



# Evidence Gathering – Housing in Multiple Occupation and possible planning responses

## **Final Report**





Evidence Gathering – Housing in Multiple  
Occupation and possible planning responses  
**Final Report**

ECOTEC

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The findings and recommendations in this report are those of the authors and do not necessarily represent the views of the Department for Communities and Local Government.

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# Executive Summary

This report has been prepared by ECOTEC Research & Consulting Limited on behalf of Communities and Local Government.

The report provides the outcome of an evidence gathering exercise which was undertaken to review the problems caused by high concentrations of houses in multiple occupation. This has been highlighted as a problem in a number of towns and cities across the country.

The purpose of the evidence gathering exercise was to:

- identify good practice in areas that manage to cope relatively well with high concentrations of Houses in Multiple Occupation (HMOs) (particularly those occupied by students who tend to be transient, thus potentially causing problems around community cohesion and survival of community facilities)
- test whether these ideas could have a wider application in those areas that are having more difficulty with such issues and
- determine whether (and if so what) planning policy is a suitable lever to tackle these problems.

HMOs make an important contribution to the private rented sector by catering for the housing needs of specific groups/households and by making a contribution to the overall provision of affordable or private rented stock. This is a statement which was supported by the majority of local authorities who were consulted. However, HMOs are not without their problems, the physical condition of this stock is often diverse and there have been some concerns from residents and practitioners in relation to the property and management standards. The problems associated with high concentrations of HMOs are not restricted solely to areas that experience a high concentration of students, nor are they experienced by all university towns. There are also high concentrations of HMOs with other types of residents, such as migrant workers, young professionals, benefit claimants and ex-offenders, and also coastal towns where there is a concentration of seasonal workers and a surplus stock of former hotels and guesthouses. The report has looked at the issues surrounding two particular social groups: students and migrant workers. Some of the conclusions will be similar to other groups, though in some cases, for example considering the implications around HMOs and migrant workers, further research may be necessary and falls outside the scope of this study.

The concentration of HMOs and certain social groups can result in unintended consequences that can create friction with the local community and can also lead to both positive and negative effects upon a local housing market area, including social, economic, as well as environmental and physical impacts.

Some local authorities are coming under increasing pressure to tackle the problems and symptoms associated with high concentrations of houses in multiple occupation. Current legislation is available for local authorities to do this in the form of the Housing Act 2004, environmental health legislation and the Town and Country Planning (Use Classes) Order 1987. However, it is felt by some, that such powers are

limited and do not adequately address the issues surrounding large concentrations of HMOs. Over a number of years the Government has been lobbied by various organisations to introduce changes to planning legislation to limit concentrations of HMOs. This pressure has increased following legislative changes to the Planning (Use Classes) Order 2004 in Northern Ireland, whereby the planning definition of HMOs has been amended so as to require planning applications for HMO developments.

A series of interviews and focus groups were held with local authorities, universities, student unions, private sector landlords, voluntary sector and residents, to consider the issues that were experienced as a result of large concentrations of HMOs in relation to students and migrant workers. The discussions also considered the various mechanisms that had been put in place to deal with the causes of and symptoms arising from high concentrations of houses in multiple occupation, their effectiveness and the potential for their wider application. The discussions demonstrated that a range of initiatives and good practice have been implemented ranging from non and planning related mechanisms, which target the delivery of services to address the issues surrounding concentrations of HMOs. The report has identified examples of good practice and recommends that these be shared with other stakeholders who can draw upon good practice and can be adapted to meet their own circumstances.

In summary these include:

- the development of University Housing and Community Strategies
- dedicated Officers in both local Authorities and universities to co-ordinate activities to address issues arising from concentrations of HMOs
- student housing/Landlord Accreditation Schemes
- HMO Licensing
- stakeholder forums
- selective targeting of local authority and stakeholder resources to address issues around environmental matters, parking, anti-social behaviour, crime and community safety
- wider dissemination and sharing of good practice
- provision of purpose-built student accommodation and
- the use of Planning Restraint policies to control the concentrations of HMOs and create more balanced and sustainable communities

Although various mechanisms have been put in place to deal with the symptoms arising from high concentrations of HMOs, it is considered by some of stakeholders who took part in the interviews and focus group, particularly local planning authorities, that in order to deal with the causes and the wider structural issues associated with HMOs (such as community cohesion and community imbalance) there was a need to change current planning legislation. These stakeholders felt that the current planning system is limited in its ability to deal with the spatial distribution and concentration of particular social groups, because its role is to regulate land use. The report has considered the issues and constraints surrounding current planning legislation in dealing with high concentrations of HMOs, and looked at the different approaches that stakeholders have suggested and could be taken forward in order to address the issues.

# 1. Introduction

## 1.1 Study objectives

This report reviews evidence on the problems caused by high concentrations of houses in multiple occupation and considers the current and potential mechanisms to address these problems. It has been prepared by ECOTEC Research & Consulting Limited on behalf of the department for Communities and Local Government.

The brief<sup>1</sup> issued by Communities and Local Government requested that an *“evidence gathering exercise be undertaken to review the problems caused by high concentrations of houses in multiple occupation, which has been highlighted as a particular problem in some towns and cities, especially those with high numbers of students”*.

The purpose of the evidence gathering exercise was to:

- identify good practice in areas that manage to cope relatively well with high concentrations of Houses in Multiple Occupation (HMOs) (particularly those occupied by students who tend to be transient, thus causing problems around community cohesion and survival of community facilities)
- test whether these ideas could have a wider application in those areas that are having more difficulty with such issues; and
- determine whether (and if so what) planning policy is a suitable lever to tackle these problems

## 1.2 Why was the study commissioned?

Concentrations of HMOs, and the geographical concentration of certain groups residing in them, can lead to substantial changes and problems in the nature of particular locations as the social infrastructure of a neighbourhood can change. The problems associated with houses in multiple occupation and the tensions within local neighbourhoods have been well publicised. Over a number of years Members of Parliament and government ministers have received a high level of correspondence from residents on the problems associated with high concentrations of HMOs<sup>2</sup>, and in particular in relation to areas where there are high concentrations of student housing and population, a term now known as “studentification”<sup>3</sup>.

<sup>1</sup> Evidence Gathering Exercise – Houses in Multiple Occupation and Possible Planning Responses: Specification of Requirement, Communities and Local Government, January 2008

<sup>2</sup> [www.hmobby.org.uk](http://www.hmobby.org.uk)

<sup>3</sup> The term “studentification” was established by Darren Smith in 2002 (Processes of studentification in Leeds, University of Leeds) to describe the growth of high concentrations of students living within localities close to universities or higher education institutes, often accommodated within HMOs



Such lobbying and the responses<sup>4</sup> to it have received coverage in both the national and local press<sup>5</sup>. These impacts are discussed in more detail in Section 2. However, to summarise they include:

- anti-social behaviour, noise and nuisance
- imbalanced and unsustainable communities
- negative impacts on the physical environment and streetscape
- pressures upon parking provision
- increased crime
- growth in private rented sector at the expenses of owner-occupation
- pressure upon local community facilities and
- restructuring of retail, commercial services and recreational facilities to suit the lifestyles of the predominant population

Residents' groups who are members of the National HMO Lobby have put forward the majority of representations made to Government. The National HMO Lobby is an association of some forty community groups in thirty towns across the UK, who are concerned to ameliorate the impact of concentrations of HMOs on their communities. The Lobby *"opposes concentrations of HMOs in general and 'studentification' in particular"*.

Their main aim is to lobby for Government to change legislation. It argues that HMOs must be clearly defined, controlled to limit concentrations by planning and housing legislation, and taxed. Some residents' groups have secured the backing of their MP, which has led to ministerial correspondence, a Private Members' Bill (introduced by Alan Whitehead MP on 22 May 2007) and a Westminster Debate held on 5 June 2007.

A Communities and Local Government Housing Research Summary on dealing with 'Problem' Private Rented Housing<sup>6</sup> has recognised the issue of 'studentification'. This recognition was followed by discussions within Parliament, the National Union of Students and the national HMO Lobby. Further research and guidelines have been developed by Universities UK (UUK)<sup>7</sup> to provide examples of a range of good practice which can be taken forward by Higher Educational Institutions (HEIs) and stakeholders to support the effective management and integration of students into local communities.

<sup>4</sup> Roberta – Woods et al, EDM 1488 Balanced and Sustainable Communities, House of Commons, 16<sup>th</sup> May; Dr Alan Whitehead MP, Houses in Multiple Occupation, Ten Minute Motion, House of Commons, 22<sup>nd</sup> May 2007, Dr Roberta Blackman – Woods MP, Balanced and Sustainable Communities, Adjournment Debates, Westminster Hall, 5 June 2007

<sup>5</sup> These include the following examples: Channel 4 News (10-7-04) 'Student Exclusion Zone'; Independent (21-10-04) 'Students no longer welcome'; Guardian (27-6-06) "'Studentification'" report labels latest urban development'; Worcester News (31-1-06) 'What happens when the students move in?'; Inside Housing (22-11-07) 'Minister turns attention to studentification'; Guardian (9-4-08) 'Planning law review to halt spread of student ghost towns'; Daily Mail (10-4-08) 'Student ghettos are wrecking quality of life in towns, says report'; BBC News (9-4-08) 'Move to end "student ghost towns"'; Regeneration & Renewal (11-4-08) 'Review will look at student housing'; Bristol Evening Post (11-4-08) 'Students create a "ghost town"'

<sup>6</sup> Housing Research Summary 228: Dealing with 'Problem' Private Rented Housing, Communities and Local Government, 2006

<sup>7</sup> 'Studentification': a guide to opportunities, challenges and practice, Universities UK, 2006

## 1.3 Methodology adopted

In accordance with the requirements of the brief, issued by Communities and Local Government, our research methodology included the following elements:

- desk-based review of relevant studies, previous research and documentary evidence in connection with HMOs and studentification, to determine the key issues and examples of best practice. It should be noted that this element of the research did not focus on any data collation in relation to concentrations of HMOs
- a series of stakeholder interviews with local authorities, universities and other organisations who experience the issues surrounding concentration of HMOs and student populations and who have managed their student population relatively well, to identify mechanisms to deal with the issues and good practice
- discussions with officers in the Planning Service at the Department of Environment in Northern Ireland, to determine and explore how successful the recent changes to the Planning (Use Classes) Order (Northern Ireland) 2004 has been in helping local authorities to manage high concentrations of HMOs and whether there has been any unintended consequences arising from this
- at the request of Communities and Local Government interviews were conducted with officers and a councillor at Peterborough Council and a voluntary sector organisation, to consider the issues around concentrations of HMOs and migrant workers, how they might differ from concentration of student populations and the mechanisms for dealing with the issues
- a series of five focus groups with interested parties to obtain a more in-depth understanding of the issues faced in each of the particular localities. The focus groups were held in areas that were currently experiencing issues around high concentrations of HMOs and student populations. These were Leeds, Nottingham, Southampton, Loughborough and Exeter and were agreed in advance with Communities and Local Government and
- finally, the interim findings were presented at a seminar hosted by Communities and Local Government on 9 April 2008. The seminar provided the opportunity to discuss the findings and explore examples of good practice with a wider range of stakeholders and for key messages to be reflected in the final report

The interviews and focus groups that were undertaken focused on the following key research questions:

1. the experience individual towns/cities have had in relation to concentrations of HMOs and in particular where there was a high concentration of students or other social groups, such as migrant workers

2. the mechanisms that have been put in place by local authorities, universities and other agencies to deal with the issues related to HMOs and high concentrations of HMOs
3. to identify examples of good practice and how this has been shared
4. to consider what planning and non-planning related mechanisms have been adopted, to determine their effectiveness in dealing with the causes and the symptoms of HMOs, whether there has been any unintended consequences arising from their use and to determine barriers to their implementation and
5. finally, to consider whether planning policy is a suitable lever to tackle the problems relating to high concentrations of HMOs and explore how and where any changes may be required to current legislation

Details of the organisations and individuals who were involved in the interviews and focus groups are set out in appendix one.

## 1.4 The report structure

This report synthesises the findings from a wide range of information sources and identifies examples of good practice and their wider application. The remainder of this report is structured as follows:

- **context:** setting out the context and background and impacts and challenges surrounding HMOs
- **responding to the challenges:** considers examples of good practice that have been developed by different organisations in dealing with the causes and symptoms of high concentrations of houses in multiple occupation, the concentration of particular social groups and considers the wider application of these mechanisms
- **principal observations and policy implications:** sets out a summary of the evidence gathering and reflects upon the policy implications with respect to future approaches and policy levers
- **appendix one:** lists the various organisations who co-operated in the interviews and focus groups
- **appendix two:** provides a summary of the various reference documents collated from the stakeholder consultations and
- **appendix three:** provides a checklist of good practice

## 2. Context

### 2.1 What do we mean by houses in multiple occupation?

There are different legal definitions of HMOs and what constitutes an HMO. For example, the Housing Act 2004 defines an HMO as an entire house, flat or converted building which is let to three or more tenants who form two or more households, who share facilities such as a kitchen, bathroom or toilet.

Under planning legislation, there is no clear definition of HMOs. Under the Town and Country Planning (Use Classes) Order 1987, a dwelling house is defined under the C3 use class as a house used by a single person, or any number of persons living together as a family, or by no more than six people living together as a single household. HMOs are unclassified and are therefore “sui-generis” (of its own class). As a general rule, planning permission will be required before a dwelling house can undergo a material change of use to an HMO. Whether a material change of use has occurred is a matter of fact and degree and will be dependant upon the circumstances of each particular case.

Houses in multiple occupation can make a valuable contribution to private rented sector stock and provide an essential housing tenure for predominately young and single people and those on low incomes. HMOs consist of a variety of property types including: bedsits, shared houses, households with a lodger, purpose-built HMOs, hostels, guesthouses, bed and breakfast establishment and self-contained flats, although not all of these accommodation types fall within the planning definition of an HMO<sup>8</sup> or a housing definition of an HMO as defined under the 2004 Housing Act. However, it should be noted that despite the legal definitions of what constitutes an HMO, some properties such as shared houses where up to 5 or so individuals live together, are often regarded by some stakeholders as houses in multiple occupation.

Traditionally HMOs have tended to be located in older housing stock and at their worse are likely to be poorly maintained, in disrepair, overcrowded and with insufficient amenities.

