

# EXECUTIVE

Wednesday, 14th July, 2021  
6.30 pm





# EXECUTIVE

## COUNCIL CHAMBER, BURNLEY TOWN HALL

Wednesday, 14th July, 2021 at 6.30 pm

This agenda gives notice of items to be considered in private as required by Regulations (4) and (5) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Members are reminded that if they have detailed questions on individual reports, they are advised to contact the report authors in advance of the meeting.

Members of the public may ask a question, make a statement, or present a petition relating to any agenda item or any matter falling within the remit of the committee.

Notice in writing of the subject matter must be given to the Head of Legal & Democracy by 5.00pm on the day before the meeting. Forms can be obtained for this purpose from the reception desk at Burnley Town Hall, Manchester Road or at the Contact Centre, Parker Lane, Burnley or from the web at: <http://burnley.moderngov.co.uk/ecCatDisplay.aspx?sch=doc&cat=13234> . You can also register to speak via the online agenda. Requests will be dealt with in the order in which they are received.

There is limited space to accommodate members of the public due to Public Health guidance around social distancing. You are advised to contact [democracy@burnley.gov.uk](mailto:democracy@burnley.gov.uk) in advance of the meeting.

## **AGENDA**

### **1) Apologies**

To receive any apologies for absence

### **2) Minutes**

-To approve as a correct record the Minutes of the previous meeting.

5 - 6

### **3) Additional Items of Business**

To determine whether there are any additional items of business which, by reason of special circumstances, the Chair decides should be considered at the meeting as a matter of urgency.

### **4) Declaration of Interest**

In accordance with the Regulations, Members are required to declare any personal or personal and prejudicial interests they may have and the nature of those interests in respect of items on this agenda and/or

indicate if S106 of the Local Government Finance Act 1992 applies to them.

**5) Exclusion of the Public**

To determine during which items, if any, the public are to be excluded from the meeting.

**6) Right To Speak**

To consider questions, statements or petitions from Members of the Public

**PUBLIC ITEMS**

**7) Individual Executive Decisions**

7 - 8

To note Executive Individual Decisions.

**8) Anti-Social Behaviour Policy**

9 - 38

To consider the Anti-Social Behaviour Strategy 2021-24.

**9) 2020/21 Final Outturn Revenue Budget**

39 - 54

To consider a report on the Council's 2020-21 Revenue accounts.

**10) 2020/21 Final Outturn Capital Budget**

55 - 64

To consider a report on the Council's 2020-21 Capital Accounts.

**11) Annual Treasury Management Report Review of 2020-21 Activity**

65 - 74

To receive a report setting out the Council's 2020-21 treasury management activity.

**12) Additional Restrictions Grant - Update**

75 - 80

To seek approval for the allocation of the remaining Additional Restrictions Grant.

**13) Selective Licensing**

81 - 170

To consider a proposal to carry out consultation regarding future Selective Licensing areas.

**14) Empty Homes Project**

171 - 176

To consider a report on the next phase of the Council's Empty Homes project.

**15) Covid -19 Community Recovery Plan Update**

177 - 186

To receive an update on the COVID-19 Community Recovery Plan, and future funding proposals.

**16) Platinum Jubilee and Armed Forces Day**

187 - 188

To consider a report setting out plans to mark the Queen's Platinum Jubilee and Armed Forces Day.

**17) Strategic Risk Register**

189 - 208

To consider the updated Strategic Risk Register.

### **18) Exclusion of the Public**

To consider the exclusion of the public from the meeting before discussion takes place on the following items of business on the grounds that in view of the nature of the business to be transacted if the public were present there would be a disclosure to them of exempt information within the meaning of Part VA of the Local Government Act 1972.

#### **PRIVATE ITEMS**

Details of any representations received by the Executive about why any of the following reports should be considered in public – None received.

Statement in response to any representations – Not required

### **19) Charter Walk**

209 - 276

To consider a report on Charter Walk.

Information relating to the financial or business affairs of any particular person (including the authority holding that information)

#### **MEMBERSHIP OF COMMITTEE**

Councillor Afrasiab Anwar (Chair)  
Councillor Sue Graham (Vice-Chair)  
Councillor Beatrice Foster

Councillor John Harbour  
Councillor Margaret Lishman  
Councillor Asif Raja

#### **PUBLISHED**

Tuesday, 6 July 2021





## EXECUTIVE

### BURNLEY TOWN HALL

Thursday, 17th June, 2021 at 6.30 pm

#### PRESENT

#### MEMBERS

Councillors A Anwar (Chair), S Graham (Vice-Chair), B Foster, J Harbour, M Lishman and A Raja

#### OFFICERS

Lukman Patel	– Chief Operating Officer
Kate Ingram	– Strategic Head of Economy and Growth
Eric Dickinson	– Democracy Officer

#### 12. Exclusion of the Public

Members determined that for the item on the agenda relating to the Levelling Up Fund Bid the public were not to be excluded from the meeting.

#### 13. Levelling Up Fund Bid

##### PURPOSE

The purpose of this report is to seek Executive approval for a submission (and if successful acceptance) to the Levelling Up Fund including a matched funding contribution from the Council.

Members were informed of the following amendments to the financial information provided in the report;

Paragraph 15-replace 17.1M with 18.5M and replace 12M with 11.6M

Paragraph 16-replace 26.26M with 28M and replace 20M with 19.9M

Paragraph 17-add a benefit to cost ratio of 3.6 to 1.

##### REASON FOR DECISION

The Levelling Up Fund presents an opportunity to bring significant investment to the borough to deliver key projects set out in the Town Centre and Canalside Masterplan and the Burnley Economic Recovery and Growth Plan.

The Levelling Up Fund requires matched funding of a minimum of 10% of total costs.

##### DECISION

(1) That the Levelling Up Fund Bid as set out in this report, as amended, be approved;

- (2) That the use of the Town Centre Masterplan budget for match funding, as outlined in the report, be approved;
- (3) That Delegated authority be given to the Chief Executive to finalise the content and submit the Bid;
- (4) That Delegated authority be given to the Chief Executive in consultation with the Leader to accept the grant funding if the Bid is successful;
- (5) That Delegated authority be given to the Chief Executive to negotiate terms of the grant funding;
- (6) That Delegated authority be given to the Chief Executive to negotiate terms of any corresponding agreements with organisations including (without limitation) UCLan, Lancashire County Council, Network Rail and Community Rail Lancashire if the Bid is successful;
- (7) That Delegated authority be given to the Head of Legal & Democratic Services to execute all documents necessary to give effect to this decision, if the Bid is successful; and
- (1) That the Economy and Growth Service Unit, and all the partners involved, be thanked for the work done on the Levelling Up Fund Bid.

In accordance with and following the requirements set out in Paragraph 15 of Part 4.5 of the constitution regarding the agreement provided by the Chair of Scrutiny, it is stated that in the opinion of the Executive this decision is an urgent one and therefore not subject to call-in.



## INDIVIDUAL DECISION BY THE EXECUTIVE MEMBER FOR RESOURCES AND PERFORMANCE

BURNLEY TOWN HALL

### PRESENT

**OFFICERS** Eric Dickinson - Democracy Officer

### 7. Climate Change Budget Commitment - Electric Mowers

**Purpose** To seek approval of the Executive Member for Resources and Performance to allocate funds from the Climate Change budget.

**Reason For Decision** The scheme identified in the report will contribute to the objectives of reducing CO2 emissions.

**Decision** That the recommendation of the cross-party Climate Change Working Group (CCWG) regarding the allocation of £10K from the Climate Change budget towards the purchase of electric mowers for Burnley Cemetery be approved.

**Decision made by:** Councillor Sue Graham  
Executive Member for Resources and Performance

**Date:** 26/04/2021  
**Decision Published on:** 26/04/2021

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## Anti-Social Behaviour Policy 2021

### REPORT TO THE EXECUTIVE



<b>DATE</b>	<b>14/07/2021</b>
<b>PORTFOLIO</b>	<b>Community Services</b>
<b>REPORT AUTHOR</b>	<b>Jonathan Jackson</b>
<b>TEL NO</b>	<b>01282 425011 Ext 3413</b>
<b>EMAIL</b>	<b>jjackson@burnley.gov.uk</b>

#### PURPOSE

1. To seek Executive approval of the proposed Anti-Social Behaviour Policy 2021-24

#### RECOMMENDATION

2. The Executive is recommended to approve the Anti-Social Behaviour Policy 2021-24

#### REASONS FOR RECOMMENDATION

3. The policy outlines the Council's approach to how it will deal with and support our communities and partner agencies in dealing with anti-social behaviour.
4. The proposed policy reflects that whilst the Council has no statutory obligations to publish an ASB Policy and Procedures document, a clear and concise document would formalise the Home Office Minimum Standards, our existing procedures and reflect the best practice adopted by other Local Authorities.

#### SUMMARY OF KEY POINTS

##### Background

5. The statutory duty for local authorities, who are landlords, to have a policy and procedure for dealing with anti-social behaviour was enacted back in 2003. *The Anti-Social Behaviour Act (2003)* required these Council's to have a policy and procedure to deal with anti-social behaviour across its communities and that, from time to time, this policy be kept under review and, when it thinks appropriate, a revised statement be published.
6. Since this period the nature of anti-social behaviour and the required response has remained dynamic. The requirement for Council's to provide effective ASB support for its

residents and the necessity to work in partnership to address these issues (also enshrined in legislation) have both grown in magnitude since the early 2000's.

7. Prioritising and aiming to reduce anti-social behaviour can and will have a clear positive impact on the quality of life of our residents. Anti-social behaviour left unchecked can be pernicious and adversely impact our residents on an individual basis and de-stabilise our communities if left unchecked. The Council has a proven track record and a strong response to its anti-social behaviour duties and its activities have remained a key strategic priority. In accordance with best practice, the Council's response embeds early intervention, multi-agency working, a witness centered approach, effective community empowerment and enforcement.

### **Anti-Social Behaviour Local Delivery**

8. Supporting victims and complainants of anti-social behaviour inevitably often requires multi-agency intervention. The Council's anti-social behaviour team has intrinsic links and works with a variety a partners including; Selective Licensing, Calico, The Police, the Children, Family and Young Person's Service and partners across the community support, voluntary and diversionary sectors. There are extremely good links between organisations and multi-agency action plans and meetings that allow joint working and information sharing, especially in relation to vulnerable and high-risk complainants.
9. Anti-social behaviour continues to be identified as a statutory priority as part of the Council's / Pennine Lancashire strategic priority setting for Community Safety. This Council has a long legacy of multi-agency partnership working across community safety and anti-social behaviour.
10. The local landscape for effective anti-social behaviour has changed over recent years. Anti-social behaviour is a recognised thematic strand of the Council's response and also that of Pennine Lancashire's Community Safety Partnership. These strong links have enabled local strategies and responses to current ASB priorities across the footprint and partnership agencies to be adopted. For instance, the Council's Anti-Social Behaviour Team works closely with local partners and the Multi--Agency Tasking and Co-Ordination (MATAC) Group provides the local partnership co-ordination and response to emerging local ASB priorities. The local group is also supported by strategic commissioning and direction by the Pennine Group. The Head of Streetscene co-chairs with the Police the Pennine Community Safety Parnership's Reducing Crime and Anti-Social Behaviour Group. This has contributed to the current effective local delivery structures and response to emerging trends.

### **Current Policy and Service**

11. The proposed policy recognises the requirement that from time to time a policy should be reviewed following existing good practices, changes in legislation and local priorities. As effective responses are put in place to address anti-social behaviour, community confidence to report can increase and the nature of incidents can change, requiring different responses. The ASB Team continue to respond and deal with a high volume of cases. Last year, for example, over 700 cases were recorded and dealt with. These include, neighbour disputes, dog issues, noise and youth nuisance.

12. Obviously in light of the Pandemic, 2021 has been a particularly challenging year for a number of frontline services. The significant periods of national restrictions and lockdowns have contributed to increased reports of ASB across many local authority areas. This unprecedented year has also presented unique challenges that have contributed to increased reports. The new Covid powers have placed a duty for the Team and others, requiring investigation and action. Most Lancashire Authorities have seen an increase in reported ASB over this period. Prior to this year, this Council was recognised across Lancashire as being proactive in its approach to tackling anti-social behaviour, being at the forefront in the innovative use of legislation and providing examples of best practice. The proposed revision of the Policy encapsulates these good practice responses and performance management. Subject to Executive approval the performance of the adopted Policy will be provided by existing channels; for instance; via Full Council / Scrutiny reports and periodic reports via the MATAC Group.
13. The policy has been drafted after reviewing our current practice and to adopt and integrate the best practice and "Policy and Procedures" of other Local Authorities. It builds on the foundations set out in our previous Community Safety Policy (CSP) which was a reflection of the minimum standards established by the Home Office in "Protecting the Public". These standards were adopted by the Lancashire CSP. Our policy has now been formalised to give a greater understanding of the role of the ASB department, the legal constraints under which it operates and the expectations that the Council has in relation to the behaviour of our residents.
14. There is now a clear division between the formal ASB Policy and the operating procedures which set out the process of how each complaint will be dealt with, and the response that any complainant can expect from the council. These expectations have also been incorporated into a "Customer Commitment" that is an easy reference tool for residents to follow.
15. There is now also reference to other Council policies such as the Domestic Violence and Abuse Policy, Hate Crime, the Harassment Policy and it also reflects the Council's commitment, set out in its Strategic Plan, to provide residents with a clean, safe and attractive place to live.

## **FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

16. The work of the team and policy are met from existing budgets.

## **POLICY IMPLICATIONS**

17. The Policy should be subject to review after 3 years or in response to changes in legislation or good practice, whichever is the sooner.
18. An Equality Assessment has been undertaken and the impact is neutral with no adverse effects.

<b>DETAILS OF CONSULTATION</b>
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19. Consultation has been conducted with Calico, Smile Mediation, Together Housing and the Anti-Social Behaviour Team managers sitting within the Pennine Community Safety Partnership.

<b>BACKGROUND PAPERS</b>
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20. None

<b>FURTHER INFORMATION</b>
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**PLEASE CONTACT: Jonathan Jackson ASB Lead Ext 3413**

**ALSO: Joanne Swift, Head of Streetscene Ext 7301**



**BURNLEY BOROUGH COUNCIL**

**ANTI SOCIAL BEHAVIOUR**

**POLICY and PROCEDURES**

**JUNE 2021**

**BURNLEY BOROUGH COUNCIL**

**ANTISOCIAL BEHAVIOUR POLICY**

**VERSION – JUNE 2021**

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## **1.1 Introduction**

Anti-social behaviour (ASB) covers a wide range of concerns and is a broad term used to describe the day-to-day incidents of crime, nuisance and disorder that have an adverse effect on the quality of people's lives. These range from litter and vandalism, to public drunkenness or aggressive dogs, to noisy and/or abusive neighbours. Such a wide range of behaviours means that responsibility for dealing with anti-social behaviour is shared between a number of different agencies, most notably the police, the council and social landlords. This policy and procedure document sets out Burnley Borough Council's (the Council) approach to tackling ASB, and how it works in partnership with other statutory agencies.

Burnley Borough council is committed to creating a safer, stronger and healthier city, where residents can live free from ASB and have the opportunities to live their lives well. The purpose of this statement of policy and procedure is to set out how the Council in partnership with other agencies, will work to prevent and tackle anti-social behaviour that occurs within the borough.

## **1.2 Policy statement and Customer Commitment**

The Council is committed to continuously improving the quality of life and experiences of people, who live, work, invest, study and visit the Borough. The implementation of this ASB policy and use of its procedures will be part of providing safer, stronger and more resilient communities in the Borough by taking positive action in conjunction with partners, to deal with, and prevent, all forms of anti-social behaviour and to ensure that residents are able to enjoy peace, quiet and security in their communities.

This policy sets out the Council's commitment to reducing ASB, improving the quality of life for local people and reducing crime and fear of crime within our communities. The Council is committed to promoting understanding, tolerance and respect within our communities. The Council encourages residents to resolve issues themselves wherever possible. Where problems escalate into more serious and wide spread issues, the Council will proactively work with partners and residents to tackle ASB. The Council is committed to tackling anti-social behaviour in a solution focused approach by:

- Ensuring evidence is collated in relation to the victim, perpetrator and location.
- Attempting to address the root causes of ASB.
- Applying the appropriate tools and powers proportionately and as quickly as possible.
- Working with complainants to keep them informed about action being taken and help them to understand the processes involved and support them through this.
- Where safe and appropriate to do so, meeting with the complainant to understand the problems and the impact
- Where safe and appropriate to do, meeting with the alleged perpetrator before we take any action

- Working with other agencies and stakeholders to share information, develop joint approaches to addressing problems and share best practice

The policy contributes towards the Council's Community Strategy by supporting vulnerable people in our communities to live their lives well, enabling and supporting more people to live independently and safely, and working with residents to make our towns and communities great places to live by reducing crime, anti-social behaviour and the fear of crime. The Council will;

- Respond to reports of anti-social behaviour within 1 to 5 working days either by telephone, visit or in writing as appropriate, dependent upon the urgency of the incident.
- Respond within 1 to 3 working day of receiving complaints of hate crime.
- Discuss the problem, give an explanation of all available options and agree a course of action.
- Provide regular updates on progress made at intervals agreed at the outset.
- Provide a named officer and contact number throughout the investigation.
- Offer referrals to support service for residents who may benefit.
- Take appropriate action against individuals engaging in antisocial behaviour.
- Offer support through any legal process and beyond (Victim Support Policy)
- Where appropriate, provide a partnership response to deal with the ASB.
- Communicate clearly about how and when the case closed.

## CUSTOMER COMMITMENT



## LISTENING TO OUR CUSTOMERS



When nuisance and ASB escalates it can cause untold misery for everyone involved.

We are committed to improving the wellbeing and quality of life for the residents of Burnley Borough. We will do this by listening to you.



We are supporting our teams to develop their skills and have better conversations so we can work with you and negotiate the most effective way to resolve the situation.



Before we agree what to do next we will listen to everyone involved, the person reporting the nuisance as well as the person causing the nuisance. We do this so we are clear about the situation from everyone's perspective.



When exploring how to proceed:

- Be open minded about how the nuisance might be resolved.
- Be ready to share your ideas and avoid ultimatums.
- Is there anything you are doing or not doing that could be contributing to the situation.

## NEXT STEPS



Informal approaches are almost always the best way to respond to nuisance and ASB. We know from experience that jumping straight to warnings and suggesting enforcement often results in escalation of the situation.



Misunderstanding and miscommunication is the main barrier to resolving such situations. When emotions are running high and people feel angry, anxious or frustrated they are less able to communicate well.



Some of the most effective ways of responding include facilitated conversations with our skilled team, independent mediation with our partners at Smile Mediation, support through our multi-agency partnerships and specialist services.



When it is appropriate, we will take legal and enforcement action utilising the wide range of tools and powers available. We will work with social landlords such as Calico and the Police if this becomes necessary.

## KEEPING YOU INFORMED



We will keep in regular contact with you:

- respond to reports of nuisance & ASB within 5 working days (or sooner if it is a hate crime) and agree frequency of contact whilst the case is ongoing.
- give you the name and contact details of the person coordinating your case.



Sometimes we cannot take formal or legal action. This could be because there is not sufficient evidence or we simply do not have the powers available to us.

When we offer informal approaches it is because we know from experience that it works.



Even some of the most serious allegations can be resolved through informal approaches combined with enforcement action. We will work with you to agree the best way forward.



The case will be closed when the situation has been resolved. However, if we offer an informal approach (that we know from experience is likely to succeed) and you decline, we may still close the case and we will explain our decision.

## SUPPORTING INFORMATION

Partners	Legislation	Contact Us
<ul style="list-style-type: none"><li>• Burnley, Pendle, Rossendale Council for Voluntary Services (CVS)</li><li>• Residents Groups</li><li>• Town &amp; Parish Councils</li><li>• Smile Mediation: info@smile-ltd.co.uk</li><li>• Calico Homes</li><li>• Lancashire Police</li><li>• Lancashire Fire &amp; Rescue</li></ul>	<ul style="list-style-type: none"><li>• Anti-Social Behaviour Act 2003</li><li>• Environmental Protection Act 1990</li><li>• Anti-Social Behaviour Crime &amp; Policing Act 2014</li><li>• Crime &amp; Disorder Act 1998</li><li>• Housing Acts 1985, 1996 &amp; 2004</li><li>• Local Government Act 2000</li><li>• Clean Neighbourhoods Act 2002</li><li>• Human Rights Act 2000</li><li>• Data Protection and GDPR 2016</li></ul>	<ul style="list-style-type: none"><li>• Telephone 01282 425011</li><li>• Website - <a href="http://www.burnley.gov.uk">www.burnley.gov.uk</a></li><li>• In writing - Town Hall, Manchester road, Burnley BB11 9SA</li><li>• Via a third party, for example your local councillor or a support worker</li></ul>

### 1.3 Definition of ASB

The updated legal definition of ASB can be found in Anti-social Behaviour, Crime and Policing Act 2014:

“conduct that has caused, or is likely to cause, harassment, alarm or distress to any person, or conduct capable of causing nuisance or annoyance to a person in relation to that person’s occupation of residential premises, or conduct capable of causing housing-related nuisance or annoyance to any person”.

### 1.4 Examples of ASB and/or nuisance

The subjective and constantly evolving nature of ASB makes it difficult to compile a definitive list however some common examples are:

- The misuse of public spaces - including urinating in public, setting fires, inappropriate use of fireworks, throwing missiles and climbing on buildings
- Persistent noise nuisance
- Rowdy, aggressive or threatening behaviour or language
- Continuous nuisance from pets such as barking, lack of control, dog fouling and aggressive dogs. Feeding pigeons in the town centre and excessive noise and odours from animals including wild animals attracted to a garden to feed.
- Property damage and vandalism
- Environmental issues including fly-tipping, vandalism, graffiti, fly posting,
- Acts of violence (domestic and non-domestic)

- Hate crime
- Anti-social behaviour as a result of misuse of drugs or alcohol
- Irresponsible use of off-road vehicles.

There are often occasions where the involvement of an agency such as the local Council or Police can cause any dispute to escalate. Persons being complained about can take offence at the involvement of officials and this can exacerbate the matter, causing the loss of proportionality and perspective.

The Council's approach will mean that with some less serious types of behaviour, parties should, wherever possible and practicable, seek to resolve the matter themselves peacefully and through positive communication or mediations. Some types of behaviour would not constitute ASB.

The following examples of behaviour are where the Council would not encourage complaints nor expect to investigate every report and these include:

- Everyday activities or household noise (e.g. washing machines, hoovers, use of stairs etc), including children playing.
- Children playing ball games or congregating with no associated ASB
- People staring at others with no other associated offending
- People perceived as being unreasonable or unpleasant without significant harm
- Vehicles that are parked legally
- Disputes between neighbours over private matters e.g. parking of vehicles or boundary lines
- Cases of illegal drug use, production or supply when there is no associated ASB. Residents will be advised to report such issues to Lancashire Constabulary.
- Environmental or other Housing issues such as commercial noise nuisance, fly tipping, overcrowding and disrepair. Other Council departments are responsible for investigating these types of problems and reports can be made via the Council's website [www.Burnley.gov.uk](http://www.Burnley.gov.uk) or contact centre

Whilst some of the above, if undertaken in the extreme, can cause significant harassment, alarm or distress, in the majority of cases, the Council would be unlikely to conduct any formal investigation nor explore use of legislative powers in these circumstances.

When determining if a report is considered to be anti-social behaviour or not, officers will exercise professional judgement. If an officer determines that the complaint does not constitute anti-social behaviour they will inform the complainant at the earliest opportunity, advising them that no ASB action will be taken. The officer will provide advice and sign posting information if appropriate.

### **1.5 Statutory duties, responsibilities and powers**

Our ASB policy and procedures are compatible with our statutory duties and responsibilities. Together with our partners, we will make full use of the powers available to us under relevant legislation, including the following Acts of Parliament:

- Anti-Social Behaviour Act 2003



- Environmental Protection Act 1990
- Anti-Social Behaviour, Crime and Policing Act 2014
- Crime and Disorder Act 1998
- Data Protection Act 2003 and General Data Protection Regulation (GDPR) 2016
- Equalities Act 2010
- Housing Acts 1985, 1996 and 2004
- Clean Neighbourhoods Act 2002
- Human Rights Act 1998
- Local Government Act 2000

The above Acts contain both civil and criminal offences, both of which require different standards of proof. Civil offences are tried on the balance of probabilities, whereas criminal offences are tried beyond reasonable doubt. The standard of evidence gathered by the Council, before formal action can be taken will depend on the ASB in question and what is deemed to be the most appropriate course of action. To assist in the Council's investigation of a complaint, the complainant will be required to provide evidence detailing what they have witnessed and/or experienced.

### **1.6 Approach to Tackling ASB**

The Council will continue to work with partner agencies to prevent, and where appropriate, tackle ASB by using a wide range of measures. The measures to tackle ASB include both informal and formal action. Wherever possible and practicable the Council will seek early intervention to prevent escalation of ASB such as; warning letters, Acceptable Behaviour Contracts (ABCs) and mediation.

Formal action such as; Civil Injunctions, Community Protection Notices (CPNs), Public Spaces Protection Orders (PSPOs), Criminal Behaviour Orders (CBOs) and Closure Orders may be used for recurring and/or more serious issues.

### **1.7 Managing Cases and Assessing Risk**

Effective case management underpins the successful resolution of ASB. This starts from when a complaint is received until the matter is resolved. The welfare, safety and well-being of victims, whose complaints form the basis of any action, are the main consideration at every stage of the process. The Council will use its electronic case management systems, relevant to the department leading the response to the case, to keep a full and accurate record of the initial complaint and any subsequent actions, communication and outcomes connected to it.

Assessing the risk of harm to the victim is also an important part of case management. It is important to identify the impact ASB is having on the victim, particularly if repeated incidents are having a cumulative effect on their well-being. A continuous and detailed risk assessment helps to identify cases that are causing, or could result in serious harm to the victim, either as a one-off incident or as part of a targeted and persistent campaign of ASB against the victim.

The Partnership will agree timescales and create an action plan for responding to each reported case of ASB. It will also:

- Offer support to victims of ASB.
- Treat all reports as confidential until sharing is agreed with the complainant, unless it is considered that the information should be shared for safeguarding purposes, or to prevent crime and disorder or where it is in the public interest
- Share information only with other relevant organisations that can help with the problem and will observe data protection laws in accordance with the appropriate Information Sharing Protocol
- Ensure that the Police are notified of any criminal activities.
- Fully investigate the complaint in accordance with relevant policies and appropriate legislation
- Close cases with providing reasons for closure and giving appropriate feedback

### **1.8 Working Together and Sharing Information**

The Council's Community Safety Partnerships team, together with other relevant departments, such as Environmental Health, will lead the Council's work in preventing and tackling ASB.

There is an important reliance on working with partner agencies including:

- Lancashire Police and Lancashire Fire and Rescue Services
- Registered Social Landlords such as Calico
- National Health Service
- Registered Charities and the Voluntary sector
- Residents Associations and Community Interest Groups
- Lancashire County Council – including Safeguarding teams
- Town and Parish Councils

All these, and others, have a significant role to play and by working together we will ensure the community is safer and stronger. The partners bring a range of expertise, experience and additional powers that can assist in resolving issues more effectively. As part of this collaborative approach an information sharing protocol has been developed to ensure that appropriate information is exchanged between partners quickly to expedite the resolution of the issues.

### **1.9 ASB and Young People**

Young people who perpetrate ASB may have many complex support needs. The Council will strive to ensure that any actions taken against juvenile perpetrators comply with responsibilities under the Children Act and other relevant legislation. The Council will seek to address any support needs identified through available and appropriate partnership activities, which may be commissioned by a variety of funders, with a focus on early intervention and diversion.

### **1.10 Vulnerable People**

A person may be vulnerable for a variety of reasons, e.g. mental illness, learning disability, drug or alcohol dependence, physical disability, sensory impairment, ethnicity. If a person is deemed to be vulnerable, interventions are made as soon as possible to prevent further problems

Every effort is made to work with vulnerable people to try to resolve the issues. However, any enforcement action taken by the Council will be proportionate to the risks posed and the seriousness of their behaviour. As far as the law allows, the Council will take into account the circumstances and attitude of the individual when considering what action to take.

### **1.11 Rehabilitation of perpetrators and support for vulnerable groups**

The Council recognises that in some cases the perpetrators of ASB may require specialist support to address problems and behaviours which are impacting on the wider community. These may include perpetrators with drug and alcohol dependency, mental and physical health needs, young people at risk of offending or further offending, gang members and families in need of support. The positive impact of such support can often play a critical role in protecting neighbours and the wider community from ASB.

We will have due regard to the particular circumstances and vulnerability of perpetrators when considering the most appropriate form of intervention and support. However, we will also take enforcement action, including possession action, where this is proportionate and reasonable, and where all other avenues have been exhausted.

### **1.12 Hate Crime**

Hate crime is defined as 'any criminal offence which is perceived, by the victim or any other person, to be motivated by hostility or prejudice towards someone based on a personal characteristic'.

There are five strands of hate crime, monitored nationally:

- Race or ethnicity
- Religion or beliefs
- Sexual orientation
- Disability
- Transgender identity.

Hate crimes are a subset of notifiable crimes that are recorded by the Police. All complaints of hate crime will be taken seriously and will be forwarded to the Police, unless they have been made maliciously. The Council will work in partnership with the Police to resolve the complaint and will be prioritised accordingly any action taken.

### **1.13 Sharing information with the public**

By publicising successful action against the perpetrators of ASB the Council can help encourage more effective enforcement as well as reassuring the community that action is being taken to protect it. The Council appreciates that publicity may also deter other potential perpetrators from ASB. Human rights law requires that we consider and balance the rights of those subject to enforcement action as well as the community, particularly those who have been victims of ASB.

Publicity may be by various means including a press release aimed at the general public or a newsletter targeted, for example, at residents on a specific estate. The content of the publicity may be specific and include the name or even a photograph of the perpetrator or very generalised, by, for example, simply advising the public that the Court has granted an injunction against a well known perpetrator of ASB in the area. Any publicity must be necessary and proportionate to the aims it seeks to achieve.

The Council must also consider the non-disclosure rules of the Data Protection Act, where relevant, and must pay particular attention where young persons are involved. All publicity is dealt with on a case by case basis in liaison with the Council's Corporate Communications Team. In some instances, the press may, of their own volition, report on enforcement cases heard in open court. We have special arrangements for publicising injunctions and Closure Orders, which take into account the public interest in such matters.

### **1.14 Training of ASB Officers**

We believe that the learning and development of our staff is key to providing a high quality service to residents now and in the future. Learning and development enables our staff to be competent at their jobs in order to meet organisational objectives and to enhance their personal development. We provide regular training for all staff on topics such as equalities, health and safety, dealing with violence and aggression. In addition, specialist courses are run on a wide variety of community safety related subjects including enforcement legislation, ASB policy, procedures and case management.

### **1.15 Accident, Incident and Abusive Behaviour reporting**

Any member of staff who is threatened or abused, either verbally or physically, or who suffers an accident at work is required to report the incident. We have an 'Accident and Incident' on-line reporting tool. Managers are required to review all incidents and implement further controls where necessary to prevent reoccurrence.

In some instances, individuals will be risk assessed and 'flagged' with a risk flag on our housing management database, to record their address and the potential risk they pose to staff. The Council ensures that reports are followed up where appropriate in case there is a need for changes to our health and safety policies or procedures.

### **1.16 Protection of staff**

In delivering services to the community, the Council expects that members of the public will treat their employees with courtesy and respect. Exposure to violence and assault is not an acceptable part of an employee's everyday working life and the Council will take all reasonably practicable measures to prevent or reduce the risk of such exposure.

The Council has accordingly developed policies to protect staff in accordance with their duties under common law and statute. As well as a general health and safety policy we have developed compatible policies, procedures and training, covering a variety of issues. These include:

- Lone working procedure
- Accidents, incidents and 'near misses' reporting procedure
- Risk assessments procedure
- Stress at work policy
- Managing violence and aggression in the workplace procedures
- 'Sharps' awareness training
- Zero tolerance policy for verbal and physical abuse

### **1.17 Monitoring and Review of the Policy**

The Policy will be monitored by quality reviews to ensure that the procedure for case management is being followed appropriately and that records are detailed, appropriate and accurate. This Policy will be reviewed no less than once every 3 years to ensure that any changes in legislation or best practice are included and updated. The Council will also consult with staff, internal and external partners in the review. The Council will maintain procedural documents for the use of ASB enforcement powers and this will be subject to scrutiny and monitoring by the appropriate Council Scrutiny Committees.

Under the Council's Scheme of Delegation the Chief Executive and Head of Streetscene have a number of enforcement powers, particularly in relation to the Anti social behaviour Crime and Policing Act 2014 and for proceedings for breaches of Environmental Protection Act 1990. Any changes to this Policy will be subject to approval by the Streetscene Portfolio Holder.

The Statement of policies and procedures is intended to demonstrate our commitment to dealing properly and effectively with ASB. The Policy section aims to give readers an overview of the principles underlying our approach to ASB. The statement on procedures provides information on how reports of ASB are processed and on the range of options available to tackle ASB. It outlines the processes we will generally follow and the advantages and disadvantages of selecting any specific resolution.

## 1.18 HARASSMENT POLICY

The Council is committed to stamping out all forms of harassment to ensure that our residents enjoy their homes in peace. Our ASB policies and procedures are key tools in achieving this aim.

### Equality Act 2010

Under the Equality Act, the Council has duties in three areas. These are: as a service provider to our residents, as an employer and as a procurer of goods and services. The Equality Act introduced the term “protected characteristic” and the ‘public sector duty’. Protected characteristics describe the nine groups that are protected by law.

These are: Gender Disability Gender reassignment Race Sexual orientation Marriage and civil partnership Pregnancy and maternity Age Religion or belief. The public sector duty requires the Council to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the act Definition of harassment.

Harassment is defined by the impact of the behaviour on the victim, not the intention of the perpetrator. As a guide, we consider harassment to include:

- any behaviour that is unreasonable, unwelcome and offensive
- any deliberate act to interfere with the peace, comfort or safety of any other person or persons because of a characteristic such as those listed above, or any other personal characteristic Harassment is also a criminal offence. Some forms of harassment are referred to as hate crime.

These are crimes that are targeted at a person because of hostility or prejudice towards that person’s:

- disability
- race or ethnicity
- religion or belief
- sexual orientation
- transgender identity

This can be committed against a person or property. A victim does not have to be a member of the group at which the hostility is targeted. In fact, anyone could be a victim of a hate crime.

With regard to racial harassment the Council uses the Stephen Lawrence Inquiry Report definition of a racist incident, which is: ‘A racist incident is any incident which is believed to be racist by the victim or by any other person.’

This principle may be applied to all forms of harassment. Our key priorities in tackling harassment and hate crime are:

- a firm commitment to eliminating harassment and hate crime
- dealing with reports quickly and effectively

- providing support to victims
- taking action against perpetrators
- working with other agencies

### **1.19 DOMESTIC VIOLENCE AND ABUSE POLICY**

The Council and its partners have published a Domestic Abuse Strategy using the following definition of domestic violence: “Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are or have been intimate partners or family members, regardless of gender or sexuality”.

The Home Office introduced a new definition of domestic violence and abuse. The change came about following earlier consultation which showed 17 widespread support for changing the definition to capture those aged 16-17 and for reflecting ‘coercive control’ in the wording.

Accordingly, the Home Office definition of domestic violence and abuse now states: “Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass, but is not limited to, the following types of abuse:

- psychological
- physical
- sexual
- financial
- emotional

“Controlling behaviour is: a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

“Coercive behaviour is: an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.”

Domestic Violence/Abuse includes physical, psychological/emotional, mental, verbal, financial and/or sexual abuse as well as social isolation and is often a combination of them all. It is essentially a pattern of behaviour which is characterised by the exercise of control and the misuse of power by an individual/s within a relationship: this includes family relationships as well as heterosexual, lesbian, gay, bisexual and transgender people and vulnerable adults.

Female genital mutilation, forced marriage and violence often described as honour-based are all forms of domestic violence/abuse. Our policy takes a non-judgemental, victim-centred approach at all times. All cases are dealt with in the strictest confidence.

When dealing with domestic violence and abuse, we will:

- Make it as easy as possible for victims to report domestic violence and abuse

- Interview victims who present at our offices immediately, and aim to see them within one working day in all other circumstances
- Make sure victims are safe and know what to do if the situation changes
- Give victims full contact details of our service and housing manager dealing with the case, and those of any emergency out-of-hours service.
- Give victims details of STAYSAFE
- Encourage victims to prepare a Safety Plan
- Talk to victims about their housing options if they are ready to do so.
- Provide support for as long as it is needed.
- Take action against alleged perpetrators of domestic violence and abuse where possible

Information will only be forwarded to other agencies with consent or if required by law. The one exception to this is where there are concerns that a child is in need, for example if abuse or neglect is taking place, in which case officers have a duty to inform Children's Services. Information on domestic violence and abuse, including support agencies, is available online via the Council's website.

In order to improve support for high risk victims of domestic violence and abuse, the Council and partners have adopted a joint case management approach known as MARAC – Multi Agency Risk Assessment Conference. The key elements of the MARAC are:-

- A process for assessing the risk to victims of domestic violence and abuse, and identifying the highest risk cases
- A monthly meeting where agencies can discuss high risk cases in order to improve the safety of victims and their families
- A range of enhanced interventions for those victims identified as at high risk of further harm



## **ANTI SOCIAL BEHAVIOUR PROCEDURES**

### **2.0 Reporting Anti-Social Behaviour**

2.1 The Council may take the lead in investigating reports of ASB in the following circumstances;

- When either the person experiencing or the person perpetrating anti-social behaviour are owner occupiers or reside in privately rented accommodation,
- When the ASB is taking place in any public place or place to which the public have access.

When either the person experiencing ASB or the perpetrator of ASB is a tenant of a social landlord or lives in a property managed by an Arm's Length Management Organisation (ALMO) the report of ASB should be made to the relevant social landlord or ALMO.

Serious ASB involving criminal conduct should be reported to Lancashire Constabulary by telephoning 101 or 999 in an emergency.

2.2 Reports of anti-social behaviour to the Council can be made in any of the following ways;

By telephone 01282 425011

On Line - [www.burnley.gov.uk](http://www.burnley.gov.uk)

In Writing – The Town Hall, Manchester Road, Burnley, BB11 9SA

Reports of ASB can be made by a third party, for example by a Local Councillor, Member of Parliament, or social worker. If a report is made via a third party we will seek the consent of the reporter to communicate and share information with the third party. We do not accept reports of ASB by Social Media, e.g. Twitter or Facebook

2.3 The Council always prefer to have direct contact with the person experiencing the ASB to understand the problems they are experiencing, offer appropriate support and provide updates regarding the investigation. Officers will investigate an anonymous report if the report can be substantiated and will make reasonable attempts to substantiate the report.

2.4 Reports of ASB are prioritised at point of contact. This involves confirming the allegation and asking a series of short questions to assess the potential risk of harm caused by the ASB. Reports of ASB are then allocated to a named Investigating Officer. If the ASB involves the use or threat of violence or there is a significant risk of harm .e. a hate crime/incident, an officer will aim to contact the reporter within 1 working day. For all other reports of ASB an officer will aim to contact the reporter within 5 working days.

### **3.0 REFERRALS TO OTHER AGENCIES**

Investigating Officers will make referrals to other Council departments or agencies as appropriate in the course of their investigation. Any referrals made will involve the Investigating Officer seeking

consent from the individual concerned, unless there is an overriding safeguarding concern in relation to a vulnerable adult or child.

#### **4.0 ANTI SOCIAL BEHAVIOUR INVESTIGATION**

4.1 When a report of ASB is made, the Investigating Officer will interview the complainant to confirm all relevant facts and an action plan will be discussed. As part of the action plan the complainant will be expected to keep an accurate record of any further incidents of anti-social behaviour and report any further incidents to the Investigating Officer. The officer will attempt to complete an ASB Vulnerability Risk Assessment with all complainants (not acting within their professional capacity e.g. police officer) to assess the reporter's vulnerability to the ASB they are experiencing.

4.2 Investigating Officers will usually conduct a wider investigation which may involve contacting other potential reporters or witnesses, in addition to making enquiries with any relevant Council departments or partner agencies such as the police.

4.3 During most investigations (except where certain legal action is being considered) contact will be made with the alleged perpetrator. The alleged perpetrator will be given a fair opportunity to respond to the anti-social behaviour allegations. The Investigating Officer will explain the consequences of perpetrating anti-social behaviour and summarise the next steps in the investigation.

4.4 If there are counter allegations Investigating Officers will conduct a proportionate investigation into any counter allegation that is considered to be anti-social behaviour. Feedback will be provided to the person making the counter allegation.

#### **5.0 ANTI SOCIAL BEHAVIOUR ACTIONS**

5.1 Most anti-social behaviour investigations take place within a civil law framework which means a civil standard of proof is applicable, "on the balance of probabilities". The Investigating Officer needs only to be able to demonstrate that the incident(s) is more likely than not to have happened. When civil legal action has been taken and a Court Order has been disobeyed i.e. breach of an Injunction order, Closure Order or prosecution for breach of a Community Protection Notice; the criminal standard of proof applies. This means that the Investigating Officer will need to demonstrate that the incident(s) happened "beyond reasonable doubt".

5.2 There may be a number of reasons why an Investigating Officer cannot take action. These reasons may include;

- Establishing that the incident did not happen
- Not having enough evidence to prove the matter to the relevant standard of proof
- Finding the issues reported to be not what the Council considers as antisocial
- Not being able to investigate fully due to non-cooperation of the reporter / witness

- The ASB has stopped and the likelihood of further ASB is low The Investigating Officer will inform the reporter at the earliest opportunity if they determine that they cannot take action or further action and will close the case.

### 5.3 Determining Appropriate Anti-Social Behaviour Actions

The Investigating Officer will assess each case on the information available and the actions taken will be proportionate and bespoke to the circumstances of each case. Typically Investigating Officers will start by using informal action to try to resolve a report of anti-social behaviour. However, in priority or high risk cases, such as when there has been a use or threat of violence, legal action may be the first course of action.

### 5.4 Informal Action

As a first step, the council encourages residents who are experiencing problems with neighbours to try and settle the dispute amicably. Often people do not realise that they are causing an annoyance. By involving the Council straight away, this may make the neighbour feel threatened and may lead to a worsening situation. However, the Council would not expect anyone to take this step if they feel intimidated or uneasy about approaching the neighbour directly.

Once an issue is reported to the Council every effort will be made to resolve the problem as swiftly as possible. Some actions to achieve this may include:

**Diversionary Activities:** Targeted work with alleged perpetrators of ASB will be attempted to divert them away from negative behaviours and engage them in more positive activities. Examples of which would be organised youth groups involving activities and sports.

**Support:** Some ASB can be caused as a result of unmet support needs; therefore work with families and individuals to address needs will be undertaken to help reduce ASB and improve the health and wellbeing of those affected.

**Referrals to other agencies:** Where specialist support is required referrals may be made to other agencies to support individuals and families to meet their needs. Acceptable Behaviour Contracts / Undertakings A perpetrator may be invited to voluntarily enter into a written agreement with the council setting out how the perpetrators' behaviour will need to be modified. Whilst this has no legal basis, it demonstrates a willingness to resolve matters without resorting to enforcement.

**Mediation:** Residents will be encouraged to resolve their issues in an amicable and conciliatory manner whenever possible. Mediation will primarily be offered to address low level ASB, issues arising from incompatible lifestyles and instance where there are counter allegations made. If the perpetrator/s fail/s to engage with early resolution measures or does not support activity to alter their behaviour the council will progress with enforcement action at the appropriate level.

## 5.5 Formal Action

The Council may consider taking legal action when anti-social behaviour continues following an attempt to resolve the ASB informally. In priority cases involving the use or threat of violence towards person or property and or where there is serious risk of harm, we may not take any informal actions and instead take legal action in the first instance. Examples of legal actions that we may consider include;

**Injunction (including powers of arrest)** – An order that can be granted against an individual aged 10 or over. An Injunction is designed to stop or prevent individuals from acting anti socially, quickly nipping anti-social behaviour in the bud before it escalates.

**Criminal Behaviour Order** – An order that can be granted against an individual aged 10 or over upon conviction of a criminal offence. These orders are to tackle those who persistently engage in criminal anti-social behaviour.

**Community Protection Notices** – A Notice that aims to stop a person aged 16 or over, business or organisation committing anti-social behaviour which spoils the community's quality of life.

**Statutory Nuisance Abatement Notices** – A Notice that imposes positive requirements or restrictions to stop a Statutory Nuisance.

**Closure Order** – An order that can be granted to quickly close premises, restricting who can access a premises, which is being used, or likely to be used, to commit nuisance or disorder.

**Breach Proceedings** – Action to enforce the above powers. The Police and the Crown Prosecution Service take the lead in enforcing a breach of a Criminal Behaviour Order.

Any other legal action which could be taken with the support of the Police and /or the Crown Prosecution Service i.e. Restraining Order

We will also consider Public Space Protection Orders when it is considered the most appropriate tool to address a place based anti-social behaviour issue and work with Greater Manchester Police to consider other potential solutions such as use of the Dispersal Power or Restraining Orders. The Council has no basis to seek possession of a property where we are not the landlord.

The use of informal and legal action will be decided by the Council having considered the circumstances of each individual case and will be proportionate to the type of anti-social behaviour and risk of harm.

Generally, we would wish to obtain agreement with complainants about the particular actions to be followed. There may be occasions where the complainant would wish that the Council takes no specific action on their report. The situation may however be serious enough that we feel we have little option to pursue against their wishes. In such circumstances we will take appropriate measures to protect all those affected. In some circumstances and if the situation is appropriate the Council may be unable to progress an anti-social behaviour case if a complainant refuses early intervention actions. The Council will decide and take whatever action we consider to be most appropriate.

## **6.0 Case Closure**

6.1 ASB cases will be closed in the following circumstances;

- The complaint has been resolved to the victim's satisfaction.
- The behaviour of the perpetrator has been modified and no longer causes a nuisance.
- The perpetrator has moved out of the area.
- There is no evidence to support incidences of ASB or the Council is not provided with any evidence

Wherever necessary the complainant and all other relevant parties will be informed once a case has been closed and the issue resolved, or if no further action is going to be taken by the council and the reasons why.

