

KENILWORTH TOWN COUNCIL RESPONSE

GRI 17 Jan 17

HMOs in Kenilworth

1. Whilst Kenilworth currently has few HMOs when compared with Leamington Spa, there are about 30-40 at least in the town already. Many, but not all, will be occupied by students from the University of Warwick. There are also approved plans to build student accommodation in Talisman Square and for two small hotels to convert to student accommodation.
2. Currently these students have no obvious presence and presumably make a positive contribution to the economy and community of the town in the same way as any other young resident. Because of the cost of accommodation and the style of social facilities in Kenilworth many are postgraduate students and this may be a reason why they are currently absorbed successfully.
3. There are two possible issues to do with the future development of HMOs:
 - a. Proliferation
 - b. Rubbish
4. Any attempt to control, for whatever reason, HMOs in Leamington could result in their displacement to alternative locations such as Kenilworth, and the town obviously has no wish to inherit the issues which caused the need for restrictions.
5. It is necessary therefore to anticipate any controls so that the entire District is covered. This cannot be done under the present system of Article 4 Directives as that requires clear evidence of the problem existing to justify any action. In other words the stable door may only be closed after the horse has bolted.
6. A first step should be to carefully monitor the number of HMOs everywhere and for that purpose it is unfortunate that only the larger ones require planning permission and even licencing.
7. Rubbish is already a problem at some HMOs in Kenilworth where occupants seem quite unable to present and retrieve bins or even present black bags on the appropriate days with consequent impact on the street scene. It is unfortunate that landlords cannot be made more liable for such matters.

ROYAL LEAMINGTON SPA TOWN COUNCIL RESPONSE**OBSERVATIONS TO TASK AND FINISH GROUP ON HOUSES IN MULTIPLE OCCUPATION (HIMO'S)****1. PREAMBLE**

1.1 We are pleased to give our views to the Task and Finish Group of Warwick District Council.

1.2 The views that are expressed in this response are not motivated by any "anti-student" feeling. On the contrary, the Town Council recognises that our student population brings significant economic advantages and many students as individuals often contribute to a host of voluntary activities while they are resident here.

1.3 The Town Council Planning Committee considers all applications for HIMOs in some detail. We have recognised for some time that HIMOs, either for students or for professionals, are having a dramatic effect on the housing/accommodation available for local families and the cohesion of local communities. In addition, the Town Council has recently considered this issue at a full meeting in response to a letter from a resident, asking for the Council to consider measures to limit the numbers of new HIMOs. Through the preparation of our Neighbourhood Plan initial feedback from the public has indicated that issues connected with HIMO's are one of the predominant concerns of residents in South Leamington

1.4 We are pleased that the Town Council Planning Committee will now have sight of all HIMOs registered within the radius of the property. Recent Planning Committee meetings have been frustrated by the lack of information. Additionally, within the process of consultation on planning applications, the Town Council would wish to emphasise the importance of minimising the delay between validation of an application by the Planning Department and consultation with statutory consultees in relation to applications for new HIMOs or change of use.

1.5 This document aims to provide constructive suggestions to enable the Task and Finish Group to come to conclusions that are as effective as possible and provide an enduring solution to this critical issue. Three principal areas for focus are identified:-

- Creating a Coordinated Student Accommodation Strategy
- Improving and ensuring proper implementation of the Current Policy for HIMOs and Student Accommodation
- Additional licencing arrangements

2. CREATING A CO-ORDINATED STUDENT ACCOMMODATION STRATEGY

2.1 We are clear that there is a need to focus on HIMOs specifically for students, as this particular form of student accommodation has been shown to have a significant impact on the Town. We wish to work with Warwick District Council and Warwick University to develop a Student Accommodation Strategy for Leamington as per the resolution of the Town Council of 9th January 2017.

2.2 The statistics below demonstrate the ever rising impact of student properties:

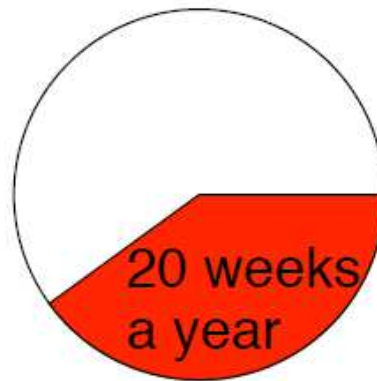
- The number of HIMOs in Warwick District has increased by 170 (15%) over the last seven years.
- The number of 'bed-spaces' has increased by 2,135 (48%) in this period.
- 413 of these are in large student blocks, and the average HIMO has 31% more people in than 7 years ago
- 71% of the HIMOs and 70% of the bed spaces are in South Leamington.