<sup>8</sup> The Town and Country Planning (Use Classes) Order 1987 defines dwelling houses under C3 use class as houses used by a single person, any number of persons living together as a family, or by no more than six people living together as a single household. HMOs are unclassified by the Use Classes Order and are therefore “sui generis” (of its own class). Therefore, as a general rule, planning permission will be needed before a dwelling house can undergo a material change of use to an HMO.

## 2.2 Who are the different households who occupy HMOs?

The remit of the brief issued by Communities and Local Government requested that the study focus on the issues surrounding high concentrations of HMOs, and in particular where such properties were occupied by a high concentration of students. However, it should be noted for the purposes of the research and our findings, the problems associated with high concentrations of HMOs are not restricted solely to areas with a high concentration of students nor are they experienced in all university towns. Problems can also be experienced in areas where there are a high concentration of HMOs and benefit claimants and ex-offenders, and also coastal towns with concentrations of seasonal workers and a surplus stock of former hotels and guesthouses. Over recent years the number of migrants from Central and Eastern Europe<sup>9</sup> seeking work in the UK has increased significantly. Many have been drawn to particular industries, such as agricultural work, food processing, factories and warehouses. Because of the location of these types of jobs, migrant workers have often become concentrated in particular areas, such as Peterborough, Slough and Newham.

The majority of people occupying HMOs tend to be young and single forming households and tend to be transient, only living in the premises for a short time. They tend to be low-income households, mainly because they are economically inactive, full-time students or working in low-paid jobs<sup>10</sup>. In the case of London, where property prices and rental are particularly high, HMOs provide an accommodation source for young professionals. In some cases HMOs are the only alternative for otherwise homeless households<sup>11</sup>. A minority of people, though, select HMOs as a preferred choice for a variety of personal or lifestyle reasons, such as weekday accommodation but return to another home at weekends. Harassment and illegal eviction are more common at the bottom end of the private rented sector, in HMOs and for Housing Benefit tenants<sup>12</sup>. These are the tenants more likely to be vulnerable, with relatively little financial muscle or power in the marketplace.<sup>13</sup>

## 2.3 What are the challenges experienced from high concentrations of HMOs?

### 2.3.1 Introduction

The focus of this report is to review the problems caused by high concentrations of houses in multiple occupation, particularly in relation to a concentration of student population. However, some of the issues are also relevant to concentrations of HMOs inhabited by other types of tenants. For

<sup>9</sup> Following the accession of the group of eastern European countries to the European Union in 2004, known as the A8 countries

<sup>10</sup> DETR (1999)

<sup>11</sup> The Nature and Impact of Student Demand on Housing, Rugg, Rhodes and Jones, Joseph Rowntree Foundation, 2000

<sup>12</sup> Quality and Choice. A Decent Homes for All: A Housing Policy for England, DETR, 2000

<sup>13</sup> Private Renting in Transition, Coventry, Chartered Institute of Housing, PA Kemp, 2004

this reason the study looked at the issues surrounding two particular social groups: students and migrant workers.

### 2.3.2 Neighbourhood Impact of High Concentrations of HMOs and Students

The expansion in higher education over the past two to three decades has led to a rapid growth in student numbers. The total UK student population (all forms and levels of study eg full/part time and under/post graduate) increased from 1,720,094 to 2,086,075 between 1995–96 and 2001–2021. However, only a proportion of the total number of students live in HMOs. The benefits of higher education are clear and the Government is committed to increasing participation in higher education from the 18–30 age group, as well as a wider age range of learners. Its target for 18–30 year olds is to increase participation towards 50 per cent by 2010–11. The Government has also announced its intention to open up opportunities for towns and cities to bid for new university campuses and centres of higher education in order to bring the benefits of local higher education provision to bear across the country (approximately 20 over the next six years subject to high quality bids). One of the key aims of the New University Challenge<sup>14</sup> is to bring higher education to people by ensuring that those people who live in towns without a university have access to full and part-time higher education without having to move away from their home town.

A key issue in relation to the expansion of higher education institutions in the past is that the growth in student numbers has not been met by an adequate increase in purpose-built accommodation. This has led to an increasing reliance upon the private rented sector to meet student housing needs, to the extent that in 2000 approximately half of students (49 per cent) were accommodated in the traditional private rented sector<sup>15</sup>. However, this figure is likely to change in future as more purpose-built accommodation – from the private sector – comes on-stream and as an increasing number of students will be undertaking their studies locally either on a full – time or part- time basis. A recent report from UUK<sup>16</sup>, suggests that the higher education sector faces a significant demographic change over the next 20 years amongst the age groups from which it traditionally recruits full-time and part – time undergraduates. In particular, the number of 18 to 20 year olds, who make up 70 per cent of entrants to full-time undergraduate programmes, is projected to fall sharply between 2009–2019 before rising again in 2027. In contrast, the older age groups (25 – 50 year olds), from which part-time undergraduate are mainly drawn, will experience a modest growth over the same period.

The student housing market is often described as a ‘niche’ market<sup>17</sup>, which has developed as a result of supply adapting to the needs of a specific specialised group. Unlike some types of household, the student housing market is a flexible market that does not rely upon a prescriptive property type, unlike, for example, families who may be restricted to properties

<sup>14</sup> [1] <http://www.dius.gov.uk/policy/documents/university-challenge.pdf>

<sup>15</sup> The Nature and Impact of Student Demand on Housing, Rugg, Rhodes and Jones, Joseph Rowntree Foundation, 2000

<sup>16</sup> The Future Size and Shape of the Higher Education Sector in the UK: threats and opportunities, UUK, July 2008

<sup>17</sup> Rugg et al (2000)

with gardens or school catchment areas etc. The general characteristics of a student housing market are a concentration of private rented accommodation around a particular geographical area, for example in close proximity to a university campus often provided by HMOs or shared housing. However, other factors influence a decision of where students may wish to live including a desire to live close to friends, near local services particularly nightlife and a familiarity with a limited geographical area.

The inflow of students into a particular area can result in unintended consequences that can create friction with the indigenous community. The impact of a large concentration of student housing in multiple occupation upon a particular neighbourhood is well documented and can have both positive and negative effects upon a local housing market area, as described below.

### 2.3.3 Social Impacts

The makeup of a local housing market can lead to changes in the infrastructure of a neighbourhood. On the negative side, an increasing student population can lead to the displacement of established residents, to be replaced with an increasingly younger and transient population<sup>18</sup>. This transformation in the demographic composition of an area can lead to changes in the local infrastructure, as facilities respond to population change. For example the reduction in children of school age can lead to uncertainty in the viability of local schools. In addition, a dwindling in youth facilities and other community-based activities can, it is argued by some sources<sup>19</sup>, lead to diminishing community cohesion and identity. Accommodating the demands of a student housing market can lead to the traditional retailing functions of some local neighbourhoods being replaced by a concentration of take-aways, pubs and restaurants, accommodation letting agencies and discount food retailers.

The concentration of a young transient social grouping, such as students, living in relatively insecure accommodation can lead to increased levels of burglary and crime in an area. Added to this, the behaviour of some students, particularly drunken behaviour, is often considered to be anti-social by families or elderly residents.

All of these factors can have the knock-on effect of alienating the longer-term population and contributing to the resentment and hostility that develops between students and other residents, thus creating a push factor for some long-term residents to move out of the neighbourhood.

However, it can be argued that there are positive impacts associated with a student population. An increased population in a particular area can increase the range of goods and services and social/leisure attractions available to the town or city's population. A critical mass of students generate more demand

<sup>18</sup> 'Studentification': a guide to opportunities and challenges and practice, Universities UK, January 2006

<sup>19</sup> The Existing and Potential Housing Market for Students and Graduates in North Staffordshire, CSR Partnership, April 2005

for public transport and can ensure better transport links to benefit the wider community<sup>20</sup>.

### 2.3.4 Environmental and Physical Impacts

Private rented stock is often of the poorest quality when compared to other tenures.<sup>21</sup> Therefore, concentrations of such stock, especially noted in student areas, can lead to a poor quality local environment. Many lobby groups' evidence found unkempt property frontages and litter strewn over local streets. Increased population densities associated with houses in multiple and shared occupation and the lifestyles that accompany such occupants can place a strain on existing services such as refuse disposal and street cleansing, as well as car parking provision.

### 2.3.5 Economic Impacts

The demand and supply generated by a student housing market can have a knock-on effect on local housing markets by inflating property prices, thus leading to competition between the private rented landlord and the owner-occupier. Demand from the private rented sector can marginalise the first-time buyer who is unable to compete in the market, which can then lead to a dilution of owner-occupied stock and a domination of houses in multiple occupation.<sup>22</sup>

The geographical concentration of HMOs and students can lead to substantial changes to a local neighbourhood and the negative impacts associated with this have been discussed above. However, there is evidence that there are positive impacts associated with high concentrations of HMOs and a student population. A student population and the presence of a university can have positive benefits. Universities are a major employer and can have a major impact upon the local economy generating significant economic output and employment opportunities<sup>23</sup>, as well as spin-off employment opportunities, thus injecting spending power into the local and regional economy and providing a graduate and skilled workforce.

A student population constitutes a flexible part-time labour force to undertake seasonally based employment and the goods and service purchased by students make a significant contribution to the local economy<sup>24</sup>. There are also social and cultural benefits to be gained from a high student population, including accessibility to lifelong learning opportunities and sporting and cultural facilities. Students also contribute to their local communities through volunteering work.

There are positive impacts to be had from a high demand for private rented accommodation particularly in areas where there is an element of low demand. As well as increasing property prices, demand for private rented

<sup>20</sup> 'Studentification': a guide to opportunities and challenges and practice, Universities UK, January 2006

<sup>21</sup> For example English House Condition Surveys

<sup>22</sup> For example: Wilcox (2006) *The geography of affordable and unaffordable housing*; Thomas (2006) *The growth of buy-to-let*; Andrew (2006) *Housing tenure choices by the young*

<sup>23</sup> Engaging with Local Communities, UUK, 2007

<sup>24</sup> 'Studentification': a guide to opportunities and challenges and practice, Universities UK, January 2006



properties and particularly larger properties can provide an incentive to improve the existing stock and bring properties back into use. Such incentives can have significant regeneration impacts in some local neighbourhoods by improving the local environment and introducing a new population and life back into the area. Some towns and cities wish to promote the use of HMOs where there are regeneration benefits, for example in parts of Belfast and Salford.

### **2.3.6 Impact of concentration of migrant workers**

Such feelings from the indigenous community are also felt in certain areas with high levels of migrant workers. Peterborough, for example, has witnessed a large rise in the number of Central and Eastern European residents seeking employment. One stakeholder stated that migrant workers form eight per cent of the total population in the city, up to 20,000 people when including family members.

For some local residents, the biggest problem with migrant workers is the pace of change and the high levels of churn. For example, a large number of migrants have moved into the Millfield and New England area of Peterborough, over a short timeframe which has led to the displacement of the established population. Local residents also report problems associated with concentrations of migrant workers living in areas of Peterborough some related to the concentration of migrants itself and some to social or cultural differences. As with students, migrant workers are often living in former family houses, and there are more people living in the properties than they were originally designed for. This can lead to extra cars parked outside, creating parking problems, and excessive household waste.

Migrant workers also face challenges themselves. They often live in overcrowded and poor-quality accommodation. As most migrants rent privately when they first arrive in England, landlords, according to local authority officers, can exploit them. Some migrants do not have a written tenancy agreement or rent book and generally do not know their rights and responsibilities. These precarious living conditions can also lead some recent migrants into homelessness. For example, at the last rough sleeper count in Peterborough, most of the homeless people were migrants.

Appendix two provides a summary of the documentation surrounding HMOs, which was collated during the project.

## **2.4 What is the current legislation affecting HMOs?**

Local authorities are experiencing increasing pressure to tackle the problems and symptoms associated with HMOs. Current legislation is available to local authorities in the form of the Housing Act 2004, environmental health legislation and the Town and Country Planning (Use Classes) Order 1987. The following section provides a brief overview of the current housing and

planning legislation and the issues that have been raised in relation to its operation.

### 2.4.1 HMO Licensing

The licensing of HMOs was a Labour Party manifesto commitment in the 1997 and 2001 General Elections, finally becoming law in the 2004 Housing Act. This measure has been introduced to protect the health and safety of tenants, particularly vulnerable ones, without reducing the supply of rented accommodation.

The Housing Act 2004 introduced a new definition of an HMO for licensing purposes. On 6 April 2006 mandatory HMO licensing came into force across England and under the changes<sup>25</sup> if a person lets a property which is one of the following types listed below, it is defined as being an HMO:

- an entire house or flat which is let to three or more tenants who form two or more households and who share a kitchen, bathroom or toilet
- a house which has been converted entirely into bedsits or other non-self-contained accommodation and which is let to three or more tenants who form two or more households and who share kitchen, bathroom or toilet facilities
- a converted house which contains one or more flats which are not wholly self-contained (ie the flat does not contain within it a kitchen, bathroom and toilet) and which is occupied by three or more tenants who form two or more households and
- a building, which is converted entirely into self-contained flats if the conversion did not meet the standards of the 1991 Building Regulations and more than one-third of the flats are let on short-term tenancies.

The Housing Act has given local authorities a duty to license all HMOs that are three storeys or over and are occupied by five or more people forming two or more households. This element of the Act is known as mandatory licensing. However, not all HMOs meet the mandatory licensing criteria and therefore local authorities have been given the discretion to apply to the Secretary of State to extend licensing (referred to as additional licensing) to smaller types of HMO.

In addition to the HMO licensing regime, the Housing Act has introduced powers for local authorities to license all privately rented property in areas which suffer, or are likely to suffer from low housing demand and also to those that suffer from significant and persistent anti-social behaviour. This is known as selective licensing, which aims to regulate property management standards in areas where the problems associated with low housing demand and/or anti-social behaviour are prevalent. As with the extension of HMO licensing, local authorities will also need to justify introducing selective licensing and must gain the Secretary of State's approval to do so.

