

<b>Cabinet</b>	<b>AGENDA ITEM No. 11</b>
<b>17 October 2022</b>	<b>PUBLIC REPORT</b>

Report of:	Adrian Chapman, Executive Director Place & Economy	
Cabinet Member(s) responsible:	Cllr Marco Cereste- Cabinet Member for Climate Change, Planning, Housing and Transport	
Contact Officer(s):	Jim Newton - Assistant Director Planning & Building Control (interim)	07551046980

### **SMALL HOMES IN MULTIPLE OCCUPATION (HIMO) ARTICLE 4 DIRECTION MEMBER WORKING GROUP**

RECOMMENDATIONS	
<b>FROM:</b> Adrian Chapman - Executive Director Place & Economy	<b>Deadline date:</b> N/A
<p>It is recommended that Cabinet</p> <ol style="list-style-type: none"> <li>1. Agree to form a cross-party Member Working Group, to oversee the preparation of Article 4 Direction/s, to control small Homes in Multiple Occupation (HiMOs)</li> <li>2. Review and approve the draft terms of reference for the Working Group</li> </ol>	

#### **1. ORIGIN OF REPORT**

- 1.1 This report is submitted to Cabinet, to gather further information to support the Cabinet in making a decision around the implementation of an Article 4 Direction.

#### **2. PURPOSE AND REASON FOR REPORT**

- 2.1 The purpose of this report is to seek Cabinet's approval to form a cross-party Member Working Group, to oversee the preparation of Article 4 Direction/s to control small Homes in Multiple Occupation (HiMOs), and to review / approve the terms of reference in Appendix A. The Working Group will be made up of one Member from each party.
- 2.2 This report is for Cabinet to consider under its Terms of Reference No. 3.2.3, 'To take a leading role in promoting the economic, environmental and social wellbeing of the area.'

#### **3. TIMESCALES**

Is this a Major Policy Item/Statutory Plan?	<b>No</b>	If yes, date for Cabinet meeting	<b>N/A</b>
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#### **4. BACKGROUND AND KEY ISSUES**

- 4.1 Peterborough, in common with many large towns and cities, is believed to be experiencing a proliferation of uncontrolled small HiMOs, and as a result a debate was held on the issue at Full Council. This resolved that the issue should be investigated further, with a view to the preparation and imposition of an Article 4 Direction, in an effort to set controls on small HiMOs.

- 4.2 Following the Council resolution, some independent evidence was prepared, and Cabinet resolved to implement an Article 4 Direction in several areas of the city (the list of candidate areas for an Article 4 Direction to cover, continues to expand).
- 4.3 The evidence prepared to date is not considered to be conclusive, and the officer view is that more work needs to be done, to make a robust case for an Article 4 Direction.

### **Key issues**

- 4.4 There are numerous issues that are attributed to small HiMOs, which require further investigation.

The first of these is that there are alternative regulatory and other mechanisms available to address some of the problems that residents have raised, notably (but not exclusively) parking restrictions.

Another issue with the current evidence base is that it focussed on the residents' concerns, but did not seek to engage with other actors such as landlords, and more recently the new University. It is important that we benefit from a better rounded understanding, before finalising the detail of an Article 4 Direction. A Member working group, taking evidence from stakeholders, will be well placed to learn of any unintended consequences that may arise from an Article 4 Direction, and to put suitable mitigation in place.

The final key issue is one of timing, and risk. There is a set process, in Government Regulations, that the formal consultation and ultimate making of an Article 4 Direction must follow. This includes an important decision, that should be made by elected Members, concerning implementation period (specifically whether to give notice of intention to implement or not). There may be compensation implications to this decision, and this will need to be understood and addressed by the Member Working Group.

## **5. CONSULTATION**

- 5.1 A survey has already been carried out, as part of the supporting evidence that has been prepared to date. Further consultation, including formal consultation on a draft Article 4 Direction, will be required in due course.

## **6. ANTICIPATED OUTCOMES OR IMPACT**

- 6.1 It is anticipated that Cabinet approves the formation of the Working Group and reviews / approves the terms of reference

## **7. REASON FOR THE RECOMMENDATION**

- 7.1 To ensure that Members are aware of the issues, have the opportunity to engage with key stakeholders, and have the opportunity to influence the preparation of an Article 4 Direction.

## **8. ALTERNATIVE OPTIONS CONSIDERED**

- 8.1 Not to establish the Working Group. This was discounted because it is important that elected Members guide the preparation of an Article 4 Direction.

## **9. IMPLICATIONS**

### **Financial Implications**

- 9.1 There are no financial implications with the establishment of the Working Group

### **Legal Implications**

- 9.2 There are no legal implications with the establishment of the Working Group.

### **Equalities Implications**

- 9.3 There are no equalities implications with the establishment of the Working Group

### **Rural Implications**

- 9.4 There are no known implications, positive or negative.

### **Carbon Impact Assessment**

- 9.5 There is likely to be a minimal increase in travel emissions as councillors attend meetings. There may be issues which are discussed by the working group that have an impact on city wide emissions, such as parking restrictions. The carbon impact of these issues should be considered by the working group.

## **10. BACKGROUND DOCUMENTS**

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

- 10.1 [Article 4 Direction - KEY/28MAR2022/01](#)

## **11. APPENDICES**

- 11.1 Appendix A: Terms of Reference for the Small HiMOs Article 4 Direction Member Working Group.

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