

Date: Thursday, 12 November 2015

Time: 10.00 am

Venue: Shrewsbury/Oswestry Room, Shirehall, Abbey Foregate, Shrewsbury,

Shropshire, SY2 6ND

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## ENTERPRISE AND GROWTH SCRUTINY COMMITTEE

### TO FOLLOW REPORT (S)

6 Mobile Telecommunications (Pages 1 - 24)

To consider the service provided by the mobile telecommunications companies. A briefing note will follow.

8 Student Accommodation Task and Finish Group Report (Pages 25 - 46)

To consider the report of the Student Accommodation Task and Finish Group (to follow)







# Mobile coverage in Shropshire

Richard Moore 3 June 2015



# Mobile services are an increasingly important part of our daily lives & improving mobile coverage is a key priority area for Ofcom

Household penetration of fixed and mobile telephony, by socio-economic group and age

Proportion of respondents (per cent)



Source: Ofcom research, data as at Q1 of each year

Base: All adults aged 16+



# We are supporting improvements in mobile coverage in a number of different ways ...

 Releasing new radio spectrum and including coverage obligations in the spectrum licences held by mobile network operators

Page

Making better coverage information available to consumers and businesses to encourage greater competition between mobile operators on coverage

Providing technical support to government led initiatives



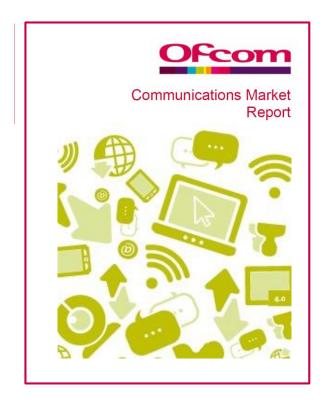
### Recent key developments include ...

- Release of radio spectrum to allow the deployment of 4G services
- Woluntary commitment by networks to achieve 90% UK geographic coverage
- Introduction of new technologies, such as voice over Wi-Fi
- Progressing plans to release spectrum at 700 MHz



## We report on mobile coverage on a regular basis to assess the state of the UK mobile infrastructure

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# The data indicates that geographic coverage of Shropshire is in-line with the UK average, but premises coverage is lower



### Percentage coverage by all networks

		UK	Shropshire
Geographic coverage	2G	68%	67%
	3G	26%	28%
Premises coverage	2G	97%	86%
	3G	84%	55%





## We report on 200 Local Authorities across the Ofcom **UK...**







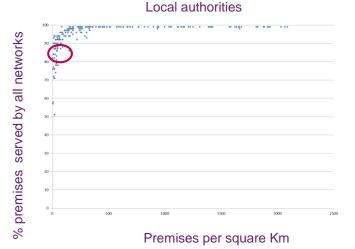
# ... and we undertake analysis to identify the barriers to improving coverage













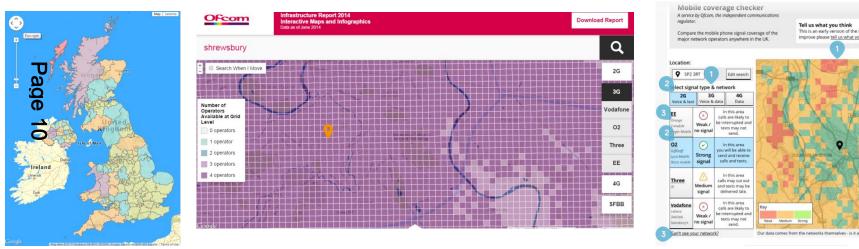
# We're increasingly publishing network specific information – for example we published 3G data in the 2014 Infrastructure Report...

3 <b>G</b>	UK				Shropshire			
3G Page	EE	02	Three	Voda	EE	02	Three	Voda
Pemises	98%	91%	98%	87%	95%	66%	94%	75%
Geographic	74%	44%	68%	33%	86%	42%	78%	55%

Source: Ofcom Infrastructure Report 2014



### ... and we're working to make the data more accessible to consumers



improve please tell us what you think,

Planned for 2015 2014 2013

"The MNOs will provide data to Ofcom to enable it to publish an interactive on-line map." This will enable consumers to check where coverage is available and report to Ofcom areas of poor coverage."

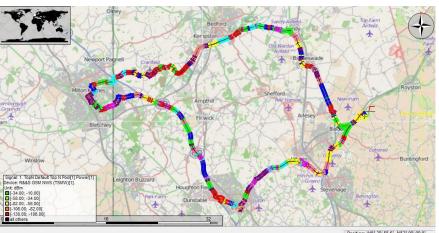
> Improving mobile phone coverage Statement of Commitment 17 December 2014



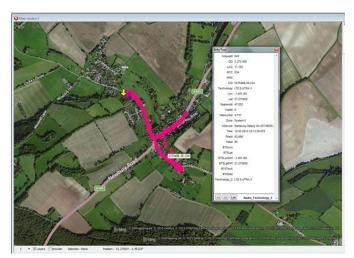
# We're doing our own research to validate the network operator coverage predictions...













# ... and to understand the extent to which other factors can affect the mobile experience

Handset





In-car



In-building



## We have included coverage obligations in spectrum licences

- All networks are required to provide 3G outdoor coverage to 90% of the population
- O2 is required to provide 4G indoor coverage to 98% of the population by December 2017

  Following the voluntary agreement between the networks and Government, we have

Following the voluntary agreement between the networks and Government, we have included terms in their spectrum licenses that require them to provide 90% geographic coverage of mobile voice services by December 2017

 We will be auctioning new spectrum in the next 5 years that is well suited to extending coverage

©Ofcom



## We continue to provide technical advice to Government on its initiatives



Source: microscope.co.uk

On-train



Investment and innovation by the networks is resulting in improved mobile coverage.

We will continue to report on coverage, promote competition and consider including coverage obligations in new spectrum licences

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4G Roll Out

Mast Sharing

Voice over Wi-Fi

Small Cells

**Consumer Information** 

Spectrum Release

Coverage obligations



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Thank you

#### **Shropshire Council Response**

**Experience of how the planning system currently works for mobile deployment:** 

What is the success rate of planning applications submitted?

A significantly high proportion of all applications for telecommunications applications are now approved. It has not been possible to collate statistics to support this but most applications are approved either as submitted or with amendment over siting or design.

• How often are applications subject to appeal and what percentage of appeals find in favour of the applicant?

Very rarely – I am not aware of any telecommunication planning applications that have been determined in Shropshire at appeal.

• Are there any particular forms of development for which it is routinely difficult to secure agreement?