## **7.0 Appeals and Complaints**

### **7.1 Making a Complaint**

If a customer is not satisfied with how an ASB case has been dealt with they may register a complaint directly with the ASB Team Manager or through the Council's formal Complaints Procedure. Customers who want to make a general complaint or comment about the ASB process can also use this procedure. Details are available from any Council office or online ([www.burnley.gov.uk](http://www.burnley.gov.uk)).

In line with this procedure, the initial complaint will be acknowledged in writing within two working days and information will be provided about who is dealing with the complaint. The Council will aim to respond within 10 working days. If the complaint is more complicated, it may take longer to sort it out but the complainant will be kept informed.

### **7.2 Contacting the Housing Ombudsman**

If customers remain dissatisfied with the outcome following the completion of the Council's complaint process, the case can be considered by the Housing Ombudsman who will ensure that the decision is in line with the principles set out within this policy.

### **7.3 Community Trigger**

Aside from making a formal complaint, any victim of ASB, who has made three or more reports within a six month period but feels they have not had a satisfactory response, can request a 'Community Trigger Review'. If the threshold is met, a review will be led by a local multi-agency panel which has the power to make recommendations to public bodies. More information on Community Triggers can found at

<https://www.burnley.gov.uk/residents/streetscene/community-safety-maps-and-anti-social-behaviour/anti-social-behaviour/community-triggers>



## EQUALITY IMPACT ASSESSMENT

1.	Title of EIA	ANTI-SOCIAL BEHAVIOUR POLICY 2021
2.	Person responsible for the assessment	Jonathan Jackson
3.	Contact details	<a href="mailto:Jjackson@burnley.gov.uk">Jjackson@burnley.gov.uk</a> 01282 425011 ext 3413
4.	Date of assessment	12 <sup>th</sup> June 2021

The outcome of this equality impact assessment is that the proposed exemptions being considered **are neutral** in terms of their impact on people with protected characteristics under equalities legislation.

### OBJECTIVE

1.	What is the main purpose of the project?	To review and update the Council's ASB policy as required by the Anti-Social Behaviour Act 2003 .
2.	Who are the main stakeholders?	The Borough of Burnley Employees and service users, including <ul style="list-style-type: none"> <li>• Residents within the Borough</li> <li>• Councillors;</li> <li>• ASB Team</li> </ul>
3.	How are they expected to benefit?	The Policy is reviewed and revised to incorporate the most up to date legislation and guidance to frontline workers.
4.	How will the change be implemented?	The minimal changes will be immediately implemented by the ASB Team
6.	Is the responsibility for the proposed function shared with another department or authority or organisation?	No

### A. DATA COLLECTION

1.	Approach and background to EIA analysis, including data collection	
2.	What monitoring data do you have on the number of people (from different equality groups) who are using and could be impacted upon by the change in function?	N/A - there is no change in function

**B. COMMUNICATION AND INVOLVEMENT**

1.	What information has assisted in completing this EIA?	None
2.	What communications activities have assisted in completing this EIA?	None

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Group	Area/s of impact	Positive impact	Negative impact – specified as high, medium or low	Neutral impact	Reason
Age	All areas of impact <sup>1</sup>			✓	All impacts in respect of people in this group were identified as neutral.
Disability	All areas of impact			✓	All impacts in respect of people in this group were identified as neutral.
Gender reassignment	All areas of impact			✓	All impacts in respect of people in this group were identified as neutral.
Marriage and civil partnership	All areas of impact			✓	All impacts in respect of people in this group were identified as neutral.

<sup>1</sup> 'All areas of impact' refers to the detailed list of proposed savings set out as Appendix One to this report.



Group	Area/s of impact	Positive impact	Negative impact – specified as high, medium or low	Neutral impact	Reason
Pregnancy / and maternity	All areas of impact			✓	All impacts in respect of people in this group were identified as neutral.
Race	All areas of impact			✓	All impacts in respect of people in this group were identified as neutral.
Religion and belief	All areas of impact			✓	All impacts in respect of people in this group were identified as neutral.
Sex (gender)	All areas of impact			✓	All impacts in respect of people in this group were identified as neutral.
Sexual orientation	All areas of impact			✓	All impacts in respect of people in this group were identified as neutral.

Equality impact assessment action plan
There is no need for an action plan

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**REPORT TO EXECUTIVE**



<b>DATE</b>	<b>14<sup>th</sup> July 2021</b>
<b>PORTFOLIO</b>	<b>Resources &amp; Performance Management</b>
<b>REPORT AUTHOR</b>	<b>Amy Johnson</b>
<b>TEL NO</b>	<b>01282 477172</b>
<b>EMAIL</b>	<b>ajohnson@burnley.gov.uk</b>

**Final Revenue Outturn Position 2020/21**

**PURPOSE**

1. To report the provisional position on the Council’s revenue accounts for 2020/21.

**RECOMMENDATION**

2. That the Executive Members are requested to recommend that Full Council approve:
  - a) The provisional final position on the Council’s revenue account for 2020/21 shows a net underspend of £31k which has been transferred to the Revenue Support Reserve. The projected overspend from the outturn position estimated during quarter 3 budget monitoring was £49k.
  - b) The transfers to/from Earmarked Reserves totalling a net £5.058m increase to reserves (see Appendix 2).
  - c) The approval of additional revenue budget carry forward requests from Heads of Service totalling £2.198m (see Appendix 3).

**REASONS FOR RECOMMENDATION**

3. To conclude the revenue budget monitoring process for 2020/21 and report the final outturn position as outlined in the Council’s Statement of Accounts for 2020/21.

## SUMMARY OF KEY POINTS

### Revenue Outturn position

4. Members will recall that there were three quarterly budget monitoring reports to the Executive during 2020/21. These reports disclosed that there were anticipated variations in spending and income compared with the revised budget. The third and most recent in-year monitoring report to Full Council, in February 2021, estimated a year end overspend of £49k on the revenue account.
5. Throughout the 2020/21 financial year the Government announced a series of financial interventions to help support local authorities and their residents/businesses during the current Coronavirus pandemic. Of these financial interventions this Council has received a direct funding allocation of £2.486m out of a Central Government fund of £4.43bn. Of our £2.486m allocation, £6k was a ringfenced grant towards tackling homelessness and £79k was ringfenced as part of the 'Re-opening High Streets Safely' scheme. A further £2.106m was received in four tranches: £75k received in Tranche 1 which was allocated to tackling homelessness, £882k in Tranche 2, £229k in Tranche 3 and £920k in Tranche 4. Tranche 2, 3 and 4 monies are un-ringfenced funding to assist with reductions in income received and additional cost pressures incurred by the Council caused by the Covid pandemic. Members approved, during the quarter 2 budget monitoring cycle, that the balance of £860k from the Tranche 4 funding would be transferred into a Covid-19 reserve which can be called upon when required to fund any related additional expenditure, loss of income and to support the recovery phase.
6. The Government also provided support for losses of income. Where these income losses were more than 5% of a council's planned income from sales, fees and charges, the Government provided funding for 75p in every pound lost due to the pandemic. The Council has submitted claims for income losses totalling £1.016m for the 2020/21 financial year. The scheme is to be continued for the first quarter of 2021/22.
7. Support for collection fund losses has also been provided through the Government's Tax Income Guarantee Scheme. For both business rates and council tax, the loss will be calculated by comparing estimated income due with actual income received in respect of 2020/21. The calculation is complex and figures used within the calculation have been taken from the relevant Government returns that the Council is required to submit. Compensation of 75% of the resulting loss will be paid via a Section 31 grant. The Council's 25% share of both business rates and council tax losses will be funded from the Volatility Reserve.
8. The final outturn on the Council's revenue account for 2020/21 has moved from an overspend position of £49k as estimated in the quarter 3 budget monitoring report to a year end underspend of £31k (see Appendix 1).

Table 1 below shows actual spend compared to budget and the associated variance for each service department.

Table 1:

		REVISED BUDGET £000	ACTUAL £000	SFC COMPENSATION INCOME £000	REVISED ACTUAL £000	VARIANCE £000
a	Economy and Growth	846	815	-11	804	-42
b	Policy and Engagement	174	201	-16	185	11
c	Management Team	352	346	0	346	-6
d	Sport and Culture Leisure Client	712	769	-187	582	-129
e	Green Spaces and Amenities	870	561	-97	464	-406
f	Streetscene	3040	3430	-374	3056	16
g	Housing and Development Control	-49	131	-93	38	88
h	Strategic Partnership	3880	3899		3899	19
i	Finance and Property	496	538	-27	511	15
j	Revenues and Benefits Client	-1341	-309	-202	-511	831
k	Legal and Democratic Services	1045	794	-9	785	-260
l	People and Development	207	188	0	188	-19
m	Central Budgets - Other (includes corporate costs eg utilities, apprenticeship levy)	-2250	-4736	1016	-3720	-1469
	Central Budgets - Savings Targets (see Table 2)	-213	0	0	0	213
				0	0	
	<b>NET SERVICE BUDGET</b>	<b>7767</b>	<b>6628</b>	<b>0</b>	<b>6628</b>	<b>-1140</b>
	Pensions	761	820	0	820	59
	Provisions (Balance to be determined at year end)	0	27	0	27	27
	Impairments (Provisions for Bad Debt)	0	0	0	0	0
	Parish Precepts (Disbursement to Parishes)	166	166	0	166	0
	Treasury (Investment Income & Expenditure)	879	987	0	987	108
	Capital Financing	2392	1976	0	1976	-416
	Earmarked Reserves (to / (from))	4121	4894	0	4894	773
	Strategic Reserves (to / (from))	-393	164	0	164	558
	<b>NET CORPORATE ITEMS</b>	<b>7925</b>	<b>9034</b>	<b>0</b>	<b>9034</b>	<b>1109</b>
	Council Tax	-7202	-7202	0	-7202	0
	Parish Precepts (Receipts from Council Tax Payers)	-166	-166	0	-166	0
	Business Rates: Retained Income	-4771	-4771	0	-4771	0
	Business Rates: S31 Grants (For award of business rates relief)	-1219	-1219	0	-1219	0
	Prior Year Collection Fund (Surplus)/Deficit	0	0	0	0	0
	Revenue Support Grant	-1640	-1640	0	-1640	0
	New Homes Bonus	-694	-694	0	-694	0
	Other Government Grants	0	0	0	0	0
	<b>FUNDING</b>	<b>-15693</b>	<b>-15693</b>	<b>0</b>	<b>-15693</b>	<b>0</b>
	<b>BUDGET BALANCE</b>	<b>0</b>	<b>-31</b>	<b>0</b>	<b>-31</b>	<b>-31</b>

A summary of the significant variances since quarter 3 is shown in the table below:

	<b>Significant Variances £'000s</b>
<b>Underspend / Increased Income</b>	
Reduced expenditure on the waste cleansing contract due to a budget contingency set aside not required in year.	(49)
Increased interment and crematorium income	(193)
<b>Increased Expenditure / Reduced Income</b>	
Reduction in car parking daily charges and enforcement income	60
Increase to Sundry Debtors provision based of the value of outstanding debts at year end.	74
Increased property fund dividend income offset by a reduction in temporary investment interest income due to the cut in the Bank Rate in 2020 and subsequent sustained low interest rates.	46
Decreased housing benefit income mainly due to a reduction in the Administration Subsidy received, offset in part by a reduction in the provision set aside for bad debts as a result of an in-year reduction in the number of outstanding debts.	36
Increase to the provision for bad debts in relation to property rental income to mitigate the impact of the Covid-19 pandemic on income recovery.	108

#### 9. Reserves Transfers

The Executive is asked to recommend to Full Council approval of the movements in earmarked reserves being a net overall increase in the year of £5.058m, see Appendix 2, from £9.532m at the start of the year to an end position of £14.589m. This is an increase of £3.723m to the estimated year end position forecast at quarter 3.

Of the transfers to reserves, it is proposed to increase the Covid Reserve from the £0.860m, approved in the quarter 2 revenue monitoring report, to £1.589m. As stated previously, this reserve will be utilised to fund any future reduction in income, additional expenditure pressures, to support the recovery phase of the pandemic and to provide additional funding to resource any business-as-usual activities where service has been reprioritised during the pandemic.

Carry forwards of £2.198m have been requested, of which £1.553m relate to externally funded Covid-19 grant schemes and £0.433m to other sources of external funding. For all externally funded schemes it has been agreed by the funding provider that unspent monies can be carried forward for spend in 2021/22, if not the funding will have to be returned. The balance of £0.212m is made up of carry forward request from the council's revenue budgets – see Appendix 3.

The balance of General Reserves has remained at £1.379m.

## **FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

10. As shown in the body of the report and appendices.

## **POLICY IMPLICATIONS**

11. The provisional outturn position will be reflected in the draft Statement of Accounts which will show the spending by the Council in pursuit of declared objectives in that financial year and the reserves and balances available for future spending. Following a consultation exercise carried out by MHCLG the deadline for completion of the draft Statement of Accounts has been extended from 31<sup>st</sup> May to 31<sup>st</sup> July and the audited Statement of Accounts from 31<sup>st</sup> July to 30<sup>th</sup> September. These deadlines are in accordance with recommendation 10 of the Redmond Review, and the change will initially be for a 2 year period: 2020/21 and 2021/22.

The draft Statement of Accounts will be subject to audit by the Council's external auditors, Grant Thornton UK LLP. There may be minor adjustments to the figures included within the provisional outturn as a result of the audit. The Accounts will be reported to the Audit and Standards Committee.

## **DETAILS OF CONSULTATION**

12. None.

## **BACKGROUND PAPERS**

13. None.

## **FURTHER INFORMATION**

**PLEASE CONTACT:**

**Amy Johnson  
Finance Manager**

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## Revenue Underspending 2020/21

## Appendix 1

			Cumulative £000s
<b>Forecast budget deficit position at 31/12/20 - Cycle 3</b>			<u>49</u>
<b>Final Variances</b>			
<u>Expenditure Savings</u>			
Reduced waste cleansing contract expenditure	(49)		
Reduced Housing Benefits bad debts provision	(25)		
		<b>(74)</b>	
<u>Increased Income</u>			
Increased interment and crematorium income	(193)		
Increased property fund dividends	(14)		
		<b>(207)</b>	<b>(281)</b>
<u>Increased Expenditure</u>			
Increase to Sundry Debtors & Property Rents provision	182		
		<b>182</b>	
<u>Reduced Income</u>			
Reduced Housing Benefit Admin Subsidy income	61		
Reduced temporary investment interest income	60		
Reduced income from car parking daily charges	40		
Reduced income from car parking enforcement	20		
		<b>181</b>	<b>363</b>
Other minor net overspends/(underspends) under £20k	(162)		
		<b>(162)</b>	<b>(162)</b>
<u>Use of Reserves</u>			
Transfer to Revenue Support Reserve to achieve provisional outturn break even position	31		
		<b>31</b>	<b>31</b>
<b>Break even position for year</b>			<u>-</u>

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	Balance at 31 March 2019 £000s	2019/20		Balance at 31 March 2020 £000s	2020/21		Balance at 31 March 2021 £000s
		Net transfers In/(Out) £000s	Movements between Reserves £000s		Net transfers In/(Out) £000s	Movements between Reserves £000s	
<b>Transfers to/from Earmarked Reserves</b>							
<b>Earmarked Reserves</b>							
<b>Specific Reserves</b>							
Taxi Licensing	4	-	-	4	-	-	4
Selective Licensing	479	(90)	-	389	291	-	680
Local Development Framework	22	-	-	22	-	-	22
Housing Benefit Admin Subsidy	-	-	-	-	-	-	-
Transport & Plant Replacement	25	(4)	-	21	15	-	36
Rail Services	-	-	-	-	-	-	-
Revenue Grants Unapplied	241	24	(37)	228	(55)	-	173
Flood	-	-	-	-	-	-	-
Primary Engineer	37	-	-	37	-	-	37
Town Centre Management	-	-	-	-	-	-	-
Town Centre & Weavers Triangle	95	-	-	95	-	-	95
Burnley Bondholders	44	(22)	-	22	23	-	45
Business Rates Retention Volatility	1,859	2,087	-	3,946	292	(350)	3,888
Cremator Relining	30	15	-	45	(45)	-	-
Revenue Support	304	100	-	404	130	-	534
Carry Forwards	128	(81)	-	47	2,121	30	2,198
Regeneration Reserve	-	(138)	478	340	-	350	690
Sandygate Sinking Fund (New)	-	-	-	-	40	-	40
Sandygate Smoothing (New)	-	-	-	-	103	485	588
Pensions (New)	-	-	-	-	351	-	351
Elections (New)	-	-	-	-	38	-	38
Covid-19 (New)	-	-	-	-	1,589	-	1,589
Housing Initiatives (New)	-	-	-	-	-	51	51
	3,268	543	441	5,600	4,893	566	11,059
<b>Strategic Reserves</b>							
Transformation	1,328	480	-	1,808	750	(566)	1,992
Growth	2,650	(85)	(441)	2,124	(586)		1,538
	3,978	345	(441)	3,932	164	(566)	3,530
<b>Total</b>	<b>7,246</b>	<b>888</b>	<b>-</b>	<b>9,532</b>	<b>5,057</b>	<b>-</b>	<b>14,589</b>

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Service Unit / Task	Details	2020/21 Budget £	2020/21 Forecast Outturn £	2020/21 (Under) / Over Spend £	Amount to be Approved Q4 £
<b>Policy &amp; Engagement</b>					
Liberata Contingency Budget	For the purchase of IT licences and equipment.	36,268	15,256	(21,012)	16,386
<b>Sub-total</b>		<b>36,268</b>	<b>15,256</b>	<b>(21,012)</b>	<b>16,386</b>
<b>Green Spaces and Amenities</b>					
Special Items	Thompson Park fitness project equipment ordered 20/21 - purchase order raised however delivery was not before 31st March 2021	32,000	21,327	(10,673)	10,673
Thompson Park donations	£2562 c/f released from reserves in year to fund trees for Thompson Park - request underspend at end of year go back into reserves	2,562	21	(2,541)	2,541
Grounds Maintenance	£5531 c/f released from reserves in year to fund additional benches - request underspend at end of year go back into reserves	11,031	8,312	(2,719)	2,719
Grounds Maintenance	Donations received for commemorative benches	(5,500)	(9,720)	(4,220)	4,220
<b>Sub-total</b>		<b>40,093</b>	<b>19,940</b>	<b>(20,153)</b>	<b>20,153</b>
<b>Streetscene</b>					
Other Surface Car Parks	Pioneer River Culvert - survey/report/structural assessment (see WLR) Structures such as this should be regularly inspected and assessed and we are aware that this has probably never happened since the Council took this site on. We need to understand the condition and load carrying capacity of the structure and to do this intrusive inspection sampling and testing will be required. Our expectation is that once we have a report we will need to programme works but at this stage we have no idea how substantial those works might be.	52,088	26,546	(25,542)	25,000
Waste Cleaning Contract	For purchase of a utility vehicle to be sourced by Green Spaces. Carry forward intended to fund the additional capital expenditure.	80,646	32,115	(48,531)	15,000
<b>Sub-total</b>		<b>132,734</b>	<b>58,661</b>	<b>(74,073)</b>	<b>40,000</b>
<b>Legal &amp; Democratic Services</b>					
Member Training	Members have requested that the budget be carried forward. Training could not be carried out due to Covid-19 - monies to be spent 21/22 on training that could not be carried out in 20/21.	2,250	982	(1,268)	1,268
<b>Sub-total</b>		<b>2,250</b>	<b>982</b>	<b>(1,268)</b>	<b>1,268</b>

<b>Economy &amp; Growth</b>					
Burnley Market Hall	To help support business support due to an increase in enquiries from prospective traders. Also to encourage new business start-up.	5,000	1,514	(3,486)	3,486
Burnley Market Hall	Grounds Maintenance: Work required to the compactor – ideally it wants replacing but at £15k that is not feasible	18,096	10,646	(7,450)	7,450
Markets Management	For advertising to re-brand the market i.e. new signage up outside, new poster designs, etc.	15,000	4,372	(10,628)	10,628
Planning Policy Consultants Fees	Required for Supplementary Planning Document and Development Plan Document committed by Exec in Feb 2020. Work couldn't happen in FY20/21 due to lockdown and reassignment of officers to business grants and awaiting outcomes of the plan-making reforms (2020 planning white paper).	40,000	0	(40,000)	40,000
Local Plan		12,258	1,936	(10,322)	10,322
		1,200	35	(1,165)	1,165
<b>Sub-total</b>		<b>91,554</b>	<b>18,503</b>	<b>(73,051)</b>	<b>73,051</b>
<b>Housing &amp; Development Control</b>					
Private Sector Housing Renewal	Part time post to Identify Families living in Fuel Poverty (Green Party Request)	18,000	0	(18,000)	18,000
Private Sector Housing Renewal	Increase resources to Housing Standards and Energy Efficiency (Labour Party Request)	16,000	0	(16,000)	16,000
<b>Sub-total</b>		<b>34,000</b>	<b>0</b>	<b>(34,000)</b>	<b>34,000</b>
	<b>Totals</b>	<b>336,899</b>	<b>113,342</b>	<b>(223,557)</b>	<b>184,858</b>

**Externally Funded Covid-19 Grant Schemes to be Carried Forward to 2021/22**

Service Unit / Task	Details	2020/21 Budget £	2020/21 Forecast Outturn £	2020/21 (Under) / Over Spend £	Amount to be Approved £
<b>Policy &amp; Engagement</b>					
Clinically Extremely Vulnerable	Non-ringfenced funding to support clinically extremely vulnerable individuals who are advised to shield.	283,496	47,625	(235,871)	235,871
Community Champions	Ringfenced funding to support people shown to be most at risk from Coronavirus (COVID-19) including those from an ethnic minority background, disabled people and others to follow safer behaviours and reduce the impact of the virus on themselves and those around them.	106,500	69,535	(36,965)	36,965
<b>Sub-total</b>		<b>389,996</b>	<b>117,160</b>	<b>(272,836)</b>	<b>272,836</b>
<b>Green Spaces and Amenities</b>					
Cultural Recovery Fund - Towneley Hall	Ringfenced funding to maintain England's cultural ecology by supporting significant organisations, which were financially sustainable before Covid-19 but are now at imminent risk of failure and have exhausted all other options for increasing their resilience.	116,476	39,065	(77,411)	77,411
Townley Hall - Museums & Schools Project	Unspent Covid-19 Adaptation funding received to supply loan box resources for schools due to Covid restrictions	2,500	1,831	(669)	669
National Leisure Recovery Fund	Funding to support eligible public sector leisure centres to reopen to the public. To be passed to Burnley Leisure.	0	(171,542)	(171,542)	171,542
<b>Sub-total</b>		<b>118,976</b>	<b>(130,646)</b>	<b>(249,622)</b>	<b>249,622</b>
<b>Revenues &amp; Benefits Client</b>					
Council Tax Hardship Fund	Ringfenced funding to support those facing council tax hardship.	1,283,415	1,091,514	(191,901)	191,901
<b>Sub-total</b>		<b>1,283,415</b>	<b>1,091,514</b>	<b>(191,901)</b>	<b>191,901</b>
<b>Corporate</b>					
Test & Trace Discretionary Payments	Ringfenced funding to support those requiring to self isolate, but do not meet the criteria of the mandatory scheme.	154,000	152,000	(2,000)	2,000
Additional Restrictions Grant	Discretionary grant scheme to provide financial support to businesses not eligible under the LRS scheme.	2,568,281	1,731,497	836,784	836,784
<b>Sub-total</b>		<b>2,722,281</b>	<b>1,883,497</b>	<b>834,784</b>	<b>838,784</b>
<b>Totals</b>		<b>4,514,668</b>	<b>2,961,525</b>	<b>120,425</b>	<b>1,553,143</b>

**Externally Funded Grant Schemes to be Carried Forward to 2021/22**

<u>Service Unit / Task</u>	<u>Details</u>	<u>2020/21 Budget</u>	<u>2020/21 Forecast Outturn</u>	<u>2020/21 (Under) / Over Spend</u>	<u>Amount to be Approved</u>
		£	£	£	£
<b><u>Policy &amp; Engagement</u></b>					
ESOL (English for Speakers of Other Languages)	Grant funding received in year not fully spent. To be rolled forward to 2021/22	64,368	24,296	(40,072)	40,072
Cyber Resilience Grant	Funding received March 2021 for delivery of the Cyber Treatment Plan.	-	(200,000)	(200,000)	200,000
<b>Sub-total</b>		<b>64,368</b>	<b>(175,704)</b>	<b>(240,072)</b>	<b>240,072</b>
<b><u>Streetscene</u></b>					
Community Safety - Safer Streets Project	Grant funding received in year not fully spent. To be rolled forward to 2021/22	78,700	38,755	(39,945)	39,945
<b>Sub-total</b>		<b>78,700</b>	<b>38,755</b>	<b>(39,945)</b>	<b>39,945</b>
<b><u>Economy &amp; Growth</u></b>					
HAZ Heritage Action Zone	Cultural programme grant funding received in year not fully spent. To be rolled forward to 2021/22	7,500	1,287	(6,213)	6,213
<b>Sub-total</b>		<b>7,500</b>	<b>1,287</b>	<b>(6,213)</b>	<b>6,213</b>
<b><u>Housing &amp; Development Control</u></b>					
Flexible Homeless Grant	To Fund post and temporary accommodation budget	(88,409)	(190,074)	(101,665)	101,665
Homelessness	To Fund Rough Sleepers and the ABEN project	45,000	0	(45,000)	45,000
<b>Sub-total</b>		<b>(43,409)</b>	<b>(190,074)</b>	<b>(146,665)</b>	<b>146,665</b>
<b>Totals</b>		<b>107,159</b>	<b>(325,736)</b>	<b>(432,895)</b>	<b>432,895</b>



**Request for Prior Year Carry Forwards to be Carried Forward to 2021/22**

<u>Service Unit / Task</u>	<u>Details</u>	<u>2020/21 Budget</u>	<u>2020/21 Forecast Outturn</u>	<u>2020/21 (Under) / Over Spend</u>	<u>Amount to be Approved</u>
		£	£	£	£
<b><u>Policy &amp; Engagement</u></b>					
Childrens University	Carry forward from 2019/20 but not utilised due to Covid 19. Request to carry forward to 2021/22				6,920
Digital Transformation (Idox)	Carry forward from 2019/20 but not utilised due to Covid 19. Request to carry forward to 2021/22				11,896
<b>Sub-total</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>18,816</b>
<b><u>Green Spaces and Amenities</u></b>					
Towneley Landscape & Collection Project	Carry forward from 2018/19 but not yet utilised . Request to carry forward to 2021/22				2,000
Towneley Bonfire Sponsorship	Carry forward from 2019/20. Sponsorship money for the 2020/21 bonfire. Request to carry forward to 2021/22.				5,000
Donation - Friends of Towneley Park	Carry forward from 2018/19 but not yet utilised . Request to carry forward to 2021/22				1,970
<b>Sub-total</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>8,970</b>
	<b>Totals</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>27,786</b>

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<b>REPORT TO EXECUTIVE</b>
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<b>DATE</b>	<b>14<sup>th</sup> July 2021</b>
<b>PORTFOLIO</b>	<b>Resources &amp; Performance Management</b>
<b>REPORT AUTHOR</b>	<b>Howard Hamilton Smith</b>
<b>TEL NO</b>	<b>01282 477173</b>
<b>EMAIL</b>	<b>hhamiltonsmith@burnley.gov.uk</b>

<b>2020/21 Final Capital Outturn Position</b>
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<b>PURPOSE</b>
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1. To report to Members on the performance of the 2020/21 capital investment programme and present the financing of capital expenditure incurred during 2020/21.
2. To seek approval of a revised 2021/22 capital budget after incorporating net carry forward commitments (slippage) from 2020/21.

<b>RECOMMENDATION</b>
-----------------------

3. That the Executive Members are requested to recommend that Full Council approve:
  - a) The final position on capital spending and financing of £11.915m for 2020/21 as shown in Appendices 1 & 2, which equates to 87% of the final resources position.
  - b) The revised capital budget for 2021/22 totalling £20.527m as outlined in Appendix 3, (including net carry forward of £1.735m).

<b>REASONS FOR RECOMMENDATION</b>
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4. To conclude the capital budget monitoring process for 2020/21 and report the final outturn position as outlined in the Council's Statement of Accounts for 2020/21.
5. To increase the 2021/22 Council capital programme for amounts carried forward from 2020/21 and other budget adjustments as shown in Appendix 3.

## SUMMARY OF KEY POINTS

### Capital Outturn Position

#### 6. Budget Changes and Expenditure Outturn Position:

After incorporating all the recommendations approved throughout the financial year, the original capital budget of £19.468m (approved at Full Council on 26 February 2020) was revised to a final position of £14.477m per the cycle 3 capital monitoring report presented to the Executive on the 15 February 2021.

Appendix 1 shows the final resources and outturn position. Additional resources have been utilised in financing the outturn expenditure position totalling £0.085m split between:

- £0.068m of brought-forward funding from 2021/22 (“reverse slippage”), utilising in advance, resources originally approved within the 2021/22 capital programme at Full Council on 24 February 2021.
- £0.017m of other additional resources were identified, utilising more of the Better Care Funding.

Resources of £0.853m were no longer required, including £0.549m of Housing Capital underspends, and £0.295m Lower St James Street funding from LCC, which were deducted from the budget.

Therefore, the final position available to finance capital expenditure in 2020/21 totalled £13.719m. The final outturn level of expenditure incurred for 2020/21 totalled £11.915m which gives a net underspend of £1.804m or 87% spend against the final resources position.

Appendix 2 lists the financing elements of each scheme within the 2020/21 capital programme spend, totalling £11.915m.

#### 7. Carry Forward Requests (slippage)

Members are asked to note that a net £1.735m (£1.803m slippage less £0.068m reverse slippage) is the total that has been recommended to be carried forward into 2021/22. The following schemes account for the majority of the total slippage requested:

##### **Safer Streets (£396k)**

The Home Office funded Safer Streets project is one that has encountered delays as a result of conditions relating to Covid. As such we have applied for, and received, an extension to the program into 2021/22. The expenditure will be completed by the end of quarter 1 of this financial year.

##### **Sandygate Halls (£219k)**

This work has been delayed due to the Covid pandemic and will now take place during the summer of 2021/22.

##### **Burnley Pendle Growth Programme (£300k)**

Works to the Rosegrove junction, being undertaken by Lancashire County Council, have been slipped into quarter 1 of 2021/22.

### **Building Infrastructure Works (£668k)**

The capital schemes included within this budget were being undertaken during the 2020/21 and 2021/22 financial years and an estimate of the allocation between the years was included within the quarter 3 monitoring report. This outturn report now reflects the actual spend in 2020/21 and the balance is requested to be slipped into 2021/22.

Further details can be seen in Appendix 1.

### 8. **Revised Capital Budget for 2021/22**

Members are asked to approve a revised capital budget for 2021/22 after incorporating the adjustments identified within this outturn report.

Appendix 3 details the 2021/22 capital programme financing elements along with incorporating the year end resources adjustments and brought-forward funding elements identified within this outturn report, and incorporating the carry forward requests. This results in a revised capital programme totalling £20.527m.

## **FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

9. As shown in the body of the report and appendices.

## **POLICY IMPLICATIONS**

10. The final outturn position will be reflected in the Statement of Accounts which shows the spending by the Council in pursuit of declared objectives in that financial year and the reserves and balances available for future spending. Following a consultation exercise by MHCLG the deadline for the completion of the draft Statement of Accounts has been extended from 31<sup>st</sup> May to 31<sup>st</sup> July and the audited Statement of Accounts from 31<sup>st</sup> July to 30<sup>th</sup> September. These deadlines are in accordance with recommendation 10 of the Redmond Review and the change will initially be for a 2 year period: 2020/21 and 2021/22. The Statement of Accounts will be reported to the Audit and Standards Committee.

## **DETAILS OF CONSULTATION**

11. None.

## **BACKGROUND PAPERS**

12. None.

## **FURTHER INFORMATION**

**PLEASE CONTACT:**

**Howard Hamilton Smith  
Head of Finance & Property**



## Final Capital Outturn Position for 2020/21

## APPENDIX 1

Scheme Name	Final Budget Position Approved by Executive £	Additional Resources Utilised at Year End		Resources no longer required / available £	Final Resources Position At Year End £	Expenditure Outturn Position £	Expenditure Outturn to Final Resources Position as at Year End %	Slippage Requested £
		Additional Financing made available at Year End £	"Reverse Slippage" Budgets utilised from 2021/22 £					
<b>GREEN SPACES AND AMENITIES</b>								
Brun Valley Forest Park	2,019	-	-	-	2,019	2,019	100%	-
Play Area Improvement Programme	9,139	-	-	-	9,139	9,139	100%	-
Worsthorne Recreation Ground Improvements	195,000	-	-	-	195,000	141,475	73%	53,525
Vehicle and Machinery Replacement	159,128	-	-	-	159,128	159,128	100%	-
Thompson Park Restoration Project	84,065	-	1,427	-	85,492	85,492	100%	-
Stoops Wheeled Sport	3,792	-	-	-	3,792	2,867	76%	925
Prairie Artificial Turf Pitch	46,221	-	-	-	46,221	5,409	12%	40,812
	<b>499,364</b>	<b>-</b>	<b>1,427</b>	<b>-</b>	<b>500,791</b>	<b>405,529</b>	<b>81%</b>	<b>95,262</b>
<b>STREETSCENE</b>								
Alleygate Programme	26,245	-	-	-	26,245	25,561	97%	684
River Training Walls	18,384	-	5,993	-	24,377	24,377	100%	-
CCTV Infrastructure	2,409	-	-	-	2,409	2,409	100%	-
Purchase Replacement Vehicle	7,400	-	-	-	7,400	7,400	100%	-
Safer Streets	470,800	-	-	-	470,800	74,544	16%	396,256
	<b>525,238</b>	<b>-</b>	<b>5,993</b>	<b>-</b>	<b>531,231</b>	<b>134,291</b>	<b>25%</b>	<b>396,940</b>
<b>REGENERATION AND PLANNING POLICY</b>								
Padiham Townscape Heritage Initiative	359,000	-	-	-	359,000	333,879	93%	25,121
Pioneer Place	135,432	-	-	-	135,432	71,833	53%	63,599
Sandygate Halls	4,172,079	-	-	-	4,172,079	3,953,141	95%	218,938
NW Burnley Growth Corridor	2,259,626	-	27,658	-	2,287,284	2,287,284	100%	-
Burnley-Pendle Growth Programme	722,000	-	-	-	722,000	422,000	58%	300,000
Lower St James Street Historic Action Zone	960,000	-	33,350	(295,000)	698,350	698,350	100%	-
Padiham Town Hall Improvements	331,379	8,996	-	-	340,375	340,375	100%	-
Finsley Wharf & Canal Towpath Improvements	33,000	-	-	-	33,000	33,000	100%	-
Former Open Market & Former Cinema Block	30,108	-	-	-	30,108	22,370	74%	7,738
	<b>9,002,624</b>	<b>8,996</b>	<b>61,008</b>	<b>(295,000)</b>	<b>8,777,628</b>	<b>8,162,232</b>	<b>93%</b>	<b>615,396</b>
<b>FINANCE</b>								
Leisure Centre Improvements	95,058	-	-	-	95,058	65,989	69%	29,069
Building Infrastructure Works	1,648,938	(8,996)	-	-	1,639,942	973,225	59%	666,717
	<b>1,743,996</b>	<b>(8,996)</b>	<b>-</b>	<b>-</b>	<b>1,735,000</b>	<b>1,039,214</b>	<b>60%</b>	<b>695,786</b>
<b>LEISURE</b>								
Mechanics Lighting Equipment	55,000	71	-	-	55,071	55,071	100%	-
	<b>55,000</b>	<b>71</b>	<b>-</b>	<b>-</b>	<b>55,071</b>	<b>55,071</b>	<b>100%</b>	<b>-</b>
<b>HOUSING AND DEVELOPMENT CONTROL</b>								
Emergency Repairs	70,000	17,077	-	-	87,077	87,077	100%	-
Better Care Grant	1,200,000	-	-	(110,447)	1,089,553	1,089,553	100%	-
Energy Efficiency	40,000	-	-	(2,224)	37,776	37,776	100%	-
Empty Homes Programme Interventions, Acquisitions and Demolitions	1,300,000	-	-	(436,149)	863,851	863,851	100%	-
	25,943	94	-	-	26,037	26,037	100%	-
	<b>2,635,943</b>	<b>17,171</b>	<b>-</b>	<b>(548,820)</b>	<b>2,104,294</b>	<b>2,104,294</b>	<b>100%</b>	<b>-</b>
<b>CHIEF EXECUTIVE</b>								
Ward Opportunities Fund	14,500	-	-	-	14,500	14,500	100%	-
	<b>14,500</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>14,500</b>	<b>14,500</b>	<b>100%</b>	<b>-</b>
<b>Final Capital Outturn Position for 2020/21</b>	<b>14,476,665</b>	<b>17,242</b>	<b>68,428</b>	<b>(843,820)</b>	<b>13,718,515</b>	<b>11,915,131</b>	<b>87%</b>	<b>1,803,384</b>

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**CAPITAL 2020/21 - FINAL SPEND POSITION**

**APPENDIX 2**

Scheme Name	Final Spend Position £	FINANCING ELEMENTS												Total Financed Position £	
		Prudential Borrowing £	Revenue Contributions / Reserves £	Better Care Grant £	Historic England Fund £	Heritage Lottery Fund £	Lancashire Enterprise Partnership £	LCC £	Football Foundation £	Sport England £	Home Office £	Capital Receipts £	Vacant Property Initiative Receipts £		S106 Payments / 3rd Party Contributions £
<b>SERVICE UNIT: GREEN SPACES AND AMENITIES</b>															
!Brun Valley Forest Park	2,019	-	-	-	-	-	-	-	-	-	-	-	2,019	2,019	
!Play Area Improvement Programme	9,139	-	-	-	-	-	-	-	-	-	-	-	9,139	9,139	
!Worsthorne Recreation Ground Improvements	141,475	-	-	-	-	-	-	60,606	-	-	47,000	-	33,869	141,475	
!Vehicle and Machinery Replacement	159,128	-	159,128	-	-	-	-	-	-	-	-	-	-	159,128	
!Thompson Park Restoration Project	85,492	-	-	-	-	85,492	-	-	-	-	-	-	-	85,492	
!Stoops Wheeled Sport	2,867	-	-	-	-	-	-	-	2,867	-	-	-	-	2,867	
!Prairie Artificial Turf Pitch	5,409	-	-	-	-	-	-	5,409	-	-	-	-	-	5,409	
	<b>405,529</b>	-	<b>159,128</b>	-	-	<b>85,492</b>	-	<b>66,015</b>	<b>2,867</b>	-	<b>47,000</b>	-	<b>45,027</b>	<b>405,529</b>	
<b>SERVICE UNIT: STREETSCENE</b>															
!Alleygate Programme	25,561	-	-	-	-	-	-	-	-	-	25,561	-	-	25,561	
!River Training Walls	24,377	-	-	-	-	-	-	-	-	-	24,377	-	-	24,377	
!CCTV Infrastructure	2,409	-	-	-	-	-	-	-	-	-	2,409	-	-	2,409	
!Purchase Replacement Vehicle	7,400	7,400	-	-	-	-	-	-	-	-	-	-	-	7,400	
!Safer Streets	74,544	-	-	-	-	-	-	-	-	74,544	-	-	-	74,544	
	<b>134,291</b>	<b>7,400</b>	-	-	-	-	-	-	-	<b>74,544</b>	<b>52,347</b>	-	-	<b>134,291</b>	
<b>SERVICE UNIT: REGENERATION AND PLANNING POLICY</b>															
!Padiham Townscape Heritage Initiative	333,879	-	-	-	-	233,715	-	-	-	-	73,190	-	26,974	333,879	
!Pioneer Place	71,833	-	71,833	-	-	-	-	-	-	-	-	-	-	71,833	
!Sandygate Halls	3,953,141	3,953,141	-	-	-	-	-	-	-	-	-	-	-	3,953,141	
!NW Burnley Growth Corridor	2,287,284	-	-	-	-	-	2,287,284	-	-	-	-	-	-	2,287,284	
!Burnley-Pendle Growth Programme	422,000	-	422,000	-	-	-	-	-	-	-	-	-	-	422,000	
!Lower St James Street Historic Action Zone	698,350	-	215,000	-	283,350	-	-	200,000	-	-	-	-	-	698,350	
!Padiham Town Hall Improvements	340,375	42,174	-	-	-	-	298,201	-	-	-	-	-	-	340,375	
!Finsley Wharf & Canal Towpath Improvements	33,000	-	33,000	-	-	-	-	-	-	-	-	-	-	33,000	
!Former Open Market & Former Cinema Block	22,370	22,370	-	-	-	-	-	-	-	-	-	-	-	22,370	
	<b>8,162,232</b>	<b>4,017,685</b>	<b>741,833</b>	-	<b>283,350</b>	<b>233,715</b>	<b>2,585,485</b>	<b>200,000</b>	-	-	<b>73,190</b>	-	<b>26,974</b>	<b>8,162,232</b>	
<b>SERVICE UNIT: FINANCE</b>															
!Leisure Centre Improvements	65,989	65,989	-	-	-	-	-	-	-	-	-	-	-	65,989	
!Building Infrastructure Works	973,225	789,010	131,000	-	-	-	-	-	-	-	53,215	-	-	973,225	
	<b>1,039,214</b>	<b>854,999</b>	<b>131,000</b>	-	-	-	-	-	-	-	<b>53,215</b>	-	-	<b>1,039,214</b>	
<b>SERVICE UNIT: LEISURE</b>															
!Mechanics Lighting Equipment	55,071	55,071	-	-	-	-	-	-	-	-	-	-	-	55,071	
<b>SERVICE UNIT: HOUSING AND DEVELOPMENT CONTROL</b>															
!Emergency Repairs	87,077	-	-	87,077	-	-	-	-	-	-	-	-	-	87,077	
!Better Care Grant	1,089,553	-	-	1,089,553	-	-	-	-	-	-	-	-	-	1,089,553	
!Energy Efficiency	37,776	-	10,000	27,776	-	-	-	-	-	-	-	-	-	37,776	
!Empty Homes Programme	863,851	-	-	-	-	-	-	-	-	-	-	863,851	-	863,851	
!Interventions, Acquisitions and Demolitions	26,037	-	-	-	-	-	-	-	-	-	-	26,037	-	26,037	
	<b>2,104,294</b>	-	<b>10,000</b>	<b>1,204,406</b>	-	-	-	-	-	-	-	<b>889,888</b>	-	<b>2,104,294</b>	
<b>SERVICE UNIT: CHIEF EXECUTIVE</b>															
!Ward Opportunities Fund	14,500	-	-	-	-	-	-	-	-	-	14,500	-	-	14,500	
<b>Total</b>	<b>11,915,131</b>	<b>4,935,155</b>	<b>1,041,961</b>	<b>1,204,406</b>	<b>283,350</b>	<b>319,207</b>	<b>2,585,485</b>	<b>200,000</b>	<b>66,015</b>	<b>2,867</b>	<b>74,544</b>	<b>240,252</b>	<b>889,888</b>	<b>72,001</b>	<b>11,915,131</b>

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2021/22 CAPITAL BUDGET AND FINANCING ELEMENTS

APPENDIX 3

Service Unit	Scheme Name	Original Budget £	Reprofiled from 2020/21 £	Reverse Slippage £	Revised Budget £	FINANCING ELEMENTS													Total Proposed Budget £		
						Prudential Borrowing £	Revenue Cont'n / Reserves £	Better Care Grant £	Historic England Fund £	Heritage Lottery Fund £	Lancashire Enterprise Partnership £	ERDF £	Football Foundation £	Sport England £	Home Office £	Capital Receipts £	Vacant Property Initiative Receipts £	3rd Party / Section 106 Unsecured £			
Green Spaces & Amenities	Play Area Improvement Programme	110,927			110,927													46,500	64,427	110,927	
Green Spaces & Amenities	Vehicle and Machinery Replacement	150,000			150,000		150,000													-	150,000
Green Spaces & Amenities	Playing Pitch Improvements	88,000			88,000															88,000	88,000
Green Spaces & Amenities	Extention of Burnley Cemetery	25,000			25,000	25,000															25,000
Green Spaces & Amenities	Brun Valley Forest Park	35,219			35,219															35,219	35,219
Green Spaces & Amenities	Worsthorne Recreation Ground Improvements	69,180	53,525		122,705								122,705								122,705
Green Spaces & Amenities	Thompson Park HLF	67,600		(1,427)	66,173					51,173										15,000	66,173
Green Spaces & Amenities	Stoops Wheeled Sport	-	925		925										925						925
Green Spaces & Amenities	Prairie Artificial Turf Pitch	-	40,812		40,812								40,812								40,812
Streetscene	Alleygate Programme	25,000	684		25,684															25,684	25,684
Streetscene	River Training Walls	111,255		(5,993)	105,262															105,262	105,262
Streetscene	Refill Fountains	20,500			20,500		20,500														20,500
Streetscene	Safer Streets	-	396,256		396,256												396,256				396,256
Economy & Growth	Padiham Townscape Heritage Initiative	731,651	25,121		756,772					715,585								14,811	26,376	756,772	
Economy & Growth	Pioneer Place	5,000,000	63,599		5,063,599	5,000,000	63,599														5,063,599
Economy & Growth	NW Burnley Growth Corridor - Phase 1	900,000		(27,658)	872,342					180,000	692,342									-	872,342
Economy & Growth	NW Burnley Growth Corridor - P+B37hase 2	1,030,000			1,030,000						680,000	350,000								-	1,030,000
Economy & Growth	Lower St James Street Historic Action Zone	1,116,926		(33,350)	1,083,576	127,455	185,000		597,227											173,894	1,083,576
Economy & Growth	Finsley Wharf & Canal Towpath Improvements	33,000			33,000		33,000														33,000
Economy & Growth	Vision Park	39,386			39,386						32,733									6,653	39,386
Economy & Growth	Former Open Market & Former Cinema Block	50,000	7,738		57,738	57,738															57,738
Economy & Growth	Town Centre & Weavers Triangle Project Work	536,370			536,370	500,000														36,370	536,370
Economy & Growth	Sandygate Halls	-	218,938		218,938	218,938															218,938
Economy & Growth	Burnley-Pendle Growth Corridor	-	300,000		300,000		300,000														300,000
Finance & Property	Leisure Centre Improvements	75,000	29,069		104,069	104,069															104,069
Finance & Property	Building Infrastructure Works	3,323,326	666,717		3,990,043	3,445,505														544,538	3,990,043
Housing & Development	Emergency Repairs	120,000			120,000			120,000													120,000
Housing & Development	Better Care Grant	3,794,007			3,794,007			3,794,007													3,794,007
Housing & Development	Energy Efficiency	40,000			40,000			40,000													40,000
Housing & Development	Empty Homes Programme	1,300,000			1,300,000														1,300,000		1,300,000
<b>TOTAL OF ALL SCHEMES</b>		<b>18,792,347</b>	<b>1,803,384</b>	<b>(68,428)</b>	<b>20,527,303</b>	<b>9,478,705</b>	<b>752,099</b>	<b>3,954,007</b>	<b>597,227</b>	<b>946,758</b>	<b>1,405,075</b>	<b>350,000</b>	<b>163,517</b>	<b>925</b>	<b>396,256</b>	<b>779,818</b>	<b>1,300,000</b>	<b>402,916</b>	<b>20,527,303</b>		

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**REPORT TO EXECUTIVE**



<b>DATE</b>	<b>14th July 2021</b>
<b>PORTFOLIO</b>	<b>Resources and Performance Management</b>
<b>REPORT AUTHOR</b>	<b>Howard Hamilton-Smith</b>
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**Annual Treasury Management Report  
Review of 2020/21 Activity**

**PURPOSE**

1. To inform members of the Council’s treasury management activity during 2020/21.

**RECOMMENDATION**

2. That the Executive recommends that Full Council note the annual treasury management activity for the year ended 31 March 2021.

