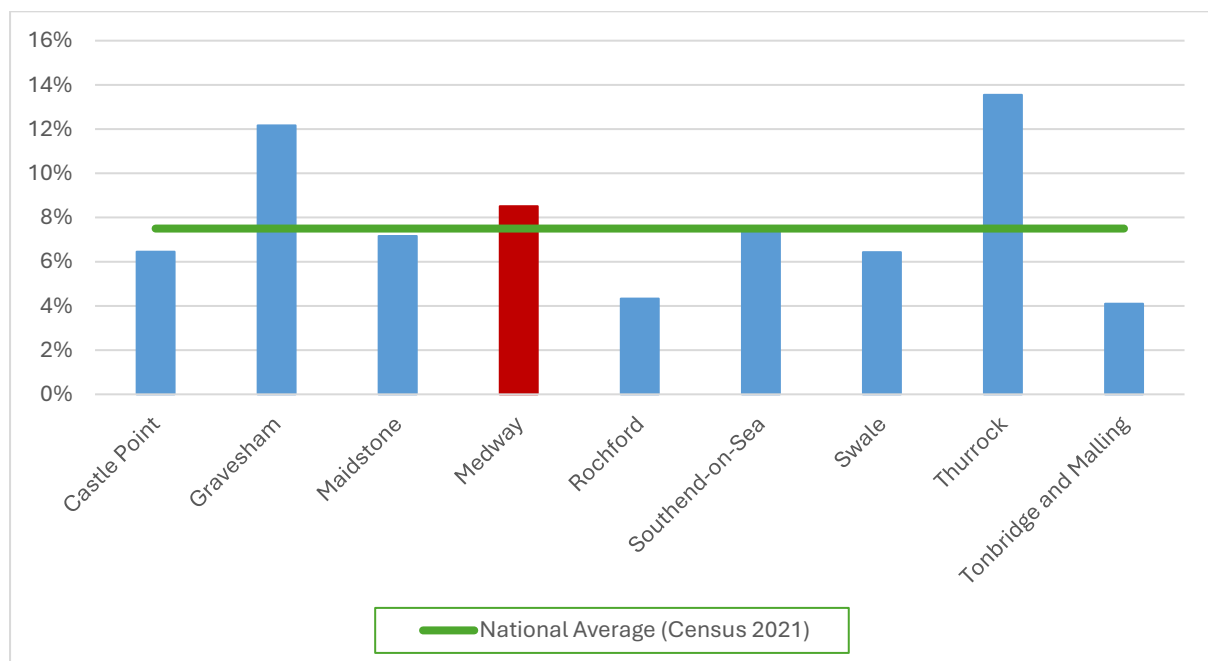
Overcrowding is a secondary impact of housing unaffordability. A household is classified as overcrowded if it has fewer bedrooms than it needs to avoid undesirable

⁹ [Understanding and addressing the health risks of damp and mould in the home, GOV.UK](https://www.gov.uk/government/publications/damp-and-mould-understanding-and-addressing-the-health-risks-for-rented-housing-providers/understanding-and-addressing-the-health-risks-of-damp-and-mould-in-the-home--2) (https://www.gov.uk/government/publications/damp-and-mould-understanding-and-addressing-the-health-risks-for-rented-housing-providers/understanding-and-addressing-the-health-risks-of-damp-and-mould-in-the-home--2)

sharing, based on the age, sex and relationship of household members. 8.5% of privately rented households within Medway are overcrowded. This is higher than both the national average (7.5%) and the average across the South East (6.5%), with Medway having a higher rate of PRS overcrowding than several of its neighbouring local authorities.¹⁰

Overcrowding exacerbates hazards such as damp and mould due to the increased laundry and cooking activities required to cater to more people in a confined space. Insulation and ventilation cannot generally cope with the extra demand. The HHSRS states that ‘crowded conditions can result in a moisture burden above that which the dwelling is designed to safely deal with, and this can be a cause of condensation and high humidities, giving rise to associated health risk’¹¹.

Evidence indicates that poor housing conditions and overcrowding negatively affect physical and mental health and can also have a major impact on educational achievement. For example, children’s education may be affected by overcrowding directly, through a lack of space for homework, as well as indirectly because of school absences caused by illness¹².



¹⁰ [Census 2021](https://www.gov.uk/government/publications/census-2021-general-report-for-england-and-wales) (https://www.gov.uk/government/publications/census-2021-general-report-for-england-and-wales)

¹¹ [Housing health and safety rating system \(HHSRS\): guidance for landlords and property-related professionals](https://www.gov.uk/government/publications/housing-health-and-safety-rating-system-guidance-for-landlords-and-property-related-professionals) (https://www.gov.uk/government/publications/housing-health-and-safety-rating-system-guidance-for-landlords-and-property-related-professionals)

¹² [The impact of bad housing on children’s lives \(Shelter\)](https://assets.ctfassets.net/6sxvmndn0s/4LTXp3mya7ligRmNG8x9KK/6922b5a4c6ea756ea94da71ebdc001a5/Chance_of_a_Lifetime.pdf) (https://assets.ctfassets.net/6sxvmndn0s/4LTXp3mya7ligRmNG8x9KK/6922b5a4c6ea756ea94da71ebdc001a5/Chance_of_a_Lifetime.pdf)

Percentage of overcrowded PRS properties in Medway and its neighbouring local authorities (Census 2021)

8.3.3. Fuel poverty

Whilst energy prices in the UK are no longer near the extreme highs seen in late 2022 and early 2023, energy prices still remain high and unaffordable for many. With growing pressure on household finances because of increasing energy costs and wider concerns about the cost of living, there are reports that households are choosing between “heating or eating” over the winter months.

