

MANAGING STUDENT OCCUPANCY SCRUTINY PANEL – ACTION NOTES

MEETING 3 – 28TH JUNE 2013

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

APOLOGIES: Councillors Bradshaw, Parton and Ranson

Officers: M. Hopkins and F. Whittington

CONSIDERED AT THIS MEETING:

DOCUMENT OR MATTER	ACTION(S) AGREED
Scope Document	Updates noted
Action Notes	Noted
Responses to Questionnaires	A summary of responses from the public, not previously submitted to the Panel, was received and noted. A complete summary of all responses received be collated for the final Panel report.
Key Witnesses	Contact the Letting Agents again and emphasise the importance of their input.
Decent and Safe Homes (DASH) – formally East Midlands Landlords Accreditation Scheme (EMLAS)	<p>Check with Council Officers whether DASH is self regulating.</p> <p>Invite a representative of DASH as a witness to a future meeting. Request its Mission Statement, legal status and details of checks and monitoring of individual properties.</p>
Council Tax Information	<p>Ask Council Officers for a briefing paper to be submitted to the next meeting, to cover:</p> <ul style="list-style-type: none">• How often properties are checked• How is Council Tax liability assessed for on campus accommodation and purpose built student blocks off campus?• How is this different from student occupation of houses?• Where liability is assessed on the basis of assumed student occupation, does the Council act to verify this is still the case and what would prompt an investigation of whether it remains the case?• Are off campus purpose built student blocks liable for business rates and if not why not?• What is the current position in respect of vacant properties that were previously occupied by students in terms of liability for Council Tax? What options could be pursued in terms of using discretionary

	discount/charging powers to incentivise landlords to convert empty former student properties back to family occupation?
Corporation Tax	Contact HMRC for information in respect of student housing.
Term Time Addresses	<p>Alison Barlow to check if the term time address field is a compulsory field to complete as part of the student on-line registration process.</p> <p>Should the Panel recommend that term time addresses would assist the Council, the Panel should ensure that their reasons were clear and precise.</p>

ISSUES DISCUSSED WITH WITNESSES:

WITNESS	ISSUES DISCUSSED
<p>K. McPheeley – Loughborough University Student Accommodations Officer</p>	<p>For mainly commercial reasons, since 2010 the Accommodation Management Service had only provided an advertising service to landlords. To be approved by the University, a landlord had to be Decent and Safe Homes (DASH) accredited, which ensured statutory certificates were in place. Properties were checked when first added to the list and revisited every two years. There were currently 163 accredited properties. There were concerns at the University that not all students looking for accommodation went through the University system.</p> <p>Work was undertaken with the Students' Union and Council Officers to support the Housing Bazaar held at the Students' Union each year, encouraging students to use accredited landlords and landlords to become involved in the scheme.</p> <p>The Accommodation Service act as a source of advice, for example checking contracts.</p> <p>Details in respect of Loughborough University Property House Grading, the Landlord Charter and University Approved Off Campus Accommodation Advertising Application Form were tabled for the information of the Panel. (Copies filed with the background papers)</p>
	<ul style="list-style-type: none"> Information was required in respect of the reasons why landlords did not pay Business Rates?
	<ul style="list-style-type: none"> Popularity of Halls of Residence. There had been a 30% increase in the number of returning students applying for Halls of Residence for the current year, with the majority looking for catered accommodation, while first years appeared to prefer self-catering facilities.
	<ul style="list-style-type: none"> Cars/parking issues. The on line application form advised that no first year students should bring a car on to campus, unless disabled. The cars parked in nearby

	streets were not all students, following the recent introduction of car parking charges, staff also parked off campus.
	<ul style="list-style-type: none"> • Issues with student properties: <ul style="list-style-type: none"> a. Problems with the property – advised to go through the Borough Council, either Private Sector Housing or Environmental Health. b. Local Residents – Report to the University, either through the Warden Service to directly to Security who had a 24/7 service.
	<ul style="list-style-type: none"> • Quality of Accommodation. There was a surplus of accommodation off campus at the present time and there was no reason for students to choose sub standard accommodation. Students looked for property to be in close proximity to the campus and the town centre.
	<ul style="list-style-type: none"> • Duty of care for students. Concern was expressed that the University had no record of term time addresses for all students.
	<ul style="list-style-type: none"> • HMOs. In response to a question, K. McPheely stated that it would assist her if all HMOs had to be licensed, as that would ensure standards, while appreciating that would have a huge impact on resources.
A. Chell – Local Student Landlord's Association	<p>The University was not able to provide the number and type of accommodation required by students. Therefore a large market for the provision of student accommodation had grown in the private sector. There was a significant amount of capital investment required from local businessmen. An estimated investment of £40,000 to £50,000 per room resulted in an overall investment of £250m to £300m from the private sector, allowing the University to focus on other investments.</p> <p>Loughborough was unusual in that there was a large University in a small town, approximately 15,000 students and a population of 50,000 residents.</p> <p>With the addition of purpose built student accommodation (PBSA) in recent years and an influx of landlords, there was currently an over supply of beds, (approximately 1,000) however, many students saw the PBSA as similar to on campus Halls and that was not the type of property they choose to live in. Much PBSA was empty or being used for bed and breakfast accommodation by non students. Students in their second year and onwards had friendship groups and preferred to live in self contained houses. The over supply had led to competition, with standards above average compared to other University towns and competitive rents.</p> <p>Students had higher expectations for the quality of accommodation and facilities they required, some of which</p>

