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

Report on Medway Council's consultation on additional HMO and selective licensing proposals

June 2026

Transform

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1. Executive Summary

Medway Council is committed to improving the standard of privately rented property in Medway and creating 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.

In order to build on the achievements of the current mandatory HMO licensing scheme and address issues in the private rented sector (PRS), the council is proposing to introduce two new discretionary licensing schemes.

A selective licensing scheme is proposed for all privately rented homes (excluding HMOs) within seven out of 24 wards to address the prevalence of poor housing conditions.

These wards include:

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

It is a requirement of the scheme that 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) will need to have a licence to be legally let. The scheme can be approved by the council's cabinet and could be implemented in November 2026.

An additional HMO licensing scheme is also proposed within six out of 24 wards to address the prevalence of poorly managed HMOs.

These wards include:

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

The additional HMO licensing scheme will apply to all HMOs in the designated areas except those that already require a mandatory HMO licence. The additional HMO licensing scheme would help to drive up standards and ensure safer and better managed HMO accommodation. This scheme would be implemented concurrently with the selective licensing scheme. Additional HMO licensing can also be approved by the council's cabinet and could be implemented in November 2026.

When proposing to introduce discretionary property licensing schemes, the Housing Act 2004 requires councils to take reasonable steps to consult with all persons likely to be affected by the proposed designation(s). Medway Council commissioned Transform, an independent consultancy, specialising in collaborating with local authorities, to deliver public consultations to undertake an extensive programme of consultation activities and report independently on the findings.

To help inform all stakeholders, a consultation evidence pack was developed by Transform in conjunction with Medway Council, and this, along with other relevant documents, was available for

the duration of the consultation on the council's website. The council also had a dedicated phoneline and email inbox specifically to receive comments and submissions and to communicate with stakeholders for the duration of the consultation.

The consultation ran for a total of 10 weeks between 23 March 2026 and 4 June 2026, including a short extension to ensure that the full consultation period remained available following a technical issue affecting survey access (see further detail below in Section 1.1 regarding the consultation timeline). The consultation utilised a variety of methods to reach and seek opinions from all those likely to be affected by the council's proposals, both within and outside Medway. These methods included an online survey, two virtual public meetings with landlords, tenants, residents, and landlord groups, and 64 stakeholders were directly contacted and asked for their response to the consultation. Stakeholders included local councillors, voluntary community sector organisations, tenants and resident associations, housing charities, neighbouring local authorities and parish councils. The council advertised the consultation through digital and print media, as well as in-person methods.

The consultation received 209 survey responses. This excludes three further responses from individuals who began the survey but did not consent to Medway Council's Privacy Notice and therefore chose not to proceed with the survey. The survey incorporated a quantitative approach and qualitative responses through free text boxes. Qualitative feedback outside of the survey was also received at two virtual public meetings (attended by 59 people in total) and from 30 written responses from interested parties, including three formal written responses from landlord representative organisations.

The consultation looked at the level of support for introducing an additional HMO scheme and a selective licensing scheme.

The consultation also sought views on:

- the proposed licence conditions;
- associated fees;
- potential discounts;
- scheme objectives;
- perceptions of the issues of poor property conditions and anti-social behaviour (ASB) in Medway.

In addition, the consultation garnered views on issues within the HMO tenure, including:

- management and maintenance;
- health and safety;
- overcrowding;
- noise, nuisance and other ASB;
- landlords' responsibilities.

The results of the consultation survey and the views of stakeholders gathered during the consultation are analysed fully in this report.

1.1 Consultation Timeline

The consultation ran for a total period of 10 weeks between 23 March 2026 and 4 June 2026, with extensions applied to ensure that consultees were provided with the full intended consultation period.

The consultation was originally scheduled to close at 23:59 on Sunday 31 May 2026. However, a technical issue affecting access to the online consultation platform was identified during the final weekend of the consultation. To ensure that consultees were not disadvantaged by this disruption, the council took the decision to reopen the consultation at approximately 17:00 on 1 June 2026.

As a result, the consultation remained open until 00:00 on 4 June 2026 (i.e. midnight at the end of 3 June). This provided approximately 55 additional hours for responses following the reopening on 1 June 2026. This extension ensured that the consultation met the statutory 10-week consultation requirement.

During the extension period, it was identified that the consultation had initially closed at 00:00 on 4 June due to an administrative error. As the consultation had been publicly communicated as closing at "midnight on 4 June", which could reasonably be interpreted as the end of that day, the council took the decision to reopen the consultation again at approximately 09:40 on 4 June 2026.

The consultation was subsequently kept open until 00:00 on 5 June 2026 (i.e. midnight at the end of 4 June), providing a further 14 hours for responses. This action was taken to ensure that all consultees were afforded a clear and reasonable opportunity to participate in line with the communicated closing time.

In total, 36 responses were received during the extended period (from 1 June to 4 June inclusive), including 23 responses submitted after the consultation was reopened on 4 June 2026. These responses have been included in full within the consultation analysis presented in this report.

1.2 Key Findings

The following analysis is based on definitive responses. Where a set of responses totals less than 100 per cent, the remaining proportion of respondents answered, 'neither agree nor disagree' or 'don't know'.

Selective overall		Landlords, letting or managing agents	Residents (including private tenants) and businesses	Other stakeholders
Total consultation survey responses	**209 responses**	75 responses	131 responses	3 responses

Total responses to the question	209 responses	75 responses	131 responses	3 responses
Agree with selective licensing proposal	50%	8%	73%	67%
Disagree with selective licensing proposal	41%	81%	19%	0%

Total responses to the question	209 responses	75 responses	131 responses	3 responses
Agree with proposed selective licensing conditions	51%	17%	70%	67%
Disagree with proposed selective licensing conditions	35%	67%	18%	0%

Total responses to the question	209 responses	75 responses	131 responses	3 responses
Selective licensing fee is about right	21%	5%	28%	67%
Selective licensing fee is too low	28%	1%	44%	0%
Selective licensing fee is too high	43%	92%	16%	0%

Additional HMO overall		Landlords, letting or managing agents	Residents (including private tenants) and business	Other stakeholders
Total consultation survey responses	209 responses	75 responses	131 responses	3 responses

Total responses to the question	209 responses	75 responses	131 responses	3 responses

Agree with additional HMO licensing proposal	**56%**	28%	73%	67%
Disagree with additional HMO licensing proposal	**28%**	41%	21%	0%

Total responses to the question	**209 responses**	75 responses	131 responses	3 responses
Agree with proposed additional HMO licensing conditions	**56%**	24%	74%	100%
Disagree with proposed additional HMO licensing conditions	**22%**	33%	15%	0%

Total responses to the question	**209 responses**	75 responses	131 responses	3 responses
Additional HMO licensing fee is about right	**22%**	8%	30%	33%
Additional HMO licensing fee is too low	**30%**	3%	46%	0%
Additional HMO licensing fee is too high	**37%**	75%	15%	33%

Scheme objectives		**Landlords, letting or managing agents**	**Residents (including private tenants) and business**	**Other stakeholders**
Total consultation survey responses	**209 responses**	75 responses	131 responses	3 responses

Total responses to the question	209 responses	75 responses	131 responses	3 responses
Agree with scheme objectives	**48%**	20%	63%	67%
Disagree with scheme objectives	**32%**	60%	17%	0%

1.3 Conclusions

Alongside the quantitative data from the online survey, respondents had the opportunity to express their views in free-text form in response to several questions. Therefore, the aggregate online analysis offers only a partial view. The survey data, along with the free-form text responses, virtual public meetings, and other written responses, provide vital insights.

It must also be noted that for some questions, the proportion of responses classified as 'neither agree or disagree' and 'don't know' is, in a few cases, substantial (up to **44** per cent); though generally between **10** per cent and **20** per cent. This uncertainty or neutrality suggests that some respondents may not have strong opinions or find the issues complex. In the case that respondents were unsure about any aspect of the proposed schemes or consultation, the council invited questions and comments through a dedicated phone line, email inbox, and two public forums.

A major finding was the stark contrast in views about the proposals among different stakeholder groups. While residents (including private tenants) and businesses and other stakeholders generally support the council's proposals, landlords, lettings and managing agents, and their representative bodies, were generally opposed.

The aggregate online survey shows that half of respondents (**50** per cent) support the council's selective licensing proposal, while less than half (**41** per cent) disagree with the proposal. There is even greater support for the proposed additional HMO licensing scheme, with **56** per cent of respondents agreeing and only **28** per cent disagreeing. Views expressed in the free-text responses ranged from positivity that the council is actively tackling issues prevalent in the PRS such as poor housing conditions, ASB and overcrowding, to concerns that the schemes were unnecessary, burdensome, a way for the council to generate revenue, and that the cost of the licence fee would be passed on to tenants.

A significant number of the attendees at the public online forums were landlords and managing/letting agents who held strong views and were critical of property licensing schemes in general. In particular, they perceived the schemes as being unfair in targeting good landlords and were concerned about the effectiveness of property licensing schemes, their duplication of other legislation, and the council's own ability to achieve its objectives. The main objections, however, were to the economic costs of licensing schemes for landlords, which they felt would inevitably be passed onto tenants and could drive landlords out of the market.

The council received a number of written responses from various stakeholders, both supporting and opposing the council's proposals. The MP for Gillingham and Rainham shared a letter of support, recognising the challenges in the PRS and acknowledging the proposed schemes as a valuable tool in addressing poor housing conditions and other issues. In contrast, landlord representative

organisations such as the NRLA, Safeagent and Propertymark expressed varied views on the proposals. The NRLA and Propertymark objected to the proposals, arguing that the council should utilise existing enforcement powers to address issues in the PRS. Safeagent, on the other hand, recognised the value of the proposed licensing schemes, but highlighted the risks associated with the schemes, emphasising the importance of adequate resourcing, effective implementation, and meaningful collaboration with landlords and agents if the schemes are to achieve their intended outcomes.

2. Introduction

2.1 Background

Between 23 March and 4 June 2026, Medway Council consulted on new licensing proposals for the PRS in Medway. Property licensing is a way of ensuring safer and better standards in private rented properties.

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 per cent 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 well-intentioned landlords 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.

2.2 Proposals

The council is proposing to introduce a selective licensing scheme for all privately rented homes (excluding HMOs) within seven out of 24 wards to address the prevalence of poor housing conditions.

These wards include:

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

It is a requirement of the scheme that 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) will need to have a licence to be legally let. The scheme can be approved by the council's cabinet and could be implemented in November 2026.

An additional HMO licensing scheme is also proposed within six out of 24 wards to address the prevalence of poorly managed HMOs.

These wards include:

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

The additional HMO licensing scheme will apply to all HMOs in the designated areas except those that already require a mandatory HMO licence. The additional HMO licensing scheme would help to drive up standards and ensure safer and better managed HMO accommodation. This scheme would be implemented concurrently with the selective licensing scheme. Additional HMO licensing can also be approved by the council's cabinet and could be implemented in November 2026.

2.3 Public consultation

The consultation ran for a total of 10 weeks between 23 March and 4 June 2026 including a short extension to ensure that the full consultation period remained available following a technical issue affecting survey access (see section 1.1 for further detail regarding the consultation timeline). In order to gather as much feedback as possible from landlords, tenants, residents and other stakeholders, the council used several strategies to promote the consultation.

The consultation focused on the extent to which respondents agree or disagree with the council's proposal to introduce the additional HMO licensing and selective licensing schemes.

The consultation also looked at views on:

- the proposed licence conditions;
- associated fees;
- proposed discounts;
- scheme objectives;
- the respondents' perceptions of ASB;
- poor property conditions;
- other issues in the PRS in Medway.

Working alongside Transform, an independent consulting firm, specialising in collaborating with local authorities to deliver public consultations, the council launched a comprehensive communications and marketing campaign to inform all stakeholders about the council's ongoing consultation on the proposed introduction of selective licensing and additional HMO licensing schemes, with the aim of encouraging active participation.

The communications strategy was designed to inform and educate all stakeholders about the proposed licensing scheme and its potential benefits. The marketing approach was primarily focused on digital activities and online events. However, to meet the needs of the digitally excluded, physical hard copy communications were also made available.

Communications channels

- the council used a wide range of communication channels to promote the consultation and make stakeholders aware of the proposals
- the council undertook various activities to engage all stakeholder groups, both within and outside of Medway to raise their awareness about the consultation. These activities included:
    - updating the council website homepage with a news article and a link to the consultation on 20 March 2026;
    - press release to announce the start of the consultation was published on 20 March 2026;
    - press release to announce the consultation would soon close was published on 28 May 2026.
- The press release was linked to relevant housing web pages
- Leaflets were distributed at food banks and children centres

Using the council's social media

- 21 Facebook posts with a total of 23,698 people reached, 42 likes and 37 shares
- 10 X (formerly known as Twitter) posts with a total of 6 likes and 2 shares
- 10 LinkedIn posts with a total of 515 reached, 11 clicks, 2 likes and 2 shares
- 4 NextDoor posts with a total of 5,188 impressions, 7 comments and 3 likes

Activities to reach out to Medway tenants and residents included:

- News about the consultation was included on One Minute Medway on 20 March 2026 and 29 May 2026
- News about the consultation was added in Medway e-newsletter, eMedway Matters on 3 April 2026, 17 April 2026, 1 May 2026 and 15 May 2026, with approximately 13,700 subscribers
- News about the consultation was included in Medway's service area e-Newsletters:
    - Business on 22 May 2026 to 2,315 subscribers
    - Climate Change on 23 April 2026 to 2,418 subscribers
    - Housing special on 5 May 2026 to 2,119 subscribers
- A leaflet drop to every household in Medway (132,178 households) commenced on 4 May 2026
- An out of home campaign was added to 25 bus routes leaving Medway depot
- An out of home campaign with adverts added to 10 Bauer media sites in Medway ran from 4 May to 17 May 2026
- Posters were displayed at the following libraries:
    - Chatham
    - Cuxton
    - Gillingham
    - Grain
    - Hempstead
    - Hoo
    - Lordswood

- Luton
- Rainham
- Rochester
- Strood
- Twydall
- Walderslade
- Hook Meadow
- Wigmore

Activities to reach out to landlords included three direct emails to known landlords and agents operating in Medway. The details are:

- 117 on 23 April 2026
- 715 on 27 April 2026
- 693 on 18 May 2026

Activities to reach out to landlords outside of Medway included:

- 25 bus routes leaving Medway depot

An out of home campaign with adverts added to Bauer media sites in Medway ran from 4 May to 17 May 2026.

In addition, the Chief Executives of the following organisations were written to directly:

- National Residential Landlords Association (NRLA)
- British Landlords Association (BLA)
- iHowz
- Safeagent
- UK Association of Letting Agents.

A contact at the Kent Landlord Accreditation Scheme (KLAS) was also directly contacted.

The following organisations were included on the press release distribution list:

- NRLA
- Arla Propertymark
- Safeagents
- KLAS
- iHowz
- Letting Agent Today
- London Property Licensing website
- BLA
- Guild of Letting & Management

A digital campaign with the London Property Licensing (LPL) ran between 7 April and 4 June 2026. LPL is the award winning, leading website for informing private landlords in the UK. It is the only website dedicated to providing simple, impartial and expert advice on property licensing and explaining the licensing requirements across every London borough. The website reaches out to landlords based throughout the UK and those based abroad. Since launching in April 2015, the website has received more than 2.2 million views. The Medway campaign included:

- From 7 April to 4 June 2026, a rotating banner headline at the top of the LPL home page. The banner headline had a hyperlink to the LPL Medway property licensing consultation webpage
- A pixel banner advert promoting the licensing consultation was placed on the LPL homepage, Medway borough page.
- Anyone clicking on the advert was taken directly to the council's consultation webpage
- From 7 April 2026 to 4 June 2026, a licensing consultation listing was displayed on the LPL website and promoted on the home page, the licensing consultations page and Medway borough page. The listing summarised the purpose of the consultation and explained how to take part. The listing included promotion of three online consultation meetings (including an online meeting that was originally scheduled for 22 April but was subsequently rescheduled and took place on 14 May) and was updated when the consultation was extended from 31 May to 4 June 2026
- The Medway consultation was promoted in newsletters distributed on 21 April and 29 May 2026. The newsletter is widely distributed to landlords, letting agents, organisations, local authority officers and government officials and sent to more than 3,700 people who have requested updates on housing regulation and property licensing schemes in London.
- The LPL LinkedIn page and LPL Facebook page carried news of the consultation on 9 April and 21 May 2026. An extra post was put out on 2 June 2026 to say the consultation had been extended.
- Posts about the licensing consultation were published on the LPL X (formerly known as Twitter) feed (@lplicensing), timed to cover a variety of morning, afternoon and evening posts throughout the consultation period. During this period the @lplicensing X feed had more than 2,300 followers, generating impressions, likes, reposts and comments.

Direct emails were sent to all of the Leader's offices, Chief Executives and housing services at all local authorities across Kent on 2 June 2026.

Activities to make digitally excluded and vulnerable stakeholders aware of the consultation included: distributing leaflets and posters to the following organisations:

- Gillingham Street Angels
- Age UK
- Crisis
- Shelter
- YMCA
- Citizens Advice
- One Big Family
- Medway Street Angels

Paper copies of the consultation were available upon request.

The following organisations were included on the press release distribution list:

- Generation Rent
- Justice for Tenants
- Flat Justice
- Age UK Kent Rivers
- Re:State
- Shelter
- Refugee Council
- YMCA Maidstone

Activities to make stakeholders within the council aware of the consultation included:

- Updating the council website corporate homepage to include the consultation
- Posting a news article about the consultation on the internal newsletter on 13 March, 13 April and 7 May 2026. This included a link to One Minute Medway that received 106 views
- A notice was placed on the internal newsletter staff webspace
- An email signature was created for staff to use

Using the council's social media:

- 21 Facebook posts with a total of 23,698 people reached, 42 likes and 37 shares
- 10 X (formerly known as Twitter) posts with a total of 6 likes and 2 shares
- 10 LinkedIn posts with a total of 515 reached, 11 clicks, 2 likes and 2 shares
- 4 NextDoor posts with a total of 5,188 impressions, 7 comments and 3 likes

2.4 Consultation methods

The council used several methods to gather feedback from stakeholders about the council's proposals.

Online survey

An online survey was open to the general public. Respondents could also request a paper version of the survey. The consultation received a total of 209 responses. This total excludes three responses from individuals who began the survey but did not consent to Medway Council's Privacy Notice and therefore chose not to proceed with the survey. The consultation survey was the main method of gathering feedback during the consultation. Respondents were asked their views on selective licensing and additional HMO licensing, the proposed fees, discounts, licence conditions, scheme objectives, and their views on issues within Medway. Their responses are analysed and broken down by stakeholder type below. A copy of the survey questionnaire can be found in Appendix 3.

Public forums

The council held two virtual public forums to provide more information about the proposed schemes and to gather feedback from landlords, residents and other stakeholders who would be impacted by licensing. The public meetings were held over Microsoft Teams and were facilitated by Transform. This included a presentation of the council's proposals followed by a question-and-answer session with council officers. These events are summarised below:

- virtual public forum 1, 14 May 2026
- virtual public forum 2, 20 May 2026

The above meetings were widely publicised. 30 people registered for the first event with 18 actual attendees. 58 people registered for the second event with 41 actual attendees.

The first public forum was originally scheduled to take place on 22 April. However, due to the event receiving no registrations, the decision was taken to reschedule to 14 May. This afforded the council more time to publicise the event, resulting in strong attendance across both public forums.

Other written feedback

The council invited written representations by email and post throughout the consultation period. The council received 30 email responses regarding the consultation, including three formal written responses from landlord representative organisations, which can be found in full in Appendix 4. A letter of support for the scheme was also received from the MP for Gillingham and Rainham, which can be found in full in Appendix 5. These responses have been reviewed and analysed alongside survey findings.

3. Consultation survey results

This section of the report presents the results from the consultation survey. There were **209** responses to the consultation survey.

In the following analysis, the percentages are based on the answers to the question and will state where fewer than the total 209 respondents answered the question.

3.1 Analysis note

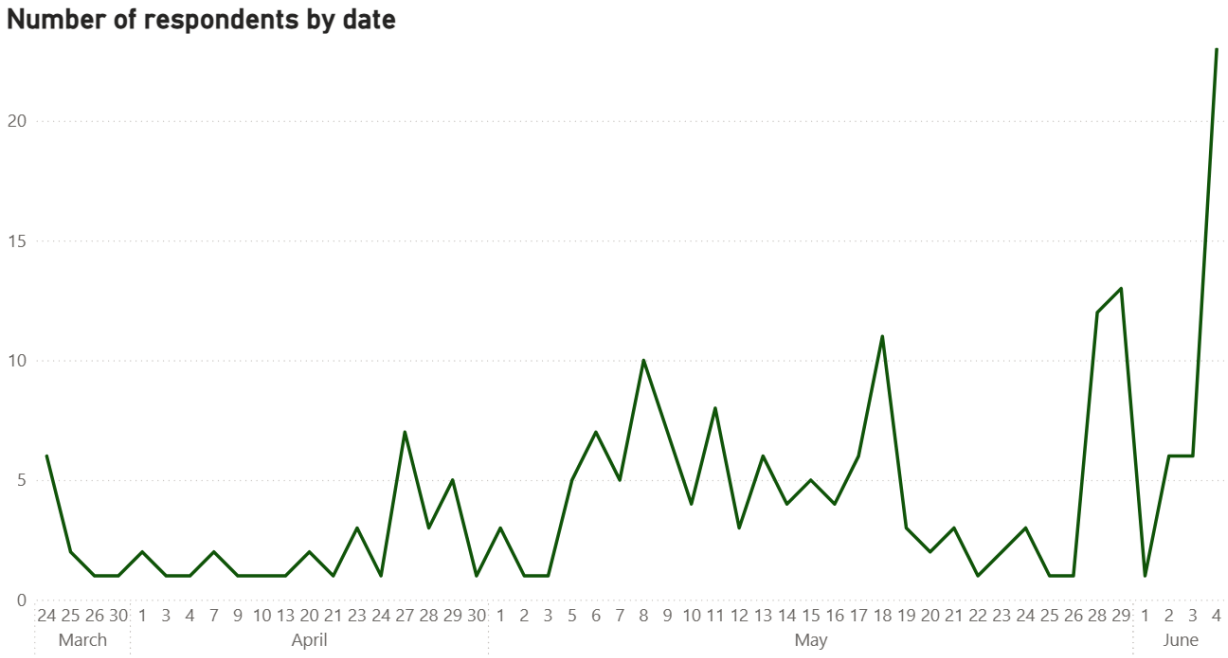
Where findings are presented by stakeholder group, it is important to note that the percentages for the 'other stakeholder' group represents only three respondents. Percentages for this group have been presented for consistency with the wider analysis but should be interpreted with caution, as each response represents one-third of the total responses in this group.

Throughout the survey analysis, responses are presented in charts as percentages rounded to whole numbers for ease of interpretation. Where summary statements refer to respondents who 'agree' or 'disagree', these figures represent the combined proportions selecting 'strongly agree' and 'agree' or 'strongly disagree' and 'disagree' respectively.

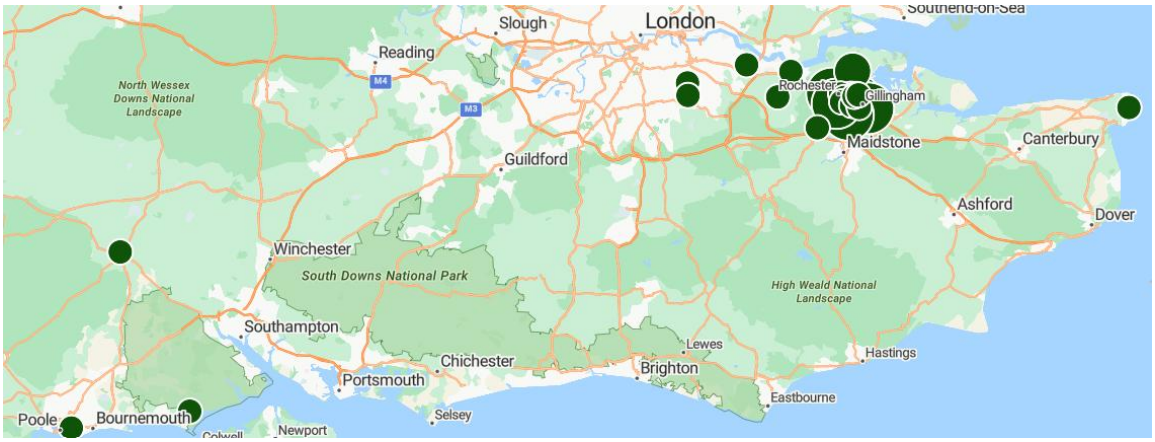
As chart percentages are rounded for presentation purposes, minor differences may occur between percentages derived from the charts and those reported in Section 1.2 (Key Findings), which are based on the underlying unrounded survey data. Consequently, totals may differ by one or two percentage points. Where precise figures are required, the percentages reported in Section 1.2 (Key Findings) should be regarded as the definitive source.

3.2 Overall consultation response

The consultation ran for a total of 10 weeks between **23 March and 4 June 2026**, during which time, different stakeholder groups were engaged in myriad ways. The timeline of responses is shown below.

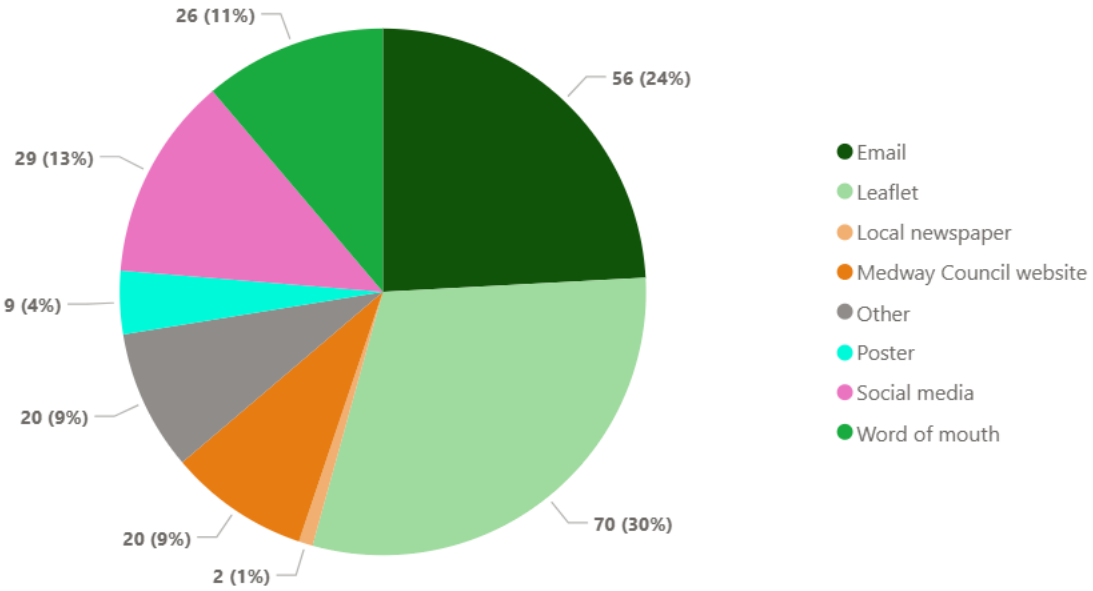


Respondents could optionally give information on the first part of their postcode, allowing for geographic analysis of responses. Of the **179** respondents who provided this information, the vast majority were Medway residents, though some responses came from further afield:



Respondents were also asked to give information about how they heard about the consultation. **206** respondents answered this optional question, though more than one choice of answer was permitted, giving a larger total number of responses (**232**). A high proportion of the responses listed leaflet (**30** per cent of all responses from **34** per cent of respondents) or email (**24** per cent of all responses from **27** per cent of respondents) as a channel by which respondents found the consultation. Another **13** per cent of responses (from **14** per cent of respondents) listed social media and **11** per cent of all responses (from **13** per cent of respondents) listed 'word of mouth'. The remaining **22** per cent of all responses listed other channels such as the Medway Council website, posters, and local newspapers.

How did you hear about this consultation? (More than one response allowed)

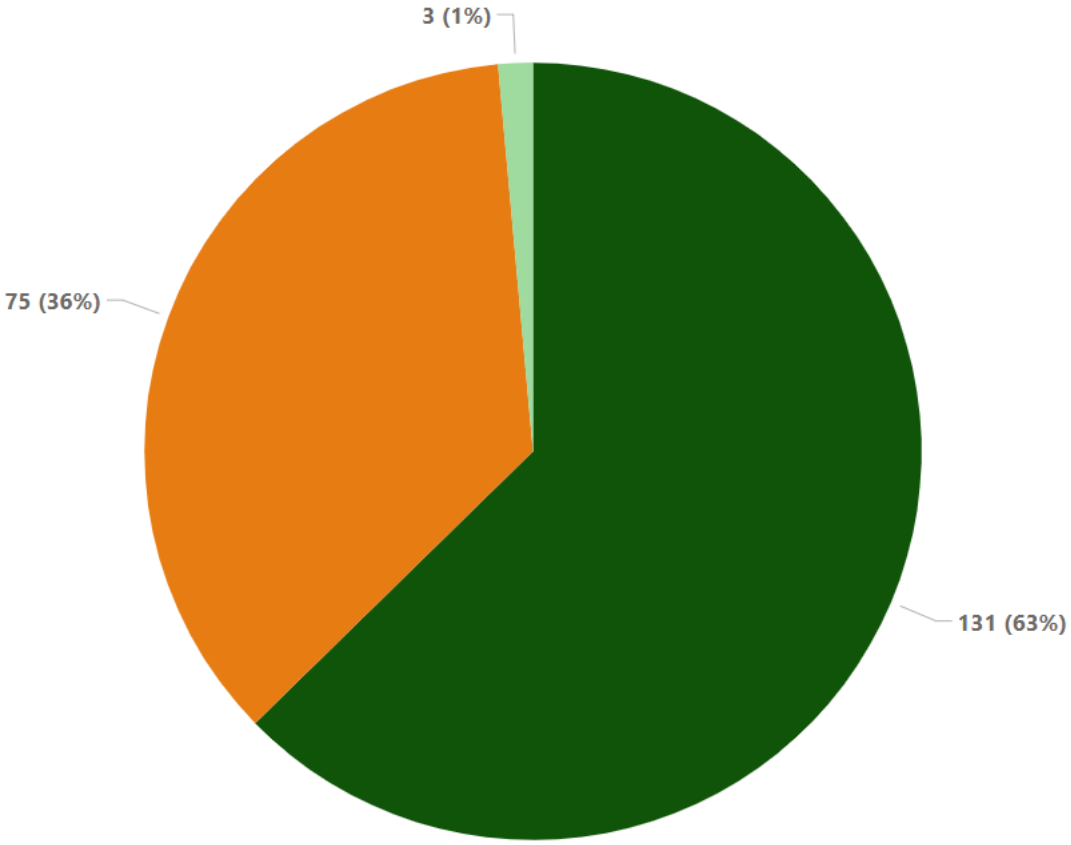


3.3 Stakeholders

All respondents to the consultation were categorised into the following stakeholder groups:

In what capacity are you responding to this survey?

