

## PLANNING POLICY EXECUTIVE ADVISORY PANEL Monday 21 February 2022

<b>Report Title</b>	<b>Houses in Multiple Occupation</b>
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<b>Relevant Executive Member</b>	Councillor David Brackenbury – Executive Member for Growth and Regeneration

### List of Appendices

None.

### 1. Purpose of Report

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- 1.1. The report presents the evidence gathered to date in relation to officers' investigation into the possible use of Article 4 Directions for Houses in Multiple Occupation (HMOs) in North Northamptonshire and highlights the next steps in the process.

### 2. Executive Summary

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- 2.1. Significant progress has been made gathering evidence relating to the location of HMOs in North Northamptonshire along with the formation of a cross-department working group to guide the investigation into the use of Article 4 Directions and other measures to control effects of HMOs.
- 2.2. Evidence gathered to date has been used to map the location of HMOs in North Northamptonshire and shows the concentration of HMOs at ward level; however, there is incomplete complaints data relating to issues associated with HMOs.
- 2.3. The next stage of the investigation is to develop local area profiles for wards with high concentrations or clusters of HMOs. This report seeks Member consideration and discussion of known issues relating to HMOs to supplement

the evidence gathered to date and inform the local area profiles that will be developed through the working group.

- 2.4. This report also seeks agreement to consider a wider range of measures than only Article 4 Directions as part of the investigation.

### **3. Recommendations**

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- 3.1. It is recommended that the Planning Policy Executive Advisory Panel:
  - (a) Note the progress made with the investigation and the evidence gathered to date
  - (b) Consider and discuss any known issues relating to HMOs and available evidence that could help inform ward level local area profiles
  - (c) Endorse the approach for the investigation considering a wider range of measures than only Article 4 Directions

#### Reason for Recommendations:

- 3.2. This update report is intended to keep Members informed of progress made with the investigation, but also to seek clarification from Members of any issues and evidence they are aware of to ensure a robust and credible investigation is undertaken.

### **4. Report Background**

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- 4.1. Houses in Multiple Occupation, or HMOs as they are commonly referred to, are recognised as meeting important and specific housing needs. However, concern has been expressed by local councillors and residents in some areas of North Northamptonshire about the distribution and impact of HMOs. Some of these comments have suggested that it may be appropriate to restrict the scope of permitted development rights with the application of Article 4 directions to enable the creation of new HMOs to be monitored and managed in these areas.
- 4.2. In response to these concerns and suggestions, Members received a verbal report at the Planning Policy Executive Advisory Panel (PPEAP) meeting on 19 July 2021. Following debate, Members passed a resolution for officers to investigate the possible use of Article 4 Directions for HMOs in North Northamptonshire with regular reports back to the Panel.
- 4.3. A working group has been established to lead the investigation, comprising officers from various service areas that interact with HMOs in their separate functions, including representatives from Environmental Health, Private Sector Housing, Planning Enforcement, Council Tax, Development Management, Public Health and Planning Policy.

4.4. The remit of the working group is:

- To consider and review the impact of HMOs within North Northamptonshire
- To review the potential for Article 4 Directions and other solutions to address the impact of HMOs
- To report back to PPEAP on the outcomes and outputs of the investigation

4.5. The working group is now in place and has been incredibly useful in the identification of relevant contacts and sources of information, as well as developing a common understanding on the various processes and systems used to record data for each area.

4.6. Further detailed work has been undertaken by planning policy officers to gather and analyse the information identified by the working group. The key elements of the work undertaken include the following:

