Houses in Multiple Occupation: Practice Guidance

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This Practice Guidance is based on work undertaken on behalf of the Welsh Government by Opinion Research Services and Lavender & Wilson.
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1. Introduction

Purpose of this guidance

1.1 This guidance is a companion document to Houses In Multiple Occupation: Review and Evidence Gathering¹, a report setting out the findings of a study commissioned by the Welsh Government into the impact of houses in multiple occupation (HMOs) concentrations on local communities in certain areas in Wales. The majority of the concentration areas considered in the main report comprised predominantly of student HMOs. This guide looks in particular at practices adopted in partnership with local authorities, higher education institutions, Students’ Unions, police and other agencies in areas where there are high student numbers.

1.2 The purpose of this guidance is to promote good practice that has been adopted in Wales, Northern Ireland and England which has had positive results regarding the management and control of HMOs, to enable local authorities in Wales to make informed decisions on what is best suited to their area taking into account local circumstances. This guidance also provides a summary of the legal framework relating to HMOs and associated issues.

HMOs in Wales

1.3 HMOs provide a source of accommodation for certain groups, including students temporarily resident in a locality and individuals and/or small households unable to afford self-contained accommodation. Concerns can arise with the management of HMOs because of the transient nature of many tenancies, with many residents on low incomes and/or from vulnerable groups, the intensive use of shared facilities and lack of interaction between residents who may be complete strangers to each other. Consequently, HMO use of a house will generally be more intensive than single household use. This may have an impact not just on the residents in an HMO but on the wider neighbourhood and the likelihood of this increases where there are high concentrations of such properties.

1.4 The Review showed that the incidence of HMO concentrations across the whole of Wales is relatively limited. Concentrations are mainly found in the four cities and towns with long-established universities (Cardiff, Swansea, Aberystwyth and Bangor), with lesser concentrations in Rhondda Cynon Taf (in proximity to the University of South Wales campus in Treforest) and in Wrexham (due to transient households rather than students).

1.5 Where there are high concentrations of HMOs, the Review confirmed that common problems include:

- Damage to social cohesion with higher levels of transient residents and fewer long term households and established families, leading in the long term to communities which are not balanced and self-sustaining;

• Access to the area for owner occupiers and first time buyers becoming much more difficult because of increased house prices and competition from landlords, with a reduction in the number of family homes;
• Increases in anti-social behaviour, noise, burglary and other crime;
• Reduction in the quality of the local environment and street scene as a consequence of increased litter, refuse and fly tipping, increased levels of disrepair and prevalent letting signs;
• A change of character in an area through a tendency for increased numbers of takeaways, discount food stores and letting agencies;
• Increased pressure on parking;
• Reduction in provision of community facilities for families and children, in particular pressure on schools through falling rolls.
2. The Legal Framework

Planning

Defining HMOs - The Use Classes Order

2.1 Under planning legislation\(^2\) the requirement to obtain planning permission covers not only new building work but also changes in use of buildings or land. The Town and Country Planning (Use Classes) Order 1987\(^3\) (as amended) places uses of land and buildings into various categories known as ‘use classes’. Changes of use within a class do not require an application for planning permission. In addition, there are also separate provisions that allow changes of use between certain classes in the Use Classes Order without the need for planning permission. These are set out in separate legislation – the Town and Country Planning (General Permitted Development) Order 1995\(^4\) (as amended) – and are known as permitted development rights.

2.2 Class C of the Use Classes Order covers residential use, with class C3 covering ‘Dwellinghouses’ and class C4 covering small HMOs, as follows:

Class C3 Dwellinghouses

This class is formed of three parts:

- C3(a): a single person or those living together as a single household as defined by section 258 of the Housing Act 2004 (basically a ‘family’);
- C3(b): those living together as a single household and receiving care;
- C3(c): those living together as a single household who do not fall within the C4 definition of an HMO.

There is no limit on the number of members of the single household under C3(a). The limit for C3(b) and (c) is no more than six people.

A single household under C3(a) is formed by a family (a couple whether married or not with members of the family of one of the couple to be treated as members of the family of the other), an employer and certain domestic employees (such as an au pair, nanny, nurse, governess, servant, chauffeur, gardener, secretary and personal assistant), a carer and the person receiving the care and a foster parent and foster child.

For the purposes of C3(b) and (c) ‘single household’ is not defined in legislation.

C3(b) makes provision for supported housing schemes, such as those for people with disabilities or mental health problems.

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C3(c) allows for groups of people (up to six) living together as a single household to allow for those groupings that do not fall within the C4 HMO definition to be provided for, e.g. a small religious community may fall into this category as could a homeowner who is living with a lodger.

Class C4 Houses in multiple occupation (3-6 occupants)

In broad terms class C4 covers shared houses or flats occupied by between three and six unrelated individuals who share basic amenities.

For the purposes of Class C4 a ‘house in multiple occupation’ has the same meaning as in section 254 of the Housing Act 2004\(^5\) and does not include a converted block of flats to which section 257 of the Housing Act 2004 applies.

To fall within the ‘house in multiple occupation’ definition a property must be occupied as the main residence. Guests visiting for a short period should not be included in any calculation of the number of occupants. Students, migrants and asylum seekers who do not occupy the property all year will be considered as occupying the property as their main residence and should be included in any calculation of occupant numbers.

Social housing is excluded from C4 as are care homes, children’s homes and bail hostels. Properties occupied by students which are managed by the education establishment, those occupied for the purposes of a religious community whose main occupation is prayer, contemplation, education and the relief of suffering are also excluded. Some of these uses will be in class C3, others will be in other use classes or fall to be treated as ‘sui generis’ (of their own kind).

Properties containing the owner and up to two lodgers do not constitute an HMO for these purposes.

To classify as an HMO a property does not need to be converted or adapted in any way.

2.3 Large houses in multiple occupation (those with more than six people sharing) are unclassified by the Use Classes Order and in planning terms are therefore considered to be ‘sui generis’ (of their own kind). In consequence, a planning application will be required for a change of use from a dwellinghouse to a large HMO or from a class C4 HMO to a large HMO where a material change of use is considered to have taken place.

2.4 Although the control limit of six persons defines the scope of the C3(b) and (c) dwellinghouses and C4 HMOs classes, this does not imply that any excess of that number must constitute a breach of planning control. A change of use must be ‘material’ to require planning permission. There is no statutory definition of “material change of use”; however it is linked to the significance of a change and the resulting impact on the use of land and buildings. Whether a change of use is material is primarily a question of fact and degree for the local planning authority (and the Welsh Ministers in the case of appeals and call-in) based on the particular facts of each case. If landlords are unsure about the materiality of a proposed change of use they should seek advice from the local planning authority.

Control of Letting Boards

2.5 The display of outdoor advertisements is controlled by the Town and Country Planning (Control of Advertisements) Regulations 1992. This legislation permits adverts relating to the letting of residential property to be displayed without requiring the Council's consent, provided they conform to a number of conditions and limitations (Class 3A).

2.6 Whilst under normal circumstances the regulations are adequate to keep the impact of outdoor signage within acceptable control, where there are concentrations of HMOs the excessive number of letting signs can have a significant adverse impact on the character and appearance of the area. As well as creating clutter and looking unsightly, they give an air of transience to a neighbourhood which may also lead to increased risk of crime; intervention may well be appropriate where the impact on visual amenity is substantial.

2.7 Local planning authorities can apply to the Welsh Ministers for a direction under Regulation 7 of the Town and Country Planning (Control of Advertisements) Regulations 1992 that deemed consent for the display of letting boards relating to residential property should not apply. If a direction is approved, all letting boards within the defined area would require advertisement consent. Unauthorised boards (those that do not conform to specific guidance) could then be removed effectively through normal enforcement procedures.

2.8 Before a direction is made, the local planning authority has to show that it would improve visual amenity and that there is no other effective way of controlling the display of that particular class of advertisement. As part of this process local planning authorities have to submit a fully reasoned statement demonstrating the unsatisfactory environmental impact of the particular deemed consent provisions in the area or place for which the direction is proposed. The statement has to set out the adverse effects on visual amenity, the remedial steps already taken to minimise these effects, details of prosecutions for any illegal displays and the likely consequences of making the direction. The comments of organisations and individuals whose interests would be affected by the making of a direction have to be sought as part of the process to decide whether a direction is appropriate.

Dealing with unsightly land and property

2.9 Section 215 of the Town and Country Planning Act 1990 provides a local planning authority with the power, in certain circumstances, to take steps to require land to be cleaned up when its condition adversely affects the amenity of the area. If it appears that the amenity of part of their area is being adversely affected by the condition of neighbouring land and buildings, local planning authorities may serve a notice on the owner and occupier requiring that the situation be remedied. Section 215 of the Town and Country Planning Act 1990 allows local authorities to deal with unsightly land or the poor external appearance of a property (Section 336, Town and Country Planning Act 1990 defines land as to include buildings).

