

**Fife Council**

**Independent Review of Houses in Multiple Occupation  
Policy Framework – Final Report**

14<sup>th</sup> November 2016

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# 1. Introduction

The Housing (Scotland) Act 2006 provides the legislative and guidance framework underpinning the operation of Houses in Multiple Occupation (HMOs) Licensing Systems across Scotland. Since the introduction of the Act, Local Authorities have developed and implemented a range of structural and supporting arrangements in response to the mandatory and discretionary provisions. The Act allows for the implementation of a Licensing system which is responsive to local housing systems and markets through scope for discretionary policies in relation to fee structure, overprovision and other aspects.

Fife Council appointed North Star Consulting & Research to carry out an investigation and review of the policy framework for HMOs in Fife, with a particular focus on the University Town of St Andrews. This report sets out the review of the policy delivery framework, and provides evaluation and recommendations in relation to Fife Council's approaches compared with other Local Authorities best practice, need and demand assessment, and overprovision policies. In Fife there are over 1,000 Registered HMOs and the vast majority of these are within and around the St Andrew's area. This has been a particular focus of the research examining planning and other approaches that have been brought into place around the Conservation Area in the town to limit the number of HMOs.

## 1.1 Study Objectives

The main objectives of the project are to review the current arrangements and make recommendations to ensure that Fife Council's:

- Policy is comprehensive, including investigating the need for any additional policies to stimulate or control the supply and management of HMOs as part of a need and demand assessment
- Housing and planning policies for HMO provision are operating coherently
- Fee structure is proportionate and compliant with the policy and guidance framework and make recommendations for an alternative approach.

## 1.2 Report Structure

This report has the following sections:

- Policy Context
- Operation of HMOs in Fife
- Housing Market Analysis
- Stakeholder Consultation Findings
- Good Practice Review and Case Study Findings
- Conclusions and Recommendations

## 2. Policy Context

In framing this study in the wider context relating to HMOs it is essential to explore legislative, statutory, strategic and policy drivers specifically relating to the use of HMOs across Scotland, as well as across Fife. This involved an extensive policy and literature review, the majority of which is presented in Appendix 1. In this section we have focussed on key legislation, local policies, strategies and documents including:

- Private Rented Housing Act 2011
- Fife Local Housing Strategy 2015 to 2020
- Adopted St Andrews and East Fife Local Plan
- Fife Council Supplementary Planning Guidance on Affordable Housing 2014
- Fife Council HMO Guidance
- Draft Supplementary Planning Guidance: Houses in Multiple Occupation ( St Andrews Central Conservation Area)

### 2.1 Private Rented Housing Act 2011

Following the Part 5 of the Housing (Scotland) Act 2006, which provided a statutory framework for the operation of HMO licensing, additional guidance and changes to the HMO licensing system was set out in Part 2 of the Private Rented Housing Act 2011. The most relevant amendments to the Housing (Scotland) Act 2006 in relation to HMOs for this study were:

- Local authorities have the power to refuse to consider an application for an HMO licence if it considers that there would be a breach of planning control
- Local authorities have the power to refuse to grant an HMO licence if it considers that there is overprovision of HMOs in the locality

### 2.2 Planning Authority Management of HMO Concentrations<sup>1</sup>

Scottish Government Guidance on Planning Authority Management of HMO Concentrations states that: Where concentrations of HMOs are considered to have a negative effect on the amenity of a community, or where it is considered likely that such a situation may arise, planning authorities may adopt policies to manage HMO concentrations, while ensuring that a sufficient supply is maintained. Policies must be designed to safeguard community amenity, and must not be in response to perceived concerns about the behaviour of tenants. Any planning policy to manage HMO concentrations will apply only to properties being proposed for use as a HMO for the first time after the date on which the policy takes effect.

Policies may establish HMO concentrations for a given building, street, neighbourhood, or other defined area, as considered necessary. Planning authorities may wish to set different concentration and occupancy levels for different areas, depending on factors such as demography and the type of accommodation available generally. Any concentration levels set should take account of the demand for HMOs in each area, as well as the need to protect

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<sup>1</sup> <http://www.gov.scot/Publications/2012/06/4191/5>

residential amenity. Planning authorities should bear in mind the issues that are relevant in different areas and to the different characteristics of HMO occupiers when setting policies on concentrations.

Planning authorities may provide guidance as to occupancy level(s) for individual HMOs that would be considered to be a material change of use and above which they would normally seek a planning application. Setting occupancy rates too low may result in too few HMOs being granted planning permission or disproportionate numbers of applications; setting occupancy rates too high may undermine the effectiveness of the policy.

Purpose-built student accommodation should not be counted towards HMO concentration levels because these do not have the same effect on community amenity as high concentrations of HMOs within existing housing stock do.

Policies should be included in the development plan, preferably in the form of supplementary guidance. Planning authorities should justify the need for policies designed to manage HMO concentrations and policies should be subject to public consultation before being adopted. Planning authorities should explain why they have granted planning permission for a HMO where this is contrary to the adopted policy. This is to ensure that decisions are explained to the people they affect, are that they are transparent and fair.

## 2.3 Fife Local Housing Strategy 2015 to 2020

The Local Housing Strategy (LHS) sets out Fife Council's vision for housing over the five year period from 2015 to 2020 which is to:

*"Provide housing choices for people in Fife"*

In relation to HMOs in particular, the strategy highlights a need for additional accommodation in St Andrews. It also states that, as of March 2014, there were 1,027 Houses in Multiple Occupation (HMO) licences in place in Fife, the majority being in St Andrews. The Strategy goes on to say that proposals are being developed for additional 376 bed-spaces within two new-build student blocks. The strategy also sets a target to remove 30 potentially unlicensed HMOs per annum through caseload management.

Outcome 6.2 *Private rented sector tenants live in good quality, well managed housing* indicates that the Council will continue to implement the HMO Licensing Scheme and Private Landlord Registration requirements through:

- Providing a marketing strategy to provide information and advice to private landlords around their requirements for licensing / registration.
- Engaging with private landlords through the Private Landlords' Steering Group and Private Landlords' Forum, including providing training events to support landlords
- Developing measures to record issues relating to equality for those living within the sector.
- Developing mechanisms to establish a Private Tenants' Forum to provide private tenants with a 'voice' around housing issues in Fife

- Investigating how private lets could be linked to processes within the Fife Housing

## **2.4 Adopted St Andrews and East Fife Local Plan**

Policy H2 of the Adopted St Andrews & East Fife Local Plan refers directly to Houses in Multiple Occupation within St Andrews whereby no new HMOs will be permitted and any change of use application for an existing property to be used as an HMO will only be permitted if:

- In the case of a flat with a shared internal stair or entrance, all other properties sharing the stair and entrance are already in multiple occupancy and have planning permission to operate as a HMO
- It will not be detrimental to pedestrian or traffic safety arising from car or bicycle parking;
- It will not be detrimental to the established residential character and amenity; and
- The property is not designated as affordable housing provided through policies requiring affordable housing (Policy H1 on Affordable Housing or the earlier policy equivalents).

The policy was introduced in order to achieve a balance between the competing demands for accommodation and the need for a balanced community. The Adopted Plan supports the future development of purpose built student housing but it also argues for a need to protect new development from being priced out of the market for general needs and affordable homes.

*“Within the St Andrews Central Conservation Area, which extends over most of the centre of the town, the number of houses in multiple occupation has reached a level which threatens the balance of the community. Fife Council therefore considers it appropriate to apply a policy restricting any further change of use to houses and flats in multiple occupation.*

*Affordable housing provided as a result of policies requiring affordable housing contributions need to be safeguarded for that purpose to maintain that housing stock. These, too, are protected from change of use to HMOs.”*

## **2.5 Fife Council Supplementary Planning Guidance on Affordable Housing 2014**

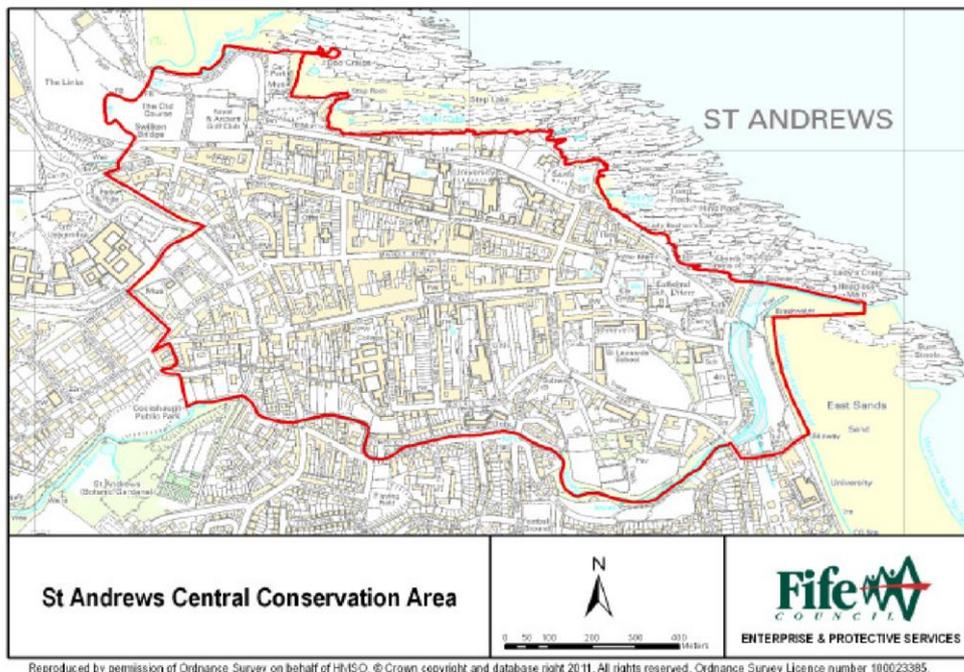
Under Section 75 Agreements developers looking for permission to build housing are required to provide a percentage of affordable housing on a site as a condition of planning consent. Fife Council has set a 30% requirement on the St Andrews housing market area.

## 2.6 Fife Council HMO Guidance

Detailed information on the application process, fees and legislation involved with HMO licensing is given in this guidance document which also provides information on the St Andrews Central Conservation Area:

### HMOs in St Andrews Central Conservation Area

Fife Council Policy precludes any further new HMO premises from obtaining planning permission in the Central St Andrews Conservation Area defined on the map.



The Guidance also states that Fife Council may refuse to grant an HMO licence if it considers that there is, or that the grant of the licence would result in, overprovision of HMOs in the locality.

## 2.7 Supplementary Planning Guidance: Houses in Multiple Occupation – St Andrews Central Conservation Area

The supplementary policy is as follows:

*“Proposals for multiple occupation of a house or a flat that requires planning permission will not be supported within the St Andrews Central Conservation Area. The policy will apply to new planning applications or proposals for change of use of existing properties and does not affect the availability and operation of HMOs already with the benefit of planning permission”.*

The policy compliments the existing Local Plan Policy (see 2.2.2) and attempt to maintain and protect residential amenity. The policy goes on to argue that

*“Multiple occupancy use can impact on the character and amenity of an area due to the differing lifestyles and transient nature of the occupants. It may put pressure on facilities such as car parking, and can also lead to residential amenity issues particularly in flatted properties and adjacent properties. Due to the high concentration of HMO properties in central St Andrews it is considered appropriate to control further HMO development in the centre of St Andrews to help maintain a mixed and sustainable community whilst catering for the specific needs of students and others seeking shared accommodation.”*

The policy goes on to look at the various issues surrounding HMOs, these have been split into two categories. These are:

- Wider community issues such as:
  - the demands for community services and facilities can change if the proportion of HMOs increase.
  - established communities can be eroded by the more transient nature of occupants who do not have a long term commitment to an area.
- Property specific issues such as:
  - increased pressure on traffic movement and parking.
  - the more independent lifestyles of occupants can increase demand for parking facilities, drying areas, gardens etc.
  - pedestrian movement and noise and the resultant impact on residential amenity.

Despite these issues, the guidance stresses the need for private rented and affordable housing for those working and studying in the town and consequently contributing to the local economy.

### 3. Operation of HMOs in Fife and St Andrews

In this section we set out the current data in relation to the number, size and type of HMOs in Fife. We also provide detailed analysis of HMOs in St Andrews.

#### 3.1 HMOs in Fife

From the Fife Council Houses in Multiple Occupation Annual Return to the Scottish Government we can see that there has been an overall increase of 381 or 56%. We can also see that the type of HMO has changed over time. The most significant increase has been a rise of 291 Flats/ Houses let as a whole since 2010, there has also been an increase of 45 Student halls/ residences and 23 hostels over this period.

From the HMO return we can see that there has also been a significant increase in the number of HMOs with 5 occupants – this has risen from 216 during 2010 to 363 during 2016. Similar rises have also been found in the number of HMOs with 4 occupants (+130) and 3 occupants (+96).

Using the Fife Council database of current HMOs during August 2016 we find that 86% of HMOs have between 3 and 5 occupants (941 HMOs); 10.5% have between 6-10 occupants (114 HMOs); 1.8% have between 11 and 20 (20 HMOs); 0.5% between 21 -50 (5 HMOs); 0.4% between 51-100 (4 HMOs), 0.4% between 101-200 (4 HMOs); and 0.18% (2 HMOs) have over 200 occupants.

**Table 3.1 Number of Occupants in HMOs**

No. of Occupants	No. of HMOs	% of HMOs
3-5	941	86.33%
6-10	114	10.46%
11-20	20	1.83%
21-50	5	0.46%
51-100	4	0.37%
101-200	4	0.37%
201-300	1	0.09%
301-400	0	0.00%
401-500	0	0.00%
501+	1	0.09%

From the HMO return to the Scottish Government we can also observe a substantial increase in the number of new applications received during 2016 – 223 compared to 50 during 2015 and between 31 and 149 in previous years.

The number of new applications refused has also increased over the period to a high of six. Over the seven years the percentage of new applications refused has fluctuated with 2.7% during 2016; 4% during 2015; none during 2014 and 2013; 1.3% during 2012; 2% during 2011

and 1.6% during 2010. There have been a total of 14 applications refused (2% of all new applications) over the seven year period – the majority of these (75%) have been categorised as ‘Other’ in relation to the reason for refusal, 25% have been due to ‘Tenancy Management (excluding not fit and proper person)’. No applications were refused on the grounds of: ‘Not Fit and Proper Person’; ‘Physical Conditions’; or ‘Fire Safety’.

The number of new applications withdrawn has also fluctuated from 11 during 2016 to none during 2011. The percentage of new applications withdrawn has fluctuated with 5% during 2016; 4% in 2015; 6.1% in 2014; 6.5% in 2013; 1.3% in 2012; none in 2011 and 16% during 2010.

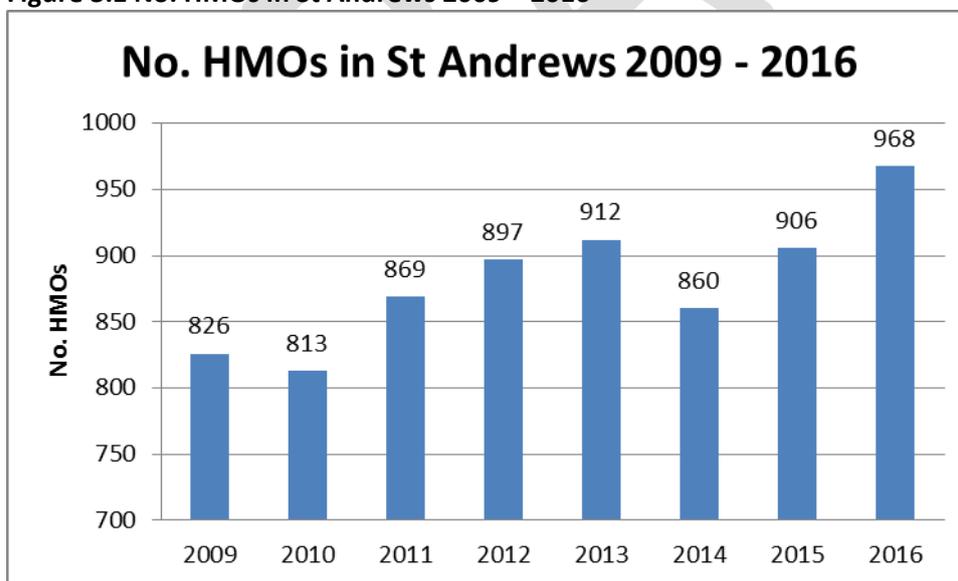
Between 2010 and 2016 no HMO Licenses were revoked by Fife Council and only one License was suspended.

## 3.2 HMOs in St Andrews

### 3.2.1 Number of HMOs

Data supplied by Fife Council shows that there were 826 HMOs in St Andrews during 2009 and 813 during 2010 – the two years immediately prior to the introduction of the HMO Moratorium. In years following the introduction of the number of HMOs in St Andrews has risen steadily reaching 968 during 2016. This represents an increase of 17% since 2009 and an increase of 11.3% since 2011, the year the moratorium was introduced.

**Figure 3.1 No. HMOs in St Andrews 2009 – 2016**



Source: Fife Council

We can separate this information to show the number of HMOs in the conservation area. The number of HMOs inside the conservation area has increased steadily from 336 during 2009 to 380 during 2016, by 13% since 2009 (an increase of 7.6% since 2011 when the moratorium was introduced). The number of HMOs which are outside the conservation area has increased from

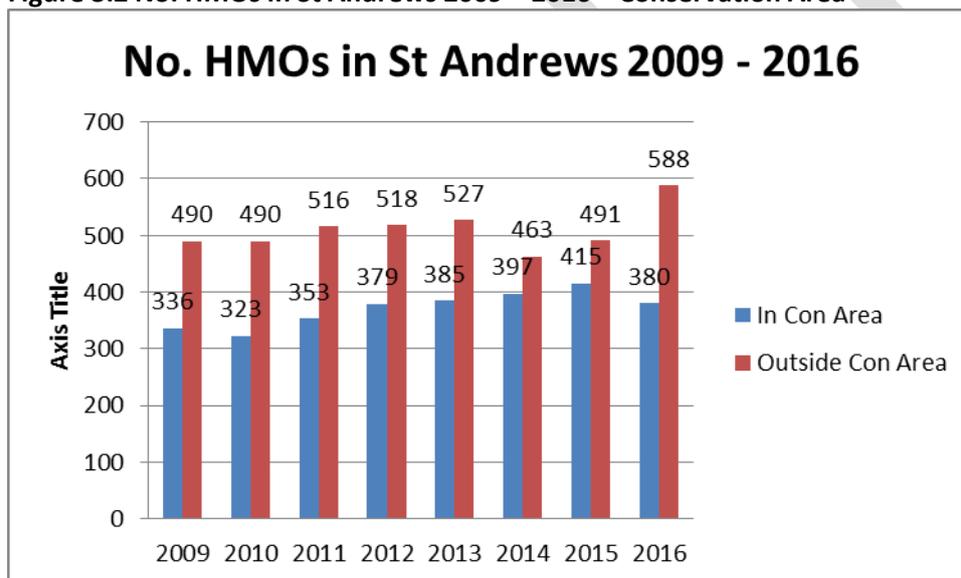
490 during 2009 to 588 during 2016, an increase of 20% (an increase of 13.9% since the moratorium was introduced in 2011).

**Table 3.2 No. HMOs in St Andrews 2009 – 2016 – Conservation Area**

Number	2009	2010	2011	2012	2013	2014	2015	2016
<b>In Conservation Area</b>	336	323	353	379	385	397	415	380
<b>Outside Conservation Area</b>	490	490	516	518	527	463	491	588
%	2009	2010	2011	2012	2013	2014	2015	2016
<b>In Conservation Area</b>	41%	40%	41%	42%	42%	46%	46%	39%
<b>Outside Conservation Area</b>	59%	60%	59%	58%	58%	54%	54%	61%

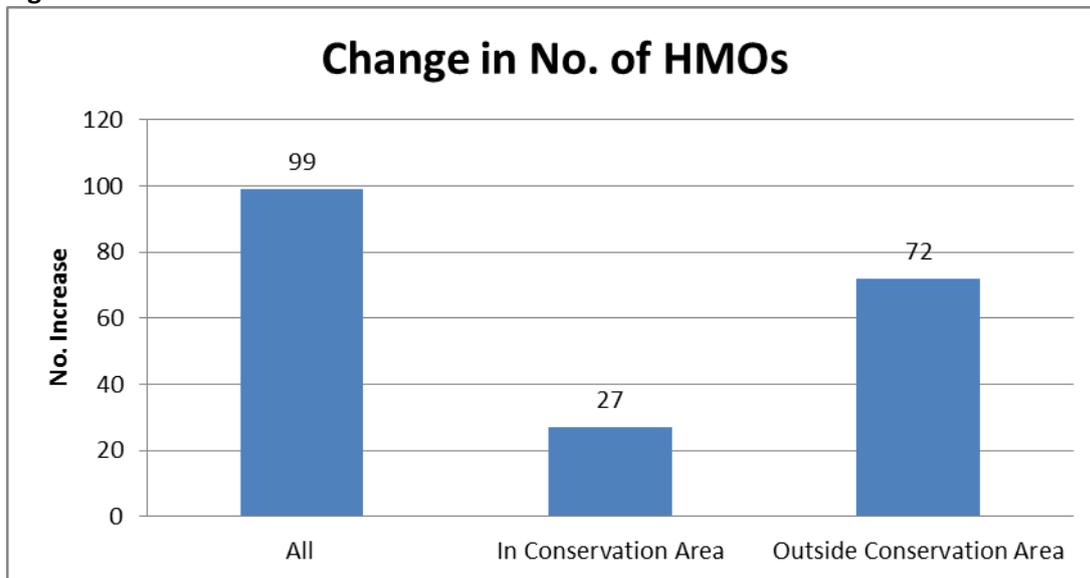
Source: Fife Council

**Figure 3.2 No. HMOs in St Andrews 2009 – 2016 – Conservation Area**

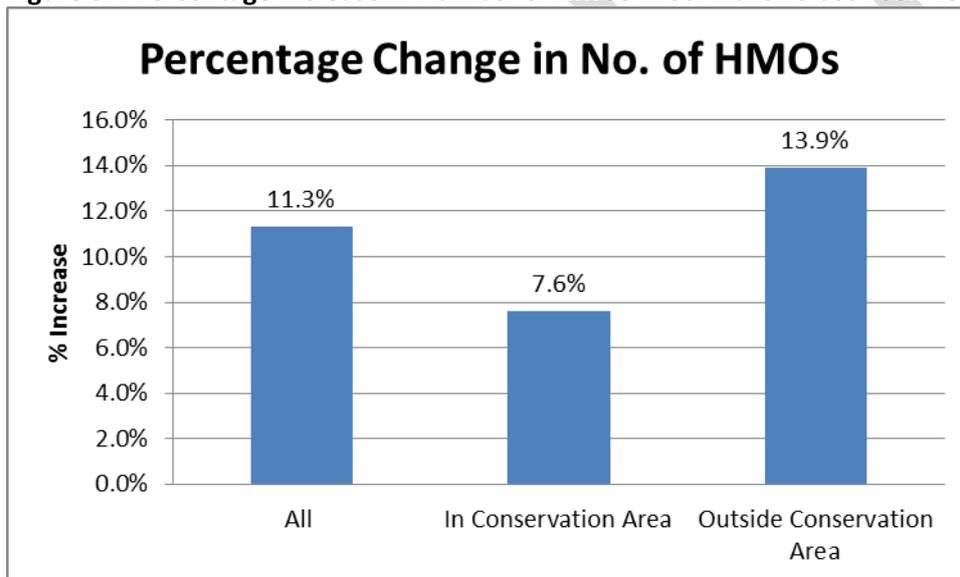


Source: Fife Council

**Figure 3.3 Increase in Number of HMOs in St Andrews between 2011 and 2016**



**Figure 3.4 Percentage Increase in Number of HMOs in St Andrews between 2011 and 2016**



Source: Fife Council

It is of particular interest to understand the number of HMOs which are not part of the University of St Andrews student residences as new build, purpose built accommodation such as student residences are exempt from the Fife Council Supplementary Planning Guidance: HMOs (St Andrews Central Conservation Area).

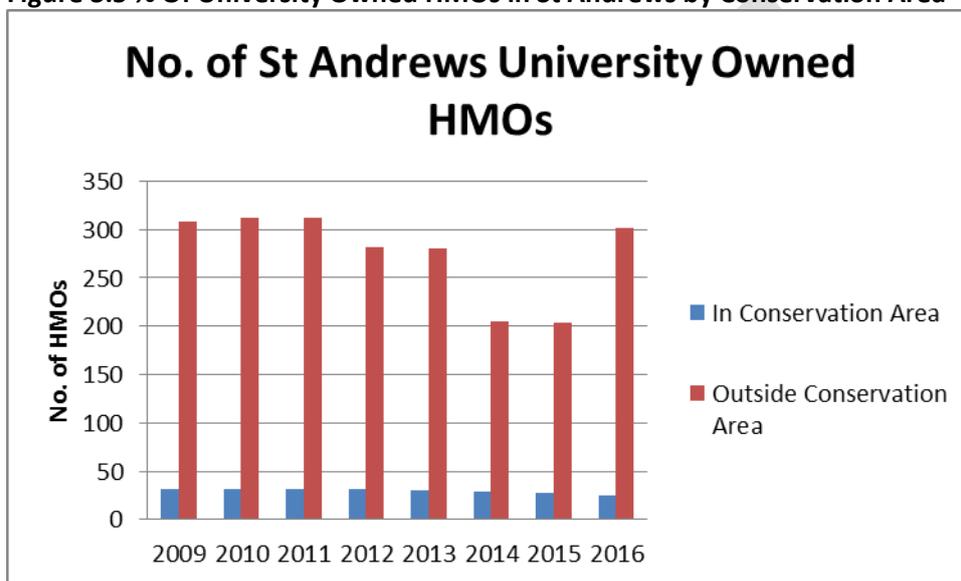
Table 3.3 shows the change in the number of University owned HMOs since 2009 and Figure 3.6 shows the increase since the moratorium was introduced in 2011. This shows that the overall number of university owned HMOs has decreased by 16 properties since the moratorium was introduced – 6 fewer in the conservation area and 10 fewer outside the conservation area. This equates to an overall decrease in university owned HMOs of 5% made up of a 19% decrease inside the conservation area and a 3% decrease outwith the conservation area. The fluctuation

in University owned properties is likely to be due to the phasing out and demolition of the old Fife Park layout properties at Strathkinness High Road and the time taken to build the new blocks which are outside the conservation area.

