

SCRUTINY PANEL: To what extent is the Borough Council successful in achieving its objective of managing student occupancy in Loughborough?

**WEDNESDAY, 20TH NOVEMBER 2013 AT 6.00PM
IN COMMITTEE ROOM 1, SOUTHFIELDS, LOUGHBOROUGH**

AGENDA

1. APOLOGIES

2. SCOPE DOCUMENT AND ACTION NOTES

The Panel's updated scope document is attached at page 3 for the information of the Panel.

The notes of actions agreed by the Panel at its meeting held on 29th October 2013 are attached at page 7 for the information of the Panel.

3. QUESTIONNAIRES AND OTHER SUBMITTED COMMENTS

No further questionnaires or comments have been submitted since the last meeting of the Panel.

4. TACKLING ROGUE LANDLORDS AND IMPROVING YOUR LOCAL PRIVATE RENTED SECTOR

Councillor Parton will brief the Panel on the Shelter good practice conference he attended in London, entitled 'Tackling Rogue Landlords and Improving your Local Private Rented Sector'. The conference showcased good practice of local authorities from around the country and build on the recommendations in Shelter's policy report 'Asserting authority - calling time on rogue landlords' and the DCLG's 'Dealing with rogue landlords - a guide for local authorities'.

5. PANEL – DRAFT REPORT

This item has been included on the agenda to consider issues and recommendations for inclusion in the Panel's report.

At the last meeting a request was made by the Chair to provide ideas for recommendations for the Panel report. A presentation will be given to the meeting setting out how these suggestions could be formulated into recommendations.

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6. FUTURE MEETINGS

Further meetings of the Panel have been arranged as follows:

20th January 2014

Membership:

Councillors Bradshaw, M. Hunt, Jukes (Chair), Pacey, Parton, Ranson, Smidowicz and M. Smith (Vice-chair)

SCRUTINY REVIEW: DRAFT SCOPE

REVIEW TITLE:

To what extent is the Borough Council successful in achieving its objective of managing student occupancy in Loughborough?

SCOPE OF ITEM / TERMS OF REFERENCE

- To identify the areas of public concern in relation to the management of student occupancy in Loughborough.
- To review how the Student Housing Provision in Loughborough SPD is working in practice.
- To review the effectiveness of the introduction of the Article 4 Direction in controlling student occupancy.
- To review how other planning policies and tools, including the use of Section 106 Agreements to control occupancy, the licensing of Houses in Multiple Occupation (HMOs) and engagement with landlords are used to control student occupancy.
- To identify the consequences of the policy approaches and tools used by the Council and whether there have been any unintended consequences.
- To consider whether and how any undesirable consequences of the policy approaches and tools used by the Council can be addressed.
- To consider, using current research and best practice, whether the policy approaches adopted by the Council remain relevant and fit for purpose.

REASON FOR SCRUTINY

To address public concerns about the policies for addressing student occupancy and the methods by which the policies are carried out.

To facilitate a debate about what matters relating to student occupancy the Council can and should seek to control.

MEMBERSHIP OF THE GROUP

Councillor Ron Jukes (Chair)
Councillors Bradshaw, Burr, M. Hunt, Pacey, Parton, Ranson, Smidowicz and M. Smith

WHAT WILL BE INCLUDED

The Council values the contribution of Loughborough University and its students to the reputation and the economy of the Borough. However the Council also recognises that the concentration of shared student housing can cause imbalance in the composition of the community and consequential injury to local amenities and facilities.

The terms of reference of the panel are focussed on whether the Council's policy approaches to managing student occupancy are being successful. By managing student occupancy the panel means those policies which address where shared student housing is located and other housing and planning policies which regulate occupancy. These policies are intended to maintain sustainable, balanced communities, appropriate land use development and provide safe accommodation rather than deal with the behaviour of students. However the panel recognises that it is often concerns about the latter which are

the trigger for public concern.

WHAT WILL BE EXCLUDED

Although there is an overlap with the issue of former student properties being unoccupied as students appear to be moving to other parts of Loughborough, that issue should be considered as part of a more general review of empty properties.

KEY TASKS * * including consideration of efficiency savings

The possibility of adopting an intensive method of scrutiny has been discussed which would make use of longer evidence gathering sessions programmed at shorter intervals than is normally the case. Possible evidence gathering themes have been identified as:

- a session to investigate the concerns of the public;
- a session to enable the panel to be provided with background information either through briefings or briefing notes, which should include information on how the Council addresses problems caused by students, for example anti-social behaviour, car-parking or environmental issues, to provide context for the focus on managing student occupancy;
- a session with Charnwood Borough Council officers to investigate how the various policies and tools relating to student occupancy are implemented and used and what the consequences are*;
- a session with other stakeholders, i.e. Loughborough University and landlords;
- a session to learn about alternative approaches being developed or used elsewhere.