**REASONS FOR RECOMMENDATION**

3. To comply with the regulations issued under the Local Government Act 2003 to produce an annual treasury management report review of activities and the actual prudential and treasury indicators for 2020/21. This report meets the requirements of both the CIPFA Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code). Performance against the approved prudential and treasury indicators are shown in Appendix 1.

During 2020/21 the minimum reporting requirements were that Full Council should receive the following reports:

- an annual treasury strategy in advance of the year (Full Council 26 February 2020)
- a mid-year treasury update report (Full Council 16 December 2020)
- an annual review following the end of the year describing the activity compared to the strategy (this report).

The regulatory environment places responsibility on Members for the review and scrutiny of treasury management policy and activities. This report is therefore

important, as it provides details of the outturn position for treasury activities and highlights compliance with the Council's policies previously approved by Members.

This Council confirms that it has complied with the requirement under the Code to give prior scrutiny to all of the above treasury management reports by the Scrutiny Committee before they were reported to Full Council. Member training on treasury management issues was undertaken during the year on 10 March 2021 in order to support Members' scrutiny role.

## SUMMARY OF KEY POINTS

### 4. The Economy and Interest Rates (Provided by Link Asset Services)

**Coronavirus.** The financial year 2020/21 will go down in history as being the year of the pandemic. The first national lockdown in late March 2020 did huge damage to an economy that was unprepared for such an eventuality. This caused an economic downturn that exceeded the one caused by the financial crisis of 2008/09. A short second lockdown in November did relatively little damage but by the time of the third lockdown in January 2021, businesses and individuals had become more resilient in adapting to working in new ways during a three month lockdown, so much less damage was caused than in the first one. The advent of vaccines starting in November 2020, were a game changer. The way in which the UK and US have led the world in implementing a fast programme of vaccination which promises to lead to a return to something approaching normal life during the second half of 2021, has been instrumental in speeding economic recovery and the reopening of the economy. In addition, the household saving rate has been exceptionally high since the first lockdown in March 2020 and so there is plenty of pent-up demand and purchasing power stored up for services in the still-depressed sectors like restaurants, travel and hotels as soon as they reopen. It is therefore expected that the UK economy could recover its pre-pandemic level of economic activity during quarter 1 of 2022.

Both the Government and the Bank of England took rapid action in March 2020 at the height of the crisis to provide support to financial markets to ensure their proper functioning, and to support the economy and to protect jobs.

The Monetary Policy Committee cut Bank Rate from 0.75% to 0.25% and then to 0.10% in March 2020 and embarked on a £200bn programme of quantitative easing QE (purchase of gilts so as to reduce borrowing costs throughout the economy by lowering gilt yields).

The MPC increased QE by £100bn in June and by £150bn in November to a total of £895bn. While Bank Rate remained unchanged for the rest of the year, financial markets were concerned that the MPC could cut Bank Rate to a negative rate; this was firmly discounted at the February 2021 MPC meeting when it was established that commercial banks would be unable to implement negative rates for at least six months – by which time the economy was expected to be making a strong recovery and negative rates would no longer be needed.

**Average inflation targeting.** This was the major change adopted by the Bank of England in terms of implementing its inflation target of 2%. The key addition to the Bank's forward guidance in August was a new phrase in the policy statement, namely

that “it does not intend to tighten monetary policy until there is clear evidence that significant progress is being made in eliminating spare capacity and achieving the 2% target sustainably”. This sets a high bar for raising Bank Rate and no increase is expected by March 2024, and possibly for as long as five years. Inflation has been well under 2% during 2020/21; it is expected to briefly peak at just over 2% towards the end of 2021, but this is a temporary short lived factor and so not a concern to the MPC.

**Government support.** The Chancellor has implemented repeated rounds of support to businesses by way of cheap loans and other measures, and has protected jobs by paying for workers to be placed on furlough. This support has come at a huge cost in terms of the Government’s budget deficit ballooning in 2020/21 and 2021/22 so that the Debt to GDP ratio reaches around 100%. The Budget on 3rd March 2021 increased fiscal support to the economy and employment during 2021 and 2022 followed by substantial tax rises in the following three years to help to pay the cost for the pandemic. This will help further to strengthen the economic recovery from the pandemic and to return the government’s finances to a balanced budget on a current expenditure and income basis in 2025/26. This will stop the Debt to GDP ratio rising further from 100%. An area of concern, though, is that the government’s debt is now twice as sensitive to interest rate rises as before the pandemic due to QE operations substituting fixed long-term debt for floating rate debt; there is, therefore, much incentive for the Government to promote Bank Rate staying low e.g. by using fiscal policy in conjunction with the monetary policy action by the Bank of England to keep inflation from rising too high, and / or by amending the Bank’s policy mandate to allow for a higher target for inflation.

**BREXIT.** The final agreement on 24<sup>th</sup> December 2020 eliminated a significant downside risk for the UK economy. The initial agreement only covered trade so there is further work to be done on the services sector where temporary equivalence has been granted in both directions between the UK and EU; that now needs to be formalised on a permanent basis. There was much disruption to trade in January as form filling has proved to be a formidable barrier to trade. This appears to have eased somewhat since then but is an area that needs further work to ease difficulties, which are still acute in some areas.

## 5. The Strategy for 2020/21

### 5.1 Investment Strategy and control of interest rate risk

Investment returns which had been low during 2019/20, plunged during 2020/21 to near zero or even into negative territory. Most local authority lending managed to avoid negative rates and one feature of the year was the growth of inter local authority lending. The expectation for interest rates within the treasury management strategy for 2020/21 was that Bank Rate would continue at the start of the year at 0.75 % before rising to end 2022/23 at 1.25%. This forecast was invalidated by the impact of the Covid-19 pandemic in March 2020 which caused the Monetary Policy Committee to cut Bank Rate in March, first to 0.25% and then to 0.10%, in order to counter the hugely negative impact of the national lockdown on large swathes of the economy. The Bank of England and the Government also introduced new programmes of supplying the banking system and the economy with massive amounts of cheap credit so that banks could help cash-starved businesses to survive the lockdown. The Government also supplied huge amounts of finance to local authorities to pass on to businesses. This meant that for most of the year there was much more liquidity in

financial markets than there was demand to borrow, with the consequent effect that investment earnings rates plummeted.

While the Council has taken a cautious approach to investing, it is also fully appreciative of changes to regulatory requirements for financial institutions in terms of additional capital and liquidity that came about in the aftermath of the financial crisis. These requirements have provided a far stronger basis for financial institutions, with annual stress tests by regulators evidencing how institutions are now far more able to cope with extreme stressed market and economic conditions.

Investment balances have been kept to a minimum through the agreed strategy of using reserves and balances to support internal borrowing, rather than borrowing externally from the financial markets. External borrowing would have incurred an additional cost, due to the differential between borrowing and investment rates. Such an approach has also provided benefits in terms of reducing the counterparty risk exposure, by having fewer investments placed in the financial markets.

## 5.2 **Borrowing Strategy and control of interest rate risk**

During 2020/21, the Council maintained an under-borrowed position. This meant that the capital borrowing need, (the Capital Financing Requirement), was not fully funded with loan debt, as cash supporting the Council's reserves, balances and cash flow was used as an interim measure. This strategy was prudent as investment returns were very low and minimising counterparty risk on placing investments also needed to be considered.

The policy of avoiding new borrowing by running down spare cash balances has previously been adopted and has served well over the last few years. However, this has been kept under review to avoid incurring higher borrowing costs in the future when this authority may not be able to avoid new borrowing to finance capital expenditure.

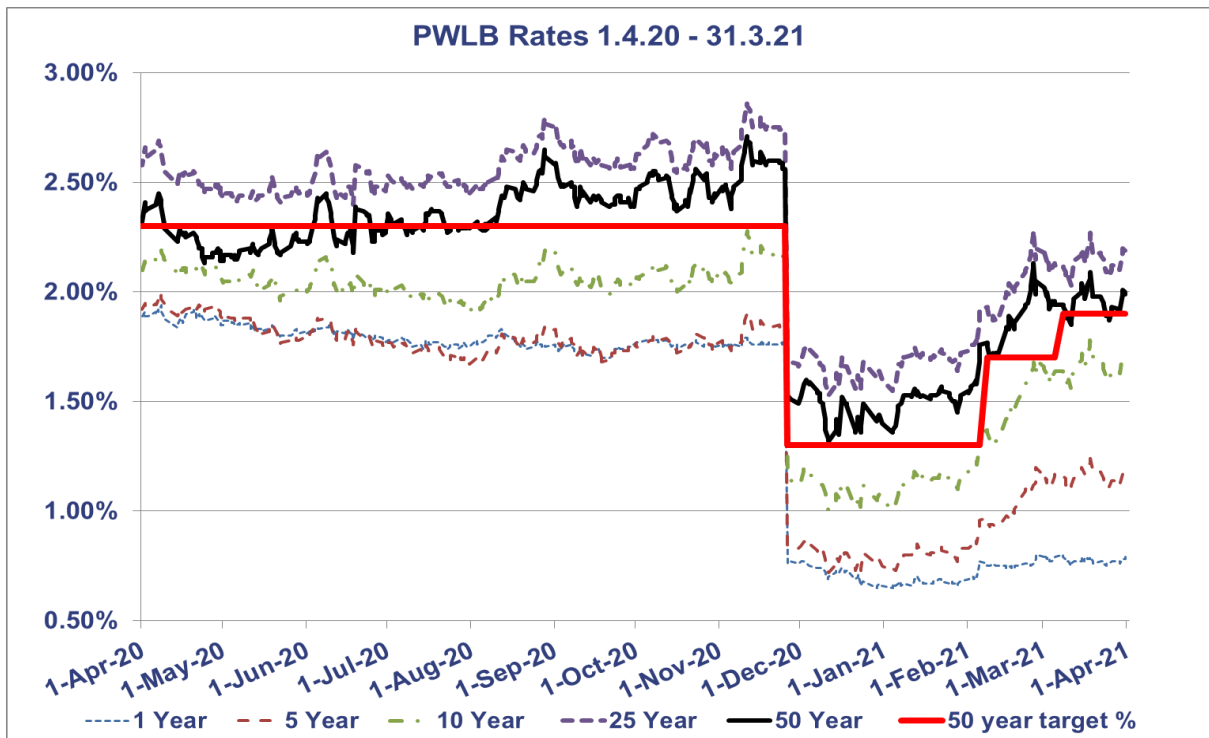
## 6. **The Borrowing Requirement and Debt**

The Council's underlying need to borrow to finance capital expenditure is termed the Capital Financing Requirement (CFR). The table below shows the Council's CFR for 2020/21.

<b>£m</b>	<b>31 March 2020 Actual</b>	<b>31 March 2021 Budget</b>	<b>31 March 2021 Actual</b>
CFR General Fund	37.7	43.8	41.7



## 7. Borrowing Rates in 2020/21



PWLB rates are based on, and are determined by, gilt (UK Government bonds) yields through H.M.Treasury determining a specified margin to add to gilt yields. The main influences on gilt yields are Bank Rate, inflation expectations and movements in US treasury yields.

Gilt yields fell sharply from the start of 2020 and then spiked up during a financial markets melt down in March caused by the pandemic hitting western countries; this was rapidly countered by central banks flooding the markets with liquidity. While US treasury yields do exert influence on UK gilt yields so that the two often move in tandem, they have diverged during the first three quarters of 2020/21 but then converged in the final quarter. Expectations of economic recovery started earlier in the US than the UK but once the UK vaccination programme started making rapid progress in the new year of 2021, gilt yields and PWLB rates started rising sharply as confidence in economic recovery rebounded.

HM Treasury imposed two changes of margins over gilt yields for PWLB rates in 2019/20 without any prior warning. The first took place on 9<sup>th</sup> October 2019, adding an additional 1% margin over gilts to all PWLB period rates. That increase was then, at least partially, reversed for some forms of borrowing on 11<sup>th</sup> March 2020, but not for mainstream non-HRA capital schemes. A consultation was then held with local authorities and on 25<sup>th</sup> November 2020, the Chancellor announced the conclusion to the review of margins over gilt yields for PWLB rates; the standard and certainty margins were reduced by 1% but a prohibition was introduced to deny access to borrowing from the PWLB for any local authority which had purchase of assets for yield in its three year capital programme.

There is likely to be only a gentle rise in gilt yields and PWLB rates over the next three years as Bank Rate is not forecast to rise from 0.10% by March 2024 as the Bank of England has clearly stated that it will not raise rates until inflation is sustainably above its target of 2%.

8. **Borrowing Outturn for 2020/21**

**Borrowing** – Due to investment concerns, both counterparty risk and low investment returns, no borrowing was undertaken during the year.

**Rescheduling** – No rescheduling was done during the year as the average 1% differential between PWLB new borrowing rates and premature repayment rates made rescheduling unviable.

**Repayments** – The following PWLB loans were repaid during the year, as scheduled:

Date	Lender	Principal	Balance at Repayment	Type	Interest Rate	Duration
30/9/20	PWLB	£1.0m	£1.0m	Maturity	5.15%	17 years
31/3/21	PWLB	£1.0m	£1.0m	Maturity	5.00%	20.5 years

9. **Investment Rates in 2020/21**

The Council operates a deposit account with its bank, HSBC, which pays an interest rate of 0.15% below Bank Rate. As Bank Rate is currently below this, HSBC have applied a rate of 0.01% to the account since August 2020. There was an average daily total of £19.4m being invested within the HSBC “sweep” deposit account in 2020/21. This was higher than the usual level of deposit due to the large amount of government funding being made available for distribution to businesses during the pandemic.

10. **Investment Outturn for 2020/21**

**Investment Policy** – the Council’s investment policy is governed by MHCLG investment guidance, which has been implemented in the annual investment strategy approved by Full Council on 26 February 2020. This policy sets out the approach for choosing investment counterparties, and is based on credit ratings provided by the three main credit rating agencies supplemented by additional market data. This guidance is enhanced by advice from Link Asset Services.

The investment activity during the year conformed to the approved strategy, and the Council had no liquidity difficulties.

**Investments held by the Council** - the Council maintained a daily average balance of £28.5m of internally managed funds during 2020/21. These investments earned an average rate of return of 0.15%.

There were a total of 5 market investments made during the financial year, totalling £12m. The table below shows the amount deposited, and the rate of return against the market benchmark.

Counterparties	Date of Investment	Investment Made £m	Return	Benchmark
Santander (95 Day Notice)	05/08/2020	4.0	0.48%	0.015%
HSBC (31 Day Notice)	12/08/2020	2.0	0.12%	0.052%

Close Brothers Ltd (6 month fixed)	11/09/2020	2.0	0.45%	0.073%
Goldman Sachs (6 month fixed)	12/03/2021	2.0	0.28%	0.073%
Moray Council (6 month fixed)	19/03/2021	2.0	0.18%	0.073%

All investments were for one year or under.

The table below shows the maximum amount invested with any of the counterparties at any one time during the period April 2020 to the end of March 2021 against the maximum limits approved in the 2020/21 Treasury Management Strategy.

Counterparties	Maximum Limits £m	Highest level of Investment 2020/21 (£m)
HSBC	50.0	40.3
Bank of Scotland	4.0	4.0
Goldman Sachs	4.0	2.0
Santander UK plc	4.0	4.0
Close Brother Ltd	2.0	2.0
Suffolk County Council	2.0	2.0
Moray Council	2.0	2.0

11. **Interest payable on External Borrowing / Interest Receivable on Investments**

The total PWLB interest payable on external borrowing for 2020/21 was £1,156,188 compared to the annual budget of £1,144,466.

The total interest receivable on temporary investments in 2020/21 amounted to £40,107 compared to the annual budget of £119,995. The shortfall in interest received was due to the cut in Bank Rate at the start of the year and sustained low interest rates throughout the year.

12. **Property Fund Investments, & dividends received**

The Council continues to invest £2m in property funds with CCLA and Hermes. Dividends receivable amounted to £74,397 compared to a budget of £60,000.

The aim of the Property Fund investments is to provide high levels of income and long-term capital appreciation. During the pandemic, the UK economy and commercial property market have proved to be more resilient than many initial forecasts. The UK economy outlook and business confidence have been improving following positive outcomes from the vaccination programme and a gradual lifting of lockdown restrictions. Whilst the long-term social, economic, and political risks associated with the current pandemic are still unknown, there are signs that the impact to occupier and investor confidence in certain property market segments is starting to ease.

Valuations were reported on the basis of material value uncertainty (issued without expected confidence in their accuracy) at the end of March 2020, and trading was temporarily suspended in both property funds. This was removed in September 2020 and trading was resumed.

**FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

13. None arising as a direct result of this report.

**POLICY IMPLICATIONS**

14. All transactions are in accordance with the Council's approved Treasury Policy Statement

**DETAILS OF CONSULTATION**

15. None

**BACKGROUND PAPERS**

16. Treasury Management Strategy Report & Prudential Indicators Report for 2020/21.

**FURTHER INFORMATION  
PLEASE CONTACT:**

**Howard Hamilton-Smith,  
Head of Finance & Property**

## Appendix 1: Prudential and Treasury Indicators

During 2020/21, the Council complied with its legislative and regulatory requirements. The key actual prudential and treasury indicators detailing the impact of capital expenditure activities during the year, with comparators, are as follows:

<b>Actual prudential and treasury indicators £m</b>	<b>2019/20 Actual</b>	<b>2020/21 Original</b>	<b>2020/21 Actual</b>
Capital expenditure General Fund	14.0	19.4	11.9
Capital Financing Requirement: General Fund	37.7	43.8	41.7
Gross borrowing	37.7	35.7	35.7
Investments Under 1 year	17.9	23.1	19.8
Net borrowing	19.8	12.6	15.9

**Gross borrowing and the CFR** - in order to ensure that borrowing levels are prudent over the medium term and only for a capital purpose, the Council should ensure that its gross external borrowing does not, except in the short term, exceed the total of the capital financing requirement in the preceding year (2020/21) plus the estimates of any additional capital financing requirement for the current (2021/22) and next two financial years. This essentially means that the Council is not borrowing to support revenue expenditure. This indicator allows the Council some flexibility to borrow in advance of its immediate capital needs in 2020/21.

**The authorised limit** - the authorised limit is the “affordable borrowing limit” required by s3 of the Local Government Act 2003. Once this has been set, the Council does not have the power to borrow above this level. The table below demonstrates that during 2020/21 the Council has maintained gross borrowing within its authorised limit.

**The operational boundary** – the operational boundary is the expected borrowing position of the Council during the year. Periods where the actual position is either below or over the boundary is acceptable subject to the authorised limit not being breached.

**Actual financing costs as a proportion of net revenue stream** - this indicator identifies the trend in the cost of capital (borrowing and other long term obligation costs net of investment income) against the net revenue stream.

£m	2020/21
Authorised limit	53.0
Maximum gross borrowing position	35.7
Operational boundary	48.1
Average gross borrowing position	37.2
Financing costs as a proportion of net revenue stream	13.3%

**Overall Treasury Position as at 31 March 2021** – At the beginning and end of 2020/21 the Council's treasury position was as follows:

The maturity structure of the debt portfolio was as follows:

	31 March 2020 Principal £m	Rate/Return	Average Life yrs	31 March 2021 Principal £m	Rate/Return	Average Life yrs
Fixed rate funding:						
PWLB	37.7	2.76%	16.8	35.7	3.07%	17.5
	<b>31 March 2020 Actual £m</b>			<b>31 March 2021 Actual £m</b>		
Total debt	37.7			35.7		
Capital Financing Requirement	37.7			41.7		
Over / (under) borrowing	-			(6.0)		
Total investments	17.9			19.8		
Net debt	19.8			15.9		

The maturity structure of the debt portfolio was as follows:

	31 March 2020 Actual £m	2020/21 Original Limits £m	31 March 2021 Actual £m
Under 12 months	2.0	1.2	1.2
12 months and within 24 months	1.2	1.1	1.1
24 months and within 5 years	6.0	4.9	4.9
5 years and within 10 years	1.1	1.1	1.1
10 years and within 20 years	0.1	0.1	0.1
20 years and within 30 years	-	-	-
30 years and within 40 years	4.5	5.5	5.5
40 years and within 50 years	22.8	21.8	21.8
<b>Totals</b>	<b>37.7</b>	<b>35.7</b>	<b>35.7</b>

## Additional Restrictions Grant

### Report to Executive



<b>DATE</b>	14 <sup>th</sup> July 2021
<b>PORTFOLIO</b>	Economy & Growth
<b>REPORT AUTHOR</b>	Kate Ingram
<b>TEL NO</b>	01282 477271
<b>EMAIL</b>	kingram@burnley.gov.uk

#### PURPOSE

1. The purpose of the report is to seek approval for the use of the remaining Additional Restrictions Grant Funds

#### RECOMMENDATION

2. It is recommended that the Executive:
  - a) Approves the proposals for the use of the remaining ARG grant as set out in paragraph 12.
  - b) Delegates authority to Strategic Head of Economy and Growth in consultation with the Head of Finance and Property and Executive Member for Economy and Growth to agree the detailed criteria and associated policy.

#### REASONS FOR RECOMMENDATION

3. On 31 October 2020, the Government announced the introduction of additional support for Local Authorities under national and Local Covid Alert Level 3 restrictions. It is for local authorities, within the broad parameters set out in the ARG Guidance, to determine how to use the fund. The Council approved a scheme on the 14<sup>th</sup> November 2020 and it was revised in January 2021 following further announcements in December 2020.
4. The Council has committed £2.5m of funding to over 508 businesses to date. There is £503,000 of funding remaining to be committed. The recommendations and revised proposals reflect the amount of money available and the revisions in restrictions since the ARG scheme was last approved earlier this year and aim to support those businesses most affected by on-going restrictions.

#### SUMMARY OF KEY POINTS

5. On 31 October 2020, the Government announced the introduction of additional support for Local Authorities under national and Local Covid Alert Level 3 restrictions. Billing authorities were allocated funding based on £20 per head of population. Burnley received an allocation of £1,778,400 in 2020/21 to be used across Financial Years 2020/21 and 2021/22.
6. Following the announcement of a national lock down on 31 December 2020 the Council received a second tranche of £789,881 to utilise at its discretion to support the local economy, taking the total amount of funding received to £2,568,281.
7. In line with government's expectations Burnley Council approved a discretionary grant scheme on the 14<sup>th</sup> November 2020 to help those businesses which are severely impacted by the restrictions put in place to control the spread of Covid-19 but were not eligible for either LRSG (Closed) or LRSG (Open). The scheme was updated following further announcements in December 2020. The Council also established a Business Hardship Grant offering larger grants to support key businesses to survive and invest in recovering from the pandemic.
8. Applications for the ARG closed on 26<sup>th</sup> February 2021.
9. In total £2,560,695 has been awarded to 508 businesses.
10. In light of the extended restrictions billing authorities have been allocated further funding subject to spending tranche 1 and 2. As Burnley BC has almost spent all of its tranche 1 and 2 allocations an additional sum of £495,678 has been made available. Government also updated its guidance to local authorities on the use of the funding stating:
 

“Local Authorities are encouraged to support businesses from all sectors that may have been severely impacted by restrictions but are not eligible for the Restart Grant scheme, including those outside of the business rates system. Following the decision to delay stage 4 of the roadmap, Local Authorities are also encouraged to focus their support on those sectors that remain closed or are severely impacted by the extended restrictions, even if those businesses have already been in receipt of Restart Grants. There is no restriction on the number of grants a business may receive. This may include but is not limited to the travel and tourism sector, including group travel, travel agents and tour operators, wedding industries, nightclubs, theatres, events industries, wholesalers, English language schools, breweries, freelance and mobile businesses (including caterers, events, hair, beauty and wedding related businesses), and other businesses that may have not received other grant funding. This list is not directive nor exhaustive, and Local Authorities should continue to issue grants at their discretion, based on local economic needs. In taking decisions on the appropriate level of grant, Local Authorities may want to take into account the level of fixed costs of the business, the number of employees the business has, whether it is unable to trade online and the consequent scale of coronavirus losses.”
11. The government's guidance encourages local authorities to support a wide range of potentially affected businesses but is not directive. Based on information from previous LRSG and ARG grants it is clearly not feasible to continue to support the wide range of businesses listed above with the limited resource available. Tranche 1 & 2 of the ARG scheme provided support to a wide range of businesses that fell outside of the LRSG scheme and for businesses outside of the rates system with payments made every 28 days until the respective re-opening date for their sector. In determining how best to



utilise the remaining funds the Council has taken into account whether or not businesses have already received funding and the degree of fixed overheads. Therefore businesses that have received LRSG, ARG and Re-start support and businesses operating outside of the rates system (the business rates system provides an indication of their fixed overheads) are omitted by the scheme in order to make best use of a small amount of resource.

12. It is therefore proposed that the Council utilises the remaining ARG funding (and for the avoidance of doubt, the relevant financial support shall be discontinued when the remaining £503,273 ARG funding is exhausted) to support businesses as follows:

- The Council received c120 applications from taxi drivers that have a Burnley Licence but those drivers resided outside of the borough before the previous scheme closed on 26<sup>th</sup> February 2021. These taxi drivers were not offered support by the Council. These drivers also did not receive financial support from Pendle Council as their scheme was restricted to taxi drivers with a Pendle Licence. It is proposed to offer a one-off grant of £750 to each of those taxi drivers which is broadly in line with Pendle Council's policy at the time of their application.
- To support businesses that are forced to remain closed after the 21<sup>st</sup> June. This includes 5 night clubs that were in receipt of LRSG until the 29<sup>th</sup> March 2021 and have also received a Restart Grant. It is proposed to make a payment equivalent to LRSG (Sector) for the period 21<sup>st</sup> June to 19<sup>th</sup> July and each 28-day period, or part thereof, afterwards should the closure order remain in place. The additional support for each 28-day period shall expire on the earlier of the date when the closure order is lifted or 12<sup>th</sup> September 2021.
- To support businesses in the events sector that were in receipt of ARG assistance until 20<sup>th</sup> June 21 for an additional 28-day period until 19<sup>th</sup> July and each 28-day period, or part thereof, afterwards that restrictions remain in place. The additional support for each 28-day period shall expire on the earlier of the date when the restrictions are lifted or 12<sup>th</sup> September 2021.
- To support catteries and kennels where the business is impacted by on-going restrictions on international travel. Catteries and Kennels were not eligible for LRSG or Re-start grants as they were not forced to close. There are approximately 9 licenced boarding kennels and catteries in the borough that pay business rates and only 1 has claimed ARG grant even though they would have been eligible. It is proposed to make a 1 off payment equivalent to a Restart Grant to assist these businesses.
- To extend the Hardship Grant scheme which will be open to businesses in key sectors that either provide an important service to the borough or provide a significant economic/employment benefit and are facing significant and potentially longer-term financial difficulties due to the COVID 19 pandemic.
- To offer grant support to small businesses, that are either business rate payers or pay an all-inclusive rent and business rates, small grants of up to £1000 to mitigate losses incurred as a result of closures due to workplace outbreaks. A new application process will be established for this and the application window will close once all the funding is allocated.

## **FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

13. The Council has £503,273 ARG funding remaining.
14. The Council has already committed funding of up to £20,000 for Burnley Business Improvement District and £20,000 for Padiham Town Centre Management to offset non-collection of BID Levy and to support town centre recovery activities.
15. The cost of supporting taxi drivers resident in Pendle with a Burnley licence on the basis of the previously agreed ARG scheme would leave no head room to support other businesses through the on-going restrictions. It is therefore proposed to award these applicants a one of grant payment of £750, in line with the Pendle scheme, with a total cost of circa £90,000
16. The cost of the additional payments to nightclubs would be £12,334 per 28-day period from the 21<sup>st</sup> June 2021. The total cost would increase to £37,002 if the closure order remained in place until 12<sup>th</sup> September 2021.
17. The cost of supporting Catteries and Kennels with a one-off payment, equivalent to the Restart Grant, would be £76,000.
18. The cost of extending ARG support to events businesses already in receipt of ARG funding would be £19,108 per 28-day period. The total cost will increase to £57,324 if restrictions remain in force until 12<sup>th</sup> September 2021.
19. Assuming that night clubs are able to re-open and restrictions are lifted for events businesses on 19<sup>th</sup> July this would leave £265,831 of ARG funding for a COVID outbreak closure grant and an extension of the Hardship Grants Scheme. Should restriction go beyond the 19<sup>th</sup> July then the funding available to the COVID outbreak closure grant and the Hardship Grants Scheme would reduce proportionately.
20. It should be noted that should there be further serious outbreaks leading to a full or partial lockdown the Council would not have resources available to provide grants to businesses unless it is provided with additional government support.

## **POLICY IMPLICATIONS**

21. The decision supports the Council's strategic priorities for economy and growth and the recently adopted Economic Recovery and Growth Strategy

## **DETAILS OF CONSULTATION**

22. All Executive Members

**BACKGROUND PAPERS**

23. None

**FURTHER INFORMATION**

**PLEASE CONTACT:**

**Kate Ingram Ext 7271**

**ALSO:**

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**Selective licensing – consultation on future designation areas**

**REPORT TO THE EXECUTIVE**



<b>DATE</b>	<b>14<sup>th</sup> July 2021</b>
<b>PORTFOLIO</b>	<b>Housing and Development</b>
<b>REPORT AUTHOR</b>	<b>Clare Jackson</b>
<b>TEL NO</b>	<b>01282 477231</b>
<b>EMAIL</b>	<b>cjackson@burnley.gov.uk</b>

**PURPOSE**

1. To approve the consultation and evidence gathering for the proposal to designate the following areas for selective licensing
  - a. Burnley Wood with Healey Wood
  - b. Leyland Road

**RECOMMENDATION**

2. That Members approve the proposed selective licensing designation areas and consultation boundary as detailed in:
  - Map 1 The Burnley Wood with Healey Wood proposed Selective Licenising area 2022 to 2027 (Appendix 4a);
  - Map 2 The Leyland Road proposed Selective Licenising area 2022 to 2027 (Appendix 4b).
3. That Members approve the draft statement of case for the proposed selective licensing areas (Appendix 1), the proposed fee structure (Appendix 2) and, the proposed licence conditions (Appendix 3).
4. That Members authorise Officers to undertake the stautroy consultation exercise for the proposed selective licensing areas.
5. That delegated authority is given to the of Head of Housing and Development Control in consultation with the Portfolio Holder to make any necessary final amendments to the draft statement of case, the proposed fee structure and the proposed licence conditions.

**REASONS FOR RECOMMENDATION**

6. To enable the statutory consultation of residents, landlords and stakeholders in the proposed selective licensing areas and wider consultation boundary.

7. To ensure the consultation includes a statement of case, proposed fee structure and proposed licence conditions to assist in the delivery and analysis of the statutory consultation.
8. To enable any issues to be addressed and evaluated before presenting the final report for the proposed selective licensing areas to the Executive Committee in December 2021.
9. The Ingham and Lawrence Street selective licensing area has not been included in further proposals as the analysis shows that the low demand for housing has improved sufficiently across the area.

## **SUMMARY OF KEY POINTS**

### **Background to Selective Licensing**

10. Poor housing management and low standards in the private rented sector can contribute to the failure of a local housing market. Residents leave the area, house prices fall, speculative landlords move in, and the local community becomes weaker. Low demand and antisocial behaviour can result in unsettled communities, along with other associated social and economic problems. These problems can undermine efforts to regenerate an area.
11. Selective Licensing was introduced by the Housing Act 2004. It allows local housing authorities to designate selective licensing areas in neighbourhoods if the area is experiencing one or more of the following conditions:
  - a. Low housing demand (or is likely to become such an area)
  - b. A significant and persistent problem caused by antisocial behaviour
  - c. Poor property condition
  - d. High levels of migration
  - e. High level of deprivation
  - f. High levels of crime
12. The Council have been operating selective licensing since October 2008, as part of a wider regeneration strategy for the Borough. The following selective licensing areas started in November 2016 and are due to end in November 2021:
  - a. Burnleywood with Healeywood
  - b. The Leyland Road area
  - c. The Ingham and Lawrence Street area

### **Results of statistical evidence**

13. To determine whether further selective licensing areas could continue to improve demand for housing within the areas, data from a number of key variables including: private rented properties, vacant properties, housing disrepair complaints, property inspections, energy performance certificate bandings, environmental crime, and antisocial behaviour were analysed. The full results are detailed in the proposed statement of case (Appendix 1). The table below significantly condenses the key statistics for the ward, current and proposed

designation. At ward and proposed selective licensing area level the statistics are from the most current available date, the start of the designation statistics are derived from the date closest to the start of the designation in November 2016.

	Rosehill with Burnley Wood	Burnley Wood & Healeywood SL Area		Burnley Wood & Healey Wood Proposed Area 22- 27	Bank Hall	Leyland Road SL Area		Leyland Road Proposed Area 22- 27	Burnley
		Start	End			Start	End		
No. Properties			1268	914			675	772	
% PRS	19.4 (2011 Census)	33	49	54	29.6 (2011 Census)	43	62	61	23 (2018 ONS)
Property Values	£108,334	£38,941	£47,446	£43,703	£68,737	£39,570	£47,909	£51,008	£114,189(All) £75,138 (Terrace)
Empty Properties	155	13%	8%	10%	280	13%	9%	8%	1907 (4.6%)
ASB (Resident Complaints to BBC)	41	34	25	26	35	16	10	11	0.9%
Envi Crime	118	205	107	95	101	165	46	49	919
Disrepair Cases	27	48	24	18	64	28	18	18	393

14. All three areas have seen improvements in the key statistics of low housing demand. In summary the number of housing disrepair complaints received by the Council have reduced, property and area security measures have improved, and the percentage of empty properties has decreased. ASB and environmental crime are showing a downward trend at the selective licensing area. The average or mean house prices have increased within the current designation areas.

15. With the exception of the Ingham and Lawrence Street area, drilling down into zones within the areas has highlighted that further intervention is required. Although demand for housing has improved within the proposed designation areas there are still key low demand statistics that raise concerns when compared to the ward and Borough. Not continuing with selective licensing at this stage would present a risk that the improvements will not be sustained or built on without new designations in place for a further five years. This is supported by Government guidance released in 2015 which acknowledged the need for licensing to extend beyond a five-year designation: 'The Government recognises that licensing may have to be a long-term strategy and that it will not provide instant solutions.' Subsequently the new boundaries are being proposed in Burnleywood with Healey Wood and Leyland Road.

### **Consultation for a selective licensing designation**

16. Before a new designation can be approved, the Council must consult for a period of not less than 10 weeks. It is proposed that this consultation process commences on the 9<sup>th</sup> August 2021 and runs until the 24<sup>th</sup> October 2021 (11 weeks). The formal consultation will invite all residents, landlords, businesses and agencies working in the designation areas to comment on the proposals. Following current Covid 19 guidelines Council staff will meet with representative groups and individuals to talk through the proposals, as well as attend public and private meetings (this may have to be done electronically) and produce written information. The results of this consultation will be carefully scrutinised and will feed into the final proposal to the Council's Executive Committee.

17. It is proposed that the following methods be used to ensure that a full consultation exercise is completed;

- Posters in the area, local businesses, schools, community centres, health centres, public buildings etc.,

- Leaflets to residents, through school bags, placed in local businesses, community centres, health centres, public buildings etc.,
- Resident Questionnaire delivered to every household in the proposed designation area,
- A link to online landlord questionnaires emailed or posted to every known landlord and agent operating in the proposed areas,
- A link to an online questionnaire emailed or posted to local businesses in the proposed areas,
- Public event for Residents to attend (May need to be via Teams/Zoom),
- Consultation of the Private Rented Sector Forum,
- Landlord meetings (May need to be via Teams/Zoom).

18. Following the consultation period, it is anticipated that the results will be presented to the Executive in December 2021.

### **Staff Resources**

19. Existing resources within the private sector housing team will be utilised to prepare and undertake the statutory consultation process, which will include the:

- Preparation of questionnaires;
- Finding and inputting landlord details/property details;
- Sending out questionnaires;
- Organisation of landlord and residents consultation events;
- Inputting of responses from landlord and residents questionnaires
- Sending out of reminder letters/emails during the consultation period
- Analyse of the results and prepare reports from the information gathered via questionnaires
- Preparation of presentations and key information for the landlord and resident events
- Attendance the landlord and resident events
- Meet of landlord representative groups such as the NRLA
- Respond to all queries and comments raised during the consultation returns by letter and emails
- Responses to all enquiries via email, letter, telephone and in person during the consultation period

### **Proposed Fee structure**

20. The Housing Act 2004 enables local authorities to charge a fee for all functions associated with the administration of a selective licensing scheme.

21. Each application will need to be subject to the “fit and proper person” criteria, with information being provided to enable the decision making process to take place. The decision to grant or refuse a licence will have to follow the prescribed format as outlined in the Housing Act, with statutory notices and periods for objection.

22. All fees will be calculated based on the staff needed to cover the processing of the estimated number of applications and the monitoring and development of the scheme. Costing estimates for the scheme include salaries and on costs and all anticipated non-salary revenue spend e.g. printing costs, legal fees.



## **Secretary of State Approval**

23. If the proposed designation areas, when combined with the current selective licensing schemes, affect more than 20% of private rented properties in the Borough then confirmation must be sought from the Secretary of State.
24. The current selective licensing areas of Daneshouse with Stoneyholme, Trinity, Gannow and Queesgate affect 26% of the private rented sector. Following the statutory consultation period, if the Executive subsequently approves any of the proposed designation areas, the combined designations will affect more than 20% of the private rented sector.

### **FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

25. The consultation exercise will be undertaken using existing staff resources funded through the selective licensing budget.

### **POLICY IMPLICATIONS**

26. Selective licensing supports the Council's Community Strategy; Burnley's Future 2017 to 2021 by improving housing which is a key priority under "Places".
27. Aim 2 of the Council's Housing Strategy 2016 to 2021 is to "Deliver Transformational Change in the Private Rented Sector, selective licensing is central to this aim.

### **DETAILS OF CONSULTATION**

28. This report is a proposal for a statutory consultation exercise.

### **BACKGROUND PAPERS**

29. None

### **FURTHER INFORMATION**

**PLEASE CONTACT: Clare Jackson 01282 477231**

**ALSO: Paul Gatrell 01282 425011 Ext 7230**

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Appendix 1

**DRAFT - Statement of Case for Selective Licensing Areas in**

**Burnley Wood with Healey Wood and Leyland Road**

**June 2021**

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# **1. INTRODUCTION**

1.1 Selective Licensing was introduced by the Housing Act 2004. It allows local housing authorities to designate selective licensing areas in neighbourhoods if the area is experiencing one or more of the following conditions:

- a. Low housing demand (or is likely to become such an area)
- b. A significant and persistent problem caused by antisocial behaviour
- c. Poor property condition
- d. High levels of migration
- e. High level of deprivation
- f. High levels of crime

1.1.1 A designation area can be in force for a maximum of 5 years. Within a designation area all privately rented properties (subject to legislative exemptions) require a licence to operate. The owner of the rented property will need to make an application to the Council for a licence. The licence is valid for a maximum of 5 years and will contain a series of conditions that the licence holder must meet. To breach the licence conditions is a criminal offence, as is the failure to apply for a licence, which could lead to a prosecution with an unlimited fine or a maximum civil penalty of £30,000.

1.1.2 This document sets out the proposal and reasons for proposing to designate the Burnley Wood with Healey Wood and Leyland Road area of the Borough for selective licensing.

## **1.2 The Strategic Significance to Burnley**

1.2.1 The Community Strategy for Burnley; Burnley's Future 2017 to 2020 sets out an ambitious vision to be achieved by 2032. It is based around the three main themes of Prosperity; how we will grow the economy, People; how we will help people lead healthier lives and help the next generation to realise its potential and thirdly, Places; how we will improve housing and make the neighbourhoods in the borough cleaner, greener and safer.

1.2.2 Burnley is moving towards the realisation of this vision; the economy is growing and the population is starting to increase. This growth is being assisted by multiple large-scale regeneration activities including train connectivity to Manchester, expansion of the University of Central Lancashire Burnley Campus, heritage led developments, new business parks, town centre improvements and new housing. All of which is creating an attractive option for people to live, work and study in Burnley.

1.2.3 Central to supporting our successful growth is ensuring the Borough offers the right quality and type of accommodation to meet current and future demand. Well managed, good quality private rented accommodation plays a significant role in our housing offer and is an important sector within our diverse housing market.

1.2.4 There is however pockets of low demand in the inner areas of Burnley where there are significantly high numbers of private rented properties which are not operating to the required standard. This has contributed to creating areas of low demand, which deters people from moving into, or remaining in these neighbourhoods. Selective licensing is an important part of the wider housing strategy to tackle this low demand and problematic neighbourhood characteristics. Our approach is to take a targeted and coordinated approach that brings together a range of initiatives that tackle empty homes, environmental crime, anti-social behaviour, poor housing conditions and unsatisfactory management practices. Selective licensing is central to this neighbourhood regeneration strategy; it coordinates activity and works with both residents and landlords to have the maximum impact in a designated area.

This in turn helps to improve the housing and neighbourhoods which contributes to achieving Burnley's vision for the Borough.

## **2. WHAT IS A SELECTIVE LICENSING SCHEME?**

### **2.1 Legal Framework and Guidance**

2.1.1 This section of the document summarises the legal requirements necessary for the introduction of selective licensing in an area.

2.1.2 The relevant legislation is contained within the Housing Act 2004 ("The Act") and The Selective Licensing of Houses (Additional Conditions) (England) Order 2015 supported by two guidance documents published by the Department of Communities and Local Government.

*a) Approval Steps for Additional and Selective Licensing Designations in England; and*

*b) Selective licensing in the private rented sector; A Guide for local authorities*

2.1.3 Selective licensing is a regulatory tool provided by the Act; it gives local authorities the power to designate the whole of, or parts of, their district for selective licensing provided that the area is experiencing one or more of the conditions detailed in paragraph 1.1 of this document.

2.1.4 In considering whether to designate an area for selective licensing on the grounds of property condition, migration, deprivation and crime the local housing authority may only make a designation if the area has a high proportion of property in the private rented sector. If the area has more than 19% of private rented properties it can be considered as having a high proportion of this type of accommodation.

2.1.5 When considering whether to make a selective licensing designation a local housing authority must first identify the objective or objectives that a designation will help it achieve.

2.1.6 The local housing authority must also consider whether there are any other courses of action available to it that would achieve the same objective or objectives as the proposed scheme without the need for the designation to be made.

2.1.7 If the problems of anti-social behaviour are only associated with a small number of properties, a local housing authority should consider making a Special Interim Management Order, rather than a selective licensing designation to cover those properties associated with the anti-social behaviour.

2.1.8 Only where there is no practical and beneficial alternative to a designation should a scheme be made. If the local housing authority decides there is no practical and beneficial alternative to the scheme, it must only make the designation if it is satisfied that the scheme will significantly assist it in achieving its objective or objectives together with other actions the local housing authority may be taking.

2.1.9 Any designation made must ensure that the exercise of the power is consistent with their overall housing strategy. It must seek to adopt a coordinated approach in connection with other initiatives such as dealing with homelessness, tackling empty properties and addressing anti-social behaviour.

## **2.2 Consequences of designating a selective licensing area**

- 2.2.1 If a selective licensing area is designated, any private landlord wishing to operate within the designated area must apply for a licence for every tenanted house within the designated area. The power does not permit local housing authorities to require licensing of houses that have been made exempt under the Selective Licensing of Houses (Specific Exemptions) (England) Order 2006 (such as business tenancies, tenancies with a genuine term over 21 years, holiday lettings etc.), or a property that is subject to a tenancy or licence granted by a body which is registered as a social landlord under Part 1 of the Housing Act 1996.
- 2.2.2 An application for a licence would need to be submitted for each property in accordance with specified requirements. The Council is entitled to charge a fee that accompanies the application.
- 2.2.3 As part of this application process, proposed licence holders and managers will be required to provide information that they are “fit and proper persons” and that they have satisfactory management arrangements in place, including dealing with anti-social behaviour and repairs. Further details of the proposed “fit and proper person” criteria can be found in Appendix 1. In circumstances where the Council are not satisfied that the licence holder or manager are a “fit and proper person”, and/or the management arrangements are unsatisfactory, then it can refuse to grant a licence.
- 2.2.4 The licence is valid for up to 5 years. A licence will have conditions (Appendix 2) attached that are either mandatory or discretionary conditions. The Council can also include discretionary conditions relating to the management of the property.

