

Agenda Item 14
Council – 6 September 2022
Recommendation from Cabinet
30 August 2022

Coventry City Council
Minutes of the Meeting of Cabinet held at 2.00 pm on Tuesday, 30 August 2022

Present:	Councillor G Duggins (Chair) Councillor AS Khan (Deputy Chair) Councillor P Hetherton Councillor M Mutton Councillor J O'Boyle Councillor P Seaman Councillor D Welsh
Non-Voting Deputy Cabinet Members:	Councillor P Akhtar Councillor G Lloyd Councillor S Nazir
Non-Voting Opposition Members:	Councillor P Male Councillor R Simpson (substitute for Councillor G Ridley)
Other Members:	Councillor R Auluck Councillor R Singh Councillor R Lakha
Employees (by Service):	
Chief Executive	M Reeves (Chief Executive)
Education and Skills	R Sugars, C Whiteley
Finance	P Jennings
Law and Governance	J Newman (Chief Legal Officer, O Aremu, S Bennett)
Public Health and Wellbeing	A Duggal (Director), S Lam
Streetscene and Regulatory Services	D Butler
Transportation and Highways	C Knight (Director), R Palmer
Apologies:	Councillors N Akhtar, L Bigham, R Brown, K Caan, B Gittins, G Hayre, G Ridley, K Sandhu

RECOMMENDATION

15. **Declarations of Interest**

There were no disclosable pecuniary interests.

24. **Houses of Multiple Occupancy (HMO) Development Plan Document (DPD) Public Consultation**

The Cabinet considered a report of the Director of Streetscene and Regulatory Services which indicated that Houses in Multiple Occupancy (HMOs) can provide entry level accommodation but can also bring significant disruption to settled neighbourhoods. In order to ensure that HMOs can only come forward in ways that integrate with existing neighbourhoods, a Development Plan Document (DPD) has been drafted that identifies the key issues and proposes planning policy responses.

Furthermore, in order to ensure that these policies can be engaged comprehensively, an Article 4 Direction is proposed on the wards most impacted by HMOs currently, and those most likely to be in the future.

The report sought authority to consult for an eight-week period on the draft HMO DPD and associated Article 4 Direction. The proposed consultation will be a "Regulation 18" consultation, where the public are asked to consider the issues identified and provide their views on whether any issues have been overlooked. The Council will then propose policy responses to the identified issues, and again ask members of the public for their views on these policies.

In order to make sure that this change of policy can be applied to all HMOs, a draft Article 4 Direction is also proposed and was attached as a Appendix 4 to the report. It is proposed to consult on this at the same time as the HMO DPD, acknowledging that many consultees will want to comment on both simultaneously.

In drawing the boundaries of the Article 4 Direction area officers have been cognisant of the requirements of the National Planning Policy Framework (NPPF) paragraph 53 for making sure the area is as based on robust evidence and applies to the smallest geographical area possible, whilst also considering the likely impacts on similar dwelling typologies. As such the area is drawn to cover all major clusters of existing HMOs and the areas where there is further HMO growth potential and will be supported by a technical evidence document.

When consulting on a draft Article 4 Direction, the date that the Direction will come into force, if ratified by the Council, is required to be stated. This date has been set one year from the date of consultation to ensure that it is brought into effect as soon as possible but without creating potential compensation liability for the Authority.

It is also a legal requirement, as set out in the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations), to consider whether or not Strategic Environmental Assessment (SEA) of the DPD should be undertaken. The process for determining whether or not an SEA is required is called screening.

This is to determine whether a plan will have significant environmental effects. The screening opinion undertaken was attached at Appendix 2 to the report. This concludes that no SEA is needed for the DPD. This screening report must be consulted on so that three statutory bodies (Historic England, Natural England and the Environment Agency) can respond. It makes sense to make the screening report publicly available for comment at the same time as the DPD is being consulted on

An Equalities Impact Assessment (EqIA) has been undertaken, this was attached at Appendix 3 to the report and will also form part of the public consultation.

Following the eight week consultation, responses will be analysed and taken account of when considering amendments that might be required. A further report will be considered by Cabinet and Council to approve a second round of consultation prior to submission for Independent Examination.

The Cabinet agreed to:

- i) Note the content of the appendices and the timeline indicated in the report
- ii) On behalf of the Local Planning Authority, authorises the City Solicitor to make a non-immediate Article 4 Direction which will be applied to the areas defined in the Draft Article 4 Direction shown at Appendix 4 of this report to remove permitted development rights for the change of use of dwelling houses (C3 use) to small houses in multiple occupation (C4 use)

RESOLVED that Cabinet recommends that Council approves the draft documents for an eight-week public consultation, to begin at the earliest opportunity