**Table 3.3 No. University Owned HMOs in St Andrews 2009 – 2016 – Conservation Area**

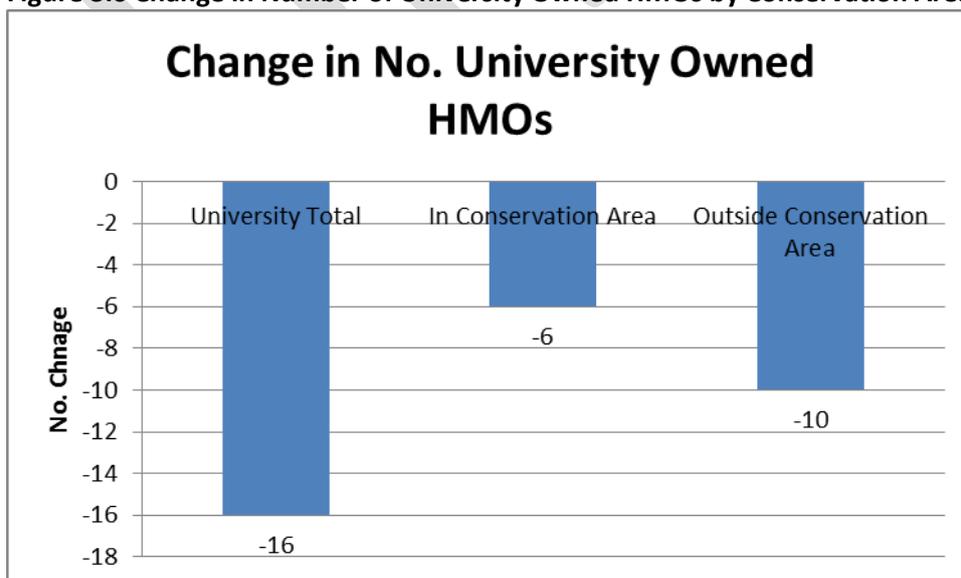
Area	2009	2010	2011	2012	2013	2014	2015	2016
<b>In Con Area</b>	31	32	31	32	30	29	28	25
<b>Outside Con Area</b>	308	312	312	282	281	205	203	302
<b>University Total</b>	<b>339</b>	<b>344</b>	<b>343</b>	<b>314</b>	<b>311</b>	<b>234</b>	<b>231</b>	<b>327</b>

**Figure 3.5 % Of University Owned HMOs in St Andrews by Conservation Area – 2011-2016**



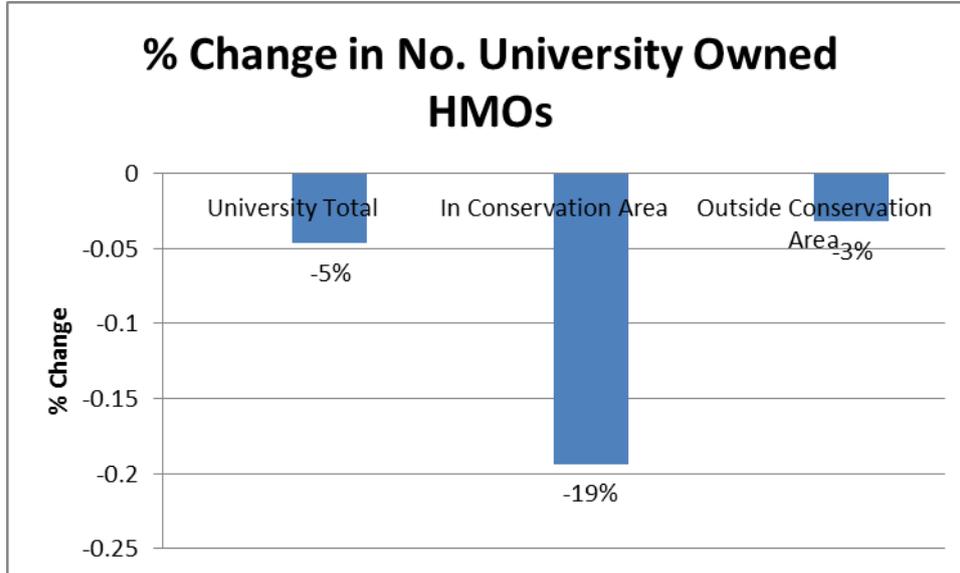
Source: Fife Council data

**Figure 3.6 Change in Number of University Owned HMOs by Conservation Area 2011-2016**



Source: Fife Council

**Figure 3.7 % Change in University Owned HMOs by Conservation Area 2011-16**



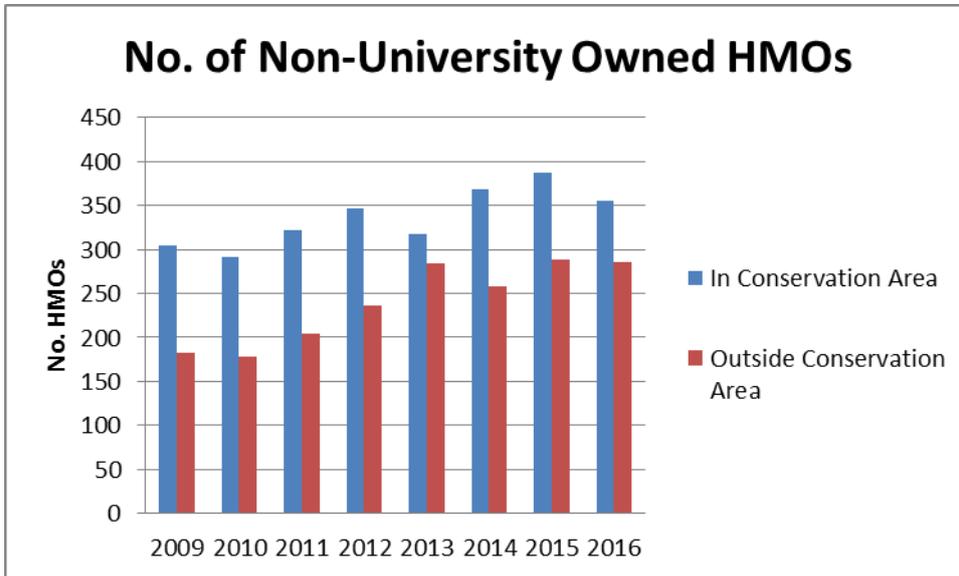
Source: Fife Council data

Table 3.4 shows the change in the number of non-university owned HMOs since 2009 and Figure 3.8 shows the increase since the moratorium was introduced in 2011. This shows that the overall number of non-university owned HMOs increased by 163 properties since the moratorium was introduced in 2011 – there are 34 more non-university owned HMOs in the conservation area and 129 more outside the conservation area. This equates to an overall increase in non-university owned HMOs of 22% and a 10% increase inside the conservation area and a 40% increase outwith the conservation area.

**Table 3.4 No. Non-University Owned HMOs in St Andrews 2009 – 2016 – Conservation Area**

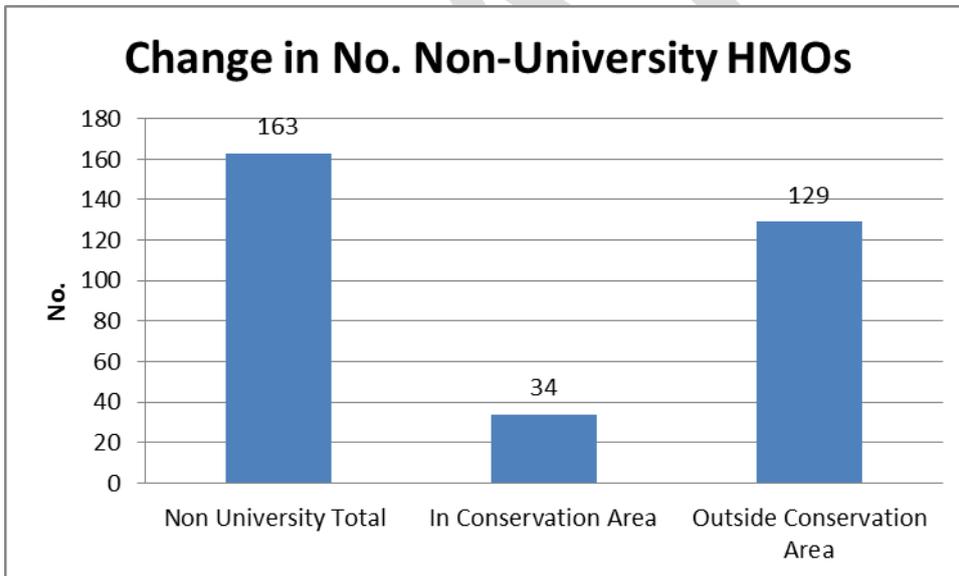
Area	2009	2010	2011	2012	2013	2014	2015	2016
<b>In Con Area</b>	305	291	322	347	317	368	387	355
<b>Outside Con Area</b>	182	178	204	236	284	258	288	286
<b>Non-University Total</b>	<b>487</b>	<b>469</b>	<b>526</b>	<b>583</b>	<b>601</b>	<b>626</b>	<b>675</b>	<b>641</b>

**Figure 3.8 % Of Non-University Owned HMOs in St Andrews by Conservation Area – 2011-2016**



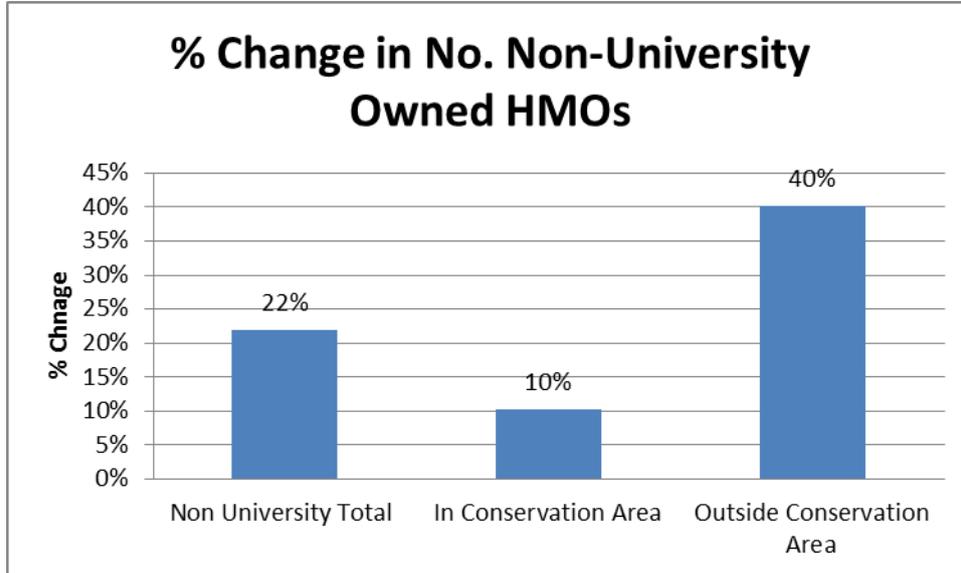
Source: Fife Council data

**Figure 3.9 Change in Number of Non- University Owned HMOs by Conservation Area 2011-2016**



Source: Fife Council data

**Figure 3.10 % Change in University Owned HMOs by Conservation Area 2011-16**



Source: Fife Council

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### 3.2.2 HMOs with Planning Permission in St Andrews

Fife Council Local Plan Policy H3: Houses in Multiple Occupation made provisions that in St Andrews:

- the use of a new build house or flat as a HMO will not be permitted unless the development is purpose built for that use
- a change of use application for an existing property to be used as an HMO will only be permitted in certain circumstances (detailed at 2.4)

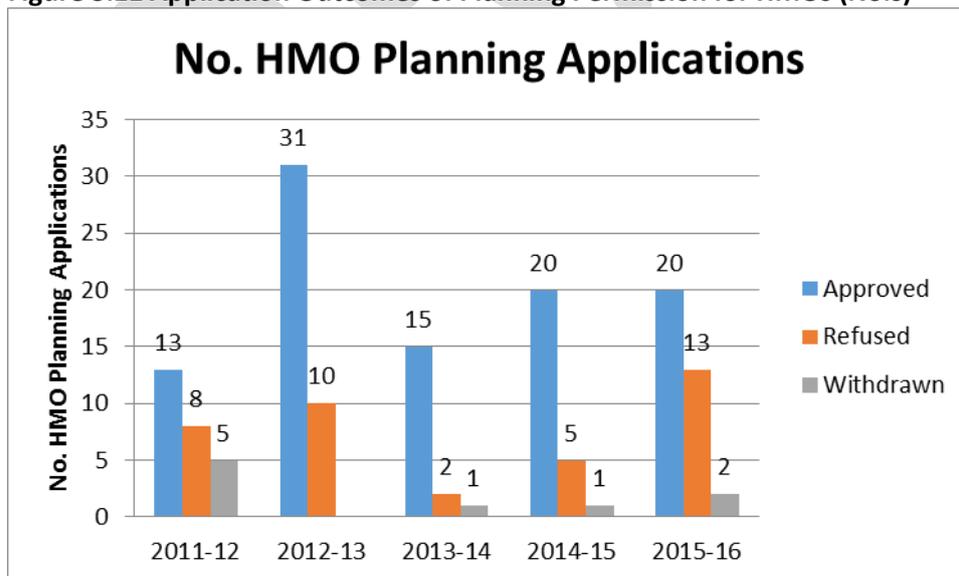
Since 2011/12 the total number of planning applications for change of use of a property to an HMO in St Andrews has increased from 26 to 35. The number of approvals have increased from 13 in 2011/12 to 20 in 2015/16. Overall a total of 99 applications have been approved and 38 refused since 2011/12, with 9 withdrawn. The year in which the Policy was introduced shows the lowest number of approved applications.

**Table 3.5 Application Outcomes of Planning Permission for HMOs (No.s)**

Year	Approved	Refused	Withdrawn	Grand Total
2011-12	13	8	5	26
2012-13	31	10		41
2013-14	15	2	1	18
2014-15	20	5	1	26
2015-16	20	13	2	35
<b>Grand Total</b>	<b>99</b>	<b>38</b>	<b>9</b>	<b>146</b>

Source: HMOs St Andrews with Planning Permission, Fife council data

**Figure 3.11 Application Outcomes of Planning Permission for HMOs (No.s)**



Source: HMOs St Andrews with Planning Permission, Fife council

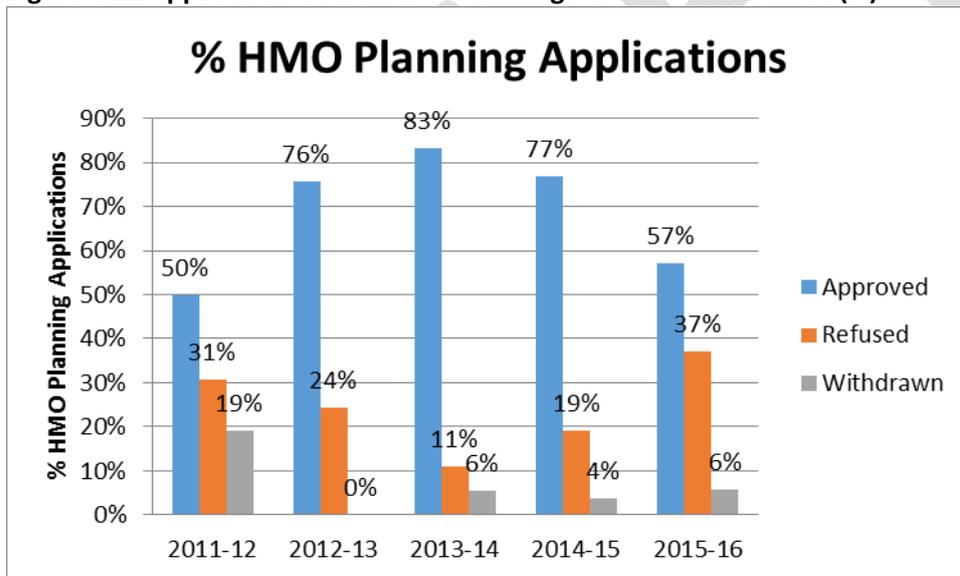
The percentage of approvals has fluctuated over the period 2011/12 to 2015/16 from a low of 50% in 2011/12 to a high of 83% in 2013/14 reducing again to 57% in 2015/16. The average over the five years has been 68% approvals. In terms of refused applications there have also been fluctuations from 37% during 2015/16 to 11% during 2013/14. The percentage of applications withdrawn was highest during 2011/12 at 19% and has hovered between 4% and 6% since 2013/14. The year in which the Policy was introduced shows the lowest percentage of approved applications.

**Table 3.6 Application Outcomes of Planning Permission for HMOs (%)**

Year	Approved	Refused	Withdrawn
2011-12	50%	31%	19%
2012-13	76%	24%	0%
2013-14	83%	11%	6%
2014-15	77%	19%	4%
2015-16	57%	37%	6%
<b>Grand Total</b>	<b>68%</b>	<b>26%</b>	<b>6%</b>

Source: HMOs St Andrews with Planning Permission, Fife council data

**Figure 3.12 Application Outcomes of Planning Permission for HMOs (%)**



Source: HMOs St Andrews with Planning Permission, Fife council

### 3.2.3 HMOs in St Andrews by Street

The Fife Property Gazetteer (FPG) is the statutory data set of addresses within Fife. Using the data contained within the FPG and the database of current HMOs in St Andrews, analysis has been conducted to determine the proportion of HMOs by street. This shows that there are five streets in St Andrews where over 80% of residential properties are HMOs. Four of these streets are located outside the conservation area, but **all are comprised of purpose built student residences managed by the University.**

When we exclude these University accommodations, we find that there are three streets with over 50% of properties licensed as HMOs – these are: Southfield (55%), Bridge Street (54%) and Nelson Street (53%) - one of these (Bridge Street) is within the conservation area.

There are five streets where between 41% and 50% of residential properties are HMOs – these are: Auld Burn Road (50%), John Street (50%), Glebe Road (46%), Bell Street (46%) and Crails Lane (44%).

A further four streets have between 31% and 40% HMOs, these are: Largo Road (39%), Albany Place (38%), Playfair Terrace (33%) and Greyfriars Garden (32%).

A total of 21 streets have between 21% and 30% HMOs and 38 streets which have between 11% and 20% HMOs. There are 51 streets which have 10% or less of their properties as HMOs and 112 streets where there are no HMOs. A full list of HMOs by percentage of all residential properties by street is contained in Appendix 2 alongside a larger version of Figure 3.13 below, which maps the density of HMOs in St Andrews by postcode which reflects our analysis by street as described above.

**Figure 3.13 Density of HMOs by Street**

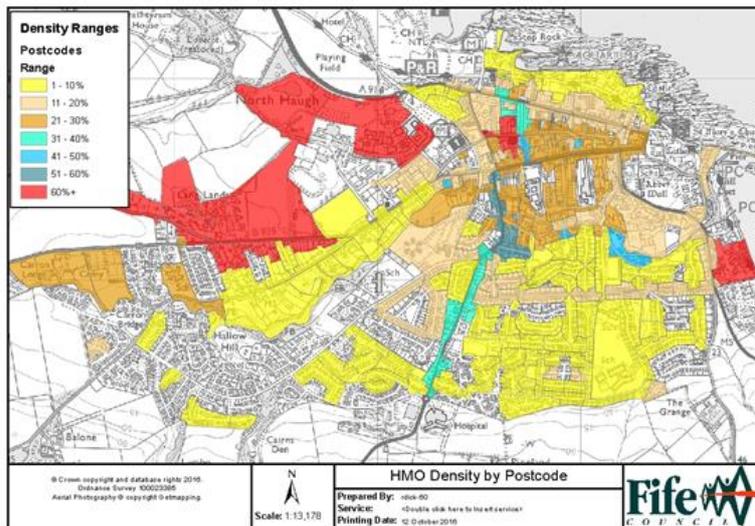
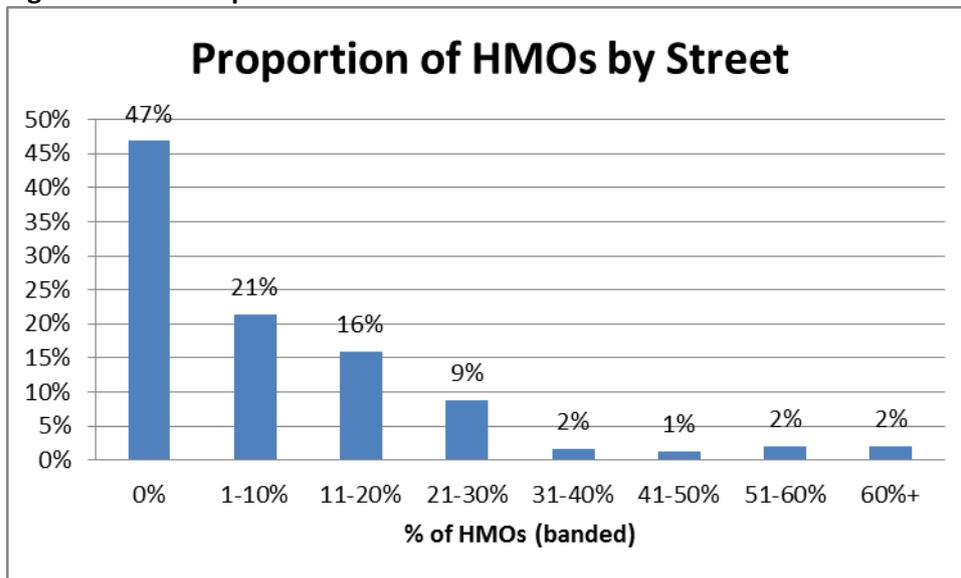


Figure 3.15 below shows the percentage of streets banded by the proportion of HMOs in the street. This shows that almost half (47%) of streets in St Andrews have no HMOs. Those streets with 60% or more HMOs are where purpose built university residences are located.

**Figure 3.15 HMOs per Street**



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## 4. Housing Market Analysis

In this section we provide a summary of the full housing market analysis which is provided as Appendix 3. Appendix 3 provides detailed demographic and housing market analysis to more fully understand the profile of St Andrews and Fife, in order to ascertain the need and demand for student housing and HMOs. While we provide data for Fife as a whole our analysis has concentrated on the town of St Andrews as this is where the vast majority of HMOs in Fife are found.

There are four main areas of analysis:

- Contextual and Demographic Data
- Social Rented Sector
- Private Rented Sector
- House Prices and Affordability

### 4.1 Contextual and Demographic Data

St Andrews has a population of 27,538 which represents 7.5% of the total population in Fife and since 2001, the population of St Andrews has risen by 8.7%, higher than the comparable rate for both Fife (4.5%) and Scotland as a whole (4.6%). There is a significant contrast in age structure in St Andrews compared with Fife and Scotland overall. Those aged 20 to 24 makes up 20.6% of the total population in the town, certainly a result of St Andrews University. This compares with just 6.6% across Fife and 6.9% across Scotland. Among the other age bands, St Andrews is broadly comparable with the rest of Fife and Scotland, although there are fewer residents under 15 years of age.

Overall St Andrews has a relatively lower proportion of economically active residents at 52.3% compared with 69% nationally. This is almost exclusively down to the high proportion of students who are not seeking full time work. Of those who are economically active, a significantly higher than average proportion are full time students seeking work, 16.7% in St Andrews compared with 5.4% nationally.

Unemployment is also lower than the Scottish average at just 3.9% compared with 6.9% nationally and 7.8% across Fife. Levels of self-employment are slightly higher at 11.9% and the town has a higher than average proportion of residents in 'Professional/Managerial' roles (32.4%) and 'Skilled/Technical' occupations (35.3%) compared to the averages for Scotland (26.7%) and Fife (28.5%). This is explained by the presence of the University which is the largest single employer in the town. There is also a higher than average proportion of residents employed in 'Elementary' occupations (14.6%), largely due to the town's paper manufacturing.

Detached housing makes up 31.8% of the total housing stock in St Andrews, a higher proportion than both Fife (24.2%) and Scotland (21.9%). There are also relatively more semi-detached properties (27.7%) when compared with the Fife and Scottish averages, 25.8% and 22.8% respectively. In line with the averages for Fife, St Andrews has a lower proportion of

flats, 23.1% compared with 25.8% across Fife and 36.4% nationally. This is noteworthy given the high numbers of students in the town, who tend to favour flatted accommodation.

By tenure, the vast majority of households in St Andrews are owner occupied; either outright or with a mortgage; 57.5% compared with a national average of 61.5%. However this rate is lower than both the Fife and Scottish averages at 64.4% and 61.6% respectively. The town instead has considerably more privately rented properties which make up 22% of the total stock. This is double the average for both Fife (9.8%) and Scotland (11.1%).

## **4.2 Social Rented Sector**

Levels of local authority rented properties in St Andrews are much lower at 9.8%, than the average for Fife of 18.%. There are a total of 940 social rented units in St Andrews. The majority of these (734, 78%) are provided by Fife Council with Kingdom HA providing 111 units (11.8%), Hillcrest HA providing 56 units (6%), Viewpoint HA 25 units (2.7%) and Bield 14 units (1.5%).

There are 380 housing register applicants currently seeking social housing in the town of St Andrews. Applicants seeking housing in St Andrews are more likely to require a 1 bedroom property (47%) than across Fife as a whole (44%) and noticeably more so than across North East Fife (42%).

Tenancy turnover is considerably lower in St Andrews (6%) than other areas of Fife, suggesting a more stable population which is less likely to give up a social housing tenancy once it has been obtained, reflecting the wider housing market pressures in St Andrews.

When we consider the impact which housing allocations are having on the Housing Waiting list we can see that in St Andrews, the allocations during both 2013/14 and 2014/15 accounted for 15% of the waiting list. There were a greater number of allocations made during 2015/16 and these lets account for 28% of the waiting list in that year. The average over the three year period is 19% which is lower than the three year average for both Fife (22.7%) and North East Fife (22.8%) indicating greater waiting list demand in St Andrews.

Overall, the social rented sector in St Andrews is relatively small and is characterised by high waiting list demand and low turnover and allocations which make little impact on backlog need for social housing.

## **4.3 Private Rented Sector**

As part of this study we looked at the private rented sector in order to understand pricing and costs, availability and affordability. We also wanted to understand how properties were marketed in the St Andrews area i.e. with a focus on occupiers or investors, students or non students.

We firstly looked at rentals in the St Andrews area and then at the wider area, including Cupar, Ceres, Guardbridge and Leuchars, to understand the similarities and difference in the housing markets and areas within this. We used the popular internet house search tool 'Right Move' in

mid-September 2016 to look at what was on the market in St Andrews and the wider area. Although this is a snapshot, the aim of this was to help to understand what was on the market, how and to whom it was marketed, prices and locational factors and the general availability at the time.

At the time of the search, there were 32 rental properties available in the St Andrews area with asking rents ranging from £715 pcm to £2,250 pcm. The availability was as follows:

**Table 4.1 Private Rented Sector Properties Available for Rent September 2016**

No Beds	No. Available
1	11
2	8
3	5
4	6

Source: Rightmove

Rightmove allows a search only for Student Rental properties and there were 12 student properties available at the time of the search. Ten were 1 bed flats at Ayton House (private halls of residence) and two were 2 bed flats. Rents ranged from £165 per person per week (pppw) or £660 per month to £210 pppw/£840 per person, per month.

Looking just at the wider area, there were much fewer rental properties on the market (19). These were spread across the area, with asking rents ranging from £1,150 per month for a 6 bed house in Strathkinness to £400 per month for a 1 bed flat in Cupar. There were no properties specifically marketed as student accommodation in the wider search area at the time of the search.

#### 4.4 House Prices and Affordability

There were 498 residential sales in St Andrews in the past two years, with sold prices ranging from £45,000 to £3m. Around half of the sales were in the past year (257) with sold prices ranging from £51,600 to £3m. The area had an overall average sold price of £338,887, which is above that of Leuchars (£191,064), Tayport (£142,270) and Newport-On-Tay (£223,404). Overall sold prices in St. Andrews over the last year were 4% down on the previous year and similar to the 2006 level of £334,490.

To supplement these findings and further inform our analysis of the St Andrews housing market, we carried out a subsequent analysis of properties for sale. During November 2016 there were 255 properties for sale in St Andrews – of these 131 were within the Town Centre Conservation Area and 255 outwith this. Those in the conservation area had an average asking price of £396,065. Those outwith the conservation area had an average asking price of £249,837 –showing that, on average, sold prices within the conservation area are £146,228 higher than those in other areas of St Andrews.

In total, 340 homes within the St Andrews area are listed as second homes, which represent around 3% of the total stock in the town. This is significantly higher than the average for Fife of just 1.4%.

There are considerable issues relating to affordability of housing for sale in St Andrews with an average gross household income of £481 per week. Using the North East Fife median income data (£25,048) the house price to earnings ratio of someone looking to buy the lowest priced house in St Andrews (£149,500) as shown above would be 6 - significantly above the Scottish average ratio of 3.3.

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## 5. Stakeholder Consultation

In this section we provide the key findings from a wide ranging stakeholder consultation which included consultation with community, university and student representatives, Elected Members and local Lettings and Estate Agents. The findings have been analysed and the key themes are presented in the following areas:

- Housing Market Need and Demand
- Student Housing Market
- Conditions in the Private Rented Sector
- Housing Development
- Impact of HMOs
- Impact on the Moratorium
- Other issues

### 5.1 Housing Market Need and Demand

The housing market was described by consultees as being *'unaffordable for young families and university staff'* indicating that such households *'cannot afford to live in St Andrews'*. Consultees said that University staff and other residents have difficulty in accessing affordable housing and many are forced to move out of the town, to surrounding settlements such as Cupar, Guardbridge and Anstruther. Young residents were said to be unable to afford living in the town centre. One consultee described the St Andrews housing market as *'extremely overheated'* and *'inaccessible to people on moderate incomes'*. Overall it was thought that those people who sustain the town cannot afford to live there and that young people originally from the town are moving away. All of the agents consulted agreed that demand in the St Andrews housing market is very high, particularly from students and from purchasers who wanted to let to the student market.

Consultees said that there had previously been affordable properties parts of town away from the centre such as Lamond Drive, Bogward and Canongate but since 2011, many of these properties had been bought by landlords to let to students. Consultees indicated that ex Council houses sold through the Right To Buy now have asking prices in the region of £200,000 for a two bed semi-detached property. Non HMOs in the private rented sector were said to be let very quickly and command high rents (e.g. 3 bed bungalow £1,000 pcm).

Consultees indicated there have been several recent infill developments comprising two bedroom flats. They felt that these properties had, in effect, been built for students as they are very expensive to rent, at £600 per calendar month, which was thought to be unaffordable for local people. Overall consultees felt that any new build developments became part of the student housing market as they tended to be bought by Buy To Let and absentee landlords. Planning officers indicated that this was not the case as the use of a new build house or flat as an HMO will not be permitted under Fife Council Local Plan Policy H3 unless the development is purpose built for that use.

Other, non-student, renters were said to be post graduate students, university staff, visiting lecturers, staff attached to RAF Leuchars and employees from St Leonards School and local hotels, such as the Fairmont. The view was that younger singles, couples and families would be most likely to want to rent in Cupar, Anstruther or similar areas due to price and the amenities available in those areas. It was thought that families cannot pay the £400- £500 rent per month each room can achieve in the HMO market.

Consultees said that there are a lot of two bedroom student properties which are not HMOs and not subject to the same regulation as HMOs.

Consultees were aware of issues with the number of second homes and holiday homes and said that those buying at the top end of the market were unlikely to be people from St Andrews.

The social rented sector was said to be '*non-existent*' with no new completions between 2007 and 2015.

