

BIRMINGHAM CITY COUNCIL

HOUSING AND HOMES OVERVIEW AND SCRUTINY COMMITTEE

TUESDAY, 06 MARCH 2018 AT 14:00 HOURS
IN COMMITTEE ROOM 6, COUNCIL HOUSE, VICTORIA SQUARE,
BIRMINGHAM, B1 1BB

A G E N D A

1 NOTICE OF RECORDING/WEBCAST

The Chairman to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's Internet site (www.civico.net/birmingham) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

2 APOLOGIES

To receive any apologies.

3 DECLARATIONS OF INTERESTS

Members are reminded that they must declare all relevant pecuniary and non pecuniary interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest is declared a Member must not speak or take part in that agenda item. Any declarations will be recorded in the minutes of the meeting.

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4 HOUSING AND HOMES ACTION NOTES - 20 FEBRUARY 2018

To confirm the action notes of the meeting held on 20 February 2018.

5 UPDATE ON WASTE COLLECTION SERVICE IMPROVEMENT PLAN

Jacqui Kennedy, Corporate Director, Place, to provide a verbal update.

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6 WORKING WITH HMOS - EVIDENCE GATHERING

- (a) Session Plan
- (b) Terms of Reference
- (c) Background Information

7 **HOUSING AND HOMES O&S COMMITTEE WORK PROGRAMME 2017-18**

For discussion.

8 **OTHER URGENT BUSINESS**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chairman are matters of urgency.

9 **REQUEST(S) FOR CALL IN/COUNCILLOR CALL FOR ACTION/PETITIONS RECEIVED (IF ANY)**

To consider any request for call in/councillor call for action/petitions (if received).

11 **AUTHORITY TO CHAIRMAN AND OFFICERS**

Chairman to move:-

'In an urgent situation between meetings, the Chairman jointly with the relevant Chief Officer has authority to act on behalf of the Committee'.

BIRMINGHAM CITY COUNCIL

HOUSING AND HOMES O&S COMMITTEE – PUBLIC MEETING

1400 hours on Tuesday 20 February 2018, Committee Room 6

Present:

Councillor Victoria Quinn (Chair)

Councillors Gurdial Singh Atwal, Andy Cartwright, Roger Harmer, Des Hughes, Mary Locke and Ron Storer

Also Present:

Councillor Peter Griffiths, Cabinet Member for Housing and Homes

Councillor Barry Henley

Martyn Hale, Chair, Birmingham Social Housing Partnership and Vice Chair of Housing Birmingham Partnership

Sophie Hall, Housing Birmingham Lead Officer

Julie Griffin, Head of Housing Options

Rob James, Service Director, Housing

Jacqui Kennedy, Corporate Director, Place

Martin Tolley, Head of Capital Investment

Jayne Power, Research & Policy Officer, Scrutiny Office

Emma Williamson, Head of Scrutiny Services

1. NOTICE OF RECORDING/WEBCAST

The Chairman advised that due to technical difficulties this meeting would not be webcast but that members of the press/public may record and take photographs.

2. APOLOGIES

Apologies were received from Councillors Matthew Gregson, Gary Sambrook and Margaret Waddington.

3. DECLARATIONS OF INTERESTS

None.

4. ACTION NOTES – 23 JANUARY 2018

(See document No 1)

The Chair updated Members on the outstanding actions.

- The notes were agreed.

5. HOMELESSNESS UPDATE

(see document No 2)

Jacqui Kennedy (Corporate Director, Place), Rob James (Service Director, Housing) and Julie Griffin (Head of Housing Options) attended for this item.

This item covered a verbal update on the Street Intervention Team, a progress report on Rough Sleeping and Prevention and the Homelessness Reduction Act 2017 Implementation Plan.

The following were among the main points raised:

- Rob James talked Members through the progress report on Rough Sleeping and Prevention and highlighted the fact that the service is currently working to draft guidance on the Homelessness Reduction Act whilst awaiting final guidance;
- Clarification was provided with regard to the contract variation to some existing Supporting People contracts. This refers to outcomes, not the funding being awarded, and is about what we need partners to deliver to ensure compliance with the Act;
- The Chair referred to the discussion at the December meeting, when partners stressed that Housing First was not the only solution, and asked where Birmingham sits with regard to the Mayoral Taskforce. In response, Members were advised that Birmingham had put together the regional bid, implementation of which is currently being worked through, and Housing First would be a part of tackling homelessness and putting in prevention and relief measures;
- Members were updated on the work of the Street Intervention Team, which has now been in place for 6 months and is funded by the Trailblazer fund, and a draft report has been prepared which it is hoped will be released shortly through the Cabinet Member and Advisor;
- This is an integrated model focussing on delivering better outcomes and is already yielding positive results, supporting people to access accommodation, primary care, benefit support, drug and alcohol and mental health services ;
- A number of partners are involved, with one of the key partners with the most positive impact being an NHS nurse; the team is co-located with the aim of integrating services to provide a co-ordinated approach with tailored intervention;
- The approach is to engage, educate and enforce and in December there were over 1200 engagements with individuals which included taking people to health appointments;
- There has been a 267% increase in the number of referrals resulting in accommodation in the last 3 months and 6 on-street medical interventions every day;
- Pathways are being developed for benefit support and with the prison and probation service to link in with prisoners about to be released;

- The team is providing increased knowledge about what services are available and is working with the Combined Authority and Mayor as part of the Change into Action alternative giving campaign – where money is donated in Birmingham it is identified through data and re-spent in Birmingham, with just over £11,000 being raised in the first 7 weeks;
- Civil enforcement action is being taken where needed and criminal behaviour orders have been taken out against three individuals and there have been cases where individuals have taken up the offer of support as an alternative to a criminal behaviour order;
- Members were given two case studies where individuals had been supported into accommodation, one of these being a gentleman who needed accommodation with provision for pets;
- In terms of what is not working, there are issues around substance misusers and pressure on emergency services, also some people just won't engage;
- Members asked what work was being done in surrounding areas and were advised that patrols are being done just outside the city centre;
- Reference was made to people purporting to be homeless and Members were advised that work is being done with the Police on enforcement action around begging and in the Combined Authority region there is a rough sleepers group which shares intelligence and information;
- Birmingham links in with other West Midlands local authorities in instances where individuals might need to be moved outside of the area to get off the streets;
- The discussion moved on to the implementation of the Homelessness Reduction Act, which comes into force on 1st April, and the challenges this presents;
- The Act is about not having a transactional process, it is about every organisation working to prevent homelessness;
- Every referral will need to have a Personal Housing Plan which will need to be regularly updated;
- An additional 20 officers are being recruited to deal with the anticipated 50% increase in demand and extra accommodation will need to be found;
- The service will receive additional funding of £1.7m on the basis that an implementation plan is in place;
- Member briefings will be held in March and April, with more extensive training being offered post-election.

RESOLVED:-

- The report was noted.

6. CAPITAL INVESTMENT PROGRAMME 2017/18

(see document No 3)

Martin Tolley, Head of Capital Investment, attended to present his report and Councillor Barry Henley attended as an interested councillor expert to talk specifically about the issue of retro fitting sprinklers in tower blocks.

The following were among the main points raised:

- An implementation plan has been developed for the retro fit of sprinklers in tower blocks and is awaiting sign-off;
- Cllr Henley told Members that he is of the view that the £31m investment in the retro fit of sprinklers would not save lives and the money would be better spent on reducing risks;
- The Cabinet Member for Housing and Homes advised that the decision to retro fit sprinklers in tower blocks was based on advice received from the West Midlands Fire Service;
- Members were advised that the investment into sprinkler systems would not affect the current capital works programme and would be funded from additional borrowing and a request had been made to government to fund £19.4m of the £31m expenditure;
- Members felt there was a need to balance the cost of fitting sprinklers with the likely life cycle of the buildings and were told that some tower blocks are designated for clearance, with investment only being made where there is an additional 30-40 years
- In response to a question about component life cycles, Cllr Hughes was invited to visit the team to learn more about the approach taken;
- In response to a question from Cllr Harmer about tower blocks in his ward with no external insulation, Martin Tolley undertook to look into the matter and respond directly to Cllr Harmer.

RESOLVED:-

- Response to be provided direct to Cllr Harmer with regard to the tower blocks in his ward;
- The report was noted.

7. CABINET MEMBER FOR HOUSING AND HOMES – UPDATE REPORT

(See document No 4)

Councillor Peter Griffiths, Cabinet Member for Housing and Homes, attended to present his update report, accompanied by Martyn Hale, Chair, Birmingham Social Housing Partnership and Vice Chair of Housing Birmingham Partnership, and Sophie Hall, Housing Birmingham Lead Officer.

The following were among the main points raised:

- Members were concerned that there was nothing around anti-social behaviour (ASB) included in the update report and whilst ASB is primarily within Cllr Chatfield's portfolio, the Cabinet Member acknowledged that there is housing related ASB and this should be included;
- The number of current housing stock properties being used for temporary accommodation is around 700;

- With regard to the number of properties improved in the private rented sector as a result of Local Authority intervention, it was requested that a percentage figure be provided;
- Members stressed the importance of a commitment to Total Place and were advised that models of practice were being developed to work together with RSLs and it was hoped to start piloting in the next 3 months;
- In response to a question around the Discretionary Housing Payment Fund, Members were told that Housing Associations are able to apply and some have done so;
- The Chair asked if it would be possible for Members to attend meetings of the Housing Birmingham Partnership Board, as observers, as is the case with the City Housing Liaison Board meetings. Officers confirmed this would not be a problem and it was agreed that dates and details would be circulated.

RESOLVED:-

- That the following information be forwarded to Members:
 - (i) Percentage of demand for intervention we are meeting for improving properties in the private sector;
 - (ii) Dates of Housing Birmingham Partnership Board meetings.
- Members to send the Chair/scrutiny officers any additional questions for forwarding on to the Cabinet Member.

8. WORK PROGRAMME 2017-18

(See document No 5)

Members discussed the work programme. The following points were raised:

- The Chair confirmed that the March meeting had been moved to 6th March and the items for that agenda would be evidence-gathering for the HMO inquiry and the Waste Service Improvement Plan.
- The Chair asked Members if they were happy to sign off the remaining outstanding recommendation (R02) from the “Working with Communities to Prevent Relationship Violence” scrutiny report as the Domestic Abuse Prevention Strategy has now been presented to Cabinet. Members confirmed that they were happy to do this.

RESOLVED:-

- Members agreed to sign off the remaining outstanding Recommendation 02 from the “Working with Communities to Prevent Relationship Violence” scrutiny report;
- The Work Programme was noted.

9. REQUEST(S) FOR CALL IN/COUNCILLOR CALL FOR ACTION/PETITIONS RECEIVED (IF ANY)

None.

10. OTHER URGENT BUSINESS

None.

11. DATE OF NEXT MEETING

Noted.

12. AUTHORITY TO CHAIRMAN AND OFFICERS

Agreed.

The meeting ended at 1730 hours.

Housing and Homes O&S Committee

Working with HMOs Inquiry

Session 1: Tuesday 6th March 2018
Committee Room 6, Council House, Victoria Square, Birmingham B1 1BB
1445-1645 hours

Purpose: To explore how the City Council should work with HMOs to get the best outcomes for landlords, tenants and local residents

Meeting type: Public meeting live-streamed via the internet with possible press attendance

Time	
14.45-14.55	Introduction by Chair – Purpose of the session and anticipated outcomes
14.55-16.35	<p>Evidence from BCC officers:</p> <ul style="list-style-type: none">• Rob James, Service Director, Housing• Pete Hobbs, Service Head – Private Rented Services and Tenant Engagement• Uyen-Phan Han, Planning Policy Manager• Lisa Morgan, Head of Law (Place) <p>Questions:</p> <ul style="list-style-type: none">• <i>What do we know about HMOs in Birmingham?</i>• <i>What are the current plans for housing mix and the role of HMOs within Birmingham?</i>• <i>What are the planning and regulatory tools available to the City Council in relation to HMOs and how should these be used?</i>• <i>What are the issues in relation to HMOs in Birmingham?</i>• <i>How can the Council work with HMOs?</i>
16.35-16.45	Closing Statement and Next Steps – Chair

Session 2: TBA

Session 2 will follow on from the session above, with evidence from external witnesses.



Work Outline

Working with HMOs

Housing and Homes Overview and Scrutiny Committee

Our key question:	How should the City Council work with HMOs to get the best outcomes for landlords, tenants and local residents?
1. How is O&S adding value through this work?	<p>Birmingham currently has 1710 licensed HMOs (as at 23 January 2018).</p> <p>A motion to City Council in January 2018 raised concerns about an increasing reliance on HMOs to address homelessness; the impact of HMOs on local communities and the need for decent, high quality accommodation (see motion attached).</p>
2. What needs to be done?	<p>Key lines of enquiry:</p> <p><i>HMOs in Birmingham: strategic planning</i></p> <ol style="list-style-type: none">1. What do we know about HMOs in Birmingham (numbers, type, demand, trends, number of registered providers and student housing);2. What are the current plans for housing mix and the role of HMOs within that? <p><i>Policy on HMOs, and Planning and Regulatory Framework</i></p> <ol style="list-style-type: none">3. What is City Council policy in relation to HMOs?4. What are the planning and regulatory tools available to the City Council in relation to HMOs? <p><i>Birmingham context</i></p> <ol style="list-style-type: none">5. What are the issues in relation to HMOs in Birmingham? Where do they occur?6. How should the planning and regulatory tools be used?7. How can the Council work with HMOs? <p><i>What happens elsewhere?</i></p> <ol style="list-style-type: none">8. What are other local authorities' policies in relation to HMOs?
3. What timescale do we propose to do this in?	The work will be undertaken by the Committee in an evidence gathering session in March 2018 and will report to the Cabinet Member for Housing and Homes and the Chair of Planning Committee.

