



HILLINGDON
LONDON



Petition Hearing - Cabinet Member for Planning, Transportation and Recycling

Date: WEDNESDAY, 16
JANUARY 2019

Time: 7.00 PM

Venue: COMMITTEE ROOM 3 -
CIVIC CENTRE, HIGH
STREET, UXBRIDGE

**Meeting
Details:** Members of the Public and
Media are welcome to attend.
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at www.hillingdon.gov.uk or
use a smart phone camera
and scan the code below:



Cabinet Member hearing the petition(s):

Councillor Keith Burrows, Cabinet Member
for Planning, Transportation and Recycling
(Chairman)

How the hearing works:

The petition organiser (or his/her nominee)
can address the Cabinet Member for a
short time and in turn the Cabinet Member
may also ask questions.

Local ward councillors are invited to these
hearings and may also be in attendance.

After hearing all the views expressed, the
Cabinet Member will make a formal
decision. This decision will be published
and sent to the petition organisers shortly
after the meeting confirming the action to
be taken by the Council.

Published: Tuesday, 8 January 2019

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Putting our residents first

Lloyd White
Head of Democratic Services
London Borough of Hillingdon,
Phase II, Civic Centre, High Street, Uxbridge, UB8 1UW

Useful information for petitioners attending

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Agenda

CHAIRMAN'S ANNOUNCEMENTS

PART 1 - MEMBERS, PUBLIC AND PRESS MAY ATTEND

- 1 Declarations of Interest in matters coming before this meeting
- 2 To confirm that the business of the meeting will take place in public.
- 3 To consider the report of the officers on the following petitions received.

Please note that individual petitions may overrun their time slots. Although individual petitions may start later than advertised, they will not start any earlier than the advertised time.

	Start Time	Title of Report	Ward	Page
4	7pm	Long Drive, South Ruislip - Petition Requesting Traffic Calming Measures	South Ruislip	1 - 8
5	7.30pm	Petition Asking For Measures To Address Parking And Traffic Concerns In Whiteheath Avenue, Ruislip	West Ruislip	9 - 16
6	8pm	Petition Requesting an Article 4 Direction and to Register All Houses in Multiple Occupation in Heathrow Villages	Heathrow Villages	17 - 22

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LONG DRIVE, SOUTH RUISLIP - PETITION REQUESTING TRAFFIC CALMING MEASURES

Cabinet Member(s)	Councillor Keith Burrows
Cabinet Portfolio(s)	Cabinet Member for Planning, Transportation and Recycling
Officer Contact(s)	Sophie Wilmot, Residents Services
Papers with report	Appendix A

1. HEADLINE INFORMATION

Summary	To inform the Cabinet Member that the Council has received a petition from residents requesting traffic calming measures along Long Drive, South Ruislip.
Contribution to our plans and strategies	The request can be considered as part of the Council's annual programme of road safety initiatives.
Financial Cost	Subject to the outcome of discussions with petitioners, the Cabinet Member may be minded to commission speed and traffic surveys. The current cost of these is in the region of £85 per location and can be funded from within existing revenue budgets for the Transportation service.
Relevant Policy Overview Committee	Residents, Education and Environmental Services
Ward(s) affected	South Ruislip

2. RECOMMENDATIONS

Meeting with the petitioners, the Cabinet Member for Planning, Transportation and Recycling:

1. listens to their request for traffic calming measures in Long Drive, South Ruislip.
2. notes the petitions which have been submitted and heard requesting traffic calming on The Fairway and Queens Walk in South Ruislip, details of which are set out in the body of this report.
3. notes the traffic calming scheme which has already been provided on the section of Long Drive between Queens Walk and Field End Road.
4. subject to the outcome of the above, considers asking officers to undertake further traffic surveys, at locations agreed by the petitioners, and to then report back to the

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Cabinet Member.

5. subject to the outcome of the surveys, instructs officers to include the study of potential traffic calming on Long Drive as part of the considerations to be undertaken on The Fairway and Queens Walk, to produce a package of measures to report back.

Reasons for recommendations

The Petition Hearing will provide a valuable opportunity to hear directly from the petitioners of their concerns and suggestions.

Alternative options considered / risk management

None at this stage.

Policy Overview Committee comments

None at this stage.

3. INFORMATION

Supporting Information

1. A petition has been received with 95 valid signatures requesting speed restrictions on Long Drive between Queens Walk and Victoria Road. The petition outlines the following:

“The residents most affected by the menace of speeding vehicles are those between Fairview (The Fairway) and Queen's Walk. For that reason, I have concentrated on the approximately 100 homes located between these two junctions. I have now spoken to occupants of over half of those homes and have accumulated 95 signatures. Only three people objected: two said 'they don't believe in them' and one because he thought that they'd put one outside his own house and didn't want to back his car out onto it.

“Very few residents who were in favour want the tall, almost hemispherical section type of bumps: by far the most popular would be the gentler sloping variety as installed on the south section of Long Drive at the junction of Queens Walk: this is due to fears of discomfort for sensible drivers and motorcycle riders, plus their passengers, and a concern that the sudden 'sleeping policeman' type humps would be likely to damage their vehicles. Gentler humps would also allow easy movement for emergency vehicles.”