<sup>25</sup> <http://www.communities.gov.uk/housing/rentingandletting/privaterenting/housesmultiple/whatis/>

Since the licensing provisions under the Housing Act 2004 came into force in 2006 there has been a move towards the licensing of HMO properties across many local authority areas. In February 2008, the Government published the current HMO licensing statistics based upon the number of applications received for mandatory licences and the number of licences issued for all English local authorities<sup>26</sup>. The figures demonstrated that the top five local authorities who were in receipt of over 1,000 applications, included Leeds (2,750), Bristol (1524), Sheffield (1492), Newcastle (1432) and Birmingham (1013), with a further 44 authorities in receipt of between 100 and 1,000 applications.

The majority of interviews undertaken with stakeholders welcomed the introduction of the mandatory licensing requirements under the Housing Act, and the move toward improving the standard and management of houses in multiple occupation. However, there was an overwhelming feeling that whilst the licensing of this property type was to be welcomed, the exercising of these powers was both time consuming and a strain on local authority resources, to the extent that many local authorities felt that they would be unable to pursue additional powers to introduce selective or additional licensing until they had dealt with the applications received for mandatory licensing.

It was also felt that the powers available under the Housing Act would not directly control the scale and distribution of a large volume of stock in multiple occupation or in shared accommodation, particularly student housing. The powers introduced under the Housing Act provide local authorities with the opportunity for greater intervention to secure improvements in the manner in which properties are managed and maintained. However, the only means of achieving control over the concentration of housing in multiple occupation would be through changes to planning legislation.

The Building Research Establishment is currently undertaking an evaluation of the impact of HMO licensing and selective licensing. The outcome from this research will identify how effective the changes to legislation have been and how well the licensing requirements are being implemented.

### **2.4.2 Planning Legislation**

Planning authorities are faced with increasing challenges in areas where there is a demand from a growing student and migrant population occupying houses in multiple occupation and shared housing. Legislation is available to local authorities to tackle some of the problems, as set out under the Housing Act 2004, and under environmental health legislation.

Despite such legislative powers, local authorities and the Government have received increased lobbying from residents, local politicians and other groups who want to be able to limit concentrations of HMOs, particularly those occupied by students, by implementing a number of planning policy

<sup>26</sup> Full details can be viewed on <http://www.parliament.uk/deposits/depositedpapers/2008>

measures. Such measures including planning restraint or threshold policies, seek to ameliorate the problems by stipulating that planning permission for a change of use to an HMO will be refused once a certain concentration, defined as a percentage of the housing stock in that area, has been reached. Lobby groups<sup>27</sup> and some local authorities argue that the implementation of these restraint policies are undermined by the limitations set out within the current Town and Country Planning (Use Classes) Order 1987.

As previously set out in Section 1, the Use Classes Order defines dwelling houses under the C3 use class as houses used by a single person, any number of persons living together as a family, or by no more than six people living together as a single household. HMOs are unclassified by the Use Classes Order and are therefore "*sui generis*" (of its own class). Therefore, as a general rule, planning permission will be needed before a dwelling house can undergo a material change of use to an HMO. However, this will depend upon on the circumstances of each particular case and campaign groups argue that under the present legislation it is possible for a group of up to six individuals to live together as a shared house in what would be classified in planning terms as dwelling house. In order to be able to control the concentration of houses in multiple occupation, it is argued by the HMO Lobby that changes need to be made to national planning legislation to provide a clearer (and stricter) definition of an HMO for planning purposes<sup>28</sup>.

<sup>27</sup> Balanced Communities & Studentification: Problems and Solutions, National HMO Lobby, 2008 and <http://hmolobby.org.uk/natlocalplans.htm>

<sup>28</sup> <http://hmolobby.org.uk/natlocalplans.htm>

## 3. Responding to the challenges of high concentrations of houses in multiple occupation

This section considers the various responses that have been developed to deal with the causes and symptoms arising from high concentrations of HMOs, by considering the various mechanisms that have been put in place, the effectiveness of these and potential for their wider application. Examples of good practice have been identified from which it is hoped various other stakeholders can draw upon and adapt to meet their own circumstances.

### 3.1 Dealing with the causes and symptoms

Section 2 highlights the issues and challenges experienced in areas where there is a high concentration of houses in multiple occupation and in particular where this concentration is matched with a concentration of particular social groups, in this case, students and migrant workers. The majority of stakeholders who were interviewed or took part in the focus groups acknowledged this, at least for certain parts of their towns or cities.

From the discussions that were undertaken and the literature review, it is clear that a range of mechanisms have been developed and put in practice to try and deal with high concentrations of HMOs and associated problems. These mechanisms range from using the statutory powers that are available through existing legislation, to collaborative and partnership working; they are drawn out as a checklist of good practice in appendix three.

The views expressed regarding the effectiveness of the various mechanisms that have been put in place are mixed and vary depending upon the different stakeholders and their remit. It was clearly evident from the discussions that took place with local authorities, as well as residents' groups and some universities that the different mechanisms and initiatives, which had been put in place, were only dealing with the symptoms associated with concentrations of HMO properties and were not effective when it came to deal with the factors which led to the high concentration of HMOs.

It is argued that the capacity of all stakeholders to manage the issues surrounding established student communities is affected by national policy and economic trends over which local stakeholders have no control<sup>29</sup>. For example, as discussed previously, the increase in the number of students is a result of national policy, beneficial for the UK society and economy and for

<sup>29</sup> 'Studentification': a guide to opportunities and challenges and practice, Universities UK, January 2006

individuals. Whereas the growth in the private rented sector is a result of the buoyant housing market conditions which prevailed since early 2000.

The remaining section considers some of the mechanisms that have been put in place, their effectiveness in addressing causes and symptoms and identifies the barriers, which are impacting upon their success.

## 3.2 Northern Ireland experience

At the national level there is legislation around HMOs in terms of both planning and housing legislation and this has previously been discussed in section 2 of the report. The remainder of this section considers how other mechanisms have been put in place to address the issues and in the case of Northern Ireland, the changes that have taken place to national planning legislation.

### 3.2.1 Northern Ireland experience

In 2004, changes were introduced to the Planning (Use Classes) Order (Northern Ireland) in relation to the definition of HMOs. The changes to the legislation were brought about following pressure and lobbying from local communities and politicians to introduce changes to enable tighter control over HMO accommodation, particularly where fewer than six people constituted a household under existing legislation.

This move was in direct response to the increasing problems associated with high concentrations of HMO type properties and high concentrations of student population in parts of Belfast. Research undertaken in 2000 demonstrated that in parts of Belfast most of the students living in the private rented sector as part of shared households, lived in an area of approximately one square mile around Queens University, to the south of the city centre. It was estimated that students living in this area made up more than half the households with some streets totally made up of student households<sup>30</sup>.

Under the amended Northern Ireland Planning (Use Classes) Order, HMOs are outside of the Use Classes Order. The revised legislation now defines an HMO as a house occupied by more than two “qualifying persons” (these being persons who are not all members of the same family). Where more than two people who are not members of the same family occupy a dwelling, planning permission would be required for a change of use from a dwelling to an HMO.

Interviews were undertaken with officers from the Northern Ireland Department of the Environment to explore how effective the change to the legislation had been or were likely to be in enabling planning bodies to manage high concentrations of HMOs and to determine whether there have

<sup>30</sup> The Nature and Impact of Student Demand on Housing, Rugg, Rhodes and Jones, Joseph Rowntree Foundation, 2000

been any unintended consequences arising from the legislative changes and how these have been mitigated.

Following the introduction of the new legislation, Northern Ireland's Planning Service used a policy within the existing Belfast City Plan as the basis for refusing planning permission when determining applications for HMOs. This policy sets out requirements that all applications for HMOs would be considered on the amenity value that an HMO would have on an area. It was quickly found that this policy was not robust enough to justify a refusal for planning permission as a number of applications, which had been refused by the Planning Service, were later allowed on appeal. On this basis the Northern Ireland Planning Service developed the Houses in Multiple Occupation Subject Plan for the Belfast City Council Area<sup>31</sup>.

It is expected that the Belfast City Council area will have an ongoing requirement to accommodate students, migrant workers and single households. Currently the housing needs of many in these groups manifest themselves as a demand for HMO accommodation in South Belfast, despite these needs not necessarily having to be met in this part of the City. The HMO strategy therefore seeks to balance the protection of the residential amenity with the need and demand for multiple occupation, by seeking a wider distribution of HMO accommodation across the city over a period of time. The overall aim of the Plan is to provide a planning framework for HMO development, which is consistent with the concept of creating balanced communities and will consolidate regeneration at key locations across the city. The plan seeks to influence and shape the market for HMOs positively, rather than simply controlling and curtailing further development in areas where such accommodation is currently concentrated. It does this by:

- protecting the amenity of areas where multiple occupation is, or is likely to become concentrated
- accommodating the need and demand for multiple occupation
- focusing HMO development in areas where it can contribute to regeneration and
- promote appropriate development of purpose-built student accommodation

The Plan has identified designated areas within the City of Belfast known as "HMO Policy Areas" where HMO development will be encouraged or resisted depending upon the nature of the area and the existing level of HMO concentration. In parts of the City where there is an existing concentration of HMOs, further changes of use to HMOs will be resisted on the basis of set criteria.

There are number of lessons to be taken on board from the Northern Ireland experience to date. At the time of writing it was too early to determine how effective the Draft HMO Subject Plan would be in controlling the level of HMO development in areas of existing high concentration and it was

<sup>31</sup> Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area 2015, Draft Plan 2006

outside the remit of this study to evaluate the overall impact of the changes to the legislation. The Plan had undergone an Examination in Public and was awaiting the Inspector's report. In the meantime applications for HMO developments had been resisted on the basis of prematurity grounds.

However, what was clear was that despite the changes to the Use Classes Order introduced in 2004, without a watertight and robust planning policy in place at the outset to support planning decisions, it is difficult to control the concentration of HMO developments. This suggests that changes to the Use Classes Order are not necessarily the overall solution or at least not on their own. To be effective a more realistic approach is required whereby other supporting mechanisms are in place at the outset. In the case of Northern Ireland it will have taken over four years to develop and put in place a robust policy framework to resist further HMOs. A key message emerging from discussion with Northern Ireland is that addressing the issues surrounding HMOs through the planning system is only part of the answer. Planning is a long-term solution but in the short to medium-term stakeholders have an important role to play in tackling the problems.

### 3.3 Local level initiatives

From the research that we have undertaken it was evident that a number of local authorities, universities and other stakeholders, in areas where problems are associated with concentration of HMO properties, have made use of existing planning, housing and environmental powers to address the issues in a number of ways.

#### 3.3.1 University/HEI and Student Unions

Many universities and student unions have made a strong commitment to working in partnership with local stakeholders to tackle the challenges arising from high concentrations of student population. From the research we have undertaken this partnership approach has involved consultation and active collaboration and partnership working with local authorities, the private rented sector, residents and community groups, the police and other stakeholders. The initiatives developed recognise that the needs and welfare of both students and residents of established communities need to be adequately recognised and taken into account.

Universities such as Loughborough, Nottingham and Leeds have developed a number of approaches to address the symptoms associated with the demographic imbalance experienced in some local neighbourhoods where there is a high student concentration.



### 3.3.2 University accommodation and housing strategies

A study undertaken in 2000<sup>32</sup>, found that many HEIs were in a poor position when it came to responding to increasing demand for student accommodation and the sector as a whole should be encouraged to make a clear statement concerning its housing responsibilities. A clear policy observation arising from this study was that a housing strategy should be an integral part to the expansion plans of every HEI and should comprise an analysis of the likely impacts on the local rental market and consultation with local community groups.

More recently some higher education institutions have taken on the responsibility of producing their own Housing and Accommodation Strategies to complement the strategies produced by local housing and planning authorities.

#### **Good Practice: University of Leeds Housing Strategy 2003/04 – 2007/08**

Leeds University has produced Housing Strategy 2003/04 – 2007/2008. A key objective of this strategy is to work with the wider community by:

- investigating the opportunities to collaborate with the City and other agencies to regenerate areas of Leeds through the development of new student purpose-built housing and to reduce the growth of students seeking privately rented accommodation in areas where there are existing high concentrations;
- sustaining and furthering the University's involvement in joint working groups to tackle shared housing issues
- ensuring that liaison and work between the University and key stakeholders is maintained and focuses on issues in relation to student housing
- maintaining its commitment to run the neighbourhood help line with Leeds City Council
- working to ensure that students form an integral part of the community through participation in the local community and community forums and
- addressing the problems arising from the housing imbalance, this has developed in Headingley and surrounding areas

In addition the University is committed to continuing the development of its housing strategy by:

- monitoring its implementation on a year-by-year basis
- reporting on and sharing information with all stakeholders.

Leeds University has produced a Housing Strategy Update Report for 2007 and an Inner North-West Community Strategy 2007 – 2012

<sup>32</sup> The Nature and Impact of Student Demand on Housing, Rugg, Rhodes and Jones, Joseph Rowntree Foundation, 2000

### **3.3.3 Student/Community liaison officers**

Through its Housing and Community Strategy Leeds University recognises the importance of developing and maintaining good communications with the local community. Since 2000 the University has had a full-time community liaison officer, which is also a practice followed at both Loughborough and Oxford Brookes Universities.

### **3.3.4 Neighbourhood helplines**

In conjunction with Leeds City Council, Leeds University runs a Neighbourhood Helpline. The Helpline provides the communities where students live with a 24-hour voicemail service allowing local residents to highlight problems associated with students in their area. In response, agencies work together to alleviate these reported problems, which concern refuse, noise, parking and anti-social behaviour. However, some residents in the areas of Leeds where student concentration is a particular issue feel that the effectiveness of this initiative is limited, as often these services cannot make an immediate response when students are creating a disturbance during the early hours of the morning.

Loughborough University operates a 24-hour helpline service set up for residents to contact the University Security staff on all issues related to noise and anti-social behaviour. When residents call, the security team investigate the problem as a matter of urgency and on some occasions can reach the locality where the incident is reported within 10 minutes.

### **3.3.5 Anti social behaviour – Disciplinary Procedures**

A number of Universities and Student Unions (including Loughborough, Leeds University) have policies on anti-social behaviour, which set out the code of conduct and standards expected from students. The Student Unions have sought to raise awareness amongst students of their role as a good neighbour and their responsibilities as tenants and the need for reasonable noise levels to be maintained in established residential areas.