## **2.3 Implications of renting out a property without a licence**

- 2.3.1 It is a criminal offence to rent a property in an area designated to be a selective licensing area without a licence. Failure to apply for a licence could lead to prosecution, with the penalty of a criminal conviction and an unlimited fine or a civil penalty up to £30,000.
- 2.3.2 A landlord of an unlicensed property is unable to serve a section 21 repossession notice under the Housing Act 1988 in relation to a short hold tenancy of the whole or part of any property which is an ‘unlicensed house’.
- 2.3.3 The Council can apply to the First Tier Tribunal for a Rent Repayment Order. The Order requires the landlord to repay the Council the amount of housing benefit paid during the period in which the property operated without a licence.
- 2.3.4 Part 4 of the Housing Act 2004 introduced the use of Management Orders. The Council has a duty to make a management order where they consider either:
- a) The property ought to be licensed, but is not, and the Council considers there is no reasonable prospect of it granting a licence in the near future; and
  - b) It is necessary to take steps to ensure the health, safety and welfare of persons occupying the property, or persons living in or owning properties in its immediate vicinity, are protected.

2.3.5 An Interim Management Order (IMO) allows the Council to take possession of the house against the immediate landlord, and subject to existing rights to occupy allows the Council to:

- a) do anything in relation to the house, which could have been done by the landlord including repairs, collecting rents etc;
- b) spend monies received through rents and other charges for carrying out its responsibility of management, including the administration of the house; and
- c) create new tenancies (with the consent of the landlord).

## **2.4 Breach of licence conditions**

2.4.1 A licence holder (or person bound by the licence conditions) will also commit a criminal offence if they fail to comply with any condition of a licence. This offence is punishable by a fine not exceeding £5,000 or by a way of a civil penalty notice not exceeding £30,000.

## **3. BURNLEY'S PROFILE**

### **3.1 The Borough**

3.1.1 Burnley borough is situated in Pennine Lancashire. It covers an area of 11,072 hectares (42 square miles). Its compact urban area, stretching along the two river valleys of the Brun and Calder, is surrounded by the moorland countryside of the South Pennines to the south and east, and the Forest of Bowland (Area of Outstanding Natural Beauty) and the gritstone outcrop of Pendle Hill to the north. Coal Clough wind farm, which is visible from many parts of Burnley, dominates the skyline to the south east of the town, while nearby, the landmark panopticon, the Singing Ringing Tree, overlooks the town from the hills at Crown Point. There are two main urban settlements, Burnley and Padiham, and a number of small villages and hamlets in the rural area.

3.1.2 Much of Burnley's character and distinctiveness today derives, not only from its attractive Pennine setting, but also from its development during the Industrial Revolution. This gave the inner parts of the urban area their distinctive sandstone terraces in grid-iron street patterns, mills and fine parks.

### **3.2 Population**

3.2.1 The borough's population at the time of the 2011 Census was 87,059. The most recent ONS 2018 mid-year population estimate indicates a small increase in Burnley's population to 88,920, the highest population since 2002, and the 6th consecutive year of growth.

### **3.3 Deprivation**

3.3.1 In the 2019 Index of Multiple Deprivation (IMD) Burnley was ranked the 11th most deprived area out of 317 local authority areas in England (based on rank of average scores). The most prevalent form of deprivation in the borough relates to health and disabilities.

3.3.2 The health of people in Burnley is affected by high levels of deprivation and worklessness. Life expectancy for both men and women are lower than the Lancashire and England average but is rising for women. According to the Burnley Health Profile 2019 life expectancy is 11.5 years lower for men and 4.5 years lower for women in the most deprived areas of Burnley than in the least deprived areas.



3.3.3 Levels of unemployment have reduced significantly in Burnley in the last five years to 5.1%<sup>1</sup>, this is however still higher than the Northwest (4.2%) and National (4.6%) figures. Unemployment can influence the affordability of the housing market resulting in fewer households being able to become homeowners, and more demand for rented accommodation.

### 3.4. Housing Type

3.4.1 From the 2011 Census there were 37,550 dwellings in Burnley, increasing to 41,850 in 2020 (Valuation Office 2020). The housing stock in Burnley differs substantially from the national average with 71.25% of dwellings built before 1919 compared with 23.6% nationally.

3.4.2 Burnley has a much higher proportion of terraced housing than England or the region as a whole. According to the 2011 Census, 50.1% of Burnley's housing stock consisted of terraced houses compared to the regional average of 30% and England average of 24.5%. Much of the terraced housing stock comprises pre-1919 two bedroomed terraced houses and this constrains choice in the housing market.

3.4.3 The previous Pathfinder Housing Market Renewal (HMR) scheme recognised that poor condition, high vacancy rates and a lack of quality and choice of housing, in particular an oversupply of small two bedroomed Victorian terraced housing without gardens, were key drivers of housing market failure.

3.4.4 Analysis by council tax band shows that in 2020, 60.9% of dwellings in Burnley were in the lowest band 'A' compared to the average for England of 24.2%. The proportion is decreasing gradually. The highest tax bands of 'F' to 'H' accounted for 9.2% of properties in England but constitute just 1.2% in Burnley (Valuation Office 2020).

### 3.5 Housing Tenure

3.5.1 Census data shows that between 2001 and 2011 there has been a significant decrease in the number of Burnley residents in owner occupation and an increase in the percentage in private rented accommodation.

3.5.2 Private renting has been on the increase nationally. The proportion of private rented properties in Burnley estimated to have risen from 19.4% in 2011 to 23% in 2018 compared to 19.8% in England<sup>2</sup>.

3.5.3 The Burnley Strategic Housing Market Assessment (SHMA 2016) suggested that owner occupation is particularly high in the rural parts of the Borough, and that private rented accommodation is more concentrated in the urban areas of Burnley and Padiham.

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<sup>1</sup>APS modelled unemployment rate NOMIS 2020

<sup>2</sup> ONS subnational dwelling stock by tenure 2018. Estimates of the number and percentage of owner-occupied and privately-rented dwellings, for subnational geographies in England. These research outputs are not official statistics on dwelling stock by tenure. These outputs must not be reproduced without this disclaimer.

**Table 1 – Tenure of households – Burnley and England and Wales**

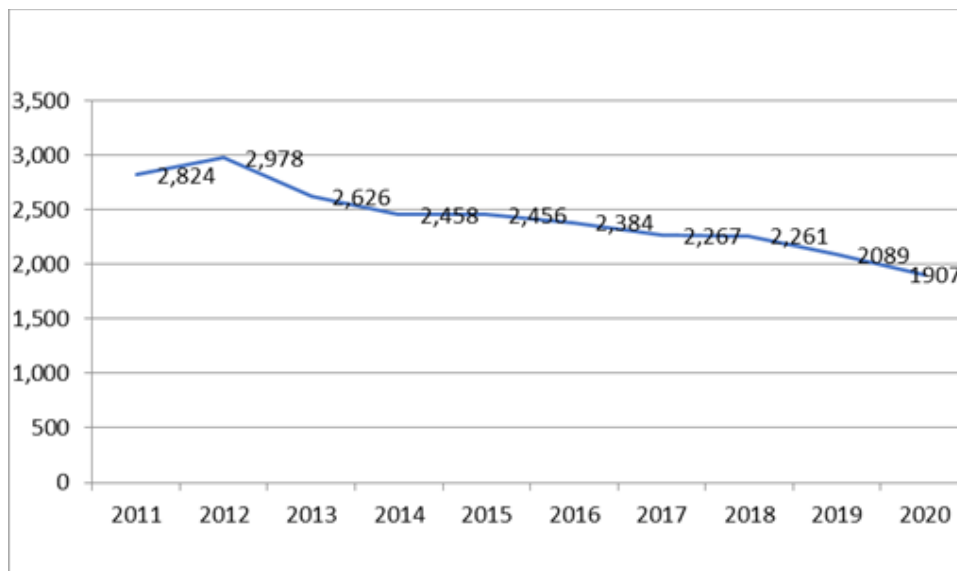
Tenure	Burnley Households (no.)	Burnley Households %	England and Wales %
All households	37,550	100.0	100.0
Owned	24,408	65.0	63.6
Owned: Owned outright	11,815	31.5	30.8
Owned: Owned with a mortgage or loan	12,593	33.5	32.7
Shared ownership (part owned and part rented)	79	0.2	0.8
Social rented	5,281	14.1	17.6
Private rented	7,267	19.4	16.7
Private rented: Private landlord or letting agency	6,664	17.7	15.3
Private rented: Other	603	1.6	1.4
Living rent free	515	1.4	1.4

Source: 2011 Census

### 3.6 Empty Homes

3.6.1 In 2020, there were 1907 empty homes in the borough, 4.6% of the overall housing stock. As detailed in the graph below the vacancy rate in Burnley has reduced significantly since 2011 but remains higher than the average for England of 2.7% and Lancashire at 3.3%.

**Figure 1 Number of empty homes in the Borough (Source: Council Tax-Local Authority Level Data)**



3.6.2 In 2020, 780 or 40.9% of Burnley’s empty homes had been vacant for six months or more. This represents a decrease in the number from 2019 (914), and a decrease in percentage from 2019 (43.8%). These ‘long term vacants’ represent 1.9% of all properties in the borough.

3.6.3 The long-term vacants tend to cluster in some of the inner urban areas of the borough, affecting the appearance of an area and having a negative impact on residents as they attract anti-social behavior, fly tipping and vandalism.

3.6.4 Strong progress has been made in the three identified housing regeneration neighbourhoods. The programme in Burnley Wood is complete. Developer Keepmoat has completed over 240 new homes in conjunction with Accent who delivered 24 of these as 'affordable' homes. In Southwest Burnley, Keepmoat have also completed their programme of new build housing delivering 180 units by 31 March 2019. In Daneshouse, by 31 March 2020, developer Gleeson had completed 59 units with a further 134 planned, and at Stoneyholme had completed 50 units. Great Places Housing Group had completed 59 new homes, 53 of which were 'affordable' homes.

### **3.7 Fuel Poverty**

3.7.1 The Department of Energy and Climate Change (DECC) defines fuel poverty through the 'low-income high costs' method of calculation. A household is defined as 'fuel poor' if:

- A household has required fuel costs that are above the median level; and
- Were the household to spend that amount, they would be left with a residual income below the official poverty line.

3.7.2 Across Lancashire Burnley saw the largest improvement with 2.8% fewer households in fuel poverty from 2017 to 2018. In 2018 13.6% of households in Burnley were living in fuel poverty which is still higher than the Lancashire (12.6%) and England (10.9%) figures (Fuel Poverty Lancashire County Council 2018).

3.7.3 In 2018 within Burnley, 3 urban neighbourhoods (LSOAs) had levels of fuel poverty above 30%, which is an improving position on 2017 when 6 urban neighbourhoods (LSOAs) had levels of fuel poverty above 30%. (BEIS - Lower Super Output Areas). From the three neighbourhoods; two are located in the Daneshouse and Stoneyholme selective licensing area.

### **3.8 Stock condition**

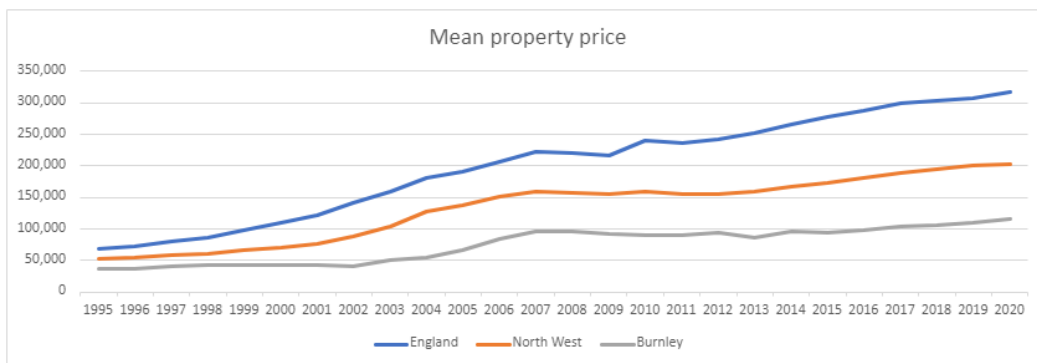
3.8.1 The most up to date and comprehensive survey of the condition of dwelling stock in the borough is contained within the Council's House Condition Survey (June 2009). This survey covered all tenures including properties owned by Registered Providers and concluded that 17,700 properties failed the Decent Homes Standard, equivalent to 43.6% of the total housing stock. This is higher than the equivalent figure for England in the same period at 36.7%. The proportion of non-decent dwellings by tenure were; owner occupied 45.5%, privately rented 46.3%, and housing association 31.3%.

3.8.2 The majority of dwellings were non-decent due to thermal comfort failure at 32.1% followed by Category 1 Hazards at 25.3%. 10.4% of the stock failed the disrepair criterion with 1.1% lacking modern facilities and amenities.

### **3.9 Housing Market**

3.9.1 In 2019 mean house prices in Burnley were around 37% of the national average for England and Wales and 55% of the regional average - a slight narrowing of the relative gap from the previous year continuing the recent trend. There is a marked difference between house prices in the rural area and the more urban parts of the borough.

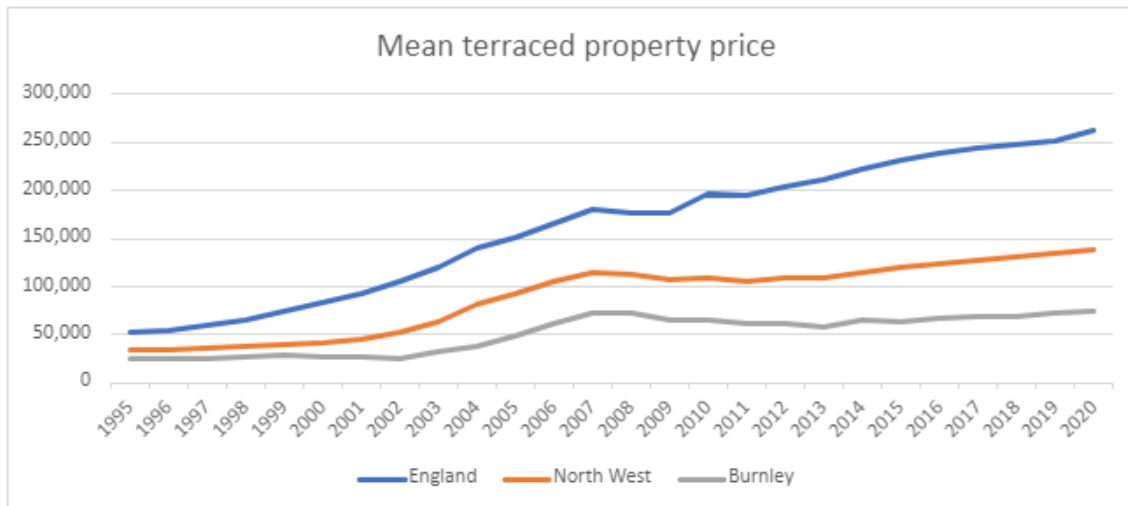
**Figure 2 Mean residential property prices in Burnley, North West and England Dec 1995 to Sept 2020**



Source: ONS data sets release March 21.

3.9.2 Figure 3 shows the mean house prices for terraced properties in Burnley compared to the region and England. There is a notable narrower gap between the Burnley and regional terraced houses compared to all property types.

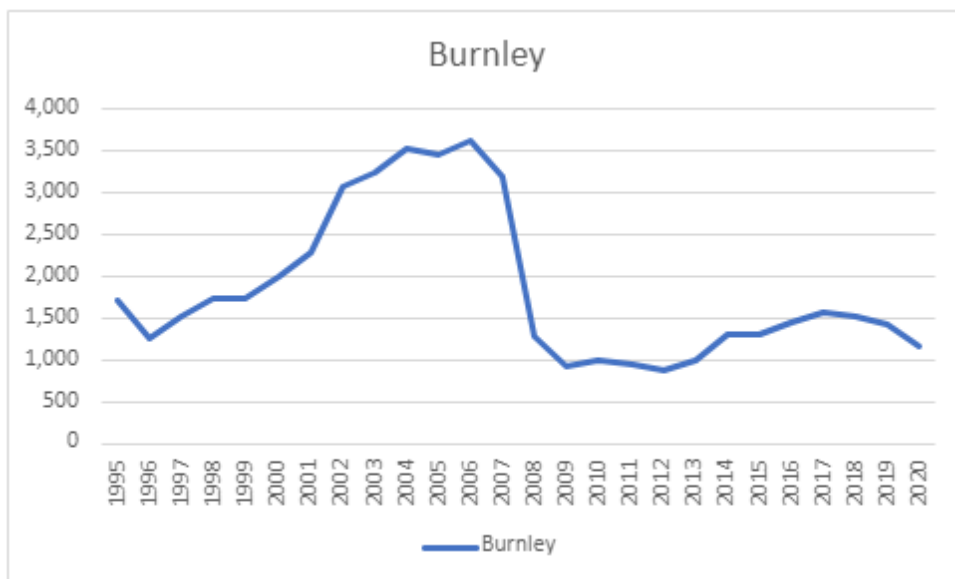
**Figure 3 Mean terraced property prices in Burnley, North West and England Dec 1995 to Sept 2020**



Source: ONS data sets release March 21.

3.9.3 Pre-recession dwelling sales in Burnley (2002-2007) totaled over 3,000 transactions per annum. Since 2007 when the figure stood at 3,121, transactions have more than halved. This was followed by a number of years of stagnating and falling sales. However, they have increased significantly in the last 4 to 5 years suggesting some recovery in the local housing market.

Figure 4 The number of property sales in Burnley Dec 1995 to Sept 2020



Source: ONS data sets release March 21.

3.9.5 There are many local and wider economic factors which influence house price and sales trends and many of these factors are themselves being monitored e.g. employment levels, deprivation, population size and profile, crime rates, housing stock condition, land availability and household size. Other macro-economic factors such as mortgage availability, interest rates, government incentives, tax regimes, building regulations etc. will also significantly influence house prices and sales trends.

### 3.10 Crime and Anti-Social Behaviour (ASB)

3.10.1 Compared to other districts in Lancashire and the country as a whole, Burnley has relatively high levels of crime (the second highest rate in Lancashire). For 2019/20, the crime rate was 121 per 1,000 population, compared to a Lancashire rate of 95.9 per 1,000 population.<sup>3</sup>

3.10.2 Lancashire Insight shows that in 2018/19 there was a notable decrease in ASB across the borough; in 19/20 many of the wards started to see an increase in cases. Between April 2020 and March 2021, cases of ASB in Burnley increased by 80%, compared to 75% for Lancashire. From March 2020, breaches of coronavirus legislation were recorded as ASB, which the Council believes will account for a number of those cases, as well as increased “neighbour intolerance” due to lockdown restrictions.

## 4. THE PROPOSED SELECTIVE LICENSING AREAS

4.1 The selective licensing areas are monitored throughout the duration of the designations. The Interim Report for 2016 to 2021<sup>4</sup> details the progress made in the Burnley Wood with Healey Wood, Leyland Road and Ingham/Lawrence Street selective licensing areas. These designation areas started on the 15<sup>th</sup> November 2016 and are due to end on the 15<sup>th</sup> November 2021.

4.1.1 The Interim report found that:

<sup>3</sup> Crime in Lancashire 2019/20 [crime in lancashire](#)

<sup>4</sup> [HOUS Selective Licensing Report-17065.pdf \(burnley.gov.uk\)](#)

- House values increased between 15/16 and 19/20 in the three designation areas. House values in the same period went up by around 10% across Burnley, which was reflected in the Leyland Road area. In Burnley Wood with Healey Wood they rose by 12%, and in the Ingham and Lawrence Street area by 23%. This shows increasing levels of confidence in the property market within the licensing areas.
- Fuel poverty has decreased by improved energy performance ratings. Across the three selective licensing areas, 22 properties have increased their rating to meet the minimum standard. This compares to just 5 properties improving their rating in the six years prior to the schemes coming into force.
- The number of vacant properties has reduced in each of the three designation areas.
- The number of recorded cases of dirty backyards has reduced since the start of the designations and has reduced to very low levels in the Ingham and Lawrence Street area. In 2019/20 there was an increase in resident complaints in the Leyland Road area, and a very slight increase in the Burnley Wood with Healey Wood area.
- In 2018/19 the council undertook a painting and replacement gutter scheme of 150 properties in the Ingham and Lawrence Street selective licensing area. The scheme was undertaken to support the work of selective licensing and the empty homes programme, and to improve the external appearance of the properties to help attract people into the area.
- Since 2017 there has been a steady decline of recorded cases of anti-social behavior in the Leyland Road and Ingham and Lawrence Street areas. Burnley Wood with Healey Wood saw a sharp decline, followed by a small increase in the 2019/20. All three areas recorded lower numbers of cases in 2019 than 2015: Burnley Wood with Healey Wood reduced by 36%, Leyland Road by 56%, and Ingham and Lawrence Street by 41%.

4.1.2 The Interim report clearly evidences improvements in low housing demand within all three selective licensing designation areas. A further analysis of smaller zones within and surrounding the designation areas, except for Ingham and Lawrence Street shows that further improvements could be made. Sections 5 and 6 of this document presents the findings of this analysis specifically for the Burnley Wood with Healey Wood and the Leyland Road areas.

4.1.3. The Council consider that the improvements made in the Ingham and Lawrence Street designation area have sufficiently improved the low demand for housing without the need for a further designation area.

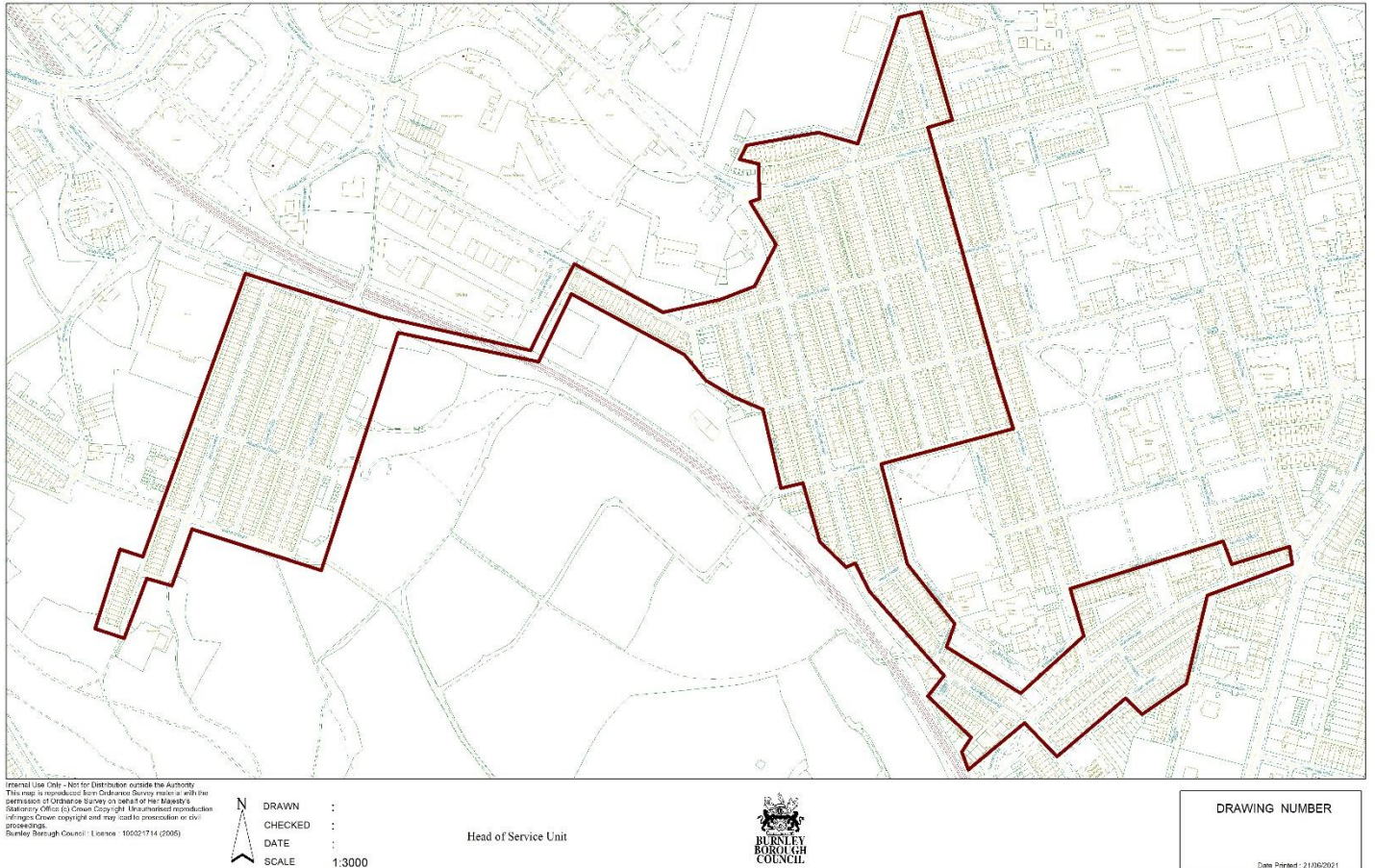
# 5. The Burnley Wood with Healey Wood Proposed Designation



## 5.1 Background

5.1.1 The Burnley Wood with Healey Wood area was designated as an area subject to selective licensing by the Council's Executive on 15<sup>th</sup> February 2016, which was confirmed by the Secretary of State on 15<sup>th</sup> July 2016. It came into force on 15<sup>th</sup> November 2016, and will end on 15<sup>th</sup> November 2021. Figure 5 shows the boundary of this designation.

Figure 5: Burnley Wood with Healey Wood 2016-2021 Designation



5.1.2 The designation covers a large residential area of over 1200 properties, of which 49% are privately rented.

5.1.3 Throughout the designation, the Council has monitored several key indicators of low housing demand. As the scheme draws to a close, the Council has assessed these indicators in order to determine the effectiveness of the scheme, and whether this area, or other similar areas, would benefit from a further selective licensing designation.

5.1.4 The area shown in Figure 5 can be split into three distinct zones:

- Zone 1: Healey Wood
- Zone 2: Marlborough Street to Huffling Lane via Hollingreave Road
- Zone 3: Central Burnley Wood

5.1.5 By assessing key indicators, the Council is satisfied that Zone 2 has seen sufficient improvements in housing demand, such that it would no longer benefit from a selective licensing designation. Whilst still above average, the percentage of private rented homes here is lower than Zones 1 and 3 and there are greater numbers of owner occupiers. House



values are also notably higher in Zone 2. Council data shows levels of antisocial behaviour are much lower than neighbouring zones (and below the rate for the borough), and the area suffers from less environmental crime compared to the neighbouring zones. The number of long-term empty properties is comparable with the borough. The number of disrepair complaints received in the last two years in Zone 2 is slightly above the wider designation level, as is the number of properties recording an F or G rating on an Energy Performance Certificate (though this is on a par with the borough figure).

5.1.6 The Council are however satisfied that the properties recording lower energy performance rates in Zone 2 can be addressed in the remaining months of the current designation, and that when taken together with other indicators, the general picture is one of an improved area which would be unlikely to benefit significantly from further selective licensing.

**Table 2: Key Indicators Burnley Wood with Healey Wood 2016 - 2021**

	Burnley Wood with Healey Wood Designation	Zone 1: Healey Wood	Zone 2: Marlborough St – Hollingreave Road – Huffling Lane	Zone 3: Central Burnley Wood	Burnley Borough
Private Rented	49%	45%	39%	59%	23% <sup>5</sup>
Owner Occupied	36%	44%	45%	23%	63% <sup>6</sup>
House Values (20/21)	£47,446	£44,964	£56,655	£43,322	£114,189 (2020 figure)
Antisocial behaviour cases (20/21 resident complaints as % of homes)	1.97%	2.11%	0.65%	3.08%	0.9%
Dirty back yards recorded by Council (20/21 as % of homes)	8.4%	6%	4.1%	13.7%	2.2%
Vacant Homes 2 years + (March 21 as % of properties)	2.8%	2.8%	1.7%	3.9%	1.5%
Disrepair Complaints (20/21 as % of private rented homes)	3.9%	3.1%	4.4%	3.9%	Data not available
EPC – F&G Rating (June 2020 as % of homes)	3.4%	3.9%	3.9%	2.7%	3.3%

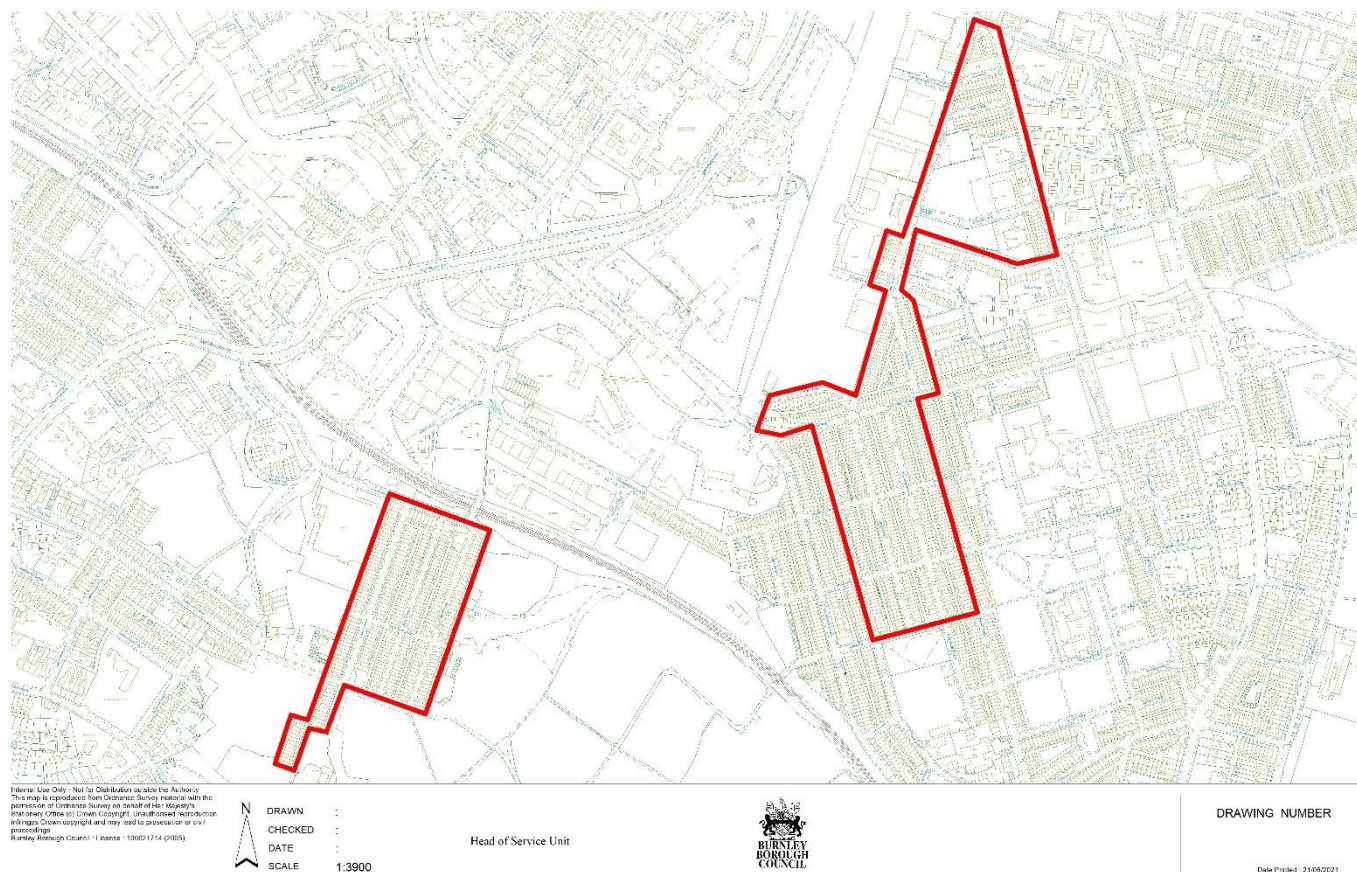
Sources: Tenure - Selective Licensing Database, March 2021; House Values – Land Registry, March 2021; Antisocial behaviour and dirty back yards – Council Records March 2021; Disrepair Complaints – Housing Enforcement Database, March 2021; EPC Ratings – EPC register, June 2020.

5.1.7 The Council is proposing to consult on designating a selective licensing area which would include Zone 3 (Central Burnley Wood), along with a small number of streets to the north of the current boundary where there is sufficient evidence of low demand for housing. The Council has also considered whether Healey Wood would benefit from a second designation and proposes that there is sufficient evidence to warrant undertaking a public consultation regarding the inclusion of this area. Figure 6 shows the new proposed boundary for the Burnley Wood with Healey Wood designation 2022 to 2027.

<sup>5</sup> See footnote 2

<sup>6</sup> See Footnote 2

Figure 6: Proposed Burnley Wood with Healey Wood Designation Boundary 2022 to 2027



5.1.8 The vast majority of the Burnley Wood area of the designation lies within the Rosehill with Burnley Wood ward, with a small number of streets lying within the Bank Hall ward. Healey Wood lies within the Trinity ward. When assessing ward data for this area, this document focuses on data for the wards where most of the designation is situated.

## 5.2 Housing Tenure

5.2.1 The following table shows a comparison of the private rented sector in Burnley's wards using Census data from 2011. This shows that the Trinity ward, where part of the proposed designation is situated, has the highest percentage of private rented properties in the borough. The Rosehill with Burnley Wood ward, where the remaining part of the proposed designation is situated, has lower levels of private renting at a ward level, comparable with the borough average.

Table 3 Tenure of households – ward level

Tenure (%)	Owner Occupied (%)	Social Rented (%)	Private Rented (%)	Living Rent Free (%)	Rank
Burnley Average	65.2	14.1	19.4	1.4	
Lancashire (12 districts)	71.5	12.1	15.1	1.3	
England	64.1	17.7	16.8	1.3	
<b>Burnley Wards</b>					
Bank Hall	45.4	21.3	29.6	1.8	2
Briercliffe	83.4	3.5	10.6	1	10
Brunshaw	58.2	28.6	10.3	1.4	11

Cliviger with Worsthorne	88.5	2	7.5	1.2	13
Coal Clough with Deerplay	69.4	19.7	8.3	1.3	12
Daneshouse/Stoneyholme	54	13.2	26	3.6	3
Gannow	65.1	12.8	19.1	1.3	7
Gawthorpe	57	15.6	24.1	1.3	4
Hapton with Park	67.9	14.4	15.5	1	8
Lanehead	67.7	14.2	15.3	0.9	9
Queensgate	65.7	5.3	25	1.2	5
Rosegrove with Lowerhouse	60.9	20.4	15.3	1.7	9
Rosehill with Burnley Wood	64	14.7	19.4	1.2	6
Trinity	51.9	12.3	32.8	1.1	1
Whittlefield with Ightenhill	83.2	7.1	8	1	14

Source: Census 2011

5.2.2 Table 4 shows a more detailed analysis of tenure within the current and proposed licensing areas. The data shows that the proposed designation area is made up of 54% private rented properties. This figure is comparable with other existing licensing areas.

**Table 4: The number and percentage of private rented properties in the selective licensing areas**

Existing Selective Licensing Designation Areas	Number of Properties	No PRS	% PRS
Trinity 2019- 2024	1348	653	48
Gannow 2019- 2024	958	481	50
Queensgate 2019- 2024	1617	741	46
Daneshouse and Stoneyholme 2019- 2024	1790	621	35
Burnley Wood with Healey Wood 2016 - 2021	1268	619	49
Leyland Road Area 2016 - 2021	675	418	62
Ingham & Lawrence 2016 -2021	169	90	53
Proposed Selective Licensing Areas	Number of Properties	No PRS	% PRS
Burnley Wood with Healey Wood 2022 -2027	914	498	54
Leyland Road 2022 - 2027	772	469	61

Source- Current selective licensing area data

## 5.3 Fuel Poverty

5.3.1 Since April 2020 landlords may not let a property to a new tenant if the rating on the Energy Performance Certificate (EPC) is below “E”. The purpose of the EPC is to show prospective tenants the energy performance of the dwelling they are considering renting, and gives a good indication of property condition within an area. Table 5 shows the numbers of properties within the current and proposed designation areas that currently have an EPC below an “E”. The figures include owner occupied properties, as well as privately rented.

**Table 5: Properties with EPC rated below “E” by current and proposed selective licensing area.**

Existing Selective Licensing Designation Areas	Number of Properties	Number of properties rated below “E”	% of properties rated below “E”
Trinity 2019- 2024	1348	105	7.8%
Gannow 2019- 2024	958	33	3.4%
Queensgate 2019- 2024	1617	99	6.1%
Daneshouse and Stoneyholme 2019- 2024	1790	38	2.1%

Burnley Wood with Healey Wood 2016 - 2021	1268	43	3.4%
Leyland Road Area 2016 - 2021	675	33	4.9%
Ingham & Lawrence 2016 -2021	169	5	3%
<b>Proposed Selective Licensing Areas</b>	<b>Number of Properties</b>	<b>Number of properties rated below "E"</b>	<b>% of properties rated below "E"</b>
Burnley Wood with Healey Wood 2022 - 2027	914	27	3%
Leyland Road 2022 - 2027	772	33	4.3%

Source: Energy Performance of Buildings Data England and Wales, MHCLG, 2020

5.3.2 During the current Burnley Wood with Healey Wood designation, officers have been working with landlords to ensure that they have brought their homes up to the required minimum standard, and can evidence this with a valid EPC of minimum rating "E". The licensing team continue to work with landlords to achieve this, and are liaising with Trading Standards to take action against those landlords that fail to reach the standard.

5.3.3 A number of the properties ranked below "E" are owner occupied. The Council has alternative ways to tackle these through the Green Homes Grant. Burnley are part of a consortium of Lancashire authorities known as Cosy Homes in Lancashire who have successfully secured funding from Round 1b and 2 of the Green Homes Local Authority Delivery Scheme. The selective licensing team will be working with CHiL to ensure the EPC ratings of the owner-occupied properties are also improved.

5.3.4 Licences are not granted at properties where the EPC is below standard, which has resulted in all of the licensing areas with the exception of Trinity recording lower than borough averages of F/G rated properties. Work continues to replicate this trend in Trinity. This demonstrates that the licensing schemes are effective at improving energy efficiency and associated property condition. Without the application process of the licensing scheme, many of these properties would not have improved their rating.

5.3.5 The proposed designation currently has 3% (27 properties) rated below "E". This is slightly below the Burnley average of 3.3% thanks in part to the work of the selective licensing team. A further designation would ensure that the Council is able to undertake proactive inspections at privately let properties with a poor rating, in order to identify likely poor property condition.

## 5.4 Condition

5.4.1 Housing condition and property maintenance and repair is fundamental to the management practices within the private rented sector. Evidence of property condition impacting on residents comes from the number of housing disrepair complaints received from tenants. The proposed designation area lies within the second and sixth highest wards ranked by number of disrepair complaints.



**Table 6: Number of disrepair complaints received by ward**

Ward	2011/ 12	2012/ 13	2013/ 14	2014/ 15	2015/ 16	2016/ 17	2017/ 18	2018/ 19	2019/ 20	2020/ 21	Rank 20/21
Bank Hall	25	30	54	54	41	36	37	32	49	64	1
Briercliffe	2	4	8	5	4	3	5	0	5	3	14=
Brunshaw	8	15	10	6	10	6	7	7	7	14	8=
Cliviger with Worsthorne	1	1	0	1	1	1	2	0	1	3	14=
Coal Clough with Deerplay	4	5	8	2	7	4	4	1	7	10	11
Daneshouse with Stoneyholme	18	22	26	24	43	38	20	17	23	54	3
Gannow	21	20	24	18	27	11	13	10	6	7	12=
Gawthorpe	20	21	20	24	24	27	27	16	17	27	6=
Hapton with Park	5	12	12	12	7	11	7	5	14	14	8=
Lanehead	6	15	16	11	14	17	13	4	9	11	10
Queensgate	27	32	49	47	85	37	35	23	31	43	5
Rosegrove with Lowerhouse	12	26	30	10	22	12	12	15	26	46	4
Rosehill with Burnley Wood	14	20	33	27	32	29	18	22	39	27	6=
Trinity	45	42	59	43	46	42	44	49	65	63	2
Whittlefield with Ightenhill	8	1	5	5	9	5	3	3	7	7	12=
Burnley Total	216	266	354	289	372	279	247	204	306	393	

Source: Burnley Council Housing Enforcement

5.4.2 Table 7 compares the numbers of disrepair complaints for the last two financial years in the current and proposed selective licensing designations.

**Table 7: Disrepair Complaints in Selective Licensing Areas**

Existing Selective Licensing Designation Areas	Number of PRS Properties	Number of Disrepair Complaints 19/20	of Disrepair Complaints as % of PRS 19/20	Number of Disrepair Complaints 20/21	Disrepair Complaints as % of PRS 20/21
Trinity 2019- 2024	653	52	8%	57	8.7%
Gannow 2019- 2024	481	19	4%	24	5%
Queensgate 2019- 2024	741	37	5%	51	6.9%
Daneshouse and Stoneyholme 2019- 2024	621	22	3.5%	50	8.1%
Burnley Wood with Healey Wood 2016 - 2021	619	48	7.8%	24	3.9%
Leyland Road Area 2016 - 2021	418	28	6.7%	18	4.3%
Ingham & Lawrence 2016 -2021	90	3	3.3%	4	4.4%
Proposed Selective Licensing Areas	Number of PRS Properties	Number of Disrepair Complaints 19/20	of Disrepair Complaints as % of PRS 19/20	Number of Disrepair Complaints 20/21	Disrepair Complaints as % of PRS 20/21

Burnley Wood with Healey Wood 2022 - 2027	498	38	7.6%	18	3.6%
Leyland Road 2022 - 2027	469	29	6.2%	18	3.8%

Source: Burnley Council Housing Enforcement

5.4.3 During the coronavirus pandemic, the Enforcement team have reduced the number of inspections undertaken, in order to protect the health and safety of residents and staff. Inspections were completed in urgent/emergency cases. The number of disrepair complaints for the existing designated area has reduced in the last year. The proposed designation area currently records similar levels of complaints.

5.4.4 In the past year, the licensing team have been unable to undertake proactive internal property checks due to national and regional coronavirus restrictions. In the Burnley Wood with Healey Wood area, the licensing team continued to undertake external audits, checking the outside of properties for signs of disrepair, as well as back yards and external structures such as back walls and gates. Where a property appears to have concerning external disrepair, an internal inspection is undertaken. Between October 2020 and April 2021, Officers undertook audits of the Burnley Wood with Healey Wood area and 21 were found to have some form of defect. 19 of these have been rectified through selective licensing intervention, whilst the other two were resolved through joint work with the Housing Enforcement team.

5.4.5 As restrictions lift, the licensing team aim to complete a number of proactive internal inspections at the properties we are most concerned about. Designating the proposed licensing area in 2022 will allow the licensing team to undertake further proactive inspections to target disrepair before it becomes severe enough to warrant an inspection by the Enforcement team. This will also allow us to ensure that all landlords operating in the area are doing so to the same required standard.

## 5.5 Housing Market

5.5.1 The following table shows the house price variation within the borough's wards up to March 2020, ranging from Bank Hall with the lowest average value, to the rural ward of Cliviger with Worsthorne recording the highest prices. It is well documented how house prices in Burnley, particularly inner Burnley, have been consistently some of the lowest in the country. House prices in Trinity, where part of the proposed designation is located, are the third lowest, whereas prices in Rosehill with Burnley Wood are notably higher.

**Table 8: Mean House Values by Ward.**

	Mar-09	Mar-10	Mar-11	Mar-12	Mar-13	Mar-14	Mar-15	Mar-16	Mar-17	Mar-18	Mar-19	Mar-20
Bank Hall	77,600	61,949	52,344	52,970	43,227	52,370	51,612	57,890	54,855	50,062	58,131	68,737
Briercliffe	137,948	126,138	126,545	128,111	131,111	117,345	129,766	128,251	128,051	129,866	134,361	134,703
Brunshaw	88,596	85,133	88,921	74,303	74,421	88,105	96,776	89,177	95,903	98,865	101,651	96,065
Cliviger with Worsthorne	170,196	170,538	166,088	158,431	171,155	170,185	169,016	193,662	180,885	181,747	185,492	196,830
Coal Clough with Deerplay	115,538	109,409	105,931	133,712	109,727	96,986	129,363	110,149	123,448	133,785	129,109	152,389
Daneshouse with Stoneyholme	64,487	55,572	54,748	50,405	39,051	41,858	44,969	47,775	61,485	64,201	64,004	70,236
Gannow	95,370	78,439	80,033	75,599	71,505	70,398	76,882	83,263	82,036	80,105	83,971	111,286
Gawthorpe	92,428	80,824	91,196	95,981	72,328	67,902	90,161	94,352	89,665	96,332	90,722	95,045
Hapton with Park	112,595	106,784	107,451	106,837	108,677	109,097	122,366	114,075	116,439	143,310	139,647	139,139
Lanehead	106,776	95,726	99,951	87,541	87,592	99,256	112,345	96,579	106,763	105,454	117,224	106,989
Queensgate	78,320	71,482	68,107	57,040	57,198	54,403	59,987	56,546	62,518	75,934	63,871	79,134
Rosegrove with Lowerhouse	95,346	96,238	87,183	93,902	88,599	92,065	97,362	107,640	92,934	132,546	126,277	120,330
Rosehill with Burnley Wood	81,324	85,675	84,189	81,162	102,310	76,301	95,664	89,109	93,927	94,295	95,536	108,334
Trinity	65,008	62,670	70,834	55,847	67,713	44,265	51,944	55,924	64,674	68,357	77,206	71,373
Whittlefield with Ightenhill	147,212	139,024	140,592	140,403	160,427	133,580	135,487	140,869	148,079	159,616	144,738	155,311
Burnley	92,008	92,672	87,772	90,891	90,370	91,676	96,473	96,406	99,305	104,648	106,274	114,189

Source: Office for National Statistics, 2021

5.5.2 Table 9 looks in more detail at house prices within the current and proposed designated area over the last four years. All of the current licensing areas recorded average house prices significantly below the borough average. In addition, the current and proposed designation area recorded house values lower than the wards in which it is located; in the case of Rosehill with Burnley Wood, the average house price in this ward in 2019/20 was more than twice that of the proposed designation area.

Table 9: Average house prices in current and proposed selective licensing designations and their wards.