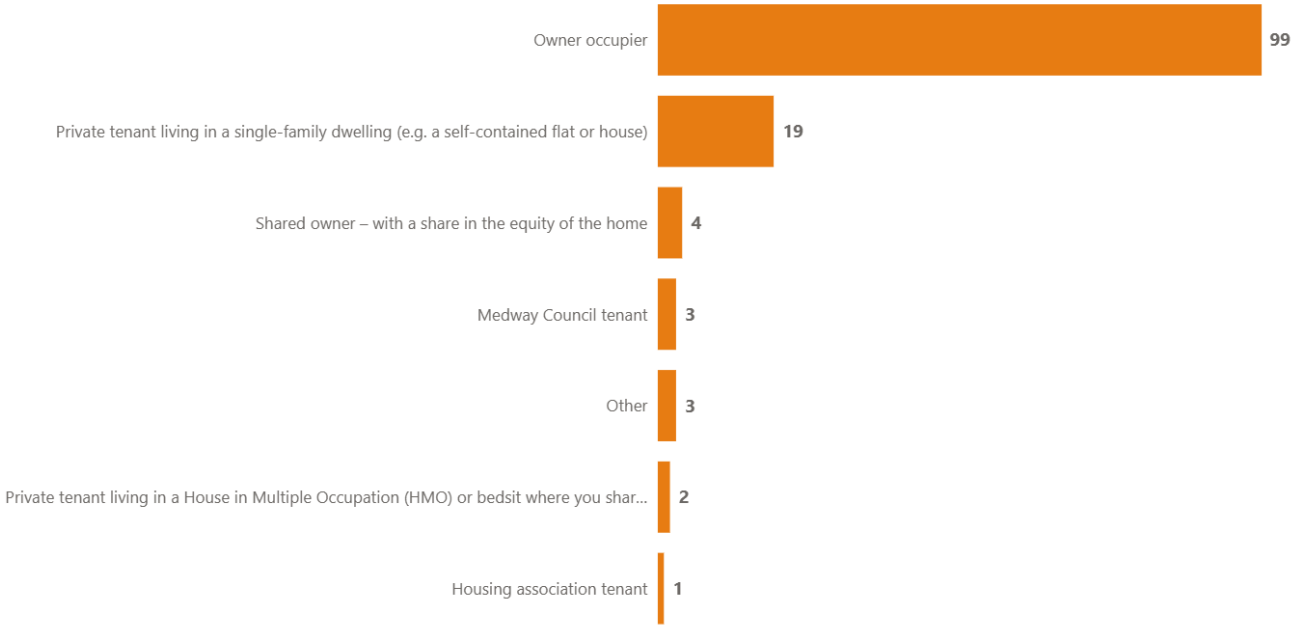
- As a Medway resident or local business (but not a landlord)
- As a landlord, letting or managing agent with properties in Medway
- As another type of stakeholder



Respondents who stated they were a Medway resident or local business, or a landlord, letting or managing agent were then asked which description would best describe them.

Of the **131** residents or local businesses who responded to this question, **103** (**79** per cent) said they were an owner occupier or shared owner, **21** (**16** per cent) said they were private tenants, and **7** (**5** per cent) said they were another type of resident or local business.

If you are a resident living in Medway, or responding on behalf of a local business in Medway, which of the following best describes you?



Of the **75** landlords, letting or managing agents who responded to this question, **44** (**59** per cent) said they were a landlord who manages their own property, and **27** (**36** per cent) said they were a landlord who uses a managing agent. **4** responses (**5** per cent) were from letting or managing agents.

If you are a landlord or agent with properties in Medway, which of the following best describes you?

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The three respondents who stated they were another type of stakeholder were then asked to describe the capacity in which they were responding to the consultation:

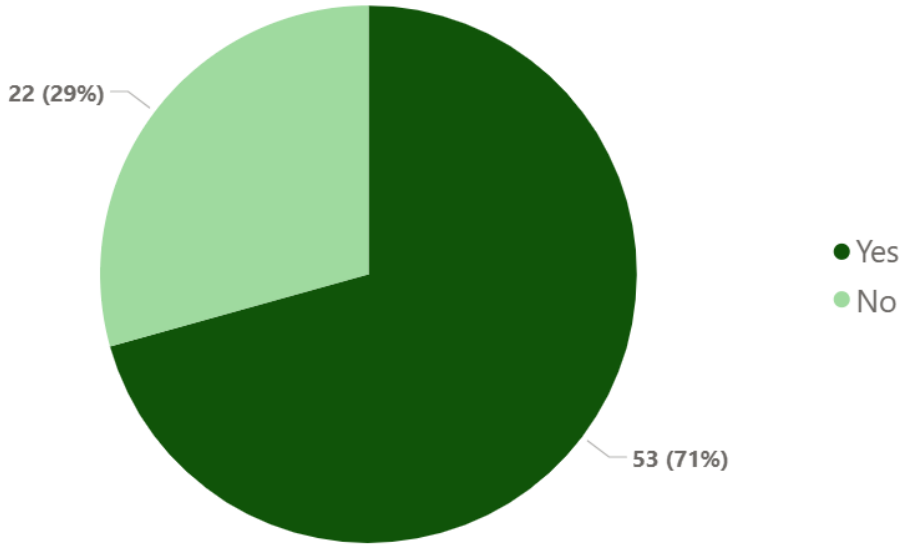
- one of these responses was submitted on behalf of Arches Chatham Neighbourhood Forum;
- the other two respondents in this category chose not to provide any further details.

The range of respondents to the consultation shows a good representation of views from different stakeholder groups.

Landlords' relationship to Medway

Landlords, letting or managing agents who responded to the consultation were asked if they lived in Medway. Of the **75** landlords, letting or managing agents who responded to this question, **53** (**71** per cent) said they lived in Medway, and **22** (**29** per cent) said they lived outside of Medway.

Do you live in Medway? *(Landlords and letting/managing agents)*

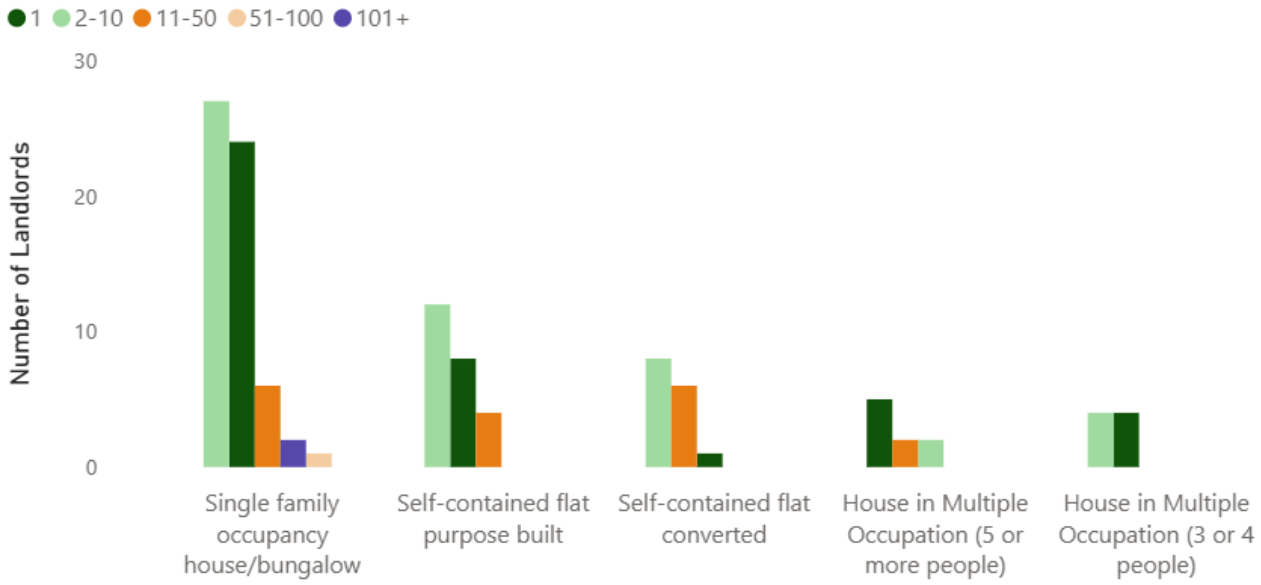


These results indicate that the consultation reached landlords both within and outside of Medway.

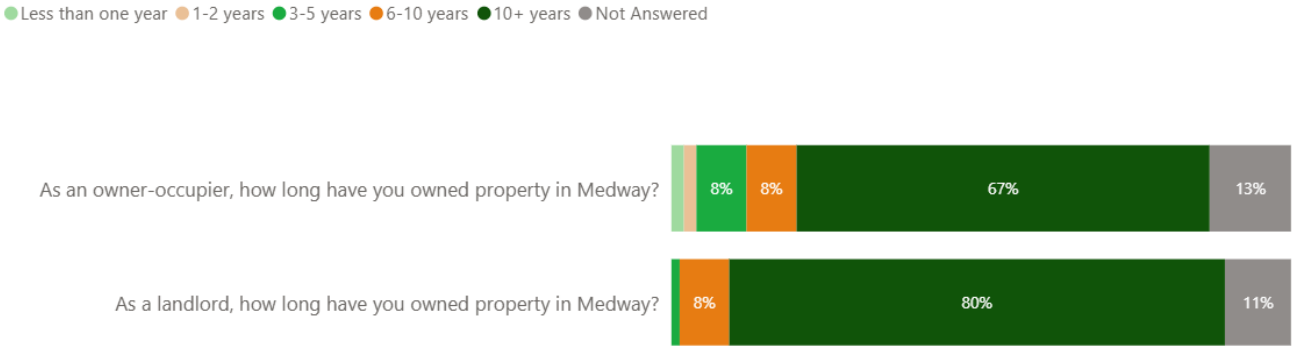
Types of property and length of ownership

Landlords, letting or managing agents were also asked about the types of properties they owned, and how long they had owned them. More landlords owned single family occupancy houses/bungalows than other types of properties. The majority of landlords owned only one or a small number of properties and had done so for more than 10 years. The majority of owner-occupiers had also owned their properties for over 10 years.

Please indicate how many properties you own/manage in Medway, for each of the following types: *(Landlords/letting agents)*



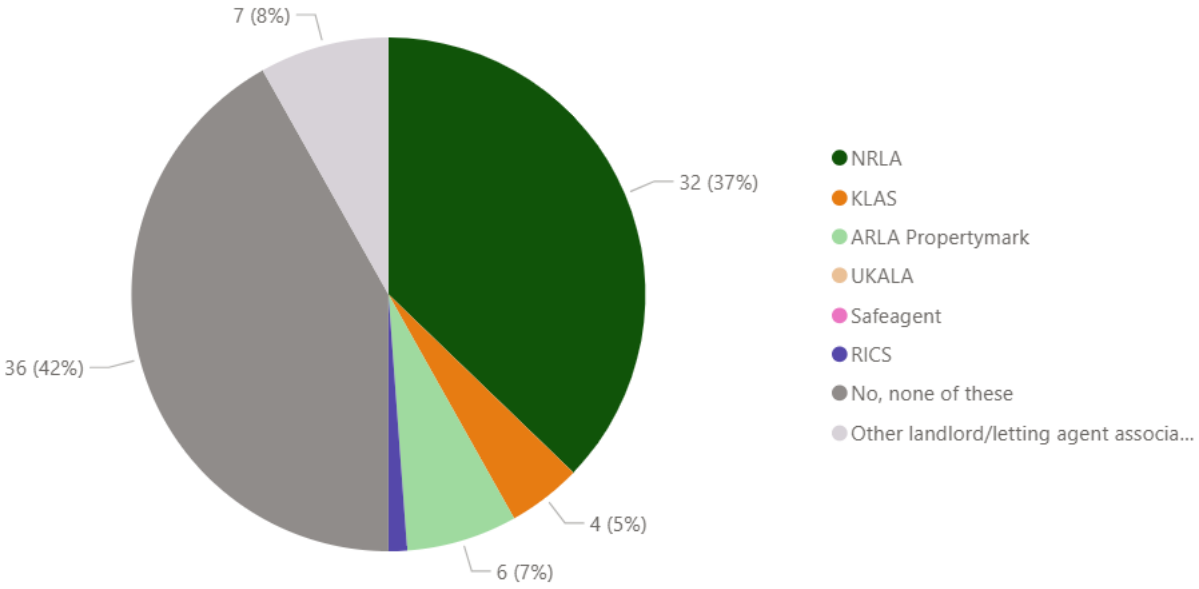
How long have you owned property in Medway? *(Owner-occupiers and Landlords/letting agents)*



Accreditation

Landlords, letting or managing agents were additionally asked whether they belonged to any accredited landlord schemes or were a member of any organisations. All landlords/letting agents (**75**) responded to this question but were allowed to indicate more than one option, giving a larger total number of responses (**86**). **42** per cent of all responses (from **48** per cent of respondents in this stakeholder group) indicated no accreditation with any of the listed schemes. The NRLA had the largest proportion of responses indicating membership (**37** per cent of all responses from **43** per cent of respondents in this stakeholder group). The remaining **21** per cent of responses indicated membership with other schemes and organisations, including ARLA Propertymark, KLAS, and RICS.

Are you accredited or a member of any of the following? *(Landlords/letting agents; more than one answer permitted)*



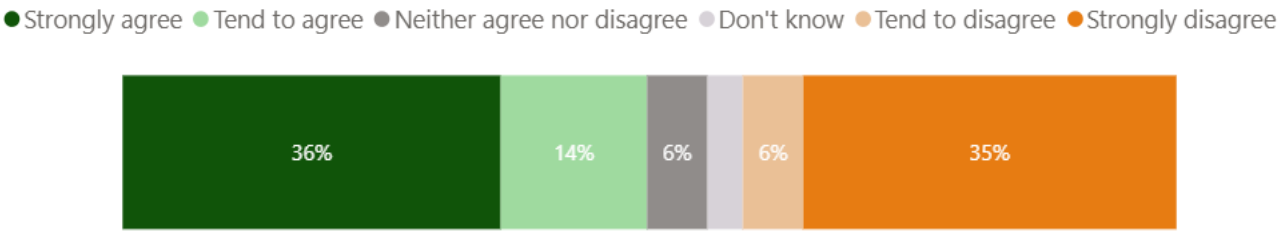
3.4 Views on the proposed selective licensing scheme

The council is proposing to introduce one selective licensing designation which would apply to privately rented homes across the following seven wards based on the criteria of poor housing conditions:

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

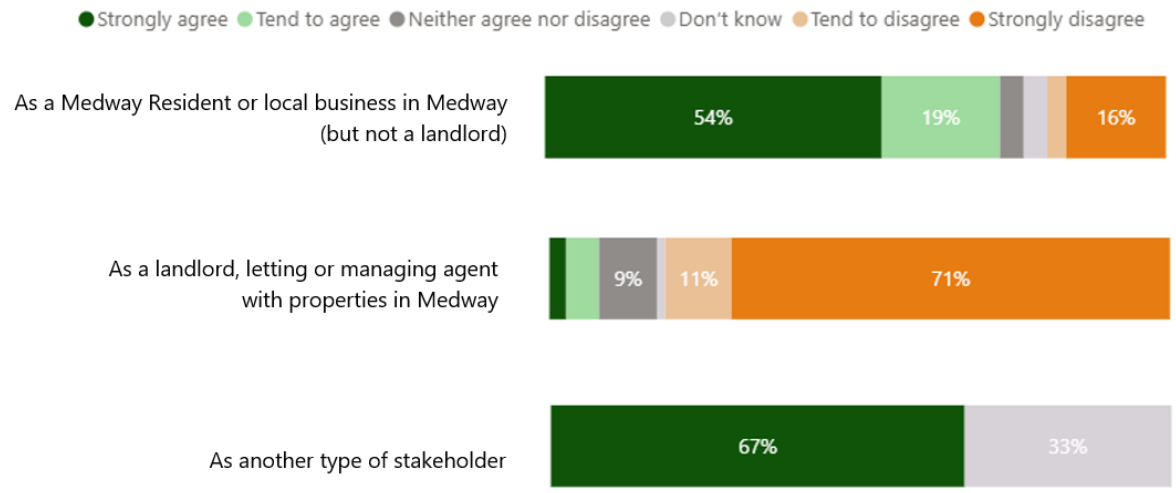
All **209** respondents answered this question. Half of respondents, **50** per cent, agree with the proposal for selective licensing and **41** per cent disagree.

To what extent do you agree or disagree with the proposal for a selective licensing scheme in the seven wards?



Looking at the responses by group, landlords, letting or managing agents (*from 75 total responses*) are opposed to the proposal with approximately **82** per cent disagreeing. In contrast, other stakeholders are in favour of the proposal, with approximately **73** per cent of residents or local businesses (*from 131 total responses*) and **67** per cent of other stakeholders (*from 3 total responses*) agreeing with the proposal.

To what extent do you agree or disagree with the proposal for a selective licensing scheme in the seven wards?



3.5 Views on the proposed additional HMO licensing scheme

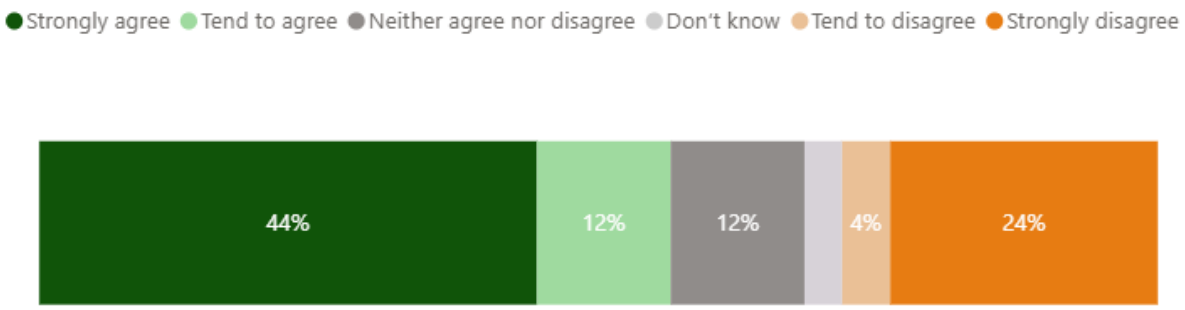
The council is proposing to introduce an additional HMO licensing scheme which would apply to HMOs in the following six wards:

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

To understand the views on this proposal, respondents were asked about their opinions on this designation. This section covers the responses regarding the proposed additional HMO licensing scheme, which would apply to all smaller HMOs that are not currently subject to the mandatory HMO licensing scheme.

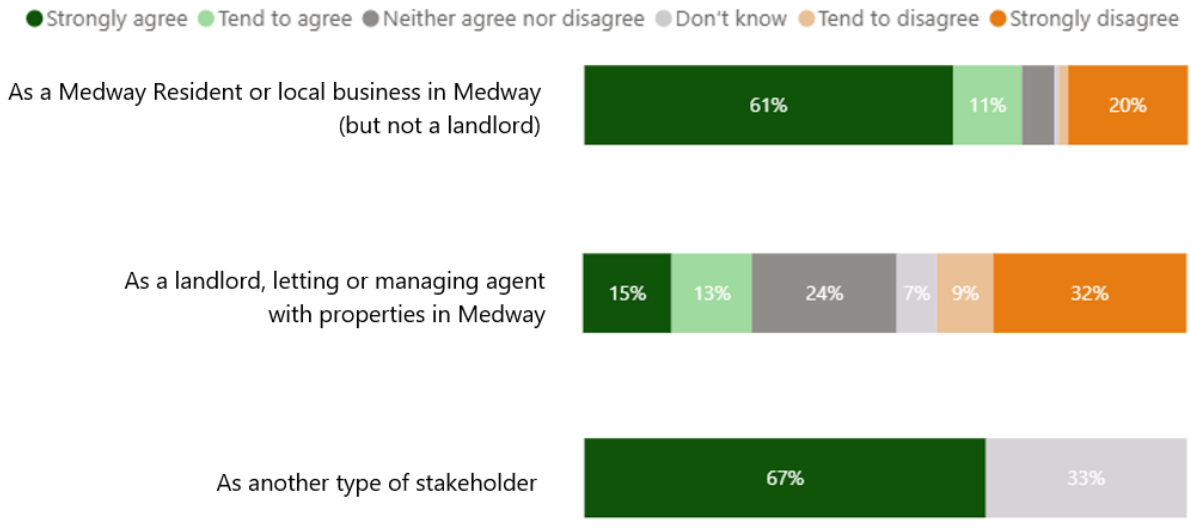
All **209** respondents answered this question. A majority, **56** per cent of respondents, agree with the proposal for additional HMO licensing and **28** per cent disagree.

To what extent do you agree or disagree with the proposal for an additional HMO licensing scheme in the six specified wards?



Looking at the responses by group, landlords, letting or managing agents (*from 75 total responses*) are generally opposed to the proposal, with **41** per cent disagreeing and **28** per cent agreeing. A significant proportion of respondents in this group, **31** per cent, neither agreed nor disagreed with the proposed additional HMO scheme. In contrast, the other stakeholder groups are generally in favour of the proposal, with **72** per cent of residents or local businesses (*from 131 total responses*), and **67** per cent of other stakeholders (*from three total responses*) agreeing.

To what extent do you agree or disagree with the proposal for an additional HMO licensing scheme in the six specified wards?



3.6 Free text comments on the proposed schemes (for those in disagreement)

All free text comments were analysed for the questions asking respondents to explain why they disagreed with the proposed licence schemes and if they had any further comments/considerations. The analysis looked at the responses by stakeholder type. As the 'other stakeholders' group was very small (at three respondents in total), comments from this group have not been analysed separately, but have instead been incorporated into the residents/local businesses group.

Landlords/agents

For landlords/agents, eight major themes can be drawn out from the responses:

1. Opposition to the scheme(s) as a whole: many landlords and agents expressed strong disagreement with the proposed selective and/or additional HMO licensing schemes, viewing them as unnecessary, burdensome, and a way for the council to generate revenue. They argued that existing laws and regulations are sufficient to address any issues with property conditions. They also argued that the schemes unfairly penalise responsible landlords and will fail to remedy problems with rogue landlords. There was a prevailing view that the licensing schemes are ineffective and do not address the root causes of housing issues.

Free text survey comments
"This licence is just a revenue making scheme for the council to penalise good landlords who are already being leant on in a lot of other areas… The council is just adding another financial burden on landlords."
"Simply creating a blanket licensing scheme discriminates against good responsible landlords by creating an unnecessary financial and administrative burden."
"The proposed licensing scheme is in my opinion an unnecessary piece of bureaucracy whose main purpose would appear to be to raise cash to offset Medway's massive debts."
"How can this proposal claim to support responsible landlords while simultaneously penalising them with additional financial pressures and regulatory burdens?"

2. Concerns about increased costs and rents: many landlords and agents expressed concerns that licensing schemes will lead to increased costs, which will ultimately be passed on to tenants in the form of higher rents. There is particular concern about the impact on affordability for lower-income tenants and those already struggling in the rental market. As a result, the schemes are viewed as counterproductive to wider housing affordability objectives.

Free text survey comments
"Any licensing fees imposed on landlords are highly likely to be passed on to tenants through increased rents, further worsening affordability pressures."
"I don't believe that good landlords should have to suffer further costs, all you are doing is driving the good landlords away and forcing rents up."
"A licensing scheme will only increase costs for the landlord that will have to be passed to the renter."
"The cost of a licence will inevitably be passed on to the tenant"

3. Focus on targeting rogue landlords: landlords frequently suggested that instead of implementing a blanket licensing scheme, the council should focus on targeting and penalising rogue landlords who are not complying with existing regulations. They argued that a targeted, intelligence-led approach would be a more effective approach to improving property conditions and protecting tenants, without penalising landlords whose properties already meet high standards.

Free text survey comments
"Medway should be targeting the rogue landlords and not trying to catch the few by imposing additional costs and demands on the many."
"You should penalise the culprits and not charge the responsible individuals."
"Responsible landlords should not be financially penalised because of the actions of a minority of rogue landlords."
"I believe the Council should focus on targeted enforcement against known problem properties, make full use of existing Housing Act powers, utilise the new powers available through the Renters' Rights Act, and work more closely with landlords and accredited managing agents before introducing an additional licensing regime."

4. Utilise existing powers/legislation to target issues within the PRS: many landlords and agents argued that local authorities already have sufficient legal powers to address poor housing conditions and ASB. There is a strong perception that existing powers are underutilised and that licensing schemes are duplicative and unnecessary.

Free text survey comments
"There is no evidence of the Council using their existing powers."
"You already have laws to maintain standards of houses"
"Local authorities already possess extensive enforcement powers under the Housing Acts and the HHSRS to identify and address poorly managed private rented properties. These powers are not theoretical—they are effective when properly used."
"Medway Council already possesses extensive powers under housing legislation to investigate and take enforcement action against landlords who fail to meet their legal obligations. These include powers relating to housing hazards, property conditions, management standards, overcrowding, civil penalties, improvement notices, prohibition orders and prosecution."

5. Lack of faith in effectiveness of schemes and council management: some landlords and agents expressed scepticism about the council's ability to effectively manage and enforce the licensing schemes. Responses cited examples of existing application backlogs and inspection delays under Medway's mandatory licensing scheme as evidence that the proposed discretionary schemes may not achieve their intended goals. There are concerns that poorly managed schemes could become administrative exercises rather than delivering meaningful improvements.

Free text survey comments
"My concerns are the additional licensing would not be managed properly by the council due to lack of resources."
"There are also serious concerns about the current capacity of the council to administer existing licensing schemes. For example, I have personally experienced delays of over 12 months for an HMO licence renewal."
"There will be a lack of resources to carry out the selective licensing effectively"

6. Emphasis on the role of social housing: several landlords highlighted the need for the council to address issues with social housing, which they argued is often in poor condition and contributes to housing problems in Medway. These respondents argued that problems such as ASB behaviour and poor housing conditions are not limited to the PRS. They suggested that the council should focus on improving its own housing stock before imposing additional regulations on private landlords.

Free text survey comments
"The biggest issues in Medway are derived from public social housing and not privately rented housing"
"The broader issues with poor quality housing and ASB are not limited to the private rental sector"
"The issue of Medway becoming more 'run down' is to do with long term lack of investment in social housing"

7. Licensing will drive landlords out: there was a strong concern amongst landlords and agents that the proposed schemes will discourage landlords from remaining in the PRS. Respondents argued that increasing regulation, costs, and administrative burdens are pushing landlords towards selling their properties, thus reducing housing supply and making life more difficult for tenants.

Free text survey comments
"If this goes through we will leave the rental market"
"Many landlords – me included – may have little option but to leave the sector altogether. This would ultimately reduce the supply of rental housing in Medway and place further upward pressure on rents for local residents."
"This will lead to more private landlords leaving the area"
"Ultimately good landlords are facing ever increasing burdens/costs and likely to just sell up thus reducing good stock for renters"

8. Tenant responsibility for ASB: Some landlords raised concerns about an imbalance in responsibility between landlords and tenants, particularly in relation to ASB. There is a perception that tenants are not being held accountable for their own behaviour, and that landlords are being held responsible for factors outside of their control.

Free text survey comments
"I think that tenants should be held to some responsibility, the majority of landlords I know keep excellent properties… but tenants tend to have no regard for property"

"The occupants themselves need to be motivated enough to help keep clean the area and property"
"Anti social behaviour will not be eradicated by housing that is just making excuses for poor choices by the individuals."

Residents/local businesses and other stakeholders

For residents/local businesses and other stakeholders, similar themes were evidenced, with a greater emphasis on increased costs for tenants:

1. *Concerns about increased costs:* respondents expressed concerns that the proposed licensing schemes would lead to increased costs for landlords which would ultimately be passed on to tenants in the form of higher rents. They argued that this would worsen housing affordability in Medway, particularly for low-income households and vulnerable groups.

Free text survey comments
"These proposed fees will presumably be passed directly on to the tenants by their respective landlords"
"The fees and costs are just going to be paid by me – landlords will just increase rent and force me out"

2. *Focus on enforcement and existing laws:* several respondents suggested that the council should prioritise enforcing existing laws and regulations rather than implementing new licensing schemes. They argued that there are already measures in place to address poor housing conditions and ASB and that the council should focus on effectively enforcing these laws

Free text survey comments
"In many cases, the core issues stem not from a lack of regulation, but from inconsistent enforcement of the rules that are already in place. Rather than expanding licensing requirements, efforts should be focused on strengthening enforcement of current legislation."
"If the council has already identified poorly performing wards/landlords - do something about them rather than impose fees on already good landlords."

"The council already have powers to make sure landlord improves qualities of property rented without making landlord doling out extra funds for this licences"

3. Criticism of Medway Council's own housing management: some respondents criticised the council for not adequately investing into and maintaining its own social housing properties. They argued that the council should address the issues within its own housing stock before targeting issues within the PRS.

Free text survey comments
"I think Medway council's own standards need to improve. I've repeatedly told you about fire safety issues, antisocial behaviour and smoke coming in from my window from barbecues outside… and the lack of ventilation and you [have] done NOTHING about it."
"Instead what you should do is to build and increase the number of good council houses"
"Build enough social housing then there would not be a need for the private rented market as it is, so they only fill the gap which is caused by your failure to build enough social housing"

4. Impact on rental market and housing supply: some respondents expressed concerns that the licensing schemes would discourage landlords from renting out their properties, leading to a decrease in the availability of rental housing. They argued that this would further worsen the housing crisis in Medway.

Free text survey comments
"Licensing schemes do not work they just drive good landlords out"
"Introducing further restrictions may discourage landlords from continuing to operate in the market, reducing the overall supply of rental properties, which could drive up rents and limit options for tenants"
"It's not going to help with poverty in the area, if anything the landlords will do the work and then put the prices up to push these people out."

5. Misconception that licensing will increase the number of HMOs: several respondents suggested that introducing an additional HMO licensing scheme will result in more HMOs being created, rather

than regulating existing ones. In some cases, respondents conflated licensing with expansion of HMO provision. This misconception has invited negative responses to the additional HMO scheme from some residents.

Free text survey comments
"We already have far too many HMOs in Medway"
"We need less HMOs, it just encourages greed… It's selfish and greedy and creates a housing crisis. Housing should be affordable."
"I don't think we should have HMOs I find they just attract a poorer standard of tenant."
"HMOs are not the answer – too many people living together creates problems"

6. Concerns about effective delivery: some respondents expressed concerns about the council's ability to implement and enforce the schemes effectively. They argued that poorly managed schemes could become a 'tick-box' exercise that does not achieve meaningful outcomes.

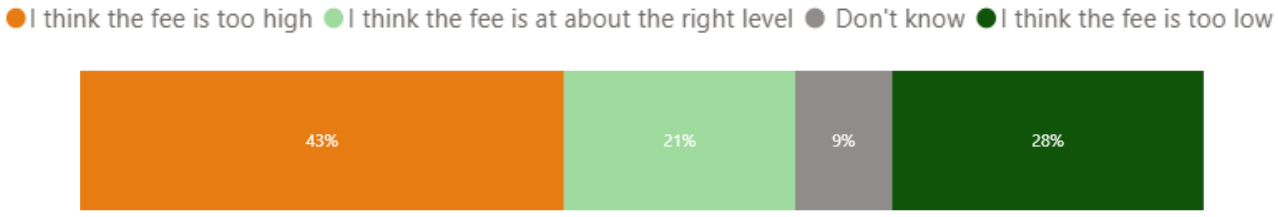
Free text survey comments
"It is not clear to me how the arrangements would be "policed" and those in breach of the licence dealt with."
"Unless all this is carefully monitored, how will all this be maintained? I've rented property as a landlord in other counties in the past. Was easy to obtain a licence, no formative checks were carried out. Properties were never inspected and it was just a way for councils to make money out of licensing fees with no follow up."
"I don't oppose but am very concerned how it will be policed especially given cuts and shortages at Medway Council. If it just becomes a tick box exercise there is very little point."
"I don't disagree, but what concerns me is how properties will be inspected to ensure standards are being maintained and how regularly."

3.7 Views on the proposed selective licensing scheme fee

The consultation asked respondents for their views on the proposed licence fees for the proposed selective licensing scheme and additional HMO licensing scheme. Information about the proposed licence fees was provided within the consultation documents.

Respondents were asked for their views on the proposed selective licence fee of £840 for a five-year licence.

