

Representations Received to Proposed Article 4 Direction

Representations in Support

- 1 17 written representations were received in support of Confirmation of the Article 4 Direction. These included detailed submissions by the Badger Hill Residents Community Group, endorsed by Osbaldwick Parish Council. The comments in support are summarised below.
 - It will contribute beneficially to the resolution of problems (raised in the LDF Working Group report of 10th January 2011) which have become evident in recent years.
 - On campus provision, together with purpose built or converted accommodation within easy access to the universities, could readily house the increased student population, without harmful encroachment on the stock of general housing in York.
 - In some neighbourhoods the proportion of houses that have become HMOs is about at the limit if a stable community is to be maintained which leads to changes the character of the area or street, through such factors as the breakdown of neighbourly relationships which naturally develop between long-term occupants.
 - There are few children living in areas with high concentrations of HMOs which is affecting the viability of Badger Hill School.
 - Many family homes with gardens are now unavailable to families, the gardens, which would be enjoyed by families are rarely tended by the occupants/landlords.
 - There are excellent public transport links to the University therefore landowners, letting agents can operate across the city, spreading the HMOs out so that overly high concentrations can be avoided.
 - Transient tenants who move on generally more quickly than long term occupant and owner occupied have little commitment to the long-term character and well-being of the area.

- Given the impacts of high concentrations of HMOs it is appropriate that each new proposal to convert a dwelling house to an HMO should be carefully considered, with an opportunity for representations, before permission is granted.
- Without the implementation of an Article 4 Direction for York, the character and sustainability of areas like Badger Hill will continue to deteriorate and community balance will be further affected.
- University of York expansion without pledged increases in the provision of on-campus accommodation has had an adverse impact on local areas.
- The Council must resist pressures from individuals and organisations with a financial interest in student-based accommodation, and focus on the need to ensure communities retain their balance. An Article 4 Direction does not ban future HMOs - it simply brings them within the planning process.

Representations against Confirmation

- 2 38 objections were received to the Direction. 31 of these were in the form of a template and the comments are listed in Annex E.

A representation from the York Residential Landlords Association (YRLA) includes a petition signed by 750 people in objection to the Article 4 Direction (a number of the people on the petition have also submitted a separate objection). The YRLA and the 6 other objections received can be summarised as follows:

- The implications of introducing a Direction are far reaching and damaging to numerous sectors of the community and to York's economy (detailed list of implications submitted by York RLA and in a template letter submitted by a number of its members – see above. Detailed observations regarding the 10 January 2011 report to the LDF Working Group were also submitted).
- The Council already has sufficient powers under the Housing Act 2004 to combat problems. The introduction of further powers is therefore completely unnecessary.
- It would be contrary to national government by forcing through policies which have recently been dropped nationally.

- The Government have declared that to achieve sufficient homes for the increased population, with the current slowness in housing completions it will be necessary for more unrelated people to live in properties.
- Article 4 Directions should be used as a last resort, unconvinced that City of York Council has explored all other options.
- Raises worrying implications on individuals' civil liberties and the idea of social engineering. By seeking to limit the availability of HMOs in certain areas, the Council are in effect trying to ban certain classes of people from living in certain areas of York, all for the benefit of another group of people.
- There is not sufficient justification put forward by the Council.
- The Direction has been rushed through without proper consultation.
- It will cause delays and increased costs for all concerned.
- Compulsory licensing of landlords would not prevent expansion by good landlords but would address the concerns of local residents.
- The Direction is not in the interests of students, many of whom prefer to live in and be part of the local community for part of their time studying at University
- The University of York is a major employer in the and its continued success depends on its ability to recruiting students, the Direction could be detrimental to recruiting students to study in York