* Note: the panel may wish to hear from officers again after the other witnesses to enable them to respond to the evidence gathered from those later witnesses.

STAKEHOLDERS, OUTSIDE AGENCIES, OTHER ORGANISATIONS *

- CBC Planning Dept – development control, planning policy and enforcement
- CBC Housing Dept – with responsibility for licensing of HMOs and engagement with landlords
- Representatives of local people who have raised concerns with the Council relating to these issues. The Panel will need to consider which geographical areas are most appropriate and how to ensure that the views expressed are representative.
- An appropriate representative from Loughborough University who deals with student accommodation issues.
- A representative from the Loughborough Students' Union.
- An appropriate person to act as a landlord representative. It would be most appropriate to seek someone who acted on behalf of any formal landlord body.
- Professor Darren Smith, from Loughborough University, who has developed an alternative methodology for identifying student occupancy and undertaken work on Article 4 Directions nationally, and any other identified sources of good practice adopted elsewhere.

EQUALITY IMPLICATIONS

Is an impact needs assessment required? – to be considered at the Panel's penultimate meeting

LINKS/OVERLAPS TO OTHER REVIEWS

- There are links with the objectives identified by the Empowering Communities Scrutiny Panel.
- The impact on empty properties of changes to the student property market has been identified by the Housing Allocations Scrutiny Panel. However as discussed above empty properties will not be considered as part of the scope of this review.
- Car-parking issues related to Loughborough University were the subject of a previous scrutiny panel.

RESOURCE REQUIREMENTS

REPORT REQUIREMENTS (Officer information)

REVIEW COMMENCEMENT DATE

30th May 2013

COMPLETION DATE FOR DRAFT REPORT

* Key tasks and stakeholders may be subject to change as the review progresses.

PROGRESS OF PANEL WORK

MEETING DATE	PROGRESS TO DATE
30th May 2013	Two representatives from KARG, NRN, SARG and SbC invited to attend the meeting as witnesses. NRN not able to attend and submitted written comments.
17th June 2013	Prof Darren Smith gave a presentation on 'Studentification' (copy filed with the agenda)
28th June 2013	Whole day meeting to receive information from: K. McPheeley – Loughborough University Accommodation Development Manager A. Chell – Local Student Landlord's Association E. Read – President of the Students' Union, and Loughborough University A. McDonald – Permanent Officer at the Students' Union A. Barlow – Loughborough University Community Relations Manager
30th July 2013	Meeting reviewed the findings of the meetings to date and identified key themes and areas for questions for the Council's Housing and Planning officers at the next two meetings of the Panel.
30th August 2013	Meeting deferred to 9th September 2013.
9th September 2013	Peter Blitz, Team Leader Development Control, attended the meeting to assist with discussions in respect of Planning matters, in particular relating to Supplementary Planning Document, Article 4 Direction, thresholds, methods of applying policy, information sharing and enforcement.

20th September 2013	David Harris, the Head of Strategic and Private Sector Housing, Rebecca Short, the Private Sector Housing Manager and Linda Selvey, the DASH Service Manager attended the meeting to assist with discussions in respect of housing matters, specifically the work of the voluntary accreditation scheme, additional HMO Licensing Designation in Loughborough and details of the work of the Council's Private Sector Housing Service.
29th October 2013	Received further information, requested by the Panel, from A. Barlow and Prof Darren Smith, representatives of Loughborough University in respect of student numbers, a briefing paper in respect of Planning Enforcement and HMOs. Feedback from the 'Rogue Landlords' conference. Consideration of draft recommendations for the report.
20th November 2013	To consider content and recommendations for the Panel's final report.
January 2014	A meeting to consider the Panel's draft report.

REPORT SUBMITTED TO SCRUTINY MANAGEMENT BOARD

MANAGING STUDENT OCCUPANCY SCRUTINY PANEL – ACTION NOTES**MEETING 7** 29th October 2013**ATTENDED BY:** Councillors Jukes (Chair), M. Smith (Vice-chair),
Bradshaw, Pacey, Ranson and Smidowicz**APOLOGIES:** Councillors M. Hunt and Parton

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 on 9th and 20th September 2013	Noted
Background Papers National Landlords Association – Additional Licensing of Privately Rented Housing House of Commons Library – Selective Licensing of Privately Rented Housing National Empty Homes Loans Fund	Documents received and noted.
Questionnaires and other submitted comments	A summary of responses from the public was received and noted. Photographs submitted with the comments were submitted to the meeting.
Tackling Rogue Landlords and Improving Your Local Private Rented Sector	The briefing note submitted by Councillor Parton with the agenda papers detailing the event he had attended was received and noted.
Planning Matters – Briefing Paper	The briefing paper submitted by P. Blitz in respect of the definition of HMOs and Enforcement were received and noted.
National HMO Policies, Thresholds and Guidance for A4D for HMOs and Change of Use and sales of houses in the Storer and Burleigh areas	The data submitted by the Storer Area Residents Group was received and noted.

