

MANAGING STUDENT OCCUPANCY SCRUTINY PANEL – ACTION NOTES

MEETING 4 30th July 2013

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

APOLOGIES: Councillors Burr and M. Hunt

Officers: M. Hopkins and F. Whittington

CONSIDERED AT THIS MEETING:

DOCUMENT OR MATTER	ACTION(S) AGREED
Scope Document	Updates noted
Action Notes 28th June 2013	Noted
Background Papers	Documents received and noted.
(i) The Private Rented Sector – A House of Commons Communities and Local Government Select Committee Report -	Paragraphs 40 – 64 deal with matters relating to the work of the Panel, including currently local authorities having limited powers to apply discretionary licensing, voluntary accredited schemes, the impact of Article 4 Directions and concerns in respect of the under regulation of letting agents. Reference was also made to the format of the report.
(ii) Coastal Regeneration in English Resorts – 2010. Edited by John K Walton & Patrick Browne	Professor Darren Smith made reference to this report and relevant information contained within it for the Panel.
Questionnaires and other submitted comments	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.
Council Tax	Officers submitted a briefing note with responses to questions raised by the Panel. The Chair continued to have concerns in respect of some of the responses.
Key Witnesses	Relevant Letting Agents had been contacted again to emphasise the Panel's view of the importance of their input. To date none have expressed an interest in either attending a meeting or submitting written evidence. An agent had spoken with a member of the Panel, however, they dealt with few student properties. Officers continue to make contact with agents.
'Are Universities Good Neighbours?' - Event at Reading University	The briefing note tabled by Councillor Smidowicz detailing the event she had attended was received and noted. Reference made to the presentation

	by Manchester University and that not being a comparable size with Loughborough. It was suggested that Canterbury was a better comparison.
Witness Review and a Way Forward	The Panel split into two groups to consider the themes detailed in the report, to identify issues and questions to discuss with officers at future meetings, together with problems to solve and actions required. Also an opportunity to identify further witnesses to invite to future meetings.
	<p>(i) <u>Student Housing in Loughborough Supplementary Planning Document (SPD)</u></p> <ul style="list-style-type: none"> • Identify available tools to provide an evidence base – electoral register, list of licensed HMOs, Council Tax data, university information, properties granted planning permission for C4 use and accredited landlords. • There were problems with using electoral roll and Council Tax data alone as the situation changed rapidly on the ground and the status of some properties was unknown – how should properties where the status was unknown be treated? • How to apply collated data to policy objectives in defining an appropriate threshold of student accommodation in an area. • Should threshold apply to the whole town/borough or vary in different areas? Impact of the threshold? • Should policy cover permissions for C4 use and extensions to existing C4 properties? • Should conversion of garages to accommodation be specifically controlled to ensure reversion to family use easier? • Should the SPD include outcomes other than refusal in areas with high student density e.g. permission but conditions or other restrictions preventing student occupancy? • Issues previously submitted to the Panel by witnesses: <ul style="list-style-type: none"> - Defining areas – eg census output areas or within 100 metre radius of application site - What sources of information are required to provide an accurate picture of student occupancy, who held the information and are there barriers to sharing it?

