

**ECONOMIC DEVELOPMENT &
CULTURE COMMITTEE**

Agenda Item 48 (c)(i)

Brighton & Hove City Council

Subject: Deputations from Members of the Public – Article 4
Planning Requirements & HMOs
Date of Meeting: 12 December 2013/23 January 2014
Report of: Head of Law
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Wards Affected: All

FOR GENERAL RELEASE

Action Required of the Economic Development & Culture Committee:
To receive the deputation referred from Council and take any action as necessary:

COUNCIL

**4.30 pm 12 December 2013
COUNCIL CHAMBER, BRIGHTON TOWN HALL**

DRAFT MINUTES

Present: Councillors Cobb (Chair), Randall (Deputy Chair), Barnett, Bennett, Bowden, Brown, Buckley, Carden, Cox, Davey, Deane, Duncan, Fitch, Gilbey, Hamilton, Hawtree, Hyde, Janio, Jarrett, Jones, A Kitcat, J Kitcat, Lepper, Littman, Mac Cafferty, Marsh, Meadows, Mears, Mitchell, Morgan, A Norman, K Norman, Peltzer Dunn, Phillips, Pissaridou, Powell, Robins, Rufus, Shanks, Simson, Smith, Summers, Sykes, C Theobald, G Theobald, Wakefield, Wealls, Wells, West and Wilson

PART ONE

49. DEPUTATIONS FROM MEMBERS OF THE PUBLIC.

- 49.1 The Mayor reported that two deputations had been received from members of the public and invited Ms Harding as the spokesperson for the first deputation to come forward and address the Council.

- 49.2 Ms Harding thanked the Mayor and presented her deputation: 'As you can see from the deputation in front of you, I'm concerned about the quality and completeness of the data that we hold in the city about houses of multiple occupation.'

Under the Article 4 Planning Rule we make decisions based on this data; if there are too many recorded houses of multiple occupation in certain areas, no one will be allowed. This affects me because I live in Hollingbury Road. When we did a quick assay of our road we find about twice as many houses of multiple occupation as are recorded on the Council's Licensing List but why should it concern you?

I think the reasons that it should concern you are that as an organisation committed to open data; you should try to ensure that your data is as clear, complete and concise as possible. By underestimating the number of houses of multiple occupation, we run the risk as a city on missing out on rebates for houses where Council Tax is not paid, this should be a real concern in these times.

The Article 4 arrangement for allowing planning permission for HMO's is a 5 year trial. If we do not base this on correct data, we do not make our decisions on correct and accurate data. We cannot fairly evaluate the trial and see if it has been successful or not also if we do not hold the list which is accurate about houses of multiple occupation we will not be able to protect the tenants therein which is a responsibility that we hold.

I would ask that we make better use of the data that we hold and encourage more preparation between private sector housing group and the planning services so that we can provide a better service.'

- 49.3 Councillor Mac Cafferty replied: 'I fully appreciate, especially given the location where you live, why this is a particular concern to you. Where I will start with is some figures.'

The Licensing regime that you refer to in your deputation began in 2012 and by April this year we had 1747 applications and 1420 draft approvals, 733 had full licensing and of those 250 had been identified by local people for the Article 4.

I can confirm that the data collected by the Private Sector Housing Team as part of a Licensing regime is shared with, primarily, mapped by colleagues in planning. Any reciprocal information obtained by planning is shared with housing.

The Council has mapped private sector housing records of HMO's up to October this year. All properties that have applied for or have been granted licenses vary mixed either licensing regime. With mapped consultation records for the last 4 years since 2009, that was actually done before the Article 4 was introduced as part of evidence that we were required to bring in the Article 4.

We've mapped the Council Tax records as well of this year, that's a manual process so that has been re-commissioned which has about 5000 bits of information and we've checked that those that have overlapped, nevertheless that's a slower process and we have to get it right not least because of concerns that you and indeed others have raised and it's interesting that you have voiced this question this week, only yesterday at Planning Committee we had a similar concern to yours raised with us. I'm happy to take a supplementary and as I said I will make sure that you get a full written response sent to you as well.'

- 49.4 Councillor Mac Cafferty offered to take a supplementary question in relation to his response, and Ms Harding asked: 'I would just observe that when myself and my neighbours canvassed our road we found 21% of HMO's that were definitely HMO's and a further 20% of houses that we could not identify. You've got the City stick there where as in the Council's map it shows us between 10 and 20% of HMO's and I think there is a serious underestimation.'
- 49.5 Councillor Mac Cafferty replied: 'I'm happy to agree with you that the stance of this particular regime will require the co-operation of people like your good self to help us get it right, it's not perfect by any stretch of the imagination whether that be how to make sure that housing and planning share the information.'
- 49.6 The Mayor thanked Ms Harding for attending the meeting and speaking on behalf of the deputation. She explained that the points had been noted and the deputation would be referred to the Economic Development & Culture Committee for consideration. The persons forming the deputation would be invited to attend the meeting and would be informed subsequently of any action to be taken or proposed in relation to the matter set out in the deputation.