## **5.2 Student Housing Market**

Consultation with the University confirmed that there are currently approximately 8,300 students attending St Andrews University. Around 3,900 of these live in University owned accommodation and between 3% and 5% of the student population live at home (or elsewhere) and travel to attend university. This group accounts for between 250 and 415 students. Students who live more than 50 miles from the University can apply for accommodation. First year students are guaranteed to be housed in University accommodation. Excluding students in University owned accommodation and travelling students, there is a population of circa 4,000 students who require accommodation in the private sector, either through owner occupation or renting.

Demand for student accommodation in St Andrews is high with the letting season beginning in February and March for tenancy start dates the following September. Students are frequently to be seen queuing outside properties in North Street, South Street and Market Street in an attempt to secure accommodation for the following academic year. Consultation confirmed that students wish to live in the town centre in self-contained properties.

Consultees indicated that due to the lack of provision in the private rented sector students are forced to take properties with high rents, which are often subject to frequent rent increases. Properties are often in poor condition but in their desire to be close to the town centre students accept standards which other tenants would not. There was also a view expressed that students are unaware of their tenancy rights and landlords have little contact with students throughout their tenancy.

Students with smaller budgets were those who rented further away from St Andrews and there was also a view that the student population/University create an unnecessary 'panic' which meant that students felt they needed to secure accommodation well in advance of need, which distorted the market at times and meant that some students, possibly living as far

away as Dundee, were doing so unnecessarily. Those students with larger budgets only wanted to be in central St Andrews.

Consultees understood that students wish to live in town centre areas, close to amenities, shops, bars and restaurants. The Scottish Association of Landlords (SAL) indicated that where students want to live will tend to be clustered in certain areas and HMOs respond to the market meeting the demand in that location. SAL noted that there is often a misconception that young families wish to buy properties in these student areas.

It was noted that University students tend to like to leave university provided accommodation after their first year and even if the University were to substantially increase its supply of accommodation student demand and preference would continue to be for accommodation in the town. Others indicated that university accommodation is provided mainly for first year students which only accounts for around a quarter or less of the student population. Consultees indicated that one of the reasons students pick the University of St Andrews is because they want to live in the mediaeval town centre.

University provided accommodation was considered to be expensive at around £200 per week. Community representatives are concerned that the University plans to expand current student numbers and the demand from this expansion will not be met by purpose built student accommodation, putting further pressures on the town.

Consultees described vacancies within purpose built student accommodation, while agents reported strong demand in the wider private rented sector from the student market. The impact of purpose built, private halls of residence, such as Ayton House, was discussed and one agent felt that these were popular with students who were securing their places at university later, through the process of 'clearing'. Another agent reported that students generally found this type of accommodation too expensive. The same agent described the market as '*a bit saturated at the moment*' and that the private halls may make traditional HMOs more difficult to let, however, they felt that students prioritised living in the central areas over property type and even price. One agent reported that East Sands was even thought by students to be too far away to live.

### **5.3 Conditions in the Private Sector**

Several consultees had concerns about property conditions in the private rented sector. Some described students having contacted the University Accommodation Service to complain about the condition of properties and the University expressed frustration at the high standards which it provides while many landlords in the private sector continue to let poor condition properties with no regulation, enforcement or sanction. Some consultees felt that the condition of private rented properties was having a negative impact on the appearance of the historic town centre.

### **5.4 Housing Development**

Some consultee said that any new developments were '*top end*' and '*for retirees*'. While others said that there was a lack of supply for older households to down size to. Consultees also felt

that affordable housing is not being built in the town and the provision due through commuted sums is being manipulated by keeping development numbers below the threshold. Community representatives said that there is a need for more social housing but there is no sign of any more being built. Some consultees felt that the proportion of permanent residents has decreased compared to students, impacting on the balance of the community.

## **5.5 Impact of HMOs**

Community representatives described areas which they thought had high levels of HMOs, such as East Sands and Queens Gardens. They thought that Queens Gardens had over 90% of properties as HMOs. The impact of this was said to be that students do not look out for their neighbours in the same way that permanent residents would. Community representatives said that students could not be expected to look after properties and their gardens in the same way that permanent residents would.

The impacts of HMOs were described as: unkempt gardens, rubbish in gardens, household rubbish, nuisance seagulls and noise. Refuse collection (which is on a fortnightly basis but is expected to move to monthly collection) was seen as a problem with students putting rubbish beside overflowing bins, but these bin bags are then not collected as they are not in the bins. Recycling was also described as a problem as the main recycling facilities are on the outskirts of town which is perceived to be too far for students to take their recycling if they do not have a car.

The impact of HMOs in St Andrews was also said to have made residential properties unaffordable to local residents. In addition HMOs were said to have changed the nature of the town, particularly in the type of retail provision in the town centre. The shops were said to be more 'up market' including for example Jack Wills and Jo Malone. It was reported that there are now 120 eateries in St Andrews and many of them are fast food outlets which create noise and litter problems. It has also contributed to the lack of parking in the town centre.

Community representatives were also concerned by the loss of Council Tax revenue as neither students nor their landlords pay Council Tax.

Community representatives recognised that there are many properties which are not HMOs but which do house students.

HMOs were also thought by Community representatives to be having a negative impact on the quality of buildings in the conservation area. Consultees indicated that a large issue of concern was the impact of HMOs on the appearance of the town centre.

Some consultees indicated that objections to HMO licences are made by a small number of residents who complain about each new application on principle and not on the basis of any actual problem. Consultees also suggested that these objections could be resolved through mediation and tackling anti-social behaviour when it occurs.

## 5.6 Impact of the Moratorium

Elected Members indicated that the driver for the moratorium had been to improve housing affordability and to encourage more households on lower and middle incomes to live in the town to ensure a more balanced community. However, many consultees said that this improved mix had not happened.

Consultees thought that properties in St Andrews have been taking longer to sell more recently as investor landlords are discouraged by the HMO moratorium and families are discouraged by the property types and high proportion of students. More sales of two bedroom than three and more bedroom properties were reported by one agent with the popularity of five and six bedroom homes to rent (as HMOs) was as high as ever.

Consultees thought that the impact of the moratorium had been to make it more difficult for investors to purchase an HMO and for them to get a license granted in the town centre. The majority of students are looking for an HMO and new HMO licenses are being granted outwith the conservation area. Other consultees agreed that the impact of the moratorium had been to displace new HMOs which were now appearing in typically family areas as landlords were unable to obtain an HMO licence in the areas which they wish to provide HMOs and students want to live in.

Difficulties were reported with gaining planning permissions and HMO licences/renewals. The application fee (quoted as £1,300) was reported as prohibitive. The moratorium was not thought to have led to an increase in the number of students renting in the wider area however demand from buy to let investors wanting to purchase outside of the conservation area was thought to be increasing to meet perceived demand. The moratorium was thought to be having a knock on effect to the surrounding areas, where families are being priced out by investors wishing to purchase buy to let properties for which they would be likely to be granted an HMO license.

Agents confirmed that the appeal to families from the conservation area had not materialised as properties often needed significant investment to bring them back into use as family homes, they lacked parking and gardens and would still be in streets with high numbers of students with different lifestyles to those of families. The high number of shops and pubs appealing to the tourist and student market were also thought to be less appealing to families. Generally the market, serving mainly students and tourists, was thought to be positive for the town and the local economy.

All agents reported a rise in the number of parents of students buying properties close to the university in their child's name and then renting this to friends of their children, without the need for a HMO licence. Further, one agent felt that there had been an increase in illegal subletting and poor conversions/ blocking rooms off to avoid the need for a HMO license. This was thought to be creating future problems with property condition, maintenance and future uses.

A few consultees thought that the moratorium had been successful in stabilising the situation and that the further deterioration in the balance of the community in the town centre has

advanced by encouraging permanent residents, who contribute to the maintenance and pride of place in the historic core, to stay, rather than move away, as had been happening previously.

Some consultees felt that the moratorium had not worked but had instead led to feelings of the community being against students. Others indicated that it had solidified trends which were already occurring with increased rents in the private rented sector and a decline in property conditions which goes unaddressed because students are desperate to secure accommodation in the town centre.

## 5.7 Future Options

Some consultees thought that the Moratorium should be applied across the whole town of St Andrews as HMOs are now spreading across the entire town.

It was considered by many that any blanket ban of HMOs in St Andrews would only serve to drive provision underground and lead to an increase in unlicensed properties continuing to let to students.

A number of consultees suggested 'flipping' the moratorium so that it is acknowledged that the town centre is where students are and want to be and the suburbs are protected for family accommodation. Some also acknowledged that there are many streets within the conservation area which would not be suitable as family housing.

Consultees also suggested wider housing market solutions which go beyond HMO overprovision policies, these included: placing restrictions on houses and flats built as family homes being converted to HMOs; and increasing the supply of affordable homes through buy back of social rented housing which was sold under the Right To Buy

## 5.8 Other Issues

Community representatives felt that their views had been ignored in the Development Plan - both the Local Plan and TAYPlan -and in particular by University developments and the Western Expansion. Conversely many other consultees felt that there had been a lack of development in the town and this was driven by a '*vociferous anti-development body*' and many people who had retired to the town now wished to '*pull up the drawbridge*'.

Traffic was also an issue for St Andrews with commuters from outlying areas increasing the flow of traffic in and around the town. Parking was also described as an issue with a lack of parking in central areas and high charges for available parking, although many consultees suggested that this was not a HMO or student issue as the majority of students in the town do not own cars.

Consultees also recognised that there are many properties which are second homes and holiday accommodation catering for the golf and tourist markets. Consultees acknowledged that although HMOs are generally occupied by students, this is not always the case and,

although discussion of HMOs tends to centre on student occupation, community representatives did not wish to be seen as anti-student or anti-university.

Community representatives also stated that there is a need for a long term vision for the town of St Andrews and were concerned that the main employer in St Andrews (the University) is also the main developer in the town, with some saying that University development proposals were seldom refused. Community representatives indicated that the proportion of students in the town has increased so that it is now approximately equal to the number of permanent residents. Community representatives seek a long term vision that spells out how much further the student proportion is going to increase.

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## 6. Good Practice Review and Case Study Findings

North Star Consulting & Research in collaboration with the Scottish Houses in Multiple Occupation Networking Group (SHMONG), carried out a survey of local authorities in Scotland to gather information on the operation of HMOs in other areas. All 32 local authorities were asked to take part in the survey and we received a total of 22 responses which represents 69% of local authorities. In this section the survey findings in relation to fee structures and overprovision policies are presented.

We also carried out four case studies exploring the practice in four other local authority areas and their approach to overprovision of HMOs. The full Good Practice Review and Case Study Findings are provided as Appendix 4 to this report.

### 6.1 Fee Structures

There are as many HMO Licensing fee structures as there are local authorities in our sample. Fees charged vary widely from £206 to £32,288 for a new HMO application and from £193 to £16,144 for a renewal.

The majority of authorities have a sliding scale fee structure. Those with larger populations, high numbers of students and high numbers of HMOs have between six and ten points on their fee scale.

Fife Council currently has a flat fee structure which does not reflect costs or resources involved in administration of the licensing system. **We recommend that Fife Council revise the current fee structure to be a sliding scale as set out in Table A4.2 in Appendix 4.**

### 6.2 Overprovision Policies

Only 20% of our sample of local authorities have any policies in place to restrict the number of HMOs in their area. These were larger city authorities (Dundee, Glasgow, Stirling) and Fife Council. Our more detailed case study research has found that:

- Policies have been introduced to provide clarity on what is permitted and frequently in response to a community perception that HMOs create problems of affordability, noise, anti-social behaviour. These perceptions have not been supported by complaints and subsequent investigation of these.
- Policies tend to follow the threshold principle with maximum percentages applied in areas where families seek to live and no limits in areas where students but not families wish to live
- Case studies also confirm that students prefer to live in non purpose-built accommodation, tending to congregate in areas with amenities such as shops, restaurants and bars
- Where thresholds are introduced, two authorities had selected Census Output Areas for the threshold calculation area

- Those authorities with over provision policies differ from St Andrews in terms of overall population and the proportion of the population made up of students. None are directly comparable to St Andrews
- Authorities recognise the significant positive impact which students have on the local economy and acknowledge that students have been present for a very long time
- Authorities recognise the benefit of student HMO so that quality of dwelling and tenancy management issues can be addressed rather than through other routes where there is less regulation and control
- Overall it is difficult to quantify the overall impact of HMO over provision policies and some measures are very difficult to implement where policies restrict the number of new applications and those allowed through planning permission. There are limitations to the effect that any over provision policy can have.

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## 7. Conclusions and Recommendations

In this section we provide our conclusions and recommendations in line with the main study objectives to review the current arrangements and make recommendations to ensure that Fife Council's:

- Policy is comprehensive, including investigating the need for any additional policies to stimulate or control the supply and management of HMOs as part of a need and demand assessment
- Housing and planning policies for HMO provision are operating coherently
- Fee structure is proportionate and compliant with the policy and guidance framework or make recommendations for an alternative approach.

This chapter is set out in the following sections:

- Fee Structures
- St Andrews Housing Market Analysis
- HMOs in St Andrews
- Future Options for HMOs in St Andrews
- Other Issues

### 7.1 Fee Structures

There are as many HMO licensing fee structures as there are local authorities with no consistency of approach between areas. Fees charged vary from a minimum of £206 to a maximum of £32,288 for a new HMO application and from £193 to £16,144 for a renewal.

Almost three quarters of authorities have a sliding scale fee structure while 29% have a flat fee. The majority of local authorities offer a discount for a renewal of an existing HMO licence. When we consider those authorities with the largest number of HMOs (Glasgow, Dundee, Aberdeen, Fife and Stirling), we find that four of the five have a sliding scale (ranging from a 6, 7, 8 and 10 point scale) while Fife is the only authority with a flat fee. Only Stirling do not offer a discount on renewal of an HMO application. Of those authorities which offer a discount, discounts range from 16% to 62% (the highest discount is found in Fife).

On the basis of our analysis of the current fee structure in Fife and comparison of this with other local authority fee structures, we recommend that Fife Council revise the current fee structure. The existing flat fee does not take into account the number of occupants in an HMO nor does it consider the amount of resources spent on each application and a sliding scale should be introduced. **Based on the current range of HMO properties and their number of occupants, we recommend the following sliding shown in Table 7.1 below:**

**Table 7.1 Recommended Fee Structure Sliding Scale**

No. of Occupants
3-5
6-10
11-20
21-50
51-100
101-200
201-300
301-400
401-500
501+

We do not have a full picture of the costs of operating the HMO Licensing function within Fife Council but **recommend that the fees are set at levels which ensure costs are covered without generating a sizeable surplus. Fees should reflect the resources required to carry out the licensing function.** Where analysis of the costs associated with renewal can be confirmed as significantly lower than those for a new application a discount should be applied to renewals.

**A separate fee should be established for variations to an existing licence**, again to reflect the resources required to administer the variation to the licence. Several authorities also provide discounts for applications from dwellings where several individual residences have the same footprint and internal specification and this too, should be incorporated into the fee structure.

It is recognised that where re-inspections are required additional costs are incurred and **it would be reasonable to introduce an additional charge if an applicant requires more than one re-inspection of the property.**

## 7.2 HMOs in St Andrews

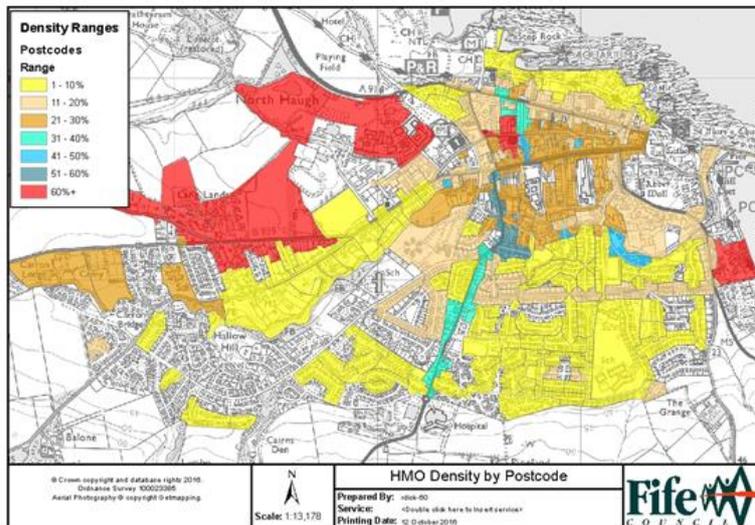
The moratorium on new HMOs in St Andrews was introduced during 2011 and five years on, sufficient time has passed to understand whether the policy has had an impact on the number of HMOs in the town and improved affordability for families wishing to live in St Andrews.

We can see clearly that the number of HMOs in St Andrews have increased by 11.3% since the introduction of the moratorium. The number of HMOs inside the conservation area has increased by 7.6% while the number of HMOs outside the conservation area has also increased, but by a larger proportion (13.9% since 2011).

Analysis of the Fife Property Gazeteer and current HMOs in St Andrews shows that almost half (47%) of streets in St Andrews have no HMOs; 21% of streets have between 1% and 10% of properties as HMOs; 16% of streets have between 11% and 20% of properties as HMOs; 9% have between 21% and 30% of properties as HMOs; 2% have between 31% and 40%; 1% have between 41-50% and 2% have between 51-60%. Those streets with 60% or more HMOs are

where purpose built university residences are located. Figure 7.1 provides an illustration of HMO density by street.

**Figure 7.1 Density of HMOs by Street**



From our analysis of the number of HMOs in St Andrews and a comparison of this against the community perceptions, it is clear that the community believe there to be more HMOs than there actually are. This may be because properties: are unlicensed; may have several occupants but be occupied by the owner and their lodgers; or may not be HMOs, but private sector lets with less than 3 (or 5) occupants.

### 7.3 St Andrews Housing Market Analysis

Excluding those students housed in University owned accommodation and travelling students there is a population of circa 4,000 students who require accommodation in the private sector, either through owner occupation or renting.

St Andrews has a rising population with the largest age group being 20 to 24 years which makes up 20.6% of the total population in the town, certainly a result of St Andrews University. By tenure, the vast majority of households in St Andrews are owner occupied; either outright or with a mortgage; 57.5% compared with a national average of 61.5%. However this rate is lower than both the Fife and Scottish averages at 64.4% and 61.6% respectively. The town instead has considerably more privately rented properties which make up 22% of the total stock. This is double the average for both Fife (9.8%) and Scotland (11.1%). Levels of local authority rented properties are much lower at 9.8%, than the average for Fife of 18.0%. In total, 340 homes within the St Andrews area are listed as second homes; which represents around 3% of the total stock in the town. This is significantly higher than the average for Fife, 1.4%.

House prices are high and there are considerable issues relating to affordability in St Andrews with an average gross household income of £481 per week. Using the North East Fife median income data (£25,048) the house price to earnings ratio of someone looking to buy the lowest

priced house in St Andrews (£149,500) would be 6:1 - significantly above the Scottish average ratio of 3.3:1.

The social rented sector in St Andrews is relatively small and is characterised by high waiting list demand and turnover and allocations which make little impact on backlog need for social housing.

Stakeholder consultation indicated that the housing market is *'unaffordable for young families and university staff'* indicating that such households *'cannot afford to live in St Andrews'*. Consultees said that University staff and other residents have difficulty in accessing affordable housing and many are forced to move out of the town, to surrounding settlements such as Cupar, Guardbridge and Anstruther. Young residents were said to be unable to afford living in the town centre. One consultee described the St Andrews housing market as *'extremely overheated'* and *'inaccessible to people on moderate incomes'*. All of the lettings and estate agents consulted agreed that demand in the St Andrews housing market is very high, particularly from students and from purchasers, who wanted to let to the student market.

The Council also recognises that the private rented housing market, which includes HMOs, is an important element of the housing stock in St Andrews. It provides affordable accommodation for those working and studying in the town and unable to buy their own property due to personal circumstances and the high price of property in the town. The Council also recognises that this form of housing is helping to support the St Andrews economy and that it is important that the supply of such accommodation is available to meet their needs.

## 7.4 Impact of HMOs

Through the consultation the most frequently mentioned impacts of HMOs were said to be:

- Students cannot look out for their neighbours in the same way that permanent residents would
- Students could not be expected to look after properties and their gardens in the same way as permanent residents
- Unkempt gardens, rubbish in gardens, household rubbish and nuisance seagulls and noise
- Making residential properties unaffordable to local residents
- Changing the nature of the town, particularly in the type of retail provision,
- The loss of revenue to the Council as neither students nor their landlords pay Council Tax
- A negative impact on the quality of buildings in the conservation area.

Consultees recognised that there are many properties which are not HMOs but which do house students and that second homes, holiday homes, golf and tourism are also factors which have led to high house prices in the town.

Some consultees indicated that objections to HMO licences are made by a small number of residents who complain about each new application on principle and not on the basis of any

actual problem associated with HMOs. Consultees also suggested that these objections could be resolved through mediation and tackling anti-social behaviour when it occurs.

## **7.5 Impact of the Moratorium**

There are limitations within the current over provision policy or moratorium which states that no new HMOs will be permitted and within the Conservation there will be restrictions on any change of use applications for an existing policy to be used as an HMO. The policy was introduced in order to achieve a balance between the competing demands for accommodation and the need for a balanced community. But, as we can see from the recent increase in the number of HMOs in St Andrews it is not having the desired impact. Indeed an unintended consequence of the moratorium has been to push the provision of HMOs for students out from the centre, where students want to be, to surrounding suburban areas where families are more likely to want to live. Affordability in these areas has been further squeezed and agents report greater demand for properties from Buy To Let landlords in these areas.

The community perception is that the moratorium has been successful in reducing or halting the increase in the number of HMOs in the conservation area, but this perception is not supported by the statistical evidence. Feedback from estate agents indicated that students and their families are purchasing homes in the area and subletting to other students, such is the desire to live in the town centre.

## **7.6 Future Options for HMOs in St Andrews**

As it is clear that the current policy cannot be regarded as ‘comprehensive’ nor ‘operating coherently’ in this section we provide an appraisal and recommendations in relation to the future options for HMO overprovision policy in St Andrews. The options which we have considered are:

- Option 1 – Have no HMO over provision policy
- Option 2 – Status Quo – continue with the moratorium in its current form
- Option 3 – Extend the moratorium to cover all of St Andrews
- Option 4 – Introduce a Threshold Policy
- Option 5 – Planning Policy Controls

### **7.6.1 Option 1 – No HMO Over Provision Policy**

The first option to be considered is to remove any restrictions and have no over provision policy of any kind for HMOs in St Andrews. This would allow market forces to determine demand for housing and those with the greatest budgets and motivation to purchase or rent property in St Andrews would be able to do so. This would be likely to lead to more demand from landlords hoping to let to the student market across all areas of the town, including the conservation area and the wider suburbs. It would also be likely to lead to less ‘underground’ letting of HMOs as they would be permitted anywhere in the town so landlords may be more likely to register their properties and as a result management and enforcement of licensing and tenancy conditions could be more rigorously applied, in turn driving up standards in the sector.

There are a small number of perceived benefits with Option 1 but we have discounted this as a suitable approach as it would continue to drive up prices in the suburban areas of the town where families are most likely to want to live and to be able to afford a property. The balance of the community in St Andrews would be further skewed away from family and full time resident accommodation. There would be community resistance to the removal of any active management of the situation. **We do not recommend pursuing this option.**

### **7.6.2 Option 2 – Status Quo**

The second option considered is to maintain the status quo – continuing with the moratorium. As we have demonstrated throughout this report the moratorium in its current form has not delivered its stated objectives. There are limitations with a moratorium approach and as we have seen the number of HMOs within the conservation area has increased. In addition HMO provision has been pushed beyond the town centre into more suburban areas putting further pressure on the housing market in these areas which are more likely to be sought by and be affordable for permanent residents and families. Consultation confirmed that the perceived appeal to families from the conservation area has not materialised as properties often need significant investment to bring them back into use as family homes, these properties lack parking and gardens and would still be in streets with high number of students with different lifestyles to those of families. Fife Council HMO guidance stresses the need for private rented and affordable housing for those working and studying in the town and consequently contributing to the local economy. **We do not recommend pursuing this option.**

### **7.6.3 Option 3 – Extend the Moratorium**

Option 3 would be to extend the moratorium to cover all of St Andrews. This option would extend the moratorium beyond the conservation area to cover all of St Andrews. – continuing with the moratorium approach. As we have demonstrated throughout this report the moratorium in its current form has not delivered its stated objectives. There are limitations with a moratorium approach and as we have seen the number of HMOs within the conservation area has increased since the introduction of the policy. The effect of this approach would likely be to further push demand for HMOs beyond the town centre into areas traditionally favoured by the family market and permanent residents, including towns and villages in close proximity to St Andrews, further impacting on affordability and the housing options of local residents. **We do not recommend pursuing this option.**

### **7.6.4 Option 4 – Introduce a Threshold Policy**

Within Option 4 we have considered two options:

- The introduction of a threshold policy across the whole of the town
- The introduction of a threshold policy outwith the conservation area

A threshold approach could be introduced across the whole of St Andrews, but this would mean demand for HMOs from the student market would be pushed even further out from the centre into areas traditionally favoured by the family market and permanent residents, including towns and villages in close proximity to St Andrews, further impacting on

affordability and the housing options of local residents. Many of the streets which currently have the highest concentrations of HMOs are not in the conservation area but are within, or border, traditional family residential areas - those areas which are most likely to best deliver a rebalancing of the community. On average, sold prices within the conservation area are £146,228 higher than those in other areas of St Andrews and would be unaffordable to the family market and those on moderate incomes. We know that there is a lack of demand from families to live in the conservation area due to property prices (also fuelled by golf and tourism markets); property condition, lack of family friendly amenities, parking, gardens, etc. The high number of shops and pubs appealing to the tourist and student market were also thought to be less appealing to families. **It is our recommendation that there should be no overall threshold limit on the number of HMOs in the conservation area. This is the area in which students want to live, landlords want to provide HMOs and there is little or no demand from the family market due to high prices and poorer property conditions.**

**It is our recommendation that a threshold approach be introduced in the suburban areas outwith the conservation area of St Andrews.** We recommend only one threshold level is put in place as any overprovision threshold policy with a number of thresholds based on individual streets or Census Output Areas will be administratively complex, difficult to understand, difficult to monitor and require additional resources within the HMO licensing team to manage. It will also require the development of a more sophisticated IT system to support this approach. **Based on current levels of provision we would suggest a threshold of 50%, but this should be introduced in conjunction with Option 5 described below. If Option 5 is not simultaneously introduced we would suggest a significantly lower threshold outside the conservation area.**

It would be unreasonable to deny current license holders a renewal of their license but this approach would mean that no further properties would be lost to the HMO market and on the occasions when HMO properties are put up for sale there may be opportunities for local residents and the family market to bring these properties back into owner occupation. Threshold levels should be kept under review, but we would expect thresholds in these areas to be reduced rather than increased in the short to medium term in an effort to rebalance the community in these areas.

### **7.6.5 Option 5 – Planning Policy Controls**

Option 5 considers the use of planning policy to ensure that no further family homes become HMOs. The current planning policy which requires planning permission to be granted in relation to applications to form new HMOs could be extended to all areas of St Andrews. This policy could also be further considered in terms of the number of occupants to which it applies. At present planning permission is required for flats with three or more unrelated occupants and houses where there are five or more unrelated occupants. The threshold relating to houses could be brought into line with the policy for flats and reduced to three occupants. This would further restrict the conversion of family homes to HMOs and would be especially worthwhile in the suburban areas.

The planning policy which aims to control the number of HMOs in new build house or flat as an HMO will not be permitted unless the development is purpose-built for that use is a positive

approach and the Council should continue to impose this restriction by applying a condition to planning permissions. It has been suggested by some consultees that there is a loophole in the current policy and this should be addressed so that this policy applies in perpetuity as a condition in the title deeds and not for the duration for which a dwelling may be considered to be 'new build'. **It is recommended that planning policies designed to control the number of HMOs are continued in St Andrews and used in conjunction with a threshold policy as described above.**

## 7.7 Other Issues

Many of the problems with town centre amenity which have been attributed to HMOs cannot be solely accounted for by HMOs. There are many more student residences which are not HMOs, such properties are more difficult to control and regulate. There are opportunities to improve town centre management in relation to refuse collection, recycling, commercial waste which should be addressed through environmental intervention rather than HMO policy framework. Similarly there are mechanisms in place which can be used to deal with anti-social behaviour and noise nuisance when these issues arise.

There is a role for the Private Sector regulation team to work with landlords in the town to ensure compliance with standards required of landlords and to work with them to ensure rental properties meet acceptable standards of building condition and tenancy management.

In relation to the changing nature of the St Andrews town centre this is not solely driven by the student population. Tourism and golf are both key contributors to the wealth and economic well-being of the town and these markets in conjunction with the student population have delivered a town centre with a wide variety of shopping, eating and entertainment businesses which mean that St Andrews punches well above its weight in relation to the provision of retail and commercial offerings. It would be beneficial if additional resources could be directed towards enhanced town centre management, increased refuse collections and targeting property condition in the conservation area.