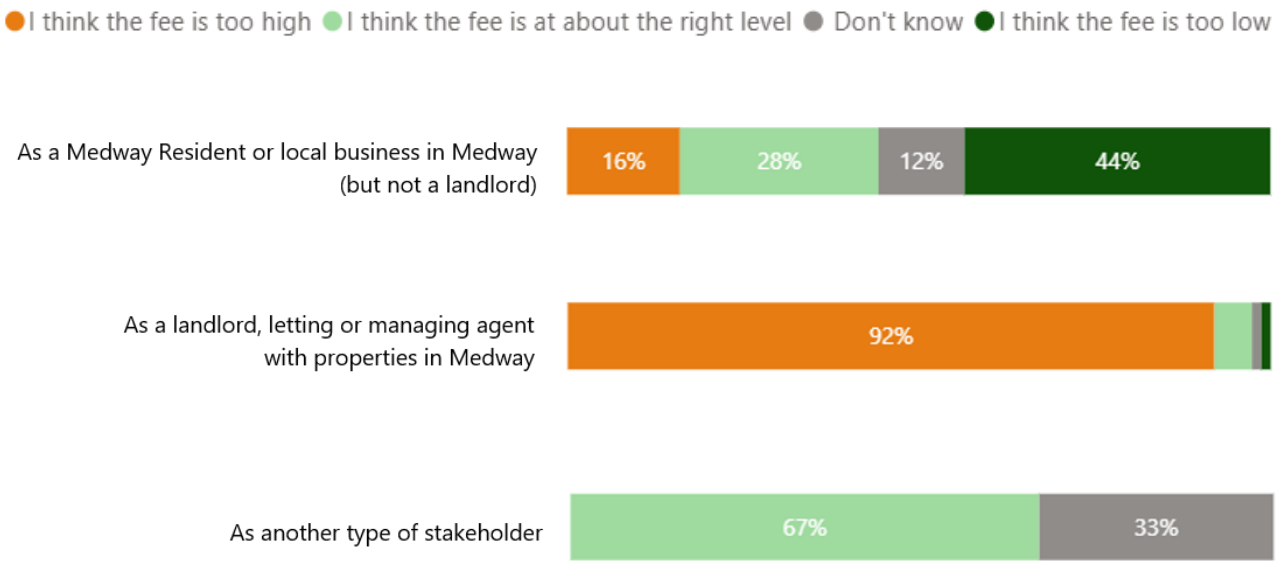
What are your views on the proposed selective licensing fee?



All **209** respondents answered this question. A majority of respondents, **43** per cent, said that they thought that the fee is too high, as opposed to **21** per cent who thought it was 'about right' and **28** per cent who thought it was too low.

Landlords, letting or managing agents were consistent in responding that the fee is too high, with **92** per cent selecting this option; the other stakeholder groups had more mixed responses with **72** per cent of residents or local businesses and **67** per cent of other stakeholders responding that the fee is 'about right' or too low. A smaller percentage of residents or local businesses (**16** per cent) responded that the fee is too high.

What are your views on the proposed selective licensing fee?



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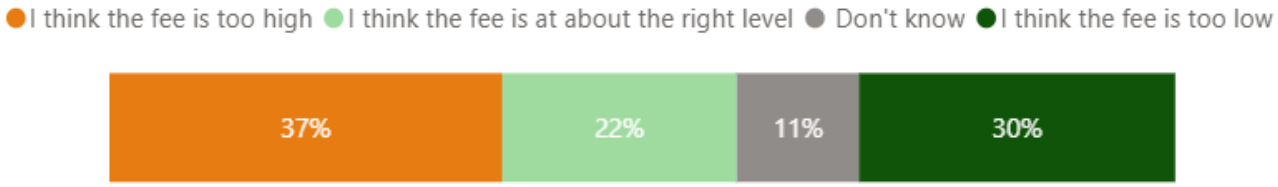
3.8 Views on the proposed additional HMO licensing scheme fees

Respondents were also asked for their views on the proposed additional HMO licence fee of £1,600 for a five-year licence.

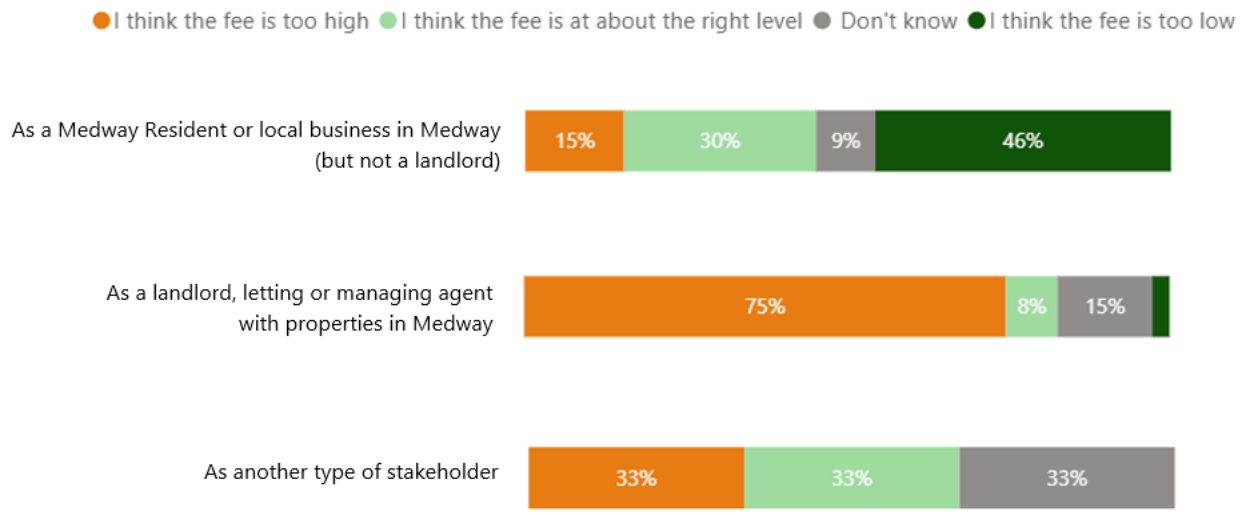
What are your views on the proposed additional HMO licensing fee?



All **209** respondents answered this question. A majority of respondents, **52** per cent, said that they thought that the fee is either too low or at about the right level. However, **37** per cent of respondents thought the fee was too high.

Landlords, letting or managing agents were consistent in responding that the fee is too high, with **75** per cent selecting this option. However, **76** per cent of residents or local businesses responded that the fee was either too low or 'about right'. The three 'other stakeholders' were evenly split between 'too high', 'about right', and 'don't know'.

What are your views on the proposed additional HMO licensing fee?



3.9 Views on the proposed licensing scheme discounts

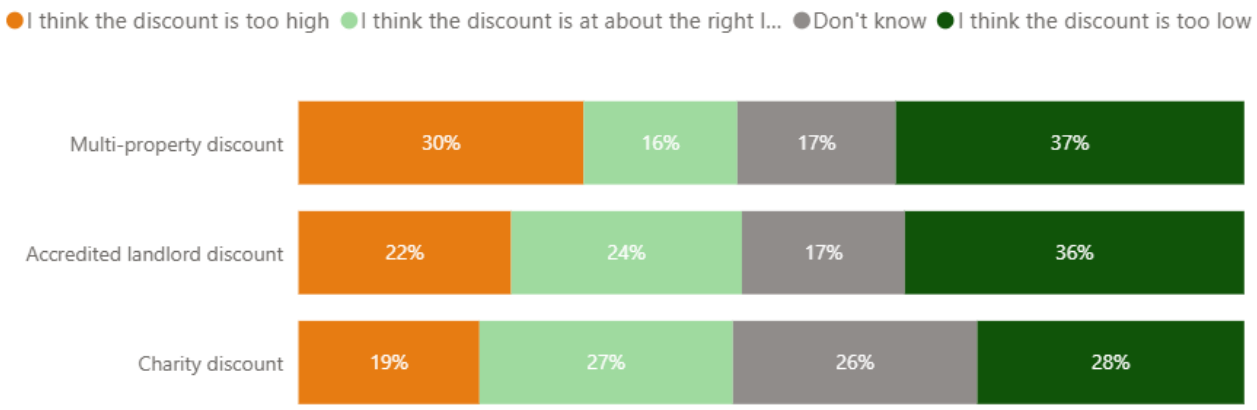
During this consultation, the council proposed three separate discounts. The discounts proposed were accredited landlord discount, multi-property discount, and charity discount. Proposed

discounts are applicable to both selective and additional HMO applications. The charity discount cannot be applied in combination with any other discounts.

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

The consultation asked respondents for their views on each of the proposed licence fee discounts. Information about the proposed licence fee discounts was provided within the consultation documents.

What are your views on the proposed discounts?



All **209** respondents shared their views on these discounts. **37** and **36** per cent respectively stated that the multi-property and accredited landlord and discounts were too low. For the charity discount, **28** per cent stated that they felt it was too low. Across all three proposed discounts, approximately **46** per cent of respondents thought that the discount was either about the right level or too high.

Looking at the results by stakeholder group, **68** per cent and **67** per cent respectively of landlords, letting or managing agents viewed the accredited landlord and multi-property discounts as too low. When considering the charity discount, a slightly lower proportion, **45** per cent, viewed the discount as too low.

Residents or local businesses generally held opposing views on the discounts compared to landlords or agents. For the accredited landlord discount, charity discount, and multi-property discount, a significant proportion of respondents in this category (**33** per cent, **37** per cent, and **20** per cent

respectively) stated that the discounts were at about the right level. **34** per cent, **21** per cent, and **45** per cent of respondents respectively stated that the discounts were too high.

The responses of the three other stakeholders were more mixed. **67** per cent felt that the accredited landlord discount was 'about right'. Responses for the charity and multi-property discounts were split evenly between 'about right', 'too low', and 'don't know'.

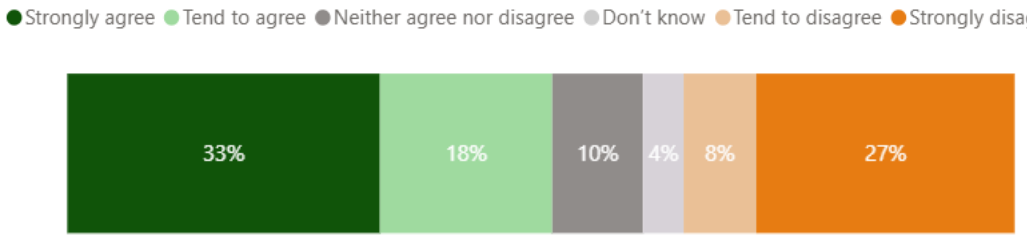
What are your views on the proposed discounts?

3.10 Views on the proposed selective licensing scheme conditions

The consultation asked respondents for their views on the proposed selective licence conditions. Information about the licence conditions was provided within the consultation documents.

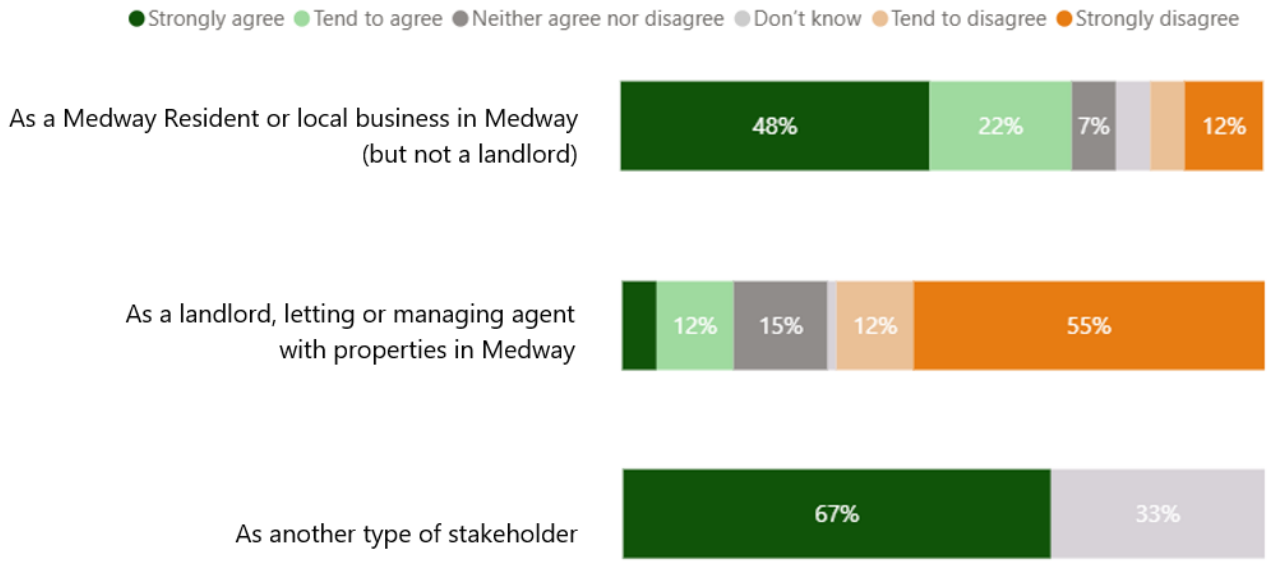
All **209** respondents answered this question. A majority of respondents, **51** per cent, agreed with the proposed licence conditions, while **35** per cent of respondents disagreed.

To what extent do you agree or disagree with the proposed selective licensing discretionary conditions?



Looking at the responses by stakeholder group, residents or local businesses and other stakeholders are in favour, with the majority of each group (**70** per cent and **67** per cent respectively) agreeing with the proposed conditions. Landlords, letting or managing agents, on the other hand, are generally opposed, with **67** per cent disagreeing with the proposed conditions.

To what extent do you agree or disagree with the proposed selective licensing discretionary conditions?



Free text comments regarding the selective licence conditions

The free text comments for the questions asking respondents to explain why they disagreed with the proposed selective licence conditions were analysed. The analysis looked at the responses by stakeholder type. As the 'other stakeholders' group was very small (at three respondents in total), comments from this group have not been analysed separately, but have instead been incorporated into the residents/local businesses group.

Landlords/agents

For landlords/agents, several themes emerged, but especially the notion that the current regulations and requirements are sufficient and that additional conditions are unnecessary.

1. *Excessive burden:* landlords voiced strong concerns that the selective licensing conditions impose unnecessary financial and administrative burdens. They argued that many of the proposed conditions duplicate existing legal requirements, increase compliance costs, and penalise responsible landlords. Overall, the conditions are seen as disproportionate, especially for smaller landlords. Respondents argued that this could lead to higher rents, reduced housing supply, and discourage participation in the PRS.

Free text survey comments
"They create a bureaucratic costly burden on good landlords while not changing the condition of properties or the situation of tenants except perhaps to put up their rent."
"The conditions set out in this proposal are things already in place in my properties. I am now being asked to do an enormous amount of admin to prove this and will cost me – on top of my time and my letting agent's time – hundreds of pounds in licence application fees"
"Most of this is already done by decent landlords but again you are now putting an unnecessary administrative burden on them."

2. *Focus on existing regulations:* several landlords argued that the proposed conditions largely overlap with existing regulations and requirements. They believed that enforcing and ensuring compliance with these existing regulations would be more effective than introducing new licensing conditions. There is a strong perception that landlords are already subject to extensive regulation, making additional conditions unnecessary.

Free text survey comments
"Most of the matters listed in Appendix 2 are already legislated for. This just increases bureaucracy and duplicates many matters"

"This legislative condition already exists and does not need a locally run council group to oversee it."
"I tend to disagree with the proposed discretionary conditions because many of them duplicate existing legal obligations and established good management practices"
"The majority of the conditions are already ones that landlords by current legislation have to comply with and not doing so is a criminal offence."

3. Impact on rents: landlords expressed concerns that the additional costs associated with meeting the selective licensing conditions will ultimately be passed on to tenants in the form of higher rents. They believed that this will further exacerbate the affordability crisis in the rental market.

Free text survey comments
"The cost of the license application will make the rental unviable and Landlords will be forced to decide between selling up or passing on the cost to tenants."
"This is likely to reduce the supply of rental accommodation, increase rents, and make it harder for tenants to secure suitable housing."
"all it means is we have to put rents up more frequently than past to make it all worthwhile going forwards."

4. Conditions will not effectively target rogue landlords: some landlords expressed concerns that the proposed licence conditions will not successfully address the behaviour of rogue landlords. Respondents argued that rogue landlords are unlikely to comply with additional requirements, meaning that the burden of licensing will fall disproportionately on compliant landlords while rogue landlords will continue operating outside of regulatory systems.

Free text survey comments
"[The conditions will] likely be ignored or evaded by the rogue landlords that need to be dealt with."
"To deal with rogue landlords you need to understand their business models and disrupt them at source. I appreciate you think Licencing will do this but it won't. Rogue landlords will not seek a Licence."

"I don't believe it will catch all rogue landlords, simply it will create additional red tape to the point many landlords will sell up and exit the market thus creating less properties to rent and drive up rents."

Residents/local businesses and other stakeholders

Similarly to the responses from landlords/agents, a common theme was that the licence conditions are covered by existing law. There was also a concern about the impact on tenants and that added requirements could lead to increases in rent and decrease in supply.

1. *Focus on existing regulations:* some respondents questioned the need for discretionary conditions, arguing that existing laws and enforcement powers should be sufficient in enabling the council to address issues in the PRS. Respondents also questioned the effectiveness of Medway Council's current mandatory HMO scheme.

Free text survey comments
"You will do nothing to enforce any action against slum landlords, you already have powers you can use but you do nothing, getting revenue seems to be the only thing this current council care about."

2. *Impact on tenants:* some respondents raised concerns about the potential negative impact on tenants, such as increased rents, reduced housing options, and difficulties in obtaining references or finding accommodation due to stricter regulations.

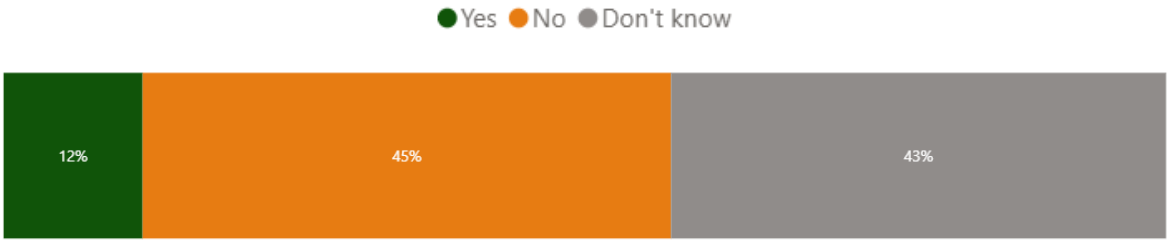
Free text survey comments
"This will again course [sic] rents to go up."
"This [will] reduce their chances of accommodation if implemented. A ripple effect on landlord[s] [could] trickle down to tenants as we've seen with rentals bills"
"I'm also [asking] what protection this would offer vulnerable tenants."

3. *Property standards and maintenance*: some respondents argued that the selective licence conditions do not go far enough, and in other parts of the survey noted that there should be added conditions relating landlords' responsibilities to upkeep both the inside and outside of their properties.

Free text survey comments
"They should have to make sure the outside of the house is maintained. Gardens maintained."
"1. The property including the garden should be immaculate prior to rent. 2. The tenant should have to keep the property in the condition it's handed to them in, including the garden, inspections should take place to ensure the upkeep… 5. The property should look nice, for example, not have blankets hanging in the window!"
"[The conditions] do not go anywhere near in depth or far enough!"

Respondents were also asked whether they felt that there were any other licence conditions (not already covered under the mandatory or proposed discretionary selective licence conditions) that they thought should be included. Most respondents either did not know or thought that there were not, but those who answered, 'Yes' (**12** per cent) were invited to say what conditions they thought should be added.

Are there any other selective licence conditions *(that are not already covered by a mandatory or proposed discretionary licence condition)* **that you think should be included?**

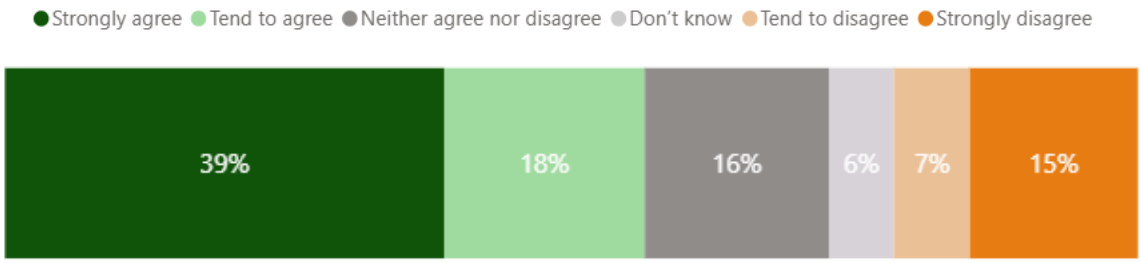


Respondents' suggested extra selective licence conditions		
1.	**Vehicle and parking management**	Landlords must manage and limit the number of vehicles associated with a property, especially in areas with high vehicle ownership or permit parking. This includes: • restrictions on vehicle repairs and sales outside properties; • monitoring multiple vehicle ownership per household.
2.	**Heating, insulation, and ventilation**	Landlords must ensure properties are adequately heated, insulated, and ventilated. This includes: • ensuring adequate ventilation mechanisms to manage excess heat; • maintaining effective heating and insulation.

3.11 Views on the proposed additional HMO licensing scheme conditions

The consultation asked respondents for their views on the proposed additional HMO licence conditions. Information about the licence conditions was provided within the consultation documents.

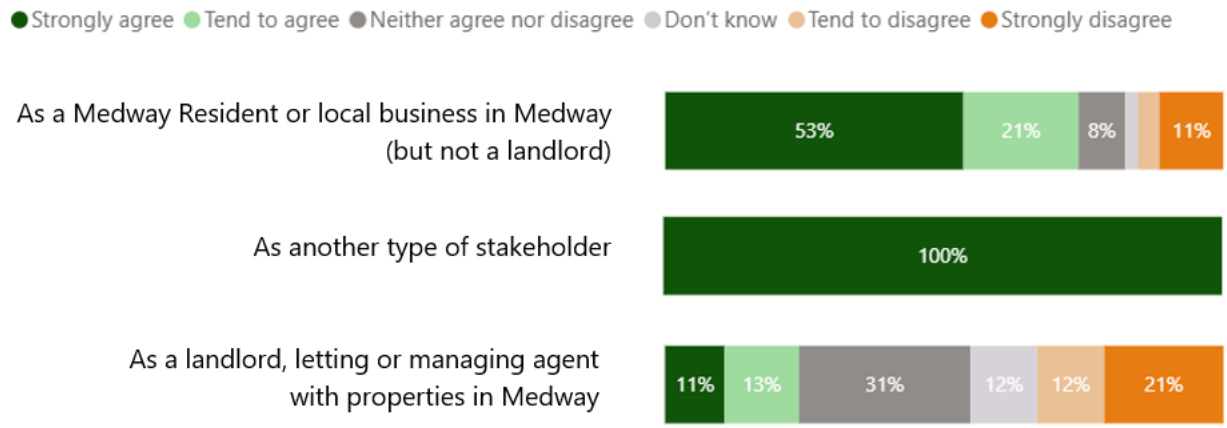
To what extent do you agree or disagree with the proposed additional HMO licensing discretionary conditions?



All **209** respondents answered this question. A majority of respondents, **57** per cent, agreed with the proposed additional HMO licence conditions, while **22** per cent of respondents disagreed. The same proportion of respondents, **22** per cent, neither agreed nor disagreed or didn't know.

Looking at the responses by stakeholder group, the majority of residents or local businesses, **74** per cent, agreed with the proposed additional HMO licensing conditions. All three respondents in the 'other stakeholder' category also agreed with the proposed conditions. Landlords, letting or managing agents had more mixed views, with **33** per cent disagreeing, **24** per cent agreeing with the additional HMO licensing conditions, and **43** per cent saying they neither agreed nor disagreed, or didn't know.

To what extent do you agree or disagree with the proposed additional HMO discretionary licensing conditions?



Free text comments regarding the additional HMO licence conditions

The free text comments for the questions asking respondents to explain why they disagreed with the proposed additional HMO licence conditions were analysed. The analysis looked at the responses by stakeholder type. As the 'other stakeholders' group was very small (at three respondents in total), comments from this group have not been analysed separately, but have instead been incorporated into the residents/local businesses group.

Landlords/agents

For landlords/agents, several themes emerged, all of which were similar to those expressed when asked about the selective licence conditions, especially the notion that the current regulations and requirements are sufficient and that additional conditions are unnecessary.

1. Excessive burden: many landlords and agents argue that the proposed additional HMO licensing conditions are excessive and place an unfair burden on responsible landlords, especially where they extend beyond national issues. There is also concern that some conditions, such as those related to regular inspections and tenant behaviour, are being placed inappropriately on landlords.

Free text survey comments
"I think the significant increase in record keeping and administration is counter-productive."
"Too much red tape. As stated conditions will cause good landlords to leave PRS."
"The requirement to inspect properties at least every three months appears disproportionate."
"The council and police should treat ASB of tenants in the same way that it does for any resident of Medway and not put this on landlords who are not equipped to deal with these types of issues."

2. Focus on existing regulations: many landlords argued that the proposed additional HMO licensing conditions largely overlap with existing regulations and requirements. They argued that enforcing and ensuring compliance with these existing regulations would be more effective than introducing new licensing conditions.

Free text survey comments
"They are laws controlling most of this now but local authorities do little to enforce them or educate tenants on their rights."
"The law already specifies management conditions to be undertaken by HMO landlords."

The majority of the conditions are already ones that landlords by current legislation have to comply with and not doing so is a criminal offence."

3. Impact on rents and supply: landlords expressed concerns that the additional costs associated with meeting the licensing conditions will ultimately reduce the supply of PRS properties and be passed on to tenants in the form of higher rents. They believed that this will further exacerbate the affordability crisis in the rental market.

Free text survey comments
"My experience is that additional licensing drives some landlords to sell up in the area concerned. The reduced supply leads to increased rents and the landlords additional costs add further to the rent increase."
"Be very careful of the unintended consequences of these actions! Rents have already spiralled and are due to get worse. This adds more fuel to that fire."
"In practice, increased regulation in the private rented sector raises the cost of operating for landlords. These additional costs—whether through licence fees, compliance requirements, or administrative burden—are inevitably passed on to tenants through higher rents"

4. Targeting bad landlords: some landlords suggested that instead of imposing licensing conditions on all landlords, the focus should be on targeting and penalising landlords who are providing inadequate housing or failing to meet their responsibilities. They believed that this targeted approach would be more effective in improving housing standards.

Free text survey comments
"I believe the Council should focus on targeted enforcement against poorly managed properties rather than imposing extensive additional administrative requirements on all licensed HMOs."
"The bad landlords are likely to just operate outside of this system and still only be held to the same mandatory conditions."
"I strongly support robust enforcement against genuinely poor or negligent landlords, and I believe councils should focus resources on identifying and targeting those individuals directly through enforcement powers already available."

Residents/local businesses and other stakeholders

Similarly to the responses from landlords/agents, a common theme was that the licence conditions are covered by existing laws. There was also a concern about the impact on tenants, and further comments indicating a misconception that an additional HMO licensing scheme would increase the number of HMOs in Medway.

1. *Focus on existing regulations:* some respondents expressed their disagreement, citing concerns about increased costs for landlords and potential rent increases for tenants. They questioned the need for additional regulations and suggested that existing laws and enforcement should be sufficient. They also questioned the effectiveness of the current mandatory HMO licensing scheme in achieving its intended objectives.

Free text survey comments
"It is the lack of effective enforcement rather than the lack of legislation which leads to problems."
"if the council is already licensing HMO[s], and it hasn't improve[d], who['s] saying the additional HMO licensing would not only be another taxation to raise money for the council."

2. *Impact on tenants:* some respondents raised concerns about the potential negative impact on tenants, such as increased rents, reduced housing options, and difficulties in obtaining references or finding accommodation due to stricter regulations.

Free text survey comments
"Overly prescriptive conditions may discourage landlords from renting properties, reducing the availability of housing and potentially driving up rents."

3. *Misconception that licensing will increase HMOs:* several respondents suggested that introducing an additional HMO licensing scheme would result in more HMOs being created, rather than regulating existing ones. They highlighted their concerns about the impact HMOs on the local community and implied a preferred emphasis on HMO planning regulation as opposed to more licensing conditions.

Free text survey comments
"I don't believe in HMOs - they are not the answer to overcrowding"

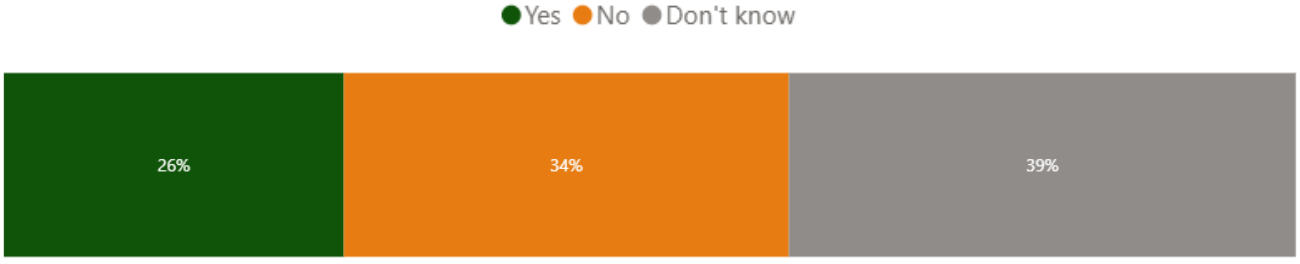
"I disagree with the creation of more HMOs in the strongest possible terms."
"HMO is not a long term solution and is detrimental to the community"
"I disagree with HMO as there are already too many. If so many HMOs are required then there are too many people for the area. Simple. Re-think. HMO is not the answer"

4. Concerns about effectiveness, monitoring, and compliance with conditions: several respondents expressed doubts about the council's ability to ensure that landlords comply with additional HMO licence conditions. There is concern that the conditions may look robust 'on paper' but fail to deliver real improvements.

Free text survey comments
"I'm concerned how it will be monitored. As we know locally landlords will change the goalposts to get permissions. They know how to play the systems and often disregard/ threaten their tenants."
"The effectiveness of these conditions will depend on the ability of the local authority to provide effective and when necessary prompt enforcement."
"You can have as many licenses as you like, unless someone actually checks up regularly on these properties it will not make a blind bit of difference, these greedy landlords do not care about your licenses, they know you will do nothing to stop them"

Respondents were also asked whether they felt that there were any other additional HMO licence conditions (not already covered under the mandatory or proposed discretionary additional HMO licence conditions) that they thought should be included. Most respondents thought that there were not or selected 'don't know', but those who answered 'Yes' (**26** per cent) were invited to say what conditions they thought should be added.

Are there any other additional HMO licence conditions *(that are not already covered by a mandatory or proposed discretionary licence condition)* **that you think should be included?**

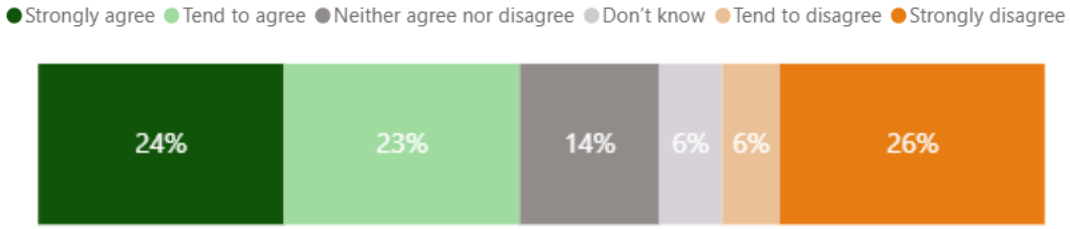


Respondents' suggested extra additional HMO licence conditions		
1.	**Tenant vetting and behavioural standards**	Require landlords to conduct criminal background checks and vet tenants for suitability. Tenants must sign behavioural agreements covering ASB, noise, cleanliness, and respect for neighbours.
2.	**Parking and vehicle restrictions**	Limit the number of vehicles per property. Tenants must not repair or sell vehicles from the premises. Consider implementing parking control zones in HMO-dense areas.
3.	**Heating, insulation, and ventilation**	Landlords must ensure properties are adequately heated, insulated, and ventilated. This includes: • ensuring adequate ventilation mechanisms to manage excess heat; • maintaining effective heating and insulation.

3.12 Views on the proposed licensing scheme objectives

The consultation asked respondents for their views on the proposed licensing scheme objectives. Information about the licensing scheme objectives was provided within the consultation documents.