MOTIONS FOR DEBATE FROM INDIVIDUAL MEMBERS

FIRST MOTION

RESOLVED:-

This Council believes that in any modern city, a diverse range of housing options are required to match the needs of the population. The Council also recognise that every community within Birmingham is unique and distinctive and it is important that we preserve the character of these areas. The Council also believes that the City has a shortage of quality family housing and the conversion of family dwellings to HMO properties exacerbates this problem.

This council regrets that the failure of the Government's housing policies evidenced by the growing homelessness crisis, combined with the impact of welfare reforms since 2010, mean that a growing number of citizens of all ages are increasingly reliant on the HMO market.

The Council recognises that there is a need to increase the housing supply, but believes that this must be balanced against the concerns there are about the proliferation of HMOs and about the impact this can have on established communities and neighbourhoods and how they can undermine the character of historical parts of Birmingham. The Council notes that the police have also often raised concerns through the planning process in relation to HMO conversions because of the impact they can have on community cohesion.

The Council also notes the importance of the provision of decent, high quality accommodation and that often HMOs are over intensive for the building they are put in, leaving rooms below adequate size.

The Council notes that there are already policies in place in parts of the City that seek to restrict the creation of new HMOs via an Article 4 Direction, however this is not City wide and even where it is in place has had limited impact in restricting the creation of new HMOs.

The Council also notes that under an Article 4 direction, planning fees cannot be charged meaning that any extension of such arrangements would create a cost pressure for the Council. However, under current planning laws this is the only way to remove permitted development rights for a change from C3 to C4.

The Council notes that Selective licensing has recently been extended to parts of the City but whilst this goes some way to

promoting good management of HMOs after conversion it does not prevent their proliferation across the City.

Council therefore calls on the Council Leader to consider the options for further restricting HMO conversions as part of revised local planning policies, including further area-based Article 4 Directions where appropriate. Such a Direction should include a requirement for all conversions from C3 to C4 to require planning permission, and that this permission should be considered based on the existing character of the local area, the impact on communities and the wishes of local residents.

The Council will pursue policies contained within the Birmingham Development Plan preventing the loss of existing dwelling stock to other uses. Such loss will only be permitted where there are good planning reasons or social need for the proposed use.

As part of the emerging Development Management Document, the Council will produce a specific policy on HMOs to avoid their cumulative impacts in regard to ensuring that there is the right mix of housing types in an area but also in relation to impacts on residential character, appearance, amenity and parking.

The Council also calls for covenants to be placed on all future Council new builds or disposals (including Right to Buy) to prevent future conversion of these properties into flats or HMOs.

The Council also asks the Council Leader to write, jointly with the other Group Leaders, to the Minister of State for Housing and Planning urging him to look at the impacts of welfare reform and the growing national housing crisis on the HMO market. The Government must act now to ensure that everyone has access to a decent home.

HMOs in Birmingham: Background Information from Strategic Planning and Private Rented Sector Team

1. What do we know about HMOs in Birmingham (numbers, type, demand, trends, number of registered providers and student housing);

The Private Rented Sector has grown considerably in the last 10 years and therefore it is likely that the proportion of HMOs has also increased. The English Housing Survey 2015 showed the PRS is in the poorest condition, with only 26% of PRS obtaining energy rating of A-C compared to 48% of social housing and has the highest proportion of non-decent homes at 28%. The PRS stock is generally older and therefore will have greater disrepair and maintenance issues compared to more modern stock.

A House in Multiple Occupation is defined in Housing Act terms as any property that is occupied by 3 or more persons, of more than one household, who share facilities such as bathroom, kitchen or communal lounge. Common types of HMO are

- Hostels
- Bedsit housing
- Shared student housing

It also includes where a building is converted entirely into self-contained flats if the conversion did not meet the standards of the 1991 Building Regulations and more than one-third of the flats are let on short-term tenancies.

Traditionally HMOs have been an entry level accommodation for homeless people, those on benefits or low incomes, young people, migrant workers and many vulnerable people needing support.

There is a requirement for any 3 storey + HMO with 5 or more persons to be licensed and at present the HMO Register has approx. 1800 approved licensed properties.

There is no city wide register of HMOs as this is not a legal requirement. The Government has extended the definition of HMO to be licensed to any property with 5 or more tenants sharing, which it is estimated will add up to 4,000 additional properties to the HMO Register.

With five universities and six large further education colleges, Birmingham has a large student population and a significant amount of housing demand originates from students.

Student housing

There are currently 78,224 students (full time and part time) studying at Birmingham's universities. Around 23% of students live at their parental home and 22% live in their own home resulting in a minimum demand for bespoke accommodation of around 42,000 bedspaces. Around 12,500 live in university accommodation and 5,500 live in private sector halls.¹

¹ HESA 2015/16

The city therefore currently has around 18,000 bedspaces in purpose built accommodation and a further 4,434 bedspaces in the pipeline.

Student households are included in MHCLG's household projections and as such are included in the housing requirement. In 2015/16, the most recent year for which information is available², there were 15,280 students residing in 'other rented' accommodation which could be released to the general housing market through the provision of additional purpose built accommodation.

A dwelling in the general housing market can therefore be freed up through the provision of a purpose built, one person apartment or a cluster flat containing five, six or more bedspaces.

The trend appears to show a preference by students to live in purpose built student accommodation. In 2013/14 the number of students living in purpose built accommodation increased by 1,575 on the previous year. In 2014/15 there was a further increase of 1,587 students living in purpose built accommodation. In 2015/16 there was a total of 18,011 students living in purpose built student accommodation, an increase of 1,103 since 2014/15.

There has also been an increase of students living at home due to high living costs and tuition fees.

Registered Providers and Supported Housing

Recently there has been concern raised over the growth of supported housing across some parts of the city which most often involves the use of HMOs for vulnerable people with issues such as mental health, substance abuse or criminal activity. Many of these properties are managed by Registered Providers who are regulated by Homes England but certain aspects of regulation fall to a range of partners including the Council, Fire Service, Police, Housing Ombudsman and Charity Commission. The Council is working with these partners to address some of the concerns raised by local residents about lack of effective management and targeting of certain areas for the conversion of homes to HMO use for low level hostel accommodation.

Funding for Supported Housing is intended to become the responsibility of local authorities and the Council will be commissioning Supported Housing services from 2019/20 which may impact on some of the issues raised.

2. What are the current plans for housing mix and the role of HMOs within that?

Overview

The Birmingham Development (BDP), adopted in January 2017, forms part of the statutory development plan for the City and is used to guide decisions on all development and regeneration activity in the City to 2031. The BDP sets out how and where new homes, jobs, services and infrastructure will be delivered and the type of places and environments that will be created.

The BDP replaces the Birmingham Unitary Development Plan (UDP) 2005, with the exception of those policies contained within chapter 8 and paragraphs 3.14 to 3.14D of the UDP, which will

² HESA 2015/16

continue in force until the adoption of the Council's proposed Development Management Development Plan Document (DM DPD). The saved UDP policies include a specific policy on HMOs, which will be replaced and strengthened in the DM DPD.

Overall it is recognised that shared accommodation provides an important way of meeting the City's housing needs, particularly for people on low incomes, young professionals, students and the growing number of one person households. At the same time, high concentrations of poorly managed and maintained HMOs can present a challenge to the future sustainability of our city's neighbourhoods and impact upon their character and residential amenity.

Our adopted local plan policies seek to create sustainable, mixed and balanced communities (Policies TP27 and TP30) and prevent the loss to other uses of housing which is in good condition or could be restored (Policy TP35).

It should be noted that the conversion of a dwellinghouse (C3) to a small HMO (C4) for 3-6 residents is permitted development, not requiring planning permission under the General Permitted Development)(England) (Amendment) Order 2017.

Large HMOs (6+ residents) are classified as Sui Generis Use and do require planning permission. Planning applications for conversion of dwellings to large HMOs (6+ residents) will be considered in light of the BDP policies and the saved UDP policies set out below.

Birmingham Development Plan

The City's population is projected to increase by 156,000 by 2031 which means that new homes and jobs will be required, as well as the creation of quality environments in order for residents, workers, businesses to thrive. The provision of a sufficient quality and quantity of housing to meet the City's growing population is a central part of the strategy of the BDP. The BDP promotes the creation of sustainable neighbourhoods as a means of supporting the City's increasing and diverse population in the most sustainable way possible.

This means delivering high quality local infrastructure and services, including a thriving network of local centres that provide for the local population and are accessible by a range of sustainable travel options. High standards of design in new residential areas will be expected with a strong sense of place, environmental sustainability and climate proofing, attractive, safe and multi-functional public spaces and effective long-term management ensured.

In delivering the principles of sustainable neighbourhoods, policy TP27 and TP30 of the BDP requires that new development provide a wide choice of housing sizes, types and tenures to meet community needs and ensure mixed, balanced and sustainable communities. The appropriate housing mix is evidenced by the Strategic Housing Market Assessment which underpins the BDP. This shows that the greatest proportion of housing need is for larger sized accommodation.

Policy TP35 (Existing housing stock) states that best use should be made of the existing dwelling stock and that the Council will seek to:

- Develop and implement initiatives which will improve the condition of both the older private sector stock and the City Council's own dwellings;
- Prevent the loss to other uses (through conversion or redevelopment) of housing which is in good condition, or could be restored to good condition at reasonable cost. Such loss of residential accommodation will only be permitted if there are good planning justifications or an identified social need for the proposed use;
- Bring vacant residential properties back into use.

The BDP sets out a number of key growth areas which will be the focus for new housing and employment. The importance of the provision of family housing is emphasised in a number of growth areas including Langley Sustainable Urban Extension, Greater Icknield, and Aston, Newtown and Lozells.

The Birmingham Development contains a specific policy on Purpose Built Student Accommodation (TP33). Proposals for purpose built student accommodation provided on campus will be supported in principle subject to satisfying design and amenity considerations. Proposals for off campus provision will be considered favourably where it meets a set of criteria set out in the policy. This includes:

- The proposed development is very well located in relation to the educational establishment that it is to serve and to the local facilities which will serve it, by means of walking, cycling and public transport.
- The proposed development will not have an unacceptable impact on the local neighbourhood and residential amenity.
- The scale, massing and architecture of the development is appropriate for the location.
- The design and layout of the accommodation together with the associated facilities provided will create a safe, secure and welcoming living environment.

Saved Chapter 8 Unitary Development Plan

The UDP policy (paras. 8.23-8.25) on HMOs in sets out the criteria against which planning applications will be determined which includes taking into account the cumulative effect of such uses upon the residential character and appearance of the area. Such uses also include properties converted into self-contained flats, and/or hostels and residential care homes, and/or other non-residential uses. Planning permission may be refused on the grounds that further development of such uses would adversely affect the character of the area.

Emerging Development Management Development Plan Document

The DM DPD, which is currently under preparation, will replace the saved UDP policies once it is adopted. The DM DPD will be a sister document to the BDP and form part of the City's statutory development framework, guiding decisions on all development and regeneration activity across the City.

The timetable for the production of the DM DPD is formal consultation on the Draft document in summer 2018; formal consultation on a Publication version in winter 2018; submission to the Secretary of State for examination in spring 2019.

The new DM DPD policy will add further detail to the BDP in relation to HMOs. The existing UDP policy on HMOs will be replaced and strengthened in the DM DPD, which will set out a clear and measurable approach in terms of cumulative impacts.

The draft policy, in a nutshell, is that:

“Proposals for HMOs will only be permitted where this type of accommodation is below 10% of the number of properties within a 100 metre radius of the application site.”

The National HMO Lobby identifies that 10% of properties or 20% of the population is the ‘tipping-point’ for HMO-dominance in a neighbourhood, beyond which demographic imbalance can occur. Further evidence will need to be gathered to establish a robust case for the threshold and distance set in the policy.

As stated in this document, Government is planning to introduce new legislation which will extend mandatory licensing to more properties. This will improve information about the presence of HMOs in the City and the application of the proposed policy.

This policy would apply to HMOs of 6+ dwellings or where an Article 4 direction exists.

3. What is City Council policy in relation to HMOs?

This has been answered in question 2. To reiterate:

The BDP contains policies which seek to create sustainable, mixed and balanced communities (Policies TP27 and TP30) and prevent the loss to other uses of housing which is in good condition or could be restored (Policy TP35). (See Appendix 1 for full policy wording).

The saved UDP contains a specific policy on HMOs (paras. 8.23-8.25) and sets out the criteria against which planning applications will be determined, which includes taking into account the cumulative effect of such uses upon the residential character and appearance of the area. Such uses also include properties converted into self-contained flats, and/or hostels and residential care homes, and/or other non-residential uses. Planning permission may be refused on the grounds that further development of such uses would adversely affect the character of the area. (See Appendix 1 for full policy wording).

The DM DPD, which is currently under preparation, will replace the saved UDP policies once it is adopted. The existing UDP policy on HMOs will be replaced and strengthened in the DM DPD, which will set out a clear approach to measuring concentrations of HMOs and other such uses leading to cumulative impacts. See answer to Question 2 for further detail.

