

Open

Overview & Scrutiny Committee

Agenda

6pm
Thursday, 8 January 2026
Council Chamber
Wyre Forest House
Finepoint Way
Kidderminster



Overview & Scrutiny Committee

Members of Committee:

Chairman: Councillor N Martin
Vice-Chairman: Councillor F M Oborski MBE

Councillor J F Byng

Councillor G Connolly

Councillor K Gale

Councillor P Harrison

Councillor M McDonnell

Councillor V Caulfield

Councillor H E Dyke

Councillor N Gale

Councillor D Little

Councillor D Russell

Would Members please note that, to ensure continuity in scrutiny, substitutes should only be appointed for the Scrutiny Committee in exceptional circumstances.

Information for Members of the Public:

Part I of the Agenda includes items for discussion in public. You have the right to inspect copies of Minutes and reports on this Agenda as well as the background documents used in the preparation of these reports.

Part II of the Agenda (if applicable) deals with items of "Exempt Information" for which it is anticipated that the public may be excluded from the meeting and neither reports nor background papers are open to public inspection.

Disclosure of Interests

Members and co-opted Members of the Council are reminded that, in accordance with the Council's Code of Conduct and the statutory provisions of the Localism Act, they are required to consider in ADVANCE of each meeting whether they have a disclosable pecuniary interest (DPI), an other registrable interest (ORI) or a non-registrable interest (NRI) in relation to any matter on the agenda. If advice is needed, Members should contact the Monitoring Officer or other legal officer in good time before the meeting.

If any Member or co-opted Member of the Council identifies a DPI or ORI which they have not already registered on the Council's register of interests or which requires updating, they should complete the disclosure form which can be obtained from Democratic Services at any time, copies of which will be available at the meeting for return to the Monitoring Officer.

Members and co-opted Members are required to disclose any DPIs and ORIs at the meeting.

Where the matter relates to a DPI they may not participate in any discussion or vote on the matter and must not stay in the meeting unless granted a dispensation.

Where the matter relates to an ORI they may not vote on the matter unless granted an advance dispensation.

Where a Member or co-opted Member has an NRI which directly relates to their financial interest or wellbeing, or that of a relative or close associate, they must disclose the interest at the meeting, may not take part in any discussion or vote on the matter and must not stay in the meeting unless granted a dispensation.

Where a matter affects the NRI of a Member or co-opted Member, the Code of Conduct sets out the test which must be applied by the MEMBER to decide whether disclosure is required. Again please ensure you have spoken in ADVANCE to the relevant legal officer and determined whether it is appropriate to declare the NRI and leave.

Co-opted Members

Scrutiny Committees may wish to appoint Co-Opted Members to sit on their committee in order to add value to the scrutiny process. To appoint a Co-Opted Member, a Committee must first agree to appoint either a specific person or to approach a relevant organisation to request that they put forward a suitable representative (e.g. the local Police Authority). Co-Optees are non voting by default but Committees can decide to appoint voting rights to a Co-Optee. The Co-Option of the Member will last no longer than the remainder of the municipal year.

Scrutiny Committees can at any meeting agree to terminate the Co-Option of a Co-Opted Member with immediate effect. Where an organisation is appointed to put forward a Co-Opted Member, they are able to send a substitute in exceptional circumstances, provided that they notify Democratic Services in advance. Co-Opted Members must sign up to the Members Code of Conduct before attending their first meeting, failure to sign will mean that they are unable to participate. This also applies to substitute Co-Opted Members, who will need to allow sufficient time before a meeting in order to sign the Code of Conduct.

The following will apply:

- i) The total number of voting co-opted members on any Scrutiny Committee will not exceed 25% at any one time.
- ii) The total number of voting Co-opted Members on any Review Panel will not be limited.
- iii) Those Co-opted Members with voting rights will exercise their rights in accordance with the principles of decision making set out in the constitution.

For Further information:

If you have any queries about this Agenda or require any details of background papers, further documents or information, you should contact Louisa Bright, Principal Committee and Member Services Officer, Wyre Forest House, Finepoint Way, Kidderminster, DY11 7WF. Telephone: 01562 732763 or email louisa.bright@wyreforestdc.gov.uk

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If members of the public do not wish to have their image captured they should sit in the Stourport and Bewdley Room where they can still view the meeting.