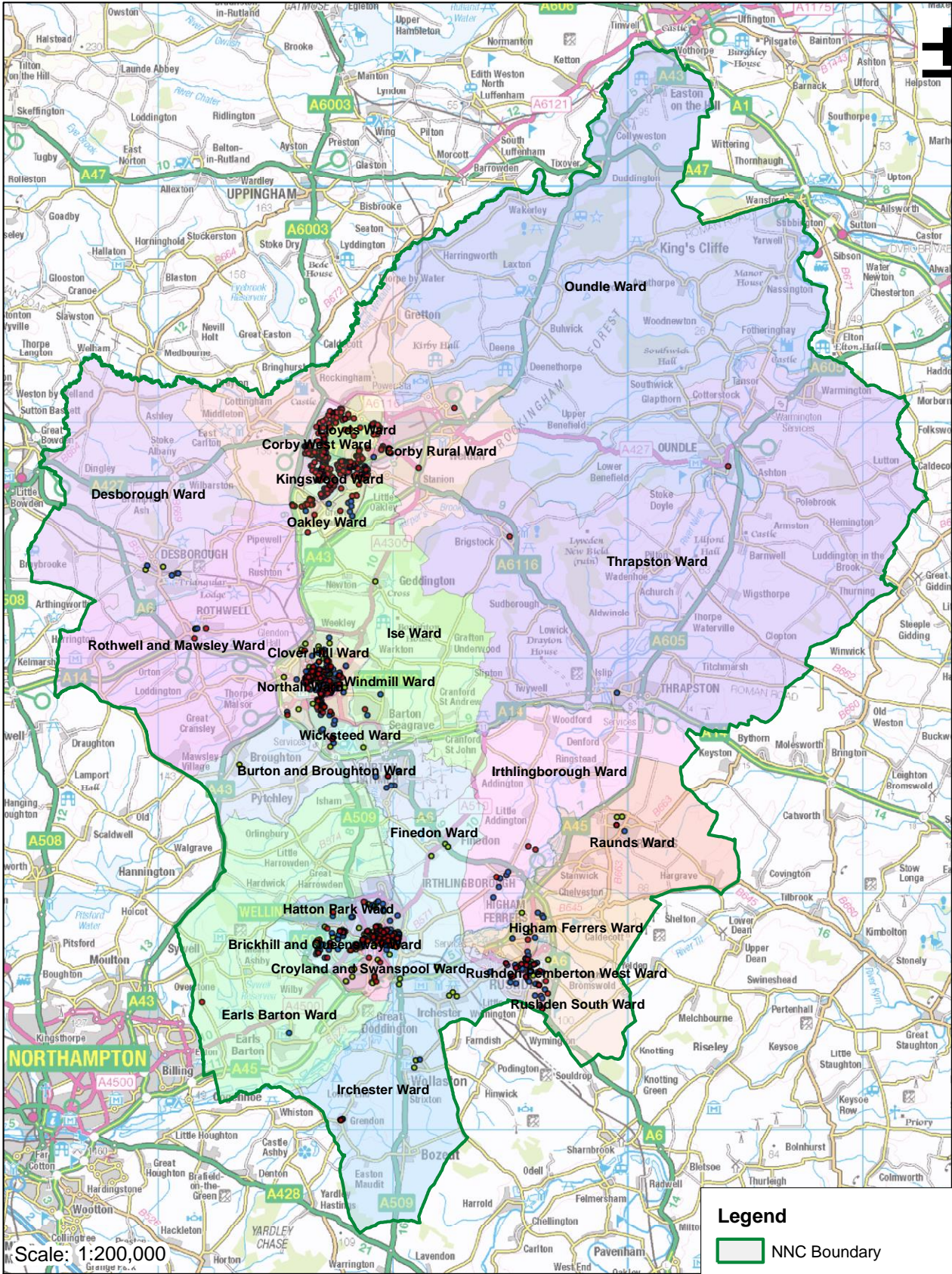
- Information collected on licensed and non-licensed HMOs from the Central Licensing Administration Unit, Environmental Health/Private Sector Housing officers and Council Tax records
- Information collected on common causes of complaints, including noise, housing condition, amenity, overgrown gardens, waste, anti-social behaviour, and parking
- Data cleansing exercise undertaken to ensure consistency and remove duplications between records
- Mapping of information using GIS to facilitate spatial analysis

## **5. Issues and Choices**

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5.1. Data sharing and the consolidation of updated information has significantly improved the understanding of HMOs in North Northamptonshire.

5.2. Based on current estimates there are 1,114 known HMOs in North Northamptonshire. The information gathered is displayed in the map below to illustrate the distribution of HMOs with confirmation of higher concentrations in the urban areas.