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6 Advertisements within Schedule 3, Part 1, Class 3A of the Regulations
Anti-Social Behaviour Powers

2.10 Anti-social behaviour is a broad term used to describe the day to day incidents of crime, nuisance and disorder that can have dramatic negative impact on the lives of people in the community. It covers such things as litter and vandalism, public drunkenness or aggressive dogs, to noisy and abusive neighbours. Such a wide range of behaviour means that responsibility for dealing with anti-social behaviour is shared between a number of agencies, particularly the Police, local authorities and social landlords.

2.11 The Anti-social Behaviour, Crime and Policing Act 2014 replaces 19 anti-social behaviour powers previously set out in the Anti-Social Behaviour Act 2003, which governed previous responses to anti-social behaviour. The new Act provides 6 tools, including Civil Injunction, Criminal Behaviour Orders, Dispersal Powers, Public Space Protection Orders, Closure Notice/Closure Order and Community Remedy/Community Protection Notices. Particularly relevant in HMO concentration areas are the following elements:

Figure 1: New Anti-Social Behaviour Powers

<table>
<thead>
<tr>
<th><strong>Community Trigger</strong></th>
<th>Requires the Police, local authorities and registered providers of social housing who are co-opted into this group to take action against recurring anti-social behaviour when a certain number of complaints have been received. Threshold for this trigger is defined by the local agencies but must not be more than 3 complaints of anti-social behaviour in the previous 6 months period. A qualifying complaint is where anti-social behaviour was reported within one month of the alleged behaviour taking place and the application to use the Community Trigger is made within 6 months of the report of anti-social behaviour. The relevant bodies must publish a community remedy document, which sets out a number of informal remedies to deal with anti-social behaviour without the need to go to Court, such as mediation, a written or verbal apology, the perpetrator signing an Acceptable Behaviour Contract, paying an appropriate amount for damage to be repaired or stolen property to be replaced or reparation to the community (local unpaid work to the benefit of the community).</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Community Protection Notices (CPN)</strong></td>
<td>Police, local authority and registered social landlords (if designated by Council) can issue a Community Protection Notice (CPN) against anyone to stop a person (over 16), business or organisation committing anti-social behaviour where their conduct is having a detrimental effect on the quality of life of those in the locality. Their behaviour must be persistent or of a continuing nature and unreasonable. Initially a written warning is issued informing the perpetrator of the problem behaviour, requesting them to stop and setting out the consequence of continuation. Breach of a CPN is a criminal offence that can be dealt with by way of a fixed penalty notice (up to £100) or a fine up to level 4, £2,500 (for individuals) or £20,000 for businesses. The terms of the CPN can be appealed by the perpetrator within 21 days of issue. Works can be undertaken by the council in default and the cost recovered from the perpetrator. There is the right to challenge if the perpetrator considers the costs to be disproportionate to the level of work undertaken. The CPN can deal with a wider range of behaviours such as noise nuisance and litter on private land open to the air.</td>
</tr>
</tbody>
</table>

**ASB Mandatory Ground for Possession**

The Act introduces a new absolute ground for possession of secure (local authority and registered social landlords) and assured tenancies (private landlords), where anti-social behaviour or criminality has already been proven by another Court.

Can be used where the tenant, a member of the tenant’s household or a person visiting the property has met one of the following conditions:

- convicted of a serious criminal offence (Schedule 2A to the Housing Act 1985).
- found by a court to have breach of civil injunction.
- convicted for breaching a criminal behaviour order (CBO).
- convicted of breaching a noise abatement notice or court order under Environmental Protection Act 1990.
- The tenant's property has been closed for more than 48 hours under a closure order for anti-social behaviour.

As mentioned, most local authorities are at an early stage in developing their policies and procedures. However, the use of the Community Trigger may provide victims of anti-social behaviour the ability to demand action, starting with a review of their case where the locally defined threshold is met. This is likely to be invoked in concentration areas – indeed Charnwood Borough Council have just received their first Community Trigger notwithstanding substantial efforts made to mitigate the impact of student behaviour.

2.12 The following police forces have produced Community Remedy Documents:

- Sussex Community Remedy document
- Nottinghamshire Community Remedy Document
- Merseyside Community Remedy Document
- West Midlands Community Remedy Document

2.13 **Part III Environmental Protection Act 1990** deals with statutory nuisances which include:

- any premises in such a state as to be prejudicial to health or a nuisance (Section 79(1)(a))
- any accumulation or deposit which is prejudicial to health or a nuisance (Section 79(1)(e))

2.14 Where the local authority is satisfied that a statutory nuisance exists, is likely to occur or likely to recur, then it can serve an abatement notice:

- requiring the abatement of the nuisance or prohibiting or restricting its occurrence
- requiring the execution of such works or steps as necessary for this purpose
- specifying the times or times within which the notice is to be complied with

2.15 The local authority has the option of prosecuting for non-compliance with the notice (maximum level 5) and/or the local authority may carry out the works in default and recover their costs, including confiscation and temporary removal of articles such as audio equipment.
2.16 Local authority teams across England and Wales regularly use the statutory nuisance provisions under Part III of the Environmental Protection Act 1990 for dealing with noise complaints. Some authorities have adopted the provisions of the **Noise Act 1996** (as amended by the Anti-Social Behaviour Act 2003 and the Clean Neighbourhoods and Environment Act 2005). Section 2 of the Act allows a local authority to deal with complaints from an individual present in a dwelling during night hours where excessive noise is being emitted from another dwelling. Night hours are defined as from 11pm to 7am the following morning.

2.17 Where upon investigation the officer is satisfied that noise is being emitted from the offending premises during night hours and the noise if measured within the complainant's dwelling would or might exceed the permitted level, s/he may serve a warning notice. The period specified in the warning notice must not be less than 10 minutes. Once a warning notice has been served, if the noise emitted from the offending dwelling is in excess of the permitted level as measured from within the complainant's dwelling, any person responsible is guilty of an offence and a fine not exceeding level 3 can be levied. As an alternative s/he may serve a fixed penalty notice. The provisions of the Noise Act 1996 allow the local authority to seize equipment for up to 28 days and the local authority can make an application to the Court for a forfeiture order in respect of any related equipment, if the person has been convicted of a noise offence.

2.18 **Section 80ZA of the Environmental Protection Act 1990** provides local authorities with the power to serve fixed penalty notices for contravention or failure to comply with the requirements imposed by an abatement notice.

2.19 **Section 4, Prevention of Damage by Pests Act 1949** provides a local authority with the power to require action, if in the case of any land it appears to the local authority, that steps should be taken for the destruction of rats or mice on the land or otherwise for keeping the land free from rats and mice. They may serve on the owner and/or occupier of the land a notice requiring him/her to take, within such reasonable period as may be specified in the notice, reasonable steps for the above purpose. The local authority has the option of prosecuting for non-compliance (maximum level 3) and/or the local authority may carry out the works in default and recover their costs.

2.20 **Section 34, Public Health Act 1961**, provides a procedure to deal with any rubbish which is in the open air and which is seriously detrimental to the amenities of the neighbourhood. The notice provides 28 days’ notice to the owner and occupier of the local authority’s intention to remove the rubbish. The procedure allows the party to serve a counter notice or appeal against the terms of the notice to the Magistrates Court within the 28 day period. There is no power for the local authority to recover their costs.

2.21 **The Management of Houses in Multiple Occupation (Wales) Regulations 2006** apply to HMOs in Wales. Regulations impose duties on a person managing an HMO in respect of maintaining common parts, fixtures, fittings and appliances (Reg 7), providing waste disposal facilities (Reg 9) and duties of occupiers of an HMO to co-operate for the purpose of ensuring that the person managing the HMO can effectively carry out the duties imposed on the manager by the regulations (Reg 10). Currently, enforcement in respect of breaches of HMO Management Regulations is limited to prosecution.

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8 Section 2, Noise Act 1996
9 Permitted levels will be set by SOS in directions made under Section 5
10 Section 2(4), Noise Act 1996
2.22 **Community Protection Notices**: in addition, a local authority, Police and housing associations have the ability to use CPNs (see Figure 1 above).

2.23 **Fixed Penalty Notices**: the use of fixed penalty notices are discretionary powers given to authorised officers in some enforcement procedures as an alternative to prosecutions and fines. The local authority may specify the amount of the fine to be collected within statutory bands as detailed in the Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) Regulations 2007. Where the local authority does not take this option, a default amount is specified in the regulations.

2.24 **The Clean Neighbourhoods and Environment Act 2005** provided authorities with an extended range of fixed penalty notices to tackle the environmental crime and anti-social behaviour that can blight the local neighbourhood. Fixed penalty notices send an instant and direct message to the minority, who persist in damaging the local environment\(^{11}\).