Medway has a higher proportion of households in fuel poverty (11.1%) compared to the average across the South East (9.7%).¹³

8.3.4. Minimum Energy Efficiency Standard (MEES)

An EPC rating is an assessment of a property’s energy efficiency. It is primarily used by buyers or renters of residential properties to assess the energy costs associated with heating a house or flat. The rating is from A to G. A indicates a highly efficient property; G indicates low efficiency.

The Minimum Energy Efficiency Standard (MEES) came into force in England and Wales on 1 April 2018. Under this regulation, properties must have an Energy Performance Certificate (EPC) rating of E or above before they can be let out. Currently in Medway, 3.7% of PRS properties have an F or G rating. This means that approximately 1,080 PRS properties are likely to fail the MEES statutory requirement.¹⁴

The statistical evidence shows that there is a continuous relationship between indoor temperature and vulnerability to cold-related deaths.¹⁵ The colder the dwelling, the greater the risk. The percentage rise in deaths in winter is greater in dwellings with low energy efficiency ratings. Therefore, the F and G properties present a serious risk to the occupants’ health, particularly if over the age of 65.

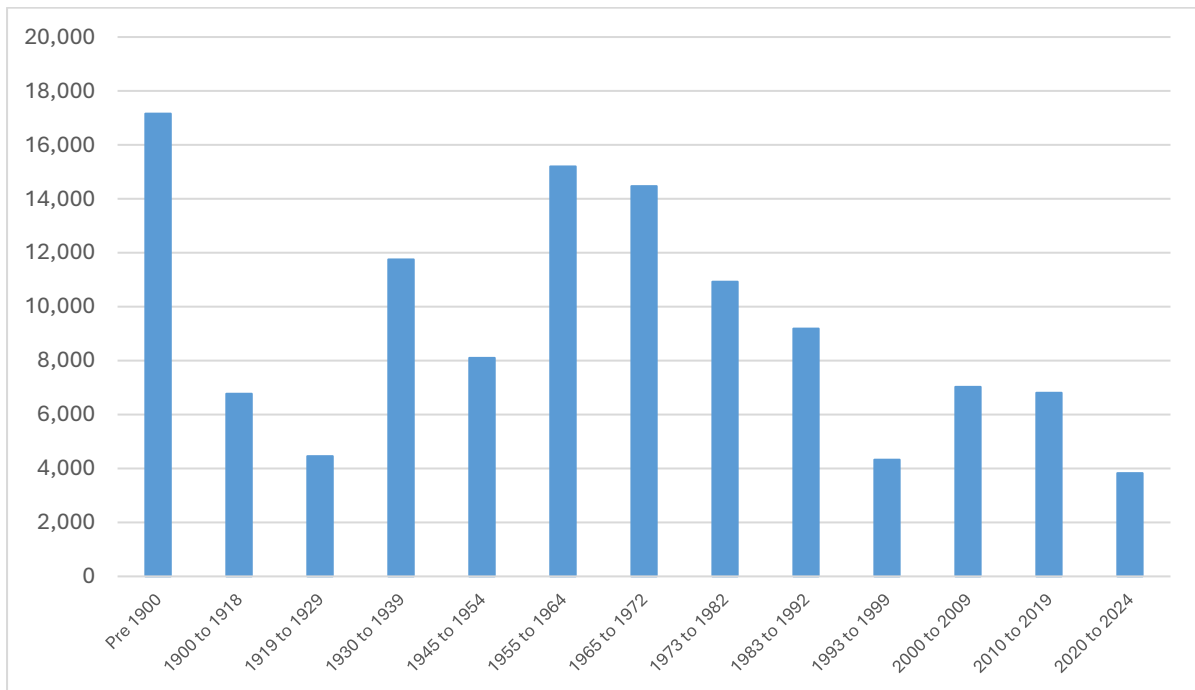
It is notable that there is a gradient of risk with age of the property, the risk being greatest in dwellings built before 1850, and lowest in the more energy efficient dwellings built after 1980. Medway has a high level (33.3%) of residential properties

¹³ [Annual fuel poverty statistics report, Department for Energy Security and Net Zero, 2025](https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fassets.publishing.service.gov.uk%2Fmedia%2F680f90d511d566056bcae988%2FSub-regional_fuel_poverty_statistics_2023.xlsx&wdOrigin=BROWSELINK)
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¹⁴ Housing Stock Conditions Report, Metastreet 2024

¹⁵ [Housing Health and Safety Rating System](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/15810/142631.pdf)
(https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/15810/142631.pdf)

built pre-Second World War. Wards with many older properties tend to have more hazards such as excess cold, fire and electrical issues, damp and mould.¹⁶



All housing stock age profile (VOA 2024).

8.3.5. Why are 17 wards not included in the selective licensing scheme proposal

The 17 wards not currently included in the selective licensing scheme proposals do not have the high levels of housing hazards and poor property management that we see in other parts of Medway.

The council considers it more appropriate to be selective in its approach and focus resources on the worst affected areas. However, these wards will be kept under review and a second designation could be considered in future should the evidence change.