Some HEIs require students to sign up to code of behaviour as a prerequisite of their registrations. Nottingham University and its Student Union require students to sign up to such a statement and remind students of their responsibilities through its housing handbook. Some HEIs support their code of behaviour with detailed information so that students are in no doubt of what is expected of them.

### **3.3.6 Landlord accreditation schemes**

Student housing providers, Unipol and Liverpool Student Homes operate in three of the cities where research interviews were conducted: Leeds, Liverpool and Nottingham.

Both Unipol and Liverpool Student Homes operate at a city-wide level, offering housing advice and accommodation to all students from the different higher education institutions located within the cities' boundaries.

Liverpool Student Homes and Unipol operate an accreditation scheme, for example Liverpool Student Homes state that all private rented properties they advertise are registered in line with their Code of Practice<sup>33</sup>. One of the stakeholder interviews noted that these housing provider accreditation schemes are beneficial as they encourage students outside of the ‘traditional’ student areas by actively promoting these areas to students as alternatives which in some cases have lower rental levels.

Unipol offers a wide range of services, including training and advice<sup>34</sup>. As part of their offer, Unipol also provides a pack of information to the landlords about those in the community with powers and responsibilities to deal with problems if they do occur, for example the police or community wardens. Both student home providers also offer advice to the community and liaise closely with the local authority to ensure that information and advice is provided to residents and students.

### **3.3.7 Local Authorities**

#### **3.3.8 Gathering information**

Gathering information is a first step in tackling any problems. Peterborough Council does this in a number of ways and through various sources. These include anecdotal evidence from local residents, councillors and local authority officers, as well as more formal responses.

#### **Peterborough Council data matching exercise**

Peterborough Council carried out a data matching exercise in selected wards, first identifying homes with three or more different surnames (of any origin). It then compared these properties with a list of HMOs and inspected properties to check the named voters lived there. Although the exercise was primarily aimed at tackling election fraud, it also allowed for inspections of HMOs occupied by migrant workers.

#### **3.3.9 The use of Planning Policy**

To date a number of local planning authorities have attempted to introduce specific policies to effectively control houses in multiple occupation, and in particular student housing provision. Leeds City Council, Nottingham City Council, Oxford City Council and Charnwood Borough Council are examples of such local authorities. The following sets out the different approaches to developing planning policies and identifies examples of how this has been taken forward and issues around delivery and effectiveness.

Area of Restraint – This policy approach identifies and designates an area, whereby restraints are placed upon certain forms of development. In some cases this restraint is specifically on various forms of student housing eg Leeds Area of Housing Mix or HMOs as in the case of Belfast HMO Subject Plan.

<sup>33</sup> <http://www.lsh.liv.ac.uk/>

<sup>34</sup> <http://www.unipol.org.uk/National/Governance/default.asp>

Leeds City Council originally developed a policy referred to as the Leeds ASHORE (Area of Student Housing Restraint) Policy. This policy aimed to restrict student housing developments in parts of Leeds that were experiencing a high concentration of students in shared housing and a demographic imbalance. The policy was considered at the UDP Inquiry and was modified by the Planning Inspector resulting in a revised policy now referred to as the Area of Housing Mix

Good Practice: Leeds City Council Leeds UDP Review- Volume 1 Written Statement – Adopted July 2006, Area of Housing Mix – Policy H15 and H15a. Through this policy the City Council will use its development control powers to manage the provision of additional student housing as far as is possible to maintain a diverse housing stock that will cater for all sectors of the population, including families. The policy also encourages proposals for purpose –built student housing, which will improve the total stock of student accommodation, relieve the pressure on conventional housing and assist in regenerating areas in decline or at risk of being in decline in other parts of the City. This policy approach is reflected and promoted in the Leeds University Housing Strategy.

- Threshold Approach – This policy uses a ceiling approach to restrict HMOs or student housing development. In some cases this has been set as a blanket approach, for example Glasgow City Council, or a rolling programme as used by Nottingham City Council and Charnwood Borough Council. The blanket approach adopted by Glasgow sets a ceiling (5 per cent) for the proportion of HMOs in any one neighbourhood across the City.

#### **Good Practice: Glasgow City Council's City Plan, Final Draft Plan – May 2007**

The City Plan contains a policy, which applies to Dwellings in Multiple Occupancy. Policy RES10 aims to: strike a balance between the demand for multiple occupancy and the need to ensure that the stability of neighbourhoods and the residential amenity of properties and streets are not adversely affected by a concentration of multiple occupancies.

Planning applications for multiple occupancy will be judged against whether within a given street or block the proportions of multiple occupation should not exceed 5 per cent of the total number of dwellings comprising that unit. This policy has been tested at two Local Plan Inquiries and has been successful in the majority of occasions when tested at an appeal.

In addition the Plan contains Local Area Policies, which identified areas of the City where there is a concentration of multiple occupancy. In such areas the density of flats with an HMO licence has reached a level by which no further planning applications for multiple occupancy will be supported.

Alternatively, areas such as Nottingham City Council and Charnwood Borough Council have developed a Threshold Approach, which sets out a rolling programme upon which applications for student housing in multiple

occupation will be determined. The approach adopted by Charnwood Borough Council has been discussed below and is based on the use of a threshold category, which is defined by the proportion of student households within a relevant neighbourhood. The local authority when determining planning applications for student housing and where student occupation is anticipated then uses this threshold.

**Good Practice: Nottingham City Council, Nottingham Local Plan, November 2005**

The Nottingham Local Plan contains two policies, which relate to concentrations of student population and the imbalance in population.

Policy ST1 – sets out a general policy, which seeks to ensure the creation of balanced communities.

Policy H6 promotes the development of purpose-built student accommodation and identifies areas within the City where there is a concentration of student housing. In addition the City Council has produced a Supplementary Planning Document (SPD) called “Building Balanced Communities” this document complements the policies contained in the Local Plan. The SPD tries to move towards the management of balanced communities and one of the main thrust of this has been to promote purpose-built accommodation in areas which are accessible to the Universities or within the City Regeneration Zones to the East and South of the City or within areas where more balanced communities can be maintained. The SPD effectively sets a threshold of 25 per cent and in designated areas where student housing exceeds this; the City Council will try to refuse applications it receives for student housing.

When determining planning applications for houses in multiple occupation the City Council has tried to impose a planning condition to restrict occupancy to non-students. The imposing of this conviction has not been successful and was removed upon appeal by the Planning Inspectorate.

Purpose-built – Local planning authorities have been working in partnership with universities to designate and promote the development of purpose-built accommodation. Creating a greater number of managed bedspaces has the potential to draw students out of the private rented sector, but this will only happen if living in managed accommodation is perceived to be preferable to living in private housing. One issue with this type of accommodation is the cost, and in some cases rent for managed accommodation is more expensive than private renting. Leeds, Nottingham, Loughborough and Newcastle have promoted the concept of purpose-built accommodation located close to university facilities, as part of a wider regeneration initiative or on the edge of city or town centres. However, some stakeholders felt that there were downsides to such developments in that they need to be located close to university facilities and have the necessary supporting infrastructure. In some cases purpose-built developments have attracted HMOs nearby to cater for those students who do not wish to live in halls but wish to live within close proximity to friends.

### **Good Practice: Charnwood Development Framework: Student Housing Provision in Loughborough Supplementary Planning Document (SPD), December 2005**

The local authority has developed a SPD which provides a local policy response based upon the adopted policies of the Borough of Charnwood Local Plan. The SPD was produced to enable the local authority to develop planning powers aimed directly controlling the scale and distribution of student housing.

The SPD seeks to control the scale and distribution of student housing through two specific policy approaches: Threshold Approach and Purpose-built Student Housing.

The Threshold Approach applies a ceiling to specified areas where there is existing concentration of housing in multiple student occupancy and upon which applications for student housing will be determined based upon an assessment of the proportion of households within the “neighbourhood” surrounding the application site.

**Purpose-built Student Housing** The Local Plan encourages the development of purpose-built accommodation for students both on and of campus. The SPD identifies opportunities for purpose-built accommodation and encourages development on the existing campus as well within the expanded town centre, where existing residential numbers are low and commercial uses predominate.

#### **3.3.10 Use of Untidy site notices**

There was also mention of untidy site notices in the focus group in Exeter by implementing the powers given to local authorities under Section 215 of the Town and Country Planning Act 1990. Some residents believed that they had been used in Hastings to force landlords to carry out repairs.

#### **3.3.11 Non Planning Mechanisms**

The local authorities who are experiencing the issues arising from HMO properties and the concentration of these properties have developed a range of mechanisms through a mixture of land use planning and other statutory and legislative powers.

A number of relatively new tools are included in the Housing Act 2004, particularly licensing, management regulations, the Housing Health and Safety Rating System (HHSRS) and empty dwelling management orders.

- **HMO licensing** – All local authorities in England must now license all HMOs of three or more storeys, which contain five or more people in two or more households. They can also apply to the Secretary of State to introduce additional licensing for other types of HMO that do not meet the mandatory licensing criteria, including traditional two-storey buildings, and for selective licensing of all private rented properties in particular areas. The aims of these three approaches overlap in places but are also somewhat distinct. Mandatory licensing has been introduced mainly to

raise the property and management standards in the larger higher risk HMOs that pose the greatest management challenges. Additional licensing has similar aims, covering smaller HMOs where management issues have been identified. Selective licensing of privately rented property must be justified on the basis of anti-social behaviour and/or pressures of low demand for housing.

There are constraints to property licensing. The biggest one put forward by local authorities is a lack of resources to implement and enforce the new system. Authorities have first relied on private landlords to come forward and seek a licence. It seems that authorities are only now using more proactive approaches to getting unlicensed properties licensed. In addition, many people state that mandatory HMO licensing misses most student and migrant worker properties because such households live in traditional two-storey terraced houses, so fall outside the mandatory scheme.

Some landlords, especially those with properties in various locations, complain about the different fees for HMO licensing and systems put in place by different authorities. The money received through fees is not ring-fenced, so does not necessarily return to the Housing departments at authorities. Beyond constraints in implementing HMO licensing, many participants in this research recognised that the system was intended to deal with standards rather than concentrations of HMOs, which was the fundamental problem for most participants. The system also states that the local authority must take over the management of properties that should be licensed but are not or where no license can be granted. This is seen as a drawback to implementing this part of the Act by some of the local authorities we spoke to and often-limited resources deterred some authorities from going further than their minimum requirements.

All councils we spoke to were in the process of implementing HMO licensing. Nottingham Council, for example, had doubled the size of the team that deals with licensing and was targeting particular parts of the city. Exeter Council, meanwhile, said that they already had a good knowledge base on HMOs, so were confident that they had licensed the majority. Southampton has now issued all licences for properties where landlords have come forward. They are now focusing on enforcing action for properties that should be licensed.

When asked about additional licensing, a number of local authorities have said that they lack the evidence to support an application to the Secretary of State. Southampton Council has recognised this and has included questions on licensing as part of its recently commissioned stock condition survey. However, they also realise that they will need additional resources to run both the mandatory and additional HMO licensing schemes. Residents, though, would support additional HMO licensing as another tool to tackle certain problems associated with HMOs, although most we spoke to realise that it will not tackle concentrations of such properties. Other authorities said that they would need to exhaust all other initiatives before they could apply for selective licensing, as set out in Communities and Local Government guidance. For most, this

meant establishing or extending landlord accreditation schemes first. In addition, some authorities believed that Government would only approve selective licensing when associated with anti-social behaviour rather than the impact of concentrations of HMOs and issues related to community cohesion.

- **Empty dwelling management orders (EDMOs)** – The 2004 Housing Act also includes measures for local authorities to take over the management of empty dwellings in order to use them for residential property. This can happen after a dwelling has been vacant for six months, and the management can be delegated to another body such as a housing association. They are seen as a quicker route to possessing the property than traditional Compulsory Purchase Orders. However, the biggest limitation is that this is at local authorities' expense. None of the local authorities we spoke to had issued an EDMO, although Nottingham was planning a pilot on four properties. Other local authorities have successfully used the threat of EDMOs to bring empty properties back into use.
- **Housing Health and Safety Rating System (HHSRS)** – This new regime introduced by the Housing Act 2004 is a risk assessment tool used to assess potential risks to the health and safety of occupants in residential properties. It replaces the Housing Fitness Standard. The new method focuses on the hazards that are most likely to be present in housing. Tackling these hazards will make more homes healthier and safer in which to live. Some local authorities saw this new regime as an additional and useful tool. For example, it encouraged officers to discuss their opinions when assessing properties, so providing consistency among officers and transparency to their assessments. But officers were aware that the new scheme focuses on property standards rather than concentrations of HMOs.
- **Management regulations** – The Management of Houses in Multiple Occupation (England) Regulations 2006 impose certain duties on managers and occupiers of all HMOs. For managers, the duties relate to basic management practices (eg providing contact details, supplying annual gas safety certificates, suitable rubbish disposal facilities) and property maintenance issues (eg fire safety, providing adequate drainage, general maintenance). For occupiers, the requirements relate to not hindering the manager's duties, not damaging the property or its contents, disposing of rubbish adequately and complying with fire safety instructions. Few participants spoke about these new regulations, though one saw them as beneficial for removing the need to serve a notice before going to enforcement. But again, the regulations have less relevance to controlling concentrations of HMOs.
- **Landlord accreditation** is another tool to address various issues with the private rented sector, particularly around property management standards. Such schemes are voluntary and aim to promote good practice among landlords. Numerous schemes are set up by universities for student rentals, often including partners from student unions and the local authority. But there are also many schemes run by local authorities, or



groups of them, and open to a wider selection of private landlords. Their scope and administration varies. Stakeholders we spoke to thought they improved management practices and property standards, and can provide authorities with access to the private rented sector and useful information on it. Membership of a scheme often provides incentives for landlords, such as advertising through official channels. It also provides reputable landlords with the status of being an accredited landlord.

The limitations of landlord accreditation schemes are that they are voluntary, so generally thought to attract the better landlord. Because of this, they can be seen to siphon resources to working with the good landlords rather than the bad ones. Few, if any, schemes have the resources to inspect all properties owned by landlords, so the self-certification may miss some failings in properties or practices. And again, they are used to engage with private landlords on their practices and property standards rather than address the issue of concentrations of HMOs.