4. What are the planning and regulatory tools available to the City Council in relation to HMOs?

Overview

The licensing and planning legislation for HMOs serve separate purposes and are independent of each other. Licensing exists to keep residents safe and ensure that landlords follow the necessary

building requirements. Planning regulations define what is permitted development and policies can address concentrations of HMOs and impose restrictions on the numbers of HMOs in an area.

Compliance with the provisions of the mandatory licence scheme does not confer exemption from the need to obtain any planning permission necessary for operation of an HMO or from action by the Council under other legislation.

Licencing of HMOs

The Housing Act 2004 introduced mandatory licensing for HMOs of 5 or more people in properties of 3 or more storeys. Councils have discretionary powers to extend licensing to other categories of HMO which are not covered by mandatory licensing. The public register of approved HMO licences contains 1,710 HMO's³.

Additional Licensing requires all privately rented HMOs, which are located within a designated area, to be licensed. The Council has recently undertaken consultation on additional licensing in Selly Oak Ward, where all HMOs would require to be licensed. No decision has yet been made on whether to introduce this.

The Council is also consulting on the introduction of Selective Licensing in the Stockland Green and Soho wards, where all privately-rented properties would require to be licensed.

New HMO rules - April 2018

In April 2018 Government will extend the scope of mandatory HMO licensing to HMOs of 5 or more people in properties of 1, 2 and 3 or more storeys and properties above commercial buildings (e.g. shops or restaurants). As a result, more properties will require licencing. Minimum room sizes and rules about refuse disposal and storage will also be imposed as well as tightening up of the 'fit and proper person test' for landlords and ensuring criminal record checks are carried out. It is anticipated that these new rules will help to crackdown on rogue landlords.

Planning policies

Planning applications must be determined in accordance with the Local Development Plan, unless other material considerations indicate otherwise (Town and Country Planning Act 1990 and Planning and Compulsory Purchase Act 2004). Planning policies can be area-specific, city-wide and criteria based. Planning policies, as a tool to address concentrations of HMOs, tend to be criteria based and restrictive. A policy can limit the percentage of HMOs within a certain radius of the property in question.

Planning policies, however, must be justified, effective and consistent with national policy. They are tested for 'soundness' by an independent planning inspector through an examination. As set out above, it is the intention to include such a policy in the proposed Development Management DPD,

³ https://www.birmingham.gov.uk/downloads/file/4918/public_register_of_approved_hmo_licences

which will be subject to various stages of formal public consultation, prior to its submission to the Secretary of State for examination.

Article 4 Direction

An Article 4 Direction removes the permitted development rights for change of use from a dwellinghouse (C3 Use) to a small HMO (C4 Use 3-6 person HMO). An Article 4 Direction in itself does not prohibit HMOs coming forward but simply means that planning permission is required to convert a family house to a small HMO.

An Article 4 Direction works alongside a planning policy which will set out how planning applications will be determined in these areas.

Birmingham context

5. What are the issues in relation to HMOs in Birmingham? Where do they occur?

HMOs provide a valuable housing option for many people who cannot afford to live in more self-contained accommodation. HMOs however continue to be in the worst condition within the PRS and are often in older properties which are difficult to heat and tenants on low incomes spend a higher proportion of their income on housing costs.

There is considerable demand for property and rents are increasing above local HLA rates which may be forcing people to have to choose HMOs over self-contained accommodation.

HMOs traditionally are the higher risk accommodation in terms of fire safety, overcrowding and repair.

Irresponsible or rogue landlords are probably over represented in the HMO market.

The growth of supported housing in HMOs is impacting on communities and business and their feeling of well-being and safety

There are some parts of the city with higher concentrations of HMOs in particular Selly Oak due to the student market, Ladywood, Edgbaston Erdington and Hall Green Constituencies have traditionally had higher concentrations of converted housing.

6. How should the planning and regulatory tools be used?

As stated above, the BDP already contains policies which aim to create and maintain mixed and balanced communities. The saved UDP policies include a specific policy on HMOs, which will be replaced and strengthened in the DM DPD. The new policy will rely on information about the presence of HMOs in the City being available for officers to assess if a % threshold would be breached by a proposal. Currently, there is no definitive dataset of all types HMOs in the city because some will fall outside of the licensing requirements. It will help when Government extends mandatory licensing to cover more properties, but this will not cover all types of HMOs.

An Article 4 Direction was introduced within designated areas of Selly Oak, Edgbaston and Harborne Wards in 2014. The policy which applies in the Article 4 area is that proposals for HMOs will not be permitted where 10% or more of houses within a 100 metre radius of the application site is not a single family dwellinghouse.

Provided there is justification for both its purpose and extent, it is possible to make an Article 4 Direction covering any geographic area from a specific site to local authority wide. Some authorities have introduced city-wide Article 4 Direction. Justification for an Article 4 Direction is based on whether the exercise of permitted development rights would undermine local objectives to create or maintain mixed communities. Government guidance states that the use of Article 4 Directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the wellbeing of the area. The potential harm that the direction is intended to address should be clearly identified. There should be a particularly strong justification for the withdrawal of permitted development rights relating to wide areas.

7. How can the Council work with HMOs?

The Council has a policy of education, encouragement and enforcement for achieving proper housing standards. The Council works with the Landlord Forum, HOMESTAMP and Midland Landlord Accreditation Scheme to promote responsible renting and provides information on standards. Landlords working in the HMO sector have access to information and advice on meeting these standards and the Council continues to enforce against unlicensed HMOs, illegal evictions and failure to comply with improvement notices in HMOs.

HMOs provide an important resource for homeless people and temporary accommodation. Under the Homeless Reduction Act the Council will have to work more closely with the PRS to deliver its obligations and this may provide opportunities to work more directly with HMO providers which can ensure standards are maintained.

What happens elsewhere?

8. What are other local authorities' policies in relation to HMOs?

Some local authorities have designated areas or whole boroughs subject to discretionary Additional Licensing under the Housing Act 2004. Oxford City Council has a scheme so all HMOs in the city have to be licensed.

London Borough of Newham has designated its borough for Selective Licensing so all PRS properties in the area have to be licensed.

Coventry City Council – No Article 4 Directions. Specific HMO policy in recently adopted Local Plan: “Coventry City Council will not allow the development of purpose built HMO’s or the conversion of existing homes or non-residential properties to large HMO’s in areas where there would be material harm to the amenities of occupiers of nearby properties (including the provision of suitable parking), material harm to the appearance or character of the an area or local services or material harm to the

amenity value and living standards of future occupants of the property looking particularly at internal space and garden/shared space”.

Leeds City Council – Article 4 Directions in 17 wards with existing areas of high concentration and those areas which are predicted to either experience growth of HMOs in the near future, or which are likely to suffer from a displacement of HMO demand from the areas currently experiencing significant problems. Planning applications will be considered against the Core Strategy Policy H15 which states A) Within the area of Leeds covered by the Article 4 Direction for Houses in Multiple Occupation (HMOs), Development proposals for new HMOs will be determined:

- (i) To ensure that a sufficient supply of HMOs is maintained in Leeds,
- (ii) To ensure that HMOs are distributed in areas well connected to employment and educational destinations associated with HMO occupants,
- (iii) To avoid detrimental impacts through high concentrations of HMOs, which would undermine the balance and health of communities,
- (iv) To ensure that proposals for new HMOs address relevant amenity and parking concerns,
- (v) To avoid the loss of existing housing suitable for family occupation in areas of existing high concentrations of HMOs.

Manchester City Council – City-wide Article 4 Direction introduced in 2010 which works alongside a Core Strategy policy on HMOs stating that “change of use from a C3 dwelling house to a C4 HMO will not be permitted where there is a high concentration of residential properties within a short distance of the application site”

Bristol City Council – Article 4 Direction in 3 areas introduced in 2011. Planning policy in adopted DM DPD 2014 states that HMOs will not be permitted where:

- i. The development would harm the residential amenity or character of the locality as a result of any of the following:

Levels of activity that cause excessive noise and disturbance to residents; or

Levels of on-street parking that cannot be reasonably accommodated or regulated through parking control measures; or

Cumulative detrimental impact of physical alterations to buildings and structures; or

Inadequate storage for recycling/refuse and cycles.

- ii. The development would create or contribute to a harmful concentration of such uses within a locality as a result of any of the following:

Exacerbating existing harmful conditions including those listed at (i) above; or

Reducing the choice of homes in the area by changing the housing mix.

Appendix 1 – Planning Policies

Extracts from the Birmingham Development Plan (adopted 2017)

Policy TP30 The type, size and density of new housing

Proposals for new housing should seek to deliver a range of dwellings to meet local needs and support the creation of mixed, balanced and sustainable neighbourhoods. Account will need to be taken of the:

- Strategic Housing Market Assessment (or any subsequent revision).
- Detailed Local Housing Market Assessments (where applicable).
- Current and future demographic profiles.
- Locality and ability of the site to accommodate a mix of housing.
- Market signals and local housing market trends.

Policy TP35 The existing housing stock

Best use will be made of the existing dwelling stock and the City Council will seek to:

- Develop and implement initiatives which will improve the condition of both the older private sector stock and the City Council's own dwellings. Many of these initiatives involve the City Council working with public and private sector partners.
- Prevent the loss to other uses (through conversion or redevelopment) of housing which is in good condition, or could be restored to good condition at reasonable cost. Such loss of residential accommodation will only be permitted if there are good planning justifications or an identified social need for the proposed use.
- Bring vacant residential properties back into use. Whilst vacancies are highest in the private sector, the City Council will seek, through implementation of its Empty Homes Strategy, to encourage the physical improvement and occupation of vacant homes of all tenures including where necessary the use of its compulsory purchase powers.

The City Council will also encourage retrofitting of the existing dwelling stock to achieve the sustainability standards set out in other planning policies.

Policy TP33 Student accommodation

Proposals for purpose built student accommodation provided on campus will be supported in principle subject to satisfying design and amenity considerations. Proposals for off campus provision will be considered favourably where:

- There is a demonstrated need for the development.
- The proposed development is very well located in relation to the educational establishment that it is to serve and to the local facilities which will serve it, by means of walking, cycling and public transport.
- The proposed development will not have an unacceptable impact on the local neighbourhood and residential amenity.
- The scale, massing and architecture of the development is appropriate for the location.
- The design and layout of the accommodation together with the associated facilities provided will create a safe, secure and welcoming living environment.

Birmingham Unitary Development Plan 2005 Saved Policies

Houses in Multiple Paying Occupation

8.23 This policy applies to dwellings which are either let in one or more separate tenancies, or are occupied by persons who do not form a single household.

8.24 The following criteria will be referred to in determining planning applications:

- The effect of the proposal on the amenities of the surrounding area, and on adjoining premises;
- The size and character of the property;
- The floorspace standards of the accommodation;
- The facilities available for car parking;
- The amount of provision in the locality.

8.25 The following guidelines will also apply:

- Generally, the use of small terraced or small semi-detached houses for multiple paying occupation will cause disturbance to the adjoining house(s), and will *[normally]* be resisted. The impact of such a use will depend, however, on the existing use of adjoining properties and on the ambient noise level in the immediate area.*



Working with HMOs – Examples from Other Local Authorities

Note for Members of the Housing and Homes O&S Committee

1 Background

- 1.1 Following a Motion to City Council in January 2018, the Housing and Homes O&S Committee took the decision to undertake an inquiry, asking the key question:

How should the City Council work with HMOs to get the best outcomes for landlords, tenants and local residents?

- 1.2 The first inquiry session will focus on hearing evidence from BCC officers from Housing, Planning and Legal Services, with a view to establishing what we already know about HMOs in Birmingham, what the current plans are for housing mix and the role of HMOs within Birmingham, and what planning and regulatory tools are available and how they should be used.
- 1.3 To supplement this, some internet research has been carried out by the scrutiny office to find examples of HMO policy in other Local Authorities.
- 1.4 This research has focussed primarily on core cities, but there are also examples from other Local Authorities.

2 Findings

- 2.1 Some Local Authorities have Article 4 Directions in place removing permitted development rights, meaning that planning permission is required to convert a C3 dwelling house into a C4 HMO.
- 2.2 In addition, Local Authorities have a discretionary power to introduce additional licensing for HMO properties that fall outside the scope of the mandatory HMO licensing scheme.

Bristol City Council

- 2.3 Some areas of Bristol have Article 4 Directions in place removing permitted development rights for change of use from C3 to C4.
- 2.4 They are also currently consulting on a proposal for an additional licensing scheme for HMOs in twelve central Bristol wards. Consultation has just started and will close in May.



Working with HMOs – Examples from Other Local Authorities

Leeds City Council

- 2.5 An Article 4 Direction came into force in 2012 across part of or the whole of some wards to help manage the existing areas of high concentration and those areas which are predicted to either experience growth of HMOs in the near future, or which are likely to suffer from a displacement of HMO demand from the areas currently experiencing significant problems.

Liverpool City Council

- 2.6 Liverpool has just completed a consultation on proposals to remove the permitted development rights for HMOs in the Dales area of the city due to concerns that there are too many HMOs and that they could put pressure on the local environment and services.
- 2.7 The Council believes that any further increase in the number of HMOs needs to be carefully managed and has consulted on a proposal to confirm an Article 4 Direction to help achieve this.
- 2.8 In April 2017 the Council's Cabinet agreed an HMO strategy, which is attached as Appendix 1.

Manchester City Council

- 2.9 An Article 4 Direction came into force in 2011, which applies to the whole of the Manchester City Council area.
- 2.10 There is a specific policy within the Council's Local Development Framework Core Strategy which sets out the approach that will be taken towards controlling further HMOs. The policy also controls change of use to HMOs which are 'sui generis' ("of its own class") – properties with seven or more tenants.
- 2.11 The policy is attached as Appendix 2.