	<p>was in response to legislation.</p> <p>The Local Students Landlord Association was an informal group that met on an ad hoc basis, when there was an issue to address. More regular email discussions took place between the group which was responsible for an estimated 90% of private student bed spaces in Loughborough. The Panel needed to remember they were competitors in a single market.</p> <p>The vast majority of landlords lived locally, however there were growing numbers of national companies managing properties, for example Club Easy. Non local ownership did not mean those properties were badly managed.</p>
	<ul style="list-style-type: none"> • A ball park figure for the number of beds required was 5,000 to 6,000. Large accommodation blocks provided 1,500 beds, 5,000 in traditional houses, with an average of 5 beds per property meant that there was an over supply of about 1,000 beds. Some landlords owned one property while others up to 100 properties.
	<ul style="list-style-type: none"> • Private landlords saw their role as being between a landlord and a parent. Trying to be understanding and sympathetic of their customers and guide them through the process of looking for accommodation and signing contracts.
	<ul style="list-style-type: none"> • The suggestion of additional checklists for students would not be well received by landlords. The existing legislation meant that all statutory requirements were met.
	<ul style="list-style-type: none"> • Landlords should have details of all the tenants in each property and amendments made to tenancy agreements to reflect any changes during the academic year.
	<ul style="list-style-type: none"> • The tipping point for landlords to revert properties back to family accommodation would vary, depending on their financial circumstances. Article 4 Direction (A4D) had created a two tier pricing structure for houses, C4 houses produced higher overall rental income, therefore the capital value of C3 properties was less. Those landlords selling properties would be more likely to sell as a C4 property.
	<ul style="list-style-type: none"> • Landlords had to pay council tax on empty properties.
	<ul style="list-style-type: none"> • There was a fundamental difference between properties maintained by a landlord and those maintained through a letting agent.
	<ul style="list-style-type: none"> • In respect of the Article 4 Direction, in response to a question, A. Chell stated that the A4D was not overall a bad thing but had made it more difficult for landlords to run their businesses. Given supply and demand there would be natural wastage in the number of student properties.

<p>E. Read and – President of the Students Union, Ally McDonald Loughborough University</p>	<p>Students were part of the community and should have a right to live where they choose. There was significant diversity among students.</p> <p>There was an acknowledgement of issues on the Kingfisher Estate and a suggestion that any future developments have a cap on the amount of student accommodation at the development stage.</p> <p>Students appreciated quality accommodation and facilities and were prepared to pay more for those.</p> <p>The Students' Union was proud of its communications with the town, the welfare and support received by students and the charity and fundraising work undertaken by the students. The students brought a lot to the town, further work could be undertaken to promote the positives.</p>
	<ul style="list-style-type: none"> • Issues that arose between students and their landlords were addressed directly with landlords if there was a good relationship between the two, however, where that was not the case the Students' Union could intervene on the behalf of the student.
	<ul style="list-style-type: none"> • The Students' Union worked to help students find suitable accommodation and as well as the Housing Bazaar, a web site had been established called 'Rate My Landlord', giving students an opportunity to share their views on their landlords and a campaign called 'Stop Wait Look' to encourage students to look for accommodation at the Housing Bazaar, ensure the houses were accredited and read the contract to confirm exactly what was covered in respect of bills etc (without being too prescriptive as different students wanted different things).
	<ul style="list-style-type: none"> • The Students' Union did not have a policy in respect of deterring students from bringing cars to Loughborough. Any students with an LE11 post code were advised not to bring a car to University; however it was acknowledged that some did. Some new PBSA did have restrictions through tenancy agreements. <p>It was noted that other University towns did try to enforce parking restrictions for students, but those appeared to have been unsuccessful.</p> <p>It was suggested that problems with student parking could be resolved by the introduction of roadside parking restrictions, preventing parking between 10.30 to 11.30 and 15.30 to 16.30 daily.</p>
	<ul style="list-style-type: none"> • The Students' Union and the University worked with Kinch Bus Company and a free bus service was now in place on campus between 08.00 and 18.00, 6 days a week and a service from town to the campus until