<table>
<thead>
<tr>
<th>Litter</th>
<th>Environmental Protection Act 1990 – Section 87 &amp; 88 as amended by the Clean Neighbourhoods and Environment Act 2005 – guilty of an offence that can also be dealt with by way of a FPN.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unauthorised distribution of literature on designated land</td>
<td>Environmental Protection Act 1990 – Schedule 3A(1), para 1(1) &amp; (2)</td>
</tr>
<tr>
<td>Nuisance Parking</td>
<td>Clean Neighbourhoods and Environment Act 2005 Section 3 (1) &amp; (4)</td>
</tr>
<tr>
<td>Graffiti and fly-posting</td>
<td>Anti-Social Behaviour Act, Section 43</td>
</tr>
</tbody>
</table>

**Mandatory and Additional Licensing**

2.25 **Part 2 of the Housing Act 2004** introduced two types of licensing scheme for HMOs: the mandatory scheme, which all local authorities must operate and additional licensing, which is discretionary. Mandatory licensing is intended to be the primary method of controlling housing standards in higher risk HMOs, i.e. those with the highest risk of death or injury by fire. Mandatory licensing covers HMOs which are those with three or more storeys occupied by 5 or more residents forming 2 or more households\(^{12}\).

2.26 Part 2 of the Act gives local authorities a discretionary power to designate the whole of their district or areas within it as an additional licensing area for specified types (or all types) of HMO, if certain conditions are met\(^{13}\). Part 3 of the Act also gives local authorities selective licensing powers to deal with accommodation where there are concerns over low housing demand or a need to take measures to improve the social or economic condition because of significant and persistent anti-social behaviour with some private sector landlords failing to take action to combat such behaviour\(^{14}\).

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\(^{11}\) Local environmental enforcement – guidance on the use of fixed penalty notices Defra 2007  
\(^{12}\) Section 254, Housing Act 2004  
\(^{13}\) Section 56, Housing Act 2004  
\(^{14}\) Section 80, Housing Act 2004
2.27 HMO licensing regimes (whether mandatory or additional) are intended to secure satisfactory management and physical standards. Before granting a licence, an authority must be satisfied as to a number of matters, in particular that the licence holder is a “fit and proper person” and that the HMO is being managed effectively.

2.28 On the grant of every licence certain mandatory conditions must be imposed, including gas, fire and electrical safety together with a statement of occupation terms. In addition, authorities have the discretion to impose further conditions which may relate to issues such as taking reasonable and practicable steps to prevent anti-social behaviour, restrictions on the use of part of a property or number of occupants, to undertake any remedial works to bring the property up to standard or a requirement for the licence holder to attend relevant training.

2.29 The licensing scheme is enforced by a number of measures:

- Failure to licence and breach of licence conditions are a criminal offence;
- In certain circumstances a landlord may be required to repay rent received while the HMO was unlicensed (Rent Repayment Order);
- Where there is no prospect of the HMO being licensed, an authority may assume control of an HMO by making a Management Order to protect the safety, health and welfare of the occupiers or persons having an estate or interest in the vicinity (neighbours).

2.30 In order to adopt additional licensing, a local authority must consider that a significant proportion of the relevant type of HMO in the whole or specified area of their district is “being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public”\(^{15}\). Accordingly, the authority may take into account not only the housing conditions of the occupiers of HMOs but also the effect of HMOs on the community at large, e.g. anti-social behaviour of occupiers and their visitors.

2.31 The introduction of additional licensing does not tend to restrict the growth of HMOs, but it does have a positive effect in driving up standards and dealing with unsatisfactory management.

2.32 Local authorities need to ensure that the procedural requirements for evidence gathering and consultation are followed properly; failure to do so may result in challenge by way of judicial review. Recent examples include Constantinos Regas, (R on the application of) v London Borough of Enfield [2014] EWHC 4173 (Admin) and East Midlands Property Owners Ltd, R (on the application of) v Nottingham City Council [2015] EWHC 747 (Admin).

Housing (Wales) Act 2014

2.33 The Housing (Wales) Act 2014 makes significant changes to legislation affecting public and private housing in Wales. One provision particularly relevant to HMOs is the introduction of a compulsory registration and licensing scheme for private rented sector landlords and letting and management agents. Those persons who are directly involved in letting and managing rental properties will have to be ‘fit and proper’ and become suitably trained in order to become licensed and carry out these activities.

\(^{15}\) Section 56(2), Housing Act 2004
2.34 Under the Act landlords and agents must comply and become registered and licensed via Rent Smart Wales (www.rentsmart.gov.wales). This will mean that:

- all private landlords who have a rental property in Wales must register themselves and the addresses of their rental properties in Wales;
- landlords who undertake defined letting or property management activities at a rental property in Wales must become licensed. If a landlord instructs an agent to do such work on their behalf, it is that agent who must become licensed;
- in order to get a licence a person must be adequately trained, and also declare themselves ‘fit and proper’;
- licensing training must be through approved training courses delivered by authorised training bodies.

2.35 The aim is to improve standards of letting and management practice in the private rented sector primarily by improving understanding of rights and responsibilities. Once fully in force, the registration system will also help local authorities in Wales develop an overview of where rented accommodation is located, which will benefit both them and landlords by allowing them to disseminate information and, if an when appropriate, intervene strategically. If a complaint is received about a landlord or property on the register, the local authority will be able to contact the landlord or agent quickly, enabling speedier resolution of the issue.
3. Good Practice

Purpose of this Chapter

3.1 As explained at the start of this guidance, the aim is to highlight good practice from Wales, Northern Ireland and England which has had positive results. Practices adopted vary significantly and obviously are tailored to local circumstances. In some cases partnership approaches may rely heavily on informal action; in others there can be a greater use of statutory powers. It is a matter for local authorities to consider whether or not they adopt any of the practices (in whole or in part) taking into account the circumstances and needs of their own area.

3.2 There is a strong emphasis throughout on partnership working with higher education institutions and other partners in respect of issues arising from student HMOs. This reflects the fact that the significant HMO concentrations found in Wales are predominantly around higher education institutions.

University and Student Initiatives

University Accommodation and Housing Strategies

3.3 Higher Education Institutions (HEIs) can play an important role in helping to alleviate the negative impact that high concentrations of student HMOs can have on communities.

3.4 To be effective it is essential that local authorities work in partnership with their HEI partners and to that effect, many have produced joint University Accommodation and Housing Strategies that complement the strategies produced by the local authority.

3.5 A good example of this approach is the University of Brighton which works with Brighton and Hove City Council to ensure that the provision of student accommodation is safe and well managed and to take account of and respond to the concerns of other stakeholders, in particular the residential communities within which this type of accommodation is provided, through regular reviews of the Accommodation Strategy. The main objectives of the University of Brighton Accommodation Strategy 2010-2015 (Brighton and Hove City Council)\(^\text{16}\) are:

- To work in partnership with landlords, letting agents and other stakeholders to ensure the supply of high-quality and well-managed private rented housing for students and the effective integration of students into established residential neighbourhoods.
- To meet demand for university managed student bed spaces through partnership arrangements with the private rented housing sector, via the current Unihomes model of student housing.
- To closely work with other stakeholders for the development of new purpose-built student accommodation away from existing neighbourhoods with students, and to continue with the accelerated plans for the refurbishment of university owned and managed accommodation.

\(^{16}\) www.brighton-hove.gov.uk
3.6 The University monitors and reviews the implementation of the Accommodation Strategy against its objectives and publishes the outcomes. It also makes formal reports to the university management group and to the Strategic Housing Partnership (facilitated by the local authority).

3.7 Other Universities or Higher Education Institutes that have employed a similar approach include:

- Sheffield Student Accommodation Strategy 2014-2019
- Manchester Student Strategy 2009
- Durham University Residential Accommodation Strategy 2012-2020
- Newcastle University Student Accommodation Strategy 2011
- Leeds University Housing Strategy
- University of Nottingham Community Engagement Strategy 2009-14
- Charnwood Together – Sustainable Community Strategy

**Student/Community Liaison Officer and Community Wardens**

3.8 The Universities UK Studentification Guide (see ‘Further Reading’ at the end of this Guidance) recommends the appointment of a permanent officer to liaise between HEIs, the local authority and other stakeholders, especially local communities.

3.9 The partners of the **Cardiff Student Community Plan** (see paragraphs 3.17-3.21 below) jointly fund a Student Liaison post to assist in the implementation of the plan, with a view to strengthening partnerships between the Council and Universities and creating a single point of contact on student housing and lifestyle issues. These include waste management, health and safety, crime prevention, parking, community cohesion, anti-social behaviour and accommodation.

3.10 In addition, **Swansea City Council**, in partnership with their Higher Education Institutes and South Wales Police, also operate a Community Liaison Officer who is the first responder to any student or community concerns. This approach is also undertaken by a number of other local authorities/HEIs such as Loughborough, Nottingham, Leeds, Exeter, Brighton, Bristol and Oxford.