Where there are <u>perceptions</u> about health risks or visual impact, i.e. masts near schools.

Do these differ in urban and rural areas?

Health risks more likely to be cited in urban areas close to housing or schools, visual impact considerations come in to plat in rural locations, particularly those with sensitive designations such as the Area of Outstanding Natural Beauty.

• Are there processes adopted by some operators or local authorities that contribute to a smoother passage for planning applications or prior approval?

Yes – using the lead Broadband Infrastructure Programme as a lead into the authority provides an accountable process. The Broadband Team understand the constraints for building infrastructure and have experience in communicating issues to vested Stakeholders.

The effectiveness of telecommunications permitted development rights and the changes made in 2013

Which of the new rights from 2013 have been used and how often?

Difficult to quantify this but there will be a number of new cabinets in conservation areas introduced under the amendment to part 24 of the GPDO as part of the superfast broadband deployment.

• How much additional or improved coverage has been provided as a result of these changes?

Unknown

• What steps have been taken to increase the sharing of infrastructure?

Shropshire is a keen advocate of seeking shared use of infrastructure. To date there is no evidence that Infrastructure providers are working collectively beyond their existing commercial relationships. Shropshire has responded to the current DCMS Inquiry into

establishing world-class connectivity and impressed the need for aligning Mobile and Broadband gaps and seeking consolidated use of infrastructure in rural areas.

• Are there circumstances where infrastructure could be provided under the new rights but it has not been, or only in low numbers, and if so why?

Not known

The operation of the Code of Best Practice:

• Is best practice being widely secured?

Yes

Are parties adhering to the agreed code approaches?

Yes

• Does the Code effectively address the circumstances that generally arise?

Yes

Are there other new issues that should be included?

Not for the code but a closer relationship with the development sector to encourage integrated solutions such as fibre to the premise for new schemes would be beneficial

The nature of the infrastructure required to deliver the 2017 target of 98% with access to 4G connectivity:

• Are there planning applications for infrastructure that are routinely approved and would potentially benefit from a permitted development right, and if so, what benefits would that bring?

It remains beneficial to retain prior approval to ensure siting and design are appropriate as the location for optimal performance is not always the most acceptable from a planning perspective having regard to visual impact and other receptors.

• Are there changes to the existing permitted development rights, which would better support delivery of mobile connectivity including those rights applying to masts?

Not really as there will need to be bespoke solutions for sensitive locations.

• Would extending permitted development rights for taller masts better support delivery of mobile connectivity?

Yes but may generate negative feedback if applied to all locations, maintaining care in designated locations AONB's, conservation areas etc. desirable.

• What is the evidence and what benefits would be delivered from any potential changes to mast heights?

Local Authority cannot answer this.

• What benefits would any new permitted right with a prior approval provide over a planning application, and what data supports this view?

Swifter decision as limited time frame for prior approval applications.

• What impact would any changes you suggest have on the levels of coverage in different areas? In particular, what additional coverage can be achieved by masts of different height? Could this reduce the number of masts needed overall?

Industry response?

• How would changes help deliver the Government's Manifesto commitments on digital connectivity?

Industry response?

The benefits and impacts for communities of coverage and the effect of infrastructure on the landscape:

• How do those who live in and visit more isolated locations benefit from the services that are considered essential, and can be extended in urban and suburban locations?

In Shropshire, what is of significance in service commissioning and delivery terms is that the population is distributed across the entire county, with no area uninhabited.

From an equitable service delivery point of view, and from a social inclusion point of view, rural and urban communities require effective digital infrastructure as an essential component of day to day living, such as access to health care and self help, and to shopping and leisure pursuits. For rural householders, practical challenges present themselves where mobile and broadband connectivity cannot readily be achieved, eg lack of access to online shopping eg challenge of meeting Government approach of Digital by Default to pay car taxes.

Added to such practical challenges, due to the location of settlements there are also natural geographical constraints and challenges. Key transport routes, when affected by adverse weather conditions and flooding, cause disproportionate affect on communities and commuters, as other physical routes to employment and education and to health, shopping and leisure facilities are simply not available, and as fuel costs are a real issue in areas with limited public transport.

These constraints and challenges may to some extent be mitigated against through effective and comprehensive mobile phone and broadband coverage, as well as other mechanisms to support rural communities and encourage rural economic growth, eg services that are developed and delivered within localities.

From an economic growth point of view, effective digital infrastructure including mobile connectivity enables access to education, training and employment opportunities and provides the platforms through which a range of businesses may be set up and operated and continue to remain viable through use of online presence eg in the hospitality sector.

Furthermore, effective digital infrastructure can minimise social isolation, for the groups and individuals that we describe as vulnerable or isolated. This may be due to a range of factors including age and health of our population, given our demographic profile, and age and condition of our housing stock. In rural areas, vulnerable groups and individuals are disproportionately disadvantaged not only by their vulnerability, but also by virtue of their

geographical isolation from facilities and services, not least health facilities and emergency services.

• How would any new rights balance the benefits of connectivity with the value placed on protecting streetscape and landscape?

This is evolving as more communities now rely on an effective telecommunications network for both work and leisure activities. Streetscape and landscape do however remain a high priority in a County like Shropshire which receives significant benefit from the visitor economy. The balance therefore needs to be weighed carefully against the impacts which is why there will need to be appropriate controls particularly in designated areas.

• How could any new rights be targeted to focus on extending coverage?

Focus on impact by population excluding designated areas.

• What different approaches have been taken to mitigate the visual impact of infrastructure on landscape, and what has worked well?

Colour design, bulk mass and location are all relevant. Integrating telecommunications infrastructure with established and accepted design solutions assists.

• Are there particular restrictions or conditions, which ought to apply if masts were to be given permitted development rights in protected areas e.g. restrict masts to near existing infrastructure (roads, railways, factories etc.) or should they be placed anywhere?

As stated previously conservation areas, AONB, National Parks and listed buildings should all be given careful consideration.

• We recognise it is important to strike the right balance between supporting growth and safeguarding protected areas: these are both Manifesto commitments. What is the case for introducing permitted development rights for masts in protected areas?

I would ask where is the evidence for problems in protected areas. Controls provide a mechanism to secure appropriate design solutions by negotiation. They are rarely (in Shropshire) used to refuse a scheme.

The projected impact of technology on future mobile infrastructure requirements:

 Are we planning sufficiently for the future as well as for current infrastructure needs?

There is an absolute needs to ensure that the main infrastructure is in place (backhaul/mast/power/line of sight) at strategic points to enable end user equipment to evolve over time. Provided the key dependencies are in place the future needs will naturally evolve from this coverage points.