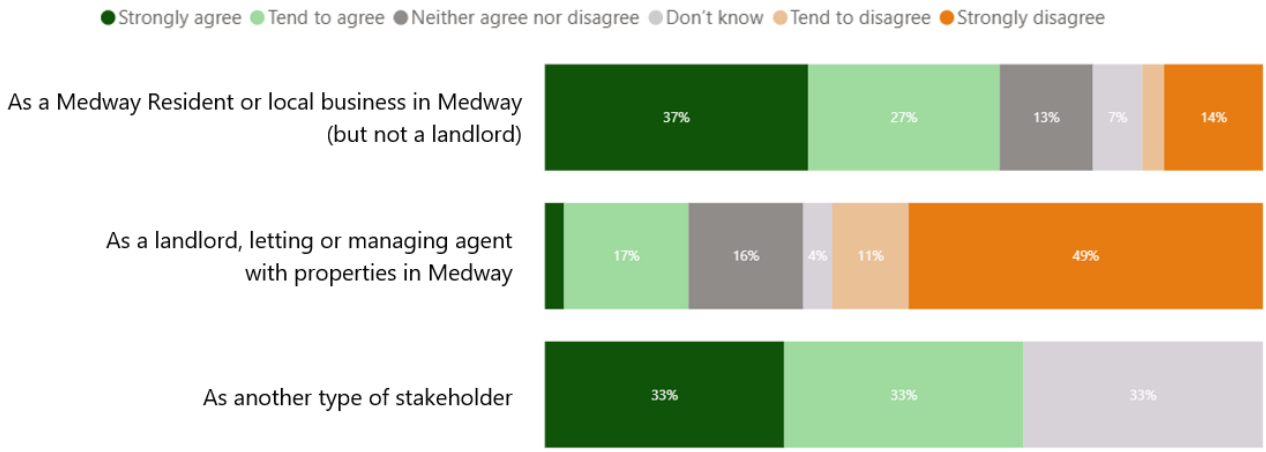
To what extent do you agree or disagree with the proposed licensing scheme objectives?



All **209** respondents answered this question. A large proportion of respondents, **47** per cent, agreed with the proposed licensing scheme objectives, while **32** per cent of respondents disagreed. A proportion of respondents, **20** per cent, said they neither agreed nor disagreed or didn't know.

Looking at the responses by stakeholder group, residents or local businesses and other stakeholders are in favour, with the majority of each group (**64** per cent and **67** per cent respectively) agreeing with the proposed licensing scheme objectives. Landlords, letting or managing agents were largely opposed, with the majority, **60** per cent, disagreeing.

To what extent do you agree or disagree with the proposed licensing scheme objectives?



Free text comments regarding the licence objectives

The free text comments for the questions asking respondents to explain why they disagreed with the proposed licence objectives were analysed. The analysis looked at the responses by stakeholder type. As the 'other stakeholders' group was very small (at three respondents in total), comments from this group have not been analysed separately, but have instead been incorporated into the residents/local businesses group.

Landlords/agents

Landlords/agents were broadly negative towards the licensing scheme objectives. Many argued that existing laws already cover the objectives, and that enforcement—not new fees—is what's needed. There was scepticism about the council's ability to achieve the objectives it has set out to achieve.

1. Ineffectiveness of licensing schemes: there is scepticism amongst landlords about whether the licensing schemes will actually achieve their stated goals, with concerns that the schemes are more symbolic than impactful. In some cases, respondents emphasised support for the stated objectives but disagreed that licensing would achieve these objectives.

Free text survey comments
"There is no robust independent evidence that selective licensing of non-HMO properties delivers measurable improvements in housing conditions."
"I strongly agree with the objectives, but feel this is completely the wrong way to go about achieving them"
"This will not reduce deprivation; it will increase it. Landlords already pay enough as it is, especially if the rental property is mortgaged. You will push some landlords into a negative financial position and, as a result, reduce the available housing stock, which will then place further pressure on the council to provide additional housing."
"In my opinion the scheme will not be able to achieve its objectives. Any upstanding landlord with good intentions would agree with the objectives in principle but I strongly disagree on the basis they are not achievable."

2. Existing regulations are sufficient and underutilised: many landlords argued that the objectives of the licensing schemes can already be achieved through existing laws and enforcement mechanisms. These respondents suggest that existing powers are underutilised, and that the proposed licensing schemes are not necessary.

Free text survey comments
"The Council has not demonstrated that the scheme is necessary, given that it already has statutory duties and extensive enforcement powers to address substandard housing"
"Many of the outcomes listed, including improving housing conditions, tackling poor management and enforcing standards against non-compliant landlords, can already be pursued using existing Housing Act powers and will be further supported by the Renters' Rights Act."
"Existing powers are simply not being used. If you add to landlord costs, supply will reduce and rents will rise."

3. Objectives unfairly target landlords and overlook tenant responsibility: Many respondents argued that the proposed objectives place disproportionate emphasis on landlords' responsibilities while overlooking the role of tenants. There is a perception that issues such as property conditions and ASB are not solely within landlord control, and that the objectives of the proposed schemes should reflect a more balanced approach that recognises shared responsibility.

Free text survey comments
"The aim of improving housing conditions in the PRS sounds reasonable on the surface, but framing it as "eliminating poor property standards" places the burden almost entirely on landlords while ignoring a key part of the equation—tenant responsibility… What about tenants' duty to look after the property, ventilate adequately, dispose of waste properly, and report repairs before they escalate? These are basic expectations, yet they are rarely acknowledged in policies like this."
"The Renters' Rights Act reforms are heavily weighted towards tenant protections, while offering insufficient safeguards for landlords dealing with problematic or non-compliant tenants. While I fully support action against rogue landlords, there must also be fair and effective protection for responsible landlords"
"The report does not focus heavily enough on the role of [the] council to manage tenants as they would any other resident of Medway."

Residents, local businesses and other stakeholders

Many residents, local businesses, and other stakeholders agreed with the intentions behind the licensing objectives, but they expressed doubts about the schemes being able to deliver these

outcomes. The most common concerns included the lack of enforcement and monitoring, which undermined confidence in achieving the objectives. Additionally, there was scepticism about the council's capacity to manage the schemes effectively.

1. Enforcement and effectiveness concerns: there is scepticism about whether the council will effectively enforce the schemes or achieve their stated objectives. Some respondents emphasised that licensing will negatively impact the very people it aims to support. There is limited confidence that the objectives will translate into real improvements for tenants.

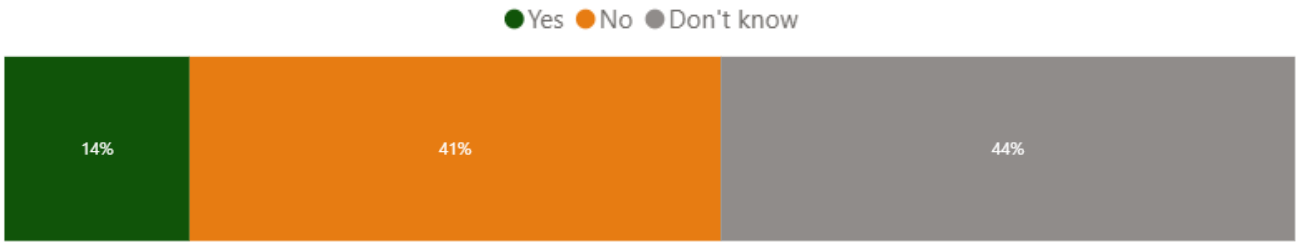
Free text survey comments
"I disagree with the current objectives outlined in Report.pdf because they fail to address critical, live health hazards while financially penalizing the very tenants they claim to protect."
"5 years is too long. Landlords can go rogue for 3 years knowing they don't have to renew yet."
"This is extra tax for tenants as the cost of this will be passed on to them."

2. Council ability and resource issues: some stakeholders expressed doubts about the council's ability to manage the schemes effectively due to staffing, funding, and operational limitations.

Free text survey comments
"Although there is agreement with the objectives the effectiveness will depend on the provision of sufficient funding of the scheme particularly in terms of oversight and enforcement."

Respondents were also asked whether they felt that there were any other licence scheme objectives (not already covered by the objectives listed) that they thought should be included. Most respondents thought either that there were not, or that they didn't know, but those who answered 'Yes' (**14** per cent) were invited to say what objectives they thought should be added.

Are there any other licence scheme objectives *(that are not already covered by the objectives listed)* **that you think should be included?**



Respondents' suggested extra licensing objectives	
Ensure licensing schemes deliver real impact	Licensing should not be a bureaucratic exercise or financial burden without tangible benefits. The scheme must lead to genuine improvements in housing standards and tenant wellbeing.
Support responsible landlords	Reward landlords who consistently comply with regulations through reduced fees or exemptions and provide access to a dedicated support team for tenant and property management.
Improve communication and feedback	Share regular updates and performance reports with landlords and Medway residents to foster transparency and help them stay informed about scheme developments and compliance deadlines.
Strengthen the local community	Licensing should recognise and aim to mitigate the potential impact that poorly managed privately rented properties may have on the local community in Medway.
Improve tenant responsibility and accountability	Educate tenants about their role and responsibilities in maintaining housing standards and preventing ASB.

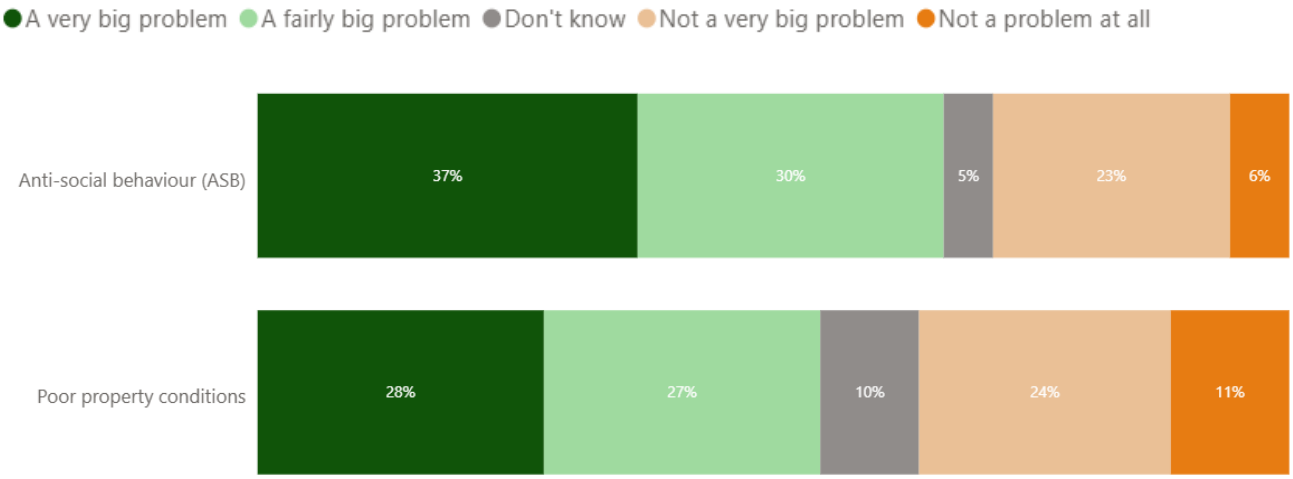
3.13 Views on issues in Medway's PRS

Respondents to the survey were asked their opinion of issues relating to poor property conditions and ASB in private rented properties in Medway.

Respondents were asked to what extent they believed that poor property conditions and ASB are problems in their local area of Medway.

All **209** respondents answered this question.

To what extent do you believe each of the following to be a problem in your local area of Medway?



Anti-social behaviour (ASB)

A majority of respondents, **67** per cent, believed that ASB was a fairly big or a very big problem, whereas **29** per cent stated that they believed it was not a very big problem or not a problem at all.

When looking at the responses by stakeholder group, as can be seen in the graphs below, there is a marked divergence between landlords, letting or managing agents, and residents or local businesses and other stakeholders. Only **45** per cent of landlords, letting or managing agents viewed ASB as a fairly big or very big problem. In contrast, **79** per cent of residents or local businesses and **100** per cent of other stakeholders viewed it as a fairly big or a very big problem.

Poor property conditions

55 per cent of respondents thought that poor property conditions were a fairly big or a very big problem, as opposed to **35** per cent who thought that they were not a very big problem or not a problem at all.

There is an even greater disparity between the views of landlords, letting or managing agents and those of residents or businesses and other stakeholders when considering poor property conditions;

where **61** per cent of landlords, letting or managing agents viewed poor property conditions as not a very big problem or not a problem at all, **73** per cent of residents or local businesses and **100** per cent of other stakeholders held the opposite perspective, stating that poor property conditions were a fairly big problem or a very big problem.

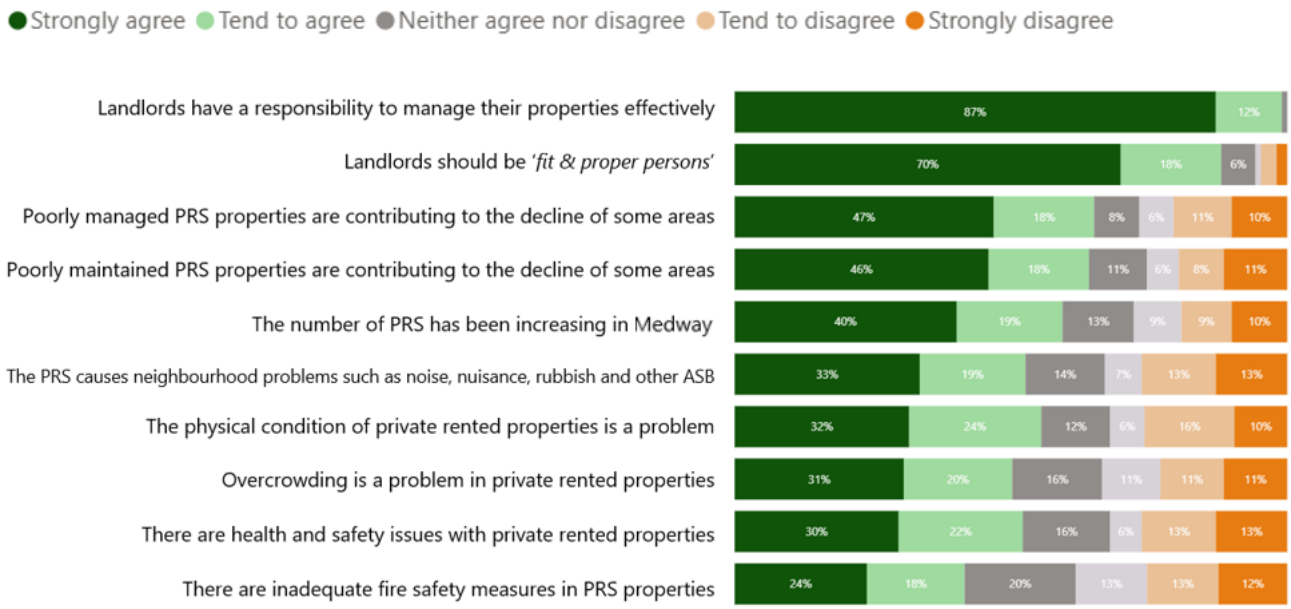
To what extent do you believe each of the following to be a problem in your local area of Medway?

3.14 Views on the PRS in Medway

Respondents were also asked about their views on the PRS in Medway as a whole.

All **209** respondents answered this question.

To what extent do you agree or disagree with the following statements?



Landlord responsibility

When asked if landlords have a responsibility to manage their properties effectively, the overwhelming majority of respondents, **99** per cent, either agreed or strongly agreed.

'Fit and proper' person

When asked if landlords should be 'fit and proper' persons (e.g. have proper management or financial arrangements in place and not have convictions for certain types of offences), again, the overwhelming majority, **88** per cent, either agreed or strongly agreed.

Poorly managed properties

When asked whether poorly managed private rented properties were contributing to the decline of some areas in Medway, the majority, **65** per cent, agreed or strongly agreed, while **21** per cent disagreed or strongly disagreed.

Poorly maintained properties

When asked whether poorly maintained private rented properties were contributing to the decline of some areas in Medway, the majority, **64** per cent, agreed or strongly agreed, while **19** per cent disagreed or strongly disagreed.

Number of private rented properties

When asked whether the number of private rented properties in Medway has been increasing, the majority, **59** per cent, agreed or strongly agreed, while only **19** per cent disagreed or strongly disagreed.

Neighbourhood problems such as noise, nuisance, rubbish and other ASB

When asked whether the PRS causes neighbourhood problems, the majority, **52** per cent, agreed or strongly agreed, while **26** per cent disagreed or strongly disagreed.

Physical condition of properties

When asked whether the physical condition of private rented properties in Medway was a problem, the majority, **56** per cent, either agreed or strongly agreed, while **26** per cent disagreed or strongly disagreed.

Overcrowding

When asked whether there was an issue with overcrowding in private rented properties in Medway, the majority, **51** per cent, agreed or strongly agreed, while **22** per cent disagreed or strongly disagreed and **27** per cent neither agree nor disagreed.

Health and safety Issues

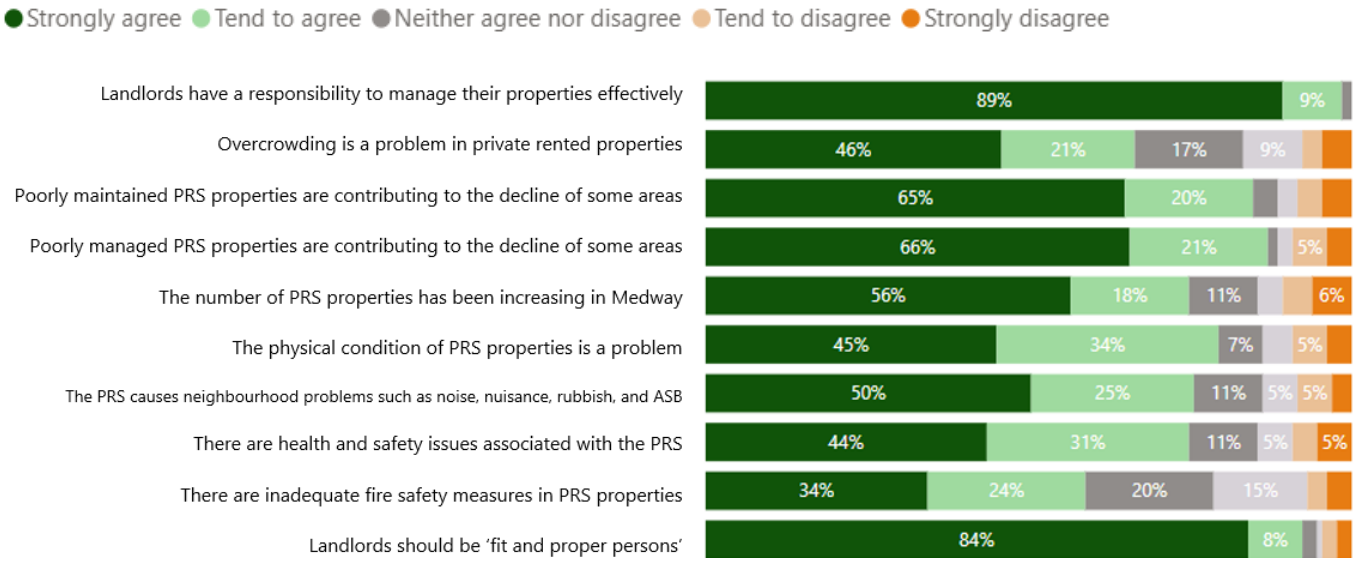
When asked whether there were health and safety issues with private rented properties in Medway, the majority, **52** per cent, either agreed or strongly agreed, while **26** per cent disagreed or strongly disagreed. **22** per cent neither agreed nor disagreed.

Inadequate fire safety measures

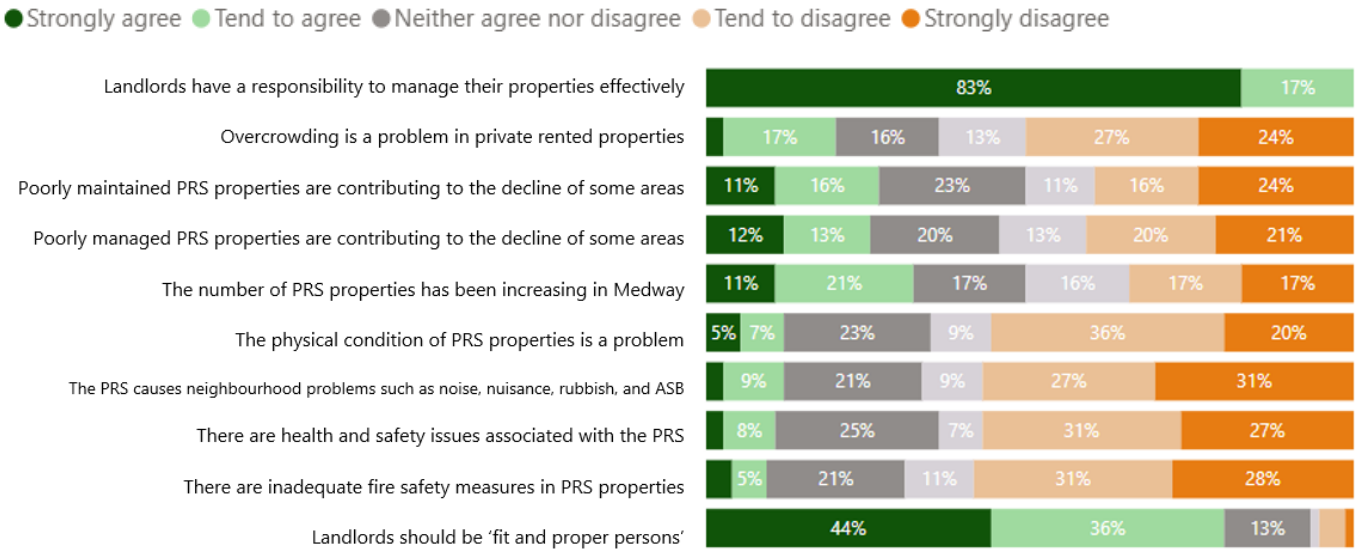
When asked whether there were inadequate fire safety measures in private rented properties in Medway, the responses were more mixed. **42** per cent agreed or strongly agreed, **25** per cent disagreed or strongly disagreed, and **33** per cent stated that they neither agreed nor disagreed.

Similarly, when looking at responses by stakeholder group, there is a stark contrast between landlords, letting or managing agents' perceptions of the PRS in Medway and that of residents or local businesses and other stakeholders. The stakeholder breakdown is shown in the graphs below.

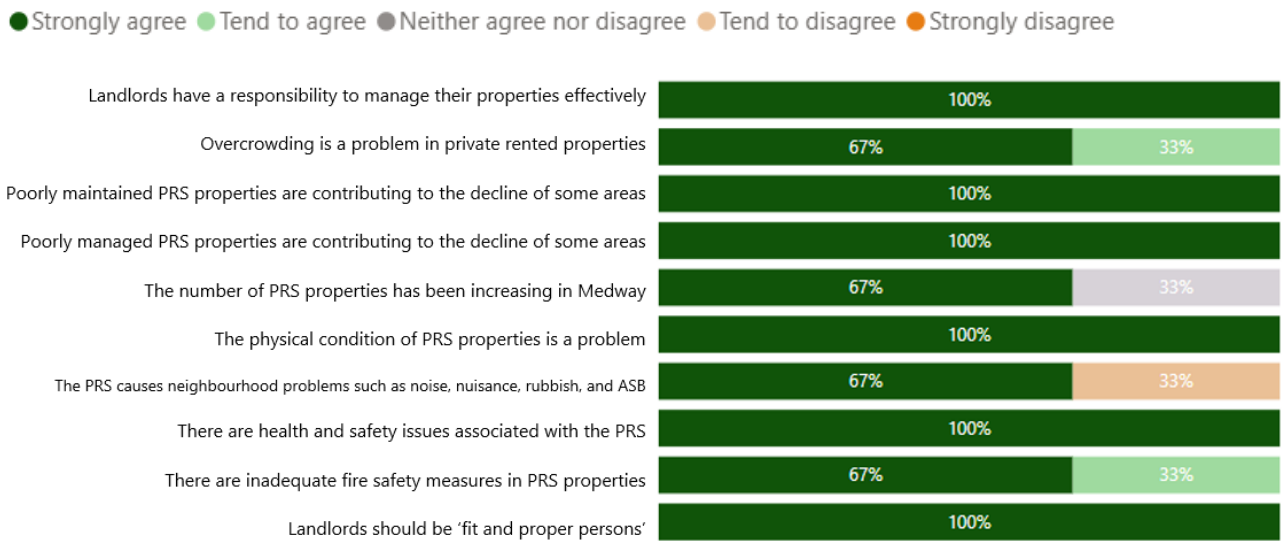
To what extent do you agree or disagree with the following statements? *(residents or local businesses)*



To what extent do you agree or disagree with the following statements? *(landlords, letting or managing agents)*



To what extent do you agree or disagree with the following statements? *(another type of stakeholder)*

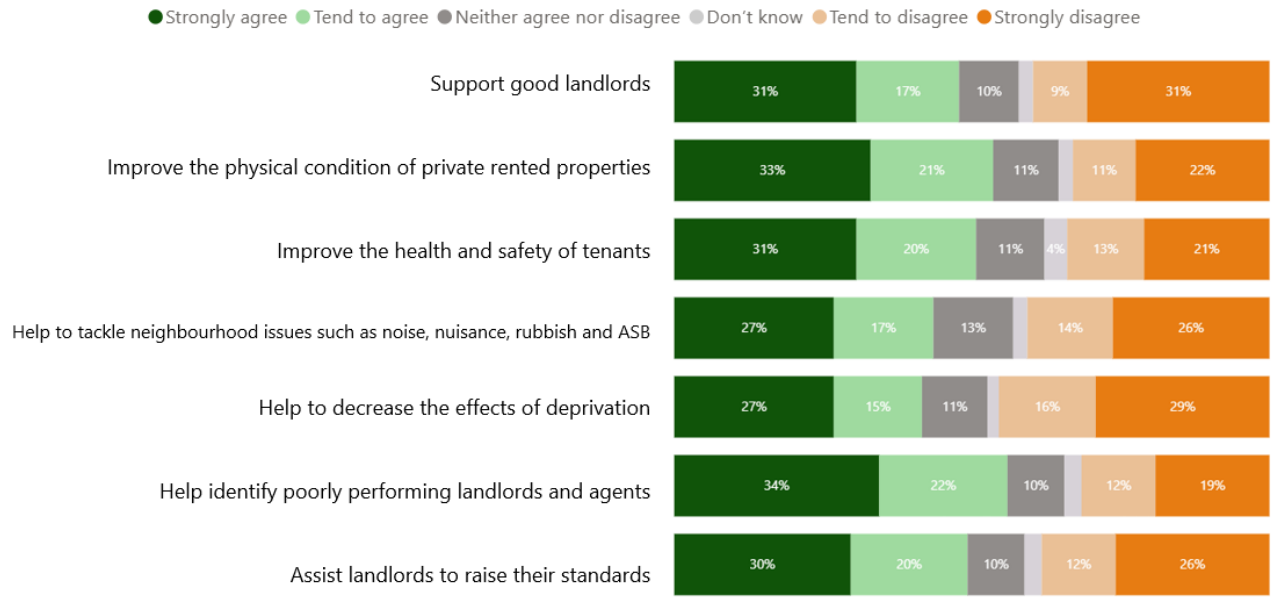


Views on selective licensing scheme outcomes in Medway

Respondents were also asked about their views on whether they thought a selective licensing scheme in Medway would help to achieve certain outcomes.

All **209** respondents answered this question.

To what extent do you agree or disagree that a selective licensing scheme will help to achieve the following outcomes?



The question asked respondents to what extent they agreed that a selective licensing scheme in Medway would help to achieve the following outcomes:

Support good landlords

48 per cent either agreed or strongly agreed, while **40** per cent said they disagreed or strongly disagreed. **12** per cent said they neither agreed nor disagreed or didn't know.

Improve the physical condition of private rented properties

54 per cent either agreed or strongly agreed, while **33** per cent either disagreed or strongly disagreed. **13** per cent said they neither agreed nor disagreed or didn't know.

Improve the health and safety of tenants

51 per cent either agreed or strongly agreed, while **34** per cent either disagreed or strongly disagreed. **15** per cent said they neither agreed nor disagreed or didn't know.

Help to tackle issues of neighbourhood problems such as noise nuisance, rubbish and other ASB

44 per cent either agreed or strongly agreed, while **40** per cent either disagreed or strongly disagreed. **15** per cent said they neither agreed nor disagreed or didn't know.

Help to decrease the effects of deprivation (poverty) in the area

45 per cent disagreed or strongly disagreed, while **42** per cent either agreed or strongly agreed. **13** per cent said they neither agreed nor disagreed or didn't know.

Help identify poorly performing landlords, managing agents and letting agents

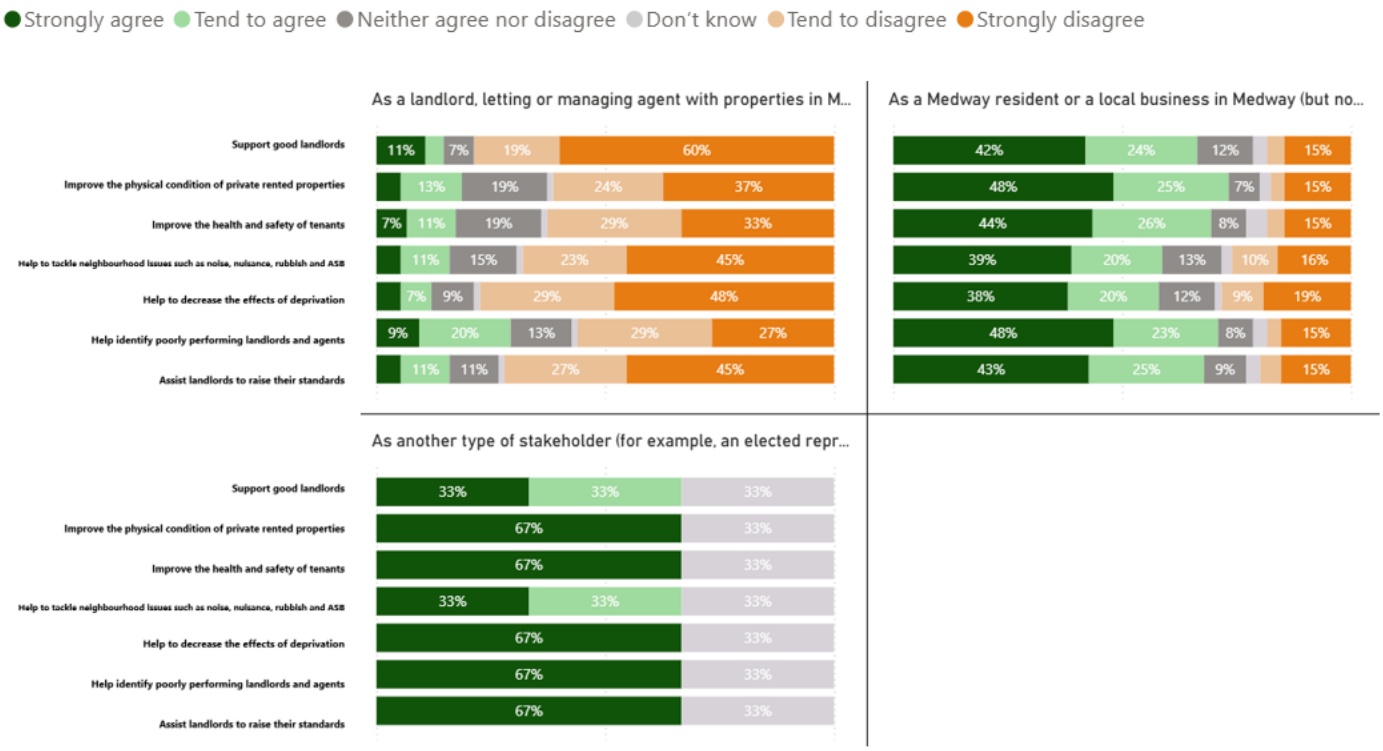
56 per cent either agreed or strongly agreed, while **31** per cent said they disagreed or strongly disagreed. **12** per cent said they neither agreed nor disagreed or didn't know.