¹⁶ [Council Tax Stock of properties: Summary tables, 2024 \(VOA\)](https://www.gov.uk/government/statistics/council-tax-stock-of-properties-2024)
(<https://www.gov.uk/government/statistics/council-tax-stock-of-properties-2024>)

9. Proposals for an additional HMO licensing scheme

The evidence base demonstrates that six wards in Medway meet the criteria for an additional licensing scheme. These wards contain a significant proportion of HMOs that are being poorly managed, as evidenced by the cumulative presence of serious housing hazards which are giving rise, or are likely to give rise, to problems affecting HMO occupiers or members of the public.

We are therefore proposing to introduce an additional HMO licensing scheme in these six wards. Subject to consultation and approval, the scheme will come into force in November 2026 and last for a period of five years. The proposed wards are outlined below:

- Chatham Central & Brompton
- Fort Pitt
- Gillingham North
- Gillingham South
- Luton
- Watling

An additional HMO licence will be required for properties that are:

- HMOs rented to three or more occupiers in two or more households that share (or lack) toilet, washing and cooking facilities. Please see Section 13 for exemptions.
- This excludes HMOs that require a mandatory HMO licence.
- This includes multiple-occupied flats in purpose-built blocks (with over two flats) where more than three people live in the flat.

The proposed additional HMO scheme will not apply to certain converted flats or blocks, known as section 257 HMOs. These are properties that:

- have been converted into self-contained flats
- the conversion did not comply with the relevant Building Regulations in force at that time and still does not comply; and
- less than two thirds of the flats are owner-occupied.

If a converted block falls within the selective licensing designation, each individual flat within the block will require its own selective licence, unless it is otherwise exempt. The council will continue to periodically review the evidence regarding section 257 HMOs.

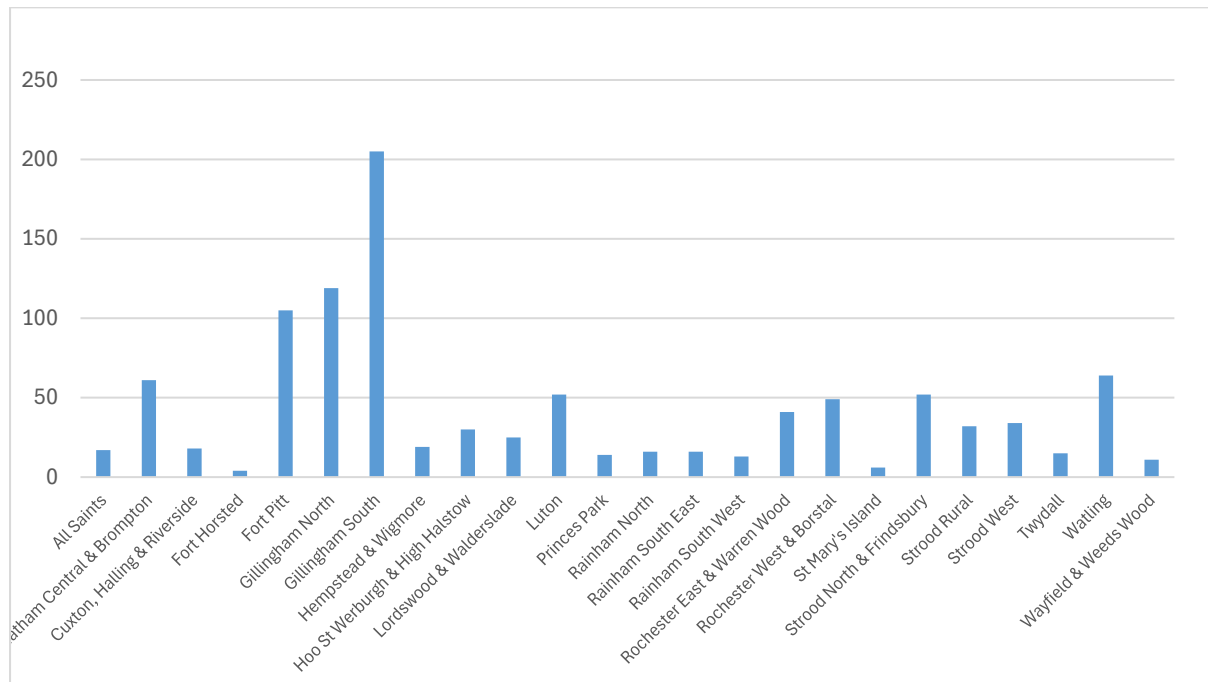
There are some types of buildings that are exempt from HMO licensing by law. These include buildings controlled by public sector bodies (for example, housing

associations), some buildings occupied by students, and some owner-occupied buildings. A full list of exemptions can be found at [Housing Act 2004](https://www.legislation.gov.uk/ukpga/2004/34/schedule/14) (<https://www.legislation.gov.uk/ukpga/2004/34/schedule/14>)