• How could we future proof any new permitted development rights?

How can we without knowing what technological requirements will in years to come?

• Should planning approvals for infrastructure to support mobile connectivity be timelimited to encourage development of new technology?

Yes – this would encourage implementation and allow a review of the impact



#### **Connecting Shropshire Briefing Note – Mobile Telecommunication**

#### Context

- Shropshire Council recognises that there are significant economic and social benefits from having a robust, competitive and accessible mobile network across its geography.
- Shropshire has a higher than average percentage of home based and self-employed workers who rely upon accessible mobile infrastructure.
- Shropshire is impacted by poor mobile phone coverage across various parts of its geography.
   This is not isolated to rural areas.

#### The Market and Mobile Network Operators (MNO's)

- Shropshire Council, like all Local Bodies, has no direct responsibility for mobile phone signal issues.
- The mobile telecommunications market remains commercially driven by 4 key Mobile Network Operators (MNO's):
  - EE (includes the brands of Orange and T-Mobile)
  - Vodafone
  - 3UK
  - O2 (owned by Telefonica)
- Sharing Infrastructure and assets has developed within the MNO marketplace over the past 3-5 years. In some cases this has impacted coverage where MNO's have rationalised their assets to improve their business models:
  - Mobile Broadband Network Limited (MBNL) is the joint venture management company created by 3UK and T-Mobile (now EE).
  - MBNL is responsible for establishing and managing a new consolidated network of base station sites. Network consolidation involves T-Mobile and 3UK combining their base station sites, hardware and infrastructure to operate a single network
  - O2 and Vodafone established a joint team called Cornerstone in 2009 to share their combined UK masts.
- MNO's provide a number of signal variants nationally. In the main these include 2G, 3G, 4G technologies:
  - "G" stands for Generation, as in the next generation of wireless technologies. Each generation is supposedly faster, more secure and more reliable:
    - 2G The second generation of cell phone transmission. Offers voice and simple text messaging and remains the necessary dependant for most users.
    - 3G This generation set the standards for wireless technology. Provides web browsing, email, 3G should be capable of handling around 2 Megabits per second.
    - 4G The speed and standards of this technology of wireless needs to be at least 100 Megabits per second and up to 1 Gigabit per second to pass as 4G.
       4G is simply a little faster than 3G.

#### **2G Coverage in Shropshire**

- Geographic coverage of mobile signal in Shropshire is within the overall UK average, but premises coverage is far lower than average. A paper prepared by Ofcom in June 2014 reflects the current and latest reported position (Appendix 1).
- Compared to other LAs, Shropshire is in the lowest third quartile for coverage. The main reason is the population density and challenging geography in Shropshire.
- In 2014 Ofcom signed an agreement with all four MNO's that required:
  - a combined investment of £5bn into a national programme to improve mobile infrastructure by 2017;
  - guaranteed voice and text coverage from each operator across 90 per cent of the UK geographic area by 2017, halving the areas currently blighted by patchy coverage as a result of partial 'not-spots';
  - full coverage from all four mobile operators is expected to increase from 69 per cent to 85 per cent of all geographic areas by 2017, this will include Shropshire. Ofcom are due to report on the latest collected data before the end of this year;
  - provide reliable signal strength for voice for each type of mobile service (whether 2G/3G/4G) – currently many consumers frequently lose signal or cannot get signal long enough to make a call;
  - O2 to provide 4G indoor coverage to 98% of the population by December 2017;
- The licencing arrangement that the MNO's have with Ofcom is legally binding and will be enforceable through monitoring.

#### **Government Intervention – Mobile Infrastructure Project (MIP)**

- There are areas of the UK where no mobile coverage is likely to be provided by any MNO for the foreseeable future, even with the infrastructure improvements agreed with Ofcom. These are defined as 'not spots'.
- 'Not spots' is where there is a limited commercial case for market-driven private investment by MNO's to improve coverage.
- In 2012 Ofcom reported 80,484 premises were in complete not spots nationally.
- A budget of £150m was allocated by HM Treasury to manage a national project MIP to address some of these not spots based upon value for money.
- BDUK (Broadband Delivery UK) a department within the Department of Culture, Media and Sport was allocated the task to manage the project at a national level. The "thresholds" of value were based upon the number of people or premises covered by potential new sites.
   Where there is no business case (high cost, limited premises served) no site would be considered for construction.
- Following a national and competitive procurement exercise, Arqiva were appointed as the
  main BDUK contractor in the summer 2013. Arqiva are responsible for acquiring sites,
  building the necessary infrastructure, and managing the presence of all 4 MNO's equipment
  on each mast location in the identified 'not spot areas'.
- The original timescale for the project was to extend coverage as far as reasonably possible by the end of 2015.
- In 2013 BDUK reported to Shropshire that 9 provisional sites had been identified where initial 'radio' and 'land' surveys would commence during 2014.
- In September 2015 BDUK confirmed to Shropshire Council that they would no longer be pursuing any of these 9 sites in Shropshire. The main reason for this decision was the impending closure of the project.

- To date only 7 MIP sites are currently live nationally with 12 in the build stage.
- Following the confirmed decision by BDUK Shropshire Council wrote to all MP's asking them to raise the issue with the Minister.
- BDUK were asked to attend this Committee but unfortunately were unable to attend. They have since offered to attend a follow up meeting if requested.

