

## MANAGING STUDENT OCCUPANCY SCRUTINY PANEL – ACTION NOTES

**MEETING 8**                      20th November 2013

**ATTENDED BY:**      Councillors Jukes (Chair), M. Smith (Vice-chair),  
M. Hunt, Pacey, Parton, Ranson and Smidowicz

**APOLOGY:**                      Councillor Bradshaw

Officers: M. Hopkins and F. Whittington

### CONSIDERED AT THIS MEETING:

DOCUMENT OR MATTER	ACTION(S) AGREED
Scope Document	Updates noted
Action Notes from meetings held 29th October 2013	Noted
Questionnaires and other submitted comments	No further questionnaires or comments had been submitted since the last meeting of the Panel.
Tackling Rogue Landlords and Improving Your Local Private Rented Sector	<p>Councillor Parton briefed the Panel on the Shelter conference he attended in London.</p> <p>Common threads from the conference included:</p> <ul style="list-style-type: none"><li>• Private rented sector mushrooming throughout the country</li><li>• Voluntary licensing was not working</li><li>• Despite the costs involved, mandatory licensing seen as the best way forward</li><li>• The term 'Rogue Landlords' was an inaccurate term. Once a conviction had been secured, they were criminal landlords</li></ul> <p>Information from the conference was circulated as follows:</p> <ul style="list-style-type: none"><li>(i) Shelter – Selective Licensing for Local authorities – a good practice guide</li><li>(ii) Extract for York Council re consideration of mandatory licensing</li><li>(iii) How to Complain – an extract from the Direct Gov Website</li></ul> <p>Members of the Panel thanked Councillor Parton for his attendance at the conference on their behalf.</p>

INITIAL THOUGHTS ON DRAFT RECOMMENDATIONS TO ENABLE OFFICERS TO DRAFT A PANEL REPORT		NOTES
1.	<p>Partnership working, especially through the Loughborough Campus and Community Liaison Group and the Off-Campus Student Delivery Strategy Group, is welcomed and should be encouraged.</p> <p><i>REASON: To recognise the importance of this work in addressing community concerns and the problems that can be caused by a high concentration of students.</i></p>	List as conclusion not requiring further action
2.	<p>The following statement in the submitted draft Core Strategy is supported: “We value the University and College and the significant economic, social and cultural contribution our student population brings to Loughborough. However, a negative impact has been experienced in some neighbourhoods because of the over concentration of houses in multiple occupation. These impacts have affected some community facilities, the character and appearance of the area and caused disturbances and parking problems”.</p> <p><i>REASON: To acknowledge both the benefits and problems caused by a large student population in a town the size of Loughborough and to clarify the Council’s objectives in managing student occupancy.</i></p>	List as conclusion not requiring further action
3.	<p>The intention in the Core Strategy to prepare a new Supplementary Planning Document (SPD) on houses in multiple occupation is welcomed.</p> <p><i>REASON: The current SPD needs updating to reflect the introduction of the Article 4 Direction, the new policy statement in Core Strategy and appeal decisions.</i></p>	List as conclusion not requiring further action
4.	<p>The new SPD should not weaken the intent and provisions in the existing SPD on Student Housing Provision in Loughborough and should at a minimum cover the whole of Loughborough including the town centre.</p> <p><i>REASON: To acknowledge the achievements of the existing SPD and address an omission in its current extent.</i></p>	
5.	The new SPD should be based on a threshold approach using the proportion of properties in a given	

	<p>area which were houses in multiple occupation (HMOs).</p> <p><i>REASON: Problems were caused by an over concentration of houses in multiple occupation and the SPD should address this issue directly. It was also easier to measure this variable than a series of variables relating to particular aspects of harm.</i></p>	
6.	<p>The basis of the new SPD should be that:</p> <ul style="list-style-type: none"> <li>• the percentage of properties in multiple occupation be no more than 10% within a radius of 100m of the property in question</li> <li>• no property in a street should have a house in multiple occupation on both sides of it</li> <li>• halls of residence for students should be included in the calculation of the number of houses in multiple occupation on the basis of their total capacity divided by six</li> <li>• where halls of residence were granted permission consideration would be given to requiring no-car agreements for their occupation.</li> </ul> <p><i>REASON: To establish a robust policy to prevent over concentration of HMOs developing in a given area.</i></p>	
7.	<p>Any measure of the concentration of houses in multiple occupation required a comprehensive database of properties with information drawn from a range of sources which should include:</p> <ul style="list-style-type: none"> <li>• Council Tax exemptions</li> <li>• Electoral Registration</li> <li>• University and College data</li> <li>• Licensing information</li> </ul> <p>Information provided by local residents and councillors</p> <p><i>REASON: To ensure a robust evidence base to calculate concentrations was available for determining planning applications which was not subject to doubt and retained the confidence of the public.</i></p>	
8.	<p>The Council should discuss the development of information sharing agreements with Loughborough University and Loughborough College and explore opportunities for information sharing with landlords and letting agents in respect of houses occupied by</p>	