2. The petition goes on to suggest other ideas for traffic calming measures along Long Drive, these are summarised below:

- A '20 is plenty' campaign;
- Chicanes;
- Width Restrictions; and
- A speed camera which flashes and fines speeders.

3. Long Drive, South Ruislip is a mainly residential road running between The Fairway and Field End Road. It is intersected by Queens Walk and has a fewer small no through residential

roads accessed from it. A location plan is provided in Appendix A. There is already traffic calming, in the form of a series of speed tables, on Long Drive between Field End Road and Queens Walk. This section of Long Drive has no formal parking controls. Long Drive, between The Fairway and Queens Walk, is part of the South Ruislip Parking Management Scheme which operates between 9am and 5pm from Monday to Friday. The formal parking spaces are on both sides of the road, effectively acting as virtual traffic calming measures by providing informal chicanes.

4. The most recent traffic surveys undertaken along the section of Long Drive between The Fairway and Queens Walk were in September 2016, following concerns from local residents about the high speed of vehicles in the area. From these results, the 85th percentile speeds were calculated. The Cabinet Member will be aware that the so-called 85th percentile speed is the speed at or below which 85% of traffic is travelling, and is the standard robust statistical tool used by traffic and road safety professionals when analysing speed trends.

5. In September 2016, the average 85th percentile speed calculated was 31mph which is not statically deemed an issue within a 30mph limit but this speed is above the 20mph speed, desired within the petition. In 2016, a comparison was made to similar data collected in 2012 which showed that the speeds had actually reduced by a couple of miles per hour in 2016. Following the analysis of the 2016 data, no further action was taken at that time.

6. As the Cabinet Member will be aware, two further petitions requesting traffic calming on roads in this area have recently been heard. These are detailed, briefly, below:

The Fairway, South Ruislip

A petition with a total of 88 signatures from residents of The Fairway and nearby local roads had been received by the Council under the following heading: *"The undersigned residents request a proposal to be considered to install speed bumps as a traffic calming measure to alleviate speeding of cars and motor bikes that cause a potential hazard to other road users and pedestrians in The Fairway between Long Drive and Queen's Walk"*.

Queens Walk, South Ruislip

A petition had been received by the Council with 25 signatures from residents of Queens Walk, Ruislip requesting consideration of reducing the speed of vehicles along Queens Walk, South Ruislip. The petition to the Council was entitled as follows: *"A petition to Hillingdon Council to review and take action to reduce speeding up and down Queens Walk, South Ruislip, specifically from the junction with Torcross Road and along down to the Methodist's Church / Down Barns Road."*

7. At both of the Petition Hearings, Councillor Burrows instructed the undertaking of traffic surveys. The surveys for The Fairway have been completed and those on Queens Walk are due to be undertaken in January 2019. The results for The Fairway showed an average 85th percentile speed of 30-31mph. The results of the survey indicate that the majority of cars are travelling at, or very slightly above, the 30mph speed limit on The Fairway, although not statically a speeding issue, this surveyed speeds are much higher than the 20mph speeds desired by residents in the area.

8. As the Cabinet Member will be aware, the petitions for both The Fairway and Queens Walk have been followed up by officers and discussed at the regular officer meetings held with him. As a result of these discussions, it was agreed that, following the traffic surveys on Queens Walk, traffic calming measures will potentially be considered together for these roads due to them

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intersecting each other and petitioners being keen for a traffic calming measure at the junction The Fairway and Queens Walk, itself.

9. As a result of the commentary above, the Cabinet Member may be minded to instruct officers to commission a set of 24/7 Automated Traffic Counts on the section of Long Drive between Queens Walk and The Fairway to collect speed and vehicle classification information. In addition, the Cabinet Member may consider instructing officers to review potential traffic calming measures on Long Drive alongside considerations to be undertaken for measures on The Fairway and Queens Walk and report back to him. The Petition Hearing will provide an excellent opportunity to hear the testimony of petitioners which may helpfully inform such investigations.

Financial Implications

If the Cabinet Member is minded to agree to undertake independent speed and traffic surveys, the cost is usually in the region of £80 to £85 per location, which could be funded through an allocation for the transportation and projects service. If works are subsequently required, suitable funding will be identified from Revenue Budgets within the Road Safety programme.

4. EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

What will be the effect of the recommendation?

To allow the Cabinet Member an opportunity to discuss in detail with petitioners their concerns

Consultation Carried Out or Required

None at this stage.

5. CORPORATE IMPLICATIONS

Corporate Finance

Corporate Finance has reviewed the recommendations to this report and concurs with the financial implications as set out above.

Legal

There are no special legal implications for the proposal to discuss with petitioners their request for traffic calming measures in Long Drive and at the junction The Fairway and Queens Walk, which amounts to an informal consultation. A meeting with the petitioners is perfectly legitimate as part of a listening exercise, especially where consideration of the policy, factual and engineering issues are still at a formative stage. Fairness and natural justice requires that there must be no predetermination of a decision in advance of any wider non-statutory or statutory consultation.

In considering the residents' responses, decision makers must ensure there is a full consideration of all representations arising including those which do not accord with the officer recommendation. The decision maker must be satisfied that responses from the public are conscientiously taken into account.

Should there be a decision that further measures are to be considered, then the relevant statutory provisions will have to be identified and considered at that time.