#### **Good Practice: Southampton Accreditation Scheme for Student Housing (SASSH)**

The two universities in Southampton set up this landlord accreditation scheme in 2003. It seeks to ensure that private rented properties meet the statutory minimum standards and offer good management practices. It is a self-certification scheme, with three levels of accreditation, based on property conditions and property management. The scheme allows member landlords to advertise their properties through the university.

- **Dedicated staff resources**

Two of the local authorities that were interviewed had a dedicated officer to co-ordinate activities and resources for dealing with the issues. Leeds has a Community Planning Officer and Nottingham has a Student Strategy Manager. Both local authorities and their partners' felt that a having dedicated officer in place was an essential element in co-ordinating activities internally and a valuable resource to liaise with key stakeholders and residents.

#### **Good Practice: Peterborough Council's New Link scheme**

This scheme started as the council's asylum seeker service but has since expanded to look at migration issues. It brings together statutory and voluntary partners working to build better lives in the city for all communities, particularly by creating a model for managing new arrivals. It offers a signposting advice but also brings together migrants and the indigenous population to discuss some of the concerns. One clever tool used by New Link are cards with the service's details printed in different languages that can be handed out to new arrivals by various agencies. New Link and Council are also offering a package of assistance, working with employers of migrants, so they can access information relating to the migrants, including their housing, work and transport to employment.

- **Dealing with environmental blight**

The concentrations of HMOs affect specific parts of towns and cities, therefore initiatives targeted at these areas can have tangible results. For example, Nottingham City Council has three neighbourhood teams that focus on HMO licensing, improving the standard of properties in those areas and improving the general environment eg by taking action against letting boards and (targeting) refuse collection.

Loughborough's Off-Campus Community Service Strategy identifies and prioritises actions and activities, which focus refuse collection and street cleansing at peak times during the academic year. For example at the end of each term and the end of year exodus established residential areas require targeted services.

The Shared Housing Action Group which operates in Leeds has developed a number of actions through its Shared Housing Action Plan which target environmental blight and focus on street cleansing, fly posting, residents' parking. There are a range of initiatives which have been tried and tested in Leeds with varying degrees of success and details of these have been set out in appendix three.

Interviews and focus group discussions with some stakeholders suggested changing refuse collections to better suit the needs of students such as increased activity when students are moving out and less intensive collections during the summer months. Some authorities, such as Birmingham Council and Nottingham, already provide large four-wheeled wheelie bins in student neighbourhoods.

- **Removal of letting boards**

The use of Estate Agents' Lettings Board to advertise accommodation to let can have a detrimental impact upon the streetscape and the local environment. Leeds City Council introduced a Regulation 7 Direction under the Town and Country Planning (control of advertisements)(England) Regulations 2007 in the Inner North West Leeds area to impose restrictions on letting boards and an agreed Code of Conduct. This scheme has been successful in limiting the number of letting boards on display. Building on Leeds' experience this initiative has been adopted by both Charnwood Borough Council and Nottingham City Council. Many residents have called for authorities to use their powers in relation to advertisement regulations, to make their neighbourhoods seem less transitory. However, participants from one focus group found that there were limitations with this approach. Despite there being rules governing that agents/landlords can only display boards when the property is available for sale or let, this did not prevent boards being put on display all year round.

### 3.3.12 Proactive partnerships with key stakeholders

In order to work together, stakeholders need a forum to engage, agree and co-ordinate shared priorities and actions. Leeds, Nottingham, Loughborough and Exeter are examples of where forums have been established and effective partnership working has been put in place. Loughborough's forum has developed an Off-Campus Service Delivery Strategy as part of its wider stakeholder groups (see below). In Leeds, a Shared Housing Group comprising of the City Council, residents, and universities, UNIPOL, Leeds Property Association and the Student Unions has produced a Shared Housing Action Plan. Peterborough Council also runs action weeks in different parts of the city, taken from the Nottingham University model, and based on crime levels. These bring together the different organisations that work with migrant workers to focus on a particular neighbourhood, such as community safety initiatives and dealing with car tax evasion. But they are also an opportunity to hear from local residents and to carry out door-to-door surveys, seeking information about the tenure and property standards.

#### **Good Practice: Loughborough Off-Campus Community Service Delivery Strategy, September 2007**

The Strategy was developed following recognition that there needed to be a common and co-ordinated response to dealing with practical and on the ground action to deal with local service issues arising from high numbers of student residents. The Strategy was produced in close co-operation with key partners and service providers – including Charnwood Borough Council, Loughborough College, Loughborough Student Union, Loughborough University and Leicestershire Police, with input from local residents groups.

The strategy covers all the issues arising from the presence of a large student population, which are subject to influence or control by the Local Authority and partners. Its role is to complement and support the Supplementary Planning Document on Student Housing (see Section below).

The Strategy aims to ensure that the services to student residents and permanent residents in the most pressured areas are responsive to their particular needs and that they are delivered in the right place at the right time. It recognises that during the academic year there are particular pressure points, at the start of the academic when students' return and freshers' arrive as well as the end of term and during the summer period. This cycle of activity impacts upon issues relating to refuse collection and recycling, street management and crime prevention. Through the Strategy, partners are committed to work together to address these issues and the detailed actions to be undertaken by individual agencies and timescales are set out in an annual Action Plan. The Action Plan covers the following topics:

- mandatory licensing and regulation of privately rented accommodation
- on street parking control and enforcement

- crime reduction and community safety
- anti-social behaviour
- refuse collection and street cleaning
- housing strategy – including housing market assessments, homelessness strategy, empty homes strategy, private rented housing strategy
- planning and environmental health powers to control nuisance and environmental damage

The effectiveness of this approach is dependent upon the close collaboration of all stakeholders and residents and the ability to target resources and finances during peak times. This approach is resource intensive and may limit the ability of some organisations, particularly local authorities to take it forward. In addition, the Strategy only deals with the practical service implications of the presence of a large student population in a relatively small town. It therefore does not address the more structural issues relating to community cohesion and community imbalance.

#### **Good Practice: Leeds Shared Housing Action Plan:**

The Shared Housing Action Plan has identified the following objectives:

- To increase the sustainability of the Area of Housing Mix
- To reduce the number of students in the Area of Housing Mix
- To increase the proportion of students in full-time education accommodated outside the area of Housing Mix
- To increase the range of opportunities for student housing in Leeds.

Actions to be undertaken by individual stakeholders are based upon the management of areas with high concentration of students, including community, social and environmental related issues.

Employers also have a role to play with migrant workers. Tesco was named as providing good practice in Peterborough, as it teaches English to foreign staff, pays the correct wages and looks after its staff, according to one interviewee. Perkin Engines was another good employer cited. It had realised that a migrant employee who was sweeping the floor was a qualified engineer, so gave him a job in that role. While there were a lot of gang masters a few years ago, interviews conducted suggested the number within Peterborough had since gone down from 105 to 25.

### **Peterborough Mediation training migrant workers**

A voluntary sector organisation, Peterborough Mediation, offers help and advice to anybody to deal with disputes with neighbours. Because of the tension between the indigenous population and new migrants, the organisation has trained 15 migrants from different nationalities as community facilitators. They speak to irate residents, often providing the first opportunity for these complainants to speak to a migrant face-to-face. It shows them how migrants can speak perfectly good English, be polite and be listened to. The community facilitator then also talks to the migrant neighbour, explains the concern and the rights and responsibilities of each party. They then bring together the two parties to discuss the problems and seek a resolution.

## 3.4 Overview and sharing best practice

It is difficult to develop generic approaches to deal with the issues around high concentrations of HMOs at the national level, other than introducing legislative changes as in the case of Northern Ireland, as circumstances vary due to the different local context. It is clear from the research that there are a range of mechanisms, which can be taken by HEIs, local authorities and other stakeholders, at both the strategic and local level. The various mechanisms that have been put in place by stakeholders and discussed in this report can only be delivered at the local level and in accordance with the different local circumstances. Their success must therefore be judged against the local conditions that they have been devised to tackle.

Section 3.3 and appendix three of this report sets out a checklist of the various mechanisms that have been put in place, the stakeholders who have put the mechanisms into operation and their views on whether they have been effective in dealing with the issues and symptoms associated with concentrations of HMOs and student and migrant populations. The checklist has also identified the barriers and constraints to the implementation of the initiatives and whether there is scope for their wider application. Section 4 identifies which methods of good practice should be considered and adopted by local authorities, universities and other stakeholders groups.

A large majority of the initiatives have been developed to deal with the issues and symptoms surrounding a concentration of student populations. There is a great deal of good practice which can be taken on board and adapted by other towns and cities which may be experiencing similar problems. There are also many examples of good practice, which can be adapted to suit other local circumstances. For example, establishing joint working groups or forums has been hailed as an essential element to dealing with the issues arising from concentrations of particular social groups. Such forums can involve a cross section of local stakeholders, including the various local authority departments, private rented sector landlords, local residents, the police and community workers and the voluntary sector. Developing Shared Housing Action Plans and Shared Delivery Plans is another mechanism that can be adapted to meet local circumstances and to ensure that local services are targeted effectively at the areas in most need of attention.

Some of the mechanisms adopted by some universities and student unions appear to be working well. The use of housing strategies and community strategies, as produced by Leeds University, has provided a clear strategy on the way in which the University will address the problems arising from an imbalance of population in areas of Leeds where there is a large student population, through a collaborative and partnership approach with local stakeholders. The use of student liaison officers and the student union is another example of good practice where initiatives to reduce the impacts of anti social behaviour, and raise awareness of amongst students of their responsibilities as good neighbours has been effective in some universities.

Student housing services such as Liverpool Student Homes and Unipol offer a range of services from landlord accreditation schemes and training and advice for landlords to advice to students on where to look for accommodation. These services have been successful in that they provide access to rented properties where landlords have agreed a Code of Practice and they have encouraged students to seek properties outside of the more traditional student areas.

The targeting of resources and activities to deal with nuisance and environmental blight associated with concentrations of particular social groups has identified some good examples of best practice. Both Leeds and Loughborough have produced shared strategies which target services for refuse collection, environmental maintenance, anti-social behaviour and safety, and environmental blight such as the removal of property letting boards and fly posting. These initiatives have been successful although it was argued that to be most effective they require the targeting of resources year round and not just at peak times of the year.

A number of authorities have developed planning policies, which attempt to control the level of houses in multiple occupation and promote HMOs in other parts of the towns or cities. The purpose is to create more balanced and sustainable communities, by restraining the number of student housing in some neighbourhoods and encouraging the provision of purpose-built accommodation in alternative locations. It is difficult to measure the success of these policies in the short term as some policies have only been in place two to three years, and in some cases have yet to be tested on appeal. The policies have had some success in encouraging purpose-built accommodation outside of the more traditional student neighbourhoods. However, the majority of local authorities who had implemented such measures felt that without the suggested changes to the national planning legislation discussed earlier, the robustness of these policies might not withstand the test at a planning appeal or inquiry.

It was argued by many of those who were interviewed that although the mechanisms outlined in this chapter can bring short and medium term solutions to address the symptoms, they do not address the structural issues around community cohesion and community imbalance, which can result from a high concentration of certain social groups.

## 4. Future approaches

### 4.1 Key findings

#### 4.1.1 Wider dissemination

Notwithstanding the points above in relation to good practice and their wider application. Most stakeholders who were interviewed and participated in the various focus groups, felt that the various initiatives described in this report were only dealing with the symptoms associated with high concentrations of HMOs and not the causes. The effectiveness of the various mechanisms that have been put in place has been varied. However, it is our opinion that a range of mechanisms (identified as examples of good practice) should still be encouraged and considered by the different agencies as a short to medium term solution.

#### 4.1.2 Arguments for and against changes to planning legislation

The majority of stakeholders felt that in order to deal with the causes and the wider structural issues associated with HMOs, there was a need to change current planning legislation. It was considered that the current planning system is limited in its ability to deal with the spatial distribution and concentration of particular social groups. Planning can only regulate land uses, via the granting of planning permission, and is limited as to how it can enforce and regulate how buildings are occupied and by whom.

However, there is a view from some stakeholders that changes to the Use Classes Order would not necessarily solve the problem and would therefore argue against any changes. Should the Use Classes Order be amended, policies introduced to restrict the number of HMOs in a locality would only impact upon new applications for HMOs and would have no control over existing uses. In addition it was argued by some stakeholders that by restricting the number of HMOs in a particular area, it could have the unintended consequences of increasing rents as demand for properties in multiple occupation increases or illegal or unregulated accommodation could proliferate; thus threatening the credibility and effectiveness of the policies introduced under the 2004 Housing Act. It should however be noted that there is no available evidence to support these claims.

In some cases there are local authorities who do not wish to introduce policies to control HMOs. They do not experience the same problems associated with HMOs as elsewhere and they recognise the contribution such properties make to their housing stock and in meeting the housing needs of particular households. For example, as suggested in section 2.3, in some areas HMOs are encouraged as the demand generated from students, young people and migrant workers has helped to sustain housing markets in areas of relatively low demand. This has aided the regeneration of some

areas and their economic turnaround. The positive effects of HMOs could be hindered if legislative changes required planning applications for all HMOs. It should also be noted that not every local authority area has concentrations of HMOs, nor does it harm every ward within affected authorities. In London, HMOs provide a source of affordable housing and are more dispersed, thus their impact is not felt to the same extent as in other towns and cities.

There were arguments against changes to planning legislation and the move toward strict regulation on HMOs. It was considered by some stakeholders that specific concerns, such as anti-social behaviour, might be more successfully treated through current legislation and effective policing and treatment on a piecemeal basis might be a more fruitful policy response. Also, it was considered that the provision of purpose-built accommodation together with the stabilising of student numbers and the move towards more students studying in their home town could change the demand for HMO type accommodation and disperse the concentration of student populations. These factors are considered likely to influence the concentration of HMOs and the number of students living in an area without changes to planning legislation.

If legislative changes were made to the Use Classes Order this would create resource pressures for local authority planning departments, particularly relating to the volume of planning applications for HMOs and associated enforcement issues. It was also felt that if changes were introduced, there would likely be a time-lag between the changing of the legislation and the adoption of the required planning policies to support this. In the case of Northern Ireland the time lag was 4 years from when the Use Classes Order was amended in 2004, to when an adopted Belfast HMO Plan will be in place. Such a time lag would do little to prevent a concentration of HMOs in the short-term.

