

Councillors Written Questions to Cabinet Members and the Responses

Full Council – 21 February 2018

1. From Councillor Irvine to the Cabinet Member for Housing?

Question 1 –

Please give figures concerning the sale of Council houses as under:-

- a) *Number of houses sold.*
- b) *Market value of houses sold.*
- c) *Discount allowed as an amount and as a percentage.*
- d) *Number of houses sold below historic cost and amount below such cost.*

Response –

The position at 31 January 2018 was:-

- a) 10,938
- b) £622,380,292
- c) £265,150,000 (43%)
- d) 753, & £4,770,472

Question 2 –

For the 2017/18 Housing Budget, what are the estimated number of units of council housing, the estimated annual rent income and the resultant average weekly rent income per unit?

Response –

The number of units available for 2018/19 is estimated at 7745 after allowing for Right to Buy sales of as at the start of the year of 50, new Builds of 40 and buy backs of 3. The estimated rent for premises income is approximately £41.7 million excluding garages, giving an average weekly rent of £103.46.

Question 3 –

What is the estimated cost of Homelessness borne by the Housing Revenue Account and by the General Fund? What are these costs expressed in amounts per week for Council Tenants (52 week year) and for the average property (Band C) in Crawley (52 week year)?

Response –

The cost of hostel accommodation in 2018/19 borne by the Housing Revenue Account is estimated to break even.

The cost of Homeless accommodation in 2018/19 borne by the General Fund is estimated to be £1,141,080 which is equivalent to 72 pence per week for the average property (Band C).

2. From Councillor Peck to the Cabinet Member for Environmental Services and Sustainability:

Question –

Since the current Labour Administration was formed in June 2014, how many fines has the Council issued for the anti-social activities of littering and dogfouling?

Response –

The Council does not have the power to fine only the Courts can impose a fine. The Council has the power to issue fixed penalty notices. If a payment on a fixed penalty notice is not paid then the Council can prosecute.

No actual Fixed Penalty Notices have been issued, as the Council's approach is to request via a warning that the litter or dog foul is picked up. If the warning were not responded to then a fixed penalty notice would be issued but no one has refused to comply. The benefit of this approach is that the litter/dog foul is removed immediately by the person who dropped it there. The number of instances is as follows:

April 14 to March 15 – 88 warnings issued for littering/ 5 warnings issued for dog fouling

April 15 to March 16 – 119 warnings issued for littering/ 9 warnings issued for dog fouling

April 16 to March 17 – 204 warnings issued for littering/ 7 warnings issued for dog fouling

April 17 to January 18 – 203 warnings issued for littering/ 14 warnings issued for dog fouling

3. From Councillor Eade to Cabinet Member for Planning and Economic Development?

Following the report presented to the Council's Overview and Scrutiny Commission about Identifying and Monitoring HMOs (Houses of Multiple Occupation) in Crawley:

Question 1 –

Which residential areas have been identified as areas of concern where the density of HMOs is higher than average?

Response –

The density of HMOs in any given area is not a concern in itself. Indeed HMOs play an important role in meeting housing need, particularly for the under 35 age group. The concern arises if there are detrimental impacts associated with these HMOs on the wider community – for example persistent anti-social behaviour. Inevitably the type of property in a particular area may lend itself more to conversion into an HMO and therefore a higher percentage of HMOs may be expected in areas with, for example, more three storey town houses. Resident concerns have been expressed about the concentration of HMOs within the Furnace Green area – specifically in Aintree Road and Epsom Road. Impacts cited include parking pressures and anti-

social behaviour – the latter being sporadic and associated with a specific individual(s) rather than of a persistent nature.

Question 2 –

What is the percentage of HMOs within these area?

Response –

The majority of HMOs do not currently require either licensing or express planning permission. Comprehensive statistics on numbers and locations are held only for those HMOs the Council is aware of either through licensing or other local knowledge. Of the 41 properties in Aintree Road there are 6 licensed HMOs and the Council is aware of a further 4 which do not require licensing. For Epsom Road with a total of 47 properties there are 3 licensed HMOs with a further licence application pending.

In respect of the HMOs the Council is aware of, the percentage would be determined by how widely the boundary of the 'area' is drawn. If this is considered in the context of the percentage of properties within each individual road this would be 24% for Aintree Road and 6% for Epsom Road. Typically however areas are more broadly set and cover a grouping of roads. Taking Aintree Road and Epsom Road together as an area the concentration would be just under 15% overall.

Question 3 –

Some councils set a limit of HMOs at 10% within a 100m radius of where they are most concentrated. Does the Council have a limit and if so, what is that limit?

Response –

Where quantitative thresholds for acceptable concentrations of HMOs are set, a common approach is to define a circle with a given radius around the property in question and then set a maximum percentage for the proportion of properties within that circle that can be HMOs. A threshold of 10% within a radius of 100m may be used, although there are variations on this with thresholds up to 35% in some areas where this approach has been applied. Where such limits exist they are typically imposed via the planning system, either through planning policy or supplementary guidance supporting a relevant policy. The Council's planning policy in respect of HMOs (Policy H6 of the Crawley Local Plan 2015-2030) does not set a quantitative threshold for determining an acceptable concentration of HMOs, but does identify the 'cumulative impact' of new HMOs on the 'character of the area and the amenity and privacy of neighbouring properties' as a relevant factor in deciding whether to grant planning permission.

Planning policies such as Policy H6 and other policies which specify quantitative thresholds only affect HMOs which require planning permission. Since 2010 national Permitted Development rights have allowed houses to convert to HMOs with up to 6 unrelated residents without planning permission, unless an Article 4 Direction is in place removing those rights in the relevant area. Since this time no planning permissions have been granted for larger HMOs (of more than 6 residents) on Aintree or Epsom Roads. The 'small' HMOs, in the absence of an Article 4 Direction, lie outside the scope of the Council's planning control.

Typically, but not exclusively, Article 4 Directions have been used in Local Planning Authority areas where there are either significant concentrations of HMOs, for example in university or coastal towns or where there is a risk of the concentration of HMOs escalating due to, for example, the opening of a new university campus.

Question 4 –

What steps are undertaken to identify which HMOs are exceeding their limits of residents by allowing couples to share a room?

Response –

Where HMOs are subject to licensing (i.e. have three storeys, five or more occupants forming two or more households) they are inspected at the point of issuing and renewing the licence and the number of occupants is checked at each visit. Further checks (whilst the licence is operational) are only carried out in response to a complaint (about disrepair or overcrowding for example) where a visit/inspection is required. Where overcrowding is found, appropriate action is then taken to resolve the matter.

Where HMOs are not subject to licensing, the factors that restrict occupation are the facilities present and the size of the rooms. HMOs not subject to licensing are not subject to a programmed inspection regime as there is no legal duty to notify the Council of their presence. Therefore the Private Sector Housing Team only visit these properties where a complaint has been made (about disrepair or overcrowding for example) and a visit/inspection is required. Where overcrowding is found, appropriate action is then taken to resolve the matter.

The scope of mandatory licensing is to change later this year as two storey HMOs with five or more occupants forming two or more households will require a licence. This will introduce the ability to restrict occupation in the same way as other licensable HMOs and will allow local authorities greater regulatory control over conditions within smaller HMOs and will also enable the quantum of HMOs to be more accurately mapped. The additional demand this will generate will have resource implications for the Council which are currently being assessed. These will be offset in part by increased income generation through licence fees.