There is a lack of affordable housing supply in St Andrews and this is something that also needs to be addressed through future development of a variety of affordable housing provision including: social rented, intermediate tenures and affordable owner occupation. The affordable housing policy should be adhered to for any new development and any commuted sums generated should be ring-fenced for provision of affordable housing in St Andrews.

Overall, it is clear that there is a need for a long term vision for the town of St Andrews to articulated and agreed, which is communicated to the residents of the town. Given its longstanding history and the positive economic benefits which the University brings to the town it must be recognised that students and the University are likely to be an integral, indeed key, element within any such strategy, as will the wider community and businesses.

## **Appendix 1 – Literature and Document Review**

DRAFT

In framing this study in the wider context relating to HMOs it is essential to explore legislative, statutory, strategic and policy drivers specifically relating to the use of HMOs across Scotland, as well as across the local authority area. This element of the study involved an extensive policy and literature review which covered the documents shown in Table A1.1:

**Table A1.1: Policy Documents**

Literature Type
<b>National Policies, Frameworks and Guidance</b>
<a href="#">The Civic Government (Scotland) Act 1982</a>
<a href="#">The Civic Government Act 1982 HMO Order 2000</a>
<a href="#">Fire Scotland Act 2005</a>
<a href="#">Housing Scotland Act 2006</a>
<a href="#">Private Rented Housing Act 2011</a>
Licensing of Houses in Multiple Occupation: Statutory Guidance for Scottish Local Authorities
<b>Key Local Policies, Strategies and Documents</b>
<a href="#">Fife Local Housing Strategy 2015 to 2020</a>
<a href="#">Adopted St Andrews and East Fife Local Plan</a>
<a href="#">Fife Council Supplementary Planning Guidance on Affordable Housing 2014</a>
<a href="#">Fife Council HMO Guidance</a>
Draft Supplementary Planning Guidance: Houses in Multiple Occupation ( St Andrews Central Conservation Area)
<a href="#">St Andrews Town Commission on Housing 'Housing Need and Housing Pressure' 2013</a>
<a href="#">St Andrews Centre for Housing Research 'Growing Economies and Building Homes: Reconciling Well Being in St Andrews' 2013</a>
<b>Wider Literature</b>
2008 Communities and Local Government research study; 'Evidence Gathering- Housing in Multiple Occupancy and Possible Planning Responses'
<a href="#">Welsh Government, Houses in Multiple Occupation: Review &amp; Evidence Gathering, 2015</a>
The Nature and Impact of Student Demand on Housing Markets, Joseph Rowntree Foundation, Rugg, J., Rhodes, D. and Jones, A, 2000
University Students and City Centres: The Formation of Exclusive Geographies, The Case of Bristol, Chatterton, P, 1998
The Politics of Studentification and '(Un)balanced' Urban Populations: Lessons for Gentrification and Sustainable Communities? Smith, D, 2008

## National Policy Context

### The Civic Government (Scotland) Act 1982 HMO Order 2000

The Civic Government (Scotland) Act 1982 is an Act of the United Kingdom Parliament which sets out a wide range of civic government matters and provides information on how local authorities should deal with licensing. Specific guidance on HMO licensing is provided in The Civic Government Act 1982 HMO Order 2000.

Since 1991 Local authorities in Scotland have been given discretionary powers to introduce HMO licenses under the Civic Government (Scotland) Act 1982. However in 2000, a new Order

under the Act was introduced making it mandatory for all authorities to introduce an HMO licensing scheme.

The order sets out guidance on how HMOs should be licensed and processed. It also provides the first definition of an HMO, which was expanded in the Housing Scotland Act 2006:

*“A house is an HMO if it is the only or principal residence of three or more qualifying persons from three or more families.”*

For those operating an HMO without a license, there is a maximum penalty of £50,000.

### **Fire Scotland Act 2005**

The Fire (Scotland) Act 2005, as amended, places a duty on employers, employees, managers, owners and others in relation to fire safety. Where a property is an HMO, inspections should be carried out by the local authority to ensure the property meets the required fire safety standard.

Assessments should be carried out on the following:

- Circulation Spaces
- Fire Alarms- must be fitted and working in all bedrooms, living rooms and circulation spaces
- Fire Doors- All doors except bathrooms and small cupboards require to have 30 minutes fire resistance, be fitted with self-closing devices and 10mm wide intumescent strips with smoke seals
- Fire Fighting Equipment
- Fire Resistance between rooms and roof spaces
- Fire Stopping- on power points, recessed light fittings, access hatches and ventilation pipes
- Emergency Lighting- to be provided in every circulation space
- Power Supplies- Fire detection alarm and emergency lighting systems should be connected to a permanent electricity supply which is not controlled by a power card meter, prepayment meter or similar device.
- Security Locks on entrance doors to HMOs, bedrooms and windows should be overridden from the inside without the use of a key i.e. thumb turn overrides. No hasp and padlocks are to be fitted to any doors at any time. Security bars, grills, shutters or other similar security measures shall be removed from all exits doors, windows.
- Means of Escape via Common Close Refuse storage should be managed to ensure that it does not pose an obstruction or a risk in the event of fire

### **Housing Scotland Act 2006**

For local authorities The Housing (Scotland) Act 2006 provides a statutory framework on the operation of HMO licensing under Part 5 of the Act.

An updated definition of an HMO within the meaning of the 2006 Act is provided:

Living accommodation is an HMO within the meaning of the 2006 Act if it is:

- occupied by three or more persons from three or more families, and
- occupied by them as their only or main residence or in some other manner specified by the Scottish Ministers by order, and
- either a house, premises or a group of premises owned by the same person with shared basic amenities, or some other type of accommodation specified by the Scottish Ministers by order.

Accommodation within a building which, although otherwise separate, shares use of a toilet, personal washing facilities or cooking facilities, is taken to form part of a single HMO. The accommodation must be licensed regardless of the type of owner (e.g. private individual, Registered Social Landlord etc.) as long as it is not otherwise exempt.

Under the act, additional enforcement powers for local authorities are included:

- A local authority can revoke a licence at any time, if the owner or agent are no longer suitable, the living accommodation is no longer suitable and cannot be made so by varying the licence conditions, or a condition has been breached [section 139].
- A local authority can serve an HMO amenity notice, requiring work to make an HMO fit for occupation by a specified number of people [section 146].
- When an HMO is not licensed or a condition is breached, the local authority can serve a notice so no rent is payable [section 144]
- The local authority may make a requirement for a licence holder to take action to rectify or prevent a breach of a licence condition. It is an offence for the licence holder or agent to permit any person to occupy the HMO while a requirement is in effect. The maximum fine is £10,000. [section 145]
- The maximum fine for operating an HMO without a licence (for the landlord or agent) is increased to £20,000. The same applies to an agent not authorised by an HMO licence. This was later increased to £50,000.
- The maximum fine for a licence holder who breaches a licence condition or authorises an agent who is not specified in the licence and for an agent who causes a licence condition to be breached is set at £10,000. [section 154(2)(a), (c) and section 154(5)]
- If an HMO owner or agent is convicted of any of these offences, the court may also revoke the licence. Where the owner is convicted, they can be disqualified from holding a licence for up to five years. Where the agent is convicted, they can be disqualified from acting as an agent for a licence holder for up to five years. [section 157]
- Order making powers also exist under sections 126 and 127 of the 2006 Act to add, remove, or vary descriptions of exemptions or allow certain local authority discretion.

There are seven types of exemption from the licensing requirement (section 126 of the 2006 Act).

- Where the property is occupied only by the owners, members of their families, and any other persons who are not related to the owners and are members of no more than two other families.
- Where the HMO is provided as part of a service registered in certain categories under Part 5 of the Public Services Reform (Scotland) Act 2010 or section 10Q(1) of the National Health Service (Scotland) Act 1978.
- Where the occupants are members of, and fully maintained by, a religious order, mainly occupied in prayer, contemplation, education or the relief of suffering, plus no more than two people who are not members of the order.
- Where the owner's rights and obligations have been transferred to a local authority under section 74 of the Antisocial Behaviour etc. (Scotland) Act 2004, in order that the local authority can take steps to prevent antisocial behaviour by the occupiers.
- Forces accommodation.
- Prisons and related institutions.
- Where the HMO is owned by certain co-operative housing associations.

## **Private Rented Housing Act 2011**

Additional guidance and changes to the HMO licensing system is set out in Part 2 of the Private Rented Housing Act 2011. Amendments to the Housing (Scotland) Act 2006 are given as:

- Ministers have the power to bring by order additional types of multi-occupancy property within the scope of HMO licensing
- Local authorities have the power to refuse to consider an application for an HMO licence if it considers that there would be a breach of planning control
- Local authorities must consider whether there has been subdivision of rooms or adaptations resulting in moved water and drainage pipes when considering whether to grant an HMO licence
- Local authorities have the power to refuse to grant an HMO licence if it considers that there is overprovision of HMOs in the locality
- The maximum fine for offences increased
- Removal of the requirement for a local authority to issue a statement of reasons for every HMO licensing decision; and
- Local authorities to take account of guidance issued by the Scottish Ministers on the use of its information gathering powers.

## **Licensing of Houses in Multiple Occupation: Statutory Guidance for Scottish Local Authorities, 2011, updated 2012**

Statutory guidance was provided for Scottish local authorities in 2011 in order to attempt to improve the physical standards of accommodation and the management of HMO properties.

The guidance provides information on their functions in relation to HMO licensing under Part 5 of the Housing (Scotland) Act 2006.

**Part Two** of the guidance provides an overview of the legislation and the process involved in applying for an HMO. Key Points:

- **Penalties:** It is a criminal offence to operate an HMO without a licence. The maximum penalty is currently £50,000. In addition, under section 144, the local authority may impose a suspension of rent order, so that no rent is payable by occupiers in relation to the HMO.
- **Process for Applying for a licence:** The owner submits an application to the local authority, together with the appropriate fee. The application must contain the information set out in Schedule 4 to the 2006 Act, and “any other information which the local authority may reasonably require”. The owner must also display a notice outside the property for 21 days, informing the public of the application and how to submit objections to the local authority.
- **Making a decision:** The local authority has to satisfy itself that the applicant, and their agent, is a fit and proper person to operate an HMO in regard to section 85 of the Antisocial Behaviour etc. (Scotland) Act 2004, as amended. The local authority must also ensure that neither the applicant nor the agent is disqualified from holding a licence or acting as agent for a licence holder (by court order under section 157 of the 2006 Act). If the authority is not so satisfied, the authority must refuse to grant the licence. The authority must also satisfy itself that the property is suitable for use as an HMO or could be made so by including conditions in the licence. If the authority is not so satisfied, the authority has no power to grant the licence. The local authority cannot consider an application from the same applicant for the same accommodation, or any accommodation where refusal was on the grounds of failing the fit and proper test, within one year of refusal. This does not prevent the local authority from considering a further application where it is satisfied that there has been a material change of circumstances. The authority must copy the application to the Chief Constable for the area and the chief officer of the appropriate fire and rescue authority.
- **Rights of Entry:** The local authority has rights of entry and inspection to enable it to assess whether the living accommodation is suitable for occupation as an HMO. These rights may also be exercised at any stage to assist the authority in exercising its licensing functions
- **Objections:** The local authority must also consider any objections to the application. The 2006 Act permits any person to make an objection to a licence application.
- **Appeals:** appeal must be made within 28 days of receiving notice.
- **Time:** the Local Authority must make a decision on an HMO within a year.
- **Length of licence:** A licence may be granted for a maximum period of three years, and for no less than six months.
- **Revoking a licence:** A local authority may revoke a licence at any time. The three possible grounds are that the licence holder or agent is no longer a suitable person, that the accommodation is no longer suitable for occupation as an HMO and cannot be made suitable, or that a condition of the licence has been breached.

**Part Three** deals with administration of HMO licensing. Key points are:

- **Good Practice:** local authorities should seek to avoid placing unreasonable burdens on good owners and seek to robustly tackle poor practice and unscrupulous owners.
- **Engagement:** local authorities should engage with HMO owners to ensure that they are operating the regulatory regime in a reasonable and proportionate manner. Setting up a forum including local HMO owners can be a useful way to discuss general issues of concern and agree on steps to address them.
- **A Need for Flexibility:** Local authorities should also note that the standards and approaches adopted in respect of individual HMO owners, or other small HMO businesses, are likely to be inappropriate for large scale providers such as universities and commercial providers of student accommodation. Local authorities should therefore exercise flexibility and discretion in their assessment of applications from different types of providers to ensure that while occupiers remain protected, compliance costs for HMO owners are not unreasonable.
- **Administration of HMO licensing:** It is recommended that local authorities establish a clearly identified team as the single point of contact for HMO enquiries, applications, objections and complaints.
- **Fees:** Local authorities may take different approaches to structuring their fee levels. Some may charge a flat fee, while others may use a sliding scale based on the number of occupants of the HMO.

**Part Four** discusses the key areas local authorities should consider in setting standards and licensing conditions. Key points are:

- **Housing quality:** The accommodation must be suitable for occupation as an HMO. Factors to consider include:
  - location
  - condition
  - any amenities
  - the type and number of persons likely to occupy the accommodation
  - whether any rooms have been subdivided
  - whether any rooms have been adapted, resulting in an alteration to the situation of the water and drainage pipes
  - the safety and security of persons likely to occupy the accommodation
  - the possibility of undue public nuisance.
- **Inspection:** Local authorities should ensure that their procedures for assessing applications, including direct inspection where this takes place, are proportionate and cost-effective. Either a single report or individual reports may be produced.
- **Power to include License Conditions:** Local authorities have a power to impose such licence conditions as they think fit which may, for example, require certain standards to be maintained through the period of the licence (section 133 of the 2006 Act).
- **Nine Licensing conditions** are listed. The license holder should:
  1. Take steps to ensure that the property, fittings and furniture, including fire precautions, plumbing gas and electrical installations, are maintained throughout

the period of the licence to the standard required. The HMO owner should hold all necessary certificates.

2. Ensure that advice to occupiers on action to be taken in the event of an emergency is clearly and prominently displayed within the living accommodation.
3. Ensure that the physical standards for HMO living accommodation assessed as suitable by the local authority when approving the licence application are met at all times.
4. Ensure that the number of persons residing in the premises shall not exceed a stated number.
5. Make the Licence, including any conditions, available to occupiers, within the premises where it can be conveniently read by residents.
6. Ensure that actions to secure repossession must be only by lawful means.
7. Ensure that Liquefied Petroleum Gas (LPG) shall not be used or stored on the premises.
8. Comply with the current regulations regarding maximum re-sale prices of gas and electricity supplied, as appropriate.
9. Ensure that let rooms are fitted with a lever latch and secured with a suitable lock and thumb turn mechanism or other appropriate locking mechanism.

**Part Five** looks at the identification, enforcement and complaints procedure. Key points are:

- **Enforcement Powers:**
  - A local authority can revoke a licence at any time, if the owner or agent are no longer suitable (e.g. as not fit and proper), the living accommodation is no longer suitable and cannot be made so by varying the licence conditions, or any condition of licence has been breached.
  - A local authority can vary the terms of a licence at any time.
  - When an HMO is not licensed or a condition is breached, the local authority can make a rent suspension order in relation to the HMO.
  - The local authority may decide to require a licence holder to take action to rectify or prevent a breach of a licence condition.
  - A local authority can serve an HMO amenity notice, whether the HMO is licensed or not, requiring work to make an HMO fit for occupation by a specified number of people.
  - A local authority has a general power, in order to enable or assist it to exercise its functions under the Act, to require a person owning, occupying or receiving rent in respect of land or premises to provide information about the land or premises, including the nature of that person's interest and the name and address of any other person with an interest. When this is done to establish whether there is a licensable HMO on the land or premises, the notice may also require the person to state their relationship to other occupants.
  - A local authority has a right of entry to any land or premises for the purpose of enforcing the HMO licensing regime, which is enforceable by court warrant.
  - The ultimate sanction in the licensing regime is prosecution. Licensing officers should take care, in carrying out inspections or investigations into suspected

unlicensed HMOs, that any evidence is collected in such a way that it would be admissible in court, if necessary.

## Wider Literature

### **St Andrews Town Commission on Housing: Housing Need and Housing Pressure, 2013**

In 2013 the **St Andrews Town Commission on Housing**, made up of representatives from Fife Council, the University of St Andrews, St Andrews Community Council and University of St Andrews Student Association carried out a study into 'Housing Need and Housing Pressures in St Andrews'. The aims of the Commission were:

- To collect and analyse data on the current population of the town and how its housing needs are met
- To collect and analyse data and opinions from every section of the local community by means of a widely-circulated questionnaire, written submissions and meetings with key groups
- To create a clear and credible picture of the current housing situation and to highlight problem areas.

The Objectives of the Commission were:

- To propose ways in which current and future housing problems might best be addressed
- To identify constraints upon the resolution of current and future housing problems and how these might be overcome.

Evidence was gathered from questionnaires, interviews, surveys and data collection and the following two issues were highlighted as the key problems needing addressing in the town:

- A need for affordable housing
- Pressure on accommodation from university students who represent an unusually high proportion of the town's population.

The report also identifies a number of factors which influence the housing market in St Andrews:

- **Long-term residents:** who may be struggling to successfully compete in the housing market
- **Buy to let opportunities:** Substantial increase in the rental sector of the local housing market. Property has thus been lost from the owner occupier sector and there is likely to have been upward pressure on prices
- **Students:** Student demand, almost entirely for rented property, is among the most important factors influencing the local housing market

- **University staff:** This is likely to increase as planned research activity at the University is expected
- **Holiday and retirement homes:** These often remain empty for much of the year
- **Price pressures:** High prices given the attractiveness of the town.

The paper goes on to provide a series of recommendations, these are summarised below:

#### **Summary Recommendations:**

- Fife Council examine the specific housing needs of St Andrews and develop a strategy for housing in the town;
- Fife Council, in collaboration with the St Andrews community, address the immediate need for affordable accommodation and actively pursue the building of affordable houses on the Kilrymont site of Madras College when it becomes available, and develop this site in tandem with the extant proposals for the development of St Andrews West;
- Fife Council determine, in collaboration with the St Andrews community, an appropriate yardstick for student housing density and, meantime, give serious consideration to extending the HMO moratorium geographically to embrace the whole town and to imposing restrictions on the renewal of HMO licences;
- Private provision of student 'halls' of residence be supported, and that the University actively promote the building of additional University-managed student accommodation, both undergraduate and postgraduate;
- A 'Standing Working Party' be created comprising community representatives, the University and Fife Council as a forum for reconciling differences and for the advancement of housing development in St Andrews.

#### **St Andrews Centre for Housing Research: Growing Economies and Building Homes, Reconciling Growth and Well Being in St Andrews, 2013**

Alongside the above study, Fife Council and the University of St Andrews commissioned a research paper: Growing Economies and Building Homes: Reconciling Growth and Housing Wellbeing in St Andrews, Key findings were:

- That the number of students and staff increased by 37% and 63% respectively between 2002 and 2012. This has led to lower-income, local households being pushed further away from the town
- Two-thirds of students live in groups of three or more. These groups have a rent-paying capacity of £1,200 to £1,600 per month, setting the market at a price unfeasible for many non-students
- The report highlighted the danger of restricting HMO (Houses of Multiple Occupation) licenses within the town, especially the conservation zone. This will force student groups to look towards the suburbs for rental accommodation,

further displacing local families who are unable to compete with their budgets. The properties which become available in the town centre are also more likely to be taken by University staff rather than lower income families. The report concludes: “that the restriction of HMO within the town may be a policy with significant and negative unintended consequences.”

- Among the report’s suggestions was to expand University halls of residence to accommodate another 200 people. This would reduce the numbers of undergraduates in the already crowded private renting market. To accommodate postgraduates and staff, it further proposes the creation of 400 to 500 mid-market rental units in and around St Andrews over the next five years
- A need for a collaborative approach to tackling problems in the St Andrews housing market area. This includes a need to deliver via a formal strategic partnership between the University, the Council and other key agents and communities.

### **2008 Communities and Local Government research study; ‘Evidence Gathering - Housing in Multiple Occupancy and Possible Planning Responses’**

The Department of Communities and Local Government commissioned research into HMOs in 2008 to identify good practice, test ideas on good practice and whether they could have a wider application and determine whether planning policy is a suitable method of tackling problems with HMOs. Various interviews, focus groups and stakeholder consultations were carried out and a ‘good practice checklist’ developed.

Challenges associated with high levels of HMOs are outlined:

- **Economic Impact:** Universities create significant employment opportunities and attract visitors to an area. Students, staff and visitors spend money and provide a skilled graduate workforce. However a large student population can push up properties prices and lead to issues of affordability. High demand within the private rented sector can push out first time buyers and lead to a reduction in owner-occupied stock.
- **Social and Neighbourhood Impacts:** large numbers of students generate more demand for services such as public transport and other amenities which are of benefit to the wider community. However, it can also destabilise a community’s sense of attachment and cohesion. A rising student population can also cause established residents to move away from an area which can have a knock on effect on the type of infrastructure and services that are provided in response to this population change. For example there may be a concentration of pubs, takeaways and restaurants and discount retailers and fewer traditional services. Crime and anti-social behaviour may also be a problem which can lead to community hostilities.

- **Physical Impacts:** Large concentrations of people in particular areas invariable means more refuse, litter, noise and congestion which in turn results in an increase in council resources. Private rented housing is also often relatively poor quality when compared with other tenures and concentrations of this type of housing can lead to a reduction in the local environment.

The report then goes on to provide some good practice examples in terms of planning policy:

**Good Practice: Glasgow City Council's City Plan, Final Draft Plan – May 2007**

The City Plan contains a policy, which applies to Dwellings in Multiple Occupancy. Policy RES10 aims to: strike a balance between the demand for multiple occupancy and the need to ensure that the stability of neighbourhoods and the residential amenity of properties and streets are not adversely affected by a concentration of multiple occupancies.

Planning applications for multiple occupancy will be judged against whether within a given street or block the proportions of multiple occupation should not exceed 5 per cent of the total number of dwellings comprising that unit. This policy has been tested at two Local Plan Inquiries and has been successful in the majority of occasions when tested at an appeal. In addition the Plan contains Local Area Policies, which identified areas of the City where there is a concentration of houses in multiple occupancy. In such areas the density of flats with an HMO licence has reached a level by which no further planning applications for multiple occupancy will be supported.

**Good Practice: Nottingham City Council, Nottingham Local Plan, November 2000**

The Nottingham Local Plan contains two policies, which relate to concentrations of student population and the imbalance in population.

Policy ST1 – sets out a general policy, which seeks to ensure the creation of balanced communities.

Policy H6 promotes the development of purpose-built student accommodation and identifies areas within the City where there is a concentration of student housing. In addition the City Council has produced a Supplementary Planning Document (SPD) called “Building Balanced Communities” this document complements the policies contained in the Local Plan. The SPD tries to move towards the management of balanced communities and one of the main thrust of this has been to promote purpose-built accommodation in areas which are accessible to the Universities or within the City Regeneration Zones to the East and South of the City or within areas where more balanced communities can be maintained. The SPD effectively sets a threshold of 25 per cent and in designated areas where student housing exceeds this; the City Council will try to refuse applications it receives for student housing.

When determining planning applications for houses in multiple occupation the City Council has tried to impose a planning condition to restrict occupancy to non-students. The imposing of this conviction has not been successful and was removed upon appeal by the Planning Inspectorate

**Good Practice: Charnwood Development Framework: Student Housing Provision in Loughborough Supplementary Planning Document (SPD), December 2000**

The local authority has developed a SPD which provides a local policy response based upon the adopted policies of the Borough of Charnwood Local Plan. The SPD was produced to enable the local authority to develop planning powers aimed directly controlling the scale and distribution of student housing.

The SPD seeks to control the scale and distribution of student housing through two specific policy approaches: Threshold Approach and Purpose-built Student Housing.

The Threshold Approach applies a ceiling to specified areas where there is existing concentration of housing in multiple student occupancy and upon which applications for student housing will be determined based upon an assessment of the proportion of households within the “neighbourhood” surrounding the application site.

Purpose-built Student Housing- The Local Plan encourages the development of purpose-built accommodation for students both on and off campus. The SPD identifies opportunities for purpose-built accommodation and encourages development on the existing campus as well within the expanded town centre, where existing residential numbers are low and commercial uses predominate.

Specifically for local authorities, the report suggests the following good practice:

- **Landlord Accreditation Schemes:** Effective in Nottingham and Southampton at raising the standards of private rented sector property.
- **Targeting resources and activities** at key times and in specific locations during the academic year can help deal with environmental issues. For example- Charnwood Borough Council has developed, in association with other stakeholders, a Loughborough Off – Campus Community Service Strategy which targets activities such as refuse collection and street cleansing at key times of the academic year.
- **Dedicated Staff** to co-ordinate activities around high concentrations of HMOs has proved to be an effective tool in both Nottingham and Leeds and should be encouraged across other local authorities

The report also offers a 'good practice checklist'.

### **Welsh Government, Houses in Multiple Occupation: Review & Evidence Gathering, 2015**

Commissioned in 2015, the report examines the extent of concentrations of houses in multiple occupation (HMOs) in Wales and the issues associated with them, reviews the existing legislation and considers best practice examples. It makes recommendations in respect of both local authority practice and potential changes to the regulatory framework.

The report sets out a series of recommendations, including some for planning authorities.

#### Planning Recommendations:

- As a broad principle, the regulatory framework should be changed to align the definition of HMO for planning and housing purposes; the definition within Part 2 of the Housing Act 2004 is comprehensive and the definition for planning purpose should reflect that.
- The present situation is unsatisfactory and, as a broad principle, the Town and Country Planning (Use Classes) Order 1987 should be amended to give local authorities in Wales the power to manage the development of HMOs with fewer than seven residents.
- The Welsh Government should consider whether any revision of the definition of HMO for planning purposes should start with a minimum of 4 unrelated persons.
- The Welsh Government should consider making a statutory definition for larger (7 persons or more) HMOs for example by introducing an additional use class.
- The Welsh Government should consider amending the Regulations governing the provisions for the charging of land where local authorities have exercised their powers to carry out works in default where a s215 notice has not been complied with to ensure that any expenses and interest accrued on completion of the works is a charge on the premises and on all estates and interests in them (in effect taking priority over other charges).
- As a matter of good practice, local authorities should delegate the power to take enforcement action to both planning and environmental health teams jointly.

In addition to these regulatory and planning recommendations, the report highlighted a number of good practice examples, these include:

- **Collaborative Working:** local authorities should work in partnership with their HEI partners in order to produce joint University Accommodation and Housing Strategies that complement the strategies produced by the local authority. The University of Brighton Student Accommodation Strategy 2010-2015 is cited as a good practice example
- **Student / Community Liaison Officer:** appointing a dedicated person within the local authority to deal specifically with activities that involve the University or College
- **Community Wardens:** as at the University of Exeter. Student wardens are funded to enhance the relationship between students and permanent city residents. Here Wardens signpost students with community queries and attend community meetings. They also run campaigns and initiatives, including the 'Students on the Move' refuse removal scheme, noise-awareness, security marking valuables and gathering information on community issues
- **Student Community Partnerships:** again stressing the importance of collaborative working, the report highlights the importance of setting up Student Community Partnerships, as at Cardiff University. These help students take pride in their local community by encouraging environmental and social improvement initiatives

- **Student Charters:** a number of universities across the country have set up student charters which act as an agreement on rights and responsibilities between a student and their university. The University of Portsmouth for example has a 'Code of Student Behaviour and Student Charter' which makes it a requirement for their students to act as an inclusive member of the local community
- **Town and Gown Initiatives:** Allowing the local community greater access to university facilities and resources for example by sharing library and sports facilities and holding public lectures. This can help foster better relations with the local community
- **Landlord Accreditation Schemes:** Voluntary schemes which encourage good practice in the private rented sector. The London Landlord Accreditation is given as an example.

### **The Nature and Impact of Student Demand on Housing Markets, Joseph Rowntree Foundation, Rugg, J., Rhodes, D. and Jones, A, 2000**

Presenting the findings of an 18 month study which included a UK wide postal survey and interviews with HEI staff, local authorities and landlords, the report looks at the impact of student demand on local housing markets. It discusses the nature of growing student numbers in the private rented sector and the impact this has. The authors make the following conclusions:

- **Expansion in Education:** The expansion of the higher education sector has taken place with minimal attention given to housing the growing student population. Accommodation provision by the higher education institutions (HEIs) has not grown commensurately with student numbers
- **Niche Markets:** Increased demand has resulted in the establishment of 'niche' student markets. In most of the locations in this study, students were living in particular types of property, in geographically specific neighbourhoods, and renting from landlords who would be unwilling to let to other groups
- **Robust Rental Market:** Landlords are confident of their ability to profit from letting to this demand group, and supply has generally kept pace with demand.
- **Price Rises:** Intensive demand for investment properties from student market landlords in some locations has had knock-on effects for owner-occupiers. Households wishing to purchase, and first-time buyers in particular, could find themselves priced out of the market
- **Possible Oversupply:** There is some evidence that student markets can be subject to oversupply, leading to empty properties that are not readily available to other renting groups, either because of landlords' letting preferences or because other groups simply do not seek accommodation in the 'student areas'. Competition between landlords for student households could push up standards of amenity
- **Different Competition:** Unless the local housing market was pressurised because of a generally high demand, other groups such as young professionals and low-income households tended not to be in competition for the same properties as students.