Despite this, there is a clear case that in order to adequately deal with the effects associated with concentrations of HMOs that some consideration needs to be given to the use of planning legislation and the effectiveness of the policy tools that are currently available. The key question then is, if changes were to be made to the current planning legislation, on what basis they should be changed and how should they be taken forward by those authorities who do not wish to control or restrain HMOs. These factors were considered by the various focus groups, interviews and a wider stakeholder seminar hosted by Communities and Local Government.

As already stated a large majority of the stakeholders who were consulted felt that an amendment to the Use Classes Order was the only way to prevent high concentrations of HMOs developing elsewhere. By amending the definition of C3 uses, under the current Use Classes Order, and providing a definition of HMOs along the same lines as the 2004 Housing Act (ie an entire house, flat or converted building which is let to three or more tenants who form two or more households and who share facilities such as a kitchen, bathroom or toilet), it would allow a clearer definition of what constitutes a single household and ensure that changes of use into HMOs are brought within the control of the local planning authorities.



## 4.2 Suggested approaches

From the research that has been undertaken it is clear many approaches have been taken to try to deal with the issues associated with high concentrations of HMO properties and there is much that can be learnt from this and taken forward as good practice in other areas. Details of the various initiatives are set out in appendix three highlighting their effectiveness and the pros and cons associated with them, such as their suitability for wider application.

However, although some of the initiatives have the potential for wider application, it needs to be recognised that different issues can affect different social groups, for example migrant workers and students, and also different areas, for example coastal towns.

In undertaking the research it is our view that there is no one straightforward answer or solution to dealing with the issues and problems associated with concentrations of HMOs. The issues associated with high concentrations of HMOs and certain social groups, i.e. students or migrant workers cannot be addressed solely through planning legislation. It requires a more cross cutting dimension/approach to the management of the issues as demonstrated by the range of processes currently in place across the towns and cities amongst whom we conducted the research.

On this basis we have put forward a number of options that Communities and Local Government and other stakeholders should consider:

### 4.2.1 Option One: Do nothing.

There is a case to argue that overall the number of towns and cities experiencing problems associated with high concentrations of HMOs and the concentration of certain social groups is not widespread across the country and therefore is only impacting upon a small number of areas and communities. Therefore, if changes were made to planning legislation as is currently being lobbied for, this will have resource and policy implications for a number of local authorities who wish to encourage HMOs. There is a possibility that this problem may diminish in some areas if overall migration levels start to fall and with the impact of changing demography of the student population (ie a reduction in 18–20 year olds as discussed in section 2.3.2) and its make up (eg, older age groups and more part-time study through workplaces). In addition, the current state of the property market is likely to have some influence on the future direction of the private rental market.

Some stakeholder discussions revealed that the situations surrounding high concentrations of HMOs, particularly where there is high concentration of students, is likely to correct itself if left to the market to dictate. For example, as more purpose – built accommodation comes forward it is likely that the demand for student housing in the traditional private rented market will fall and the market will contract. Some stakeholders argued that most universities had already achieved their expansion plans and student numbers

had started to level off. In addition, the trend that is likely to offset growing student numbers is the increasing proportion of students studying locally and living in the parental or own home.

#### 4.2.2 **Option Two: To promote the use of non planning related mechanisms and planning policy levers through wider dissemination.**

As previously discussed the research has identified a range of non-planning related mechanisms and planning policy levers that have the potential to be used as an example of good practice. Our research found that many organisations were sharing good practice through various networks. Examples of good practice have been discussed in more detail in section 3 and appendix three and are applicable to the following organisations:

##### **Higher Educational Institutions and Student Unions**

- Where evidence suggests that action is required, universities could be encouraged by stakeholders, such as Local Authorities, to produce a **Housing Strategy**, setting out a clear statement concerning its housing responsibilities and accommodation requirements, which adequately reflect any proposed expansion or consolidation plans. Leeds University is an example of good practice where its Housing Strategy has guided the development of the University's accommodation requirements and future location within its wider relationship with the local community.
- Universities could consider the use of **Community Strategies** to encourage a more open and transparent communication process between the University and local communities, where issues surrounding a high concentration of student numbers are experienced. Again, Leeds University has developed a Community Strategy which sets out their commitment to work with neighbouring communities. This process could be taken forward by other universities and has the potential to be adopted by other organisations, such as local authorities, where problems are experienced amongst existing communities with high concentrations of particular social groups.
- Dedicated **student liaison officers** and off campus wardens in some universities has proved to be a valuable resource in helping to address the problems associated with high concentrations of students living in local communities. It has proved to be a valuable tool in channelling concerns raised by local communities through the university and student unions and in liaising with other stakeholders, such as student housing providers, the police and local authorities. It has also aided the development and implementation of other mechanisms e.g. neighbourhood help lines. Leeds, Loughborough, Oxford Brooks, Nottingham and Southampton are examples of where such resources are in place.
- **Student Unions** have a key role to play, working collaboratively with universities and local authorities, to promote awareness of community cohesion, raise housing awareness amongst students by promoting accredited properties and alternative residential areas and raising awareness of their individual responsibilities around being a good

neighbour. Loughborough, Leeds, Southampton and Exeter all encourage such initiatives.

### **Student Housing Providers/Accommodation Agents**

- Organisations such as Unipol and Liverpool Student Homes are examples of accommodation agents who provide advice and accommodation details to students and in some cases training and advice services for Landlords. These initiatives have encouraged **Landlord Accreditation schemes** whereby all properties advertised for students are registered in line with an agreed code of practice. Similar initiatives have the potential for wider application across other university towns and cities as well as across the private rented sector market (see below).

### **Local Authorities**

- **Landlord Accreditation Schemes** in Nottingham and Southampton have provided an effective mechanism to raise the standards of private rented sector property. This initiative has tended to focus on private rented sector housing for students but in some cases has been used more widely. These schemes are often run on a voluntary basis and therefore not all landlords are accredited (there is a tendency to attract 'good' landlords) and rely upon the availability of resources within each local authority.
- **Targeting resources and activities** in specific locations and at key times during the academic year has provided an effective mechanism in dealing with the issues associated with environmental blight. Charnwood Borough Council has developed, in association with other stakeholders, a Loughborough Off – Campus Community Service Strategy which targets activities such as refuse collection and street cleansing at key times of the academic year. A similar process is undertaken by Leeds City Council. The initiative is effective in that it deals with issues in the short-term but is heavily reliant upon targeted resources. Leeds has introduced a range of initiatives to control fly posting and the removal of agency Letting Boards in predominantly student areas, which have been effective in dealing with issues around environmental blight. These initiatives have been replicated in other university towns and cities and are suitable for wider application.
- The introduction of **HMO Licensing** under the 2004 Housing Act has set a requirement for all local authorities to licence certain HMO properties. Discussions with stakeholders revealed that although local authorities are progressing with licensing procedures, resource constraints has limited the ability of some local authorities to bring forward both selective and additional licensing.
- **Dedicated Staff** resources to co-ordinate activities around issues associated with high concentrations of HMOs have proved to be an effective tool and should be encouraged across other local authorities. Both Nottingham and Leeds have a dedicated officer in post who is considered to be a valuable resource in taking forward internal liaison and co-ordination of Council activities and in liaising with wider stakeholders and the public. A dedicated resource could be applied across all local

authorities where there are issues surrounding community cohesion in particular neighbourhoods.

### **Proactive Stakeholder Partnerships**

- **Stakeholder Forums** are a crucial mechanism in dealing with the issues surrounding high concentrations of HMOs and certain social groups. Our research has identified a range of approaches undertaken in areas such as Leeds, Loughborough, Nottingham, Exeter and Peterborough whereby effective partnership working and co-ordinated activities have been put in place to address key issues. The development of forums and partnership working should be encouraged in all areas where there are problems experienced with concentrations of HMOs and certain social groups, to ensure stakeholder buy-in and improve communication as well as agreeing a common agenda and set of priorities to ensure the most effective use of resources in dealing with the issues.

A number of local authorities have introduced a range of planning policies and supplementary planning documents to control the number of houses in multiple occupation and the issues surrounding student accommodation.

- The development of **purpose-built student accommodation** has been promoted across many university towns and cities and forms an essential element of university accommodation and expansion plans. Many stakeholders who were interviewed felt that the provision of purpose-built accommodation outside of the areas which experienced a high concentration of students was one planning policy lever which could potentially restore more balanced communities over a period of time. It was considered that additional accommodation should be provided on campus and in areas which were in close proximity to the university and to relevant services and public transport. It was also recognised that the development of purpose-built accommodation has the potential to encourage the wider regeneration of some parts of towns and cities. For example in Loughborough any off-campus provision is encouraged on the edge of the town centre. Nottingham has promoted the development of purpose-built accommodation in areas which are accessible to the universities or within the city's Regeneration Zones where more balanced communities can be maintained. It is essential that if the provision of purpose-built accommodation is to be successful this should come on stream at the same time as wider university expansion plans.
- Various **planning restraint policies**, such as Area Restraint policies as in the case of Leeds or Threshold policies as adopted by Glasgow, Charnwood and Nottingham, have been adopted by a number of local authorities to try and control the concentration of HMOs and encourage more balanced communities. These policies have had varying degrees of success. In Leeds, the Area of Restraint policy has tried to encourage the development of student accommodation outside of the Headingley area to alternative locations within the city. This has been successful to the extent that more purpose-built accommodation is being developed on the edge of the city centre. However, the City Council was unable to resist an

application for a student housing scheme put forward in Headingley by Leeds Metropolitan University.

- Both Nottingham and Charnwood have encouraged the development of purpose-built accommodation as a means of dispersing student accommodation and concentrations. Both of these authorities have adopted a threshold approach to dealing with applications for student accommodation in areas where there are existing high concentrations. However, both authorities feel that despite having the policies in place there is no guarantee that any applications that are resisted by the local authorities will not be allowed on appeal by the Planning Inspectorate.

#### **4.2.3 Option Three: Amend the Use Classes Order to provide a definition of HMOs and allow tighter planning controls over houses in multiple occupation.**

Despite the various mechanisms that have been put in place, as detailed above, the majority of discussions that we held with planning practitioners strongly felt that the initiatives were only touching the surface, for example none of the planning policy levers could address issues surrounding shared houses which had less than six residents.

Therefore in order to deal with the causes and the issues associated with houses in multiple occupation it was felt by many that there was no alternative but to amend the current Use Classes Order by providing a definition of HMOs along the same lines as the 2004 Housing Act. This would allow local planning authorities to have more control over the location and concentration of properties in multiple occupation.

If the Use Classes Order was to be amended it should be recognised that there will be a time lag between when legislative changes are made and when they are put into practice. It is therefore essential that any changes are not seen as a quick fix and will only start to make an impact in the long-term. However, it is important to note that planning policies can not to be regarded as the only solution to the problem but a range of other complementary initiatives will need to be put in place as well (as suggested in Option Two).

In taking forward any amendments to the Use Classes Order and in dealing with the consequences arising from the changes to the Use Classes Order there are a number of suggested approaches.

- The Use Classes Order could be amended to provide a distinct class for HMOs. For example the C3 Use Class could be subdivided to include a new classification i.e. C4 Use Class for HMOs, where HMOs would be defined as dwellings used by 3 or more people who form two or more households.
- Where local authorities want to encourage HMOs then they should be allowed to use local discretion, and identify parts of their local authority area (through the use of planning policies and the LDF process) where they would look to restrain or encourage HMOs. For example local

authorities who do not wish to restrict HMOs in a particular area could do so by clearly stating in their LDFs that planning applications for HMOs will be looked upon favourably.

- If amendments were made to the Use Classes Order, then local authorities should have in place the adopted planning policies to enable them to adequately control where HMO developments should be located and areas where they will be resisted. Building on the experience of Northern Ireland, the policy mechanisms need to be robust enough to justify a refusal of planning permission and to withstand any challenges at a planning appeal or inquiry.
- In some cases, for example where the definition of HMOs was changed along the lines of the 2004 Housing Act or the Northern Ireland model, it has been argued that a small household who wished to take in a lodger would be discriminated against under the new definition. A way around this approach would be for a local authority to adopt a SPD to make exceptional circumstances, i.e. where a property or HMO is occupied by the owner occupier.
- Alternatively, it is of the view of some stakeholders that the use of Article 4 Directions to remove the powers for properties to convert the HMOs is another mechanism for dealing with the issue. The potential way forward would be if the definition of an HMO was to be amended to reflect the definition used under the 2004 Housing Act or in line with Northern Ireland's definition. This would still allow a change of use from a dwelling to an HMO to be permitted development, unless an Article 4 Direction was used to revoke this.
- The use of an Article 4 Direction could be enforced by those local authorities who wished to control the level of new HMOs. This approach would still require the necessary changes to planning legislation to amend the definition of HMOs and would require planning policies to be in place to support and justify the removal of permitted development rights in some localities. This option is a potential route that Communities and Local Government may wish to consider as part of its wider consultation process. However, some stakeholders may still feel that this option would not be robust enough to withstand appeals as there is no guarantee that Planning Inspectors will be supportive of such local policies. In addition, some local planning authorities felt that this process could potentially be costly if an applicant, whose application had been refused, claimed compensation.

### 4.3 Overview

In terms of our recommendations to Communities and Local Government, there appears to be two responses to the issues around concentrations of HMOs.

- to tackle the social and environmental symptoms (non planning led approach)

- to stop the symptoms from emerging by restricting control (planning led approach)

We would suggest that a range of good practice is in existence in the form of non – planning and planning related mechanisms which are dealing with the symptoms arising from high concentrations of HMO properties and concentrations of certain social groups, most notably students. These mechanisms, as set out in the report and summarised above in Option Two, have the potential for wider application and can be adapted to address the needs arising in particular localities in the short to medium-term. They should therefore be widely promoted by Communities and Local Government and other stakeholders as part of wider consultation and dissemination.

However, despite these processes being in place it is our view that they have limited impact upon the longer-term issues surrounding houses in multiple occupation, particularly where properties are classified as a dwelling house under the C3 Use Classes Order but are occupied by up to 6 people living together as a single household. For this reason, it is suggested that Communities and Local Government undertake wider consultation on proposed amendments to the current Town and Country Planning (Use Classes) Order 1987 and that consideration be given to providing an amended and clearer definition of HMOs, potentially along the same lines as that of the 2004 Housing Act.