Corporate Property and Construction

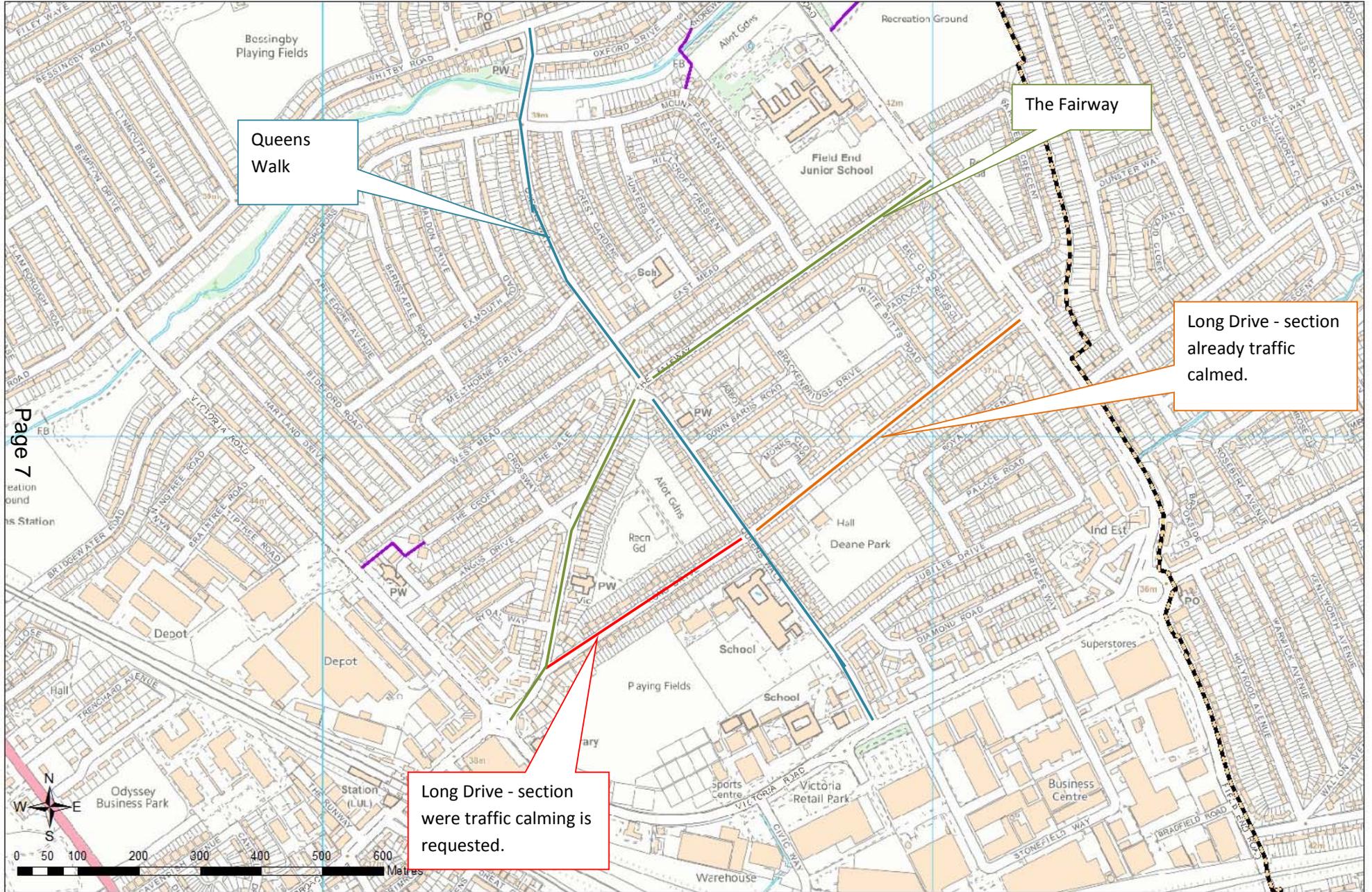
There are no Corporate Property and Construction implications arising from the recommendations in this report.

6. BACKGROUND PAPERS

NIL.

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Appendix A - Location Plan



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PETITION ASKING FOR MEASURES TO ADDRESS PARKING AND TRAFFIC CONCERNS IN WHITEHEATH AVENUE, RUISLIP

Cabinet Member(s)	Councillor Keith Burrows
Cabinet Portfolio(s)	Cabinet Member for Planning, Transportation and Recycling
Officer Contact(s)	Steven Austin, Residents Services Directorate
Papers with report	Appendix A

1. HEADLINE INFORMATION

Summary	To inform the Cabinet Member that the Council has received a petition concerned with parking and traffic in Whiteheath Avenue, Ruislip.
Contribution to our plans and strategies	The request can be considered in relation to the Council's strategy for on-street parking controls and road safety.
Financial Cost	There are no financial implications associated with the recommendations to this report.
Relevant Policy Overview Committee	Residents, Education and Environmental Services
Ward(s) affected	West Ruislip

2. RECOMMENDATIONS

Meeting with the petitioners, the Cabinet Member for Planning, Transportation and Recycling:

1. listens to their concerns over parking and traffic in Whiteheath Avenue, Ruislip;
2. subject to the outcome of the above, asks officers to investigate possible options to mitigate the concerns raised by petitioners and then to report back to the Cabinet Member;
3. considers whether, in light of the petitioners' testimony, to instruct officers to commission independent 24/7 traffic speed and volume surveys at locations to be agreed with the petitioners and Ward Members; and
4. instructs officers from the Council's Road Safety and School Travel Team to follow up on initial dialogue with Whiteheath Junior School to explore measures they can put in place with the school to alleviate local residents' concerns.