St Andrews was given as a case study:

Students dominate the PRS in St Andrews, to such an extent that little is known about the non-student market other than the fact that it is focused away from the city centre. The demand from students is centred on three streets in the heart of the city, where the majority aim and tend to live. However, the growing demand due to rises in student numbers means that they are increasingly having to look to rent in other areas of the city.

The combined demand from students and holiday-makers leaves little room for other groups to access the market, including working people, who were priced out of the sector. A further consequence of the student demand via landlords buying up properties to let – coupled with demand from holiday-makers, people with second homes and those looking to retire to the area – was that first-time buyers had effectively been priced out of the owner occupied market.

### **University Students and City Centres: The Formation of Exclusive Geographies, The Case of Bristol, Chatterton, P, 1998**

The paper uses research carried out in the city of Bristol and focuses on *'a cohort of largely white, middle and upper-class, adolescent students who are characterised by wealth and fashion'*. The paper finds that this cohort of students, typical of groups across the country who seasonally migrate to towns and cities, create a segregation of areas within city centres and this creates 'geographies of exclusion'.

### **The Politics of Studentification and '(Un)balanced' Urban Populations: Lessons for Gentrification and Sustainable Communities? Smith, D, 2008**

Smith first introduced the term 'studentification' in a paper in 2002<sup>2</sup> and defined it as the growth of high concentrations of students within the location of HEIs, often accommodated within HMOs. He identified four dimensions to this growth:

- **Social:** where established households are displaced with young, single, transient households;
- **Cultural:** Where concentrations of young people lead to changes in infrastructure and service and provision;
- **Physical:** Often negative changes to the local environment such as lack of property maintenance and unkempt gardens;
- **Economic:** Increases in property prices leading to private rented accommodation, especially HMOs, dominating the area with decreased levels of owner occupation

This paper argues for the need for a national policy on the supply of student housing which gives clarity on how student populations should be integrated into established communities.

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<sup>2</sup> Smith, D.P. (2002) Processes of Studentification In Leeds. Report presented to the City and Regional Office, University of Leeds, Leeds <sup>10</sup> [www.hmobby.org.uk](http://www.hmobby.org.uk)

## Appendix 2 – HMOs in St Andrews by Street

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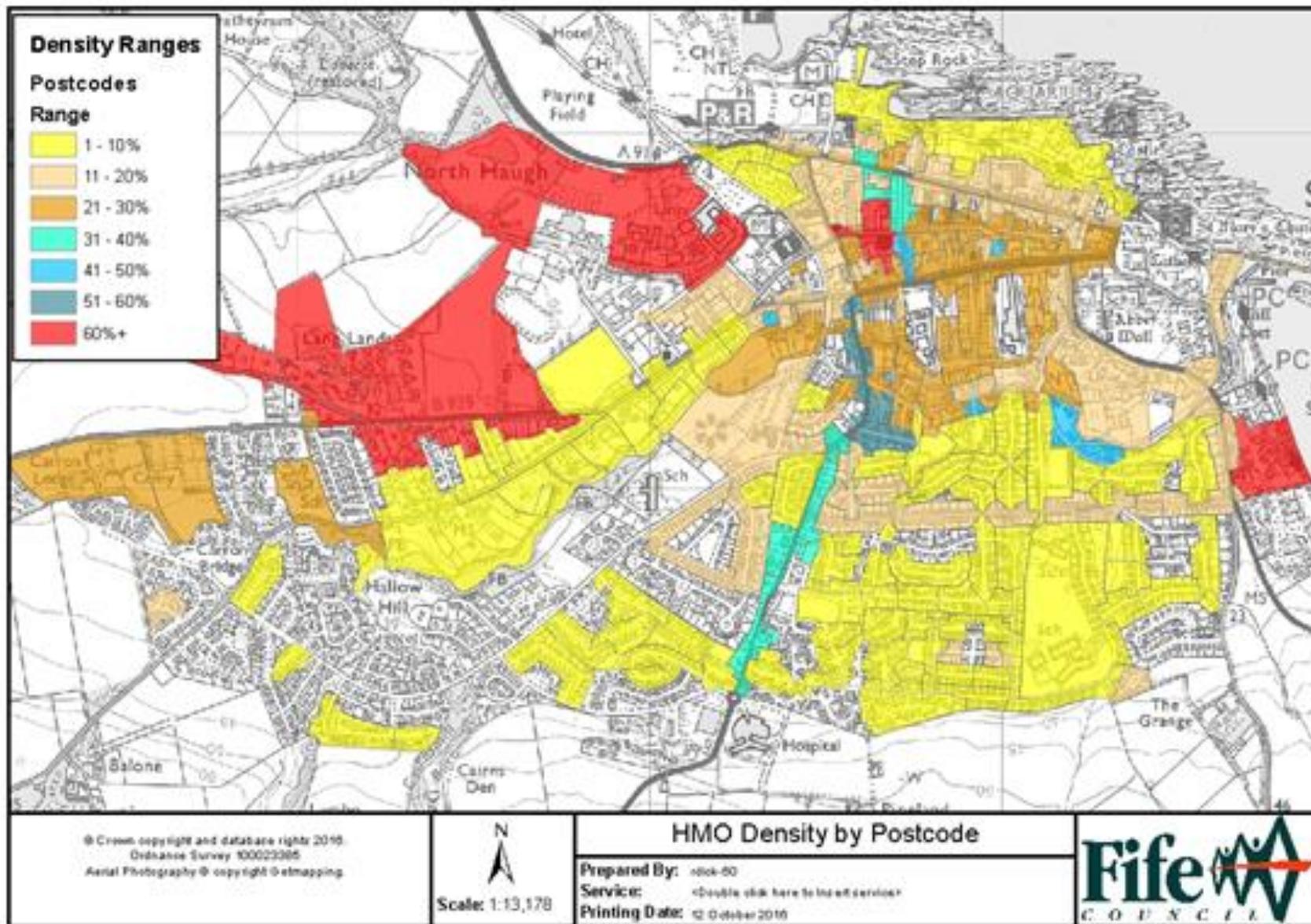


Table A2.1 shows the percentage of properties in each street which are HMOs. Column D in the table has been colour coded to reflect the map above, but those streets where there are purpose built student accommodation have been highlighted red in Column A.

**Table A2.1 % HMOs by Street, St Andrews**

Street	Conservation Area	% HMOs	Map Colour Coding
<b>East Sands</b>	No	100%	
<b>St Marys Place</b>	Yes	87%	
<b>Buchanan Gardens</b>	No	82%	
<b>Strathkinness High Road</b>	No	82%	
<b>Albany Park</b>	No	81%	
Southfield	No	55%	
Bridge Street	Yes	54%	
Nelson Street	No	53%	
Auld Burn Road	No	50%	
John Street	Yes	50%	
Glebe Road	No	46%	
Bell Street	Yes	46%	
Crails Lane	Yes	44%	
Largo Road	No	39%	
Albany Place	Yes	38%	
Playfair Terrace	Yes	33%	
Greyfriars Garden	Yes	32%	
Ellice Place	Yes	30%	
Queens Gardens	Yes	29%	
Union Street	Yes	29%	
Wallace Street	No	29%	
Market Street	Yes	29%	
Provost Niven Close	Yes	27%	
Queens Terrace	Yes	26%	
Murray Place	Yes	25%	
South Street	Yes	25%	
Church Square	Yes	25%	
Condie Court	Yes	25%	
Kinburn Terrace	Yes	25%	
Logies Lane	Yes	25%	
Greenside Court	Yes	24%	
Kinnessburn Terrace	Yes	23%	

Lade Braes	Yes	23%	
Park Street	No	23%	
Strathkinness Low Road	No	22%	
Westview	Yes	22%	
Dempster Court	Yes	21%	
Kinnessburn Road	No	21%	
Pilmour Place	Yes	20%	
North Street	Yes	20%	
John Coupar Court	Yes	20%	
King Street	No	20%	
Sloan Street	No	20%	
Kennedy Gardens	No	19%	
Argyle Street	Yes	19%	
City Road	Yes	19%	
Canongate	No	19%	
Hope Street	Yes	18%	
Church Street	Yes	18%	
Murray Park	Yes	17%	
Alexandra Court	Yes	17%	
Gillespie Wynd	Yes	17%	
Wardlaw Gardens	No	17%	
Broomfaulds Avenue	No	16%	
College Street	Yes	16%	
Howard Place	Yes	16%	
Dempster Terrace	Yes	15%	
St Mary Street	No	15%	
Chambers Place	No	15%	
Shorehead	Yes	14%	
Abbey Walk	Yes	13%	
North Haugh	No	13%	
Abbey Street	Yes	13%	
Drumcarrow Road	No	13%	
Kilrymont Crescent	No	13%	
Rose Lane	Yes	13%	
Pilmour Links	Yes	11%	
Abbey Court	Yes	11%	
Abbotsford Place	Yes	11%	
Chamberlain Street	No	11%	

<b>Livingstone Place</b>	No	11%	
<b>North Castle Street</b>	Yes	11%	
<b>Lamond Drive</b>	No	11%	
<b>Freddie Tait Street</b>	No	11%	
<b>Greenside Place</b>	Yes	11%	
<b>South Castle Street</b>	Yes	11%	
<b>Kilrymont Road</b>	No	10%	
<b>Clatto Place</b>	No	10%	
<b>Livingstone Crescent</b>	No	10%	
<b>Links Crescent</b>	Yes	10%	
<b>Balrymonth Court</b>	No	9%	
<b>Hutchison Court</b>	No	9%	
<b>Pipeland Road</b>	No	9%	
<b>Woodburn Terrace</b>	No	9%	
<b>Baker Lane</b>	Yes	8%	
<b>Kilrymont Place</b>	No	8%	
<b>Shields Avenue</b>	No	8%	
<b>Boase Avenue</b>	No	8%	
<b>East Scores</b>	Yes	8%	
<b>Hepburn Gardens</b>	No	8%	
<b>Sandyhill Crescent</b>	No	7%	
<b>Middleshade Road</b>	No	6%	
<b>Wallace Avenue</b>	No	6%	
<b>Windmill Road</b>	Yes	6%	
<b>Churchill Crescent</b>	No	6%	
<b>Letham Place</b>	No	6%	
<b>Claybraes</b>	No	6%	
<b>Fraser Avenue</b>	No	5%	
<b>Gourlay Wynd</b>	No	5%	
<b>Priestden Road</b>	No	5%	
<b>Shoolbraids</b>	No	5%	
<b>Watson Avenue</b>	No	5%	
<b>Lindsay Gardens</b>	No	5%	
<b>James Robb Avenue</b>	No	5%	
<b>Jamie Anderson Place</b>	No	4%	
<b>Auchterlonie Court</b>	No	4%	
<b>Forgan Place</b>	No	4%	
<b>Priestden Place</b>	No	4%	

<b>Tom Morris Drive</b>	No	4%	
<b>Scooniehill Road</b>	No	4%	
<b>Carron Place</b>	No	4%	
<b>Hay Fleming Avenue</b>	No	4%	
<b>Crawford Gardens</b>	No	4%	
<b>Kinkell Terrace</b>	No	3%	
<b>Roundhill Road</b>	No	3%	
<b>Langlands Road</b>	No	3%	
<b>Sandyhill Road</b>	No	3%	
<b>The Scores</b>	Yes	3%	
<b>Hamilton Avenue</b>	No	2%	
<b>Wishart Gardens</b>	No	2%	
<b>Forrest Street</b>	No	2%	
<b>Learmonth Place</b>	No	2%	
<b>Ruthven Place</b>	No	2%	
<b>Windsor Gardens</b>	No	2%	
<b>Allan Robertson Drive</b>	No	2%	
<b>Auld Burn Park</b>	No	2%	
<b>St Nicholas Street</b>	No	1%	
<b>Abbey Park Avenue</b>	Yes	0%	
<b>Abbotsford Crescent</b>	Yes	0%	
<b>Adamson Court</b>	Yes	0%	
<b>Aikman Place</b>	No	0%	
<b>Alex Paterson Lane</b>	No	0%	
<b>Alison Place</b>	Yes	0%	
<b>Andrew Lang Crescent</b>	No	0%	
<b>Andrew Thom Place</b>	No	0%	
<b>Argyle Court</b>	Yes	0%	
<b>Argyle Street</b>	No	0%	
<b>Armit Place</b>	No	0%	
<b>Balfour Place</b>	Yes	0%	
<b>Balnacarron Avenue</b>	No	0%	
<b>Berry Place</b>	No	0%	
<b>Bobby Jones Place</b>	No	0%	
<b>Braid Crescent</b>	No	0%	
<b>Brewster Place</b>	No	0%	
<b>Bridge Street</b>	No	0%	
<b>Bruce Street</b>	No	0%	

<b>Cairnhill Gardens</b>	No	0%	
<b>Cairnsden Gardens</b>	No	0%	
<b>Cant Crescent</b>	No	0%	
<b>Craigtoun Road</b>	No	0%	
<b>Donaldson Gardens</b>	No	0%	
<b>Doocot Road</b>	No	0%	
<b>Double Dykes Road</b>	Yes	0%	
<b>Dunolly Place</b>	No	0%	
<b>Eddie Court</b>	No	0%	
<b>Fergusson Place</b>	No	0%	
<b>Fife Park</b>		0%	
<b>Findlay Douglas Court</b>	No	0%	
<b>Fleming Place</b>	No	0%	
<b>Forbes Place</b>	No	0%	
<b>Fordyce Court</b>	No	0%	
<b>Gibson Place</b>	Yes	0%	
<b>Gilchrist Row</b>	No	0%	
<b>Gillespie Terrace</b>	Yes	0%	
<b>Golf Place</b>	Yes	0%	
<b>Grange Road</b>	No	0%	
<b>Grannie Clarks Wynd</b>	Yes	0%	
<b>Gregory Lane</b>	Yes	0%	
<b>Gregory Place</b>	Yes	0%	
<b>Guthrie Place</b>	Yes	0%	
<b>Hallowhill</b>	No	0%	
<b>Horseleys Park</b>	No	0%	
<b>Huntly Place</b>	No	0%	
<b>Irvine Crescent</b>	No	0%	
<b>James Foulis Court</b>	No	0%	
<b>James Street</b>	No	0%	
<b>Johnston Court</b>	Yes	0%	
<b>Kidston Court</b>	Yes	0%	
<b>Kinburn Park</b>	Yes	0%	
<b>Kinburn Place</b>	Yes	0%	
<b>Kinnessburn Gardens</b>	Yes	0%	
<b>Kirkaldy Court</b>	No	0%	
<b>Kirkhill</b>	Yes	0%	

<b>Kyle Gardens</b>	No	0%	
<b>Lade Braes Lane</b>	Yes	0%	
<b>Lamberton Place</b>	No	0%	
<b>Lawhead Road East</b>	No	0%	
<b>Lawhead Road West</b>	No	0%	
<b>Lawhead School Wynd</b>	No	0%	
<b>Lawmill Gardens</b>	No	0%	
<b>Leonard Gardens</b>	No	0%	
<b>Links Crescent</b>	No	0%	
<b>Little Carron Gardens</b>	No	0%	
<b>Loudens Close</b>	Yes	0%	
<b>Lumsden Crescent</b>	No	0%	
<b>Marine Place</b>	Yes	0%	
<b>Mavis Haugh</b>	No	0%	
<b>Maynard Road</b>	No	0%	
<b>Mckenzie Square</b>	No	0%	
<b>Moir Crescent</b>	No	0%	
<b>Morton Crescent</b>	No	0%	
<b>Muir Gardens</b>	No	0%	
<b>Murrayfield Road</b>	No	0%	
<b>Muttoes Court</b>	Yes	0%	
<b>Muttoes Lane</b>	Yes	0%	
<b>New Park Place</b>	No	0%	
<b>Newmill Gardens</b>	No	0%	
<b>Pipeland Farm Steadings</b>	No	0%	
<b>Pipeland Walk</b>	No	0%	
<b>Priestden Park</b>	No	0%	
<b>Priory Gardens</b>	No	0%	
<b>Prospect Row</b>	No	0%	
<b>Radernie Place</b>	No	0%	
<b>Reid Gardens</b>	No	0%	
<b>Sandy Herd Court</b>	No	0%	
<b>Sandyhill Court</b>	No	0%	
<b>Southgait Close</b>	Yes	0%	
<b>Spinkie Crescent</b>	No	0%	
<b>Spottiswoode Gardens</b>	No	0%	
<b>St Leonards Road</b>	No	0%	

<b>Straiton Wynd</b>	No	0%	
<b>The Links</b>	Yes	0%	
<b>The Pends</b>	Yes	0%	
<b>The Steading</b>	No	0%	
<b>Thistle Lane</b>	Yes	0%	
<b>Tom Stewart Lane</b>	No	0%	
<b>Trinity Place</b>	No	0%	
<b>Tulloch Place</b>	No	0%	
<b>Walker Place</b>	No	0%	
<b>Warrack Street</b>	No	0%	
<b>West Acres</b>	No	0%	
<b>West Burn Lane</b>	Yes	0%	
<b>West Sands Road</b>	No	0%	
<b>Westburn Lane</b>	Yes	0%	
<b>Winram Place</b>	No	0%	
<b>Woodburn Place</b>	No	0%	
<b>Woodburn Place</b>	Yes	0%	
<b>Younger Gardens</b>	No	0%	

## **Appendix 3 – Housing Market Analysis**

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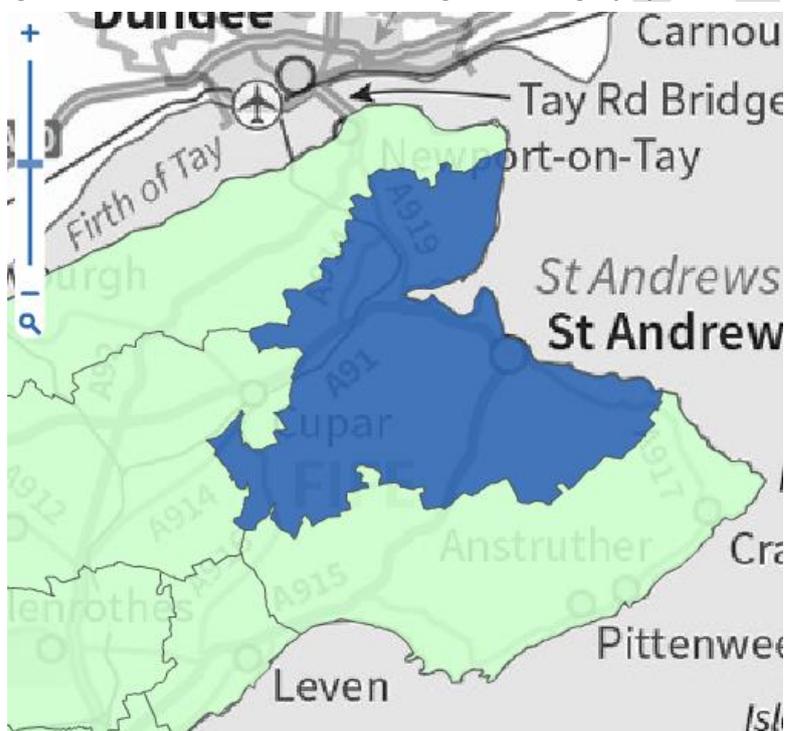
In this section we provide a detailed demographic and housing market analysis in order to more fully understand the profile of St Andrews and Fife, in order to ascertain the need and demand for student housing and HMOs.

There are four main areas of analysis:

- Contextual and Demographic Data
- Social Rented Sector
- Private Rented Sector
- House Prices and Affordability

Detailed analysis is provided where possible for the existing local housing market area of St Andrews as shown in Figure 3.1.

**Figure A3.1 St Andrews Local Housing Area Geography**



Source: KnowFife Website

## Contextual and Demographic Data

### Population

One of the first demographic indicators to assess when examining a housing market is population. Table A3.1 outlines the change in the St Andrews Area local housing market as compared with Fife and Scotland over the ten year period 2001 to 2011.

At the 2011 Census, St Andrews had a population of 27,538 which represented 7.5% of the total population in Fife. Since 2001, the population of St Andrews has risen by 8.7%, higher than the comparable rate for both Fife (4.5%) and Scotland as a whole (4.6%). According to the latest mid- year estimates from the National Records of Scotland, the population of the town has continued to grow, in line with the trend for Fife and Scotland more generally.

**Figure A3.1 Change in Population 2001 to 2011**

	St Andrews Area	Fife	Scotland
<b>2001</b>	25,325	349,429	5,062,011
<b>2011</b>	27,538	365,198	5,295,403
<b>% Change 2001 to 2011</b>	8.7	4.5	4.6
<b>2013*</b>	27,569	366,910	5,327,700

Source: 2011 Census. \* 2013 data is from 2013 mid year estimates from the National Records of Scotland

### Population Projections

The National Records of Scotland published 2012 based subnational population projections for each local authority in spring 2014. Table A3.2 and Figure A3.2 present these projections, broken down by age category.

**Table A3.2 Population Projections for Fife 2012 to 2037 by Age (Figures in thousands)**

AG	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037
<b>0-4</b>	16.7	16.7	16.6	16.6	16.4	16.5	16.6	16.8	16.9	17.0	17.1	17.1	17.2	17.2	17.2	17.2	17.2	17.2	17.2	17.2	17.1	17.1	17.0	17.0	17.0	17.0
<b>5-9</b>	19.6	20.1	20.5	20.8	21.1	21.2	21.1	21.1	21.0	20.9	21.0	21.2	21.4	21.5	21.6	21.7	21.8	21.8	21.8	21.9	21.9	21.9	21.9	21.8	21.8	21.7
<b>10-15</b>	23.8	23.3	23.1	22.9	23.2	23.4	24.0	24.5	24.9	25.2	25.4	25.5	25.5	25.4	25.4	25.4	25.5	25.7	25.9	26.0	26.1	26.2	26.3	26.4	26.4	26.4
<b>16-19</b>	18.2	18.3	17.9	17.7	17.2	16.9	16.5	16.1	16.2	16.3	16.7	17.0	17.4	17.7	17.9	18.2	18.1	18.0	18.0	17.9	17.9	18.1	18.2	18.3	18.4	18.5
<b>20-24</b>	24.4	24.5	24.6	24.7	24.7	24.6	24.6	24.3	23.8	23.4	22.9	22.6	22.3	22.5	22.7	23.1	23.6	24.0	24.3	24.6	24.7	24.6	24.6	24.5	24.5	24.6
<b>25-29</b>	20.6	20.7	21.1	21.6	21.9	22.3	22.5	22.6	22.7	22.7	22.7	22.7	22.4	21.9	21.5	21.0	20.7	20.4	20.6	20.8	21.2	21.7	22.1	22.4	22.7	22.9
<b>30-34</b>	21.1	21.4	21.3	21.1	21.0	20.9	21.0	21.5	21.9	22.2	22.7	22.8	23.0	23.1	23.1	23.0	23.0	22.8	22.2	21.9	21.3	21.0	20.8	21.0	21.2	21.5
<b>35-39</b>	21.7	20.9	20.8	21.0	21.2	21.6	21.9	21.8	21.6	21.5	21.4	21.5	22.0	22.5	22.7	23.2	23.3	23.5	23.6	23.6	23.6	23.5	23.3	22.8	22.4	21.9
<b>40-44</b>	26.8	25.9	24.8	23.9	22.9	21.8	21.1	21.0	21.1	21.4	21.8	22.1	22.0	21.8	21.7	21.6	21.7	22.2	22.7	22.9	23.4	23.5	23.7	23.8	23.8	23.8
<b>45-49</b>	28.1	28.2	28.0	27.5	27.4	26.8	25.9	24.9	24.0	23.0	21.9	21.2	21.1	21.2	21.5	21.9	22.2	22.1	21.9	21.8	21.7	21.8	22.3	22.8	23.0	23.5
<b>50-54</b>	26.7	27.0	27.4	27.6	27.7	27.9	27.9	27.8	27.3	27.2	26.6	25.8	24.7	23.9	22.8	21.8	21.1	21.0	21.1	21.4	21.8	22.1	22.0	21.8	21.7	21.6
<b>55-59</b>	23.6	24.1	24.6	25.3	25.8	26.3	26.6	26.9	27.2	27.3	27.5	27.6	27.4	27.0	26.8	26.3	25.5	24.4	23.6	22.6	21.6	20.9	20.8	21.0	21.2	21.6
<b>60-64</b>	23.6	22.9	22.6	22.4	22.6	23.0	23.6	24.1	24.8	25.3	25.8	26.1	26.5	26.7	26.8	27.0	27.1	27.0	26.6	26.5	25.9	25.1	24.1	23.4	22.4	21.4
<b>65-69</b>	21.7	22.7	23.2	23.6	23.8	22.6	21.9	21.7	21.6	21.7	22.2	22.7	23.3	24.0	24.4	24.9	25.2	25.6	25.8	26.0	26.2	26.3	26.2	25.8	25.7	25.2
<b>70-74</b>	15.9	16.3	17.0	17.5	18.2	20.0	20.9	21.5	21.9	22.1	21.0	20.4	20.2	20.1	20.3	20.8	21.3	21.8	22.5	23.0	23.4	23.7	24.1	24.4	24.5	24.7
<b>75-79</b>	12.8	13.1	13.4	13.6	13.5	13.7	14.2	14.8	15.3	16.0	17.6	18.5	19.0	19.4	19.6	18.6	18.2	18.0	18.0	18.2	18.6	19.2	19.7	20.3	20.7	21.2
<b>80-84</b>	8.9	9.0	9.2	9.4	9.7	10.1	10.3	10.6	10.8	10.8	11.0	11.5	12.0	12.5	13.1	14.4	15.2	15.7	16.0	16.2	15.4	15.1	15.0	15.1	15.3	15.7
<b>85-89</b>	5.3	5.3	5.3	5.5	5.6	5.7	5.9	6.1	6.3	6.6	6.9	7.1	7.4	7.6	7.6	7.8	8.2	8.6	9.0	9.5	10.5	11.2	11.5	11.8	11.9	11.4
<b>90+</b>	2.6	2.7	2.9	3.0	3.1	3.3	3.4	3.5	3.7	3.8	4.0	4.2	4.4	4.7	5.0	5.3	5.6	5.9	6.1	6.3	6.6	7.0	7.5	7.8	8.2	9.1
<b>All</b>	<b>366.2</b>	<b>367.3</b>	<b>368.5</b>	<b>369.9</b>	<b>371.3</b>	<b>372.7</b>	<b>374.2</b>	<b>375.8</b>	<b>377.3</b>	<b>378.9</b>	<b>380.4</b>	<b>381.9</b>	<b>383.4</b>	<b>384.8</b>	<b>386.2</b>	<b>387.6</b>	<b>388.9</b>	<b>390.1</b>	<b>391.3</b>	<b>392.4</b>	<b>393.5</b>	<b>394.5</b>	<b>395.4</b>	<b>396.3</b>	<b>397.2</b>	<b>398.0</b>

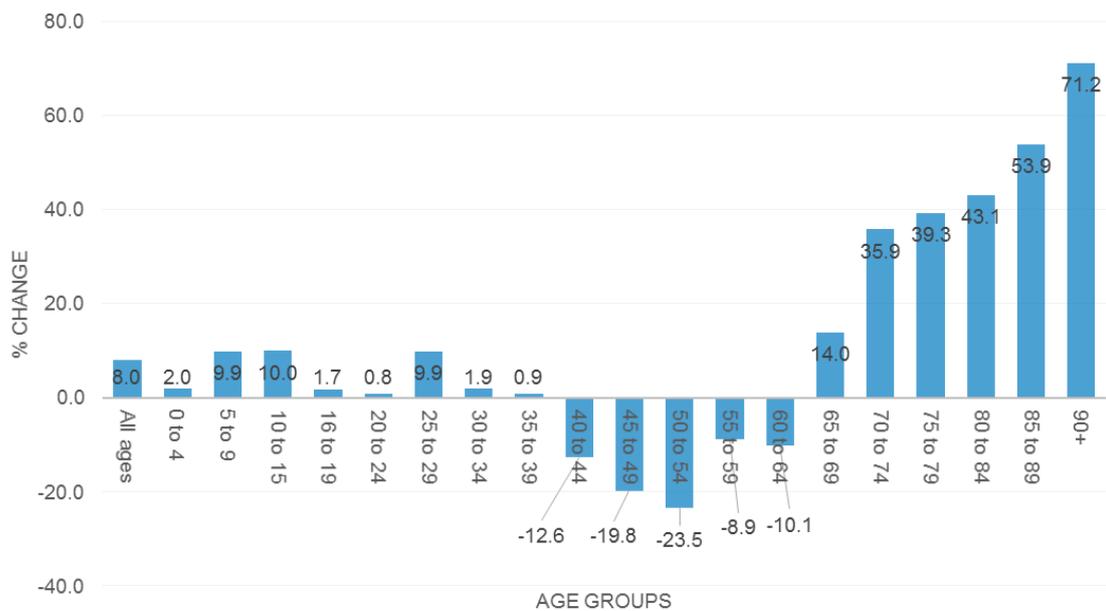
Source: National Records of Scotland, 2012 Based, Subnational Population Projections

The projections show an overall increase in the population between 2012 to 2037 of 8% (see Figure A3.2). This compares to a projected increased over the same time period of 8.8% for Scotland overall. The largest age group are those in the 40 to 54 age category which makes up 22% of the total population.