**North Northamptonshire Houses in Multiple Occupation (HMOs)**

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5.3. A summary table of the data collected to date, as shown below, allows a ward level comparison between the spatial distribution of HMOs and the extent of complaints received.

North Northamptonshire Ward	Total Households	HMOs	Percentage	Complaints (01.10.2018 – 30.09.2021)						
				Noise	Housing	Amenity	Garden	Waste	Anti-social behaviour	Parking
Brickhill and Queensway Ward	6,990	42	0.60%	*	*	*	*	*	*	*
Burton and Broughton Ward	6,701	8	0.12%	*	*	*	*	*	*	*
Clover Hill Ward	6,237	113	1.81%	*	*	*	*	*	*	*
Corby Rural Ward	9,143	9	0.10%	33	17	8	*	52	*	*
Corby West Ward	8,109	99	1.22%	65	35	8	*	89	*	*
Croyland and Swanspool Ward	8,467	89	1.05%	*	*	*	*	*	*	*
Desborough Ward	7,322	6	0.08%	*	*	*	*	*	*	*
Earls Barton Ward	8,998	2	0.02%	*	*	*	*	*	*	*
Finedon Ward	8,475	130	1.53%	*	*	*	*	*	*	*
Hatton Park Ward	7,607	23	0.30%	*	*	*	*	*	*	*
Higham Ferrers Ward	7,091	17	0.24%	92	*	*	1	28	*	*
Irchester Ward	6,732	15	0.22%	*	*	*	*	*	*	*
Irthlingborough Ward	7,830	12	0.15%	127	*	*	0	38	*	*
Ise Ward	6,224	4	0.06%	*	*	*	*	*	*	*
Kingswood Ward	8,197	202	2.46%	130	79	16	*	250	*	*
Lloyds Ward	8,425	46	0.55%	84	44	9	*	79	*	*
Northhall Ward	9,697	128	1.32%	*	*	*	*	*	*	*
Oakley Ward	6,746	31	0.46%	52	27	2	*	51	*	*
Oundle Ward	9,050	2	0.02%	50	*	*	1	7	*	*
Raunds Ward	6,985	5	0.07%	107	*	*	2	30	*	*
Rothwell and Mawsley Ward	6,902	5	0.07%	*	*	*	*	*	*	*
Rushden Pemberton West Ward	6,520	29	0.44%	138	*	*	3	43	*	*
Rushden South Ward	8,427	34	0.40%	153	*	*	7	52	*	*
Thrapston Ward	9,867	2	0.02%	88	*	*	1	15	*	*
Wicksteed Ward	7,205	39	0.54%	*	*	*	*	*	*	*
Windmill Ward	5,903	22	0.37%	*	*	*	*	*	*	*

\* Data unavailable

- 5.4. The majority of all known HMOs are located within the Kingswood ward in Corby (202 HMOs or 18%), Finedon ward in Wellingborough (130 HMOs or 12%), Northall ward in Kettering (128 HMOs or 11%) and Clover Hill ward in Kettering (113 HMOs or 10%). Interestingly the analysis shows the proportion of HMOs as a percentage of the total households is relatively low, with the highest in Kingswood at 2.46%. Comparable evidence for Northampton shows significantly higher ranges between 8% and 14%<sup>1</sup>.
- 5.5. Where information is available, the evidence shows higher levels of complaints in the urban areas. However, establishing a correlation between the level of complaints and extent of HMOs is difficult due to widespread information gaps related to complaints data. This is largely due to differing IT systems and knowledge within the area teams.
- 5.6. Paragraph 53 of the NPPF states that Article 4 directions should be limited to situations where it is necessary to protect local amenity or the well-being of the area and must be based on robust evidence and apply to the smallest geographical area possible.
- 5.7. In accordance with the NPPF, the next stage in the investigation will be to strengthen the current evidence. It is proposed to focus this on the development of local area profiles for the urban wards with high concentrations or clusters of HMOs.
- 5.8. Private Sector Housing, Environmental Health and Housing Strategy input will be required to supplement the data already gathered to further understand the impact of HMOs and help to minimise the current information gaps. This will be undertaken through the officer working group to ensure the full breadth of the effects of HMOs is investigated and that the data applies to the smallest geographical area possible.
- 5.9. It is suggested that a detailed stage 2 investigation will be undertaken for the following wards:
- Clover Hill Ward, Kettering
  - Corby West Ward, Corby
  - Croyland and Swanspool Ward, Wellingborough
  - Finedon Ward, Wellingborough
  - Kingswood Ward, Corby
  - Northall Ward, Kettering
- 5.10. It should be noted that the officer working group recommend that this investigation should consider a wider range of measures to manage HMOs than only Article 4 Directions. The report recommendations seek Member endorsement for this.
- 5.11. Discussion and feedback from Members is welcomed to inform further stages of the investigation.