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If you have any queries regarding this, please speak with the Council's Legal Officer at the meeting.

* Unless there are no reports in the open session.

Wyre Forest District Council

Overview & Scrutiny Committee

Thursday, 8 January 2026

Council Chamber, Wyre Forest House, Finepoint Way, Kidderminster

Part 1

Open to the press and public

Agenda item	Subject	Page Number
1.	Apologies for Absence	
2.	Appointment of Substitute Members To receive the name of any Councillor who is to act as a substitute, together with the name of the Councillor for whom he/she is acting.	
3.	Declarations of Interests by Members In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any disclosable pecuniary interest (DPI), an other registrable interest (ORI) or a non-registrable interest (NRI) in relation to any matter on the agenda. Please see the Members' Code of Conduct as set out in Section 14 of the Council's Constitution for full details.	
4.	Minutes To confirm as a correct record the Minutes of the meeting held on the 4 December 2025.	6
5.	Biodiversity Policy update To receive an update from the Tree and Biodiversity Officer.	
6.	Parks update To receive an update from the Parks and Open Spaces Team.	
7.	Authorisation to make a non-immediate Article 4 Direction To consider a draft of a Cabinet report from the Head of Strategic Growth that provides background information on the current issues relating to Houses in Multiple Occupation (HMOs) in Kidderminster and to seek authorisation to make a non-immediate Article 4 Direction.	8
8.	Work Programme To review the work programme for the current municipal year with regard to the Corporate Plan Priority, Annual Priorities and the Forward Plan.	18

9.	<p>Press Involvement</p> <p>To consider any future items for scrutiny that might require publicity.</p>	
10.	<p>To consider any other business, details of which have been communicated to the Solicitor of the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.</p>	
11.	<p>Exclusion of the Press and Public</p> <p>To consider passing the following resolution:</p> <p>“That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of “exempt information” as defined in paragraph 3 of Part 1 of Schedule 12A to the Act”.</p>	

Part 2

Not open to the Press and Public

12.	<p>To consider any other business, details of which have been communicated to the Solicitor of the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.</p>	
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WYRE FOREST DISTRICT COUNCIL

OVERVIEW & SCRUTINY COMMITTEE

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER

THURSDAY, 4 DECEMBER 2025 (6PM)

Present:

Councillors: N Martin (Chairman), F M Oborski MBE (Vice-Chairman), J F Byng, V Caulfield, G Connolly, R Drew, P Dyke, K Gale, N Gale, P Harrison, M McDonnell and D Russell.

Observers

Councillors: M J Hart, D Morehead, C Rogers and D Ross.

OS.52 Apologies for Absence

Apologies for absence were received from Councillors: H E Dyke and D Little.

OS.53 Appointment of Substitutes

Councillor R Drew was a substitute for Councillor D Little.
Councillor P Dyke was a substitute for Councillor H Dyke.

OS.54 Declarations of Interests by Members

No declarations of interest were made.

OS.55 Minutes

Decision: The minutes of the meeting held on 6 November 2025 were confirmed as a correct record and signed by the Chairman.

Councillors M Hart & D Morehead joined the meeting at 6.06pm

OS.56 Electric vehicle charging project update

The Committee considered a briefing paper from the Community and Environment Project Officer, which provided an update on the public electric vehicle charging project for Council owned car parks.

The Community and Environment Project Officer presented the paper and introduced the representative from Otaski Energy Solutions, who highlighted the key issues. Members fully scrutinised the paper and were invited to ask questions and make comments. The Community and Environment Project Officer and the representative from Otaski Energy Solutions provided verbal responses, and they agreed to forward further information to members following the meeting.

Agreed: The Overview and Scrutiny Committee NOTED the report.

OS.57 Major capital projects update

The Committee considered a report from the Deputy Chief Executive: Regeneration and Commercial, which provided a Major capital projects update.

The Deputy Chief Executive: Regeneration and Commercial presented the briefing paper explaining the current situation for each of the projects and offered members the opportunity to ask questions and make comments after each update, to which he provided verbal responses.

Agreed: The Overview and Scrutiny Committee NOTED the report

OS.58 Work Programme

The published Work Programme 2025-26 for the municipal year was reviewed by the Committee, and the items for the January, February and March meetings were noted.