On this basis we would suggest that there are a number of actions that could be put in place in the short, medium and long-term which are a mix of national policy and legislation and local practice.

In the short-term, the following actions could be pursued:

- to encourage the wider dissemination of ideas and policies by sharing good practice amongst a wider network of stakeholders (as suggested in Option Two). Although, it is recognised that some mechanisms may not address the root cause of the problems associated with the concentration of HMOs, they are still managing to have some impact
- to ensure that the current housing and planning legislative powers are being adequately used by monitoring the legislation and the various planning policy processes that have been put in place by individual local authorities, to determine their effectiveness, how they have been implemented, what approaches are working and their effectiveness upon appeal (in the case of planning policies), and whether there is potential for improvement and wider application
- this process could be undertaken through a Task and Finish Group to be established by Communities and Local Government and comprising of local authority officers and Communities and Local Government officers (plus other relevant agencies). It is suggested that this group should be provided with a clear remit to monitor the impact and effectiveness of current legislative powers and related planning policies, the methods and effectiveness of their implementation, identify where there are weaknesses

and challenges and from this consider and recommend any changes that should be undertaken.

In the medium-term to long-term, should the evidence suggest that there is a need to consider amendments to the Town and Country Planning (Use Classes) Order 1987, we recommend that before any amendments are undertaken:

- a potential way forward, may be to consider a more in-depth assessment of Northern Ireland's experience, following the adoption and implementation of the Belfast HMO Subject Plan. Should Communities and Local Government be minded to mirror the Northern Ireland approach in whole or in part, it is recommended that Communities and Local Government commission further research to undertake an evaluation of the legislative and policy changes in Northern Ireland. This should determine the overall impact that the changes to the Use Classes Order and related planning policies have had in controlling the concentration of HMOs and encouraging their development within designated areas across Belfast and how such measures could be put into practice in England.
- should it be considered that changes are required to legislation and to the definition of HMOs then consideration will need to be given to the various factors as set out in Option Three above



# Annex 1: Organisations involved in interviews

## **Local Authorities:**

Peterborough Borough Council

Leeds City Council

Nottingham City Council

Liverpool City Council

Oxford City Council

Charnwood Borough Council

Salford City Council

Southampton City Council

Exeter City Council

## **Universities:**

Leeds University

Loughborough University

Exeter University

UUK

Oxford Brookes

Nottingham University

Leeds University Student Union

## **Housing Providers:**

UNIPOL

Liverpool Student Homes

Leeds Property Association

Leeds Residential Property Forum

## **Residents/Lobby Groups:**

National HMO Lobby (Leeds, Nottingham)

## **Government Office**

Department of Environment, Northern Ireland

# Annex 2: Reference documents collated from stakeholder consultations

Source	Document Summary	Document Content
ANUK	Code of Practice	
Canterbury District Housing Strategy 2005–2010	Approximately 22 per cent of all households living in the private rented sector are student households. It was noted that identifying sites for purpose-built housing had proven difficult (Page 38).	<p>It was noted that in the course of the Strategy it is essential that the council continues to work with the local education establishments, to where possible meet the need of the local student population through the provision of purpose-built accommodation.</p> <p>The Strategy notes that the Council is completing a scrutiny review of the impact of students in the district. The review will address issues such as accreditation of student accommodation, neighbourhoods with high student concentrations and antisocial behaviour.</p>
Bristol City Council – April 2008. Luke Malcher	Paper focusing on Management Solutions to Student HMOs.	<p>The Local Authority has recently updated a Code of Good Practice for Private Landlords This has encouraged accreditation and is increasing awareness of selective licensing.</p> <p>Above content discussion reflects telephone interview discussions</p>
COMMUNITIES AND LOCAL GOVERNMENT (August 2007)	Evaluating the impact of HMO and Selective Licensing: the baseline before licensing in April 2006	<p>The aim of the research<sup>1</sup> commissioned by Communities and Local Government was to evaluate the impact of HMO Licensing and Selective Licensing in England. The research asked questions to establish how far licensing is improving standards of management and property conditions in the private rented sector and also whether any other additional measures, or changes in definition, are needed<sup>2</sup>.</p> <p>In reference to the student market, it was noted that there were two City Council’s Planning Unit has produced two pieces of Supplementary Planning Guidance to respond to the expansion of the University. Both documents were adopted after public consultation. One is essentially positive encouraging provision of more purpose-built student accommodation. The other is more restrictive seeking to reduce the potential impact of more students in certain residential areas. key changes effecting supply, which was the increase in new build purpose-built accommodation; and predicted decline in student numbers as a result of rising tuition fees (Communities and Local Government (August 2007), page 16).</p> <p>In terms of solutions, accreditations and registrations schemes were seen to have a specific purpose in improving standards.</p>

<sup>1</sup> Communities and Local Government (August 2007) Evaluating the impact of HMO and Selective Licensing: the baseline before licensing in April 2006, (August 2007) Communities and Local Government: London

<sup>2</sup> Communities and Local Government (August 2007), Page 7

Source	Document Summary	Document Content
ECOTEC Research and Consulting (July 2007)	The Private Rented Sector in New Heartlands – Final Report.	This research analyses the supply and demand of the Private Rented Sector in New Heartlands Pathfinder area and sub market in 2006. It examines the PRS demand drivers, including the economic decline of the area, the announcement of housing market renewal pathfinder status, and Liverpool gaining European Capital of Culture. As a result of large increase in Halls of Residence bed spaces in the City Centre <sup>3</sup> , Liverpool Student Homes noted an increasing number of landlords withdrawing from the market completely, rationalising their portfolio or putting their properties under the management of agents. The rise in Liverpool City Centre Student, mainly private halls of residence has affected traditional student rentals and markets. Research showed that unlike some types of household, student groups can split into smaller or bigger households depending on social networks and the availability of properties. This makes them more adaptable than other households such as families.
ECOTEC Research and Consulting and SURF Centre, University of Salford (20 November 2006)	Review of Stoke-on-Trent Private Rented Sector	This study was commissioned by Stoke-on-Trent Council and sought to develop an understanding of the dynamics and recent developments of the Stoke-on-Trent Private Rented Sector (PRS). The PRS acts as a key resource in meeting local housing needs and demand.  The article recognised that the ability to forecast the impact of high concentrations of student households is largely influenced by the continued health and improvement of this market segment, which is dependent upon education policy rather than housing policy  The study paid particular attention to the PRS student market because of its dominance in some local communities <sup>4</sup> . In order to inform policy, the report lists a series of recommendations.
Ecotec Research and Consulting and NHPAU (February 2008)	Rapid Evidence Assessment of the Research Literature on the buy-to-let housing market sector	This report reviews evidence on the buy-to-let market on behalf of the National Housing and Planning Advice Unit (NHPAU). It focuses on the supply side of the private rented market, particularly looking at investor characteristics and their motive for investing. The article references Hometrack (2006) estimates that demographic, economic and social factors will combine to increase demand for private rented housing over the next 15 – 20 years. In context to student HMOs, it perhaps re-enforces that there are other segments of the market demanding private sector housing, including migrant workers. The consequential effects of an enforced change in local housing policy are not evidenced in this research.
Exeter City Council – June 2007	Supplementary Planning Guidance for Development Related to the University of Exeter – June 2007	<a href="http://www.exeter.gov.uk/media/doc/m/2/University_SPG.doc">http://www.exeter.gov.uk/media/doc/m/2/University_SPG.doc</a>

<sup>3</sup> A 2006 Report (Liverpool Student Homes (Nov 2006) The market analysis of student housing in Liverpool 2006) noted large private hall of residence first appeared in Liverpool City Centre in 1998/1999 with 2,200 bedspaces and have since grown to 8,300 bedspaces in 2005/06.

<sup>4</sup> The student market represents 10per cent of the total Stoke-on-Trent PRS

Source	Document Summary	Document Content
HEFCE (2003),	Revisiting the Benefits of Higher Education	Highlighted the non-economic benefits of higher education, including greater racial tolerance among graduates, a higher probability of voting in general elections and greater community activity through participation in voluntary associations.
Law Commission	'Encouraging Responsible Letting' lawcomm.gov.uk – consultation period has closed, intending to report in June/July.	Currently investigating making it a requirement for all private landlords to be part of an accreditation scheme.
Local Authorities Coordinators of Regulatory Services (LACORS)	Feb 2008 <a href="http://www.lacors.gov.uk/lacors/ContentDetails.aspx?authCode=218BCB1&amp;id=18727">http://www.lacors.gov.uk/lacors/ContentDetails.aspx?authCode=218BCB1&amp;id=18727</a> .	Article provides guidance for councils on tackling unlicensed HMOs
Local Authorities Coordinators of Regulatory Services (LACORS)	August 2007 <a href="http://www.lacors.gov.uk/lacors/ContentDetails.aspx?authCode=218BCB1&amp;id=17130">http://www.lacors.gov.uk/lacors/ContentDetails.aspx?authCode=218BCB1&amp;id=17130</a>	A national survey on local councils implementation of HMO licensing, and the survey also made reference to the % of councils interested in pursuing selective and/or additional licensing in the future:
National HMO Lobby (2008)	Balanced communities and 'studentification' – Problems and Solutions.	This article references a 'Tipping Point' which is a threshold at which a deviation departs so far from the norm that a community tips from balance to un-balance. With regard to HMOs, the tipping-point can be expressed in terms both of population (20per cent) and of properties (10per cent) <sup>5</sup> . The article also notes solutions to the problems, which are stated as follows; (1) An Accommodation Audit, (2) Co-ordination, with the Local Authority setting up the forum, (3) Action Plan, (4) Mandatory HMO Licensing, (5) Additional HMO Licensing, applying to larger HMOs, (6) Restoration of Balance, (7) Areas of Restraint, (8) Threshold policy, (9) Purpose-built accommodation and (10) Use Class Order (redefining HMOs and subjecting them to planning permission).
National HMO Lobby response 5th March 2008 to a Government Announcement on expanding the number of universities	The New University Challenge – <a href="http://hmolobby.org.uk/NewUniChallenge.htm">http://hmolobby.org.uk/NewUniChallenge.htm</a>	This article refers to research by Rugg et al, The nature and impact of student demand on housing markets, Joseph Rowntree Foundation, York, 2000. This stated "a housing strategy should be integral to the expansion plans of every HEI, and comprise an analysis of likely impacts on the local rental market and consultation with local community groups". The article recommended that any new university initiative should be dependent upon the proposal including a commitment to undertake an impact appraisal.

<sup>5</sup> National HMO Lobby (2008) Balanced communities and 'studentification' – problems and solutions

Source	Document Summary	Document Content
Oxford Local Plan 2001–2016.	Adopted on 11 Nov 2005	Page 83 notes Policy HS.13 (Institutional Student Accommodation); Planning permission will be granted for developments by education institutions of purpose-built accommodation for student on suitable sites. Planning permission will not be granted for the conversion of existing or new purpose-built student accommodation to any other use. It also notes HMO registration areas, where there are proposed restrictions on the percentage of shared accommodation which requires planning permission.
Peterborough City Council – November 2007	Workshop Notes from Building Cohesive Communities 20th November 2007	Paper outlining discussions from one day conference, including; (1) key issues, (2) What action should be, (3) What can be done and which agencies can carry out the work necessary to solve the issues (4) Barriers (5) Most important issues emerging for discussion.
Peterborough City Council – November 2007	Building Cohesive Communities 20 <sup>th</sup> November 2007 Workshop Case Study	Discussion about increased density of private sector landlords on one street. This one day conference looked at national best practice in delivering services relating to the private rented sector.
Peterborough City Council – March 2006	Brief for proposed work (March 2006) to be undertaken in an area of Peterborough.	Brief case study content; an area where family houses are being bought up by private landlords and are being rented to migrant workers.
Regeneration and Renewal Article – 7 <sup>th</sup> March 2008	National Policy Statement.	20 new university towns will be created over the next 6 years under plans to expand further education.
Rhodes (2006)	The Modern Private Rented Sector. Joseph Rowntree Foundation: University of York	The aim of this research was to examine the characteristics of the modern private rented sector through an analysis of 2001 census data.  Instead of describing high concentrations of students in terms of HMOs density, the research notes that it is a niche market which represents a key demand group for PRS.
Rugg, J, Rhodes, D and Jones A (2000)	The Nature and Impact of Student Demand on Housing Markets Joseph Rowntree Foundation	The research sought to understand the nature and impact of student demand by introducing the characteristics of the sector and describing the effects it has on local housing markets. The impact of student demand was put in the context of the market itself and the strength of other demand groups. Market demand for student accommodation is fuelled by investor confidence in the defined geographical areas, thus making student areas a 'safe' investment for the private sector.
Unipol Student Homes – March 2008	Research Paper. Martin Blackey	This paper was focused on seeking management, not planning solutions.  Several questions were raised in this paper; including do concentrations of HMOs undermine community cohesion? A point was noted about families moving away from the urban core, and young professionals moving in, irrespective of the concentration of student housing. 'Community cohesion is not being "undermined" it is simply changing, and it is the way this is managed that should be focused on'.  The paper noted that there was little evidence, probably none, that houses left by students have returned to owner occupation and have not remained HMOs.