Reasons for recommendation

To allow the Cabinet Member to discuss with petitioners their concerns and, if appropriate, add their request to the parking scheme and road safety programme.

Alternative options considered / risk management

These will be discussed with petitioners.

Policy Overview Committee comments

None at this stage.

3. INFORMATION

Supporting Information

1. A petition with 52 signatures has been submitted to the Council signed by residents who live in Whiteheath Avenue, Ruislip. In an attached narrative submitted with the petition, the lead petitioner's statement includes:

"As residents of Whiteheath Avenue we have major concerns over the congestion caused by the comings and goings from Whiteheath Junior School.

"As the school has grown in size and it has become more usual for parents to ferry their children to and from school by car, traffic congestion in the road has increased considerably. Despite the dedicated efforts of the School Caretaker to manage traffic flow, this has now reached crisis point. It is only a matter of time before there is a serious or even fatal accident during pick-up and drop off times.

"There are two main contributing factors.

- i) Teachers parking in the road all day opposite the school gate rather than in the school car park thus restricting the space available for parents to stop.*
- ii) Parents turning their vehicles around in the road after collecting or dropping their children rather than continuing around the block*

"Unlike most other roads adjacent to schools in the borough, Whiteheath does not have any traffic calming measures."

2. Whiteheath Avenue is a mainly residential road just off of Ladygate Lane, Ruislip. A location plan is attached as Appendix A. The entrance to the school is located on Whiteheath Avenue while the nearby Whiteheath Infant School is located on Ladygate Lane. The 331 bus route is close by which runs between Ruislip and Uxbridge and travels through Northwood and Harefield en route.

3. Beyond its junction with Grasmere Avenue, Whiteheath Avenue is effectively a dead-end road with a number of small side roads leading off it. Grasmere Avenue is a short road with a pedestrian link over the River Pinn that connects to Westcote Rise, which is a short walk from Bishop Winnington Ingram (BWI) Church of England Primary School. Anecdotal evidence from local residents indicates that some parking takes place in Grasmere Avenue and Fairfield Avenue

which is associated with BWI, thus adding to local parking during the school day.

4. Grasmere Avenue connects to Fairfield Avenue and from there to Glenfield Crescent. The latter joins to Ladygate Lane and there is as a consequence an informal 'loop' of school-related traffic serving Whiteheath Junior School as drivers follow either a clockwise or anti-clockwise route when picking up or dropping off at the school entrance in Whiteheath Avenue. The Cabinet Member may be interested to note that, whilst the majority of the petitioners who signed the petition live in Whiteheath Avenue, five were from Grasmere Avenue, four from Ravenscourt Close and one from Ladygate Lane.

5. Officers have been advised by Whiteheath Junior School they are a three-form entry school and despite recent construction works which have been undertaken, pupil numbers have remained largely unchanged for the last 20 years at between 353 and 358 pupils. It has also been advised that the school employs around 40 staff, but many only work part time, job sharers or support and lunchtime staff. The existing on-site parking provides one disabled parking space and 22 other spaces.

6. In the period since the petition was submitted by residents, the school has recently responded to and engaged with officers from the Council's Road Safety and School Travel Team.

7. Following a recent meeting with the Deputy Head and PSHE co-ordinator at Whiteheath Junior School, the Cabinet Member may be pleased to note that significant progress has been made in updating and developing the school's Travel Plan in its efforts to promote and encourage active and safer travel on the home to school journey. Additionally, the school has booked pedestrian training for every pupil during the spring term in 2019 and in the meantime has already completed Bikeability training for Year Six pupils in October 2018. The school is also in the process of appointing 'Junior Road Safety Officers' (from Year 5 or 6) and plans to attend the Council's Junior Road Safety Officer event at which they have the opportunity to bid for funding to implement road safety initiatives in the school, which can include scooter or cycle storage as well as campaigns.

8. The petitioners have highlighted two main factors that contribute to the issues they identified in their road and these are set out in paragraph 1 of this report. The first is teacher parking and officers have already raised this directly with the school; however, as the Cabinet Member will be aware, the most effective way to manage parking in the road is to either introduce waiting restrictions in the form of yellow lines or to create a Parking Management Scheme which comprises parking bays, associated signs and residents' parking permits. It is not clear from the petition whether residents would support either option so it is recommended that the Cabinet Member discusses their concerns in greater detail.

9. The Cabinet Member may wish to note, however, that officers are not aware of any previous requests for parking management schemes in this area which is not close to either a shopping centre or a railway station.

10. The second concern relates to parents or guardians allegedly turning in the road rather than continuing around the block. Quite reasonably, the logical route which residents are suggesting that parents should take after collecting or dropping off their children is broadly as described earlier in this report; i.e., Whiteheath Avenue, Grasmere Avenue, Fairfield Avenue, Glenfield Crescent then back onto Ladygate Lane. The distance from the school entrance to the junction of Whiteheath Avenue and Ladygate Lane is approximately 800 metres while the same journey along

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Whiteheath Avenue is approximately 80 metres.

