

Explanatory Note Prepared by Councillor Will Sandry		
MEETING:	Council	
MEETING DATE:	16 th November 2010	AGENDA ITEM NUMBER 15
TITLE:	HOUSES IN MULTIPLE OCCUPATION	
WARD:	BATH CITY WARDS	

1. THE ISSUE

1.1 A comparison of the 2000 Register of Electors and the 2010 Register of Electors shows that there has been a significant increase in the number of Homes in Multiple Occupation in the City.

1.2 The number of Houses in Multiple Occupation have increased all over the City but the increase has been concentrated in Wards predominantly in the south of the City.

1.3 A predominance of Houses in Multiple Occupation can lead to community issues and tensions. These range from a lack of available parking spaces to a lack of affordable (rented or purchased) housing for young local families.

2. RECOMENDATION

Council is asked to support the following motion:

1. Council believes that there are a high level of Homes in Multiple Occupation in the City of Bath, particularly in the South and South West of the City.
2. Council resolves to request that the Cabinet Member for Customer Services should ensure that there are sufficient resources in the Cabinet's proposed 2011/2012 budget to enable Planning Services to:
 - Investigate the practicalities of introducing an "Article 4 direction";
 - Introduce an article 4 direction under the Local Development Scheme programme of work.
3. Council notes that, if implemented, this "direction" would mean that planning permission would be required for any further homes to be converted to Homes in Multiple Occupation in specified areas of the city.

3. REPORT

3.1 Over the last decade the National HMO Lobby has lobbied Government to tackle the expansion of Houses in Multiple Occupation by using Planning Policy to limit their expansion.

3.2 Following a national public consultation, this was successful. In April 2010 the previous Government introduced an amendment to Planning Policy and through a "Use Class Order" which required the conversion of a property with more than 6 lettable rooms to be subject to planning permission. This was repealed by the incoming Government so conversion of small Houses to Houses in Multiple Occupation is currently Permitted Development.

3.3 It could be argued that the previous Government's actions were flawed because they applied to the whole country rather than allowing Local Authorities to target their resources to specific areas where there is a predominance of Houses in Multiple Occupation. Additionally, the housing stock in the South and South West of Bath lends itself to conversion to four or five individually lettable rooms, not six or more.

3.4 In the south of Bath it is reported that some letting agents and private landlords actively discriminate against young couples and families wanting to rent property. Letting agents and private landlords favour letting a property to a group of unrelated people because the rental income from a home in multiple occupation can be twice as much as when the property is let to an individual or couple.

3.5 The current Government has an agenda of localism which will promote Local Communities setting their own priorities.

3.6 Article 4 Directions can be issued by the Council in circumstances where specific control over development is required, primarily where the character of an area of acknowledged importance would be threatened. Such Directions are usually applied over an area rather than an individual property and are registered as a Local Land Charge. The effect of such a Direction is to remove permitted development rights, thereby necessitating a planning application to be made.

3.7 Locally, Bath & North East Somerset Council has been proactive in introducing an Accreditation scheme for Houses in multiple occupation to ensure the quality of the housing provided, however not all properties have joined the scheme, and the Accreditation Scheme in no way seeks to limit the number of HMO's in the City.

4. FINANCIAL IMPLICATIONS

4.1 The motion requires that Cabinet provides appropriate resources (to be defined by the Cabinet Member and Strategic Director) to enable the motion to be implemented.

5. CORPORATE PRIORITIES

5.1 The motion has bearing in the following corporate priorities:

- Building Communities where people feels safe and secure
- Improving life chances of disadvantaged teenagers and young people
- Sustainable growth
- Improving the availability of Affordable Housing
- Improving Transport and the urban realm

6. RISK MANAGEMENT

6.1 No Corporate risks have been identified.

7. EQUALITIES

7.1 An equalities impact has not been carried out however the proposal seeks to promote balanced communities.

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Background Information	Communities and Local Government Circular 08/2010: http://www.communities.gov.uk/documents/planningandbuilding/pdf/1759707.pdf Copies of Electoral Registers available through Electoral Services.