3.11 The Community Wardens in **Exeter** are all students employed by the University. They encourage the integration of students as active citizens and promote greater community cohesion in residential areas with high student numbers. They facilitate the work of the Community Liaison Officer and work closely with the Students Guild, the local Police and the City Council to support fellow students living off campus. The team of Community Wardens work across the ward areas where most students live. Wardens undertake ‘walkabouts’ in their area, signposting students with community queries, attending community meetings and developing their own termly community projects. Wardens also facilitate ongoing campaigns and initiatives, including the ‘Students on the Move’ refuse removal scheme, noise-awareness, security-marking valuables and gathering information on community issues.
3.12 The University of Exeter support projects that enhance the relationship between students and permanent city residents. The StreetWise fund offers grants of up to £500 for projects linking students, local residents, community organisations and local agencies. The remit is very broad and could cover environmental projects, community events, and improved communication between parties.

3.13 Bangor Students’ Union operates a similar Community Warden scheme as part of the ‘Love Bangor Community Partnership’\(^\text{17}\). “The scheme will proactively deal with problems and will act as a link between permanent residents and the Students’ Union through sitting on community groups and residents’ associations to build positive relationships. The aim is to bring two communities together as one in Bangor”.

3.14 Universities operating a similar service include:
- Loughborough University
- Oxford Brookes University
- Bournemouth University

**Student Community Partnerships**

3.15 Most Universities and HEIs with high concentration of students have developed Student Community Partnerships to promote better relationships between Higher Education (HE) students and other members of the local communities. The Student Community Partnership provides a framework for joint working between the Universities Student Unions and Councils, on matters which affect the relationship between students and the local community.

3.16 The purpose of the Partnership is to create a long-term strategy of various projects to tackle issues that impact upon the relationship of students and the wider community, and to better communicate the positive work already completed by students in the wider community.

**Cardiff Student Community Plan 2014-17**

3.17 The Cardiff Student Community Plan 2014 – 2017 is a partnership document developed by the City of Cardiff Council and the three Universities, namely Cardiff University, Cardiff Metropolitan and the University of South Wales.

3.18 The Plan provides a collective strategy for delivering improvements that address the housing and lifestyle issues associated with high levels of students living in small geographical areas of the City. The Plan recognises that only through joint working and collaboration can any improvements be progressed. They have therefore developed the following joint mission:

*Working together to improve the quality of life for students, residents and the wider community*

\(^\text{17}\) [http://lovebangor.org/about/wardens.php.en](http://lovebangor.org/about/wardens.php.en)
3.19 To do this, the Partnership has adopted the following outcomes that concisely describe what the Plan and the Partnership set out to deliver, namely:

Improve community relations by working with partners to:

- Secure better accommodation in student areas;
- Encourage neighbourliness and community respect;
- Improve community health and safety;
- Promote environmental sustainability;
- Develop communications to create better informed communities.

3.20 The Action Plan is reviewed and progress monitored by the Student Housing Working Group.

3.21 One of the main methods of achieving the above outcomes is through their dedicated website www.cardiffdigs.co.uk. Examples of the guidance provided are shown below:

Secure better accommodation in student areas

Supporting the Landlord Accreditation Wales and University Housing lists – only accredited & licensed HMOs are advertised.

Housing Weeks – helping students make informed decisions about renting.

Halls to House informing students about living in private rented accommodation.

Encourage neighbourliness and community respect

Regular Partnership and Communities Together (PACT) meetings across the main student wards provide an opportunity for residents to highlight community issues.

You're In. Now What? annual campaign aims to inform students of their tenant responsibilities in the private rented sector – information on issues such as community relations, rubbish and recycling, security and health and safety – moving in checklists given to students & landlords as part of campaign.

Local resident volunteers work alongside students, joining and supporting crime and waste awareness walkabouts and education drives – Community postcards and Unity News bridge the gap between student and non student residents by creating communication channels between the two groups.

Community cohesion events such as community fun days run by South Wales Police, allow the public to engage with the student population.

Partnership working between the City of Cardiff Council’s Noise Pollution team, Police Student Liaison Officer, Universities and Students’ Unions to discipline students creating problems in the community, utilising the University Disciplinary process & noise pollution powers.
Improve community health and safety

Lock it. Hide it. Keep it. Joint campaign with the Police aimed at students to increase safety and reduce/prevent burglaries. The Police Student Volunteer Initiative educates students on key safety and security information. Campaigns, door to door advice, property marking initiatives.

Operation Saturn – Police led operation held annually to coincide with the return of the university students after the summer vacation – initiative aims to deter crime and anti-social behaviour and increase safety and security of community & student population – increased Police resources and Council Noise Officers are available throughout the evenings for noise complaints.

A Student Safety Bus provided by Cardiff Students’ Union and managed by South Wales Police identifies students who may be vulnerable due to their intoxication, location or time of night and takes them to a place of safety – wristbands introduced in 2013 delivering the message “How did you get home?"

Burglary partnership work between the City of Cardiff Council Housing Enforcement and South Wales Police resulted in an 80% reduction in burglaries across the top five streets for burglary in Cathays between 2012 and 2013.

Promote environmental sustainability

Waste and recycling collections are now collected on the same day in the student wards to avoid confusion and reduce the risk of waste being put out for collection on the wrong day.

An annual education and enforcement drive is conducted to ensure new students understand their social responsibilities. “Tidy Text “is used to remind them of rubbish days.

Get It Out For Cardiff is a joint, award winning campaign that helps students to clear out their rubbish at the end of the academic year with the aim of re-using and recycling as much as possible.

Charitable recycling side of the Get It Out scheme – resale of kitchen equipment.

Environmental Champions a voluntary action group made up of students and community members.

Cardiff Digs sustainable travel pages encourages students to leave their cars behind and not bring them into Cardiff.

Develop communications to create better informed communities

Cardiffdigs.co.uk, the one stop shop website for all student housing and living advice.

Unity newsletter is a partnership publication where universities and student unions of Cardiff engage with the community.
3.22 The majority of the current activity in Bath is led by the Student Community Partnership set up in 2010/2011, which brings together the Council, both Universities, the Students’ Unions for both Universities and City of Bath College. The Partnership funds a Students Action Line. This is open to all long-term residents and students so that any issues can be reported, logged and investigated.

3.23 The Partnership also funds a Community Liaison Co-ordinator who works with local residents, the Police and other organisations to promote positive relations between students and the local community. The Partnership also works with Avon and Somerset Police, encouraging attendance at PACT (Partners and Communities Together) meetings. These are public meetings that are open to residents and students where members of the public can raise key concerns and there is a vote on which issues should be prioritised.

3.24 The Students’ Unions at both universities employ Volunteer Co-ordinators who facilitate a number of volunteering opportunities for students in the city that serve to encourage good relations with the local community.

3.25 Other Student Community Partnerships in operation include:

- York Student Community Partnership
- Bristol Student Community Partnership
- Nottingham Student Community Partnership

Student Charters and Anti-Social Behaviour Disciplinary Procedures

3.26 A Student Charter is an agreement on rights and responsibilities between a student and their Higher Education Institution (HEI). A number of Universities across the country have implemented these, but their effectiveness is hard to define as they are largely unenforceable. However, they are useful in alerting students to the rules and regulations in a less formal manner.

3.27 Students at many Universities or HEIs are already held accountable for their actions and can face disciplinary action, including fines, or prejudice their chances of completing their course if their behaviour in the community is found to be unacceptable. As a typical example, students will be disciplined where they have “behaved in such a way as would be deemed to amount to a criminal offence or otherwise conducted himself or herself in the University or elsewhere, in a manner calculated or likely to bring the University into disrepute (on or off campus)”.

University of Portsmouth - Code of Student Behaviour and Student Charter

3.28 The University of Portsmouth has a Code of Student Behaviour\(^\text{18}\) to outline acceptable behaviour of students of the University, both on and off campus, in order to secure the proper working of the University.

\(^{18}\) University of Portsmouth, Code of Student Behaviour September 2014
3.29 The expectations of students’ behaviour are set down in the University of Portsmouth Student Charter\(^{19}\) and in particular, students give a commitment to the University to:

- Act as members of an inclusive community that supports equality, diversity, ethical and responsible behaviour;
- Behave responsibly and respectfully towards their neighbours and the local community and do nothing that might damage the University’s reputation;
- Consider the environment and support the University’s green initiatives;
- Adhere to the University’s rules and regulations and comply with relevant external regulations.

3.30 Whilst student disciplinary action is referred to, it appears that robust sanctions against students are relatively uncommon. However, Belfast City Council has an agreed policy of automatically referring every incident to the University (on a weekly basis) and this has had a very significant deterrent effect. Students actually ask local authority officers not to report them to the University.

3.31 Universities or Higher Education Institutes that operate Student Charter and Anti-Social Behaviour Disciplinary Procedures include:

- Cardiff University
- Loughborough University
- University of Newcastle
- University of Southampton
- University of Birmingham
- University of Salford
- University of East London
- St Mary’s University, Twickenham

**Town and Gown Initiatives**

3.32 Institutions are continually looking for new ways of responding to the negative effects of studentification as well as trying to harness the benefits that students bring and ensure that these are felt by the wider community.

