

Subject:	Family Homes Not HMOs – Extract from the proceedings of the Council Meeting held on the 20 October 2016		
Date of Meeting:	17 November 2016		
Report of:	Executive Lead for Strategy, Governance & Law		
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Wards Affected:	All		

FOR GENERAL RELEASE

Action Required of the Economic Development & Culture Committee

To receive the item referred from the Council for consideration.

Recommendation:

1. That the Committee give consideration to the petition's request and the recommendations from the full Council:
2. That the Committee be requested to consider that the City Plan Part One be reviewed to increase the area of restriction from 50 metres to 150 metres where applications for conversion to HMOs will be rejected if more than 5% of current dwellings are already HMOs;
3. That the Committee be requested as a priority to consider the extension of the current Article 4 Direction area and options to further extend the licensing of private rented housing; and
4. That the Committee consider whether to better align the Planning and Licensing functions in relation to HMOs and learn from other university towns as to more effective management of student HMOs and to request a report on this matter to its next meeting.

BRIGHTON & HOVE CITY COUNCIL**COUNCIL****4.30pm 20 OCTOBER 2016****COUNCIL CHAMBER, BRIGHTON TOWN HALL****MINUTES**

Present: Councillors West (Chair), Marsh (Deputy Chair), Allen, Atkinson, Barford, Barnett, Bell, Bennett, Brown, Cattell, Chapman, Cobb, Daniel, Deane, Druitt, Gibson, Gilbey, Greenbaum, Hamilton, Hyde, Hill, Horan, Inkipin-Leissner, Janio, Lewry, Littman, Mac Cafferty, Meadows, Mears, Miller, Mitchell, Moonan, Morgan, Morris, Nemeth, A Norman, K Norman, O'Quinn, Page, Peltzer Dunn, Penn, Phillips, Robins, Russell-Moyle, Simson, Sykes, Taylor, C Theobald, G Theobald, Wares, Wealls and Yates.

31 PETITIONS FOR COUNCIL DEBATE**(a) FAMILY HOMES NOT HMOS**

- 31.1 The Mayor stated that where a petition secured 1,250 or more signatures it could be debated at the council meeting. He had been made aware of two such petitions and would therefore take each in turn. He also noted that there was a Notice of Motion listed at Item 39(b) on the agenda which related to HMOs and he was therefore inclined to take it along with the petition in one debate. In addition there were two amendments to the recommendation contained in the covering report to the petition and an amendment to the notice of motion which would also be included before the matter was opened up for general debate.
- 31.2 The Mayor then invited Mr. Gandey as the lead petitioner to present the petition calling on the Council to prohibit the issuing of any future HMO certificates in the Bevendean/Moulsecoomb Ward.
- 31.3 Mr. Gandey thanked the Mayor and stated that the petition had reached 1,285 signatures which demonstrated the strength of feeling in the area and the need for something to be done to support families who felt their communities were being broken up.
- 31.4 The Mayor thanked Mr. Gandey and called on Councillor Carol Theobald to move the amendment on behalf of the Conservative Group.
- 31.5 Councillor C. Theobald stated that the matter should be considered by the Economic Development & Culture Committee rather than the Housing & New Homes Committee as it related to planning policy. She also stated that it was felt that the extension of the

area of restriction from 50 metres to 150 metres would be helpful for when future applications to convert homes into HMOs were to be made, and hoped the committee would agree to review the City Plan Part One.

- 31.6 Councillor Miller formally seconded the amendment and stated that there was a need to do something to address the proliferation of HMOs in certain areas of the city.
- 31.7 Councillor Meadows moved an amendment on behalf of the Labour & Co-operative Group, calling on the committee to consider extending the current Article 4 Direction area and to better align the planning and licensing functions in relation to HMOs. She also stated that she wished to amend the wording of the amendment to replace the word 'rented' with that of 'HMO' in the final line of 2.2.
- 31.8 Councillor Moonan formally seconded the amendment and stated that it was important to enable planning and licensing functions to work efficiently in relation to their enforcement roles.
- 31.9 Councillor Hill moved the Notice of Motion on behalf of the Labour & Co-operative Group, concerning HMO landlord licensing and business rates.
- 31.10 Councillor Cattell formally seconded the motion.
- 31.11 Councillor Gibson moved an amendment to the motion on behalf of the Green Group.
- 31.12 Councillor Druitt formally seconded the amendment.
- 31.13 Councillor Robins responded to the petition and stated that challenges around the availability of family homes in the city was one of the key themes that emerged in consultation on the Housing Strategy along with the wider impact of student housing resulting from the growth of the universities. He also offered to send Mr. Gandey a full response on the matter and stated that officers would be working with the universities to address ongoing concerns about the number of HMOs and ways to manage existing and future student accommodation.
- 31.14 The Mayor then opened the matter up for debate and the following Members expressed their views, Councillors Page, Inkipin-Leissner, Wares, Wealls, Marsh, Yates, Hamilton and Druitt.
- 31.15 In response to the debate Councillor Robins stated that he felt the proposed amendments could be taken forward for consideration at the Economic Development & Culture Committee.
- 31.16 In response to the debate Councillor Hill stated that she was happy to accept the Green Group's amendment to the notice of motion and hoped that it would be fully supported.
- 31.17 The Mayor noted that both amendments to the petition report's recommendation were supported by Members and therefore put the amended recommendations to the vote which were carried.

31.18 The Mayor noted that the amendment to the notice of motion had been accepted and put the motion as amended to the vote, which was carried by 31 votes to 20 as detailed below:

		For	Against	Abstain		For	Against	Abstain
1	Allen	✓			Marsh	✓		
2	Atkinson	✓			Meadows	✓		
3	Barford	✓			Mears		X	
4	Barnett	Not Present			Miller		X	
5	Bell		X		Mitchell	✓		
6	Bennett		X		Moonan	✓		
7	Bewick	Not Present			Morgan	✓		
8	Brown		X		Morris			Ab
9	Cattell	✓			Nemeth		X	
10	Chapman	✓			Norman A		X	
11	Cobb		X		Norman K		X	
12	Daniel	✓			O'Quinn	✓		
13	Deane	✓			Page	✓		
14	Druitt	✓			Peltzer Dunn		X	
15	Gibson	✓			Penn	✓		
16	Gilbey	✓			Phillips	✓		
17	Greenbaum	✓			Robins	✓		
18	Hamilton	✓			Russell-Moyle	✓		
19	Hill	✓			Simson		X	
20	Horan	✓			Sykes	✓		
21	Hyde		X		Taylor		X	
22	Inkpin-Leissner	✓			Theobald C		X	
23	Janio		X		Theobald G		X	
24	Knight	Not Present			Wares		X	
25	Lewry		X		Wealls		X	
26	Littman	✓			West	✓		
27	Mac Cafferty	✓			Yates	✓		

						Total	31	19	1

31.19 RESOLVED:

- 1) That the petition be noted and referred to the Economic Development & Culture Committee for consideration at its meeting on 17th November 2016;
- 2) That the Committee be requested to consider that the City Plan Part One be reviewed to increase the area of restriction from 50 metres to 150 metres where applications for conversion to HMOs will be rejected if more than 5% of current dwellings are already HMOs;
- 3) That the Committee be requested as a priority to consider the extension of the current Article 4 Direction area and options to further extend the licensing of private rented housing; and
- 4) That the Committee consider whether to better align the Planning and Licensing functions in relation to HMOs and learn from other university towns as to more effective management of student HMOs and to request a report on this matter to its next meeting.

