

BRIGHTON & HOVE CITY COUNCIL

**ADULT SOCIAL CARE & HOUSING OVERVIEW & SCRUTINY COMMITTEE AD HOC
PANEL -STUDENTS IN THE COMMUNITY**

2.00pm 5 DECEMBER 2008

COUNCIL CHAMBER, BRIGHTON TOWN HALL

MINUTES

Present: Councillor Meadows (Chairman); Councillors Janio and Wrighton

Procedural Business (copy attached)

16a Declarations of Interest

16.1 There were none.

16b Exclusion of Press and Public

16.2 In accordance with section 100A(4) of the Local Government Act 1972, it was considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in section 100I (1) of the said Act.

16.3 **RESOLVED-** That the press and public be not excluded from the meeting.

17 Minutes of Previous Meeting (held on 21 November 2008)

17.1 The minutes of the meeting held on 21.11.08 were approved as an accurate record.

18 Chairman's Communications

18.1 The Chairman informed members that this was the final ad hoc Panel meeting on the subject of students in the community. The Chairman explained that the next stage would be for the Panel to meet and consider the evidence that had been gathered, in order to make recommendations. The draft report would then go to full Council in order for the recommendations to be considered and ratified.

18.2 The Chairman anticipated that the report would be available by the end of January 2009 and suggested that any interested parties should email their contact details to the Overview and Scrutiny Team at that time.

Evidence Gathering

19.1 The Panel heard evidence from a number of witnesses:

19.2 Mark Ireland, Head of Strategic Finance and Procurement, and Valerie Pearce, Assistant Director, Customer Services, Brighton & Hove City Council

a) Mr Ireland and Ms Pearce introduced themselves and explained their remit with regard to Council Tax.

b) The Panel heard that students were exempt from paying Council Tax (CT) under two exemption codes, one which applied to halls of residence and one for properties occupied only by students.

There can be problems in identifying student households. Student households might assume that they were exempt automatically and might not inform the council that they were students; they might ignore letters from the council. The council must chase up each of the households until contact is made; this incurs costs that would be avoided if the student households informed the council of their status more promptly.

Ms Pearce explained that Council Tax officers attended Freshers' fairs at both universities in order to complete exemption certificates and advise students of what they needed to do, but it was felt that more action might be taken in raising awareness of this issue.

c) The Panel received details of the number of households in the city registered for exemption on the basis of being a student-only household. Mr Ireland explained that, for the purposes of financial calculations, all exemptions were assumed to be a Band D assessed property, which would be liable for CT of £1200 per year.

For 2008/9, to date there had been 2869 properties, with a projection of up to 3080 by year end, giving an approximate cash value of £4.3 million for student-exempt properties. Mr Ireland explained the mechanisms and grants that central Government had for compensating local authorities for the exemptions.

d) In response to a query about what could help to minimise the costs for Council Tax collection, the Panel heard that it would be helpful if student households registered their exemptions as quickly as possible, to avoid the council incurring costs in chasing up the bill-payer unnecessarily.

e) In response to a query about whether it might be possible to have, for example, a local City Tax, the Panel heard that this would not be possible under national legislation.

19.3 Toby Hamilton, owner of MTM Letting Agency

- a) Mr Hamilton introduced himself and his company, explaining that he had been a student landlord for fourteen years, and that MTM had been in operation for five years. MTM owned approximately two hundred properties across the city, with the vast majority being student lets. The properties were predominantly in Bevendean/ Coombe Road/ Lewes Road/ Upper Lewes Road/ Hanover areas. MTM managed 15 properties along The Avenue, which as a whole had a 25-35% student occupancy rate.
- b) The Panel heard that MTM were keen to address student impact issues and that they were aware that noise, refuse and unkempt gardens were the most likely areas of complaint. MTM issued tenants with a three-page welcome pack, which included items on respect, neighbourliness, how to manage your garden, refuse, applying for Council Tax exemptions, informing utility companies etc. Staff talked through the various issues with tenants at the start of their tenancy.

Mr Hamilton explained that MTM had a complaints procedure to be used when complaints were received from residents about student households. They would contact the tenants; carry out face to face visits and take the students to the neighbour's house, encouraging them to apologise, and to start communicating. Mr Hamilton commented that it might not always be apparent to residents that they should contact MTM regarding any problems with tenants.

The Panel heard that, on occasions when it was needed, MTM had worked closely with neighbourhood police officers to talk to households that were causing a more significant problem.

- c) With regard to Council Tax, MTM operated a policy under which they would not return a tenant's deposit until there was proof that Council Tax obligations had been addressed, either through applying for exemption or by paying the tax). Mr Hamilton said that he thought about half of local letting agents did this.
- d) Mr Hamilton responded to residents' concerns that letting agents had access to vacant properties before they went on to the open market, and therefore excluded families wishing to purchase family properties. Mr Hamilton commented that this might happen on a small scale, but he was not aware of it being a big problem.