Newcastle City Council

- 2.12 Newcastle has introduced several Article 4 Directions removing permitted development rights for change of use from C3 to C4 in certain areas.
- 2.13 The Supplementary Planning Document: Maintaining Sustainable Communities contains a policy which sets out the criteria against which planning applications for HMOs will be assessed.
- 2.14 The policy is attached as Appendix 3.

Nottingham City Council

- 2.15 There is an Article 4 Direction in place which came into effect in 2012 covering the whole of the city council area.

Sheffield City Council

- 2.16 Some parts of the city are subject to an Article 4 Direction made in 2011.



- 2.17 The website states that “in order to maintain balanced communities, changes of use to HMOs will not be considered acceptable where more than 20% of homes within 200 metres of the site are already shared housing”.

Wolverhampton City Council

- 2.18 An Article 4 Direction came into force in September 2017 for small HMOs and the Direction applies to the whole of Wolverhampton.

Portsmouth City Council

- 2.19 Portsmouth has had a city-wide Article 4 Direction in place since 2011.
- 2.20 They have an HMO Supplementary Planning Document (SPD) which was adopted in 2012 and was revised in November last year after consultation on proposed changes (mainly around large HMOs in *sui generis* use and bedroom and amenity space standards).
- 2.21 The SPD is attached as Appendix 4.
- 2.22 A second consultation is currently being undertaken (due to close on 19th March) on further proposed changes to prevent:
- three or more HMOs in a row;
 - non-HMO properties being “sandwiched” between two HMO properties; and
 - in the case of a property that is already “sandwiched” allowing in those circumstances for the property to be used as an HMO.

3 Summary

- 3.1 The above is intended as a “snapshot” and if Members require more detail to help inform the inquiry then further information can be requested from individual authorities.

Contact Officer: Jayne Power
Telephone No: 303 4810

APPENDIX 1

HOUSES IN MULTIPLE OCCUPATION (HMO) STRATEGY

1. INTRODUCTION AND BACKGROUND

- 1.1 Similar to other major towns and cities across the UK, the last two decades have seen a growth in Houses in Multiple Occupation (HMO) in Liverpool.

There are a number of reasons for this growth. These include:

- Growth in Student Numbers - Liverpool, as a city with three universities, has been particularly affected by the increase in the number of younger people undertaking higher education over the last 15-20 years. There are now around 50,000 students in the Liverpool city Region with the vast majority in Liverpool itself and many having moved in from outside the city;
- Profitability of investment in private rented housing - The growth in supply of HMO has been part of the expansion in the buy-to-let market and the emergence of property investment as a major means of increasing income, particularly before 2008;
- Growth in Private Renting – since the 2008 financial crisis, mortgage lending criteria have tightened considerably and when coupled with constrained income growth has reduced the ability of many younger households to buy their own homes. This has in turn led to increased numbers of households renting housing in the private sector (as the availability of social rented accommodation has also fallen). At the same time, and within the same context of constrained income growth, the level of market rents for self-contained rented housing have become unaffordable for many younger households and consequently sharing housing has become a form of ‘affordable housing’ for an increasing number of younger households;
- Welfare Reform - Reforms of the welfare system since 2010 has driven up demand for HMO. A particular example is limiting the housing benefit available to people aged under 35 to the rent for a room in a shared house, pushing those younger people into seeking housing in multiple occupation where their rents could be met through housing benefit. It is very likely that recent and proposed welfare reform, particularly the benefit cap (which includes housing benefit), will further increase the demand for HMO; and
- Migration - There has been an increasing amount of migration to the UK and major cities like Liverpool, both from within and outside the EU. Much of this immigration has been economic and migrants to the UK for work reasons have increasingly found living in shared housing to be the most cost effective and readily available housing option open to them.

- 1.2 All of the above factors have, to a greater or lesser degree, contributed to the growth in HMO in Liverpool and it is clear that HMO are meeting a particular housing need in the city which will still require addressing. Looking forward, whilst the demand from students is difficult to predict following the UK's

decision to leave the European Union and the potential impact this could have on student numbers, it is likely that future demand for HMO as part of the city's housing offer will still require to be met in a sustainable manner.

2. THE ISSUES

- 2.1 Purpose built and / or well managed and appropriately located HMO are an important part of the city's housing stock and will continue to be so. A particular example of this is supported living accommodation and the strategy will not impact on the supply of well managed supported living housing.
- 2.2 There are, however, many instances of HMO being provided in properties not originally designed for this purpose and in neighbourhoods which are already characterised predominantly by high density terraced housing.
- 2.3 When these HMOs are not well managed then instances of anti-social behaviour can arise along with properties falling into disrepair. The cumulative impact of an over-concentration of such HMOs in neighbourhoods not originally designed to accommodate them can begin to undermine the sustainability of these neighbourhoods in terms of tenure imbalance; turnover rates and vacancies. This can be accentuated by increased pressure on community facilities and car parking which in turn adversely impacts on the quality of life of residents in the area.
- 2.4 Evidence gathered and mapped by the Council identify higher than city average concentrations of licensed HMO in the following neighbourhoods:
- Smithdown Road area – particularly around the “Dales” neighbourhood at the south end of Smithdown Road;
 - Sefton Park periphery, particularly Ullet Road; and
 - Kensington.
- 2.5 At present, the City Council's control of HMO is somewhat limited. HMO of a certain size (three storey) currently require a mandatory license from the Council. This can mean that a number of smaller properties being converted are not necessarily falling within this licensing regime although there is a condition in the Citywide Selective Licensing scheme which states that “If the property is a house in multiple occupation, the licence holder must ensure that the house is compliant with the authority's approved standards for houses in multiple occupation”.
- 2.6 Similarly, in terms of planning control, a change of use to a small HMO, accommodating six or less occupants, constitutes permitted development and therefore a planning application is not required to obtain planning permission. Furthermore, current statutory Council planning policy does not specifically address HMO concentration.

3. HMO STRATEGY

- 3.1 Given the issues highlighted above and the need to ensure that HMO continue to meet housing need in a sustainable manner, the Council is seeking to adopt a multi-faceted strategy. This strategy will seek to control the future growth of HMO in those neighbourhoods identified as currently experiencing major concentrations of HMO and will also look to protect other neighbourhoods from uncontrolled HMO growth. Some elements of this policy (which are set out below) will be applied city-wide (such as licensing) whilst others including focused enforcement and planning policy controls will be applied initially to the specific neighbourhoods identified above.
- 3.2 This strategy recognises that HMO are a key part of the city's housing stock and are identifying a particular need. As such, it will seek to promote the sustainable provision of HMO by working closely with Registered Providers and will also include the potential strategic intervention role of the Local Authority Housing Company.

Improved Identification of HMO

- 3.3 A key element of this strategy is the improved identification of HMO which then can lead to better management and enforcement if needed. As noted above, the current mandatory licensing regime does not cover HMO which are located in properties less than 3 storeys in height. Given the prevalence of two storey terraced houses in Liverpool, it is clear that many HMOs in Liverpool fall outside the current mandatory HMO licensing requirements but are picked up under the Citywide Selective Licensing scheme.
- 3.4 The Council's Selective Landlord Licensing is proving effective in managing the quality of the city's private rented stock and in enforcing improvements. This obviously also applies to HMO which are private rented and which require a license. Thus the Landlord Licensing Scheme is also being successful in identifying HMO which may have previously not been identified though mandatory licensing given their size. As the Council continues to roll out the Licensing scheme and include more landlords and properties, this will ensure that more HMO are identified, well managed and are at an acceptable standard.
- 3.5 The growth of HMO and the issues which they can cause has also been recognised by the Government. In 2016, it consulted on extending the definition of HMO which would then thus in turn increase the number of properties requiring mandatory licensing. The following are the Government's key proposed reforms:
- Remove the storey rule so all houses (regardless of how many floors) with 5 or more people from 2 or more households are in scope – this will further enable local authorities to tackle poor standards and the problems being seen in high risk smaller properties as the sector has grown;

- Extend mandatory licensing to flats above and below business premises (regardless of the number of storeys) - as the evidence shows that these properties can have more problems; and
- Set a minimum room size of 6.52sq-m in line with the existing overcrowding standard (Housing Act 1985) to close a legal loophole which is enabling some landlords to let rooms far too small for an adult to legally occupy.

3.6 Should the Government's proposed changes be implemented, this will provide the Council with considerably greater scope over licensing HMOs. This will thus enable the Council to widen its enforcement capability in order to address poorly managed HMO and improve its evidence base to more accurately map where HMO are.

Focused Enforcement in Identified Neighbourhoods

3.7 The Council will concentrate its Planning; Environmental Health, Licensing and Housing enforcement resources in those neighbourhoods identified above in a in a focused and targeted manner.

3.8 Initially, Planning enforcement would focus on properties with 7 or more residents. These may be identified via licensing records. However, in each case it would be necessary to establish the actual number of residents. Where a planning application is invited, this would be assessed against the existing adopted Liverpool UDP and Supplementary Planning Guidance, or any Interim Planning Guidance, once adopted.

3.9 Environmental Protection and Housing enforcement would act where HMO was leading to noise complaints; general anti-social behaviour; or where properties were not being maintained to an acceptable standard. This would also build on the pro-active initiatives already being undertaken by Environmental Protection team including targeted visits to properties at certain times of the year e.g. Universities' fresher's weeks, Christmas and St Patrick's night which involved visiting all residents of targeted streets to advise of what is expected with regards to being good neighbours.

Planning Policy and the Use of Article 4 Directions

3.10 The Council will seek to use its planning powers to control HMO. As indicated above, currently much HMO development, particularly conversion from a family dwelling to HMO, is classified by legislation as 'permitted development' and so planning consent from the local planning authority is not required. As such, exercising control through the planning process is very limited. The Council in recognising this issue is proposing to apply Article 4 Directions in identified neighbourhoods which will remove permitted development rights to change the use of a dwelling to an HMO. This means that anyone wishing to operate a **new HMO after** the Article 4 direction comes into force, will need to apply for planning permission.

- 3.11 Article 4 Directions can either be introduced immediately, in which case, compensation can be sought from the City Council by property owners who have lost the right to development, or after a lead period of 12 months. Given the potential significant levels of compensation that may be needed the usual practice is to provide a 12 month lead-in period before bringing the Article 4 into force.
- 3.12 An Article 4 Direction is not a planning policy in itself and therefore the City Council will require a suitable planning policy to ensure that when the Article 4 Directions come into force it is able to effectively determine whether or not the proposed HMO should be granted planning permission.
- 3.13 To this end, in September 2016, when the City Council published its draft Local Plan, it included a draft policy designed to manage further HMO development. The elements of this policy include the identification of existing areas of concentration; imposition of a threshold ceiling; the extent of the area affected by this ceiling; identification of exceptional circumstances which may apply; and setting a maximum occupancy ceiling for individual HMO.
- 3.14 The Local Plan, however, isn't due to be adopted until late 2017 / early 2018 and so in the meantime the Council will introduce Interim Planning Guidance which will introduce Article 4 Directions in the following neighbourhoods identified in this strategy namely:
- Smithdown Road area – particularly around the “Dales” neighbourhood at the south end of Smithdown Road;
 - Sefton Park periphery, particularly Ullet Road; and
 - Kensington.
- 3.15 This Interim Planning Guidance will be approved and issued by the City Council later in 2017.

Working with Registered Providers

- 3.16 Evidence shows that in those neighbourhoods which are characterised by higher than average numbers of HMOs, the housing stock is older, tends to be poorer quality and there is a relatively high proportion of both private and social rented accommodation. Registered Providers of social housing (RPs), therefore, have a key role in maintaining the sustainability of these neighbourhoods through the meeting of housing need; the maintenance of stock; and wider neighbourhood management.
- 3.17 When RPs look to dispose of stock in these neighbourhoods this will have to be carefully managed. Accordingly, the Council will work with the relevant RPs in order to avoid the disposal of stock on the open market or via auction where this could lead to properties being acquired by private landlords and converted to HMO thus accentuating the problem. In extreme circumstances should such a joint working approach not be forthcoming, the Council may lobby the social housing regulator to refuse disposal consent to the RP in question.

- 3.18 The Council will, however, seek to work positively with RPs where they seek to meet housing need through the provision of HMO which are well managed and are sustainably located in appropriate neighbourhoods. This will include supporting RPs in bids for funding from Government and / or Liverpool City Region Combined Authority funding programmes.

Strategic Intervention by Local Authority Housing Company

- 3.19 The Mayor of Liverpool has pledged to establish a Local Authority Housing Company. This Company will be established in early 2017 with the long term objective of having 10,000 homes in its portfolio of varying types and tenure though with an emphasis on rent-to-buy.
- 3.20 The establishment of this Company will allow the Council to actively intervene in the local housing market in order to deliver its strategic corporate and housing objectives, where it is commercially viable to do so. This could include involvement in those neighbourhoods covered by this HMO policy. For example, when properties are advertised for sale in these neighbourhoods, the Company could purchase and then rent out as single properties rather than be purchased by private landlords to provide more HMO. Benefits from this are that the Company would accrue revenue profit and the property in question would remain as a single dwelling, well managed by a good quality landlord
- 3.21 Moreover, where there is evidence of strong HMO demand (for example in areas near to the Universities and the hospitals from staff working there), the Company could develop purpose built HMO itself thus meeting housing need in a more sustainable manner.