Existing Selective Licensing Designation Areas	2017/18	2018/2019	2019/2020	2020/2021
Trinity 2019- 2024	£39,306	£40,240	£42,198	£42,356
Gannow 2019- 2024	£44,366	£47,327	£48,982	£53,897
Queensgate 2019-2024	£41,380	£40,146	£48,875	£47,782
Daneshouse and Stoneyholme 2019-2024	£43,440	£38,684	£41,663	£51,344
Burnley Wood with Healey Wood 2016 - 2021	£37,064	£45,008	£43,543	£47,446
Leyland Road Area 2016 - 2021	£34,899	£38,682	£43,531	£47,909
Ingham & Lawrence 2016 -2021	£29,000	£52,749	£51,187	£48,500
Proposed Selective Licensing Areas				
Burnley Wood with Healey Wood 2022 - 2027	£34,911	£40,929	£40,499	£43,703
Leyland Road 2022 - 2027	£36,789	£39,102	£46,737	£51,008
Wards				
Rosehill with Burnley Wood	94,295	95,536	108,334	Data not yet available
Trinity	68,357	77,206	71,373	Data not yet available
Borough				
Burnley	£104,648	£106,274	£114,189	Data not yet available

Source: Office for National Statistics; Land Registry 2021

5.5.3 Whilst house values are influenced by a number of factors, including regional and national economies, they are a clear indicator of low levels of housing market confidence. Whilst values have increased in recent years, and properties continue to change hands, the values in the proposed Burnley Wood with Healey Wood licensing area remain disproportionately low.

## 5.6 Empty Homes

5.6.1 Table 10 shows the number of empty properties in Burnley by ward. In 2021 the wards in which the current and proposed designation areas are located are ranked second and fifth highest for numbers of empty properties.

**Table 10 Number of empty properties by ward**

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	Rank2021
Bank Hall	298	298	408	326	255	253	272	328	252	215	280	1
Briercliffe	90	85	100	87	102	124	84	89	87	88	75	15
Brunshaw	90	121	83	84	112	110	124	113	123	104	108	9=
Cliviger with Worsthorne	74	73	94	84	85	89	93	80	90	63	79	12
Coal Clough Lane with Deerplay	73	77	135	117	103	88	88	78	73	63	77	14
Daneshouse with Stoneyholme	389	343	319	274	223	225	234	204	186	157	139	6
Gannow	171	156	165	150	165	166	171	153	163	134	125	7
Gawthorpe	197	180	217	211	189	223	182	198	198	206	162	4
Hapton with Park	122	130	190	170	143	138	129	113	102	112	108	9=
Lanehead	128	101	136	145	119	129	109	93	92	101	97	11
Queensgate	318	294	239	231	262	264	250	240	204	181	164	3
Rosegrove with Lower House	149	149	165	160	165	141	127	122	168	124	115	8
Rosehill with Burnley Wood	316	239	123	125	214	199	203	205	176	166	155	5
Trinity	409	373	320	288	345	350	307	302	265	255	233	2
Whittlefield with Ightenhill	79	72	93	82	85	94	93	88	79	77	78	13

Source: Burnley Borough Council Empty Homes Team

5.6.2 The table below shows the levels of vacant properties as a percentage of houses in the area over time. The current Burnley Wood with Healey Wood designation recorded 8% vacant properties in March 2021, almost twice the borough average of 4.6%. Whilst levels of vacant properties have reduced during the current designation, they are still disproportionately high compared to the borough. Historical data is not available for the proposed designated area, however in March 2021, it recorded vacants at 10%, higher than the current designation and more than twice the level for the borough as a whole.

**Table 11: Percentage of empty homes within the selective licensing areas**

Existing Selective Licensing Designation Areas	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	Mar-2021
Trinity 2019- 2024	18	16	20	20	20	16	16	14	15	14	12	10
Gannow 2019- 2024	12	12	13	14	14	12	14	13	12	11	10	9

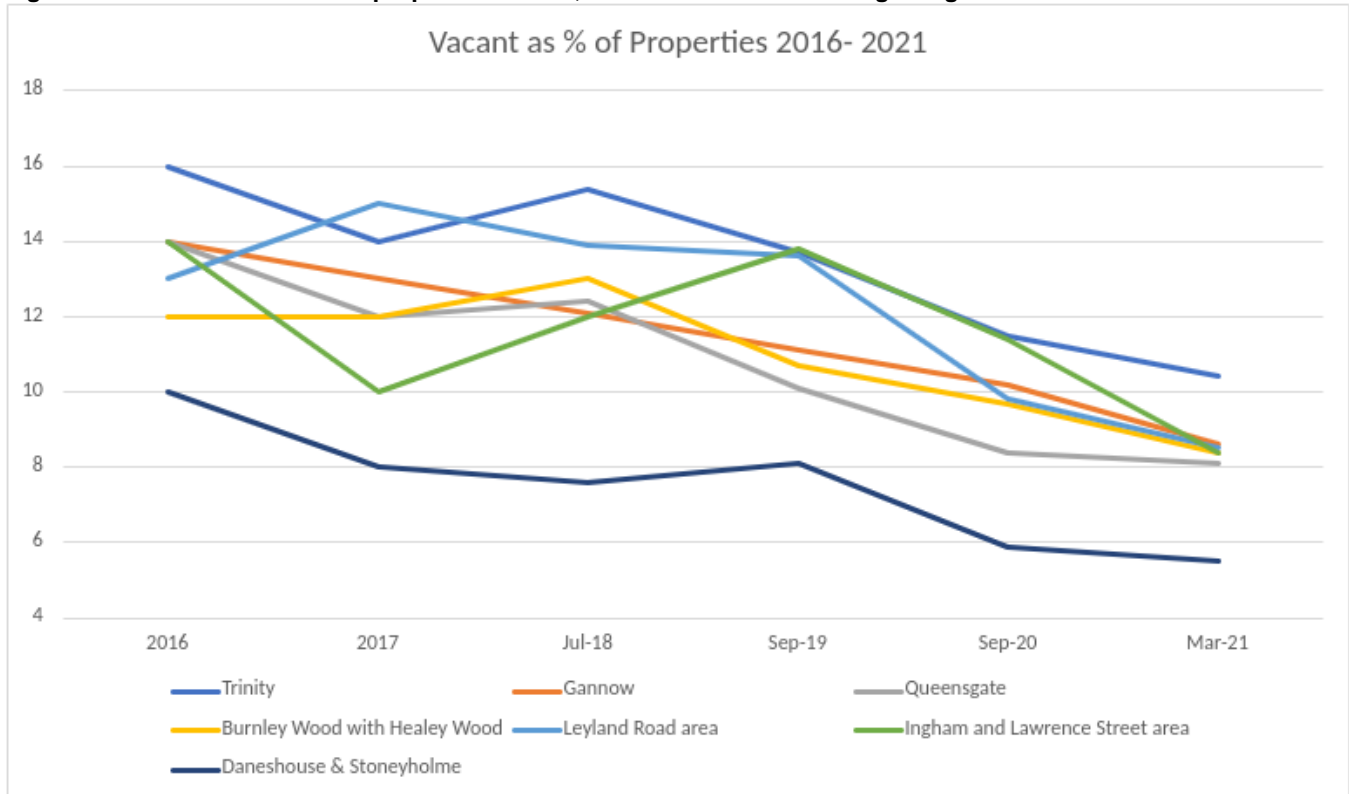


Queensgate 2019-2024	17	16	15	16	14	10	14	12	12	10	8	8
Daneshouse and Stoneyholme 2019-2024	15	14	12	12	10	10	10	9	8	8	6	6
Burnley Wood with Healey Wood 2016 - 2021	13	13	14	13	14	13	12	12	13	11	10	8
Leyland Road Area 2016 - 2021	16	18	16	15	15	13	13	15	14	13	10	9
Ingham & Lawrence 2016 -2021	11	13	10	11	10	12	14	10	12	14	11	8
<b>Proposed Selective Licensing Designation Areas</b>												
Burnley Wood with Healey Wood 2022 - 2027												10
Leyland Road Area 2022 - 2027												8

Source: Burnley Borough Council Empty Homes Team

5.6.3 The figure below shows the decline in vacant properties in the existing licensing areas from 2016-2021, demonstrating a clear downward trend. However, the current rates still remain above the borough average. The selective licensing team work closely with the Empty Homes team to encourage landlords to bring properties back into use. Designating the proposed area will allow the licensing team to continue this proactive work with the aim of reducing the rate of vacant properties further.

Figure 7: Vacant homes as % of properties in area, current selective licensing designations



Source: Burnley Borough Council Empty Homes Team

5.6.4 The Council accepts that there will always be a number of vacant properties in the borough and the licensing areas, as properties are bought and sold, and tenancies change. A useful additional indicator of low demand is to review the percentage of properties which have remained empty for two years or more. Page 109 shows this for the existing and proposed

licensing areas in March 2021. All of the areas listed recorded levels of long term empty properties above the borough average of 1.5%. Whilst Table 10 and Figure 7 show a clearly improving picture, there is still work to be done to bring these properties back into use; the proposed designation area records more than double the borough percentage of long term empty properties.

**Table 12: Long Term Empty Properties in Proposed and Existing Licensing Areas**

Existing Selective Licensing Designation Areas	Number of Properties	Number of Properties Empty 2 years +	% of Properties Empty 2 years +
Trinity 2019- 2024	1348	63	4.7%
Gannow 2019- 2024	958	25	2.6%
Queensgate 2019- 2024	1617	56	3.5%
Daneshouse and Stoneyholme 2019- 2024	1790	38	2.1%
Burnley Wood with Healey Wood 2016 - 2021	1268	36	2.8%
Leyland Road Area 2016 - 2021	675	23	3.4%
Ingham & Lawrence 2016 - 2021	167	4	2.4%
Proposed Selective Licensing Designation Areas			
Burnley Wood with Healey Wood 2022 - 2027	914	30	3.3%
Leyland Road Area 2022 - 2027	772	24	3.1%

Source: Burnley Borough Council Empty Homes Team

## 5.7 Crime and Anti – Social Behaviour

5.7.1 Significant levels of anti-social behaviour (ASB) and crime can be a contributing factor to low demand, as people do not want to remain in an area experiencing such problems. Data from Lancashire Insight shows a decline in recorded crime across all wards in 2019/20; in 2020/21, nine of the wards continued to see further decline, whilst six recorded increases and one remained consistent with the previous year. The proposed designation area lies in wards which ranked first and fifth highest in the borough for total crime, and both wards recorded significantly higher levels of crime than the borough average.

**Table 13: Lancashire Insight Total Recorded Crime by Ward and Financial Year, Including Burnley Borough**

	18/19	18/19	19/20	19/20	20/21	20/21	
Area	Per 1000 Popn	% Change Previous Year	Per 1000 Popn	% Change Previous Year	Per 1000 Popn	% Change Previous Year	Ward Rank March 2021
Burnley	150.5	+26%	122.7	-18%	112.6	-8%	
Bank Hall	220.6	+23%	173.6	-21%	146.5	-16%	4
Briercliffe	55.6	+28%	41.0	-26%	38.3	-7%	14
Brunshaw	93.3	+21%	84.6	-9%	72.6	-14%	12
Cliviger with Worsthorpe	30.0	-6%	27.3	-9%	22.9	-16%	15

Coal Clough with Deerplay	130.3	+32%	101.8	-22%	98.5	-3%	8
Daneshouse with Stoneyholme	338.1	+26%	286.7	-15%	191.5	-33%	2
Gannow	135.3	+52%	93.0	-31%	95.5	+3%	9
Gawthorpe	127.1	+25%	109.7	-14%	110.6	+1%	7
Hapton with Park	89.7	+29%	74.6	-17%	81.3	+9%	11
Lanehead	88.3	+10%	70.2	-21%	87.4	+25%	10
Queensgate	182.7	+12%	147.8	-19%	155.3	+5%	3
Rosegrove with Lowerhouse	146.9	+29%	105.2	-28%	123.3	+17%	6
Rosehill with Burnley Wood	165.4	+8%	142.7	-14%	142.7	0%	5
Trinity	267.7	+35%	232.4	-13%	197.0	-15%	1
Whittlefield with Ightenhill	68.4	+26%	48.3	-29%	46.6	-4%	13

Source: Lancashire Insight, 2021

5.7.2 Table 14 shows levels of ASB recorded across Burnley and split by ward from March 2018 March 2021. In 2018/19 there was a notable decrease in ASB across the borough; in 19/20 many of the wards started to see an increase in cases. Between April 2020 and March 2021, cases of ASB in Burnley increased by 80%, compared to 75% for Lancashire. From March 2020, breaches of coronavirus legislation were recorded as ASB, which the Council believes will account for a number of those cases, as well as increased “neighbour intolerance” due to lockdown restrictions. The wards in which the proposed designation area are located did not record higher than average increases, however due to their existing high levels of ASB they were still ranked first and fourth highest in March 2021.

Table 14: Lancashire Insight Total Recorded ASB by Ward and Financial Year, Including Burnley Borough

	18/19	18/19	19/20	19/20	20/21	20/21	
Area	Per 1000 Popn	% Change Previous Year	Per 1000 Popn	% Change Previous Year	Per 1000 Popn	% Change Previous Year	Ward Rank March 2021
Burnley	47.0	-26%	48.9	+4%	88.1	+80%	
Bank Hall	76.4	-26%	78.4	+3%	122.1	+56%	3
Briercliffe	21.6	-34%	25.2	+17%	58.6	+133%	13
Brunshaw	27.6	-30%	29.7	+8%	63.3	+113%	12
Cliviger with Worsthorpe	8.9	-44%	11.9	+33%	25.5	+115%	15
Coal Clough with Deerplay	34.0	-32%	33.8	-1%	82.3	+144%	8
Daneshouse with Stoneyholme	112.2	-19%	112.5	0%	133.2	+18%	2
Gannow	42.2	-21%	41.3	-2%	72.8	+76%	11
Gawthorpe	51.9	-22%	51.2	-1%	86.9	+70%	7

Hapton with Park	35.1	-16%	31.5	-10%	78.4	+148%	9
Lanehead	37.5	-21%	36.0	-4%	73.5	+104%	10
Queensgate	49.5	-32%	57.7	+17%	99.0	+72%	5
Rosegrove with Lowerhouse	44.1	-24%	35.9	-18%	93.3	+160%	6
Rosehill with Burnley Wood	56.4	-28%	67.1	+19%	120.9	+80%	4
Trinity	77.0	-34%	89.7	+16%	161.8	+80%	1
Whittlefield with Ightenhill	20.3	-23%	23.2	+15%	41.7	+80%	14

Source: Lancashire Insight, 2021

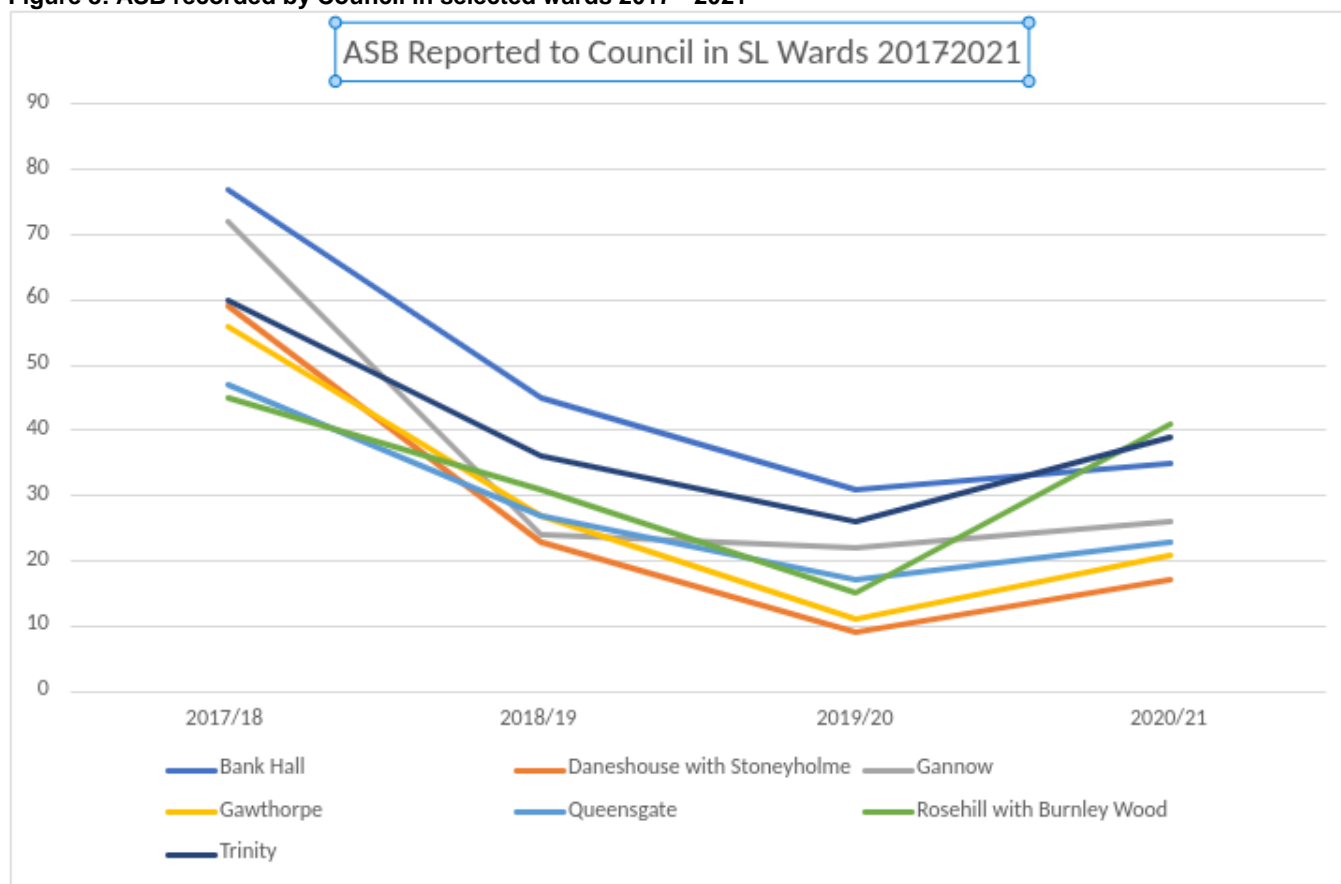
5.7.3 Table 15 shows the number of ASB incidents recorded by the Council, whilst Figure 8 shows the trends over time of levels of ASB in wards where the current and proposed selective licensing designations are situated. From the graph it is clear that all of these wards followed similar trends, similar to the rate of change for Burnley as a whole. The graph also shows the rate of increase in the last year was highest in Rosehill with Burnley Wood. The wards where the proposed Burnley Wood with Healey Wood area is situated are ranked first and second highest in terms of total cases reported by ward, and when combined account for 22% of the borough's cases in 2020/21.

**Table 15: Reported incidents of ASB to the Council by Ward**

Ward	2017/18	2018/19	2019/20	2020/21	Rank March 2021
Bank Hall	77	45	31	35	3
Briercliffe	14	9	3	21	9=
Brunshaw	41	17	15	29	5
Cliviger with Worsthorpe	6	6	1	5	15
Coalclough with Deerplay	28	21	6	21	9=
Daneshouse with Stoneyholme	59	23	9	17	13
Gannow	72	24	22	26	7
Gawthorpe	56	27	11	21	9=
Hapton with Park	25	14	9	21	9=
Lanehead	31	18	9	27	6
Queensgate	47	27	17	23	8
Rosegrove with Lowerhouse	38	14	17	32	4
Rosehill with Burnley Wood	45	31	15	41	1
Trinity	60	36	26	39	2
Whittlefield with Ightenhill	13	13	10	12	14
Total	612	325	201	370	

Source: Burnley Borough Council Community Safety Team

Figure 8: ASB recorded by Council in selected wards 2017 - 2021



Source: Burnley Borough Council Community Safety Team

5.7.4 Table 16 shows in more detail the levels of ASB reported to the Council in the current and proposed selective licensing designations. Most of the existing areas recorded an increase in cases on the previous year, in line with the figure for the borough, with the exception of Gannow which recorded a decrease. All of the current licensing areas recorded higher levels than the borough average of 0.9%, with the exception of Daneshouse & Stoneyholme. The proposed licensing area recorded more cases than any other in the table, more than three times that for the borough.

Table 16: Reported incidents of ASB to the Council by selective licensing area

Existing Selective Licensing Designation Areas	2017/18	2018/19	2019/20	2020/21	2020/21 fig as % of Houses in Area
Trinity 2019- 2024	34	25	22	22	1.6%
Gannow 2019- 2024	33	19	38	13	4%
Queensgate 2019- 2024	42	34	16	23	1%
Daneshouse and Stoneyholme 2019- 2024	21	11	9	15	0.5%
Burnley Wood with Healey Wood 2016 - 2021	34	25	17	25	1.97%
Leyland Road Area 2016 - 2021	16	11	21	10	1.48%
Ingham & Lawrence 2016 - 2021	8	3	2	4	2.4%
Proposed Selective Licensing Designation Areas					
Burnley Wood with Healey Wood 2022 - 2027				26	2.84%
Leyland Road Area 2022 - 2027				11	1.42%

## 5.8 Environmental Crime

5.8.1 Environmental crime includes flytipping of back streets and residents failing to keep their yards free of litter and dog fouling. Accumulations of rubbish have a detrimental effect on neighbourhoods, making an area look unattractive and run down, attracting vermin and posing a risk of deliberate fires. The table below shows the number of incidents of environmental crime reported to the Council by residents and community groups. The wards in which the proposed licensing designation is situated are ranked first and second highest in terms of number of cases reported, with the Trinity ward recording a significant increase in the last year. Cases in these two wards combined account for 36% of the borough total.

**Table 17: Dirty Back Yards Recorded by the Council by Ward 2018 - 2021**

Ward	2018/19	2019/20	2020/21	Rank March 2021
Bank Hall	134	130	101	3
Briercliffe	12	27	31	11
Brunshaw	22	28	56	6
Cliviger with Worsthorne	1	0	3	15
Coalclough with Deerplay	15	22	29	12
Daneshouse with Stoneyholme	59	51	40	10
Gannow	65	72	43	9
Gawthorpe	91	75	74	5
Hapton with Park	28	29	26	13
Lanehead	31	23	47	8
Queensgate	112	75	75	4
Rosegrove with Lowerhouse	69	68	50	7
Rosehill with Burnley Wood	140	88	118	2
Trinity	182	169	212	1
Whittlefield with Ightenhill	25	35	14	14
Total	986	892	919	

Source: Burnley Borough Council Streetscene

5.8.2 Table 18 shows the level of DBYs recorded by the Council as a percentage of the number of properties in the area. All of the below areas record higher levels than the borough rate of 2.2%, with the exception of Daneshouse & Stoneyholme. The current Burnley Wood with Healey Wood designation recorded significantly more cases in 2020/21, and the proposed designation area is higher still, recording several times as many cases as the percentage for the borough. This indicates a clear concentration of environmental crime within the proposed designation area.

**Table 18: Environmental Crime Recorded by the Council in current and proposed selective licensing areas 2017-2021**

Existing Selective Licensing Designation Areas	2017/18	2018/19	2019/20	2020/21	2020/21 fig as % of Houses in Area
Trinity 2019- 2024	273	110	145	187	13.9%
Gannow 2019- 2024	146	67	69	25	2.6%
Queensgate 2019- 2024	159	131	90	67	4.1%
Daneshouse and Stoneyholme 2019- 2024	84	35	31	29	1.6%
Burnley Wood with Healey Wood 2016 - 2021	205	148	78	107	8.4%
Leyland Road Area 2016 - 2021	165	41	56	46	6.8%

Ingham & Lawrence 2016 - 2021	25	24	10	11	6.5%
<b>Proposed Selective Licensing Designation Areas</b>					
Burnley Wood with Healey Wood 2022 - 2027				95	10.4%
Leyland Road Area 2022 - 2027				49	6.3%

Source: Burnley Borough Council Streetscene

## 5.9 Why Propose a Further Selective Licensing Designation?

- 5.9.1 There is certainly an improving picture in the current Burnley Wood with Healey Wood designation area leading to the removal of 464 properties from the further proposed area. In summary the number of housing disrepair complaints received by the Council have reduced, property and area security measures have improved, and the percentage of empty properties has decreased as well as the average house prices increasing. Until the Covid-19 Pandemic ASB and environmental crime were showing a downward trend at the ward and selective licensing area.
- 5.9.2 Despite these improvements the Council are proposing to consult on a further designation in Burnley Wood with Healey Wood with a different boundary excluding zone 2 as detailed in table 2 and adding further properties concentrated around Pine, Ash and Cedar Street.
- 5.9.3 Although demand for housing has improved within the designation area there are still key low demand statistics that raise concerns when compared to the ward and Borough. Not continuing with selective licensing at this stage would present a risk that notable improvements will not be sustained or built upon without a new designation. This is supported by Government guidance released in 2015 which acknowledged the need for licensing to extend beyond a five-year designation: 'The Government recognises that licensing may have to be a long-term strategy and that it will not provide instant solutions.'
- 5.9.4 The private rented sector is significantly higher in the proposed designation area (54%) when compared to the Borough and the wards in which the properties are mainly located. Within the designation area there are new, professional landlords investing, providing higher quality, well managed accommodation. Through the ongoing accreditation scheme and landlords' forums, we will support these new and existing responsible landlords, while licensing will continue to tackle those landlords that choose to ignore their legal responsibilities, undermining the private rented sector as a positive form of housing.
- 5.9.5 While the percentage of properties within the proposed designation area with an EPC rating of a F or G is now less than the Borough average there is further work to be undertaken to ensure the remaining properties meet at least an E and aspire to the Governments longer term commitment of as many private rented properties upgrading to an EPC Band C by 2030, where practical, cost-effective and affordable. Selective licensing will support landlords to achieve this and where necessary work with enforcement to further improve the EPC ratings of the properties within the designation area.
- 5.9.6 Significant progress has been made to reduce the number of empty properties in the current designation area, 77 of which were acquired by Calico Homes Ltd (the largest Registered Provider in Burnley). The 20/21 vacancy figures are still however higher than the Borough and the wards in which they are situated. A further designation area would enable selective licensing to continue to work in partnership with the Council's empty homes team and Calico

to bring further empty homes back into use, ensuring satisfactory management of the properties when they are returned to use by the private rented sector.

5.9.7 Since the start of the designation area the number of reports of anti-social behaviour to the Council have reduced. They are still however higher than the Borough. A further designation enables the selective licensing team to work in partnership with the required agencies to reduce the anti-social behaviour, using the conditions of the licence where necessary.

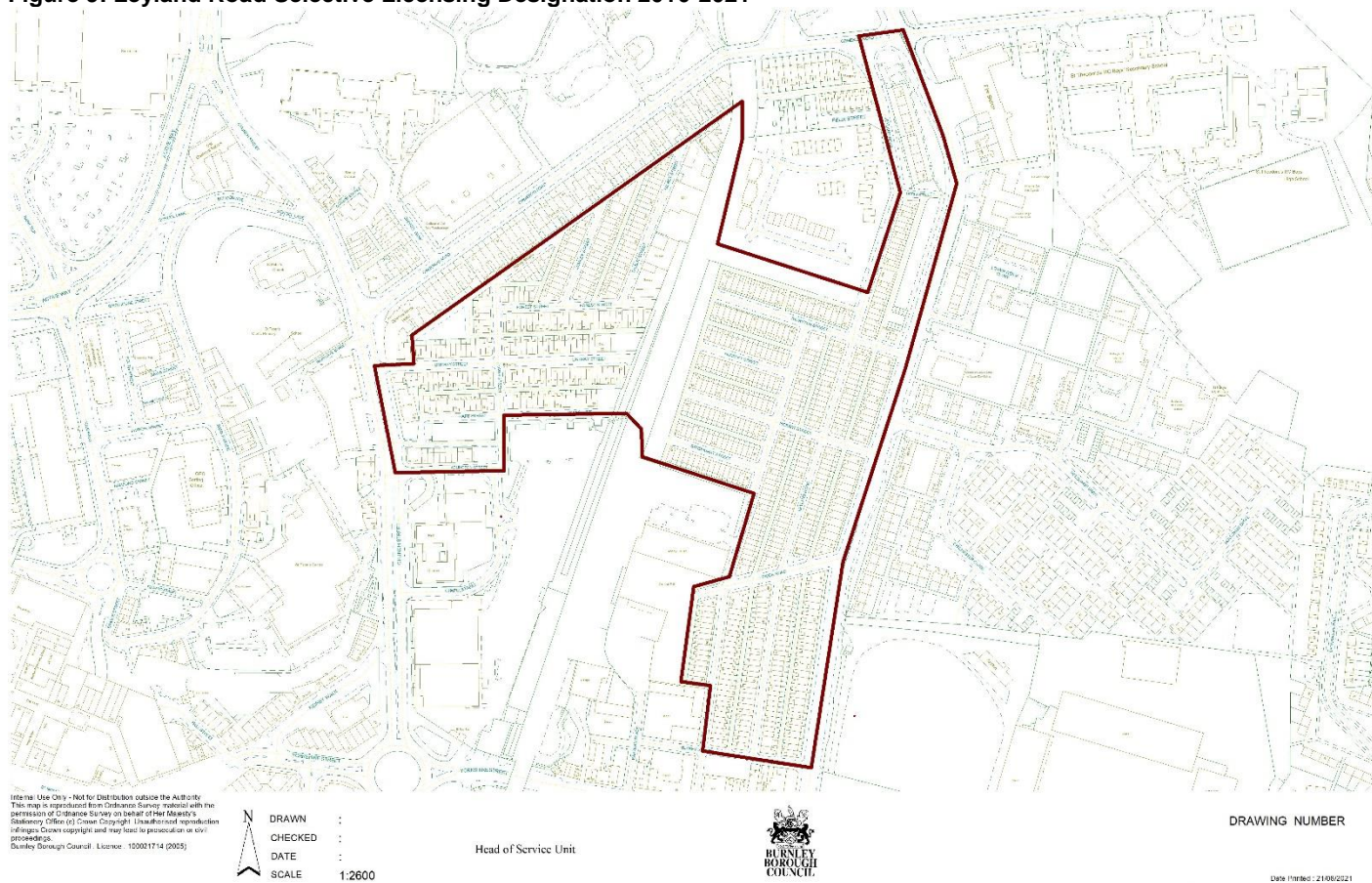


# 6. The Leyland Road Area Proposed Designation

## 6.1 Background

6.1.1 The Leyland Road area was designated as an area subject to selective licensing by the Council's Executive on 15<sup>th</sup> February 2016, which was confirmed by the Secretary of State on 15<sup>th</sup> July 2016. It came into force on 15<sup>th</sup> November 2016, and will end on 15<sup>th</sup> November 2021. Figure 9 shows the boundary of this designation.

Figure 9: Leyland Road Selective Licensing Designation 2016-2021



6.1.2 The designation covers a residential area of over 675 properties, of which 62% are privately rented.

6.1.3 Throughout the designation, the Council has monitored a number of key indicators of low housing demand. As the scheme draws to a close, the Council has assessed these indicators in order to determine the effectiveness of the scheme, and whether or not this area, or other similar areas, would benefit from a further selective licensing designation.

6.1.4 The area shown in Figure 9 can be split into two distinct zones:

- Zone 1: East
- Zone 2: West

6.1.5 By assessing key indicators, the Council is satisfied that whilst there have been improvements throughout the designation, there is not a significant difference between the two zones.

	Leyland Road 2016 - 2021 Designation	Zone 1: East	Zone 2: West	Burnley Borough
Private Rented	62%	64%	58%	23% <sup>7</sup>
Owner Occupied	24%	23%	26%	63% <sup>8</sup>
House Values (20/21)	£47,909	£49,977	£25,833	£114,189 (2020 figure)
Antisocial behaviour cases (20/21 resident complaints as % of homes)	1.48%	1.74%	0.93%	0.9%
Dirty back yards cases recorded by the Council (20/21 as % of homes)	6.8%	7.6%	5.1%	2.2%
Vacant Homes 2 years + (March 21 as % of properties)	3.4%	3.7%	2.8%	1.5%
Disrepair Complaints (20/21 as % of private rented homes)	4.3%	4.1%	4.8%	Data not available
EPC – F&G Rating (June 2020 as % of homes)	4.9 %	4.8 %	5.1 %	3.3%

Sources: Tenure - Selective Licensing Database, March 2021; House Values – Land Registry, March 2021; Antisocial behaviour and dirty back yards – Council Records March 2021; Disrepair Complaints – Housing Enforcement Database, March 2021; EPC Ratings – EPC register, June 2020.

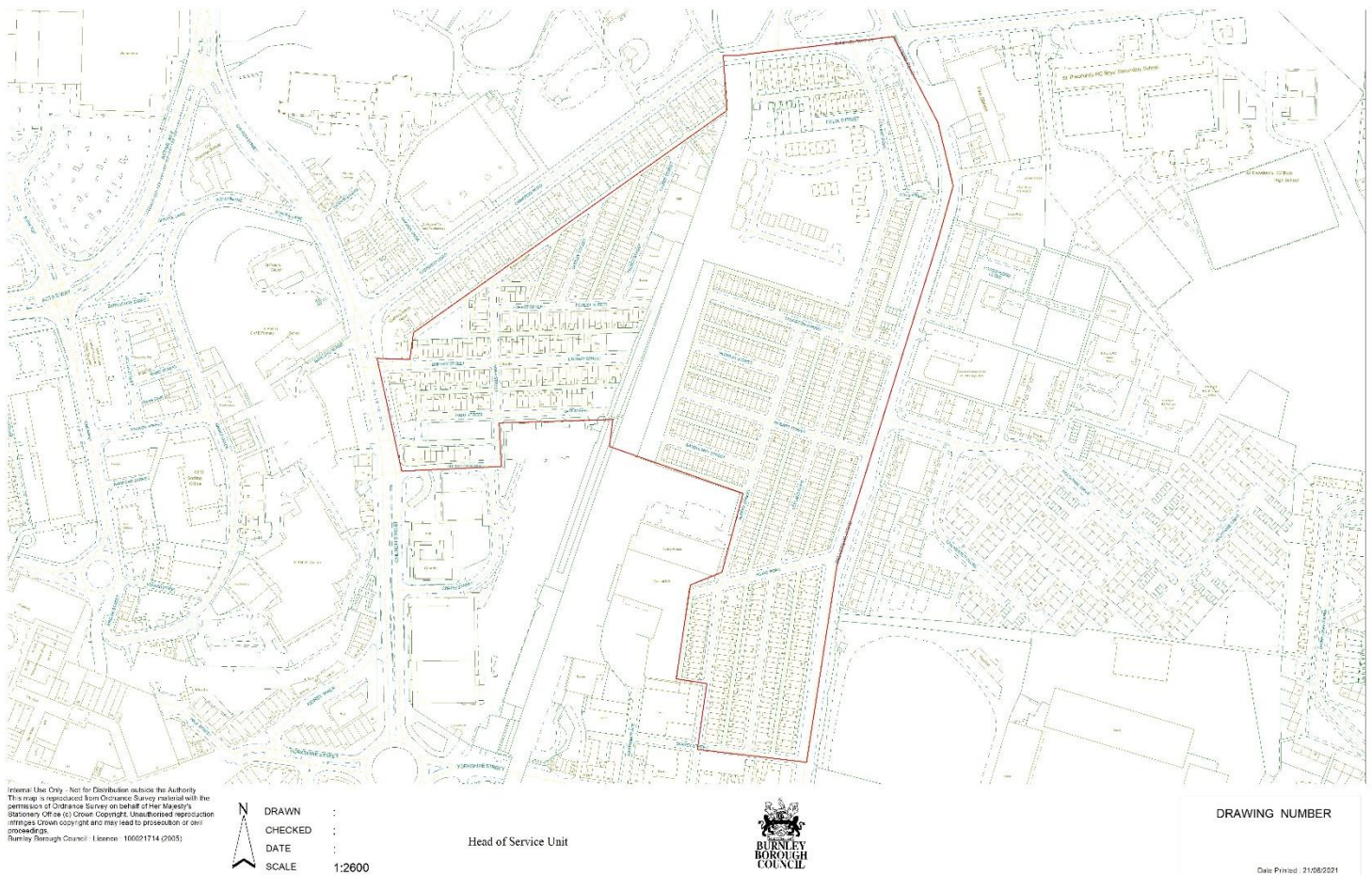
6.1.6 The Council is proposing to consult on designating a selective licensing area which would include all of the existing Leyland Road selective licensing area, along with a small number of streets to the north of the current boundary where we believe there is sufficient evidence of low demand for housing. Figure 10 shows the new proposed boundary for the Leyland Road designation.

**Figure 10: Proposed Leyland Road Designation Boundary 2022 - 2027**

<sup>7</sup> See Footnote 2

<sup>8</sup> See footnote 2





6.1.7 The proposed designation area lies within the Bank Hall ward.

## 6.2 Housing Tenure

6.2.1 The following table shows a comparison of the private rented sector in Burnley's wards using Census data from 2011. This shows that the Bank Hall ward, where the proposed designation is situated, has the second highest percentage of private rented properties in the borough. The percentage of private rented properties in this ward is significantly higher than the borough average.

Table 20 Tenure of households – ward level

Tenure (%)	Owner Occupied (%)	Social Rented (%)	Private Rented (%)	Living Rent Free (%)	Rank
Burnley Average	65.2	14.1	19.4	1.4	
Lancashire (12 districts)	71.5	12.1	15.1	1.3	
England	64.1	17.7	16.8	1.3	
<b>Burnley Wards</b>					
<b>Bank Hall</b>	<b>45.4</b>	<b>21.3</b>	<b>29.6</b>	<b>1.8</b>	<b>2</b>
Briercliffe	83.4	3.5	10.6	1	10
Brunshaw	58.2	28.6	10.3	1.4	11
Cliviger with Worsthorne	88.5	2	7.5	1.2	13
Coal Clough with Deerplay	69.4	19.7	8.3	1.3	12

Daneshouse/Stoneyholme	54	13.2	26	3.6	3
Gannow	65.1	12.8	19.1	1.3	7
Gawthorpe	57	15.6	24.1	1.3	4
Hapton with Park	67.9	14.4	15.5	1	8
Lanehead	67.7	14.2	15.3	0.9	9
Queensgate	65.7	5.3	25	1.2	5
Rosegrove with Lowerhouse	60.9	20.4	15.3	1.7	9
Rosehill with Burnley Wood	64	14.7	19.4	1.2	6
Trinity	51.9	12.3	32.8	1.1	1
Whittlefield with Ightenhill	83.2	7.1	8	1	14

Census 2011

6.2.2 Table 21 shows a more detailed analysis of tenure within the current and proposed licensing areas. The data shows that the proposed designation area is made up of 61% private rented properties. This figure is almost on a par with the current Leyland Road area designation, which has the highest level of private renting of all the current licensing areas.

**Table 21: The number and percentage of private rented properties in the selective licensing areas**

Existing Selective Licensing Designation Areas	Number of Properties	No PRS	% PRS
Trinity 2019- 2024	1348	653	48
Gannow 2019- 2024	958	481	50
Queensgate 2019- 2024	1617	741	46
Daneshouse and Stoneyholme 2019- 2024	1790	621	35
Burnley Wood with Healey Wood 2016 - 2021	1268	619	49
Leyland Road Area 2016 - 2021	675	418	62
Ingham & Lawrence 2016 -2021	169	90	53
Proposed Selective Licensing Areas	Number of Properties	No PRS	% PRS
Burnley Wood with Healey Wood 2022 -2027	914	498	54
<b>Leyland Road 2022 - 2027</b>	<b>772</b>	<b>469</b>	<b>61</b>

Source- Current selective licensing area data

## 6.3 Fuel Poverty

6.3.1 Since April 2020 landlords may not let a property to a new tenant if the rating on the Energy Performance Certificate (EPC) is below “E”. The purpose of the EPC is to show prospective tenants the energy performance of the dwelling they are considering renting, and gives a good indication of property condition. Table 22 shows the numbers of properties within the current and proposed designation areas that currently have an EPC below an “E”. The figures include owner occupied properties, as well as privately rented.

**Table 22: Properties rated below “E” by current and proposed selective licensing designation**

Existing Selective Licensing Designation Areas	Number of Properties	Number of properties rated below “E”	% of properties rated below “E”
Trinity 2019- 2024	1348	105	7.8%
Gannow 2019- 2024	958	33	3.4%
Queensgate 2019- 2024	1617	99	6.1%
Daneshouse and Stoneyholme 2019- 2024	1790	38	2.1%
Burnley Wood with Healey Wood 2016 - 2021	1268	43	3.4%
Leyland Road Area 2016 - 2021	675	33	4.9%
Ingham & Lawrence 2016 -2021	169	5	3%
Proposed Selective Licensing Areas	Number of Properties	Number of properties rated below “E”	% of properties rated below “E”
Burnley Wood with Healey Wood 2022 - 2027	914	27	3%
Leyland Road 2022 - 2027	772	33	4.3%

Source: Energy Performance of Buildings Data England and Wales, MHCLG, 2020

6.3.2 During the current Leyland Road designation, officers have been working with landlords to ensure that they have brought their homes up to the required minimum standard, and can evidence this with a valid EPC of minimum rating “E”. The licensing team continue to work with landlords to bring their properties up to standard and, are liaising with Trading Standards to ensure action is being taken against the landlords of the properties which are being let below the minimum standard.

6.3.3 A number of the properties rated below “E” are owner occupied. The Council will work to tackle these with an alternative approach through the Green Homes Grant. Burnley are part of a consortium of Lancashire authorities known as CHiL who have successfully secured funding from Round 1b and 2 of the Green Homes Local Authority Delivery Scheme. The selective licensing team will be working with CHiL to ensure the EPC ratings of the owner-occupied properties are also improved.

6.3.4 Licences are not granted at properties where the EPC is below standard, which has resulted in all of the licensing areas with the exception of Trinity recording lower than borough averages of F/G rated properties. Work will continue to replicate this trend in Trinity. This demonstrates that the licensing schemes are effective at improving energy efficiency and associated property condition. Without the application process of the licensing scheme, many of these properties would not have improved their rating.

6.3.5 The proposed designation currently has 4.3% (33 properties) rated below “E”. This is above the Burnley average of 3.3%. A further designation would ensure that the Council is able to undertake proactive inspections at privately let properties with a poor rating, in order to identify likely poor property condition.

## 6.4 Condition

6.4.1 Housing condition and property maintenance and repair is fundamental to the management practices within the private rented sector. Evidence of property condition impacting on residents comes from the number of housing disrepair complaints received from tenants. In 2020/21, the ward in which the proposed designation area is situated recorded more disrepair complaints than any other ward.

Table 23: Number of disrepair complaints received by ward

Ward	2011/ 12	2012/ 13	2013/ 14	2014/ 15	2015/ 16	2016/ 17	2017/ 18	2018/ 19	2019/ 20	2020/ 21	Ran k 20/2 1
Bank Hall	25	30	54	54	41	36	37	32	49	64	1
Briercliffe	2	4	8	5	4	3	5	0	5	3	14=
Brunshaw	8	15	10	6	10	6	7	7	7	14	8=
Cliviger with Worsthorn e	1	1	0	1	1	1	2	0	1	3	14=
Coal Clough with Deerplay	4	5	8	2	7	4	4	1	7	10	11
Daneshou se with Stoneyhol me	18	22	26	24	43	38	20	17	23	54	3
Gannow	21	20	24	18	27	11	13	10	6	7	12=
Gawthorp e	20	21	20	24	24	27	27	16	17	27	6=
Hapton with Park	5	12	12	12	7	11	7	5	14	14	8=
Lanehead	6	15	16	11	14	17	13	4	9	11	10
Queensga te	27	32	49	47	85	37	35	23	31	43	5
Rosegrov e with Lowerhou se	12	26	30	10	22	12	12	15	26	46	4
Rosehill with Burnley Wood	14	20	33	27	32	29	18	22	39	27	6=
Trinity	45	42	59	43	46	42	44	49	65	63	2
Whittlefiel d with Ightenhill	8	1	5	5	9	5	3	3	7	7	12=

Burnley Total	216	266	354	289	372	279	247	204	306	393	
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Source: Housing Enforcement Team

6.4.2 Table 24 compares the numbers of disrepair complaints for the last two financial years in the current and proposed selective licensing designations.

**Table 24: Disrepair complaints received by current and proposed licensing areas, and as % of properties**

Existing Selective Licensing Designation Areas	Number of PRS Properties	Number of Disrepair Complaints 19/20	of Disrepair Complaints as % of PRS 19/20	Number of Disrepair Complaints 20/21	of Disrepair Complaints as % of PRS 20/21
Trinity 2019- 2024	653	34	5.2%	57	8.7%
Gannow 2019- 2024	481	13	2.7%	24	5%
Queensgate 2019- 2024	741	24	3.2%	51	6.9%
Daneshouse and Stoneyholme 2019- 2024	621	17	2.7%	50	8.1%
Burnley Wood with Healey Wood 2016 - 2021	619	29	7.8%	24	3.9%
Leyland Road Area 2016 - 2021	418	20	6.7%	18	4.4%
Ingham & Lawrence 2016 -2021	90	3	3.3%	4	4.4%
Proposed Selective Licensing Areas	Number of PRS Properties	Number of Disrepair Complaints 19/20	of Disrepair Complaints as % of PRS 19/20	Number of Disrepair Complaints 20/21	of Disrepair Complaints as % of PRS 20/21
Burnley Wood with Healey Wood 2022 - 2027	498	38	7.6%	18	3.6%
Leyland Road 2022 - 2027	469	29	6.2%	18	3.8%

Source: Housing Enforcement Team

6.4.3 During the coronavirus pandemic, the Enforcement team have reduced the number of inspections undertaken, in order to protect the health and safety of residents and staff. Inspections were completed in urgent/emergency cases. The number of disrepair complaints for the existing designated area has reduced in the last year. The proposed designation area currently records levels below that of the borough average.

6.4.4 In the past year, the licensing team have been unable to undertake proactive internal property checks due to national and regional coronavirus restrictions. In the Leyland Road area, the licensing team continued to undertake external audits, checking the outside of properties for signs of disrepair, as well as back yards and external structures such as back walls and gates. Where a property appears to have concerning external disrepair, an internal inspection is undertaken.