OS.59 Press Involvement

There were no further items for scrutiny that might require publicity.

There being no further business, the meeting ended at 6.44pm.

Report of: Kate Bailey

8 January 2026

Open

Agenda item no. 7 - Authorisation to make a non-immediate Article 4 Direction

Summary

Attached is a draft of a Cabinet report on this subject, which Cabinet is expected to consider on 11 February 2026.

The Overview and Scrutiny Committee is invited to consider the report and provide recommendations to Cabinet.

Officer contact details

Name: Kate Bailey

Title: Head of Strategic Growth

Contact number: 2560

WYRE FOREST DISTRICT COUNCIL**CABINET**
11 February 2026**Authorisation to make a non-immediate Article 4 Direction**

OPEN	
CABINET MEMBER:	Cllr Dan Morehead, Cabinet Member for Economic Regeneration, Planning and the Green Agenda
RESPONSIBLE OFFICER:	Kate Bailey, Head of Strategic Growth
CONTACT OFFICER:	Fred Stuart, Planning Officer
APPENDICES:	N/A

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to provide Cabinet with background information on the current issues relating to Houses in Multiple Occupation (HMOs) in Kidderminster and to seek authorisation to make a non-immediate Article 4 Direction. This Direction would remove permitted development rights allowing the change of use from Class C3 (dwelling houses) to Class C4 (small HMOs) within the town. Once confirmed, the Direction would require all proposed HMOs in Kidderminster obtain planning permission.

2. RECOMMENDATION

The Cabinet is invited to:

- 2.1 **AGREE** that the non-immediate Article 4 Direction is made which will be applied to the area within the whole of the parish of Kidderminster (as amended by The Wyre Forest District Council (Reorganisation of Community Governance) (Kidderminster, Kidderminster Foreign and Stourport-on-Severn) Order 2026)) to remove permitted development rights for the change of use of dwellinghouses (C3 use) to smaller Houses in Multiple Occupation (HMOs) (C4 use);
- 2.2 **AGREE** that notice of the making of the Article 4 Direction is publicised for a period of at least six weeks to allow members of the public and other interested stakeholders to submit comments on the proposal, from 20th February until 6th April 2026;
- 2.3 **NOTE** that a further report will be submitted to its meeting in June, following the end of the consultation period to consider any comments made, and informed by these comments, determine whether the Article 4 Direction should be confirmed;
- 2.4 **NOTE** that, if the Article 4 Direction is confirmed, that the confirmation will not take place until 12 months after the Article 4 Direction has been made

3. BACKGROUND

- 3.1 Houses in Multiple Occupation (HMOs) form a significant part of the housing supply in Kidderminster. They provide low-cost and flexible accommodation for individuals whose housing options may be limited. HMOs can accommodate people on low incomes, single individuals, and young professionals. Although they often cater to students in other areas, the absence of a university in Kidderminster means that relatively few students live in the town.
- 3.2 HMOs can be purpose-built; however, most in Kidderminster have been created through the conversion of existing properties that were previously in residential or other uses as a result of rights granted by class L of the Town and Country Planning (General Permitted Development) (England) Order 2015 (“permitted development rights”) which allow the conversion of dwellinghouses into a HMO for not more than 6 people. Following a discussion with Private Sector Housing (PSH) Team it was found that the larger, older housing stock in the town is viewed by developers as well-suited for conversion into smaller HMOs, particularly given the comparatively attractive house prices relative to surrounding areas such as Worcester, Stourport and Bewdley. At present, there are no restrictions in place on such conversions. It is possible to make an Article 4 Direction removing the permitted development rights in specific areas.
- 3.3 The Article 4 Direction will initially only be put in place within the town of Kidderminster (within the boundary of the parish, as amended by The Wyre Forest District Council (Reorganisation of Community Governance) (Kidderminster, Kidderminster Foreign and Stourport-on-Severn) Order 2026) as officers do not currently have sufficient evidence that other parts of the district are similarly affected by the volume of conversions and locational issues. This is in part because the housing stock and costs of properties don’t lend themselves to the creation of HMOs in Stourport, Bewdley or other parts of the district and so they are not so prevalent as in Kidderminster.
- 3.4 Across the Council officers have considered information available to them primarily from the internal housing complaints database and Police data, along with raising the issue with staff from the Community and Environment team. This data has identified that only Kidderminster currently has volumes of HMOs and the problems associated with HMOs shown at 3.5. Introducing the article 4 direction now means officers can undertake a targeted approach in Kidderminster now but should evidence come to light that other parts of the district are experiencing similar issues then they will consider if a further Article 4 Direction is required in respect of those areas.
- 3.5. Many HMOs in the town are well managed and provide good-quality homes for residents. However, poorly managed, badly designed, or inappropriately located properties or a high concentration of HMOs within a neighbourhood have the potential to cause issues for both occupants and neighbouring residents.