However, there are significant variations between age groups. Across all age groups over the age of 65 years there are projected increases in population, with the over 90s experiencing the largest rise from 2,619 to 9,081, a net increase of 71.2%. It should be noted that this group is also the smallest of all the age groups and as a result changes in population are amplified. This nonetheless has important ramifications for policy makers.

Projected increases are also expected in the younger age groups, although these are at less dramatic rates. Conversely, the working age groups of 40 to 65 are projected to fall over the period with the largest drop of 23.5% in the 50 to 54 age band.

**Figure A3.2 Projected % Change in Age Groups, 2012 to 2037**



Source: National Records of Scotland, 2012 Based, Subnational Population Projections

## Migration

The National Records for Scotland also provide analysis on the inflow and outflow of people within and across local authorities. Table 3.3 provides information on migration for Fife.

**Table A3.3 Migration in Fife**

Age Group	In	Out	Net
<b>0-15</b>	1,538	1,357	182
<b>16-29</b>	4,677	4,696	-19
<b>30-44</b>	2,363	2,138	225
<b>45-64</b>	1,632	1,375	257
<b>65+</b>	671	586	85
<b>All Ages</b>	10,882	10,152	730

Source: National Records for Scotland 2016

On average in 2013-15 there was a net inflow of 730 people into Fife per year, meaning that more people entered Fife (10,882 per year) than left (10,152 per year). The 16 to 29 year olds age group accounted for the largest group of in-migrants into Fife. The largest group of out-migrants was also the 16 to 29 year olds.

## Age

The most recent information on age available for St Andrews is summarised in Table A3.4 below.

From this we can see a significant contrast in age structure in St Andrews as compared with Fife and Scotland overall. The largest age group (20 to 24 years) makes up 20.6% of the total population in the town, certainly a result of St Andrews University. This compares with just 6.6% across Fife and 6.9% across Scotland. Among the other age bands, St Andrews is broadly comparable with the rest of Fife and Scotland, although there are fewer residents aged under 15 years.

**Table A3.4 Age**

Age Group	St Andrews	St Andrews (%)	Fife (%)	Scotland (%)
<b>0 to 4</b>	980	3.6%	5.7%	5.5%
<b>5 to 9</b>	993	3.6%	5.5%	5.3%
<b>10 to 15</b>	1,173	4.3%	6.3%	6.3%
<b>16 to 19</b>	2,711	9.8%	5.0%	4.8%
<b>20 to 24</b>	5,692	20.6%	6.6%	6.9%
<b>25 to 29</b>	1,808	6.6%	5.6%	6.6%
<b>30 to 34</b>	1,347	4.9%	5.8%	6.4%
<b>35 to 39</b>	1,107	4.0%	5.7%	5.9%
<b>40 to 44</b>	1,376	5.0%	7.1%	7.0%
<b>45 to 49</b>	1,383	5.0%	7.7%	7.7%
<b>50 to 54</b>	1,475	5.4%	7.4%	7.4%

<b>55 to 59</b>	1,365	5.0%	6.6%	6.5%
<b>60 to 64</b>	1,411	5.1%	6.2%	6.0%
<b>65 to 69</b>	1,388	5.0%	6.2%	5.6%
<b>70 to 74</b>	1,129	4.1%	4.4%	4.2%
<b>75 to 79</b>	916	3.3%	3.6%	3.4%
<b>80 to 84</b>	682	2.5%	2.5%	2.4%
<b>85 to 89</b>	416	1.5%	1.4%	1.4%
<b>90+</b>	217	0.8%	0.7%	0.7%
<b>All</b>	<b>27,569</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>

Source: National Records of Scotland, 2013

## Employment and Unemployment

Table A3.5 provides information on economic activity within St Andrews compared to Fife and Scotland as a whole. Overall St Andrews has a relatively lower proportion of economically active residents; 52.3% compared with 69% nationally. This is almost exclusively down to the high proportion of students who are not seeking full time work. Of those who are economically active, a significantly higher than average proportion are full time students seeking work, 16.7% in St Andrews compared with 5.4% nationally.

Unemployment is also lower than the Scottish average at just 3.9% compared with 6.9% nationally and 7.8% across Fife. Levels of self-employment are slightly higher at 11.9%.

**Table A3.5 Economic Activity**

	Economically Active (16-74)	Full Time Employees	Part Time Employees	Self-employed	Full-time student seeking work	Unemployed seeking work
St Andrews	52.3%	50.9%	16.6%	11.9%	16.7%	3.9%
Fife	67.6%	57.8%	20.1%	9.8%	4.6%	7.8%
Scotland	69.0%	57.4%	19.3%	10.9%	5.4%	6.9%

Source: 2011 Census

From Table A3.6 we can see that of those who are economically inactive, a very large proportion are full time students, 62.8% compared with 17.7% nationally. St Andrews also has a higher than average proportion of retired residents, although less than the equivalent for Fife where almost 51% of all those economically inactive are retired.

**Table A3.6 Economic Inactivity**

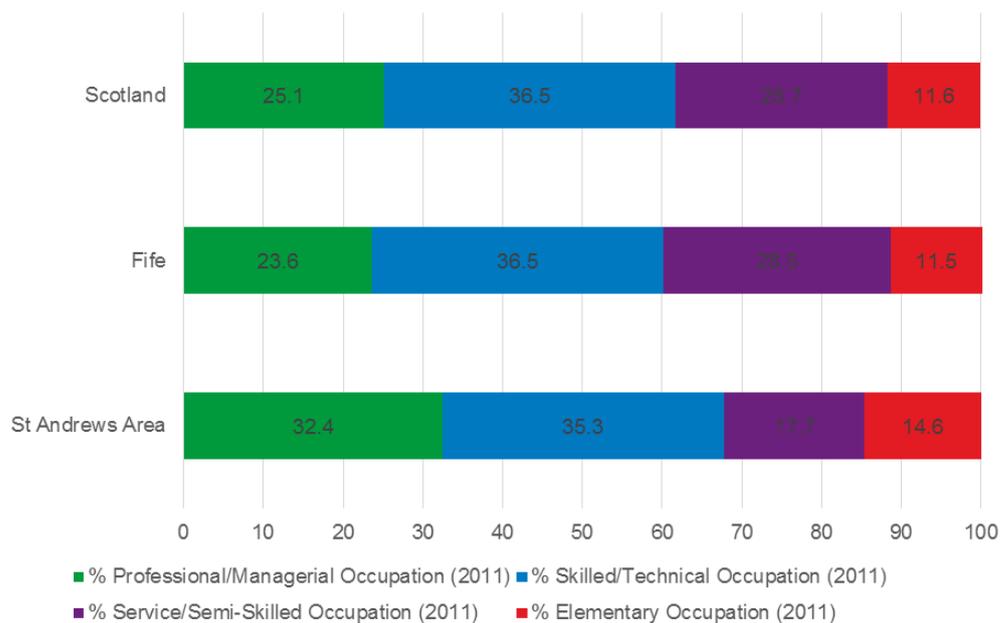
	Economically Inactive (16-74)	Retired	Full-time Student not seeking work	Looking after family/home	Long term sick or disabled	Other
St Andrews	47.7%	26.5%	62.8%	4.5%	3.9%	2.2%
Fife	32.4%	50.9%	18.4%	10.9%	14.6%	5.2%
Scotland	31.0%	4.8%	17.7%	11.5%	16.6%	6.2%

Source: 2011 Census

## Occupation

Figure A3.3 provides a breakdown of data on Employment Classifications for St Andrews and Fife. From this we can see that the town has a higher than average proportion of residents in 'Professional/Managerial' roles (32.4%) and 'Skilled/Technical' occupations (35.3%) compared to the averages for Scotland (26.7%) and Fife (28.5%). This is explained by the presence of the University which is the largest single employer in the town. There is also a higher than average proportion of residents employed in 'Elementary' occupations (14.6%), largely due to the town's paper manufacturing.

**Figure A3.3 Occupations**



Source: 2011 Census

## Income

The Annual Survey of Hours and Earnings (ASHE) provides information at local authority level on income, this has been summarised in Table 3.7 by residency and also by workplace.

The results show that residents of Fife on average receive lower gross weekly and annual pay than the average for Scotland at £489 per week or £25,679 per annum. For those who work in the local authority but who live elsewhere, the pay is higher at on average £518 per week or £30,897 per annum, however this is still less than the average for Scotland.

**Table A3.7 Average Income for Full Time Employees**

<b>Pay: Residency Based</b>		
	Median Gross Weekly Pay	Median Gross Annual Pay
<b>Fife</b>	<b>£518</b>	<b>£30,897</b>
Scotland	£527	£32,472
<b>Pay: Workplace Based</b>		
<b>Fife</b>	<b>£489</b>	<b>£25,679</b>
Scotland	£527	£27,710
Source: Annual Survey of Hours and Earnings, Provisional Results for 2015 (provisional)		

However, Table A3.8 provides information on income for St Andrews residents and tells a different story. Households in the St Andrews Area have an average gross household income of £481 per week, above the average for both Fife and Scotland. Total household incomes are affected by household composition. When this is taken into account of household type, equivalised income is £395 per week before housing costs. After housing costs equivalised income is £358 per week.

**Table A3.8 Household Income Estimates for St Andrews Area**

		St Andrews Area	Fife	Scotland
<b>Median household income per week (2008)</b>	<b>gross</b>	£481	£449	£468
<b>median household income per week (2008)</b>	<b>net</b>	£397	£365	£381
<b>median equivalent household BHC* per week (2008)</b>	<b>net</b>	£395	£378	£389
<b>median equivalent household AHC** per week (2008)</b>	<b>net</b>	£358	£340	£349

Source: Heriot Watt University Estimates. \*BHC is 'before housing costs' and \*\*AHC is 'after housing costs'.

## Deprivation

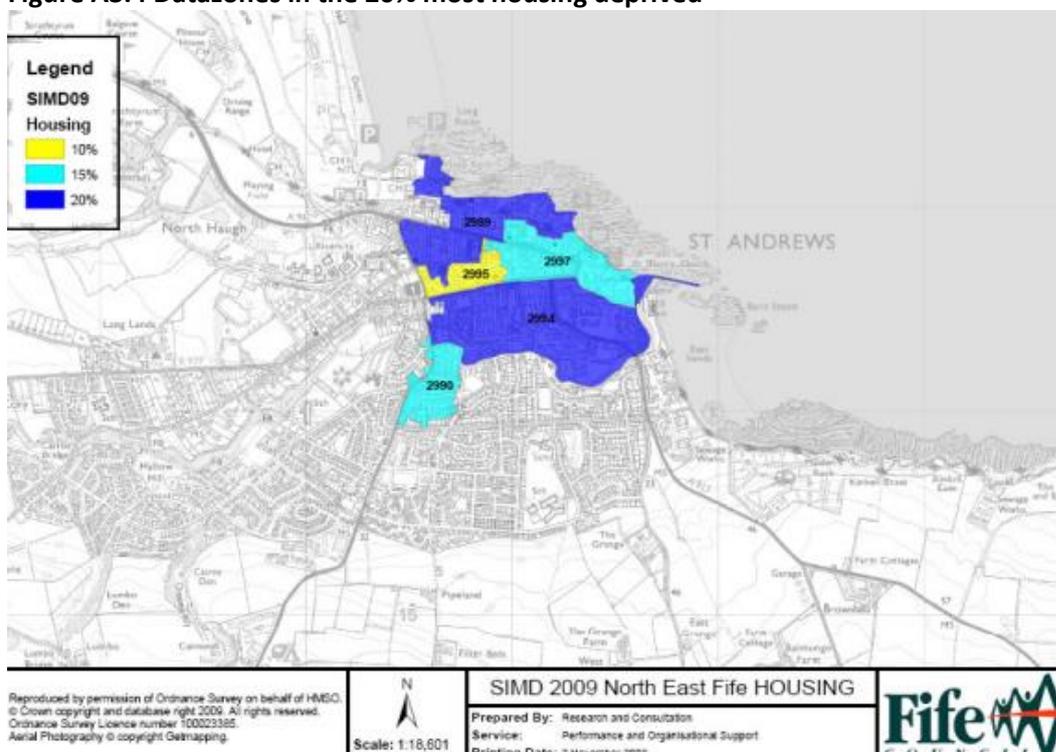
The Scottish Index of Multiple Deprivation (SIMD) provides a rank of relative deprivation for every datazone within Scotland across a number of different domains. Across Fife, 58 (5.9%) of the 976 datazones in the 15% most deprived datazones in Scotland were found in Fife, an increase of seven since 2009.

Two thirds of Fife's share of Scotland's 20% most deprived areas can be found within the Kirkcaldy, Cowdenbeath and Levenmouth areas.

Overall deprivation within St Andrews is very low, with no datazones appearing in the most deprived 20% in Scotland and the majority of datazones within the town falling within the least deprived 10% in Scotland. However, the index does highlight some issues with housing as per Figure 3.4.

The Housing Domain picks up on overcrowding and lack of central heating, based on 2001 Census variables. There has been no change to this domain since 2004 (The 2009 map shown is identical to 2012).

**Figure A3.4 Datazones in the 20% most housing deprived**



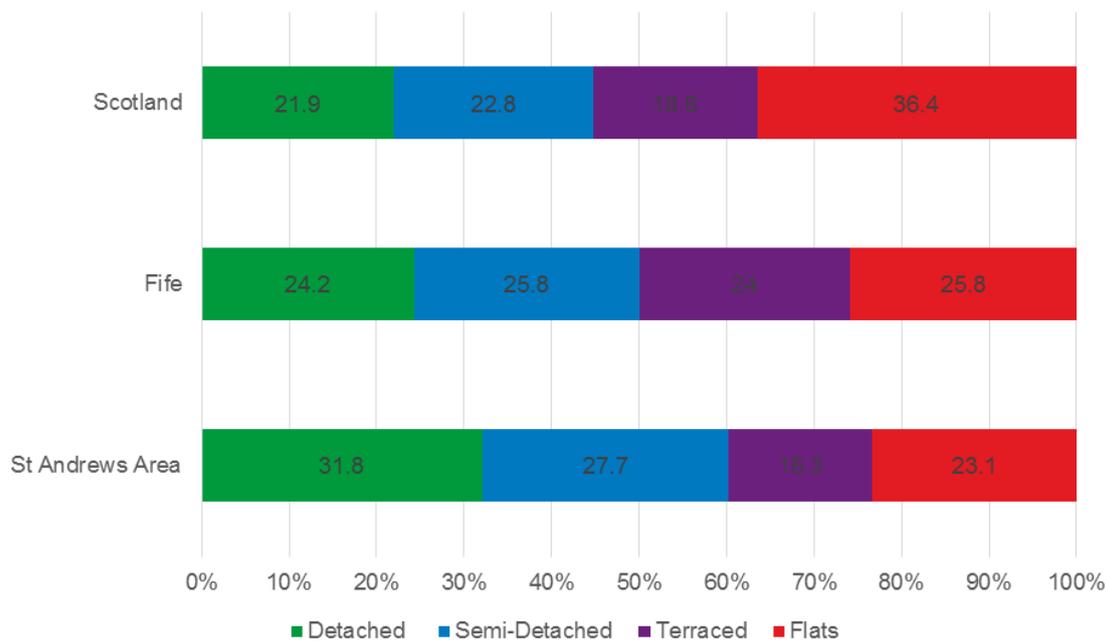
Source: SIMD 2012

## Housing Type

Detached housing makes up 31.8% of the total housing stock in St Andrews, a higher proportion than both Fife (24.2%) and Scotland (21.9%). There are also relatively more semi-detached properties (27.7%) when compared with the Fife and Scottish averages, 25.8% and 22.8% respectively.

In line with the averages for Fife, St Andrews has a lower proportion of flats, 23.1% compared with 25.8% across Fife and 36.4% nationally. This is noteworthy given the high numbers of students in the town, who tend to favour flatted accommodation.

**Figure A3.5 Accommodation Type**



Source: 2011 Census

## Housing Size

Table A3.9 provides information on house size in the St Andrews area. From this we can see that there are relatively more larger homes when compared with the average for both Fife and Scotland. The largest single grouping is for the 5 or more rooms category; 32.3% compared with 23.5% in Fife and 29.9% in Scotland.

At the other end of the scale, there are relatively fewer smaller properties. Only 8.7% of houses in St Andrews have two rooms, compared with 10% in Fife and 11.9% in Scotland.

**Table A3.9 Number of Rooms**

	St Andrews Area %	Fife %	Scotland %
<b>1 room</b>	0.6 (62)	0.5	0.9
<b>2 rooms</b>	8.7 (979)	10	11.9
<b>3 rooms</b>	27.6 (3,102)	33.8	29.3
<b>4 rooms</b>	24.1 (2,707)	31.6	26.6
<b>5 or more rooms</b>	32.3 (3,630)	23.5	29.9
<b>10 plus rooms</b>	1.1 (125)	0.3	0.6
<b>unknown number of rooms</b>	6.7 (757)	0.6	1.4

Source: Scottish Neighbourhood Statistics 2013

Table A3.10 provides a summary of the size of households in the St Andrews Area. Almost 40% of residents in the town live in a two person household, a higher rate than in both Fife (36.6%) and Scotland (34%). There is a lower rate of single occupancy households, 27.8% in St Andrews compared with 31.8% across Fife and 34.7% across Scotland. In addition, there is a slightly higher rate of 'four persons households'; 12.2% compared with 11.6% in Fife and 11.5% in Scotland.

**Table A3.10 Household Size**

	St Andrews Area %	Fife %	Scotland %
1 Person Household	27.8	31.8	34.7
2 Persons Household	39.9	36.6	34.0
3 Persons Household	15.3	15.3	15.1
4 Persons Household	12.2	11.6	11.5
5 Persons Household	4.8	4.7	4.7

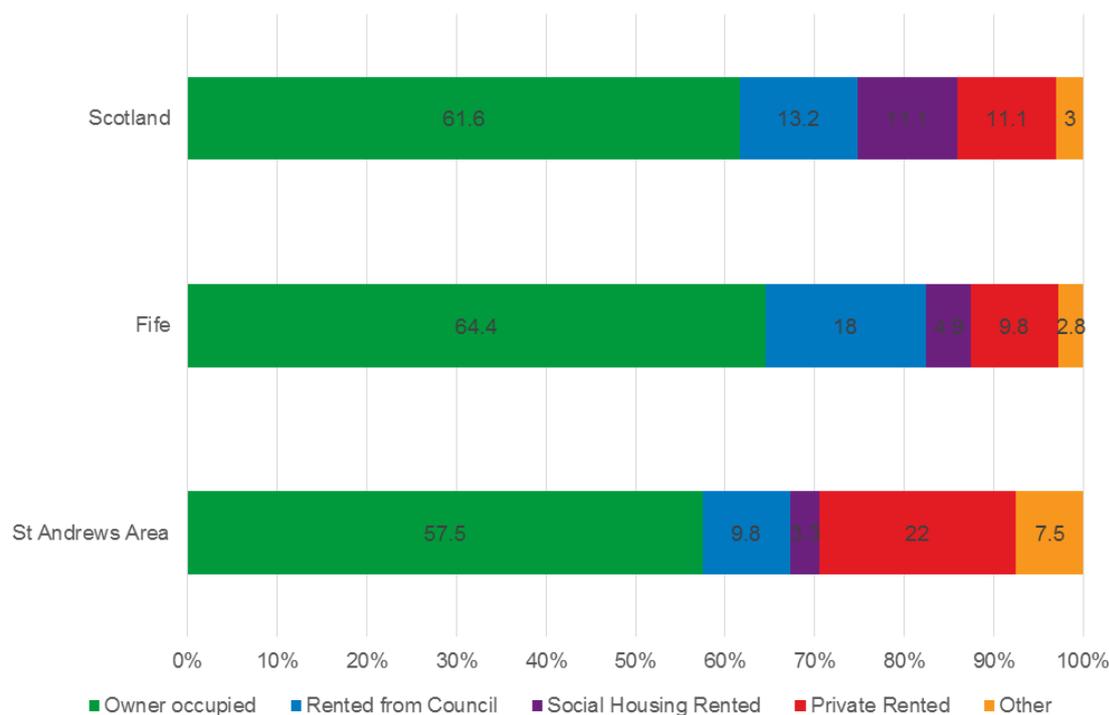
Source: 2011 Census

## Housing Tenure

By tenure, the vast majority of households in St Andrews are owner occupied; either outright or with a mortgage; 57.5% compared with a national average of 61.5%. However this rate is lower than both the Fife and Scottish averages at 64.4% and 61.6% respectively. The town instead has considerably more privately rented properties which make up 22% of the total stock. This is double the average for both Fife (9.8%) and Scotland (11.1%).

Levels of local authority rented properties are much lower at 9.8%, than the average for Fife of 18.0%. There are also higher levels of stock in the 'Other' category (7.5%) which includes second home ownership.

**Figure A3.6 Tenure**



Source: 2011 Census

## Second Home Ownership

Rates of second home ownership are recorded by Fife Council and summarised in Table A3.11. In total, 340 homes within the St Andrews area are listed as second homes, which represents around 3% of the total stock in the town. This is significantly higher than the average for Fife of 1.4%.

**Table A3.11 Tenure: Second Homes**

	St Andrews Area		Fife	Difference to Fife
<b>Second Home Ownership</b>	340	3.0%	1.4%	114.29%
Source: Fife Council Tenure Database				

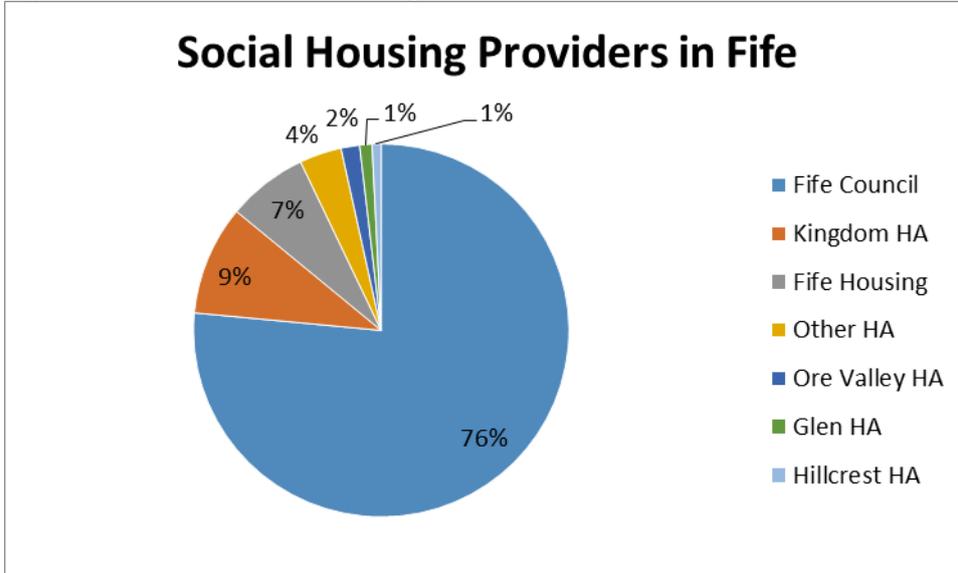
## Social Rented Sector

### Housing Stock - Fife

There are a total of 29,982 Fife Council housing properties in Fife, a further 9,543 units are provided by Registered Social Landlords (Housing Associations) in Fife meaning there are 39,525 social housing units for let in Fife. Twenty three Housing Associations provide social

housing in Fife with the five largest providers being Kingdom HA (3,726 units), Fife Housing (2,715), Ore Valley HA (627), Glen HA (417) and Hillcrest HA (306).

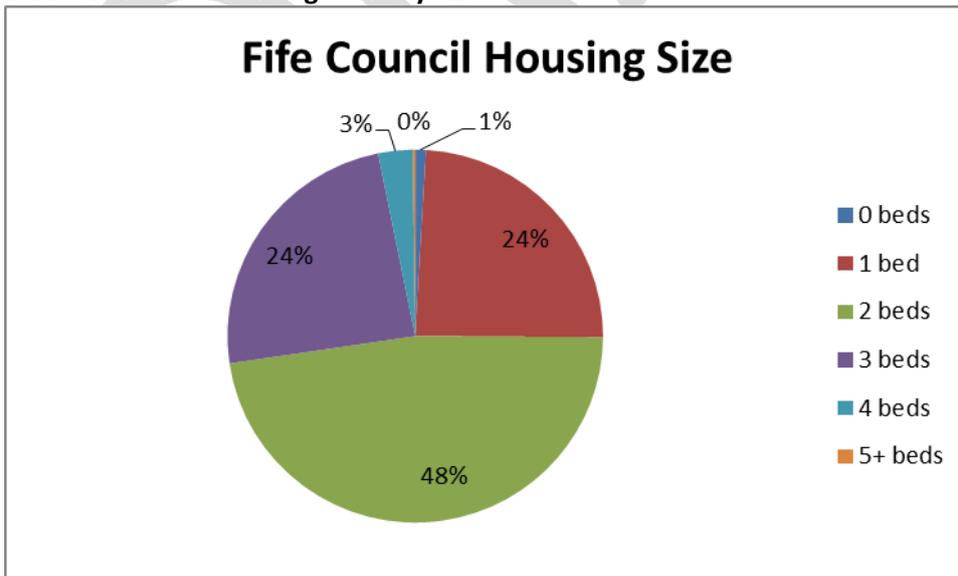
**Figure A3.7 Social Rented Housing Providers in Fife**



Source: Fife Council data

As the largest provider of social housing in Fife, here we provide analysis of the Fife council housing stock by size and type. Figure 3.8 below shows that the greatest proportion of Fife Council homes in Fife are two bedroom (14,251 or 48%) followed by one bedroom (7,241 24%) and three bedroom properties (7,237 24%). Only 3% (886 units) of Fife Council housing units have four bedrooms, 0.3% (94 units) have five or more bedrooms.

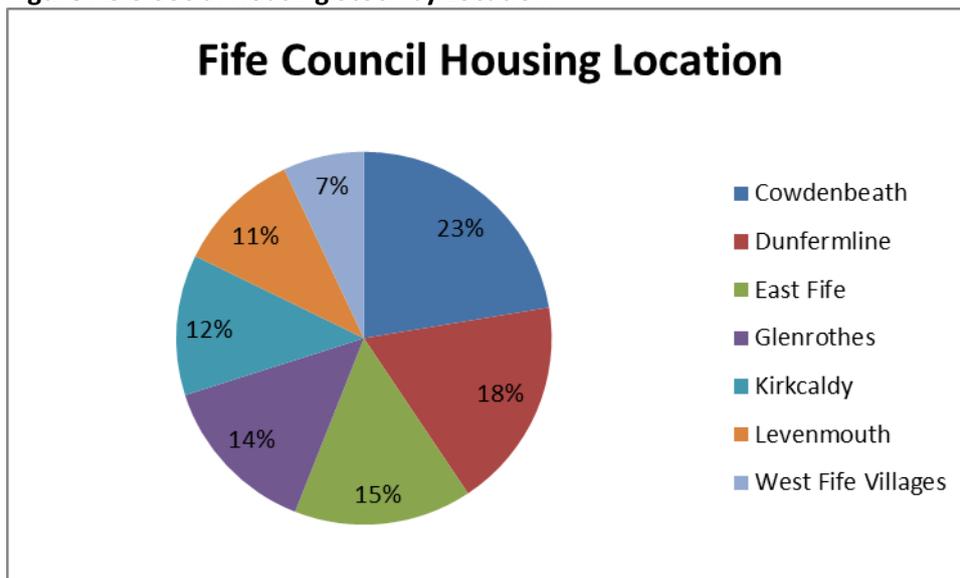
**Table A3.8 Social Housing Stock by Size**



Source: Fife Council data

Figure A3.9 shows the location of social housing properties with the greatest proportion being in the Cowdenbeath/ Lochgelly/ Ballingry/ Keltly area (6,705 units, 28%) followed by the Dunfermline area (5,480 units, 18%), East Fife (4,596 units, 15%), Glenrothes area (4,224 units, 14%), Kirkcaldy area (3,657 units, 12%), Levenmouth (3,231 units, 11%) and West Fife Villages (2,089 units, 7%).