6.4.5 As restrictions lift, the licensing team aim to complete a number of proactive internal inspections at the properties we are most concerned about. Designating the proposed licensing area in 2022 will allow the licensing team to undertake further proactive inspections to target disrepair before it becomes severe enough to warrant an inspection by the Enforcement team. This will also allow us to ensure that all landlords operating in the area are doing so to the same required standard.



## 6.5 Housing Market

6.5.1 The following table shows the house price variation within the borough's wards up to March 2020. It is well documented how house prices in Burnley, particularly inner Burnley, have been consistently some of the lowest in the country. The lowest ranked ward in the year to March 2020 was Bank Hall, where the proposed designated area is located. Values in this ward are just 60% of the borough average.

**Table 25: Mean House Values by Ward.**

	Mar-09	Mar-10	Mar-11	Mar-12	Mar-13	Mar-14	Mar-15	Mar-16	Mar-17	Mar-18	Mar-19	Mar-20
Bank Hall	77,600	61,949	52,344	52,970	43,227	52,370	51,612	57,890	54,855	50,062	58,131	68,737
Briercliffe	137,948	126,138	126,545	128,111	131,111	117,345	129,766	128,251	128,051	129,866	134,361	134,703
Brunshaw	88,596	85,133	88,921	74,303	74,421	88,105	96,776	89,177	95,903	98,865	101,651	96,065
Cliviger with Worsthorne	170,196	170,538	166,088	158,431	171,155	170,185	169,016	193,662	180,885	181,747	185,492	196,830
Coal Clough with Deerplay	115,538	109,409	105,931	133,712	109,727	96,986	129,363	110,149	123,448	133,785	129,109	152,389
Daneshouse with Stoneyholme	64,487	55,572	54,748	50,405	39,051	41,858	44,969	47,775	61,485	64,201	64,004	70,236
Gannow	95,370	78,439	80,033	75,599	71,505	70,398	76,882	83,263	82,036	80,105	83,971	111,286
Gawthorpe	92,428	80,824	91,196	95,981	72,328	67,902	90,161	94,352	89,665	96,332	90,722	95,045
Hapton with Park	112,595	106,784	107,451	106,837	108,677	109,097	122,366	114,075	116,439	143,310	139,647	139,139
Lanehead	106,776	95,726	99,951	87,541	87,592	99,256	112,345	96,579	106,763	105,454	117,224	106,989
Queensgate	78,320	71,482	68,107	57,040	57,198	54,403	59,987	56,546	62,518	75,934	63,871	79,134
Rosegrove with Lowerhouse	95,346	96,238	87,183	93,902	88,599	92,065	97,362	107,640	92,934	132,546	126,277	120,330
Rosehill with Burnley Wood	81,324	85,675	84,189	81,162	102,310	76,301	95,664	89,109	93,927	94,295	95,536	108,334
Trinity	65,008	62,670	70,834	55,847	67,713	44,265	51,944	55,924	64,674	68,357	77,206	71,373
Whittlefield with Ightenhill	147,212	139,024	140,592	140,403	160,427	133,580	135,487	140,869	148,079	159,616	144,738	155,311
Burnley	92,008	92,672	87,772	90,891	90,370	91,676	96,473	96,406	99,305	104,648	106,274	114,189

**Source: Office for National Statistics, 2021**

6.5.2 Table 26 looks in more detail at house prices within the current and proposed designated area over the last four years. All of the current licensing areas have average house prices significantly below the borough average. In addition, the proposed designation area shows house values significantly lower than the Borough average and are also lower than the ward (Bank Hall) average which in turn is the lowest ranking ward across the Borough for average house prices.

**Table 26: Average house prices by current and proposed selective licensing area and their wards**

Existing Selective Licensing Designation Areas	2017/18	2018/2019	2019/2020	2020/2021
Trinity 2019- 2024	£39,306	£40,240	£42,198	£42,356
Gannow 2019- 2024	£44,366	£47,327	£48,982	£53,897
Queensgate 2019- 2024	£41,380	£40,146	£48,875	£47,782
Daneshouse and Stoneyholme 2019- 2024	£43,440	£38,684	£41,663	£51,344
Burnley Wood with Healey Wood 2016 - 2021	£37,064	£45,008	£43,543	£47,446
Leyland Road Area 2016 - 2021	£34,899	£38,682	£43,531	£47,909
Ingham & Lawrence 2016 -2021	£29,000	£52,749	£51,187	£48,500
Proposed Selective Licensing Areas				
Burnley Wood with Healey Wood 2022 - 2027	£34,911	£40,929	£40,499	£43,703
Leyland Road 2022 - 2027	£36,789	£39,102	£46,737	£51,008

Ward				
Bank Hall	£50,062	£58,131	£68,737	Data not yet available
Borough				
Burnley	£104,648	£106,274	£114,189	Data not yet available

Source: Office for National Statistics; Land Registry

6.5.3 Whilst house values are influenced by a number of factors, including regional and national economies, they are a clear indicator of low levels of housing market confidence. Whilst values have increased in recent years, and properties continue to change hands, the values remain disproportionately low, particularly in the proposed designation area.

## 6.6 Empty Homes

6.6.1 Table 27 below shows the number of empty properties in Burnley by ward. In 2021, Bank Hall, where the proposed designated area is situated recorded the highest number of empty properties in the borough.

Table 27: Number of empty properties by Ward

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	Rank2021
Bank Hall	298	298	408	326	255	253	272	328	252	215	280	1
Briercliffe	90	85	100	87	102	124	84	89	87	88	75	15
Brunshaw	90	121	83	84	112	110	124	113	123	104	108	9=
Cliviger with Worsthorpe	74	73	94	84	85	89	93	80	90	63	79	12
Coal Clough Lane with Deerplay	73	77	135	117	103	88	88	78	73	63	77	14
Daneshouse with Stoneyholme	389	343	319	274	223	225	234	204	186	157	139	6
Gannow	171	156	165	150	165	166	171	153	163	134	125	7
Gawthorpe	197	180	217	211	189	223	182	198	198	206	162	4
Hapton with Park	122	130	190	170	143	138	129	113	102	112	108	9=
Lanehead	128	101	136	145	119	129	109	93	92	101	97	11
Queensgate	318	294	239	231	262	264	250	240	204	181	164	3
Rosegrove with Lower House	149	149	165	160	165	141	127	122	168	124	115	8
Rosehill with Burnley Wood	316	239	123	125	214	199	203	205	176	166	155	5
Trinity	409	373	320	288	345	350	307	302	265	255	233	2
Whittlefield with Ightenhill	79	72	93	82	85	94	93	88	79	77	78	13

Source: Burnley Borough Council Empty Homes Team

6.6.2 The table below shows the levels of vacant properties as a percentage of houses in the area over time. The current Leyland Road designation recorded 9% vacant properties in March 2021, around twice the borough average of 4.6%. Whilst levels of vacant properties have reduced during the current designation, they are still disproportionately high compared to the borough. Historical data is not available for the proposed designated area, however in March

2021, it recorded vacants at 8%, comparable with the current designation and just under twice the level for the borough as a whole.

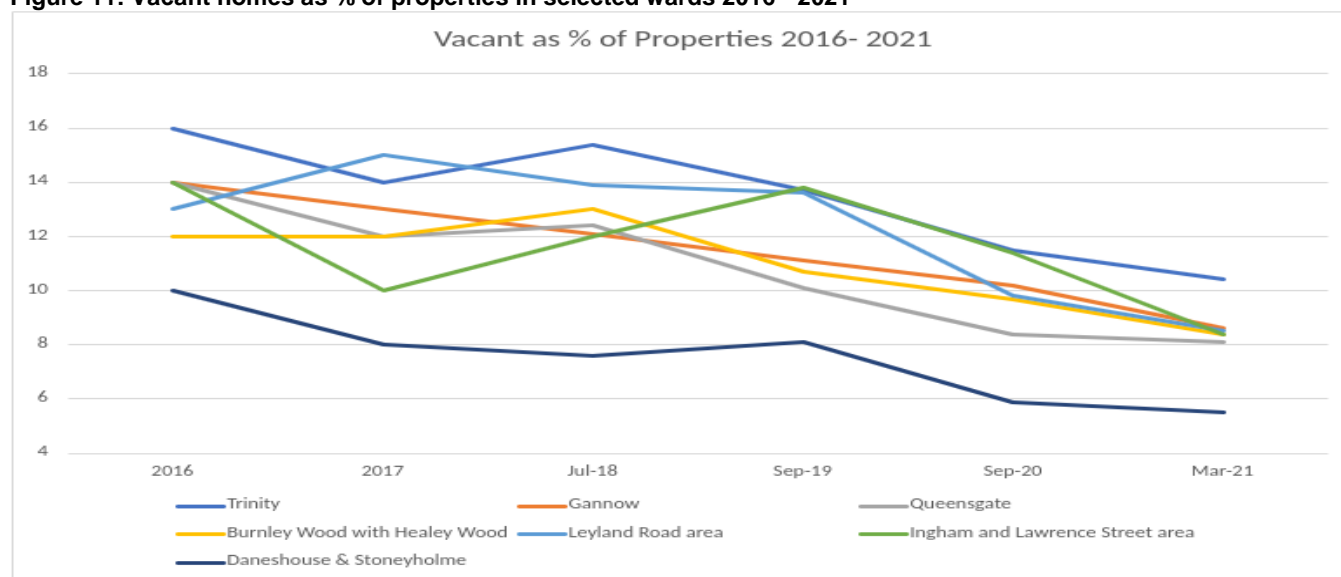
**Table 28: Percentage of empty homes within the selective licensing areas**

Existing Selective Licensing Designation Areas	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	Mar-2021
Trinity 2019- 2024	18	16	20	20	20	16	16	14	15	14	12	10
Gannow 2019- 2024	12	12	13	14	14	12	14	13	12	11	10	9
Queensgate 2019- 2024	17	16	15	16	14	10	14	12	12	10	8	8
Daneshouse and Stoneyholme 2019- 2024	15	14	12	12	10	10	10	9	8	8	6	6
Burnley Wood with Healey Wood 2016 - 2021	13	13	14	13	14	13	12	12	13	11	10	8
Leyland Road Area 2016 - 2021	16	18	16	15	15	13	13	15	14	13	10	9
Ingham & Lawrence 2016 -2021	11	13	10	11	10	12	14	10	12	14	11	8
Proposed Selective Licensing Designation Areas												
Burnley Wood with Healey Wood 2022 - 2027												10
Leyland Road Area 2022 - 2027												8

Source: Burnley Borough Council Empty Homes Team

6.6.3 The graph below shows the decline in vacant properties in the existing licensing areas from 2016-2021, demonstrating a clear downward trend. However, the current rates still remain above the borough average. The selective licensing team work closely with the Empty Homes team to encourage landlords to bring properties back into use. Designating the proposed area will allow the licensing team to continue this proactive work with the aim of reducing the number of vacant properties further.

**Figure 11: Vacant homes as % of properties in selected wards 2016 -2021**



6.6.4 The Council accepts that there will always be a number of vacant properties in the borough and the licensing areas, as properties are bought and sold, and tenancies change. A useful additional indicator of low demand is to track the percentage of properties which have

remained empty for two years or more. Table 29 shows this for the existing and proposed licensing areas in March 2021. All of the areas listed recorded levels of long term empty properties above the borough average of 1.5%. Whilst Table 28 and Graph 11 show a clearly improving picture, there is still work to be done to bring these properties back into use; the proposed designation area records more than double the borough percentage of long term empty properties.

**Table 29: Long Term Empty Properties in Proposed and Existing Licensing Areas**

Existing Selective Licensing Designation Areas	Number of Properties	Number of Properties Empty 2 years +	% of Properties Empty 2 years +
Trinity 2019- 2024	1348	63	4.7%
Gannow 2019- 2024	958	25	2.6%
Queensgate 2019- 2024	1617	56	3.5%
Daneshouse and Stoneyholme 2019- 2024	1790	38	2.1%
Burnley Wood with Healey Wood 2016 - 2021	1268	36	2.8%
Leyland Road Area 2016 - 2021	675	23	3.4%
Ingham & Lawrence 2016 - 2021	167	4	2.4%
Proposed Selective Licensing Designation Areas			
Burnley Wood with Healey Wood 2022 - 2027	914	30	3.3%
Leyland Road Area 2022 - 2027	772	24	3.1%

Source: Burnley Borough Council Empty Homes Team

## 6.7 Crime and Anti – Social Behaviour

6.7.1 Significant levels of anti-social behaviour (ASB) and crime can be a contributing factor to low demand, as people do not want to remain in an area experiencing such problems. Data from Lancashire Insight shows a decline in recorded crime across all wards in 2019/20; in 2020/21, nine of the wards continued to see further decline, whilst six recorded increases and one remained consistent with the previous year. The proposed designation area lies in the ward ranked fourth highest in the borough for total crime, and despite a decrease on the previous year, recorded significantly higher levels of crime than the borough average.

**Table 30: Lancashire Insight Total Recorded Crime by Ward and Financial Year, Including Burnley Borough**

	18/19	18/19	19/20	19/20	20/21	20/21	
Area	Per 1000 Popn	% Change Previous Year	Per 1000 Popn	% Change Previous Year	Per 1000 Popn	% Change Previous Year	Ward Rank March 2021
Burnley	150.5	+26%	122.7	-18%	112.6	-8%	
Bank Hall	220.6	+23%	173.6	-21%	146.5	-16%	4
Briercliffe	55.6	+28%	41.0	-26%	38.3	-7%	14
Brunshaw	93.3	+21%	84.6	-9%	72.6	-14%	12
Cliviger with Worsthorpe	30.0	-6%	27.3	-9%	22.9	-16%	15

Coal Clough with Deerplay	130.3	+32%	101.8	-22%	98.5	-3%	8
Daneshouse with Stoneyholme	338.1	+26%	286.7	-15%	191.5	-33%	2
Gannow	135.3	+52%	93.0	-31%	95.5	+3%	9
Gawthorpe	127.1	+25%	109.7	-14%	110.6	+1%	7
Hapton with Park	89.7	+29%	74.6	-17%	81.3	+9%	11
Lanehead	88.3	+10%	70.2	-21%	87.4	+25%	10
Queensgate	182.7	+12%	147.8	-19%	155.3	+5%	3
Rosegrove with Lowerhouse	146.9	+29%	105.2	-28%	123.3	+17%	6
Rosehill with Burnley Wood	165.4	+8%	142.7	-14%	142.7	0%	5
Trinity	267.7	+35%	232.4	-13%	197.0	-15%	1
Whittlefield with Ightenhill	68.4	+26%	48.3	-29%	46.6	-4%	13

Source: Lancashire Insight, 2021

6.7.2 Table 31 shows levels of ASB recorded across Burnley and split by ward from March 2018 - March 2021. In 2018/19 there was a notable decrease in ASB across the borough; in 19/20 many of the wards started to see an increase in cases. Between April 2020 and March 2021, cases of ASB in Burnley increased by 80%, compare to 75% across Lancashire. From March 2020, breaches of coronavirus legislation were recorded as ASB, which the Council believes will account for a number of those cases, as well as increased “neighbour intolerance” due to lockdown restrictions. The ward in which the proposed designation area is located recorded lower than average increases, however due to their existing high levels of ASB was still ranked third highest in March 2021.

Table 31: Lancashire Insight Total Recorded ASB by Ward and Financial Year, Including Burnley Borough

	18/19	18/19	19/20	19/20	20/21	20/21	
Area	Per 1000 Popn	% Change Previous Year	Per 1000 Popn	% Change Previous Year	Per 1000 Popn	% Change Previous Year	Ward Rank March 2021
Burnley	47.0	-26%	48.9	+4%	88.1	+80%	
Bank Hall	76.4	-26%	78.4	+3%	122.1	+56%	3
Briercliffe	21.6	-34%	25.2	+17%	58.6	+133%	13
Brunshaw	27.6	-30%	29.7	+8%	63.3	+113%	12
Cliviger with Worsthorne	8.9	-44%	11.9	+33%	25.5	+115%	15
Coal Clough with Deerplay	34.0	-32%	33.8	-1%	82.3	+144%	8
Daneshouse with Stoneyholme	112.2	-19%	112.5	0%	133.2	+18%	2
Gannow	42.2	-21%	41.3	-2%	72.8	+76%	11
Gawthorpe	51.9	-22%	51.2	-1%	86.9	+70%	7

Hapton with Park	35.1	-16%	31.5	-10%	78.4	+148%	9
Lanehead	37.5	-21%	36.0	-4%	73.5	+104%	10
Queensgate	49.5	-32%	57.7	+17%	99.0	+72%	5
Rosegrove with Lowerhouse	44.1	-24%	35.9	-18%	93.3	+160%	6
Rosehill with Burnley Wood	56.4	-28%	67.1	+19%	120.9	+80%	4
Trinity	77.0	-34%	89.7	+16%	161.8	+80%	1
Whittlefield with Ightenhill	20.3	-23%	23.2	+15%	41.7	+80%	14

Source: Lancashire Insight, 2021

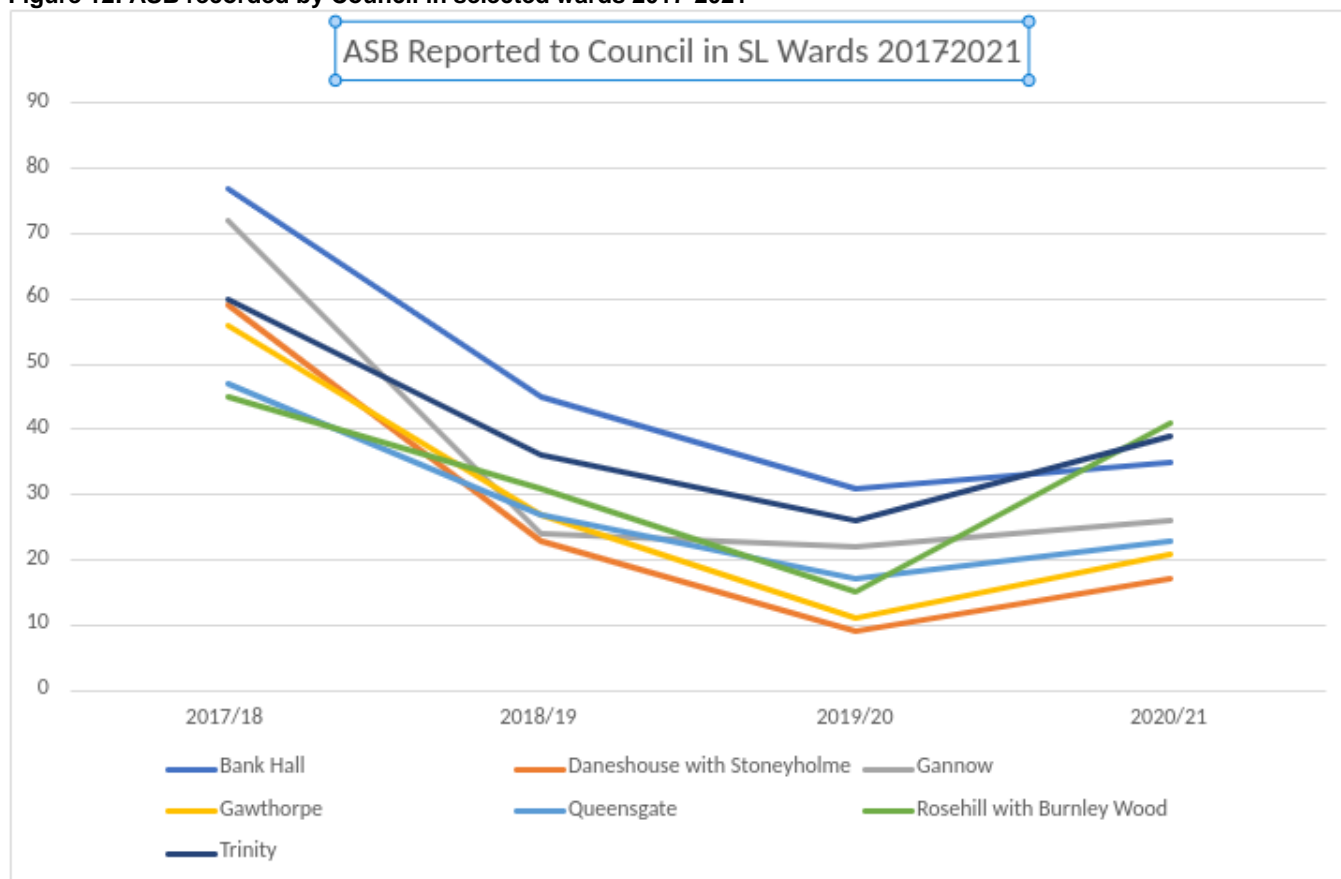
6.7.3 Table 32 shows the number of ASB incidents recorded by the Council, whilst Figure 12 shows the levels of ASB in wards where the current and proposed selective licensing designations are situated. From the graph it is clear that all of these wards followed similar trends, similar to the rate of change for Burnley as a whole. The graph also shows the rate of increase in the last year was highest in Rosehill with Burnley Wood. The ward where the proposed Leyland Road area is situated is ranked third highest in terms of total cases reported by ward.

**Table 32 Reported incidents of ASB to the Council by Ward**

Ward	2017/18	2018/19	2019/20	2020/21	Rank March 2021
Bank Hall	77	45	31	35	3
Briercliffe	14	9	3	21	9=
Brunshaw	41	17	15	29	5
Cliviger with Worsthorpe	6	6	1	5	15
Coalclough with Deerplay	28	21	6	21	9=
Daneshouse with Stoneyholme	59	23	9	17	13
Gannow	72	24	22	26	7
Gawthorpe	56	27	11	21	9=
Hapton with Park	25	14	9	21	9=
Lanehead	31	18	9	27	6
Queensgate	47	27	17	23	8
Rosegrove with Lowerhouse	38	14	17	32	4
Rosehill with Burnley Wood	45	31	15	41	1
Trinity	60	36	26	39	2
Whittlefield with Ightenhill	13	13	10	12	14
Total	612	325	201	370	

Source: Lancashire Insight, 2021

Figure 12: ASB recorded by Council in selected wards 2017-2021



6.7.4 Table 33 shows in more detail the levels of ASB reported to the Council in the current and proposed selective licensing designations. Most of the existing areas recorded an increase in cases on the previous year, in line with the figure for the borough, with the exception of Gannow which recorded a decrease. All of the current licensing areas recorded higher levels than the borough average of 0.9%, with the exception of Daneshouse & Stoneyholme. The proposed licensing area recorded 11 cases, which equates to 1.42% of the properties in the area, higher than the borough average

Table 33: Reported incidents of ASB to the Council by selective licensing area

Existing Selective Licensing Designation Areas	2017/18	2018/19	2019/20	2020/21	2020/21 fig as % of Houses in Area
Trinity 2019- 2024	34	25	22	22	1.6%
Gannow 2019- 2024	33	19	38	13	4%
Queensgate 2019- 2024	42	34	16	23	1%
Daneshouse and Stoneyholme 2019- 2024	21	11	9	15	0.5%
Burnley Wood with Healey Wood 2016 - 2021	34	25	17	25	1.97%
Leyland Road Area 2016 - 2021	16	11	21	10	1.48%
Ingham & Lawrence 2016 - 2021	8	3	2	4	2.4%
Proposed Selective Licensing Designation Areas					
Burnley Wood with Healey Wood 2022 - 2027				26	2.84%
Leyland Road Area 2022 - 2027				11	1.42%



## 6.8 Environmental Crime

6.8.1 Environmental crime includes flytipping of back streets and residents failing to keep their yards free of litter and dog fouling. Accumulations of rubbish have a detrimental effect on neighbourhoods, making an area look unattractive and run down, attracting vermin and posing a risk of deliberate fires. The table below shows the number of incidents of environmental crime reported to the Council by residents and community groups. Despite reductions over the last few years showing an improving picture, the ward in which the proposed licensing designation is situated is ranked third highest in terms of number of cases reported in 2020/21.

**Table 34: Dirty Back Yards Recorded by the Council by Ward 2017 - 2021**

Ward	2018/19	2019/20	2020/21	Rank March 2021
<b>Bank Hall</b>	<b>134</b>	<b>130</b>	<b>101</b>	<b>3</b>
Briercliffe	12	27	31	11
Brunshaw	22	28	56	6
Cliviger with Worsthorne	1	0	3	15
Coalclough with Deerplay	15	22	29	12
Daneshouse with Stoneyholme	59	51	40	10
Gannow	65	72	43	9
Gawthorpe	91	75	74	5
Hapton with Park	28	29	26	13
Lanehead	31	23	47	8
Queensgate	112	75	75	4
Rosegrove with Lowerhouse	69	68	50	7
Rosehill with Burnley Wood	140	88	118	2
Trinity	182	169	212	1
Whittlefield with Ightenhill	25	35	14	14
Total	986	892	919	

Source: Burnley Borough Council Streetscene

6.8.2 Table 35 shows the level of DBYs recorded by the Council as a % of the number of properties in the area. All of the below areas record higher levels than the borough rate of 2.2%, with the exception of Daneshouse & Stoneyholme. The current Leyland Road designation recorded fewer cases in 2020/21 than the previous year, but still recorded significantly higher levels than the rate for the borough as a whole, and the proposed designation area is on a par with this. This indicates a clear concentration of environmental crime within the proposed designation area.

**Table 35: Environmental Crime Recorded by the Council in current and proposed selective licensing areas 2017-2021**

Existing Selective Licensing Designation Areas	2017/18	2018/19	2019/20	2020/21	2020/21 fig as % of Houses in Area
Trinity 2019- 2024	273	110	145	187	13.9%
Gannow 2019- 2024	146	67	69	25	2.6%
Queensgate 2019- 2024	159	131	90	67	4.1%
Daneshouse and Stoneyholme 2019- 2024	84	35	31	29	1.6%
Burnley Wood with Healey Wood 2016 - 2021	205	148	78	107	8.4%
Leyland Road Area 2016 - 2021	165	41	56	46	6.8%
Ingham & Lawrence 2016 - 2021	25	24	10	11	6.5%
<b>Proposed Selective Licensing Designation Areas</b>					



Burnley Wood with Healey Wood 2022 - 2027				95	10.4%
Leyland Road Area 2022 - 2027				49	6.3%

Source: Burnley Borough Council Streetscene

## 6.9 Why Propose a Further Selective Licensing Designation?

6.9.1 There is certainly an improving picture in the current Leyland Road area. In summary the number of housing disrepair complaints received by the Council have reduced, property and area security measures have improved, and the percentage of empty properties has decreased as well as the average house prices increasing. Until the Covid-19 Pandemic ASB and environmental crime were showing a downward trend at the ward and selective licensing area.

6.9.2 Despite these improvements the Council are proposing to consult on a further designation in Leyland Road with the boundary extending to include Straight Mile Court.

6.9.3 Although demand for housing has improved within the designation area there are still key low demand statistics that raise concerns when compared to the ward and Borough. Not continuing with selective licensing at this stage would present a risk that notable improvements will not be sustained or built upon without a new designation. This is supported by Government guidance released in 2015 which acknowledged the need for licensing to extend beyond a five-year designation: 'The Government recognises that licensing may have to be a long-term strategy and that it will not provide instant solutions.'

6.9.4 The private rented sector is significantly higher in the proposed designation area (61%) when compared to the Borough and the wards in which the properties are mainly located. Within the designation area there are new, professional landlords investing, providing higher quality, well managed accommodation. Through the ongoing accreditation scheme and landlords' forums, we will support these new and existing responsible landlords, while licensing will continue to tackle those landlords that choose to ignore their legal responsibilities, undermining the private rented sector as a positive form of housing.

6.9.5 The percentage of properties within the proposed designation area with an EPC rating of a F or G is above the Borough average and there is further work to be undertaken to ensure the remaining properties meet at least an E and aspire to the Governments longer term commitment of as many private rented properties upgrading to an EPC Band C by 2030, where practical, cost-effective and affordable. Selective licensing will support landlords to achieve this and where necessary work with enforcement to further improve the EPC ratings of the properties within the designation area.

6.9.6 Significant progress has been made to reduce the number of empty properties in the current designation area. The 20/21 vacancy figures are still however higher than the Borough and the wards in which they are situated. A further designation area would enable selective licensing to continue to work in partnership with the Council's empty homes team to bring further empty homes back into use, ensuring satisfactory management of the properties when they are returned to use by the private rented sector.

6.9.7 Since the start of the designation area the number of reports of anti-social behaviour to the Council have reduced. They are still however higher than the Borough. A further designation enables the selective licensing team to work in partnership with the required agencies to reduce the anti-social behaviour, using the conditions of the licence where necessary.

## **7. OUTCOMES OF THE PROPOSED DESIGNATION AREA**

- 7.1 Low demand in the proposed selective licensing areas is most clearly manifested in high vacancy rates, low property values, high numbers of private rented properties and poor property conditions. In addition there are high incidences of environmental crime and anti-social behaviour, which have a negative impact on demand within the area, further weakening the housing market.
- 7.2 Pockets of significantly high numbers of private rented properties in poor condition are exacerbating the problems of low demand through poor property management and poor housing conditions. Selective Licensing will help to address the problems associated with low demand by compelling those landlords that are not operating to minimum required standards to improve the management practices and the condition of their properties. This will improve the housing offer, which in turn will help improving the unpopular perspective that residents have of these neighbourhoods.
- 7.3 The Council are proposing to designate the Burnley Wood with Healey Wood and the Leyland Road area on the grounds that the areas are experiencing low housing demand.
- 7.4 The overall objective of the designation areas as part of a wider housing and economic development programme is to improve the social, economic and environmental conditions within the designation area. To achieve this within the designation area Burnley Borough Council aims to:
- a. Improve the management of the private rented sector;
  - b. Improve the condition of the private rented sector
  - c. Reduce anti-social behaviour
  - d. Reduce environmental crime
  - e. Bring empty homes back into use
- 7.5 Social conditions within the area will improve as the standard of lives for residents will improve by protecting their health, safety and welfare through better housing conditions and management.
- 7.6 Central to supporting Burnley's successful economic growth is ensuring the Borough offers the right quality and type of accommodation to meet current and future demand. Well managed, good quality private rented accommodation plays a significant role in our housing offer and is an important sector within our diverse housing market.

8.1 The option appraisal below looks at other powers and projects that are available to the Council as an alternative to selective licensing to achieve the outcomes detailed in part 7 of this report. None are considered suitable in isolation in an area of intense low housing demand with significantly high levels of private rented properties and poor housing conditions. Selective licensing is required to raise standards in the private rented sector by compelling all landlords to engage with the Council and meet required standards. All other options considered below, with the exception of the private sector leasing scheme, operate within selective licensing designations to support the outcomes of the schemes.

<b>Option</b>	<b>Strengths</b>	<b>Weakness</b>	<b>Risk</b>
<b>Accreditation (GLAS)</b>	Improves relationships between the Council, landlords and managing agents. Improves Management Standards. Improves Property Condition Promotes good practice Improves the reputation of the Private Rented Sector.	Voluntary so cannot compel landlords to join the scheme, nor improve property condition or standards of management.	The worst landlords will not join. Limited effect on a concentrated area as only the more motivated landlords will join.
<b>Enforcement of Housing Standards</b>	Legal requirement Improves property conditions.	Reactive rather than proactive. Relies upon the tenant complaining, some of whom may be too scared. Does not improve management practices.	Resource intensive.
<b>Management Orders</b>	Removes the property from an irresponsible landlord. Improves management standards. Is a forceful sanction for those landlords that do not comply with selective licensing.	Does not tackle poor management Techniques, therefore does not provide a long-term solution to unsatisfactory management practices. Intervention is as a last resort for a small number of properties.	Resource intensive. Relies upon an external company managing the properties.
<b>Introduce a Private Sector Leasing Scheme</b>	Contributes to homelessness prevention	Does not improve management standards of landlords who choose not to join the scheme. Reactive rather than proactive	Resource intensive. Relies upon an external company managing the properties. Companies do not come forward to run such a scheme.
<b>Local Authority Trading Company (Housing Company)</b>	Increase housing supply – across all tenures,	The poorest landlords will choose not to	The Council would have to take a commercial approach to

	Diversify the local housing offer – making interventions in the market to stimulate or provide additional housing, To set (and increase) quality and design standards, Control and influence around what is delivered where, Act as an exemplar landlord for market rent housing,	by the Housing Company and will provide sub-standard accommodation with unsatisfactory management practices.	deliver housing regeneration, the housing company becoming a private landlord.
<b>Selective Licensing</b>	Legal requirement Improves Property Condition Improves Property Management Promotes good practice Reduces levels of ASB Area based Administration of the scheme is self-financed	Maximum 5 years Includes those landlords that already show responsible letting	Monitoring of the scheme is extremely resource intensive on staff time Landlords may try and illegally evict tenants Landlords may try and avoid licensing Landlords may leave the area creating more vacant properties.

## 8.2 Accreditation

- 8.2.1 Accreditation was first introduced in the 1990s, (mainly in university towns), as a mechanism for helping landlords or agents meet agreed standards of competence, skills and knowledge about the business of owning, managing or letting a private rented home.
- 8.2.2 Accreditation is supported nationwide by a wide range of stakeholders, including the Government, landlord associations, Local authorities, Shelter, the National Union of Students and the Chartered Institute of Environmental Health. It can aid the supply of good-quality, well-managed homes.
- 8.2.3 Burnley's accreditation scheme, The Good Landlord and Agent Scheme (GLAS), was launched in 2001 as a partnership between the Council, private rented sector landlords and managing agents who rent out properties in the Burnley area.
- 8.2.4 Through continued development of GLAS, more landlords and agents are encouraged to join the scheme and improve the condition and management of their properties. These improved conditions enhance the living conditions for tenants and residents living in Burnley. Currently there are over 280 landlords and 14 managing agents who are members of the scheme.
- 8.2.5 In July 2016, in partnership with the Private Rented Sector Forum the GLAS Code of Practice (Appendix 3) was revised and updated to take into account changes in legislation and best

practice. The scheme now includes a gold standard and the audit of managing agent's procedures at their business address.

- 8.2.6 In addition, the Council operate a Private Rented Sector Forum which was established in June 2004. The Forum represents landlords, tenants, local communities and other voluntary and statutory agencies operating in the private rented sector and aims to improve standards across the sector by promoting best practice and raising the profile of responsible renting.
- 8.2.7 Landlord Evenings are organised through the Forum and are open to all landlords. Through these events the Forum seeks to update landlords on current issues in the private rented sector, improve relationships and strengthen partnership working and share good practice and experiences.
- 8.2.8 The Forum works with the Partnership Manager for the Department for Work and Pensions in the North West to run workshops for landlords. The aim of the workshops is to give landlords an understanding of Universal Credit, what it means for their tenants and what they can do if the tenant falls into rent arrears when in receipt of Universal Credit.
- 8.2.9 Whilst we continue to receive applications for GLAS, our experience shows that generally accreditation attracts a limited number of landlords that in many cases already have appropriate management standards and are motivated to improve the standards and reputation of the private rented sector.
- 8.2.10 Whilst we see GLAS and the Private Rented Sector Forum as important schemes to work with landlords and improve standards, they do not have an intensive impact in any one area of the Borough, nor do they tackle the worst privately rented properties. Due to the voluntary nature of accreditation, it does not compel the worst landlords to engage with the Council or join the scheme. Experience shows that it is resource intensive to encourage the poorer landlords to join accreditation. When landlords are asked to make improvements to meet the requirements of the scheme, many landlords fail to comply. This shows that accreditation cannot tackle the worst standards of property condition and management practices within the Borough.

### **8.3 Enforcement of Housing Standards**

- 8.3.1 The Housing Act 2004 introduced the Housing Health and Safety Rating Scheme (HHSRS) which allows local authorities to inspect privately rented properties to ensure the condition does not have an adverse effect on the health, safety or welfare of tenants or visitors to a property. Where necessary, the Council will serve statutory enforcement notices to ensure the condition is improved.
- 8.3.2 The Council receive between 250 and 350 complaints of disrepair a year. When the complaint is received the Council will undertake a HHSRS inspection to determine whether action needs to be taken. Whilst this approach does improve property conditions, it is sporadic across the Borough and does not have a concentrated impact in one area. In addition, this power does not tackle property management standards. Through a selective licensing designation landlords will attend development days which cover all aspects of property management including property condition. Through training, advice and support landlords will recognise and learn what improvements need to be made to their properties, so reducing the need for action under the HHSRS.
- 8.3.3 In addition to enforcement action the Council will also undertake proactive property inspections in the designation area, offering advice and where necessary taking enforcement

action to improve property conditions across the designation area. Improving property conditions will assist in retaining tenants and attracting occupants to the area and help address low demand.

## **8.4 Management Orders**

- 8.4.1 Part 4 of the Housing Act 2004 introduced the use of Management Orders but advised that these orders should not be used if other enforcement options will remedy the problem. The general effect of a Management Order is that the Council takes control of the property, although legal ownership does not transfer from the landlord. There are two forms of Management Order, interim and final. Interim lasts for a period of 12 months, which can then be followed by a final Management Order that lasts for a maximum of 5 years.
- 8.4.2 Once a Management Order is in place the Council takes over the management of the property. The occupiers pay their rent to the Council and any repair costs such as routine repairs or building insurance are taken from the rent before any surplus is given to the owner (landlord).
- 8.4.3 This power only deals with individual properties and is resource intensive, especially as the Council no longer manages any stock of its own. In some cases even retention of the full rental income may not be adequate to properly maintain and manage the property, in which case additional costs would end up being borne by the Council.
- 8.4.4 This approach does not present a long-term solution to address poor management of privately rented stock, as ultimately the property is returned to the owner who may not necessarily have improved their management standards during the period of the order.
- 8.4.5 The Council has made five interim and one final management order and will continue to use Management Orders in conjunction with Selective Licensing as a last resort to deal with landlords who fail to comply with selective licensing and improve their management standards.

## **8.5 A Private Sector Leasing Scheme**

- 8.5.1 A Private Sector Leasing Scheme is where the council takes out a lease, normally 3 to 5 years in duration, from a private owner or landlord on their property. The council then uses the property to provide affordable accommodation.
- 8.5.2 There is no guarantee that landlords, especially the worst, will join the scheme and the Council cannot compel them to do so. As with Management Orders the scheme does not address poor management practices as the landlord does not necessarily gain experience, advice or training during the lease and when the property is returned to the control of the owner, the management standards can once again be unsatisfactory.

## **8.6 Local Authority Trading Company**

- 8.6.1 In 2018, 58 commercial housing companies had been set up by local authorities to address gaps in their housing market. In Lancashire, Blackpool established a Housing Company in 2015 as a wholly owned Council regeneration company to intervene in part of the market that was providing poor accommodation. It is an incorporated company under the Companies Act 2006. Taking a commercial approach to deliver housing regeneration.

## **8.7 Landlord Development Days**

- 8.7.1 Since 2014 the Council have held landlord development days for accredited landlords and landlords operating in the selective licensing areas. To date 352 landlords have attended. We offer training specifically for Managing Agents and training on how to address anti-social behaviour. Due to the Covid 19 pandemic the Council had to find an alternative solution to delivering these sessions, the training has continued to be successfully delivered on-line via Microsoft Teams' meetings with 24 landlords receiving their training online to date.
- 8.7.2 The training is currently delivered by the National Residential Landlords Association (NRLA) and covers all aspects of property letting. While the training complements selective licensing by giving landlords the knowledge to improve property management, the Council cannot compel landlords to attend nor does it guarantee an improvement in management practices if the landlord is not willing to apply the learning.

## **8.8 The Empty Homes Programme**

- 8.8.1 Tackling empty homes has been an intrinsic part of the Council's wider housing strategy to address low demand for many years and is highlighted as a key priority in the Housing Strategy 2016 to 2021. The Council's Empty homes programme has been in operation for over a decade and seeks to acquire long term empty homes, which are then renovated and resold with the aim of improving residential amenity, boosting the local economy and making a positive contribution to the wider community. This programme has been very successful and is now utilising the Council's own capital receipts generated through the re-sale of renovated empty properties. This programme works very closely with the current selective licensing designations to address particular long term problem empty homes and helps promote investment in these areas making them more attractive areas in which to live and work.
- 8.8.2 Through the option appraisal, it is considered that none of the achievable courses of action would be sufficient in isolation to have the desired impact in areas of intense low demand that have significantly high levels of private rented sector properties in poor condition. It is considered that selective licensing is required to compel all landlords to engage with the Council to ensure they meet the minimum required standards or, if they fail to do so, face prosecution, civil penalties and the use of management orders.
- 8.8.3 Other initiatives such as accreditation (GLAS) support the reputable landlords operating in the borough and the enforcement of housing standards will improve the housing condition within the sector, but it is considered that selective licensing will contribute to a more sophisticated and complete approach to tackling particular areas of low demand and poor property conditions. By improving the management of tenancies and properties within the private rented sector, selective licensing can contribute to a wider programme of regeneration to help reduce empty properties, improve property condition, reduce anti-social behaviour and improve the neighbourhoods for residents and businesses.

## **9. HOW DOES SELECTIVE LICENSING SUPPORT THE COUNCIL'S HOUSING STRATEGY?**

9.1 This section demonstrates how the proposed Selective Licensing designation is consistent with the overall housing strategy for the borough and will form part of a wider strategic framework for improving housing across Burnley.

9.1.1 Burnley's Housing Strategy 2016 to 2021 is a five-year plan which sets out our ambitions for improving housing across the borough over the next five years. This strategy will set out where we will focus our energy and resources and how we will achieve our priorities.

9.1.2 Housing is crucial to our growing economy, creating jobs and wealth for our residents and above all supporting our schools to continue to improve the educational attainment of our pupils.

9.1.3 Selective licensing is a key priority and included in Aim 2 of the strategy;

*“To deliver transformational improvement of the private rented sector”*

9.1.4 The Council fully acknowledge the benefits of private rented housing in creating choice and variety in Burnley's housing market, with The Good Landlord and Agent Scheme and the Private Rented Sector Forum seen as important schemes to create closer working relationships and improve standards. However, experience has shown that they attract a limited number of landlords that in many instances already provide appropriate management standards. The voluntary nature of accreditation does not compel the worst landlords to engage with the Council or join the scheme. It is also recognised that accreditation does not have an intensive impact in any one area and does not tackle the worst properties or management practices within the Borough. Selective licensing compels landlords to engage with the Council and improve their management practices.

## **9.2 Prevention of Homelessness Strategy**

9.2.1 Burnley Borough Council's Homelessness Strategy has recently been reviewed and updated. Known as the Homelessness and Rough Sleeping Strategy 2020-2025, it was developed during a period of unprecedented change and uncertainty. Whilst the housing and homelessness challenges will shape the detail of this strategy, the overarching context is the 2020 Covid-19 pandemic, which is having, and will continue to have, an impact in communities in our local area, as well as in the UK and globally.

9.2.2 The Council are clear that the private rented sector has a central role to play in meeting housing need across the borough. As owner occupation becomes increasingly difficult to achieve, it is not an option or indeed the choice for everyone. As we see a significant rise in the number of households choosing to rent privately from 9.26% in 2001 to 19.4% in 2011 (Census 2001 & 2011) it is crucial that this sector can offer a decent alternative to owner occupation or social rented housing.

9.2.3 The private rented sector also makes a significant contribution to meeting the housing needs of vulnerable people, and in many cases has prevented homelessness and minimised the use of temporary accommodation. Selective Licensing has strengthened the partnership with many private landlords by increasing the number of landlords working with the Council with well-managed, good quality accommodation. This partnership was key to supporting homeless people during Covid 19, 7 properties were leased by the Council from licensed landlords to ensure no one was rough sleeping.



- 9.2.4 The Council offer advice and assistance to homeless households together with a number of measures to prevent homelessness. The Private Sector Bond Scheme is available to households who cannot afford to pay cash bonds for private rented accommodation and through Selective Licensing the Council can be confident that residents have access to well managed accommodation that will meet the minimum standards required.
- 9.2.5 By strengthening the partnership between landlords and the Council, both Accreditation and Selective Licensing can contribute to the prevention of homelessness through effective tenancy management that minimises anti-social behaviour, tackles rent payment issues in a timely and constructive manner and offers a housing option for some of the most vulnerable households in need of a home.
- 9.2.6 Officers from the homelessness team and selective licensing work together to tackle illegal evictions in the selective licensing areas, help support tenants to prevent homelessness and assist with the rehousing of tenants where their current housing conditions are so poor that to remain in that house would present a serious risk of harm.

## **10. SUPPORTING AND COMPLMENTARY ACTIVITY**

10.1 As detailed in this document Burnley has low housing demand which is manifested in inner urban areas such as the proposed designation areas. Selective licensing in isolation will not tackle this low demand. There are many local and wider economic factors which influence house price and sales such as employment levels, population size and profile, land availability and household size. Other macro-economic factors such as mortgage availability, interest rates, government incentives and tax regimes, will also significantly influence house prices and sales trends. Selective licensing cannot influence these factors.

10.1.1 However, within these low demand areas, there are significantly high numbers of private rented properties, some of which are not operating to a required standard. This exacerbates the problems of low demand and further deters people from moving into or remaining in these neighbourhoods. Selective Licensing will help to address the problems associated with low demand by compelling those landlords that are not operating to minimum required standards to improve the management practices and the condition of their properties. This will improve the housing offer which in turn will help improving the unpopular perspective that residents have of these neighbourhoods.

10.1.2 Selective licensing is one aspect of a wider economic, social, environmental and housing regeneration strategy that includes multiple initiatives.

### **10.2 Social and Economic Regeneration Activity**

10.2.1 Burnley's Future 2017 to 2021 (updated in February 21) is the community strategy for the Borough. This document helps ensure that the Council has a clear vision for the future under the key priorities of:

- a) **Prosperity** - This explains how the Council and our partners will grow the borough's economy. It is the partnership's top priority and underpins all efforts to improve quality of life in the borough.
- b) **People** - This explains how the Council and our partners will help people lead healthier lives and how we will help the next generation realise their potential.
- c) **Places** - This explains how the Council and our partners will improve housing and make the neighbourhoods in our borough cleaner, greener and safer.

**d) Performance** – This explains how the Council and our partners will deliver our priorities efficiently with services that offer value for money.

10.2.2 The strategy recognises that the Covid-19 pandemic will continue to have a significant impact on all lives in 2021. The Council will do everything it can to help the borough bounce back from its effects. In 2021, the Council will continue to support the most vulnerable with essential supplies, housing, and self-isolation payments.