11. Site observations at the busy school peak periods shows that parking takes place at many points along this route and drivers often face other oncoming vehicles which can lead to conflict and delay which may discourage them from using this route. It is therefore perhaps unsurprising that parents prefer the shorter option.

12. The Cabinet Member will appreciate that, as frustrating as the practice of turning round in the road may be, it is not generally illegal and therefore there is little that the Council can do in practical terms, other than encourage the school to raise these concerns within the school community.

13. There is no 'informal one-way' in operation, but even if there were, there is no certainty that those who choose to turn around in the middle of Whiteheath Avenue would change their present behaviour. Some schools have established voluntary 'one-way' systems around schools which have a mixed level of success, because they rely upon parents adhering to them. Now Whiteheath School has become actively engaged with officers from the Road Safety and School Travel Team, this is perhaps something that they could assist the school in establishing and promoting.

14. Petitioners have also mentioned in their submission that Whiteheath Avenue does not benefit from any traffic calming measures or a 20mph speed limit; while this is true, these measures on their own are unlikely to resolve residents' road safety concerns. As the Cabinet Member will be aware, the problem of traffic congestion around schools is unfortunately common across the Borough. Notwithstanding this, and dependent upon the petitioners' testimony, the Cabinet Member may wish to consider the possibility of a series of independent traffic surveys in locations to be agreed with the petitioners and their Ward Members.

15. If residents are seeking an enforceable option to force school traffic to use a certain route, then perhaps the only practical way to achieve this would be a formal 'one-way' working for part of Whiteheath Avenue which would be underpinned by a legal Traffic Management Order. This type of restriction must by its very nature apply at all times and is incumbent on residents and non-residents alike. As a result, some residents may feel that such prescriptive measures may be excessive to address a problem that is only acute for a relatively short period of time, Monday to Friday during school time. It is therefore recommended that the Cabinet Member discusses with petitioners what options they feel they could support.

Financial Implications

There are none associated with the recommendations to this report. However, if the Council were to recommend traffic management or parking restrictions then funding would need to be identified from a suitable source.

4. EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

What will be the effect of the recommendation?

To allow the Cabinet Member to consider the petitioners request and available options the Council has to address these concerns.

5. CORPORATE IMPLICATIONS

Corporate Finance

Corporate Finance notes that there are no financial implications arising from the recommendations in this report.

Legal

There are no special legal implications for the proposal to informally consult residents on parking restrictions. Informally consulting residents is perfectly legitimate as part of a listening exercise, especially where consideration of the policy, factual and engineering issues are still at a formative stage.

In considering any informal consultation responses, decision makers must ensure there is a full consideration of all representations arising including those which do not accord with the officer's recommendations. The decision maker must be satisfied that responses from the public are conscientiously taken into account.

If the decision maker recommends officers undertake a statutory consultation, the procedures that should be followed in this case are set out in the Road Traffic Regulation Act 1984 and The Local Authorities Traffic Orders (Procedures) (England and Wales) Regulations 1996 (SI 1996/2489).

If specific advice is required, Legal Services should be instructed.

Corporate Property and Construction

None at this stage.

