

# SCRUTINY COMMITTEE

Wednesday, 12th January, 2022  
6.30 pm





# SCRUTINY COMMITTEE

## COUNCIL CHAMBER, BURNLEY TOWN HALL

Wednesday, 12th January, 2022 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.

Due to Public Health guidance on social distancing there is a limited capacity for members of the public to attend meetings. 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 - 12

### **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) *Declarations of Interest***

To receive any declarations of interest from Members relating to any item on the agenda, in accordance with the provisions of the Code of Conduct 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) *Public Question Time***

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

### **PUBLIC ITEMS**

#### **7) *Notice of Key Decisions and Private Meetings***

13 - 22

To consider the list of future Key Decisions.

#### **8) *Selective Licensing***

23 - 222

To consider the consultation results for selective licensing in Burnley with Healey Wood and Leyland Road areas and submission to the Secretary of State for confirmation.

#### **9) *Health and Safety Intervention Plan***

223 - 244

To consider the Health and Safety Intervention Plan.

#### **10) *Food Safety Delivery Plan***

245 - 268

To consider the Food Safety Delivery Plan.

#### **11) *Land at Rakehead Recreation Ground***

269 - 272

To consider the lease of land at Rakehead Recreation ground.

#### **12) *Land at Tabor Street***

273 - 276

To consider the disposal of land at Tabor Street.

#### **13) *Scrutiny Review Groups***

To receive an update on the work of any active Scrutiny Review Groups.

#### **14) *Work Programme 2021/22***

277 - 280

To consider any amendments to the Work Programme for 2021/22.

### **15) 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 items for consideration, there would be disclosure to them of exempt information within the meaning of Paragraph 3 of Schedule 12a of the Local Government Act 1972.

### **PRIVATE ITEMS**

#### **16) *Levelling Up Fund***

281 - 288

To consider the delivery of the Levelling Up Fund (LUF) Programme.

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

#### **17) *Land at Kinross Street***

289 - 292

To consider the disposal of land at Kinross Street.

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

### **MEMBERSHIP OF COMMITTEE**

Councillor Howard Baker (Chair)  
Councillor Ann Royle (Vice-Chair)  
Councillor Gordon Birtwistle  
Councillor Charlie Briggs  
Councillor Paul Campbell  
Councillor Saeed Chaudhary  
Councillor Tom Commis  
Councillor Scott Cunliffe  
Councillor Dale Ferrier

Councillor Alan Hosker  
Councillor Martyn Hurt  
Councillor Mohammed Ishtiaq  
Councillor Arif Khan  
Councillor Shbana Khan  
Councillor Gordon Lishman  
Councillor Sehrish Lone  
Councillor Cosima Towneley

**PUBLISHED**

Tuesday, 4 January 2022





## SCRUTINY COMMITTEE

BURNLEY TOWN HALL

Thursday, 25th November, 2021 at 6.30 pm

### PRESENT

### MEMBERS

Councillors H Baker (Chair), A Royle (Vice-Chair), G Birtwistle, C Briggs, T Commis, S Cunliffe, D Ferrier, A Hosker, M Hurt, A Khan, G Lishman and S Lone

### OFFICERS

Lukman Patel	– Chief Operating Officer
Rob Dobson	– Head of Policy and Engagement
Howard Hamilton-Smith	– Head of Finance and Property
Paul Gatrell	– Head of Housing & Development Control
Eric Dickinson	– Democracy Officer
Chris Gay	– Governance Manager
John Clucas	– Licensing and Compliance Officer

### IN ATTENDANCE

Councillor John Harbour- Executive Member for Housing and Development Control  
Councillor Margaret Lishman- Executive Member for Health and Well Being  
Simon Miller- Operations Director, Liberata

#### 46. Apologies

Apologies were received from Councillors Shbana Khan and Cosima Towneley.

#### 47. Minutes

That the Minutes of the meeting held on 21<sup>ST</sup> October 2021 were approved as a correct record.

#### 48. Additional Items of Business

There were no additional items of business, but it was agreed to move Item 13 Gambling Act 2005 Policy to become item 7 a) to follow Item 7 on the agenda.

## **49. Declarations of Interest**

Councillors Howard Baker, Sehrish Lone, and Arif Khan declared a Disclosable Pecuniary Interest as landlords in Item 16 Homelessness Update.

## **50. Notice of Key Decisions and Private Meetings**

Eric Dickinson reported on the current 28-day Notice of Key Decisions and Private Meetings which was published on 2<sup>nd</sup> November 2021.

He highlighted that the following items for December 2021 had now slipped to January 2022;

Residential Extensions SPD

Sale of Land at Holme Road

Revised Housing Renewal Policy

Health and Safety Intervention Plan 2021-22

Food (Official) Controls Delivery Plan 2021-22

IT WAS AGREED

That the report be noted

## **51. Gambling Act 2005 Policy - January 2022 to December 2024**

John Clucas reported on a draft Gambling Policy Statement from January 2022 to December 2024, to comply with the 3 year review required by the Gambling Act 2005.

He indicated that following formal consultation in the Summer of 2021, the Licensing Committee had agreed the draft Policy Statement at its last meeting on 10 November 2021, and that the Draft Policy would be reported to 1 December 2021 Executive and then to 8 December 2021 Full Council.

Members made the following points;

-Does the Council have the right to inspect gambling premises and ensure that a duty of care to customers was being applied

John Clucas confirmed the Council's powers to inspect to make sure gambling establishments are run properly, that any incoming complaints were investigated, and if necessary liaison took place with the Gambling Commission to allow joint investigations as required.

He also stated that there was a Code of Conduct which gambling establishments signed up to and that their Compliance Officers were generally efficient in applying it and responding immediately when relevant.

-Were any underage tests carried out?

John Clucas indicated that these were carried out on the basis of intelligence along with the Police and Trading Standards.

IT WAS AGREED

That the Draft Gambling Policy Statement for January 2022 to December 2024 be endorsed.

## 52. Liberata Partnership Update- November 2021

Simon Miller, Liberata's Operations Director, gave a presentation on the Partnership with the Council as at November 2021.

He reported on what had been achieved so far, learning events and Covid Impact, transformation channel shift and update, job creation, key initiatives being targeted this year, and then 2023 and beyond.

He highlighted that Burnley was doing well comparatively with other Councils, extra recruitment was taking place for the Contact Centre as well as posts moving from Nelson into Parker Lane, that a contact point had been maintained at Burnley Town Hall, that the complexity of telephone calls had increased, that there had been a spike in the number of recovery summonses following the reopening of the court system, that there was an ongoing focus on providing customers with routes to the relevant contact points.

Members made the following points;

-What is the process for stopping summonses, as there had been some individual cases of concern?

Howard Hamilton-Smith stated that following 2020-21 when recovery only went up to the reminder phase, Court hearings had now restarted but as long as payment plans were adhered to following the reminder phase a summons could be avoided. He asked that any individual cases that were causing concern be passed to him immediately so that they could be investigated.

-Telephone services have sometimes led to a 45 minute wait to get through, with some people who wanted to pay over the phone having difficulty in doing so as they were being advised to pay online.

Simon asked that individual case details be passed to him so that the Liberata Team could investigate them. He indicated that the channel shift from paper/phone to online was aiming for a 65% target and that currently it was between 30 and 40%, but that the target did recognize there were disadvantaged and vulnerable people regarding online payments with other options available.

Lukman Patel confirmed that while the overall aim was for increased automation which would be encouraged if possible as it would help to reduce waiting times ,people could still pay by phone or in person.

Simon Miller also confirmed that the telephony system was being updated so that it would become fully integrated digitally.

-How did Liberata support people who were nervous about the digital route?

Simon stated that for those willing to try the digital route the staff would help them through the process. He stated that due to calls becoming more complex there had been an increase in staff sickness from 4% to 10-12%.

-Were there any barriers for staff working from home?

Simon stated that the effects on individuals were harder to see by Managers due to working from home, but the higher levels of attrition due to calls becoming more difficult were recognized and that staffing was being increased by 30% to address this.

However he stated that Liberata had implemented support mechanisms for people working from home such as work station assessments providing desks and chairs so that the proper environment was being provided to allow them to work from home effectively, and that it enabled and facilitated employees' preferences in working from home where it suited them to manage their work life balances and the flexibility it offered such as for caring

responsibilities. He stated that some staff did prefer to work in the office, with others preferring a hybrid or hot desking when necessary and this was also facilitated.

Members asked what percentage of Contact Centre staff worked from home, and Simon Miller stated that he would provide that information.

-How did the e-mail switch off work?

Simon Miller indicated that the aim was to get customers to attach documents to a populated and integrated digital form, rather than to an e mail which required further steps by staff.

-An additional KPI on customer satisfaction regarding complaints and on responsiveness to users may be beneficial?

It was indicated that Simon Miller would look at this issue.

Howard Hamilton-Smith stated that the collection rate for Council Tax during 2020/21 was on a par as previously, with the rate now being 1-2% lower. He stated that Council Tax support could be applied for with assistance give to people struggling.

IT WAS AGREED

That Simon Miller be thanked for providing the presentation on Liberata`s partnership with the Council as at November 2021, and that it be noted.

### **53. Revenue Monitoring Q2 2021-22**

Howard Hamilton-Smith reported on Revenue Monitoring Q2 2021-22, and highlighted Paragraph 9 which now provided details of progress against achievement of revenue savings monitored in year.

IT WAS AGREED

That the report be noted.

### **54. Capital Monitoring Q2 2021-22**

Howard Hamilton-Smith reported on Capital Monitoring Q2 2021-22.

Members made the following points;

-Are there any capital projects which will not be achieved this year?

Howard Hamilton Smith indicated that regular meetings were held by Heads of Service to monitor spend during the year to ensure progress was maintained and that there were no surprises.

IT WAS AGREED

That the report be noted.

### **55. Fees and Charges 2022-23**

Howard Hamilton-Smith reported on the Fees and Charges for 2022-23 and stated that there would be a proposed increase of 2%, subject to exceptions, resulting in an increased income of 32k.

Members made the following points;

-Considering the current rate of inflation was 4.2%, was 2% sufficient to cover costs?

The Executive Member for Health and Well Being stated that it was a balance in these difficult times and therefore an inflationary increase was not being proposed.

-How can bookings in Parks and for Events be encouraged to improve well being, and what was their current level?

Howard Hamilton Smith indicated that there was ongoing quality of control during the year of the effect of fees and charges on services.

The Executive Member for Health and Well Being indicated that we were still not in normal times compared to 2019/20 but that Towneley Park was building back up again.

Lukman Patel indicated that the Council does not always operate as a traditional business due to the provision of services for young people and the elderly etc but that it would also operate commercially when possible. He also stated that if Members had concerns about individual fees and charges then they could contact the relevant Head of Service to discuss them.

-Could the fees and charges be flexible during the year taking into account any future spikes in inflation?

Lukman Patel indicate that fees and charges had to be set by a certain date, and that the Council currently works to a 2% inflation rate but acknowledges that it is higher at the moment

-Concern was expressed on how the 2% fees and charges increase would affect Market Traders?

Lukman Patel indicated that the Strategic Head of Economy and Growth would be requested to provide further details outside the meeting to the Member who asked the question on how the fees and charges in the report related to others within Market Traders` lease agreements or Service Charge arrangements.

IT WAS AGREED

That the report be noted.

## **56. Treasury Management Mid Year Update 2021-22**

Howard Hamilton-Smith reported on a Treasury Management Mid-Year Update 2021-22, and highlighted in Paragraph 15 the revision downwards of interest and dividend receipts from 270k to 124k due to the delay in making the Burnley College investment and reduction of the amount from 4M to 2M.

Members made the following points;

-Can advantage be taken now of low interest rates regarding Pioner Place borrowing?

Howard Hamilton Smith stated that even though borrowing would only be required later in the Pioner Place project, it was being reviewed regarding the balance of risk and the process was being mapped out.

IT WAS AGREED

That the report be noted.

## **57. Household Support Fund**

Rob Dobson reported on the Household Support Fund which would primarily target fuel poverty in household with school age children (receiving free school meals) but would also help vulnerable households with emergencies.

Members made the following points;

-How was an emergency defined?

Rob Dobson stated that an emergency could include food, white goods, rental costs

-What was the maximum per household?

Rob Dobson indicated it would be a flat rate of 85 pounds which was seen as fair and affordable, with discretion for an emergency with a limit of 200 pounds.

-Would there be proactive contact with eligible households?

Rob Dobson stated that to manage demand initially contact would be made through usual channels with applications invited by telephone or online, with subsequent reach out to those who had not already applied. He indicated that a press release would be released and that all Councillors would be made aware of the scheme.

-Does the Scheme allow for an extension, as the start date of 6 October 2021 has already passed?

There is a strict Government deadline to commit the money by 31<sup>st</sup> March 2022, and LCC had only been provided guidance a few weeks ago with the allocation from LCC to the Council only having been made last week. He confirmed that the item was being considered by the Executive at their next meeting on 1 December 2021.

IT WAS AGREED

That the report be endorsed.

## **58. Half-Year Performance Q2 2021-22**

Rob Dobson reported on the Half-Year Performance Q2 2021-22 and set out on target indicators such as sickness absence and Liberata`s processing of benefits, as well as off target indicators such as Liberata`s telephone answering which resulted in a service credit being paid to the Council.

Members made the following points;

-As well as long waits for telephone answering, some calls also appear to be cut off?

Rob Dobson says each case need checking with Contact Centr management informed of the details, and it was confirmed that all calls are recorded.

IT WAS AGREED

That the report be noted.

## **59. Homelessness Update**

Councillors Howard Baker, Sehrish Lone, and Arif Khan left the meeting having declared a Disclosable Pecuniary Interest in this item and did not take part in this item.

Paul Gatrell reported that since the ban on evictions was lifted on 1 June 2021 up to 31<sup>st</sup> October 2021 there had been request for assistance from 749 residents and 36 receipts of a notice from landlords. He compared the same period in 2019 with 610 requests and 18 notices. He also reported that 18 months ago a full time Officer had been appointed to assist with these issues.

Members made the following points;

-How many people in Burnley are homeless, and do they migrate?

Paul Gatrell indicated that there were about 1500 enquiries annually with different categories of homelessness and those living in temporary accommodation and agreed to include the relevant information in any future update report. He also stated that relevant Local Authorities would work together if a person moved locations with reference to their original address.

#### IT WAS AGREED

That the report be noted, and that a further update on homelessness be provided in June 2022.

### **60. Scrutiny Review Groups- Verbal Update**

Councillor Ann Royle gave an update on the Housing Review Group and indicated that a further meeting with Calico was planned for December 2021 and subject to that an update to be provided to the next meeting.

Eric Dickinson indicated that the usual Scrutiny Review Group model involved the consideration of evidence obtained followed by conclusions/outcomes and recommendations back to the main Scrutiny Committee, and potentially reported to Executive as relevant.

Councillor Howard Baker indicated that a potential subject for further investigation was the role of the nighttime economy in Burnley and how it related to and affected the daytime economy especially the prosperity of Town Centre projects such as Pioneer Place and Charter Walk.

Eric Dickinson reported on recent Temporary Event Notice applications which had been heard by Licensing Committee`s Licensing Act 2003 Sub Committee for events leading up to the New Year, with a number approved and others rejected. He indicated that a number of Members were concerned about anti- social incidences of the night time economy overlapping with the daytime economy, and that a meeting of the Chairs and Vice Chairs of Licensing Committee and Scrutiny Committee had been agreed with the Head of Streetscene and Licensing Officers to discuss the issues and agree a way forward regarding operational or policy issues related to Streetscene and Licensing.

Members further discussed how the benefits of Pioneer Place and Charter Walk could be maximized (especially as now they were under more control by the Council), how the nighttime economy could be promoted and how this would affect Charter Walk and Pioneer Place.

Members noted that the evening economy had quietened in recent years and this could also be looked at, although it may be preferable to focus on the nighttime economy initially.

In addition the subjects of Housing and the Town Centre Masterplan were raised as areas of interest.

Lukman Patel suggested that any potential Review needed to be scoped and focused with clear objectives.

Members stated that if issues were very broad these were usually developed primarily by Executive and Officers and potentially brought to Full Council (as Policy Framework issues) as compared to more specific issues to which Scrutiny could bring time and energy supported by Officers.

Also Members indicated that some issues might involve both Regulatory matters and economy issues, which could be dealt with by different or the same Review Group following a gatekeeping discussion on process with those involved.

#### IT WAS AGREED

(1) That the Chair and Vice Chair of Scrutiny attend a meeting with the Head of Streetcene and Licensing Officers, with the Chair and Vice Chair of Licensing also to be invited to attend, to discuss nighttime economy issues and how they may relate to the daytime economy, and to report back to the next Scrutiny Committee on the outcomes.

(2) That any future Review Group should be scoped, including having clear objectives.

### **61. Work Programme 2021/22**

Eric Dickinson reported on the Work Programme for 2021-22 and also referred to the 28 day Notice of Key Decisions and Private Meetings dated 2 November 2021 which included a number of the Executive`s decisions scheduled for January 2022.

#### IT WAS AGREED

That the Work Programme 2021/22 be agreed as set out, subject to the inclusion at the next Scrutiny Committee on the 12 January 2021 of the following items;

-Selective Licensing Designation in Burnley Wood with Healey Wood and the Leyland Road Areas

-Levelling Up Fund

-Lower St James Street Heritage Action Zone



## **BURNLEY BOROUGH COUNCIL**

### **NOTICE OF KEY DECISIONS AND PRIVATE MEETINGS**

This Notice contains:

- a) A list of Key Decisions to be taken by the Executive (unless otherwise stated) during the month of January 2022 onwards, published by 16<sup>th</sup> December 2021. Due to circumstances, these decisions could also be taken by Officers using urgency powers.
- b) Details of dates of meetings of the Executive during the same period at which decisions may be taken in private or partly in private

A Key Decision is an Executive decision that is likely:

- (i) to result in the local authority incurring expenditure which is, or the making of savings which are significant, having regard to the local authority's budget for the service or function to which a decision relates. The Council has said that Capital or Revenue spending over £100,000 will be a Key Decision; or
- (ii) to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the Borough;

A private meeting is a meeting or part of a meeting of the Executive during which the public must be excluded whenever:

- a) it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during that item, confidential information would be disclosed to them in breach of the obligation of confidence;
- b) the Executive passes a resolution to exclude the public during that item where it is likely, in view of the nature of the item of business, that if members of the public were present during that item, exempt information would be disclosed to them; or
- c) a lawful power is used to exclude a member or members of the public in order to maintain orderly conduct or prevent misbehaviour at a meeting.

Matter for Decision	Purpose	Key Decision – Yes or No	Anticipated date of decision	Public or Private report. If Private give reasons	List of documents to be submitted including any background papers	Contact person & Executive Portfolio
Planning for Health SPD	To consider a report to seek Members' approval of a draft of the Planning for Health SPD to be issued for formal public consultation	Yes	February 2022	Public	Report setting out the key issues.	Elizabeth Murphy Economy and Growth Planning Policy Manager  Executive Member for Economy and Growth
Residential Extensions SPD -	To consider a report to seek Members' approval of a draft of the Residential Extensions SPD to be issued for formal public consultation	Yes	February 2022	Public	Report setting out the key issues.	Alec Hickey Housing and Development Control Planning Manager  Executive Member for Economy and Growth

Matter for Decision	Purpose	Key Decision – Yes or No	Anticipated date of decision	Public or Private report. If Private give reasons	List of documents to be submitted including any background papers	Contact person & Executive Portfolio
Sale of land at Holme Road (also known as Stoneyholme Recreation Ground)	To consider a report on the Sale of land at Holme Road (also known as Stoneyholme Recreation Ground) to Burnley College	Yes	February 2022	Private – The report contains exempt information and is therefore NOT FOR PUBLICATION by virtue of Local Government Act 1972 schedule 12A, Part 1, Paragraph 3.  Information relating to the financial or business affairs of any particular person (including the authority holding that information).	Report setting out the key issues.	Howard Hamilton Smith Head of Finance and Property  Executive Member for Resources and Performance
Approval of the revised Housing Renewal Policy	To consider a report on the Approval of the revised Housing Renewal Policy including new grants such as	Yes	February 2022	Public	Report setting out the key issues.	Clare Jackson Private Sector Housing Manager  Executive Member for Housing & Development Control

Matter for Decision	Purpose	Key Decision – Yes or No	Anticipated date of decision	Public or Private report. If Private give reasons	List of documents to be submitted including any background papers	Contact person & Executive Portfolio
	the Handy Person service for Burnley					
Selective Licensing Designation Areas in Burnley Wood with Healey Wood and the Leyland Road area.	To consider a report on whether to approve the selective licensing designation areas in Burnley Wood with Healey Wood and the Leyland Road area-including submission to the Secretary of State for Confirmation (if confirmed)	Yes	January 2022	Public	Report setting out the key issues	Clare Jackson Private Sector Housing Manager  Executive Member for Housing & Development Control

<b>Matter for Decision</b>	<b>Purpose</b>	<b>Key Decision – Yes or No</b>	<b>Anticipated date of decision</b>	<b>Public or Private report. If Private give reasons</b>	<b>List of documents to be submitted including any background papers</b>	<b>Contact person &amp; Executive Portfolio</b>
Health and Safety Intervention Plan 2021/22	To consider a report on the Health and Safety Intervention Plan 2021/22	No (Full Council Policy Framework decision)	January 2022	Public	Report setting out the key issues	Jo Swift Head of Streetscene  Executive Member for Community and Environmental Services
Food (Official) Controls Delivery Plan 2021/22	To consider a report on the Food (Official) Controls Delivery Plan 2021/22	No (Full Council Policy Framework decision)	January 2022	Public	Report setting out the key issues	Jo Swift Head of Streetscene  Executive Member for Community and Environmental Services
Levelling Up Fund	To consider a report on the implementation of the Levelling Up Fund, including the acquisition of property for regeneration purposes.	Yes	January 2022	Private – The report contains exempt information and is therefore NOT FOR PUBLICATION by virtue of Local Government Act 1972 schedule 12A, Part 1, Paragraph 3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).	Report setting out the key issues	Kate Ingram Strategic Head of Economy and Growth  Executive Member for Economy and Growth

<b>Matter for Decision</b>	<b>Purpose</b>	<b>Key Decision – Yes or No</b>	<b>Anticipated date of decision</b>	<b>Public or Private report. If Private give reasons</b>	<b>List of documents to be submitted including any background papers</b>	<b>Contact person &amp; Executive Portfolio</b>
Lower St James Street Heritage Action Zone	To consider a report on the implementation of the Lower St James Street Heritage Action Zone including the acquisition of property for regeneration purposes	Yes	February 2022	Private – The report contains exempt information and is therefore NOT FOR PUBLICATION by virtue of Local Government Act 1972 schedule 12A, Part 1, Paragraph 3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).	Report setting out the key issues	Megan Eastwood Economy and Growth Development Officer  Executive Member for Economy and Growth
EV Charging Strategy	To consider a report on the approval an electric vehicle charger strategy for the borough	Yes	January 2022	Public	Report setting out the key issues.	Mick Cartledge Chief Executive Executive Member for Resources and Performance
Proposed temporary lease of part of Rakehead Recreation Ground and consequential improvements	To consider a proposed temporary three-year lease of part of Rakehead Recreation Ground to provide temporary	Yes	January 2022	Public	Report setting out the key issues	Margaret Rutherford Principal Development Surveyor Executive Member for Resources and Performance

Matter for Decision	Purpose	Key Decision – Yes or No	Anticipated date of decision	Public or Private report. If Private give reasons	List of documents to be submitted including any background papers	Contact person & Executive Portfolio
	parking for NHS staff and consequential improvements					
Climate Change Strategy	To consider a report on the climate change strategy	Yes	February 2022	Public	Report setting out the key issues.	Paul Gatrell Head of Housing and Development Control Executive Member for Resources and Performance]
Sale of Land at Kinross Street	To consider a report on Sale of Land at Kinross Street	Yes	January 2022	Private – The report contains exempt information and is therefore NOT FOR PUBLICATION by virtue of Local Government Act 1972 schedule 12A, Part 1, Paragraph 3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).	Report setting out the key issues	Margaret Rutherford Principal Development Surveyor Executive Member for Resources and Performance

<b>Matter for Decision</b>	<b>Purpose</b>	<b>Key Decision – Yes or No</b>	<b>Anticipated date of decision</b>	<b>Public or Private report. If Private give reasons</b>	<b>List of documents to be submitted including any background papers</b>	<b>Contact person &amp; Executive Portfolio</b>
Q3 Revenue Budget Monitoring	To report the forecast outturn position for the year as at 31 March 2021 based upon actual spending and income to 31 December 2020.	No (Full Council Policy Framework decision)	February 2022	Public	Report setting out the key issues.	Howard Hamilton-Smith Head of Finance and Property Executive Member for Resources and Performance
Q3 Capital Budget Monitoring	To provide Members with an update on capital expenditure and the resources position along with highlighting any variances.	No (Full Council Policy Framework decision)	February 2022	Public	Report setting out the key issues	Howard Hamilton-Smith Head of Finance and Property Executive Member for Resources and Performance
Medium Term Financial Strategy 23/24 - 26/27 including Reserves Strategy	To consider the longer-term financial outlook within the context of a Medium-Term Financial Strategy covering the financial years 2023/24 to 2026/27.	No (Full Council Policy Framework decision)	February 2022	Public	Report setting out the key issues.	Howard Hamilton-Smith Head of Finance and Property Executive Member for Resources and Performance



<b>Matter for Decision</b>	<b>Purpose</b>	<b>Key Decision – Yes or No</b>	<b>Anticipated date of decision</b>	<b>Public or Private report. If Private give reasons</b>	<b>List of documents to be submitted including any background papers</b>	<b>Contact person &amp; Executive Portfolio</b>
Revenue Budget 22/23 including Savings proposals	To consider the estimates of revenue income and expenditure for 2022/23 and to make recommendations to full Council about next year's Revenue Budget.	No (Full Council Policy Framework decision)	February 2022	Public	Report setting out the key issues.	Howard Hamilton-Smith Head of Finance and Property Executive Member for Resources and Performance
Capital Budget 22/23 and Capital Investment Programme 2022/27	To recommend approval of the capital budget for 2022/23.	No (Full Council Policy Framework decisions)	February 2022	Public	Report setting out the key issues.	Howard Hamilton-Smith Head of Finance and Property Executive Member for Resources and Performance
Treasury Management Strategy 2022/23 and Prudential Treasury Indicators	To outline a treasury management strategy statement for the financial year 2022/23.	No (Full Council Policy Framework decision)	February 2022	Public	Report setting out the key issues.	Howard Hamilton-Smith Head of Finance and Property Executive Member for Resources and Performance

Meetings of the Executive will be held on the following dates: 19<sup>th</sup> January, 14<sup>th</sup> February, and 16<sup>th</sup> March 2022. Meetings normally start at 6.30pm but times can change so please check the council website nearer the date of the meeting. All meetings are usually held at the Town Hall.

This Notice will be further updated by the following dates: 14<sup>th</sup> January, 15<sup>th</sup> February, and 8<sup>th</sup> March 2022.

A further Notice will be given 5 clear days before each meeting listed above if the meeting or part of the meeting is to be held in private. If you wish to make any representations about why any meeting or part of a meeting proposed to be held in private should be open to the public please send them to: Catherine Waudby, Head of Legal and Democratic Services, Town Hall, Manchester Road, Burnley BB11 9SA.

E-mail: HYPERLINK "mailto:"[cwaudby@burnley.gov.uk](mailto:cwaudby@burnley.gov.uk)  
"mailto:"HYPERLINK "mailto:"

Published: By 16th December 2021 HYPERLINK

## Selective Licensing

### REPORT TO THE EXECUTIVE



<b>DATE</b>	<b>19/01/2022</b>
<b>PORTFOLIO</b>	<b>Housing and Development Control</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 update the Executive on the results of the selective licensing consultation in the following areas:  
Burnley Wood with Healey Wood  
The Leyland Road Area
2. To consider further selective licensing designation areas in Burnley Wood with Healey Wood and the Leyland Road area for the reasons set out in the Statement of Case (Appendix A), along with the fee structure, budget implications and licence conditions.

### RECOMMENDATION

3. That the Executive approves the areas detailed in plans A and B and Street lists A and B as selective licensing areas for a maximum period of 5 years for the reasons detailed in Appendix A, Burnley Borough Council's Statement of Case for Selective Licensing Areas.
4. That the Executive approves the making and submission of an application to the Secretary of State for the confirmation of the Burnley Wood with Healey Wood and Leyland Road selective licensing designation areas.
5. That the Executive approve the Fee Structure and Charging Policy in Appendix B to this report.
6. That the Executive approves the Licensing Conditions detailed in Appendix C to this report.
7. That the Executive recommends to Full Council the approval of the financial implications detailed in this report and creates a budget of £148,090 for 2022/23 which will be recovered through the fee income.

## REASONS FOR RECOMMENDATION

8. The Council have satisfied the statutory tests in Section 80 of the Housing Act 2004, in relation to the conditions required to designate an area for selective licensing in that; the proposed designation areas are suffering from low housing demand.
9. Making a designation will when combined with other measures taken in the area by the local authority or by other persons together with the local authority, contribute to the improvement of the social, environmental and economic conditions in the area.
10. Although improvements have been made in the private rented sector there are properties that are of poor condition and poorly managed, contributing to low housing demand. 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 continue to improve demand and sustainability of tenancies within the neighbourhoods.
11. The continued introduction of selective licensing areas in Burnley is key to the Council's strategy to tackle low demand, improve the quality of homes within the borough and create a balanced housing market to support social and economic improvements.
12. Housing plays a fundamental role in delivering sustainable neighbourhoods, facilitating social and environmental improvements and promoting economic growth. The Council believe that selective licensing has an important role to play and offers valuable support to existing initiatives to tackle empty homes, prevent homelessness, create high quality neighbourhoods and reduce anti-social behaviour.
13. An option appraisal detailed in paragraph 7 of appendix A to this report looks at other powers and options that are available to the Council with the reasons why they could not be used as an alternative to the proposed selective licensing designations. They will be used as support tools as part of an integrated programme of measures to improve the social, economic and environmental conditions of the areas.
14. The Council have taken all reasonable steps to consult persons likely to be affected by the proposed designations and have considered all representations made.

## SUMMARY OF KEY POINTS

### Background

15. Nationally, there are many examples of licensing schemes operating when there is a potential threat to public health, including food sales, taxis or car ownership, yet there is no such national licensing scheme when providing a home for someone. There is however selective licensing of private rented properties which was introduced in The Housing Act 2004. The legislation enables local authorities to designate areas for selective licensing if

that area is eligible based on low demand or other factors. In 2015 further legislation expanded the criteria in which local authorities could introduce a designation area.

16. If an area is designated for selective licensing, all landlords of privately rented properties in that area must apply to the local authority for a licence. To be granted a licence it must be shown by the applicant that they are a “fit and proper” person and that they have satisfactory arrangements in place to effectively manage the property and their tenancies. Failure to apply for a licence is a criminal offence.
17. The Council have been operating selective licensing since October 2008, as part of a wider regeneration strategy for the Borough; the first designation area being in Trinity. Burnley Wood with Healey Wood and Leyland Road areas were designated on the 15<sup>th</sup> November 2016 and ended on the 15<sup>th</sup> November 2021.
18. At the same time, the Council designated the Ingham and Lawrence Street selective licensing area which also ended on the 14<sup>th</sup> November 2021. This area has not been included in further proposals as the analysis shows that the low demand for housing has improved sufficiently across the area.
19. On 14<sup>th</sup> July 2021 the Executive approved the consultation and evidence gathering for a potential further designation in the Burnley Wood with Healey Wood and Leyland Road area.
20. During the proposed designation process the Council has had regard to the legislative requirements and Government guidance (Selective licensing in the private rented sector 2015). In particular:
  - a) That the two proposed designation areas of Burnley Wood with Healey Wood and Leyland Road show signs of low demand when compared to similar areas and the Borough;
  - b) That further designation areas will continue to help address the problems associated with low demand in the designated area
  - c) That selective licensing forms part of a wider regeneration strategy to reduce the problems associated with low housing demand and poor property conditions.
  - d) Consideration has been given to compliance within the selective licensing areas
  - e) Consideration has been given to other options as a possible alternative to selective licensing;
  - f) Consideration has been given to the representations received during the consultation process.

## **Low Demand**

21. Throughout the first designation areas, Officers have monitored several key indicators of low housing demand. As the designations were coming to an end, these indicators were assessed to determine the effectiveness of the scheme, and whether the areas, or other similar areas, would benefit from a further selective licensing designation.
22. While both Burnley Wood with Healey Wood and Leyland Road have seen improvements over the last 5 years, there are still streets showing levels of low demand. Officers zoned the existing boundaries, allowing officers to look at problems on a more granular level, to ensure that the tools that licensing gives us are appropriate for the particular problems.
23. While on a reducing trend, low demand in the proposed selective licensing areas is most clearly manifested in higher vacancy rates, lower property values and higher numbers of private rented properties. In addition, there are relatively high incidents of environmental

crime and reports of anti-social behaviour, which have a negative impact on demand within the areas, weakening the housing market.