The most common concerns expressed in relation to HMOs include:

- Pressure on parking
- Anti-social behaviour and crime
- Waste storage and litter

- Negative impacts on the physical environment and streetscape
 - Negative changes to the character of the area
 - Loss of amenity for neighbouring properties due to the concentration of HMOs
 - Inadequate living conditions for occupiers
- 3.6 Following comments from housing and enforcement officers it is clear there are a significant number of unregistered four-occupant HMOs in the town, as landlords are not currently required to register small HMOs. As a result, property standards may fall below acceptable levels, leading to poor and inadequate living conditions.
- 3.7 The introduction of an Article 4 Direction would not mean that conversions would necessarily be prevented but would mean that the creation of any HMO would require planning permission. This would help ensure that minimum standards are met and allow the Council to monitor conversions more effectively. Research also consistently shows that inadequate housing is linked to:
- Poorer physical and mental health outcomes, including respiratory issues, stress and depression
 - Reduced employment prospects due to housing instability and frequent moves
 - Higher healthcare costs and increased pressure on public services
- 3.8 An Article 4 Direction on HMOs specifically refers to powers to remove permitted development rights granted under the Town and Country Planning Act 1990, and it is exercised through the Town and Country Planning (General Permitted Development) (England) Order 2015 and there are 2 types of Article 4 directions. A non-immediate Article 4 direction requires a 12-month notice period after the direction is published before it comes into force. This approach is typically used to reduce the likelihood of compensation claims being made against the Council.
- 3.9 In contrast, an immediate Article 4 Direction removes permitted development rights as soon as the notice is published. However, this may expose the Council to potential compensation claims from landowners affected by the removal of permitted development rights.
- 3.10 The right to claim compensation arises under Section 108 of the Town and Country Planning Act 1990. Under Section 108(2A), a person who suffers loss as a result of the withdrawal of permitted development rights may claim compensation for abortive expenditure, diminution in the value of the land, loss of anticipated profit, and other financial commitments. Abortive expenditure refers to money reasonably spent in preparing to exercise a permitted development right that can no longer be implemented due to the Article 4 Direction. Examples include architectural or design fees for a proposed C3 to C4 HMO conversion, planning or building control consultancy costs, legal or professional fees incurred prior to the direction taking effect, and the purchase of materials or payment of deposits for works that can no longer lawfully proceed.
- 3.11 Such claims must be made within 12 months of the date on which a related planning application is refused. Therefore, the use of a non-immediate Article 4 Direction helps minimise the risk of compensation claims against Wyre Forest District Council allowing a notice period during which affected parties are informed

and consulted and so there should be no work done or costs incurred, in reliance on permitted development rights during that time.