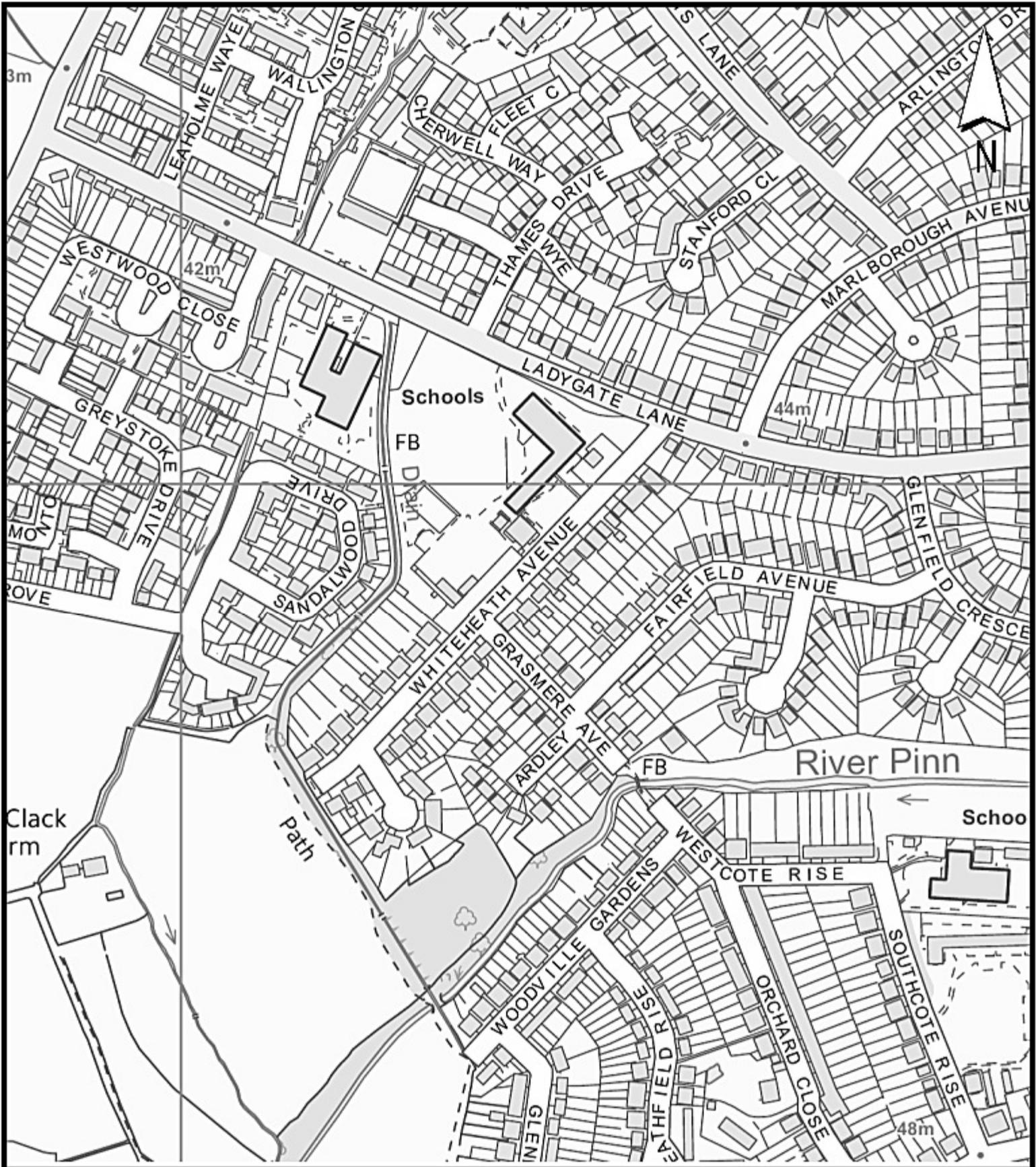
Relevant Service Groups

None at this stage.

6. BACKGROUND PAPERS

Petition received

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Whiteheath Avenue, Ruislip
Location plan

Appendix A

Date December 2018

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Agenda Item 6

PETITION REQUESTING AN ARTICLE 4 DIRECTION AND TO REGISTER ALL HOUSES IN MULTIPLE OCCUPATION IN HEATHROW VILLAGES WARD

Cabinet Member(s)	Councillor Keith Burrows
Cabinet Portfolio(s)	Cabinet Member for Planning, Transportation and Recycling
Officer Contact(s)	James Rodger and Mark Billings, Residents Services
Papers with report	N/A

1. HEADLINE INFORMATION

Summary	To inform the Cabinet Member that the Council has received a petition from residents who live within the Heathrow Villages Ward requesting an Article 4 Direction be created to control HMOs.
Contribution to our plans and strategies	This report supports the Council's objectives of: Our People; Our Built Environment; Our Natural Environment and Our Heritage by considering these in the context of the petition.
Financial Cost	There would be no cost if the Cabinet Member does not agree an Article 4 Direction. The preparation of the evidence base to support an Article 4 Direction is the main financial cost, in particular if further staff resource is required to produce this evidence base.
Relevant Policy Overview Committee	Residents, Education and Environmental Services
Ward(s) affected	Heathrow Villages directly, but possibly also Yiewsley, West Drayton and Pinkwell.

2. RECOMMENDATIONS

Meeting with the petitioners, the Cabinet Member for Planning, Transportation and Recycling:

1. listens to the concerns outlined and reasons put forward by residents for an Article 4 Direction and registration of HMO properties.
2. considers the wider implications of imposing an Article 4 Direction on Heathrow Villages Ward and surrounding wards.
3. notes that the evidential base likely to be required to ensure the Secretary of State

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agrees an Article 4 Direction in Heathrow Villages would need to be fully established before Cabinet or Full Council could proceed to agree such a direction or to notify the Secretary of State.

4. notes that, on 1 October 2018, the Council adopted the power under the Housing and Planning Act to impose financial penalties on landlords who are required to license HMOs and fail to do so.

5. subject to the outcome of the above, either instructs officers to prepare the evidence base for creation of an Article 4 Direction for him to consider further and/or considers whether there are other actions the Council should take to address the petitioners concerns regarding HMOs.

Reasons for recommendations

The Petition Hearing will provide a valuable opportunity to hear directly from the petitioners of their concerns and suggestions.

Alternative options considered / risk management

None at this stage.

Policy Overview Committee comments

None at this stage.

3. INFORMATION

Supporting Information

1. A petition with 24 signatures has been received by the Council from residents of Heathrow Villages Ward. The petition is residents' request for the Council *'to implement an Article 4 directive, as attached, to license HMOs in the Heathrow Villages Ward'*. Petitioners' desired outcome is: *'To register all rented properties in the Heathrow Villages Ward.'*

2. The petition refers to both the Council's Planning powers (creation of an Article 4 Direction) and Housing powers (licensing of HMOs). A simple non legal definition is that a house (or flat) is an HMO (House in Multiple Occupation) if there are three or more unrelated occupiers. A meeting occurred with petitioners in October 2018 where it was clarified that the petition is seeking both the creation of an Article 4 direction and registration of all HMOs in Heathrow Villages. Concerns were also raised by the petitioners regarding the impact of HMOs and rented accommodation on social cohesion in Heathrow Villages.