3.33 In 2010, the National Union of Students, HEIs and Guild HE (a representative body for principals) published ‘Living Together, Working Together’\(^{20}\), to illustrate the many creative initiatives across the UK that are addressing issues relating to students in the community.

3.34 One way that assists is allowing the wider community to access campus and institutional facilities, and also institutions’ involvement in local partnerships and projects to break down barriers in their local community. There has been an increasing commitment from HEIs and Students’ Unions to this goal. These are often referred to as “Town and Gown Initiatives”.

\(^{19}\) University of Portsmouth Student Charter 2014, [http://www.port.ac.uk/accessinformation/policies/teachingandlearning/filestodownload,162599,en.pdf](http://www.port.ac.uk/accessinformation/policies/teachingandlearning/filestodownload,162599,en.pdf)

\(^{20}\) UUK, Studentification: a guide to opportunities, challenges and practice, 2006, [www.universitiesuk.ac.uk](http://www.universitiesuk.ac.uk)

\(^{21}\) [www.nus.org.uk/PageFiles/12238/02-07-10_Living_Together_Working_Together.pdf](http://www.nus.org.uk/PageFiles/12238/02-07-10_Living_Together_Working_Together.pdf)
3.35 Many Universities and HEI are making their campuses and spaces more accessible to the local public. Many institutions encourage wider community engagement through public lectures, sharing libraries and sporting facilities and providing access to archives. These all aim to help the wider community take advantage of the huge benefits of higher education. Through these initiatives institutions also aim to tackle the perceptions of ‘inaccessible’ university campuses.

3.36 Universities and Students’ Unions increasingly run a range of projects to increase positive student visibility in the local community.

3.37 Lifelong learning and the constant development and exchange of skills and ideas are embedded in the culture of higher education and can be a positive influence within the wider community. This culture is extended through the work of university staff and students who contribute hundreds of volunteering hours to projects as well as specific skills, including expertise in their academic fields. This approach can also be a way of ensuring that information is being communicated to students about the area they live in and what is acceptable, and what is not.

3.38 It is estimated that over 725,000 students, 31% of the higher education student population, have taken part in volunteering. On average they provide 44 hours a year (based on a 32 week return) and contribute some £175 million per year to the UK economy. Volunteer-involving organisations place great value on higher education students21, 22.

3.39 Volunteering activities are diverse and include volunteering with children and young people, often those with disabilities or other special needs; environmental and conservation work; face-to-face or e-mentoring; charity shops; website design, IT and administrative roles for charities; museum interpretation; campaigns and appeals; help for churches and religious groups; sports coaching and organising events.

3.40 In addition, volunteering can also be directed towards the benefits of other students. This might include activities such as Nightline, mentoring other students, running clubs and societies, or being on a Students’ Union committee. Some examples of such approaches are illustrated below:

**Ceredigion County Council/Aberystwyth Night Time Economy Project**

3.41 Ceredigion County Council’s Night Time Economy team work with partners such as Aberystwyth Town Council, Aberystwyth University, the police, the Licensed Trade, Community Groups and other Town and Community Councils throughout Ceredigion to improve the quality of life, which ultimately impacts on people’s health and well-being. The night time economy is also essential for the local economy and in maintaining the vibrancy and sustainability of Ceredigion as a whole.

- **Purple Flag**23 is a national accreditation scheme that recognises excellence in the management of town and city centres at night. Town centres such as Aberystwyth that achieve a Purple Flag will be those that are: safe, vibrant, appealing, well-managed and offer a better night out.

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21 Students, Volunteering and the Community, Research Summary, Institute for Volunteering Research 2010
22 The Student Volunteering Landscape, Fiona Ellison & Helen Kerr, National Union of Students 2014
23 www.atcm.org/programmes/purple_flag/WelcometoPurpleFlag
• **Night Light Scheme** – volunteers from St Michael’s Church offer assistance or support to those who may get into difficulty whilst out at night in Aberystwyth. This is based on a national scheme which has worked well in other areas of the country and is seen to diffuse tension and contribute to a significant reduction in street problems. Over 40 volunteers receive training and have a strong presence in Aberystwyth on busy nights. In addition, the University has student volunteers, “Street Angels”, that accompany Students’ Union party nights to look after the welfare of the students and the community at large.

• **Aberystwyth Private Student Living Guide** is a one stop shop guide to help students get to grips with their housing experience in the private rented sector (after halls of residence) and provides a wide range of guidance from tenancy deposit schemes to which day to put your bin out.

• **SSHH Campaign (Silent Students Happy Homes)** – the aim of the Sshh campaign is to heighten awareness of the impact of street noise and to encourage those enjoying a night out in the town to pause for thought and consider how their behaviour may be affecting local residents.

• **Best Bar None Scheme** – the scheme operates throughout the UK with premises in over 100 counties, towns and cities and recognises and rewards businesses which are concerned about customer care, customer safety and offer a quality venue. In addition, certain parts of Aberystwyth, Lampeter and Cardigan town centres have restrictions on public drinking through Designated Public Place Orders (DPPO).

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**Cambridge Student Community Action (SCA)**

3.42 Cambridge SCA (Cambridge University and Anglia Ruskin University) exists to encourage the involvement of students in voluntary community work, providing services to disadvantaged groups within the community and giving students a valuable learning experience. They offer more than 70 volunteering opportunities. Ten of these projects are internally managed and known as “internal projects” since they cater specifically to the interests of Cambridge students; the other projects are run by a wide range of external organisations for which SCA recruit. The aim of SCA is to encourage every student to be involved in volunteering at least once during their Cambridge careers.

3.43 Other examples of Town and Gown Initiatives include:

• University of Oxford
• Loughborough Students’ Action Group
• Durham University – Student Community Action
• Student Community Action Newcastle
• University of Bristol Union (Student Community Action Plus) – independent Trust
• Student Community Action Queen’s University Of Belfast Students’ Union
• University of Southampton
• University of York
• Volunteering England
• International Town – Gown Association

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24 [www.stmikes.org.uk/?page_id=381](http://www.stmikes.org.uk/?page_id=381)
Landlord Accreditation Schemes

3.44 The private rented sector plays an important role in helping meet local housing demand. Many local authorities work in partnership with private sector landlords and letting agents through their landlord accreditation scheme and landlord forum.

3.45 Landlord accreditation schemes are voluntary schemes with the aim of encouraging good practice amongst landlords and agents and can either be property based, in that each individual property is accredited or the individual landlord or agent is accredited. The scheme recognises and rewards landlords who manage their properties to a good standard. A successful accreditation scheme can help to increase the supply of good quality accommodation to the benefit of existing and potential tenants. It also helps to foster better landlord/tenant relationships and reduces the need for intervention by local authority officers.

3.46 One of the issues regarding accreditation schemes is that they tend to attract good landlords but have little impact on poor landlords. However, in Wales this issue will be addressed by the introduction of the registration and licensing scheme for private sector landlords and letting and management agents under Part 1 of the Housing (Wales) Act 2014 (see paragraphs 2.33 – 2.35 above).

3.47 Accreditation schemes may be run on an individual local authority, regional or national basis or run independently by the major landlord associations (NLA/RLA). Most accreditation schemes have some or all the following elements:

- Landlord or letting agent must be fit and proper;
- The physical condition of all properties they own or manage must meet minimum legal standards;
- Management practices must be fair and reasonable and landlords must work to an agreed code of practice;
- Landlords must successfully complete a one day professional development course and continue with Continual Professional Development;
- Promote good community relations;
- Have an agreed a response rate to deal with tenant complaints;
- Agents must be a member of a recognised professional scheme for managing or letting agents;
- Provide a marketing advantage, discount on training, HMO licensing fees or other suppliers; guidance manual on good practice in the private rented sector and regular newsletters.
London Landlord Accredited Scheme (LLAS) and UK Landlord Accreditation Partnership (UKLAP)

The London Landlord Accreditation Scheme awards accreditation to reputable landlords who undergo training and comply with a code of conduct. Accredited landlords are able to display the LLAS logo as a badge of good practice and access a range of products and incentives including local authority grants, leasing schemes and discounts on fees for licences and other charges.

It was set up in 2004 as a partnership of landlord organisations, educational organisations and 33 London Boroughs. Since out-of-London Boroughs have joined the partnership, it is now also known as UK Landlord Accreditation Partnership (UKLAP).

It is now looking to expand significantly, as the central part of the Mayor's rental standard − working with its member local authorities and the GLA to take on new members from its current base of 13,000 landlords (and 1000 letting & managing agents) in London to reach 100,000 landlords & agents by 2016.

3.48 Other Landlord Accreditation Schemes

- Accreditation Network UK
- National Landlords Association – Accreditation Scheme
- The Residential Landlords Association Accreditation Scheme

‘Rate Your Landlord’ Schemes

3.49 In recent years, a number of Students’ Unions have begun to run Rate Your Landlord surveys to find out more about their members’ experiences of housing and to rank local landlords and agents.