- 3.12 There are currently 27 licensed Houses in Multiple Occupation (HMOs) within the district, of which 25 are located in Kidderminster. Under the Housing Act 2004, landlords are required to obtain a licence where an HMO is occupied by five or more individuals forming two or more households. This context further underlines the importance of implementing an Article 4 direction, as it would enable Wyre Forest District Council (WFDC) to gain a more comprehensive understanding of the number and distribution of smaller, unlicensed HMOs accommodating three or four occupants.
- 3.13 During the twelve-month period between October 2024 and October 2025, a total of 26 recorded criminal offences occurred at licensed HMO addresses. One five-occupant HMO accounted for seven individual offences and is located on a street that also contains two other licensed HMOs. In addition, 10 incidents of anti-social behaviour were recorded across seven HMO addresses during the same period. These figures illustrate the types of issues and concerns already associated with existing HMOs (as discussed in paragraph 2.3). A higher density of HMOs within specific neighbourhoods has the potential to exacerbate these issues, further justifying the need for enhanced monitoring and management through the proposed Article 4 Direction. In addition, the Council has also received numerous complaints with regards to parking in residential areas where smaller HMOs have been created as supported housing that then have higher numbers or staff / residents needing parking spaces than would be the case for a typical family.
- 3.14 While an Article 4 Direction is not a comprehensive solution to all issues associated with Houses in Multiple Occupation (HMOs), its implementation can make a meaningful contribution towards improving housing quality and space standards across Kidderminster. By requiring planning permission for HMO developments, the Direction will enable better monitoring and management of their number and distribution, helping to reduce the negative impacts associated with high concentrations of HMOs. This is particularly important, as the current Local Plan contains no policies that specifically seek to reduce or prevent the over-concentration of HMOs, or to address the loss of family homes within the town or district. The housing department has a policy to help with licensing of HMOs, and due to HMOs of 5 persons or more only requiring licensing, there is no specific advice or constraints that aim to reduce the over concentration and negative impacts explained within this report.
- 3.15 Section 9 of the Design, Amenity and Shopfronts SPD which was adopted in July 2024 explains the HMO standards, which discusses how planning applications are need for HMOs which will provide a home for 7 or more people and what design consideration should be included for these conversions. However, similarly to the HMO policy and local plan there is no specific guidance or policy to prevent the negative impacts and issues caused by over concentration of HMOs.

4. KEY ISSUES

- 4.1 The main aims of the Article 4 direction:

- Manage the concentration of HMOs
 - Preventing streets having an excessive number of HMOs, which can significantly change the character of a neighbourhood.
 - Maintaining balanced communities; mix of families, professionals etc.
- Protect residential amenity by reducing problems linked with high HMO density
 - Noise and anti-social behaviour
 - Parking issues and pressures
 - Litter and waste storage
 - Poor property standards and maintenance
- Ensure Better planning control
 - An article 4 removes the permitted development right, meaning landlords need to apply for planning permission before making the conversion
 - This allows the council to assess each application on its merits and against local planning policies and HMO density issues.
- Support sustainable housing and community balance
 - Protect the availability of family housing and prevent over-conversion of properties into HMOs
 - Promote stable, long term communities rather than transient populations.
- Raise housing quality standards
 - Encourage landlords to improve property standards to meet planning and licensing requirements.
 - Help the council ensure that HMOs contribute positively to the local housing market.

4.2 There are two types of Article 4 direction:

- Non-immediate Article 4 direction: This type requires a public consultation before it can be introduced. It must then be confirmed after the consultation period, and the Secretary of State must be notified once it is made and confirmed.
- Immediate Article 4 direction: This can take effect as soon as it is issued, removing permitted development rights immediately before consultation. However, it must be confirmed by the local authority within six months, and the Secretary of State must also be informed.

4.3 Once the public consultation has been completed, the responses and feedback will be reported back to Cabinet for discussion and consideration.

5. FINANCIAL IMPLICATIONS

5.1 From a resources perspective the impact on the council, if the Direction is implemented, there may be an increase in planning applications and therefore additional work for officers, however it is considered that the benefits will outweigh the additional pressure on officer resource, and the Council will be receive additional planning fees for these applications.

5.2 There is potential for compensation claims against the council, however, the implementation of a non-immediate Article 4 Direction would reduce the risk and

