

MINUTES OF A MEETING OF THE COMMUNITY AND CORPORATE OVERVIEW AND SCRUTINY COMMITTEE HELD ON 23 NOVEMBER 2015 FROM 7.00 PM TO 10.00 PM

Committee Members Present

Councillors: Norman Jorgensen (Chairman), Michael Firmager (Vice-Chairman), Chris Bowring, Ken Miall, David Sleight and Alison Swaddle

Other Councillors Present

Councillors: Parry Batth, Tim Holton, Pauline Jorgensen and John Kaiser

Officers Present

Colm Ó Caomhánaigh, Secretary

Clare Lawrence, Head of Development Management and Regulatory Services

Matt Davey, Head of Highways and Transport

9. APOLOGIES

Apologies for absence were submitted from Bill Soane (substituted by Alison Swaddle) and Shahid Younis.

10. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 19 October 2015 were confirmed as a correct record and signed by the Chairman.

11. DECLARATION OF INTEREST

Councillor Ken Miall declared a personal interest in Item 14, Council Policy on Houses of Multiple Occupation, by virtue of the fact that his family were involved with the Shinfield Players and the Theatre had been mentioned in relation to parking problems in Shinfield. Councillor Miall remained in the meeting during discussions and voted on the matter.

12. PUBLIC QUESTION TIME

There were no public questions.

13. MEMBER QUESTION TIME

There were no Member questions.

14. COUNCIL POLICY ON HOUSES OF MULTIPLE OCCUPATION

Councillor Miall declared a personal interest in this item.

Claire Lawrence, Head of Development Management and Regulatory Services, introduced two reports that had been circulated. The first dealt with the legislative background to Houses in Multiple Occupations (HMOs). She outlined the different definitions of HMOs under licencing and planning legislation and the different types of 'nuisance'.

The second document outlined Wokingham Borough Council's policy in dealing with problems related to HMOs. In the first instance they try to reach amicable solutions and involve neighbourhood officers in reaching solutions.

She described what would be involved in using Article 4 Directions to increase the Council's control. This would be contrary to general Government policy which is to favour deregulation and it could be quashed by the Secretary of State. She described feedback she has had from other councils regarding use of Article 4 Directions which indicated that

they were more likely to succeed if they were small in scale and it is essential that they are evidence-based. However, the time and resources required are significant and a one-year notice period is required.

In the meantime, she reminded Members that Civil Parking Enforcement (CPE) has been sought by the Borough and when that is available it will increase the Council's powers to tackle parking problems which appear to be the main current problem with HMOs.

John Kaiser said that he believed that the numbers of HMOs are likely to increase as rents rise and it becomes more profitable. Parking problems arise because the old regulations on parking provision in areas like Shinfield were inadequate. He believed that some of the green space in Council ownership could be provided for parking but that the Council did not have money to pay for the parking provision.

Members sought clarification on the licencing and planning definitions of HMOs. Clare Lawrence agreed that the definitions left a lot of grey area and there was a great deal of case law involved. She believed that genuine families were easily identifiable but that it can be extremely difficult to know who is living in shared houses and HMOs where, for example, partners may stay occasionally or may be resident.

Michael Firmager pointed out that it is likely to be 18 months before CPE comes in and he asked what can be done in the meantime.

John Kaiser replied that there can be three ways to deal with parking enforcement: by the police, by the management companies and by residents. He said that there was a permit scheme operating for social housing in the Shinfield area.

Chris Bowring asked if it was mainly a problem relating to rented accommodation. Clare Lawrence responded that planning regulations deal with the use of a property and not whether they are owner-occupied or rented.

Alison Swaddle asked if the installation of bollards might help to prevent illegal parking. John Kaiser responded that bollards had their own problems.

Parry Bath, Mayor, thanked the Officer for the report. He said that he had sympathy with the residents of Shinfield who were subject to unhelpful behaviour by some of their neighbours. He noted that WBC had refused planning permission for this development but it was successfully appealed. He believed that the Council should try to stop continuing conversion of properties to HMOs and hold any current applications in abeyance as well as expediting CPE and providing more parking spaces.

The Chairman invited two residents to speak: Ms. Helen Yeo and Ms. Doreen Couzens. They outlined the problem of family homes being converted to five or six bedroom HMOs. They said that there were only 7 licenced HMOs out of 310 properties so they believed that most HMOs are unlicenced.

There was also a problem of people parking in their area in order to avail of the frequent bus service to Reading. In addition, there could be problems around the Shinfield Players Theatre. The residents said that parking could be provided by using a currently derelict road or some of the green space. The Council could make money if they charged for the parking provided.