3.50 One example is that operated by the University of Sussex Students’ Union. The University is able to house approximately 5,000 of its 13,000 students in both on-campus and off-campus university accommodation. The vast majority of the remaining students at Sussex however live in the private rented sector in nearby Brighton and Hove and the surrounding areas, and the Sussex Advice and Representation Centre\(^2\) reports that over a third of enquires relate to poor housing conditions.

3.51 Bangor Students’ Union previously operated a ‘Rate Your Landlord’ scheme but has recently moved to a system of annual landlord awards covering a range of categories including responsive landlord, value deal, large landlord, small landlord etc. The Students’ Union says that it finds encouragement a better route.

\(^2\) www.sussex.ac.uk/students/support/
Student Unions who have operated a similar scheme “Rate Your Landlord”

- Liverpool Student Union
- Bath − Rate Your Rental
- Letting Agent Review – The Naked Tenant

Partnership Working - Selective Licensing (London Borough of Newham)

3.52 The London Borough of Newham’s private rented sector is estimated to comprise of 38,000 dwellings making it the largest tenure in the borough (35%). HMOs are increasing in number due to the lack of affordable housing and high levels of immigration, it is estimated that 25% of the private rented sector are now HMOs26.

3.53 Newham was the first English local authority to introduce additional and selective licensing across the borough in 201327. Private Sector Housing and Environmental Health teams have developed an enforcement strategy based on the discretionary rented property licensing and multi-agency enforcement to deal with poor living conditions and rogue landlords.

3.54 Newham initially started with a pilot area covering some 580 dwellings, 43% of which were in the private rented sector. The two year pilot saw all properties inspected and licenced. More than 30 landlords were prosecuted for a range of Housing Act and Town & Country Planning Offences, including failing to licence, breaches of HMO Management Regulations and breaches of planning notices.

3.55 Since the designation of the selective licensing scheme, it is thought that 99% of properties that required a license have now been licenced. The priority over the first two years of the scheme has been to identify those that need to be licenced and the next few years will concentrate on ensuring that properties and management meet the required standard.

3.56 Property licensing was found to offer two key advantages. Firstly, it helps the local authority identify landlords. A significant amount of local authority resources go into finding the owner or person having control. Having direct access to the person’s contact details enables the local authority to avoid this element of the work and ensure that they are dealing with the correct person. Compliant landlords are first to come forward and most others come forward after a warning letter. There is a minority of 15-20% of non compliant landlords that do not engage and this allows the local authority to prioritise their resources on this rogue element.

3.57 It was indicative from the pilot scheme that those landlords that evaded licensing tended to be in breach of other requirements. Those landlords that failed to licence were 4 times more likely to be responsible for properties that had serious health and safety concerns. In addition, anecdotal evidence suggests that such landlords often did not pay the correct amount of income and council tax, failed to comply fully with planning and building regulations, were likely to be involved with immigration offences and in some cases had a history of harassment and illegal eviction.

26 Effective Strategies and Interventions: environmental health and the private housing sector. Jill Stewart 2013
27 Reforms to Selective Licensing from 1st April 2015, will require Councils to seek Government approval before implementing a Licensing scheme, if they plan to licence a large area or proportion of the market (20% of either geographical area covered by the Council or the local private rented sector)
3.58 Secondly, the additional powers that come with additional and selective licensing, including the higher level of fine associated with non licensing (max level £20,000), have a deterrent effect. Where such a criminal offence had been committed, this also provided the option of using the Proceeds of Crime Act 2002 (POCA) provisions or rent repayment orders.

3.59 Licensing helps identify criminal landlords and provide additional sanctions and powers; it is unable to deal with the wider criminality associated with the worst run private rented properties. Consequently, to deal with this element of the market a multi-agency enforcement team was initiated incorporating the Police, Private Sector Housing, Planning Enforcement, UK Border Agency, Fire Brigade and others.

3.60 Newham’s strong links with the Police has helped deliver sustainable solutions to problems that give rise to crime and anti-social behaviour. Newham, as part of this work, directly employs some 40 Police Officers to deal with these issues across the Borough (not exclusively on the licensing scheme).

3.61 The Police have widely adapted the VOLT model to help drive down community safety problems arising from a combination of four key elements: Victim, Offender, Location and Time. This approach has been successful in reducing crime associated with pubs, clubs and other licensable premises. This model has enabled better intelligence sharing, joint problem solving and the ability to look at the problem from a range of approaches, enabling a more effective solution to be found. This has resulted in better outcomes, less bureaucracy and savings on officer’s time when compared to a single agency approach.

3.62 Newham have also introduced a Fair Letting Project to ensure letting agents are complying with current consumer protection and housing legislation and ensuring that tenants are not being exploited, as well as encouraging better standards in the industry.

Dealing with Anti-Social Behaviour

Neighbourhood Helplines

Exeter University

3.63 The Exeter University StreetWise Helpline and email service has been set up to help direct enquiries from Exeter residents who wish to share any thoughts, news, feedback and concerns they might have about living with students in the community. Some of the key issues that are dealt with tend to be noise, rubbish and parking. The StreetWise Helpline and email will help develop a better picture of how and why such issues may be occurring. However, the service is not just for logging complaints, it is also to highlight good news, improvements in local areas or to suggest ideas for future projects.
3.64 Noise and anti-social behaviour are the primary issues raised within the local community and this is backed up by data from the Neighbourhood Helpline operated by the University of Leeds, Leeds Metropolitan University, Leeds Trinity University and colleges. The Helpline is a 24 hour dedicated voicemail and email service. Whether the issue involves noise, waste, parking or playing ball games, the Helpline partnership work with service users, Police and Leeds City Council to educate and correct negative behaviour amongst students.

3.65 Noise concerns tend to peak with the end of exams and the start of terms. The Helpline has been effective in dealing with individual cases but it is recognised that it is the number of different sources of noise within a defined area that exacerbates the problem. The University is working closely with the Noise Nuisance Service, Leeds Anti-social Behaviour Team and Police to combine resources to tackle this on-going problem.

3.66 To ensure a consistent approach to all issues raised, each institution follows the procedures detailed in the Neighbourhood Helpline Code. The Code has been developed and adapted since 2007 to ensure that students have an opportunity to correct their behaviour before disciplinary action is taken. An annual report\(^28\) is produced to track the number and nature of the cases investigated by the Helpline each year. This data is used to guide proactive work in partnership with Leeds University Union, Leeds City Council and Police to actively address neighbourhood issues. Neighbourhood Helpline has a standard procedure\(^29\) on how to deal with complaints.

3.67 Other Universities that operate a Neighbourhood Helpline include:
- Manchester Student Homes
- University of Nottingham

**Get to Know Your Neighbour**

3.68 The Leeds University Union initiative aims to make students aware that they are living amongst an already established community as well as fostering a greater sense of community for all residents.

3.69 At the start of the year, student volunteers are accompanied by officers from the University, Leeds University Students’ Union, Leeds City Council, and Police in visiting households in the areas which are most populated by students. This year 895 households were visited in target areas of Hyde Park and Headingley that were identified through the Neighbourhood Helpline as requiring additional education.

\(^{28}\) [www.leeds.ac.uk/sustainability/downloads/Community/Helpline%20Report%202013.pdf](http://www.leeds.ac.uk/sustainability/downloads/Community/Helpline%20Report%202013.pdf)

3.70 Student households are provided with a postcard\(^{30}\), upon which there is space for residents to write a small introductory message to their neighbour.\(^{31}\) In addition, messages were given on property and personal safety, waste management, getting involved in the local community and how to avoid causing a noise nuisance. At the heart of the initiative is the belief that dialogue between neighbours is the most effective method to address any social issues.

Dealing with Noise

3.71 Students commonly study, work and socialise at different times and this varying lifestyle as well as poorly insulated properties in dense areas of housing can cause significant noise concerns in the community. In addition, in areas of high concentration of student accommodation the frequency of parties can be an issue.

3.72 The most frequent night time complaints usually involve:
- noise made by students going out/coming home – talking loudly, shouting, chanting/singing, banging house and taxi doors;
- loud music or noisy computer games with windows open;
- late night gatherings in gardens which disturb neighbours trying to sleep;
- noisy parties, loud music, guests shouting in the street or in gardens.

3.73 Most Universities provide guidance on how to minimise the risk of complaints when holding a party. Bristol City Council provides the following guidance:
- Give plenty of advance notice with your contact details to your neighbours. Let them know what (reasonable) time you expect the party to finish and stick to this. An all-night party is not reasonable – if this is what you are planning then find a venue in town more suited to this.
- Don’t advertise your party on social networking sites; you could end up with far more guests than you can cope with.
- DJ decks, amplifiers or other extremely loud noise making equipment are not acceptable. The music should not be loud enough to be heard outside your property.
- Keep doors and windows closed to stop noise carrying.
- Ask guests to arrive/leave your property quietly and try to keep everyone inside as neighbours are often kept awake by partygoers screaming and shouting in gardens or on the street. If complaints are received about noisy guests, you will be held responsible.
- Avoid week night parties.
- Respond politely to requests by neighbours to either end the party or turn the music down (and keep it down).
- Clear up any mess left outside your house the next morning.