24. The table below is a snapshot of the statistics detailed in appendix A to this report. It summarises the statistical evidence in relation to low housing demand in the proposed selective licensing designation areas. Although not all the designation areas follow ward boundaries, or fall entirely within one ward, the table compares each designation to the ward where the majority of the designation is situated. The table looks at the statistics at the beginning and of the designations.

	Burnley Wood & Healey									
	Rosehill with Burnley Wood	Burnley Wood & Wood Healeywood SL Proposed Area			Bank Hall	Leyland Road SL Area	Leyland Road Proposed Area		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

25. As can be seen from the table above the proposed designation areas are exhibiting the accepted factors of low demand and in most areas at a greater concentration than the relative wards:

- a) Both proposed areas have a significantly higher percentage of private rented properties compared to the Borough and the ward that they are situated in.
- b) Both proposed areas have a lower average house price than the Borough and the ward that they are situated in.
- c) Both proposed areas have a higher number of vacant properties compared to the Borough.
- d) Both proposed areas are situated in a ward that is ranked in the top 4 for the highest incidents of anti-social behaviour reported to the Police and the top 3 for the highest number of reports to the Council.
- e) Both proposed areas are situated in a ward that is ranked in the top 3 for the highest incidents of environmental crime reported to the Council.

### Selective Licensing as Part of a Wider Regeneration Strategy

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

combination of these initiatives there is an improving picture (table detailed in paragraph 25) in both designation areas. House prices have risen moderately, empty properties have reduced and anti-social behaviour along with environmental crime is showing a downward trend.

27. Notwithstanding these improvements, the proposed designation areas are still in low housing demand. Not continuing with selective licensing at this stage would present a risk that the improvements seen will not be sustained or built on without new selective licensing designations in place for a further five years.

## Results of the Statutory Consultation

28. Before a new designation area can be approved, it is a legal requirement for any authority considering the introduction of selective licensing to undertake a full public consultation for a period of not less than 10 weeks. The Council’s consultation process started on the 9<sup>th</sup> August 2021 and ran until 24<sup>th</sup> October 2021.

29. The consultation included the hand delivery of questionnaires, online questionnaires, drop-in sessions and representations from key stakeholders such as the landlord associations and the Police.

30. Looking at both areas that have been proposed for selective licensing, 388 responses were received in total, comprising 345 from surveys, 19 emails, 9 phone calls, 1 letter and 14 face to face conversations. The 388 responses represent a relatively high return when compared to the last consultation exercise for selective licensing which took place in 2018 for the four selective licensing areas of Trinity, Gannow, Queensgate and Daneshouse with Stoneyholme. During this consultation exercise 338 responses were received.

31. During the analysis of results it was evident that the Council had received multiple survey responses from recurring IP addresses, which was an error with the Survey Monkey system, the system should not have allowed this to happen. The full results including the duplicate IP address responses are contained in appendix A to this report. The tables below summarise by area the results (excluding the reoccurring IP addresses) of the consultation in relation to the question “Do you agree or disagree with the Council’s proposals to introduce selective licensing?”

Designation	Respondent	Num of Responses	Agree num	Agree %	Disagree num	Disagree %
<b>Burnley Wood with Healey Wood</b>	Landlord	106	9	9	97	91
	Managing Agent	7	2	29	5	71
	Local Business	1	1	100	0	0
	Private tenant	10	8	80	2	20
	Housing Association tenant	4	4	100	0	0
	Home Owner	72	47	65	25	35
	Other	2	1	50	1	50
	Total	202	72	36	130	64

Designation	Respondent	Num of Responses	Agree num	Agree %	Disagree num	Disagree %
<b>Leyland Road</b>	Landlord	58	3	6	55	94

	Managing Agent	8	5	63	3	37
	Local Business	2	1	50	1	50
	Private tenant	13	3	24	10	76
	Housing Association tenant	6	6	100	0	0
	Home Owner	29	22	76	7	24
	Other	1	1	100	0	0
	Total	117	41	35	76	65

32. In Burnley Wood with Healey Wood the majority of landlords and managing agents disagree with the Council's proposals whereas homeowners, private tenants and housing association tenants agree with the proposals.

33. In Leyland Road the majority of landlords disagree with the Council's proposals whereas the majority of managing agents that responded did agree with introducing selective licensing. The majority of homeowners and housing association tenants agreed with the Council's proposals yet the majority of private tenants disagreed.

34. During the consultation the Council received a petition from a landlord and managing agent dated the 25<sup>th</sup> October. This petition contains 439 signatures. The text of the petition reads as follows;

"To Burnley Borough Council, we the undersigned being local residents of Burnley, request the Council to cease their plans to reintroduce selective private housing licensing within the Burnley Wood, Healey Wood and Leyland Road areas which have failed to achieve much up to now and concentrate instead on getting productive jobs into the area which would create demand for local housing. "

35. Part 5.4 of the Council's constitution deals with Petition Schemes. <https://burnley.moderngov.co.uk/documents/s28244/part%205.4%20Councils%20Petition%20Scheme.pdf>

For both completed paper petitions and e-petitions, an acknowledgement will be sent to the petition organiser within 5 working days of receipt. It will let the organiser know what we plan to do with the petition and when they can expect to hear from us again. The Council will endeavour to assist petitioners by providing details of Council policy and procedure, and the reasons behind decisions, so that petitioners are fully informed of the Council's position in creating their petition. If we can do what your petition asks for, the acknowledgement may confirm that we have taken the action requested. The petition will then be closed. If the petition has enough signatures to trigger a Full Council debate or a senior officer giving evidence (for further details please see below), then the acknowledgment will confirm this and tell you when and where the meeting will take place. If the petition needs more investigation, we will tell you the steps we plan to take. Other procedures apply if the petition relates to either:

- a planning or licensing application;
- an issue for which there is a petitioning process set out in law (for example requesting a referendum on having an elected mayor);
- a matter where there is already an existing right of appeal, such as council tax banding and non-domestic rates; or
- a matter which is part of ongoing legal proceedings. "



36. The number of signatories on the petition fall short of the number required for it to be debated at Full Council (minimum of 1500 signatures) or for an officer being required to give evidence at Scrutiny Committee (minimum of 750 signatures).

## **Next Steps**

37. Should the Council's Executive approve the designation of selective licensing in the proposed areas an application will be submitted to the Secretary of State for confirmation by the end of January 2022. The guidance states that the Secretary of State will aim to decide in relation to an application within 8 weeks. For the purposes of the project plan 3 months have been allocated for this process. If the areas are confirmed within 3 months the proposed designation areas will come into force in July 2022.

## **FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

38. It is proposed that in the main the administration of the new designation areas will be self-financing through the fee structure. There is a risk that the Council will not receive or recover all the fee income to cover all of the costs associated with administering the schemes. This has not however been the experience in the current selective licensing areas.

39. A total budget of £148,090 to administer the two proposed designation areas will be required in 22/23; this will then be recovered through the fee income.

## **POLICY IMPLICATIONS**

40. The Council's Strategic Plan has a key priority of making the borough a place of choice and a central commitment to realising this ambition is to improve the management of the private rented sector. Selective licensing will be delivered under this existing policy framework and will contribute towards Aim 2 of the Housing Strategy "To deliver transformational improvement of the private rented sector".

## **DETAILS OF CONSULTATION**

41. Private Rented Sector Forum

## **BACKGROUND PAPERS**

42. None

**FURTHER INFORMATION**

**PLEASE CONTACT: Clare Jackson – 01282 477231**

**ALSO: Lauren Dickens 01282 425011**

Appendix A

## **Statement of Case for Selective Licensing Areas in**

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

**January 2022**

1. Introduction
  - 1.2 The Strategic Significance for Burnley
2. What is a selective licensing designation area?
  - 2.1 Legal Framework and Guidance
  - 2.2 Consequences of designating a selective licensing area
  - 2.3 Implications of renting out a property without a licence
  - 2.4 Breach of licence conditions
3. Burnley's profile
  - 3.1 The Borough
  - 3.2 Population
  - 3.3 Deprivation
  - 3.4 Housing Type
  - 3.5 Housing Tenure
  - 3.6 Empty Homes
  - 3.7 Fuel Poverty
  - 3.8 Stock Condition
  - 3.9 Housing Market and Turnover of Occupiers
  - 3.10 Crime and Anti-Social Behaviour
4. The proposed selective licensing areas
5. Burnley Wood with Healey Wood proposed designation
6. The Leyland Road Area proposed designation
7. Option Appraisal
8. How does selective licensing support the Council's Housing Strategy
9. Supporting and complementary activity
10. Administration of the designation area
11. Compliance with the current selective licensing areas
12. Risk Assessment
13. Consultation
14. Results of the Consultation
15. Expected outcomes of the proposed designations
16. Conclusion
17. Recommendations

## 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 lead 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 are 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.

---

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

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.

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

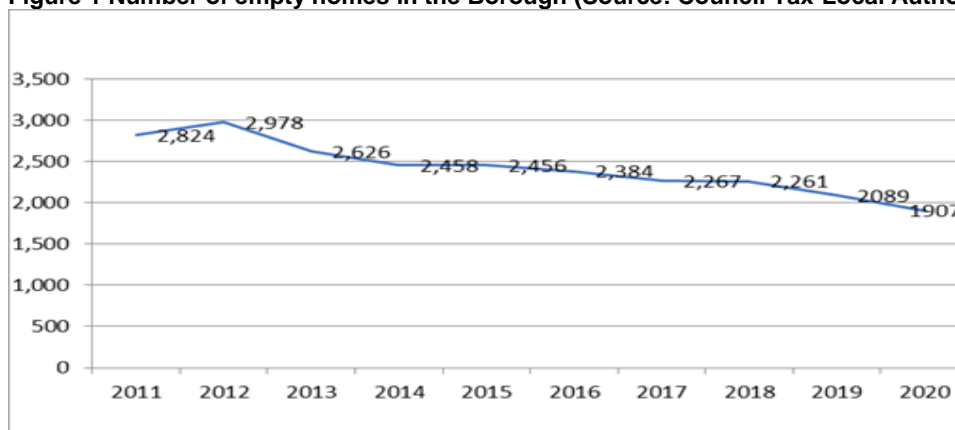
Tenure	Burnley Households (no.)	Burnley Households %	England and Wales %
All households	37,550	100.0	100.0
Owned	24,408	65.0	63.6
Owned: Owned outright	11,815	31.5	30.8
Owned: Owned with a mortgage or loan	12,593	33.5	32.7
Shared ownership (part owned and part rented)	79	0.2	0.8
Social rented	5,281	14.1	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)



<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.

- 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 program 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 program 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.

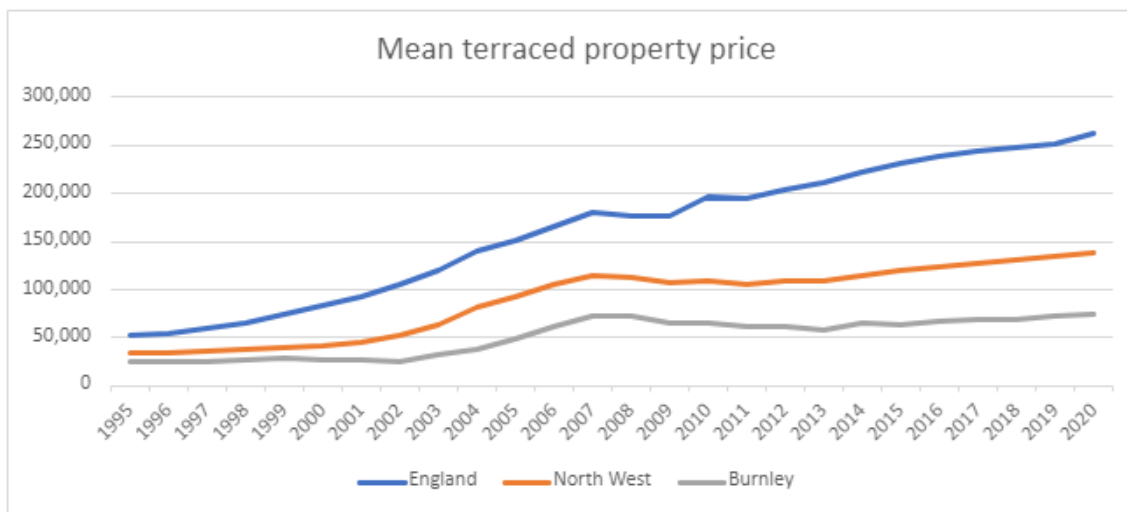
Figure 2 Mean residential property prices in Burnley, Northwest, and England Dec 1995 to Sept 2020



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.

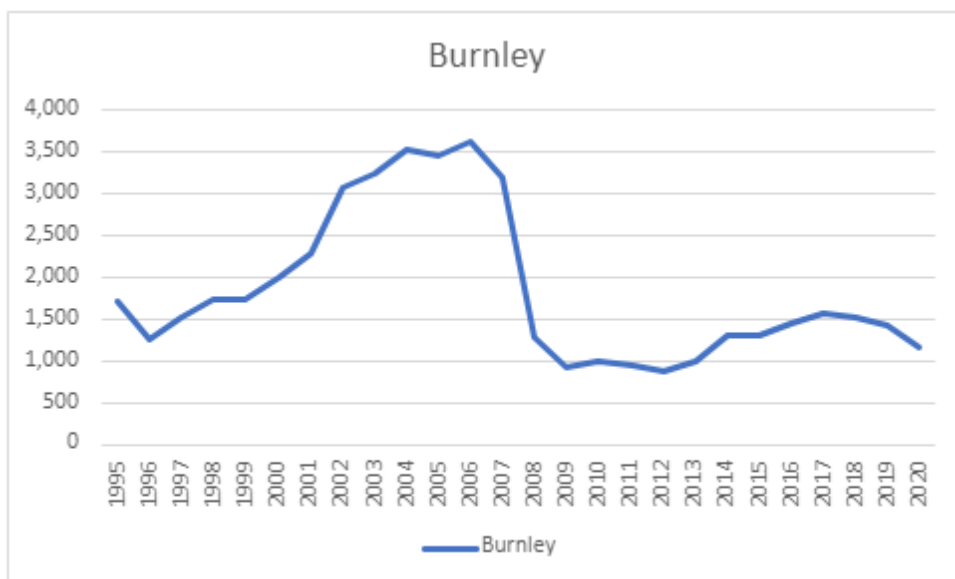
Figure 3 Mean terraced property prices in Burnley, Northwest, and England Dec 1995 to Sept 2020



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.

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

<sup>4</sup> [HOUS\\_Selective\\_Licensing\\_Report-17065.pdf \(burnley.gov.uk\)](#)

#### 4.1.1 The Interim report found that:

- 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 program, 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.

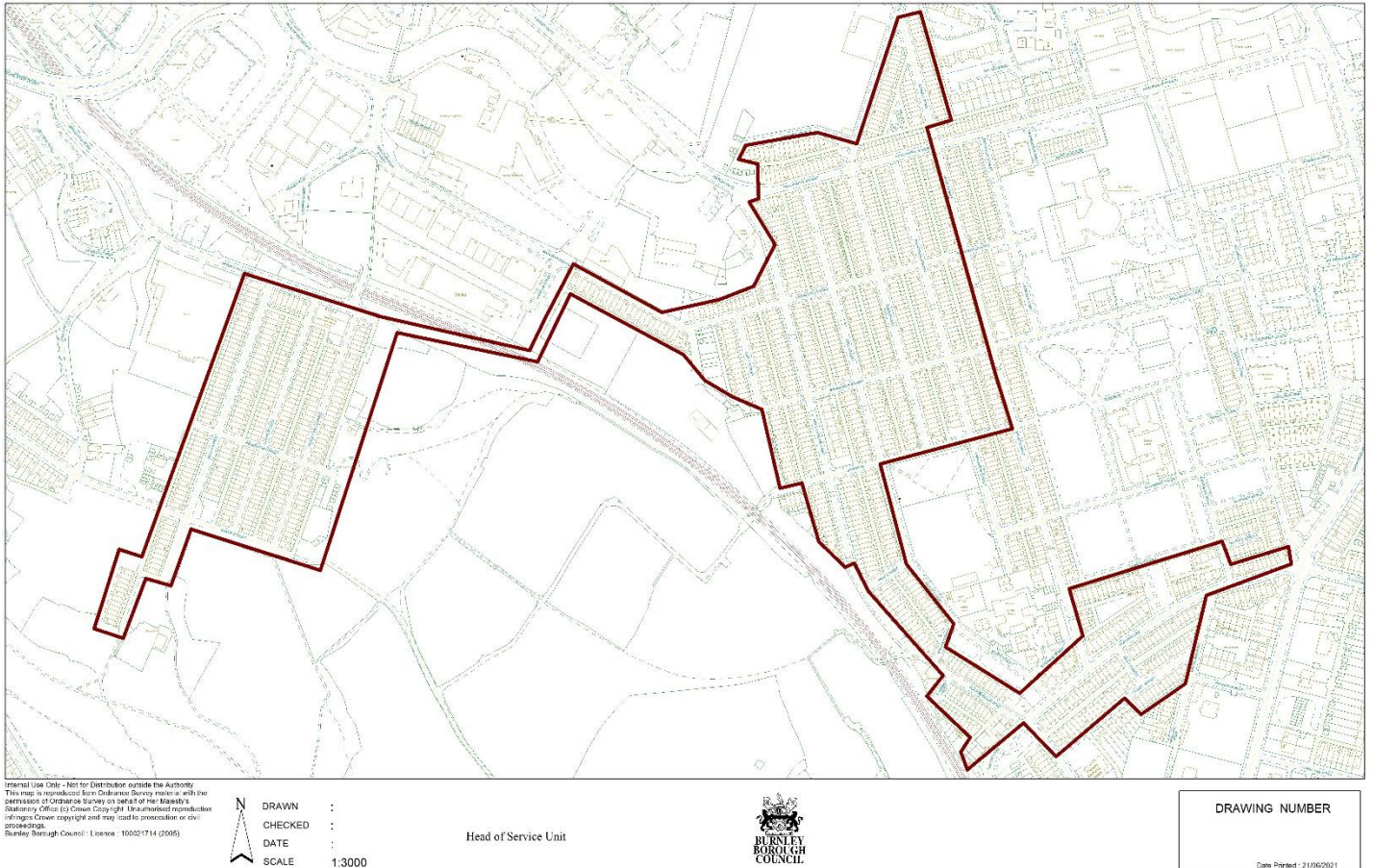
# 5. The Burnley Wood with Healey Wood Proposed Designation



## 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 Hufing 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%

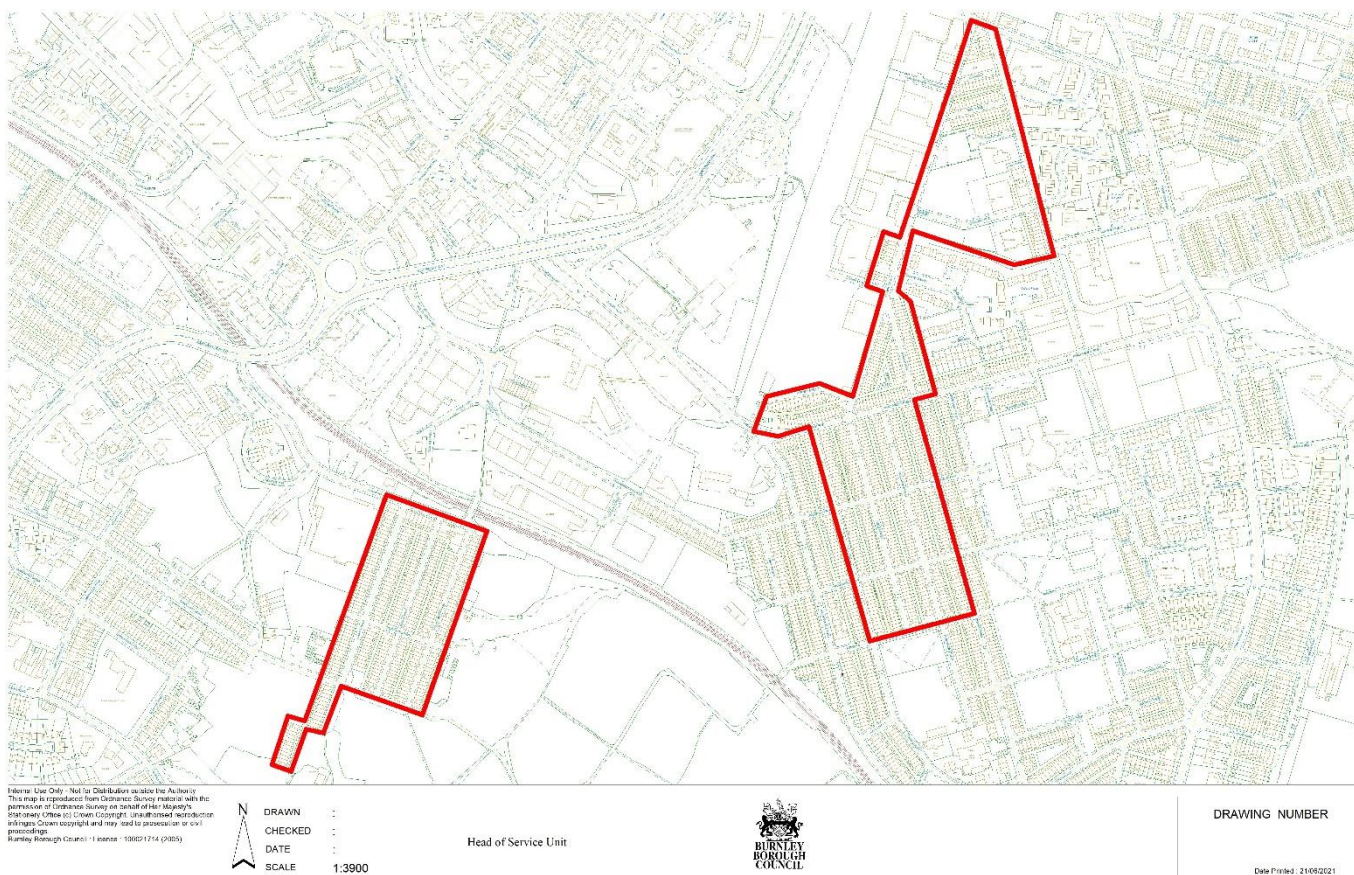
Sources: Tenure - Selective Licensing Database, March 2021; House Values – Land Registry, March 2021; Antisocial behaviour and dirty back yards – Council Records March 2021; Disrepair Complaints – Housing Enforcement Database, March 2021; EPC Ratings – EPC register, June 2020.

5.1.7 The Council have consulted 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.

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

<sup>5</sup> See footnote 2

<sup>6</sup> See Footnote 2



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%
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

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 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 selective licensing. 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	of 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	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 (table 8) 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 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 (table 11) 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.



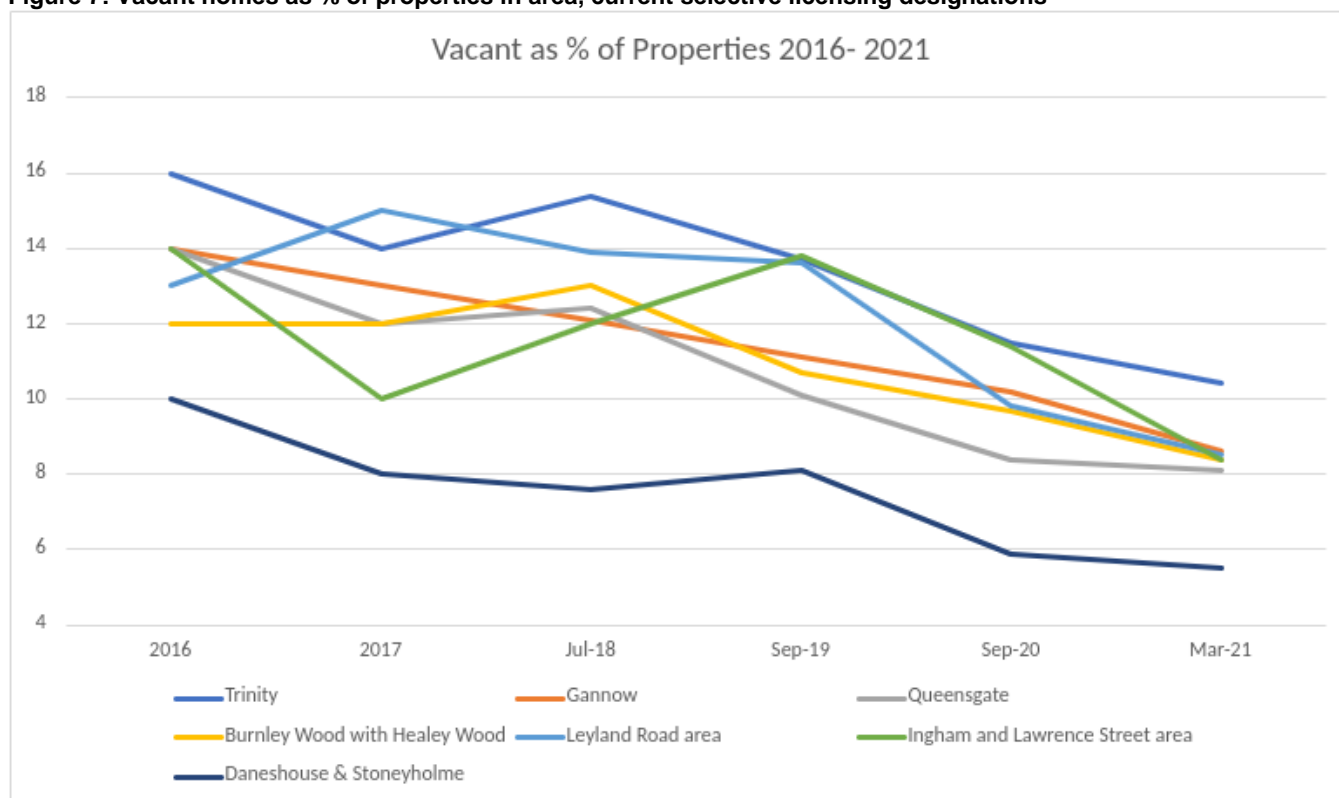
**Table 11: Percentage of empty homes within the selective licensing areas**

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
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

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. Table 12 shows this for the existing and proposed licensing areas in March 2021. All 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 Worsthorne	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 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

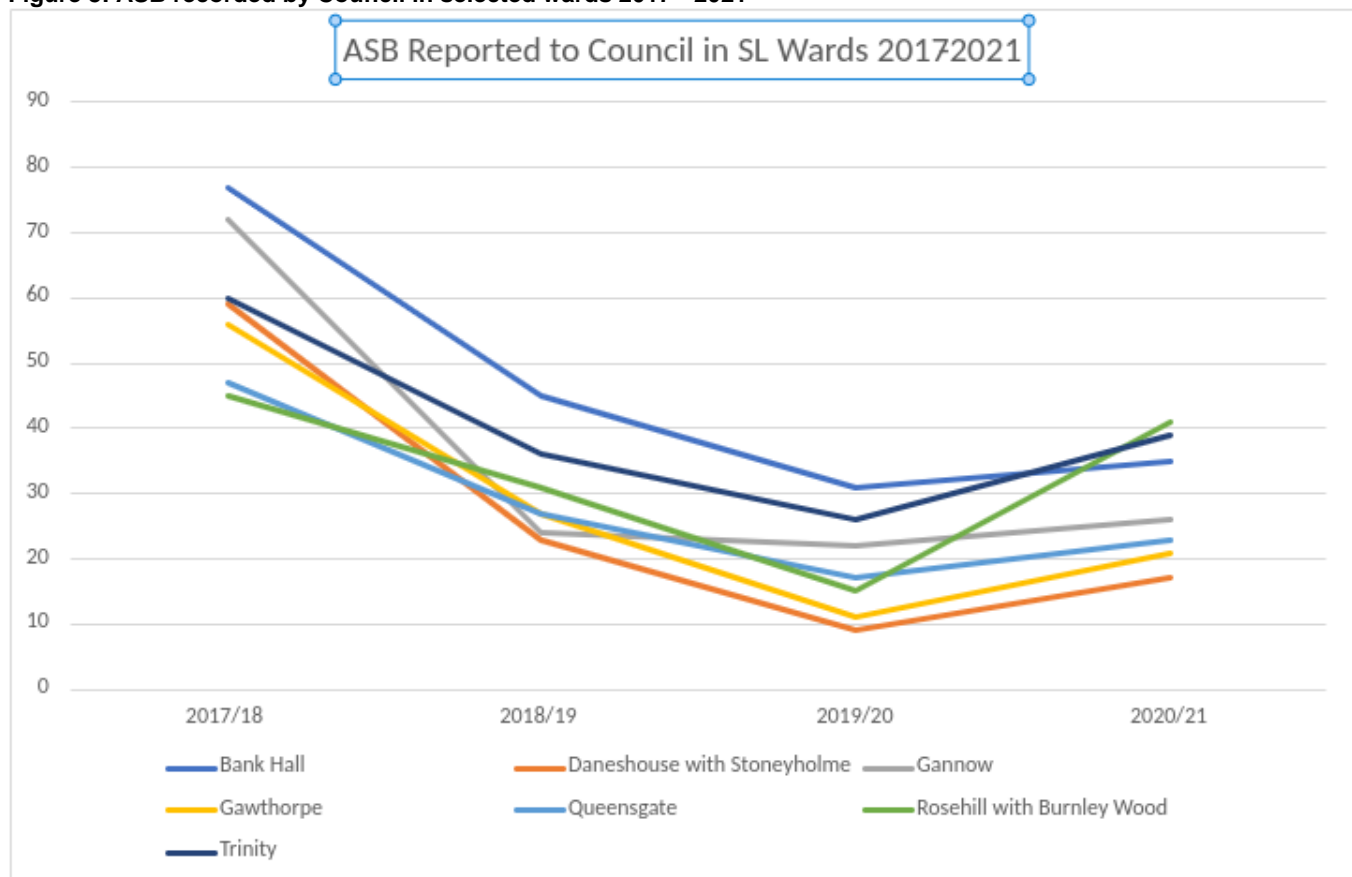
5.7.3 Table 15 shows the number of ASB incidents recorded by the Council, whilst Figure 8 shows the trends over time of levels of ASB in wards where the current and proposed selective licensing designations are situated. From the graph it is clear that all of these wards followed similar trends, similar 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 Worsthorne	6	6	1	5	15
Coal clough 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 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%

Source: Burnley Borough Council Community Safety Team

## 5.8 Environmental Crime

5.8.1 Environmental crime includes fly tipping 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
Coal clough 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 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%
Proposed Selective Licensing Designation Areas					
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 consulted 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.

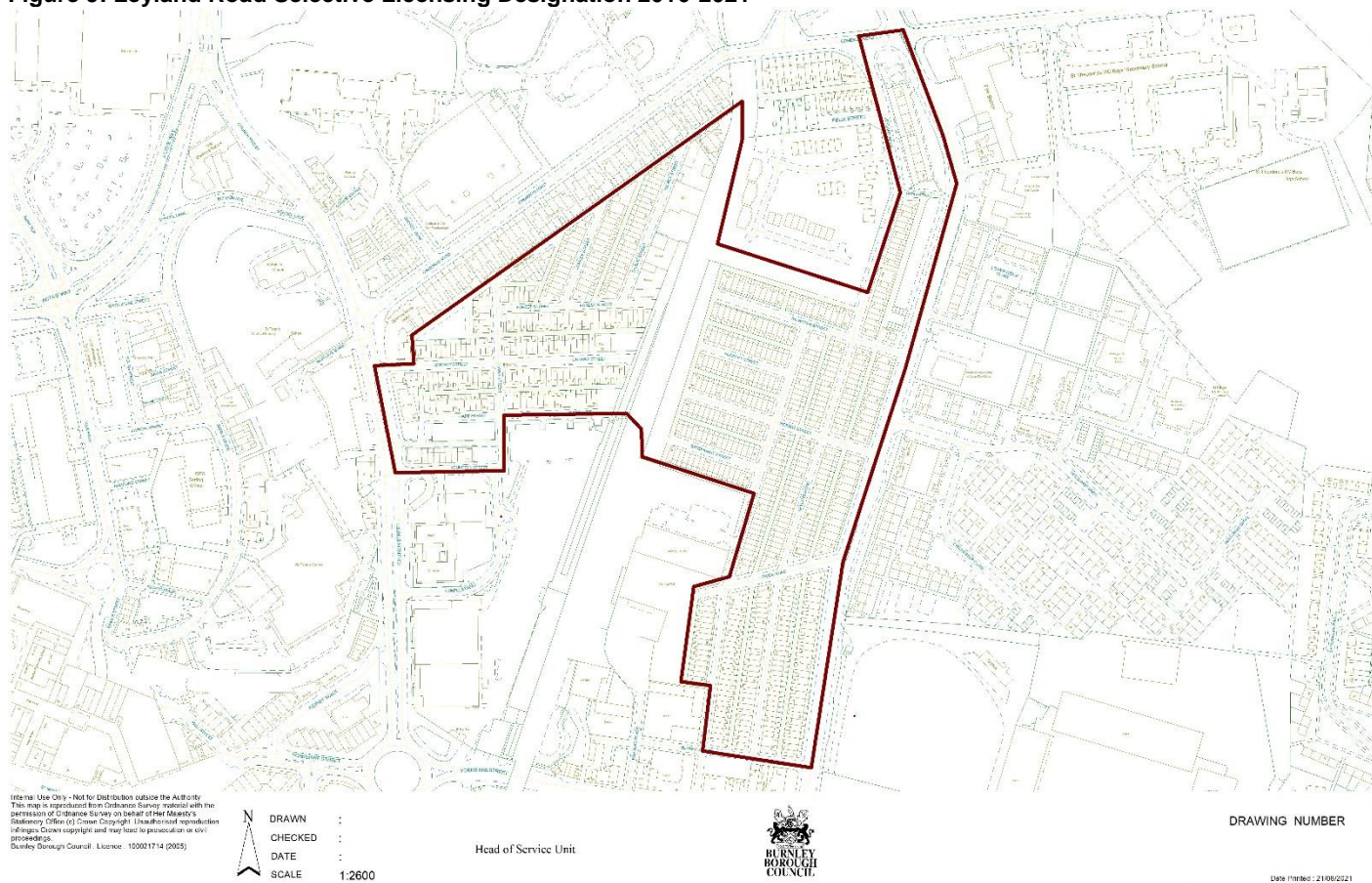


# 6. The Leyland Road Area Proposed Designation

## 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.

**Table 19: Key Indicators 2020/2021**

	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.