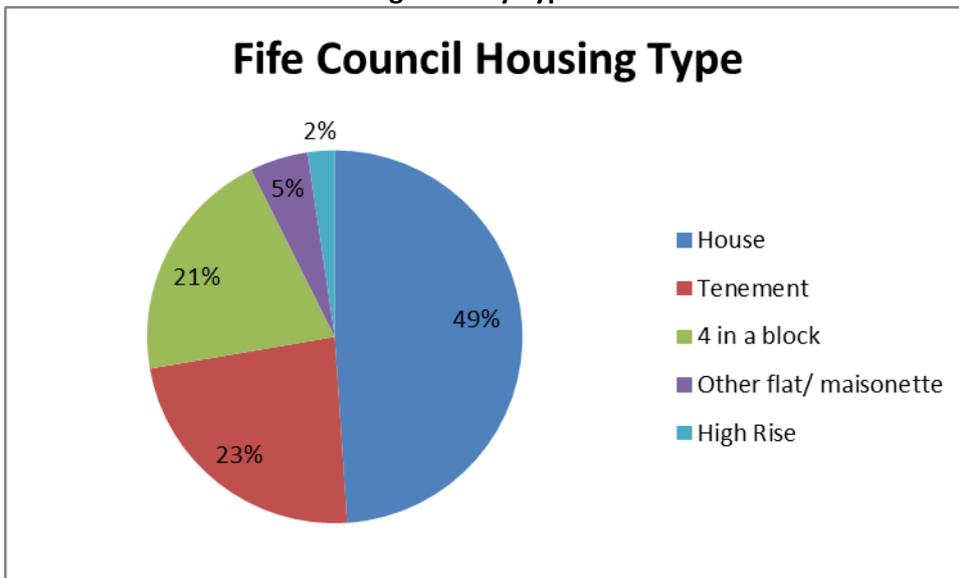
**Figure A3.9 Social Housing Stock by Location**



Source: Fife Council data

The majority of social housing units are houses (14,673 units, 49%) followed by tenements (6,992 units, 23%) and flats (6,119 units, 20%), followed by other flats/ maisonettes (1,500 units 5%) and high rise flats (698 units, 2%).

**Table A3.10 Fife Council Housing Stock by Type**

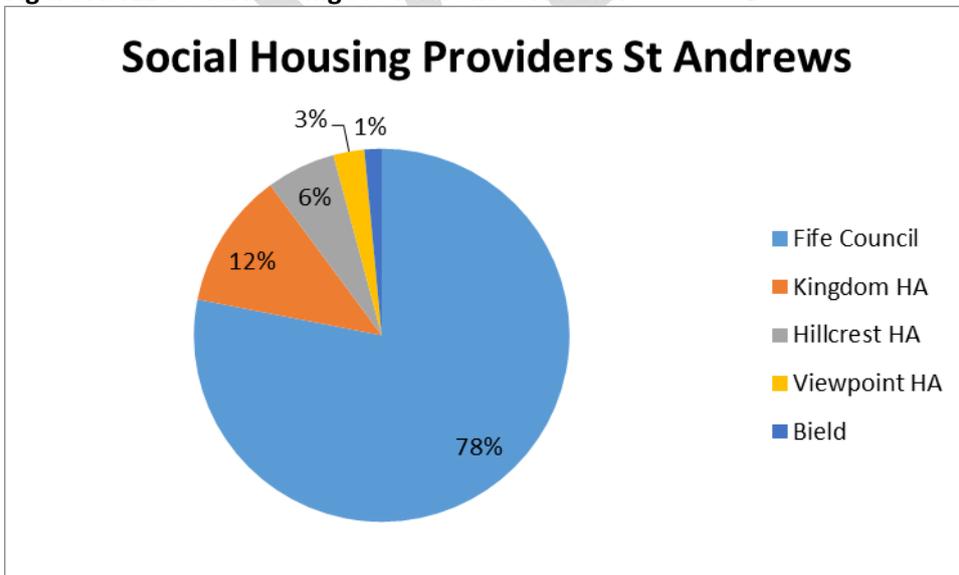


Source: Fife Council data

### Social Housing Stock – St Andrews

There are a total of 940 social rented units in St Andrews. The majority of these (734, 78%) are provided by Fife Council with Kingdom HA providing 111 units (11.8%), Hillcrest HA providing 56 units (6%), Viewpoint HA 25 units (2.7%) and Bield 14 units (1.5%).

**Figure A3.11 Social Housing Providers in St Andrews**



Source: Fife Council data

## Housing Waiting List

In March 2016 there were a total of 11,211 people on the Fife Housing Register which allocates social rented homes provided by Fife Council, Fife Housing, Glen, Kingdom, Ochil View, and Ore Valley Housing Associations.

A total of 1,448 people on the Housing Register who were seeking a social rented home in North East Fife. This accounts for 12.9% of the total number of applicants on the Housing Register.

Across the whole of Fife the most sought after property size is a one bedroom (44% of Housing Register applicants) followed by two bedrooms (36%), three bedrooms (14%), four bedrooms (4%) and five bedrooms (1%). In North East Fife fewer applicants require a one bedroom property (42%) while more seek two (38%), three (15%) and four bedrooms (5%).

**Table A3.12 Housing Register**

House Size	St Andrews		North East Fife		Fife Total	
	No.	%	No.	%	No.	%
<b>1 bedroom</b>	178	47%	613	42%	4,921	44%
<b>2 bedroom</b>	135	36%	545	38%	4,090	36%
<b>3 bedroom</b>	47	12%	215	15%	1,587	14%
<b>4 bedroom</b>	19	5%	67	5%	495	4%
<b>5 bedroom</b>	1	0.3%	7	0%	93	1%
<b>6 bedroom</b>	0	0	1	0%	18	0%
<b>Total</b>	380	100%	1,448	100%	11,211	100%

Source: Fife Council

Included in this number are 380 housing register applicants who are currently seeking social housing in the town of St Andrews. We can see that applicants seeking housing in St Andrews are marginally (3%) more likely to require a 1 bedroom property than across Fife as a whole and noticeably more so than across North East Fife (5%). These figures should be referred to when planning any new social housing in the town.

## Change of Tenancy

During 2013/14 there were a total of 3,104 tenancy terminations in Fife Council housing stock. Three hundred and eighty four (384) of these (12.4%) were in North East Fife and (including KHA data) 51 (1.6%) were in St Andrews. The change of tenancy figure of 3,104 indicates that there is a tenancy turnover rate of 10.4% across Fife as a whole. Turnover is lower in North East Fife (8.4%) and considerably lower in St Andrews (6%) suggesting a more stable population which is less likely to give up a social housing tenancy once it has been obtained, reflecting the wider housing market pressures in St Andrews.

During 2014/15 there were a total of 2,860 tenancy terminations in Fife Council housing stock; 302 (10.6%) of these were in North East Fife and there were 64 (2.2%) in St Andrews. Turnover was 9.5% in Fife, 6.6% in North East Fife and 7.6% in St Andrews. In 2015/16 there were a total of 2,968 tenancy terminations in Fife Council housing stock; 339 of these (11.4%) were in North East Fife and 95 of these were in St Andrews (3.1%). Turnover was 9.9% across Fife, 7.4% in North East Fife and (11.2%) in St Andrews. Average turnover over the three years is 10% in Fife, 7.4% in North East Fife and 8.3% in St Andrews.

**Table A3.13 Change of Tenancy**

House Size	St Andrews		North East Fife		Fife Total	
	No.	%	No.	Turnover	No.	Turnover
<b>2013/14</b>	51	6%	384	7.4%	3,104	9.9%
<b>2014/15</b>	64	7.6%	302	6.6%	2,860	9.5%
<b>2015/16</b>	95	11.2%	339	8.4%	2,968	10.4%

Source: Fife Council

## Housing Allocations

In the financial years 2013/14, 2014/15 and 2015/16 there were 7,636 lets made by Fife Council, 989 (13.5%) were lets made in North East Fife. The breakdown is shown in the table below.

**Table A3.14 Fife Council Housing Allocations**

Year	St Andrews		North East Fife		Fife	
	No.	% Waiting List	No.	% Waiting List	No.	% Waiting List
<b>2013/14</b>	56	15%	389	27%	2,785	25%
<b>2014/15</b>	56	15%	260	18%	2,331	21%
<b>2015/16</b>	108	28%	340	23%	2,520	22%

Source: Fife Council and Kingdom HA

When we consider the impact which housing allocations are having on the Housing Waiting list we can see that there were 2,520 allocations made across Fife during 2015/16 which accounts for 22% of applicants on the housing register, during 2014/15 this figure was 21% and during 2013/14 it was 25%. We can see that similar figures are observed in the North East Fife area with 23% of waiting list applicants being allocated a tenancy during 2015/16, 18% during 2014/15 and 27% during 2013/14.

In St Andrews the allocations during both 2013/14 and 2014/15 accounted for 15% of the waiting list. There were a greater number of allocations made during 2015/16 and these lets account for 28% of the waiting list in that year. The average over the three year period is 19% which is lower than the three year average for both Fife (22.7%) and North East Fife (22.8%) indicating greater waiting list demand in St Andrews.

## Private Rented Sector

As part of this study we looked at the private rented sector in order to understand pricing and costs, availability and affordability. We also wanted to understand how properties were marketed in the St Andrews area i.e. with a focus on occupiers or investors, students or non students.

We firstly looked at rentals in the St Andrews area (Figure 3.12 below) and then at the wider area, including Cupar, Ceres, Guardbridge and Leuchars, to understand the similarities and difference in the housing markets and areas within this. We used the popular internet house search tool 'Right Move' in mid-September 2016 to look at what was on the market in St Andrews and the wider area. Although this is a snapshot, the aim of this was to help to understand what was on the market, how and to whom it was marketed, prices and locational factors and the general availability at the time.

At the time of the search, there were 32 rental properties available in the St Andrews area with asking rents ranging from £715 pcm to £2,250 pcm. The availability was as follows:

**Table A3.15 Private Rented Sector Properties Available for Rent September 2016**

No Beds	No. Available
1	11
2	8
3	5
4	6

Source: Rightmove

Rightmove allows a search only for Student Rental properties and there were 12 student properties available at the time of the search. Ten were 1 bed flats at Ayton House (private halls of residence) and two were 2 bed flats. Rents ranged from £165 per person per week (pppw) or £660 per month to £210 pppw/£840 per person, per month.

Looking just at the wider area, there were much fewer rental properties on the market (19). These were spread across the area, with asking rents ranging from £1,150 per month for a 6 bed house in Strathkinness to £400 per month for a 1 bed flat in Cupar. There were no properties specifically marketed as student accommodation in the wider search area at the time of the search.

## Owner Occupation

We also looked at the private sales market. This was to understand pricing and costs, availability and affordability. We also wanted to understand how properties were marketed in the St Andrews area i.e. with a focus on occupiers or investors, students or non students.

We firstly looked at sales in the St Andrews area (Figure A3.12 below) and then at the wider area, including Cupar, Ceres, Guardbridge and Leuchars, to understand the similarities and difference in the housing markets and areas within this. We used 'Right Move' to search in mid-September 2016 to look at both what was on the market and the sold prices and trends in St Andrews and the wider area. Although this is a snapshot the aim of this was to understand what was on the market, how and to whom it was marketed, prices and locational factors and the general availability at the time.

## Sales -St Andrews

**Figure A3.12 St Andrews Right Move Search Area**



We initially considered the St Andrews area: There were 83 properties marketed at the time of the search, with prices ranging from £41,250 for a 25% share of a shared ownership flat to £2.4m for a group of townhouse. Taking out shared ownership and commercial property/investment property, prices ranged from £149,500 to £1.75m. Of the 77 residential properties on the market at the time of the search, 20 (30%) were marketed as having investment/rental potential and three had been or were operated as Bed & Breakfast accommodation. Nine were retirement properties (14%), leaving 45 for family/non retirement sales. Eight properties in the market were new build.

The average asking price was £410,331, broken down as follows:

**Table A3.16 Average Asking Prices St Andrews September 2016**

Type	No. Marketed	Ave. Asking Price
<b>Flat</b>	35	£287,773
<b>Terraced</b>	15	£472,663
<b>Semi</b>	10	£307,950
<b>Detached</b>	17	£667,882
No. Beds	No. Marketed	Ave. Asking Price
<b>1</b>	12	£202,858
<b>2</b>	27	£254,194
<b>3</b>	18	£395,775
<b>4</b>	10	£618,900
<b>5</b>	7	£722,857
<b>6+</b>	3	£1,308,333

Source: Rightmove

We see that the higher prices are for larger, detached properties. There were some terraced 'townhouses' within the terraced grouping, which increased the average asking price. The average asking price is high compared to the average sold prices for Fife (at £125,085) and Scotland (£143,711). The greatest availability was of flats and two bedroom accommodation.

### **Sales - Wider Area**

We also widened the search area by 5 miles to include the settlements of Cupar, Ceres, Guardbridge and Leuchars, as shown below.

**Figure A3.13 St Andrews + 5 miles Right Move Search Area**



This search produced 163 initial results, an additional 80 to the 83 in St Andrews alone. The 10 most expensive properties in the wider search area were in St Andrews. Taking out St Andrews itself, asking prices ranged from £885,000 for a 4 bed detached property with outbuildings in Cupar to £44,500 for a one bed retirement flat in Cupar. Properties on the market were mainly detached, followed by flats, terraced and semi detached. Only 3 were retirement properties. There were 6 new homes on the market, 3 of which were at a new development at Beley Bridge.

### **Sold Prices - St Andrews**

There were 498 residential sales in St Andrews in the past two years, with sold prices ranging from £45,000 to £3m. Around half of the sales were in the past year (257) with sold prices ranging from £51,600 to £3m. The area had an overall average sold price of £338,887, which is above that of Leuchars (£191,064), Tayport (£142,270) and Newport-On-Tay (£223,404). Overall sold prices in St. Andrews over the last year were 4% down on the previous year and similar to the 2006 level of £334,490.

To supplement these findings and further inform our analysis of the St Andrews housing market we carried out a subsequent analysis of properties for sale. During November 2016 there were 255 properties for sale in St Andrews – of these 131 were within the Town Centre Conservation Area and 255 were outwith this. Those in the conservation area had an average asking price of £396,065. Those outwith the conservation area had an average asking price of £249,837 –showing that, on average, sold prices within the conservation area are £146,228 higher than those in other areas of St Andrews.

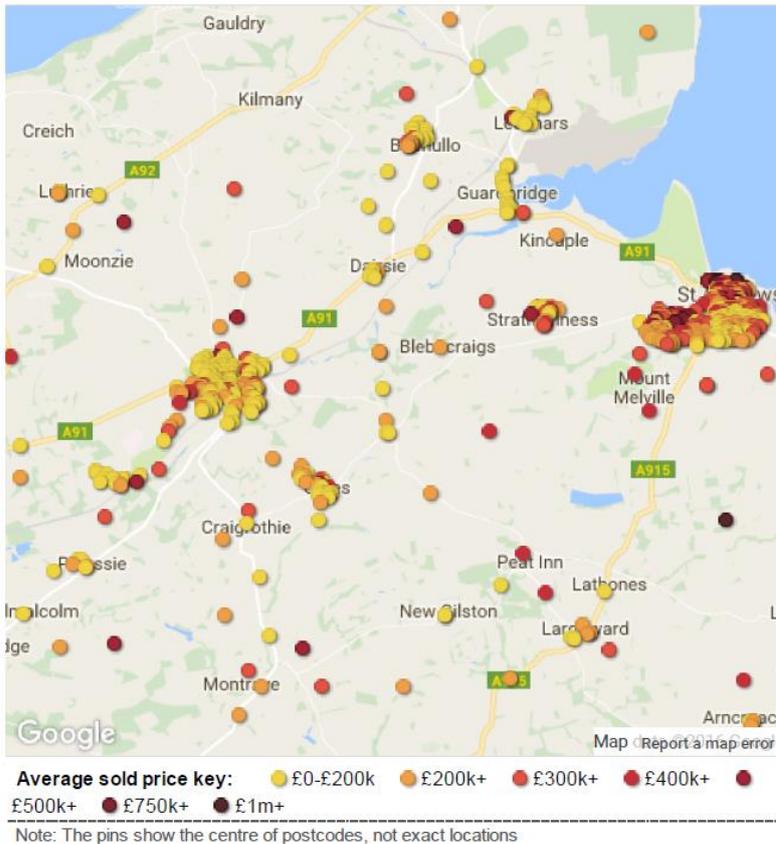
### **Sold Prices - Wider Area**

Looking at the wider area, there were 796 residential sales (i.e. 498 in St Andrews and 298 in the wider area), ranging from £18,500 in Cupar to £3m. The next highest sold price outside of

St Andrews was £611,000 in Cupar. We see therefore that the St Andrews market is both more active than the wider area with more sales at the higher value end.

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**Figure A3.14 Sold Prices**



The majority of sales were in St Andrews, followed by Cupar, Leuchars and Guardbridge. At £338,887 the average sold price for St Andrews is over 2.5 times higher than the average for Fife (at £125,085) and 2.4 times higher than the average for Scotland (at £143,711).

## Housing Affordability

As part of the Centre for Housing Market Analysis Housing Need and Demand Assessment Tool <sup>3</sup>, Heriot Watt University have provided income information for each of the housing market areas within Fife. This provides projections for each year of the tool, and we have set out income projections for 2016 across Fife as a whole and North East Fife in Table A3.17 below.

It shows the median income in Fife is £23,569, while residents in North East Fife have a median income of £25,048.

**Table A3.17 Income Information for Fife 2016 Projections**

Decile	Fife	North East Fife & St Andrews HMA
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

<sup>3</sup> <http://www.gov.scot/Topics/Built-Environment/Housing/supply-demand/chma>

<b>Lowest 10% below</b>	£7,714	£7,616
<b>20%</b>	£11,582	£11,924
<b>30%</b>	£15,450	£16,232
<b>40%</b>	£19,317	£20,540
<b>Median</b>	£23,569	£25,048
<b>60%</b>	£29,464	£37,053
<b>70%</b>	£39,517	£41,184
<b>80%</b>	£43,564	£45,314
<b>Highest 10% above</b>	£47,611	£49,444
Source: Heriot Watt University Estimates 2016		

When measuring housing affordability there are two main approaches; the first is to determine whether house prices are affordable in relation to incomes, while the second, more specific approach is whether housing is affordable to particular groups, such as key workers.<sup>4</sup> Guidance issued by the Department of Communities and Local Government suggests an affordability threshold of between 25% and 35% of gross income when assessing housing affordability.<sup>5</sup>

Table A3.18 below sets out the gross incomes in North East Fife over each income decile, we have also provided detail on the amount which corresponds to 25%, 30% and 35% of each gross income. The figure in parenthesis is the monthly figure. This data is used in Table A3.20 below to provide an analysis of house price affordability.

**Table A3.18 Affordability Analysis North East Fife and St Andrews HMA 2016**

Decile	North East Fife & St Andrews HMA	25% of gross income	30% of gross income	35% of gross income
Lowest 10% below	£7,616	£1,904 (£159)	£2,285 (£190)	£2,666 (£222)
20%	£11,924	£2,981 (£248)	£3,577 (£298)	£4,173 (£348)
30%	£16,232	£4,058 (£338)	£4,870 (£406)	£5,681 (£473)
40%	£20,540	£5,135 (£428)	£6,162 (£514)	£7,189 (£599)
Median	£25,048	£6,262 (£522)	£7,514 (£626)	£8,767 (£731)
60%	£37,053	£9,263 (£772)	£11,116 (£926)	£12,969 (£1,081)
70%	£41,184	£10,296 (£858)	£12,355 (£1,030)	£14,414 (£1,201)
80%	£45,314	£11,329 (£944)	£13,594 (£1,133)	£15,860 (£1,322)

<sup>4</sup> Measuring Housing Affordability, A Review of Data Sources, University of Cambridge, 2009

<sup>5</sup> Strategic Housing Market Assessments, Practice Guidance Version 2, DCLG, 2007

Highest 10% above	£49,444	£12,361 (£1,030)	£14,833 (£1,236)	£17,305 (£1,442)
Source: Heriot Watt University Estimates 2016 and North Star Analysis				

We have used the Halifax Mortgage Calculator to find the minimum deposit required for the lowest and average asking prices and average sold house prices in St Andrews. We have not shown the highest priced property in this table as at £3 million it is outside the affordability of the majority of people in the area. The calculator also shows the monthly repayments required for the cheapest available 25 year repayment mortgage product. Table 3.19 below provides these costs while Table 3.20 compares these monthly repayments to the 25%, 30% and 35% of each income decile as shown above.

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**Table A3.19 Mortgage Availability and Costs**

House Price	£	Minimum Deposit	Minimum Monthly Repayments
<b>Lowest Asking Price</b>	£149,500	£7,475 95%	£720
<b>Average Asking Price</b>	£410,331	£20,517 95%	£1,975
<b>Average Sold Price</b>	£338,887	£16,945 95%	£1,631

Source: <http://www.halifax.co.uk/mortgages/mortgage-calculator/calculator/#>

**Table A3.20 Affordability By Income Decile**

Decile	Gross Monthly Income	Lowest Asking Price 25%	Lowest Asking Price 30%	Lowest Asking Price 30%	Average Asking Price 25%	Average Asking Price 30%	Average Asking Price 35%	Average Sold Price 25%	Average Sold Price 30%	Average Sold Price 35%
<b>Lowest 10% below</b>	£7,616	£159	£190	£222	£159	£190	£222	£159	£190	£222
<b>20%</b>	£11,924	£248	£298	£348	£248	£298	£348	£248	£298	£348
<b>30%</b>	£16,232	£338	£406	£473	£338	£406	£473	£338	£406	£473
<b>40%</b>	£20,540	£428	£514	£599	£428	£514	£599	£428	£514	£599
<b>Median</b>	£25,048	£522	£626	£731	£522	£626	£731	£522	£626	£731
<b>60%</b>	£37,053	£772	£926	£1,081	£772	£926	£1,081	£772	£926	£1,081
<b>70%</b>	£41,184	£858	£1,030	£1,201	£858	£1,030	£1,201	£858	£1,030	£1,201
<b>80%</b>	£45,314	£944	£1,133	£1,322	£944	£1,133	£1,322	£944	£1,133	£1,322
<b>Highest 10% above</b>	£49,444	£1,030	£1,236	£1,442	£1,030	£1,236	£1,442	£1,030	£1,236	£1,442

Source: Heriot Watt University Estimates 2016 and North Star Analysis

Table A3.20 above shows that the lowest price of recent asking prices (£149,500) is unaffordable for households earning the median income for North East Fife and St Andrews (£25,048) or less when we use the 25% and 30% affordability thresholds. When we use the 35% affordability threshold households earning the median income could afford the lowest asking price. However, even if the household could afford the monthly repayments of £720, the minimum deposit required would be £7,475.

If we look at the average asking price (£410,331) and consider the 25%, 30% and 35% affordability thresholds there are no households which would find this affordable.

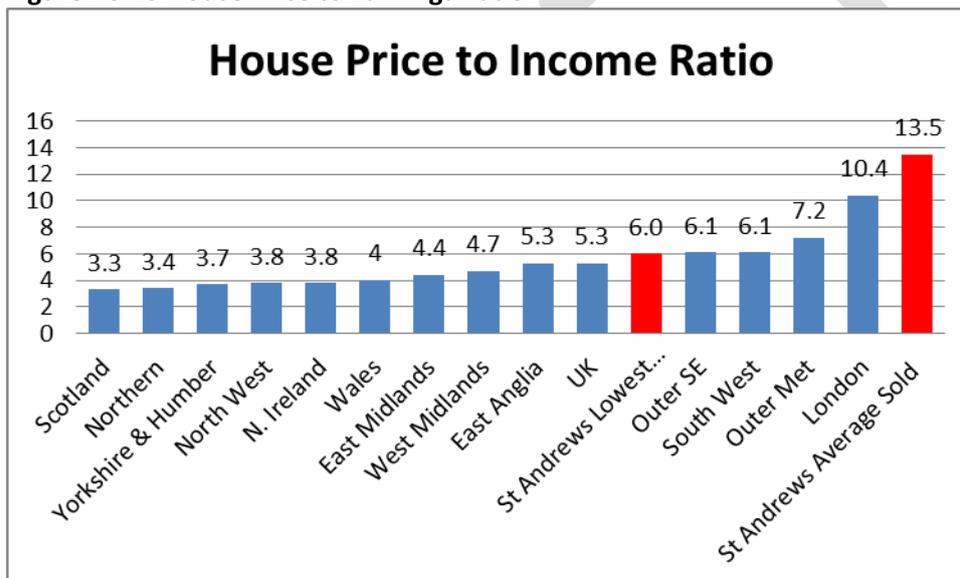
Similarly when we use the average sold price (£338,887) using the 25%, 30% and 35% affordability thresholds there are no households which would find this affordable. In order for those households in the highest 10% of incomes (£49,444) to afford the average sold price of a property in St Andrews they would have to spend 40% of their income on mortgage repayments.

## House Price to Earnings Ratio

The Nationwide has produced First Time Buyer house prices to earnings ratio tables for the UK<sup>67</sup>. This data shows that the highest house price to earnings ratio is found in London at 10.4. Other areas with very high house price to income ratios include: London Outer Metropolitan area 7.2; Outer South East 6.1 and East Anglia at 5.3. Scotland has an average ratio of 3.3.

Using the North East Fife median income data (£25,048) the house price to earnings ratio of someone looking to buy the lowest priced house in St Andrews (£149,500) as shown above would be 6. When we consider the median sold house price (£338,887) this ratio increases to 13.5 – both ratios are significantly above the Scottish average ratio of 3.3 with the median house price to income ratio well above the UK average ratio of 5.3. From the Nationwide regional data provided, St Andrews has a higher house price to earnings ratio than any other region in the analysis. There may be individual towns with higher levels of house price to earnings ratios but individual towns are not shown in the data.

Figure A3.15 House Price to Earnings Ratio



Source: Nationwide and North Star Analysis

## Development Proposals in St Andrews

St Andrews has a Strategic Development Area to the West of the town as set out in the Local Development Plan (Pre Examination, June 2015). The historic centre of the town will continue to be protected and any new development proposals in and around this area will be required to complement its historic character. The importance of the St Andrews green belt is underpinned by TAYplan and the policies in the Local Development Plan.

<sup>6</sup> <http://www.nationwide.co.uk/about/house-price-index/download-data#xtab:affordability-benchmarks>

<sup>7</sup> The Nationwide data uses mean earnings for a full time worker on adult rates

There are four key sites identified in the Local Development Plan Proposals which currently indicate an estimate housing capacity. In total, across these four sites, the estimated housing capacity is 1,401 units. Each of these sites is described in more detail in Table A3.21 below:

**Table A3.21 Local Development Plan Proposals with Housing Capacity Stated**

Site Ref	Location	Area (ha)	Description	Est. Housing Capacity	
<b>STA 001</b>	St Andrews West	113.4	Strategic Development Area – University of St Andrews/ Private Sector/ Fife Council	1,090	1,090 houses to be developed on a phased basis in distinct neighbourhoods of hubs
<b>STA 002</b>	Grange Road	2.2	Housing – University of St Andrews	50	University related housing development where purpose built student housing for postgraduates and undergraduates will be provided along with tied housing for researchers and University staff.
<b>STA 003</b>	New Park School	1.5	Housing – Private Sector	21	Site under construction
<b>STA 006</b>	ST Leonards	4.4	Housing/ Hotel – Private Sector	240	A Strategic Development Framework has been developed for this site which includes housing and a hotel.

Source: Fife Local Development Plan

There are currently planning applications for 66 social rented properties at the Strathkinness hub and 100 affordable properties in the Craigtoun hub as described in STA 001 St Andrews West.

Press reports from 5<sup>th</sup> October 2016 confirm that the University of St Andrews is to move ahead with plans to build affordable housing for its staff and postgraduate students on the eastern edge of St Andrews. A Pre-Application Notice has been submitted to Fife Council for a 64-home development on the five-acre site known as The Grange, which is currently farm land owned by the University. The proposal is for two and three-bedroom homes which would be offered to postgraduate students, junior staff and other staff on short-term contracts at mid-market rentals.

In March this year, the University confirmed it was to invest £70 million in new student residences and refurbishment to provide an additional 900 student beds across St Andrews. A public consultation on the proposals will take place during October 2016<sup>8</sup>.

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<sup>8</sup> [http://www.scottishhousingnews.com/11694/university-of-st-andrews-plans-affordable-homes-for-staff-and-students/?utm\\_source=Scottish+Housing+News&utm\\_campaign=c11c4c7355-SHN\\_05\\_10\\_16&utm\\_medium=email&utm\\_term=0\\_3d3bcd4a6e-c11c4c7355-66661725&mc\\_cid=c11c4c7355&mc\\_eid=298f535493](http://www.scottishhousingnews.com/11694/university-of-st-andrews-plans-affordable-homes-for-staff-and-students/?utm_source=Scottish+Housing+News&utm_campaign=c11c4c7355-SHN_05_10_16&utm_medium=email&utm_term=0_3d3bcd4a6e-c11c4c7355-66661725&mc_cid=c11c4c7355&mc_eid=298f535493)

## **Appendix 4 – Good Practice Review and Case Study Findings**

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North Star Consulting & Research in collaboration with the Scottish Houses in Multiple Occupation Networking Group (SHMONG) carried out a survey of local authorities in Scotland to gather information on the operation of HMOs in other areas. All 32 local authorities were asked to take part in the survey and we received a total of 22 responses which represents 69% of local authorities. In this section the survey findings in relation to fee structures and overprovision policies are presented.