\(^{30}\) www.leeds.ac.uk/sustainability/downloads/Community/get%20to%20know%20your%20neighbour%20leaflet.pdf
\(^{31}\) www.leeds.ac.uk/sustainability/downloads/Community/Resident%20Letter.pdf
3.74 If Universities receive complaints and unacceptable behaviour has been substantiated, sanctions and/or fines may be imposed under the rules and regulations for student behaviour in the community (Student Charter/disciplinary procedure) (see paragraphs 3.26 – 3.31 above).

3.75 Many local authorities offer an out-of-hours service in relation to noise; some restrict such services to the weekend or during term time, when complaints are likely to be at their highest. In addition, some local authorities offer a mediation service\(^\text{32}\) to try and deal with some noise complaints.

3.76 Charnwood Borough Council has set up a Scrutiny Panel which covers planning, housing and community partnership including dealing with anti-social behaviour. They have adopted an incremental approach in respect of anti-social behaviour/noise complaints (words of advice, verbal warning, written warning, acceptable behaviour contract, any complaint leads to a visit) and this has proved very effective, largely eliminating the need for formal legal action.

3.77 In comparison, Leeds City Council has adopted a very robust interventionist line with noise in the Headingley and Hyde wards with over 100 notices served under s80 of the Environmental Protection Act 1990 around the Freshers Week in 2014. The Leeds Anti-social Behaviour Team actively monitors social media (where parties are often advertised) to target action effectively and where possible to pre-empt complaints (as a statutory nuisance is ‘likely to occur’).

3.78 Consideration has been given by some local authorities to allow measuring and reporting of noise nuisance through a “noise app” mobile application. For users the app is free to download and to use. Once registered, they are able to make recordings of noise instantly and are prompted to enter some simple information by tapping a few icons. After submission the information and sound file are forwarded to local authority or housing association automatically. They can then review the recording and will enable them to assess what steps or actions should be pursued (www.thenoiseapp.com).

3.79 Belfast City Council makes very regular use of the powers for dealing with noise complaints in the student concentration areas and issue many fixed penalty notices (see paragraph 2.23 above). They have found the power extremely useful and students tend to limit noise after the first visit as they become very well aware of the consequences if they do not. The use of the power is coupled with the policy of reporting all complaints to the relevant HEI.

3.80 In addition, the local authority, Police and housing associations now have the ability to use Community Protection Notices (see Figure 1 above).

Dealing with Refuse/Street Scene Concerns

3.81 One of the main concerns for local communities and local authorities was the issue of waste and street cleanliness, both in terms of major accumulations when students initially move into the property and when the HMO premises are cleared at the end of the academic year.
3.82 In addition, there is the ongoing issue of HMO tenants failing to put their bins out for collection on the appropriate day, resulting in refuse being left out for long periods of time with bags being torn and their contents spread around the street.

3.83 Leeds University Union undertook a waste research project in 2009 to establish student behaviour and attitudes towards waste and recycling. The research found that students were not well informed about the waste service offered including bin collection days, frequency of bin collection, where to keep wheelie bins if there is no space on the property and where the sorting sites are.

3.84 The research suggests that students require more information from the local authority, especially during the start of term and for those who have moved into new rented accommodation for the first time. It also shows that student areas, especially houses that have a high occupancy rate, require more from the Council in terms of larger or more bins based on the number of people living in the house and increased frequency of collection.

3.85 Predominantly, local authorities have a policy of educating and raising awareness of social responsibility and correct waste presentation in the student and landlord community. The annual changeover of students requires that such programmes need to be focussed at the start of each academic year and regularly reinforced.

3.86 Local authorities have various methods of increasing awareness such as attending fresher fairs, use of innovative media like podcasts and videos, working closely with the universities and Students’ Unions on communications through mailing lists, ‘what’s on’ guides, social media, websites and community newsletters. However, a policy of education alone will not always adequately resolve the matter and local authorities have employed a range of approaches and initiatives to try and mitigate the problem.

3.87 Oxford City Council adopted a new Waste and Recycling Strategy in 2013, which introduced a policy for flats and HMOs, where the local authority will collect no greater quantity of waste from domestic refuse bins than from domestic recycling bins (1 recycling bag = 1 domestic waste bag). The policy is to encourage a greater level of participation in their recycling scheme. It is at an early stage of implementation and therefore too early to establish the effectiveness of the policy.

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HMO Licence Conditions

3.88 Most local authorities as part of their discretionary HMO licence conditions, have provisions to inform tenants of their responsibilities in relation to anti-social behaviour, good neighbourly conduct and waste. As an example, Swansea City Council have the following condition within their licence conditions: Waste Arrangements & Street Scene.

“The licence holder shall ensure that suitable and sufficient storage facilities are provided for household waste and recycling pending disposal. Ordinarily this would involve the provision of bins in the ratio of 1 bin (of at least 80 litre capacity) per 2 persons.”

“The Licence holder shall ensure that an explanation is given to tenants at the beginning of their occupancy regarding the storage and disposal arrangements in place in respect of household waste and recycling. Following the receipt of such explanation, the Licence holder shall ensure that each tenant signs the Declaration of Understanding.”

“The Licence holder shall ensure that any building works or improvements are carried out with the minimum of disruption to the occupants, neighbours and the wider community and that, wherever possible, any waste arising from building works or improvements to the house, does not accumulate in the curtilage of the property or near to it. Where such accumulations are unavoidable they shall be removed as soon as reasonably practicable to a suitably licensed waste disposal facility.”

“No other waste such as old furniture or appliances shall be allowed to accumulate in the curtilage to the property. If arrangements have been made for the removal of such items they may only be placed at the front of the property on the date of collection.”

3.89 Nottingham City Council, Gwynedd Council, Cardiff City Council and a number of other local authorities operate an innovative “Tidy Text” service, where students and residents can sign up for a free text, which reminds them when recycling/waste will be collected. They are required to text ‘Tidy’ with their house number and postcode to 60066 for their FREE reminder of waste and recycling collection days. Waste Management and the Keep Cardiff Tidy group are looking into ways of sharing data on students so that they are automatically signed up for the service.

3.90 Get it Out for Cardiff is the annual end of term waste, recycling and charity collection scheme which operates between May and September each year. The initiative is in partnership with the City Council, Cardiff University, Cardiff Met and University of South Wales and Students’ Unions which helps Students to clear out their rubbish at the end of the academic year. The aim is to re-use and recycle as much of it as possible. The 2010 campaign saw 225 tonnes of waste and unwanted items collected with over 62 tonnes recycled and over six tonnes re-used by students donating them to charity collections. There is a provision of additional rubbish and recycling collections on three Saturdays in June and July each year, which coincides with the end of the academic year.

3.91 Environmental Champions Scheme: In preparation for the start of the academic year Waste Management, cardiffdigs.co.uk, Cardiff Students’ Union and Student Volunteering Cardiff (SVC) come together to recruit volunteers to look at sustainability issues. They have a number of coordinators and volunteers who will adopt a street or area to help raise the education and awareness of waste responsibilities as well as broader sustainability issues.
3.92 **NUS Student Green Fund**: provides students’ unions with the funding to develop transformative, student-led sustainability projects and helps students to adopt pro-environmental habits\(^{35}\).

3.93 Where guidance and advice does not resolve the matter and a more robust approach needs to be taken by the local authority, there are a number of statutory approaches that can be pursued. The suitability of each approach will depend on the individual circumstances of the case.

**Tackling Crime**

3.94 A large student population means that each year there is a new intake of potential burglary victims, with student houses often providing a rich source of electronic equipment such as mobile phones, tablets and laptops. The student lifestyle of terms and vacations means that this group is more vulnerable to criminal activities. Furthermore, as the student population changes from year to year, offenders can return to the same address due to their previous knowledge.

3.95 The student population often have less well established links with the community, which provides a degree of anonymity to offenders who can move about with a greater degree of freedom than might otherwise be the case. A range of initiatives to combat such crime have been adopted in a multiagency partnership approach.

**Leeds Universities and Colleges Crime Reduction Partnership**

3.96 Addressing student vulnerability issues is a priority for the Police, Leeds City Council and the universities and colleges of the city. The Leeds Universities and Colleges Crime Reduction Partnership work collaboratively to deliver and coordinate a number of crime reducing and safety initiatives headed through the Knowledge\(^{36}\) campaign:

- **Im mobilise**: A free property register that helps Police trace any stolen items and return them back to the owner.
- **Know How**: Top tips on how to avoid becoming a victim of crime in Leeds.
- **In the Know**: Local crime statistics.
- **Know Who**: Information about who to contact for further help, support and advice.
- **Know why**: Real life stories showing why avoiding crime and staying safe in Leeds is important.

