

PLANNING POLICY EXECUTIVE ADVISORY PANEL 16 May 2022

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

List of Appendices

Appendix A: Definitions of a HMO

Appendix B: Draft HMO Consultation Survey

1. Purpose of Report

- 1.1. To update members on the progress of the investigation into Houses in Multiple Occupation (HMOs). The report outlines the process for undertaking public consultation to capture the views and experiences of local people and interested parties regarding HMOs. The Panel is asked to comment on the consultation exercise and the proposals in general.

2. Executive Summary

- 2.1. The report explains progress on the investigation into HMOs. It references the report to Panel in February 2022 and developments since then. It outlines the process for undertaking a consultation survey and requests that Members comment on the consultation exercise and the proposals in general. Officers have been requested to report regularly back to this Panel.

3. Recommendations

- 3.1. The Planning Policy Executive Advisory Panel is asked to note the progress made with the investigation and consider the consultation activities, including the survey questions.

Reason for Recommendations:

- 3.2. This update report is intended to keep Members informed of progress made with the investigation, but also to seek comments on the consultation exercise and proposals in general.

4. Report Background

- 4.1. In simple terms, a HMO is a home occupied by more than one household that shares an amenity such as a kitchen or bathroom; however, the definition of a HMO varies for different departments within the Council and regulatory regimes for the purposes of housing, planning and Council tax are not consistent. Further information on the definitions is included within Appendix A.
- 4.2. HMOs are an important part of the housing market that meet a variety of needs, including affordable accommodation for people that can't afford to buy or rent their own home; however, standards of HMOs can vary, and in some cases, they can have a negative impact on the community and the local environment where they are not controlled or properly managed.
- 4.3. The Government has given local authorities the power to introduce additional and selective property licensing schemes and to remove permitted development rights for HMOs through Article 4 Directions, where there is sufficient evidence.
- 4.4. Significant progress has been made gathering evidence to improve the understanding of the HMOs situation in North Northamptonshire and their impact, as reported to the Panel on 21 February 2022. The evidence revealed information on the quantity and spatial distribution of HMOs in North Northamptonshire, including the identification of six wards as 'hotspots' with the highest number and concentration of HMOs. The report emphasised the importance of reliable and robust evidence and noted key information gaps and data limitations.
- 4.5. To help fill gaps in information, where existing data does not exist or is inadequate, it was agreed that the next stage of the investigation would focus on developing local area profiles for the hotspots.
- 4.6. During discussion at the February Panel meeting Members requested a full breakdown of the different types of HMOs to give an indication of the likely associated issues. This has not been possible due to the level of information collected to date, but officers may be able to provide a more detailed breakdown as part of the local area profiles. Members also commented on the inclusion of flats and apartments within the recorded HMOs. A review of the information gathered shows that the known HMOs do include flats and apartments where these meet the respective definitions within Appendix A, but it is noted that flats and apartments only comprise 2% of the 1,114 HMOs in North Northamptonshire.