4. MONITORING AND REVIEW

- 4.1 This policy will be the subject of monitoring and review to assess its impact. It will be important to ensure that the appropriate neighbourhoods are being the subject of intervention and to identify areas of the city which may be starting to develop a problem with regards to a possible over concentration of HMO.
- 4.2 It will also be important to ensure that the implementation of this policy is not having unintended consequences for the neighbourhoods in question. For example, an increase in the number of voids and / or falls in house prices.

APPENDIX 2

MANCHESTER CITY COUNCIL

LOCAL DEVELOPMENT FRAMEWORK CORE STRATEGY

Policy H11 Houses in Multiple Occupation

Change of use from a C3 dwelling house to a C4 HMO will not be permitted where there is a high concentration of residential properties within a short distance of the application site falling within one or more of the following categories:

- Exempt from paying Council tax because they are entirely occupied by full time students.
- Recorded on Private Sector Housing's database as a licensed HMO.
- Any other property which can be demonstrated to fall within the C4 or sui generis HMO use class.

In cases where the concentration of such properties is significant but less high, the Council will examine property type and resident mix in more detail when considering an application for a change of use.

In areas of high concentration, extensions to HMOs (as defined in the Housing Act 2004) would not be permitted where this could reasonably be expected to lead to an increase in the level of occupation.

In parts of Manchester which do not have a high concentration of HMO/student housing but where the lack of family housing has threatened the sustainability of the community to the extent that regeneration activity with the specific intention of increasing the amount of family housing has taken place, there will be a presumption against changes of use which would result in the loss of a dwelling which is suitable for a family. Changes to alternative uses, including C4 and HMOs with more than six occupants, will only be acceptable where it can be demonstrated that there is no reasonable demand for the existing use.

The approach above will also be used for change of use to a HMO which is classified as 'sui generis'.

Notwithstanding the policy requirements set out above, all proposals for change of use of existing properties into houses in multiple occupation, and all proposals for conversion of existing properties into flats (which might not necessarily fall within Class C4), would be permitted only where the accommodation to be provided is of a high standard and where it will not materially harm the character of the area, having particular regard to the criteria in policy DM1 (Development Management).

5. Policy SC1- Houses in Multiple Occupation- Changes of Use

- 5.1 For the purpose of this SPD sustainable communities are defined as, “places where people want to live and work and visit because everyone can realise their full potential and enjoy a high quality lifestyle.”
- 5.2 In Newcastle upon Tyne many of the issues relating to problems associated with HMO accommodation revolve around the concentrations of students and groups of people in shared accommodation in certain parts of the City. There are currently over 42,565 students in 2014/15 in higher education students based at these institutions accommodated in 6,200 properties largely concentrated in six wards close to the City Centre. Some parts of these wards experience very high concentrations of HMO accommodation.
- 5.3 The impacts on communities of high concentrations of HMOs and temporary accommodation include:
- Anti-social behaviour, noise and nuisance;
 - Imbalanced in range of tenure and choice in local communities;
 - Negative impacts on the physical environment and streetscape through the poor upkeep of premises and gardens and the management of external environment including refuse harming the visual amenity of an area;
 - Pressures on parking provision;
 - Increased crime;
 - Fear of crime due to the influx of a transient population and perceived associated social issues;
 - Unbalanced housing market through the growth in the private rented sector at the expenses of owner-occupation; and
 - Restructuring of retail, commercial services and recreational facilities to suit the lifestyles of the predominant population at the expense of other groups in the community.
- 5.4 HMOs typically contain groups of predominantly young people living together in rented accommodation. These groups typically enjoy active social lives and have less connection to their neighbourhoods than more permanent residents. The clustering of these types of household in neighbourhoods can result in increased incidents of noise from houses through social activities, amplified music and the comings and goings with associated slamming of doors and late night taxi traffic which disturbs neighbours. In addition the noise from occupants of HMO accommodation walking through neighbourhoods late at night after returning from social events often results in disturbance to other residents.
- 5.5 The cumulative effect of HMO accommodation upon a neighbourhood has resulted in tensions within the community and on-going complaints to the Police and Council to control anti-social activities and improve the appearance of untidy properties. The concentration of this one type of residential use in a small area has led to residents who do not share a similar life style, such as families and the elderly, leaving the area. This has the effect of creating an unbalanced community to the detriment of the area and the objectives of maintaining a sustainable neighbourhood.

- 5.6 Purpose built student accommodation have less impact on the private housing market. However, they do bring large numbers of students into a small area. This can lead to noise disturbance to existing residents living adjacent to such large concentration of students. Disturbance can be in the form of: Vehicles dropping off and picking up passengers at the accommodation late at night; and from the noise from student returning back to the accommodation late at night. There can also be issues about managing parking and refuse storage.
- 5.7 Issues can also arise where there are large concentrations of accommodation providing temporary accommodation to certain sectors of the community who may or may not need a degree of support. Large concentrations of transient residents can result in many of the issues listed above, as well as existing communities developing a perceived fear of crime associated with occupants of temporary accommodation, which can have a negative impact upon an area. These factors do not assist in the creation of cohesive communities.
- 5.8 Between 2011 and 2013 three HMO Article 4 Directions were designated across the city covering approximately 18,000 households. The boundaries of the area were drawn primarily to reflect a high concentration of shared housing, but note was also taken of evidence that a set of problems already existed in particular residential neighbourhoods.
- 5.9 The SC1 policy aims to protect the character of areas of the city and protect amenity focusing on developments related to HMOs (Class C4 or sui generis).

Policy SC1: Maintaining Sustainable Communities – HMO Changes of Use

Planning permission for the erection, conversion, extension or alteration of properties to houses in multiple occupation (Class C4 or sui generis) and other forms of temporary residential accommodation¹ will be granted unless:

- A. Within an HMO Article 4 area² the proposal would result in the loss of a good quality, spacious and convenient dwellings suitable for occupation by a family by reason of its location and level of amenity and so remove the dwelling from the stock within the overall housing mix;**
- B. Within an HMO Article 4 area the development is for new purpose built student accommodation on a site not previously used for student accommodation³;**
- C. There would be unacceptable harm to the amenity of neighbouring residents caused by reduced levels of daylight, sunlight, outlook or privacy as a result of the development;**
- D. There would be harm to the amenity of neighbouring residents through the introduction of additional activity, access, traffic or parking at the property which would cause an unacceptable increase in noise and disturbance;**
- E. The proposal would be detrimental to the character and appearance of**

the locality or the existing building by reason of scale, design or loss of existing features, including trees and landscaping;

- F. Insufficient provision on site is made available for refuse storage facilities and/ or cycle storage facilities;**
- G. The proposal would result in the introduction of such additional accesses, traffic or parking as would prejudice highway safety;**
- H. The proposal would lead to a level of concentration of such uses that would be damaging to the character of the area;**
- I. The proposal does not provide good levels of amenity for future residents in terms of noise, outlook, light, privacy, access and air quality;**
- J. In the case of Tyneside flats⁴ within Article 4 areas, it would result in:**
 - (i) The change of use of an upper Tyneside flat to an HMO;**
 - (ii) The extension or alteration of an upper Tyneside flat HMO to facilitate the creation of additional habitable space within the roofspace through the insertion of new or increased size rooflights or dormer window extensions.**

For the purposes of this SPD:

¹ HMO and Temporary residential accommodation is: (i) shared houses occupied by three or more individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom and falling within Use Class C4 or a larger sui generis HMO use; (ii) residential accommodation defined as overnight or short-term accommodation which may be supervised, where people, (including sometimes the homeless) can usually stay free or cheaply. Various indicators can be used to determine if the accommodation is temporary, such as the form of occupation (such as dormitories and/or communal or shared facilities); it may be used to accommodate a specific category of people (e.g. the young or homeless), may be supervised and /or serviced, and payment may be on a nightly basis

² HMO Article 4 areas relates to an Article 4 Direction within the City under the Town and Country Planning (General Permitted Development) (England) Order 2015 or any re-enacting or revoking Order which removes permitted development rights for the change of use from Use Classes C3 to C4.

³ Purpose built student accommodation is residential accommodation used solely or predominantly by students in full time higher or further education within Use Class C4, sui generis HMO uses or studio flats within Use Class C3.

⁴ A Tyneside flat is (i) where there is a proposal to re-divide a house that had previously been Two Tyneside flats (but knocked in to one) and to convert the roof space at the same time as the re-division; (ii) to all flats of whatever age in the same configuration as a pair of Tyneside flats i.e. in a two storey building, a single flat above another single flat and with separate front doors (not necessarily side by side), and covering both terraced and semi-detached properties, but not those in a multi-storey block.

- 5.10 Within Article 4 areas there is an identified concentration of HMO accommodation that if left uncontrolled would affect the vibrancy and sustainability of the neighbourhood. There is therefore a need to retain a mix of accommodation in these areas to preserve the balanced nature of the community to ensure they remain sustainable places of quality and choice in accordance with CSUCP Policy CS9. In these areas the stock has already been significantly eroded by the uncontrolled conversion to HMO accommodation. The resultant changes to an area through increased factors such as density of occupation, subdivision of plots, building maintenance, loss of landscaping, traffic and noise and disturbance impacts can seriously affect the character of an area. For these reasons the further loss of housing suitable for families in the HMO Article 4 areas would reduce the future ability of the City to attract families to live and invest these areas and would compromise its ability to maintain the areas as mixed vibrant communities. As a result the further loss of houses which are suitable for occupation by families will be controlled in the Article 4 Direction areas under criterion A.
- 5.11 Developments for new purpose built student accommodation developments in Article 4 areas would also result in an increased density of shared housing in areas which already experience impacts associated with this form of accommodation set out above. It is therefore also necessary to control the growth of this form of development as set out in Criteria B. The form of development covered by this criteria could be in the form of new build or conversion of existing properties and cover traditional three to six person small HMO, larger HMO or accommodation that is designed specifically for student or other forms of occupation. Sites which are currently lawfully used for student accommodation would be exempt from this criterion. The impacts of any increase in numbers arising from the redevelopment of an existing student housing site would be considered against other criteria set out in the policy.

- 5.12 In relation to criterion C the impact upon neighbouring residents amenity caused by increased noise and disturbance generated by HMOs and temporary accommodation will need to be assessed. Factors to consider in terms of potential disturbance include: the historic use of the property and likely changes in noise generated by the new use, both from inside the building and from outside by comings and goings to and from the building; traffic and parking generation and its impact upon the character of the surrounding area. Any development approved under Policy SC1 will be expected to install noise insulation along part walls with neighbouring properties in order to reduce noise transfer which could impact upon neighbour's amenity. Developments will also need to ensure that there is no loss of outlook, privacy and sunlight to neighbouring resident which would harm their amenity as set out under criterion C.
- 5.13 In relation to criterion D the impact upon neighbouring residents amenity caused by increased noise and disturbance generated by HMOs and temporary accommodation will need to be assessed. Factors to consider in terms of potential disturbance include; the historic use of the property and likely changes in noise generated by the new use, both from inside the building and from outside by comings and goings to and from the building; traffic and parking generation and its impact upon the character of the surrounding area.
- 5.14 The evidence supplied on noise complaints in the wards of the city with raised numbers of HMO is set out in Appendix II. This demonstrates that HMOs, particularly those favoured by students, result in raised number of complaints about noise and activity that disturb the amenity of neighbouring residents. In addition the general lack of maintenance to properties, gardens and refuse bins and the transient nature of HMO occupation all affect the character of an area in a negative way. Outside of the Article 4 HMO areas the criteria relating to the assessment of applications for various forms of HMO accommodation and the impacts upon the surrounding area are necessary to ensure a sustainable form of development arises that would provide social, economic and environmental benefits to the area.
- 5.15 Developments creating HMO and temporary accommodation would need to ensure that they did not have a detrimental impact upon the character and appearance of the locality, including taking into account the impact upon the character of a heritage asset, such as conservation areas and buildings of historic significance. Criterion E requires the impacts of scale and design, including landscape impacts, to be assessed as part of any application. An important consideration in designing HMO and temporary accommodating is to ensure sufficient space is made available for refuse storage. This should be of sufficient capacity to handle the weekly amount of refuse generated by occupants in accordance with the Council's approved refuse storage capacity standards. The refuse storage area should be located within the site, but easily accessible to collection vehicles. It should be designed so as to be visually screened from all residents and away from habitable rooms. Cycle parking is also an important requirement for HMO accommodation. On-site provision should be made available in easily accessible locations. These requirements are set out in criteria F. Development will need to comply with City Council guidance on refuse storage and cycle parking capacity.
- 5.16 Developments occupied as HMO and temporary accommodation will need to ensure the vehicular traffic it generates, both for parking and servicing would not have a prejudicial impact upon highway safety. City Council guidance is available

For car parking levels relating to these forms of development. These matters would be assessed against criterion G.

