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HYNDBURN BOROUGH COUNCIL

NOTICE OF KEY DECISION

1. When Cabinet intends to make a key decision, details of the decision must be published at least 28 days before the meeting at which the decision is to be made.

2. If this is not possible, the decision can only be made if the Chair of the relevant Overview and Scrutiny Officer has been informed.

3. A notice to this effect must be made available for public inspection and published on the Council's website.

4. In accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information (England) Regulations 2012, I confirm that I have been informed that the following decision is to be made by Cabinet on 18th March 2026.

Signed……***Cllr Stephen Button***……..

Councillor Stephen Button, Chair of Communities and Wellbeing Overview and Scrutiny Committee

Date……**10th March 2026**……..……..

<u>Summary of Key Decision</u>

Decision Taker	Cabinet
Subject Matter	Article 4 Direction on Houses in Multiple Occupation

Summary	To present to Members the evidence for an Article 4 Direction made under the Town and Country Planning General Permitted Development Order 2015 (as amended) covering smaller houses in multiple occupation (HMOs) in the wards of Altham, Baxenden, Huncoat, Immanuel, Milnshaw, Overton and St Oswalds.
Proposed recommendations	(1) That Cabinet, having considered the evidence base attached as Appendix 1 to this report and being satisfied that there are grounds for an immediate Article 4 Direction as set out in section 3 of this report, approves the introduction of an immediate Article 4 Direction to remove the permitted development right that currently allows a property to change from Use Class C3 (dwellinghouse) to Use Class C4 (small House in Multiple Occupation) without planning permission, as set out in Schedule 2, Part 3, Class L of the Town and Country Planning (General Permitted Development) (England) Order 2015, and such Article 4 Direction to apply within the wards of Altham, Baxenden, Huncoat, Immanuel, Milnshaw, Overton and St Oswalds. (2) That Cabinet also agrees to: i. Delegate authority to the Head of Planning and Transportation, in consultation with the relevant Portfolio Holder, to make any necessary minor amendments to the Evidence Base documents and to prepare the final draft of the Article 4 Direction and the associated notice . ii. Carry out a public consultation on the proposed immediate Article 4 Direction in respect of the proposed confirmation of the same pursuant to sections 107 and 108 of the Town and Country Planning Act 1990 and the Town and Country Planning (Compensation) (England) Regulations 2015 (as amended). iii. Delegate authority to the Head of Planning and Transportation, in consultation with the Portfolio Holder, to review the consultation responses and determine whether the Article 4 Direction should subsequently be confirmed, noting that the Direction will not continue to apply unless the same is confirmed by the Council within 6 months of being made.

Reasons why compliance with the regulation to provide 28 days notice is impracticable	The intention is to consider whether to extend the current Article 4 Direction to the remaining wards within the Borough, as soon as possible. A delay until the next Cabinet meeting in June 2026, could result in a change of use to a significant number of premises without the desired regulatory oversight provided by the planning regime and could potentially lead to adverse consequences for neighbourhoods.