

Customer and Community Scrutiny Committee Report

Report of Executive Head of Governance

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## **Houses in Multiple Occupation Overview and Scrutiny Task and Finish Group**

### **Recommendation**

That the Committee,

(i) submit the report of the Houses in Multiple Occupation task and finish group, including the questionnaire results, to the Draft Local Plan consultation.

(ii) commend the recommendations contained in the report of the Houses in Multiple Occupation task and finish group to the Executive at its meeting on 28 October 2014.

(iii) require an update on the recommendations contained in the report of the Houses in Multiple Occupation task and finish group no later than twelve months hence.

### Reason for recommendation:

To address concerns raised by stakeholders and improve the Council's approach to HMOs.

## **2. Strategic priorities**

2.1 Addressing issues associated with concentrations of HMOs fits the Council's strategic framework. For example, HMOs are important to the economy of the Borough and its development, not least through affordable accommodation for students, low paid workers, and key workers such as police and nurses. In addition, proposals put forward by the task and finish group assist a self-reliant and sustaining community, while supporting those vulnerable residents with limited housing options.

## **3. Evidence gathering**

3.1 The task and finish group members sought views from a wide range of stakeholders. The group gathered assessments and concerns from tenants, householders, landlords, letting and managing agents, educational establishments, landlord organisations, officers, and the Lead Councillor for Housing and Social Welfare. Invariably this was accomplished through interviews. Where practical the group visited witnesses or invited them to attend one of their meetings. Site visits were also undertaken.

- 3.2 Partly due to the lack of a tenants' forum in Guildford, a survey questionnaire was used to gather views from tenants and householders. This survey was delivered to 1087 properties, targeting roads in the town centre wards and closest to the University. A response rate of over twenty per cent was achieved. In addition, the review was publicised and the questionnaire made available online.
- 3.3 Efforts to co-opt a representative from the University of Surrey, identified as a key stakeholder, were unsuccessful due to limited resources in the university's accommodation office.
- 3.4 The group conducted an in-depth investigation of two local authorities that have introduced stronger regulation of the sector: Bournemouth Borough Council and Oxford City Council. The group received evidence from those with responsibility and experience of the measures in these localities.

#### **4. Findings**

- 4.1 In the immediate term, the task and finish group argue for the enforcement of existing health regulations and use of associated powers to deal the issues associated with HMOs, especially anti-social behaviours. In addition, the group puts forward a number of measures identified in its investigation as likely to bring benefits. These measures include waste management initiatives, parking and other environmental improvements, and efforts to promote more community cohesion.
- 4.2 Considering long-term options, the group identified widespread support for the introduction of a person-based landlord accreditation scheme. There was some backing for regulation of the sector using additional licensing of smaller HMOs (in addition to the mandatory licensing of larger HMOs) or through selective licensing of privately rented housing within an area. Some stakeholders championed planning controls as the solution to issues associated with HMOs, specifically, Article 4 directions (to allow withdrawal of permitted development rights and require planning permission for the creation of further HMOs).

#### **5. Conclusions**

- 5.1 The task and finish group judges increased licensing or making an Article 4 direction as inappropriate to Guildford's set of circumstances at present. From its interpretation of the evidence base, the group argues that the most promising and effective approach now is the development of a Guildford Landlord Accreditation Scheme, with other measures enacted sooner. The group does not call simply for the Council to introduce an accreditation scheme but identifies partnership engagement in its establishment as central to its likely success.
- 5.2 The Chairman of the Task Group held a meeting with relevant Heads of Service and Lead Councillors on 27 August and their comments have been incorporated into the final report. In response to the specific comments in relation to parking arising from the questionnaire responses, the Parking Manager offers clarification attached at **Appendix 2** to this report.
- 5.3 All witnesses who took part in the investigation have been consulted on the final report. Comments from Martin Cliburn, Deputy Director of Accommodation at the University of Surrey have been incorporated into the report and its appendices. In terms of a general comment on the accreditation scheme, Mr Cliburn asked for clarification that the accreditation would be for individuals, rather than properties. He

suggests that any scheme would not have to be exclusively property based or person based. A person based scheme could be delivered as Phase 1 with Phase 2 awarded once properties meet both physical and management control standards, with a Bronze, Silver and Gold level. The current recommendation is for a landlord based scheme; however, this may be reviewed by officers in future. Any further comments received from witnesses will be reported at the meeting.

## **6. Financial implications**

- 6.1 The final recommendations of the task and finish group direct officers to undertake further work to achieve the desired outcomes. There will be financial implications for a number of the recommendations for which funding needs considering as the further work is undertaken.
- 6.2 For instance, if accepted by the Executive, the long-term proposals put forward could involve a budgetary commitment toward a landlord accreditation scheme. However, details of the scheme are to be developed with stakeholders and contributions toward the costs might reasonably be expected from successful partnership engagement.
- 6.3 Costs of enforcement and environmental improvement activities are expected to be met from existing budgets.

## **7. Legal implications**

- 7.1 There are no legal implications arising directly from this report.

## **8. Human Resource implications**

- 8.1 There are no human resource implications arising directly from this report.

## **9. Background papers**

- Notes of the Houses in Multiple Occupation Task and Finish Group
- Report to the Housing and Community Policy Panel, Student Lettings in the Private Rented Sector: outcome of consultation, 12 September 2002