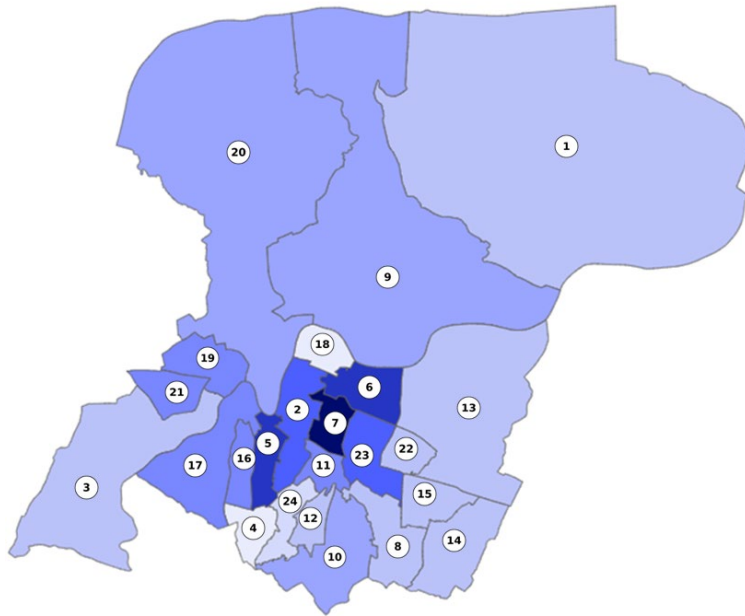
9.1. What is the evidence to support the council's proposals to implement an additional HMO scheme?

9.1.1. Numbers and type of HMO as a subset of the private rented sector

Medway has 1,018 HMOs (known and predicted) distributed across all 24 wards.



Number of HMOs (known and predicted) by ward (HSCR)



ID	Ward Name	ID	Ward Name
1	All Saints	13	Rainham North
2	Chatham Central & Brompton	14	Rainham South East
3	Cuxton, Halling & Riverside	15	Rainham South West
4	Fort Horsted	16	Rochester East & Warren Wood
5	Fort Pitt	17	Rochester West & Borstal
6	Gillingham North	18	St Mary's Island
7	Gillingham South	19	Strood North & Frindsbury
8	Hempstead & Wigmore	20	Strood Rural
9	Hoo St Werburgh & High Halstow	21	Strood West
10	Lordswood & Walderslade	22	Twydall
11	Luton	23	Watling
12	Princes Park	24	Wayfield & Weeds Wood

● 0 to 6 ● 7 to 11 ● 12 to 19 ● 20 to 32 ● 33 to 54 ● 55 to 89 ● 90 to 147 ● 148 to 244

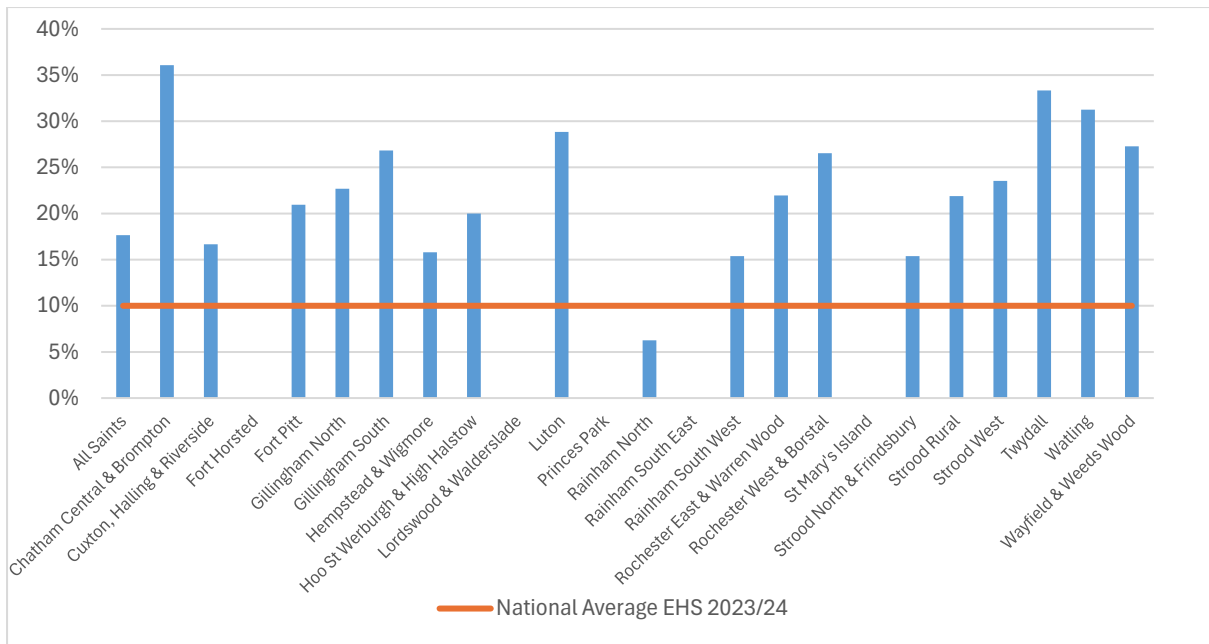
Map of distribution of HMOs (known and predicted) by ward (HSCR)

9.1.2. HMOs & housing conditions

Poor housing conditions are prevalent in Medway's HMOs. The evidence shows that 232 HMOs in Medway are predicted to have serious hazards (Category 1 and high-scoring Category 2).¹⁷ This represents 23% of all HMOs in Medway and is more than double the national average of 10%.¹⁸ Chatham Central and Brompton has the highest percentage of HMOs with predicted hazards at 36% - almost four times the national average.