10.3 The Pandemic has further highlighted the link between deprivation and poor health, with more Covid 19 related deaths being recorded in deprived neighbourhoods, the NHS have a legal duty to address the inequalities. One of the main factors of deprivation is poor housing, selective licensing is an integral part of addressing poor housing, helping to improve deprivation and subsequently reduce inequalities.

## **10.4 Empty Homes Programme**

10.4.1 Aim 3 of the Housing Strategy is to reduce the proportion of empty homes in the borough. A concentration of empty homes is the most visible sign of a poorly performing housing market. The properties are often in poor condition which affects the appearance of an area and has a negative impact on the residents. They also attract anti-social behaviour, fly tipping and vandalism, which all contribute to creating unpopular neighbourhoods. Empty homes are also a wasted resource and can, if dealt with effectively, provide affordable housing for both rental and owner occupation. Burnley has an excellent record of effective intervention and innovation in tackling empty homes and has run an Empty Homes Programme since 2002.

10.4.2 The Empty Homes Programme started in 2002 funded through the Council's capital programme. The programme is borough wide and works with owners to encourage and support them to return their properties back in to use. The Council also utilise capital resources to acquire properties, refurbish them to modern standards and return them back in to use through sale on the open market. The scheme remains a priority for the Council and continues to evolve over time to include more initiatives to maximise the impact on bringing empty homes back in to use.

10.4.3 The Empty Homes Clusters Programme ran from 2013 to 2015 when Burnley was awarded £3.5 million through the Government's clusters of empty homes programme to tackle concentrated empty properties in three neighbourhoods across the Borough, Gannow, Queensgate and Trinity. This programme returned 223 properties back in to use against a target of 175 utilising purchase and refurbishment, loans to landlords and an empty homes leasing scheme with our partner Calico Homes.

10.4.4 To support the work of the clusters programme two neighbourhood improvement schemes were carried out with key streets targeted for aesthetic improvements that included painting, new rain water goods and repair work to garden walls.

10.4.5 During the financial year 20/21 the Council assisted in bringing 88 properties back into use including 20 acquisitions and 17 interest free loans. In 2021/22 the Council have committed a further £1.3 million to the empty homes programme which continues to include the following initiatives:

- Encouraging owners to bring their empty homes back into use through advice and persuasion.

- Interest free empty homes loans, which are restricted to the selective licensing areas and enable landlords to access a maximum of £20,000 interest free and repayable over 10 years by monthly direct debit instalments. The criteria attached to the loan include a standard of property condition stipulated by the council.
- The payment of the landlord's selective licensing fee if a landlord returns an empty home back into use under the criteria specified by the council.
- A council tax rebate for up to 6 months if an empty home is returned back into use under the criteria specified by the Council.
- Acquisition by agreement or through compulsory purchase of empty homes, which are then refurbishment and sold on the open market. Receipts from the sale of these properties are re-cycled back into the programme to the acquisition of further empty homes.
- A successful empty homes leasing scheme with Calico Homes Limited. The scheme helps to ensure that empty homes compulsory purchased by the council on streets in lower housing demand are brought back into use as good quality, well managed affordable homes. A Registered Provider presence in these areas of low demand helps to improve the overall management of the housing stock within those streets and provide additional support for the community.
- Environmental Improvement Schemes – Painting the external elevations of properties, re-pointing and new guttering to improve the aesthetic appearance of terraced blocks to facilitate further investment.

10.3.6 For the past three years the Council has been working closely with Calico Homes to support them in the delivery of their empty homes programme to provide more social housing in Burnley. Calico have brought 95 empty homes back into use, 77 of which are in the Burnley Wood with Healey Wood selective licensing area. Through the programme there is a particular emphasis on targeting the long term vacants for compulsory purchase as these are the properties causing the greatest blight within the neighbourhoods.

10.3.7 From the 95 properties, 5 properties were allocated as safe houses for victims of domestic violence during the Covid 19 pandemic, 10 properties allocated to Syrian Refugee and Global Resettlement programmes and 5 to other supported housing partners providing homes for homeless families and veterans. The other 75 units were let for general needs affordable rent.

10.3.8 The positive impact this project is having within the Burnley Wood community is already visible, helping return a once thriving neighbourhood back into a desirable place to live at affordable cost. The number of empty homes in the area has reduced, the quality of accommodation has improved through the high standard of renovation works and there is the added benefit of having a social landlord management presence within the area. In addition, Calico are in the process of opening the community centre again within Burnley Wood to provide social interaction for families and children.

## **10.5 Housing Enforcement and Proactive Inspections**

10.5.1 Selective licensing does not require an inspection of every property; however the Council aims to ensure that landlords who provide accommodation do so to at least the minimum legal requirement. In the current selective licensing areas, a programme of proactive inspections is being undertaken by the housing standards team and this will be replicated in any future designations. Any complaints of disrepair by tenants within the selective licensing team are addressed by the housing standards team.

10.5.2 The Housing Standards Team will also work with the selective licensing team to advise on and enforce the new regulations in relation to smoke and carbon monoxide detection. They will also use penalty notices where a managing or letting agency is not a member of a Redress Scheme.

## **10.6 Accreditation, Training and Development**

10.6.1 The proposed fee structure includes a 30% reduction on selective licensing fees for those landlords that become accredited through the Good Landlord and Agent Scheme (GLAS) before a designation comes into force. This encourages further membership of the voluntary scheme, which improves the management and condition of the private rented properties through landlords adhering to the Code of Practice.

10.6.2 Training and Development Days will continue for licensed and accredited landlords and managing agents, improving knowledge and understanding of their legal responsibilities and best practice, as well as advising them where they can go to receive further advice and support. Through increased knowledge management practices and property condition will improve within the private rented sector.

## **10.7 Crime and Anti-Social Behaviour**

10.6.1 In Lancashire each local council is required by law to work together in partnership with Lancashire Police Constabulary, Fire and Rescue Service, Primary Care Trusts and Probation Trust. These partnerships are called Community Safety Partnerships and they are responsible for working together to reduce crime and disorder, anti-social behaviour, substance misuse and re-offending. Burnley is part of the Pennine Community Safety Partnership. This partnership has identified the following Pennine Lancashire Community Safety Strategy priorities for 2018-21 as: (to be updated in 2021 get new version from RB before final version)

- Maintain low crime and anti-social behaviour levels
- Keeping young people and adults with vulnerabilities safe
- Tackling the causes of crime through prevention and early intervention
- Targeting repeat offenders and those causing the greatest harm
- Keeping our roads safe

10.6.2 The Council's Community Safety Team takes a lead role in meeting the priorities and actions of the Pennine Community Safety Strategy for Burnley. The delivery of the local community safety strategy in Burnley is the responsibility of the Multi Agency Tasking and Coordinating (MATAC) group, where all local activities are agreed with emerging and predictive threats are considered.

10.6.3 Selective Licensing works closely with the Community Safety Team and is also a part of MATAC. It forms a part of these partnerships which act to co-ordinate actions and responses from a wide range of partner agencies, such as Police, Streetscene, adult and social care, and landlords and residents.

10.6.4 The Selective Licensing Team liaise with ward councillors and neighbourhood policing teams, resident groups and other partnership agencies to consider concerns and reports of ASB. The team then assists the Council's ASB team to resolve and reduce ASB in the designation areas using the conditions of selective licensing.

10.6.5 Through the Pennine Lancashire CSP a successful bid to the Home Office Safer Streets Fund was submitted. £549,500 was awarded for a project focussing on parts of

Burnley Wood and Bank Hall to reduce vulnerability to burglary and other theft offences, through a range of measures aimed at protecting both individual domestic properties and the wider community as a whole.

10.6.6 The project has seen the roll-out of 6 new CCTV installations within the project areas, 11 new alleygate schemes, Green Space improvement, bespoke home security packages to over 400 properties, including locks, replacement doors, security lights, and new back gates.

## **10.7 Environmental Crime**

10.7.1 The Council's Streetscene unit are responsible for investigating fly tipping and dog fouling incidents and, taking the appropriate action through the courts when evidence is found. The Council has a statutory duty to keep streets clean so any side-waste presented on collection day is left for a Council Officer to investigate, before being removed by a Street Cleansing Operative.

10.7.2 Selective licensing supports this work by ensuring landlords are aware if they have a dirty back yard, and if it is caused by the tenant that they are using the clauses within the tenancy agreement and management procedures to ensure the tenant clears that dirty backyard.

10.7.3 The licence conditions contain additional conditions relating to the prevention of environmental crime and keeping the yard areas free from waste. Regular audits are carried out to monitor the areas, and managers and landlords contacted if there is breach of the licence conditions. This information is also used in assessing the licence holder and manager against the Fit and Proper Person criteria.

## **10.8 New Housing**

10.8.1 The area of Burnley Wood has received millions of pounds of regeneration investment through funding projects such as the Single Regeneration Budget and the Housing Market Renewal Pathfinder. This regeneration included large scale clearance, face-lifting and a programme of ongoing new build. 240 new homes have been built on the former cleared housing sites in Burnley Wood. These parts of the neighbourhood have been transformed into popular areas where people choose to live, offering a range of family housing with affordable options for first time buyers.

## **11. Administration of the Designation Area**

11.1.1 This section explains how the Council will implement and administer the scheme, if approved by the Secretary of State.

11.1.2 Should the designation be granted it will come into force no sooner than three months from the end date of the previous designation. Once the designation is in force, all landlords operating within will be required to apply for a licence for each house that is rented. The Council has introduced an online application system to enable all applications to be submitted and processed electronically online.

11.1.3 The Council cannot require licensing of houses that have been made exempt under the Selective Licensing of Houses (Specified Exemptions) (England) Order 2006 (such as tenancies with a term over 21 years or occupied by a family member), or property that is subject to a tenancy or licence granted by a landlord which is registered as a social landlord

under Part 1 of the Housing Act 1996. Applications for exemption are required to be made via the online system to ensure monitoring of all exempt properties throughout the lifetime of the designation.

11.1.4 Regular monitoring of land registry house sale and council tax data enables the Council to identify new properties that require licensing and identify those that have not applied.

## **11.2 Fees**

11.2.1 Part 3 of the Housing Act 2004 outlines that the Local Authority may require the application to be accompanied by a fee fixed by the Authority.

11.2.2 The Authority is not permitted to make a profit from the introduction of a Selective Licensing programme and any surplus must be ring-fenced for use on the scheme. The fees should, however, take account of all administrative costs incurred in carrying out all duties under this part of the Housing Act 2004.

11.2.3 The fee covers a five year selective licensing designation. The lowest fee payable would be for a landlord that is an existing licensed and accredited landlord and for one house this fee would be £369. The full Fees and Charging Structure is attached as Appendix 4 to this document.

11.2.4 The fee may be paid by direct debit usually over a 2 year period.

11.2.5 All fees will be calculated based on the staff needed to cover the processing of the estimated number of applications and the monitoring and development of the scheme. Costing estimates for the scheme include salaries and on costs and all anticipated non-salary revenue spending e.g. printing costs, legal fees.

11.2.6 It is proposed that the fee structure will be reviewed annually.

## **11.3 Fit and Proper Person Criteria**

11.3.1 As part of the application process, proposed licence holders and managers will be required to provide information to demonstrate that they are “fit and proper persons” and that they have satisfactory management arrangements in place, including dealing with anti-social behaviour.

11.3.2 In circumstances where the Council are not satisfied that the licence holder or manager is a “fit and proper person”, and/or the management arrangements are unsatisfactory, then it can refuse to grant a licence.

11.3.3 Should any person be found to have a criminal record, the information and any other relevant information will be considered by the Council and a decision will be taken as to whether the persons involved are reasonably considered to be a “fit and proper person”. The existence of a criminal record does not automatically bar a person from being licensed. In considering whether someone is “fit and proper” the Council can also consider any person associated with the applicant who is affected by the above-mentioned issues (Sec. 89 Housing Act 2004). The Council is also free to consider any other information it has at its disposal with regards to the persons named in the application. Such information must however, be factual and backed by evidence. Rumour and supposition will not be used to judge applications.

## 11.4 Licence Conditions

11.4.1 As part of the licensing requirements all licence holders will be required to comply with various licensing conditions. The following conditions are mandatorily imposed by the Housing Act 2004 and the Council has no discretion to vary these conditions:

- a. to produce to the local housing authority annually for their inspection a gas safety certificate obtained in respect of the house within the last 12 months, if gas is supplied to the house.
- b. to keep electrical appliances and furniture made available by him in the house in a safe condition, to supply the authority, on demand, with a declaration by him as to the safety of such appliances and furniture.
- c. to ensure that every electrical installation in the house is in proper working order and safe for continued use; and to supply the authority, on demand, with a declaration by him as to the safety of such installations.
- d. to ensure that a smoke alarm is installed on each storey of the house on which there is a room used wholly or partly as living accommodation, and to keep each such alarm in proper working order.
- e. to ensure that a carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance; to keep any such alarm in proper working order; and to supply the authority, on demand, with a declaration by him as to the condition and positioning of any such alarm.
- f. the licence holder to demand references from persons who wish to occupy the house.
- g. the licence holder to supply to the occupiers of the house a written statement of the terms on which they occupy it.

11.4.2 In addition to the above mandatory conditions the Council may attach local conditions to licences.

## 12. LEVEL OF COMPLIANCE WITH CURRENT SELECTIVE LICENSING AREAS

12.1 There are currently seven selective licensing designation areas in operation in the Borough. The table below shows the level of compliance within Burnley Wood, Leyland Road and Ingham and Lawrence Street areas, as of the 17<sup>th</sup> June 2021. It is estimated that 96% of properties that are required to have a licence have a licence in place.

**Table 35 Level of compliance with current selective licensing areas 15/6/2021**

	Designation start date	Estimated No. licensable properties start of designation	Current No. Licensable properties	Total No applications received	Total No applications received and complete	% applied (of no licensable)	Total No. properties no application received	Licensed	% licensed (of no licensable)	Licences proposed refusal	Licences Refused
Burnley Wood with Healey Wood	Nov - 16	414	619	606	605	97.89 %	13	603	97.41%	15	10

Leyland Road	Nov - 16	310	418	417	414	99.76 %	1	400	95.69%	18	6
Ingham & Lawrence	Nov - 16	55	90	87	86	96.66 %	3	81	90.00%	0	0

12.2 The current designations for Burnley Wood with Healey Wood, Ingham and Lawrence, and the Leyland Road areas come to an end in November 2021.

12.3 The Council has taken a supportive role with landlords in helping them obtain licences and therefore meet the required conditions, rather than immediately pursuing enforcement action. Where the Council proposes to refuse to grant a licence it will endeavour to work with the proposed manager and licence holder to resolve the issues before refusal.

12.4 In relation to the proposed refusal and refusal figures in Table 35, a case including 18 properties was the subject of an appeal to the Residential Property Tribunal, the application was to appeal the Council's decision to refuse to grant the licences on the grounds of unsatisfactory management. This resulted in mediation between the Council and the applicant, following this mediation these 18 licences were granted.

12.5 Regarding non-compliance 17 of the properties in these areas (1.5% of those required to be licensed) have to date not applied to the Council for a licence.

12.6 The Council's policy is to not actively pursue applications in the last 6 months of the designation, but to continue to monitor the number licensable properties. Where an application has not been made prior to this then officers will consider if it is appropriate to act for the failure to apply. This would be through issuing a financial civil penalty or prosecution.

12.7 Since 2013 to June 2021 for all current and previous designations, 25 landlords representing 41 properties have been successfully prosecuted for the failure to apply for a licence. In addition, there have been 20 financial civil penalties served totalling £161,500, some of these have been the subject of appeal to the Residential Property Tribunal, resulting in a total recoverable amount £94,780. Furthermore 18 Rent Repayment Orders have been made and upheld by the Residential Property Tribunal.

12.8 To date in the Burnley Wood/Healey Wood and Leyland Road selective licensing areas 6 financial civil penalties totalling £33,000 have been served. Following Residential Property Tribunal hearings the total recoverable is £28,500.

12.9 In relation to the potential breaches of licence conditions officers will work with landlords to ensure problems are addressed without the need for enforcement action.

12.10 The Council's Streetscene unit are responsible for investigating fly tipping and dog fouling incidents and take the appropriate action through the courts when evidence is found. Prosecutions are taken against the owner or the occupier for dirty back yards that have not been cleared following the service of a warning.

**Table 36 - Interventions for Dirty Back Yards**

	Burnley Wood cases warnings issued.	Burnley Wood No. Unresolved and prosecuted	Leyland Road cases warnings issued.	Leyland Road No. Unresolved and prosecuted	Borough-wide cases warnings issued.	Borough-wide No. Unresolved and prosecuted
2019	133	9		5	1014	60



2020	63	13	44	5	649	66
2021 up to 3/6/21	29	9	19	4	274	64

12.11 Through the monitoring of the designations in the Leyland Road area of 203 checks undertaken by the Selective Licensing team, 8 dirty back yards have been found and reported, resulting in 2 of the dirty back yards being issued with Community Protection Warnings and in both cases the agent/landlord/tenant were contacted about breaching licence and tenancy conditions. The other 6 dirty back yards were cleared after a single conversation. In the Burnley Wood area a further 79 dirty back yards have been identified to date by the Selective Licensing team.

12.12 An example of the type of audit undertaken:

*During July/August 2020 selective licensing officers undertook an external audit of the Ingham and Lawrence Street area. This was to check the external condition of properties as well as surveying for waste in backyards. Of the 85 private rented properties surveyed, 19 were recorded as having some form of defect. These defects were of varying severity, and where action was required the team made contact with landlords and agents to ensure these issues were rectified. In addition, of the 170 yards surveyed just three were identified as having waste in the yard requiring action. Two were quickly cleared, with just one requiring further action in the form of prosecution by the Streetscene unit. As part of this audit, we requested up-to date gas safety certificates for 69 properties, 67 of which were received. A civil penalty for a breach of condition for not providing a copy of a current gas safety certificate was served for £1000.*

12.13 A key area of work undertaken is the prevention and dealing with ASB. Officers assist the Council's ASB team by discussing ASB with landlords and managers and ensuring they have the skills to be able to resolve, that tenancies are being properly managed, that correct legal procedures for possession are followed and also through enforcing the conditions of selective licensing. The Council also provides training on ASB through the landlord Development Days.

12.14 Guidance and support to landlords is a key part of the role and happens daily. Often ASB cases will result in formal action being taken by the Council through the form of Community Protection Notice Warnings (CPNW), Community Protection Notices (CPN), Fixed Penalty Notices (FPN) and closure orders.

12.15 In Burnley Wood since January 2020 there have been 54 interventions with landlords by the Selective Licensing Team, this will have been through meetings or discussions, 7 of these properties have received CPNW/CPN and FPN. Some of these resulting in evictions by the landlords of the tenants. In Leyland Road since January 2020 8 properties have received CPNW and CPN.

12.16 To prevent ASB the Selective Licensing team offer a tenant reference service to landlords and managers.

**Table 37 Informal intervention to prevent breaches of licensing conditions.**

Intervention	Burnley Wood with Healey Wood	Leyland Road
No Reference Requests	296	121

- 12.17 This reduces the ability of known offenders of ASB to secure a tenancy within a designation. Work is also undertaken to check that landlords have obtained satisfactory referencing prior to letting a property in line with the mandatory licence condition.
- 12.18 The application process enables the identification of those landlords and managers that do not follow legislation in relation to property management. We have successfully served 3 financial civil penalties where property managers have not been a member of a redress scheme, fines totalling £6,000 have been imposed. Due to the requirements for satisfactory management arrangements we have seen several managers that have made the business decision not to operate in Burnley as they do not have the necessary experience, qualifications or membership of professional bodies.
- 12.19 Properties are also identified that do not have the necessary gas, electrical safety or EPC certification resulting in properties being inspected under Part 1 of the Housing Act 2004, and referrals being made to trading standards and the Health and Safety Executive.
- 12.20 If compliance cannot be reached, and there is no reasonable prospect of the property becoming licensed the Council can impose an Interim Management Order to protect the health and wellbeing of the occupants. To date across all current and previous designations, the Council have made five Interim Management Orders and one final management order.
- 12.21 One case was where there was extreme damp and mould within the property, and the landlord's management standards were not satisfactory to ensure the repairs were completed action was also undertaken under Part 1 of the Housing Act 2004. Another was where there was significant and persistent ASB and the landlord failed to take steps to manage the tenancy.

### **13. Risk Assessment**

- 13.1 There are risks and limitations attached to a selective licensing designation. The main risks that have been considered are:
- 13.2 That rogue or criminal landlords relocate to neighbouring areas and continue to manage their properties in an unsatisfactory manner.
- If the proposed designation areas are introduced, the main low demand areas within the Borough will be covered by selective licensing preventing those landlords moving to avoid a scheme. It is unlikely that they will move to higher demand areas as the house prices are higher with less property availability.
  - In the current selective licensing designations, landlords who have been refused licences have sold the properties, which have then been acquired by a responsible landlord.
  - There will be monitoring procedures in place to determine whether rogue landlords locate to another area of the Borough.
  - The enforcement of housing conditions will continue to operate across the Borough.
- 13.3 Rogue or criminal landlords continue to operate without a licence.
- The area is monitored intensively through a range of data sources, including housing benefit, council tax and visual audits.

- In the current selective licensing areas there is a robust enforcement policy in place which includes prosecutions, management orders, rent repayment orders and Civil Penalty Notices. This will be replicated in any future designation.

13.4 Landlords unlawfully evict tenants to avoid licensing.

- This has not been experienced in the current selective licensing areas.
- Having an empty property attracts higher Council Tax bills and the risk that the property will be vandalised.
- The licensing team and the housing needs team will ensure tenants are aware of their legal rights through advice and publicity.
- The threat or action of an illegal eviction will be investigated through partnership work with the council's homelessness team.

13.5 Tenants who have been evicted because of continued anti-social behaviour or criminal behaviour are rehoused in an adjacent street or move to a neighbouring area.

- In the majority of cases early intervention by the selective licensing team, the Council's Streetscene department and the Police will address the anti-social behaviour without the need for eviction.
- If an extreme case occurs where the tenant has been evicted and then rehoused by another landlord in the same area, the situation will be identified through the monitoring of the area and then if required, enforcement action will be taken against the landlord if they have not undertaken satisfactory referencing.
- If the tenant starts to display the same behaviour at the new house, action will be taken in partnership with other services that will include the consideration of an anti-social behaviour order banning them from the area. This risk has occurred in a small number of cases and options for dealing with this are being investigated, including possible legal action to exclude such tenants from a particular selective licensing area. A general condition not to cause harassment, alarm or distress that would cover any property the person may move to, regardless of area, within the borough, may also be sought.

## 14. CONSULTATION

14.1 Before a new designation can be approved, it is a legal requirement for any authority considering the introduction of selective licensing to undertake consultation for a period of not less than 10 weeks. Guidance from the Department for Communities and Local Government (March 2015) states that when considering whether to designate an area the local housing authority must:

- a. Take reasonable steps to consult persons who are likely to be affected by the designation, and,
- b. Consider any representations made in accordance with the consultation.

14.1.2 Should the Council's Executive decide to approve the proposed designation areas, the Authority would be required to obtain further confirmation from the Secretary of State.





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## Appendix 2

### Draft Fee and Charging Structure for the Implementation of Selective Licensing

#### Introduction

1. Part 3 of the Housing Act 2004 outlines that the Authority may require the application to be accompanied by a fee fixed by the Authority. The legislation implies that the full fee should be paid with the application. There is no requirement within the legislation for local housing authorities to accept staged payments.
2. The fee covers the cost of running the selective licensing scheme and is based upon the average length of time to administer the designation for each landlord and property. Inevitably each application and property will vary in the amount of officer time required.
3. The fee is not connected to the length of time covered by the licence.
4. The Authority is not permitted to make a profit from the introduction of a selective licensing scheme and any surplus must be ring-fenced for use on the scheme. The fees should, however, take account of all costs incurred in administering a selective licensing scheme.
5. Recent case law in relation to the European Services Directive requires local authorities to separate out the cost of processing an initial application from those costs associated with the ongoing administration of a scheme.
6. All fees are payable in two stages, at the application stage and upon granting the licence.
7. The fee structure will be reviewed annually.

#### Role of charging structure

8. The purpose of this document is to establish a transparent charging policy.

#### Application Fee

9. All application fees are payable at the application stage. As a result of feedback from landlords, the Council introduced the option of monthly direct debit payments for selective licensing fees over a maximum period of 24 months to help the applicant manage the costs. Each individual request for monthly direct debit payments will be assessed on its own merits and will be decided at the Council's discretion.

#### Reduced Fees

10. An application for a licence submitted in the last six months of the designation will be eligible for a reduced fee of 50%; however this will only apply in circumstances where the property has not been eligible for licensing prior to the 6 month deadline.
11. Applications for a property during the designation that are not subject to point 8 above will be based on the agreed fee structure.
12. Licenses are non-transferrable. Applications resulting from a change in ownership of a licensed property will be charged the full standard fee.

#### Fee Reimbursements

13. Applications will be charged the full amount and the payment is to accompany the application form. At the Council's discretion a payment plan may be established to agree to payments to be made over an agreed period of time; any such plan can only be repaid by direct debit.
14. The Council will give the applicant a refund if a duplicate application or an application for an exempted property has been made by mistake.
15. The fees are not connected to the length of a licence. If a licence is cancelled before it expires, the Council cannot give a refund for any time that remains for the selective licensing designation. A fee will not be reimbursed if a property is sold before the end of the selective licensing designation and the applicant will still be required to pay any outstanding charges due as a result of the application.
16. Where a licence is refused or revoked, the applicant or licence holder will not be entitled to any refund of fees and will still be required to pay any outstanding charges due as a result of the application.

#### Fee Discounts



17. To reward landlords who are already operating to a minimum legal standard in Burnley a 30% discount will apply to any landlord who is an existing member of the Council’s Good Landlord and Agent Scheme. To be eligible for this discount a landlord **must** have applied and subsequently become accredited by the dates below:

- For properties in Burnley Wood with Healey Wood: xxxx;
- For properties in the Leyland Road area: xxxxx

18. Early Application Discount for Properties in the above areas:

To reward landlords in these areas who apply within 3 months of the designations coming into force (**xxxxxxxx**), a discount of £100 will be applied to the application fee, providing the applicant submits a full complete application form and all requested documentation. Payment must be received in full or a direct debit payment plan agreed. Failure to continue to make direct debit payments will result in the loss of any early application discount previously supplied.

19. The Council wants to support responsible landlords to make further investments in the selective licensing areas, which is why the Empty Homes Programme will pay the selective licensing fee of an accredited landlord if:

- They purchase an empty property in the designation areas which has been vacant for a minimum of 12 months prior to the landlord purchasing it; *and*
- The property is refurbished to the accreditation standard within 6 months of the landlord purchasing the property.
- 

*For further information contact the Empty Homes team on 01282 425011 ext 3188.*

Payment Methods

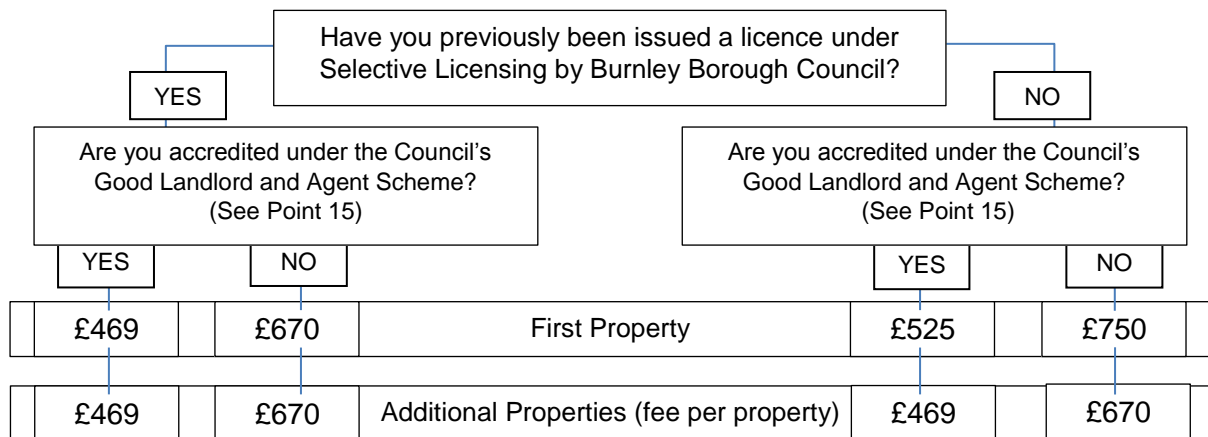
20. Payment in full is required with the application documents.

Fee

	Upon Application (Part A)	Upon Granting (Part B)	Overall Fee A+B
--	---------------------------	------------------------	-----------------

New application with one property (Not been licensed previously)	£405	£345	£750
New additional property	£370	£300	£670
Accreditation Discount <b>*Discounted from the overall fee</b>			30%
Early Application Discount <b>*Discounted from the overall fee</b>			£100

Calculating Your Overall (A=B) Fee



Deduct £100 from your **total** fee if the Early Application Discount applies (see Point 16)

### **Overall Fee (A+B) Examples**

<b><i>Landlords <u>NOT</u> previously licensed in Burnley who are...</i></b>	
Accredited, with one property	£525 (application fee reduced by 30%) Reduced to £425 if apply within three months
Not accredited, with one property	£750 (application fee) Reduced to £650 if apply within three months
Accredited, with two properties	£994 (application fee plus additional property fee, reduced by 30%) Reduced to £894 if apply within three months
Not accredited, with two properties	£1420 (application fee plus additional property fee) Reduced to £1320 if apply within three months
<b><i>Landlords <u>previously</u> licensed in Burnley who are...</i></b>	
Accredited, with one property	£469 (additional property fee reduced by 30%) Reduced to £369 if apply within three months
Not accredited, with one property	£670 (additional property fee) Reduced to £570 if apply within three months
Accredited, with two properties	£938 (2x additional property fee reduced by 30%) Reduced to £838 if apply within three months
Not accredited, with two properties	£1340 (2x additional property fee) Reduced to £1240 if apply within three months

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**Appendix 3 - BURNLEY BOROUGH COUNCIL**

**PROPOSED SELECTIVE LICENCE CONDITIONS**

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In these conditions, “Property” is meant to refer to the building or part of a building, which is licensed under Part 3 of the Housing Act 2004 (“the Act”). “Authority” is meant to refer to the Local Housing Authority, namely Burnley Borough Council.

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**Housing Act 2004 Mandatory Conditions**

1. If gas is supplied to the Property, the Licence Holder must produce to the Authority annually for their inspection, a Gas Safety Certificate obtained in respect of the Property within the last twelve months.
2.
  - i) The Licence Holder must keep electrical appliances and furniture provided by him in the Property in a safe condition;
  - ii) Must supply to the Authority on demand a declaration made by him as to the safety of such appliances and furniture;
  - iii) Must ensure that every electrical installation in the house is in proper working order and safe for continued use; and
  - iv) Must supply to the Authority, on demand, a declaration by him as to the safety of such installations.

For the purposes of paragraph iii) “electrical installation” has the meaning given in regulation 2(1) of the Building Regulations 2010.

- 3.1 The Licence Holder must
  - i) Ensure that a smoke alarm is installed on each storey of the house on which there is a room used wholly or partly as living accommodation and to keep each alarm in proper working order, and
  - ii) Supply to the Authority on demand a declaration made by him as to the condition and positioning of such alarms.
- 3.2 The Licence Holder must ensure that a carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance, and keep any such alarm in proper working order, and supply to the authority on demand a declaration by him as to the condition and positioning of any such alarm.
4. The Licence Holder must provide each occupier of the Property with a written statement of the terms and conditions on which they occupy the Property (“the Tenancy Agreement”).

- 5.1 If any person allowed by the Licence Holder to occupy the Property shall have been a tenant under a tenancy of any other property then, prior to that person being allowed to occupy the Property, the Licence Holder shall have obtained from that person formal identification and shall have taken reasonable steps to obtain a satisfactory written reference from his/her existing landlord or from somebody who has been his/her landlord within the last two years prior to granting the tenancy. In requesting references from previous landlords, the licence holder or their nominated agent should request details of how that person conducted any such tenancy (or tenancies) in terms of causing nuisance, anti social behaviour, payment of rent and any breaches of the tenancy agreement(s).
- 5.2 The licence holder must retain copies of their requests for references, and where obtained, copies of reference(s) provided for a minimum of 12 months from the start of a tenancy. A copy of the said request(s) and where obtained the reference(s) must be provided to the Authority within 14 days of receiving a request to do so in writing by the Authority.

### **Housing Act 2004 – Prescribed Conditions**

#### **Management of the licensed Property**

6. The Licence Holder must ensure that there are management procedures in place to comply with their statutory and contractual repairing obligations.
7. The Licence Holder must ensure the occupiers of the Property have been provided with details of the following:
- Name of the Licence Holder;
  - A contact address and daytime telephone number; *and*
  - An emergency contact number.
- An emergency contact telephone number for the Licence Holder and/or Management Agency shall also be available and notified to the Authority if not already done so.
8. The Licence Holder must ensure that occupants of the Property receive written confirmation detailing the arrangements that have been put in place to deal with repair issues and emergencies should they arise.
9. The Licence Holder must arrange to undertake a detailed inventory to be agreed with each occupant upon commencement of their occupation of the Property and to be kept on file by the Licence Holder at the Licence Holder's business address.
10. The Licence Holder must act lawfully and reasonably in requiring any advanced payments from occupiers, in handling rents, in returning deposits and in making deductions from deposits. The Licence Holder must provide any occupiers or prospective occupier with the following information:
- The amount of rent payable;
  - The details of any deposit required;

- Details of what the deposit covers, the deposit scheme it has been deposited into (within 14 days) and arrangements for return;
- The frequency of payments;
- The details of any utilities or other charges included in the rent;
- The responsibility for payment of council tax; *and*
- The responsibility for payment of utilities and arranging provision of such.

11. The Licence Holder (and/or their agent where an agent has been appointed to manage the Property) must attend one Landlord Development Day covering how to manage tenancies whilst the licence is in force and must undertake any additional property management training courses that the Authority from time to time requires to be undertaken. Alternatively demonstrate to the Authority that similar, relevant training has been undertaken within the preceding 12 months.

12. The Licence Holder must inform the licensing team of the Authority within ten working days of any substantial changes in their circumstances which would affect the management of the Property, namely;

- i) Details of any unspent <sup>1</sup>convictions not previously disclosed to the Authority that may be relevant to the Licence Holder and/or the Property manager and their fit and proper person status and in particular any such conviction in respect of any offence involving fraud, dishonesty, violence or drugs or any offence listed in Schedule 3 to the Sexual Offences Act 2003;
- ii) Details of any finding by a court or tribunal against the Licence Holder and/or the Manager that he/she has practised unlawful discrimination on grounds of sex, colour, race, ethnic or national origin, religion, sexual orientation or disability in, or in connection with, the carrying on of any business;
- iii) Details of any contravention on the part of the Licence Holder or Manager of any provision of any enactment relating to housing, public health, environmental health or landlord and tenant law which led to civil or criminal proceedings resulting in a judgment or finding being made against him/her;
- iv) Information about any property the Licence Holder or manager owns or manages or has owned or managed for which a local housing authority has refused to grant a licence under Part 2 or 3 of the Act, or has revoked a licence in consequence of the Licence Holder breaching the conditions of his/her licence;
- v) Information about any property the Licence Holder or manager owns or manages or has owned or managed that has been the subject of an Interim or Final Management Order under the Housing Act 2004;
- vi) Change in Managing Agent or the instruction of a Managing Agent.

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<sup>1</sup> The Rehabilitation of Offenders Act 1974 enables some criminal convictions to become 'spent', or ignored, after a 'rehabilitation period'. A rehabilitation period is a set length of time from the date of conviction. After this period, with certain exceptions, an ex-offender is not normally obliged to mention the conviction when applying for a job or obtaining insurance, or when involved in criminal or civil proceedings.

13. The Licence Holder and/or their Manager are required to visit the Property within three to six months of the commencement of the tenancy and thereafter annually. A record of these visits must be made available to the Authority on request.
14. The Licence Holder must inform the Authority of any information that comes into their possession that suggests that a person(s) involved with the management of the Property are not “fit and proper persons” for the purposes of the Act.
15. The Licence Holder must take steps to ensure that the water supply and drainage system serving the Property is kept clean and maintained in good repair and proper working order.
16. The Licence Holder must not unreasonably cause or permit the water supply or drainage system that is used by the occupiers of the Property to be interrupted.
17. The Licence Holder must not unreasonably cause or permit the gas or electricity supply that is used by the occupiers of the Property to be interrupted.
18. Where there are alley gates installed to the rear of the licensed Property, the Licence Holder must:
  - Take responsibility for holding a key for any alley gates, which are in place or installed;
  - At the time of letting, provide all new tenants with a key for the alley gates; *and*
  - Ensure that any tenant during their occupancy of the Property is aware of the requirements of the alley gating scheme.

### **Safety and Security**

19. The Licence Holder will ensure the front and rear doors of the Property are secure and fitted with good quality locking systems.
20. Where a burglar alarm is fitted to the Property, the Licence Holder will permit a tenant to change the code if they so wish.

### **Environmental Management and Amenity of the Neighbourhood**

21. The Licence Holder shall ensure that suitable and adequate provision for refuse storage and collection is made at the Property and that the Authority’s arrangements for refuse collection including recycling are made clear to the tenant. This shall include the provision of closable bins of suitable capacity as specified by the Authority. Arrangements shall be made immediately for the proper collection and disposal of any rubbish additional to that within the bins. The Licence Holder shall ensure that all tenants are aware that all refuse containers are to be returned within the curtilage of the Property on the same day that they are emptied by the Authority.
22. The Licence Holder must ensure that the tenant is aware of their responsibility to keep yards, forecourts and gardens surrounding the Property in a clean and tidy condition.

### **Preventing and Reducing Antisocial Behaviour**



23. The Licence Holder must take all reasonable and practicable steps for preventing and dealing with antisocial behaviour. The Licence Holder and/or his manager must undertake a reasonable and effective investigation of any complaints which have been made either directly to them, or via the Authority, regarding their occupiers. For the purposes of these conditions, antisocial behaviour is defined as behaviour by the occupants of the Property and/or their visitors, which causes a nuisance and/or harassment, alarm or distress to other occupants of the Property, to lawful visitors to the Property or to persons residing in or lawfully visiting the locality of the Property.
24. The Licence Holder must ensure that any tenancy agreement or written statement of the terms and conditions of which the house is occupied issued in relation to the Property contains reasonable clauses allowing the licence holder or their appointed representative to address any instances of anti-social behaviour by the tenant or the tenant's visitors. The licence holder must ensure that all occupants are aware of the existence of this clause.
25. Where tenants and/or their visitors have been found to have caused anti-social behaviour, the Licence Holder must make clear to the tenant with verbal and written warnings as appropriate that further instances of anti-social behaviour will not be tolerated. Should the tenant and/or their visitors continue to cause anti-social behaviour the Licence Holder must utilise the clauses of any written agreement under which the tenant occupies the Property to legally end the tenancy where appropriate.
26. The Licence Holder or their nominated agent must have the facilities to receive and respond to initial complaints about their occupiers' behaviour.
27. The Licence Holder or their nominated agent must provide free of charge an honest and accurate reference relating to existing or previous tenants to other potential landlords.

### **Ending a Tenancy**

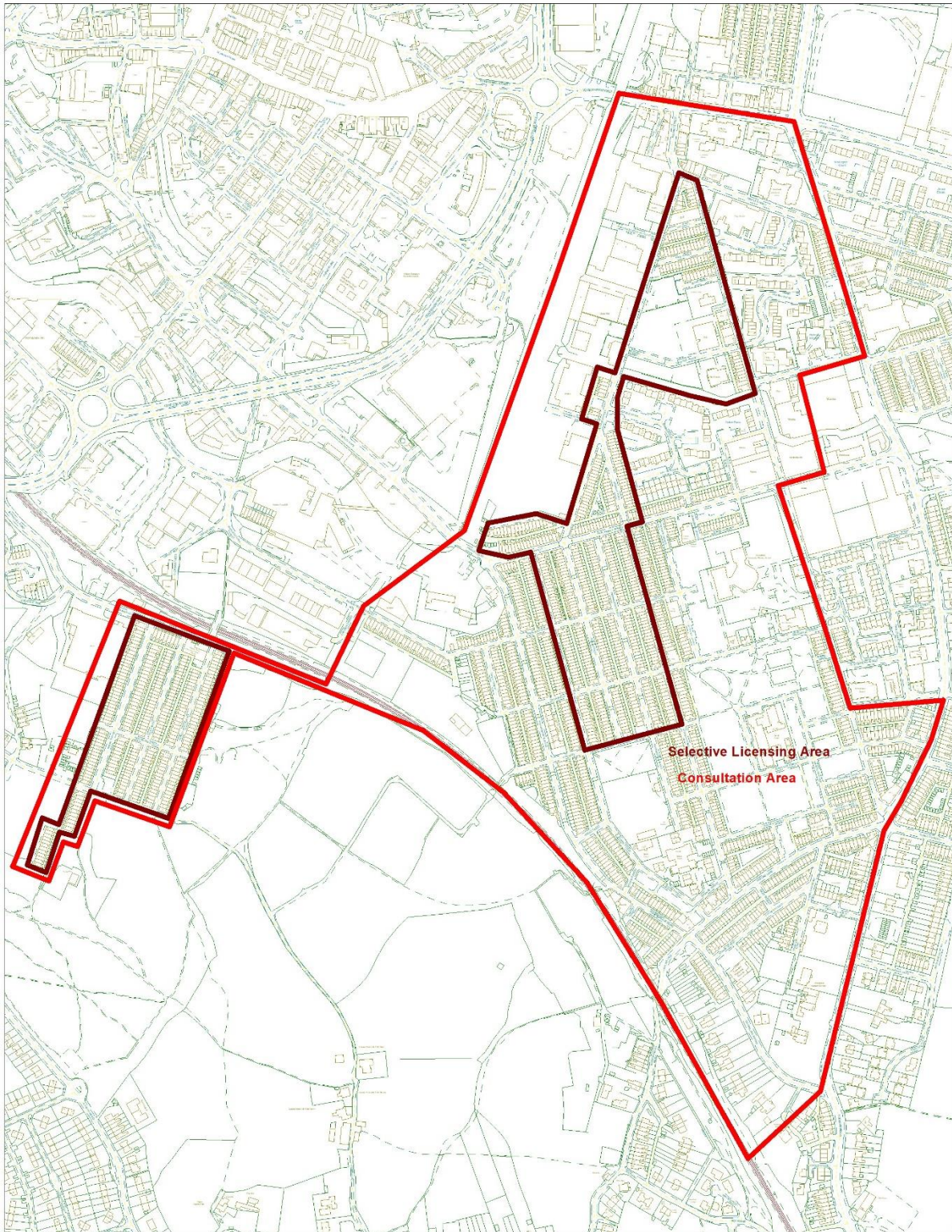
28. The Licence Holder must ensure there are management procedures in place to legally end a tenancy in relation to the Property, and must implement said procedures.

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**Appendix 4a**

Map 1 - Burnley Wood with Healey Wood Proposed Designation Area 2022 – 27

Date Printed: 23/06/2021



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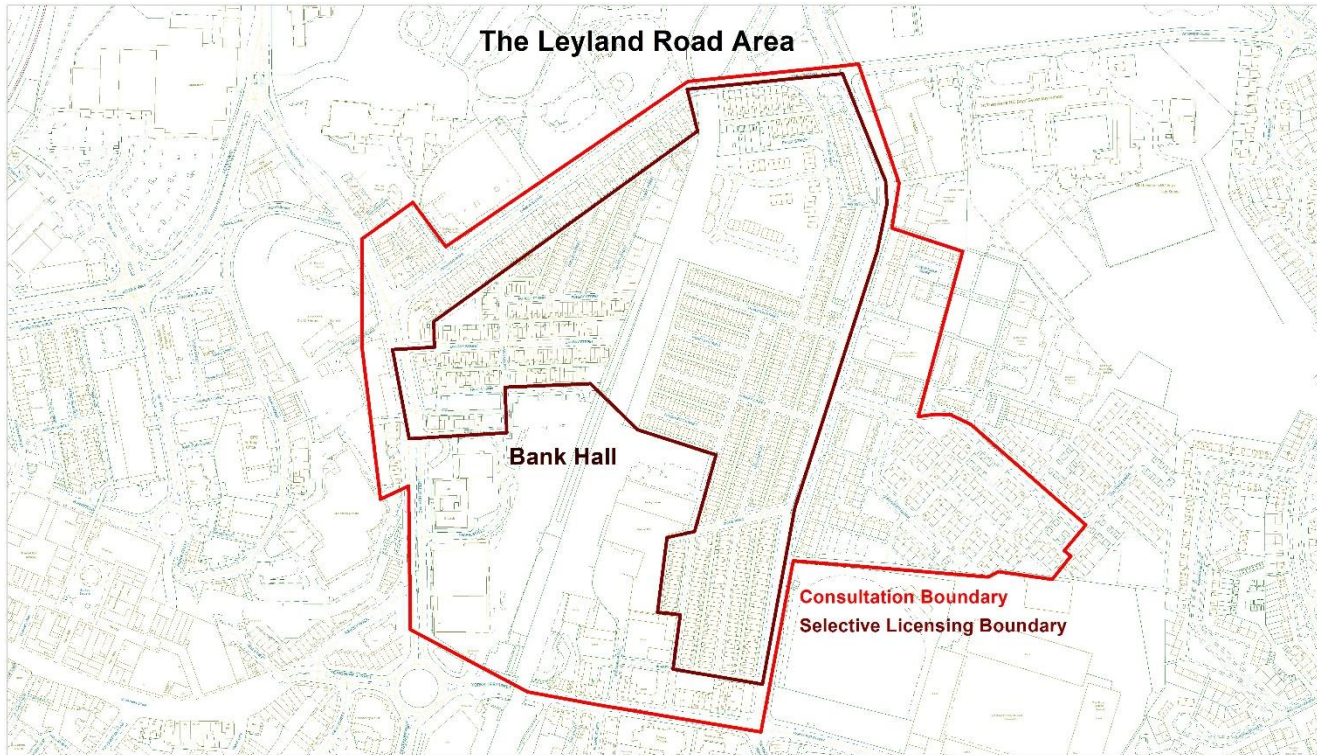
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Map 2 – The Leyland Road Proposed Selective Licensing Area 2022 – 2027



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 DATE :  
 SCALE 1:3000

Head of Service Unit



DRAWING NUMBER

13000 01/2006 22/05/2021

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**The Empty Homes Programme**

**REPORT TO EXECUTIVE**



<b>DATE</b>	<b>14<sup>th</sup> July 2021</b>
<b>PORTFOLIO</b>	<b>Housing and Leisure</b>
<b>REPORT AUTHOR</b>	<b>John Killion</b>
<b>TEL NO</b>	<b>3188</b>
<b>EMAIL</b>	<b>jkillion@burnley.gov.uk</b>

**PURPOSE**

1. To seek approval to make several Compulsory Purchase Orders (CPOs) for long term vacant properties in the private sector.
2. To dispose of the properties in accordance with the Council's Disposal of Empty Dwellings Policy and scheme of delegation or to Calico Homes as appropriate.