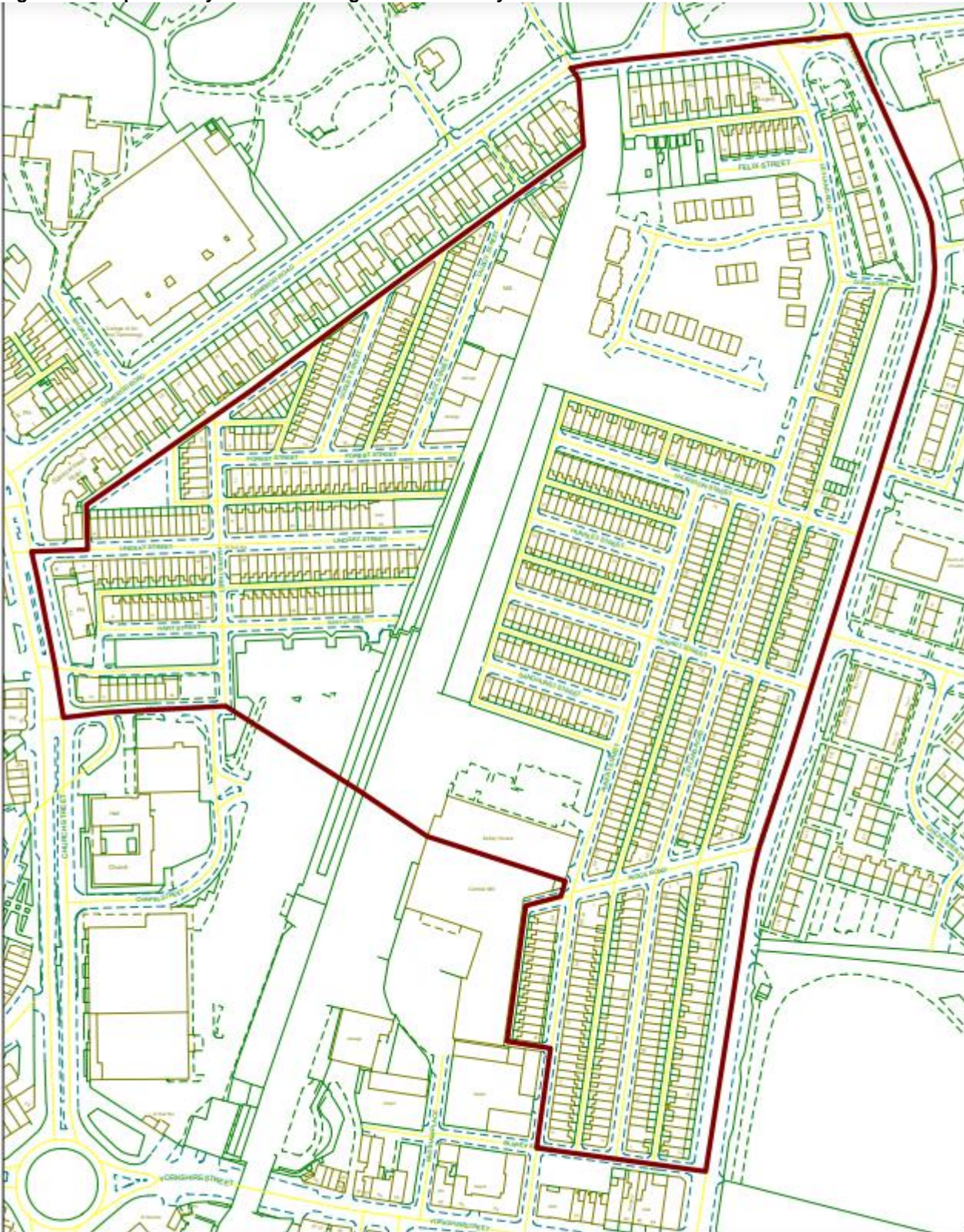
6.1.6 The Council has consulted on designating a selective licensing area which would include all the existing Leyland Road selective licensing area, along with a small number of streets to the north of the current boundary where we believe there is sufficient evidence of low demand for housing. Figure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

<sup>7</sup> See Footnote 2

<sup>8</sup> See footnote 2



Figure 10: Proposed Leyland Road Designation Boundary 2022 - 2027



Reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

Burnley Borough Council  
Licence No. 100021714. 2004

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 Worsthorpe	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
Leyland Road 2022 - 2027	772	469	61

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 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 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: 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 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
<b>Leyland Road 2022 - 2027</b>	<b>£36,789</b>	<b>£39,102</b>	<b>£46,737</b>	<b>£51,008</b>
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
<b>Bank Hall</b>	<b>298</b>	<b>298</b>	<b>408</b>	<b>326</b>	<b>255</b>	<b>253</b>	<b>272</b>	<b>328</b>	<b>252</b>	<b>215</b>	<b>280</b>	<b>1</b>
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

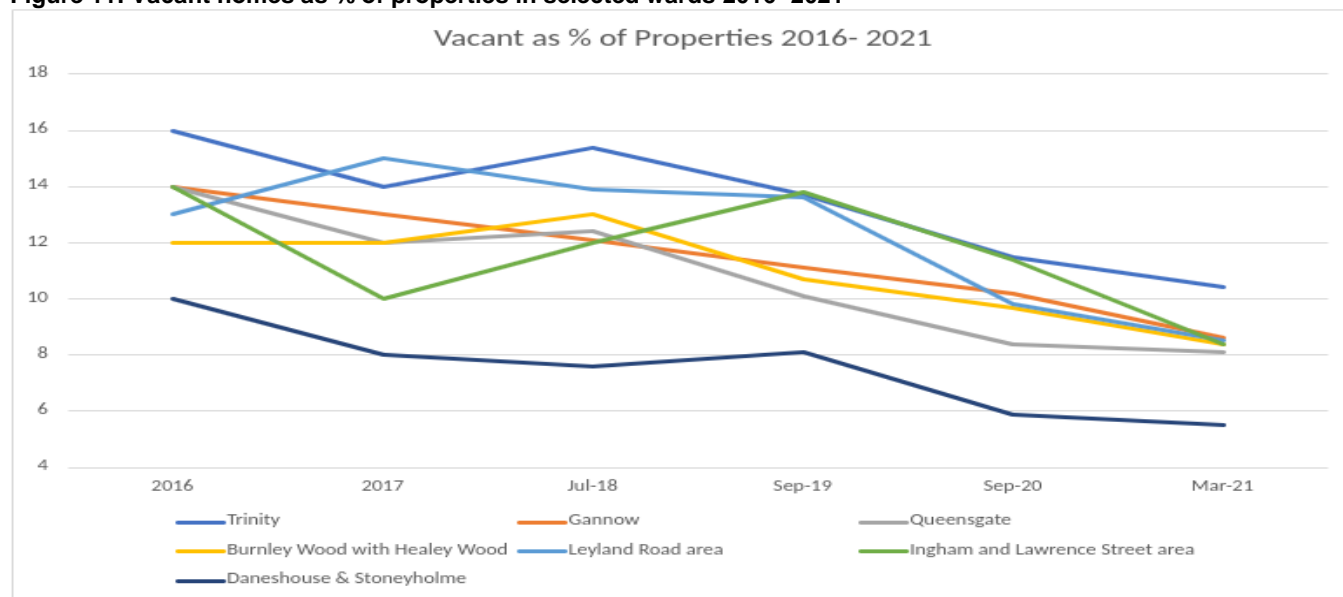
Existing Selective Licensing Designation Areas	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	Mar-2021
Trinity 2019- 2024	18	16	20	20	20	16	16	14	15	14	12	10
Gannow 2019- 2024	12	12	13	14	14	12	14	13	12	11	10	9
Queensgate 2019- 2024	17	16	15	16	14	10	14	12	12	10	8	8
Daneshouse and Stoneyholme 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 review 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 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%
<b>Leyland Road Area 2022 - 2027</b>	<b>772</b>	<b>24</b>	<b>3.1%</b>

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**

Area	18/19	18/19	19/20	19/20	20/21	20/21	Ward Rank March 2021
	Per 1000 Popn	% Change Previous Year	Per 1000 Popn	% Change Previous Year	Per 1000 Popn	% Change Previous Year	
Burnley	150.5	+26%	122.7	-18%	112.6	-8%	
<b>Bank Hall</b>	<b>220.6</b>	<b>+23%</b>	<b>173.6</b>	<b>-21%</b>	<b>146.5</b>	<b>-16%</b>	<b>4</b>
Briercliffe	55.6	+28%	41.0	-26%	38.3	-7%	14
Brunshaw	93.3	+21%	84.6	-9%	72.6	-14%	12
Cliviger with Worsthorne	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%, compared 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%	
<b>Bank Hall</b>	<b>76.4</b>	<b>-26%</b>	<b>78.4</b>	<b>+3%</b>	<b>122.1</b>	<b>+56%</b>	<b>3</b>
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.

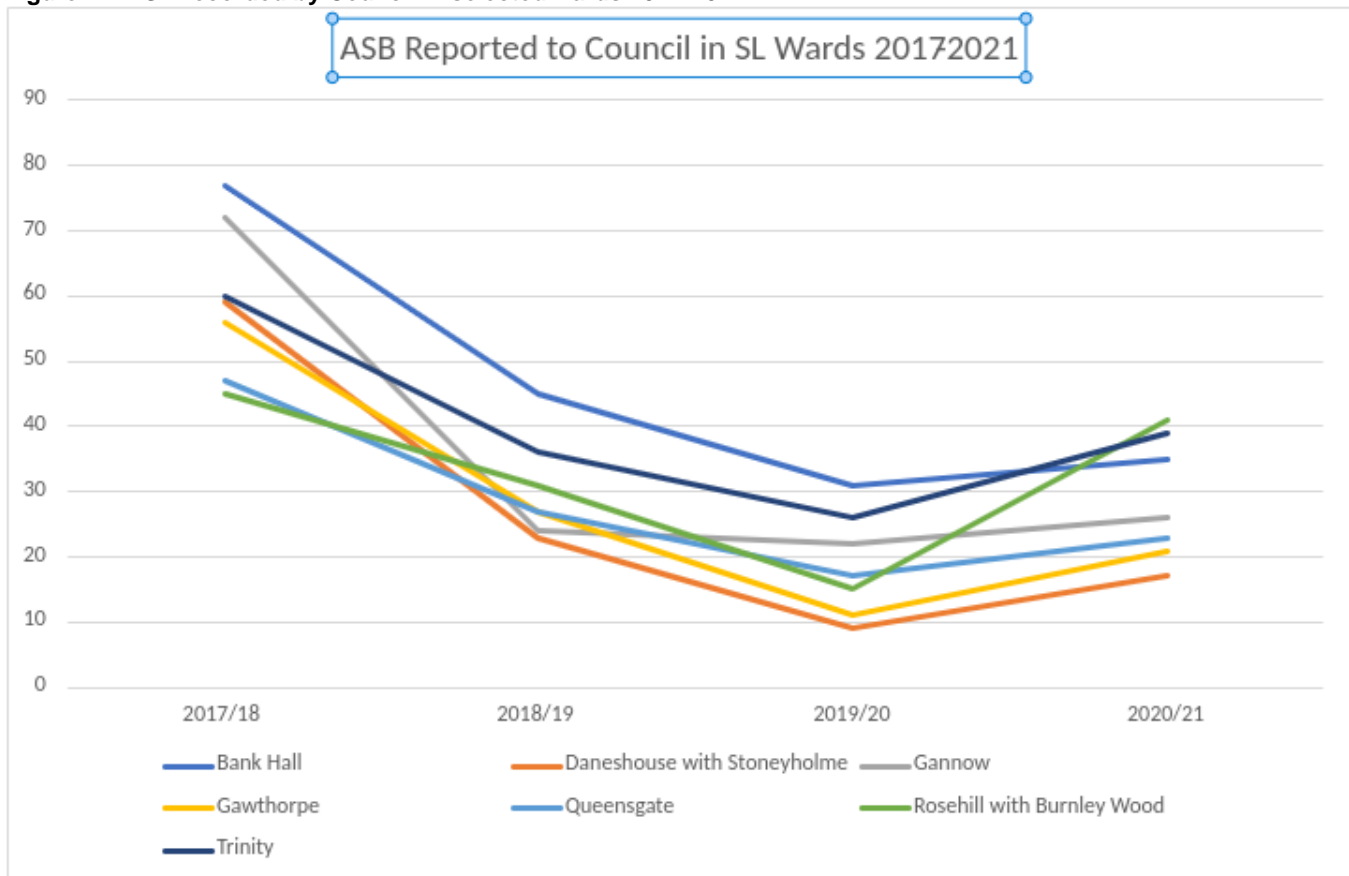
**Table 32 Reported incidents of ASB to the Council by Ward**

Ward	2017/18	2018/19	2019/20	2020/21	Rank March 2021
<b>Bank Hall</b>	<b>77</b>	<b>45</b>	<b>31</b>	<b>35</b>	<b>3</b>
Briercliffe	14	9	3	21	9=
Brunshaw	41	17	15	29	5
Cliviger with Worsthorne	6	6	1	5	15
Coal clough 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 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%
<b>Proposed Selective Licensing Designation Areas</b>					
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 fly tipping 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
Bank Hall	134	130	101	3
Briercliffe	12	27	31	11
Brunshaw	22	28	56	6
Cliviger with Worsthorpe	1	0	3	15
Coal clough 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 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%
Proposed Selective Licensing Designation Areas					
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 OPTION APPRAISAL

- 7.1 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 15 of this report. None are considered suitable in isolation in an area of 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, 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,	The poorest landlords will choose not to follow the examples set by the Housing Company and will to provide sub-standard accommodation with unsatisfactory management practices.	The Council would have to take a commercial approach to 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.

## 7.2 Accreditation

- 7.2.1 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.
- 7.2.2 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.
- 7.2.3 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.
- 7.2.4 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.

- 7.2.5 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.
- 7.2.6 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.
- 7.2.7 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.
- 7.2.8 The Forum works with the Partnership Manager for the Department for Work and Pensions in the Northwest 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.
- 7.2.9 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.
- 7.2.10 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.

### **7.3 Enforcement of Housing Standards**

- 7.3.1 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.
- 7.3.2 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.

- 7.3.3 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.

## **7.4 Management Orders**

- 7.4.1 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.
- 7.4.2 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).
- 7.4.3 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.
- 7.4.4 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.
- 7.4.5 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.

## **7.5 A Private Sector Leasing Scheme**

- 7.5.1 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.
- 7.5.2 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.

## **7.6 Local Authority Trading Company**

7.6.1 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.

## **7.7 Landlord Development Days**

7.7.1 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.

7.7.2 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.

## **7.8 The Empty Homes Programme**

7.8.1 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.

7.8.2 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.

7.8.3 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.

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

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

8.1.1 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.

8.1.2 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.

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

*"To deliver transformational improvement of the private rented sector"*

8.1.4 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.

## **8.2 Prevention of Homelessness Strategy**

8.2.1 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.

8.2.2 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.



- 8.2.3 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 sleeping on the streets.
- 8.2.4 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.
- 8.2.5 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.
- 8.2.6 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.

## **9. SUPPORTING AND COMPLIMENTARY ACTIVITY**

- 9.1 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.
- 9.1.1 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.
- 9.1.2 Selective licensing is one aspect of a wider economic, social, environmental, and housing regeneration strategy that includes multiple initiatives.

## 9.2 Social and Economic Regeneration Activity

9.2.1 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.

9.2.2 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.

9.2.3 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.

## 9.3 Empty Homes Programme

9.3.1 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.

9.3.2 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.

9.3.3 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.

9.3.4 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 rainwater goods and repair work to garden walls.

9.3.5 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 refurbished 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 compulsorily 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.

9.3.6 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.

9.3.7 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.

9.3.8 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.

## **9.4 Housing Enforcement and Proactive Inspections**

9.4.1 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.

9.4.2 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.

## **9.5 Accreditation, Training and Development**

9.5.1 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.

9.5.2 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.

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

9.6.1 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

9.6.2 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.

9.6.3 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.

9.6.4 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.

9.6.5 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.

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

## **9.7 Environmental Crime**

9.7.1 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.

9.7.2 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.

9.7.3 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.

## **9.8 New Housing**

9.8.1 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.

## 9.9 Supporting Vulnerable Residents

9.9.1 Working with vulnerable residents often requires a multi-agency approach to address complex issues that person is facing. The health, safety and welfare multi-agency meetings for Burnley started in October 2020 due to recognition from operational officers that partnerships between statutory and voluntary agencies needed to be strengthened to effectively support some of Borough's most vulnerable residents. Over time membership has grown to include:

*Housing, Streetscene, the police, the fire service, health, adult and children social care, the CVS, Inspire, Age UK, Calico and Burnley Together.*

9.9.2 Officers meet once per month to discuss complex cases where written consent has been gained by the resident. There are no eligibility criteria for cases other than a multi-agency approach is needed to support that resident. This approach has seen effective collaboration with a wide range of organisations and services. Detailed below one of the cases referred to the meeting:

*X has been known to the forum for the past 12 months and he has been known to Adult Social Care for several years. X has not engaged with any services previously, but over the past 12 months he has had grant works completed by housing at his property to make it habitable again. He has a new boiler, hot water, and electricity, and told me that he is looking forward to winter for the first time in over 15 years as he will be warm. Although works need to be finalised at his home, X appears to be doing well and he is engaging with Adult Social Care. Telecare has been provided, and reablement with therapy. The Integrated Neighbourhood team is working with X regarding his health needs, and he is engaging well with the Officer currently, who has spent a lot of time with X to help him engage with his GP, he has recently consented to a referral to Inspire which is a huge step in the right direction for him. Again, the joint approach between health, housing and Adult Social Care has proved successful.*

## 10. ADMINISTRATION OF THE DESIGNATION AREA

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

10.1.2 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.

10.1.3 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 body 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.

10.1.4 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. Audits of the areas are also undertaken, plotting every property interest on a GIS map.

## **10.2 Fees**

10.2.1 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.

10.2.2 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.

10.2.3 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 with one house where the application was made within three months of the designation coming into force, this fee would be £400.50. The full Fees and Charging Structure is attached as Appendix 4 to this document.

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

10.2.5 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.

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

## **10.3 Fit and Proper Person Criteria**

10.3.1 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.

10.3.2 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.

10.3.3 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.

## **10.4 Licence Conditions**

10.4.1 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.

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

## **11. LEVEL OF COMPLIANCE WITH CURRENT SELECTIVE LICENSING AREAS**

11.1 Until the 15<sup>th</sup> November 2021 there were 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 36 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
Burnley Wood with Healey Wood	Nov - 16	414	619	606	605	97.89 %		13	603	97.41%	15
Leyland Road	Nov - 16	310	418	417	414	99.76 %		1	400	95.69%	18
Ingham & Lawrence	Nov - 16	55	90	87	86	96.66 %		3	81	90.00%	0

- 11.2 The current designations for Burnley Wood with Healey Wood, Ingham and Lawrence, and the Leyland Road areas come to an end in November 2021.
- 11.3 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.
- 11.4 In relation to the proposed refusal and refusal figures in Table 36, 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.
- 11.5 Regarding non-compliance 17 of the properties in these areas (1.5% of those required to be licensed) have not applied to the Council for a licence.
- 11.6 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.
- 11.7 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.
- 11.8 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.

- 11.9 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.
- 11.10 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 37 - 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	38	5	1014	60
2020	63	13	44	5	649	66
2021 up to 3/6/21	29	9	19	4	274	64

- 11.11 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.

- 11.12 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 contacted 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.*

- 11.13 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.
- 11.14 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.

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

**Table 38 Informal intervention to prevent breaches of licensing conditions.**

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

11.17 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.

11.18 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.

11.19 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.

11.20 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.

11.21 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.

## **11.2 Case Study 1: Compliance with Gas Safety Requirements in Licensing Areas**

11.2.1 All landlords of private rented properties where gas appliances are supplied have a responsibility to undertake annual safety checks at their properties. Furthermore, those that are licensed under a selective licensing scheme are required to provide a copy of the certificate to the Council annually. The selective licensing scheme allows the Council to proactively monitor this and other legislative requirements at all private rented properties which fall under the scheme.

11.2.2 Between September and November 2021, the licensing team contacted the licence holders of 659 properties where the gas safety certificate (GSC) we held on file had expired. Requests were sent to both managing agents and licence holders. Table 38 below shows the results recorded on 22<sup>nd</sup> November 2021

**Table 39: Gas safety certificates requested and received**

<b>Area</b>	<b>No. requested</b>	<b>Outstanding</b>	<b>No. dated after request (and as % requested)</b>
<b>BWHW</b>	358	66 (18%)	12 (3%)
<b>LR</b>	301	37 (12%)	26 (9%)
<b>Total</b>	659	103 (16%)	38 (6%)

- The majority of licence holders or their managers were able to submit a valid certificate, or alternatively provide evidence that showed they were not required to provide a certificate (84% across both areas), e.g., the property had become vacant.
- Seven licence holders failed to submit valid GSCs for more than one property. The remaining licence holders failed to do so for a single property.
- The table also shows the number of certificates received which were dated after an initial request to provide to the authority was made. Whilst some of these certificates will have been due in September - November, this raises concerns that some of those licence holders where this was not the case had not already taken steps to ensure the check was complete and were only doing so because of the request made by the licensing team. Six licence holders submitted certificates dated after the request for more than one property.
- The Council is currently preparing to take legal action in the form of civil penalties against those licence holders who have failed to comply with the requirement to provide a valid GSC and who have not been able to give reasonable mitigating reasons for this failure.

11.2.3 The above case study shows that notable levels of compliance had been achieved within the designation boundary. As a comparison, between September 2017 and August 2018, the Housing Enforcement team undertook proactive inspections of 93 properties in the Daneshouse & Stoneyholme area of Burnley. At the time this area was not designated under selective licensing. Of the 93 inspected, 73 had no gas certificate in place at the time of inspection, a compliance rate of just 22%. This case study demonstrates that much higher levels of compliance can be achieved where a selective licensing designation is in place; 84% of licence holders contacted during this recent period of monitoring were compliant or provided evidence to show they were not required to obtain a GSC. Since this

piece of work Daneshouse & Stoneyholme has been designated as a selective licensing area, allowing the Council to proactively ensure all private rented properties are covered by a valid GSC.

11.2.4 Despite the high levels of compliance, there is still a significant number of licence holders who failed to provide a valid GSC or evidence that one is no longer required; 103 across both areas. In addition to this, a number of those certificates were completed after a request was made to the licence holder to provide it, suggesting that some licence holders do not have appropriate procedures in place to adhere to their legal responsibilities. The Council is concerned that not continuing with selective licensing in these areas would result in a drop in compliance with gas safety regulations and would mean the Council would not have the facility to proactively monitor and identify breaches of gas safe legislation. Without licensing in these areas, the Council would largely rely on complaints from residents to identify properties that have not had a valid safety check, meaning there is a real risk that some landlords will not adhere with the regulations and continue to operate under the Council's radar.

### **11.3 Case Study 2: Fit and Proper Persons**

11.3.1 In order to be granted a licence, applicants must demonstrate that they are, amongst other matters, fit and proper persons to hold a licence. Where a person is deemed not to meet this criteria, applications for a licence are refused, and the persons in control of the property will be required to put in place alternative, appropriate arrangements. Determining that both the licence holder and manager are fit and proper persons is a crucial part of ensuring that the property is being managed appropriately.

11.3.2 Further to this, following the granting of a licence, the Council deem it appropriate to make it a condition of a selective licence that licence holders are required to inform the Council within ten working days of any material change in circumstances affecting the management of the property, including details of any relevant convictions of which the Council was previously unaware.

11.3.3 In January 2020, the Council were made aware that a landlord who held a licence in the Gannow selective licensing designation in Burnley (2014-2019), had been convicted of a serious offence, in relation to which he received a significant custodial sentence. The landlord failed to notify the Council, and as such the Council served a civil penalty notice of £5,000 for breach of this condition. This was later reduced to £4,000 on appeal.

11.3.4 In considering whether there were any aggravating factors the Tribunal, on balance, agreed that the Council being left in ignorance, for many months, of the landlord being in prison and convicted of very serious offence undermined the Council's ability to secure an important objective of the selective licence scheme, that is, to have in place a fit and proper licence holder.

11.3.5 This case study demonstrates the importance of selective licensing in that it allows the Council to intervene where the licence holder of the property is not "Fit and Proper". The area in which this property is located has since been designated under a further scheme; the Council has been able to insist that alternative arrangements as to who holds the licence have not been put in place.

## **12. RISK ASSESSMENT**

12.1 There are risks and limitations attached to a selective licensing designation. The main risks that have been considered are:

12.2 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.

12.3 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 as well as consideration of Banning Orders and entries onto the Rogue Landlord database.

12.4 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.

12.5 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.

## **13. CONSULTATION**

13.1 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.

13.1.2 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. The consultation exercise for the proposed areas of Burnley Wood with Healey Wood and Leyland Road, took place from 9th of August 2021 to 24th of October 2021 (11 weeks).

### **13.1.3 Emails and letters to all Interest holders**

In August, the Council emailed all known landlords with properties in the proposed designation areas, as well as managing agents operating in the boundaries. Where no email address was recorded, a letter was sent. The emails and letters directed all recipients to the Council's website for further information, where they could also view proposal documents, including the Council's reasons for proposing the area, copies of the proposed licence conditions, proposed fit and proper person criteria and management standards, proposed fee structure, lists of streets covered and frequently asked questions. In addition, the emails included a link to the online version of the questionnaires for the proposed area. Contact details for the Selective Licensing team were also included on the letter for recipients to make queries/representations, as well as details of face-to-face drop-in sessions held by the licensing team. The council sent follow up emails in October reminding them to complete a survey if they wished to do so and confirmed the remaining drop in session dates.

### **13.1.4 Questionnaires**

Questionnaires were hand delivered to every property in August, including businesses, within the proposed designation area, as well as the areas immediately surrounding these boundaries. It asked for their thoughts on the proposed scheme and whether they agreed with the proposals. The questionnaires gave details of the locations and times of the arranged resident drop-in events for the areas, along with contact details for Council officers. Paper copies were also available to complete at all consultation events. In October, reminder leaflets were hand delivered to all properties and businesses within the wider consultation boundary containing details of the deadline for completing questionnaires and making representations for consideration as well as the dates for the drop-in sessions.

### **13.1.5 Drop-in Sessions**

Two resident drop-in sessions were held in the Leyland Road proposed area, two in Burnley Wood and two in Healey Wood over the course of the consultation period. Venues were selected within the proposed designation areas, or in their immediate vicinity, to ensure they were accessible and convenient for all wishing to attend. The drop-in sessions were attended

by residents, landlords, managing agents, Police, Fire Service and Local Councillors. Residents who attended included owner occupiers, private tenants, and tenants of registered social landlords.

### **13.1.6 Private Rented Sector Forum**

A meeting of the Private Rented Sector Forum (PRSF) was held on 14th October 2021 to discuss the proposals. The meeting was attended by council officers and members of the forum, made up of landlords and managing agents operating in the borough. Council officers presented maps showing the proposed boundaries, and an explanation was given regarding how the boundaries had been determined. Officers explained how relevant data had been analysed in order to give a more focused understanding of the proposed licensing areas, and how this information was used to justify removing certain streets from the Burnley Wood with Healey Wood boundary where noticeable improvements had been seen in the last five years. Members were invited to discuss the proposed boundaries, drawing on their experience of managing property in the proposed designation areas. Members agreed that the proposed boundaries were appropriate, and there were no suggestions that any of the proposed areas were not suitable for licensing.

### **13.1.7 Registered Social Landlords**

Registered Social Landlords operating in the borough were contacted to inform them of the proposed schemes and ask for feedback on the proposals. They were also asked for their views on whether they believe the scheme would support their own strategic objectives and business activities. No responses were received. We received this response from one of them.

*“Absolutely we would like this area to continue to be a SL area. We have started to see some people terminate their tenancies recently because of some crime in the neighbourhood. This is also feedback we have had when completing customer door knocking events, so we are keen to start working more closely with the local councillor and police to try to tackle this and continue the good work we are all doing to lift this area.”*

### **13.1.8 Key Partners**

The credit Union, Shelter and neighbouring local authorities were contacted during the consultation proposals. The National Residential Landlords Association was also consulted who responded.

*“The NRLA believes that local authorities need a healthy private rented sector to complement the other housing in an area. This provides a variety of housing types that can meet the needs of both residents and landlords in the area. The sector is regulated, and enforcement is essential for maintaining the sector from criminals who exploit landlords and tenants. An active enforcement policy that supports good landlords is crucial as it will remove those who exploit others and create a level playing field. It is essential to understand how the sector operates as landlords can often be victims of criminal activity with their properties being exploited.*

*The NRLA has a shared interest with Burnley Council in ensuring a high-quality private rented sector but disagrees that the further introduction of selective licensing is the most effective approach to achieve this aim both in the short term and long term.”*



13.1.8.1 Officers consulted with the local councillors with a briefing note, and the councillors were invited to attend the drop-in sessions arranged to consult with the community. We received responses from some councillors in favour of the proposed designation. One response received by a local councillor on 24<sup>th</sup> September 2021:

*“I live within Burnley Wood and frequently speak to the residents. It is clear that Selective licensing must remain, there are far too many landlords who neglect the maintenance of their properties to the detriment of their tenants. I have personally been in conversation with Ian on one particular resident and without this scheme being in place things would be so much more difficult.”*

13.1.8.2 Information was sent to the Neighbourhood Policing Inspector of Burnley Police station, who responded:

*“Designating Burnley Wood with Healey Wood and the Leyland Rd areas as selective licensing areas would be, I feel, be absolutely the right thing to do. These particular areas do suffer from low quality and often questionable housing arrangements and introducing such a scheme would alleviate or at least decrease a large number of associated issues such as ASB. I would be very supportive of this scheme especially in light of the recent “Safer Streets” project having been rolled out across the Burnley Wood area. Hopefully a selective licensing scheme in this area would add to the improvements that have already been undertaken and help in the overall reduction of acquisitive crime and ASB.”*

### **13.1.9 Accessibility of Consultation**

Information provided to stakeholders was clear and concise. A frequently asked questions document was collated, to enable stakeholders to gain a better understanding of the proposed scheme and its impacts. Council officers were available each day by phone and email for those who had further queries.

13.1.9.1 The questionnaires contained the key reasons the authority wishes to introduce the scheme in the proposed areas. This was expanded on further in the proposal document which was available to view online throughout the consultation (paper copies were available on request). This document laid out the reasons for wanting to introduce the scheme, based on statistical evidence for low demand. A summary of the proposals was also made available on the Council’s website.

13.1.9.2 All written and verbal representations have been given full consideration. All questions and concerns about the proposals were responded to in writing where contact details had been provided. Where no contact details were provided, a response has been given in the transcripts which accompany this document. Full transcripts of representations made during the consultation period are publicly available to view on the council’s website. Summaries of responses received for each proposed area have also been included.

### **13.1.10 Publicity / Communication**

The consultation was advertised on the council’s website along with links to the proposal document, proposed area maps, FAQs, proposed fee structure and links to online questionnaires for each area. In addition to the questionnaires which were delivered to every household in the wider consultation boundary, the council widely publicised the consultation and drop-in sessions using various methods of communication including press releases to local newspapers and social media. Reminder leaflets were also distributed to all households and posters erected in public areas.