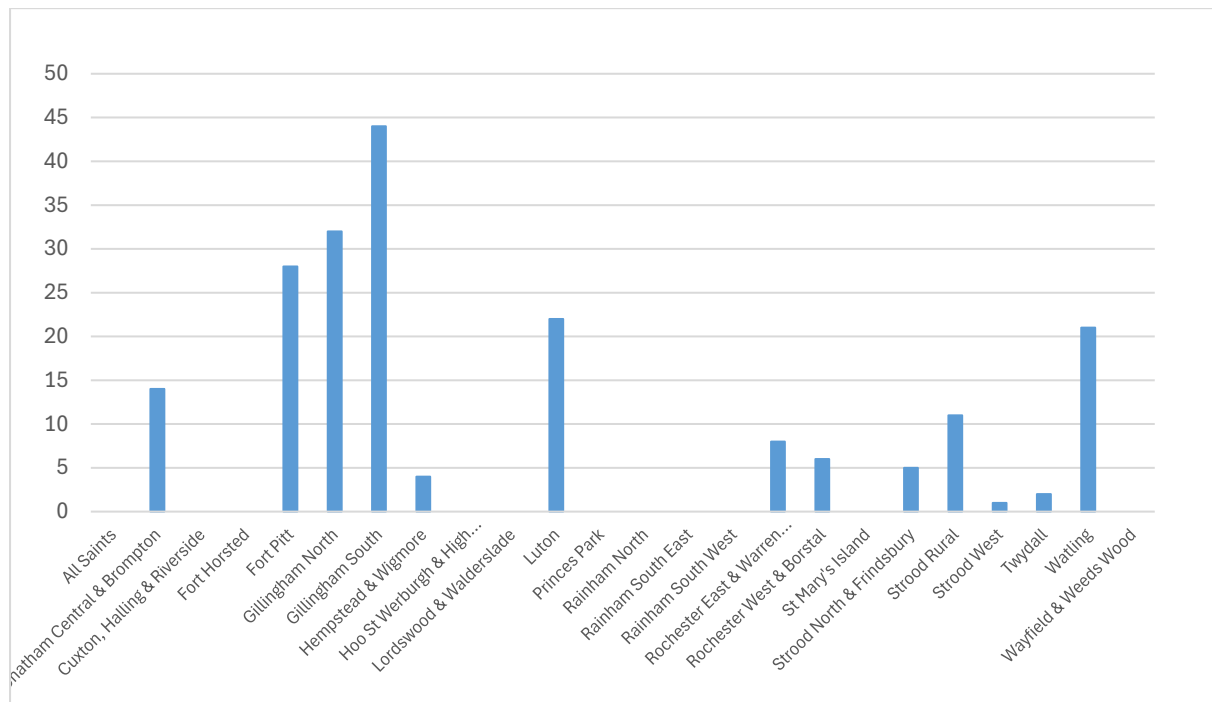
¹⁷ Housing Stock Conditions Report, Metastreet 2024

¹⁸ [English Housing Survey 2023 to 2024: headline findings on demographics and household resilience. - GOV.UK](https://www.gov.uk/government/collections/english-housing-survey-2023-to-2024-headline-findings-on-demographics-and-household-resilience) (https://www.gov.uk/government/collections/english-housing-survey-2023-to-2024-headline-findings-on-demographics-and-household-resilience)



Predicted percentage of HMOs (known and predicted) with serious hazards by ward (HSCR)

Complaints made by tenants and others to Medway Council about poor housing conditions and inadequate property management are a direct indicator of low quality and poorly managed HMOs. Medway received 198 complaints linked to HMOs over five years (2018-2023), with Gillingham South (44) and Gillingham North (32) having the highest levels of complaints.



Complaints linked to HMOs by ward (HSCR)

Responding to complaints regarding HMOs has required a significant number of council interventions, representing a drain of council resources. Since 2020, the council has conducted over 600 HMO inspections and used a range of enforcement actions (including statutory housing notices, public health notices, and civil penalties) to address poor housing conditions in HMOs.

10. Addressing poor conditions and management standards through licensing

The proposed selective and additional HMO licensing designations would allow the council to bring about a significant improvement to housing conditions and property management in the area during the life of the schemes, reducing incidences of serious housing hazards and ASB within the local authority.

As demonstrated, our evidence shows that a high proportion of PRS properties in the proposed selective licensing designation area are predicted to have unacceptably high levels of serious hazards. The council believes it is necessary to inspect a large number of these properties to accurately identify the type and severity of hazards present. If any hazards are found, the council will take the required enforcement actions to rectify them.

Our evidence also shows that a high proportion of additional HMOs in Medway are being managed ineffectively, proven by the cumulative presence of serious housing hazards and complaints about poor housing conditions and inadequate property management.

Through these licensing regimes and the granting of licences, standard licence conditions would be imposed that require licence holders to manage their properties proactively and to take reasonable action to address any identified problems.

We will ensure that properties identified as 'high risk' are prioritised for inspection by officers to check for hazards and compliance with the licence conditions. This will allow the council to take enforcement action (under Part 1 of the Housing Act), where necessary, to improve conditions.

The licensing inspection regime will also enable us to identify tenants on low incomes who are living in homes with an E, F or G EPC rating and those who may be affected by fuel poverty. Tenants will be referred to the appropriate services to ensure they receive the available support, and landlords will be advised accordingly. For those whose properties fall below the legal requirement and who ignore the advice and support of the council, the Private Sector Housing team will work to bring them into compliance.