**RECOMMENDATION**

3. That the Head of Housing and Development Control in consultation with the relevant Executive Member approve in pursuance of the powers obtained under Section 17 of the Housing Act 1985 (as amended) to make the following compulsory purchase orders for the purpose of renovation and/or re-sale by the most appropriate method:
  - The Burnley (77 Tarleton Street Burnley) Compulsory Purchase Order 2021
  - The Burnley (1 Laburnum Close Burnley) Compulsory Purchase Order 2021
  - The Burnley (11 Fifth Avenue Burnley) Compulsory Purchase Order 2021
  - The Burnley (40 Caernarvon Avenue Burnley) Compulsory Purchase Order 2021
  - The Burnley (10 Ruskin Avenue Padiham Burnley) Compulsory Purchase Order 2021
  - The Burnley (28 Spencer Street Padiham Burnley) Compulsory Purchase Order 2021
  - The Burnley (14-16 Boundary Street Burnley) Compulsory Purchase Order 2021
  - The Burnley (9 Fir Street Burnley) Compulsory Purchase Order 2021
  - The Burnley (23 Harley Street Burnley) Compulsory Purchase Order 2021
  - The Burnley (17 Pritchard Street Burnley) Compulsory Purchase Order 2021
  - The Burnley (26 Pritchard Street Burnley) Compulsory Purchase Order 2021
  - The Burnley (13 Grange Street Burnley) Compulsory Purchase Order 2021
  - The Burnley (75 Lindsay Street Burnley) Compulsory Purchase Order 2021
  - The Burnley (15 Brush Street Burnley) Compulsory Purchase Order 2021
  - The Burnley (6 Waterbarn Street Burnley) Compulsory Purchase Order 2021
4. That the Head of Legal and Democratic Services be authorised to agree terms for the acquisition of the properties, to acquire the properties in this report by agreement as an alternative to compulsory purchase in accordance with the terms of delegation.

5. To authorise the Head of Legal and Democratic Services to make minor amendments, modifications or deletions to the CPO schedule of interests and map, should this be necessary, and to finalise the making and submission of the CPO, including promoting the Council's case at public inquiry, if necessary.
6. Subject to confirmation by the Secretary of State to authorise the Head of Legal and Democratic Services to secure full title to and possession of the CPO land as appropriate by:
  - Serving notice of confirmation of the CPO on all interested parties
  - Serving notice of intention to execute a General Vesting Declaration
  - Executing the General Vesting Declaration
  - Serving Notices to Treat and/or Entry as appropriate
  - Acquiring land and interests by agreement if possible
7. That the Executive authorises the tendering of any renovation works in accordance with SOC 1, 15 and 16 and delegates power to accept the tender to the Head of Housing and Development Control.
8. That the Executive approves that the proceeds from the sale of the properties is recycled back into the Empty Homes Programme for further acquisitions and renovations.

<b>REASONS FOR RECOMMENDATION</b>
-----------------------------------

9. The owners of these properties have been contacted and have either not responded at all or have given no reasonable proposals for renovating the property or bringing it back into housing use.
10. These properties are long term vacant properties, being empty, in one case for 19 years. Without intervention by the Council through acquisition by agreement or CPO the properties may remain vacant, continue to deteriorate, attract anti-social behaviour, fly-tipping and arson, all of which cause fear in local residents, resulting in a declining neighbourhood.

*77 Tarleton Street Burnley vacant since 18<sup>th</sup> September 2009*

*1 Laburnum Close Burnley vacant since 17 March 2017*

*11 Fifth Avenue Burnley vacant since 12<sup>th</sup> April 2018*

*40 Caernarvon Avenue Burnley vacant since 15<sup>th</sup> February 2007*

*10 Ruskin Avenue Padiham Burnley vacant since 2<sup>nd</sup> May 2016*

*28 Spenser Street Padiham Burnley vacant since 1<sup>st</sup> May 2017*

*14-16 Boundary Street Burnley vacant since 19<sup>th</sup> October 2015*

*9 Fir Street Burnley vacant since 29<sup>th</sup> May 2017*



*23 Harley Street Burnley vacant since 17<sup>th</sup> May 2012*

*17 Pritchard Street Burnley vacant since 26<sup>th</sup> April 2018*

*26 Pritchard Street Burnley vacant since 1<sup>st</sup> September 2009*

*13 Grange Street Burnley vacant since 10<sup>th</sup> March 2008*

*75 Lindsay Street Burnley vacant since 1<sup>st</sup> September 2007*

*15 Brush Street Burnley vacant since 6<sup>th</sup> August 2001*

*6 Waterbarn Street Burnley vacant since 22<sup>nd</sup> August 2016*

Through the Vacant Property Initiative and Empty Homes Programme over 130 properties have been acquired, refurbished and re-sold or re let, bringing those properties back into use and providing high quality accommodation.

## **SUMMARY OF KEY POINTS**

11. The Empty Homes Programme (EHP) is an established project and is an amalgamation of programmes used over the last several years. The initiative identifies properties that have been vacant for a long period of time and which are causing problems for neighbouring properties and local residents, mainly supporting the seven current Selective Licensing designations but also borough wide.
12. In 2011 there were 2,824 empty homes in the borough, the EHP addresses the most problematic empty homes, seeing numbers reduce significantly over the years to 1,907 in 2020 which is, 4.6% of the overall housing stock. Despite this reduction the number of empty homes is still higher than those in Lancashire (3.3%). The EHP continues to work with owners and partners to reduce the number of empty properties in Burnley further.
13. Negotiations for the acquisition of the properties have not yet commenced on the majority of the properties as no contact has been received from the owners. If the owners do contact the Council efforts will be made to purchase the properties by agreement.
14. Where owners contact us, we will work with them to reach an agreement for bringing the property back in to use preventing the need for a CPO. If agreement cannot be reached satisfactorily, the council will use the CPO power as a last resort to ensure the property is brought back in to use.
15. If the owners do not come forward to receive their market value compensation within a six year period then we can no longer be held to account for the compensation monies as the Limitation Act 1980 comes into force.

## **FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

16. The cost of delivering the properties detailed in this report will be funded from the approved Empty Homes Capital Programme 2021/22. It is not envisaged that all the CPOs listed in this report will be made in this financial year as properties may be brought back in to use by owners prior to making the CPO or properties may be bought by agreement.
17. The majority of the cost associated with the programme are made up of two elements, buying the property and the renovation cost. We can reasonably assume, given past experience, that the selling prices for the properties above would vary from between £55,000 to around £150,000 once renovated. We can also assume that we would need to spend around £35,000 renovating each of the properties.
18. Throughout this financial year properties will be chosen from the list above, as well as any other approved lists later in the year, that will ensure that the entire budget for 2021/22 is committed by year end.
19. Any receipts generated from the sale of properties will be recycled back into the programme to enable the purchase and renovation of more problem properties.

<b>POLICY IMPLICATIONS</b>
----------------------------

20. Overall, the proposed action will help to achieve the Council's strategic plan of "People Places Prosperity and Performance". The acquisition and renovation of the vacant properties will enable the Council to bring them back into use, which will improve the environment for residents in the vicinity of the vacant properties by reducing the potential for crime and anti-social behaviour.
21. In terms of Human rights Act implications, Government advice is that local authorities must strike a fair balance between the demands of the community and the need to protect individual's fundamental rights. In considering this balance, one of the issues that a court would look for is whether compensation will be payable. The level of compensation is of course negotiable between the Council and the property owner's Valuer. In addition, individual rights are protected by the statutory objection and inquiry procedure.
22. It is anticipated that the recommendations in this report will have no further policy implications.

<b>DETAILS OF CONSULTATION</b>
--------------------------------

23. None

<b>BACKGROUND PAPERS</b>
--------------------------

24. None

<b>FURTHER INFORMATION</b> <b>PLEASE CONTACT:</b>
--

**John Killion (Project Officer Vacants)**

**01282 425011 Ext. 3188**

**ALSO:**

**Clare Jackson (Private Sector Housing Manager)**

**01282 477231 Ext. 7231**

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**COVID COMMUNITY RECOVERY PLAN UPDATE****REPORT TO THE EXECUTIVE**

<b>DATE</b>	<b>14 July 2021</b>
<b>PORTFOLIO</b>	<b>Leader/Health and Wellbeing</b>
<b>REPORT AUTHOR</b>	<b>Rob Dobson</b>
<b>TEL NO</b>	<b>3115</b>
<b>EMAIL</b>	<b>rdoobson@burnley.gov.uk</b>

**PURPOSE**

1. To update the Executive on the community recovery plan and to set out funding proposals for the next two years.

**RECOMMENDATION**

2. That the Executive approves the proposals for covid community recovery set out in section 6 of this report.
3. That the Head of Policy and Engagement has delegated authority to put the above recommendation into effect.

**REASONS FOR RECOMMENDATION**

4. The original strategy is funded up to the end of 2021. Using the council's existing covid response budget, over the next two years, Burnley Together will take action to have a positive effect on the wider determinants of population health, now that the immediate pandemic response phase is drawing to a close.

**SUMMARY OF KEY POINTS****5. Community Recovery Strategy update**

- The council continues, as part of the surge activity, to support an effective local test and trace service.
- By 22nd June, Liberata has processed 2130 test and trace payment applications, of which 1045 were eligible (49%). For context, there is some evidence that across the country 75% of applications are turned down. The council made the scheme more generous as part of its surge testing and vaccination plan, and uptake has increased significantly since the start of June.
- The council is also supporting the local vaccination communication and engagement effort, and is helping NHS and public health colleagues set up neighbourhood vaccination

sites. By the end of June, 74% of adults have had one dose and 54% both doses, which is similar to neighbouring authorities but lower than the regional average (77% first dose, 57% second dose).

- At the end of April 2021 Burnley Together had supported 4,352 households. Mental health support requests are, unfortunately, on the increase, from 1% in January to around 10% in April and May. In May, Burnley Together won the Northern Housing Award for Best Resident Support/Advice Programme 2021. The submission was entered by Calico Homes and the judges said of the award-winning entry: "These partnerships will be essential as we move forward from the pandemic. This was a standout entry that showed lasting, positive impact." The team continues to grow with a second Kickstart Calico employee starting as a Customer Support Advisor on the phones in May. Valley Street community centre is once again open and Burnley Together have been able to offer some socially distanced face to face meetings with customers who are accessing support from the team. The first Community Inclusion Operational group meeting has taken place. The first aim of the group is to develop a more joined up approach to food distribution around the town and ensure that volunteers are matched well to opportunities. Positive links to Church on the Street have also been developed.
- The Policy and Engagement unit is co-ordinating the Holiday Activities and Food programme through 2021, as reported to the Executive on 9<sup>th</sup> June.

## **6. Proposals for 2021-2023**

- BFC in the Community have requested £30k to continue the youth mental health project. This places a youth mental health worker in each of the borough's high schools. The majority of the funding- £125k pa- is from the Premier League, with each school making a contribution of £12k pa. Given the impact of covid on education and young people, the council is recommended to offer £30k over two years, subject to continued support from the schools.
- The council committed £30k to create a new post for 12 months to support its aims for Burnley Together. The Community link officer post was filled in January and has a full caseload of families receiving intensive support. Appendix 1 gives more information on the recent activity of Burnley Together and provides a case study of the link worker's work and the case for extra capacity. The council is recommended to extend the contract of this officer by two years, and to fund a second Community Link officer on a two year contract. This is on top of the £48k pa investment in Contact Centre capacity. The total commitment is £216k.
- The Executive member for Health and Wellbeing will be asked to chair the Burnley Health and Wellbeing partnership. This will start to meet as soon as the latest surge activity is over. The partnership will ensure that the borough has a coherent strategy for population health management; one that joins up the council and Calico's investment in Burnley Together with the NHS's integrated health and care partnership work. It is proposed that £40k from the recovery budget will be set aside, which can be managed through the Health and Wellbeing partnership.

## **FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

7. There are no new budget implications arising from this report; the strategy is using existing government covid grants for supporting vulnerable people and the council's Community Recovery reserve.

<b>POLICY IMPLICATIONS</b>
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8. Ongoing prioritisation of senior leadership time to support the test and vaccination surge.
9. Making sure Burnley Together operates effectively within the wider health and care system.

<b>DETAILS OF CONSULTATION</b>
--------------------------------

10. Not applicable

<b>BACKGROUND PAPERS</b>
--------------------------

11. The Covid Community Recovery plan:  
<https://burnley.moderngov.co.uk/ieListDocuments.aspx?CIId=151&MID=1249#AI16500>

<b>FURTHER INFORMATION PLEASE CONTACT</b>
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## **Appendix 1: Burnley Together update (May report)**

### **Key Project Areas**

Contact Centre	<ul style="list-style-type: none"><li>• Calico are recruiting a new Kickstart member into the team.</li><li>• Customer Support Advisors continue to spend time with the Co-ordinator to visit our customers at home and to understand the needs of our customers.</li><li>• Whilst there is still work to do on the efficacy of the database we are able to look in more detail at call reasons which is important data for us when considering the future needs of customers.</li><li>• As part of our support for the new Thrive Hub, we have a dedicated member of the team as our Thrive Champion to be the first point of contact.</li></ul> <p><u>Next Steps</u></p> <ul style="list-style-type: none"><li>• Continue with the work to implement changes to the database for increased data scrutiny</li><li>• Carry out outbound work with those who access the befriending service to ensure they have been able to access the vaccination programme and to enable them to come out and socialise if they wish to do so.</li><li>• Access mental health first aid training for Customer Support Advisors so they are better able to deal with the increased need in this area and give the right advice and support.</li></ul>
Community Link Worker	<ul style="list-style-type: none"><li>• Link officer's caseload has risen from 17 in April to 21 in May.</li><li>• Each case takes an average of 8 weeks to unpick and resolve with a range of service providers involved to take the customer through their journey to a happier, more secure, place in life.</li><li>• In appropriate cases the case worker is now passing cases over to the case management team and the Physical Activity Co-ordinator</li><li>• A process for handing over Calico Homes customers to the relevant teams within the organisation has been established. This frees up time for the casework to engage with other residents in the borough</li></ul> <p><u>Next Steps</u></p> <ul style="list-style-type: none"><li>• Continue to work with team members to establish a common method of evaluating the outcomes of interventions so we can measure the journey travelled for customers and report comprehensively on social value outcomes.</li></ul>



	<ul style="list-style-type: none"> <li>• Continue to expand knowledge on trends emerging amongst customers so that we can liaise with relevant partners on removing barriers for customers.</li> <li>• Establish systems to measure the additional income that this service is enabling households to access.</li> <li>• Hold a drop in session for members of the European community to complete applications for the resettlement scheme due to the end of June deadline with access to translators.</li> </ul>
Physical Activity Co-ordinator	<ul style="list-style-type: none"> <li>• 21 referrals made into the service</li> <li>• 113 contacts made primarily through phone calls to individuals and also through email</li> <li>• 10 visits in person with more arranged. Visits have varied from assessing and getting to know individuals, health walks and supporting them to first sessions or meeting other organisations.</li> <li>• May has been quieter for the Kit Exchange scheme as there has been no push for donations. There have been many donations but we have not been able to get them out to those in need.</li> <li>• Drop in sessions are now taking place at 4 community venues with different formats in order to test and learn about the most effective ways of working with the community</li> </ul> <p><u>Next Steps</u></p> <ul style="list-style-type: none"> <li>• Develop a method for 'closing off' referrals to the service taking into consideration the needs of the customer.</li> <li>• Support the new Health Coaches in their roles, where possible, working with new individual referrals from the BeWell team and continuing to work with the Up and Active team to raise awareness of the physical activity advisor's role from a GP prescribing perspective.</li> <li>• Work with partners to help get Kit Exchange donations matched to those who need it and develop ways of promoting the scheme to local residents for more effective distribution.</li> <li>• Continue to understand the community offer of physical activity opportunities as there is currently no central way of finding out what these are</li> </ul>
Case Management Service	<ul style="list-style-type: none"> <li>• We currently have 28 individuals within the service. Each individual has a number of health and social care needs in which they need support.</li> <li>• The majority of individuals we are working with have had contact with a number of support services over many years and have not had good experiences or managed to make the positive changes to enable</li> </ul>

	<p>them to achieve their outcomes. Delivering the service using a person centred approach provides an opportunity for each individual to identify what has previously worked and not worked for them. A support plan is co-produced with the outcomes that matter most to each individual. The plan is continually updated, as priorities often change due to chaotic lifestyles.</p> <ul style="list-style-type: none"> <li>• Outcomes achieved include increased attendance at health appointments, ID obtained for individuals, social care assessments completed, listening visits provided, budgeting and benefits forms completed, mental health referrals completed, support with housing options, befriending referrals and referrals to bereavement support.</li> </ul> <p><u>Next Steps</u></p> <ul style="list-style-type: none"> <li>• Find solutions for the increasing number of people needing to access mental health support.</li> <li>• Find ways to manage the time needed to establish trusting relationships with individuals who have a lack of trust in the systems due to previous experience.</li> </ul>
Partnership Working	<ul style="list-style-type: none"> <li>• We continue to support BFC in the Community with the collection of donations and the delivery of food parcels whilst there is reduced capacity for their team.</li> <li>• We are working with partners to develop a school uniform recycling scheme over the summer. Donation points have been agreed in a variety of places and volunteers have been secured to wash donations before distribution across the community. We plan to launch this prior to the summer holidays to support local families.</li> <li>• Participation Works are working in partnership with BBC to plan and deliver the Holiday Activity and Food offer with a range of voluntary sector partners. This will support young people in our communities who would normally access free school meals.</li> <li>• We are working with Burnley Leisure to continue the production of freshly cooked ready meals that can be added to food parcels on a weekly basis.</li> <li>• We have met with and taken the time to develop a working relationship with Church on the Streets. We are linking them to food parcels and meeting the people they are working with to offer further support. We are introducing them to other partners that can support their work with addressing homelessness.</li> <li>• We have hosted a networking opportunity for voluntary sector organisations via Zoom which has led</li> </ul>

	<p>to collaborative working and increased opportunities for local people.</p> <p><u>Next steps</u></p> <ul style="list-style-type: none"> <li>• Continue to support BFC in the Community in ensuring that nobody in the borough goes hungry; working with them to access food through donations.</li> <li>• Attend community events to raise awareness of the services on offer through BT</li> <li>• Work with BBC to look at the future staffing needs of BT and source appropriate funding.</li> <li>• Continue to work with teams at Calico Homes to raise awareness of the services BT can offer as well as ensuring their customers are accessing the full range of the in house support on offer.</li> <li>• Work with Calico Homes to visit neighbourhoods and raise awareness of BT services.</li> </ul>
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**Link worker- business case for additional capacity**

Currently the Community Link Worker manages an average caseload of 21 customers at any one time. Whilst this is manageable other members of the Burnley Together team are being redirected to some of the first point of contact visits due to the level of demand. This is not the service Burnley Together wants to offer as we are aware that those reaching out for support are often calling it as a last resort due to a feeling of being trapped in systems that are difficult to navigate and have been passed from pillar to post many times, with a need to retell their story each time. The aim is to connect customers to the person who will be working alongside them to overcome these barriers from the very first visit. Having the capacity to do this maximises the development of relational support that builds trust, openness and understanding between the customer and the link worker which in turn leads to improved outcomes that are sustainable and in less time.

The role of the Link Worker is to act as a bridge rather than a signpost. As the Link Worker listens to understand the needs of each unique individual they can then liaise with the relevant services in an advocacy role to help those services understand where the blocks are to their service users navigating the system and serving themselves without the ongoing need for support. Being bold and changing the way we work with those in our communities takes time. The Link Worker is navigating a wide range of services to find the best pathway for a customer and one customer may need support to deal with DWP, LCC, Social Care, debt management support, mental health support and access to housing – all with no access to the internet and English as a second language, to give just one example.

Extending the contract of the current Community Link Worker and introducing an additional post will allow Burnley Together to facilitate change for increased numbers of customers, build the skills and expertise of the team, enable system change and develop positive partnership working. The volume of contacts reported above shows that double the average caseload will be easily achieved. Below is an example of the type of intense casework involved.

## **Case study**

We were approached in early March by a man who asked for a food parcel for his friend, who couldn't speak English well. This was provided and we arranged for our link worker to visit her to see how else we may be able to support her. The caseworker visited SD at home, along with an interpreter, and it became apparent that she was in a dire financial situation. She had 2 children and was expecting her 3rd, had no benefits or money and was unable to pay her rent. We immediately spoke to the landlord on her behalf to make an arrangement to ensure she remained in her home whilst we tried to make claims for benefits and other support. We also ensured the family had enough food over the next few weeks and their utilities were topped up.

During the first 8 weeks, the caseworker provided intensive support to the family, making 56 individual visits/calls/emails in this time. He achieved the following:

- Contacted Lancashire Women, BPRCVS, Strategic Partnership for DV support
- Liaised with DWP to sort out issues with her National Insurance number
- Met with the landlord, arranged a payment schedule once benefits were in place to enable her to remain in the family home
- Applied for all relevant benefits (Universal Credit, Child Benefit, Housing Benefit, Council Tax Relief)
- Facilitated visits to DWP to ensure SD wasn't penalised for non-attendance
- Contacted Family Wellbeing service who started to work with her
- Organised a fuel voucher through BPRCVS
- Spoke to Social Services several times around DV/Safeguarding
- Arranged Surestart Maternity Grant
- Registered her children with LCC for school placements
- Ensured her mobile phone had credit
- Registered at local GP for all the family
- Took SD to hospital appointments
- Took SD'S eldest son to school for the first 2 weeks to ensure he settled in

The caseworker continues to support the family as and when they need it and has built excellent relationships with other services involved in this process.

## Key performance indicators

	March	April	May
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### Contact Centre

Total number of contacts	1219	1031	1051
Average call length of inbound calls	00:02:48	00:02:16	00:01:58
average waiting time (on hold)	00:00:16	00:00:16	00:00:12
% of abandon calls	3%	1%	2%

	March	April	May
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### Service referrals

% of contacts requiring food bank	56.1%	54.1%	65.0%
% of contacts requiring employment support	0.4%	0.3%	1.0%
% of contacts requiring financial support	2.4%	3.2%	2.7%
% of contacts requiring shielding/isolating support	0.5%	1.0%	1.2%
% of contacts requiring mental health support	6.7%	12.1%	9.1%
% of contact requiring physical health support	0.6%	1.6%	2.4%

	March	April	May
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### Key projects

Food bank - Number of food parcels requested	684	558	683
Food bank - % of food parcels declined	0.00%	0.00%	0.000%

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## Platinum Jubilee and Armed Forces Day 2022

### REPORT TO THE EXECUTIVE



<b>DATE</b>	14 July 2021
<b>PORTFOLIO</b>	Leader
<b>REPORT AUTHOR</b>	Rob Dobson
<b>TEL NO</b>	Ext 3115
<b>EMAIL</b>	rdobson <a href="mailto:rdobson@burnley.gov.uk">@burnley.gov.uk</a>

### PURPOSE

1. To recommend that the council establish a budget for the Queen's Platinum Jubilee celebrations and for an Armed Forces event in Towneley Park.

### RECOMMENDATION

2. That the Executive recommend to Full Council that a budget of £20,000 is established from the revenue support reserve, for the Platinum Jubilee celebrations and an Armed Forces Day event to be held in summer 2022.

### REASONS FOR RECOMMENDATION

3. In 2022, Her Majesty The Queen will become the first British Monarch to celebrate a Platinum Jubilee, seventy years of service, having acceded to the throne on 6th February 1952 when Her Majesty was 25 years old.
4. Throughout the year, Her Majesty and members of the Royal Family will travel around the country to undertake a variety of engagements to mark this historic occasion culminating with the focal point of the Platinum Jubilee Weekend in June.
5. An extended bank holiday, from Thursday 2nd to Sunday 5th June, will provide an opportunity for the people of Burnley to come together to celebrate the historic milestone. The four days of celebrations will include public events and community activities, as well as national moments of reflection on The Queen's 70 years of service.
6. Armed Forces day in 2022 falls on 25<sup>th</sup> June. Councillor Cosima Towneley, through the Covenant group and in her role as Armed Forces champion, has asked the council to help organise an armed forces event in Towneley Park. Councillor Towneley is expected to become Mayor of the Borough in 2022.

### SUMMARY OF KEY POINTS

7. It is recommended that a budget of £10,000 is established to help parish councils and resident associations in Burnley organise street parties to celebrate the Jubilee. Eligible organisations will be invited to bid for up to a maximum of £1,000. In addition, as part of the celebrations, the council will celebrate the dedication and commitment of our local voluntary sector.
8. An Armed Forces Day parade in Towneley will bring residents from across the borough into the park. An organising committee will be formed to plan a successful event, and a budget of £10,000 is requested. The event will bring all communities together, and will commemorate the sacrifices made by our Armed Forces both now and in the past. If successful, the council may wish to put the borough forward to host the 2023 National Armed Forces day Event. Hosting the national event puts the host town or city in the spotlight, gathering national media and public interest.

#### **FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

9. A one-off budget of £20,000 is requested from the revenue support reserve.

#### **POLICY IMPLICATIONS**

10. The Towneley event will bring in visitors to the town centre, promote Towneley as visitor destination, and promote the borough's uniformed youth organisations, which make a positive contribution to youth engagement in the town.

#### **DETAILS OF CONSULTATION**

11. The Armed Forces Covenant supports the proposed Towneley event.

#### **BACKGROUND PAPERS**

None

#### **FURTHER INFORMATION**

**PLEASE CONTACT:**

**Rob Dobson**

**ALSO:**

**Catherine Swift**



ITEM NO	[AgendaItem]
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## Strategic Risk Register Update

### REPORT TO EXECUTIVE



<b>DATE</b>	14/07/2021
<b>PORTFOLIO</b>	Resources & Performance Management
<b>REPORT AUTHOR</b>	Ian Evenett
<b>TEL NO</b>	01282 425011 Ext 7175
<b>EMAIL</b>	ievenett@burnley.gov.uk

#### PURPOSE

1. To approve the Strategic Risk Register.

#### RECOMMENDATION

2. That the Strategic Risk Register is approved.

#### REASONS FOR RECOMMENDATION

3. To ensure that Risks are appropriately monitored and recorded.

#### SUMMARY OF KEY POINTS

4. Attached a revised Strategic Risk Register. The change is highlighted in the draft and reported below.

**Failure to respond to widespread illness.**

5. This risk has been revised to reflect the issues as we approach the removal of national restrictions. Changes include the impact of local surges and variant strains. The range of actions that the council has in place has also been expanded.

**Risk Reporting Timing issues.**

6. The risk register reflects a position at a point in time, as such in some cases this can mean that for rapidly changing risks, the actual risk may be different than reported.

#### FINANCIAL IMPLICATIONS AND BUDGET PROVISION

7. None

**POLICY IMPLICATIONS**

8. This is part of the Risk Management and Corporate Governance approach for the Council

**DETAILS OF CONSULTATION**

9. Audit and Standards Committee

**BACKGROUND PAPERS**

10. None

**FURTHER INFORMATION**  
**PLEASE CONTACT:** Ian Evenett Ext 7175  
**ALSO:**



## **Burnley Borough Council**

### **Strategic Risk Register**

18 June 2021

Strategic Risk Register Summary

ID	Risk Description	Risk Score
1	Financial stability	9
6	Inability to deliver the regeneration programme	9
9	Risks in responding to demographic changes and increased deprivation	9
4	Changes in the political landscape	6
5	Changes in national policy/legislation	6
8	Inability to influence key decision makers	6
10	Workforce, skills and capacity challenges	6
14	Failure to respond to a widespread illness	6
2	Maintaining Partnership Performance	4
3	Damage to the Council's reputation	4
7	Inability to drive improvements through information technology	3
11	Malicious Attack	3
12	Safeguarding Failure	3
13	Environmental Event	3

Risk Prioritization Matrix

Likelihood	3		4, 5, 10	1, 6, 9	Red High
	2		2, 3	8,14	Amber Medium
	1			7, 11, 12, 13	Green Low
		1	2	3	
		Impact			

Likelihood	Impact
1 Very Unlikely	1 Low
2 Likely	2 Medium
3 Virtually Certain	3 High

Risk Ref: 1 Financial stability

Trigger or Cause

Further funding cuts  
 Income loss (C19)  
 Insufficient financial controls  
 Expensive decision making  
 External cost pressures  
 Price or Interest Rate Increases  
 Political growth  
 Failing to understand the financial problem  
 National Economic Changes (C19)  
 Claims against the Council

Possible Consequences of Risk

Organisational sustainability  
 Reduced service delivery  
 Reduced customer satisfaction  
 Reduced reserves  
 Overspends  
 Damaged credit rating  
 Damage to reputation  
 Workforce morale/planning/retention  
 Reduced reputation for financial management  
 Central Government Intervention

Strategic Link: Cross Cutting

Residual Risk Assesment	Impact	3	Likelihood	3	Score	9	High Priority Risk
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Strategic Commitments

- PF1 - We will manage our contract with Liberata robustly, so it delivers value for money and good services.
- PF2 - We will adopt a Medium Term Financial Strategy that will put the Council on a sustainable financial footing. This strategy will set the framework for preparing annual budgets, ensuring the annual budget strategy is set within the context of the longer-term outlook.
- PF3 - We will develop our digital strategy, so that more residents transact with us online and we will continue to deliver services more efficiently.
- PF4 - We will deliver our Organisational Development strategy, ensuring we plan for the structures and capabilities that the organisation needs, and empowering our workforce to deliver the objectives
- PL6 - We will invest in our heritage assets for the benefit of this, and future, generations.
- PR5 - We will support UCLan's expansion, transforming Burnley into a University Town
- PR6 - We will delivery our COVID-19 economic recovery plan.
- PE2 - We will continue to develop the leisure and cultural offer of Burnley in partnership with Burnley Leisure.
- PE4 - We will work on the wider determinants of poor health and will deliver our COVID-19 community recovery plans

Lead Responsibility : Head of Finance & Property

Risk Ref: 2 Maintaining Partnership Performance

Trigger or Cause

Procurement method  
 Supply chain failure  
 Commissioning 'v' traditional culture  
 Political Change  
 Poor implementation  
 Compliance/Legal  
 Business continuity  
 Transformational cultural change not achieved  
 Poor or weak contract management  
 Partner failure or withdrawal

Possible Consequences of Risk

Reduced service delivery  
 Reduced customer satisfaction  
 Political or reputation embarrassment  
 Perceived council failure  
 Poor co-ordination of existing providers and systems  
 Poor relationships  
 Increased costs

Strategic Link: Cross Cutting

Residual Risk  
 Assesement

Impact

2

Likelihood

2

Score

4

Medium Priority Risk

Strategic Commitments

PE1 - We will work with partners to make the borough a place of aspiration, including supporting efforts to increase education attainment and skills development.

PE2 - We will continue to develop the leisure and cultural offer of Burnley in partnership with Burnley Leisure.

PF1 - We will manage our contract with Liberata robustly, so it delivers value for money and good services.

PE3 - We will work with partners to provide necessary support systems to reduce homelessness and to end rough sleeping in the borough.

PL1 - We will implement a range of initiatives to maintain a clean, safe, attractive and environmentally friendly borough. This will include a focus on reducing dog fouling.

PL3 - We will work with partners to improve the quality and choice in the borough's housing stock.

PL4 - We will implement our 2015-25 Green Space Strategy.

PR3 - We will deliver the Town Centre and Canalside Masterplan, and strategic projects in Padiham Town Centre.

PR5 - We will support UCLan's expansion, transforming Burnley into a University Town

Lead Responsibility : Management Team

Risk Ref: 3 Damage to the Council’s reputation

Trigger or Cause

Service failure  
 Loss of key staff  
 External events  
 Customer Satisfaction not maintained  
 Partner failure or withdrawal

Possible Consequences of Risk

Strategic plan delivery problem  
 Credibility of the leadership (both political and officer)  
 Low morale  
 Loss of key staff  
 Recruitment and retention issues

Strategic Link: Cross Cutting

Residual Risk Assessment

Impact

2

Likelihood

2

Score

4

Medium Priority Risk

Strategic Commitments

PF1 - We will manage our contract with Liberata robustly, so it delivers value for money and

PF2 - We will adopt a Medium Term Financial Strategy that will put the Council on a sustainable financial footing. This strategy will set the framework for preparing annual budgets, ensuring the annual budget strategy is set within the context of the longer-term outlook.

PR1 - We will contribute to the strategic direction of local, sub-regional and regional partnerships, and will position the borough for economic development investment

PL1 - We will implement a range of initiatives to maintain a clean, safe, attractive and environmentally friendly borough. This will include a focus on reducing dog fouling.

PF3 - We will develop our digital strategy, so that more residents transact with us online and we will continue to deliver services more efficiently.

PE4 - We will work on the wider determinants of poor health and will deliver our COVID-19 community recovery plans

Lead Responsibility : Chief Executive Officer



Risk Ref: 4 Changes in the political landscape

Trigger or Cause

No overall control  
 Political instability  
 Poor member and officer relationships  
 Poor member and member relationships  
 Local Govt Reorganisation

Possible Consequences of Risk

Lack of strategic leadership  
 Poor decision making  
 Impact on the Council's reputation  
 Loss of influence with key partners

Strategic Link: People Performance

Residual Risk  
 Assesement

Impact

**2**

Likelihood

**3**

Score

**6**

Medium Priority Risk

Strategic Commitments

PE1 - We will work with partners to make the borough a place of aspiration, including supporting efforts to increase education attainment and skills development.

PF3 - We will develop our digital strategy, so that more residents transact with us online and we will continue to deliver services more efficiently.

PE4 - We will work on the wider determinants of poor health and will deliver our COVID-

PR4 - We will implement the Local Plan, delivering new housing, employment sites, and infrastructure.

Other Work

Council Constitution

Lead Responsibility : Chief Executive Officer

Risk Ref: 5 Changes in national policy/legislation

Trigger or Cause

New functions/loss of existing functions  
 Short term thinking  
 Lack of capacity  
 Changes from the withdrawal from the European Union  
 Changes from the devolution of Powers from Central Government  
 Interest rate changes

Possible Consequences of Risk

Reduced control over what you do and how you do it  
 Inability to respond to the new agenda and continue with on-going functions  
 Exclusion from new or evolving regional and sub-regional governance and operating structure  
 Not in a position to deliver new functions or requirements

Strategic Link: Prosperity

Residual Risk Assessment

Impact

**2**

Likelihood

**3**

Score

**6**

Medium Priority Risk

Strategic Commitments

PR1 - We will contribute to the strategic direction of local, sub-regional and regional partnerships, and will position the borough for economic development investment

PF4 - We will deliver our Organisational Development strategy, ensuring we plan for the structures and capabilities that the organisation needs, and empowering our workforce to deliver the objectives

Lead Responsibility : Management Team

Risk Ref: 6 Inability to deliver the regeneration programme

Trigger or Cause

Possible Consequences of Risk

Economic downturn (C19)

Inability of private sector partners to deliver

Lending squeeze/Interest rate increases

Delivery partner does not have the capacity to delivery

Procurement failure

Delays in delivery of the regeneration programme

Regeneration funding priorities change

Damaged reputation

Changes in funding from Central Government or as a result of the withdrawal from the European Union

Increase programme costs

Strategic Link: Prosperity People

Residual Risk Assessment

Impact

**3**

Likelihood

**3**

Score

**9**

High Priority Risk

Strategic Commitments

PR1 - We will contribute to the strategic direction of local, sub-regional and regional partnerships, and will position the borough for economic development investment

PR2 - We will proactively support the borough's businesses to innovate and expand, and make the borough a natural choice for business relocation

PR3 - We will deliver the Town Centre and Canalside Masterplan, and strategic projects in Padiham Town Centre.

PR4 - We will implement the Local Plan, delivering new housing, employment sites, and infrastructure.

PR5 - We will support UCLan's expansion, transforming Burnley into a University Town

PR6 - We will delivery our COVID-19 economic recovery plan.

PL3 - We will work with partners to improve the quality and choice in the borough's housing stock.

PE1 - We will work with partners to make the borough a place of aspiration, including supporting efforts to increase education attainment and skills development.

Lead Responsibility : Strategic Head of Economy and Growth

Risk Ref: 7 Inability to drive improvements through information technology

Trigger or Cause

Possible Consequences of Risk

IT partnership failure (to deliver past procurement)  
 IT partnership procurement failure  
 Current IT provision failure  
 Information governance failure  
 Cyber-attack

Inability to deliver and develop services and not deliver anticipated savings and service improvement  
 Public confidence in use of Council services through IT lowered

Strategic Link: Performance

Residual Risk Assessment

Impact

**3**

Likelihood

**1**

Score

**3**

Low Priority Risk

Strategic Commitments

PF1 - We will manage our contract with Liberata robustly, so it delivers value for money and

PF3 - We will develop our digital strategy, so that more residents transact with us online and we will continue to deliver services more efficiently.

Lead Responsibility : Chief Operating Officer

Risk Ref: 8 Inability to influence key decision makers

Trigger or Cause

Change of political control  
 Breakdown of key relationships  
 Change of staff/key relationships  
 Change in reputation for delivery

Possible Consequences of Risk

Loss of external funding opportunities  
 Reduced level of influence over key decision makers  
 Inability to deliver through partnerships  
 Reduced reputation of Council

Strategic Link: Cross Cutting

Residual Risk  
 Assesement

Impact

**3**

Likelihood

**2**

Score

**6**

Medium Priority Risk

Strategic Commitments

PE1 - We will work with partners to make the borough a place of aspiration, including supporting efforts to increase education attainment and skills development.

PL3 - We will work with partners to improve the quality and choice in the borough's housing stock.

PR1 - We will contribute to the strategic direction of local, sub-regional and regional partnerships, and will position the borough for economic development investment

PR2 - We will proactively support the borough's businesses to innovate and expand, and make the borough a natural choice for business relocation

PR5 - We will support UCLan's expansion, transforming Burnley into a University Town

Lead Responsibility : Management Team

Risk Ref: 9 Risks in responding to demographic changes and increased deprivation

Trigger or Cause

Government policy  
 Economic downturn (C19)  
 Big ticket issues – crime, health, housing (C19)  
 Benefit dependency (C19)  
 Short term fixes  
 Negative reputation  
 Failure to develop opportunities  
 Local Infection Increase (C19)

Possible Consequences of Risk

Not delivering on the regeneration programme  
 Poor service delivery  
 Poor customer satisfaction  
 Low aspirations  
 Damage to reputation  
 Failure to improve  
 Increased demand  
 Increased costs  
 Less funding  
 Viability of Burnley

Strategic Link: Cross Cutting

Residual Risk Assessment	Impact	3	Likelihood	3	Score	9	High Priority Risk
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Strategic Commitments

PE1 - We will work with partners to make the borough a place of aspiration, including supporting efforts to increase education attainment and skills development.

PE2 - We will continue to develop the leisure and cultural offer of Burnley in partnership with Burnley Leisure.

PL1 - We will implement a range of initiatives to maintain a clean, safe, attractive and environmentally friendly borough. This will include a focus on reducing dog fouling.

PL2 - We will improve the management and condition of private rented accommodation.

PL3 - We will work with partners to improve the quality and choice in the borough's housing stock.

PR1 - We will contribute to the strategic direction of local, sub-regional and regional partnerships, and will position the borough for economic development investment

PR2 - We will proactively support the borough's businesses to innovate and expand, and make the borough a natural choice for business relocation

PL3 - We will work with partners to improve the quality and choice in the borough's housing stock.

PR4 - We will implement the Local Plan, delivering new housing, employment sites, and infrastructure.

Other Work  
 Community Hub

Lead Responsibility : Management Team

Risk Ref: 10 Workforce, skills and capacity challenges

Trigger or Cause

Loss of the workforce  
 Loss of organisational memory  
 Loss of organisational skills  
 Lack of commitment to organisational development  
 Lack of investment in training  
 Political direction change

Possible Consequences of Risk

Service failure/deterioration  
 Damaged reputation  
 Increased complaints  
 Low morale  
 Recruitment and retention issues  
 Increased workflow  
 Business resilience  
 Not having the right staff with the right skills

Strategic Link: Cross Cutting

Residual Risk Assessment

Impact

2

Likelihood

3

Score

6

Medium Priority Risk

Strategic Commitments

PF1 - We will manage our contract with Liberata robustly, so it delivers value for money and

PF2 - We will adopt a Medium Term Financial Strategy that will put the Council on a sustainable financial footing. This strategy will set the framework for preparing annual budgets, ensuring the annual budget strategy is set within the context of the longer-term outlook.

PF3 - We will develop our digital strategy, so that more residents transact with us online and we will continue to deliver services more efficiently.

PL1 - We will implement a range of initiatives to maintain a clean, safe, attractive and environmentally friendly borough. This will include a focus on reducing dog fouling.

PL4 - We will implement our 2015-25 Green Space Strategy.

PF4 - We will deliver our Organisational Development strategy, ensuring we plan for the structures and capabilities that the organisation needs, and empowering our workforce to deliver the objectives of the Strategic Plan. This will include embedding hybrid working patterns where this improves

Lead Responsibility : Chief Executive Officer

Risk Ref: 11 Malicious Attack

Trigger or Cause

Public Disturbance  
 National Risk Level  
 Lack of Stakeholder Engagement  
 Lack of Planning  
 Poor and delayed information and communication  
 Event Targeting  
 Cyber-attack

Possible Consequences of Risk

Death of Public / Staff  
 Loss of Assets  
 Major impact on Services and Community  
 Evacuation  
 Financial Cost  
 Reputational damage

Strategic Link: Cross-Cutting

Residual Risk  
 Assessment

Impact

**3**

Likelihood

**1**

Score

**3**

Low Priority Risk

Strategic Commitments

PL1 - We will implement a range of initiatives to maintain a clean, safe, attractive and environmentally friendly borough. This will include a focus on reducing dog fouling.

Other Work

- Business Continuity Plans
- Emergency Planning
- Local Improvement of Counter Terrorism Strategy (CONTEST)
- Event Planning
- Community Engagement
- Local Resilience Forum

Lead Responsibility : Chief Operating Officer



Risk Ref: 12 Safeguarding Failure

Trigger or Cause

Weak or No response to reported issues  
 Historic issues which are identified  
 Safeguarding System Failure  
 Failure of Background Checks  
 Not recognising Safeguarding Risks

Possible Consequences of Risk

Injury to Clients  
 Resources diverted to address Risks  
 Major impact on Services and Community  
 Financial Costs  
 Reputational Damage  
 Central Government Action

Strategic Link: Cross Cutting

Residual Risk  
 Assesement

Impact

**3**

Likelihood

**1**

Score

**3**

Low Priority Risk

Strategic Commitments

PL1 - We will implement a range of initiatives to maintain a clean, safe, attractive and environmentally friendly borough. This will include a focus on reducing dog fouling.

PF4 - We will deliver our Organisational Development strategy, ensuring we plan for the structures and capabilities that the organisation needs, and empowering our workforce to deliver the objectives of the Strategic Plan. This will include embedding hybrid working patterns where this improves

Other Work

- Safeguarding Policy
- Open and Transparent Culture
- Whistleblowing Policy
- Communications
- Corporate Complaints Process

Lead Responsibility : Chief Executive Officer

Risk Ref: 13 Environmental Event

Trigger or Cause

Extreme Weather  
 High Rainfall  
 Heatwave  
 Changing Climate  
 High Snowfall  
 Storms and Gales  
 Flooding

Possible Consequences of Risk

Death of Public / Staff  
 Loss of Assets  
 Major impact on Services and Community  
 Evacuation  
 Financial Cost

Strategic Link: Cross Cutting

Residual Risk  
 Assessment

Impact

**3**

Likelihood

**1**

Score

**3**

Low Priority Risk

Strategic Commitments

PL5 - We will prepare and deliver a new Climate Emergency Strategy.

PL1 - We will implement a range of initiatives to maintain a clean, safe, attractive and environmentally friendly borough. This will include a focus on reducing dog fouling.

PF1 - We will manage our contract with Liberata robustly, so it delivers value for money and

PF3 - We will develop our digital strategy, so that more residents transact with us online and we will continue to deliver services more efficiently.

Other Work

Business Continuity Plans  
 Emergency Planning  
 Event Planning  
 Community Engagement  
 Local Resilience Forum

Lead Responsibility : Head of Streetscene

Risk Ref: 14 Failure to respond to a widespread illness

Trigger or Cause

Pandemic

Influenza

SAR

MERS

COVID

Local Infection Increase (C19)

Variant Strains

Possible Consequences of Risk

Death of Public / Staff

Major impact on Services and Community

Financial Cost

Event Closure

Buildings Closure

Business and Economy failures

Strategic Link: Cross Cutting

Residual Risk  
Assesment

Impact

3

Likelihood

2

Score

6

Medium Priority Risk

Strategic Commitments

PR6 - We will delivery our COVID-19 economic recovery plan.

PE4 - We will work on the wider determinants of poor health and will deliver our COVID-19 community recovery plans

PE3 - We will work with partners to provide necessary support systems to reduce homelessness and to end rough sleeping in the borough.

Other Work

Business Continuity Plans

Emergency Planning

Community Engagement

Local Resilience Forum

Transitional/Recovery Arrangements

Test/Trace/Vaccination/Isolation Payments/Cremation Services

Community Hub

Surge Strategy

Lead Responsibility : Management Team

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