- 5.17 Individual Street and neighbourhoods have different characteristics, ranging from streets of predominantly family housing to a mix of commercial and different types of residential accommodation. Criterion H requires the impact of developments on the character of an area to be assessed. Each application will be assessed to determine whether an additional HMO or temporary accommodation development would adversely impact on the mix of the community and character of the surrounding area. Factors to take into account would be the effect on the character of the locality, especially in the case of tightly knit and homogeneous area of single family housing and the resultant increase in residents resulting from the proposed development.
- 5.18 In terms of criterion I, occupants of HMO accommodation need to enjoy good levels of outlook, light, daylight and privacy from all main habitable rooms. The property also needs to be insulated from external noise sources. The ventilation of properties in air quality management area will also be required to minimise any impact upon future residents. In this regard properties would be expected to meet the Council's standards for licensable HMOs set out under the mandatory licensing scheme of the Housing Act 2004. There will also need to be safe and convenient access to the property.
- 5.19 Criterion J relates to Tyneside flats - a particular form of accommodation found in Newcastle. In ground floor flats it provides one and two person accommodation. Upper flats normally provide three bed accommodation. However a significant proportion of upper Tyneside flats have been converted to four to seven bed HMO accommodation through the conversion of the roof space into habitable accommodation. The resultant intensification in the use of the flat, with associated comings and goings, parking, traffic, noise and activity has had an adverse impact upon neighbouring residents, as well as the mix of accommodation available in these high density streets. This has been to the detriment of the character of some areas and resulted in groups of streets with significant levels of HMO accommodation. These areas have been covered within Article 4 Direction. Policy SC1 seeks to control future uses of upper Tyneside flats and extensions of these properties into the roof space to ensure a balance is retained in these streets between smaller flats and HMOs in the interests of retaining a mix sustainable community.
- 5.20 For the above reasons the SPD seeks to control the loss of larger upper Tyneside flats from Class C3 to a HMO. In addition the policy controls the insertion of roof lights and dormer windows into those upper Tyneside flats which are currently used as HMO accommodation. This would ensure a range of HMO sized accommodation in the Article 4 area and prevent the problems of noise and activity that would arise from allowing all upper Tyneside flats to be converted into large HMO accommodation. The conversion of an upper Tyneside flat roofspace for family occupation under Class C3 would still be permitted, so as to allow families to continue to live in upper Tyneside flats and thereby meet their space requirements over time. In these cases the applicant will have to demonstrate the current use of the property would fall within Class C3 of the Use Classes Order. Suitable noise insulation measures would be required.

- 5.21 A plan showing the area affected at the time of approving this SPD by relevant HMO Article 4 Directions is set out in Appendix V. If any further areas are covered by HMO Article 4 Directions in the future then applications in these areas will also be considered in relation to Policy SC1.

Houses in multiple occupation (HMOs)

Ensuring mixed and balanced communities

Supplementary Planning Document (SPD) - revised November 2017

www.portsmouth.gov.uk



Houses in multiple occupation (HMOs) - Ensuring mixed and balanced communities
Supplementary Planning Document (SPD) (as amended in November 2017)

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Foreword

Shared accommodation provides an important way of meeting the housing needs of many people in Portsmouth and will continue to do so in the future.

At the same time, high concentrations of C4 and *Sui Generis* HMOs are presenting a challenge to the future sustainability of many of our city's communities. The concentration of HMOs in some areas of the city is changing the character of these areas. Further HMOs are removing some valuable housing stock, in particular removing some of the smaller dwellings from the housing stock and in doing so depriving others from entering the housing market.

Since the adoption of the Local Plan the Council has seen a significant number of properties that would have otherwise been suitable for conversion to flats being changed to HMOs and *Sui Generis* HMOs thus restricting the choice of accommodation for our residents.

This document sets out how the City Council aims to prevent the high concentration of HMOs in the future and ensure that our communities are mixed, balanced and sustainable and that there is a range of accommodation across the city to meet different housing needs. It provides a useful guide to understanding how planning applications for new HMOs in the city will be decided.

Councillor Donna Jones

Leader with responsibility for Planning, Regeneration and Economic
Development

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Purpose and scope of the SPD

- 1.1 This Supplementary Planning Document (SPD) sets out how Policy PCS20 (Houses in multiple occupation (HMOs): Ensuring mixed and balanced communities) of the Portsmouth Plan¹ will be implemented. This document amends the SPD adopted in October 2012. It details how the City Council will apply this policy to all planning applications for HMO (C4) 3-6 occupants use and for large HMOs in *Sui Generis* use for more than 6 people. The SPD will be accorded significant weight as a material planning consideration in the determination of such applications. It is supported by an assessment of the need for, and supply of, shared housing in Portsmouth and the impacts on local communities of high concentrations of HMOs².

What is a house in multiple occupation (HMO)?

- 1.2 The Government's Circular 08/2010³ notes that the C4 (HMO) use class covers:
- small shared houses or flats occupied by between three and six unrelated people who share basic amenities such as a toilet, personal washing facilities or cooking facilities.
- 1.3 For the purposes of Class C4, a 'house in multiple occupation' has the same meaning as in section 254 of the Housing Act 2004⁴, with the exception of section 257 which applies to converted block of flats (and those buildings listed in schedule 14 of the Act). Further explanation is set out in Appendix 1.
- 1.4 Where there are more than six unrelated individuals sharing amenities, this is termed an HMO in *Sui Generis* use because it is not in any particular planning use class.
- 1.5 Where there is to be a material change of use to either type of HMO (small Class C4 or *Sui Generis*), planning permission will be required.
- 1.6 In the city of Portsmouth, this includes the need for planning permission for change of use from a Class C3 (dwelling house) to a Class C4 HMO. On 1st November 2011, a citywide Article 4 Direction came into force which removed permitted development rights for such changes⁵.

¹ Portsmouth City Council (2012) *The Portsmouth Plan: Portsmouth's Core Strategy*. Portsmouth: PCC <https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>

² Portsmouth City Council (2012) Shared housing in Portsmouth – an assessment of demand, supply and community impacts. Portsmouth: PCC <https://www.portsmouth.gov.uk/ext/documents-external/pln-hmo-research-report.pdf>

³ The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010. www.legislation.gov.uk/uksi/2010/653/pdfs/uksi_20100653_en.pdf

Further guidance can be found in Circular 08/2010 - Changes to Planning Regulations for Dwellinghouses and Houses in multiple occupation www.communities.gov.uk/documents/planningandbuilding/pdf/1759707.pdf

⁴ The Housing Act 2004 www.legislation.gov.uk/ukpga/2004/34/contents

⁵ For more information about this Article 4 Direction see <https://www.portsmouth.gov.uk/ext/documents-external/pln-hmo-article4direction-plan-nov10.pdf>

The need to ensure mixed and balanced communities

- 1.7 The contribution of HMOs to meeting Portsmouth's current and future housing need is recognised, particularly as a source of accommodation for people on low incomes and benefit payments, young professionals, students and the growing number of one-person households. The negative impacts of high concentrations of HMOs on local communities must also, however, be considered.
- 1.8 Policy PCS19 (Housing mix, size and the provision of affordable homes) of the Portsmouth Plan¹ identifies a need for a variety of housing types throughout the city in order to deliver a choice of homes and to create inclusive and mixed communities. This includes a need for family housing (of three or more bedrooms), the supply of which has declined in the city in recent years.
- 1.9 The Portsmouth Plan notes a predicted increase in the number of people who will require larger, family sized properties in the future as well as a growth in the number of one person households for which HMOs may provide a suitable housing choice. Policy PCS20 seeks to ensure that the future supply of family housing is not jeopardised by its unchecked conversion to shared accommodation and that communities are not negatively impacted by HMO development.
- 1.10 In order to avoid high concentrations of HMOs in the city, and to ensure the future provision of mixed and balanced communities in accordance with national planning policy⁶, Policy PCS20 of the Portsmouth Plan will be the key local planning policy against which applications for HMO use will be assessed (see below).

PCS20 Houses in Multiple Occupation (HMOs): Ensuring mixed and balanced communities*

In order to support mixed and balanced communities, and to ensure that a range of household needs continue to be accommodated throughout the city, applications for changes of use to a House in Multiple Occupation (HMO) will only be permitted where the community is not already imbalanced by a concentration of such uses or where the development would not create an imbalance.

For the purposes of this policy, dwellings in use as Class C4, mixed C3/C4 use and HMOs in *Sui Generis* use will be considered to be HMOs.

* See Appendix 2 to this SPD for full text contained in the Portsmouth Plan.

⁶ See National Planning Policy Framework:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

Implementation of Policy PCS20

1.11 Policy PCS20 of the Portsmouth Plan¹ (see above) will be used to determine applications for:

- Class C4 HMOs (between three and six unrelated individuals sharing amenities);
- mixed C3/C4 use (this type of permission allows a property to be used in either way, overcoming the need for a new planning permission each time a change of use from Class C3 to C4 is required), it should be noted that 10 years from the permission the flexibility ceases and the use at that time becomes the lawful use.
- HMOs in *Sui Generis* use (seven or more unrelated individuals sharing amenities).

Other policies set out in the Portsmouth Plan will also form material considerations in respect of such applications.

How will planning applications for HMO use be determined?

1.12 In accordance with policy PCS20, the City Council will seek to refuse planning applications for HMO uses (Class C4, HMOs in *Sui Generis* use and mixed C3/C4 use) where a community is already 'imbalanced' by existing HMO uses or where granting the application would create an 'imbalance'.

1.13 A community will be considered to be 'imbalanced' where:

- more than 10% of residential properties within a 50m radius of the area surrounding the application property are already in HMO use.

1.14 The 'development' (proposed HMO use) that is the subject of the planning application will create an imbalance where:

- granting the application would 'tip' the ratio of HMOs to Class C3 residential uses within the area surrounding the application property over the 10% threshold.

1.15 Where planning permission is sought to change the use of a Class C4 or mixed C3/C4 use to a HMO in *Sui Generis* use, the City Council will seek to refuse applications 'in areas where concentrations of HMOs already exceed the 10% threshold.'

Living conditions / quality of living environment

- 1.16 In order to secure a good standard of living accommodation within HMOs (C4 and *Sui Generis* HMOs), and in accordance with Policy PCS23, the City Council will seek to refuse applications for HMO development where proposals would fail to protect the amenity of, and the provision of a good standard of living environment for future occupiers.
- 1.17 All planning applications must be supported by a full set of floor plans that include details of the bathroom sanitary ware and kitchen fitments and white goods; clearly identify whether rooms are intended to be single or double; and show the internal measurements for each room, including areas of reduced ceiling height. Whilst acknowledging that the National Described Space Standard (NDSS) relates to new dwellings, nevertheless the City Council will require that bedrooms comply with this space standard, as set out below, or any subsequent standard replacing the NDSS⁷. Planning permission will be refused for all HMOs that fail to provide adequate community or amenity space for occupiers in accordance with the standards set out below. Where proposals meet the required space standards and levels of amenity, there will be a condition on the planning permission requiring the development to accord with the approved floor plans.

Bedroom space standards

- 1.18 Single bedrooms must have a minimum Gross Internal Floor area (GIA) of 7.5m² with a minimum width of 2.15m.
- 1.19 Double bedroom or twin bedrooms must have a minimum GIA of at least 11.5m² and be at least 2.75m wide.
- 1.20 For both single and double rooms any area with a headroom of less than 1.5m is not counted in the GIA unless used solely for storage. Any area with a head room of less than 1.5m is not counted within the GIA unless used solely for storage (if an area under the stairs is to be used for storage assume a general floor area of 1m² with the GIA). Any other area that is used solely for storage and has a headroom of 900-1500mm is counted as 50% of its floor area and any area lower than 900mm is not counted at all.
- 1.21 A built-in wardrobe counts towards the GIA and bedroom floor area requirements but should not reduce the effective width of the room below the minimum widths set out above.

⁷ Nationally Described Space Standards (2015): <https://www.gov.uk/government/publications/technical-housing-standards-nationally-described-space-standard>

Amenity Space

Room	Metric ³
Dining Room (3 to 6 persons)	11m ²
Dining Room (7 or more persons)	14m ²
Living Room (3 to 6 persons)	11m ²
Living Room (7 or more persons)	14m ²
Kitchen (3 to 6 persons)	7m ²
Kitchen (7 or more persons)	11m ²
Combined living space (3 to 6 persons)	24m ²
Combined living (7 or more persons) ¹	27m ²
Bathroom ²	3.74m ²
1-4 persons	At least 1 bathroom and 1 WC (can be combined)
5-6 persons	1 Wash Hand Basin (WHB) in each sleeping room; plus 1 bathroom; and 1 separate WC with WHB (WC could be contained in second bathroom)
7-10 persons	1 WHB in each sleeping room; plus 2 separate bathrooms; and 2 separate WC's with WHB (one of WCs can be contained with one bathroom)
11-15 persons	1 WHB in each sleeping room; plus 3 bathrooms; and 3 separate WCs and WHB (two of WCs can be contained within 2 bathrooms)

NOTE: 1: Combined living space is kitchen, eating area and living area, laundry and utility space.

2: A pod bathroom which complies with the current Building Regulation will be accepted.

3: Areas based on bedrooms of 7.5m²

Amenity of neighbours and local occupiers

- 1.22 In accordance with Policy PCS23, the City Council will seek to refuse applications for HMO development where such development would fail to protect the amenity, and the provision of a good standard of living environment, for neighbouring and local occupiers. For the purpose of assessing applications for the change of use to C4 HMOs and *Sui Generis* HMOs, planning permission will only be granted where the proposal would not result in an over intensive use of the property.

Identifying 'the area surrounding the application property'

- 1.23 Points i) to viii) below and Figures 1 and 2 set out the method that the City Council will use when it is calculating the percentage of dwellings in HMO use in the area surrounding the application property (see also the worked example contained in Appendix 3).
- i) Where the application property is a house - an area with a radius of 50 metres will be identified from the mid-point of the application property's frontage (see ii and Figure 1).
 - ii) A property's frontage comprises the width of that building as it faces directly onto the street and generally includes the entrance to the property. A 'street' is defined here as any highway (including footpath) or public area which contains a property's frontage.
 - iii) Where the application property is a flat - an area with a radius of 50 metres will be identified from the mid-point of the main entrance door to the flat (see Figure 2).

