

To: PLANNING AND ENVIRONMENT (PROTECTIVE SERVICES) SUB COMMITTEE		Subject: Mandatory Licensing of Houses in Multiple Occupation Amendment to Fee Structure
From: DIRECTOR OF PLANNING AND ENVIRONMENT :		
Date: 23 April 2002	Ref: RS/Comm Rep/HMO2	

1. Purpose of Report/ Introduction

1.1 Members will be aware from previous reports of the introduction by the Scottish Parliament of a Mandatory Licensing Scheme for Houses in Multiple Occupation in Scotland. This has been achieved through the introduction of the Civic Government (Scotland) Act 1982 (Licensing of Houses in Multiple Occupation) Order 2000. The purpose of this report is to advise members of difficulties being experienced in licensing premises which have a large number of identical qualifying houses within distinct blocks, such as the nursing accommodation at Wishaw and Monklands hospitals.

2 Background

2.1 The committee agreed the application process in September 2000, and a flat rate fee of £300 per application was set at that time. This fee has to be charged for each application for qualifying houses, even when the houses are within distinct blocks and are identical in layout and facilities. This has resulted in the situation where some applicants will be required to pay a fee of up to £12,600 to licence 3 blocks of 14 newly constructed flats, even though the administration, assessment and inspection of the properties will be reduced because of their similarity.

2.2 At present two organisations will be impacted in this manner, and both have made representations to the Department that the fees are excessive and place an unjustifiable burden on their organisations.

3 Proposals/Considerations

3.1 The fees charged are intended to cover the costs to the council of administering the scheme, and were set at a time when the workload and actual expenditure could not readily be established. The impact on the departments resources can be better quantified now, but the Scottish Executive Social Justice Committee are examining the operation of the licensing scheme nationally, and changes to the charging and licence periods will be proposed when the Scottish Executive finally report.

3.2 In the interim period, the problem of charging fees in excess of those necessary to cover the costs incurred must be addressed, in order that the Council is seen to be acting in a transparent and fair manner. It is proposed that applications which comprise whole blocks of identical qualifying houses in multiple occupation, and which are in single ownership, shall be charged £300 for the first application, and a 10% footprint fee for each subsequent application in each block thereafter.

3.3 The Fire Brigade charges a set fee for processing each application and inspecting the properties with council officers, and they have agreed to this 10% footprint fee applying to their fees also.

4. Corporate Considerations

- 4.1 The recommendations to the committee are consistent with policy and there are no personnel or property implications in the report.
- 4.2 All decisions or actions with possible legal implications to be confirmed with North Lanarkshire Council's Legal Services.

5. Recommendations

- 5.1 That the Sub-Committee agrees that the proposed footprint fee structure be introduced with immediate effect.
- 5.2 That the Sub-Committee notes that a further report will be submitted with regard to any revisions to the charging and licence periods, when the Scottish Executive report on proposed changes to the licensing of houses in multiple occupation is published.

C. Morgan

DP David M Porch
Director of Planning and Environment

For further information please contact Robert Steenson on 01236 616534.