13.10.1 Officers were available to discuss the proposals and answer queries by email and phone, these details were included in all publicity articles and were also listed on the questionnaires and website. Full details of all responses provided can be found in the transcripts for each individual area.

### 13.1.11 Analysis

All completed questionnaires (paper and online) were statistically analysed. All written comments or queries received as part of the questionnaires, or by post/email were placed into a transcript relating to each area and responded to by officers where required. Comments from drop-in sessions and meetings with landlords were also added to the relevant transcript, considered, and responded to where necessary.

## 14. OUTCOMES OF THE PROPOSED DESIGNATION AREA

- 14.1 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.
- 14.2 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.
- 14.3 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.
- 14.4 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. Continue to gather key statistics to assist in the prioritisation of streets and initiatives
  - b. Improve stakeholder engagement
  - c. Improve the management of the private rented sector;
  - d. Improve the condition of the private rented sector
  - e. Reduce anti-social behaviour
  - f. Reduce environmental crime
  - g. Bring empty homes back into use
- 14.5 Having due regard to the Independent Review of the Use and Effectiveness of Selective Licensing (MHCLG 2019) under each aim the Council have set the following targets which when delivered as part of a wider regeneration strategy and in collaboration with other partners and initiatives will assist in improving social, economic and environmental conditions within the areas as the standard of lives for residents will improve by protecting their health, safety and welfare through better housing conditions and management.

14.6 The targets detailed below are not an exhaustive list as they need to be flexible to adapt as the data over the five years will change.

#### **14.6 Continue to gather key statistics to assist in the prioritisation of streets and initiatives**

- To publish annual reviews of the selective licensing areas in relation to key statistics and use these statistics to prioritise streets and initiatives for the coming year;
- Continue to identify part 3 properties through a range of data, mapping exercises and audits of the designations
- Continued monitoring of income and expenditure which will be published in the annual reports
- Monitor compliance with licensing and licensing conditions
- Monitor the number of takes taken to determine a complete and valid application (target 90 days)
- Monitor the number of landlords that attend development days
- Monitor the number of reference requests received and the time taken to process the reference request (target 2 working days)

#### **14.7 Improve stakeholder engagement**

- Six weekly private rented forums
- 2 landlord evening per year
- 6 landlord development days per year
- 2 tenant information days
- Publish annual reports
- Annual landlord and resident newsletters
- Two weekly drop in surgeries held in the designation areas
- Multi Agency Meetings
- MATAC

#### **14.8 Improve the management of the private rented sector;**

- Continue to monitor and where necessary enforce licence conditions
- Continue to request certificates upon expiry
- 6 landlord development days and 1 managing agent day
- Email mail outs for changes affecting the private rented sector
- Continue to encourage landlords to join the Good Landlord and Agent Scheme
- Officers to advise and support landlords in meeting their legal obligations
- Robust enforcement procedures

#### **14.9 Improve the condition of the private rented sector**

- Consider further environmental improvement schemes within the designation areas
- Selective licensing to continue property checks to monitor conditions
- Zone each selective licensing area for a five year rolling programme of audits to monitor licence conditions
- Landlord enforcement to continue proactive Housing, Health and Safety inspections and target properties where no licence application has been received to protect most vulnerable tenants.
- Encourage landlords to improve exterior decorations through the Good Landlord and Agent Scheme
- Where a property is owner occupied work with the Home Improvement Agency and the Multi Agency Meeting to support that resident
- Robust enforcement procedures

#### **14.10 Reduce anti-social behaviour**

- As part of the application process ensure landlords have a robust process in place to manage anti-social behaviour
- Continue to monitor and where necessary enforce conditions in relation to tenant referencing and the management of anti-social behaviour
- To continue to work closely with the Community Safety Team and MATAC
- Continue to support landlords to address anti-social behaviour
- Use of Community Protection Warnings and Notices and as a last resort Closing Orders

#### **14.11 Reduce environmental crime**

- Continue to monitor and where necessary enforce conditions in relation to the management of waste including the provision of bins at the start of a tenancy agreement
- Ensure all rear yards are fitted with a gate that is fit for purpose
- Continue to undertake regular audits to monitor the areas, and contact managers and landlords if there is breach of the licence conditions.
- Continue to work with Streetscene to identify alley gate schemes.

#### **14.12 Bring empty homes back into use**

- Selective licensing officers and the empty homes team to work closely together to identify problem long term empty properties in the designation areas
- Continue to implement the empty homes programme in the designation areas
- Continue to offer interest free loans to landlords and regularly publish this incentive
- Continue to support Calico Homes to deliver their empty homes programme

## **15. RESULTS OF THE CONSULTATION**

15.1 There are 1,686 properties in both proposed designations (914 in Burnley Wood with Healey Wood and 772 in Leyland Road), of these properties, 967 are private rented (498 in Burnley Wood with Healey Wood and 469 in Leyland Road). We consulted with people who had an interest in 3,100 properties in and around the proposed designations (1,900 in Burnley Wood with Healey Wood and 1,200 in Leyland Road). Looking at both areas that have been proposed for selective licensing, 388 responses were received in total, comprising of 345 from surveys, 19 emails, 9 phone calls, 1 letter and 14 face to face conversations.

15.2 The 388 responses represent a relatively high return when comparing it to the last consultation exercise for selective licensing which took place in 2018 for the four selective licensing areas of Trinity, Gannow, Queensgate and Daneshouse with Stoneyholme. During this consultation exercise 338 responses were received.

15.3 During analysis of the returned surveys it was evident that the Council had received multiple survey responses from recurring IP addresses, which was an error with the Survey Monkey system which should not have allowed this to happen. The results show both responses with and without the multiple survey responses.

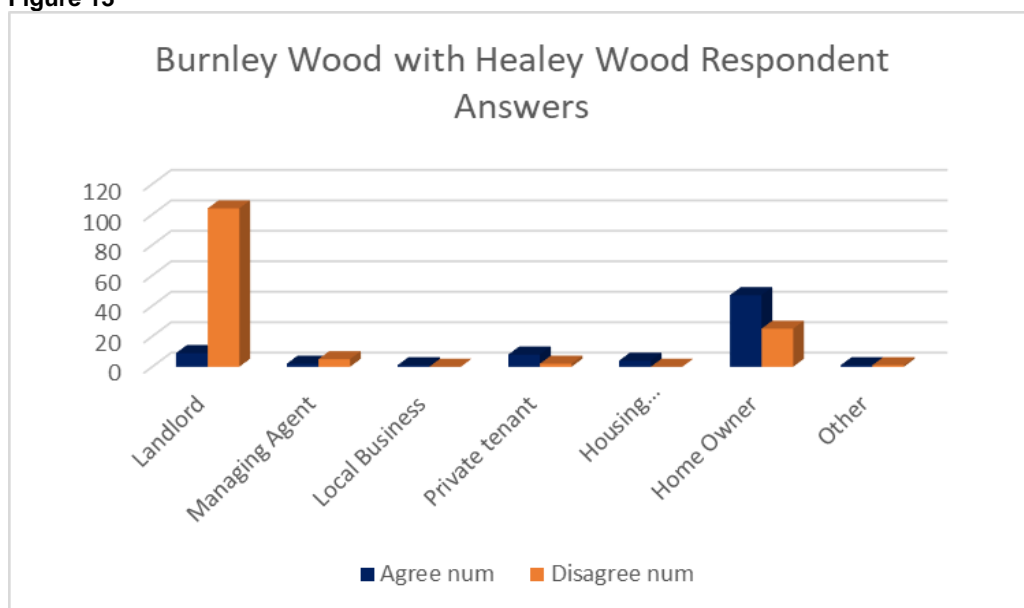
#### **15.4 Burnley Wood with Healey Wood**

The table and graphs below display the breakdown of respondents and whether they agree or disagree with the Council’s proposal to reintroduce the scheme.

**Table 40 \*Including all recurring IP address responses**

Designation	Respondent	Num of Responses	Agree num	Agree %	Disagree num	Disagree %	
<b>Burnley with Wood</b>	<b>Wood Healey</b>	Landlord	113	9	8	104	92
		Managing Agent	7	2	29	5	71
		Local Business	1	1	100	0	0
		Private tenant	10	8	80	2	20
		Housing Association tenant	4	4	100	0	0
		Home Owner	72	47	65	25	35
		Other	2	1	50	1	50
		<b>Total</b>	<b>209</b>	<b>72</b>	<b>34</b>	<b>137</b>	<b>66</b>

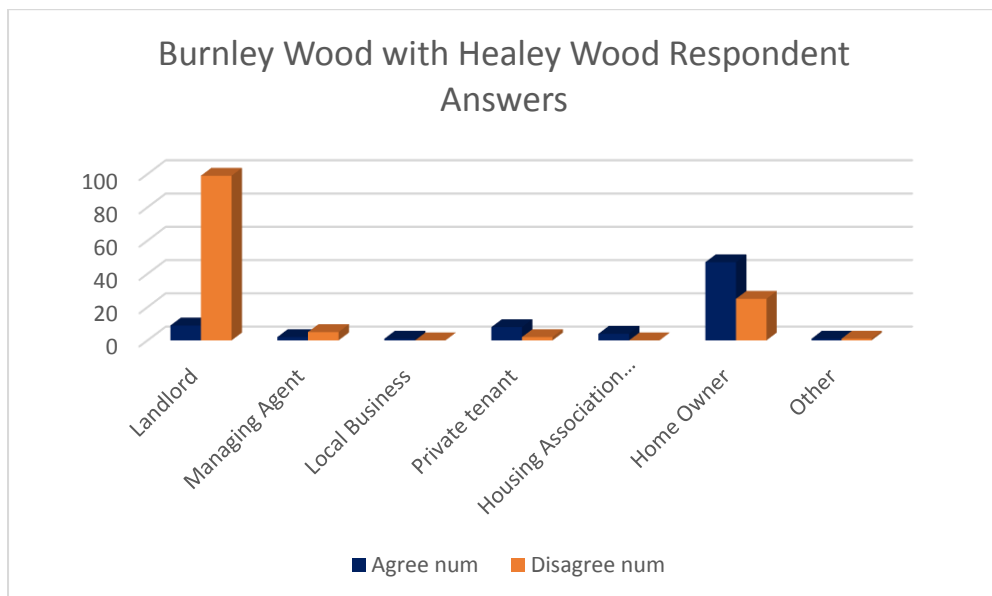
**Figure 13**



**Table 41 \*Excluding all recurring IP address responses**

Designation	Respondent	Num of Responses	Agree num	Agree %	Disagree num	Disagree %
<b>Burnley Wood with Healey Wood</b>	Landlord	106	9	9	97	91
	Managing Agent	7	2	29	5	71
	Local Business	1	1	100	0	0
	Private tenant	10	8	80	2	20
	Housing Association tenant	4	4	100	0	0
	Home Owner	72	47	65	25	35
	Other	2	1	50	1	50
	<b>Total</b>	<b>202</b>	<b>72</b>	<b>36</b>	<b>130</b>	<b>64</b>

Figure 14



In the Burnley Wood with Healey Wood area, the majority of landlords and managing agents disagree with selective licensing. Many private tenants and home owners agree with selective licensing. All local businesses and housing association tenants agree with selective licensing also. “Others” are split 50/50.

### 15.5 Leyland Road

The table and graphs below display the breakdown of respondents and whether they agree or disagree with the Council’s proposal to reintroduce the scheme.

Table 42 \*Including all recurring IP address responses

Designation	Respondent	Num of Responses	Agree num	Agree %	Disagree num	Disagree %
Leyland Road	Landlord	63	3	5	60	95
	Managing Agent	8	5	63	3	37
	Local Business	2	1	50	1	50
	Private tenant	27	3	11	24	89
	Housing Association tenant	6	6	100	0	0
	Home Owner	29	22	76	7	24
	Other	1	1	100	0	0
	Total	136	41	30	95	70

Figure 15

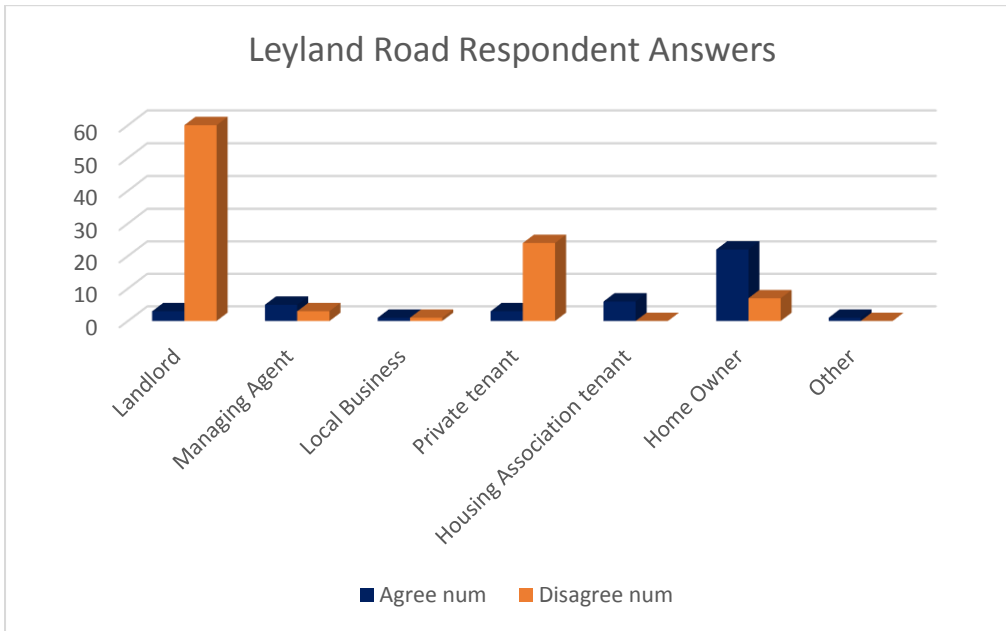
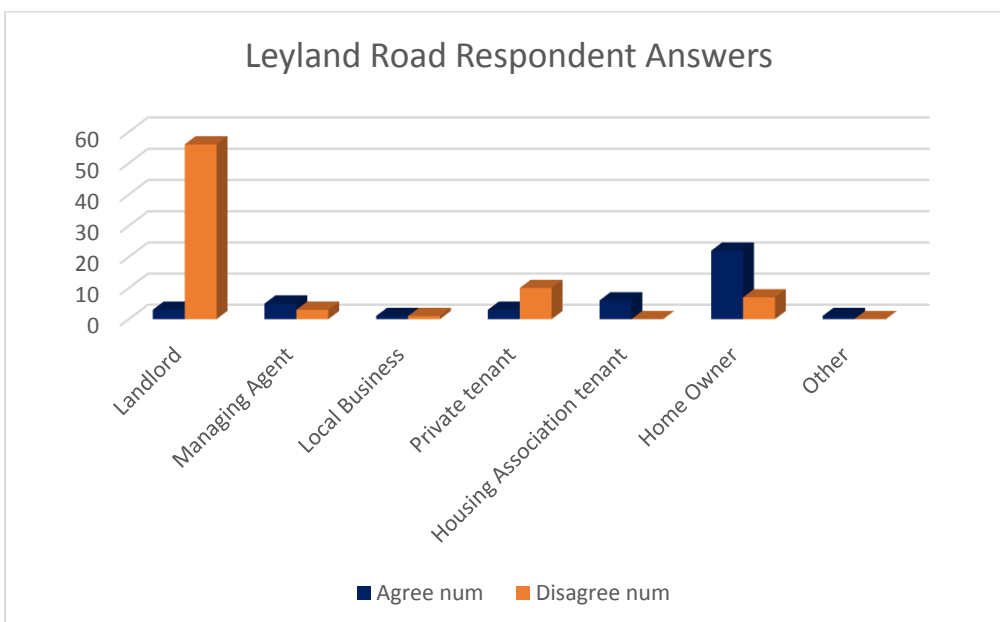


Table 43 \*Excluding all recurring IP address responses

Designation	Respondent	Num of Responses	Agree num	Agree %	Disagree num	Disagree %
Leyland Road	Landlord	58	3	6	55	94
	Managing Agent	8	5	63	3	37
	Local Business	2	1	50	1	50
	Private tenant	13	3	24	10	76
	Housing Association tenant	6	6	100	0	0
	Home Owner	29	22	76	7	24
	Other	1	1	100	0	0
	<b>Total</b>	<b>117</b>	<b>41</b>	<b>35</b>	<b>76</b>	<b>65</b>

Figure 16



In the Leyland Road area, the majority of landlords and private tenants disagree with selective licensing. The majority of managing agents and home owners agree with selective licensing. All housing association tenants, and “others” agree with selective licensing also. Local businesses are split 50/50.

15.6 Looking at the survey results and the transcripts attached as appendix 5 the main reason parties are for or against the Council’s proposals are detailed below:

**The main reasons why landlords disagree with the proposals are:**

- The cost of the licence fee is too high.

The licence fee covers the administration of the scheme. For a landlord who is accredited with the Good Landlord and Agent Scheme (GLAS) who submits their application within three months of the selective licensing scheme coming into force, the fee is £400.50 payable over 24 months by direct debit (£16.68 per month). This is comparable to other local authorities operating selective licensing. The fee increases if the landlord is not accredited, and the application is not received within the first three months of the designation area coming into force. The maximum fee for a landlord with one property in this case is £715.

- No benefit has been seen from the scheme in the past five years.

Through a coordinated approach, selective licensing has improved the picture in relation to:

- House prices in both areas have increased over the past five years (Burnley Wood with Healey Wood from £37,064 in 2017 to £47,446 in 2021) (Leyland Road from £34,899 in 2017 to £47,909 in 2021);
- Empty homes have reduced in both areas over the past five years (Burnley Wood with Healey Wood from 12% in 2016 to 8% in 2021) (Leyland Road from 13% in 2016 to 9% in 2021);
- Anti-social behaviour has reduced in both areas (Burnley Wood with Healey Wood from 165.4 reports of crime per 1,000 population in 2018 to 142.7 in 2021 (Leyland Road from 220.6 reports of crime per 1,000 population in 2018 to 146.5 in 2021);
- Dirty back yards have decreased in both areas (Burnley Wood with Healey Wood from 205 in 2017 to 107 in 2021) (Leyland Road from 165 in 2017 to 46 in 2021).

- It will put landlords off investing in properties in these areas.

House sales show that landlords are still investing in the selective licensing areas. Empty homes loans are also being approved to accredited landlords within the designation areas. This evidence would not be seen if landlords were not investing. One of the main aims of the selective licensing scheme is to attract good landlords to invest in properties in these areas, by deterring landlords who do not follow legislation and adhere to their responsibilities as landlords. This will mean that all landlords who rent properties in selective licensing areas are working to the same standards required by selective licensing.

- “It`s a waste of time.”

If selective licensing was not in place and delivered in a coordinated way with other initiatives and services, we would not have seen the improvements in low demand and increased compliance with for example annual gas safety certificates and improved EPC ratings..



**The main reason why managing agents disagree with the proposals is:**

- The area has improved, therefore, selective licensing does not need to continue.

The Council agree that the areas are improving, hence the removal of some streets, there areas are still however showing signs of lower demand for housing when compared to the ward they situated in and the Borough. Further selective licensing designations can build upon the improvements seen to date.

**The main reasons why home owners disagree with the proposal are:**

- No benefit has been seen from the scheme in the past five years.

The data set out above highlights the improvements that have been made.

- It will put landlords off investing in properties in these areas.

House sales show that landlords are still investing in the selective licensing areas. Empty homes loans are also being approved to accredited landlords within the designation areas. This evidence would not be seen if landlords were not investing. One of the main aims of the selective licensing scheme is to attract good landlords to invest in properties in these areas, by deterring landlords who do not follow legislation and adhere to their responsibilities as landlords. This will mean that all landlords who rent properties in selective licensing areas are working to the same standards of management and property condition which is then monitored and where required enforced by the Council.

- Selective Licensing gives the area a negative reputation.

As detailed above the Council is seeing new investment by accredited and licensed landlords through the take up of multiple empty homes loans. These landlords report that they are not finding it difficult to let those homes when refurbished to a high standard. Calico Homes actively invest in empty homes in selective licensing areas as they know they will be able to let the properties and that if other surrounding private rented properties are causing issues they will be addressed by the Council.

**The main reason why private tenants disagree with the proposal is:**

- No benefit has been seen from the scheme in the past five years.

The data set out above highlights the improvements that have been made. However, it was noted that 14 responses from “private tenants” were from duplicate IP addresses in the Leyland Road area survey, all disagreeing with selective licensing and all giving the same reason.

**The main reason why home owners agree with the proposals are:**

- It will improve the standard of private rented properties, their landlords and their back yards / streets.

Over the five-year designations, the selective licensing team will inspect each and every private rented property in the designations to ensure that the properties are up to the Councils standards. We will ensure that landlords are performing reference checks on their tenants correctly, and ensuring their properties are safe by obtaining relevant gas, electric and energy certificates. We will also perform regular back yard / street audits and work together with Streetscene to ensure that back yards and streets are kept clean and tidy.

- Selective licensing is a positive scheme.

Selective licensing works best when there are people in the area that report issues to the team. If we are not made aware of the issues (although we proactively inspect properties and streets) it makes it more difficult for us to resolve them.

- Improvements have been made, but there are still problems that need tackling.

We have removed the streets where we feel that significant improvements have been made. Although we are aware that improvements have been made in other areas, we are still aware that there is more that needs to be done before selective licensing can step away from monitoring these areas.

**The main reason why private tenants agree with the proposals is:**

- It has and will continue to improve the standard of private rented properties and their landlords.

Over the five-year designations, the selective licensing team will inspect each and every private rented property in the designations to ensure that the properties are up to the Councils standards. We will also ensure that landlords are performing reference checks on their tenants correctly, and ensuring their properties are safe by obtaining relevant gas, electric and energy certificates. All of this will mean that tenants are protected and have a safe habitable home to live in.

**The main reasons landlords agree with the proposals are:**

- Selective licensing is a positive scheme.

Selective licensing works best when landlords work with us to tackle the issues that already exist in the area and comply with their legal obligations that are in force regardless of selective licensing.

- Improvements have been made to properties.

By working with landlords to improve their and other properties, it increases the appeal the area has to other investors and tenants looking to rent in Burnley.

- It will improve the standard of private rented properties and their landlords.

Over the five-year designations, the selective licensing team will inspect each and every private rented property in the designations to ensure that the properties are up to the Councils standards. We will also ensure that landlords are performing reference checks on their tenants correctly, and ensuring their properties are safe by obtaining relevant gas, electric and energy certificates. Thus, ensuring that all landlords are working to the same standards.

**The main reason managing agents agree with the proposals is:**

- It will improve the standard of private rented properties and their landlords.

Over the five-year designations, the selective licensing team will inspect each and every private rented property in the designations to ensure that the properties are up to the Councils standards. We will also ensure that landlords are performing reference checks on their tenants correctly, and

ensuring their properties are safe by obtaining relevant gas, electric and energy certificates. Thus, ensuring that all landlords are working to the same standards.

## **15.7 Petition**

15.7.1 During the consultation the Council received a petition from a landlord and managing agent dated the 25<sup>th</sup> October. This petition contains 439 signatures. The text of the petition reads as follows;

"To Burnley Borough Council, we the undersigned being local residents of Burnley, request the Council to cease their plans to reintroduce selective private housing licensing within the Burnley Wood, Healey Wood and Leyland Road areas which have failed to achieve much up to now and concentrate instead on getting productive jobs into the area which would create demand for local housing. "

15.7.2 Part 5.4 of the Council's constitution deals with Petition Schemes. For both completed paper petitions and e-petitions, an acknowledgement will be sent to the petition organiser within 5 working days of receipt. It will let the organiser know what we plan to do with the petition and when they can expect to hear from us again. The Council will endeavour to assist petitioners by providing details of Council policy and procedure, and the reasons behind decisions, so that petitioners are fully informed of the Council's position in creating their petition. If we can do what your petition asks for, the acknowledgement may confirm that we have taken the action requested. The petition will then be closed. If the petition has enough signatures to trigger a Full Council debate or a senior officer giving evidence (for further details please see below), then the acknowledgment will confirm this and tell you when and where the meeting will take place. If the petition needs more investigation, we will tell you the steps we plan to take. Other procedures apply if the petition relates to either:

- A planning or licensing application; · an issue for which there is a petitioning process set out in law (for example requesting a referendum on having an elected mayor);
- A matter where there is already an existing right of appeal, such as council tax banding and non-domestic rates; or
- A matter which is part of ongoing legal proceedings. "

15.7.3 The number of signatories on the petition fall short of the number required for it to be debated at Full Council (minimum of 1500 signatures) or for an officer being required to give evidence at Scrutiny Committee (minimum of 750 signatures).

## **16. CONCLUSION**

16.1 Both the proposed designations of Burnley with Healy Wood (54%) and the Leyland Road (61%) area have a high percentage of private rented properties significantly above 17% nationally (English House Condition Survey 20-21).

16.2 Sections 4, 5 and 6 of this document show that at the start of the designation areas in 2016 they were suffering from low housing demand, that through the intervention of selective licensing and collaborative initiatives and partners the areas have improved. 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.

- 16.3 Further analysis of smaller zones within and surrounding the Burnley Wood with Healey Wood and the Leyland Road areas shows that the new proposed designation areas still show signs of low demand where further improvements could be made.
- 16.4 In section 14 the Council have set out clear, aims, objectives and flexible targets to build upon the improvements seen in the designation areas that ended in November 2021, to further improve the social, economic and environmental conditions within the areas.
- 16.5 Section 11 shows that there is a higher rate of compliance in selective licensing areas in relation to gas safety certificates, yet there are still a significant number of licence holders who failed to provide a valid certificate or evidence that one is no longer required; 103 across both areas. In addition to this, a number of those certificates were completed after a request was made to the licence holder to provide it, suggesting that some licence holders do not have appropriate procedures in place to adhere to their legal responsibilities. Further selective licensing will enable the Council to work with landlords to build upon this compliance.
- 16.6 The use of selective licensing is a key part of the Council's wider regeneration strategy to reverse the trend of low housing demand and a key aim of the Council's Housing Strategy 2016 to 2021.
- 16.7 The Council take a coordinated approach when delivering selective licensing through other Council initiatives such as the empty homes programme and a wide range of additional partnership arrangements.
- 16.8 Through an option appraisal the Council have considered a range of other options to determine whether they could achieve the objectives of the proposed selective licensing areas. The other options cannot compel a landlord to manage their properties responsibly, address tenant behaviour or ensure landlords seek references when allocating their properties. Other options such as landlord and managing agent accreditation will however operate alongside selective licensing to support the schemes.
- 16.9 The Council have undertaken an eleven week consultation event and considered all responses given, these responses are summarised in section 15 and detailed in full in appendix 5.
- 16.10 While the Council take a supportive role with landlords, there is a robust enforcement policy in place to address those landlords that fail to comply with selective licensing, this policy includes civil penalties, prosecutions, management orders and where necessary banning orders.

## **17. RECOMMENDATION**

- 17.1 That the Council applies to the Secretary of State for the confirmation of the Burnley Wood with Healey Wood and Leyland Road areas as selective licensing designation areas.

**Appendix 1 Fit and Proper Person and Management Arrangement Criteria for Selective Licensing**

[https://www.burnley.gov.uk/sites/default/files/F%26P%202021\\_0.pdf](https://www.burnley.gov.uk/sites/default/files/F%26P%202021_0.pdf)

**Appendix 2 Proposed Licence Conditions**

[Conditions template May2021 \(1\) \(burnley.gov.uk\)](#)

**Appendix 3 The Good Landlord and Agent Code of Practice**

[Good Landlord And Agents Code of Practice 130117\\_0.pdf \(burnley.gov.uk\)](#)

**Appendix 4 Proposed Fee Structure**

[Appendix 2 Amended Proposed Fee and Charging Structure 2021 \(1\) \(burnley.gov.uk\)](#)

**Appendix 5 Consultation Transcripts**

## Burnley Wood with Healey Wood Consultation Transcript

Date	Method	Interest	Comment	Response
9/8/21	Online	Home Owner	I think it's pointless. Landlords and homeowners get no benefit from this tax on landlords. We as homeowners have never seen the accounting for where this money is going and no grant has ever been offered us to improve our property. I don't agree with this continuing	Before a scheme is brought in, the council and the Secretary of State must be satisfied that the area is experiencing low demand for housing, and suffering from the problems associated with this. It is primarily an enforcement scheme designed to improve standards. The legislation allows the authority to charge a fee for the application for a licence, which is ringfenced solely to be used for implementing the scheme. It is not designed to be used to offer grants to home owners in the area, though the council does implement other schemes in the borough such as painting and facelifting blocks of housing where required. This type of work cannot be funded by licensing fees. There are also alternative grants available to those who are eligible for energy efficiency improvements; this is separate funding.
9/8/21	Online	Landlord	Will deter landlords from purchasing/renting	Land registry records show that properties continue to change hands in the designated areas; in 20/21 there were 67 sales in the current Burnley Wood with Healey Wood licensing area, despite the difficulties presented by the Covid pandemic. Landlords continue to invest in the licensing area, and can be confident that they are purchasing property in an area where the council is working to ensure all private rented properties are up to standard.
9/8/21	Online	Landlord	I support the licensing scheme in the Burnley area as I feel trusted landlords will improve the area for the local community. My only concern is that it does not turn into a money making scheme at the cost to landlords. I also agree with the protection tenants receive from legislation, but there is not much support for landlords in regard to tenants who don't keep up with rent arrears. This seems to be felt that landlords can afford the court expense and the loss of	The council is not permitted to make a profit from selective licensing, and all monies received in the form of application fees are ring fences for the implementation of the scheme only. Project Assistants are on hand for each area to support landlords who are facing difficulties with arrears and other matters; we can offer support, though we cannot give legal advice. We also offer a free referencing service, and all landlords operating in licensing areas must take references from prospective tenants. This should

			rent, and that is not the case. This discussion would need a much larger box for me to fill in, but I do feel it's a discussion to be had to protect investment for the Burnley area for both sides	include details of previous tenancies, including any previous arrears. We also require all licensed landlords to give free, honest references to prospective landlords; in this way we enable landlords to make informed choices before granting a tenancy. We also provide free training to landlords in licensing areas (provided by the NRLA), which covers all aspects of letting including dealing with rent arrears.
9/8/21	Online	Landlord	I dont see that the Selective Licencing has made any improvement in the 'lettability' of my property. I see it as a restraint of trade and an additional tax burden that either reduces my income or is passed onto the tenant. This then represents an added burden on those least likely to be able to afford it. You need to find a way to incentivise landlords to improve their property and to keep rents at an affordable level - this is the best way to help those in need. For these reasons I am not in favour of the licence. I do, however, consider myself a responsible landlord and make sure repairs are carried out in a timely manner and the standard of the property is maintained.	The licensing scheme is intended to raise management standards and tackle low demand across an area. The council recognises that it comes at an additional cost to landlords, which is why we offer reductions in fees to eligible landlords who join our accreditation scheme, as well as early application discounts to those who apply within the first three months of the scheme. We also offer the option to pay by direct debit over 24 months with no interest charged, at our discretion. For a landlord who has already been licensed, this reduces the licence fee to £14.50 per month for 2 years. The council does not believe that this is excessively high for a landlord who is operating a business.  The council already runs a voluntary accreditation scheme with a number of incentives; accredited landlords are able to advertise as such, giving them a market advantage as an "approved" landlord, they have access to interest free Empty Homes loans, receive support, guidance and training and discounts from local businesses. However, this does not force the worst landlords to engage with us and work to improve their practices. The council does not believe it should incentivise landlords to maintain their properties to the minimum legal standard. The scheme would allow us to ensure that all landlords are operating to the same standard that you are, preventing them from cutting corners and being able to undercut you.
9/8/21	Online	Home Owner	As a Homeowner living next door to a newly created House of Multiple Occupancy, I am in favour of the selective licensing scheme as it gives us a focal point	Thankyou for your response

			of contact if we have any problems with the residents or landlord	
9/8/21	Online	Landlord	The license scheme has not made meaningful improvements, it takes the approach that all landlords are bad and that is not the case The fees are disgraceful, when benchmarked with other LA's The council are not transparent and did not disclose that the fees charged would only be for 5 years	The council does not believe that all landlords are bad, but that some landlords do not meet the required standard, which has a negative effect on an area. Evidence has shown that the areas have seen improvements over the last five years, but that compared to other parts of the borough they are still suffering from low demand. The council is satisfied that the licensing fee is comparable with other authorities running the scheme. The fee and charging structure states that each application can be subject to a fee which covers that application. The licence itself also states that the licence is valid until the end of the designation; the legislation does not permit a licence to continue after a designation has ended.
9/8/21	Online	Landlord	I cannot understand why this licensing scheme needs to continue at a considerable expense to landlords as the area is greatly improved.	The council agrees that there have been improvements in the area, but that when compared to other parts of the borough it is still suffering disproportionately from low demand for housing and the problems associated with this. The council is keen to build on the progress made to secure more permanent improvements to the area.
9/8/21	Online	Landlord	Totally against selective licensing. When I have asked for help with rats and again with noise problems, I've had to sort myself. It just feels like revenue creation for the council rather than benefit to landlords or tenants	Pest problems are primarily dealt with by the council's Streetscene department, but the licensing team regularly liaise with them when a problem occurs in a licensing area. There has been disruption to the council's availability to undertake pest control services during the pandemic, but these services are now more widely available. The licensing team will also work with Streetscene and relevant landlords/agents where complaints of noise nuisance are received. Where the problem house is rented, the licensing team are able to insist that the landlord takes steps to remedy the problem. If you are still having ongoing problems with pests and noise, please email <a href="mailto:landlords@burnley.gov.uk">landlords@burnley.gov.uk</a> with details of the problem address. The council is not permitted to make a profit from



				licensing, and all fees are ringfenced solely for implementing the scheme.
9/8/21	Online	Landlord	I am a landlord in the area and I have found that the scheme does not provide value for money and is too expensive on top of already high landlord costs.	The council is satisfied that the fees are comparable with other local authorities operating the same schemes. We also offer notable discounts for landlords accredited under our GLAS scheme, as well as discounts for landlords who engage with us and submit complete applications within the first three months. We also offer the option (at our discretion) to pay by direct debit, to spread the cost without interest.
9/8/21	Online	Landlord	The licencing is very expensive for what seems to be very little effect. It is clearly devised to provide extra revenue for the council. I have been very disappointed in the scheme.	The council is satisfied that the fees are comparable with other local authorities operating the same schemes. We also offer notable discounts for landlords accredited under our GLAS scheme, as well as discounts for landlords who engage with us and submit complete applications within the first three months. We also offer the option (at our discretion) to pay by direct debit, to spread the cost without interest. The council is not permitted to make a profit from licensing, and all fees are ringfenced solely for implementing the scheme.
9/8/21	Online	Landlord	I feel the selective licensing needs to finish. Burnley Wood has become much better. You should concentrate on the empty properties and penalise the owners not everyone else. It just looks like the council are becoming greedy and moving goalposts to suit themselves	Thankyou for your response
9/8/21	Online	Landlord	Not sure whether it has made much difference to the housing stock Is expensive if you only have one property	Thankyou for your response
9/8/21	Online	Landlord	Scrap selective licensing as it is unfair on landlords in this area having to pay the fee, when most landlords in other areas of burnley haven't had to pay anything	Thankyou for your response
9/8/21	Online	Landlord	selective licence has been in place for many years it has no impact, many of the houses on the street remain in poor repair, the continued state of the rear alley remain terrible, there is a permanent smell of	The Council have issued multiple fines to landlords and tenants and assisted landlords in evicting bad tenants for various different reasons over the past five years of the current designation. The Selective Licensing team also ensure that

			drugs causing anti social behaviour the house prices have not changed in relation to houses we own in Non licenced areas they at level increases so no benefit.	landlords complete the correct referencing before letting their properties to tenants. All landlords of private rented properties must obtain a licence to be able to rent their properties, as part of the application process, the landlords must pass the Council's `Fit and Proper` criteria to show they can manage their properties correctly.
9/8/21	Online	Landlord	Not sure how selective license has helped me at all	Selective licensing aims to reduce ASB, increase the standard of properties, ensure landlords are operating within the law and up to standard, ensure tenants are acting within their tenancy agreements and to keep the area clean and tidy. All of this will benefit good landlords.
9/8/21	Online	Landlord	In theory I would be in favour of licensing if it had real benefits for the area. When I first owned properties in Burnley I was excited to be part of the licensing scheme (Trinity) as I fully supported anything that would improve the area. Unfortunately the reality of the Burnley Licensing schemes in my experience has done the opposite and held back areas from improving as much as they might have without licensing, this is because landlords are put off by the added expense and excessive red tape, not to mention the punishment landlords receive under the scheme for problems which in many cases are beyond their control. My opinion is that house prices are being depressed, investment is being diverted away and licensed areas are prevented from levelling up and catching up with non-licensed areas. The evidence in the brochure to demonstrate that the licensing scheme is working is a best circumstantial and does not take into account the effect of changes that have occurred in the wider area, nor does it take into account that covid-19 has affected changes in the	Thank you for your comments.