With regard to excess refuse being left at a property, Mr Hamilton said that MTM would consider it was the tenant's duty to clear it. If there were excessive refuse, MTM might employ cleaners and re-charge costs to the students. If MTM received complaints about furniture being left in a garden, for example, they would ask the students to remove it within a given timescale. If this was not done, they again would employ cleaners and invoice tenants.

- e) The Panel asked whether the private rented student market might reduce, for example, if more halls of residence were built and/or student numbers decreased; if so, what might happen to the private rented market? Mr Hamilton said supply was already exceeding demand and that it was likely that there would be an increase in empty student properties. He did not think that reductions in rent would necessarily affect student take-up as the rent was often paid by parents. The key factor is the quality of the accommodation.

The Panel then asked whether, if supply exceeded demand, MTM could advise landlords to turn their properties back into family homes. They were advised that this might be problematic as most student homes were six bedroomed properties, and not many families would need that size accommodation.

19.4 Mark Shields, G4 Lets

- a) Mr Shields introduced himself and explained the remit of G4 Lets; they focussed on student lets, particularly in the Ditchling Road area but with properties across Brighton.
- b) Mr Shields explained that G4 gave their tenants a welcome pack, with information on a number of issues, including the contact details for Council Tax in order to register for exemption.

G4 staff would try and visit their properties as much as possible, on average once a month. If they heard about a problem, G4 would ask the student to meet with the neighbour to apologise. The office would keep a diary of any incidents, and include photographs if needed.

- c) The Panel asked Mr Shields to comment on the issue of conservatories being used as living rooms, explaining that a number of residents had raised this element of permitted development as an area of concern due to the noise coming from the conservatories.

Mr Shields said that there were benefits to having a conservatory rather than a garden: for example, students tended not to garden and so it was better to develop the space more usefully. It was also felt that, if there were a patio or garden rather than a conservatory, students would be likely to gather in the garden and cause more noise problems. Mr Shields explained that their properties were non-smoking; students would have to go outside to smoke, which may inadvertently cause noise nuisance to neighbours. The conservatories help to use outside space and contain noise and those whom wish to smoke. Outside space is still there for barbeques and table and chairs in the summer months.

- d) In response to a query about whether deposits could be used to cover any outstanding Council Tax bills, Mr Shields said that this might be problematic. Under the Deposit Collection Scheme, deposits were not meant to be used for any other means, and they could not be used for paying debts and so on.

- e) Mr Shields echoed MTM's comments about the problems in the letting market; the company had found this a very difficult year - any properties that had not been rented already might be empty for the entire year.

19.5 Shula Rich, on behalf of the National Federation of Residential Landlords

- a) Ms Rich introduced herself and explained her qualifications to the Panel. These included being a past Director of the National Federations of Residential Landlords (NFRL); past Chair of the Private Sector Housing Forum and author of the NFRL Landlord Training Manual. Ms Rich explained that she had been a private student landlord for twenty years.
- b) Ms Rich felt it was becoming more difficult to let to students, because of the lack of power given to landlords. If there was a problem, the only option would be to threaten eviction, but it could take two to three months for the court hearing, in a tenancy that was only six months long, so it was not a practical solution.

Ms Rich did not feel that extending planning controls would be the answer to tackling the problems; it should be about micro-management of issues. Landlords needed the powers to deal speedily with nuisance of any form.

Ms Rich felt that there was a difference between students and non-students in the way that they behaved as tenants; she received fewer complaints about non-students than about student households. She felt that this was largely due to students from the same university living together and having a shared circle of friends.

When she received complaints about tenants, she would write to the household asking them to be more considerate. She would involve the universities and colleges if she had to send three or more letters to a household. Ms Rich felt that cheaper alcohol was one cause of the rise in the number of parties and related noise complaints. Ms Rich had always had help from Environmental Health when needed, and their service could not be improved.

- c) In response to a query about how Ms Rich made her tenants aware of their responsibilities, the Panel heard that Ms Rich would go through the lease in detail, pointing out all of the tenant's responsibilities. Ms Rich would also check what music playing equipment each student owned.
- d) In response to a query about how Ms Rich dealt with students' refuse, the Panel heard that Ms Rich considered it to be the students' responsibility, although she had arranged for cleaners for her properties. In the past, Ms Rich had arranged for clearance of any excess refuse in order not to inconvenience neighbours.
- e) Ms Rich suggested that one solution to the noise problems could be the introduction of on the spot fines, in the region of £30 per person, to be imposed by the council or police when attending complaints of noisy parties.