(source Warwick District Council)

2.3 Leamington is not alone in identifying the increasing number of HIMOs as an issue – there is much evidence that there is a problem in all towns and cities that are associated with a local University.

2.4 Inspectors have acknowledged "Excessive concentration of student accommodation is harmful to the well-being of local community" - Appeals Casebook Bulletin, December 2016.

2.5 Action for Balanced Communities, (ABC), an initiative in the City of Bristol, has relevant information on the impact of student populations on existing neighbourhoods:



Term-time impacts

- **Disturbed nights**
- **Overcrowded & littered streets**
- **Stress on council services**

Vacation impacts

- **Empty homes**
- **Letting boards & dumped rubbish**
- **Out-of-season economy**

Any strategy should also include consideration of students from Coventry University, and Warwickshire College.

2.6 We do not intend to reproduce all the documentation and research that is available on the damaging effects of increases in HIMOs, or the effect on towns of 'studentification' as we know members of this Group have access to it. Nor will we forward all the correspondence from residents that we receive, as we understand that members of the Task and Finish Group will already be acquainted with it. However should the Group wish to see this evidence, the Town Clerk will willingly submit it.

2.7 We understand that officers from WDC meet with officers from Warwick University on a regular basis. Indeed, we were invited to the Chancellor's Commission last year, where we confirmed our concern at the lack of consultation on student housing in Leamington. We believe that Councillors from Leamington, and particularly South Leamington, should be party to these meetings.

2.8 This strategy could include a coordinated long term plan (approximately 10 years) for the number of students present in the District based on the planned growth of local academic institutions and scenario projections for where these students would reside. This will enable the local authorities to identify potential issues far in advance and implement mitigation strategies (such as introducing new licencing arrangements) prior to local communities being further impacted.

3. THE CURRENT POLICY FOR HIMOS AND STUDENT ACCOMMODATION AND IMPLEMENTATION

3.1 This policy was most recently updated in 2013. It followed the Article 4 Direction adopted in April 2012, which extended the requirement for all HIMOs to apply for Planning permission, to enable there to be a check on the local density of HIMOs.

3.2 We are concerned that the original policy was written before the development of large purpose built blocks of accommodation. We now have at least three finished properties (Station House, Wise Terrace/Tachbrook Road, Union Court); Alumno is due to be completed in August, and more are being considered. The current policy does not address the issue of large blocks of student accommodation, which effectively turn parts of our town into a mini-campus.

3.3 In any work on student accommodation policy, we will be strongly urging that all student accommodation housing eight or more people must be required to have an on-site designated person to manage the property.

3.4 We therefore suggest that the policy is inadequate in its current form and for the period covered by the Local Plan; for effective implementation it should be extended to all other towns in the District.

3.5 Recent concerns also include the way in which the HIMO policy is applied. It is not clear, to either residents or the Town Council, how the policy is being operated, particularly with reference to the definition of residential/mixed housing, and the need to demonstrate 'harm'. It seems to us that this inadequate clarity and application of the policy demonstrates a failure to appreciate the effect this is having on settled residents. This is causing consternation expressed in letters to both local and national newspapers.

3.6 The ABC study quoted above, suggests that planning officers and committees need stronger policies to contain an aggressive student housing market. They quote Loughborough, Nottingham and Leeds as cities that have introduced more robust policies, and operated them for years.

3.7 Stronger measures could include acknowledgement of a saturation point, where no more HIMOs will be considered; a moratorium on any more purpose built student block accommodation until a strategy has been agreed; and ending any exceptions to the 10% rule, especially exemption 3 (ii) – (applied in a mixed use area).

3.8 Additionally, the 10% rule is not taking into account unregistered HIMOs. These properties, together with those that are the subject of retrospective planning permission and have been *de facto* HIMOs for several years, make the mapping of HIMO distribution and the application of the rule inaccurate.

3.9 We strongly urge that the policy is operated to deliver the intention/aims stated:

1.1 *"The main aim of the policy is to control existing concentrations of HIMOs, including student accommodation, and to ensure that other such concentrations do not occur elsewhere. Existing concentrations in parts of south Leamington have led to a significant loss of amenity for more settled residents."*

This means that exceptions must be exceptions, such that no applicants can quote precedent.

3.10 It also requires that in the event of an appeal, Officers produce the most robust evidence and case for the original decision. We believe that Inspectors in planning appeals do consider the effect of decisions on communities and neighbourhoods, if the appropriate information is supplied and policies are applied consistently.