			reported period. Prior to the current licensing scheme being introduced in Burnley Wood, I owned four houses in the proposed licensed area, having fully refurbished them all to a good standard, with a good agent I managed to keep long term tenants in place, I now only have one and if the licensing scheme is reintroduced I will sell that one and invest in another area.	
9/8/21	Online	Home Owner	All tenants in rented accommodation should get an annual renewal submission. This could be where other residents on the street or immediate area get to rate their 'rented accommodation tenants'. I think there should also be some sort of forum, where residents of areas can leave feedback (anonymously). This feedback should be sent onto the landlords so they can review, reply and update the other residents. The landlords could also use this info as feedback for those renting houses from them and should they wish to take any necessary action.	Thankyou for your response
9/8/21	Online	Home Owner	note: i live up healey wood. the neighbours are very good people yet nuisance motocross/quad bikers use the surrounding fields to cause a nuisance. i would also like the thank the green party for their hard work keeping the area clean, tidy and safe.	Thankyou for your response
9/8/21	Email	Landlord	Sent: 09 August 2021 15:22 To: Landlords <landlords@burnley.gov.uk> Subject: Licensing May I ask are we going to be charged again for having a property that is licensed, I clearly remember it being stated that the previous charge was a 'one time' charge that would not be repeated. However, as there is now another 'consultation' I am left wondering is this means there will be a further charge. The thought of this fills me with a great deal of anxiety and dread and I would	Hi, I apologise for the delay in responding to you. I would like to discuss your concerns with you on the telephone, so if you can reply with your phone number, I will give you a call tomorrow afternoon if that is convenient? To answer your most pressing concern, unfortunately, the answer is yes, if you rent a property in the proposed selective licensing designation and if the designation is approved by central government to go ahead, you will have to apply for a selective licence. As stated on your current licence, it expires in November 2021. In terms of the fee, we do offer discounts for a number of things including: If you

have no option but to sell the property and make the reason clear to the tenants. Your email has caused me a great deal of anxiety and I have attempted to contact you by phone and as is usual I am unable to do so, could you please clarify this as soon as possible.

Sent: 10 August 2021 13:41

To: Landlords <landlords@burnley.gov.uk>

Subject: Trying to contact you. To whom it may concern, As a nurse I fully understand that there is systemic pressure at this time. However, the service I am receiving at this time is very poor. I have sent an email which remains unanswered, I have attempted to phone the offices multiple times and all that happens is that I am automatically put back through the system to here the same recorded message played to me. This process is stressful, frustrating, time consuming and not the manner I wish to spend my time before I have to go on shift as a nurse who is also excessively busy, could you please either let me know when someone is available to answer my telephone enquiry or respond to my email. I am very anxious about the possibility of having to pay again for licensing my property, something I was assured on two occasions would not occur. I need to clarify the situation in order that I can plan accordingly, please respond as soon as you are able as this delay is causing me great stress and affecting my mental health. Yours,

Hi XXX,

Thank you for your prompt response,  
I am available tomorrow at 3pm hope to speak soon.

Dear XXX,

have been licenced before; If you are a member of our Good Landlords and Agents Scheme (GLAS) Contact details and application forms | Burnley Borough Council; If you apply early (you will be notified of when to apply and deadline for discount). More information on the selective licensing scheme and the fee structure can be found on our website: Selective Licensing Consultation 2021 | Burnley Borough Council I will explain further and answer any further questions on the phone. Apologies again for the delay.

			I have tried to contact Burnley council again today and again I am caught in the endless loop of entering the extension number and being repeatedly redirected through the system. This is incredibly frustrating and leaves one with the impression that the system is purposefully set up in this manner to discourage any dialogue, the system is poor and does not work and does not work as I have wasted a total of 90 minutes over the last four working days trying to get through to you. I am available please contact me as soon as possible as I cannot contact you no matter what time of day or what day I contact you on.	
09/8/21	Email	Landlord	I'd like to thank Burnley Council. In 2015 I invested £32k in renovating and then letting a derelict property in Burnley. That was was my first project. Shortly after the Council elected to impose an effective punishment tax upon me with the introduction of Selective Licensing. As a result, and to my huge benefit, I have subsequently invested another £200k - in properties in towns other than Burnley. Soon that house will be sold and the money invested elsewhere	The council is satisfied that the fees are comparable with other local authorities operating the same schemes. We also offer notable discounts for landlords accredited under our GLAS scheme, as well as discounts for landlords who engage with us and submit complete applications within the first three months. We also offer the option (at our discretion) to pay by direct debit, to spread the cost without interest. The council is not permitted to make a profit from licensing, and all fees are ringfenced solely for implementing the scheme.
10/8/21	Online	Landlord	Not having the desired effect on the area. Desirability of housing is unchanged as are property values.	As set out in the proposed Statement of Case, there have been notable improvements in the area, however there is still work to be done. House values have continued to increase within the boundary.
10/8/21	Online	Landlord	I don't think that the licence incentive has improved anything in the area. In fact all it has done is discouraged investment from private landlords. Resulting in a high level of unoccupied properties	As set out in the proposed Statement of Case, there have been notable improvements in the area, however there is still work to be done. Landlords continue to invest in the area, and the numbers of vacant properties have decreased since the introduction of licensing.

10/8/21	Online	Landlord	I have been a landlord in this area for over 40 years. I have seen no difference since licencing was introduced. I have now put my property on the market.	As set out in the proposed Statement of Case, there have been notable improvements in the area, however there is still work to be done to build on these improvements.
10/8/21	Online	Agent	Licensing has been a positive force across burnley and we welcome continuation of the scheme	Thankyou for your response
10/8/21	Online	Landlord	I agree with selective licensing to a degree but after doing some research your prices are on average 50% higher than in other cities that are doing the same thing. If the price was to be no more than £500 then I think it would be a worthwhile idea.	The council is satisfied that the fees are comparable with other local authorities operating the same schemes. We also offer notable discounts for landlords accredited under our GLAS scheme, as well as discounts for landlords who engage with us and submit complete applications within the first three months. We also offer the option (at our discretion) to pay by direct debit, to spread the cost without interest. The council is not permitted to make a profit from licensing, and all fees are ringfenced solely for implementing the scheme.
10/8/21	Online	Landlord	The whole scheme is a waste of time	Thankyou for your response
10/8/21	Online	Landlord	Since becoming a selective licensing area nothing has changed. There are FAR WORSE areas in Burnley than the ones involved and I would like to know why these areas are not part of the scheme. It is highly unfair that the scheme is selective, the whole of Burnley should be involved or none at all. It benefits neither the landlord nor the tenant,( I have spoken to our tenant for her point of view and she sees no benefit either). The scheme should be scrapped as it is money that landlords can ill afford for which they receive nothing and the areas are not improving either.	The Council currently operates four licensing schemes in other areas of the borough. We believe that when combined with the proposed schemes, all of the areas showing the lowest demand for housing will be covered by a scheme. The Council does not think it appropriate at this time for licensing to be mandatory across Burnley The Council have issued multiple fines to landlords and tenants and assisted landlords in evicting bad tenants for various different reasons over the past five years of the current designation. The Selective Licensing team also ensure that landlords complete the correct referencing before letting their properties to tenants. All landlords of private rented properties must obtain a licence to be able to rent their properties, as part of the application process, the landlords must pass the Council's

				'Fit and Proper` criteria to show they can manage their properties correctly.
10/8/21	Online	Landlord	This scheme has been a complete waste of time for both landlords and tenants. Nothing has changed in the areas involved. It is a thoroughly unfair scheme unless all of Burnley is involved.	As set out in the proposed Statement of Case, there have been notable improvements in the area, however there is still work to be done to build on these improvements. The Council does not believe that at this time, the whole of Burnley requires or would benefit from a licensing scheme.
10/8/21	Online	Private Tenant	Not needed	Thankyou for your response
10/8/21	Online	Landlord	i only recently bought a house in the Burnley wood area. sadly i thought it was very unfair that i as a small landlord was subject to the full amount rather than a pro rata based amount which would of brought down my liability to less than a third of the total amount. any improvements to the area made in the first 2 thirds of the period would of reflected in the price i had to pay for my house as house prices increase according to the desirability of the area and yet it seems ive had to pay twice. for this reason i am not in favour of the the present set up of licencing in the area. the next question below in this survey is a yes no question, my answer would be yes but. id like to suggest a yearly amount rather than a lump amount which is clearly unfair.	The council is satisfied that the fees are comparable with other local authorities operating the same schemes. We also offer notable discounts for landlords accredited under our GLAS scheme, as well as discounts for landlords who engage with us and submit complete applications within the first three months. We also offer the option (at our discretion) to pay by direct debit, to spread the cost without interest. The council is not permitted to make a profit from licensing, and all fees are ringfenced solely for implementing the scheme.
10/8/21	Online	Landlord	. As with the other licensed areas in the Borough. There has been no significant improvement in this particular licensed area, to warrant these mandatory licensing fees. . Burnley Council already has adequate powers to manage & prosecute offending home owners without imposing these licensing fees. . The fact is, very few landlords have ever been prosecuted during these licensing periods in this borough & across the country, confirming that	The Council have issued multiple fines to landlords and tenants and assisted landlords in evicting bad tenants for various different reasons over the past five years of the current designation. The Selective Licensing team also ensure that landlords complete the correct referencing before letting their properties to tenants. All landlords of private rented properties must obtain a licence to be able to rent their properties, as part of the application process, the landlords must pass the Council`s

			<p>the licensing fee is just a ploy for this Council &amp; many others, to obtain millions of pounds of additional financial income to help fund other left wing ideals. . The Council is clearly seen to be harvesting these millions of pounds in licensing fees from local landlords for no other reason than to increase their cash flow income. The Council may say it doesn't make a profit from this new found revenue source, but that's only because the Councils own Housing Department &amp; other Central overhead costs are loaded onto the expense side of this account. . The income being generated by the Council is simply being wasted on other inefficient &amp; expensive management &amp; overheads compared to the private sector. . These additional fees have to be funded from the rental income generated by landlords. The result is that the lowest income families of the borough are ultimately forced to pay these additional fees via their rent &amp; whilst the LHA remains fixed &amp; fails to even keep up with indexation, Tenant's have to top up their rent more accordingly. . The feeling is, whatever our arguments are, the Council won't give up this very lucrative income stream &amp; the Licencing of vast swaths of Burnley will continue regardless. . Sadly that's why this response is unlikely to appear in any Committee report to members or advertised in the local press to give an honest &amp; accurate alternative view to Licencing.</p>	<p>Fit and Proper` criteria to show they can manage their properties correctly.</p>
10/8/21	Online	Private Tenant	No no no no no	Thankyou for your response
10/8/21	Online	Private Tenant	Not wanted by me.	Thankyou for your response
10/8/21	Online	Landlord	Their ate still problems with drugs,back street rubbish and dog fouling	The Council accepts that whilst there have been improvements in the areas, there is still further work to be done. The licensing



				team work closely with Streetscene to tackle environmental crime in the licensing areas.
10/8/21	Online	Home Owner	A few properties on my block that are rented need TLC at the rear of the property. Some with broken gates and others with more major issues. Is it up to the tenant to report these issues to their landlord as clearly this isn't being done. Me and a couple of neighbours tend the gardens and clean up and it's very disheartening when rented properties spoil the backstreet.	Thank you for your comments.
10/8/21	Online	Home Owner	i think that is time for action to get the many empty houses back into use but the problem is some landlords do not care who they rent to and often put people who cause problems for the people who have lived here for years	Thank you for your comments.
10/8/21	Email	Landlord	<p>dear sir madam</p> <p>ive just done the short survey but feel i need to speak in a email, i do agree with the selective licencing as a social benefit to keep the quality of housing in the area to a decent level (i am a supporter of social housing and fairness for our communities) sadly my grievance is with the fact that you charge the full amount to new landlords despite buying property mid-way through the term which i think is 5 or 6 years. this term will discourage landlords further as it is an extra burdon on the landlord. I'd suggest that terms should be shorter or divided up into 12-month periods at £100 per year and if a landlord enters the area mid-way through the term, then that term should be free as a incentive.</p> <p>id also like to suggest that CCTV be installed on gable ends. this can be as a gift to the resident (restrictions can apply) id suggest a system that can</p>	<p>The council is satisfied that the fees are comparable with other local authorities operating the same schemes. We also offer notable discounts for landlords accredited under our GLAS scheme, as well as discounts for landlords who engage with us and submit complete applications within the first three months. We also offer the option (at our discretion) to pay by direct debit, to spread the cost without interest. The council is not permitted to make a profit from licensing, and all fees are ringfenced solely for implementing the scheme. The fee for the application is for the full process of checking the application along with all works involved and the issue of a licence.</p> <p>With regards to CCTV we recently secured funding through the safer streets project. We actively seek out funding whenever available and use this for purposes of obtaining CCTV, rear alley gates, locks and security lighting along with other security items. In the recent round of funding we improved the Burnley Wood with Healey Wood area over numerous areas and properties.</p>

			be connected to the resident's internet and can be accessed by the police with the consent and approval of the resident when and if there is a complaint that is worthy of inspection. CCTV can cover back street front street and sides in both directions. this will when there is a reasonable blanket cover in the area will increase detection rates conviction rates and aid in reducing crime in the area, i look forward to your response.	
11/8/21	Online	Home Owner	Some of the tenants in rental properties need to be assessed for suitability for renting due to the problems some are causing with antisocial behaviour in the area.	Thankyou for your response, we ensure that all tenants are referenced and this is part of the condition of Licence.
11/8/21	Phone	Landlord	I am GLAS accredited, please can you check? What would the price be for me if I apply within the early bird discount period as I was told I would not have to pay again? The Council have not provided any support to me as a landlord, I have been lucky and had a good tenant for the past 5 years. The Council are very hard to get hold of, if it was a private sector company they would lose customers. Selective Licensing is just another tax on landlords when landlords already have to pay a lot to maintain their properties. Please can I use you as my point of contact in the Council if I need anything?	I apologise for the delay in getting back to you. Yes you are GLAS accredited and will be entitled to the GLAS discount. With the early bird discount the application fee would be £138 and the licence fee £210 which can be paid by direct debit over 24 months or as one off payments online. The Council's Selective Licence team aim to improve the standards of landlords in Burnley so that the good landlords are operating on a level playing field. I apologise for the phone system that you have been unable to get through to us, this is not good enough customer service from us and I will aim to improve this for you going forward. Yes you can keep my name, number and email address, I look after the Leyland Road area but if you need anything I will be able to help. This conversation will be recorded and included in our submission to central government who will approve or decline our submission.
11/8/21	Phone	Landlord	Landlord called and wanted information on why the area had been chosen and questioned the fee.	I explained the reasons why we are proposing the area, low house prices, poor management of property etc. and explained that some progress has been made within the current designation.

				<p>I also explained that the fee is not an annual fee and that there will be an option to pay by DD.</p> <p>I have sent her an email giving her the link to the consultation webpage</p>
11/8/21	Email	Landlord	<p>re you letter of 09/08/21</p> <p>We were part of the Selective licensing and before that the Good Landlords and Tenants scheme. We sold our last house, XXXXXXXX XXX, Burnley Wood on 01/04/21. We were always supporters of plans to raise standards and we hope that has happened. Incidentally, we have grandchildren in London and Newcastle living in rented property that would not be passed by your selective licensing!</p>	<p>Thankyou for kind email, I am glad you are happy with the work that has happened within Burnley Wood and Healey Wood.</p> <p>Both London and Newcastle have Selective Licence areas, I'm not saying your family are living within one of them, however it is worth checking.</p>
11/8/21	Online	Home Owner	<p>Having had numerous issues with anti social neighbours in our area, we feel strongly that landlords should take responsibility and be monitored closely. Having a license would enable council to keep tabs on them</p>	<p>Thankyou for your response</p>
11/8/21	Online	Home Owner	<p>Since the selective licensing has been in place the quality of housing has generally improved. There are still some poor quality properties but the numbers are diminishing.</p>	<p>Thankyou for your response</p>
11/8/21	Online	Private Tenant	<p>A waste of time, does nothing to improve the areas</p>	<p>Thankyou for your response</p>
11/8/21	Online	Private Tenant	<p>I would like some of these rented houses with good tenants in better conditions</p>	<p>Thankyou for your response</p>
11/8/21	Online	Private Tenant	<p>We have some good landlords in Healey Wood who live local and care for their properties. However, in certain properties in the area the tenants have no care for the homes or area. I have not seen any improvement in the past years to address these problems. I do not think this is working now.</p>	<p>The Council have issued multiple fines to landlords and tenants and assisted landlords in evicting bad tenants for various different reasons over the past five years of the current designation. The Selective Licensing team also ensure that landlords complete the correct referencing before letting their properties to tenants. All landlords of private rented properties</p>

				must obtain a licence to be able to rent their properties, as part of the application process, the landlords must pass the Council's `Fit and Proper` criteria to show they can manage their properties correctly.
11/8/21	Online	Private Tenant	I think it could help the area if landlords are held to account I've just had 4 years of a bad tenant drug taking selling Police kicking doors in at all hours The house is now empty awaiting new tenant	The Council have issued multiple fines to landlords and tenants and assisted landlords in evicting bad tenants for various different reasons over the past five years of the current designation. The Selective Licensing team also ensure that landlords complete the correct referencing before letting their properties to tenants. All landlords of private rented properties must obtain a licence to be able to rent their properties, as part of the application process, the landlords must pass the Council's `Fit and Proper` criteria to show they can manage their properties correctly.
11/8/21	Online	Home Owner	The security gates are a welcome added security but only a handful of residents bother locking them and kids just climb over anyway. The amount of bin bags and rubbish left in bag alleys is still a big problem, people just don't respect their own areas Dog fouling is still bad Need CCTV in back alleys A dog warden is never around to catch dog foulers	Thank you for your comments.
11/8/21	Online	Home Owner	I have been and still am a resident in Burnley Wood for all of my life and I am now 84 years old. I agreed with the licensing scheme originally in November 2016. There is still a long way to go to improve the area so I still agree with the continuation of licensing, it helps. Be alert to parking of transit vans overnight on streets and back street.	Thankyou for your response
11/8/21	Online	Private Tenant	I agree with selective licensing. having recently move from the south into this area I am appalled by the state of some of these properties. I assumed it would be an up and coming area in which to make a home	Thankyou for your response

			but the rubbish left around and the state of the houses makes me feel I have made the wrong choice	
11/8/21	Online	Home Owner	If it stops people from dumping furniture, fridges, washing machines and such on the back street and keep back yards clear of rubbish I totally agree. Healey Wood Road is bad for back yards full of rubbish and people dumping rubbish on the back street waiting for council to come round and collect it free so they won't have to pay	Thankyou for your response
11/8/21	Online	Home Owner	Landlords are putting people in and not looking after them. They are dirty and scruffy an smell when you pass. XXXXXXXXXX and lots on XXXX Street.	Thankyou for your response
11/8/21	Online	Home Owner	A failure on XXXXXXXXXX. This scheme doesn't seem to have worked for next door to me at XXXXXXXXXX. The last two lots of tenants have been extremely ant-social and the back yard has been continually used for dumping rubbish including food rubbish, a rat attracting, fly infested health hazard. The poor way I which this rented property has been run in this time has interfered with my state of mind, physical wellbeing and general health.	Thank you for your comments.
11/8/21	Online	Landlord	Personally, the only dealings I had were when there was an inspection and I added a handrail to the property. I do all the regular checks etc regardless of the home being in a licensing area or not. However, licensing and the costs continue to rise I will have to seriously consider selling as tax etc is also rising and if it is not financially feasible, then I will have to cease. At present I have not put the rent up to compensate as I am mindful that I have good tenants, but as I have other repairs to do such as replacing a yard wall etc which total well over £1000 which I don't make in a year then this added on again isn't worth the hassle. I am a member of the NRLA and	Thankyou for your response

			understand there are rogue landlords but making it unviable for decent landlords isn't good business in the long run.	
11/8/21	Online	Landlord	I bought XXXXXXXXXX in 2008 and have made a big loss on my investment, which I took out to augment my state pension. I have had tenants who took up the floor boards for the piping and sold the boiler for scrap, and who turned it into a 'grow house'. Rent was sporadic and the house was empty and vandalised. I have been advised that if I make another insurance claim I will not be able to insure the property. I understand why Selective Licensing was introduced, but the £13,000 bill on the property has meant that my rent since has just gone to pay it off. The house is still not worth what I paid for it and I am yet to break even on the rent. I can only hope that if Selective Licensing continues the bill this time will be much, much lower. At least my present tenant is good. This property is the only one I own and it would be wonderful for it to at least stop being a drain on my pension.	Thank you for your comments.
12/8/21	Online	Landlord	This scheme I personally feel has not reduced or benefited a reduction in anti social behaviour. The council have taken large sums of money from Landlords for these Selective Licenses and in my personal opinion not reduced anti social behaviour or loud drunken behaviours from certain residents living in these areas. The council just recommend a Noise Nuisance phone app and nothing more stating they need this as evidence to take further action. Therefore not holding the Landlord or their tenants to account.	The Council have issued multiple fines to landlords and tenants and assisted landlords in evicting bad tenants for various different reasons over the past five years of the current designation. The Selective Licensing team also ensure that landlords complete the correct referencing before letting their properties to tenants. All landlords of private rented properties must obtain a licence to be able to rent their properties, as part of the application process, the landlords must pass the Council's `Fit and Proper` criteria to show they can manage their properties correctly.

12/8/21	Online	Landlord	Doesn't work, no improvement in areas of SL	As set out in the proposed Statement of Case, there have been notable improvements in the area, however there is still work to be done to build on these improvements.
12/8/21	Online	Landlord	I already had selective licensing for Healtwood Rd	Thankyou for your response
12/8/21	Online	Home Owner	keep licensing for all of Burnley. Burnley Wood has been demolished and rebuilt and still looks bad.it is not just the private landlords but the large property renters like Calico. Everybody/company who have houses for rent should be licensed even charities. According to news reports councils are just as bad if not worse the small landlords. Everyone should be licensed.	Thank you for your comments.
12/8/21	Online	Private Tenant	great proposal about time stricter measures b placed on bad landlords. We have rented properties on our street. Had many dilapidated houses due to bad landlords. Having an effect of the value to our property.	Thank you for your comments.
12/8/21	Online	Private Tenant	This scheme is nothing but a money making plan for the council. It doesn't improve anything. if you believe it dose go have a look at Trinity area. it's been under the scheme the longest	The Council is not permitted to make a profit from selective licensing, all fees charged are ringenced solely for the adiminstration and implementation of the scheme. As set out in the proposed Statement of Case, there have been notable improvements in the area, however there is still work to be done to build on these improvements.
12/8/21	Online	Home Owner	A four week response to a dirty back yard is outrageous. Clean it or bill owners straight away they are responsible for not supervising properties	Thank you for your comments.
12/8/21	Online	Private Tenant	Many of the private rented properties in the Burnley Wood area are in need of improvement and the back-streets are full of dirt and rubbish. Both the Landlords and Tenants are to blame and a lot needs doing.	Thank you for your comments.

			Selective Licensing could possibly help to encourage Landlords to look after their properties and be a bit more selective in who they rent to.	
13/8/21	Online	Private Tenant	Not wanted, improves nothing. Just increases rents.	As set out in the proposed Statement of Case, there have been notable improvements in the area, however there is still work to be done to build on these improvements. The Council has not seen any evidence to suggest that rents increase in licensing areas.
13/8/21	Online	Landlord	As far as we are concerned the scheme has done nothing for our tenants or ourselves. It is basically a stealth tax. There are rental properties in the area that are still in poor repair. We highlighted the fact that the back streets are in a terrible state, full of discarded rubbish, dog faeces and generally unsightly, absolutely nothing has been done. Trying to contact anyone from the council with regard to the scheme is like trying to talk to God. Local government staff should be available to the public/landlords that have paid money into this scheme. The pandemic is being used as an excuse, but before the pandemic local authority staff were not visible or accessible. I reiterate the landlords scheme is nothing but a stealth tax	The Council have issued multiple fines to landlords and tenants and assisted landlords in evicting bad tenants for various different reasons over the past five years of the current designation. The Selective Licensing team also ensure that landlords complete the correct referencing before letting their properties to tenants. All landlords of private rented properties must obtain a licence to be able to rent their properties, as part of the application process, the landlords must pass the Council's 'Fit and Proper' criteria to show they can manage their properties correctly.
13/8/21	Online	Home Owner	Better vetting of tenants we had to put up with dealers, prostitutes neighbours from hell for over 15 years so we then moved from our first home as it was impacting our health and wellbeing. we need our communities back to not feel frightened or threatened from people living in them.	The Council have issued multiple fines to landlords and tenants and assisted landlords in evicting bad tenants for various different reasons over the past five years of the current designation. The Selective Licensing team also ensure that landlords complete the correct referencing before letting their properties to tenants. All landlords of private rented properties must obtain a licence to be able to rent their properties, as part of the application process, the landlords must pass the Council's 'Fit and Proper' criteria to show they can manage their properties correctly.



13/8/21	Online	Home Owner	Think it is a good idea to help lift up the area. Hopefully good environment for renters to live in to.	Thank you for your comments.
13/8/21	Online	Landlord	Whilst the selective licensing is a great idea in principle, it is far too expensive. I have four properties within the current licensing areas, all managed by a letting agent. We keep our properties to a good standard, respond to requests for maintenance the same day and all our tenants are long term. Yet we are being penalised to the tune of over £500 per property every five years for doing so. Bad Landlords should be penalised. Good landlords should be rewarded. Please don't treat us all the same - as bad landlords. Thank you	Selective licensing aims to reduce ASB, increase the standard of properties, ensure landlords are operating within the law and up to standard, ensure tenants are acting within their tenancy agreements and to keep the area clean and tidy. All of this will benefit good landlords.
13/8/21	Online	Landlord	I don't agree that the landlord licensing should be done	Thank you for your comments.
13/8/21	Online	Landlord	I am not in favour of selective licensing. I and my agent comply with all rules and provide good service. Selective licensing provide no benefit and is an extra cost	The Council accepts that there are many good landlords operating in Burnley, and licensing is intended to bring all landlords up to the same high standard.
15/8/21	Online	Landlord	Totally unnecessary	The Council is satisfied that the areas are suffering from low demand, and that intervention is therefore necessary.
16/8/21	Online	Landlord	IT HAS POTENTIAL - I KNOW THE COUNCIL IS BUYING UP VACANT PROPERTY FOR SOCIAL HOUSING WHICH IS GOOD. AS A PRIVATE TENANT AND AS SOMEONE WHO HAS BEEN A RENTER FOR 8+ YEARS THIS WILL NO DOUBT INCREASE MY RENT WITH MINIMAL BENEFITS TO ME. MOST OF THE TERRACE HOUSING AROUND HERE IS SUB PAR AND WILL NEED INVESTMENT. Q3 YES IF THE TENANTS ARE PUT 1ST NOT ECONOMICS + PRIVATE LANDLORDS. DOUBT THIS WILL HAPPEN UNDER TORY RULE!	Thank you for your comments. The Council has not seen any evidence that licensing increases rent.

16/8/21	Online	Private Tenant	ALL PRIVATE LANDLORDS SHOULD BE RESPONSABLE FOR THE UPKEEP OF THE PROPERTY THEY RENT OUT..	Thank you for your comments.
16/8/21	Online	Home Owner	Brilliant scheme, keeps houses occupied and gets rid of unscrupulous landlords, and helps maintain clean, well kept properties therefore improving the area for tenants and Burnley itself.	Thank you for your comments.
16/8/21	Online	Private Tenant	If the licensing was not needed I'm sure it would not take long for the area to go back to pre licensing.	Thank you for your comments.
16/8/21	Online	Home Owner	I agree fully with anything that removes the blight of flytipping and empty houses. Please check on XXXXXXXXXX. this property has been vacant for at least 15 years to my knowledge.	Thank you for your comments.
16/8/21	Online	Home Owner	Yes, selective licensing is a good thing for this road in Burnley Wood. I live in XXX Street	Thank you for your comments.
16/8/21	Online	Home Owner	"Good idea" Burnley Wood - Springfield Bank need attention - the place has gone down - lots of anti social behaviour - dog fouling - ASB of all sorts - need sorting - is no respect in the area - gang up - drug abuse - alcohol abuse , cause difficulty for decent citizen in area. Big problem - need good management + regular policing on beat.	Thank you for your comments.
16/8/21	Online	Private Tenant	As a private renting tenant I think the scheme is moneymaking They don't seem to give an interest in what goes on in the area also who they put in houses whether they are good landlords or not as long as teh landlords get the rent they are not bothered. I have no faith in selective licensing at all,	The Council is not permitted to make a profit from licensing; all fees charged are ringfenced solely for the administration and implementation of the scheme. The Council have issued multiple fines to landlords and tenants and assisted landlords in evicting bad tenants for various different reasons over the past five years of the current designation. The Selective Licensing team also ensure that landlords complete the correct referencing before letting their properties to tenants. All landlords of private rented properties must obtain a licence to be able to rent their properties, as part of the application process, the landlords must pass the Council's `Fit and Proper` criteria to show they can manage their properties correctly.