Licensing also gives the council further powers to reduce ASB in the PRS. Without licensing the council are only able to take action against tenants for ASB, as opposed to licensing, which places a duty on landlords to manage ASB in their properties as well. Landlords will receive guidance and advice on managing tenants involved in ASB, particularly in cases of serious ASB requiring formal court action.

The council will expect property management issues identified during an inspection to be resolved within a reasonable period, depending on the severity of the issue. Improvement notices, overcrowding notices and prohibition orders are formal notices that may be issued to bring about improvements in properties. Landlords who fail to license their properties could also receive a civil penalty or may be prosecuted.

We will also continue to collaborate with the local police, Kent Fire and Rescue Service and other council departments to identify properties that need improvement.

The council will proactively work with landlords to address poor housing conditions and poor property management and help them to comply with the licence conditions. We will provide information and guidance on managing properties via the council's web site and through forums (either in person or online).

We will use licensing to empower tenants by educating them on the standards that they should expect from their rented accommodation, their rights and how to access council services that can support them if needed.

11. Proposed licensing scheme conditions

The conditions that the council proposes to attach to licences under the selective and additional licensing schemes are set out in Appendix 2 and Appendix 3, as well as in the documents available to download from the consultation webpage.

Each set of proposed licence conditions includes, for ease of reference, both mandatory conditions that the council is obliged to include under statute, and discretionary conditions that we propose to include in licences granted in Medway.

As part of the consultation process, respondents are able to give us their views about the proposed discretionary conditions for the selective and additional licensing schemes.

Please note, the proposed licence conditions for both schemes represent the conditions that the council would normally impose in respect of a licence granted on application for a selective or additional licence. However, the council may impose alternative (bespoke) conditions, where necessary and appropriate, on an individual case basis.

12. Proposed licensing scheme fees

12.1. Fee proposal

Licence applicants will be required to pay a fee for each property that needs a licence. The proposed selective licence fee is £840 per property and the proposed additional licence fee is £1600 per property. We are also proposing a number of discounts outlined below.

Licences will be granted for the duration of the scheme (up to 5 years) unless we have concerns about the management, use, condition or occupation of the property, in which case we may grant a licence for a shorter period.

Where enforcement action is taken, the council may vary the licence, such as reducing its duration, or revoke it under the Housing Act 2004 provisions on variation and revocation. If a licence is revoked and the property continues to be rented as a licensable dwelling, a new application must be submitted and the standard licence fee paid, as licences cannot be transferred. Any new application, whether made by the same landlord or another person, will only be granted if the proposed licence holder is able to meet the statutory 'fit and proper person' test and demonstrate satisfactory management arrangements, as required under the Housing Act 2004

A full application with supporting certification and full payment must be received before a licence is issued.

Further information is available in the proposed schedule of fees, charges and discounts, attached as Appendix 4. These fees form part of the consultation, and the council welcomes any views on them.

12.2. Fee split

By law, the fee must be levied in two parts.

Part A will be payable on submission of the application and will cover the cost of processing and the administration in determining the eligibility of the application. Should the application be refused or rejected by the council or withdrawn by the applicant this first Part A payment will not be refunded.

Part B will be payable once the application has been assessed, and the decision is made to grant the licence. This will cover the administration, management, and enforcement of the licensing functions for the scheme.

In the event that we decide to refuse a licence application, only the Part A fee will be payable.

12.3. Fee amounts

Type of licence	Part A fee	Part B fee	Total fee
Selective	£436	£404	£840
Additional HMO	£830	£770	£1600

12.4. Fee discounts

Nature of discount	Amount (Selective)	Amount (Additional)
Multi-dwelling	£105 off Part A	£200 off Part A
Charity	£210 off Part B	£400 off Part B
Accredited landlord	£84 off Part B	£160 off Part B

12.5. How we calculated the fees

The proposed fees have been calculated on the basis that the schemes will be cost-neutral to the council over the full five-year duration of the designation and will not generate a profit. Licence fees cover our costs of administering the schemes and meeting the scheme objectives that are set out below. A significant proportion of the licence fee income will meet the necessary staffing costs to deliver the scheme outcomes, but the fees will also meet other running costs, such as IT expenditure, with appropriate allowances made for inflationary increases during the life of the scheme.

The proposed fees are underpinned by assumptions about the level of income the fees will generate, based upon the number of properties that we expect to be licensed during the life of the schemes and the numbers of those properties that we expect to be eligible to discounts.

13. Selective and additional licensing exemptions

Selective licensing applies to all privately rented properties within the designations unless they are licensable HMOs or exempt by law. Such exemptions include tenancies granted by public bodies (for example housing associations), holiday homes and some business tenancies. A full list of exemptions for selective and additional licensing can be found at [The Selective Licensing of Houses \(Specified Exemptions\) \(England\) Order 2006](https://www.legislation.gov.uk/uksi/2006/370/made)

(<https://www.legislation.gov.uk/uksi/2006/370/made>)

Schedule 14 of the Housing Act provides an exemption from HMO licensing law for some types of buildings. These include buildings controlled by public sector bodies (for example, housing associations), some buildings occupied by students, and some owner-occupied buildings. A full list of exemptions can be found at [Housing Act 2004](https://www.legislation.gov.uk/ukpga/2004/34/schedule/14) (<https://www.legislation.gov.uk/ukpga/2004/34/schedule/14>).