ISSUES DISCUSSED WITH WITNESSES:

WITNESS	ISSUES DISCUSSED
<p>Key Witnesses – Loughborough University</p> <p>Additional information in respect of student numbers and the data collecting process</p> <p>Updated data in respect of Geographies of student residence 2012-13</p>	<p>Paper submitted with the agenda</p> <p>Data tabled at the meeting and circulated electronically to members of the Panel following the meeting.</p>
<p>Alison Barlow</p>	<p>Registration of term time addresses for students and clarification of the position of the University in recording that data. The University chose not to make submission of a term time address compulsory at the time of registration, for reasons detailed in the paper.</p> <p>At the current time there were approximately 500 student term time addresses missing from the system for this academic year.</p> <p>Student cars in Loughborough:</p> <ul style="list-style-type: none"> • There were two blocks of student accommodation that had a 'no car' policy built in to tenancy agreements. • The University made it compulsory for students to register cars they brought to Loughborough, although there were no powers to enforce. During the last academic year there were 1,800 student cars registered. • The University student car registration data was used to enforce traffic regulations in areas with traffic restrictions. <p>Licensing of HMOs:</p> <ul style="list-style-type: none"> • While recognising the costs, A. Barlow's personal view was to support the licensing of all HMOs. Believing that it could raise the standards of student accommodation and thus benefit students. • There were few formal complaints received from students in respect of the standards of

<p>Professor Darren Smith</p>	<p>accommodation, however there was anecdotal evidence of dissatisfaction.</p> <p>There was now a confidence that the data set was robust. There remained 1,962 unknowns, but were considered to be students who had completed short courses and had not been removed from the system. Those students were not included on the University return to the Higher Education Statistics Agency (HESA). The statistics did not include figures for Loughborough College Students.</p> <p>A postcode had been added to each address to assist in analysing the data.</p> <p>The 2011 census had been used to as a baseline and to benchmark changes year by year.</p> <p>Hotspots in Loughborough remained similar in 2011 and 2012/13.</p> <p>All University and College students could be identified on the census, but only aggregated data was available, specific properties could not be identified. Some data identified houses with students living in them, but it was not clear if non students also lived there and other data identified non students living in a property but could not identify whether students were also living there.</p> <p>Reference was made to the blue shaded areas on map 2. There appeared to be an under count of students in those areas as University figures were higher.</p> <p>Data sets could be made available to planners at the Borough Council, but not on an ad hoc basis. The best quality data set would be available in February each year, following the submission of data to HESA.</p>
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POSSIBLE ISSUES FOR THE PANEL REPORT RAISED BY WITNESSES / MEMBERS OF THE PANEL

	<p>When considering thresholds, consider not just where students live and visit, but also issues that may arise on their routes between the two.</p>
	<p>Consider a flexible approach to thresholds, with different figures in different areas.</p>

OTHER ISSUES RAISED/DISCUSSED AT THIS MEETING:

1. Linking instances of anti-social behaviour with geographical data
 - The benefits of information sharing, with the Police, University and Borough Council all recording information on the Sentinel system.
 - Consider concentration of students in an area and compare with ASB data. Look at planning policies for that area rather than explore individual case management.
2. Loughborough College Data
 - Officers contact Loughborough College to request data in respect of its off campus purpose built accommodation and HMOs.
3. Enforcement Issues
 - Concern expressed in respect of lack of enforcement at a property on Forest Road. Consideration given to the benefits of taking cases- to court and adding to debts or the likelihood of recouping money for council if it undertook the work to tidy the garden.
 - Should members consider there was sufficient concerns in respect of enforcement matters, a request to establish a scrutiny panel on the matter could be proposed to the Scrutiny Management Board.
4. Sharing Information
 - Any concerns councillors had in respect of unauthorised HMOs should be referred to the Planning Enforcement officers to investigate, rather than trying to obtain information themselves.
5. Panel Draft Report

FURTHER MEETINGS OF THE PANEL:

20th November 2013 – To consider content and recommendations for the Panel's final report

Prior to the next meeting, Members are requested to consider the title of the Panel, what the objectives of managing student occupancy are and identify the key issues to assist with forming recommendations for the final panel report.

Councillor Bradshaw left the meeting at 7.10pm
Councillor Pacey left the meeting at 8.30pm

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