16/8/21	Online	Landlord	Complete waste of time. In all the areas where selective licensing has been introduced it has not made any improvement to the locations what so ever. Just costs extra money to keep council staff in jobs!	As set out in the proposed Statement of Case, there have been notable improvements in the area, however there is still work to be done to build on these improvements.
17/8/21	Online	Home Owner	I think the licensing scheme is a good thing for the area.	Thank you for your comments.
18/8/21	Online	Landlord	We consider ourselves good landlords and do everything requested by our tenants. The Property Shop who manages the property in Stoney Street for us are efficient and helpful and deal with any requests from tenants. We would like to know how the large fee for the Selective Licencing is spent on improving the area as you have stated there has been only slight improvement in the area over the last 5 years. There seems to be little benefit for us. We would prefer to spend the money on the house.	As set out in the proposed Statement of Case, there have been notable improvements in the area, however there is still work to be done to build on these improvements. Five years is a relatively short time for a regeneration project such as this, and we are keen to continue building on the success we have had so far to ensure that the areas are a place in which people wish to live.
20/8/21	Online	Home Owner	I don't know what landlords are doing, they are a waste of time. XX, XX, XX, XX and XX XXX Street are a disgrace to Burnley. Dirty people and scruffy back yards and back street, every other day the back yards smell.	Thank you for your comments.
20/8/21	Online	Home Owner	After having some awful tenants next door with terrible landlords, we now have good neighbours because Calico are their landlord.	Thank you for your comments.
20/8/21	Online	Local Business	I think this is a very good idea. The area is an embarrassment. Please bring this everywhere in Burnley, thank you.	Thank you for your comments.
20/8/21	Online	Landlord	I do not agree with the proposed Selective Licensing. It is in my opinion unnecessary and a costly exercise	Selective licensing aims to reduce ASB, increase the standard of properties, ensure landlords are operating within the law and up to standard, ensure tenants are acting within their tenancy agreements and to keep the area clean and tidy. All of this will benefit good landlords.

22/8/21	Online	Skipped	On what? There is no question here	Thank you for your comments.
23/8/21	Online	Private Tenant	I think the scheme has been a success so far. Would like to see it still extended in all areas so I can feel safer as a renter.	Thank you for your comments.
23/8/21	Online	Home Owner	Need to make landlords responsible for unsuitable tenants and get them out. Drug houses on Laithe Street and people who don't benefit the area by taking care of the property inside and out	Thank you for your comments.
23/8/21	Online	Home Owner	Progress has been made but still plenty of cleansing to be done. Landlords need to be urged to keep properties in good order meaning licensing is essential.	Thank you for your comments.
23/8/21	Online	Home Owner	We have had problems with a few people in rented houses/flats over the years & welcome a change to this	Thank you for your comments.
23/8/21	Online	Private Tenant	dogs running around on the children park and dog muck all over roads and grass (unreadable) play	Thank you for your comments.
23/8/21	Online	Landlord	I do not agree with selective licencing costs, the rent in Burnley Wood means that it is not viable for me to carry on letting the property. You have not kept up with inflation with regards to the rent that you pay on behalf of the tenant. This has a knock on affect and with designating the areas to licencing it is another cost that reduces the margins and is destroying landlords wanting to give this service to society. A service that is needed for housing. It is also reducing the value of the properties.	The council is satisfied that the fees are comparable with other local authorities operating the same schemes. We also offer notable discounts for landlords accredited under our GLAS scheme, as well as discounts for landlords who engage with us and submit complete applications within the first three months. We also offer the option (at our discretion) to pay by direct debit, to spread the cost without interest. The council is not permitted to make a profit from licensing, and all fees are ringfenced solely for implementing the scheme. House values in the current designations have continued to increase.
24/8/21	Online	Landlord	IF the selective licencing is being passed on to housing associations like Calico then I am happy to pay for Selective Licencing in Burnley Wood.	The legislation under which selective licensing is introduced exempts registered social landlords; they are required to meet alternative standards set out by government. The licensing team

			Calico are buying private houses in this area and they are allocating them to people who are not respectful. A refuge has been allocated in Oxford Road Burnley Wood and police are called on a daily basis Anti-social behavior- worse now than when selective licensing came into force. The statistics you quote on empty houses has reduced by 4% - this could have been improved massively if action was taken for absent landlords sooner. House prices have increased due to the current housing situation and that is for every area we have been waiting for over 5 years for alley gates and haven't been allocated any of the recent funding The selective Licencing should be aimed at ALL landlords NOT just private landlords The housing associations are bringing the area down, they need a stringent process on tenants, and until that happens selective licensing is only hitting the good landlords who like us try and keep the area and their houses in a nice reputable condition with good decent tennants	work with Calico and other providers where instances of ASB occur in the licensing areas.
24/8/21	Online	Skipped	Skipped Question	Thank you for your response
26/8/21	Online	Home Owner	I would like to see a reduction in fly tipping on back streets. Also on main roads , would like to see tenants looking after the front of their properties e.g. washing away chalking on pavements by children. I'm not adverse to children playing and chalking but think parents should clean up after them.	Thank you for your comments.
26/8/21	Online	Landlord	I agree with selective licensing, I think should continue and be extended to Pine Street and Ash Street	Thank you for your comments.

26/8/21	Online	Home Owner	It is a very good scheme and we have noticed a slight change on XXX Street but the lack of Police presence does not help especially when there are drugs being sold in the street outside shop and telephone box. Cars sit with engines running waiting for drug runners.	Thank you for your comments. The licensing team work closely with neighbourhood police officers; please ensure you report any concerns to the Council or the Police directly.
31/8/21	Online	Skipped	Skipped Question	Thank you for your response
31/8/21	Online	Landlord	As a landlord in this area who has complied with all your requirements for the last five years I am dissappointed to find you wish to continue this scheme. This scheme has come at considerable additional costs as I do not live in the area and therefore had to employ an agent. I have not found having an agent has had any benefits as I have always taken an active role as a landlord and continued to maintain good links with my tenant. I have also found that I am more efficient at contacting local buisiness and getting any necessary maintainence work carried out quickly. This has been particularly so during coviid. With the additional cost of an agent and council registration costs this no longer seems to be an area I wish to do buisness. I know my tenant who has been with me for ten years is worried that she may lose her home should I decide to sell and I know that all I have seen in the area is many more houses for sale. I am not a greedy landlord but the contuation of this scheme means that if I maintain the property to the standards I have always done then there is very little if any profit if any, to be made. Your additional costs are making me cosider selling this property.	Thank you for your comments. The Council does not ask landlords too go above and beyond what we believe is the minimum, good standard for a private rented home. It is the belief of the Council that it is difficult to effectively manage a property from a significant distance. That being said, we will consider each case on its merit and are keen to work with landlords to ensure their properties are managed appropriately.
31/8/21	Online	Home Owner	Basically the council should be more FORCEFUL with SLUM landlords and be able to evict UNCARING	The Council have issued multiple fines to landlords and tenants and assisted landlords in evicting bad tenants for various

			TENANTS, as i have tenants who i have reported to the council about DIRTY BACK YARD, A BROKEN HUMAN WASTE PIPE, and other reasons but NOTHING IS EVER DONE AND BASICALLY THEY DONT REALLY CARE, and an UTTER DISGRACE !!!!!	different reasons over the past five years of the current designation. The Selective Licensing team also ensure that landlords complete the correct referencing before letting their properties to tenants. All landlords of private rented properties must obtain a licence to be able to rent their properties, as part of the application process, the landlords must pass the Council's `Fit and Proper` criteria to show they can manage their properties correctly.
01/9/21	Online	Home Owner	Tenants and landlords need to be vetted, there are some undesirable tenants in this area causing issues with residents who own houses and have lived in Burnley wood for a long time	Thank you for your comments.
02/9/21	Online	Home Owner	If the selective licensing is better for the area and increases house prices then these are positive steps to rejuvenate the area. It will also be good for tenants as they know that their landlord has had to become licensed and will therefore, hopefully, take care of the property.	Thank you for your comments.
03/9/21	Online	Home Owner	Improving standards of living and conditions of teh surrounding area benefits the community as a whole. It subsequently impacts the valuation of my own home, which I would not like to see negatively affected by lack of investment and respect by tenants and landlords alike. So making landlords accountable whilst giving them the support needed, I can only see as a positive thing.	Thank you for your comments.
03/9/21	Online	Landlord	The Agents who look after our property are professional agents that already comply with all requirements. There is no need for my property to have a selective license. It is just additional cost	Thank you for your comments.
03/9/21	Online	Landlord	I am not in favour of selective licencing	Thank you for your comments.

03/9/21	Online	Landlord	I am worried that selective licensing could limit the capital growth on my property in the future and this may reduce the rent tenants pay as the properties cannot be freely rented out.	There is no evidence to suggest that licensing will have a negative impact on the value of your property. Properties can be rented out as long as the landlord has a licence to do so. Good landlords will not find it difficult to comply with the requirements of the scheme, and will see the area in which they own properties improve.
03/9/21	Online	Landlord	Such scheme deters investing in properties in these areas. More bureaucracy, no real benefits to landlord. Eventually properties in the area become less attractive to own and the area may become run down by less attractive renters.	Thank you for your comments. Properties continue to change hands in the licensing areas, there is no evidence that investors are put off by the scheme, in fact many wish to invest in these areas as they can see it is an area in which the Council is putting effort into raising the standard of private rented homes. By raising the standard in these areas, we believe we can create more sustainable communities with less tenant changeover.
03/9/21	Online	Housing Association Tenant	agents who look after our property are professional agents that already comply with all requirements. There is no need for my property to have a selective license. It is just additional cost	Thank you for your comments. We work well with a number of agents who are professional and work to a high standard. Unfortunately not all landlords and agents operate to this standard, which is why licensing is important to level the playing field. As the legislation is area based, this means including all landlords and agents operating within the boundary.
04/9/21	Online	Landlord	The selective licence seems to be helping to improve the area. I think the cost is too high for an area with low rents. It's the possibility of penalties that make the licence improve the area	Thank you for your comments. The cost of the licensing fee is comparable with similar local authorities operating the scheme.
05/9/21	Online	Landlord	Do not agree to selective council	Thank you for your comments.
05/9/21	Online	Landlord	Keep the selective licensing	Thank you for your comments.
06/9/21	Online	Landlord	Selective licensing only means less to spend on looking after the properties or rent increases. I am no better a landlord for it as I do my best to look after	Selective licensing aims to reduce ASB, increase the standard of properties, ensure landlords are operating within the law and up to standard, ensure tenants are acting within their tenancy



			my tenants, 3 of which have been in their homes for over 10 years, speaks for itself	agreements and to keep the area clean and tidy. All of this will benefit good landlords.
07/9/21	Online	Home Owner	-I am worried that selective licensing could limit the capital growth on my property in the future -The agents who look after our property are professional agents that already comply with all requirements. There is no need for my property to have a selective license. It is just additional cost. -This may reduce the rent tenants pay as the properties cannot be freely rented out. -Selective license may limit the potential of my property and there are no benefits to me. -The cost is too much and there is no real benefit it is just bureaucracy	There is no evidence to suggest that licensing will have a negative impact on the value of your property. Properties can be rented out as long as the landlord has a licence to do so. Good landlords will not find it difficult to comply with the requirements of the scheme, and will see the area in which they own properties improve. We work well with a number of agents who are professional and work to a high standard. Unfortunately not all landlords and agents operate to this standard, which is why licensing is important to level the playing field. As the legislation is area based, this means including all landlords and agents operating within the boundary.
08/9/21	Online	Private Tenant	Skipped Question	Thank you for your response
11/9/21	Online	Home Owner	There needs more control on who is in these properties	The Selective Licensing team ensure that landlords complete the correct referencing before letting their properties to tenants.
13/9/21	Online	Home Owner	My view is some landlords let anybody rent their house. Druggies alcoholics and just dens of thieves. Don't give them licence. Some are living in more than 3-4 different houses. Surely the rent is being paid on them all. If so it's being thieved.	Thank you for your comments.
13/9/21	Online	Home Owner	Landlords will rent to anyone. All they want is the money	Thank you for your comments.
13/9/21	Online	Home Owner	I'm in favour of any measures that will prevent anti-social behaviour.	Thank you for your comments.
14/9/21	Phone	Private Tenant	I think Selective Licensing is a very good idea. It is good to contact landlords about ASB. If landlords think they are getting a bad tenant they won't do up their property. Rent increases. There are problems	If we receive a report of ASB we work with the Police and contact the landlord to ensure it doesn't happen again, or the landlord follows their procedures. We also work with streetscene to report dirty back yards and streets. Selective Licensing ensures

			with people sitting on street, house walls are thin, people fighting, letting dogs out.	that landlords do their reference checks properly, so they don't attract bad tenants in the first place.
14/9/21	Online	Home Owner	Need to ensure all are following the guidelines, still a number of run down properties. Speeding traffic is a problem and need a higher police on foot presence.	Thank you for your comments.
15/9/21	Phone	Private Tenant	It needs licensing to help tenants with poor condition houses.	We do help tenants with poor condition houses by inspecting every property in the 5 year designation and inspecting when tenants report issues to us.
15/9/21	Online	Home Owner	I think it selective licensing can only be good and hopefully rid the area of the feral families that landlords put in without caring how they live as they don't live in the same area	Thank you for your comments.
17/9/21	Online	Home Owner	The selective licensing scheme has been partially effective in improving property in Burnley, so it need to continue	Thank you for your comments.
18/9/21	Online	Home Owner	Burnley Wood isn't what you'd call affluent, but we're not all scum who live here. There's a distinct lack of council and police interest / engagement in residential issues where "properties of interest" exist. le brothels and drug dens. It's incredibly unfair to expect clean living residents to have to co-exist with these shithole properties in-between, and the calibre of anti-social crack head criminal element who use them to crash in. Hopefully stricter selective licensing would mean that landlords are more easily tracked down and held accountable.	We will respond to all reports of crime on a multi agency basis with the Police. Selective Licensing's aim is to prevent criminals living in these areas.
19/9/21	Online	Home Owner	I feel very Frustrated. Burnleywood has always been give a bad reputation. Recently their has been money spent in order to improve the area but it feels as though this is just so it looks good on the outside. There are alot of good people here who live an honest clean life, but there are also some issues that are well known by community offices, police and council. Houses that are left open for squatters to	Thank you for your comments. We will respond to all reports of crime on a multi agency basis with the Police. Selective Licensing's aim is to prevent criminals living in these areas.

			take hold and use as drug dens, dump rubbish over the wall into parking areas and cause issues for local neighbours and residents. For god sake there are kids playing round here and being nosey. Would you want your kid investigating in these places and falling on a used needle. I bet not. On top of this there are people rocking up and hanging on corners doing drugs. When are we gonna get this sorted. I have loved living here for 15 years plus. But it is getting a joke now. I feel less safe than ever before, and it gets worse week on week!	
24/9/21	Email	Councillor	The view of many residents from the Burnley Wood ward is that the selective Licensing must carry on , most of the comeback from speaking to residents is that it certainly can be and needs to be improved especially where landlords are moving tenants around different properties throughout the streets especially within the grid area , another major Gripe that was constantly mentioned by the residents was of the bad conditions of some of the properties and the lack of response to repairs from the landlords.....But most of the residents that we spoke to agreed that even though it's not currently a top class service that the tenants are receiving Without it , the properties will decline even further and the tenants and the area will suffer even more..... So in my opinion and that of many residents from the ward is that selective Licensing Must Carry on....	Thank you for your comments.
24/9/21	Email	Councillor	I live within Burnley Wood and frequently speak to the residents. It is clear that Selective licensing must remain, there are far too many landlords who neglect the maintenance of their properties to the detriment of their tenants. I have personally been in	Thank you for your comments.

			conversation with Ian on one particular resident and without this scheme being in place things would be so much more difficult.	
25/09/21	Online	Private Tenant	Respondent skipped this question	Thank you for your response
26/09/21	Online	Landlord	I disagree with the selective licensing proposal.	Thank you for your comments.
27/09/21	Online	Landlord	better disbanded	Thank you for your comments.
27/09/21	Online	Landlord	a lot of people are buying properties to live in themselves and so this is improving the area itself and wages have gone up also. Selective licensing is an additional cost which does not provide any benefits to landlords and also the council does not provide that much support.	Selective licensing aims to reduce ASB, increase the standard of properties, ensure landlords are operating within the law and up to standard, ensure tenants are acting within their tenancy agreements and to keep the area clean and tidy. All of this will benefit good landlords.
27/09/21	Online	Landlord	i dont see the need for Burnley wood to be a licensing area, and i think it is to expensive for landlords.	Thank you for your comments.
27/09/21	Online	Agent	Agents and landlords these days are doing thorough reference checks themselves anyways in order to keep long term tenants in the property. It is a Benefit for all parties including community and council that good tenants are put into the properties. Selective licensing is not needed in order to do this.	Thank you for your comments.
27/09/21	Online	Landlord	Im unclear as to the benefit but then im a landlord that offers good housing. Would funds be best directed to community policing?	Selective licensing aims to reduce ASB, increase the standard of properties, ensure landlords are operating within the law and up to standard, ensure tenants are acting within their tenancy agreements and to keep the area clean and tidy. All of this will benefit good landlords.
27/09/21	Online	Landlord	Respondent skipped this question	Thank you for your response

27/09/21	Online	Agent	its pointless and does not work , tax to landlords its not improving the area , the licence team just oversea what street scene do , there is no benefit	Selective licensing aims to reduce ASB, increase the standard of properties, ensure landlords are operating within the law and up to standard, ensure tenants are acting within their tenancy agreements and to keep the area clean and tidy. All of this will benefit good landlords.
27/09/21	Online	Landlord	I believe that the selective licencing has created some barriers which make it less viable to operate in this area, specifically having to be within a designated geographical distance of the property or appoint local agents who quite frankly are exceedingly expensive message takers. If the scheme was modified to remove this stipulation that would help, however I would prefer the scheme was scrapped.	Thank you for your comments.
27/09/21	Online	Landlord	totally against selective licensing. i pay it on 5 properties and i cant see the value. not for rat problems, noise problems, recruiting tenants. its no help. rubbish. im selling a property on barden lane cos the rents are going down, costs going up and a continuous rat problem that the council dont want to get involved in so £90 a week for rat guy to visit and treat the drains. £450 accreditation fee. no rent and council tax to pay. its all a joke.	The Council have issued multiple fines to landlords and tenants and assisted landlords in evicting bad tenants for various different reasons over the past five years of the current designation. The Selective Licensing team also ensure that landlords complete the correct referencing before letting their properties to tenants. All landlords of private rented properties must obtain a licence to be able to rent their properties, as part of the application process, the landlords must pass the Council's 'Fit and Proper' criteria to show they can manage their properties correctly.
27/09/21	Online	Landlord	Respondent skipped this question	Thank you for your response
27/09/21	Online	Landlord	Selective licencing has proved costly waste of money that brings no benefit to the area. It is an unwelcome tax on hard pressed landlords which achieves nothing	Thank you for your comments.
27/09/21	Online	Landlord	I think anti social behaviour especially on Laithe street has increased since the licencing started so it's not worked/working	Thank you for your comments.

27/09/21	Online	Landlord	<p>I am an accredited landlord with Burnley Council and a member of the GLAS scheme. Whilst I agree with the reason behind Selective Licensing, I think that the Council should put their resources into contacting/fining the large companies who often (from my experience) own houses in Burnley - but often don't even realise it - until a considerable financial penalty is imposed on them which brings it to their attention. This will make them either sell the house on the open market (hopefully to someone like me!) or renovate it and bring it back into local housing stock. Accredited landlords like me are exactly the kind of person that Burnley Council needs to renovate its delapidated housing stock to provide a nice home for someone. Instead, the Selective Licensing Scheme effectively "taxes" me for buying and renovating a house in one of these areas, which actually discourages me from doing so. But I am an easy target.....its easier/less time consuming to "tax" me than it is to go after the big companies/unscrupulous landlords who allow their houses to fall into disrepair and let/don't care if their tenants live in squalor.</p>	<p>Selective licensing aims to reduce ASB, increase the standard of properties, ensure landlords are operating within the law and up to standard, ensure tenants are acting within their tenancy agreements and to keep the area clean and tidy. All of this will benefit good landlords.</p>
27/09/21	Online	Landlord	<p>As a landlord I realise my thoughts may not seem impartial. However whilst the sentiments maybe real in fact it achieves little if anything. In essence it feels simply like another landlord tax rather than actually safeguarding the tenant or increasing living standards. If the purpose is to safeguard the tenant from rogue landlords then heavier penalties should be imposed on those that do not abide by landlord regulations. Most landlords are responsible and it often feels we have to pay the price for those that have an attitude of "don't care" or worse. I do feel</p>	<p>Selective licensing aims to reduce ASB, increase the standard of properties, ensure landlords are operating within the law and up to standard, ensure tenants are acting within their tenancy agreements and to keep the area clean and tidy. All of this will benefit good landlords.</p>

			this license application if upheld should only be imposed on landlords that manage their own properties. Letting agents pressure any landlords with any work required on their houses and will often withhold funds should they continue to disregard their notices. Thank you for your time and appreciate the opportunity for me to give my view	
27/09/21	Online	Landlord	I don't agree with the selective licensing. Good landlords are being penalised because of the ones that don't look after their properties. Plus it's a very complex procedure.	Selective licensing aims to reduce ASB, increase the standard of properties, ensure landlords are operating within the law and up to standard, ensure tenants are acting within their tenancy agreements and to keep the area clean and tidy. All of this will benefit good landlords.
27/09/21	Online	Landlord	I think that selective license are un fair as they are for only certain areas If they must be in place they should be for all areas	Thank you for your comments.
27/09/21	Online	Landlord	My tenants house is already up to a high standard and this this scheme will have unnecessary expense	Selective licensing aims to reduce ASB, increase the standard of properties, ensure landlords are operating within the law and up to standard, ensure tenants are acting within their tenancy agreements and to keep the area clean and tidy. All of this will benefit good landlords.
28/09/21	Online	Landlord	Respondent skipped this question	Thank you for your response
28/09/21	Online	Landlord	I pride myself on being a fair and good landlord and have not noticed any benefits from the scheme. I am unhappy with the expense and the paperwork involved.	Selective licensing aims to reduce ASB, increase the standard of properties, ensure landlords are operating within the law and up to standard, ensure tenants are acting within their tenancy agreements and to keep the area clean and tidy. All of this will benefit good landlords.
28/09/21	Online	Landlord	Do not feel that the landlords receive any real benefit from the scheme. It seems to be designed for the tenant	Selective licensing aims to reduce ASB, increase the standard of properties, ensure landlords are operating within the law and up to standard, ensure tenants are acting within their tenancy

				agreements and to keep the area clean and tidy. All of this will benefit good landlords.
28/09/21	Online	Landlord	.	Thank you for your response
28/09/21	Online	Landlord	Selective should mean on the house's that requires long standing repairs	Thank you for your comments.
28/09/21	Online	Agent	Licence good in principle - but hard to monitor. Areas can prove to be quite confusing as well as the process involved. Prevents landlords buying in the area	Thank you for your comments.
28/09/21	Online	Landlord	Landlords are selling up in the area due to this added cost. It's the straw that broke the camel's back for many. This will lead to a shortage of rental properties.	Thank you for your comments.
28/09/21	Email	Councillor	<p>I totally agree that Selective Licensing needs to continue in the Healey Wood area, however I do have some concerns and comments:</p> <p>I have lived in the Healey Wood area for almost 24 years, and certainly from my perspective and the residents I speak to, the area is deteriorating and Selective Licensing is not currently achieving it's potential by a fair margin. This is not just a failing of Selective Licensing but also the ASB team and all aspects of enforcement, including the council and police.</p> <p>I have been unable to source stats on Crime, ASB, Flytipping etc prior to Selective Licensing being introduced or since, other than very recent crime stats, so that I can compare the actual figures, but it certainly</p>	<p>I totally agree that Selective Licensing needs to continue in the Healey Wood area, however I do have some concerns and comments:</p> <p>I have lived in the Healey Wood area for almost 24 years, and certainly from my perspective and the residents I speak to, the area is deteriorating and Selective Licensing is not currently achieving it's potential by a fair margin. This is not just a failing of Selective Licensing but also the ASB team and all aspects of enforcement, including the council and police.</p> <p><i>Having conducted a consultation drop in session and speaking with residents in the area, all confirmed that the area has improved and looks better for Selective Licensing having been put in place. Is there room for improvement? Most definitely, which is why we propose to designate a further licensing area.</i></p>



seems as though there has been an increase across the board, and the number of problem properties has increased.

Residents feel that the council has not been proactive enough, and that bad landlords and tenants are ignored whilst easier targets are dealt with, leaving many unwilling to report issues to the council due to the perceived lack of action (please note, this is based on my talks with residents and not my own experiences or views).

Residents are also worried that if they make a report against their landlord that they will suffer repercussions - this is an area that Selective Licensing need to work on in order to reassure residents that there are protections in place; or that it is a waste of time as nothing will be done - again, this is an area where Selective Licensing need to improve communication.

At the beginning of the consultation for the introduction of Selective Licensing in the area, residents (myself included) were told that there would be regular surgeries for residents to attend, starting in February 2017 - these never happened. Selective Licensing needs a regular dialogue with everyone involved if it is to make a difference - and that includes residents, councillors and the police.

*Looking at recent Police data, Trinity, the ward in which Healey Wood falls, has the highest level of recorded crimes. We work closely with the Police to identify areas we can improve. Our powers extend to Anti-social behaviour and crime committed from private rented properties; where we can use our powers, we do so by ensuring that landlords and managing agents are taking steps to stop nuisance behaviour. We do work with the police regarding the wider crime issues also, as if we can direct it back to a tenanted property, we can use our powers under the Housing Act where appropriate.*

*We attend monthly multi agency meetings at inspector level and work closely with the neighbourhood policing team. Although recorded crimes have increased since 2013/14, we can only deal with ASB relating to private rented property and not for example, children causing ASB in open areas.*

*I have been unable to source stats on Crime, ASB, Flytipping etc prior to Selective Licensing being introduced or since, other than very recent crime stats, so that I can compare the actual figures, but it certainly seems as though there has been an increase across the board, and the number of problem properties has increased.*

*As part of the process for looking into further designations in these areas, we have produced a document containing all the data relating to key indicators of low housing demand such as crime and ASB. This can be found on the council's website, at the*

By far the greatest improvement I have witnessed in the area came via Neighbourhood Management and the regular PACT and Resident Forum meetings - in part because residents felt that they had a voice and their views were not only heard, but listened to - that can't be said about Selective Licensing.

Over the next 5 years we need a more proactive approach - more random property inspections and tougher action on problem residents, properties and landlords, a clear programme of communication and dialogue between residents, Selective Licensing, Ward Councillors, the Police and other agencies - including regular meetings (at least quarterly) where all those present can voice their concerns or ideas and improved printed communications, not just at consultation time.

These meetings need to include the whole of Trinity, not just the relevant Selective Licensing areas. Whilst Healey Wood is included with the Burnley Wood and Leyland Road areas, it is part of Trinity Ward and despite the split between the Selective Licensing areas the whole of Trinity must be considered as a combined area

The Trinity Councillors also believe that the Police and Community Together meetings are an essential part of reducing the issues

*Selective Licencing area of the site. Please see the link below.*

[Burnley Borough Council - selective licensing proposal document](#)

*ASB cases reduced steadily with the exception of 2017/18 in the Trinity ward until last year. The common feeling from partner agencies is that a significant amount of this can be attributed to Covid related breaches being recorded as ASB, as well as neighbour intolerance throughout the lockdown periods. Stats below:*

- 2013/14 = 648
- 2014/15 = 552
- 2015/16 = 560
- 2016/17 = 564
- 2017/18 = 624
- 2018/19 = 413
- 2019/20 = 481
- 2020/21 = 868

Healey Wood is a small area within the Trinity Ward and as such the figures are affected by the ward. ASB for Healey Wood as a percentage of houses stands at 2.11% compared with 0.9% for the borough up to March 2021. As a comparison, the Burnley Wood side of the designation stands at 3.1%. Healey Wood still has improvements to be made and although isn't the worst part of the area, we agree with you that improvements can still be made.

Residents feel that the council has not been proactive enough, and that bad landlords and tenants are ignored whilst easier targets are dealt with, leaving

the ward faces and are more than happy to help facilitate their return - which is long overdue.

Lastly, both Cllr Fewings and Cllr Hall have said that they wish to echo all of the above, and please accept the non-personal parts of this email as the response of all three of us.

many unwilling to report issues to the council due to the perceived lack of action (please note, this is based on my talks with residents and not my own experiences or views).

*I have spoken with many residents; the feeling I get from them, which can be backed up by the feedback received in our recent survey, is that they feel we are targeting rogue landlords and enforcing better living conditions. The designation has been in place for almost 5 years now and the actions we have taken against landlords who fail to deliver standards required is under the Housing Act; we have issued fines and prosecutions for works not completed. As an example, we served a Civil Penalty of £10,000 on a landlord operating a house on Berry Street which was in extremely poor condition for failing to have a licence in place and illegally letting the property.*

Residents are also worried that if they make a report against their landlord that they will suffer repercussions - this is an area that Selective Licensing need to work on in order to reassure residents that there are protections in place; or that it is a waste of time as nothing will be done - again, this is an area where Selective Licensing need to improve communication.

*Landlords must follow the law, and if they are found not be, action is taken. Residents are protected fully and any evidence of this not being the case will be dealt with. To date I have had no reports or situations where a tenant has been targeted by the landlord following a complaint. If residents are speaking to you about this*

*and there are concerns that they have been targeted, please let me know immediately.*

*In terms of action not being taken following reports, we always take every complaint on board and investigate, taking action where we can. We work closely with the Enforcement team, who enforce housing standards under the Housing Health and Safety Rating System and the Housing Act. We work closely with the Enforcement team to improve housing standards, as well as the Community Safety Team to tackle ASB at private rented properties, using the additional tools that selective licensing gives us.*

*Regarding communication we have sent out newsletters and I have spoken with many residents while out on foot in the area. Can this be improved? Yes. We have increased our physical monitoring of the area since the relaxation of Covid restrictions and we are keen to instigate regular resident drop in sessions if a new designation is brought in. We would also encourage all residents to contact us by phone or email; information was included in our recent newsletter as to how people can get in touch, or through yourself as their local Councillor. We welcome intelligence from the community about problems in their area so we can target our response.*

*At the beginning of the consultation for the introduction of Selective Licensing in the area, residents (myself included) were told that there would be regular surgeries for residents to attend, starting in February 2017 - these never happened. Selective Licensing needs a regular dialogue with everyone involved if it is*

*to make a difference - and that includes residents, councillors and the police.*

*I started with the council just before Covid began so I have been unable to conduct surgeries, due to restrictions in place; this is something we had hoped to instigate prior to the first lockdown but were then unable to do so. If the new designation comes into force, this is a priority to start up again.*

By far the greatest improvement I have witnessed in the area came via Neighbourhood Management and the regular PACT and Resident Forum meetings - in part because residents felt that they had a voice and their views were not only heard, but listened to - that can't be said about Selective Licensing.