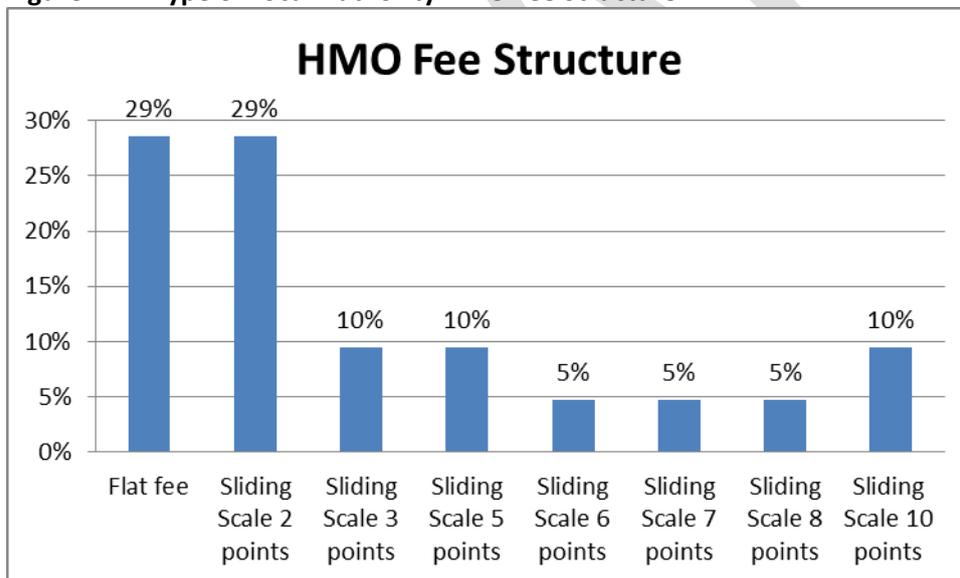
We also carried out four case studies exploring the practice in four other local authority areas and their approach to overprovision of HMOs.

## Fee Structures

Survey respondents were asked to provide their fee structures for HMO Licensing, 22 responses were received and as there were 22 different fee structures we have provided the individual responses in Table A4.1 below. Fees charged range from £206 to £32,288 for a new HMO application and from £193 to £16,144 for a renewal.

Almost three quarters (71%) of those who responded have a sliding scale fee structure while 29% have a flat fee. Twenty nine per cent (29%) have a two point scale (these tended to be smaller authorities with fewer HMOs). Figure 6.1 below shows the distribution of fee structures in terms of flat fee or sliding scales, including the number of points in the scale.

**Figure A4.1 Type of Local Authority HMO Fee Structure**



The majority (57%) of local authorities offer a discount for renewal of an existing HMO licence while 43% do not. There appears to be little correlation between whether a sliding scale or flat fee structure is in place and whether a discount is offered, with 60% of authorities with a sliding scale offering a renewal discount and 50% of those with a flat fee offering a renewal discount.

When we consider those authorities with the largest number of HMOs (Glasgow, Dundee, Aberdeen, Fife and Stirling) we find that four of the five have a sliding scale (ranging from a 6, 7, 8 and 10 point scale) while Fife is the only authority with a flat fee. Only Stirling do not offer a discount on renewal of an HMO application. Of those authorities which do offer a discount, discounts range from 16% to 62% (the highest discount is found in Fife).

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**Table A4.1 Local Authority HMO Fee Structures**

Local Authority	Fee Structure	Renewal	Other	
<b>Aberdeen</b>	3-5 £495 6-10 £720 11-20 £1350 21 - 50 £2520 51 – 100 £4230 101 – 200 £6840 201 plus £7380	3-5 £400 6-10 £500 11-20 £900 21 – 50 £1500 51 -100 £2400 101 – 200 £3700 201 plus £4000		Sliding scale – 7 points on scale Sliding scale of discounts on renewal ranging from 19%-46%
<b>Aberdeenshire</b>	3-4 persons £697 5-9 persons £870 10-14 persons £1044 15-25 persons £1276 over 25 £1446	3-4 persons £630 5-9 persons £785 10-14 persons £940 15-25 £1150 over 25 £1303		Sliding scale – 5 points on scale 10% discount for renewal
<b>Argyll &amp; Bute</b>	£922.20 >10 persons £753.65 <10 persons	£922.20 >10 persons £753.65 <10 persons	£200.00 refund for unsuccessful renewal/application	Sliding scale – 2 points on scale No discount for renewal
<b>Clackmannanshire</b>	less than 10 occupants £504 more than 10 occupants £624	less than 10 occupants £504 more than 10 occupants £624		Sliding scale – 2 points on scale No discount for renewal
<b>Dumfries &amp; Galloway</b>	3 - 5 £995 6 - 10 £1090 11 or more £1250	3 - 5 £675 6 - 10 £750 11 or more £900		Sliding scale – 3 points on scale 32% discount for renewal
<b>Dundee</b>	3-5 £1140 Up to 10 £1240 Up to 20 £1440 Up to 30 £1640	3-5 £960 Up to 10 £960 Up to 20 £1160 Up to 30 £1160	Application to Vary a Licence - £180	Sliding scale – 10 points on scale 16% discount for renewal

	Up to 40 £1840 Up to 50 £2040 Up to 75 £2540 Up to 100 £3040 Up to 200 £5040 Over 200 £7040	Up to 40 £1160 Up to 50 £1160 Up to 75 £1460 Up to 100 £1460 Up to 200 £1460 Over 200 £1460		
<b>East Lothian</b>	3-5 £405 6-10 £660 11-20 £1,010 21-30 £1,215 31-40 £1,415 41-50 £1,620 51-75 £2,125 76-100 £2,630 101-200 £3,645 201+ £4,655	3-5 £405 6-10 £660 11-20 £1,010 21-30 £1,215 31-40 £1,415 41-50 £1,620 51-75 £2,125 76-100 £2,630 101-200 £3,645 201+ £4,655	80% discount for Similar Footprint Large Applications 20% Refund for Refused Applications	Sliding scale – 10 points on scale No discount for renewal
<b>East Renfrewshire</b>	(up to 6) £745 (7 and over) £945	(up to 6) £470 (7 and over) £610		Sliding scale – 2 points on scale 37% discount for renewal
<b>Eilean Siar</b>	£276	£193		Flat fee 30% discount for renewal
<b>Fife</b>	£1,300	£500		Flat fee 62% discount for renewal
<b>Glasgow</b>	Up to 10 £1906 11-100 £4036 101-200 £8745 201-300 £13453 301-400 £18162	Up to 10 £953 11-100 £2018 101-200 £4372 201-300 £6666 301-400 £9081	Variation £70	Sliding scale – 8 points on scale 50% discount for renewal

	401-500 £22870 501-600 £27579 601-700 £32288	401-500 £11435 501-600 £13790 601-700 £16144		
<b>Highland</b>	10 or less occupants - £801 11 or more occupants - £1066	10 or less occupants - £801 11 or more occupants - £1066	Fee 4 Change of Circumstance - £120 Footprint Fee - £62	Sliding scale – 2 points on scale No discount for renewal
<b>Inverclyde</b>	£1,133.80	£1,133.80	£180 for a variation in the licence	Flat fee No discount for renewal
<b>Moray</b>	HMO (5 occupants or under) £938 HMO (10 occupants or under) £1,194 HMO (over 10 occupants) £1,449	HMO (5 occupants or under) £938 HMO (10 occupants or under) £1,194 HMO (over 10 occupants) £1,449	HMO Change of Circumstance £225	Sliding scale – 3 points on scale No discount for renewal
<b>North Ayrshire</b>	£840	£840		Flat fee No discount for renewal
<b>Orkney</b>	£387 up to 9 occupants £647 10 or more occupants	£387 up to 9 occupants £647 10 or more occupants	In both cases the actual cost of an advert in local paper is added ca.£180 Licenses only apply for 1 year	Sliding scale – 2 points on scale No discount for renewal
<b>Scottish Borders</b>	£539	£539		Flat fee No discount for renewal
<b>Shetland</b>	£206 up to 6 occupants £309 over 6 occupants	£206 up to 6 occupants £309 over 6 occupants		Sliding scale – 2 points on scale No discount for renewal

<b>Stirling</b>	Up to 5 £601 6-10 £701 11-20 £802 21-50 £902 51-100 £1102 100+ £1602	Up to 5 £601 6-10 £701 11-20 £802 21-50 £902 51-100 £1102 100+ £1602	Block Applications – footprint discount 90%  Licenses must be renewed every two years	Sliding scale – 6 points on scale No discount for renewal
<b>South Ayrshire</b>	£1080	£572		Flat fee 47% discount for renewal
<b>West Lothian</b>	£584.86 (3-50 residents) £602.03 (51-100 residents) £657.48 (101-150 residents) £712.90 (151-200residents) £768.35 (200+ residents)	£584.86 (3-50 residents) £602.03 (51-100 residents) £657.48 (101-150 residents) £712.90 (151-200residents) £768.35 (200+ residents)		Sliding scale – 5 points on scale No discount for renewal

## Recommended Fee Structure

On the basis of our analysis of the current fee structure in Fife and comparison of this with other local authority fee structures we recommend that Fife Council revise the current fee structure. The existing flat fee does not take into account the number of occupants in an HMO nor does it consider the amount of resources spent on each application and a sliding scale should be introduced. Based on the current range of HMO properties and their number of occupants, we recommend the following sliding shown in Table A4.2 below:

**Table A4.2 Recommended Fee Structure Sliding Scale**

No. of Occupants
3-5
6-10
11-20
21-50
51-100
101-200
201-300
301-400
401-500
501+

We do not have a full picture of the costs of operating the HMO Licensing function within Fife Council but recommend that the fees are set at levels which ensure costs are covered without generating a sizeable surplus. Fee should reflect the resources required to carry out the licensing function.

Where analysis of the costs associated with renewal can be confirmed as significantly lower than those for a new application a discount should be applied to renewals.

A separate fee should be established for variations to an existing licence, again to reflect the resources required to administer the variation to the licence. Several authorities also provide discounts for applications from dwellings where several individual residences have the same footprint and internal specification and this too, should be incorporated into the fee structure.

It is recognised that where re-inspections are required additional costs are incurred and it would be reasonable to introduce an additional charge if an applicant requires more than one re-inspection of the property.

## Over Provision Policies

Survey respondents were asked 'Do you have any local policies which are in place to restrict the number of HMOs in your area, or part of it?' While 20 responses were received, only 20% of these authorities have any policies in place to restrict the number of HMOs in their area. These authorities were larger, city authorities (Dundee, Glasgow, Stirling) and Fife Council.

Aberdeen Council indicated that it is likely to introduce some version of an HMO Overprovision policy and that the Council is currently considering the issue.

The following provides a detailed analysis of Case Study Examples of where other authorities have introduced over provision policies including Dundee, Glasgow and Stirling Councils. The Nottingham case study has also been provided to demonstrate approaches which are in place outside Scotland.

## **Case Study 1 – Dundee City Council<sup>9</sup>**

### **Context**

There are two Universities in Dundee, Dundee University with more than 17000 students and more than 3000 staff and Abertay University with around 4,200 students. The majority of Dundee University Buildings are close to the city centre, broadly in a triangle bordered on two sides by Hawkhill Road and by Perth Road on the third. Abertay University is also based in the heart of Dundee, with all buildings on a compact city centre campus. The overall population of the City is 148,000.

### **Nature of the problem**

The City Council brought in an overprovision policy during 2008 as there was a lack of clarity on the approach to concentration levels in certain areas to be taken in the Licensing of HMOs. Perth Road, Dundee has a large concentration of student accommodation, particularly where it is closest to the University Buildings. The Council felt that it required clarity on when to permit or refuse HMO licenses as there was no stated policy and decision making was inconsistent and, because of this, difficult to defend. The policy was required so that landlords, staff, the public and Committee were all clear on policy and what would and would not be permitted.

### **The Policy**

*‘With a view to preventing excessive concentrations of Houses in Multiple Occupation (HMOs) in any area of the city, the Council have adopted a policy on the overprovision of HMOs.*

*The policy is to the effect that if there is a concentration of HMOs in any one particular Census Output Area (COA) in excess of 12.5% of qualifying residential properties in that COA, then the Licensing Committee will consider this to amount to overprovision of HMOs in that COA and may refuse a licence. The provision level will be verified the day prior to the Licensing Committee meeting at which your application will be considered and it is on the basis of this information that the Committee will make their determination. Applicants should be aware that the Council will not refuse to accept an application for a licence on the basis of overprovision. It will be for the applicant to determine whether they wish to submit an application and where necessary to seek to convince the Licensing Committee that there are exceptional circumstances in their case which would justify the policy not being applied.*

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<sup>9</sup>[http://www.dundee.gov.uk/dundee/uploaded\\_publications/publication\\_1163.pdf](http://www.dundee.gov.uk/dundee/uploaded_publications/publication_1163.pdf)

*The policy applies city wide, with the exception of the city centre area as defined in the Dundee City Council Adopted Local Plan. New-build, purpose built HMO accommodation such as student residences and developments covered by Section 75 agreements under the Town & Country Planning (Scotland) Act 1997 which restricts their use to HMO accommodation are exempt from this policy. Competent renewals of existing licenses will be exempt. Existing licensed properties which change ownership and have a competent application lodged within one month of the change in ownership will be exempt.'*

In reaching this policy format the Council considered the threshold for overprovision being calculated on a street by street basis, but this was considered to be difficult to implement as some very small streets could have very high percentages of HMOs and very long streets (such as Perth Road) would have low percentages yet very high numbers of HMOs and these could all be sited in one small area. Postcode areas were considered to be too large for a meaningful calculation. The policy therefore calculates HMO percentages by Census Output Area, which is a geographic area which accounts for around 50 dwellings and is set independently for the Census.

The threshold level was initially considered at 25% but was agreed at 12.5%. The policy does not apply in the City Centre as there is little demand for family housing, with many properties being located above commercial premises and shops. It was also introduced to encourage the occupation of otherwise empty properties in the city centre.

The policy does not cover new build properties, it is for the Planning Department to consider each application. Where planning restrictions are applied to new build properties so that they cannot be used as HMOs, these conditions will exist in perpetuity, transferring with the title deeds on future sales.

### **Impact of Policy**

It is difficult to quantify the overall impact of the overprovision policy as no application has ever been refused solely on the grounds of the overprovision policy. The Council introduced a new IT system to support the overprovision policy and, as a result, landlords making an application will always know how many more HMOs will be permitted in the COA. They can either ask the Council for this information before purchasing a property or before making an HMO License application. If a landlord does submit an application, as every new applicant receives a HMO provision report, they could quickly withdraw their application if they find that they are making an application in a COA which is at or above the 12.5% threshold.

### **Community/ student responses**

The Council carried out extensive public consultation with agents, community groups and the Universities before the policy was introduced. There have been no complaints about the policy since its introduction in 2008.

## **Barriers to implementation**

The overprovision policy which Dundee City Council has introduced required the development of the existing IT system (which was designed and developed in house) to produce overprovision reports in support of the policy. The system links to the application process so that the provision report can be generated for each application.

## **Lessons learned**

The Dundee City Council approach was not based on a desire to reduce the number of HMOs, rather to ensure consistency of approach. The council described some areas around the universities, close to the city centre, as 'almost like a campus' and indicated that it was beneficial to have student accommodation registered as HMOs so that the quality of dwelling and tenancy management could be monitored rather than having student accommodation provided through other routes where there is less regulation.

The council acknowledged that students had been an integral part of the City for a very long time and have a significant positive impact on the City economy.

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## Case Study 2 – Stirling Council<sup>10</sup>

### Context

The University of Stirling has 12,800 students and around 1,500 staff. The University is located just two miles from the centre of Stirling with the 330 acre campus set close to the town of Bridge of Allan. The overall population of the City is around 46,000.

### Nature of the problem

At the time the first overprovision policy was introduced there were concerns from the Community and Elected Members that the town centre of Stirling was being ‘swamped’ by HMO provision. The Community Council felt that the volume of HMOs in the city centre was upsetting the community balance. Elected members had received complaints about HMOs and associated problems with noise, refuse and anti-social behaviour. It is noted that this perception is not supported by the number of formal complaints regarding an HMO in any given year (around 5). After investigating complaints, the HMO team find that the majority of complaints are found to be in relation to non HMO private rented properties.

### The Policy

*‘Stirling Council will seek to manage the overprovision of HMOs across the Stirling Council area through the adoption of an Overprovision Policy, in relation to applications for HMO licences under the Housing (Scotland) Act 2006 and in relation to applications for planning permission to form new HMOs, through Policy 2.3, part (e) of the Local Development Plan and this SG, specifically the locational criteria A, B and C set out at paragraph 3.1.*

*With a view to preventing excessive concentrations of Houses in Multiple Occupation in any area of the city centre, and elsewhere in the Stirling Council area, the Council have adopted a policy on the overprovision of HMOs. This policy in conjunction with Supplementary Planning Guidance provides a cohesive and complimentary regulatory control of concentration levels of Houses in Multiple Occupation.*

*This policy is to the effect that where the concentration of HMOs within the combined boundary of the Castle, Stirling East, Stirling West and Dunblane & Bridge of Allan electoral wards, as defined, is in excess of 1% of qualifying residential properties within the combined area, or if located out with these electoral wards, if the concentration of HMO’s in the relevant Census Output Area exceeds 5%, the Planning & Regulation Panel will consider this to amount to overprovision of HMOs and may refuse a licence.*

*This HMO Overprovision policy will apply to all first time HMO applications across the Stirling Council area irrespective of whether planning consent is required or not, with the exception of those exemptions set out in this policy. The provision level will be verified as at the date that a valid first time HMO application is submitted. For any cases referred to the Planning &*

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<sup>10</sup><http://www.stirling.gov.uk/documents/temporary-uploads/economy,-planning- and -regulation/approved-ldp/sg-teith-house-jan-2015/sg05- and -overprovision-policy-october-2015-final.pdf>

*Regulation Panel for determination, the Panel will consider the application on the basis of the verified provision level and any other relevant information provided.*

*Exemptions from the Policy include:*

- *Applications for specialist supported/intermediate accommodation provided by or on behalf of public agencies;*
- *New-build, purpose built HMO accommodation such as student residences;*
- *Competent renewals of existing licenses;*
- *Existing licensed properties which change ownership and the new owner submits a competent application within one month of the change of ownership*

*Determination of all first time HMO applications and renewal applications will be determined by Officers under delegated authority powers. If there are any valid objection(s) lodged by neighbouring proprietors to a first time HMO application or a renewal application, or if Officers have concerns regarding the standard of the property, the effective management of the property or the landlord(s) and/or Managing Agent being a 'fit and proper person', the application will be referred to Stirling Council's Planning & Regulation Panel for determination'.*

## **Impact of Policy**

The impact of the over provision policy has been a very small reduction in the number of HMOs. The reduction has been a result of occasional instances where a landlord sells their HMO and the new owner does not apply for a continuation of the license. It is difficult to tell whether properties are HMOs or properties occupied by students (but not HMOs), management issues are similar and regulation of these properties is seen as preferable to enforcement once conditions are breached. There are fewer enforceable regulations where a property is not an HMO.

Since the updated Overprovision policy became live on 29th October 2015, two applicants of first time HMO applications submitted appeals to the Council's Planning & Regulation Panel. The first appeal was refused on the grounds that the applicant did not submit any exceptional circumstances that would persuade the Panel that the Overprovision policy should not be applied to his application. The applicant did not appeal to the Sheriff within the 28 day period from the date of formal refusal. The second applicant withdrew his appeal the day before the Panel were due to consider the application.

The Council has committed to reviewing the overprovision policy and while this has not yet been undertaken, anecdotal evidence suggests that impacts may include a shift in landlord activity, with more buying 2 bedroom (non HMO) properties, which in turn has pushed up prices and rents for this size of property.

## Case Study 3 – Glasgow City Council<sup>11</sup>

### Context

Historically, multiple occupancy has been concentrated within parts of the West End, close to Glasgow University and with easy access to the other universities and colleges in the City. The density of flats with an HMO licence in Hillhead and Woodlands, in the heart of Ward 11, has now reached such a level that no further planning applications for multiple occupancies will be supported in these areas.

### Nature of the problem

Glasgow City Council were of the view that there is no sound legal basis on which to develop a policy on overprovision in relation to the licensing of HMOs at this time. It is, however, accepted that there are a number of HMO ‘hotspots’ in the City, close to the Universities and the West End, where the density of licensed HMO properties is higher than other areas of the City.

### The Policy

Although there is no ‘overprovision policy’ for HMOs in Glasgow at present, what is currently in place is Development and Design Policy RES 10 which aims to strike a balance between the demand for multiple occupancy and the need to ensure that the stability of neighbourhoods and the residential amenity of properties and streets is not adversely affected by a concentration of multiple occupancies.

Multiple occupancy in a flat needs two legal permissions before it can operate – planning permission, and a licence for a house in multiple occupation (HMO Licence).

Planning permission is required for:

- A house: containing more than five unrelated residents living together, including a household where care is provided for the residents; and let out in ‘bed-sits’.
- Flats where three or more unrelated persons live.

Planning permission is deemed not to be required where only one lodger is accommodated in addition to one resident family (see Definition).

Planning applications for multiple occupancy will be judged against the following:

- There must be individual access to a lit street. This will include main door flats (see Definition) and undivided terraced houses, but will exclude most properties served by a tenement close (see Definition) and/or communal stairs and properties which have already been subdivided.

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<sup>11</sup> <https://www.glasgow.gov.uk/CHttpHandler.ashx?id=7479&p=0>

- There must be direct access to a refuse store and a drying area to the rear of the building (recycling space should be provided in accordance with policy DES 12: Provision of Waste and Recycling Space).
- The need for car parking will be assessed, in each case, in accordance with policy TRANS 4: Vehicle Parking Standards.
- Within a given street or block (or other readily identifiable unit)<sup>1</sup> the proportion of multiple occupancies should not exceed 5% of the total number of dwellings comprising that unit (exemptions from this rule may include properties that have become completely isolated from family accommodation).

Applications for purpose built student accommodation are encouraged, particularly on appropriate sites, in areas reasonably accessible to the city's colleges and universities, provided other relevant plan policies are met.

When an application is submitted for a Certificate of Existing Lawful Use as a multiple occupancy, the applicant is required to demonstrate that the use has been in operation continuously for 10 years preceding the date of the application. This does not apply to renewal of existing HMO licenses.

### **Impact of Policy**

RES 10 was introduced in 1985, before any legislation and mandatory licensing of HMOs. The Policy does not have well defined thresholds and is difficult to apply. There are a number of inconsistencies within the policy which mean it is difficult for applicants to adhere to all its conditions and in reality the Policy is not always fully enforced. It is recognised that should the situation be reviewed and an overprovision policy was to be considered a full assessment of the demand for HMO accommodation and the supply of such accommodation available would need to be undertaken. At the present time there are no plans to do so.

## **Case Study 4 – Nottingham City Council**

The city of Nottingham is home to two large universities: The University of Nottingham and Nottingham Trent University. The total student population is approximately 33,000 at the University of Nottingham and 27,000 at Nottingham Trent University in term time. The University of Nottingham has four campuses to the south west of the city centre and Nottingham Trent's main buildings just to the south of the main city centre area.

The more popular student areas are close to the University campuses, all with their own characteristics. Private rented student/shared housing tends to be located in suburban areas. Lenton and Dunkirk the most popular areas for University of Nottingham students, whilst the city centre and the Arboretum areas see the greatest density of Nottingham Trent University students. In recent years the development of new, purpose built student accommodation have been successfully encouraged in the city centre.

### **Nature of the problem**

The increase in the number of students in Nottingham, particularly over the past 15 years, had had an impact on local housing markets in the surrounding areas and created imbalances in communities between residents and students. In some parts of the city the number of HMOs was so high that communities were thought to be in danger of becoming wholly unbalanced. HMOs make up approximately 25% of private renting in Nottingham, and the vast majority of these are occupied by students. The City Council took that view that, in certain parts of Nottingham, there were over-concentrations of student HMOs, leading to a clash of lifestyles and conflicting or disparate needs between longer standing residents and the relatively transient student population. In areas which had housed students for some time, there was a marked increase in private rented housing and a fall in owner occupation.

Although condition of HMOs is not cited as a key issue in wishing to intervene in the student housing market, Nottingham City Council encourages all private sector landlords to become accredited through the Nottingham Standard to raise the quality of the private rented sector. The 'Nottingham Standard' helps tenants identify properties that meet a minimum quality standard and recognises good landlords providing quality approved and well managed accommodation. Student housing is accredited under a version of this code/standard and managed by the local Unipol – student housing organisation.

### **Proposed solution**

The City Council's approach to the imbalance they see caused by concentrations of student housing is two fold

- Planning Policy: Diversion of students from the general housing market (in particular areas of over-concentration) into purpose built student accommodation in appropriate locations
- Environmental: Improving the environmental conditions in areas dominated by student housing.

The Housing Nottingham Plan sets out the Councils' approach to the housing market over a three year period (2013 - 2015) and a new strategy is under development. The four key themes of the plan are:

- Housing supply
- Housing standards
- Specialist housing
- Neighbourhoods

The plan aims to enable the development of appropriate, new purpose built student housing to achieve more balanced communities. The supply of this accommodation is not currently meeting demand, and whilst the Council acknowledges there will always be students whose preference is to live in traditional housing, they aim to ensure that further family homes are not lost because of a failure to meet demand for purpose built accommodation. The aspiration is that new student development is both high quality and affordable to make purpose built accommodation a desirable alternative to shared housing. They hope that this will extend to undergraduates in their second and third years as well as first year students. There is also an acknowledgement of the emerging need to consider the longer term impact on areas where the number of student homes reduces as a result of this strategy and the interventions required to support a return of former HMOs to family housing.

The current Nottingham Local Plan also contains two policies which relate to concentrations of student housing and the imbalance in population. Policy ST1 sets out a general policy, which seeks to ensure the creation of balanced communities. Policy H6 promotes the development of purpose-built student accommodation and identifies the areas where there is a concentration of student housing.

In addition the City Council have produced a Supplementary Planning Document (SPD) "Building Balanced Communities" to complement the policies in the Local Plan. The SPD tries to move towards the management of balanced communities and one of the main thrust of this has been to promote purpose-built accommodation in areas which are accessible to the Universities or within the City Regeneration Zones to the East and South of the City or within areas where more balanced communities can be maintained. The SPD effectively sets a threshold of 25% student housing and in designated areas where student housing exceeds this; the City Council will try to refuse applications it receives for student housing

As well as policies and strategies to encourage the provision of high quality alternatives to HMOs, the Council has made a city-wide 37 Article 4 Direction. Article 4 Directions remove the right to carry out certain types of 'permitted development'. This came into effect from 11 March 2012 and means that it is necessary to obtain planning permission to convert a family dwelling (Use Class C3) to a HMO with between 3 and 6 unrelated people sharing (Use Class C4) anywhere within the Nottingham City Council area. Planning permission is already required for properties shared by 7 or more unrelated people. If you want to do work that is covered by an Article 4 Direction you will first need to apply for planning permission.

More information can be found here <http://www.nottinghamcity.gov.uk/planning-and-building-control/planning-applications/do-i-need-planning-permission/article-4-directions-and-restrictions-on-permitted-development/>

## **Impact of Policy**

The universities and the local authority managed the supply of purpose-built accommodation effectively, aiming to meet the increasing demand created by rising full-time student numbers with the universities taking the lead in supporting construction. This has led to a gradual reduction of HMOs in residential areas. Recently, however, purpose-built student accommodation has been developed outside any direct arrangement with the universities and after 2013 all the purpose-built accommodation planned is being let straight into the market in competition with other suppliers.

The council reports that there are signs in some areas that a rebalancing of the local housing market, away from shared HMOs and towards more professional renting and home ownership is beginning to occur. However declining demand from students from rising supply in purpose-built accommodation, together with changing locational preferences, is impacting on neighbourhoods with traditionally high student populations. In some areas properties becoming vacant may not be immediately taken up by replacement demand from families or other single occupancy households. These areas can have a poor image/reputation, making it difficult to attract new households.

Property prices in these areas are high, as are the price expectations of households, residential and investor. The costs of purchase and the required refurbishment/deconversion may also be very high. This is set against the wider context that first-time buyer demand is still being frustrated by restrictive lending and higher deposit requirements. There may also be negligible demand for larger properties becoming available for purchase or rent (not as HMOs). Former HMOs in the areas often have no gardens and are may be unattractive to in comers.

Other areas may return to a more balanced community mix, especially where properties have gardens and where student concentrations are not high. In some areas better use of properties, perhaps through conversion to smaller homes, may attract 'family builders' and other single occupancy households. An imaginative mix of new-build, conversion and external and environmental refurbishment could create new inner urban areas that are attractive to a wide range of households, including those starting their housing careers and those looking for something outside the mainstream.

## **Barriers to implementation**

When determining planning applications for HMOs the City Council has tried to impose a planning condition to restrict occupancy to non-students. The imposing of this conviction has not been successful and was removed upon appeal by the Planning Inspectorate.