likelihood of these compensation claims. The categories of compensation claims that could be made include abortive expenditure, diminution in the value of the land, loss of anticipated profit, and other financial commitments.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 Currently the legislation allows the change of use of a single family dwellinghouse (Use Class C3) to a smaller HMO (C4) without the need for planning permission as this constitutes “permitted development”. A change of use from any other use to a larger HMO always requires planning permission. The permitted development regime means that the Council has no scope to regulate the quality, spread, concentration or location of these smaller HMOs.
- 6.2 An Article 4 direction on HMOs specifically refers to powers granted under the Town and Country Planning Act 1990, and it is exercised through the Town and Country Planning (General Permitted Development) (England) Order 2015. The Wyre Forest District Council can remove permitted development rights by making an Article 4 direction, provided they can demonstrate a clear need for such a measure. It is important to emphasise that an Article 4 direction does not constitute an outright ban on new HMOs. Rather, it ensures that proposals for HMO conversions are subject to the statutory planning process, giving greater control over the number, distribution and management of HMOs.
- 6.3 The process for making an Article 4 direction is governed by the Town and Country Planning (General Permitted Development) Order 2015 (as amended). In accordance with the statutory framework, the following requirements must be met:
- **Publication of Notice:** The Local Planning Authority (LPA) must publish a notice of the making of the Article 4 direction, including displaying site notices and publishing the notice in a local newspaper. Affected parties must be notified in accordance with the regulations.
 - **Statutory Consultation:** A formal consultation period must be undertaken, during which interested parties are provided an opportunity to make representations.
 - **Consideration of Representations:** The LPA is required to consider all representations received during the consultation period prior to determining whether the Direction should be confirmed.
 - **Confirmation of the Direction:** For a non-immediate Article 4 direction, the LPA must formally confirm the Direction following the conclusion of the consultation process. The Direction may only take effect from the date specified within the confirmation notice (which cannot be less than 12 months from the making of the Direction).
 - **Justification and Evidence:** The Direction must be supported by appropriate evidence and must satisfy national policy tests, including demonstrating that the restriction is necessary to protect local amenity or the well-being of the area, and that it applies to the smallest geographical area required.
 - **Notification to the Secretary of State:** The Secretary of State must be notified both when the Article 4 direction is made and when it is confirmed, in accordance with statutory requirements.

- 6.4 National planning policy framework advises that Article 4 directions should be used only when absolutely necessary. They must be supported by robust evidence, aimed at protecting local amenity or community well-being, and should cover the smallest area possible. Furthermore, in accordance with paragraph 54 of the National Planning Policy Framework (NPPF), non-immediate Article 4 directions require only that the local planning authority demonstrate the necessity of the direction to safeguard local amenity or to support the well-being and sustainable development of the area.
- 6.5 The potential harm that the article 4 direction is intended to address will need to be clearly identified, and there will need to be a particularly strong justification for the withdrawal of permitted development rights relating to a wide area (e.g. those covering a large proportion of or the entire area of a local planning authority).
- 6.6 The detailed procedure for an Article 4(1) direction without immediate effect is located within The Town and Country Planning (General Permitted Development) (England) Order 2015, SCHEDULE 3.
- 6.7 The Secretary of State has to be informed about the Article 4 direction and then has the power to modify or cancel article 4 directions at any time before or after they are made but the Secretary of State will not use their powers unless there are clear reasons why intervention at this level is necessary.

7. IMPACTS and IMPACT ASSESSMENT

- 7.1 An equality impact assessment screening exercise was undertaken and a full assessment is not required as there were no adverse effects for those with a protected characteristic. The EIA is available to view at:
<https://www.wyreforestdc.gov.uk/your-council/equality-diversity-and-inclusion/equality-impact-assessments-eia/eqia-planning-for-houses-in-multiple-occupation-hmo-article-4-direction/>
- 7.2 An Article 4 direction on HMOs can have a positive impact on the health and well-being of both residents and tenants. By controlling the concentration of HMOs, the policy helps to reduce overcrowding, noise, and anti-social behaviour, which are known to contribute to stress, sleep disturbance, and mental health issues. It also enables the council to ensure that HMOs meet minimum standards for space, ventilation, and amenities, improving living conditions and reducing risks associated with poor quality housing. Collectively, these measures support safer, healthier, and more balanced communities, enhancing the quality of life for both tenants and neighbouring residents.
- 7.3 By requiring planning permission for changes of use, the policy helps to prevent excessive concentrations of HMOs in particular areas, which can reduce pressure on local infrastructure such as parking, waste management, and public services. This control also enables the council to maintain the character and amenity of neighbourhoods, ensuring that residential areas remain balanced and sustainable.

8. RISK MANAGEMENT

8.1 Compensation Claims

There is a potential risk of compensation claims from landlords or developers following the implementation of an Article 4 direction. This risk is mitigated by implementing a non-immediate Article 4 direction, which reduces the likelihood of compensation liabilities for the Local Planning Authority.

8.2 Increased Planning Applications

The introduction of the Direction may result in an increased number of planning applications for HMOs, placing additional demand on the planning team. However, the benefits of the Direction outweigh this impact, and planning fees can help offset the additional resource requirements.