	4.30am, including along Ashby Road.
	<ul style="list-style-type: none"> The introduction of a 'Boris Bike' scheme was in the early stages of development on campus.
	<ul style="list-style-type: none"> The Students' Union had eventually received grant funding for a Diwali event. Initially the application had been turned down, as it had been perceived that the Students' Union was not part of the community.
	<ul style="list-style-type: none"> Over 50% of the students were over 23 years of age.
	<ul style="list-style-type: none"> Many residents supported student neighbours and some of the University Wardens organised 'Let's Meet' events. Reference was made to the positive work between the Students' Union and SARG.
	<ul style="list-style-type: none"> The Panel acknowledged the similarities and differences between students and residents and was looking to improve relationships further and ensure students and residents were able to live in harmony.
A. Barlow – Loughborough University Community Relations Manager	<p>A report submitted to the Loughborough Campus and Community Liaison Group in May 2013, detailing full time student numbers and projections was submitted, together with graphs showing student population growth. (Copies filed with the background papers)</p> <p>Significant growth from 1990 onwards reflected the national policy to encourage more young people to attend University. During the past 4 years, student numbers had levelled out and the current University strategy was to further develop research rather than substantial growth in student numbers. However, the University would seek to redress the under recruitment in 2012 in the next academic year.</p> <p>The University recognised that on-campus accommodation had not kept pace with the rise in student numbers, but the current outlying planning permission for additional on campus accommodation was unlikely to be taken forward. Currently there were approximately 5,300 beds on campus, 12% of full time students lived at home, with that figure increasing by 1% each year, which the University was monitoring.</p>
	<ul style="list-style-type: none"> There were no current plans to develop a campus overseas, however, the University was looking to attract more foreign students. Such students preferred to live together in PBSA blocks.
	<ul style="list-style-type: none"> The University recognised the frequent issues raised in respect of noise, ASB, waste and rubbish collections and parking and were working in partnership with the Council, Police and the Students' Union to address them and encourage students to respect the local community.
	<ul style="list-style-type: none"> Representatives of the University worked with strategic and operational partnership groups.
	<ul style="list-style-type: none"> The University employed 6 Community Wardens, who offered welfare support and addressed discipline issues.

	<ul style="list-style-type: none"> The University offered a 24/7 telephone support system, thought to be the only University offering that service.
	<ul style="list-style-type: none"> The University did own properties in the town. Currently marketing some for sale on Ashby Road. One had been sold and was being renovated. The only interest shown to date was to use as student accommodation, should that be the only interest, the University was unlikely not to accept that offer.
	<ul style="list-style-type: none"> The University was aware of the issue raised by Prof. D. Smith and was looking into the data held by the Academic Registry to identify any issues in respect of the term time addresses. The University provided the Council with known term time addresses for Council Tax purposes.
	<ul style="list-style-type: none"> Each student living in the community received a Community Student Handbook, providing essential information and key facilities they would require while living in Loughborough. While providing the information, the University acknowledged that it could not guarantee the information was read and followed.
	<ul style="list-style-type: none"> Subject to complying with data protection requirements, the University had no concerns in sharing anonymised data with the Panel. Communications between the University and students was undertaken electronically and therefore, the need for term time addresses was not viewed as important, however, should the Panel recommend that a local term time address to be important, A. Barlow would personally support that recommendation.
	<ul style="list-style-type: none"> The impact of Hall of Residence was similar to those of HMOs in respect of noise and ASB.
	<ul style="list-style-type: none"> The University recognised there was a problem with students parking on residential roads around the University and had introduced a Car Registration scheme. Currently there were 1,800 cars registered, however, they could not mitigate for those students who brought one without registering it. Any students that were caught in that position were disciplined. The DVLA would not provide the University with owner's details to assist with enforcing parking guidelines. <p>The University supported the Residential Preference Parking Schemes, however, not all residents supported them, as evidenced within the recent West Loughborough Parking survey, undertaken by Leicestershire County Council.</p>
	<ul style="list-style-type: none"> The introduction of Individual Voter Registration in 2014 would impact on student term time addresses.

POSSIBLE ISSUES FOR THE PANEL REPORT RAISED BY WITNESSES

Term time addresses for all students. To be obtained as part of

	the registration system at the beginning of each academic year. There were concerns that some students gave their parents home address rather than the address of where they lived in Loughborough. Also the number of students commuting was unknown.
	Absentee Landlords
	Clarification of who pays Council Tax. I.E. if one person in the house is working, that property is liable to pay Council Tax.
	Why Landlords did not pay Business Rates
	Further consideration be given to fees to licence HMOs
	Producing a checklist of things students needed to know before signing a contract.
	Possibility of change of use from C4 to C3 without losing C4 status in future.
	The size of Loughborough did not prohibit students from living in any area of the town. 20% was considered to be reasonable, however, the University would support the majority view.

OTHER ISSUES RAISED/DISCUSSED AT THIS MEETING:

'Are Universities Good Neighbours?' – An event being held at Reading University on 11th July 2013. At that event, Professor Darren Smith would present the results of his survey of Article 4 Directions. Councillor M. Smidowicz agreed to attend the event and report her findings back to the Panel.

FURTHER MEETINGS OF THE PANEL:

Previously agreed:

30th July 2013 - 6.00pm To review the outcomes of the first three meetings of the Panel and agreed a way forward. Consider questions to put to officers, look at what the Council can require/ policy making/ levers of control.

August 2013 - Following further discussions in respect of the timing of future meetings, it was proposed that meetings with officers be half day sessions, one to consider housing issues and one to consider planning issues.