Assist landlords to raise their standards

50 per cent either agreed or strongly agreed, while **38** per cent either disagreed or strongly disagreed. **12** per cent said they neither agreed nor disagreed or didn't know.

As is the case with many of the other questions, there is polarity between the views of landlords, letting or managing agents and those of residents or local businesses and other stakeholders. The stakeholder breakdown is shown in the graphs below.

To what extent do you agree or disagree that a selective licensing scheme will help to achieve the following outcomes?

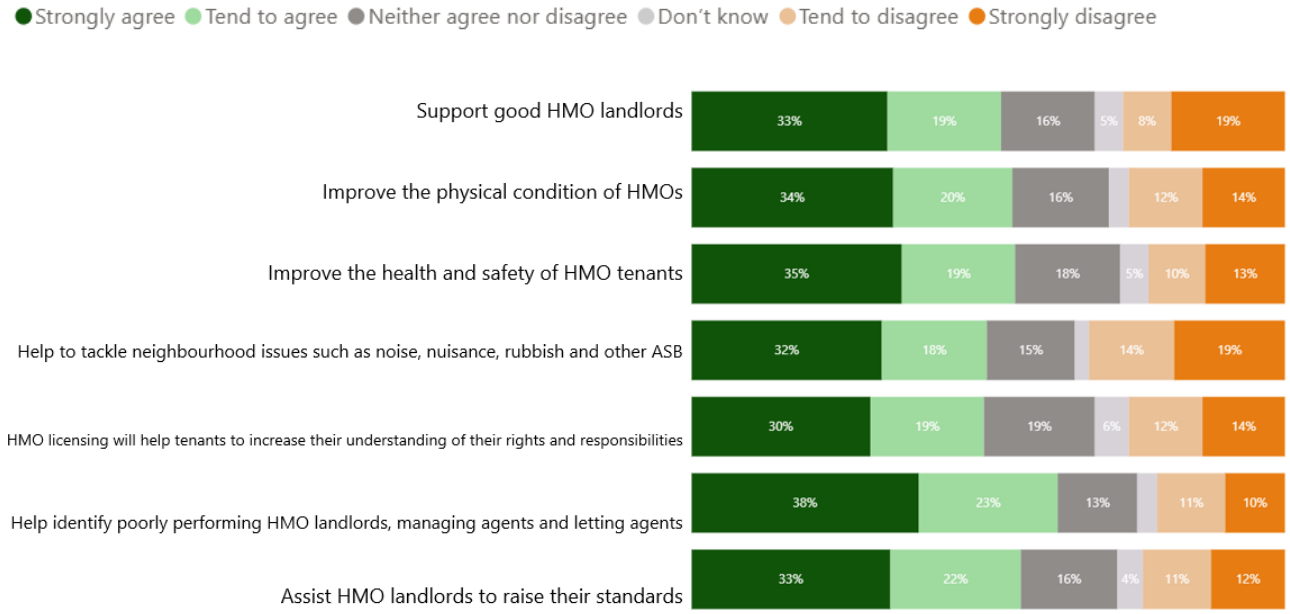


Views on additional HMO licensing scheme outcomes in Medway

Respondents were also asked about their views on whether they thought an additional HMO licensing scheme in Medway would help to achieve certain outcomes.

All **209** respondents answered this question.

To what extent do you agree or disagree that an additional HMO licensing scheme will help to achieve the following outcomes?



The question asked to what extent they agreed that an additional HMO licensing scheme in Medway would help to achieve the following outcomes:

Support good HMO landlords

The majority of respondents, **52** per cent, either agreed or strongly agreed, while **27** per cent either disagreed or strongly disagreed. **21** per cent said they neither agreed nor disagreed or didn't know.

Improve the physical condition of HMOs

The majority of respondents, **54** per cent, either agreed or strongly agreed, while **26** per cent either disagreed or strongly disagreed. **19** per cent said they neither agreed nor disagreed or didn't know.

Improve the health and safety of HMO tenants

The majority of respondents, **54** per cent, either agreed or strongly agreed, while **23** per cent either disagreed or strongly disagreed. **23** per cent said they neither agreed nor disagreed or didn't know.

Help to tackle issues of neighbourhood problems such as noise nuisance, rubbish and other ASB

Half of respondents, **50** per cent, either agreed or strongly agreed, while **33** per cent either disagreed or strongly disagreed. **17** per cent said they neither agreed nor disagreed or didn't know.

Help tenants to increase their understanding of their rights and responsibilities when living in an HMO

Almost half of respondents, **49** per cent, either agreed or strongly agreed, while **26** per cent either disagreed or strongly disagreed. **25** per cent said they neither agreed nor disagreed or didn't know.

Help identify poorly performing HMO landlords, managing agents and letting agents

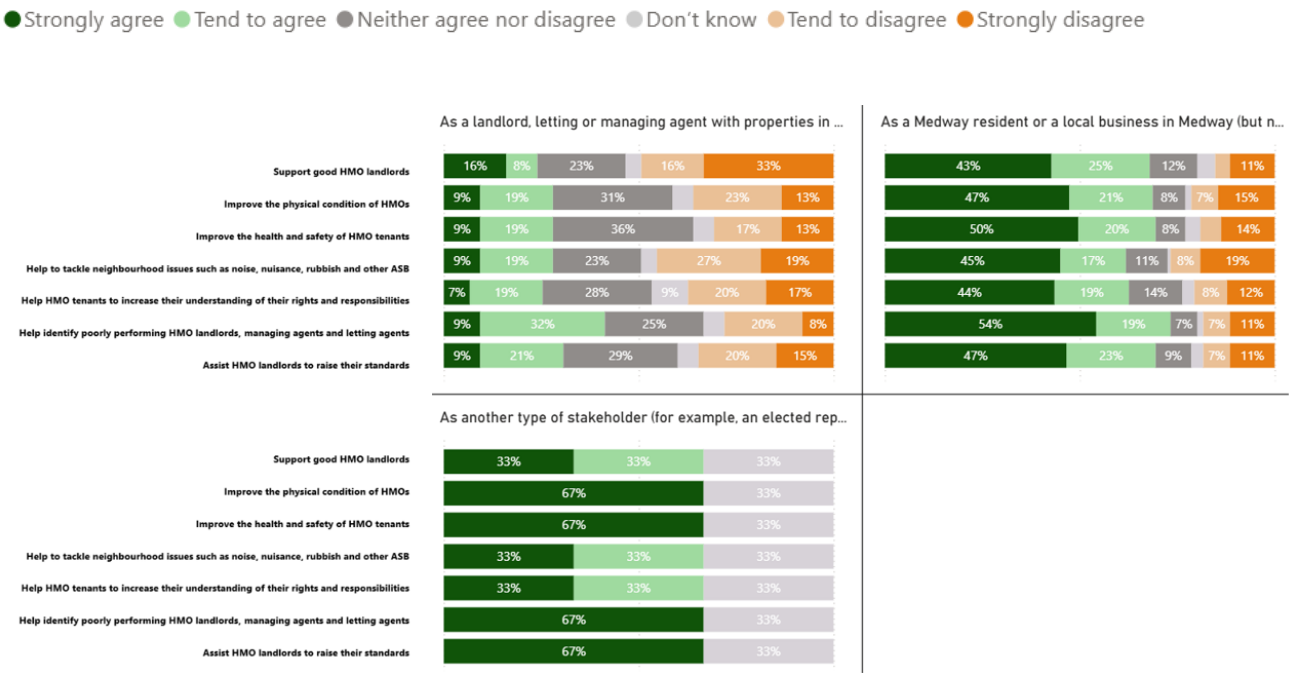
The majority of respondents, **61** per cent, either agreed or strongly agreed, while **21** per cent either disagreed or strongly disagreed. **16** per cent said they neither agreed nor disagreed or didn't know.

Assist HMO landlords to raise their standards

The majority of respondents, **55** per cent, either agreed or strongly agreed, while **23** per cent either disagreed or strongly disagreed. **20** per cent said they neither agreed nor disagreed or didn't know.

As is the case with many of the other questions, there is some polarity between the views of landlords, letting or managing agents and those of residents or local businesses and other stakeholders. The stakeholder breakdown is shown in the graphs below.

To what extent do you agree or disagree that an additional HMO licensing scheme will help to achieve the following?



3.15 Alternative solutions, other comments and considerations

Open text responses were also requested to gather additional comments, and to determine whether stakeholders felt that there was anything further that the council should consider to help improve the condition and management of the PRS in Medway.

A significant number of respondents proposed alternative solutions, such as better enforcement of existing laws, incentives for good landlords, and introducing licensing schemes across the whole of Medway. There was also strong sentiment around the impact of HMOs on community cohesion, infrastructure, and property values. Overall, the feedback highlights a desire for a targeted, transparent, and balanced approach that supports responsible landlords while effectively addressing poor housing conditions and ASB.

1. *Medway-wide licensing preferred over selective schemes*: many respondents argued that limiting the schemes to certain wards in Medway would displace problems and unfairly penalise landlords in specific areas. They suggested that the schemes should be introduced across the whole of Medway.

Free text survey comments
"While the wards targeted are prone to this issue, the scene should be rolled out over all of Medway. The council should also require all PRS landlords to be licensed."
"I believe it should cover the whole of Medway as you will be creating more popular areas for Landlords otherwise"
"I feel it should be implemented in all wards not just the seven proposed wards otherwise bad housing will increase in the other wards and more HMO will be built in the other wards."

2. Limit the number of HMOs, which are seen as detrimental to community cohesion and infrastructure: many residents expressed strong opposition to HMOs, citing issues like overcrowding, noise, rubbish, and ASB. Respondents suggested that the council focus on reducing the number of existing HMOs or preventing the introduction of more HMOs.

Free text survey comments
"Medway is becoming over saturated with HMOs. Family homes on quiet residential streets are becoming noisy anti social areas. No more HMOs full stop."
"Need to reduce the amount of HMO properties in these locations to ensure the local community is improved"

"Most residents know that the proliferation of HMOs and poor rental properties have a major effect on their local communities. It feels that the proposals are too little/ too late.
"Should be a limit to number of HMOS in one street."

3. Targeted, intelligence-led enforcement: instead of blanket licensing, stakeholders proposed focusing enforcement on known problem areas or landlords with a history of complaints. Respondents argued that the council should utilise its existing powers to target poorly managed properties.

Free text survey comments
"Properly use your existing powers on the small number of poor landlords Don't penalise the whole sector."
"Deal effectively with the complaints you receive. Apply fines and sanctions on failing landlords. Stop punishing good landlords who care about their tenants and look after their properties."
"Overall, a supportive and targeted approach could raise standards in the private rented sector while maintaining the supply of housing, keeping rents affordable, and encouraging responsible landlords to continue providing homes in Medway. I believe the council should carefully consider the negative consequences of enforcing too many additional licensing schemes."
"Focus on those properties that are a problem, and charge all the costs to them not make good landlord suffer their costs"
I would encourage the council to focus resources on targeted enforcement against known offenders and high-risk properties rather than broad licensing of compliant landlords.

4. Improve tenant education and reporting mechanisms: some respondents recommended empowering tenants with better information and easier ways to report issues.

Free text survey comments
"The council should concentrate on managing its own deficiencies eg the state of roads, refuse collection, delays in responding the residents complaints (five years in my case)."

"Link up with Waste Services to improve education around waste sorting and safe disposal to avoid living in littered conditions."

5. Help with problem tenants and evictions: some landlords feel powerless when tenants behave poorly, damage property, or refuse to pay rent. Respondents suggested that the council should recognise tenant responsibility and focus on helping landlords deal with difficult tenants.

Free text survey comments
"Manage tenants. Not just Landlords"
"I would also ask the council to look at the responsibility of the tenants who occupy properties even when these are modernised they can be disrupted by bad tenants."
"Much could also be done in supporting landlords with dealing with anti-social tenants and issues arising from tenant mismanagement of property. Some tenants are wonderful and care greatly for their homes. Others are neglectful and irresponsible and absent themselves from all responsibility. Perhaps the council could support landlords in educating some in responsibility and consideration for other tenants."
"Increasing council involvement in addressing anti-social behaviour and community issues, as landlords cannot always control tenant behaviour."

6. Improve council support and engagement with landlords: many respondents suggested that improved collaboration between the council and landlords would be more effective than additional regulation. Landlords want meaningful support and recognition for responsible practices.

Free text survey comments
"Speak to landlords directly and understand the wider realities of the rental market"
"I would also encourage the council to work collaboratively with responsible landlords and agents, who form an important part of the long-term housing supply within Medway."
"I think the council should consider measures that improve housing standards without placing excessive burdens on landlords. This could include… Providing guidance, training, and support to landlords to help them meet legal and safety requirements… [and]

Encouraging collaboration between landlords and the council to share best practices and improve property management."

7. Wait to understand the impact of national reforms: some stakeholders referenced the new Renters' Rights Act in their responses, suggesting that the council should wait to understand the impact of national reforms before introducing licensing schemes which may duplicate national legislation. These comments reflect concerns about the cumulative regulatory burden on landlords including:

- increased costs from overlapping national and local schemes;
- reduced profitability and incentives to remain in the rental market;
- the risk of landlords exiting the sector, reducing housing supply;
- a call for councils to wait for national reforms to become embedded before introducing additional local licensing.

Free text survey comments
"A more reasonable approach would involve delaying implementation until landlords have had sufficient time to adapt to the Renters' Rights reforms and then debating if the act actually negated the need for the proposed licensing scheme. If the licensing still goes ahead, the Council should consider a reduced, or phased, fee structure. At a time when government policy is already introducing major reform to the sector, local authorities should work collaboratively with responsible landlords rather than impose additional financial and administrative burdens that may reduce housing availability and increase rents for tenants."
"Why do council need to double up on what is already covered by renters rights act?"
"In addition, the cumulative impact of recent legislative changes, particularly the Renters' Rights Act 2026, has not yet been fully realised. Introducing further regulatory requirements at this stage risks compounding existing pressures on both landlords and the council's administrative systems."
"At a time when rents are rising beyond many peoples means and RRA is forcing landlords to be more selective about which tenants they will take on the continued pressure on the housing system is going to cause more homelessness."
"The Council already possesses extensive enforcement powers under the Housing Act 2004 and will gain further powers through the Renters' Rights Act. The need for additional staffing does not in itself demonstrate that a blanket licensing scheme is necessary.

3.16 Views supporting the proposed schemes

It is worth noting that the majority of the free text questions only asked respondents to elaborate on their views when they were in disagreement with the proposals. Respondents did, however, share many positive comments about the schemes. Some of these are listed below:

Free text survey comments
"I strongly support the council's proposals to introduce additional and selective licensing in Medway. The evidence presented in the consultation clearly demonstrates that poor housing conditions and ineffective property management remain an issue in parts of the private rented sector, and it is encouraging to see the council taking proactive steps to address this… As a local resident, I welcome the council taking a firm approach to raising standards in the private rented sector and addressing issues that have affected some areas for a number of years."
"I 100% fully support this scheme… Medway is beautifully located and has so much potential but there is a massive amount of behavioural change required and investment and I view this as a first good step on what will be a long journey."
"Any improvements to housing conditions are a good thing. Hopefully this has an impact on tenants and the community alike."
"I would like this made an absolute priority. Good housing improves life outcomes."
"Nothing to add as of yet. Just happy something will finally be done to tackle bad landlords."
"If it will make private landlords accountable for their tenants behaviour and mean they have to manage this it is a positive thing"
"I applaud Medway Council for putting together licensing legislation for both types of rental properties. I just hope that Medway Council employ sufficient personnel to put into practise the proposed initiatives!
"As a local resident I strongly support the action the council is proposing to improve standards in the HMO sector. It is clear that there are real issues with poor housing conditions and property management in Medway's HMOs, and taking steps to address this is important."
"If every property that is rented like this is monitored then hopefully the area could improve."
"Overall the proposed selective licensing conditions appear sensible and I support the council taking steps to improve standards in the private rented sector."

4. Public meetings and written responses

Medway Council held two virtual public forums to provide information about the proposed schemes and to gather feedback from stakeholders. Feedback was also gathered by email and through formal written responses. Below is a summary of the key themes that came out of the forums and the written submissions.

Council officers also responded to email queries that were sent as part of the consultation.

4.1 Public online forums

The council, in conjunction with Transform, held two meetings aimed at engaging with landlords, agents and residents, to make them aware of the consultation and to gather their feedback. There was an online meeting (via Microsoft Teams) which was held on **14 May 2026** with **18** attendees and a further virtual event held on **20 May 2026** with **41** attendees. The actual number of attendees fluctuated during both meetings, as some attendees joined late or left early.

Council officers were present at both public forums. Following on from a presentation about the proposals, the majority of each meeting was used to undertake a question-and-answer session. Attendees had the opportunity to express their views and ask questions about the proposals. They were able to highlight areas requiring clarification and suggest matters for the council officers to consider. During each public forum, council officers attempted to address all questions posed by attendees or directed them to the consultation documents for further information (often when there were specific questions about the proposed licence conditions, fees etc).

The main themes of the questions and views expressed were as follows, categorised by theme:

Renters' Rights Act and other existing legislation

Why is licensing being introduced when the Renters' Rights Act is now in place?

Why is licensing needed when existing legislation and enforcement powers already exist?

Fees and financial impact

How have the licence fees of £840 (selective) and £1600 (additional HMO) been set?

Are the licensing schemes a way for the council to generate revenue?

Will the fees increase over time?

What will happen if the schemes generate a surplus?

Do existing fines and financial penalties already cover the costs of enforcement and administration?

Fairness, scope and justification

Does licensing place an unfair burden on landlords who are already compliant?

Are most landlords already meeting standards, and is licensing therefore unnecessary?

Why should compliant landlords pay the same fees as non-compliant landlords, effectively bearing the cost of addressing poor practice by others?

Why are certain areas included in the schemes and not others?

Evidence, data transparency and rationale for licensing

What evidence is there to support the need for licensing in Medway?

What evidence is there that licensing schemes are effective?

How has the council assessed the proportionality of the schemes?

How can we access the data and evidence that is being used to support the schemes?

Effectiveness and enforcement

Does the council have sufficient resources and capacity to implement and enforce the schemes effectively?

How will the council address existing delays in applications and inspections under the current mandatory HMO scheme?

How will the schemes be enforced, and what are the consequences of non-compliance?

Will all properties be physically inspected as part of the application and enforcement process?

How will the council ensure the schemes are enforced consistently and effectively?

Will licence holder information be made publicly available?

What makes a property 'hazardous'?

How many licences is the council expecting to issue under the proposed schemes?

Impact on tenants and housing supply

Will licensing costs be passed on to tenants through higher rents?

Could the schemes lead to landlords leaving the market, therefore reducing housing supply?

Could the schemes increase homelessness or make it harder for tenants to find housing?

How does the introduction of licensing impact properties with existing tenants?

If a landlord decides they no longer want to rent out their property as a result of the proposed licensing schemes, can they ask their tenants to leave?

Support for landlords

What support will be available to landlords to help them meet licensing requirements?

How will the council support landlords dealing with difficult tenants or ASB?

Will there be a more joined-up approach across council services when working with landlords?

How do the licensing schemes benefit landlords?

Anti-social behaviour (ASB)

What are landlords expected to do when tenants engage in ASB?

Are landlords being held responsible for tenant behaviour that is beyond their control?

Will there be systems in place to manage difficult tenants, including those who repeatedly engage in ASB?

Planning considerations

How does licensing interact with planning permission requirements for HMOs?

How does licensing influence the creation and distribution of HMOs?

How does licensing enforcement relate to planning enforcement?

In summary, many landlords and agents held strong views and were critical of PRS licensing in general. In particular, they perceived the schemes as being unfair in targeting good landlords. They were concerned about the effectiveness of the proposed licensing schemes and the council's ability to effectively implement the schemes and achieve their objectives. The main objections, however, were to the economic costs of licensing schemes for landlords, which they felt would place a burden on compliant landlords and would inevitably be passed onto tenants through higher rents.

Though a significant number of the attendees were landlords and managing/letting agents, a number of tenants were also among the participants. The views of tenants as a group were difficult to assess in the context of the forum because they did not self-identify when posting questions to the Q&A.

4.2 Written representations

Medway Council received 30 written responses through its email inbox during the consultation period from various stakeholders including residents, landlords, and organisations. This included three formal written responses from Safeagent, Propertymark, and the NRLA.

The 27 emails received from individual stakeholders included feedback on the proposals, questions about the consultation process, and requests for further information. The feedback reflected a range of views, both in support of and in opposition to the proposals. Overall, the issues raised were consistent with those identified through the consultation survey, with no significant new themes emerging. It is not possible to determine whether individuals who provided feedback by email also participated in the consultation survey, although in at least one instance an identical response was received through both routes.

A summary is provided below outlining the key themes in the formal written responses from Safeagent, Propertymark, and the NRLA. The three full written submissions are included in Appendix 4.

Themes from written responses
High cost: Concerns that proposed licence fees (£840 selective, £1,600 additional) represent a significant financial burden and may discourage investment in the PRS or limit landlords' ability to maintain properties. **(NRLA, Safeagent, Propertymark)**
Lack of transparency in fee structure: A detailed cost breakdown and fee methodology is requested to justify the fees and provide clarity on total and cumulative costs to the council. **(NRLA, Propertymark)**
Unfair fee structure: Safeagent raises concerns that charging full licence fees for licences granted for less than five years is unreasonable. Pro-rata adjustments are fairer but more complex. **(Safeagent)**
Fee waiver suggestion: Safeagent suggests that licence fee exemptions should be considered where landlords support the council in meeting homelessness duties, reflecting the public benefit provided. **(Safeagent)**
Insufficient resourcing and capability: Concerns are raised that effective implementation will require significant staffing and technical capacity, particularly alongside wider changes introduce through the Renters' Rights Act. **(NRLA, Safeagent).** Propertymark raises the question of whether the council has sufficient experience and capacity to implement and manage multiple new licensing schemes simultaneously. **(Propertymark)**
Need for joined-up services: Safeagent calls for improved coordination between Trading Standards and Private Sector Housing teams. **(Safeagent)**
Unfair expectations: Concerns are raised that landlords and agents are being expected to address issues beyond their control, including ASB, overcrowding, and

tenant vulnerability. These expectations are considered disproportionate to the role and responsibilities of landlords and agents. **(NRLA, Safeagent, Propertymark)**

Sector differences ignored: Safeagent highlights that private landlords should not be expected to fulfil the same functions as publicly funded social landlords with wider social responsibilities. **(Safeagent)**

Lack of transparency in outcomes: Greater transparency in scheme outcomes is requested, with calls for regular and detailed reporting on applications, enforcement activity, and measurable impacts. **(Safeagent, NRLA, Propertymark)**

Underutilisation of current powers: Concerns are raised that existing enforcement powers are not being fully utilised, and that more effective use of these tools could achieve improvements without introducing the proposed licensing schemes. **(NRLA, Propertymark)**

Lack of support for bulky waste removal: The NRLA raises concerns regarding landlord liability for tenant waste and suggests clearer use of existing council waste services. **(NRLA)**

Lack of clarity for inspections: The NRLA requests clarification on the proposed inspection regime, including whether inspections will be universal or risk-based and how this will be implemented. **(NRLA)**

Better alternatives exist: It is suggested that more targeted, proportionate, and intelligence-led enforcement, including use of existing and forthcoming data sources, would be more effective than area-wide licensing schemes. **(NRLA, Propertymark)**

Opposition to licensing as a regulatory tool: Propertymark argues that education, engagement, and support-based approaches are more effective than licensing, which is viewed as burdensome and insufficiently targeted. **(Propertymark)**

Duplication: Concerns are raised that licensing proposals duplicate requirements associated with recent reforms under the Renters' Rights Act and the forthcoming national PRS database. **(NRLA, Propertymark).** The introduction of multiple overlapping regulatory measures may create complexity and increase administrative burdens for landlords and agents. **(Propertymark)**

Misattribution of issues: Propertymark suggests that issues such as ASB and poor housing conditions may not be attributable solely to the PRS and are cross-tenure issues. **(Propertymark)**

Discounts: Support is expressed for licence fee discounts for accredited landlords, charitable organisations, and multi-dwelling applications. Further incentives are recommended, including an early bird discount and discount for accredited agents. **(Safeagent, Propertymark)**

Energy standards: Propertymark raises concerns regarding the costs associated with meeting current and future energy efficiency requirements and requests clarity on the

financial support available for landlords to bring older properties up to standard. **(Propertymark)**

Section 21 and tenant management risk-aversion: Propertymark suggests that the removal of Section 21 evictions under the Renters' Rights Act may increase landlord risk-aversion, potentially affecting tenant selection and access to housing. **(Propertymark)**

Impact on housing supply: Concerns are raised that increased costs and regulatory requirements associated with licensing may cause landlords to exit the PRS, with potential impacts on the supply of affordable housing. **(NRLA, Safeagent, Propertymark)**

Licensing conditions overreach: Concerns are raised that certain proposed licence conditions are overly restrictive or may inappropriately assign responsibility to landlords for tenant behaviour or factors beyond their control. **(NRLA, Propertymark)**

Need for partnership working and engagement: The importance of ongoing engagement and partnership working with landlord, agents, and sector bodies is emphasised to support compliance and improve standards. **(Safeagent, Propertymark)**

Article 4 and planning impacts: Safeagent raises concerns that the proposed Article 4 direction may restrict HMO development and reduce the availability of affordable housing. **(Safeagent).**

4.3 Letter of support

During the consultation, Medway Council also received a letter in support of the council's proposals from Naushabah Khan, MP for Gillingham and Rainham. The letter emphasises that housing is one of the biggest challenges in the constituency of Gillingham and Rainham, and outlines support for the proposed schemes as a useful set of tools in addressing poor housing conditions. This letter can be found in Appendix 5.

5. Appendices

- appendix 1 - Communications and Marketing visuals and analytics;
- appendix 2 – Survey respondent profile;
- appendix 3 – Survey questionnaire;
- appendix 4 – Full written representations;
- appendix 5 – Letter of support.

Appendix 1 - Communications and Marketing visuals and analytics

Assets

Pull up banner

A5 leaflet

Out of home

Social media

©Transform

Medway channels

X

Email signature

website

One Minute Medway

Medway Matters

Out of home

©Transform

Online articles

Landlord Zone

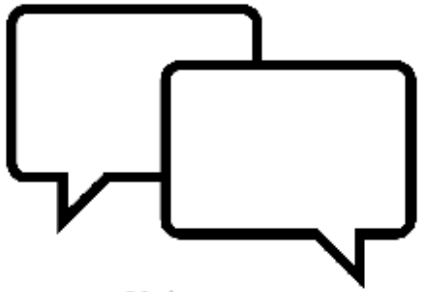
Residential Landlord

Kent Online

©Transform

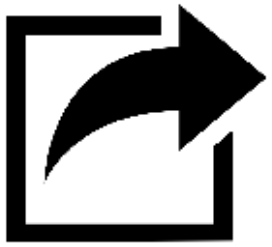
Organic social media analytics

25,414 reached



30 shares

172 clicks



41 shares

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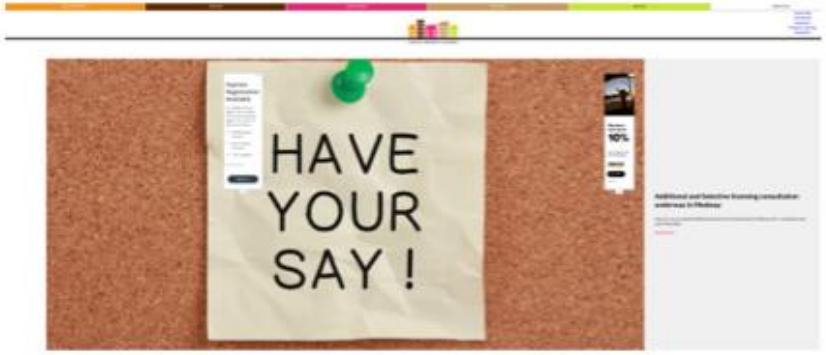
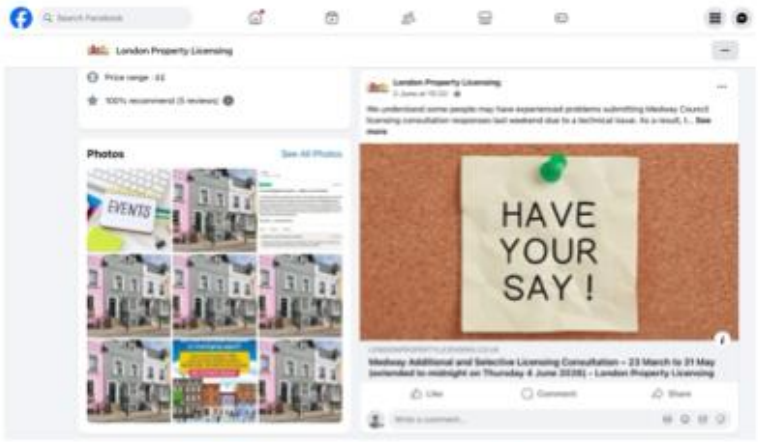
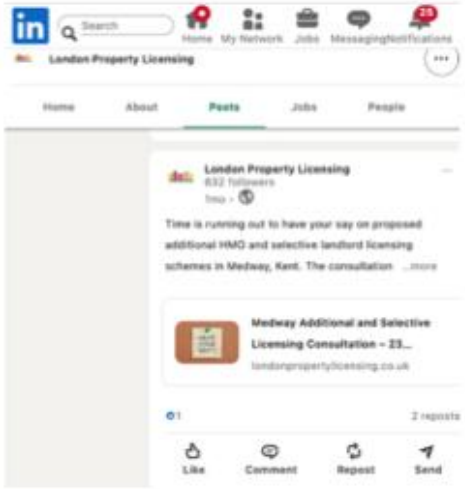
London Property Licensing







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Confidential

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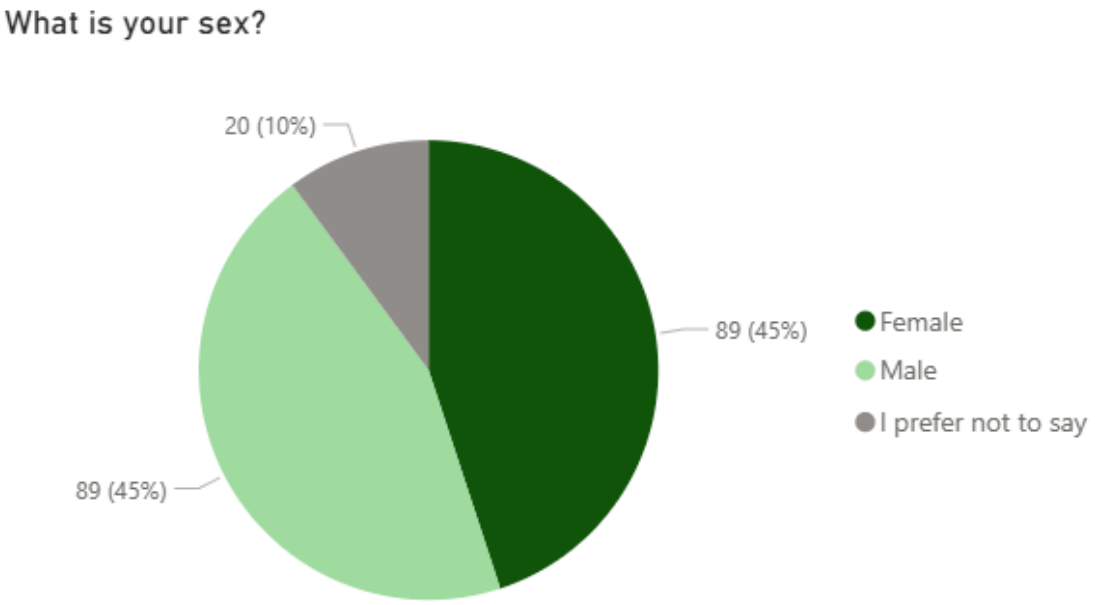
Appendix 2 - Survey respondent profile

The respondents to the consultation survey were asked if they would give their age range, sex, ethnic group, and disability status. These optional questions aligned with Medway Council's standard equalities questions. Responses were compared with benchmarks for Medway using the 2021 census[1].