14. Alternatives to licensing

We have considered other courses of action, or alternatives to the licensing proposals. But we do not believe that they provide as effective means of tackling poor housing conditions and poor property management.

Alternative Measure	Strengths	Weaknesses
<p>Use of Part 1 Housing Act 2004 enforcement powers [HHSRS] and Public Health powers</p>	<p>Following an investigation, formal statutory notices can be served that require improvements to be carried out to a property.</p> <p>Councils can carry out work in default if a notice is not complied with.</p> <p>Landlords risk being prosecuted if they do not comply with the notice, or the council can impose a civil penalty on the person responsible.</p>	<p>The powers do not place any obligation on landlords to be proactive in improving conditions. Formal action is generally slow, with appeal provisions against most types of notices served, which can significantly delay the time period for compliance.</p> <p>Work in default can be effective, but it is expensive and time-consuming to the council, with the risk that not all costs are recovered.</p> <p>Successful prosecutions and civil penalties do not in themselves secure improvements in property conditions and the council's costs in pursuing legal action are often not met in full.</p>
<p>Rely on prosecutions and civil penalties for housing offences</p>	<p>Provides landlords with a disincentive to keep properties in poor conditions.</p>	<p>These powers do not place any obligation on landlords to be proactive in improving conditions. Successful prosecutions, or the imposition of civil penalties, do not in themselves secure improvements in property conditions. The absence of licensing significantly reduces the scope of the council to impose civil penalties in respect of identified housing breaches.</p>

Alternative Measure	Strengths	Weaknesses
Wider promotion of voluntary accreditation schemes to facilitate improvement in management practices and standards	For those landlords who take part, accreditation can increase their knowledge and competence and their ability to effectively manage a property.	This requires voluntary landlord engagement, and rogue operators are unlikely to attend/engage in such schemes.
Improvement grants to improve sub-standard properties	Grants subsidise improvement works, improving standards and giving benefits for landlords and tenants.	Generally, there are few grants available, and the council has very limited scope to offer grants through successful external funding bids. In the most part, grant awards would fund improvements that the landlord should be carrying out to meet their legal obligations. Any grant scheme would be discretionary and would rely on voluntary landlord engagement.
ASB powers	Formal notices can be served at addresses identified as having ASB issues. This can resolve ASB at the particular address.	Action would generally be taken against the tenant in occupation. The powers do not place any obligations on landlords to be proactive in managing their properties to prevent or reduce the likelihood of ASB occurring.
Renters Rights Act (passed October 2025 with phased introduction in 2026)	Will give the council greater enforcement and investigatory powers.	Does not put in place a proactive approach to housing standards and still relies on tenants complaining and landlords being upfront about issues.

15. Proposed scheme objectives

Licensing is part of a broader, coordinated approach to help improve privately rented properties in Medway. In general terms, we propose to use selective and additional licensing to continue to improve property conditions within Medway and keep our residents safe. It is the council's intention to carry out inspections within the proposed designations with a view to enforcing against Category 1 and Category 2 hazards. Properties identified as 'high risk' will be prioritised for inspection by officers.

We are committed to improving property conditions and management standards in the PRS, so that it contains good quality accommodation, helps us to achieve sustainable communities and continues to contribute positively to the local economy.

The objectives of our proposed schemes are outlined below:

	Objective	Outcome
1	Improve housing conditions in the PRS by eliminating poor property standards	<ul style="list-style-type: none"> • Licensed properties are monitored, and licence conditions robustly enforced and complied with • Poor Housing Conditions are improved with category 1 & 2 hazards resolved (including issues such as damp and mould) • Improved health, safety and welfare of tenants in the PRS • The Council will gain increased knowledge of the private rented sector in the borough. This will enable targeted enforcement and support for landlords
2	Improve management standards in PRS properties	<ul style="list-style-type: none"> • Landlords actively manage their properties or be enforced against • Absentee or unfit landlords employ an agent to actively manage their properties to ensure compliance • Prevention of overcrowding through better management of property occupancy • Greater number of landlords become accredited improving the professionalism of landlords in the PRS • Engagement with landlords improved • Landlords are kept informed of latest legislation and good practice • Responsible landlords will become more involved in council licensing schemes and receive information and support • Irresponsible landlords will be forced to improve their properties or be enforced against
3	Reduction of ASB and repeat ASB incidents in single family dwellings and HMOs	<ul style="list-style-type: none"> • Reduction of ASB through better management of properties • Reduction in fly tipping and other forms of environmental nuisance • Reduction of ASB will improve problem areas, making these areas safer and more desirable places to live in.

	Objective	Outcome
4	Increased awareness for tenants of the minimum standards to be expected in rented accommodation and what their other rights are when renting in the PRS	<ul style="list-style-type: none"> • Information for tenants on the local licensing scheme advertised and third-party support for tenants made available • Dedicated tenants' advice section created on web site • Officers to provide tenants with information and sign posting to support their housing and wider needs • Improved tenants' support through work with third parties. • Renters know their rights and responsibilities and have greater awareness of and access to council services that can support them • Tenants will see economic benefits such as reduced heating costs, bringing them out of fuel poverty

16. Licensing and wider council strategies

Property licensing is an effective tool in improving conditions for private renters and forms an integral part of the council's overarching housing strategy. In addition, licensing can support the delivery of several broader council priorities that recognise the impact of poor-quality housing and ASB in residents' lives. The proposed licensing designations are consistent with the overall aims of the following strategies, plans and policies.

