

**MINUTES OF THE CABINET OVERVIEW WORKING GROUP  
HELD ON**

14 March 2019

7.30 - 9.10 pm

**PRESENT**

**Overview Working Group Members**

Councillor Tony Durcan (Chair)  
Councillor Tony Edwards (Vice-Chair)  
Councillor David Carter  
Councillor Simon Carter  
Councillor Jean Clark  
Councillor Bob Davis  
Councillor Michael Garnett  
Councillor Maggie Hulcoop

**Officers**

Jane Greer, Head of Community Wellbeing  
Simon Hill, Head of Governance  
Christine Howard, Youth and Citizenship Manager  
Mark Philpott, Development Manager  
Michael Pitt, Environment and Licensing Manager  
Adam Rees, Governance Support Officer

26. **APOLOGIES FOR ABSENCE**

None.

27. **DECLARATIONS OF INTEREST**

None.

28. **MINUTES**

**RESOLVED** that the minutes of the meeting held on 17 January 2019 be agreed as a correct record, subject to the removal of the duplicate entry of Councillor Simon Carter in the list of those present.

29. **MATTERS ARISING**

None.

30. **WORK PLAN**

**RESOLVED** that the Work Plan be noted.

31. **COMMUNITY ENGAGEMENT STRATEGY - FINAL REPORT**

The Working Group received a final report on the Community Engagement Strategy, which set out an updated Strategy for adoption by Cabinet.

**RESOLVED** that the Working Group recommends to Cabinet that:

**A** The draft Community Engagement Strategy (attached as Appendix A to the report) be approved.

32. **HOUSES OF MULTIPLE OCCUPATION - QUESTION AND ANSWER SESSION WITH THE LEADER AND PORTFOLIO HOLDERS**

The Chair outlined the format of the question and answer session which would be as follows:

- a) Twenty minutes each for the Leader, Deputy Leader and Portfolio Holder for Housing, and the Portfolio Holder for Environment to give their presentation and answer any questions.
- b) Twenty minutes for the Working Group to discuss Houses of Multiple Occupation (HMOs).
- c) Ten minutes to summarise and make a recommendation.

The Chair invited Councillor Mark Ingall, Leader of the Council, to the meeting. In response to questions by the Working Group, the Leader outlined the current arrangements surrounding HMOs. The 2004 Housing Act allowed councils to have an additional five year scheme for HMOs.

Some HMOs were well run, however where they were badly run this caused issues for tenants of the HMOs, as well as neighbouring residents. The number of HMOs was increasing and they were useful to the housing stock. It was important to use enforcement to ensure that existing HMOs were well run and that future HMOs were subject to planning controls.

The Leader said that Article 4 Directions prevented development under Permitted Development rights. They were not retrospective, but brought developments back within the Council's planning controls.

He hoped to see some form of landlord accreditation scheme and extra resources for enforcement so the Council could take a proactive role.

The Leader said that he felt a town wide Article 4 Direction would be beneficial, but enforcement also needed to be strengthened.

The Chair thanked the Leader for his contribution and welcomed Councillor Danny Purton, Portfolio Holder for Environment, to the meeting.

In response to questions, Councillor Purton said that HMOs were carried out under Permitted Development. There was a need to ensure that HMOs in existing developments met the same standards they would be expected to meet in new developments.

Covenant controls existed on all dwellings in Harlow, however the legal position was that there needed to be a legal reason to enforce them. The advice was that no such reason existed and therefore the conversion of housing to HMOs had been allowed.

Councillor Purton said that Article 4 Directions would mean that all HMOs would have to meet standard requirements in order to be granted planning permission. It was explained that any application for converting a property to a HMO would be subject to the Council's planning scheme of delegation.

Councillor Purton said he advocated a town wide Article 4 Direction.

The Chair thanked Councillor Purton and welcomed Councillor Mark Wilkinson, Deputy Leader and Portfolio Holder for Housing to the meeting.

Councillor Wilkinson said that he welcome any further controls on HMOs. They were critical in addressing housing need in Harlow and it was important they met certain standards.

Consistent enforcement of HMOs was needed and this should be carried out at an Officer level. There would be an additional resource requirement to enforce existing HMOs, and a further resource requirement if a town wide Article 4 Direction is implemented.

Councillor Wilkinson said he supported a town wide Article 4 Direction.

The Working Group agreed that Cabinet should be asked to look at the implementation of a town wide Article 4 Direction. The Working Group also agreed that sufficient resourcing needed to be made available to implement an Article 4 Direction and to support any planning and licensing enforcement surrounding HMOs.

**RESOLVED** that the Cabinet Overview Working Group recommended to Cabinet that:

- A** A report is brought to the Cabinet meeting in December, which sets out:
  - i) The steps for implementing a town wide Article 4 Direction which prevents the conversion of properties to Houses of Multiple Occupation (HMOs) under Permitted Development rights, with a view to the Council seeking the Secretary of State's approval to implement the Direction.

ii) The resource implications for:

- Implementing a town wide Article 4 Direction.
- Enforcing HMO licensing under the current licensing scheme.
- Enforcing HMO licensing should a town wide Direction be implemented.
- Planning enforcement arising from the implementation of a town wide Direction.
- Considering any planning applications arising from a town wide Direction.

33. **MATTERS OF URGENT BUSINESS**

None.

CHAIR OF THE OVERVIEW  
WORKING GROUP