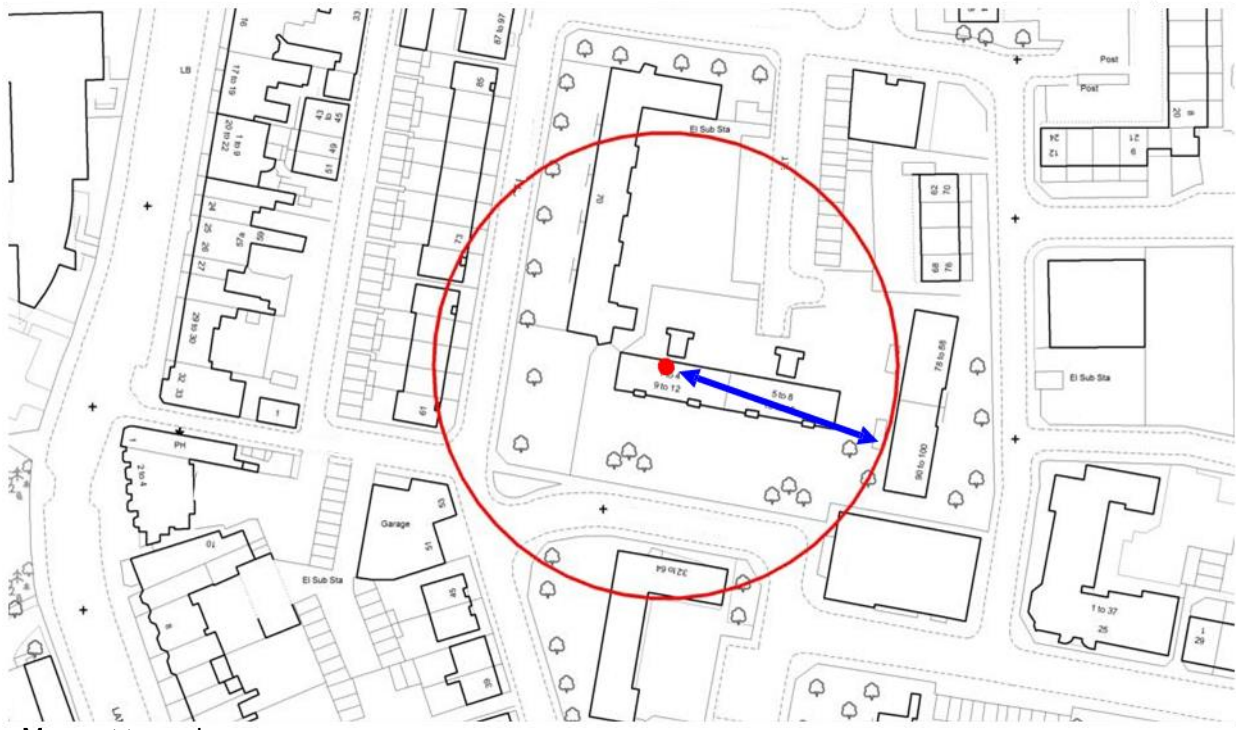
Figure 1: Houses - identifying 'the area surrounding the application property'



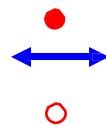
Map not to scale

- = application property
- ↔ = 50 metre radius
- = area surrounding application property

Figure 2: Flats - identifying ‘the area surrounding the application property’



Map not to scale



= application property

= 50 metre radius

= area surrounding application property

- iv) For the purposes of implementing Policy PCS20, this area with a radius of 50 metres will be known as ‘the area surrounding the application property’.
- v) A ‘count’ will be made of residential properties that fall within the area surrounding the application property⁸ and their addresses will be checked against the council’s ‘HMO database’ in order to identify which, if any, are in HMO use (see paragraphs 1.16 – 1.20 and worked example using a 10% threshold in Appendix 3).
- vi) Only residential properties will be counted (i.e. the count will exclude properties in, for example, retail or commercial uses).
- vii) Where any part of the curtilage of a residential property (house), including the property boundary falls within the area surrounding the application property, this property will be included in the ‘count’ (see Figure 1 and worked example in Appendix 3).

⁸ In some instances, a complex street pattern or arrangement of buildings may require the City Council to use judgement in determining which properties are captured by the 50 metre radius, based on the guidance set out in paragraph 1.17

- viii) Where the 50m radius captures any part of a building containing residential flats, the City Council will endeavour to establish the number of flats that fall, in part or whole, within the 50m radius, if this proves impossible then all properties inside of this building will be included in the 'count'.

Identifying properties in HMO use

- 1.24 When identifying the number of HMOs in the area surrounding the application property, the City Council will include:
- All properties continuously in HMO use since 1 November 2011.
 - All properties with Class C4 HMO planning permission.
 - All properties with *Sui Generis* HMO planning permission.
 - All properties with planning permission for mixed C3/C4 use (regardless of whether they are in C3 or C4 use at the time of the application).
 - All Section 257 Houses in Multiple Occupation properties.
- 1.25 A list of all addresses that have been identified as being in the area surrounding the application property, which will also highlight those that the council considers to be in HMO use, will be made publicly available during the determination period of the planning application.
- 1.26 In order to identify properties in HMO use, the council will use data held on its 'HMO database'⁹ at the time of the planning application. The database is made up of records of properties with planning permission for Class C4 use, *Sui Generis* HMO use and mixed C3/C4 use, records of Class C4 HMOs submitted to the council by property owners, HMOs that have been issued a licence by the council and council tax records. A list of addresses held on this database will be published on the City Council's website and updated on a regular basis. However the City Council acknowledges that it may not have captured all of the HMOs in an area and therefore will consult Ward Members and local residents to capture further local knowledge about the way properties are being occupied in their neighbourhood.
- 1.27 Those wishing to confirm the existing lawful use of a property should not rely on the database as evidence but should seek to establish whether planning permission for HMO use has been granted or where appropriate, to secure evidence that the property was in Class C4 use prior to the 1st November 2011 when the Article 4 Direction came into force (see paragraph 1.6). An application could also be made to the City Council for a Certificate of Lawful Use. A fee is required for making this type of application together with supporting evidence to support the application.

⁹ A copy of addresses held on the City Council's HMO database can be found at:
<https://www.portsmouth.gov.uk/ext/development-and-planning/planning/planning-houses-in-multiple-occupation>

Making a planning application for HMO use

Forms and fee

- 1.28 Detailed guidance about making a planning application for change of use, including relevant application fees and information required as part of the application, can be found on the City Council's website <https://www.portsmouth.gov.uk/ext/development-and-planning/planning/planning-apply-view-or-comment>

Alternatively, applicants can visit the Planning Portal directly at www.planningportal.gov.uk to make an application online.

- 1.29 The City Council has made an Article 4 Direction removing permitted development rights which would otherwise allow changes of use from Class C3 to Class C4, consequently there will be no fee for the following types of application:
- change of use from Class C3 (dwellinghouse) to Class C4 (HMO), or
 - change of use from Class C3 or C4 to a mixed Class C3/C4 use.
- 1.30 An application fee will be payable for:
- change of use from any other use class other than Class C3 to a Class C4 or mixed C3/C4 use, and
 - change of use from any use class to an HMO in *Sui Generis* use (to accommodate seven or more unrelated people sharing amenities).

Parking and the storage of refuse and recyclables

- 1.31 Planning applications for HMO use must meet the parking standards set out in the City Council's Parking Standards and Transport Assessments Supplementary Planning Document (SPD 2014)¹⁰.
- 1.32 Planning applications for HMO use will also be expected to demonstrate that adequate storage for refuse and recyclables will be provided at the property.

Monitoring and review

- 1.33 The monitoring and review of Policy PCS20 will be carried out as part of the city's Authority Monitoring Report which it is required to produce as part of its Local Plan. The indicators that will be used to monitor this policy are contained in the full policy wording attached as Appendix 2.

¹⁰ Portsmouth City Council (2014) Parking Standards and Transport Assessment Supplementary Planning Document (SPD). Portsmouth: PCC <https://www.portsmouth.gov.uk/ext/documents-external/pln-parking-standards-transport-assessments-spd.pdf>. See also map showing public transport accessibility throughout the city <https://www.portsmouth.gov.uk/ext/documents-external/trv-74.185-public-transport-map-aug-2017-web-final.pdf>

Other issues to consider

- 1.34 In addition to the need for planning permission, those wishing to establish an HMO should consider if they need an HMO licence in accordance with the Housing Act (2004) and are also encouraged to join the City Council's Landlord Accreditation Scheme (LAS).

Licensing under the Housing Act (2004)

- 1.35 Landlords and property managing agents who intend to let large houses in multiple occupation (HMOs) may need to apply to the City Council for an HMO licence. An HMO licence will be required if the property is:
- over three or more floors, and
 - will be used to accommodate five or more tenants belonging to two or more households.
- 1.36 In these circumstances, it is a criminal offence not to have an HMO licence and an unlimited fine could be issued upon successful proceeding, or Portsmouth City Council could issue a civil Penalty up to £30,000.
- 1.37 For more information about licensing, please visit the City Council's website <https://www.portsmouth.gov.uk/ext/licensing/licensing.aspx>
You can also contact the Housing Standards team on (023) 9243 7914.

Portsmouth City Council Landlord Accreditation Scheme

- 1.38 The City Council's Landlord Accreditation Scheme aims to improve both the physical and management standards of the private rented sector within Portsmouth. Whilst it is a voluntary scheme, all private landlords who own and rent out properties in the city (PO1–PO6) are encouraged to join the LAS. For more information, and to join the scheme, visit www.las.portsmouth.gov.uk or contact the Housing Standards team (see above).

Appendix 1 – Definition of Class C4 HMO (Housing Act 2004)

- A1.1 The Government's Circular 08/2010³ notes that the C4 use class covers small shared houses or flats occupied by between three and six unrelated people who share basic amenities (see A1.4 below).
- A1.2 For the purposes of Class C4, a 'House in Multiple Occupation' does not include a converted block of flats (to which section 257 of the Housing Act 2004 applies) but otherwise has the same meaning as in section 254 of the Housing Act 2004.
- A1.3 An HMO is defined by the Housing Act 2004 as a building or part of a building (i.e. a flat) which:
- is occupied by persons who do not form a single household, and
 - is occupied as the only or main residence, and where
 - rents are payable or other consideration is provided in respect of at least one of those occupying the property, and where
 - two or more households share one or more basic amenities (or lack such amenities).
- A1.4 The meaning of basic amenities as defined by the Housing Act 2004 is:
- a toilet,
 - personal washing facilities, and/or
 - cooking facilities.
- A1.5 Schedule 14 of the Housing Act 2004 lists buildings (or parts of buildings) which are not defined as HMOs and includes those that are:
- controlled or managed by a registered social landlord or local authority;
 - controlled or managed by a fire and rescue authority, police authority or health service body;
 - occupied by students and controlled or managed by an education establishment i.e. halls of residence;
 - occupied for the purposes of a religious community whose main occupation is prayer, contemplation, education or the relief of suffering;
 - occupied solely by one or more persons who are owners (with either freehold or leasehold interest granted for more than 21 years);
 - occupied by two persons who form two households.
- A1.6 The Government's Circular 08/2010³ may also provide helpful guidance on what does and does not constitute a Class C4 use (in accordance with the Housing Act 2004). It highlights that:
- small bedsits will be classified as C4 use;
 - students, migrants and asylum seekers who do not occupy the property all year will be considered as occupying the property as their main residence;
 - properties containing the owner and up to two lodgers will be in Class C3, and
 - to be classified as a house in multiple occupation a property does not need to be converted or adapted in any way.

Appendix 2 – Policy PCS20 of the Portsmouth Plan

Houses in Multiple Occupation (HMOs): ensuring mixed and balanced communities

- A2.1 National planning policy guidance (PPS1 and PPS3) provides the context for local planning policy to ensure that mixed and balanced communities are developed in the future and to avoid situations where existing communities become unbalanced by the narrowing of household types towards domination by a particular type, such as shared housing (HMOs).

The Portsmouth Plan approach to Houses in Multiple Occupation:

- A2.2 PPS1 encourages development that ‘supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities’ (p.3). It also requires that development plans ‘ensure that the impact of development on the social fabric of communities is considered and taken into account’ (p.7). PPS3 supports the role of development plans in promoting mixed communities and ensuring that a wide range of household needs are catered for.
- A2.3 While the contribution of HMOs to meeting the city’s accommodation needs is recognised, particularly as a source of housing for people on low incomes, those on benefit payments and those starting off in the economy as young professionals, the potential negative social, environmental and economic impacts of high concentrations of HMOs on communities have been widely discussed.
- A2.4 The City Council’s private sector house conditions survey (2008) notes that HMOs occur at a significant rate in Portsmouth, driven by the student population and residents on low incomes. In 2007/8, it was estimated that 5.1% of dwellings in the city were HMOs compared to 2.5% nationally. It is likely however, given recent economic challenges and the continuing growth of the city’s university that numbers of HMO properties in the city have increased in the past two years.
- A2.5 In order to continue to accommodate the need and demand for houses in multiple occupations, while ensuring the future balance of established communities, policy PCS20 provides guidance for developers and prospective landlords with regard to the appropriateness of future HMO schemes in the city.

PCS20 houses in multiple occupation (HMOs): Ensuring mixed and balanced communities

In order to support mixed and balanced communities, and to ensure that a range of household needs continue to be accommodated throughout the city, applications for changes of use to a House in Multiple Occupation (HMO) will only be permitted where the community is not already imbalanced by a concentration of such uses or where the development would not create an imbalance.