*I agree PACT meetings are a great asset to any residential area, however these have not been running for some time, I am working with the police to bring these back in my area. I will be attending these meetings as I have a close working relationship with the police.*

*In terms of residents feeling Selective Licencing do not listen to their concerns, this is not what I feel. Having spoken with many residents not only while out on foot, but also at the consultation drop in sessions, residents felt that the issues raised were being dealt with. As I mentioned above though, we will always welcome further contact from residents of the area and are keen to hear from them either directly or through yourself.*

*Over the next 5 years we need a more proactive*

*approach - more random property inspections and tougher action on problem residents, properties and landlords,  
a clear programme of communication and dialogue between residents, Selective Licensing, Ward Councillors, the Police and other agencies - including regular meetings (at least quarterly) where all those present can voice their concerns or ideas and improved printed communications, not just at consultation time.*

These meetings need to include the whole of Trinity, not just the relevant Selective Licensing areas. Whilst Healey Wood is included with the Burnley Wood and Leyland Road areas, it is part of Trinity Ward and despite the split between the Selective Licensing areas the whole of Trinity must be considered as a combined area

*Throughout the designation we have adopted a proactive approach. I have conducted Audits of the back streets of Healey Wood where dirty back yard inspections were made on several occasions during lockdown, on each occasion where back yards were found to be full of rubbish, photographs were taken and sent to Street Scene to be dealt with. Along with this Landlords were notified and fines issued where appropriate.*

*As a percentage of houses, Healey Wood dirty back yards for 2020/21 was recorded at 6% compared to 2.2% for the borough, again as a comparison the Burnley Wood side of the designation was 14%. Again, Healey Wood is not the worst in the area, but can definitely be improved upon, which is why we are*

*proposing to designate this area again, to allow us to take proactive steps to reduce environmental crime with the support of Streetscene.*

*I have completed a comprehensive audit of Energy related performance certificates for the area, ensuring all private rented properties are at the minimum rating of an 'E'. Where we have found this not to be the case, work has been done with the landlords to ensure the property is brought up to these standards. This benefits your residents by ensuring their property is energy efficient in colder months.*

*I have also completed numerous smoke alarm breaches where it was found inadequate fire protection was present at properties; this has helped ensure your residents are well protected and safe within their homes. A lot of the work we have done is inside residents homes, so may not be immediately obvious, but we are working to ensure safer, warmer, secure homes for private tenants in Healey Wood.*

*I wholeheartedly agree that meetings between councillors, police and other agencies need to be improved. We held our first consultation drop in session in September but unfortunately these were not attended by the local Councillors; this would have been a good opportunity to discuss the proposals with everyone.*

*In terms of having a combined Trinity area, PACT meetings would be great to do this, I would attend along with the Trinity representative for*

*Selective Licencing to be able to deal with issues across both area's.*

*We have the next drop in sessions for the consultation which would be great if all Councillors would attend where possible, on:*

*18th October 2pm – 6:30pm Rosehill Baptist Church  
Rosehill Road, Burnley BB11 2JS*

*19th October 2pm – 6pm St Stephens Church Oxford  
Road, Burnley BB11 3JA*

*20th October 2pm – 6pm Burnley Council for Voluntary  
Services Room 35, 62-64 Yorkshire Street, Burnley  
BB11 3BT*

*The Trinity Councillors also believe that the Police and Community Together meetings are an essential part of reducing the issues the ward faces and are more than happy to help facilitate their return - which is long overdue.*

*I agree and I am working with the local police to help get these back. If the proposed designation was to come into force, I would welcome a more formal meeting every 6 – 8 weeks. This could be a minuted meeting with resident representatives from your area acting as a voice for the area, where everyone is welcome. This could be housing specific with the attendance of Selective Licencing and Local Councillors and run alongside PACT meetings where we can discuss ASB etc with members of the policing team. I'd love to hear your feedback on this as*



				<p><i>it would be great to work with you to develop this going forward.</i></p> <p>Lastly, both Cllr XXX and Cllr XXX have said that they wish to echo all of the above, and please accept the non-personal parts of this email as the response of all three of us.</p> <p><i>Thank you for your comments; I hope I have answered your queries. We hope you will be able to make it to the October drop in sessions to meet members of the licensing team for further discussion.</i></p>
29/09/21	Online	Landlord	Wast of time and addec cost I had to balance against work on the property. Bad value for all	Thank you for your comments.
29/09/21	Online	Landlord	No I do not support	Thank you for your comments.
29/09/21	Online	Landlord	Although i think the licensing is working as a whole i do think it takes too long to stop anti social behaviour also i do not think enough checks are done on new tenants as i know of people who have been evicted in ine area and just move to another private rented property if better checks where made half of the problems we have would not exist	Thank you for your comments.
30/09/21	Online	Landlord	I agree with the selective licensing as has been running for nearly 3 years. Hopefully, the costs to good landlords will be kept to a minimum of the scheme continues.	Thank you for your comments.
01/10/21	Online	Landlord	Respondent skipped this question	Thank you for your response
03/10/21	Online	Landlord	I live in this area and also own a property that is rented. In all honesty, I have not seen any benefit from Council Licensing. There are considerable fees to	The Council have issued multiple fines to landlords and tenants and assisted landlords in evicting bad tenants for various different reasons over the past five years of the current designation. The Selective Licensing team also ensure that

			pay and no real benefit to council, landlords or people living here.	landlords complete the correct referencing before letting their properties to tenants. All landlords of private rented properties must obtain a licence to be able to rent their properties, as part of the application process, the landlords must pass the Council's 'Fit and Proper' criteria to show they can manage their properties correctly.
03/10/21	Online	Landlord	-I am worried that selective licensing could limit the capital growth on my property in the future -The agents who look after our property are professional agents that already comply with all requirements. There is no need for my property to have a selective license. It is just additional cost. -This may reduce the rent tenants pay as the properties cannot be freely rented out. -Selective license may limit the potential of my property and there are no benefits to me. -The cost is too much and there is no real benefit it is just bureaucracy	Thank you for your comments.
03/10/21	Online	Housing Association Tenant	The agents who look after our property are professional agents that already comply with all requirements. There is no need for my property to have a selective license. It is just additional cost	Thank you for your comments.
03/10/21	Online	Landlord	The agent that looks after our property are professional agents and already comply with all the requirements. There is no need for my property to have a selective licence, it's just additional costs	Thank you for your comments.
03/10/21	Online	Landlord	Whereas I do believe the idea in principal is good I think it puts landlords off who actually do the right thing in the first place. Personally I need to consider if it is worth retaining a property in an area which is costly because of the selective licensing fees. I don't pass these on to my tenants, in factI have been mindful of not putting up rent due to the climate	Thank you for your comments.

			however, this on top makes it not worth while as a business.	
03/10/21	Online	Landlord	Respondent skipped this question	Thank you for your response
03/10/21	Online	Landlord	It restricts the letting potential which can have an adverse effect on the rental market.	Thank you for your comments.
03/10/21	Online	Landlord	This will have an affect on capital appreciation of my property and limit rentals in the future.	Thank you for your comments.
03/10/21	Online	Landlord	Whilst I think the scheme can be beneficial especially in helping to stop rogue landlords, however, good landlords seem to be targets and some of the requirements of the scheme are far too demanding and the cost too high.	The council is satisfied that the fees are comparable with other local authorities operating the same schemes. We also offer notable discounts for landlords accredited under our GLAS scheme, as well as discounts for landlords who engage with us and submit complete applications within the first three months. We also offer the option (at our discretion) to pay by direct debit, to spread the cost without interest. The council is not permitted to make a profit from licensing, and all fees are ringfenced solely for implementing the scheme.
03/10/21	Online	Private Tenant	Since the properties cannot be freely rented out it will likely reduce the rent tenants pay	Thank you for your comments.
04/10/21	Online	Landlord	-This may reduce the rent tenants pay as the properties cannot be freely rented out. Selective license may limit the rental income of my property, as well as the capital growth	Thank you for your comments.
04/10/21	Online	Home Owner	I feel that selective licensing would make it harder for me to rent out my property and am against it	Thank you for your comments.
04/10/21	Online	Home Owner	I agree with selective licensing and anything else that can be done to improve/maintain the area	Thank you for your comments.
04/10/21	Online	Landlord	I'm worried that selective licence could limit the future growth of my property and above all the cost is too much and their is no real benefit it just bureaucracy	Thank you for your comments.
04/10/21	Online	Landlord	As a decent landlord who looks after the property, one small falt in Burnleywood, I find the costs of	Selective licensing aims to reduce ASB, increase the standard of properties, ensure landlords are operating within the law and up

			the licencing disproportionate and unfair. I do not believe that the scheme has had much positive impact on the standard of private rented property in the area. It has brought no value to me or my tenants as a samll landlord, just extra costs	to standard, ensure tenants are acting within their tenancy agreements and to keep the area clean and tidy. All of this will benefit good landlords.
04/10/21	Online	Landlord	Selective license does not provide any benefits, but adds cost. The agents who look after my properties are professionals that already comply with all requirements.	Thank you for your comments.
04/10/21	Online	Resident	The agents who look after our property are professional agents that already comply with all requirements. There is no need for my property to have a selective license. It is just an additional cost.	Thank you for your comments.
05/10/21	Online	Landlord	Selective licensing increases the cost of running my property and reduces the scope of the renting market	Thank you for your comments.
05/10/21	Online	Housing Association Tenant	The agents who look after our property are professional agents that already comply with all requirements. There is no need for my property to have a selective license. It is just additional cost. I am also concerned about the negative impact this may have to potential capital gain.	Thank you for your comments.
05/10/21	Online	Landlord	I think the licensing has a potential effect on the value of my properties with little beneficial gain. I employ people who are professionals in this subject and I am confident they comply with all significant requirements in this respect and I do not wish to burden them with additional administrative tasks which take time, money and effort with little practical benefit. I am additionally concerned regarding reduced rentals I can attract and I find this restrictive. I consider such regulations an additional cost with little, if any, benefit to me or my agents.	Thank you for your comments.

05/10/21	Online	Landlord	Selective license may limit the potential of my property and there are no benefits to me	Thank you for your comments.
05/10/21	Online	Landlord	I don't agree on the changes...everything works fine without	Thank you for your comments.
05/10/21	Online	Landlord	The agents who look after our property are professional agents that already comply with all requirements. There is no need for my property to have a selective license. It is just additional cost.	Thank you for your comments.
05/10/21	Online	Landlord	The management company that looks after my property are professional agents who fully comply with all current requirements. Therefore, there is no need for my property to have a Selective License. The introduction of Selective Licensing would incur additional costs that would dissuade me from making further property investments in this area.	Thank you for your comments.
05/10/21	Online	Landlord	The agents who look after our property are professional agents that already comply with all requirements. There is no need for my property to have a selective license. It is just additional cost.	Thank you for your comments.
05/10/21	Online	Resident	I am worried that selective licensing could limit the capital growth on my property in the future	Thank you for your comments.
05/10/21	Online	Landlord	The agents who look after my property are professional agents that already comply with all requirements. There is no need for my property to have selective license. It is just additional cost	Thank you for your comments.
06/10/21	Online	Landlord	I am satisfied that the agents who look after my property are professional agents who already comply efficiently with all requirements. I do not believe there is any need for my property to have a selective licence or that I would derive any benefit. I see this as more unnecessary bureaucracy, adding to the landlord's costs to raise the income of Burnley Council.	Thank you for your comments.

06/10/21	Online	Home Owner	It seems like just another layer of red tape/bureaucracy that has no benefit to myself. It could prove restrictive more likely than not and detract from the property's value.	Thank you for your comments.
06/10/21	Online	Housing Association Tenant	The agents who look after our property are professional agents that already comply with all requirements. There is no need for my property to have a selective license. It is an additional cost. Indeed if it wasn't for such agents restoring dilapidated properties and putting them back on the market would make Burnley a less attractive town. The North needs lots of restoring to become the powerhouse it was 120 years ago and it will happen again.	Thank you for your comments.
06/10/21	Online	Home Owner	With the re-introduction scheme. I am worried that the scheme could limit the capital growth of my property in future. It is a additional cost, may reduce the rent tenants pay and not been able to rent out freely. it may limit the potential of my property which could have no any benefits to me.	Thank you for your comments.
07/10/21	Online	Landlord	I don't believe licensing has changed much. I also feel that if the licensing is necessary, how is the cost justified? As a landlord I have to pay over 4 months of rental income to pay the bill. If licensing is a must, then I would like a lower price	Thank you for your comments.
07/10/21	Online	Landlord	I AM WORRIED THAT SELECTIVE LICENSING COULD LIMIT THE CAPITAL GROWTH ON MY PROPERTY IN THE FUTURE. THE AGENTS WHO LOOK AFTER OUR PROPERTY ARE PROFESSIONAL AGENTS THAT ALREADY COMPLY WITH ALL REQUIREMENTS. THERE IS NO NEED FOR MY PROPERTY TO HAVE A SELECTIVE LICENCE. IT IS JUST AN ADDITIONAL COST. RENTING THESE PROPERTIES CANNOT BE DONE FREELY THUS REDUCING THE RENT TENANTS PAY. SELECTIVE	Thank you for your comments.

			LICENCING REDUCES THE POTENTIAL OF MY PROPERTY AND IS OF NO BENEFIT TO ME. FURTHERMORE IT IS COSTLY WITH NO BENEFIT AND IT JUST INCREASES BUREAUCRACY.	
09/10/21	Online	Landlord	I have a reliable and reputable agent to manage my properties. This gives me confidence that any further requirements are unnecessary and would just result in greater cost.	Thank you for your comments.
09/10/21	Online	Landlord	Respondent skipped this question	Thank you for your response
10/10/21	Online	Landlord	Respondent skipped this question	Thank you for your response
11/10/21	Email	Councillor	<p>I appreciate that the views of residents may not always be consistent and that as a councillor (and a local community volunteer previously) I may only hear the negatives, as people rarely contact me to say how well the council are doing, but I can only respond given the views given to me.</p> <p>Over the period that SL has been in place (and before that) I have regularly told tenants to report issues to SL, ASB etc but often they fear reprisals from their landlord or those causing the ASB or that the problems will be ignored. I always explain that there are protections in place but it is a real fear for many. This isn't a criticism against the Selective Licensing team, but it is more of a wider trust issue that people have not only with the council, but also the police and other agencies. These residents either don't realise that reports about ASB or crime are anonymous or that landlords can't retaliate against a tenant that makes a complaint, or don't believe it, and the only way to get past that is through</p>	Thank you for your response

education and talking to them – again, this is something I am keen to work on.

I fully believe SL is required and I am more than happy to have a chat when you are back to see how I can help.

Covid has definitely had a huge impact on residents and on the abilities of the various agencies to carry out their work, but hopefully we can get back on track and reduce the issues the area faces.

Thanks for the figures, and I appreciate that Healey Wood isn't the worst area by far, but that also means that there are opportunities to ensure that it doesn't reach the same level of issues, but I also understand that there is a balance to be struck so that the situation in Burnley Wood improves. It is also helpful to hear about the work you are doing (and have been doing), and I will definitely pass this on to residents when the topic comes up.

On the subject of surgeries and PACT meetings, I am definitely interested in helping with these as I saw how effective they could be in the past.

I will call into Rosehill Baptist Church on Monday, but I have an appointment that means it will probably be later on. I was at the church when the September drop-in was on, I was in the next room holding a Councillor Surgery from 2pm-4pm but I kept out of the way to limit the number of people in the room. I know both Cllr XXX and Cllr XXX work, which makes it hard for them to attend.



14/10/21	Email	Landlord	<p><b>Sent:</b> 14 October 2021 14:16  <b>To:</b> Landlords &lt;<a href="mailto:landlords@burnley.gov.uk">landlords@burnley.gov.uk</a>&gt;  <b>Subject:</b> Thoughts on Selective Licensing Scheme</p> <p>To Members of the Council:  I am against this scheme.  Landlords , as investors, want quality products to keep and improve. By imposing bureaucratic measures, like this selective licensing scheme, makes it hard to 'wait' for quality tenants.  If the council is 'worried', just state the standards you require for being landlands of the area. Whoever finds it hard to meet the standards can engage a UK management company to make it a win-win scenario for UK investment and employment.  Yours sincerely,  Please enter my AGAINST vote for the scheme.  In a democratic society, council should not put in a scheme which penalises an investor before anything bad happens, unless the real purpose is to drive away investors. This can result in lower demand of the area and may eventually lead to a run down area.  A scheme like this is protecting nobody.</p>	<p>Thank you for your comments.  The Selective Licensing scheme does just that, it imposes standards upon landlords and managing agents. Standards that without Selective Licensing are more difficult to monitor.</p>
14/10/21	Phone	Agent	<p>Rang and said although he attended a consultation event and debated Selective Licensing with XXX he had not been directly consulted with however he has looked at the Mandatory conditions and wants the proposed conditions sending to him, as the copy he has, we have taken the ethos of the conditions but made them more robust and expanded them making it illegal and he wants to know where this has come from in line with schedule 4.</p>	<p>As requested during a call with my colleague, please see attached the proposed conditions for the Burnley Wood with Healey Wood and Leyland Road selective licensing designations which we are currently consulting on. These are the same conditions that are currently issued with licences in other areas, and include both mandatory and prescribed conditions.  They were last amended to take account the changes brought in by the latest electrical regulations. The wording for this condition is taken directly from Schedule 4 of the</p>

Housing Act. Other than that, we have not made any significant changes to the conditions since the tribunal hearing at which you were present. Following the determination, we took steps to remove conditions that the tribunal considered unreasonable, and retained those that it agreed were appropriate, as permitted under Section 90 of the Act.

I was also concerned to hear that you felt you had not been consulted with, despite attending a consultation event and meeting with one of our officers. Emails were sent to in August and September with details of how to be involved with the consultation; we have since double checked and this does seem to be the address provided to us on applications for licensing. Our records indicate that neither of these emails were opened. The emails were sent from the Landlords inbox which we do not seem to have previously had a problem with communicating with you from. Please can you check your spam folder to ensure the emails were not diverted here for some reason?

All the information regarding the consultation is available here on our website ([Selective Licensing Consultation 2021 | Burnley Borough Council](#)), including copies of the questionnaires which were sent to interested parties. There are also links to the online survey if you have not yet had a chance to complete these. All representations must be received by 24th October.

If you have further questions regarding the conditions or other aspects of the consultation, please let me know and we can arrange a time to discuss.

14/10/21	Online	Landlord	The agent that help my company to rent out the property are professional agents, which are regulated and comply with the requirements. I think there is no need to add another layer of bureaucracy, which add unnecessary additional cost to the rental market and reduce the captial growth of my property in the future. It will overall reduce the attractiveness of properties in the local area.	Thank you for your comments. The aim of Selective Licensing is to ensure all landlords and agents are working to the same standards your agent is.
15/10/21	Online	Landlord	Council do not offer help/support - happy to manage things ourselves.	Thank you for your comments.
15/10/21	Online	Landlord	Not worth the time, effort and money. landlords are more than capable of looking after their own tenancies	Thank you for your comments.
15/10/21	Online	Landlord	Not worth it. Not seeing a difference in area or help.	Thank you for your comments.
15/10/21	Online	Landlord	Nor receiving much help and not worth the time and money for SL	Thank you for your comments.
16/10/21	Online	Landlord	Can't think of one benefit of the scheme When I needed your help with an issue last year took me 2 days to get a response and further communication was abismal	Thank you for your comments. We are sorry to hear that you feel you received poor service, please contact us to let us know about the incident and how we can help/improve.
17/10/21	Online	Landlord	I have owned 2 properties in this area for more than 20 years and employed a management agent through out. All repairs and maintenance have been done as required. Why should I now have to pay for a license which is also not required?	The aim of Selective Licensing is to ensure all landlords and agents are working to the same standards your agent is. In order to do this however, we have to licence all private rented properties in the area. If this proposal is passed by central government, then you will be required by law to hold a selective licence to rent a property in this area.
18/10/21	Online	Landlord	Unnecessary additional expense when the property is well maintained anyway	Thank you for your comments.
18/10/21	Drop in	Agent	I am glad you are introducing new streets in the Burnley Wood designation	Thank you for your comments, we have looked at the data and removed come streets that have improved and introduced new streets that we feel need selective licensing.
18/10/21	Drop in	Home Owner	There are many properties with dirty back yards and causing dirty back streets. I think selective licensing is	Thank you for your comments, we will perform another back yard / street audit in your area.

			good because we have someone to tackle this problem.	
18/10/21	Drop In	Home Owner	I am all for selective licensing, I think it's a good idea. A man knocked on my door last week with a clipboard asking me to sign a petition, I didn't really understand what he was saying, he didn't have any ID and he intimidated me, so I felt forced to sign his petition so that he would leave. I think it may have been a petition against selective licensing, but I wanted to let you know I am all for selective licensing and only signed it so that this man would leave. I have been feeling bad about it since, so wanted to let you know I support you and what this man did was wrong.	Thank you for bringing that to our attention, if someone knocks on your door and makes you feel uncomfortable or intimidated, just close the door and if they refuse to leave, tell them you will phone the Police. We will record your comments that you support selective licensing as part of our consultation, so please try not to worry about the petition.
19/10/21	Drop In	Housing Association Tenant	What can be done regarding landlords who don't meet their responsibilities? I rent from RSL. Sounds like a good scheme, I'm in favour.	In order to obtain a licence, landlords must prove that they are a fit and proper person to hold the licence and that their management arrangements are appropriate. Once a licence has been granted we can then hold the landlord to a set of conditions. These includes conditions relating to how the property is managed, and also relating to issues like dealing with antisocial behaviour and environmental crime. Landlords who fail to obtain a licence and continue to let their properties, or licence holders who fail to adhere to the conditions of the licence may be served with financial penalties of up to £30,000, or may be prosecuted, resulting in a criminal record.
19/10/21	Drop In	Home Owner	Having problems with next door neighbour, outside SL boundary. Neighbour is constantly leaving bags of waste in the yard.	Whilst XXX is not in the current or proposed licensing boundary, I am happy to investigate the problems you have been having. I will speak to streetscene about any ongoing cases, and will also contact the managing agent.
19/10/21	Drop In	Landlord	Why doesn't SL apply to RSLs? They are worse than a lot of landlords.  Agreed that Reed Dall and Parkinson St would benefit from being in scheme again.	Legislation means RSLs are exempt from licensing, but we do work closely with contacts in RSLs to ensure issues such as environmental crime and ASB are dealt with appropriately.  We have looked very closely at areas to determine which parts would benefit from another 5 years, this is not a blanket

			What happens if the areas you've taken out start to deteriorate?	<p>approach; our data shows that the middle area of the current designation (Hollingreave Road, Huffling Lane, down to Stoney Street area) has improved notably, such that licensing is no longer necessary here. We feel a more targeted approach including the Dall/Reed/Parkinson St and surrounding streets plus Healey Wood, would yield greater results.</p> <p>We continue to monitor the wider area, but at this time do not feel licensing would be appropriate here.</p>
19/10/21	Drop In	Landlord x2	Please can you provide some further information on the scheme, we own a property just outside the boundary. We are interested in how things have changed over the last five years and how the scheme works in practice.	<p>We have seen notable improvements across the current scheme over the last five years, but also feel there is work still to be done in parts of the area.</p> <p>In order to obtain a licence, landlords must prove that they are a fit and proper person to hold the licence and that their management arrangements are appropriate. Once a licence has been granted we can then hold the landlord to a set of conditions. These includes conditions relating to how the property is managed, and also relating to issues like dealing with antisocial behaviour and environmental crime. Landlords who fail to obtain a licence and continue to let their properties, or licence holders who fail to adhere to the conditions of the licence may be served with financial penalties of up to £30,000, or may be prosecuted, resulting in a criminal record. We are keen to bring all landlords up to the standard of those that are operating properly</p>
19/10/21	Online	Landlord	Poor Value for money. Im happy to a point in investing in the local area for the benefit of all. But the amount we pay, should see great investment from the council.	Thank you for your comments, a lot of the work the Selective Licensing team do is not visible such as deterring bad landlords from the area and ensuring all landlords conduct their reference checks properly.
22/10/21	Post	Home Owner	A unknown man came to our house one day last week with no ID, no leaflets, just a clipboard asking for signatures against selective licensing. In my view it was wrong and shouldn't be allowed, we were scared and signed just to get rid of him though I didn't mean to, I believe in what you are doing.	Thank you for your comments, your support for selective licensing will be recorded.

23/10/21	Online	Landlord	<p>-Landlord licensing has not done anything to improve the area in five years and won't in the future: inasmuch as there are slightly less vacant properties in that area it is because a lot has been bought up the Council-affiliated housing association and is housing asylum seekers and immigrants who would live anywhere and licensing is irrelevant to that. - Selective landlord licensing hits owner occupiers because it depresses their home values as potential landlords (the biggest portion of the market in such areas) won't buy there except at the very lowest prices as they can easily buy in similar areas such as Nelson and Bacup without all the extra costs and bother of landlord licensing. -Landlord licensing is self defeating in reducing vacant homes because the written and more detailed referencing requirements mean tenants, especially those who have to move quickly such as those experiencing family breakup or moving for employment reasons will move elsewhere where they can be accommodated more quickly, leaving licensing areas with the extra vacancy problems. The real answer to the empty homes problem is to get more real, private sector jobs into Burnley. - The boundaries of the licensing scheme are randomly drawn. It is for instance absurd that one side of Dall Street is within the licensing scheme and the other side of the road facing it about five yards is not. Furthermore the streets in the Healey Wood enclave are not at all bad in terms of the neighbourhood, not merely by Burnley standards but even by national standards. What empty homes exist there seem to be caused mainly by the numerous steps one has to climb up to many of the front doors, restricting their scope rather than</p>	<p>There have been notable improvements within the licensing areas over the last five years, and within Burnley Wood with Healey Wood the Council is satisfied that some parts of the designation have improved sufficiently that they should not be included in the proposed designation. 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. Despite these improvements, when compared to other areas of the borough, the Council is satisfied that the proposed areas are still exhibiting signs of low demand. We believe that licensing has proven that it can continue to tackle some of these issues and that a further designation would build on the existing successes.</p> <p>The Council does not accept that licensing depresses house values; house values in the proposed areas were disproportionately low for a number of reasons <b>prior</b> to the introduction of selective licensing. Values have continued to rise in the areas and buyers continue to invest in properties, in many cases providing rental properties for residents who are entitled to homes of a good standard. Licensing ensures that all those investing in the area as landlords continue to meet the required standard. The Council expects that a good landlord looking to invest would consider the cost of the licensing scheme when deciding whether to make an investment, and we welcome those that wish to invest and work with us to improve the areas.</p> <p>The Selective Licensing team offer a free referencing service to landlords whereby 100% of reference requests received are responded to within 48 hours, the majority within 24 hours. Furthermore, the Council believes that effective referencing is</p>
----------	--------	----------	---	---

			<p>because of faults with the neighbourhood and of course licensing would even potentially do nothing to solve such physical access problems.</p>	<p>good practice across the sector and would not expect good landlords and agents to grant tenancies without first taking references, whatever the circumstances of the prospective tenant. Tenant referencing is a key part of preventing ASB, and the Council does not accept that it contributes to high levels of vacant properties. Selective licensing aims to improve a number of indicators of low demand, not just vacant properties. Ensuring that the borough has a good housing offer, including well managed, safe and secure private rented homes is a key part of the Council's wider Housing Strategy. This in turn supports the Council's aims to encourage investment in Burnley.</p> <p>The Council is not aware of any correlation between vacant properties and access issues at said properties.</p> <p>The boundaries of the Selective Licensing areas are determined by statistics including house prices, vacant properties, number of private rented properties, ASB etc. A detailed assessment of the area was completed, the evidence of which can be found in the Statement of Case. The boundaries are based on data showing areas of low demand and the Council is satisfied that the boundaries include properties where licensing would be most effective.</p>
24/10/21	Online	Agent	The scheme hasn't worked so far why should it be continued.	Some key statistics such as house prices and number of vacant properties has improved in the area, however, we understand there is still more work to do, hence why we are proposing to renew the area by taking some streets out and adding some streets in.
24/10/21	Online	Private Tenant	Please keep the selective licensing as it works and keeps landlords in check. Various landlords have been trying to influence this process asking people to vote against its renewal. This cannot be allowed to happen.	Thank you for your comments.

24/10/21	Post	Landlord	<p>We have collected a petition, copies of which are being sent to group leaders, signed by 439 people overwhelmingly living within the proposed selective private landlord licensing areas due to expire on 15th November this year which Burnley Council officers are (subject to government acquiescence) consulting on relicensing next year (after a gap) in Burnley Wood and Leyland Road.</p> <p>We found that the vast majority of people thought landlord licensing has done nothing effective to improve the area over the last 5 years and most think that it is much more important to attract new jobs into Burnley and Burnley Council's efforts should be directed at that.</p> <p>The number of signatures with over 100 from each of the three affected wards (Rosehill with Burnley Wood, Trinity and Bank Hall) is very substantial considering the majority of the people were either out or not answering the door when called upon.</p> <p>Landlord licensing is not without adverse consequences. It harms home values because of</p>	<p>Please see section 15.7 of the Statement of Case document for details of how the petition is being dealt with.</p> <p>There have been notable improvements within the licensing areas over the last five years, and within Burnley Wood with Healey Wood the Council is satisfied that some parts of the designation have improved sufficiently that they should not be included in the proposed designation. 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.</p> <p>Despite these improvements, when compared to other areas of the borough, the Council is satisfied that the proposed areas are still exhibiting signs of low demand.</p> <p>The Council does not believe that ensuring landlords and agents are providing good quality rented accommodation, and investment in jobs in Burnley are mutually exclusive. In fact, the provision of a high quality and varied housing offer is essential in supporting growth in Burnley, by ensuring it is a place people wish to live as well as work. That's why selective licensing plays an important part in the Council's wider Housing Strategy.</p> <p>There is no evidence that licensing harms house values, in fact values in Burnley Wood with Healey Wood have gone up over the last five years. Landlords continue to purchase in the area, and</p>
----------	------	----------	--	--



course landlords would rather buy in nearby non-licensing areas (such as Pendle or Rossendale) without licensing fees and bureaucratic bother, thus reducing demand and thereby home values in licensing areas.

Furthermore, as there are delays (such as having to get written rather than telephone references) in licensing areas, tenants who need to move quickly (e.g. domestic breakups or new jobs) are likely to go elsewhere which results in more empty houses in licensing areas, defeating the object of the exercise.

the Council expects that any costs associated with buying within a licensing scheme area are part of the business decision on whether to invest. We continue to welcome investment from good landlords who are able to meet the standard we set.

The Selective Licensing team offer a free referencing service to landlords whereby 100% of reference requests received are responded to within 48 hours, the majority within 24 hours. Furthermore, the Council believes that effective referencing is good practice across the sector and would not expect good landlords and agents to grant tenancies without first taking references, whatever the circumstances of the prospective tenant. Tenant referencing is a key part of preventing ASB, and the Council does not accept that it contributes to high levels of vacant properties. Furthermore, licensing is about more than reducing empty properties, it is about ensuring that properties are well managed. This includes preventing and dealing with ASB; referencing plays a big part in this.

Licensing is part of the Council's wider housing strategy, which also includes work by the Empty Homes Team. For example, on Grange Street, three properties have been purchased and renovated with Empty Homes Loans in the last 2 years. The average value of their renovated properties is now £55,000 each. A further two vacant properties on this street have been purchased and work has commenced on the structural defects which they are financing independently, and they are likely to utilise the Empty Homes Loan to complete the internal renovation.

The Council is satisfied that the consultation has been run appropriately in line with the relevant statutory guidance.

We have noticed that the main part of the council's consultation process, the internet survey is completely flawed as there is no tracking of who responded to the survey or how many times. Anybody with a vested or ideological interest could claim, albeit falsely and multiple times to be a resident or landlord in the area. This makes the 'consultation' inherently flawed and practically worthless.

We hope you will therefore oppose the proposed relicensing of these areas and look to filling empty homes in Burnley by bringing more jobs into Burnley.

In any event we intend to write to all those who signed the petition to inform them about what Burnley's elected representatives and political parties are doing to support or otherwise their views. Finally, the organisers of this petition would very much like to meet with you personally.