It is worth noting that for each of these equalities' questions, a small number of respondents (typically around **5** per cent) opted out. Of those who chose to answer these questions, a proportion for each question still chose 'prefer not to say' as their response. Therefore, fully accurate comparisons with the compulsory census data cannot always be made.

Sex

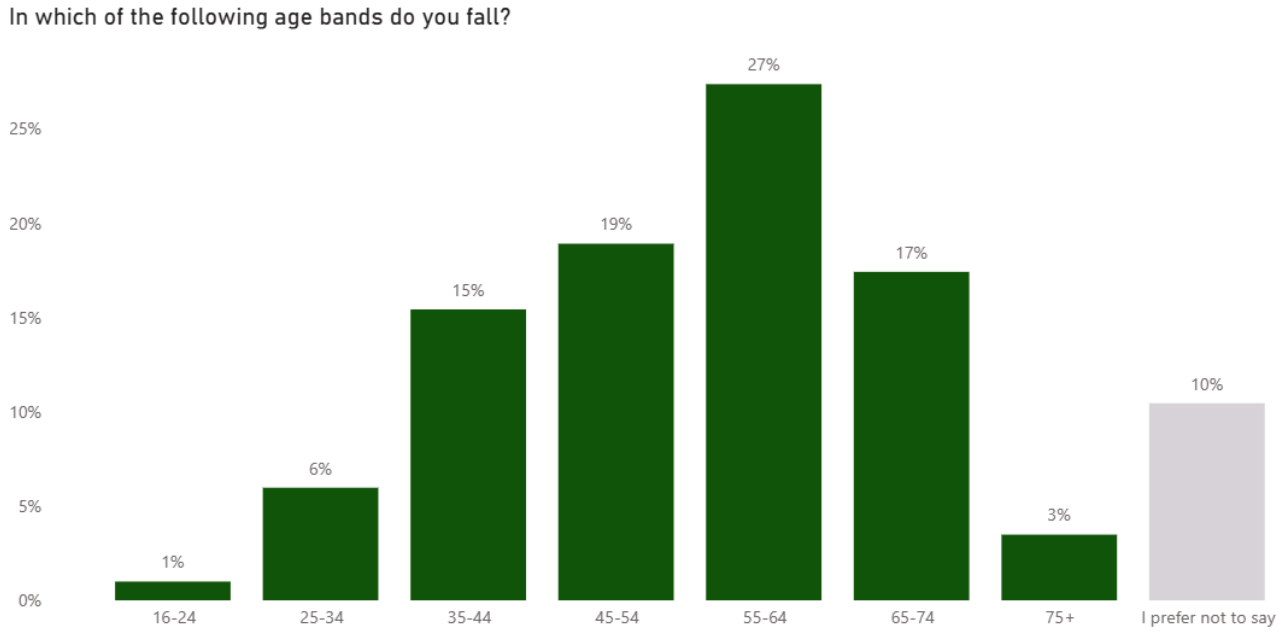
Of the **198** respondents who answered this question, **45** per cent said they were male, **45** per cent said they were female, and **10** per cent preferred not to say.



According to the 2021 census, the population of Medway is **51** per cent female and **49** per cent male, meaning that, among those that chose to answer this question within the survey, men were slightly underrepresented (*though they may equally have chosen the response 'prefer not to say'*).

[1] Census - Office for National Statistics

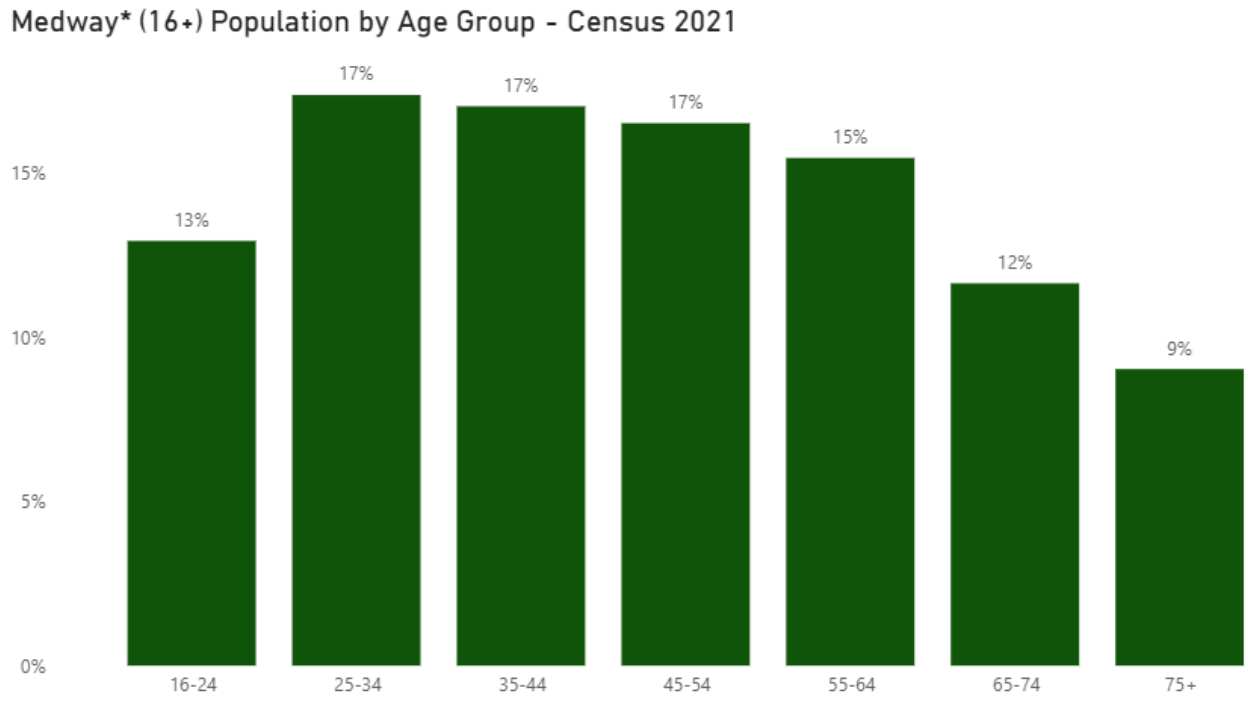
Age



Respondents were also asked to share their age group. **201** respondents answered this question.

The age group of 55 to 64 was the most represented within the consultation, with **55** responses, or about **27** per cent of respondents. The age groups 45 to 54 **(38** responses, or **19** per cent) and 65 to 74 (**35** responses, or **17** per cent) were the next largest age demographics. The age groups 35 to 44 and 25 to 34 made up roughly **15** and **6** per cent respectively, with the lowest proportion of respondents falling into the 75+ and 16 to 24 categories (**3** and **1** per cent respectively). **10** per cent of the **201** respondents to this question preferred not to say.

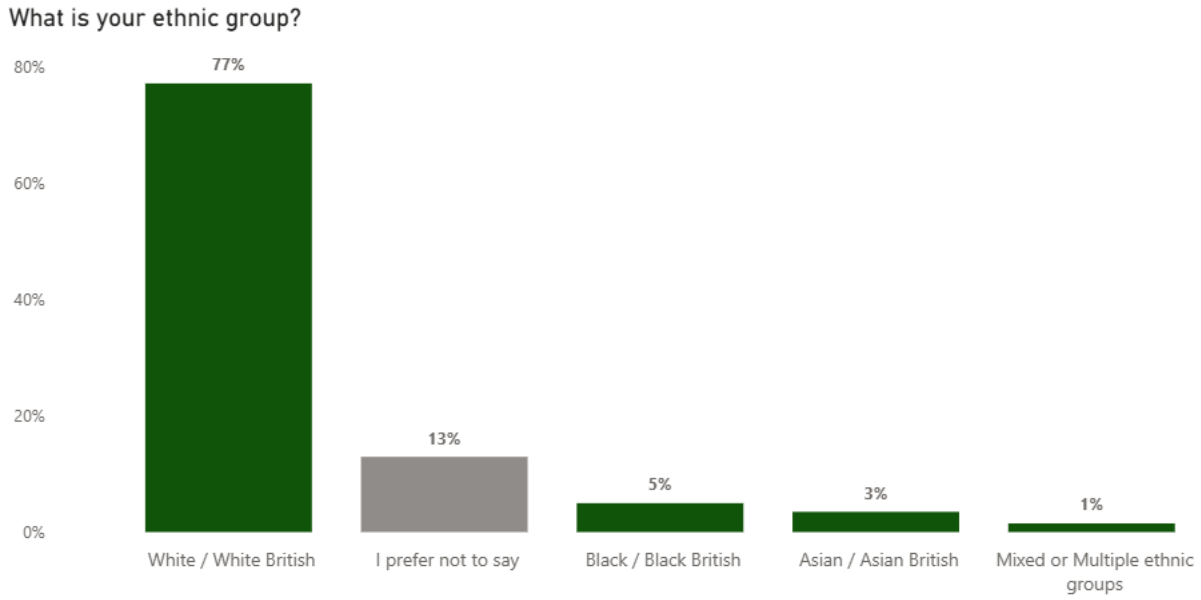
Compared to the 2021 census data for Medway, the younger demographics, 16-24, 25-34, and 35-44, are all underrepresented in the survey responses, at **1** per cent, **6** per cent, and **15** per cent respectively (compared to the census figures of **13** per cent, **17** per cent, and **17** per cent). The older demographics are mostly overrepresented in the survey. The age groups 45-54, 55-64, and 65-75 represent **19** per cent, **27** per cent, and **17** per cent of responses respectively (compared to the census figures of **17** per cent, **15** per cent, and **12** per cent). The 75+ group, however, is underrepresented in the survey, at **3** per cent compared to the census figure of **9** per cent.



**Please note that this graph is based on the census 'Age by single year'[2] data for the over-16 usual resident population in Medway. Percentages are calculated as a total of the 16-and-over population and exclude the under-16 population.*

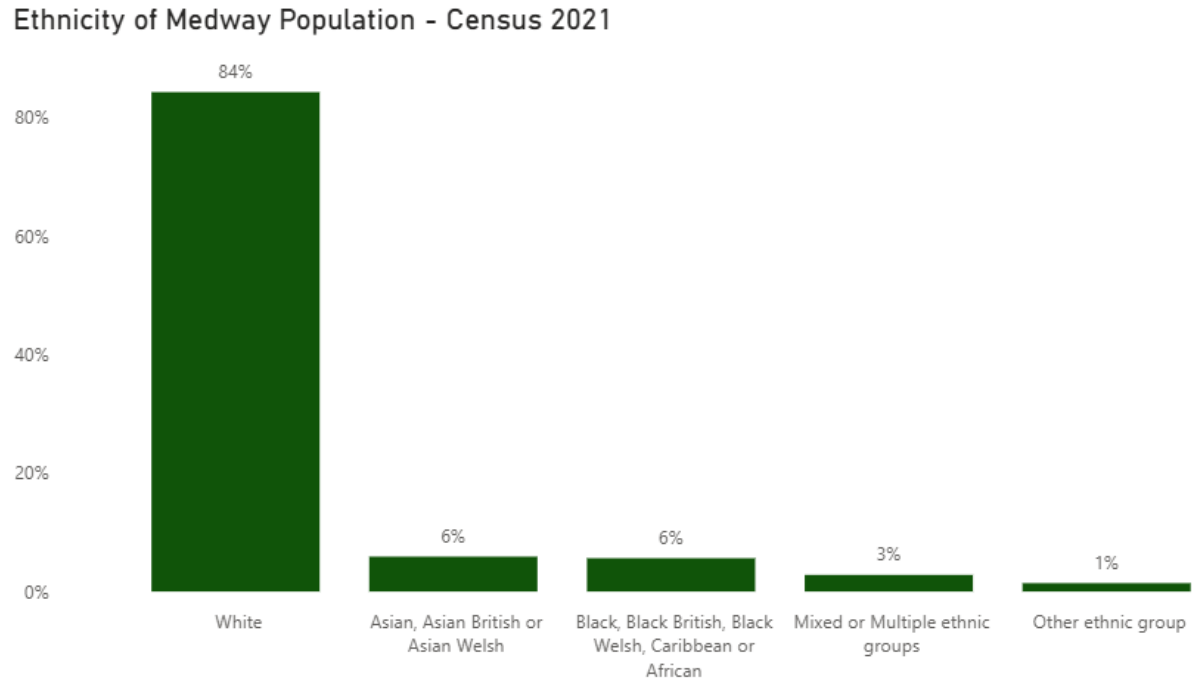
Ethnic origin

Respondents were asked to indicate which ethnic group they identified with. **201** respondents chose to answer this question.



[2] Census 2021 – Age by single year – Office for National Statistics

The 2021 census results for Medway regarding ethnic groups are shown below:

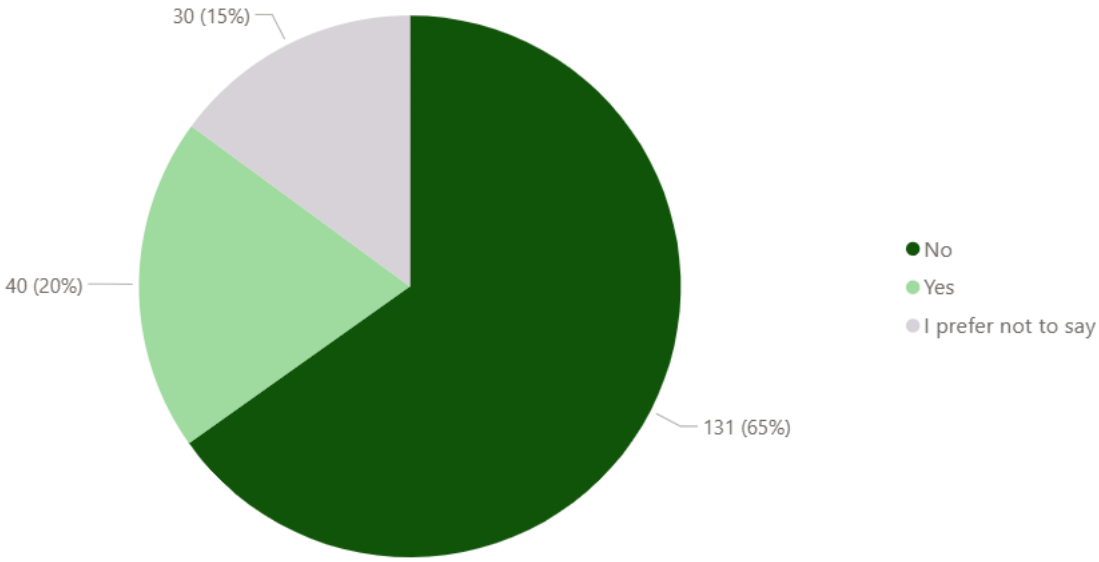


Of those who chose to answer this survey question, the majority of consultation respondents (**71** per cent) selected 'White – English/Welsh/Scottish/Northern Irish/British', with a further **6** per cent selecting another White ethnic group. This means that **77** per cent of survey respondents overall identified as White/White British, which is lower than the census 2021 figure of **84** per cent for Medway. The proportion of Black/Black British respondents (**5** per cent in total) and Asian/Asian British respondents (**3** per cent in total) are both below Medway's demographic figures of **6** per cent for each group in the census. The proportion of Mixed/Multiple ethnic groups in the survey was 1 per cent, compared to 3 per cent in the census. It is important to note that a considerable proportion of respondents who chose to answer this question – **13** per cent – answered 'I prefer not to say'.

Disability or long-term health condition

Respondents were also asked if they considered themselves to have a physical or mental health condition or illness lasting or expected to last 12 months or more. **201** respondents chose to answer this question.

Do you have any physical or mental health conditions or illnesses lasting or expected to last 12 months or more?



Of those who answered the question, some respondents (**15** per cent) gave the response 'I prefer not to say'. **20** per cent of the respondents to the question said they considered themselves to have a long-term physical or mental health condition, which is slightly above the **17** per cent of Medway residents who, in the 2021 Census, stated that they had a disability that affects their day-to-day activities a little or a lot.

Appendix 3 - Survey questionnaire

YOUR CONNECTION TO MEDWAY

In what capacity are you responding to this survey? (Please select one option only)

☐ **As a Medway resident or a local business in Medway (but not a landlord)** – *please answer the red shaded question overleaf, then go to the 'Local Issues?' section*

☐ **As a landlord, letting or managing agent with properties in Medway** – *please answer the blue shaded section overleaf, then go to the 'Local Issues?' section*

☐ **As another type of stakeholder (for example, an elected representative, a resident or landlord based outside of Medway, or on behalf of a landlord or tenant organisation)** – *please answer the green shaded section overleaf, and following questions*

Please provide this information about yourself (where relevant) so that we can monitor the representativeness of the responses and identify trends. We will take all feedback into account, regardless of whether you provide your personal details.

INFORMATION ABOUT YOU: MEDWAY RESIDENTS & BUSINESSES

If you are a resident living in Medway, or responding on behalf of a local business in Medway, which of the following best describes you? (Please select one option only)

- ☐ Private tenant living in a single-family dwelling (e.g. a self-contained flat or house)
- ☐ Private tenant living in a House in Multiple Occupation (HMO) or bedsit where you share some basic amenities (e.g. toilet, bathroom, kitchen) with others
- ☐ Medway Council tenant
- ☐ Housing association tenant
- ☐ Owner occupier
- ☐ Shared owner – with a share in the equity of the home
- ☐ Local business in Medway (but not a landlord)
- ☐ Other, please state:

INFORMATION ABOUT YOU: LANDLORDS AND AGENTS

If you are a landlord or agent with properties in Medway, which of the following best describes you? (Please select one option only)

☐ Landlord who manages their own property	☐ Managing agent
☐ Landlord who uses a managing agent	☐ Registered social landlord
☐ Letting agent	☐ Other, please state:

Do you live in Medway? (Please select one option only)

☐ Yes	☐ No

Please indicate how many properties you own/manage in Medway, for each of the following types. (Please select one option per row)

	0	1	2-10	11-50	51-100	101+
Single family occupancy house/bungalow	☐	☐	☐	☐	☐	☐
Self-contained flat converted	☐	☐	☐	☐	☐	☐
Self-contained flat purpose built	☐	☐	☐	☐	☐	☐
House in Multiple Occupation (3 or 4 people)	☐	☐	☐	☐	☐	☐
House in Multiple Occupation (5 or more people)	☐	☐	☐	☐	☐	☐

Are you accredited or a member of any of the following? (Please select all that apply)

☐ National Residential Landlords Association (NRLA)	☐ ARLA Propertymark

☐	Kent Landlord Accreditation Scheme (KLAS)	☐	Royal Institution of Chartered Surveyors (RICS)
☐	UK Association of Letting Agents (UKALA)	☐	Other landlord/letting agent association, please state:
☐	Safeagent	☐	No, none of these

INFORMATION ABOUT YOU: ORGANISATIONS AND OTHER STAKEHOLDERS

If you are responding on behalf of an organisation, which organisation do you represent?

(Please write in the box below)

Please give us the name of the organisation and any specific group or department. Please also tell us who the organisation represents, what area it covers and how you gathered the views of members.

If you are another stakeholder (e.g. an elected representative or somebody with links to a neighbouring local authority), please use the box below to provide full details.

(Please write in the box below)

LOCAL ISSUES

To what extent do you believe each of the following to be a problem in your local area of Medway? (Please select one option per row)

	Not a problem at all	Not a very big problem	A fairly big problem	A very big problem	Don't know
Poor property conditions	☐	☐	☐	☐	☐
Anti-social behaviour (ASB)*	☐	☐	☐	☐	☐

*This question is referring to ASB specifically in relation to housing. Examples include noisy, rowdy, or inconsiderate neighbours, vandalism and damage to property, environmental damage including littering, dumping of rubbish and fly tipping.

Thinking about the private rented sector (PRS) as a whole in Medway, to what extent do you agree or disagree with the following statements? (Please select one option per row)

	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know
The number of private rented properties has been increasing in Medway	☐	☐	☐	☐	☐	☐
The physical condition of private rented properties is a problem	☐	☐	☐	☐	☐	☐
There are health and safety issues with private rented properties	☐	☐	☐	☐	☐	☐
Overcrowding is a problem in private rented properties	☐	☐	☐	☐	☐	☐
There are inadequate fire safety measures in private rented properties	☐	☐	☐	☐	☐	☐
The PRS causes neighbourhood problems such as noise, nuisance,	☐	☐	☐	☐	☐	☐

rubbish and other anti-social behaviour						
Poorly **maintained** private rented properties are contributing to the decline of some areas in Medway	☐	☐	☐	☐	☐	☐
Poorly **managed** private rented properties are contributing to the decline of some areas of Medway	☐	☐	☐	☐	☐	☐
Landlords of private rented properties have a responsibility to manage their properties effectively	☐	☐	☐	☐	☐	☐
To help with the management of private rented properties in Medway, landlords should be 'fit and proper' persons *(e.g. have proper management or financial arrangements in place, and not have convictions for certain types of offences)*	☐	☐	☐	☐	☐	☐

ADDITIONAL HMO LICENSING SCHEME

Medway Council, like all other councils across the country, must operate a mandatory licensing scheme for larger HMOs.

The council is proposing to introduce an additional HMO licensing scheme in **six wards**:

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

The proposed scheme would cover smaller HMOs that are occupied by three or four unrelated people in two or more households that share (or lack) toilet, washing or cooking facilities.

By implementing an additional HMO licensing scheme, the council is able to effectively deal with the poor conditions and anti-social behaviour present in smaller HMOs by requiring landlords to license their property with the council and meet certain property management conditions.

Landlords will need to obtain a licence for an HMO falling within the new scheme. A fee is charged by the council to cover the costs of processing an application, monitoring compliance with licence conditions and enforcing the scheme.

The additional HMO licensing scheme, if approved, would begin in November 2026 and would operate for five years. You can find out more about the proposed additional HMO licensing scheme in the Consultation Evidence Pack.

To what extent do you agree or disagree with the proposal for an additional HMO licensing scheme in the six specified wards? (Please select one option only)

Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know
☐	☐	☐	☐	☐	☐

To what extent do you agree or disagree that an additional HMO licensing scheme will help to achieve the following outcomes? (Please select one option per row)

	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know
Improve the physical condition of HMOs	☐	☐	☐	☐	☐	☐
Improve the health and safety of HMO tenants	☐	☐	☐	☐	☐	☐
Help to tackle neighbourhood issues such as noise, nuisance, rubbish and other anti-social behaviour	☐	☐	☐	☐	☐	☐
Help tenants to increase their understanding of their rights and responsibilities when living in an HMO	☐	☐	☐	☐	☐	☐
Help identify poorly performing HMO landlords, managing agents and letting agents	☐	☐	☐	☐	☐	☐
Assist HMO landlords to raise their standards	☐	☐	☐	☐	☐	☐
Support good HMO landlords	☐	☐	☐	☐	☐	☐

If you disagree with the proposals for an additional HMO licensing scheme, please can you explain why and what alternatives you think should be considered to address the problems?
(Please write in the box below)

ADDITIONAL HMO LICENCE CONDITIONS

If an additional HMO licensing scheme is introduced, all landlords will be required to obtain a licence for any properties meeting the additional HMO criteria in the six specified wards. The licence can contain two types of conditions: mandatory and discretionary.

The mandatory conditions are those relating to electrical, gas and fire safety, tenancy agreements, minimum sleeping room sizes and the disposal of household waste. These are required by law and must be applied. These mandatory conditions **do not** form part of the consultation.

The discretionary conditions are part of the consultation, and the council can decide on these in order to deal with the management, use and occupation of the licensed property, and its condition and contents. You can find out more about the proposed additional HMO licensing scheme conditions in Appendix 3.

To what extent do you agree or disagree with the proposed additional HMO licensing discretionary conditions?
(Please select one option only)

Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know
☐	☐	☐	☐	☐	☐

If you disagree with any of the discretionary conditions for additional HMO licensing please can you explain why?

(Please write in the box below)

Transform

Are there any other additional licence conditions (that are not already covered by a mandatory or proposed discretionary licence condition) that you think should be included? (Please select one option only)

Yes	No	Don't know
☐	☐	☐

If 'Yes', please state below: (Please write in the box below)

SELECTIVE LICENSING SCHEMES

The council is proposing to introduce a selective licensing scheme for all privately rented homes in **seven wards:**

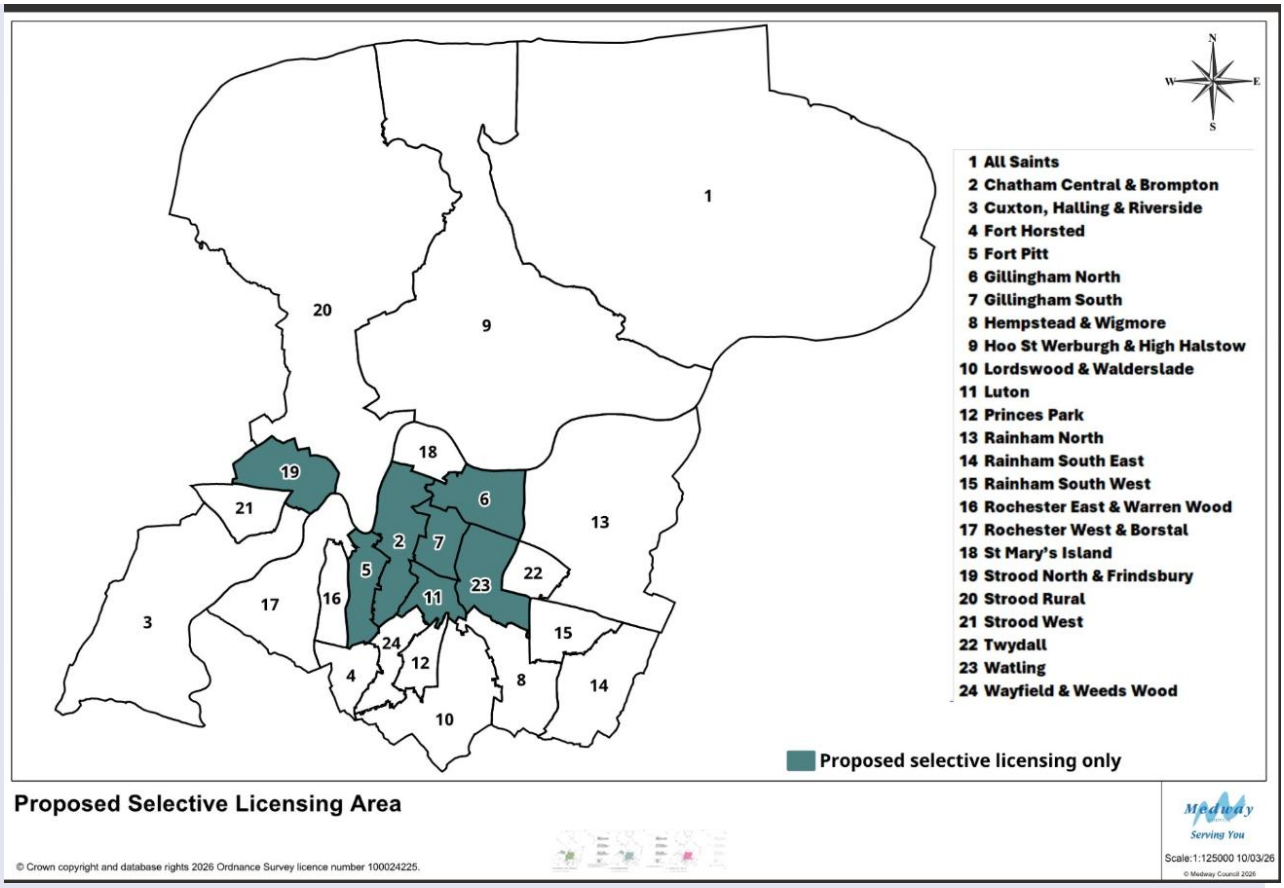
- Chatham Central & Brompton
- Fort Pitt
- Gillingham North
- Gillingham South
- Luton
- Strood North & Frindsbury
- Watling.

A selective licensing scheme is when the whole or part(s) of a local authority are subject to a designation under the Housing Act 2004. The designation makes it compulsory for all properties that are rented to single households (e.g., a family) or two unrelated sharers (e.g., two friends living together) to hold a licence before it can be legally let to tenants.

The seven wards have been chosen because they have high levels of privately rented accommodation which is in poor condition.

By implementing a selective licensing scheme, the council is able to effectively deal with the poor conditions by requiring landlords to license their property with the council and meet certain property management conditions.

If approved, it is proposed that the scheme will be introduced in **November 2026**.



If the scheme is implemented, landlords will be required to apply to the council for a licence for each privately rented property they own or manage in the area. Each licence application must be accompanied by a licence fee. Conditions will be attached to each licence and landlords would be bound by these conditions.

You can find out more about the proposed areas, licence conditions, and fees in the Consultation Evidence Pack.

To what extent do you agree or disagree with the proposal for a selective licensing scheme in the seven wards? (Please select one option only)

Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know
☐	☐	☐	☐	☐	☐

To what extent do you agree or disagree that a selective licensing scheme will help to achieve the following outcomes? (Please select one option per row)

	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know
Improve the physical condition of private rented properties	☐	☐	☐	☐	☐	☐
Improve the health and safety of tenants	☐	☐	☐	☐	☐	☐
Help to tackle neighbourhood issues such as noise, nuisance, rubbish and other anti-social behaviour	☐	☐	☐	☐	☐	☐
Help to decrease the effects of deprivation (poverty) in the area	☐	☐	☐	☐	☐	☐
Help identify poorly performing landlords, managing agents and letting agents	☐	☐	☐	☐	☐	☐
Assist landlords to raise their standards	☐	☐	☐	☐	☐	☐
Support good landlords	☐	☐	☐	☐	☐	☐

If you disagree with any of the above, please can you explain why and what alternatives you think should be considered to address the problems?
(Please write in the box below)

SELECTIVE LICENCE CONDITIONS

If a selective licensing scheme is introduced, all landlords will be required to obtain a licence for properties meeting the selective licensing criteria. The licence can contain two types of conditions: mandatory and discretionary.

The mandatory conditions are those relating to electrical, gas and fire safety, tenancy agreements and references. These are required by law and must be applied. These mandatory conditions **do not** form part of the consultation.

The discretionary conditions are part of the consultation, and the council can decide on these in order to deal with the management, use and occupation of the licensed property. You can find out more about the proposed selective licensing scheme conditions in Appendix 2.

To what extent do you agree or disagree with the proposed selective licensing discretionary conditions?
(Please select one option only)

Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know
☐	☐	☐	☐	☐	☐

If you disagree with any of the discretionary conditions for selective licensing, please can you explain why?
(Please write in the box below)

Are there any other selective licence conditions (that are not already covered by a mandatory or proposed discretionary licence condition) that you think should be included? (Please select one option only)

Yes	No	Don't know
☐	☐	☐

If 'Yes', please state below: (Please write in the box below)

LICENSING SCHEME FEES

The Housing Act 2004 permits the council to set licensing fees to cover the costs of administering the licensing scheme over five years. Licence fees cannot be used elsewhere in the council or used to generate a profit. As long as the licence conditions are complied with, the licence would remain valid up to a maximum of five years.

The council's proposed fees per property licence are below. The law requires that the payment is collected in two parts. The initial part of the fee (Part A) is charged to cover the cost of processing the application. If the application for a licence is successful, the remainder of the fee (Part B) will be charged before the full licence is issued. This part of the fee is a contribution to the other costs incurred by the council in running and administering the licensing scheme, for example the cost to the council for enforcement of licences. The total fee amount (Part A and Part B) is paid once for the five-year licence and is not charged annually. The licence fee will be kept under review at least annually.