3.97 The University also contributes to the funding of a University Police Officer to specifically reduce student vulnerability to crime with an emphasis on burglary reduction in inner North-West Leeds. Local crimes have fallen due to effective local partnership working; between 2004 and 2010, burglaries in the student areas of Leeds decreased by 40%.

\(^{35}\) www.studentgreenfund.org.uk

\(^{36}\) www.knowledge-leeds.co.uk
Cardiff Police Student Volunteer Initiative

3.98 The Police Student Volunteer scheme involves Cardiff students working with officers from South Wales Police on crime reduction and prevention initiatives in the local area. The aim of the initiative is to develop stronger community links and to enhance the lives of students and local people to make them feel safer in their communities.

3.99 The initiative has given students valuable experience of working with local residents, students and South Wales Police. Their involvement has improved community relations whilst also making a positive impact on reducing crime figures within Cathays.

3.100 Volunteers work alongside officers and carry out a range of activities. These can include delivering door to door awareness about crime prevention campaigns (property marking initiative), safe policing at major events such as the Varsity match, giving high visible support to Police Community Support Officers and Police Officers at events, on patrols and supporting fellow students through local initiatives such as:

- **A Student Safety Bus** provided by Cardiff Students’ Union and managed by South Wales Police, identifies students who may be vulnerable due to their intoxication, location or time of night and takes them to a place of safety. Wristbands were introduced in 2013 delivering the message ‘How did you get home?’ The QR code or unique URL link on the wristband takes them to a dedicated (non-public) page on the www.studentdigs.co.uk website, which provides them with advice and guidance. The purpose of this initiative is to try and change student behaviour.

- **Operation Saturn** – Police led operation held annually to coincide with the return of the university students after the summer vacation. The initiative aims to deter crime and anti-social behaviour and increase safety and security of the community and student population. Increased police resources and Council Noise Officers are available throughout the evenings for noise complaints.

- **Burglary Partnership** work between the City of Cardiff Council Housing Enforcement and South Wales Police resulted in an 80% reduction in burglaries across the top five streets for burglary in Cathays between 2012 and 2013. This approach included the Police entering houses when the front door was not locked and the insertion of balloons into open windows, with message cards attached highlighting the risk from burglary.

3.101 In Charnwood, Operation Umble occurs every year with door to door visits by community and Students’ Union volunteers, Police Community Support Officers and local authority staff giving advice on crime prevention matters.

3.102 In Bangor, in addition to the introduction of security provisions into licence conditions, all newly licenced premises now get a visit from Police and a window sticker to say that it has been inspected by Police. The police also provide inventories which go on a national database and security marker pens.
Safer Walking Route

3.103 A number of Universities such as Wolverhampton and Bradford in partnership with the Students’ Union and the Police devise a Safer Walking Route to use from the accommodation to the main academic buildings. Often these routes are provided with additional or enhanced lighting.

3.104 Charnwood have part-funded the provision of street pastors to help reduce problems in Loughborough town centre and are seeking to extend this to the defined routes from town centre to student areas.

3.105 Other partnerships provide information on their local area, including crime, the best ways to get home at night, including night buses or safe taxi firms (women drivers).

Dealing with Street Parking/Transport

3.106 In residential neighbourhoods with limited parking it is recognised that multiple occupancy properties can cause or exacerbate existing parking problems. In addition, students driving into a HEI will try to park as close to the facility as possible, resulting in streets in close proximity becoming saturated. Many local authorities have encouraged students to limit their use of private vehicles through the strategic deployment of car parking permit schemes, double yellow lines and civil enforcement (fixed penalties).

3.107 In addition, HEI campuses are increasingly restricting the level of parking available to discourage students from bringing their car as well as encouraging considerate parking. Estimates suggest that bringing a car to University costs in the region of £2,500 a year\(^37\).

3.108 Many HEIs recognise the need to promote student use of public transport, cycling and walking as an alternative. In this way, HEIs and local authorities can work in partnership and encourage negotiation with providers of local public transport to ensure that there is an adequate service and, if possible, to justify funding for dedicated public transport routes that could require subsidy to operate.

3.109 Leeds University has implemented a range of measures to encourage more sustainable transport choices by both staff and students and reduce car usage. This includes disincentives such as preventing any student parking on campus, but is complemented by a range of incentives including the Velocampus\(^38\) bike hire scheme. Investment has gone into cycling infrastructure on campus and University residences, including safe bike storage and shower facilities. A comprehensive website provides public transport advice and support, and the Velocampus Bike Hub offers staff and students cycle training, bike buddying, safety and route advice, as well as bike maintenance.

37 www.cardiffdigs.co.uk
38 www.sustainability.leeds.ac.uk/sustainable-transport/bike-hub/
3.110 Good quality Velocampus Leeds bikes, including lock and lights, are available to hire from the University for one week up to 12 months over an academic year. A hire agreement needs to be signed and the hire fee and deposit paid (semester £35, up to a year £50, deposits £100).

3.111 Cardiff Met Rider Pass is a good choice for Cardiff Metropolitan students. The service is provided by Cardiff Metropolitan University in partnership with Cardiff Bus and connects all three Cardiff Met University campuses, student halls and residential areas, and the city centre. Students and staff can purchase a Met Rider pass, subsidised by the University, allowing unlimited travel throughout the academic year on the entire Cardiff Bus network.

3.112 Exeter University offers a free minibus service from Exeter St Davids railway station to Streatham Campus for staff and students.

3.113 City Car Club offers a cost-effective and more ecologically sound alternative to car ownership and traditional vehicle hire in 17 UK cities. City Car Club vehicles are located in designated parking bays across the city and can be reserved by the hour, day or as long as required. In addition, many universities offer a car share scheme for both staff and students.

Controlling Letting Boards

3.114 Councils including Leeds City Council, Newcastle City Council, Nottingham City Council, Charnwood Borough Council and Brighton and Hove City Council have all secured approval for a direction under Regulation 7 of the Town and Country Planning (Control of Advertisements) Regulations 1992 in relation to letting boards. In Wales, a Regulation 7 direction has recently been approved by the Welsh Ministers for Cardiff City Council and Swansea City Council has introduced a voluntary code for advertisers.

3.115 Leeds pioneered the use of a direction to restrict letting boards with the first restriction in 2006 covering three wards in response to high concentrations of letting boards. Rather than imposing a blanket ban, the council allows boards to be displayed where they comply with a locally agreed code. The council also operates a voluntary code in adjacent areas, enforced mainly by community groups and landlord associations. The code stipulates maximum board sizes, black and white text, logo size, display flat to frontage, all letting boards to be removed by November, removal once tenancy granted, etc. Enforcement action is taken where the code is not followed. A link to the code is given below.

3.116 Newcastle adopted a voluntary code of practice in 2008 but found the impact was only limited. It subsequently submitted a draft Regulation 7 direction in July 2013, with approval being issued in August 2014. The Council does not follow the Leeds model, with no sign being permitted without express consent. The planning officers are pleased with the impact of the direction and estimate that around 80% of the signs have now gone.

3.117 The Leeds and Newcastle approaches to enforcement under the Regulation 7 direction are very different, but both have proved successful. The Leeds approach is more involved, but has been running successfully for some time. The Newcastle approach is more straightforward and has been running for a limited period only so far.

39 http://www.leeds.gov.uk/docs/1%20Letting%20Board%20Code%20JAN%202013.pdf
4. Further Reading

Legal Framework


Good Practice

- Living Together Working Together, Guild HE, National Union of Students, Universities UK, June 2010

- Studentification: a guide to opportunities, challenges and practice has been published by Universities UK: UUK, London 2006


The following Local Authority documents may also be useful:


- Brighton and Hove City Council City Plan Part 1 Student Housing Technical Background Paper, Local Development Plan, June 2013.

- Brighton and Hove City Council, Consultation on Policy Options: Student Housing Options Paper, 2011.

- Brighton and Hove City Council, Policy CP21 Student accommodation and Houses in Multiple Occupation.

- Brighton and Hove City Council, Student Housing and Houses in Multiple Occupation Concentration Assessment, December 2011.

- Cardiff City Council, Letting Boards Evidence Report, October 2014.
- Cardiff City Council, Stock Condition Survey for HMOs in Gabalfa and Plasnewydd, May 2014.
- Ceredigion County Council, Evaluation of the Additional Licensing Scheme for HMOs in Ceredigion, October 2013.
- Charnwood Borough Council, Report to Scrutiny Panel – Managing Student Occupancy, 10th April 2014.
- Newcastle City Council, To Let Boards Evidence Report, June 2013.
- Oxford City Council, Sites and Housing DPB Background Paper 14 (HMOs), 2012.
- Report to Cabinet Rhondda Cynon Taf County Borough Council, Licensing of Houses in Multiple Occupation, October 2013.