8.3 Legal Challenge

The Direction could be subject to legal challenge if statutory procedures are not correctly followed, for example regarding consultation requirements. Ensuring an adequate consultation period and adherence to procedural requirements helps mitigate both legal and compensation risks.

8.4 Risk of Inaction

If the Article 4 direction is not implemented, the issues outlined in this report, such as over-concentration of HMOs and associated impacts on local amenity, may worsen, potentially resulting in significant negative effects on the town of Kidderminster.

8.5 Risk of Accelerated HMO Conversions

Public awareness of the proposed Article 4 direction may lead to an increase in conversions of dwellings into small HMOs during the 12-month notice period before the Direction comes into force. This could result in a concentration of unplanned HMOs, undermining the purpose of the Direction and creating additional pressures on local services, parking, amenity, and housing mix before effective controls can be applied.

9. CONCLUSION

9.1 In summary, the implementation of an Article 4 direction on HMOs is an important measure that can make a meaningful contribution to improving housing quality and space standards across Kidderminster. By requiring planning permission for new HMOs, the Direction will allow the Council to better monitor and manage their number and distribution, helping to mitigate the negative impacts associated with high concentrations of such properties. This is particularly significant given that the current Local Plan contains no specific policies aimed at preventing over-concentration of HMOs or protecting the supply of family homes within the town or wider district.

9.2 The Council is currently only pursuing the article 4 direction in Kidderminster as this is the only area where a strong justification can be made based on evidence Council and Police evidence.

- 9.3 The introduction of an Article 4 direction will give community members and councillors greater opportunity to comment on proposed HMO developments. The proposed Direction will now proceed to public consultation, ensuring that residents, stakeholders and local organisations are able to provide their views before it is confirmed. In doing so, it will support fairer housing opportunities for residents, strengthen neighbourhood cohesion, and promote a more balanced and sustainable community for those who live and work in Kidderminster.

10. CONSULTEES

- 10.1 CLT
10.2 Planning Manager, WFDC

11. BACKGROUND PAPERS

- 11.1 Not applicable.

DRAFT

**Overview & Scrutiny Committee
Work Programme 2025-2026**

June 2025

Annual review of the North Worcestershire Community Safety Partnership 2024/25
Budget and Performance Monitoring Q4 update
Development Brief for site SA.S6 Supplementary Planning Document
Planning Obligations Supplementary Planning Document (SPD)
National Lottery Heritage Fund – Brinton Park Project

July 2025

BNG monitoring fees
Electric Vehicle Charging points (EVC) Installation update
Conversion of property in Stourport on Severn
Promoting Independent Living Service Contract Proposals
North Worcestershire Property Flood Resilience Project
SA.S6 development: next steps
Conversion of Fuel from Diesel to Hydrotreated Vegetable Oil (HVO)

September 2025

Worcestershire Regulatory Services (WRS)
Homelessness - Rough sleeping update
Local Plan Review – Call for Sites
Budget and Performance Monitoring Q1 update
Annual review of the council tax reduction scheme for 2026-27
Bewdley Museum Project
Kidderminster Lion Fields development
Nominations for Treasury Management Review Panel 2025-2026 (Chair to be appointed)

October 2025 (no Cabinet meeting this month)

Benefits of the Enforcement Team at Green Street
Scrutiny - Review of Effectiveness - Review of the self-assessment survey
Scrutiny - Review of Effectiveness- Feedback on the action plan
Appointment of Chairman for the Treasury Management Review Panel 2025-2026

November 2025

Localism
Maintenance of WFDC assets
Budget and Performance Monitoring Q2 update
Planning Obligations Supplementary Planning Document (SPD)
Green Infrastructure Supplementary Planning Document
Housing and Homeless Strategy Action Plans
Provision of works in relation to adaptations service

December 2025

Major Projects Update
Electric Vehicle Charging points (EVC) Project Update

January 2026 (no Cabinet meeting this month)

Biodiversity Policy update

Parks Update

Authorisation to make a non-immediate Article 4 Direction

February 2026

Budget and Performance Monitoring Q3 update

Climate Change Action Plan Update

Health Action Plan Update

Cost of Living Plan Update

March 2026 (no Cabinet meeting this month)

Adopt-a-Street Scheme

Scrutiny Review Action Plan update

Bewdley Conservation Area Character Appraisal

April 2026

Biodiversity Net Gain SPD