

**4 November 2024**



**Proposed Amendments to the County  
Durham Housing Strategy**

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**Amy Harhoff, Corporate Director of Regeneration, Economy and  
Growth**

**Electoral divisions affected:**

Countywide.

**Purpose of the Report**

- 1 Following the meeting of County Council on 17 July 2024 and the decision to defer adoption of the County Durham Housing Strategy (CDHS) and the meeting of the Economy and Enterprise Overview and Scrutiny Committee (E&EOSC) on 11 September 2024, the purpose of the report is to provide an update on the resultant proposed amendments to the draft County Durham Housing Strategy.

**Executive summary**

- 2 On 10 July 2024 Cabinet agreed to recommend to County Council that they adopt the CDHS. It also agreed to adopt the accompanying 12-Month Delivery Plan subject to the CDHS being adopted by County Council.
- 3 At the meeting of County Council on 17 July 2024 and following extensive discussion the decision of County Council was to defer adoption of the CDHS. The main points of concern related to how the Housing CDHS dealt with:
  - The proliferation of HMOs in the county and the potential use of Article 4 Directions; and
  - The Council House Build Programme and particularly the delivery timeframe and the composition of the proposed 500 units.
- 4 Two reports, one for each issue, were prepared and discussed at a meeting of the E&EOSC on 11 September 2024. As a result of the discussion at the meeting a number of amendments to the CDHS are proposed. As a result of the time difference the 12-Month Delivery Plan also required updating.

- 5 Following any feedback from the E&EOSC we will finalise the amendments to the CDHS and accompanying 12-Month Delivery Plan. It is then proposed to take both documents back to Cabinet and County Council for adoption.

### **Recommendation**

- 6 It is recommended that the Economy and Enterprise Overview and Scrutiny Committee note the contents of the report and provide any further feedback to inform the CDHS to be approved by Cabinet and County Council.

## Background

- 7 On 10 July 2024 Cabinet agreed to recommend to County Council that they adopt the County Durham Housing Strategy (CDHS). It also agreed to adopt the accompanying 12-Month Delivery Plan subject to the CDHS being adopted by County Council.
- 8 At the meeting of County Council on 17 July 2024 and following extensive discussion the decision of County Council was to defer adoption of the CDHS. The main points of concern related to how the Housing CDHS dealt with:
- The proliferation of HMOs in the county and the potential use of Article 4 Directions; and
  - The Council House Build Programme and particularly the delivery timeframe and the composition of the proposed 500 units.
- 9 Two reports, one for each issue, were prepared and discussed at a meeting of the Economy and Enterprise Overview and Scrutiny Committee (E&EOSC) on 11 September 2024. As a result of the discussion at the meeting a number of amendments to the CDHS are proposed.

## Proposed Amendments

- 10 As a result of the discussion at E&EOSC on 11 September 2024 the following amendments to the CDHS are proposed. Firstly, to paragraph 5.8 in relation to the Council House Delivery Programme:

### 5.8 Delivering affordable housing by:

- Delivering 500 new build council houses and associated infrastructure as part of the Council House Delivery Programme. This The new build properties includes both new build schemes and will be complemented by a programme of targeted acquisitions.
- The original intention was to deliver these 500 houses by 2026, however, the impact of covid 19 and wider economic conditions including inflationary pressures and rising interest rates have presented delivery challenges for the programme. As a result, we are intending to rolling the programme forward commencing from the approval of the cabinet report in July 2023 with a six-year delivery plan to 2029. In reality, if building council houses proves a viable proposition, it is likely that the programme will extend beyond 2029 and the number of new houses built will exceed 500.

- 11 Secondly, in relation to HMOs anew paragraph added at 5.35:

5.35 Well managed Houses in Multiple Occupation (HMOs) form an important part of the private rented sector, often providing cheaper accommodation for people whose housing options are limited. Whilst larger HMOs require planning approval, smaller ones (those with fewer than six occupants) are classed as permitted development and therefore, do not require the Council's approval. Evidence from Council tax records and HMO Licences show that most HMOs in the County are located in Durham City and are primarily occupied by students however, HMOs are beginning to appear elsewhere in the County. Most HMOs are well managed; however, some can cause issues for neighbouring residents and local communities. In those cases, the council can use its licensing and other powers to ensure landlords are meeting their obligations relating to the management of the property and the wellbeing of their tenants. The County Durham Plan also includes a policy to manage the proliferation of HMOs to maintain mixed and balances communities. This is complemented by a number of Article 4 Directions which require landlords proposing smaller HMOs to apply for planning permission.