3. Heathrow Villages Ward lies in the south of Hillingdon and is bordered by Pinkwell and West Drayton wards. Within the ward is Heathrow Airport. In 2017, Heathrow Villages population was 13,627 residents, an increase of 11.7% since 2011 (12,199); this is greater than the 10.9% increase for Hillingdon overall. The average number of people per household in Heathrow Villages is 2.73 if census data is referred to. This is higher than the Hillingdon, London and national averages. According to 2011 census data in Heathrow Villages, 49.6% of ward residents own their own homes, followed by 33.6% of properties being privately rented, 14.8%

socially rented from the Council and 2.0% other categories of housing. The private rental rate is higher than the Hillingdon average of 18.1% and the London wide average of 25.1%.

4. In 2012, the Cabinet Member received requests for an Article 4 Direction to control HMOs (Houses in Multiple Occupation) from residents around Brunel University. Residents were concerned about the rapid 'studentification' that was occurring of streets that had traditionally been characterised by family housing. The creation of the Article 4 Direction was subsequently agreed via Cabinet and Full Council in light of the particular issues faced by residents in Brunel and Uxbridge South Ward's. Nonetheless, the circumstances of this Article 4 Direction was that the University had undergone large scale expansion in a relatively short timescale and this had created a large and measurable growth in HMO numbers - the Council had clear statistical evidence of this. The Council had a lot of information from local letting agents and the University regarding the changes in the housing market and, in effect, had a robust statistical evidence base regarding the growth in HMO numbers. The Council was able to submit this to the Secretary of State to justify creation of the Article 4 Direction.

5. Whereas the Brunel and Uxbridge South Ward Article 4 direction has been very successful in limiting growth in HMOs in these wards, officers believe there has been an increase in HMOs in Yiewsley and West Drayton wards (but it should be stressed not at the same concentrations on individual streets that led to the Brunel and Uxbridge South Ward Article 4 Direction being created). A possible explanation of this is that house prices are slightly lower in wards to the south of Brunel University than north of it and the creation of the Article 4 Direction has caused a growth in HMOs in the geographic area closest to the University (not subject to the Article 4 Direction) where house prices are not so high and where HMOs are financially viable.

6. The Cabinet Member may wish to be mindful of the possible wider implications of creating an Article 4 Direction in Heathrow Villages Ward. Yiewsley and West Drayton wards lie directly north of Heathrow Villages ward. Officers consider that it is likely that, if an Article 4 Direction is created for Heathrow Villages Ward, this may have a direct impact on housing markets in adjoining wards. The Cabinet Member should also be mindful that, if there is an increase in HMOs, this could put pressure on the existing housing stock of predominantly family housing located in Yiewsley, West Drayton and Pinkwell Wards, possibly driving up house prices. The Council's housing needs study has identified that, between the census years 2001 and 2011, the number of multi-adult households living in Hillingdon Borough increased from 5,114 to 7,049, an increase of 1,935 (38%). This includes HMOs with shared facilities where, for most purposes, the residents are not defined as forming a single households, as well as single people living together as a group who are defined as a single household for most purposes, and individuals with lodgers. The growth in multi-adult households was focussed particularly in the private rented sector, with an increase in single persons choosing to live with friends together with others living in HMOs. This growth accounts for 1,466 households (an increase from 1,608 to 3,174 households over the period) and this represent 76% of the total increase in multi-adult households living in the area.

7. Permitted development rights are rights to make certain changes to a building without the need to apply for planning permission. These derive from a general planning permission granted by Parliament, rather than from permission granted by the local planning authority. These rights have been regularly reviewed by Parliament since they were first created in 1947. They exist to enable a balance between freedom for property owners to alter or extend their properties and the need to control certain forms of development for the greater good. In some circumstances, local planning authorities can suspend permitted development rights in their

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area, under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015. Local planning authorities have powers under Article 4 of the 2015 Order to remove permitted development rights. It should be noted that it is permitted development to change a property from a C3 use (family dwelling-house) to a C4 use (where there are between 3 and 6 occupants of the property living together and the occupants are unrelated).

8. While Article 4 directions are confirmed by local planning authorities, the Secretary of State must be notified and has wide powers to modify or cancel most Article 4 directions at any point. Paragraph 53 of the NPPF states that:

The use of Article 4 directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the well-being of the area (this could include the use of Article 4 directions to require planning permission for the demolition of local facilities).

9. Successive Government's have maintained a process whereby consent for Article 4 Directions has to be agreed by the Secretary of State. This is, put simply, because Article 4 directions are a power which councils are supposed to use rarely and where there is robust justification. There would be a requirement to fully advertise the Article 4 Direction for 12 months and seek both full Council and Secretary of State's authorisation. During the 12 month consultation period, existing permitted development rights would continue to exist.

10. It should be noted that an Article 4 Direction will only control changes of use of properties not already converted to C4 Use. It will also not control who owns properties in Heathrow Villages. It has been alleged that some properties in Heathrow Villages are rented to families of asylum seekers, or are rented on short term lets, such that an increasingly transient population is created to the detriment of social cohesion. These are nonetheless still classified as C3 properties, the C3 use class includes both privately owned and rented properties. An Article 4 direction will only control C4 uses (re: most likely airport workers in shared accommodation).