19.6 David House, Deputy Vice-Chancellor, University of Brighton

- a) Mr House introduced himself; he has been Deputy Vice-Chancellor at the University of Brighton (UoB) for twenty years. UoB had submitted a written statement to the Panel.
- b) In response to a query concerning whether there were plans to build more campus accommodation, Mr House said that UoB needed to increase its accommodation offer. If UoB wished to offer campus accommodation to all first years who wanted it, they would have to double the current level of campus accommodation. It was working to expand Varley Hall in conjunction with the council, as well as on a development in Circus St.
- c) The Panel asked Mr House to comment on Phoenix Halls in particular, which presented a particular set of challenges, as they were located in a densely packed residential area. Mr House told the Panel that, in the early years, Phoenix Halls had caused very few problems and that UoB had been surprised by the current level of complaints. UoB was committed to dealing with the problems and resolving them for the benefit of all parties.

Mr House said that a number of strategies had been introduced, including employing a fulltime Community Liaison Officer. UoB was reviewing the adverse impact of the smoking ban in halls of residence, recognising that this had caused significant noise problems for neighbours. UoB had the discretion to re-allow smoking in private rooms; this was being considered as this might resolve some noise problems. The Panel heard that UoB had tightened up staffing levels at Phoenix Halls. UoB had various disciplinary procedures available, including a fine of up to £250, for action that might damage UoB's reputation.

- d) The Panel asked Mr House whether he thought that the universities appreciated the scale of residents' frustrations with the impact of students. Mr House said that he hoped that the fact that UoB had employed a fulltime member of staff would show there was commitment to resolve the issues. UoB was spending a lot of time working with various partners, including the student union, to tackle the issues presented.
- e) The Panel asked whether the university would ever contact parents directly. Mr House said that this would not generally happen; students were adults so it was not likely that UoB would have the power to contact parents.
- f) In response to a query about whether UoB would look into head leasing properties, the Panel heard that they fully managed the halls of residence, and were interested in head leasing. UoB would not like to wholly own domestic properties as there would be ongoing management issues and costs
- g) Mr House summed up UoB's position on accommodation: campus accommodation would gradually increase where possible, but private sector housing also had a key role to play.

**19.7 Charles Dudley, Director of Residential, Sport and Trading Services and
Lorinda Holness, Residential Services Manager, University of Sussex**

- a) Mr Dudley and Ms Holness introduced themselves; Mr Dudley was in attendance to represent the Vice-Chancellor of the university. The University of Sussex (UoS) had submitted a statement to the Panel. UoS was pleased to note that the positive contribution of the institution on the local community was widely appreciated.
- b) The Panel queried who residents should contact if they had problems with student neighbours, as UoS did not have a designated community liaison officer. The Panel heard that the Housing Team should be contacted, on 01273 678220. If residents were unaware of this, then UoS would need to do more work to promote the service.

The Panel heard that UoS knew where all of their under-graduates lived and that they were willing to deal with problems. Mr Dudley said that a study was underway, looking at a shared services programme with the University of Brighton, and it was possible that recommendations from this might include UoS having its own Community Liaison Officer, amongst other outcomes. This was also likely to include suggestions for improved channels of communication between the universities and local stakeholders as the current consultation process was too fragmented

- c) In response to a query about how first-year students living in halls were taught skills for living, the Panel heard that a number of initiatives were in place including workshops and information packs for students.
- d) The Panel asked whether UoS knew about potential demand for accommodation in halls from second and third year students. Ms Holness explained that UoS carried out an annual exit survey for students leaving halls, and had asked this question for the first time in this year's survey. Approximately 45% of respondents said that they would prefer to have a second year in halls; of the 45%, a high proportion were international students.

UoS said that it was committed to housing all first-year students in university managed housing, with the majority on campus and had just received outline planning permission for 798 campus rooms. Mr Dudley commented that there was no public subsidy for student housing and it was a major financial outlay for UoS, which he hoped would evidence UoS's commitment to student accommodation. The success of their accommodation strategy could be demonstrated in the fact that there were 1000 less UoS students living in HMOs than last year.

- e) The Panel raised students' concerns that campus accommodation can be too costly for students. Ms Holness said that the exit survey asked students whether they felt that the halls offered value for money. The question always got a positive response. There was an almost 100% occupancy rate for the current flats, which could be taken as an indication that they were not too costly. The rents were

inclusive of utility costs, services, broadband connectivity and contents insurance which provided a value for money package. In addition, UoS offered a range of accommodation options including lower priced rooms with less included in the price.

- f) In terms of student complaints, Ms Holness said that UoS did not tend to receive many complaints about its students, so it was hard to say whether it was more prevalent in head-leased properties, or in the private rented sector.
- g) Mr Dudley commented on the earlier discussion of micro-managing problems and the need, as previously stated, to improve channels of communication which were too fragmented. This was an area that both universities would be keen to explore and discuss with partners to assist with issues arising from the concentration of students in particular areas of the city.

20 Any Other Business

20.1 The Chairman thanked all of the contributors for their input.

The meeting concluded at 4.00pm

Signed

Chair

Dated this day of