3.11 The Town Council has reason to believe that WDC is now considering enforcement measures when landlords do not operate within their licence requirements. We welcome this, particularly in relation to refuse storage and noise. There are HIMOs that are properly managed and where neighbours have no complaints. Many complaints regarding HIMOs are matters of compliance with licence conditions therefore regular and effective inspection of these premises is essential.

3.12 We would like to be reassured that all departments of WDC will be informed of their responsibilities in the HIMO policy. We believe that Planning, Licensing, Private Sector Housing, ASB, Waste Management and Environmental Health, must act in an appropriately co-ordinated manner.

4. ADDITIONAL LICENSING ARRANGEMENTS

4.1 We need to ensure that we are up to speed with strategies to prevent a worsening of the situation. Many cities and towns are already taking steps, e.g. Cardiff, Brighton, and Exeter.

4.2 We most strongly suggest that the Task and Finish Group give due consideration to the viability of an additional Licensing Scheme for South Leamington. For example such a scheme operates in two wards of Cardiff. This Scheme extends the scope of licensing of HIMOs to rented property with 3 or more occupiers, which form 2 or more households, regardless of the number of storeys.

**Royal Leamington Spa Town Council
February 2017**

Warwick Town Council Response

1. Following a discussion, it was resolved to support the District Council in their investigation. We look forward to seeing the results and recommendations. The Town Council would like to see Article 4 extending across the whole of the District.

Regards

Jayne Topham

Town Clerk
Warwick Town Council
The Court House
2 Jury Street
Warwick

Whitnash Town Council Response

23rd January 2017

Houses in Multiple Occupation

Whitnash Town Council would like to express our dismay at the short time afforded to Town Councils, i.e. 6 days to review Houses in Multiple Occupation within our town; and the lack of detail and reference to work undertaken by the Task and Finish Group, to enable us to comment.

The views of Whitnash Town Council Members are:

1. Councils need to lobby government to make landlords pay tax to pay for the services provided.
2. The rule restricting how many houses in a road can be Houses in Multiple Occupation should be restricted if there is evidence of problems.
3. All houses with three or more unrelated occupiers should be included within the Article 4 declaration and be subject to licensing.
4. Warwick District Council should maintain a spreadsheet, accessible by Councillors, of addresses, landlord details, and contact telephone numbers etc. so that they can be identified and contacted to resolve problems with their tenants.
5. Houses in Multiple Occupation for student accommodation should make business rates contributions towards local authority services.
6. Houses in Multiple Occupation tend to mean more cars, more waste, and means another house that a family who would be keen to buy being unavailable to buy in the town.
7. More cars, means parking on the roads / kerbs etc., and more obstruction of both the roads and the footpaths. On cul-de-sac roads, this can mean permanent residents struggling to find somewhere to park.
8. More waste / rubbish, means more strain on recycling and rubbish collections, and more bins and bags being left outside. This could attract vermin.
9. It may be contentious, but it has been known that many landlords do not look after the properties, in terms of maintenance / appearance and general decor, in a manner that would be reasonable to do. This is evident in all cities London, Coventry and even in Whitnash over

the years. The tenants have no interest in maintaining the appearance of the property or gardens either, and they end up looking untidy and unloved. Add to this the multitude of cars and general rubbish generated and you are into the realms of the property bringing down the tone of the area. This in turn puts people off buying houses in that area, apart from investors, and you then get more and more rented housing and Houses in Multiple Occupation. The downward spiral then begins!!! This is ultimately un-neighbourly, not just on behalf of the tenants (who may actually keep the place in good order, but then again perhaps not), but also the (absent) landlords.

10. With Warwick District Council approving various student Houses in Multiple Occupation developments in Leamington Old Town, residents there are continuously highlighting, in the press, the issues which they face, but they seem to be largely ignored. However, in Whitnash, I think we are talking about houses being converted to house more people than there are bedrooms for, and this restricts supply of homes to buy to live in.

11. How will Warwick District Council manage and identify the unregistered Houses in Multiple Occupation and our concerns about parking and waste collection, especially student accommodations at end of terms?

12. Houses in Multiple Occupation do not pay rates and this puts more pressure on refuse collections and parking with no increase in rates revenue as these houses are being run as a business. It is unfair that landlords are running a business and do not pay rates!

13. Whitnash currently has approximately 11 Houses in Multiple Occupation that we are aware of and think this should be the maximum allowed.

Hopefully the Task and Finish Working Group will take on board the above comments in producing a Policy.

The Policy should ensure that Warwick District Council's Planning Department Officers do not have the authority to approve all planning applications for Homes in Multiple Occupation as they have done with housing developments in the District.

Yours sincerely

Jenny Mason

TOWN CLERK

Maps of HMOs in Warwick District