#### **Shropshire Council Influence**

- Connecting Shropshire have maintained a 'gatekeeping role' on the issue of mobile phone signals in Shropshire. This has involved:
  - Receiving updates on the MIP project;
  - Meeting MNO's, Ofcom and Department Media Culture and Sport to understand the mobile market and wider commercial development;
  - Coordinated lobbying on behalf of the authority, MP's and Business Board to MNO's, BDUK and DCMS
  - Coordinated Briefing sessions with the MNO's, Ofcom, BDUK and wider Stakeholders (MP's, Councillors, Parish and Town Councils, Planners). The last meeting held in Shirehall was 3<sup>rd</sup> June, 2014. A further meeting is now scheduled with all providers, Ofcom and our MP's on 8<sup>th</sup> January 2015.
- MNO's need to seek planning approval for new masts in accordance with planning policy.
   Shropshire Council have engaged at all opportunities with the market to support and expedite the necessary process.
  - A significantly high proportion of all planning applications for telecommunications applications are approved. Planning have not been able to collate the full statistical data to date but commented that "most applications are approved either as submitted or with amendment over siting or design".
  - Shropshire Council recently submitted a paper to the Department for Communities and Local Government on 'How the Planning System in England Can Support the Delivery of Mobile Connectivity' (See Appendix 2).
- Connecting Shropshire have recently contributed to a number of related government inquires that have enabled us to articulate the key importance of mobile connectivity in rural areas such as Shropshire:
  - O DCMS Committee Inquiry into "Establishing world-class connectivity throughout the
  - BIS Select Committee Inquiry into the "Digital Economy"
  - BIS Select Committee Inquiry into "the Government's Productivity Plan"
- Connecting Shropshire have continued to ask all MNO's for evidence of their intended commercial deployment plans. To date the quality of information shared has been limited to map projections. No formal information data sets have been provided and there is reluctance to cooperate owing to commercial confidentiality.
- There remain opportunities to undertake further due diligence in order to clearly
  understand the mobile phone coverage in Shropshire for MNO's, independent of the
  providers. This insight could be used to demonstrate to the MNO's where their deployment
  plans are failing and may be more effective than relying upon Ofcom's high level reports.
  Options could include:
  - Commission a technical assessment across Shropshire costs would be between £40k - £50k.
  - Use a community initiative to capture data about mobile phone coverage in Shropshire using a 'crowd sourcing application'. This would be less reliable but may capture the public's enthusiasm for holding the providers to account. The public

would download an application onto their phones that monitors voice/data coverage.

#### **Summary**

- Shropshire Council is not able to intervene in the market but should continue to use its lobbying influence to improve the issue of poor mobile phone signals.
  - All MNO's have accepted a request to update members and MP's on 8<sup>th</sup> January 2015. Ofcom are also due to attend.
  - A new national Ofcom coverage data report will be published on the Ofcom website later in the year. I have asked if Shropshire could be used as a 'trialist' to assess the information in more detail.
- Connecting Shropshire will continue to work closely with MNO's to seek datasets/maps of commercial plans, under confidentiality agreements.
- Request that BDUK attend a follow up meeting to explain the longer term issues of addressing 'not spot' areas that are unlikely to be served by current MNO commercial plans.
- Continue to work with MP's on lobbying Government for improvement to mobile phones coverage in Shropshire.
- Assess formal options to gather an independent review of mobile phone coverage in Shropshire.

Enterprise and Growth Scrutiny Committee - 12th November 2015 - Report of the Student Accommodation Task and Finish Group



Committee and date

12th November 2015

Enterprise and Growth Scrutiny Committee

Item No

Public

## REPORT OF THE TASK AND FINISH GROUP ON STUDENT ACCOMODATION

**Contact:** Andy Evans, Head of Economic Growth and Prosperity

Email: andrew.m.evans@shropshire.gov.uk

#### 1.0 Summary

- 1.1 Enterprise and Growth Scrutiny Committee on 11 June 2015 considered a presentation from the Head of Economic Growth and Prosperity regarding Cabinet's agreed approach to developing a comprehensive Student Accommodation Strategy in order to fully address the housing needs and impact likely to arise as a result of the introduction of the University Centre Shrewsbury.
- 1.2 The presentation addressed the role of the Council in terms of its estates portfolio and its regulatory functions. While all are linked in many ways the role of the Council could be defined in terms of: direct delivery of accommodation, Houses in Multiple Occupation (HMO's) and related planning legislation such as Article 4 directions and HMO's and related licensing and registration.
- 1.3 Further to the presentation Scrutiny Committee concluded that the subject of Student Accommodation was worthy of consideration and that a member Task and Finish Group be established with Councillor Dean Carroll elected as the Chairman. The subsequent Terms of Reference were agreed, as set out below. Members of the Group included Councillors Andrew Bannerman, Steven Davenport, John Hurst-Knight, Alan Moseley and Peter Nutting.

#### 2.0 Recommendations

To follow is a summary of the recommendations the Group are proposing to the Portfolio Holder for Regulatory Services, Housing and Commissioning (Central) for consideration for developing the Student Accommodation Strategy. The background for these recommendations can be found further in the report.

- The Local Plan Review should consider specific policy formulation for HMO's
- Subsequently, a HMO Supplementary Planning Document (SPD) be produced to guide the development management process in the assessment of planning applications for HMO's. Within the policy there should be appropriate threshold levels in order to inform the decision making process.
- The establishment of a HMO database identifying properties in HMO use with ongoing monitoring. Included in the monitoring should be the registering of complaints received related to HMO's.
- 4. A Student Accommodation Accreditation Mark be introduced in 2016 in order to set expectations of standards from an early stage in the development of the University Centre. These standards to be endorsed by UCS.
- This Group believes the Student Accommodation Accreditation Scheme could be improved by the inclusion of some further measures within the Accreditation Checklist.

#### Reasoning/Details:

During the site visit to Worcester on 28th October 2015 some measures of interest were identified in Worcester's Landlord Accreditation Scheme. It should be noted that Worcester operates an Additional Licensing Scheme rather than the proposed voluntary accreditation scheme. The following measures are recommended to be considered further for incorporation into Shropshire's Landlord Accreditation Scheme:

- a. Landlords will be responsible for the maintenance of the gardens of their let properties. Reason: To ensure garden maintenance does not become a contentious issue within communities and to prevent the development of any environmental health problems.
- b. Standardised tenancy agreements for students. *Reason:* To protect students.

- c. No pre-payment meters in student accommodation. Reason: Common HMO tenancy agreements include utilities in rent, pre-payment meters are incompatible with mains powered smoke detectors.
- d. The proposed scheme requires Landlords to pass a fit and proper persons test in line with national best practice. Officers are asked to explore the inclusion of a DBS check in line with DBS guidance.

Reason: Students are likely to be away from home for the first time and will in many cases be experiencing the private rental sector for the first time. As such they could be considered vulnerable to some extent and so procedures should be in place to ensure the suitability of accredited landlords.

e. Consideration should be given to joint working with local recycling and reuse schemes such as Revive and Shrewsbury Furniture Scheme.

Reason: To reduce residual waste, to ensure usable items are not sent to landfill, to reduce end of year waste complaints and to benefit disadvantaged local residents and potentially future students.

#### 3.0 Terms of Reference

#### 3.1 Context

The University Centre Shrewsbury is an exciting development for Shrewsbury and Shropshire. It brings many social and economic opportunities, but there are also recognised challenges that need to be identified and managed where and however possible. The need to provide suitable accommodation for students is well established, and a feature of all towns and cities where universities are in place. There are great opportunities to learn from the experience of other universities and locations to help maximise the opportunities and benefits, and reduce any risks to doing this.