The Chairman asked if parking was the big issue here. The residents said that there were other more minor problems but agreed that parking was the main concern of residents - in Shinfield and elsewhere. There was some permit parking for social housing but that itself caused an overflow problem.

John Kaiser expressed concern that the result of consultation on a potential Article 4 might be that most residents oppose it, if there are so many HMOs there already. He also asked if the licencing system was working. Residents said that they got no response to emails to licencing staff.

Pauline Jorgensen said that there was a meeting of the Joint Services Review Panel taking place next week which includes licencing and anyone with evidence of poor service should submit it.

John Kaiser suggested that the Parish Council might have the money to pay for the provision of parking and he felt sure that the Borough would be happy to provide the land. He also said that he would work with his enforcement officers to see if anything can be done regarding any unauthorised HMOs. He asked if resources were available to the shared licencing service with West Berkshire to do a test project on licencing of HMOs in Shinfield Park.

RESOLVED: The Committee noted the report and requested that

- 1) The planning and licencing position regarding HMOs in the borough generally and Shinfield Park specifically be monitored and reviewed and that a report be brought to the Committee in six months;
- 2) The Mayor contact the Parish Council with regard to the suggestion that the Borough provide land and the Parish Council fund the provision of parking;
- 3) The Executive Member for Resident Services consider the issue of the licencing of HMOs particularly in the Shinfield Park area.

15. ROAD REPAIRS - IMPACT OF EXPECTED INITIATIVES AROUND CUSTOMER SERVICE AND PUBLIC AND WARD MEMBER ROAD REPAIR NOTIFICATIONS.

Matt Davey, Head of Highways and Transport, described the Council's approach to reactive and planned road maintenance. He said that all roads are inspected at least once a year - many more often. Inspectors make judgements and place orders for works - around 7,000 orders per year.

The contract with the road maintenance service provider defines various periods for work to be carried out with a premium paid for speedier response. Their work is inspected afterwards - on a random basis for smaller repairs.

Members related different experiences of the response when they send emails about road problems. Some were happy with the response, others were not. Pauline Jorgensen asked if the inspection schedules could be circulated to councillors so that they could assist the inspectors in identification of problems. The Chairman asked if Members could be notified of the inspector for their area.

John Kaiser told the meeting that Members will be given an email address the day following this meeting to use for reporting problems.

Members questioned the quality of some of the repairs. Matt Davey said that there had been a problem with the quality of some works done by the contractor. As a result there

will be a reorganisation of the team with design and supervision work separated. He is optimistic that there will be an improvement.

He told the meeting that an independent survey indicated that the public perception was that the situation had improved. The number and value of claims against the Council had also declined.

Pauline Jorgensen asked if the information was available as to how many repairs were requested and how many were actually done. Matt Davey said that he could get those figures.

Ken Miall asked if paths are included in inspections. Matt Davey confirmed that paths are covered as well as any problems with hedges, electrical lines etc. He said that sometimes utility companies need to be contacted regarding problems.

Members asked for clarification on the involvement of utility companies in road repairs. John Kaiser replied that it is controlled by a licencing system which also gives the Council the opportunity to coordinate different works on the same piece of road. He said that he obtained agreement that S106 funds can be used for road repairs. He would also like to see some funds from the New Homes Bonus used for this purpose.

Some Members asked if it would be better to clearly define what constitutes a 'pot hole' that needs to be repaired to ensure consistency.

Matt Davey told the meeting that all A, B and C roads are examined by a machine. For new estates the Council specifies the road surface and checks that the developer builds them to the required standard but older roads could be substandard.

Members also questioned why the predicted length of road works always seems to be too optimistic.

Matt Davey told Members that there are four inspectors and he will email them details of the inspector for their area.

RESOLVED: It was agreed that

- 1) The Executive Member for Planning and Highways will ensure that an email will be sent to Members on the day following this meeting to provide them with a single email address for road repair issues.
- 2) The Head of Highways and Transport will email Members of the details of the road inspector for their area.
- 3) The Head of Highways and Transport will consider how to keep Members informed of the work programme and will make a proposal to the March meeting of this committee.
- 4) The Committee will review this matter again in July 2016 to judge the success of the latest changes in the road repairs system.

16. WORK PROGRAMME

The draft Work Programme was discussed.

It was agreed to add the report from the Commuter Parking Task and Finish Group to the agenda for January.

The Secretary informed the Members that legal opinion is still awaited on the question of the Part 2 Report on the Review of the Town Centre Regeneration Scheme.

With regard to the Review of Outside Bodies Appointments Members clarified that they wanted a list of such bodies and how much funding is allocated to them by the Council.

Pauline Jorgensen suggested that the Committee review Procurement in May after the new regulations have been implemented. She agreed to draw up draft terms of reference for such a review.

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