You can find out more about the proposed licensing scheme fees, charges and discounts in Appendix 4.

Scheme	Part A	Part B	Total
Additional HMO	£830	£770	£1600
Selective	£436	£404	£840

What are your views on the proposed additional HMO licensing fee?

(Please select one option only)

I think the fee is too high	I think the fee is at about the right level	I think the fee is too low	Don't know
☐	☐	☐	☐

What are your views on the proposed selective licensing fee?

(Please select one option only)

I think the fee is too high	I think the fee is at about the right level	I think the fee is too low	Don't know
☐	☐	☐	☐

LICENCE FEE DISCOUNTS

The council is proposing three different discount payments against the full licence fee. Some properties will be eligible for multiple discounts. Please refer to schedule of fees, charges and discounts (Appendix 4) for more information.

All discounts are at the discretion of the council and will be kept under annual review.

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

What are your views on the proposed discounts?

(Please select one option per row)

	I think the discount is too low	I think the discount is at about the right level	I think the discount is too high	Don't know
Accredited landlord discount	☐	☐	☐	☐
Multi-property discount	☐	☐	☐	☐
Charity discount	☐	☐	☐	☐

LICENSING SCHEME OBJECTIVES

As part of the planning process for any private property licensing scheme, the council must define its objectives for the schemes and set out how it plans to enforce these.

You can find out more about the proposed licensing scheme objectives in the Consultation Evidence Pack (see Section 15).

To what extent do you agree or disagree with the proposed licensing scheme objectives? (Please select one option only)

Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know
☐	☐	☐	☐	☐	☐

If you disagree with any of the objectives for the licensing scheme, please can you explain why?
(Please write in the box below)

Are there any other licence scheme objectives (that are not already covered by the objectives listed) that you think should be included? (Please select one option only)

Yes	No	Don't know
☐	☐	☐

If 'Yes', please state below: (Please write in the box below)

DO YOU HAVE ANY FURTHER COMMENTS?

Is there anything else you think the council should consider to help improve the condition and management of the private rented sector in Medway? Are there any other comments that you would like to make about the proposed additional HMO and/or selective licensing schemes?

(Please write in the box below)

LICENSING DESIGNATIONS

If the proposals are approved, Medway Council is legally obliged to offer to send you a copy of the licensing designations before any licensing scheme is introduced. These are supporting documents that define various things including the area where licensing will be required, as well as detailing the commencement and duration of the designations.

Please be aware that Medway Council are the data controllers but not the data processors for this survey. Any contact details you provide will be separated from your survey response therefore you will not be identified in the results and report of findings received by the council. We will not pass your details on to any third parties. The council's Data Protection Officer can be contacted via email at gdpr@medway.gov.uk or at the following address:

Data Protection Officer
Information Governance Team
Legal Services
Medway Council
Gun Wharf
Dock Road
Chatham
Kent
ME4 4TR

Your contact details will be used by Medway Council only for the purpose of the notification under the Housing Act 2004, and of issuing the licensing designation(s), as required to fulfil the council's duties under Regulation 9 (3) - The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 – the publication requirements relating to designations made under the Housing Act 2004, require that within two weeks of a designation being confirmed or made, the local housing authority must send a copy of the notice to any person who responded to the consultation.

The contact information will not be shared, shall be retained for no more than three years after decisions have been finalised, and shall be processed in adherence to your legal rights, including but not limited to the right to withdraw consent, right to copies of your information, and right to be forgotten. If you are dissatisfied with the processing of your information, you can raise your concern with the council's Data Protection Officer. You have a right to lodge a complaint with the Information Commissioner's Office (www.ico.org.uk). Further information can be found at Medway Privacy Notice and Your Rights

Please provide your name with either an email or postal address if you would like to receive a copy of the licensing designations.

Full name: (Please write in the box below)

Email address: (Please write in the box below)

Postal address: (Please write in the box below)

ABOUT THIS CONSULTATION

How did you hear about this consultation? (Please select all that apply)

☐ Leaflet	☐ Email
☐ Poster	☐ Medway Council website
☐ Local newspaper	☐ Word of mouth
☐ Other, please state:	

ABOUT YOU

Medway Council is committed to consulting with all its residents and interested parties so, to ensure that all groups within the community have the opportunity to participate, we would appreciate it if you could provide us with some information about you. This part of the questionnaire is voluntary. Please feel free to leave any questions that you do not wish to answer or select 'I prefer not to say'.

We collect this information to help us better understand who has responded to this survey and identify any differences between groups of respondents and the communities that we serve. This is so that services and policies can be designed considering the needs of everybody; helping the council to meet its duties under the Equality Act 2010. All of the information gathered is confidential and will be managed as stated within the privacy notice at the start of the survey.

What is your sex? You are registered with a sex at birth, the only recognised options for sex in the UK are 'female' and 'male', which is why these are the only options to choose from. (Please select one option only).

Yes	No	I prefer not to say
☐	☐	☐

In which of the following age bands do you fall? (Please select one option only)

☐	Under 16	☐	55-64
☐	16-24	☐	65-74
☐	25-34	☐	75+
☐	35-44	☐	I prefer not to say
☐	45-54		

What is your ethnic group? (Please select one option only)

☐	White – English / Welsh / Scottish / Northern Irish / British	☐	Black / Black British – Caribbeam
☐	White – Irish	☐	Any other Black / African / Caribbean background

☐	White – Gypsy or Irish Traveller	☐	Asian / Asian British – Indian
☐	White – Roma	☐	Asian / Asian British – Pakistani
☐	Any other White background	☐	Asian / Asian British – Bangladeshi
☐	Mixed – White and Black Caribbean	☐	Asian / Asian British – Chinese
☐	Mixed – White and Black African	☐	Any other Asian background
☐	Mixed – White and Asian	☐	Other – Arab
☐	Any other mixed / multiple ethnic background	☐	Any other ethnic background
☐	Black / Black British - African	☐	I prefer not to say
☐	Other, please state below:		

Do you have any physical or mental health conditions or illnesses lasting or expected to last 12 months or more? (Please select one option only)

Yes	No	I prefer not to say
☐	☐	☐

In which area do you live? (Please select one option only)

☐	Cuxton and Halling	☐	Gillingham
☐	Hoo Peninsula	☐	Rainham
☐	Strood	☐	Elsewhere in Kent
☐	Rochester	☐	Elsewhere in the UK
☐	Chatham	☐	I prefer not to say

What is the first part of your postcode? (E.g. ME2 or ME4). *This will help us understand views in different areas.* (Please write in the box below)

Do you own a property in Medway? (Please select one option only)

Yes	No	Don't know
☐	☐	☐

How long have you owned property in Medway? (Please select one option only)

☐ Less than one year	☐ 6-10 years
☐ 1-2 years	☐ 10+ years
☐ 3-5 years	

YOUR RESPONSE

Thank you for completing the survey.

Please press the submit button below to send us your views.

After you press submit you will be taken to the Medway Council website.

Appendix 4 - Full written representations

Safeagent

MEDWAY COUNCIL'S SELECTIVE AND ADDITIONAL LICENSING PROPOSALS

A RESPONSE TO THE CONSULTATION FROM SAFEAGENT – MAY 2026

AN INTRODUCTION TO SAFEAGENT

safeagent www.safeagents.co.uk is a UK wide, not for profit accreditation scheme for lettings and management agents operating in the Private Rented Sector (PRS)

safeagent firms are required to:

- deliver defined standards of customer service
- operate within strict client accounting standards
- maintain a separate client bank account
- be included under a Client Money Protection Scheme

Firms must provide evidence that they continue to meet **safeagent** criteria on an annual basis, in order to retain their accreditation. The scheme includes 1700 firms, with over 2500 offices.

safeagent is an accredited training provider under the Rent Smart Wales scheme and meets the requirements for training of agents under the Scottish Government Register. **safeagent** also operates a Government approved Client Money Protection Scheme.

SAFEAGENT AND LICENSING

safeagent is supportive of initiatives such as Selective and Additional Licensing, providing they are implemented in a way that takes account of the Private Rented Sector (PRS)'s own efforts to promote high standards.

safeagent believes that positive engagement with voluntary schemes and the representative bodies of landlords and agents (such as **safeagent**) is essential to the success of initiatives such as Selective and Additional Licensing. We are mindful that the operational problems associated with lack of such engagement have been highlighted in the House of Commons Communities and Local Government Committee report "The Private Rented Sector - First Report of Session 2013–14" (50.pdf (parliament.uk)

The same note sets out how important it is for licensing schemes to avoid being burdensome. We believe that promoting voluntary schemes - and offering discounted licence fees to accredited landlords and agents, can help to achieve this. Voluntary schemes often require members to observe standards that are at least compatible with (and are often over and above) those of licensing schemes. We believe, therefore, that if Medway Council were to allow discounts based on membership of **safeagent** (as well as other similar bodies) implementing and policing the licensing scheme would ultimately be less costly and more effective, allowing resources to be concentrated in the areas where they are most needed.

This is a commonly accepted approach by many English Local Authorities. We would further point out that, in Wales, the Welsh Government has recently recognised the importance of membership of specified bodies such as **safeagent** and is offering discounted fees to members as a consequence https://www.rentsmart.gov.wales/en/

PROMOTING PROFESSIONALISM IN THE PRS - THE ROLE OF AGENTS

safeagent's engagement around the country, with various local authorities, suggests that lettings and management agents have a key role to play in making licensing, accreditation and other, often voluntary regulatory schemes work effectively. Agents tend to handle relatively large portfolios of properties, certainly when compared to small landlords. They tend, therefore, to be in a position to gain an understanding of licensing based on wider experience. They become expert in trouble shooting and ensuring that the balance of responsibilities between the agent and the landlord is clearly understood. This, amongst other things, can help to prevent non-compliance due to misunderstandings about local licensing arrangements.

Since October 2014, it has been a requirement for all letting agents and property managers to belong to a government-approved redress scheme. In May 2015, new legislation required agents to display all relevant fees, the redress scheme they belong to and whether they belong to a client money protection scheme. On 1 April 2019, new legislation required letting agents and property managers that hold client money to be members of a government approved client money protection scheme.

At **safeagent** we operate one of the six government approved Client Money Protection Schemes. **safeagent** ensures its members maintain defined service standards, have Client Money Protection arrangements in place, keep separate client accounts and comply with their legal obligation to be a member of a redress scheme. We also have an extensive online training offering to support their professional development. All this can be of assistance to councils who are trying to drive up standards in the PRS.

To assist councils in regulating the private rented sector and effectively utilising their enforcement powers, we have developed an Effective Enforcement Toolkit. Originally published in June 2016, the second edition was published in 2018. The third and most recent edition of the **safeagent** Effective Enforcement Toolkit, developed in conjunction with London Trading Standards, was published in 2021. It can be downloaded free of charge from our website:
https://safeagents.co.uk/wp-content/uploads/2021/11/safeagent-Effective-Enforcement-Toolkit-2021.pdf

MEDWAY COUNCIL'S PROPOSALS - SPECIFIC ISSUES

Resourcing Enforcement

Robust enforcement will be essential to the success of any licensing scheme. Tenants will need to be confident that any enforcement action required has been (or soon will be) carried out in respect of all licensed properties. Local Authorities should be resourced to take action against lettings agents who are not part of a Client Money Protection Scheme. They should also promote the role of the relevant redress schemes to tenants of agent managed properties, taking enforcement action where an agent is not a member.

With the Renters' Rights Act now coming in to force, we at **safeagent** are calling on the government to make sure that Local Authority enforcement is properly resourced. We also see it as essential that there is joined up thinking between local Trading Standards services and Private Sector Housing teams. Any new powers must be backed up by the human and technical resources required to implement them. Working in partnership with accrediting bodies and their members, it should then be possible to ensure standards across the whole of the PRS.

Partnership Working with Lettings and Management Agents

We would urge Medway Council to work closely with accredited lettings & management agents to ensure that the regulatory effort associated with the licensing schemes is focussed on the greatest risks. The highest priority should be tackling rogue landlords and agents.

Many rogue landlords and unaccredited agents operate under the radar. Resources should, therefore, be directed towards these serious cases. There is danger that too much time will be spent on those properties and landlords where an existing, reputable agent is best placed to ensure compliance with license conditions.

We would urge the council to fully recognise the compliance work reputable agents carry out as part of their day to day activities. We would also suggest that the council work closely with accredited agents, to proactively seek out and identify unlicensed properties and to take action against bad landlords operating illegally or irresponsibly.

Licensing Fees and Discounts

We note the proposed fees of £840 (selective) and £1,600 (additional). These sums will place a considerable financial burden on landlords that, together with the cost of compliance, may result in a disincentive to continued investment in the PRS.

However, we are pleased to not that there are licence fee discounts for accredited landlords and that **Safeagent** is listed as a recognised accreditation scheme.

We agree that this is justified because **safeagent** members and the landlords who engage them are less likely to be non-compliant, thus reducing costs to the council. We would also suggest that **safeagent** membership mitigates the need for full compliance visits to be carried out by the council. For example, the timing and content of visits could be risk based, recognising that the risk of non-compliance is much lower in the case of properties managed by **safeagent** agents.

In line with the aims of this schemes, this incentive to engage a professional agent will help to increase the numbers of landlords who meet their legal responsibilities. This in turn will result in better managed properties and improved living conditions.

In our detailed comments below, we point out some of the areas where compliance with key licencing conditions is an inherent part of the **safeagent** scheme.

Applications made within the Designation Period and Changes in License Holder

We understand that all licenses will be granted for up to five years. It should be clarified that any licenses granted during the designation period (including licenses granted following a change of license holder) will remain valid when the designation is renewed or comes to an end. It should also be made clear that, if a designation comes to an end, inspections and resultant remedial actions should continue to be in operation until all licenses have expired.

We have found that some local authorities charge the full license fee for periods of less than five years. In our view, that is neither fair nor reasonable. A small number of authorities make pro-rata fee adjustments. This is arguably fair but seems unduly complex.

Fee Waiver – Tackling Homelessness

We would suggest that, in cases where a private landlord is assisting the council by offering temporary or permanent accommodation to meet homelessness duties (or otherwise assist with

meeting the aims of a homelessness strategy) license applications should be accepted without any fee being payable.

Empty Properties

We believe that selective and licensing has the potential to help increase the number of empty homes to be brought back into use and improved to modern standards, thus improving their potential to be let.

Lettings & management agents can assist with this. For example, many lettings & management agents will know of empty properties in their localities of operation. Furthermore, they will sometimes have detailed local knowledge and might be able to help the council to categorise the empty property appropriately (under 6 months, over 6 months, probate, exempt, second home etc)

Agents will often be in contact with neighbours and may:

- know if the empty property is causing problems (in some cases agents' tenants and even the agents themselves may have complained) and

- be able to help the council to find relevant contact details. This will help to raise the quality of the council's data – and contribute to the prioritisation of actions.

Furthermore, agents may be able to help to bring the property back into the PRS, working with the council to allocate it to homeless people where appropriate.

Selective and Additional Licensing and Article 4

We welcome the fact that the council is taking a coherent approach to HMO regulation, by co-ordinating their proposals for both additional licensing and the introduction of an Article 4 direction. However, we would make the following comments on Article 4 specifically.

The Potential Impact of an Article 4 Direction

We note that, if confirmed, this direction will require property owners to apply for planning permission before they change the use of the property from a family home to a small HMO for up to six people. This erects a significant barrier to the development of HMOs and may affect supply.

We also note that, while considering planning permission applications, planning officers would look at whether an HMO is an appropriate development for the area. In our comments below, we argue that care should be taken to ensure that the Article 4 Direction does not restrict the availability of much needed affordable housing in the areas affected.

Supply of Affordable Housing

We are concerned that the Article 4 Direction may act as a disincentive to landlords wishing to invest in the supply of much needed affordable housing.

Furthermore, an Article 4 Direction may cause difficulties and reduce flexibility in the wider housing market. At present, smaller houses and flats can alternate between HMO and single family use, according to market demand. Under an Article 4 Direction, changing from a single family let to an occupancy of at least three people in two households would necessitate planning permission, the need for which would be a disincentive to making the change. Conversely, landlords of small HMOs are also likely to reject single family tenants when a property is relet, as they would lose established HMO use.

It is clear, then, that the potential impact on supply goes far beyond just student accommodation. There is a wider population requiring low-cost accommodation, including welfare claimants, low-income workers and vulnerable groups.

We would point out that many low-income workers are on the front line of essential service provision. This includes lower pay grade NHS employees, ancillary workers employed by service providers to the public and private sectors and Care Home staff.

The growth of the gig economy and zero-hours contracts has increased the risk of homelessness amongst some groups, notably the 20-34 year old age range. This demographic is likely to occupy the PRS and shared forms of housing such as HMOs.

It is also likely that some single/ vulnerable people may be living in HMOs because the council have directed them there as part of their efforts to prevent homelessness. If implementing an Article 4 Direction, it will be important to avoid a reduction in affordable housing supply for such groups.

Demand is compounded by the fact that changes to the Local Housing Allowance have increased the number of people for whom a room in a shared house is the most (or only) affordable housing option (specifically, the under 35s) Wider changes to the benefits system – e.g. the introduction of Universal Credit – have increased the number of claimants in a vulnerable position financially. This group may seek out HMO accommodation as an affordable form of housing. The council needs to consider the possible negative impact of an Article 4 Direction on affordable housing supply for this demographic.

A properly regulated PRS, which includes good quality HMOs, is the key to meeting this need. Broad brush measures such as Article 4 Directions should be used with care – and any potential unintended consequences taken into account.

Balanced Communities and Regeneration

Positive impacts of HMO development can include reduced housing vacancy rates, support for local facilities and the provision of an affordable form of housing. For example, some of the local student population may choose to stay and work in the area after studying. This may be a factor creating ongoing demand for affordable private rented accommodation such as HMOs. The possible impact of an Article 4 Direction on supply should be carefully considered in this context.

Indeed, concentrations of students can often have a beneficial effect on neighbourhoods (e.g. on night-time economy, culture, viability of facilities etc) The wider point here is that the impact of educational establishments in an area is broadly considered to be positive – but staff (including staff employed by suppliers of services) as well as students need HMO accommodation in significant numbers. In the absence of appropriate complementary measures, an Article 4 Direction may put this in jeopardy.

LICENCE CONDITIONS

Licence Conditions and Civil Penalties

On 13 November 2025, the government issued statutory guidance on the updated civil financial penalty regime that came into force on 1 May 2025. The changes include significantly extending the list of relevant offences / breaches, increasing the maximum penalties from £30,000 to £40,000 for certain offences and new penalties of up to £7,000 for some breaches.

The new statutory guidance can be found here:

https://www.gov.uk/government/publications/civil-penalties-under-the-renters-rights-act-2025-and-other-housing-legislation/civil-penalties-under-the-renters-rights-act-2025-and-other-housing-legislation

Like every local authority in England, Medway Council must have had regard to this new guidance when setting civil financial penalty policies that will apply from 1 May 2026. In the context of licensing, this causes us some concerns, for instance:

- Specifically, including breaches of ***licence conditions*** in the list of offences (e.g. conditions relating to antisocial behaviour, waste and recycling, other HMO Fire and Amenity Standards etc.) would risk being unduly broad brush. In particular, arguments about "fault" in ASB cases can be very complex – and evidence tends not to be clear cut. In Medway's proposed licensing schemes, there are many "small print" license conditions that could be problematic if considering the imposition of penalties for breaches

- Do council officials have the capacity and competency to apply the legalistic sounding ***"aggravating and mitigating factor"*** adjustments to penalties? It sems to us that a lot of evidence gathering and quasi-judicial judgement will be involved in this – and that the numbers of associated disputes and appeals may increase.

Below, we comment on the specifics of the licensing conditions. We would urge caution if Medway Council is considering the imposition of civil penalties in respect of breaches of any of them.

Tenant Referencing

We would be supportive of any requirement that references should be obtained for prospective tenants.

Tenancy Management

safeagent agents are expected provide and fill in a tenancy agreement on behalf of the landlord. they will always make sure the terms of the tenancy are fair and help the tenant to understand the agreement.

They will always provide clear information to the tenant about any pre-tenancy payments and what these cover. They will explain any requirement for a guarantor and what the guarantor role entails.

At the end of a tenancy, they will always serve the tenant with the correct period of notice as set out in the tenancy agreement.

Under **safeagent's** service standards, agents are required to take a deposit to protect against possible damage. They are required to explain the basis on which the deposit is being held and the purpose for which it is required, as well as to confirm the deposit protection arrangements. When joining **safeagent**, agents are asked to provide details of the number and value of the deposits they have registered with the scheme.

Agents are asked to authorise **safeagent** to contact the scheme to verify this information.

During the course of a tenancy, **safeagent** agents will check the condition of the property and draw up a schedule to outline any deductions to be made from the tenant's deposit. They will return the deposit in line with timescales and processes required by the statutory tenancy deposit schemes. **safeagent** agents are also required to:

- have a designated client account with the bank
- operate to strictly defined Accounting Standards
- be part of a mandatory Client Money Protection Scheme.

These requirements provide additional security for client monies held, over and above the requirements of the council's licensing scheme. Again, this is an area where increased **safeagent** membership would be of benefit to the council and local tenants.

Licence Conditions Relating to the Property

We welcome Medway Council's drive to improve property standards. We believe that **safeagent**'s standards go a long way to ensuring compliance with license conditions.

Under **safeagent**'s service standards, **safeagent** agents are expected to visit any property to be let with the landlord and advise on any action needed before letting the property. This includes any repairs and refurbishments needed to put it into a fit state for letting. They will also go with possible new tenants to view unoccupied property. Tenants can, therefore, be confident that **safeagent** agents have provided advice to the landlord concerning any repairs or refurbishments which are necessary.

safeagent agents are expected to explain both the landlord's and the tenant's the rights and responsibilities. To guard against misunderstandings, they will arrange for the preparation of a schedule of the condition of the property.

safeagent agents are required to ensure that tenants are provided with copies of safety certificates on gas and electrical appliances before they commit to the tenancy. They will provide details of the condition of the property, plus a list of its contents. The property will have undergone all required safety checks on furnishings, and gas and electrical services.

Thereafter, **safeagent's** standards require agents to carry out property inspections periodically, as agreed with the landlord, in line with normal good practice. **safeagent** and our firms would anticipate inspections to be carried out every 6 months as a minimum, to identify any problems relating to the condition and management of the property. In line with common practice, records of such inspections would contain a log of who carried out the inspection, the date and time of inspection and issues found and action(s) taken. Under a licensing scheme, this information could be shared with the council in an appropriate format.

Tenants will be fully aware of access arrangements. **safeagent** agents are expected to arrange, in advance, a time for access, in order to inspect the condition of the property in accordance with the tenancy agreement. **safeagent** agents will arrange to have routine maintenance work carried out, up to a limit agreed with the landlord. The agent will refer expenditure above that limit to the landlord.

Training

We would welcome any proposal that agents who are license holders should undergo training.

Membership of **safeagent** means that agents already have access to an extensive training package, engagement with which should reduce the need for the local authority to intervene. Although not a *condition* of **safeagent** membership, **safeagent** offers short courses and qualifications in Lettings & Management at Levels 2 and 3 which are Ofqual recognised

safeagent offers training to those who have been involved in lettings and management for some time as well as those who are just starting out. Training is available for principals of firms as well as employees. Thus, **safeagent's** Virtual Learning Environment (VLE) is designed to cater for a wide range of professional development needs. Training is easily accessible and can be undertaken when it suits the trainee. Any candidate completing the **safeagent** Foundation Lettings Course successfully also has the opportunity to use the designation **'safeagent qualified'**. **safeagent** Foundation Lettings Course (Wales) is recognised by Rent Smart Wales, the Welsh Government's regulatory body, as meeting their requirements for agents to undergo training.

One advantage of this approach is that it makes it easy to ascertain (through on-line monitoring) that participants have in fact undertaken the required training, prior to or immediately after accreditation.

Modules available cover:

- Pre-tenancy issues
- Responsibilities and liabilities
- Setting up a tenancy
- During a tenancy
- Ending a tenancy
- General law concepts, statute vs contract
- Relationships
- Obligations
- Process
- Considerations for corporate tenants
- Continuing Professional Development (CPD)

In addition, **safeagent** provides mini online courses designed to cover a number of elements in more detail, as appropriate to the learner's role, include topics such as:

Assured Shorthold Tenancies (ASTs)
Client Money
Consumer Protection Regulations (CPRs)
Deposits
Disrepair
Electrical Appliances & Safety
Gas Appliances & Safety
Houses in Multiple Occupation (HMOs)
Housing, Health & Safety Rating System (HHSRS)
Inventories and schedules of condition
Joint Tenancies
Notice Requiring Possession

We would suggest that the discounted fees for **safeagent** agents will provide an incentive to positive engagement with training that is fully compatible with the requirements of the licensing schemes.

Anti-Social Behaviour

For our members, dealing with actual and perceived anti-social behaviour in the PRS is a day to day activity. However, in general, we have concerns about the assumed link between the amount of PRS accommodation in the neighbourhood and the incidence of ASB.

There may be some *correlation* between incidences of ASB and the prevalence of PRS accommodation on the area. However, correlation does not imply *causation*. The *causes* of ASB are many and varied. It is not, in our view, reasonable to expect agents and landlords to play a disproportionately large part in tackling them.

Furthermore, we would strongly advise against any proposals which imply a parity of approach between the PRS and the social rented sector. Social landlords are publicly funded (and regulated) to develop and manage housing on a large scale. Their social purpose brings with it wider responsibilities for the communities in which they work. As private businesses, PRS landlords and their agents, whilst having clear responsibilities to manage their properties professionally cannot reasonably be expected to tackle wider social problems.

Suitability of Licence Holder

We would support any requirement that the proposed licence holder should be a 'fit and proper' person and that there are suitable management arrangements in place. We believe that this requirement highlights the importance of lettings and management agents belonging to recognised accrediting bodies like **safeagent,** who themselves apply a fit and proper person test.

All principals, partners and directors of a **safeagent** firm are asked to make the following declaration on application:

– *"I confirm that: for a period of 10 years prior to this application I have had no conviction for any criminal offence (excluding any motor offence not resulting in a custodial sentence) nor have I been guilty of conduct which would bring the Scheme or myself into disrepute; I am not an undischarged bankrupt nor is there any current arrangement or composition with my creditors; I am not nor have I been a director of a company which has within the period of 10 years prior to this application entered into liquidation whether compulsory or voluntary (save for the purpose of amalgamation or reconstruction of a solvent company) nor had a receiver appointed of its undertaking nor had an administration order made against it nor entered into an arrangement or composition with its creditors; nor have I at any time been disqualified from acting as a Director of a company nor subject to a warning or banning order from the Consumer Markets Authority or the Department for Business, Enterprise and Regulatory Reform.*

If I am subject to any current claim or am aware of any impending claim for professional negligence or loss of money or if I have been the subject of any investigation by the Consumer Markets Authority and/or local Trading Standards Office, full details of the circumstances are set out in a report enclosed with the application; all information provided by me in connection with this application is, to the best of my knowledge, correct"

We believe this certification is broadly in line with the council's licensing conditions and is another example of where promotion of **safeagent** membership through discounts will help to ensure compliance.

Complaints

All **safeagent** firms are required to have a written customer complaints procedure, available on request. Our guidance sets out how the first step for complainants is to ask the firm they are dealing with for a copy, which will outline the method by which they can seek to resolve any issues.

In line with statutory requirements, all **safeagent** members must also be members of a recognised redress scheme. Firms are required, at the request of the complainant, to refer the complaint to a redress scheme once their in-house procedure has been exhausted. They are also required to comply with any award determined by the redress scheme, within the timescale prescribed.

Under co-regulation schemes elsewhere in the UK, **safeagent** has undertaken to review any complaints that have been adjudicated upon by any of the redress schemes. Under such an arrangement, **safeagent** can report to the council on the number of complaints reaching this stage and on the adjudications made. Non-compliance with a redress scheme's adjudication would eventually lead to disqualification of the agent from **safeagent**. We would be happy to come to a similar arrangement with Medway Council.

MEASURING THE SUCCESS OF THE SCHEME

We believe that regular information on implementation of the scheme should be made available in a clear and consistent format. Reports to local landlord and agent forums, representative bodies and other stakeholders should include at minimum:

- The estimated number of private rented properties that require licensing under the schemes
- The number of applications received in respect of these properties
- Progress in processing (granting, querying or refusing) the licence applications received
- Analysis of the reasons for any queries or refusals and the extent to which remedial action is identified and taken as a result
- Analysis of the outcomes of ongoing inspections and the extent to which remedial action is identified and taken as a result
- Progress reports across the whole 5 year period covered by the scheme.

This should help to enable the council to work in partnership with landlords, agents, representative bodies and other stakeholders to ensure the success of the scheme.

CONCLUSION

It seems to us that many of the licencing requirements in the Medway Council schemes highlight how important it is for landlords to work with reputable agents such as **safeagent** members. Offering fee discounts to licence holders who work with a **safeagent** accredited agent will help to promote this.

safeagent would welcome a collaborative approach with Medway Council, based on shared objectives. We believe that agents who are members of a recognised body are more likely to embrace licensing and less likely to generate complaints to the council or breaches of their licence. Discounted fees for **safeagent** members should be a significant incentive to positive engagement by agents. In return, the Council would experience reduced administration and compliance costs.

CONTACT DETAILS

CONTACT DETAILS

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APPENDIX 1 – COMPATIBILITY OF SAFEAGENT SERVICE STANDARDS WITH TYPICAL SCHEME CONDITIONS

Example Scheme Conditions	**SAFEAGENT Service Standard Requirements**
Fees	SAFEAGENT promotes complete transparency in agency fees. Members provide landlords with a statement of account as often as agreed.
Rent Liabilities and Payments	SAFEAGENT agents collect the rent and pass it on every month or as otherwise agreed. The agent will keep a separate clients' account to hold all monies.
Contact Details	SAFEAGENT agents are expected to respond to tenant and other legitimate enquiries in a timely manner. Up to date contact details will enable them to respond to tenants' requests for maintenance or repairs which might in some cases have to be referred to the landlord for approval.
State of Repair	SAFEAGENT agents visit the property with landlords and advise on any action needed before letting the property. This includes any repairs and refurbishments needed to put it into a fit state for letting. They will also go with possible new tenants to view unoccupied property. Tenants can be confident that SAFEAGENT agents have provided advice to the landlord concerning any repairs or refurbishments which are necessary.
Access and Possession arrangements	SAFEAGENT agents will visit the property periodically during the course of the tenancy as often as agreed with the landlord. Tenants will be fully aware of access arrangements. At the end of a tenancy, they will always serve the tenant with the correct period of notice as set out in the tenancy agreement.
Repairs and Maintenance	SAFEAGENT agents will arrange to have routine maintenance work carried out, up to a limit agreed with the landlord. The agent will refer expenditure above that limit to the landlord.

Example Scheme Conditions	SAFEAGENT Service Standard Requirements
Access, Cleaning and Maintenance of Common Parts	SAFEAGENT agents will arrange in advance a time for access to the property in order to inspect the condition of the property in accordance with the tenancy agreement.
Level of Facilities	SAFEAGENT agents ensure that tenants are provided with copies of safety certificates on gas and electrical appliances before you commit to the tenancy. They provide details of the condition of the property, plus a list of its contents. The property will have undergone all required safety checks on furnishings, and gas and electrical services.
Deposits	SAFEAGENT agents provide and fill in a tenancy agreement and take a deposit to protect against possible damage. They will explain the basis on which it is being held and the purpose for which it is required.
References	SAFEAGENT agents choose a tenant in a way agreed with the landlord, taking up references or checking the tenant's rent payment record.
Complaints & Dispute Handling	SAFEAGENT agents explain both the landlord's and the tenant's the rights and responsibilities. To guard against misunderstandings, they will arrange for the preparation of a schedule of the condition of the property. During the tenancy, they will arrange to check the condition of the property and draw up a schedule to outline any deductions to be made from the tenant's initial deposit. They will return the deposit as soon as possible, less any appropriate deductions.