16.1. Medway One Council Plan

Medway's One Council Plan sets out the council's vision to create 'a place where people are proud to live, work, learn, and visit, with opportunities for all to thrive'. The Plan is set out through five priorities:

1. Delivering Quality Social Care and Community Services
2. Benefitting from Good Education, Quality Jobs, and a Growing Economy
3. Enjoying Clean, Green, Safe, and Connected Communities
4. Improving Health and Wellbeing for All
5. Living in Good-Quality, Affordable Homes

The proposed selective and additional HMO licensing schemes will assist the council in achieving these core priorities and delivering better standards for private renters. Licensing schemes promote healthier, safer neighbourhoods, sustainability through energy efficiency standards, and equality by ensuring safe, healthy living conditions for all residents regardless of tenure.

16.2. Medway Housing Strategy

The Medway Housing Strategy to 2023 sets out the council's plan through four overarching commitments:

1. **Supply** – increase affordable housing supply.
2. **Quality** – driving up housing standards.
3. **Participation** – involving Medway housing tenants and other residents so they have a say.
4. **Independence** – helping people to stay living in their own homes.

Within the second commitment, the strategy sets out the council's ambition to explore selective and additional licensing schemes as potential vehicles to improve housing conditions. The strategy also commits to working in partnership with key agencies to ensure that all private tenants and landlords understand their rights, responsibilities, and the support available to them.

16.3. Medway Homelessness & Rough Sleeping Strategy to 2030

Informed by Medway's 2024 Homelessness Review, the Medway Homelessness & Rough Sleeping Strategy to 2030 sets out the council's approach to addressing homelessness, rough sleeping, and the challenges facing Medway Housing Services. The strategy identifies three priorities that were shaped in partnership with Medway residents:

1. Rough Sleeper Verification and Channels of Communication.
2. Landlord Regulation, advocacy for tenants and increased social housing.
3. Multi-service hub in Medway

Other aims of the Strategy include:

- Upstream Prevention
- Collaboration
- Solution-Focused Support
- Increasing Affordable Housing
- Education

Through the implementation of selective and additional HMO licensing schemes, the council will be able to enhance its work with landlords, improving their professionalism and understanding of legal obligations. This, along with tenant education on rights and responsibilities, will support tenancy sustainment in the PRS and help in reducing homelessness in the area.

16.4. Medway Council Derelict and Empty Homes Properties Strategy

The Medway Council Derelict and Empty Properties Strategy 2022-2026 sets out the council's approach to reducing the number of derelict and empty properties in Medway. It seeks to provide homes for residents and lessen the adverse effects of empty homes on communities, setting out four main objectives:

- **Identification:** Locate long-term empty properties and create a database.
- **Support and Advice:** Offer support and advice to property owners to bring properties back into use.
- **Enforcement:** Use enforcement powers and compulsory purchase orders when necessary.
- **Partnership Working:** Collaborate with other agencies to secure funding and bring properties back into use.

The council recognises that empty properties are a wasted resource for both the community and the owner and can cause a variety of issues such as reducing the supply of housing and attracting ASB. Bringing empty properties back into use is a priority for the council and clamping down on those landlords that keep homes empty

for years on end is a key step to increasing the supply and availability of affordable homes in the borough.

Bringing empty properties up to standard and back into use as decent livable homes is complementary to the objectives of the proposed selective and additional HMO licensing schemes.

16.5. Community Safety Partnership Plan

Medway's Community Safety Partnership Plan 2024-2027 sets out the council's approach to enhancing safety in Medway through collaboration with key partners like Kent Police, Kent Fire and Rescue Service, and The Probation Service. The Plan focuses on four priorities:

- Violence against women and girls (VAWG)
- Tackle anti-social behaviour (ASB)
- Tackle drugs and alcohol
- Reduce reoffending.

In tackling ASB, Medway's key priorities include:

- Targeting town centre ASB
- Supporting victims
- Reducing deliberate fires
- Tackling environmental crime
- Reviewing CCTV
- Challenging extremism through channel support.

The proposed selective and additional licensing schemes will enable the council to encourage landlords to work with their tenants to reduce ASB. Information and support will be available both online and through forums.

16.6. Medway 2035

The Medway 2035 Strategy is underpinned by the Medway Regeneration Delivery Plan and aims to transform various areas within Medway to enhance community living, infrastructure, and economic vitality. Key components of the regeneration programme include:

- Building modern, energy-efficient homes and well-connected neighbourhoods that are right for Medway
- Providing infrastructure to support new homes
- Supporting health communities, fit for future generations
- Supporting and investing in the local economy to create a thriving place
- Protecting and celebrating Medway's history and heritage.

Private property licensing schemes will act as a regulatory tool to ensure that landlords in regenerating areas maintain high property standards, supporting regeneration goals of creating more sustainable, inclusive, and well-maintained communities.

17. Appendices

Appendix	Title
Appendix 1	Housing Stock Condition and Stressors Report (Metastreet, 2024)
Appendix 2	Selective Licence Conditions
Appendix 3	Additional HMO Licence Conditions
Appendix 4	Schedule of Proposed Fees, Charges and Discounts