#### 3.2 **Objectives**

 To learn and identify best practice from other towns and cities, and universities about the opportunities and risks associated with developing a new university, and how they have handled them

- To identify any specific concerns relating to the introduction of the University Centre Shrewsbury and make recommendations based on the learning.
- To consider appropriate student numbers for University Centre Shrewsbury, both now and in the future.

#### 3.3 Information Required From Officers

- Details of any planning and other legislative and policy frameworks that are relevant to the development of Student Accommodation, and how they will be applied.
- Details of known opportunities and risks associated with the development of a new university with particular reference to student accommodation and students as part of the community.
- Details of any known solutions or examples of innovative practice.

#### 3.4 Other Sources of Information

- Local stakeholders and witnesses and experts including Team Shrewsbury, Representatives from Planning, Representatives from Public Protection (e.g. Private Sector Housing, Environmental Health), and the University of Chester/University Centre Shrewsbury
- Site visits
- Specialist witnesses

#### 3.5 Methods to Be Used

- Hear from stakeholders
- Identification of learning and best practice through review of literature/web
- Site visits

- Identification and invitation of specific witnesses e.g. representatives from the University of Lincoln and the Local Authority
- Development of evidence based recommendations

#### 3.6 Timescales

- Context setting Committee meeting June 2015. Task and Finish group commissioned
- Task and Finish Group 3 meetings with visits and research in between
- Task and Finish Group meeting 1:
  - Confirm any additional information required following Committee meeting and focus
  - Confirm locations for visits and the purpose of the visits
  - Allocation of tasks
- Task and Finish Group meeting 2:
  - Feedback on findings and insights of research and site visits
  - Hear from any invited witnesses
  - Confirm conclusions and recommendations
- Officer report written
- Task and Finish Group meeting 3:
  - Task and Finish Group members confirm the report
- Report back to Scrutiny Committee September 2015

#### 3.7 **Key Results Expected**

Recommendations to help maximise the opportunities and benefits of the University Centre Shrewsbury

#### 4.0 Chairman's Report

- 4.1 I would like to place on record my thanks to those who have contributed to this piece of work, my fellow members of the group and the officers who supported us, ably led by Andy Evans. My particular thanks go to those outside of Shropshire Council who provided evidence to support us, the local lettings agents who answered our questions on the mood within the local market, the representatives of University Centre Shrewsbury who have shared their thoughts with us, and the members of other authorities who have openly shared experiences they have had in such matters.
- 4.2 From the start it was evident that any recommendations we made would need to be robust and evidence based due to the high risk of challenge. I believe the approach we have taken has been proportionate in light of the existing evidence.
- 4.3 We have taken an exhaustive approach to the information we have sought, and unfailingly pressed for data from as many different perspectives as possible. Each recommendation we have made has been entirely evidence based, and the supporting evidence for each can be found either within this report or the attached appendices.
- 4.4 In conclusion this Task and Finish Group has carried out a thorough appraisal of the situation to reach the recommendations we have. That should not, however, be considered the end of the work, and the success of any strategy will depend on ongoing monitoring and a full review of the approach taken after the period of time we have recommended. We all wish to see the fledgling University Centre Shrewsbury thrive and become a happily integrated part of our communities. I hope our work here will reassure all that that is what we are all striving to achieve

#### 5.0 Main Findings

- 5.1 Work of the Task and Finish Group to inform recommendations covered a number of key areas but with a focus on the potential expansion of HMO's.
- 5.2 The Task and Finish Group received information from a number of Officers, external independent consultants and local property agents. They also discussed matters with representatives of local stakeholder groups and the University Centre Shrewsbury. Members also visited Worcester where they discussed student accommodation with the Worcester University and Officers of the City Council.

5.3 Officers who presented to the group and worked with the Members included:

Andy Evans – Head of Economic Growth & Prosperity
Steph Jackson – Head of Commercial Services
Ian Kilby – Planning Services Manager
Andy Mortimer – Planning Policy & Environment Manager
Nick Wood – Communities & Housing Policy Team Leader
Karen Collier – Service Manager, Health & Community Protection
Colin Capper – Public Protection Officer (Housing)
Dee Eccleston – Public Protection Officer (Housing)

- 5.4 The group discussed the number of expected students and the impact of exceeding the anticipated student population on Shrewsbury. It was agreed that consideration of student numbers would form part of the work of the group.
- 5.5 The group was aware that early research had shown developers unwilling to develop private accommodation until the student population was established. As a consequence of this Mardol House in Shrewsbury was being refurbished by the Council to provide approximately eighty residential units for September 2015. This was estimated as sufficient for the first year intake. In addition to this the Council procured a delivery partner to supply a further 800 units in two tranches over the next three years. The tender process had been completed, a preferred development partner selected and contract negotiations had been entered into.
- 5.6 It was expected that once the University Centre had been established the private sector may provide further accommodation through houses of multiple occupation (HMO). The Council's role in the private sector provision would be through licensing provision and planning policy.
- 5.7 The University Centre would require all first year students, not living at home, to reside in the student accommodation provided. After the first year, students were free to find their own accommodation which was when the private accommodation provision would be required. There was no current impediment to developers converting residential houses to HMO's under permitted development rights where there would be less than 6 residents. Any conversions made before the implementation of an Article 4 Direction would not be subject to its restrictions. Members discussed the importance of completing the Student Accommodation Strategy before developers started to convert properties.

#### 6.0 Shrewsbury HMO Evidence Study ARUP August 2015

- ARUP had been engaged as consultants to assist in the development of the Student Accommodation Strategy. Members considered the baseline information obtained from the study undertaken by ARUP. Members examined the map showing the location of known licensed and non-licensed HMOs. These were mainly larger HMOs that had been granted planning permission, HMOs established under permitted development rights were more difficult to identify as the Council did not have reason to collect data pertaining to them. Although, as student houses were not liable for Council Tax, a dwelling that was Council Tax Exempt might be an indication of a student house and this information was included in the baseline data. Where other councils had assessed the numbers of HMO's developed under permitted development rights the numbers had been greater than anticipated.
- 6.3 The impact of the student population on other towns was also considered. They noted that lower student numbers than other university towns were projected, with students comprising 3.6% of the town's overall population.
- 6.4 ARUP outlined interventions available to the Council to manage the location of student accommodation.
  - Option 1 was immediate intervention where the Council would give notice of its intention to put an Article 4 Direction [A4D] in place in a year's time which would remove the permitted development rights of households in specified areas with an additional threshold planning policy. The threshold would need to be determined by the Council but suggested a figure of 10% of dwellings within a 100m radius, to be imposed across the whole town. This approach would obtain better data on the number of houses being established as HMOs and would not prevent their creation. This had resource implications for the Planning Section as there would be an increase in planning applications which would not be chargeable as once the A4D was in force applicants were exempt from planning application charges. It has been confirmed that other councils had set the threshold between 10 and 25%.
  - **Option 2** was deferred intervention, where the situation was monitored until the percentage of HMOs reached a trigger point of 5% in a particular area and this would initiate the A4D application. This option also had resource implications as the situation would require careful monitoring.
  - Option 3 was to do nothing. This had fewer resource implications but could lead to a concentration of HMOs in an area.