	<ul style="list-style-type: none"> - Does the data need to be house by house or was a more general proportion of student occupancy in an area sufficient? - How to measure students in Halls of Residence and similar buildings - Should there be more fine grained elements to the policy, eg only one C4 property should be permitted adjacent to a C3 property <p>(ii) <u>Article 4 Direction (A4D)</u></p> <ul style="list-style-type: none"> • Does it continue to be necessary and appropriate as a mechanism? • Current policies written prior to changes in legislation and the introduction of C4 class. New policies would be written to support the Core Strategy. • A4D – be clear and consistent • In respect of changes from C3 to C4, consider the need for new policies. Review options to make changes without financial loss. Reference to two tier housing market and a lack of flexibility to run a business. • Issues in respect of enforcement, request further information re types of sanctions available. Invite an Enforcement Officer to the meeting to be held on 30th August 2013. • Market forces would result in properties reverting to C3, issues re incentives and grants. • Residents suggested two SPDs – an update of the current SPD to ensure it was fit for purpose for new housing and an additional SPD for HMOs. Residents proposed they draft such a document with the guidance of officers. Could be used as an informal document until Core Strategy approved. Alternate option to produce a neighbourhood plan. • Should it apply to areas outside Loughborough? <p>(iii) <u>Licensing of Houses in Multiple Occupation (HMOs)</u></p> <ul style="list-style-type: none"> • Requiring all HMOs to be licensed would help with future planning applications.
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	<ul style="list-style-type: none"> • There were legal tests for whether discretionary licensing was appropriate and these would need to be met. • Should/is the Council able to implement discretionary licensing arrangements beyond mandatory provisions? • Within current mandatory provisions what flexibility was there in terms of: how long licences could be issued for and the fees that could be charged in response to concerns or providing incentives for responsible landlords? • Could the current licensing arrangements be converted to a 'scores on the doors' scheme as had happened with food premises or penalty points as happened with taxi licensing? • What was the trigger for the review of a licence and how many complaints about licensed properties were received? How many investigations were carried out into properties that were operating without a licence? <p>(iv) <u>Voluntary Schemes Involving HMOs and Landlords</u></p> <ul style="list-style-type: none"> • Purpose of voluntary schemes? Prefer Council to operate a scheme with incentives to introduce an element of competition. • Such a scheme could act as an evidence gathering step to determine whether discretionary licensing was required. • Accreditation schemes have low uptake. • It was unclear how landlords were able to join schemes and what would trigger a review of whether continued membership was appropriate. • What current arrangements were in place for the Council to engage with landlords? <p>(v) <u>Returning Properties to Family Use</u></p> <ul style="list-style-type: none"> • Could a C4 house unoccupied for a year revert back to C3 use, or after two years if it is partly occupied? • Were there other ways in which A4D could be applied more flexibly to encourage reversion to family use, for example through applying conditions to permissions?
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	<ul style="list-style-type: none"> • Incentives the Council could use to encourage reversion to family use, e.g. grants. It would be difficult to justify subsidies to landlords but new occupiers could be supported. Were there any Government or other types of grant funding available for this purpose? Other options could include using section 106 contributions and working with housing associations to make properties available for social rent. • What could the Council learn from the experiences of coastal towns regarding returning houses to family use? <p>(vi) <u>Other Issues</u></p> <ul style="list-style-type: none"> - Additional Controls on To Let Boards where evidence that it is a problem. Reference to Leeds City Council Policy and current arrangements operating in Storer Road area. Sold/let signs should only be displayed for 14 days after completion under existing regulations. - Could planning enforcement powers in terms of tidiness be used? Look to improve. Illegal advertising. Discuss with Senior Enforcement Officer at 30th August meeting. - More regular SERCO litter picking in areas with high student populations (currently believed to be monthly). Request officers submit details of costs for more frequent litter picking in those areas. - More signs in those places where residents only parking applies. This did not appear to be a priority. - Refuse bins left on pavement at the end of term, left there. Street Wardens not imposing fines. Request officers submit details of relevant policies and procedures.
Key Recommendations from Residents Groups	<p>Reminder of the key recommendations that appeared consistently through the representations from residents groups:</p> <ol style="list-style-type: none"> 1. A4D and SPD policies both to be continued and separate 2. A4D threshold to be 10% HiMOs within 100

	<p>metre radius includes halls of residence @ 6 bedrooms = one HiMO equivalent</p> <p>3. A4D threshold to include no two HiMOs on either side of a C3 residence</p> <p>4. A non-exhaustive list of data sources which must be used in threshold calculations</p> <p>5. Threshold data in the form of mapped UCOs should be available on the CBC website</p> <p>6. Licensing for all HiMOs (C4 and sui generis)</p>
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ISSUES DISCUSSED WITH WITNESSES:

WITNESS	ISSUES DISCUSSED

POSSIBLE ISSUES FOR THE PANEL REPORT RAISED BY WITNESSES	

OTHER ISSUES RAISED/DISCUSSED AT THIS MEETING:

FURTHER MEETINGS OF THE PANEL:

30th August 2013 1.00pm	Planning Matters. The Team Leader Development Control and the Senior Enforcement Officer have been invited to attend as witnesses.
20th September 2013 10.00am	Housing Matters. The Head of Strategic and Private Sector Housing, the Private Sector Housing Manager and a representative from DASH have been invited to attend the meeting as witnesses.