



## Notice of a public meeting of

### Decision Session - Executive Member for Housing, Planning and Safer Communities

**To:** Councillor Pavlovic

**Date:** Wednesday, 20 September 2023

**Time:** 10.00 am

**Venue:** The Thornton Room - Ground Floor, West Offices (G039)

### AGENDA

#### **Notice to Members – Post Decision Calling In:**

Members are reminded that, should they wish to call in any item\* on this agenda, notice must be given to Democratic Services by **4:00 pm on Friday 22 September 2023**.

\*With the exception of matters that have been the subject of a previous call in, require Full Council approval or are urgent, which are not subject to the call-in provisions. Any called in items will be considered by the Corporate Services, Climate Change and Scrutiny Management Committee.

Written representations in respect of items on this agenda should be submitted to Democratic Services by **5.00 pm on Monday 18 September 2023**.

**1. Declarations of Interest** (Pages 1 - 2)

At this point in the meeting, the Executive Member is asked to declare any disclosable pecuniary interest, or other registerable interest, they might have in respect of business on this agenda, if they have not already done so in advance on the Register of Interests. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

*[Please see attached sheet for further guidance for Members].*

**2. Minutes** (Pages 3 - 6)

To approve and sign the minutes of the Decision Session held on 19 July 2023.

**3. Public Participation**

At this point in the meeting members of the public who have registered to speak can do so. Members of the public may speak on agenda items or on matters within the remit of the committee.

Please note that our registration deadlines have changed to 2 working days before the meeting. The deadline for registering at this meeting is at **5.00pm on Monday 18 September 2023.**

To register to speak please visit [www.york.gov.uk/AttendCouncilMeetings](http://www.york.gov.uk/AttendCouncilMeetings) to fill out an online registration form. If you have any questions about the registration form or the meeting please contact the Democracy Officer for the meeting whose details can be found at the foot of the agenda.

**Webcasting of Public Meetings**

Please note that, subject to available resources, this public meeting will be webcast including any registered public speakers who have given their permission. The public meeting can be viewed on demand at [www.york.gov.uk/webcasts](http://www.york.gov.uk/webcasts).

During coronavirus, we've made some changes to how we're running council meetings. See our coronavirus updates ([www.york.gov.uk/COVIDDemocracy](http://www.york.gov.uk/COVIDDemocracy)) for more information on meetings and decisions.

**4. Supporting Residents in the Private Rented Sector**

This report will provide an update on the Additional Licensing Programme for Houses in Multiple Occupation. It will also seek approval to further support tenants in unlicensed Houses in Multiple Occupation to meet the Council's ambition of increasing the quality and standard of private rented houses in the city.

*[Report to follow]*

**5. Urgent Business**

Any other business which the Executive Member considers urgent under the Local Government Act 1972.

Democracy Officer: Margo Budreviciute  
Telephone No- 01904 553819  
Email- [margo.budreviciute@york.gov.uk](mailto:margo.budreviciute@york.gov.uk)

For more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

**This information can be provided in your own language.**

**我們也用您們的語言提供這個信息 (Cantonese)**

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim (Polish)  
własnym języku.

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

**☎ (01904) 551550**

### Declarations of Interest – guidance for Members

- (1) Members must consider their interests, and act according to the following:

| Type of Interest  | You must   |
|---|--|
| Disclosable Pecuniary Interests   | Disclose the interest, not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.   |
| Other Registrable Interests (Directly Related)<br><b>OR</b><br>Non-Registrable Interests (Directly Related) | Disclose the interest; speak on the item <u>only if</u> the public are also allowed to speak, but otherwise not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.  |
| Other Registrable Interests (Affects)<br><b>OR</b><br>Non-Registrable Interests (Affects)                   | Disclose the interest; remain in the meeting, participate and vote <u>unless</u> the matter affects the financial interest or well-being:<br>(a) to a greater extent than it affects the financial interest or well-being of a majority of inhabitants of the affected ward; and<br>(b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest.<br>In which case, speak on the item <u>only if</u> the public are also allowed to speak, but otherwise do not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation. |

- (2) Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.
- (3) Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations,

and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.

City of York Council

Committee Minutes

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|               |  |
|---------------|--|
| Meeting       | Decision Session - Executive Member for Housing, Planning and Safer Communities                                  |
| Date          | 19 July 2023   |
| Present       | Councillor Pavlovic  |
| In Attendance | Becky Eades, Head of Planning and Development Services<br>Rob Harrison, Principal Development Management Officer |

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### **1. Declarations of Interest (10:01)**

The Executive Member was asked to declare, at this point in the meeting, any disclosable pecuniary interests, or other registerable interests he might have in the respect of business on the agenda, if he had not already done so in advance on the Register of Interests. The Executive Member stated that as a ward Councillor, he had previously raised some of the cases listed in agenda item 4.

### **2. Minutes (10:02)**

Resolved: That the minutes of the previous meeting held on 16 March 2023 be approved and then signed as a correct record by the Executive Member.

### **3. Public Participation (10:02)**

It was reported that there had been two registrations to speak at the meeting under the Council's Public Participation Scheme.

Councillor Dave Merrett spoke on agenda item 4 - Planning Enforcement Cases Update. He spoke on the increased number of short-term holiday lets and houses in multiple occupation in the Guildhall ward and their negative impacts, such as housing affordability. He requested that Officers look at both of those issues holistically and commented on the need for further resources to tackle them.

Councillor Mark Warters also spoke on agenda item 4 and requested that enforcement cases be reported to the ward Councillors or to the planning committee. He then criticised the Council's discretionary enforcement powers and their approach to unlawful houses in multiple occupations. He

concluded by requesting an update on the progress of the December 2021 full Council motion to reduce the number of houses in multiple occupations.

#### **4. Planning Enforcement Cases Update (10:14)**

The Executive Member considered a report which provided an update on planning enforcement cases and the progress of the work within the enforcement team.

The Principal Development Management Officer presented the report and provided a summary of the complexity of the work of the enforcement team and explained that breaches of planning control were dealt with in order of priority and that enforcement action should only be taken where the Council was satisfied it was 'expedient' to do so. He also stated that the enforcement team had a number of ways of enforcing planning breaches and noted that:

- Between 31 May 2022 and 1 June 2023, the Council received 984 new planning enforcement investigations and 7 Enforcement Notices were served.
- 679 cases were closed and a total of 722 investigations remained open.

The Officer concluded by explaining that the key challenge for the enforcement team over the next 12 months would be the investigation of the considerable number of House in Multiple Occupation (HMO) cases due to changes in licensing requirements. He then noted that 574 HMO investigations had been opened and 150 had been closed.

In response to questions from the Executive Member, the Head of Planning and Development Services and the Principal Development Management Officer explained that:

- The enforcement team follows up on any unlawful HMOs after a reasonable time to ensure compliance and could serve notices thereafter.
- A new system alerting complainants every three months on the progress of an enforcement case was recently introduced by the Council.
- Prosecutions of cases were rare as the team tried to avoid them and find a resolution instead.
- Enforcement of short-term holiday lets was difficult due to a lack of legislation and planning guidance.



They concluded by explaining that the enforcement team was a reactive service and they needed members of the public to raise complaints so that they could be investigated.

The Executive Member and Officers then discussed the summary of enforcement notices served between 2018-23 as detailed in annex 1. The Executive Member then;

Resolved:

- i. That the contents of the report be noted.

Reason: To ensure that the Executive Member is aware of the work currently being undertaken in Planning Enforcement.

Councillor Pavlovic, Executive Member

[The meeting started at 10:01am and finished at 11:05am].

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