- Option 4 was to monitor the situation and if the presence of HMO's was affecting the quality of life of other residents, to introduce additional licensing conditions.
- Option 5 was to develop a planning policy that supported the provision of Purpose Built Student Accommodation (PBSA) and so reduced the demand for private sector HMOs
- 6.5 ARUP also advised of softer approaches to manage the impact of students on local communities, these included:
  - developing a Student Charter which would impose a code of conduct;
  - landlord accreditation scheme to maintain housing standards;
  - residents' parking permits to restrict the number of cars;
  - encouraging student volunteering; and
  - establishing a student community partnership.

These were not mutually exclusive options and a combination of options could be considered.

- 6.6 ARUP confirmed that there were no examples of any towns successfully establishing an A4D before evidence of harm had been identified. Portsmouth Council had attempted to do this but had been successfully challenged by the National Landlord Association [NLA]. The NLA had stated that it would routinely oppose any proposal to introduce any A4D which was not supported by robust evidence.
- 6.7 The options identified were not discrete options and the Council could choose to combine a variety of approaches when developing the Student Accommodation Strategy.
- 6.8 In considering the information and evidence received Option 2; Deferred Intervention was considered to be the most appropriate option, and that work should be undertaken to establish a baseline evidence base which would enable the setting of a trigger point for future action. It was recognised that to apply for an A4D without evidence would put the Council at risk.
- 6.9 Members considered the role of the Supplementary Planning Document (SPD). This could not be used to introduce new policy for development controls, this could only be achieved through a review of the Local Plan. It was expected that a review would be undertaken with the next two to three years. The Local Plan policy is based on local monitoring evidence and triggers for an application for an A4D could also be incorporated within the Local Plan policy.
- 6.10 If an A4D was granted the householder would need to apply for planning permission to convert a dwelling to a House in Multiple Occupation (HMO) and

this application would have to be assessed by the Council as local planning authority against relevant local and national planning policy. Under an A4D a related planning application of this narrative would not attract a planning fee. Therefore there would be an additional financial burden to the Council. The next three years could be used to develop appropriate planning policy. The weight given to an emerging planning policy in decisions on planning applications can only be significant towards the end of the process once a robust consultation process had been undertaken.

6.11 With the anticipated number of student cohorts for the next three to four years it is likely to be some time before additional private accommodation was required by students in substantial quantities. The Council's development partner has secured planning permission for the provision of 216 rooms on the former Tannery site which would cater for most of the demand in the short to medium term. Therefore, direct delivery of student accommodation would provide for the numbers of students predicted for the next three years.

#### 7.0 Evidence provided by University Centre Shrewsbury

- 7.1 Paul Kirkbright, Deputy Provost of the University Centre Shrewsbury (UCS) advised on the progress of the establishment of the University Centre.
- 7.2 Students were arriving on 27th September 2015, although the final numbers of students for 2015/16 were still not available as the clearing process was ongoing. It was estimated that the UCS would achieve a cohort of 80 students for the first year, although this number could rise as students traditionally relocated after the end of the first term. The UCS anticipated an increase in the student population to 200 in year 2.
- 7.3 It was confirmed that anticipation was for around 50 undergraduate students would require accommodation during the first year of operation. It was quite usual for second year students to remain in student accommodation provided by the university where it was available. Although, the data source was not yet available to support accurate predictions. A number of postgrad and international students would also require accommodation. The Council were in on-going negotiation regarding Phase 2 accommodation. There was no immediate problem with the current level of student numbers and that by April 2016 there would be a better indication of student numbers for 2017/18.

#### 8.0 Views of Local Stakeholders

- 8.1 Councillor Carroll and Councillor Andrew Bannerman met Alan Shrank. Mr Shrank is a local resident and also the Chairman of the National Association of Resident Associations. Mr Shrank had been supportive of the work being undertaken by the Task and Finish Group. Councillor Bannerman added that Mr Shrank had already contacted the DCLG regarding an A4D who had advised him that they would give advice on its appropriateness.
- 8.2 The group identified that work was needed to identify the number of existing unlicensed HMOs and that possibly work could be done initially in areas of the town likely to be affected. It was suggested that the University may be able to help with this work or that a graduate trainee could be used to collate the data.

## 9.0 Views of Local Letting Agents

- 9.1 Chris Pook and Charles Howell gave an overview of the residential lettings market in Shrewsbury. He expressed the view that the establishment of the university had not impacted on the private lettings market in Shrewsbury, and that commercial property developers were delaying developing student accommodation until they had a clearer idea of the provision from the Council.
- 9.2 Chris confirmed that his company had placed a number of postgraduate students and lecturers in rented accommodation in the town, but was taking a more cautious approach to the potential undergraduate market. His company had not yet made the decision as to whether this was a market that they wished to engage with due to the risk of reputational damage from the negative connotations that accompanied it. To date all the lettings in relation to the University Centre had been for flats in the town centre and not rooms in Houses in Multiple Occupation (HMOs).
- 9.3 There could be sufficient availability of rental property in the town centre to satisfy expected demand from the University Centre for three to four years. The areas he saw as suitable for student accommodation were Copthorne Road and Abbey Foregate due to the availability of substantial terraced houses and Mountfields due to its proximity to the university.
- 9.4 Chris Pook would welcome measures to ensure student spread and prevent over-run, as without control areas such as Castlefields and Copthorne could be at risk of losing their character and identity. He continued that he was happy

to work within an accreditation scheme to encourage responsible landlords and good tenant behaviour provided it applied to all landlords and agents

9.5 Chris was asked whether he was aware of the views of commercial letting agents in established university towns regarding student accommodation. He replied that it was a subject his colleagues discussed and the general view was that problems were caused by a small number of individuals and there were common problems in different areas.

### 10.0 Student Accommodation Accreditation Scheme

The enforcement of the scheme was within the remit of the Council and would be managed by the Public Protection service as other licensing issues are. Landlords did not have to apply to be part of the scheme but only those with accreditation would be supported by the University Centre and added to the register of properties provided to students. The University Centre Shrewsbury will manage the accommodation webpages to provide details of accredited accommodation. Students who chose to rent through an unaccredited landlord would not receive support from the Students Union as they would normally should difficulties be encountered with an accredited tenancy. A summary of the proposed approach and checklist are included in the Appendix.