11. If an Article 4 Direction is created, it will simply require planning applications to be submitted for any changes of use from C3 to C4 use. It does not imply they will be refused. Any applications received would need to be considered with respect to existing planning policy guidance concerning HMOs.

12. Officers were mindful that when creating the Brunel and Uxbridge South Wards' Article 4 Direction that the purchase of family housing and its conversion to HMO accommodation was being undertaken on a piecemeal basis, in effect almost every property purchased had a different landlord. Properties were not being bought by landlords with huge commercial portfolios, or by anyone with the ability to purchase multiple groups of properties. In contrast, officers are aware that the Heathrow Villages property market has been subject to the influence of major companies with an interest in airport expansion. The purchase of properties by these companies in Heathrow Villages has widely been acknowledged to be to the detriment of social cohesion. The introduction of an Article 4 Direction will not have any influence on the purchase of land by these commercial companies, it will merely control whether planning permission is required to convert properties to C4 use class. The creation of an Article 4 Direction could have unknown impacts on the existing property market in Heathrow Villages.

13. Given Parliament's decision on the third runway, it can be anticipated that any request for an Article 4 direction will be very closely scrutinised by the Secretary of State. Furthermore, many

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HMOs are occupied by airport workers and, in effect, an Article 4 Direction would be limiting the creation of any further shared accommodation for airport workers. These factors mean the Secretary of State is likely to rigorously assess any request for an Article 4 Direction. The Council will require a sophisticated data analysis of the number of HMOs and household structures in Heathrow Villages, as well as robust arguments as to why there is a problem that urgently needs addressing to successfully convince the Secretary of State to implement an Article 4 Direction.

14. The Council's Planning Enforcement team has received very few requests to investigate suspected HMOs in breach of planning regulations (where 6 or more unrelated persons occupy the property) in Heathrow Villages in recent years. Issues regarding HMOs have been referred to the ASBI or Private Sector Housing teams.

15. There are 30 licensed HMOs in Heathrow Villages Ward as of 21 December 2018, although officers consider there to be a number of unlicensed HMOs in existence. Officers have recently received reports of a further 30 possible unlicensed HMOs.

16. If a license holder breaches HMO license conditions or does not obtain an HMO license, they can be prosecuted by the local authority or alternatively receive a civil penalty under the new Housing and Planning Act 2016 provisions. Since 1 October 2018, the Council has, through adopting powers under the Housing and Planning Act 2016, strengthened its ability to deal with rogue landlords. Also, from 1 October 2018, mandatory licensing of HMOs has been extended to bring properties below 3 storeys into the licensing regime and to set minimum room sizes. The Cabinet Member should, therefore, be mindful that there are increased powers available to the Council to regulate HMOs and to impose severe financial penalties on landlords who do not get an HMO license.

17. Although HMO licensing may not in itself limit the growth in HMOs, it can ensure they are regulated and enable the Council to take action against rogue landlords. Anecdotal evidence is that often it is more likely that unregulated HMOs are causing anti-social behavior or social problems than regulated HMOs.

18. If the petitioners have concerns regarding specific properties in Heathrow Villages and whether they are licensed, then the Cabinet Member could ask officers to investigate further and take action as appropriate.

19. The Private Sector Housing team has not historically been aware of a prevalence of sub-standard properties in Heathrow Villages ward. However, this has also historically resulted in the team's focus being directed to other parts of the Borough where housing standards are more of an issue.

20. In summary, the Cabinet Member may wish to meet with the petitioners and hear the detail of their concerns. Subject to the outcome of the Petition Hearing, he may wish to consider whether further steps should be taken by officers to address petitioners' concerns regarding licensing and policing of HMOs in Heathrow Villages Ward and regarding the possible creation of an Article 4 Direction.

Financial Implications

There would be no cost if the Cabinet Member does not agree to progress with an Article 4

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Direction. The preparation of the evidence base to support an Article 4 Direction is the main financial cost, in particular if further staff resource is required to produce this evidence base. This resource has not been budgeted for and would need to be met through corporate contingency. If the Cabinet Member wishes to see targeted action by the Private Sector Housing team concerning unlicensed HMOs in Heathrow Villages Ward, this should be able to be dealt with through existing staff budgets.

4. EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

What will be the effect of the recommendation?

To allow the Cabinet Member an opportunity to discuss in detail with petitioners their concerns.

Consultation Carried Out or Required

None at this stage.

5. CORPORATE IMPLICATIONS

Corporate Finance

Corporate Finance has reviewed this report, noting that preparation of evidence to support implementation of an Article 4 Direction with regard to conversion of properties into HMOs within the Heathrow Village Ward would require additional resource over and above existing service budgets, which could be sourced from General Contingency. Conversely, costs associated with proposals for targeted enforcement action to tackle unlicensed HMOs within Heathrow Villages are expected to be contained within existing service budgets.

Legal

The Borough Solicitor confirms that the legal implications are contained in the body of the report.

Corporate Property and Construction

There are no corporate property and construction implications arising from the recommendations in this report.

Relevant Service Groups

None at this stage.

6. BACKGROUND PAPERS

Petition received.