Source	Document Summary	Document Content
		<p>The previous Rowntree Report, undertaken by Julie Rugg, on student accommodation called for HEIs to produce “impact assessments” on the housing supply and markets when they expanded, which the paper noted that no University has done this.</p> <p>Leeds UDP Inspector quotes were also provided in the article.</p>
UDP Inspector Report – Leeds		Referenced in Unipol Student Homes Note (March 2008) and the Leeds HMO Lobby Website.
Universities UK	17th December 2007. Update to members following publication of ‘Studentification’ Guidance.	<p>Follow on activities included;</p> <ul style="list-style-type: none"> <li>– Updated leaflet (March 2007) summarising the impact on university on their localities.</li> <li>– UUK held two conferences. Conference of 25<sup>th</sup> October 2007 explored new developments, such as ‘statements of community involvement’ being incorporated into local planning applications.</li> <li>– Communities of Opportunity: Smart Growth Strategies for Colleges and Universities published by the National Association of College and University Business Officers (NACUBO), based in the United States, in July 2007.</li> </ul>
Universities UK (January 2006),	Studentification: A guide to opportunities, challenges and practice, (UUK: London)	The research was carried out during 2005, and showed there is a significant variation in the scale, pace and ways in which ‘studentification’ impacts on places throughout the UK (UUK (January 2006), page 8). The guide concentrates on the practical short to medium-term strategic and local level initiatives that may be achieved by HEIs and Local Authorities. It concludes with a checklist for the stakeholders who are concerned with the challenges of ‘studentification’.
UUK (2007)	Universities: Engaging with local communities	This leaflet summarises the impact that Universities have on their locality. The physical impacts of movement of people at the beginning and end of terms, the social and cultural impact which is felt through the provision of sports facilities, art galleries, cinemas and theatres and the provision of skilled graduates impact and the positive effects this can have on local economies. It also looks at good practice and how universities have been working to improve community relations.
Universities UK	Unpublished Planning/ Professional Practitioner Guidance	This material is yet to be published by UUK. Not reviewed as part of this research.
Universities UK (2006)	The Economic Impact of Higher Education Institutions on the UK Economy	

# Annex 3: Good practice checklist

Stakeholder	Type of Initiative	Examples of who has adopted this approach	What is the Purpose/Role of the initiative	How effective in dealing with the causes/symptoms of high concentration of HMOs and populations.	What are the Barriers/Constraints to implementation	Is there potential for Wider Application
Universities	University Housing Strategies	Leeds University Loughborough University	Guide the development of the University's accommodation strategy and its wider relationship with the community	The Strategy is aimed at easing the symptoms of demographic imbalance associated with concentration of student in certain areas of Leeds, whilst ensuring the provision of affordable, safe and accessible accommodation for students.	Collaborative working a range of stakeholders and a commons shared vision and shared priorities.	Yes. HEIs should be encouraged to make a clear statement concerning its housing responsibilities and its future development plans. Housing Strategies should be an integral part to the expansion plans of every HEI
Community	Community Strategy	Leeds University	Sets out a commitment to work effectively to the mutual benefit of neighbouring communities in the Inner North West of Leeds – via open & transparent communication, promoting community cohesion and matching resources to community priorities.	The strategy has identified a number of recommendations in response to the growth in the number of students living in areas close to the University. The actions arising from these recommendations are being taken forward in partnership with other stakeholders.	Partnership working with stakeholders is a key requirement to take forward effective actions as well as a sustained and ongoing dialogue	Yes. Partnership working amongst all stakeholders is a key element.



Stakeholder	Type of Initiative	Examples of who has adopted this approach	What is the Purpose/Role of the initiative	How effective in dealing with the causes/symptoms of high concentration of HMOs and populations.	What are the Barriers/Constraints to implementation	Is there potential for Wider Application
	Community Relations Officer and off campus wardens	Leeds University Loughborough University Oxford Brookes University Nottingham University Southampton University Southampton Solent University	To help address the problems associated with the high percentage of students living in neighbouring communities and to ensure wider community engagement; off-campus wardens or university security can sometimes access university database to see if students are registered at a particular address; can offer a response service to local residents, e.g. at night. Loughborough has also given a senior manager responsibility for community relations, to ensure issues are taken to the top of universities	Good way of channelling concerns from the community	Resources to fund a dedicated post	Yes.
	Neighbourhood Help lines	Leeds University Loughborough University	Single point of contact for issues raised by members of the community.		To be effective in needs to be a joint initiative in partnership with other stakeholders and responsive to residents' complaints.	Yes.
	Disciplinary Procedures for anti-social behaviour	Loughborough University Exeter	Agreements on behaviour on and off campus, with potential disciplinary sanctions; can also have mechanism for writing back to complainant, so keeping residents informed		Throwing students out of university is rarely used. More effective in towns or cities with just one university, so easy to identify which HEI student is from	Possibly

Stakeholder	Type of Initiative	Examples of who has adopted this approach	What is the Purpose/Role of the initiative	How effective in dealing with the causes/symptoms of high concentration of HMOs and populations.	What are the Barriers/Constraints to implementation	Is there potential for Wider Application
	Behaviour discussions	Southampton University	Discussions between university, student and local authority to discuss behaviour	Helps to come to a reasonable solution to the problems caused by individual behaviour. Shows severity of actions to students		Yes. Can build on the partnership approaches already in place between some universities and local authorities.
	Housing Awareness Weeks	Solent University	Increase awareness among students, can include promoting accredited properties or how to be a good neighbour for students	Deal with the issues of anti-social behaviour and help to encourage students away from areas where there is an existing concentration.	Yes, most Universities interviewed had similar mechanisms in place.	
	Information sharing	Exeter	Sharing information on student properties between the local authority and university	A useful early step in understanding where the concentrations are	Data protection issues	Yes
	Promoting awareness of community cohesion	Most student Unions in collaboration with HEIs Loughborough "Silent Student Happy Homes"	Student Accommodation Handbooks	To guide students when seeking accommodation, to encourage students to consider alternate areas for accommodation and to make them more aware of the responsibilities of being good neighbours	Collaborative working between the student unions and HEI as well as wider stakeholders. The necessary resources to deliver the initiatives.	Yes, these types of initiatives can be applied across all Universities and Student Unions.
Student Unions	Promoting volunteering among students	Solent University	Engaging students in voluntary work, often in the local community	Limited effectiveness, though will increase student awareness of their local area and can increase community engagement between long-term residents and students		Yes, but also to promote this work further, as few residents will be aware of this

Stakeholder	Type of Initiative	Examples of who has adopted this approach	What is the Purpose/Role of the initiative	How effective in dealing with the causes/symptoms of high concentration of HMOs and populations.	What are the Barriers/Constraints to implementation	Is there potential for Wider Application
Housing Providers/ Accommodation Agents	Landlord association sessions on studentification	Southampton	Make landlords aware of issues		Just better landlords generally involved in landlord associations	Yes
	Unipol	Leeds Nottingham	Drive up property standards; provide clear information on the market to students and their parents, the local authority and landlords; provides a code of standards, which is higher than the statutory minimum		Cost to introduce and possible capacity constraints for Unipol	Yes
All Stakeholders	Landlord association code of practice	Exeter	A code establishing property standards and ethics, with the possibility of sanctions for offenders		Probably limited impact, as it is often the better landlords who are members of landlord associations	Possibly
	Target Walksafe Scheme	West Yorkshire Police	Initiative runs at the start of the academic year and aims to ensure that student receives advice regarding the safest routes home		Co-ordinating approaches to student safety and Partnership working between the Police and the Universities and Student Unions.	Possibly

Stakeholder	Type of Initiative	Examples of who has adopted this approach	What is the Purpose/Role of the initiative	How effective in dealing with the causes/symptoms of high concentration of HMOs and populations.	What are the Barriers/Constraints to implementation	Is there potential for Wider Application
Residents	Shared Housing or Community Strategies	Leeds and Loughborough	Joint strategies and action plans to co-ordinate stakeholders activities and to priorities activities.	Very effective in providing a co-ordinated and partnership approach to implementing shared actions. However, stakeholders argue that the various initiatives were only dealing with the symptoms and not the causes.	A commitment and shared vision from all stakeholders is required to take forward a partnership approach. Need to have the right people/organisations on board. The process can be resource intensive in developing and taking forward a shared approach.	Yes.
	Partnership working	All areas visited	Voicing resident concerns; reporting particular issues; providing evidence; identifying appropriate agencies and individuals to contact	Important part of work	Much of the early discussions are reported to be residents letting off steam rather than talking about positive solutions	Yes
	Speaking at Freshers' Week	Loughborough	Engage students with long-term residents; offer long-term residents something constructive to do; raise student awareness of their local area			Yes, Could be taken on board by other Student Unions where this is an issue.
	Welcome packs	Exeter	Provide information to students about the local area; start to engage students with long-term residents		Cost	Possibly

Stakeholder	Type of Initiative	Examples of who has adopted this approach	What is the Purpose/Role of the initiative	How effective in dealing with the causes/symptoms of high concentration of HMOs and populations.	What are the Barriers/Constraints to implementation	Is there potential for Wider Application
Local Authority	Landlord accreditation scheme	Southampton Nottingham	To bring up the property and management standards of private rented properties, often among student landlords but sometimes more widely. Sometimes run training on relevant issues (eg property standards)	Most effective in bringing up property standards	Often self-certification of properties, as schemes do not have the resources to inspect all properties. They are voluntary schemes, so not all landlords will become accredited	Often run in association with universities or through AUNK for student properties or carried out regionally for smaller authorities
	Community charters	Safer Polygon Charter, Southampton	Asking residents to sign up to a charter around noise, rubbish, parking and other forms of acceptable behaviour; possibility of informing university if charter is breached		Dependent on individual residents to sign up to charter	
	Balanced Community Policy	Nottingham	Can benefit from gaining cross-party support among councillors			
	Supplementary Planning Guidance promoting purpose-built halls	Nottingham Loughborough Exeter	Encourage the growth of purpose-built halls of residence by private firms to house students in designated areas; attempting to take the strain away from other areas. Can also be used as part of wider regeneration initiatives	Probably more closely managed than traditional HMOs	It still leads to a concentration of students where the halls are located	Yes

Stakeholder	Type of Initiative	Examples of who has adopted this approach	What is the Purpose/Role of the initiative	How effective in dealing with the causes/symptoms of high concentration of HMOs and populations.	What are the Barriers/Constraints to implementation	Is there potential for Wider Application
	Neighbourhood action weeks	Loughborough	Provide interaction between long-term residents and students; additional waste collection; tidying up area; makes street look better, as it get local people to take better care of their area			
	Police Community Support Officer	Loughborough	A role funded by the LA and university for particular areas			
	Street Scene	Leeds	Targeted cleaning initiative in Headingley.	Not that effective as the initiative is targeted at key times during the academic year such as end of term and end of year. To be effective it would require the service to be targeted on a permanent and regular basis.	Resources are a constraint as would require the Cleansing Services for the entire City to be focused on Headingley.	A similar targeted approach is used in Loughborough at peak times during the academic year.
	Fly posting initiative	Leeds	To control fly posting in and around Headingley. The City Council has issued a contract to a company who provide drums located in Headingley where fly-posters can be displayed. Fly posting is prohibited elsewhere.	The scheme has been successful by discouraging posters to be plastered on buildings, bus shelters etc.	Resources associated with overseeing the contract etc.	Yes.

Stakeholder	Type of Initiative	Examples of who has adopted this approach	What is the Purpose/Role of the initiative	How effective in dealing with the causes/symptoms of high concentration of HMOs and populations.	What are the Barriers/Constraints to implementation	Is there potential for Wider Application
	Flyer Control Zone	Leeds	The City Council has imposed a requirement for all businesses to require a licence to distribute flyers. This initiative aims to curb the amount of flyers that are handed out and on the spot fines are imposed for any one without a licence.	The scheme has reduced the number of flyers handed out and a knock on effect is a reduction in the amount of litter.	Resources to co-ordinate and manage this initiative.	Yes
	Skips at the end of academic year	Loughborough	Provide skips in student areas at the end of the academic year for bulk of rubbish	Effective in minimising rubbish on streets	Cost	Yes
	Student/HMO forum	Nottingham Loughborough Exeter	Bring together all the different parties involved, often with people at a high level; gets residents involved in decision-making.	Important for taking ownership of the problems and getting different agencies involved	Much of the early discussions are reported to be residents letting off steam rather than talking about positive solutions	Yes
	Cumulative Impact Policy	Leeds	Where pubs/takeaways apply to extend their opening hours, this policy allows the Council to resist applications on the grounds that the cumulative impact of these premises would be detrimental to the local area.	This initiative was previously used in the City Centre and on the back of this has since been rolled out to Headingley and eventually other parts of the City where problems are experienced.	Will require the development of a policy through Environmental health powers and will require enforcement.	Yes

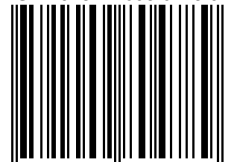
Stakeholder	Type of Initiative	Examples of who has adopted this approach	What is the Purpose/Role of the initiative	How effective in dealing with the causes/symptoms of high concentration of HMOs and populations.	What are the Barriers/Constraints to implementation	Is there potential for Wider Application
	Designated Public Places Order (DPPO)	Leeds	The order bans public drinking in Headingley.	The scheme reduced the level of drinking that previously took place outside of the bars/pubs in the local area and the nuisance associated with this.	This initiative has been adopted by many local authorities across the Country particularly in towns and city centres.	Yes
	Area of Restraint	Leeds Belfast	Identifies and designates an area whereby restraint mechanisms are placed upon certain forms of development i.e. Student housing or HMOs.	Leeds City Council Policy Area of Housing Mix (Policy H15) of the UDP. Started to encourage more purpose-built student housing outside the Area of restraint.	The effectiveness of these policies to control the concentration of student housing and in particular HMOs relies upon the need to have adequate policies in place. However, many local authorities and stakeholders felt that despite having policies in place their effectiveness could be undermined particularly on appeal unless the current Use Classes Order was amended to redefine HMOs and make them subject to planning permission.	Yes. It is argued that policies through the LDF process do need to be put in place. However, the effectiveness will be influenced by Inspectors' decisions at both Inquiries and on appeals.
	Threshold Policy	Nottingham Oxford Charnwood Glasgow	This policy approach aims to reduce the concentrations of HMOs by imposing a ceiling threshold upon which planning applications will be resisted.	It is too early in the day to determine the effectiveness of this approach and the successes to date varied across local authorities.		



Stakeholder	Type of Initiative	Examples of who has adopted this approach	What is the Purpose/Role of the initiative	How effective in dealing with the causes/symptoms of high concentration of HMOs and populations.	What are the Barriers/Constraints to implementation	Is there potential for Wider Application
	Purpose-built Student Accommodation	Leeds Nottingham Loughborough	Support the development of purpose-built accommodation and its location away from established residential areas.	A substantial number of schemes have been developed in recent years and have tended to be private sector-led and through joint ventures with HEIs/PRS. Schemes have been promoted in areas which promote regeneration. However, to be effective they need to be located in areas with adequate supporting infrastructure such as public transport and local services and close to University facilities.	The location of these schemes needs to be carefully handled so as not to impact upon existing residential communities or increase polarisation.	

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