

Helen Graham

From: Mark Hoyle
Sent: 30 July 2012 09:24
To: Helen Graham
Subject: FW:

Mark A. Hoyle
Head of Regeneration and Housing
20 Cannon Street
Accrington BB5 1NJ
Tel. 01254 380662
Mobile 07776257370

From: John Baron [mailto:jhpropertymatters@yahoo.co.uk]
Sent: 28 July 2012 11:37
To: Mark Hoyle
Subject: RE:

Mark,
Short notice I know, but I have indicated outstanding issues below
See you on Monday
John

From: Mark Hoyle [mailto:Mark.Hoyle@hyndburnbc.gov.uk]
Sent: 25 July 2012 14:48
To: 'John Baron'
Subject: RE:

Dear John

Thank you for your recent email and as indicated in my acknowledgement, I can meet with you tomorrow (Thursday) at either 9.00 am or 2.30 pm. If neither is convenient for you, I should be able to meet with you next Monday, 30th July 2012 at a time convenient for you.

I am surprised after eight meetings that you feel our current proposal is contrived or predetermined especially when you consider that we have met on eight occasions since January 2012 and developed a shared understanding on the following:-

- The indicators (or criteria) for deciding if an area is suffering from, or likely to become an area of low housing demand (with possibly the exception of the private rented sector indicator, albeit analysis of this indicator shows that it has a minimum impact on the outcome);
- The data set, data sources, timescales and values to be considered for low housing demand purposes;
- Possible areas of low housing demand and appropriate areas for comparison.

We accept some of the above statements. We fundamentally disagree with your “top down” approach to analysis and this never changed. It is far more logical to build a picture up from individual streets to spot anomalies. We went along with the subdivisions in an attempt to make progress from the Councils broad brush approach.

I am also disappointed that you still believe that the Council had a predetermined size for the scheme in mind at the outset. Based on our joint work, we have identified the following three neighbourhoods that should be removed from the proposed designation:-

Christ Church (Barnfield)
Steiner Street (Central)
Hodder Street/Spencer Street (Peel)

Completely disagree with this statement. I am not sure where you get the “we” from here. As I recall we were puzzling over why some areas had shown to be higher or lower than expected. We accept that the focus has been on Peel ward, but I only recall you stating your view on Steiner St. We on the other hand have undertaken further investigation to see if there are reasons for the anomalies.

We estimate this has reduced the size of the area by 545 residential dwellings representing a reduction of over 10%. This is in direct response to our collective work.

I am not sure why this is relevant.

I recall very clearly that fees were mentioned 'in passing', prompted by a question posed by either yourself or Paul. I believe I indicated that we are trying to avoid any increase in fees as opposed to 'less properties in the scheme would result in higher fees'. Again not relevant. Fees are a function of a cost of the licence. I am not sure that the legislation provides for Landlords to subsidise competitors by being included in a larger scheme than necessary

I note the case that you make in relation to the 'Addison Street up' and 'Clarendon Street' areas. I believe that we have previously agreed and used open market values and this is transparent. If we were to adopt your approach, could we not be accused of being contrived?

No. The Council are at more risk here having chosen preselected areas for consideration. This is compounded by the Council not being upfront about their criteria of where to draw the line until after the results were known. This would not have occurred with a bottom up approach. With the preselected areas, and for that matter in any quality research, any conclusions should be queried (especially if areas appear higher or lower than expected) to see if there are any underlying issues. We have done this with Steiner St and Avenue Parade. The Council have not. There is therefore no consistency in where you have drawn the line

I do not believe we are making any statement about the relationship between low demand and size, especially that low demand is a function of size. If I am missing the point you make, please do not hesitate to put me right.

It is implicit as you have not considered the size of dwellings in analysis, or weighted this in any analysis

I agree it would be far preferable for the consultation to conclude with an agreement that all sides could support. However, there are many other stakeholders, especially the resident and business community, that support a larger designation. I suspect it is going to be impossible to please everyone on the outcome of the consultation, and therefore this is a matter that the Council's Cabinet will need to consider very carefully when considering a revised designation proposal.

We agree with this statement. However the law provides for areas of low demand, not general support. You seem to think that we are against Licensng. We are not. We would be supporters of a good workable scheme

It is also extremely disappointing that the consultation response leaflets had already been printed and (I assume) draft cabinet reports produced before our research / discussions / meetings had concluded. Despite what you claim above, the last meeting ended with the Council effectively stating that this is what we are going to do, without any discussion or debate. This massively undermines the process. We are still waiting for information relating to ARC4 and small scale analysis on Avenue Parade. How can any consultation process come to end when these issues are still outstanding?

Finally, as you have previously indicated, the gap between us is narrowing with concessions on both sides. Why you would wish to destroy any goodwill generated at this stage is extremely perplexing. A delay of perhaps another month to resolve the issues above rather than run into months of wrangling again would seem a worthwhile price to pay from our side. I am unsure as to why you would think differently

As stated previously, I am more than happy to meet up. Please do not hesitate to ring me if it helps to arrange a meeting sooner rather than later.

Kind regards
Mark A. Hoyle
Head of Regeneration and Housing

From: John Baron [<mailto:jhpropertymatters@yahoo.co.uk>]
Sent: 21 July 2012 00:03
To: Mark Hoyle
Subject:

Mark,

We have considered your latest proposals and unfortunately we cannot agree with the areas you are suggesting.

We would be supportive of the Councils proposals if the areas referred to the lower quartile. However the statement that the Council considered low demand to be the lowest 37.5% is peculiar and somewhat contrived. We accept that we all have opinions as to what low demand would be, but to state this towards the end of consultation does support our original concerns that the Council had a predetermined size for the scheme in mind at the outset. This, combined with the statement that less properties in the scheme would result in higher fees, does seem to indicate that the Council is approaching the scheme with a view to funding concerns, rather than a view on low demand.

As you know, there are still two main areas where we disagree and these are the Addison St up (labelled C on your plan) and Clarendon St area (labelled F) Both these areas have vacancy levels of 5% which is reasonably low, and could hardly be described as low demand areas. The overall capital values for both these areas are seemingly lower than what we would generally expect and because of this anomaly we undertook some basic research which included a walk round the areas. There are a substantial number of two up two down houses which do not have any outriggers or extensions, especially on Robert St, William St, Annie St and Avenue Parade numbers 74 through to 146. As these houses are somewhat smaller then values would be less than for their larger peers.

Whilst I appreciate that it would be impractical to consider individual values on a scheme such as this, such size differences would have an impact on market evidence. With the lower quartile areas, our view is that the indicators are so far adrift of mainstream values that it would make little difference to any outcome. However, by raising the criteria to the level that you have, we believe that this does become pertinent. There are a sizeable number of small dwelling houses with floor areas of circa 70m², when the typical house floor area would be around 85m², some 20% larger. We would not expect values to be the same percentage difference, but it is more than likely that such values would be at least 10% lower. By not allowing or adjusting for these differences the Council are effectively stating that low demand is a function of size.

We are aware that the consultation period is concluding but would ask that you consider the above as a matter of urgency. As you are aware, the evidence supporting the case for licensing on the worst areas is compelling and we are supportive of those proposals. We believe it would be preferable for the consultation period to conclude with an agreement that all sides could support, but on the proposal made this week we firmly believe that the Council stand alone.

It may be beneficial to have a final meeting to see if any agreement can be reached, as without this, and despite all the previous discussions, nothing will have been achieved.

John Baron
Hyndburn Landlords

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