The proposed fees of the scheme will be set on a cost recovery basis once the full details of the scheme have been consulted and finalised.

## 11.0 Feedback from Research Undertaken Regarding Towns and Cities with no HMO related Articles

The Chairman had received information that Southend-on Sea Borough and the University of Essex, despite having a large number of HMOs had taken the decision not to apply for an A4D as they did not consider the students in the HMOs to be the cause of problems. He had also received information regarding Winchester City Council where their consideration to apply for an A4D related to a single housing estate.

## 12.0 Site visit to Worcester City Council and Worcester University

Councillor Carroll and Andy Evans carried out a site visit to Worcester on 28<sup>th</sup> October 2015 and met with representatives of Worcester City Council and Worcester University. Worcester's experiences with student accommodation

were discussed and lessons shared. Worcester University's work on a Landlord Accreditation Scheme was considered particularly valuable and has informed recommendation 5 above.

#### 13.0 Conclusion

The Student Accommodation Task and Finish Group has achieved the objectives as set out in the agreed terms of Reference. The group has received sufficient information in order to make evidence based recommendations to the portfolio Holder for Regulatory Services, Housing and Commissioning (Central).

## **Background Papers**

None

#### Cabinet Member/s

Mal Price - Portfolio Holder for Regulatory Services, Housing and Commissioning (Central)

Claire Wild – Portfolio Holder for University Centre and Shrewsbury BID

#### Local Member/s

Dean Carroll

Vernon Bushell

Mal Price

Kevin Pardy

Alan Mosley

Miles Kenny

Pam Moselev

Hannah Fraser

Ted Clarke

Jane Mackenzie

Keith Roberts

Peter Adams

**Peter Nutting** 

Ann Chebsey

Andrew Bannerman

### **Appendices**

Appendix A – Student Accommodation Briefing Note

Appendix B – Shropshire Student Accreditation Mark Checklist



Briefing Note to :	Student Accommodation Task & Finish Group
Subject:	Student Accommodation Accreditation Mark
Officer responsible for Briefing Note	Karen Collier Service Manager – Health & Community Protection
Date	1 <sup>st</sup> October 2015

#### 1. Introduction

It is proposed that landlords in the area are invited to learn more about and comment on a new voluntary student accommodation accreditation scheme to be introduced next year. The scheme will give landlords and prospective tenants the knowledge that a property meets the required standard of safety and is of a good state of repair.

#### 2. The Accreditation Mark Standard

In order to qualify for the Accreditation Mark a property must be in a good condition and free from serious hazards. Landlords must adhere to good management practices that are fair and reasonable. In addition to this there will be certain equipment and facilities that are specifically required by students e.g. desk with a chair, washing machine and access to a wireless internet connection. Full details will be made available on Shropshire Council's website.

#### 3. Benefits of the Scheme

The Scheme will give landlords the opportunity to advertise their property through the USC Accommodation Office and will improve communication and information regarding any changes affecting student housing. Students can be assured that all accommodation advertised through the Student Accommodation Office has been inspected and meets the required standards.

#### 4. Proposed fees

Landlords applying for an Accreditation Mark will be required to complete a one-day development course every 3 years (at a cost of £65), agree to comply with a code of conduct and be a fit and proper person. Alternatively, if a property is managed by the University or a letting agent who is accredited with NALS or ARLA, they can also apply for an Accreditation Mark for the property.

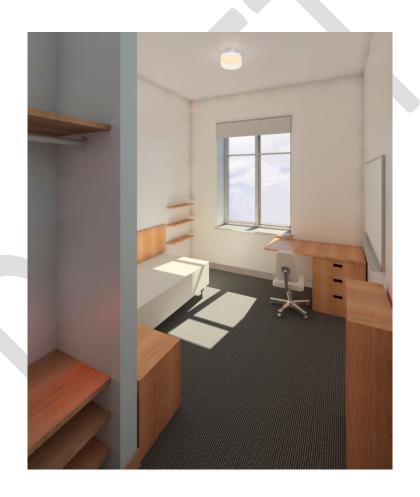
The proposed fee for an Accreditation Mark is £135 (in addition to the cost of the one-day training course). The fee will need to be paid for each property and will apply whether or not your property is compliant with the Accreditation Mark criteria. The fee covers any revisits within the first 3 months and is non-refundable.

## 5. How long does the Accreditation Mark Last

The Accreditation Mark lasts for three years, on expiry a new Accreditation Mark will have to be applied for.



# Student Accommodation Quality Accreditation Mark







#### What is the Accreditation Mark?

The Accreditation Mark provides recognition that a property has been inspected by Shropshire Council solely for the purpose of advertising on the University Centre Shropshire (UCS) Student Accommodation List. It covers all types of student accommodation in the private rented sector

## What is the Accreditation Mark Standard?

In order to qualify for the Accreditation Mark your property must be in a good condition and free from serious hazards. As a landlord you must adhere to good management practices that are fair and reasonable. In addition to this, we require your property to contain certain equipment and facilities that are specifically required by students e.g. desk with a chair, washing machine and access wireless а internet to connection.

A full Student Accommodation Accreditation Mark checklist is attached and is available from the Community Protection Team at Shropshire Council or on our website www.shropshire.gov.uk

## Why does the University Centre Shrewsbury (UCS) require me to have an Accreditation Mark to advertise my property?

Moving into the private rented sector for the first time is a big step for many students and their parents. The UCS takes pride in being linked with landlords who provide good quality student accommodation.

The UCS has given an assurance to both students and the parents of students, that all accommodation advertised through the Student Accommodation Office has been

inspected by Shropshire Council and meets the required standard; an Accreditation Mark provides this assurance.

## What are the benefits of an Accreditation Mark?

You only need to apply for an Accreditation Mark if you wish to advertise your student property via UCS Student Accommodation List. An Accreditation Mark will be required for each property you wish to advertise.

An Accreditation Mark gives you as a landlord, as well as prospective tenants, the knowledge that your property meets the standards required student accommodation. student housing market is becoming increasingly competitive and we believe that an Accreditation Mark will give you a market advantage of being able to advertise your property through the UCS Accommodation Office directly to over 2,500 students, including mature students, and families, who are all looking for dood quality accommodation in Shrewsbury.