	<p>students and/or by three or more unrelated persons.</p> <p><i>REASONS:</i></p> <ol style="list-style-type: none"> <li><i>1. To achieve the comprehensive database referred to above and acknowledge the work of Professor D. Smith in promoting such an approach.</i></li> <li><i>2. To support partnership working.</i></li> </ol>	
9.	<p>The Council explores ways in which information showing the location or distribution of houses in multiple occupation can be made available to the public, either wholly or in an aggregated form.</p> <p><i>REASON: To provide public access to information and promote confidence in the process.</i></p>	
10.	<p>The Council should have in place robust enforcement policies and mechanisms to obtain evidence, for example regular inspections, to ensure that permitted uses, conditions to planning permissions and housing legislation are adhered to. The Council should publicise how the public could raise issues of concern.</p> <p><i>REASON: To encourage issues to be reported and ensure all reported complaints are investigated and the processes followed through to a satisfactory conclusion.</i></p>	
11.	<p>The Loughborough Off-Campus Community Delivery Strategy and Action Plan should be amended to promote or make reference to the following:</p> <ul style="list-style-type: none"> <li>• the role of the University in regulating students bringing cars to the town</li> <li>• the opportunities offered by residents' parking schemes and restrictions on parking times</li> <li>• developing a common tenancy agreement that included, for example, clear responsibilities in relation to maintaining gardens</li> <li>• support for the Students' Union's 'Rate my Landlord' scheme and an undertaking to provide resources for this if required.</li> </ul> <p><i>REASON: To enable partners to work together to address issues identified by the panel and to support students in finding appropriate, safe and well maintained accommodation.</i></p>	

12.	<p>The Council should embark on a process to collect the evidence required to initiate a consultation process in respect of the introduction of Discretionary Licensing including the complaints received by all relevant Council departments and by partners and the ability of the Council and its partners to resolve those complaints using the current powers available.</p> <p><i>REASON: To develop an evidence base to support further regulatory action.</i></p>	
13.	<p>The Panel does not recommend any policies at this stage to restore community balance in areas already above an agreed threshold.</p> <p><i>REASON: To reflect the Panel's view that the best method for restoring community balance would be through market forces. However this issue could be revisited by the Panel as part of the recommendation below that it re-convene.</i></p>	
14.	<p>The Panel re-convenes to consider the draft SPD at an appropriate point in 2014.</p> <p><i>REASON: To enable the Panel to provide input into the development of the guidance set out in the document including how exceptions within the SPD might be dealt with.</i></p>	List as for Scrutiny Management Board

#### **PROPOSED RECOMMENDATIONS FROM PREVIOUS MEETINGS NOT COVERED ABOVE**

	<p>The Panel record its disappointment that the major Letting Agents for student properties in Loughborough declined or ignored invitations to engage with the work of the Panel.</p> <p><i>REASON: The Panel consider the Letting Agents to be major players in the issues relating to student accommodation and despite numerous invitations only one letting agent responded to the questionnaire, and that was from an agent with few student properties.</i></p>	List as conclusion not requiring further action
	<p>The Panel support the additional work undertaken by the University to record student term time addresses and encourage further work in that area to capture further data.</p>	List as conclusion not requiring further action

	<i>REASON: The Panel recognises the work undertaken by the University during the deliberations of the Panel, however, it has concerns that the University does not hold a complete data set for student term time addresses and the possible consequences of that fact.</i>	
	<p>The Panel notes the information received in respect of national legislation for non-payment of Council Tax by students and non-payment of business rates by landlords noted – no further action.</p> <p><i>REASON: The Panel acknowledges national legislation covers these issues and the Panel is unable to influence policy in these areas even though it disagrees with it.</i></p>	List as conclusion not requiring further action
	<p>That concerns in respect of some Purpose Built Student Accommodation in Loughborough being used to house non-students be investigated as planning and Council Tax/Business Rates collection issues.</p> <p><i>REASON: To ensure that planning controls and Council Tax/Business Rates liabilities are complied with.</i></p>	
	<p>Contact Centre scripts be revisited to include questions regarding whether a property is an HMO are asked when appropriate.</p> <p><i>REASON: To ensure that all data relevant to HMOs is recoded appropriately and to support the evidence gathering referred to in recommendations 7 and 12 above.</i></p>	
	<p>As part of developing the SPD, consideration be given to including issues in respect of routes used by students as well as areas where they live.</p> <p><i>REASON: Witnesses raised concerns in respect of anti-social behaviour caused by large numbers of students as they moved from home to university or into town at unsociable hours.</i></p>	
	<p>The proposals put forward by the Street Management Team for accelerating the process for taking enforcement action in relation to waste left outside properties be welcomed.</p> <p><i>REASON: To support speedier action in relation to the issue.</i></p>	List as conclusion not requiring further action

	<p>The Panel supports the legal framework in respect of the display of Letting Boards and wishes to ensure that the regulations are adhered to and enforcement action taken when necessary.</p> <p><i>REASON:</i>  <i>To ensure that a plethora of Letting Boards are not a blight on the street scene in areas of Loughborough.</i></p>	
	<p>The Panel recommend an amendment to the voluntary scheme currently in place to restrict Letting Boards, by proposing no Letting Boards be erected for the following academic year until the Spring term of the previous academic year.</p> <p><i>REASON:</i>  <i>To ensure that the Letting Boards would not be evident for unnecessarily long periods of time, while acknowledging that details of houses to let for the following academic year would be available on the web, where most students look for properties.</i></p>	

#### **FURTHER MEETINGS OF THE PANEL:**

20th January 2014 – To consider content and recommendations for the Panel's final report