NRLA

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Medway Council

28th May 2026

Dear Sir or Madam,

Additional/Selective Licensing Proposals

1.0 The NRLA is an association following the merger of the National Landlords Association and the Residential Landlords Association. Our membership represents over 110,000 landlords and agents, the largest organisation in the sector.

1.1 We appreciate the opportunity to provide our input on the consultation concerning the introduction of selective and additional licensing in Medway. The NRLA opposes the implementation of discretionary licensing by local authorities. While we understand the intentions of Medway, we believe that licensing is not conducive to achieving these goals efficiently.

1.2 The NRLA strives for a just legislative and regulatory framework for the private rented sector, ensuring that landlords are aware of their legal rights and obligations.

Main Objections

2.0 Antisocial behaviour and low-quality housing

2.1 Landlords lack the expertise to handle antisocial behaviour and are not equipped to address tenants' mental health issues or substance abuse problems. If a tenant is causing issues and the landlord decides to terminate the tenancy, they believe they have fulfilled their responsibilities, even if the tenant is struggling with these issues. This simply shifts the problem to elsewhere in the area, potentially leaving the tenant neglected or vulnerable to unscrupulous landlords, impacting other residents negatively.

2.2 Additionally, overcrowding poses a challenge for landlords when tenants exceed the property's capacity. Landlords are responsible for informing tenants about occupancy limits and prohibiting subletting or additional occupants. What information and support can the council provide to support landlords in such situations?

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2.3 It is unrealistic for landlords to monitor tenants' daily activities or sleeping arrangements. When it comes to addressing antisocial behaviour, landlords can only enforce the terms of the contract; they cannot control tenants' behaviour.

3.0 Existing Enforcement Powers and Activity

3.1 The council possesses a variety of housing enforcement legislation that can be used to address substandard conditions in the PRS, including the Housing, Health, and Safety Rating System (HHSRS). These enforcement powers are currently at the disposal of the local authority and do not necessitate consultation prior to implementation.

3.2 In the response to our FOI, Medway Council stated they have issued a total of 7 civil penalties in the years 2023/4 and 2024/5. Zero civil penalties were issued in the year 2023/4.

3.3 This failure to effectively use existing enforcement powers to deal with rogue landlords, whilst placing further burden on compliant landlords, does not contribute to a healthy and thriving PRS in Medway.

4.0 PRS Database and Property Licensing

4.1 The introduction of a PRS Database mandating landlords registering their properties as part of the Renters' Rights Act will mean duplication of many of the same data requirements required under additional licensing. The purpose of the PRS Database is designed to enhance enforcement by facilitating targeted enforcement of non-compliant landlords.

4.2 Additional and selective licensing schemes often place the greatest burden on compliant landlords, while those who operate under the radar are less likely to engage. The limited local authority resources would be more efficiently used by focusing on using data derived from the database, rather than administrating an extensive additional licensing scheme.

4.3 The administrative and financial costs associated with additional licensing, especially for small-scale landlords, undermines the financial feasibility of renting their property and may lead to a reduction of supply within Medway altogether.

4.4 Medway council should permit the implementation of the PRS Database and allow sufficient time to evaluate its effectiveness before considering introducing further regulatory burdens.

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5.0 Inspection regime and licence processing

5.1 Does the council intend to inspect every property at least once throughout the lifetime of the scheme after a licence has been in place for a period, and what kind of inspection regime will the council adopt i.e. street by street or by risk assessment?

5.2 Medway Council should confirm if they have a set timescale in place for the processing and issuing of licences.

5.3 The implementation of both the selective and additional licensing schemes should be conditional on the publishing of a fee methodology by Medway Council, outlining how the proposed licence fee was determined to ensure democratic transparency and value for money for the affected landlords.

6.0 Proposed Selective Licensing Scheme Conditions Concerns

6.1 We are concerned regarding the wording of the licencing condition outlined in Appendix 2, 9.9*: "Any waste generated during building work or during change of tenancy (for example old furniture or bedding) from the house is not left on, or immediately outside, the house or private land and is disposed of in a safe and lawful manner."* Whilst we understand that a responsible landlord should remove waste from the property during works or end of tenancy, we are concerned that the wording would make a landlord liable for waste left by tenants outside of the property at the end of tenancies.

6.2 A landlord can advise tenants to remove all waste and goods from the property at the end of a tenancy but should not be held liable for what would usually be considered fly-tipping by the tenant.

6.3 If selective licensing is implemented, the wording of this condition should be altered to reflect the landlord is responsible solely for waste remaining at the property due to their own actions or decisions; not for the tenant's.

6.4 The existing bulky waste service could be utilised and advertised to tenants as part of end of tenancy arrangements.

7.0 Proposed Additional Licensing Scheme Conditions Concerns

7.1 We are concerned about the proposed condition outlined in Appendix 3 18.4, which states: *"Where the standard local authority waste collection schemes do not suffice, the licence holder must arrange for private collections of waste from the property."*

7.2 Landlords should not be held responsible for excess waste beyond what is allocated for by a local authority.

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7.3 If tenants of a property produce waste beyond what is usually allocated for, then they should be required to fund the extra waste collection. This could be done via a permit service from the council, similar to the garden waste subscription.

7.4 Medway Council should also consider directing tenants to use existing bulky waste services provided by the council should the scheme be approved.

8.0 **Conclusions and alternatives**

8.1 The NRLA holds the belief that a thriving private rented sector is necessary for local authorities to complement the existing housing options in an area. This sector offers a diverse range of housing types that can cater to the needs of both residents and landlords in the city. It is crucial to regulate this sector and enforce necessary measures to prevent criminals from exploiting landlords and tenants.

8.2 Implementing an active enforcement policy that supports reputable landlords is of utmost importance as it will eliminate those who take advantage of others and establish a fair and level playing field.

8.3 If the proposed scheme is approved and put into action, the council should provide an annual summary of outcomes to showcase the improvements in tenants' and landlords' behaviour and the impact of licensing on the designated area throughout the scheme's duration. This would enhance overall transparency.

8.4 While the NRLA shares a common interest with Medway in ensuring a high-quality private rented sector, it strongly disagrees that additional and selective licensing is the most effective approach to achieve this goal in both the short and long term.

Yours Faithfully,

[redacted]
Policy Officer
[redacted]
National Residential Landlords Association

Company No. 12187275

Propertymark

Consultation on Medway Council's proposals for an Additional HMO and Selective Licensing schemes
Response from Propertymark
April 2026

Background

1. Propertymark is the UK's leading professional body for estate and letting agents, property inventory service providers, commercial agents, auctioneers and valuers, comprising over 19,000 members representing over 12,800 branches[1]. We are member-led with a Board which is made up of practicing agents, and we work closely with our members to set professional standards through regulation, accredited and recognised qualifications, an industry-leading training programme and mandatory Continuing Professional Development.

Overview

2. Medway Council is currently consulting on proposals to introduce new licensing schemes in several wards. The proposed additional HMO licensing scheme would apply in Chatham Central and Brompton, Fort Pitt, Gillingham North, Gillingham South, Luton, and Watling, extending licensing requirements to smaller HMOs that fall outside the national mandatory scheme, including those occupied by three or four people and certain multi-occupied flats in purpose-built blocks. Section 257 HMOs would be excluded, although individual flats within such buildings may still require licences depending on occupancy. Alongside this, the Council is also consulting on a selective licensing scheme covering the same wards plus Strood North and Frindsbury, which would require licences for all private rented homes occupied by a single household or two unrelated sharers.

Propertymark response - summary

3. Thank you for the opportunity to respond to the consultation on the proposed introduction of Medway Council's Additional and Selective Licensing in six and eight wards respectively within Medway. Propertymark supports efforts by local authorities to raise standards and improve housing conditions within the private rented sector (PRS). However, we do not think that licensing schemes are the most effective means of achieving these objectives. Accordingly, we object to the proposal. Propertymark advocates for a regulatory framework that focuses on educating and supporting landlords to improve their properties, rather than relying on punitive measures that are often difficult to enforce and risk penalising compliant landlords while allowing non-compliant ones to go undetected. We therefore oppose the proposed scheme on several grounds, which are outlined below.

Propertymark response

Licensing structure

[1] The professional body for the property sector | Propertymark

4. **Scope of the scheme** – It is disappointing that Medway Council is seeking to introduce both an additional and a selective licensing scheme at the same time, despite having no prior experience of operating discretionary licensing schemes of this kind. This raises concerns about the Council's capacity to effectively implement and enforce two complex schemes simultaneously. We consider that a more phased or evidence-led approach would be appropriate before introducing multiple schemes at once. Furthermore, the proposed schemes risk duplicating elements of the forthcoming national landlord registration system expected under the Renters' Rights Act[2], and the Council should carefully consider how its proposals align with emerging national reforms.

5. We are also concerned that the cumulative impact of multiple regulatory measures proposed by Medway Council including mandatory HMO licensing and the proposed additional and selective licensing schemes, may create a system that is difficult for landlords and letting agents to navigate and understand. Given that Medway has not previously operated discretionary licensing schemes, introducing multiple layers of regulation simultaneously risks adding complexity without clear evidence of effectiveness. We would welcome clarification from the Council as to whether these proposals represent a final, comprehensive approach, or whether further phases of licensing are anticipated. This is key as some local authorities have reintroduced schemes following the five year period which we believe suggests that they have failed to meet their aims.

6. Additionally, we note that some of the justifications provided for the schemes do not appear to arise solely from issues within the private rented sector (PRS) but may instead reflect wider challenges across other housing tenures. The PRS in Medway accounts for approximately 20–23% of the total housing stock[3], meaning the majority of homes are either owner-occupied or socially rented. It is therefore likely that some of the social and environmental issues identified originate outside the PRS. We also note that there are areas within Medway where housing conditions and management standards are comparatively strong, and in such locations a blanket licensing approach may not be proportionate or necessary.

7. **RECOMMENDATION - Essentially, implementing a licensing scheme over such a large area and across multiple and potentially confusing schemes makes it difficult to identify and address the root causes of problems. Medway Council should instead consider a more targeted and proportionate approach.**

8. **Costs of the scheme** – We would welcome clarification from Medway Council on the projected costs associated with implementing and administering the proposed scheme. Many licensing schemes across the country represent a significant financial commitment for local authorities, both in terms of initial setup and ongoing operational costs. It is important that Councillors carefully consider whether such an extensive scheme offers genuine value for money for

[2] Renters' Rights Act 2025
[3] Private Sector Licensing - (Additional & Selective Licensing Schemes)

residents and whether it represents the most efficient and cost-effective mechanism to achieve improvements within the PRS.

9. **RECOMMENDATION - Given that Medway Council has not previously operated a Selective and Additional Licensing Scheme and is now proposing a new scheme, we think it is essential to publish details of the cumulative costs incurred to date. This should include not only the administrative costs of running and enforcing the scheme but also any expenditure related to staffing, communications, compliance activity, and legal proceedings. Transparency regarding the full financial impact of licensing is vital to allow residents, landlords, and stakeholders to assess whether the scheme has delivered measurable improvements in housing standards that justify its considerable expense.**

10. **Fees** –The proposed licence fees set out by Medway Council represent a significant financial burden in the current economic climate, where landlords are already facing increasing costs associated with mortgage rates, maintenance, and regulatory compliance. In particular, the proposed selective licence fee of £840 per property and the additional HMO licence fee of £1,600 per property are substantial, especially for smaller landlords operating on limited margins. While fees will vary between local authorities, the proposed additional licence fee is notably high when compared to some schemes outside London, such as approximately £650[4] in Newcastle upon Tyne and £550 in Liverpool[5]. As such, careful consideration should be given to the cumulative financial impact of these proposals on the private rented sector.

11. We welcome the range of discounts proposed by Medway Council, including those for multi-dwelling applications, charitable organisations, and accredited landlords. These reductions such as £105 (selective) and £200 (additional) off Part A for multi-dwelling properties, £210 and £400 off Part B for charities, and £84 and £160 off Part B for accredited landlords represent a positive step in recognising good practice and helping to mitigate some of the financial burden associated with licensing.

12. **RECOMMENDATION - We strongly recommend that Medway Council incorporates a range of financial incentives into the proposed Additional and Selective Licensing Scheme to encourage early compliance and professional standards. Specifically, the council should introduce an early bird discount for landlords who apply within the first few months of the scheme's launch.**

13. **RECOMMENDATION - Furthermore, we urge the council to provide a fee reduction for landlords whose properties are managed by agents with accredited membership bodies, such as Propertymark. Membership in such a body demonstrates that a letting agent is appropriately qualified, undergoes continuous professional development, and adheres to strict regulatory and or client money protection standards. By offering this discount, Medway Council would formally recognise the professionalism of these providers and their**

[4] Page not found | Newcastle City Council

[5] Fees, discounts and exemptions - Liverpool City Council

commitment to high property standards, which aligns perfectly with the council's stated goal of improving management across the borough's private rented sector.

14. **Impact of cost-of-living and landlords** - Regardless of the fee level, we are concerned that these charges will come at a time when landlords are already facing pressures from ongoing mortgage costs, the cost-of-living crisis, and other financial challenges that may affect their ability to maintain and improve property standards. Our members have also highlighted that a common concern with licensing schemes is that fees can be particularly burdensome for landlords, especially those managing larger portfolios. These costs are significant for landlords operating within Medway and may have an unintended impact on their capacity to invest in improving housing quality.

15. **Impact on supply of homes** - Exiting the market is especially a concern for smaller landlords who are more likely to sell their properties and further shrink the supply of much sort after PRS properties leaving remaining private tenants with higher rents. Our research on the shrinkage of the PRS[6] found 53% of buy to let properties sold in March 2022 left the PRS and that there were 49% less PRS properties to let in March 2022 compared with 2019. In addition to these concerns, those landlords who remain in the market, often have less money to improve conditions from increased costs. Since the proposed additional and selective licensing scheme is intended to be implemented in targeting wards, there is a significant concern regarding its impact on the local housing market and the impact it would have on landlord investment, which could result in landlords investing in neighbouring areas and local authorities.

16. Landlords currently operating within the area may feel incentivised to divest and instead purchase properties in neighbouring local authority areas in Kent and the South East where such stringent additional and selective licensing fees and administrative requirements do not apply. This potential capital flight could lead to a contraction of the private rented sector across the entire borough, resulting in fewer housing options for Medway's most flexible workforce and potentially forcing residents to seek housing elsewhere, leading to a loss of local talent and the breaking of long-standing social and communal ties.

17. **Unintended Consequences** – We are pleased to see that Medway Council acknowledges the PRS is an important and growing tenure that provides homes for many residents across the area. As evidenced by Office for National Statistics 2021 Census data[7], the PRS in Medway has expanded over the past decade and now accounts for approximately 20–23% of households, reflecting its increasingly significant role in meeting local housing need. This growth underscores the importance of ensuring that policies, such as the proposed additional and selective licensing schemes, are proportionate and reflect the realities of a sector that provides essential housing. Careful consideration should be given to the risk of unintended consequences, including reduced supply or increased costs for tenants, if the regulatory burden on landlords becomes too great.

[6] A shrinking private rented sector | Propertymark
[7] How life has changed in Medway: Census 2021

18. Renting in Medway is becoming increasingly expensive, placing significant pressure on tenants in the private rented sector. Current market data shows that average private rents in Medway are now approximately £1,150–£1,300 per month, reflecting sustained increases in recent years. While still lower than some parts of London, Medway is no longer a low-cost area, particularly when compared with other parts of the South East, and rents are now broadly in line with or above many neighbouring coastal and commuter locations. This level of rental cost creates affordability challenges for many households, especially when combined with wider cost-of-living pressures. As a result, a growing proportion of income is being spent on housing, leaving tenants with reduced financial resilience. Although Medway continues to benefit from transport connections into London and surrounding areas, the borough is increasingly experiencing affordability pressures typically associated with higher-cost regions.

19. The average monthly rent in Medway, which is now estimated at approximately £1,150–£1,300 per month, makes the proposed licensing fees particularly significant when compared to local rental income levels. The proposed selective licence fee of £840 per property and additional HMO licence fee of £1,600 per property therefore represent a substantial proportion of monthly rental revenue for many landlords. In some cases, the additional licence fee alone is equivalent to more than one month's rent, particularly for lower-yield properties. While landlords in higher-value areas may be better able to absorb such costs, for many providers operating in Medway's private rented sector this level of fee represents a material financial burden. There is a risk that landlords may seek to offset these costs through rent increases, which could further exacerbate affordability pressures in a borough where rents are already rising. This could unintentionally undermine housing affordability and reduce supply in a market that is increasingly relied upon to meet local housing need.

20. Furthermore, with Medway experiencing sustained rental inflation in recent years, with annual increases in the region of high single digits to around 10% in some periods, the local market is already under considerable upward price pressure. Introducing licensing fees of this scale at this stage could further contribute to affordability challenges and risk making Medway less competitive compared with neighbouring areas such as Gravesham or Swale, which may not have the same level of regulatory cost burden. Instead of a blanket approach that increases costs across the sector, there is a strong argument for a more targeted and proportionate enforcement strategy that protects standards without undermining the viability of lower-cost private rented housing.

21. Turning to the overall level of local rents, it is likely that many lower-income households and benefit recipients living in Medway's private rented sector, particularly those in HMO accommodation, are already under significant financial strain. We are concerned that the introduction of licensing fees and associated regulatory costs could incentivise landlords to pass these costs on through higher rents or, in some cases, exit the market altogether. Should supply reduce as a result, basic market dynamics suggest that rents for remaining properties may increase further. Given the demographics of those accessing the private rented sector in Medway, there is a genuine risk that continued cost pressures could reduce affordability and place additional pressure on low-income households across the borough.

Improving standards

22. **Property condition** – Housing in parts of Medway reflects a varied and often ageing stock, particularly in some of the areas proposed for inclusion in the licensing schemes. Evidence from the Office for National Statistics (ONS) and wider housing datasets indicates that a significant proportion of properties in Medway date from pre-1919, inter-war, and post-war periods. In certain neighbourhoods, particularly those with higher concentrations of private rented housing, this older stock can present ongoing challenges in relation to maintenance, energy efficiency, damp, and thermal performance. These issues typically require substantial investment from landlords to bring properties up to modern standards, including improvements to insulation, heating systems, and structural condition. Given this context, it would be helpful for Medway Council to clarify whether any financial support mechanisms are available such as grants, loans, or energy efficiency funding to assist landlords in meeting the expected standards, particularly those operating within the private rented sector and managing older housing stock.

23. **Licensing conditions** - The proposed licensing conditions and property standards set out by Medway Council present a significant risk of over-regulation that could inadvertently reduce the availability of affordable shared housing across the borough. In particular, the proposed minimum space standards require that sleeping accommodation for one person aged over 10 years must be at least 6.51 square metres, and 10.22 square metres for two persons, with any room under 4.64 square metres prohibited from being used as sleeping accommodation. In addition, rooms must not be occupied by more persons than specified within the licence conditions, effectively tightening control over occupancy levels beyond existing national expectations. While these standards may be intended to improve living conditions, there is a risk that they could render a number of currently compliant and safe HMOs non-compliant upon implementation. Landlords with properties that fall just short of these locally enhanced thresholds may be required to undertake costly structural alterations or reduce occupancy levels. In a sector already under pressure from rising demand for low-cost accommodation, such changes could lead to a reduction in available bedspaces, potentially displacing tenants who rely on the most affordable forms of shared housing and increasing pressure on homelessness services and the wider housing system.

24. **Energy efficiency** - The council maintains that licensing is required to enforce the minimum energy efficiency standard for properties with a rating of F or G, yet this argument overlooks the fact that local authorities already possess the necessary legal powers to address such issues. Since April 2020, it has been illegal to let any property with an energy performance rating below E unless a valid exemption is registered, and the council is already the designated enforcement body for these national regulations. Introducing a local licensing scheme to perform a task that is already a statutory requirement creates an unnecessary layer of bureaucracy and cost for compliant landlords, especially as the new national private rented sector database now tracks these standards centrally.

25. Furthermore, the UK Government has set a target for all private rented properties to achieve an energy performance certificate rating of C or above by 2030[8]. Reaching this standard in the sixteen proposed streets will be particularly challenging and expensive, as the housing stock primarily consists of pre-1919 Victorian terraces with solid walls that require significant investment for retrofitting and insulation. By charging landlords a licensing fee, the council is effectively diverting capital away from the very maintenance and improvement budgets needed to meet these looming environmental targets. For many local providers, this fee represents more than an entire month of rental income that could otherwise be spent on double glazing or thermal upgrades.

26. **RECOMMENDATION: An intelligence-led enforcement strategy would be far more effective than a blanket licensing fee that penalises every landlord regardless of their property's condition. The council can already access the national energy performance register to identify the specific addresses that fail to meet current standards, allowing for targeted intervention against rogue operators without placing a financial burden on those who provide high-quality homes. Diverting private funds into local authority administrative costs during a period of rising operational expenses and strict new energy targets is counterproductive and may ultimately lead to a reduction in the availability of affordable, energy-efficient housing in Medway.**

27. **Current enforcement** – While the consultation identifies higher concentrations and rates of Category 1 and high-scoring Category 2 HHSRS hazards in certain wards, including Gillingham South (19.6 per 100 PRS properties), this must be viewed in context. The national average for Category 1 hazards in the private rented sector is 12%, meaning that although some Medway wards are above average, the majority of properties still do not exhibit serious hazards. Even in the highest-identified ward, the data shows that a substantial proportion of properties are not affected. This suggests that poor conditions are not universal within the private rented sector in these areas but instead are concentrated within specific properties rather than evenly distributed across the stock.

28. In this context, the introduction of selective and additional licensing schemes at ward level risks being a broad regulatory response to what is ultimately a targeted enforcement issue. The data demonstrates variation in risk, not uniform failure across the sector, and therefore does not in itself justify area-wide licensing intervention. It is also important to note that the Council already holds extensive powers under the Housing Act 2004, including the ability to inspect, serve improvement notices, and take enforcement action in respect of Category 1 hazards and serious Category 2 hazards. Given that 3,619 PRS properties are estimated to contain at least one serious hazard across Medway, these powers can be deployed in a focused and evidence-led manner without imposing additional licensing burdens on entire areas.

Engagement

[8] Warm Homes Plan - GOV.UK

29. **Engagement with landlords and letting agents** - For most cases of substandard accommodation, it is often down to landlord's lack of understanding rather than any intent to provide poor standards. We note that Medway Council did not respond to our recent Freedom of Information request on landlord engagement since 2021. Therefore, we would like clarity on how Medway Council engages with landlords and property agents including landlord forums, and training opportunities. In addition, we would welcome clarity on how the council encourages landlords and agents to be members of an accredited membership scheme such as Propertymark.

30. **RECOMMENDATION - To strengthen this engagement, we would be very happy to support the council in engaging with our members and local property agents. A licensing scheme is a very reactive mechanism, and it is far more beneficial to have a programme of education to engage with landlords on helping them improve before a situation gets worse. We would welcome clarity on what training opportunities the council will provide to landlords and agents to help them understand their responsibilities and improve standards. We recognise the council have made strong efforts in this in the past with engagement via the Council's Landlord Forum and an accreditation scheme for local landlords. However, engagement is more credible over a longer more embedded period. Propertymark has a network of Regional Executives and a series of Regional Conferences that take place throughout the year.[9] We would be very happy to work with the council to engage with local agents over a victual roundtable discussion on how standards can be improved.**

Tackling Anti-Social Behaviour (ASB)

31. Anti-social behaviour (ASB) in Medway is unlikely to be caused solely by private rented tenants. Many areas of the designated include mixed-use zones, commercial properties, and public spaces where ASB may originate from a variety of sources outside private tenancy. Landlords and their agents are not equipped to manage complex issues such as mental health problems, drug or alcohol misuse, or community-level disturbances. Their powers are limited: the primary tool available to a landlord dealing with a problematic tenant is a Section 8 possession notice, which may remove the tenant from a property temporarily but does nothing to address the underlying behaviour. The ASB is therefore likely to simply shift to another part of the borough or a neighbouring authority, rather than being resolved.

32. Furthermore, it is important to note that landlords and agents can only manage behaviour within their properties. They are responsible for fulfilling tenancy agreements and property management obligations, not for controlling behaviour in the wider community. Expecting landlords to reduce ASB beyond their properties places an unrealistic and unfair burden on them, while delivering minimal impact on the overall levels of ASB in the borough.

33. **RECOMMENDATION - A more effective approach to tackling ASB requires multi-agency partnership work, involving stakeholders such as the Kent Police, Medway Council's Community Safety Teams, and community organisations. Initiatives like the Home Office-**

[9] https://www.propertymark.co.uk/about-us/board-and-governance.html

funded Safer Streets Programme have demonstrated success in other boroughs by addressing ASB at the community level, rather than relying on landlords to manage it. Without clear proposals for similar partnership working, the proposed licensing scheme risks being ineffective in reducing ASB, while imposing additional regulatory and administrative burdens on landlords with limited ability to influence outcomes.

Selective Licensing and Section 21

34. Propertymark would welcome clarification on Medway Council's approach to supporting landlords in circumstances where a tenant may be causing antisocial behaviour, where the property is overcrowded, or in situations involving the service of a Section 21 notice, as referenced in the consultation. We would welcome guidance from the Council prior to the introduction of the scheme, setting out its position and the steps it will take to assist landlords in addressing problematic tenancies.

35. **RECOMMENDATION – The removal of Section 21 so called 'no-fault evictions' under the Renters' Rights Act will likely mean that landlords become more cautious when accepting new tenants, even those with strong references and a good rental history. In light of this, Propertymark would be willing to work collaboratively with Medway Council, and potentially with other local authorities, to develop a dispute resolution service that supports both landlords and tenants, reduces conflict, and promotes compliance within the private rented sector.**

Improving access to the PRS

36. Evidence from the 2021 Census and local housing data indicates a clear and growing trend of older residents living in the private rented sector in Medway. While historically older generations in the borough were more likely to own their homes outright, economic pressures, housing affordability challenges, and limited availability of social housing have contributed to an increasing number of over-55s remaining in or moving into private rented accommodation. According to the Office for National Statistics, the private rented sector in Medway now accounts for approximately 20% of households (2021 Census), reflecting its growing role in housing a wider demographic, including older residents. At the same time, Medway has seen an increase in the proportion of residents aged 50 and over, consistent with national demographic ageing trends.

37. Furthermore, indices of deprivation highlight that parts of Medway, particularly in urban wards such as Chatham and Gillingham, experience higher levels of income deprivation affecting older people. This suggests that a notable proportion of older residents may be living on fixed or low incomes within the private rented sector, including older terraced housing and shared accommodation.

38. For older tenants living on fixed pensions, the proposed licensing fees £840 for selective licences and £1,600 for additional HMO licences represent a significant financial concern. Should landlords seek to pass these costs on to tenants, as is often seen with regulatory cost

increases, this could result in sustained rent increases over the life of the licence. Independent research by organisations such as Independent Age has consistently shown that older private renters are more likely to experience poverty and housing insecurity than owner-occupiers, and this is particularly relevant in areas like Medway where rents have been rising steadily in recent years. In this context, there is a risk that additional licensing costs could further exacerbate financial pressure on older residents already struggling with affordability.

39. We also consider that, given the presence of older and potentially disabled residents within the private rented sector, there is a strong case for Medway Council to maintain and utilise a comprehensive, up-to-date database of adapted and adaptable private rented housing. Such a resource would better enable older or disabled households particularly those unable to access social housing or needing proximity to support networks to be matched more effectively with suitable accommodation. Given the data available through previous housing surveys, licensing records, and census information, it would be helpful to understand whether the Council has considered developing or maintaining such a database, and whether there may be scope for collaboration in this area.

Conclusions and alternatives

40. In conclusion, Propertymark thinks that a thriving private rented sector is essential to complement other housing tenures within a borough, offering a diverse range of options to meet the needs of both residents and landlords. Effective regulation and enforcement are key to improving housing standards and tackling criminal activity within the sector, including individuals who exploit both landlords and tenants. Enforcement policies should support responsible landlords and letting agents, helping to remove bad actors, promote fair practice, and maintain a level playing field. It is also important to recognise that landlords and agents themselves can be victims of crime or antisocial behaviour, with their properties sometimes being misused. Understanding how the sector operates is therefore crucial to implementing any regulatory measures effectively.

41. **RECOMMENDATION - Should the scheme be approved, Propertymark recommends that Medway Council publish an annual summary of outcomes to demonstrate the impact of licensing on tenant welfare, landlord compliance, and overall property standards within the designated areas. This approach would enhance transparency and allow all stakeholders to see measurable improvements over the lifetime of the scheme.**

42. While Propertymark shares Medway Council's objective of maintaining a high-quality private rented sector, we remain unconvinced that the introduction of the proposed measures represents the most effective way to achieve these goals in either the short or long term.

43. **RECOMMENDATION - We would welcome the opportunity to collaborate with Medway Council to engage further with our members and local property agents. By working together, we can ensure that any initiatives are informed by on-the-ground knowledge, supporting both landlords and tenants while promoting a professional and well-regulated private rented sector.**

Appendix 5 – Letter of support

Naushabah Khan Member of Parliament for Gillingham and Rainham

Naushabah Khan MP
Fighting for Gillingham and Rainham

Member of Parliament for Gillingham and Rainham
House of Commons, London, SW1A 0AA
naushabah.khan.mp@parliament.uk

Housing Team
Medway Council
Gun Wharf
Dock Road
Chatham
ME4 4TR

May 2026

Dear Housing Team,

Re: Private rented sector licensing consultation

I wanted to express my strong support for the ongoing consultation regarding property licensing in Medway.

It is clear that housing is one of the biggest challenges in my constituency. As a Councillor, and now as an MP, a large volume of my casework involves people struggling to keep up with rising rent costs, dealing with rogue landlords, and unsuitable living conditions.

With the private rented sector (PRS) in Medway growing to 23% and continuing to rise, it is important that there is appropriate regulation and safeguarding. While most properties, landlords, and tenants do not present issues, it is important that the Council utilises all available tools to improve our community.

Selective licensing

I am encouraged that the Council are looking to introduce selective licencing, including regulating the conditions that relate to the management, use, occupation, condition, and contents of the property.

It is concerning that the proportion of PRS properties (excluding HMOs) with at least one serious hazard is estimated to be 10% in Gillingham North, 17% in Watling, and 20% in Gillingham South – all meeting or exceeding the national average.

Furthermore, Medway received 2,154 complaints from PRS tenants in the seven wards proposed for selective licensing. The reports of damp, mould, overcrowding, and poor fire safety reflect what I hear from constituents on a regular basis. Greater regulation from the Council in this area would strengthen existing protections for residents.

Additional HMO licensing

There is strong evidence to suggest that HMOs are an issue in Medway, with 23% of its HMOs estimated to contain serious hazards. The highest levels of complaints come from Gillingham North and Gillingham South.

To combat these unacceptable living conditions, I would welcome the opportunity for the Council to utilise their resources more effectively, by proactively working with landlords to address poor housing conditions and poor property management, with tougher penalties for non-compliance. I am also encouraged by the opportunity to empower and educate tenants on what they can reasonably expect from their property and landlord.

The prevalence of HMOs across Gillingham is not only impacting tenants, but eroding community cohesion. The nature of HMO tenancies mean that people do not stay for very long and are less likely to feel invested in long term improvements to areas. When there are only a few on a street this is not a huge issue, but we are reaching the point where some roads have more HMOs than standard homes. Not to mention the impact this has on parking spaces and safe refuse collection.

Overall, I am pleased that Medway Council is looking to take a more proactive approach on this matter. The proposals will complement existing regulations including Article 4 direction and the recently passed Renter's Rights Act.

The evidence outlined in the consultation report points to support the proposals, both for selective licensing and additional HMO licensing in the wards most affected by these issues. As the Member of Parliament for Gillingham and Rainham, I have a vested interest in action being taken in these targeted areas of my constituency.

I would encourage all my constituents and Medway residents to feed into the consultation. I look forward to further developments on this matter.

Yours sincerely,

Naushabah Khan MP

Member of Parliament for Gillingham and Rainham