5. Issues and Choices

- 5.1. Development of the evidence has so far included data collection from the following sources:
- Licensed HMOs from the Central Licensing Administration Unit and non-licensed HMOs from the area teams
 - Environmental Health/Private Sector Housing officers
 - Council Tax records
 - Enforcement notices
- 5.2. Officers have made sustained progress with the investigation since 21 February 2022 to improve the quality of the evidence through discussions with Northamptonshire Police and neighbouring local authorities. Additionally, the current consultation on the [Scope and Issues for the North Northamptonshire Strategic Plan](#) contains a specific question on HMOs that should further help to reinforce and strengthen the local evidence on HMOs to inform the future approach.
- 5.3. The next stage for the investigation is to conduct an online consultation survey for a period of six weeks, including questions to tenants, landlords, residents and local community groups. The survey will address gaps or missing data and help to develop the local area profiles agreed by the Panel in February 2022. The questions outlined in the draft HMO consultation survey, attached to this report at Appendix B, have been developed in consultation with the HMO Officer Working Group to help in understanding the impact on the community and local environment, as well as the condition of the HMOs. The intention is that the draft survey at Appendix B will be further refined through an Officer Working Group meeting following discussion with Members.
- 5.4. The online consultation survey will be supported by a webpage with an interactive map feature which allows residents to identify buildings they suspect to be HMOs in their neighbourhood. This will help identify the number of HMOs in the area and verify the information reported to the Panel previously. As part of the survey respondents will be asked to provide as much information and evidence as possible.
- 5.5. It should be noted that concerns have been raised as part of the HMO Working Group about future resource requirements for the investigation following public consultation. Further updates will be brought to this Panel as required.
- 5.6. A variety of communication methods will be used to raise awareness of the online consultation survey and encourage responses, including the following activities:
- The consultation survey will be uploaded to the Council's website via the Council's Consultation Hub, which will include notifying members of the North Northamptonshire Consultation Register and the North Northamptonshire Residents' Panel.

- Consultation notification and information will be sent to contacts on the planning policy consultation database.
 - Emails/mailshots to estate agents, landlords and tenants known to the Council.
 - Advertisement posters placed in the main Council offices and libraries, and community centres within the identified 'hotspot' wards, to act as a signpost to the consultation survey.
 - Promotion through Council's social media.
- 5.7. Concurrently the HMO Working Group is exploring how to overcome barriers to data-sharing at a local level, including opportunities to harmonise systems and processes and establish a central database that can be shared and updated by relevant departments within the Council. This will help the Council to improve the internal monitoring systems and thereby establish a robust baseline position to effectively measure the outcomes and recommendations of the investigation.

6. Next Steps

- 6.1. To finalise the consultation measures, incorporating feedback from the Panel, before launching in Summer 2022.
- 6.2. The outcomes from the consultation, along with the evidence gathered, will inform option analysis and enable informed discussions on the additional mechanisms available to the housing and planning functions to manage and control HMOs, where necessary.

7. Implications (including financial implications)

7.1. Resources, Financial and Transformation

- 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, which may be impacted by the feedback received during consultation. Officer concerns relating to staff resources are noted at paragraph 5.5 of the report.
- 7.1.2. The investigation offers opportunities to identify transformation activities as part of the process; however, data gathering will continue to be time intensive in advance of the consolidation of IT systems across North Northamptonshire.

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). This Panel is currently providing the governance necessary for the project.

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 regulate HMOs must be based on robust and credible evidence. Prematurely opting for Discretionary Licensing or Article 4 Direction, where sufficient evidence is not available could be open to legal challenge by affected parties.

7.5. Consultation

- 7.5.1. This report explains the Council's intention to undertake consultation with local people and interested parties relating to HMOs to ensure any options considered as part of the investigation are informed by robust and credible evidence. A draft survey has been developed for public consultation and is included at Appendix B for Members to discuss and provide comments.

7.6. Consideration by Scrutiny

- 7.6.1. Discussion at the Levelling Up Scrutiny Review Working Group on 3 May considered the impacts of high numbers of HMOs in left-behind areas and the effects on the environment. Further discussion may be needed in the future to update the Scrutiny Working Group of progress with this investigation.

7.7. Equality Implications

- 7.7.1. Improving the standards in and management of HMOs within the area will benefit all members of North Northamptonshire's diverse communities. An Equality Screening Assessment and/or full Equality Impact Assessment will be completed, if necessary, in consultation with the Council's Equalities team.

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.

8. Background Papers

- 8.1. Planning Policy EAP on 21 February 2022 [Report on Houses in Multiple Occupation](#) (Agenda item 4)
- 8.2. Planning Policy EAP on 21 July 2021 [Minutes of meeting where verbal briefing was given by Interim Planning Policy Lead Manager](#)
- 8.3. [North Northamptonshire Strategic Plan Scope and Issues](#), March 2022