For the purposes of this policy, dwellings in use as Class C4, mixed C3/C4 use and HMOs in *Sui Generis* use will be considered to be HMOs.

- A2.6 This policy will be implemented through planning decisions taken in the development management process. Once an application is received, the location will be checked against a database holding all existing HMOs in order to determine if the proposed location would fall within an area of concentration. The City Council will produce an SPD setting out in greater detail how this policy will be applied. In the meantime, further advice to applicants is available on the planning pages of the City Council's website.
- A2.7 The City Council will continue to work with the University of Portsmouth to promote appropriate development of purpose built student accommodation.

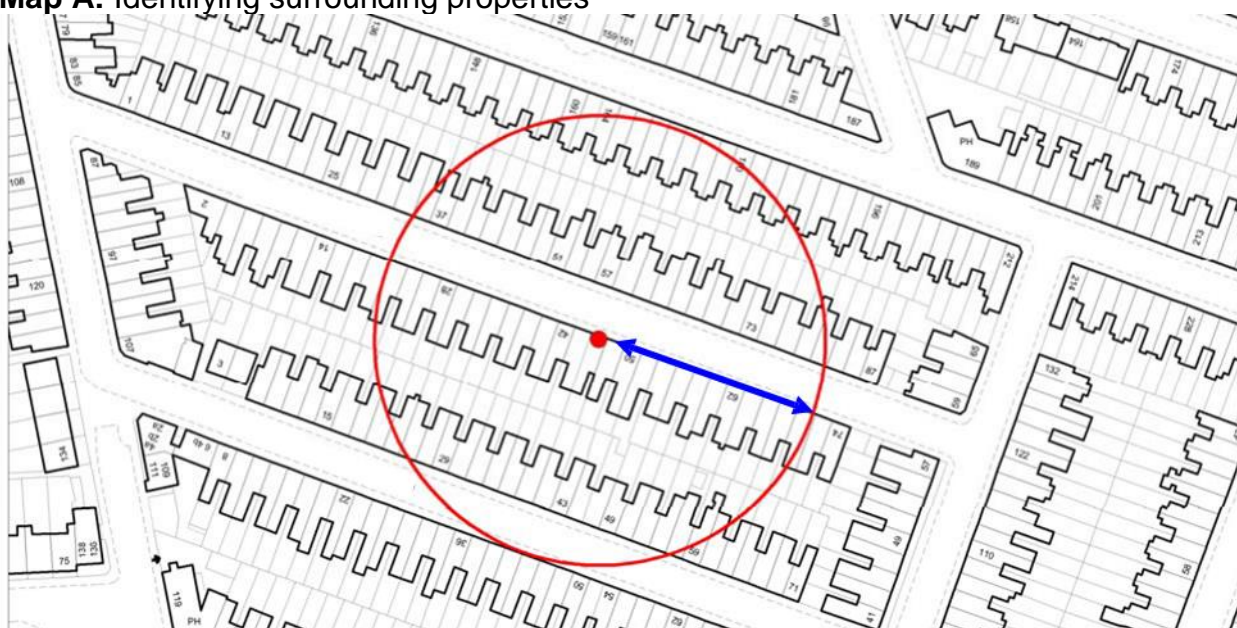
monitoring framework for PCS20 houses in multiple occupation (HMOs): ensuring mixed and balanced communities	
Policy Outcomes	Key Indicators
<ul style="list-style-type: none"> To avoid concentrations of HMOs within the city 	<ul style="list-style-type: none"> Change in number of homeless (particularly the 25 - 34 year old age group who will be affected by changes to the Local Housing Allowance which will mean they can no longer afford to rent whole properties and will increasingly turn to HMOs) Changes in the concentration of HMOs across the city Number of planning applications received for HMOs and whether approved or refused Any appeal decision relating to HMOs
Where else to look	
<ul style="list-style-type: none"> Article 4 Direction: Houses in Multiple Occupation http://www.portsmouth.gov.uk/living/19524.html 	

Appendix 3 - The 10% threshold - worked example

Worked example

- A3.1 A planning application is received for the change of use of a dwellinghouse from Class C3 to Class C4. In order to assess whether the area surrounding the application property is currently 'imbalanced' by HMO uses, or whether granting the application would create an 'imbalance', the council will first calculate how many residential properties (in total) fall within this area. (See paragraph 1.23 for full details of the method that will be used.)
- A3.2 Map A shows that, in this instance, the total number of properties in the area surrounding the application property is 93.

Map A: Identifying surrounding properties

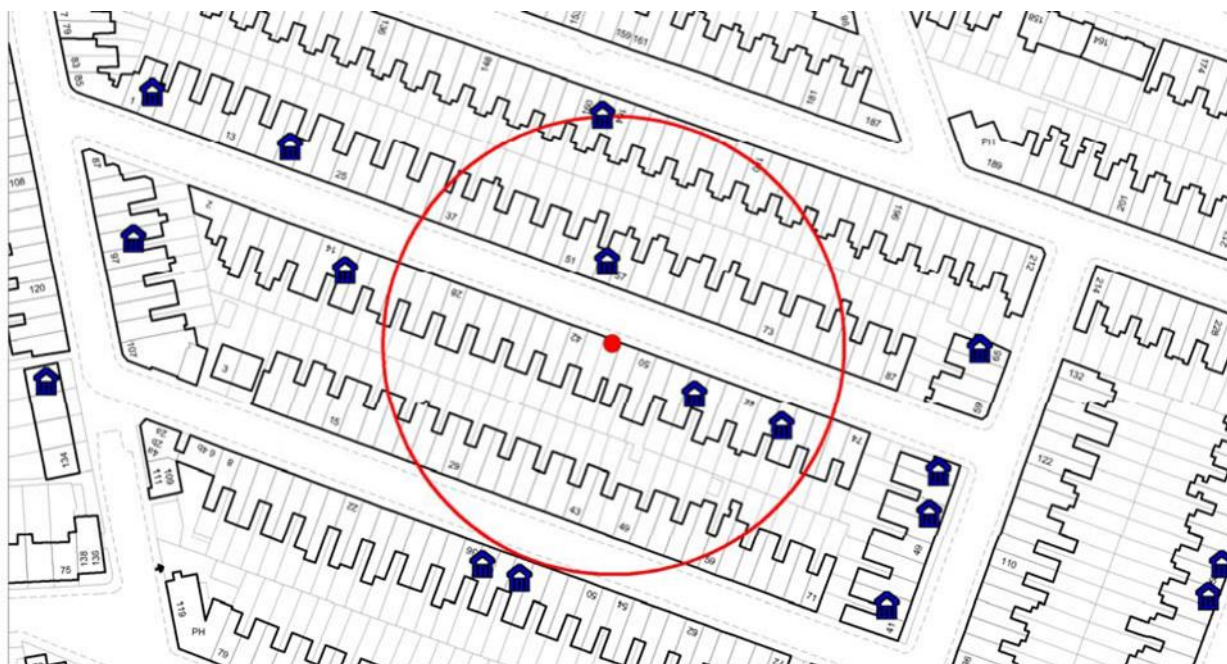


Map not to scale

- = application property
- ↔ = 50 metre radius
- = area surrounding application property

- A3.3 The City Council will then check its 'HMO database' in order to identify which of these properties it considers to be in HMO use. Map B shows that, in this instance, there are four HMOs in the area surrounding the application property.

Map B: Identifying properties in HMO use



Map not to scale

● = application property
 🏠 = properties in HMO use

A3.4 The number of HMOs as a percentage of all properties in the area surrounding the application property will then be calculated:

$$(4 \div 93) \times 100 = 4.3\%$$

So in this case, the percentage of HMOs in the area surrounding the application property is 4.3%.

A3.5 In accordance with Policy PCS20, applications for HMO use will only be allowed if the number of HMOs (as a percentage of all properties in the area surrounding the application property) is calculated to be less than 10% and wouldn't go above 10% if the application were to be granted.



Housing and Homes O&S Committee: Work Programme 2017/18

Chair: Councillor Victoria Quinn

Committee Members: Councillors Gurdial Singh Atwal, Andy Cartwright, Matthew Gregson, Roger Harmer, Penny Holbrook, Des Hughes, Mohammed Idrees, Mary Locke, Gary Sambrook, Ron Storer, Margaret Waddington

Officer Support: Scrutiny Team: Emma Williamson (464 6870) and Jayne Power (303 4810)
Committee Manager: Marie Reynolds (464 4104)

1 Meeting Schedule

Date	Item	Officer Contact / Attendees
20 June 2017	Informal Meeting: <ul style="list-style-type: none">Work Programme DiscussionBriefing on Housing Strategy	Emma Williamson/Jayne Power Rob James/Mike Walsh
25 July 2017	Cabinet Member for Housing and Homes <ul style="list-style-type: none">To set out key priorities, including key performance indicators	Marcia Wynter, Cabinet Support Officer
	Responding to Housing Need and Demand	Mike Walsh
	Waste Update	Jacqui Kennedy
20 September 2017	Selective Licensing	Pete Hobbs
	Tenant Engagement	Tracey Radford
	Waste Update	Jacqui Kennedy
17 October 2017	Housing Revenue Account	Rob James/Sukvinder Kalsi
	Allocations Update	Mike Walsh
	Homelessness Update	John Hardy
14 November 2017	Affordable and Social Housing	Waheed Nazir/Ian MacLeod/Uyen-Phan Han
12 December 2017	Tracking: Rough Sleeping & Prevention	Kalvinder Kohli/Marcia Wynter, Cabinet Support Officer
	The Impact of Universal Credit	Chris Gibbs/Tim Savill



23 January 2018 Deadline for reports: 12 Jan	Repairs and Maintenance Contracts	Rob James/John Jamieson
	Waste Update	Jacqui Kennedy/Darren Share
20 February 2018 Deadline for reports: 9 Feb	Cabinet Member for Housing and Homes <ul style="list-style-type: none"> To provide an update on key priorities 	Marcia Wynter, Cabinet Support Officer
	Homelessness Update: <ul style="list-style-type: none"> Implementation of Homelessness Reduction Act Progress Report: Rough Sleeping & Prevention 	Rob James/Kalvinder Kohli
	Investment in Refurbishment of Existing Council Homes	Rob James/Martin Tolley
6 March 2018 Deadline for reports: 26 February	Update on Waste Collection Service Improvement Plan	Jacqui Kennedy
	Working with HMOs – evidence gathering	Emma Williamson/Jayne Power, Scrutiny Office

2 Items to be programmed

- 2.1 Cabinet Member for Community Safety and Equality
- 2.2 Annual Report of the Community Safety Partnership
- 2.3 Homelessness Update – *Oct (6 months after implementation of Homelessness Reduction Act)*
- 2.4 Neighbourhood Management/New Devolution Model
- 2.5 Waste – Street Cleansing/Collection – New Operating Model

3 Summary of Work Programme Discussion

- 3.1 Members of the committee met in June to discuss potential items for the work programme, and a summary is set out below. Following July's meeting (where the Cabinet Member will outline his priorities), a schedule will be agreed.
 1. **Responding to housing need and demand:** to get a better understanding of housing need and demand in Birmingham and then to identify areas of Housing Strategy based on that; likely to include
 - Homelessness
 - Alternative housing models
 - Focusing on the local level (ie how ensure right housing in right areas)



- Links to HRA business plan
- Land use: prioritise surplus / use of poor quality / New Homes Bonus
- Strategic Tenancy Policy
- Young Persons Policy
- Supported housing

2. Neighbourhood Management and Tenant Engagement: to include matters arising following the Grenfell Tower tragedy to provide assurance on safety levels and the robustness of neighbourhood management

- What is the Council's overall responsibility; what is the scope of our due diligence and assessing where we might want higher standards (including the role of our contractors; Council Emergency response; how should future capital programmes be influenced?)
- Information for tenants and tenant routes to feed in issues to Council and be listened to;
- Neighbourhood management and links to work of Assistant Leaders.

4 Outstanding Tracking

Inquiry	Outstanding Recommendations
Rough Sleeping & Prevention	R01-R11

5 Other Meetings

Call in Meetings

None scheduled

Petitions

None scheduled

Councillor Call for Action requests

None scheduled

It is suggested that the Committee approves Tuesday at 2.00pm as a suitable day and time each week for any additional meetings required to consider 'requests for call in' which may be lodged in respect of Executive decisions.



6 Forward Plan for Cabinet Decisions

The following decisions, extracted from the Cabinet Office Forward Plan of Decisions, are likely to be relevant to the Housing and Homes O&S Committee's remit.

Reference	Title	Portfolio	Proposed Date of Decision
004497/2018	Housing Rent, Service Charges and other Charges 2018-19	Housing and Homes	6 March 2018
004656/2018	Homelessness Reduction Act 2017 Implementation Plan	Housing and Homes	6 March 2018
004666/2018	Driving Housing Growth – Land Appropriations Report	Housing and Homes	6 March 2018
004665/2018	Birmingham Council Housing Investment Programme 2018/19 to 2020/21	Housing and Homes	27 March 2018
001429/2016	Disposal of Surplus Properties	Leader	27 March 2018
004869/2018	Approval Contract Award and final business case – Kings Norton Phase 2	Housing and Homes	17 April 2018
004602/2018	Building Birmingham: Approval of BMHT Housing Development Programme for 2018-20	Housing and Homes	26 June 2018
003385/2017	BCC Energy Company – FBC	Clean Streets, Recycling and the Environment	24 July 2018