

# 'BEDS IN SHEDS' - ENFORCEMENT AND IMPACT

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## REASON FOR ITEM

To consider a potential review into 'Beds in Sheds' that was proposed as a topic at the last meeting of the Committee.

Officers will provide Members with a brief presentation on the Council's current work on 'Beds in Sheds'.

## OPTIONS AVAILABLE TO THE COMMITTEE

- i. To consider whether to take forward a review into 'Beds in Sheds'.
- ii. To request clarification and further information from officers.

## INFORMATION

1. At its meeting of 29 April 2015, the Committee identified 'Beds in Sheds' as a potential topic for their first major review of the year. Members identified the core concerns to be:
  - a. enforcement action; and,
  - b. joint working across the Council and the impact on Council services.
2. Following the meeting, officers in Residents Services were asked to comment on the topic and provide relevant information. They pointed out that RESPOC had completed a review into Beds in Sheds five years ago, and that a progress report had been provided to Cabinet in 2013 which showed that substantial progress had been made against RESPOC's recommendations. Officers felt therefore that a major review into the topic might have limited scope for making meaningful recommendations.
3. This report has been produced to provide the Committee with updated information on the Council's enforcement approach, to help it decide whether or not to take the review forward.
4. The progress report to Cabinet in 2013 in particular focussed on the approach taken to combat 'Beds in Sheds', in particular a 'hard hitting fast track approach' that involves interdepartmental working. Although not specifically mentioned in the Cabinet Report an interdepartmental working group was set up in 2013 chaired jointly by Jales Tippell and James Rodger. That working group still meets every fortnight and includes two planning enforcement officers who only deal with 'Beds in

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Sheds' cases, a dedicated in-house lawyer, a private sector housing officer dedicated to rogue landlord cases, an accredited financial investigator from the Councils Corporate Fraud team and an officer from the Corporate Communications Team.

5. There have been, and continue to be, regular press releases publicising the successful work undertaken by those officers involved in the interdepartmental working group. The numerous successful prosecutions undertaken since 2013 include a number of complex cases involving rogue landlords with large property portfolios where extensive fines have been applied by the Courts. Proceeds of Crime legislation is increasingly used in cases which meet the tests necessary for such legislation to be applied. A strong working relationship has also been developed with the Border Agency with successful raids undertaken. It should be emphasised that raids occur whenever the Border Agency have staff resources available to deploy and intelligence supports raids occurring. Appendix 1 includes extracts from press releases issued during the second half of 2014.
6. It is completely understood by officers that the presence of large numbers of outbuildings with the appearance of 'beds in sheds' in certain parts of the south of the Borough might give the perception that the Council is not successful in combating 'beds in sheds'. It needs to be emphasised that large numbers of outbuildings have been erected under permitted development rights. This means the structures (even when they have services and the external appearance of a separate residential unit) cannot be subject to enforcement action.

The council in many cases can only take enforcement action against the residential use and not the structure. In some cases successful action can be taken against the unauthorised use of an outbuilding for residential use, the building is then used lawfully, ownership changes and the out building then reverts back to an unauthorised residential use.

7. The above information and attached reports do not, in officers opinion, provide justification for a further review of the Council's approach to 'Beds in Sheds', especially as the Council's ability to act is often restricted by national legislation.

## **PAPERS WITH THE REPORT**

Appendix 1 - Extracts From Beds in Sheds Press Releases Issued Between June and December 2014

Appendix 2 - RESPOC 'Beds in Sheds' Review Final Report

Appendix 3 - 'Beds in Sheds' in Hillingdon Progress Report

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Residents' & Environmental Services Policy Overview Committee – 25 June 2015