

Houses in Multiple Occupation - Licensing and Planning

Andrew Sikes

Principal Planner, Planning & Strategy

Alistair Somerville

Head of Section, HMO Licensing & Inspection

Background

- Licensing legislation and guidance introduced safety, welfare, repair and tenancy management standards
- HMOs provide affordable accommodation for those who work and study in the City and those unable to or who do not want to buy their own property
- Planning policies seek to promote a diversity of housing provision to cater for the varied needs of the population. HMOs are an important element of the city's housing stock

Profile of HMO accommodation - 2006/7

SCOTLAND

- 12582 HMOs
- 0.5% of households

EDINBURGH

- 4767 HMOs*
- 38% Scottish HMOs
- 2.2% households
- 417 properties owned/managed by Universities

*Current numbers – approx. 5,500 HMOs and 26,000 tenants

The Planning Regime

- Set out in local plans and supplementary planning guidance (SPG)
- Essentially concerned with:
 - the intensity of use of a property in relation to its size,
 - the impact of the use on residential amenity
 - whether the proposal will result in an excessive concentration of such uses in any one locality

CEC Policy regulating HMOs

- Planning considers concentrations (occ. levels >5)
- Licensing regulates standards of properties & their management.
- Only 10-20 planning applications for HMOs received each year.

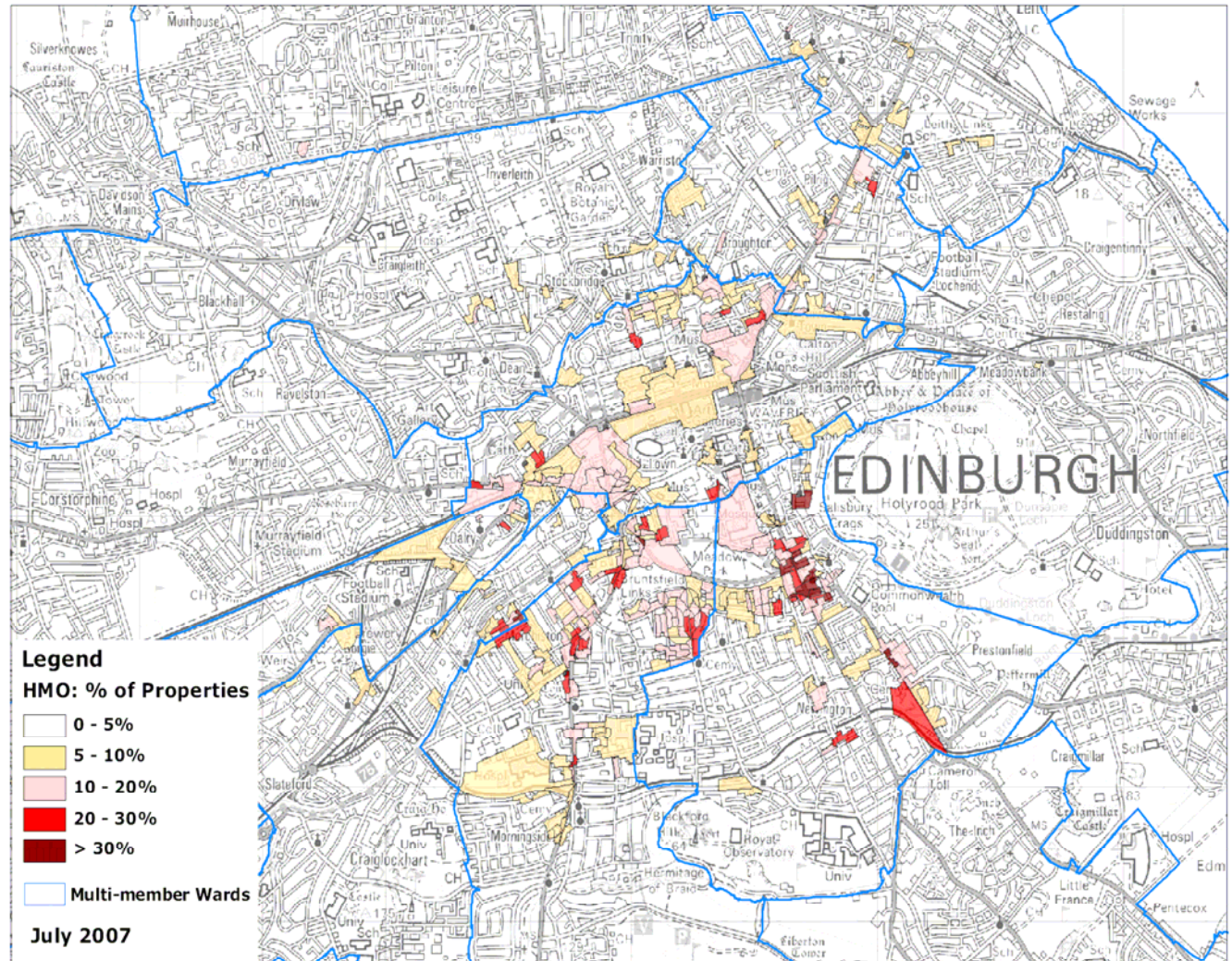
| Occupancy Levels | % |
|------------------|----|
| 3 | 39 |
| 4 | 36 |
| 5 | 20 |
| 6 | 2 |
| 7 to 12 | 2 |
| 13+ | 1 |

Content of the guidance

- SPG approved October 2006
 - Describes when planning permission will be required
- identifies sensitive areas
 - typically 2 or 3 street blocks / 50 households
- sets a threshold within these areas
 - threshold is 30%

Map of sensitive areas

HMO as % of Residential Properties per Census Output Area



The Licensing Regime

Essentially concerned with:

- Physical Property Standards
- Tenancy Management Standards

Has resulted in:

- Significant increase in safety & repair of properties.
- mechanism for neighbours to have concerns investigated.
- Licensing does not address the distribution of HMOs.

Complaints in Edinburgh 2007/8

| | All Residential | HMO |
|-----------------------------------|-----------------|--------------|
| Number of Properties | 216,524 | Aprox. 5,000 |
| All Complaints | 18,920 | 453 |
| Distinct complaints | 11,995 | 359 |
| All Complaints (as %) | 9% | 8% |
| Distinct complaints (as %) | 6% | 7% |

Management of HMOs in Edinburgh

Private Rented Sector vs HMOs

| | PRS | HMOs |
|----------------------------|-------------|-------------|
| Number of Properties Owned | % of market | % of market |
| 1 | 81 | 82 |
| 2 | 10 | 11 |
| 3 | 3 | 4 |
| 4 | 2 | 1 |
| 5 | 1 | 1 |
| 6+ | 3 | 1 |

| Use of Agents | PRS | HMOs |
|---------------|-----|------|
| | 49% | 64% |

Anticipated Changes?

LICENSING

- New Joint Working MOU with FRS
- Offer 3 year licenses
- Self-verification
- Housing Act 2006
- Risk Assessments
- Through enforcement & dialogue improve quality & management of HMO

PLANNING

- SPG recognises change of use 4+
- Proposals of the SPG cannot be applied in retrospect