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<sup>1</sup> [A study of Housing in Multiple Occupation \(HMO\) policy, Research Gate, November 2018](#)

- 5.12. The forthcoming North Northamptonshire Strategic Plan Scope and Issues document also offers an opportunity to explore and strengthen the planning policy position relating to HMOs across North Northamptonshire.

## **6. Next Steps**

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- 6.1. The next stage of the investigation will be to develop detailed local area profiles for the wards listed at paragraph 5.9, which will be undertaken through the officer working group.

## **7. Implications (including financial implications)**

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### **7.1. Resources and Financial**

- 7.1.1. The investigation is currently being led by the planning policy team through existing budgets; however, ongoing input will be required from a range of officers given the cross-departmental nature of the investigation.

### **7.2. Legal and Governance**

- 7.2.1. Legislation relevant to HMOs includes: The Licensing of Houses in Multiple Occupation (mandatory Conditions of Licences) (England) Regulations 2018; The Housing Act (2004); The Local Government Finance Act 1992; Town and Country Planning (Use Classes) Order 1987 (as amended).

### **7.3. Relevant Policies and Plans**

- 7.3.1. The outcomes of the investigation are expected to contribute to meeting the Council's corporate objectives as outlined within the Corporate Plan 2021-25, particularly objectives 1: Active, fulfilled lives; 2: Better, brighter futures; and 3: Safe and thriving places.

### **7.4. Risk**

- 7.4.1. The availability of information will influence the outcomes of the investigation as any measures proposed to manage HMOs must be based on robust and credible evidence. Where information is not available or not in an appropriate format to interpret, this may limit the recommendations of the investigation.

### **7.5. Consultation**

- 7.5.1. There is no requirement to undertake wider public consultation at this stage of the investigation; however, there may be a requirement to consult on any proposed measures following the outcomes of the investigation.

## **7.6. Consideration by Scrutiny**

- 7.6.1. There is no identified need for wider consideration by scrutiny at this stage in the investigation although the scrutiny commission may choose to factor this into their future work programme.

## **7.7. Equality Implications**

- 7.7.1. None at this stage in the investigation; however, an Equality Screening Assessment and/or full Equality Impact Assessment will be completed in consultation with the Council's Equalities team for any measures proposed as a result of the investigation.

## **7.8. Climate Impact**

- 7.8.1. The Council, having declared a climate change emergency in June 2021, is committed to reducing its climate impact both within its own Council buildings and in working with businesses and the wider community to achieve net zero energy emissions. Any climate or environmental impacts that may arise from this investigation will be considered fully through any measures proposed by the Council.

## **7.9. Community Impact**

- 7.9.1. The community impact of HMOs is a key consideration for this investigation.

## **7.10. Crime and Disorder Impact**

- 7.10.1. The impact of HMOs on crime and disorder is a key consideration for this investigation. The development of robust evidence will allow the Council to have a greater understanding, which in turn should be helpful in addressing concerns about anti-social behaviour and crime. Northamptonshire Police will be consulted as part of any measures proposed through the investigation.

## **8. Background Papers**

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- 8.1. EAP Planning Policy 21 July 2021 [Minutes of meeting where verbal briefing was given by Interim Planning Policy Lead Manager](#)