- 12 And in the 'what we will do' section:

In preparation for the next iteration of the County Durham Plan we will assess the effectiveness of the approach to HMOs set out in the current Plan and will undertake a county wide public engagement exercise to inform a future review and advise residents of what actions are available to local authorities to manage the numbers of HMOs in specific localities. We will therefore also explore the availability of evidence relating to the location of HMOs and the potential need for further Article 4 Directions relating to smaller HMOs outside of Durham City.

- 13 A schedule of all of the amendments is attached at Appendix 2. How these proposed changes address the comments of members of E&EOSC is also set out at Appendix 3 where each of the comments made is shown together with a response which refers to the amendments where relevant.
- 14 The CDHS, including tracked changes, at Appendix 4 also shows a number of changes to Section 2, National Context, as a result of the general election and the proposed changes to the legislative programme set out by the new Government.
- 15 As a result of the time difference the 12-Month Delivery Plan also required updating. The amended version with tracked changes is attached at Appendix 5.

## **Next Steps**

- 16 Following any feedback from the E&EOSC we will finalise the amendments to the CDHS and accompanying 12-Month Delivery Plan. It is then proposed to take both documents back to Cabinet and County Council for adoption.

## **Background papers**

- [Housing Strategy Principles and Priorities Paper 2023](#)
- [Draft County Durham Housing Strategy 2024](#)

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## **Appendix 1: Implications**

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### **Legal Implications**

Section 8 of the Housing Act 1985 requires local housing authorities to consider housing conditions in their area and the needs of the area with respect to the provision of further housing accommodation.

### **Finance**

The draft CDHS identifies a series of actions and outcomes. Each of these will be associated with a project that may require a funding bid once the scope of the project is determined. The CDHS does not guarantee funding for the projects listed.

### **Consultation and Engagement**

The CDHS Principles and Priorities paper was subject to public consultation for eight weeks between 26 June 2023 to 18 August 2023.

Consultation was also undertaken on the draft housing strategy between 30 October 2023 and 18 December 2023.

Consultation was undertaken with residents of County Durham and other stakeholders with a potential interest in the content of the document. Consultation was also undertaken with Overview and Scrutiny on three occasions:

- 10 July 2023: OSC Housing Strategy Workshop
- 18 December 2024: E&E OSC Draft County Durham Housing Strategy
- 22 April 2024: E&E OSC Draft County Durham Housing Strategy

### **Equality and Diversity / Public Sector Equality Duty**

The Equality Act 2010, public sector equality duty S149-157 of the Act, has been considered as part of a full equalities impact assessment, which was attached to the Cabinet and County Council Report. The CDHS presents no negative impact on the protected groups.

### **Climate Change**

Addressing the cause of climate change is a key thread through the draft CDHS including principle seven and priority three that state that the strategy will support energy efficiency and carbon reduction in existing and new housing.

## **Human Rights**

Protocol 1 Article 1: Every natural or legal person is entitled to the peaceful enjoyment of his possessions including their property; the CDHS will provide a framework to deliver housing to meet housing needs.

Article 8: provides a right to respect for private and family life. Everyone has the right to respect for his private and family life, his home, and his correspondence. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of:

- national security;
- public safety;
- economic wellbeing of the country;
- for the prevention of disorder or crime;
- for the protection of health or morals; or
- for the protection of the rights and freedoms of others.

The council will ensure the CDHS will be consistent with the council's human rights obligations.

## **Crime and Disorder**

None.

## **Staffing**

Resource is required to progress the production, monitoring, review, and implementation of the CDHS.

## **Accommodation**

None.

## **Risk**

Detailed risk assessments will be undertaken at the project level and as part of delivering against the CDHS.

## **Procurement**

None.