## Who can apply for an Accreditation Mark?

Landlords applying for an Accreditation Mark must complete a one-day development course every 3 years (which will cost £65), agree to comply with a code of conduct and be a fit and proper person. Alternatively, if your property is managed by the University or a letting agent who is accredited with NALS or ARLA, they can also apply for an Accreditation Mark for your property.

## Do I have to pay for an Accreditation Mark?

Yes, there is a fee for an Accreditation Mark which is £135 (in addition to the cost of the one-day training course). This fee will need to be paid for each property prior to the property being inspected and will apply whether or not your property is compliant with the Accreditation Mark criteria. The fee includes the advertising costs for the UCS Accommodation office. The fee covers any revisits within the first 3 months and is non-refundable.

## What do I get when I am awarded an Accreditation Mark?

Following an inspection of your property you will be awarded an Accreditation certificate, subject to it meeting the required standard. Your property details will be forwarded to UCS for inclusion on the Student Accommodation List.

## How long does my Accreditation Mark last?

An Accreditation Mark lasts for three years, on expiry a new Accreditation Mark will have to be applied for.

## What happens if my property does not comply with the Accreditation Mark standard?

We would always advise you to look at the Accreditation Mark checklist before you apply. The checklist is available from the Community Protection team at Shropshire Council, or can be found at www.shropshire.gov.uk. In the event that there are some matters that need attention, you will be given 3 months to do any works without incurring another charge for an officer to revisit. If the works have not been done in this 3 month period, you will need to make another brand new application and pay the fee again.

## I have a HMO licence; do I still need An Accreditation Mark?

Yes, you will still need to have an Accreditation Mark to advertise your property on the UCS Student Accommodation List.

## My property has recently been inspected; do I need another inspection for an Accreditation Mark?

An Accreditation Mark will only awarded to properties that meet the required student accommodation standard. It is more than likely that an inspection of your property will be required, however, Officers will use their discretion in assessing how recently your property was inspected and for what purpose in determining whether a further inspection for an Accreditation Mark is necessary.

## How can I get an Accreditation Mark?

You will need contact the Community Protection Team on TEL NO. or email community.protection@shropshire.gov.uk

Once you have paid your fee, a Public Protection Officer will contact you to make an appointment to visit your property.



### **Student Accreditation Mark Checklist**

<b>Landlord Name and Address</b>				
National Landlords Associatio (If applicable)	NLA exp	oiry date	://_	
Name:				
Property Address:				
House/Flat/Other:	No of Bedroo	ms: No. of Occupa	ants:	
Property Age: Pre 1920 (Approx.)	□ 1920 – 1945 □	1946 – 1979 □ Post 1979	9 □	
Brief description of property:				
Standard Safety Issues Complies with:				
Decent Home Standard	Y/N	Housing Act 2004 (HHSRS – No Category 1 hazards)	Y/N	
HMO Amenity Standard	Y/N	Fire Safety Standards (Complies with: LACORS Housing Fire Sa Standards (if applicable). Building Regula		
Paperwork	Issue Date			Issue Date
Valid Gas Safety Cert Y/N (Within 12months)		Fire fighting equipment	Y/N	_/_/_
Current Electrical Cert Y/N (Within last 5 years)		Portable Appliance testing	Y/N	_/_/_
Fire alarm servicing Y/N		Fire Risk assessment review	Y/N	_/_/_
Emergency Lighting Y/N	_/_/_	EPC Certificate	Y/N	_/_/_
Details deposit lodged with so	cheme Y/N	Deposit Scheme Ref numbers	Y/N	_/_/_
Date of Satisfactory Property	Inspection://			
Enhanced Student Issues				
Carbon monoxide detector	Yes / No	Front elevation tidy Rear garden/yard tidy		Yes / No Yes / No
House file/noticeboard	Yes / No	Refuse- info/calendar provided		Yes / No
Landlord contact details	Yes / No	Suitable receptacles provided		Yes / No
Disputes Procedure	Yes / No	Contract covers Noise, ASB,		Yes / No
Detailed response times	Yes / No	Candles, Chip pans etc. (Not recommended)		Yes / No

## **Security**

Burglar alarm Yes / No *20 min cut-off Yes / N		Locks on Bedrooms Yes / No		e locks at end of tenancy Yes / No	
Key-holder details provided t	o Local Authority:				
(Considers security and noise	nuisance)				
Marketing Issues					
Shared facilities:		(tick those p	resent)		
Aerial socket Broadband Internet	Bathroom			Bicycle Storage Dishwasher	
	Cooking Faci	iities			
Double Glazing	Freezer			Fridge	
Fridge Freezer	Garage			Garden	
Lounge	Microwave			Off road Parking	
Parking	Permit Parki	ng		Satellite/Cable TV	
Separate WC	Shower			Sofa	
Telephone	Telephone P			Television	
Tumble Dryer Washing Machine	Vacuum Clea	aner	Washer Dr	yer	
Adequate no and siting (Either 4 single or 2 do		Yes/No			
Private facilities:					
Bed	Chair		Dead lock		
Desk	Drawers		En-suite		
Pinboard	Shelves		Television		
Wardrobe					
Other facilities					
No Bathrooms	Ensuites	Showers	W	Cs	
Suitable for Disabled		Yes / No			
Services and Facilities					
Heating Gas C Type	CH Elec CH	Water heating	Gas	Elec immersion	
Other		Other			
<b>Loft Insulation</b> Yes/No				avity Wall Insulation es / No	
Approx. Depth					

## **General:**

The following are in satisfactory, safe repair:

Flaunching to chimney pota Lead flashing to stack Verge pointings Gutters Bathroom Waste drainage Soil vent stack	Y / N Y / N Y / N	Pointing to chimney Roof tiles/slates Verge flashing Rainwater Downpip WC waste pipework Pointing to walls	Y / N Y / N es Y / N					
External flues	Y / N	Damp proof course						
Boundary walls & fences Exterior decoration	Y / N Y / N	Gardens tidy & free Outbuildings	of rubbish Y / N Y / N					
Adequate foul and surface	water drainage in good rep	air: Yes / No						
No of rooms to rent:	Type of Contra	act: Length of Co	ontract:					
Whole house/Individual:								
Rent from to	Depos	sit from to						
What is included: (Please tick)	Water Electricity Internet Telephone	☐ Gas ☐ TV Licence ☐ Cleaning ☐ Gardening						
Admin Fee: £	Cleaning Fee: £	Retainer: £						
Date available from://_ Date advert to run from://								
General Comments/Notes	:							
Officer Use Ren Property Decent	narks	Free from 0	Category 1 hazards:					
Officer Name		,	Data					