## Leyland Road Consultation Transcript

Date	Method	Interest	Comment	Response
9/8/21	Email	Landlord	Good afternoon As my property is at Burnley, so is this survey still applicable to me. I will appreciate your advice Kind regards Many thanks	Yes, we are looking to renew the Leyland Road designation which will include your property. Further information on the new designation boundary and street list can be found on our website: <a href="#">Selective Licensing Consultation 2021   Burnley Borough Council</a>
9/8/21	Online	Landlord	No, it should not be implemented	Thank you for your response
9/8/21	Online	Landlord	I am unconvinced of the benefits of the licensing scheme	Selective licensing aims to reduce ASB (Anti Social Behaviour), increase the standard of properties, ensure landlords are operating within the law and up to standard, ensure tenants are acting within their tenancy agreements and to keep the area clean and tidy.
9/8/21	Online	Landlord	The scheme is a complete waste of money. It is wildly expensive unnecessarily so and the council do not tell the truth about this and how late Ng fees will last. The council discriminate against landlords coming later into the scheme, the fees should be pro rata	The fees are clearly stated on our website and fee structure. The council do not discriminate against anyone, the fees are the same for every landlord and the discounts are available to every landlord.
9/8/21	Online	Landlord	Not necessary.	Thank you for your response
9/8/21	Online	Landlord	I believe the license should only apply to those landlords with two or more properties...i don't believe it is fair that a single house owner should be subject to the license. It is a business for Multiple property landlords, whereas for a single house owner like myself it is not, and then having to pay so much for the cost of the license and everything that goes with it is too much.	It only takes one bad landlord or tenant on a street to bring that street down, so we licence every landlord no matter how many properties they have as they have to follow the same laws as landlords with multiple properties.
9/8/21	Online	Landlord	Please stop the selective licensing scheme.	Thank you for your response
9/8/21	Online	Home Owner	This area across from where I live is a disgrace. Crime of every kind possible. No one other than criminals would live there. I'm glad the council has seen some positive results from selective licensing. Crime has been allowed to flourish in this area for decades, the perpetrators	We will respond to all reports of crime on a multi-agency basis with the Police. Selective Licensing's aim is to prevent criminals living in these areas.

			don't even bother to hide it. The best solution would be compulsory purchase and demolition. It is a cesspit.	
9/8/21	Online	Private Tenant	Vital that you carry on with this scheme there are still landlords in this area who aren't meeting their tenants needs.	Thank you for your response
9/8/21	Online	Landlord	It is not a properly thought-out scheme as the regulations lean one way only there is hardly any benefit for the landlord who pays so much	Selective licensing aims to reduce ASB, increase the standard of properties, ensure landlords are operating within the law and up to standard, ensure tenants are acting within their tenancy agreements and to keep the area clean and tidy. All of this will benefit good landlords.
9/8/21	Online	Landlord	Yes	Thank you for your response
9/8/21	Online	Landlord	I only have 1 property in this area and have had the same tenants for 12 years. This scheme is of absolutely no benefit to me or my tenants, just an additional cost and bureaucracy. It impacts disproportionately on landlords like myself. Judging from the state of some of the terraced houses in the area I don't think it's been successful in achieving your aims to improve the area either.	The Selective Licensing team will be here for you or your tenant if you ever do need us. We have made some improvements but acknowledge there is still work to be done hence we are looking to renew the designation.
9/8/21	Online	Landlord	An further extension of this scheme is not necessary.	Thank you for your response
9/8/21	Online	Landlord	The area has benefitted from selective licensing. However, please consider reducing the fees. Also, please simplify/combine the application process for a person licensing for multiple properties. Moreover, a single applicant applying for multiple properties should be given a discount.	The fees are standard across all of the selective licensing areas, as are the discounts that are available. Once you create an account and submit your first application, the online system auto populates some of the fields in the further application forms to make it quicker and easier for you. A single applicant applying for multiple properties does get a discount.
9/8/21	Online	Landlord	Just a tax on landlords	Thank you for your response
10/8/21	Email	Landlord	<b>Sent:</b> 10 August 2021 15:24 <b>To:</b> Landlords < <a href="mailto:landlords@burnley.gov.uk">landlords@burnley.gov.uk</a> > <b>Subject:</b> RE: Selective Licensing Consultation in Leyland Road Dear Sir / Madam Firstly, I would like to request that going forward you use this email to contact me.	Thank you for your email. I will update our records with your new email address. The standard fee for a Selective Licence is £715, however, there are several discounts available:

I sincerely hope that this proposal does not come into force. If I read correctly you intend to charge in the region of £700 to 'license' my 1 property. This figure represents 2 months' rent excluding letting agent fees and communal charges. My property is professionally managed, and any work required is completed promptly. Please use your powers of enforcement to pursue bad landlords, do not penalise the ones who are already doing things correctly.  
Best regards

Thank you for your reply.  
As I have not been licensed before, I would not qualify for this discount. Please explain the discount that would be applied if I were a member of the GLAS. This is a long-winded and information rich form, I want to be sure it is worthwhile before I commit my time to it.  
I appreciate your comment about pursuing bad landlords, I object to financing it further than I do already. The council tax on this small flat is (I believe) £100 per month, I pay service fees to the management company of a similar amount. Frankly XXX, I and my tenant pay enough to ensure the comfort of my tenant.  
Best regard

- If you have been licenced before;
- If you are a member of our Good Landlords and Agents Scheme (GLAS) [Contact details and application forms | Burnley Borough Council](#);
- If you apply early (you will be notified of when to apply and deadline for discount).

Selective Licensing provides us with more enforcement powers to “pursue bad landlords” to ensure that all landlords are operating to our standards.

If you are a member of GLAS you qualify for a 30% discount on your Selective Licence fee, so the fee would be £500.50. However, if you apply within the early bird discount period, you will qualify for an extra £100 discount, thus total fee could be £400.50 which is split into two separate payments. Application fee would be £138 and licence fee would be £262.50. The application fee is due when you make the application, and the licence fee is due when your licence is granted. You also have the option to pay these fees by direct debit over 24 months. I hope this is clear?  
You can find more information on our fee structure on our website: [Selective Licensing Consultation 2021 | Burnley Borough Council](#)

10/8/21	Online	Landlord	I have owned property in this area for over 40 years and have not seen any improvement since licensing was introduced.	Selective licensing aims to reduce ASB, increase the standard of properties, ensure landlords are operating within the law and up to standard, ensure tenants are acting within their tenancy agreements and to keep the area clean and tidy. All of this will benefit good landlords. We acknowledge there is still work to be done hence we are looking to renew the designation.
10/8/21	Online	Agent	Selective licence is a positive force within the area, as an agency we welcome renewal of licenses areas across the town.	Thank you for your response.
10/8/21	Online	Private Tenant	I don't have	Thank you for your response.
10/8/21	Online	Landlord	I am a responsible Landlord who pays a letting agency to manage my property which is kept in good order. Any work required is completed promptly. I have 1 property which is currently let. The proposal seems to suggest that taking 2 months' rent from me (before letting agents fees), will make the situation in the area better. I would like to see more enforcement action. Make the bad landlords pay, not all landlords	In the Leyland Road area, we have issued two civil penalty fines for landlords over the past 18 months and regularly enforce property improvements upon landlords with our Enforcement team. We cannot discriminate between landlords as to who is a 'good' landlord and who is a 'bad' landlord. All landlords have to pay the fees, it will just be the 'bad' landlords that get the fines for not adhering to the conditions.
10/8/21	Online	Agent	This scheme tends to discourage good landlords from renting in the area as it serves as a further tax. If the scheme does proceed, please can you provide clarity in the conditions with regards if a PAT test is the appropriate way to confirm appliances are safe. Also, what is deemed to be a "Satisfactory" reference, re the inventory for each occupant, how would this work for a tenancy swap? Charging for references to landlords or agents is fairly standard does the council have the power to make this a prohibited payment?	As per the current legislation, every property must have an in-date, satisfactory Electrical Installation Condition Report and gas certificate which will confirm that all appliances are safe. A satisfactory reference would be obtaining a copy of the proposed tenants ID (right to live in the UK), then two written references from their current and previous landlords. You can also use the Council's referencing service. You would take an inventory at the start of every tenancy. The

				Council offer a tenant referencing service for free.
10/8/21	Online	Landlord	The selective licensing- whilst noble in cause and aims has not worked. House prices and employment levels have not risen at even an inflationary rate in these areas. It has made investing in the area become overly cautious at a time when active investment in Burnley should be encouraged. Investment growth leading to increased jobs, increased awareness and greater growth. The funds and resources could be better utilised focussing on employment and health	Thank you for your comments.
10/8/21	Online	Landlord	I am a landlord, but property managed. Think things have improved with selective licensing, also the Council's input.	Thank you for your comments.
10/8/21	Online	Landlord	The property I rent out is of good standard and I believe this selective licensing scheme is additional cost and pressure which is unnecessary so I'm not in favour of continuing this and expanding to different areas	Thank you for your comments.
10/8/21	Online	Landlord	I feel the selective licensing scheme is no longer appropriate for the area.	Thank you for your comments.
10/8/21	Online	Landlord	I think the area has definitely improved. The rent in the area already low and paying a fee to the council isn't a good idea	Thank you for your comments.
10/8/21	Post	Home Owner	SL is a very good organisation. They ensure that properties are at a good standard for tenants and will tackle ASB issues and disrepairs effectively. Landlords and letting agencies have to meet a certain standards to ensure tenants are able to live in a home that is fit for purpose.	Thank you for your comments.
11/8/21	Post	Home Owner	My suffering has no end. i would rather have properties boarded up, at least then the dregs and drug addicts of burnley wouldn't be living next door to normal civilised people. All the council are doing is encouraging businesses to flood the area I live in. What is the point of having meetings? A TOTAL WASTE OF TIME How about giving me a c/tax reduction for living amongst the dregs of society?	Selective licensing aims to reduce ASB, increase the standard of properties, ensure landlords are operating within the law and up to standard, ensure tenants are acting within their tenancy agreements and to keep the area clean and tidy. One of the main things we do is ensure landlords perform the correct reference checks before letting out their properties. One of the main things that assists us to improve the area is reports

				from residents as if we don't know about an issue, we cannot deal with it.
11/8/21	Post	Home Owner	I agree they need licensing in this area because of run down properties, bad landlords, dirty tenants. Also, Anti-social behaviour and empty properties so near to the centre . Has never had any improvement in living memory.	Thank you for your comments.
11/8/21	Online	Landlord	It is almost impossible to obtain a rented property in the proposed areas. It is therefore suprising the council feels demand is low	Low demand in the area is just one aspect that the Council looks at when deciding whether to introduce Selective Licensing or not. Once this consultation period is over the Council's statement including your response will be submitted to central government to accept or reject Selective Licensing in the Leyland Road area.
11/8/21	Phone	Landlord	<p>Bought the property a year ago, moved out because of personal circumstances and then in May rented the property out to close friends.</p> <p>Was asking about who the scheme benefits.</p> <p>Aked if in terms of ASB, is it not already a requirement as it is in his tenancy agreement.</p> <p>Was asking questions about when it would come in.</p> <p>Asked about what would be needed for the app: GSC (Gas Safe Certificate), EICR (Electrical Installation Condition Reports), ASB procedure, RRP, DBS etc.</p> <p>Asked about fees.</p>	<p>I explained that it benefits all:</p> <p>It provides support for landlords and ensures that they know they are following the correct legislation and help from the team with regards to tenant advice.</p> <p>It provides supports for tenants as the landlords need to ensure they are following legislation, meeting our minimum requirements and being dealt with fairly in terms of property standards and management.</p> <p>It is good for other residents in terms of dealing with ASB, DBY and other problems in the area.</p> <p>I pointed them towards the Burnley website to make a more informed decision where they could see results of our areas, the</p>



				<p>number of ASB reports, DBY reports and increases with house prices.</p> <p>I explained that although ASB is a condition of TA's, it is not in every landlords TA and so would not always be dealt with as a breach of condition. Explained we are in consultation at minute, until October. We will then decide based on our findings and data from consultation.</p> <p>Explained full fee, the discounts.</p> <p>I explained about GLAS and what their requirements were.</p> <p>I explained that we could do proactive inspections to check properties up to scratch.</p>
Page 181 8/21	Post	Home Owner	Something needs doing so yes! Go for it Alternatively, do what you did with Burnley Wood	Thank you for your response.
11/8/21 181	Online	Landlord	Landlord are being tarred with the same brush. Some tenants do not deserve a nice house. They have no idea how to keep it from looking like it belongs to a homeless person raised by wolves!	All landlords have a responsibility to ensure their properties are kept to a safe habitable standard regardless of the tenant. All landlords also have a responsibility to perform correct referencing before letting their properties to tenants, monitoring their properties and tenancies and acting upon breaches of the conditions of those tenancies.
12/8/21	Online	Landlord	This is a waste time nothing has ever been achieved by this ridiculously expensive schemes except landlords paying for the council to create jobs	Thank you for your response.

13/8/21	Phone	Landlord	Is renting the property through an agent and is not happy with having the area redesignated and said that it was a money-making scheme for the Council. Commented that previously the wheelie bin had gone missing and that they had all proof of someone taking it and nothing was done about it and that they have voluntarily cleared the streets (litter picking) and thinks licensing will not achieve anything.	The final decision will be made by the secretary of state and not the Council if it goes that far. Fees are not a valid objection. SL improves property conditions
13/8/21	Post	Home Owner	I think it is a good idea as the selective licensing does seem to improve the tenants we have in this area although the amount of fly tipping on the back streets does not seem to have improved and it is mostly from the rented houses. We do still occasionally have issues with anti-social behaviour.	Thank you for your response. Fly tipping on the back streets is one area the Selective Licensing targets, but is difficult to resolve because of lack of evidence as to who the culprits are. The Council are aware of the problem and doing their best to tackle the issue.
16/8/21	Online	Landlord	Worthless	Thank you for your response.
16/8/21	Online	Landlord	Selective licensing for landlords /agents help to raise the standards of rented properties	Thank you for your response.
16/8/21	Post	Home Owner	We need cleaner back streets. more traffic wardens, single and double yellow lines where needed to stop drivers disrupting others. To many drivers using Straight Mile Court for dangerous parking. Back st back gates on all Leyland Rd area. Big drug problem and alcohol abuse. Fly tipping problem. Cars racing up and down Leyland rd.	Selective licensing aims to reduce ASB, increase the standard of properties, ensure landlords are operating within the law and up to standard, ensure tenants are acting within their tenancy agreements and to keep the area clean and tidy.
16/8/21	Online	Landlord	Complete waste of time. In all the areas where selective licensing has been introduced it has not made any improvement to the locations what so ever. Just costs extra money to keep council staff in jobs!	Thank you for your response.
17/8/21	Post	Home Owner	To many houses left in disrepair and untidy tenants needs sorting out	Thank you for your response.
17/8/21	Online	Private Tenant	I have lived in the area for 8 years now. I was here prior to the licensing. No visible benefit to me. My rent increases each year as I have to foot the bill that my landlady pays you guys. She's	If your landlady decides to sell her property, she has the option to sell it with you still

			very good to us but with an additional tax to yourselves she can't afford. She asked us to leave when it first came around as she was considering selling up. We pleaded with her as we liked the area and said we would increase the rent slightly. I worry that another scheme will force her to sell and us lose our home.	living there. Otherwise, she will have to issue you with a Section 21 notice.
18/8/21	Post	Home Owner	I am a long-term home owner in this area. Before the current licensing I had terrible problems with private tenants living close to me, noise, house next door used as a rubbish dump. I am still having problems with the private tenants next door but at least these problems can be addressed faster under the scheme. I want the selective licensing to continue.	Thank you for your response.
20/8/21	Post	Home Owner	The objectives of selective licensing are good. We have had bad landlords/agents and bad tenant for years. Some tenants are trouble makers and fly tippers. These people have no intention of working and are on state benefits. They have no respect or consideration for other people in the area. The Police and Council do their best, but very few of these tenants or landlords are penalized. If bad tenants were evicted and good tenants moved into the area life would be easier for everyone. vet the landlords and the tenants. Good luck with your efforts.	The Council have issued multiple fines to landlords and tenants and assisted landlords in evicting bad tenants for various reasons over the past five years of the current designation. The Selective Licensing team also ensure that landlords complete the correct referencing before letting their properties to tenants. All landlords of private rented properties must obtain a licence to be able to rent their properties, as part of the application process, the landlords must pass the Council's `Fit and Proper` criteria to show they can manage their properties correctly.
20/8/21	Post	Landlord	No benefit was seen by myself or my tenants. The only thing that happened was it cost me a small fortune and me tenant's rent increased, lose lose. We both noticed undesirables coming and going as before. Scheme needs binning once and for all.	Thank you for your response.

20/8/21	Online	Landlord	Over the years the standard of tenants has not improved with the scheme. There are still many short term tenancies with tenants leaving behind a mess. The scheme in my eyes is a waste of money and time.	Thank you for your response.
20/8/21	Online	Landlord	<p>Selective licensing was initially for period of 5 years in which the time is lapsed. How can further justification be made if it has served its purpose. Otherwise, this is becoming a landlord tax in which the tenants will need to pay the shortfall. Further to this, in your analysis statements have been made regarding less empty houses, house prices going up how do these figures compare to non-selective areas. The figures used have other circumstances in place such as immigration and local jobs, for example BOO HOO. I also pose the question that if houses are up to standard, then why would a renewal take place. Please also give examples of other areas in which selective licensing is being renewed other than the Burnley area. As a good landlord I have had no benefit to myself in terms of being a good landlord other than the cost of the tax being reduced. We were promised open skips please can I have the dates for these skips in the last 5 years. Personal owned properties have not improved and no does the council have any powers regarding these. I am aware of few properties in poor state of repair but are not being rented out. Rubbish I certain parts of Leyland road and belveredere road have been overlooked. Also, a transparency of total costs needs to be made public regarding admin costs total revenue, staff wages, please note funds gained from landlords must be put back onto the area, I have not seen any contribution from the council other than the norm in all areas. Under landlords we still do not have access to poor tenant information so re rental is a possibility. Rental has increased in the area this is due to high demand of housing all in Burnley thus has led to higher rental.</p>	<p>We understand that there is still work to be done in the Leyland Road area including improving the standard of private rented properties. Selective Licensing is a national scheme which local Councils can apply to the central government to implement and renew. Selective Licensing will benefit good landlords by levelling the playing field so that there are only good landlords in the area. We offer discounts to landlords with multiple properties and those that are members of our Good Landlords and Agents scheme. Open skips were not a Selective Licensing initiative. Selective Licensing only has the power to enforce private rented properties. We are aware of the issues regarding the back streets and are doing everything we can to tackle this issue. Our fee structure is available on our website and any other information may be available through an FOI request. All funds raised from Selective Licensing are used to improve the areas including court fees, legal costs, back-alley gates, clearing back streets etc. The Council offer a free referencing service that landlords can utilise to avoid re-</p>

			Please can you also give me information on the control area in which you have completed your comparisons. Along with other issues how closely are tenancy agencies being monitored regarding upkeep of properties and what are the views of the landlords who have put their trust in these agencies. I understand that these are a few points to consider, and I look forward to hearing how you intend to improve the Burnley areas which the local council feel are poor areas, and the best solution is to tax all landlords but still have no improvements in the area. I feel stating higher house prices, and less empty properties if a misleading statement and I expect clarification on this. I have also been monitoring other areas within Burnley in which the properties have increased in price and properties have sold within a week, these areas have no empty properties I'm assuming the council must have played a part in these areas as well please feel free to elaborate on this.	renting to bad tenants. We do not compare area to area, we just look at the evidence in a particular area, present this to the central government and they will decide if Selective Licensing is required or not. Landlords and Managing Agents are held to the same standards by the Selective Licensing team if they are the person in control of a property. The Council aims to continue to improve this area by ensuring landlords maintain their properties to the required standard and tenants adhere to their tenancy agreements, keeping the area safe, clean and tidy. The Councils Empty Homes team have worked to bring many properties back into use and the figures for house sales have increased compared to 2016.
24/8/21	Online	Landlord	Selective Licensing is definitely useful and shall be continued	Thank you for your response.
24/8/21	Online	Landlord	Selective licensing has positives and needs to continue	Thank you for your response.
25/8/21	Post	Home Owner	Council cannot prove where the selective licensing money goes, what do they spend the money on? I can't see any improvement in the area, still the same to me, fly tipping still there.	All funds raised from Selective Licensing are used to improve the areas including court fees, legal costs, back-alley gates, clearing back streets etc.
25/8/21	Post	Home Owner	Too many cats that have fleas, dogs barking and fighting. Rubbish in the backyards leaving bad smells and rats everywhere.	Thank you for your response. Selective Licensing aims to improve the backyards.
25/8/21	Post	Home Owner	There are cars just left with smashed windows and cars always being broken into. Burglaries happening all the time	Thank you for your response. The Selective Licensing team works closely with the Police to tackle these issues.
25/8/21	Post	Home Owner	too many doors smashed in the area, doors have been put through too.	Thank you for your response. Selective Licensing aims to improve the standard of properties.

25/8/21	Post	Home Owner	There are too many people taking drugs and leaving needles.	Thank you for your response. The Selective Licensing team works closely with the Police to tackle these issues.
25/8/21	Post	Home Owner	The Streets have dog litter all the time. There are people always fighting and arguing, causing anti-social behaviour.	Thank you for your response. The Selective Licensing team works closely with the Police to tackle these issues.
25/8/21	Post	Home Owner	Too many rats and rubbish always on backstreets	Thank you for your response. Selective Licensing aims to improve the back streets.
29/8/21	Online	Landlord	This scheme is a waste of time and is unnecessary expense for me as a landlord as I am one of the landlords who maintain their property to a high level and ensure current regulations and code is adhered to	Thank you for your response.
31/8/21	Phone	Landlord	<p>Feels they were not given the appropriate information at the time of making initial applications. Did not know that they would be charged the full application fee as they joined the scheme halfway through. Thinks it was unfair that they had to pay for the full designation. Feels financially out of pocket. Could not find any information at the time on our website or in our information packs about this.</p> <p>The Council are seeking to renew, they also were not aware that the Council could do this. Feels this is not fair having to pay again for the licence fees.</p> <p>Feels discriminated against as they joined halfway through the designation. At the time we advertised for an online discount for applying online. When doing their application, this was not an option because of the Council's system failing. The Council then removed the discount. Would've been happy to fill the form in online and so it is not fair that they were not eligible for this discount.</p> <p>Burnley Council's licensing fees are much higher than elsewhere.</p>	I tried to address their concerns and respond but they said that they had already heard what I was saying

1/9/21	Online	Private Tenant	It has not made any difference apart from the rear alley gates being put in, but they have nothing to do with the licensing	Thank you for your response.
1/9/21	Online	Private Tenant	Still the same nothing has changed what has the money made from landlords been spent on? Concentrate on the drugs and the area would be a much better place	All funds raised from Selective Licensing are used to improve the areas including court fees, legal costs, back-alley gates, clearing back streets etc. The Selective Licensing team work closely with the Police to tackle the drugs issues.
1/9/21	Online	Private Tenant	I have not seen any change in the area in the last 5 by years from this licensing by tackling the drugs and alcohol misuse in the area which causes fighting and shouting all weekends please tackle this problem as it gets worse, I will have no option to sell my house and leave	The Selective Licensing team work closely with the Police to tackle the drugs and alcohol issues.
1/9/21	Online	Private Tenant	5 years on please show me what has actually been improved in the area apart from false statisticks	A lot of what the Selective Licensing team do is not visible, such things as ensuring potential new landlords understand what their responsibilities are and ensuring landlords perform their reference checks correctly to avoid renting to bad tenants.
6/9/21	Email	Landlord	Good Morning Can you give me any update on the consultation? How would I join the GLAS? Best regards	The consultation is ongoing until 24 <sup>th</sup> October. We are holding a consultation drop in afternoon at Burnley Cricket Club on Wednesday if you would like to drop in and have a chat. We will be there between 2pm and 6:30pm. To make an application to join GLAS, please follow this link <a href="#">Contact details and application forms   Burnley Borough Council</a>
7/9/21	Post	Landlord	We thank you for your letters dated 9th August 2021. You state in this letter that you are seeking our thoughts regarding the	<b><u>RE: Selective Licensing Consultation</u></b> Thank you for your letter responding to our consultation on renewing the Burnley Wood with Healey Wood and Leyland Road

continued proposal of selective licensing and to put it quite mildly our thoughts are not good.

We own three properties in licensed areas and for the last five years we have not heard a word by email, telephone or letter (except for these ones dated 9<sup>th</sup> August) from you and you really wants us to tell you, our thoughts!

My own initial thought was “what have you done with our money?” On the surface of it – it appears like other boroughs in the country that have this licensing scheme – nothing – and it has proved just an easy way of raising money from Landlords that are already doing their very best to provide decent properties and fair rents.

After all, when everything is said and done our Agent complies with the Laws around new and old term tenants – having to show numerous certificates just prior to their occupation so if all of these requirements are stated by Law and, of course, carried out what do you do? You do not even view the streets where your licensed properties are to ensure that the alleyways, roads and pavements are kept tidy and free from refuse so we as Landlords do not even get that service done well.

You allow properties to be boarded up and are, no doubt, broken into and vandalised. We are not too sure, but we presume that these properties are not paying Council Tax therefore not raising money for the Council’s use but are being allowed to be an eyesore for the remaining occupants of these streets and encouraging further degradation. Or compulsory purchase them, refurbish and then you rent them out.

So, before I enclose this letter, I would like you to note the following that at a meeting of Brentwood Borough Council held of 17<sup>th</sup> January 2018 it was stated by a Senior Member of that Council that

Selective Licensing designations. Your comments will be included in our submission to the Secretary of State. In response to your comments, you have a managing agent managing your property, so any issues, we would contact your managing agent as a first point of call, we would only then contact yourselves if any issues were not being dealt with. I appreciate the lack of communication may seem like we are not supporting you, but we are here if you do need anything from us and we spend our time contacting landlords and managing agents who may not be operating to our standards. The money raised from Selective Licensing goes towards the Selective Licensing scheme and improving the Selective Licensing areas, for example, property inspections, back yard audits, back street alley gates, court fees, landlord training etc. The Council do not use the money in any other areas.

It is fantastic to hear that you have had a good experience with your managing agent, however, unfortunately, even though everything you are stating is correct and required by law, some landlords and managing agents do not abide by these regulations. Therefore, in Selective Licensing areas, we are here to govern this and ensure that all landlords and managing agents are working within the law and if they are not, we fine them or prevent them from renting properties in Selective Licensing areas. This means that we will only have good landlords and managing



“Brentwood had taken a look and other local councils i.e., Barking and Dagenham with regard to introducing Landlords Licensing in the Brentwood and Basildon areas and after due consideration to these details and reports Brentwood Council had decided that it benefited neither the tenant nor the landlord and would, therefore, not be implemented”.  
So, there are some councils with sense.  
So, we have had our say but we do, of course, realise you will go ahead with this scheme as “money for very old rope” will be your motto and once again the Landlord will have to pay.

agents operating in Selective Licensing areas, making it a more even playing field for you.  
We regularly check the streets and perform regular backyard/street audits. We then work together with other departments in the Council to clear these back yards/streets, issue fines to repeat offenders and assist landlords to evict tenants who continue to breach their tenancy agreement conditions.  
During this period, we have also successfully combated anti-social behaviour surrounding your properties in the Burnley Wood area, through the enforcement of landlords and agents to act against the unruly tenants. This was a targeted approach through information we received from residents of the area. Because of us liaising with tenants and managing agents / Landlords’ successful evictions have taken place, meaning your tenants do not have to live with anti-social behaviour surrounding their homes.  
We also work closely with our Empty Homes team who target vacant properties to liaise with the owners to attempt to bring them back into use and if this is not possible with the owner’s support, we do compulsory purchase and refurbish them.  
This is why we are doing this consultation to get landlords, managing agents, tenants, local businesses and residents’ views on the scheme, of which we have had responses detailing the positive benefits they have seen.

				We will submit all our evidence including your comments to the Secretary of State who will make the decision as to whether the designations get renewed. If the designation is to be renewed, you will be contacted with all the details.
8/9/21	Post	Home Owner	Anything to improve the area as it is a disgrace. Good luck trying to make landlords adhere to the proposal as most couldn't care less as long as they rake in the housing benefits!	Thank you for your response.
8/9/21	Face to Face	Home Owner	The back streets and yards are getting worse and have been for 20 years.	We work together with Street Scene to clear back yards and streets. I perform regular backyard and street audits as you have seen, we issue fines to tenants who do not clear their yards and are evicting repeat offenders.
8/9/21	Face to Face	Landlord	The back street alley gates keep getting left open for people to fly tip on the back streets.	It is frustrating that we put the gates up to help people like you, but if the residents in the area do not use them properly, they are a waste of time and money.
13/9/21	Online	Home Owner	Should be licensed	Thank you for your response.
13/9/21	Online	Home Owner	Dirty tenants. Rife with drugs. Run down area even the estate across Holcombe. It's about time calico cleaned up there things need doing no fair on people who choose to live in this area and own there house	Thank you for your response. Holcombe is not included in the suggested Selective Licensing designation and Calico properties are not governed by Selective Licensing.
14/9/21	Online	Landlord	When will the selective license end	November 2021, however, the Council are looking to renew the designation and if it does get renewed it will end in 2027.
15/9/21	Online	Landlord	The rents will rise again due to costs involved. The rental market is already at breaking point. No real benefit seen other than on paper. I have spoken to tenants, other landlords and home owners in the area and mostly agree that no benefit has been seen. The number of selective licensing schemes that have been	A lot of what the Selective Licensing team do is not visible, such things as ensuring potential new landlords understand what their responsibilities are and ensuring

			rolled up due to no benefit or negative results speak for itself. Why does it cost 3 times as much for a licence in Burnley than it does in London.	landlords perform their reference checks correctly to avoid renting to bad tenants.
17/9/21	Online	Home Owner	What does selective licensing mean to the home owner? More levy's or less. What about the tenant or landlord?	It means that your neighbours who rent private properties are monitored so that they do not cause and problems for you.
17/9/21	Online	Home Owner	The amount of drug users and drunks, empty houses and rubbish about makes this area disgusting and the people that walk through the Holcombe Drive estate does not help.	Thank you for your response. Selective Licensing aims to work with the Police to tackle drug issues. We also work hard to keep the back streets and yards clear of rubbish. The Council's Empty Homes team work hard to bring empty properties back in to use. Holcombe Drive is not being considered to be included in this designation.
19/9/21	Online	Landlord	I think the selective license should come to an end, it has been good for the area but does not need to continue as many landlords have learned a lot from this	Thank you for your comments.
24/9/21	Email	Councillor	I frequently speak to the residents. It is clear that Selective licensing must remain, there are far too many landlords who neglect the maintenance of their properties to the detriment of their tenants.	Thank you for your comments.
27/9/21	Online	Landlord	I do not think we need to renew licensing in this area and the support we get from council is not good, so we are paying a fee for a service that we do not get.	Thank you for your comments.
27/9/21	Online	Landlord	Personal think it's waste of time and these fees are unnecessary for landlords	Thank you for your comments.
27/9/21	Online	Landlord	I have gained absolute nothing, only an additional bill with the selective license	Thank you for your comments.
27/9/21	Online	Managing Agent	If it is done well and you are strict on bad landlords and bad tenants to improve the area and make it more desirable and increase demands for both rental and property sales, then I am all for it. If you are just	Selective Licensing aims to improve the standard of landlords in the area, monitor tenants in the area, increase the desirability to live in the area and bring vacant

			looking to take money from landlords and create jobs but not actually make a difference to the area, then I am against it.	properties back into use. The Council do not make any profit from Selective Licensing.
27/9/21	Online	Landlord	I think it's a selective idea	Thank you for your comments.
27/9/21	Online	Landlord	I think the licence is a good idea	Thank you for your comments.
27/9/21	Online	Managing Agent	Agents and landlords, these days are doing thorough reference checks themselves anyways in order to keep long term tenants in the property. It is a Benefit for all parties including community and council that good tenants are put into the properties. Selective licensing is not needed in order to do this	Selective Licensing regulates this, without Selective Licensing, there would be no-one to monitor what references landlords are doing and who is moving into the area.
27/9/21	Online	Landlord	Not needed	Thank you for your comments.
27/9/21	Online	Landlord	Hopefully improve the area	Thank you for your comments.
27/9/21	Online	Landlord	Renting in low-income areas and in large in UK has become a nightmare, I will be getting out from renting business soon I can manage, tenants don't pay rent, don't leave property, damage and cause a lot of loos and there is no protection from state in fact there is no law in this land to protect you and your property against criminals	The Selective Licensing team is here to help landlords when their tenants do not pay rent, do not leave the property when they should, or cause damage to properties. The law we are proposing to introduce is Selective Licensing, Part 3 of the Housing Act.
27/9/21	Online	Landlord	Selective licensing should be applied to provide a consistent standards for all private lettings.	Thank you for your comments.
27/9/21	Online	Landlord	Should be licensed free now	Thank you for your comments. Our fee structure is available on the Council website.
27/9/21	Online	Landlord	Think it's becoming a money-making scheme as it was only meant to last for a few years when proposed	We understand that there is still work to do in the area, hence it is being proposed to be renewed. The Council do not make any profit from Selective Licensing.
27/9/21	Online	Business	We have seen less properties which are boarded up, however the back streets are constantly full of rubbish. No real action being taken that we can see. If the properties are managed properly by landlords/agents there should be no maintenance issues and all	The Council are aware of the back street issues and work hard to keep the back streets and yards clear of rubbish. A lot of what the Selective Licensing team do is not visible, such things as ensuring potential

			relevant documents e.g., EICR, Gas cert should be in date. should the license be renewed in our opinion the answer is no	new landlords understand what their responsibilities are and ensuring landlords perform their reference checks correctly to avoid renting to bad tenants. Unfortunately, there are still some landlords who need reminding to complete EICR's and gas certs. If Selective Licensing were not in place, there would be no-one to remind them or punish them if they do not.
27/9/21	Online	Landlord	Selective licensing is a waste of time and money. It achieves nothing of any benefit to the community and is another tax on hard pressed landlords.	Thank you for your comments.
27/9/21	Online	Home Owner	I have not seen an improvement. Instead, the area has become worse. The anti-social behaviour from people that rent hasn't improved in fact it's worse. I feel that this scheme is another scheme that takes money from people and add extra restrictions yet doesn't provide.	Because of Selective Licensing, many tenants who cause ASB have been evicted. Though we do understand that there is more work to be done, hence it being proposed to be renewed. A lot of what the Selective Licensing team do is not visible, such things as ensuring potential new landlords understand what their responsibilities are and ensuring landlords perform their reference checks correctly to avoid renting to bad tenants. The Council do not make any profit from Selective Licensing.
27/9/21	Online	Home Owner	I have not seen any improvements with the people that are moving in. I feel there is more crime and more trouble which has been reported to council and police with any benefit.	The Selective Licensing team work closely with the Police to tackle the ASB issues and have evicted many tenants who cause such issues.
27/9/21	Online	Landlord	I think council should not continue selective licensing in Leyland Road area.	Thank you for your comments.

27/9/21	Online	Landlord	<p>My view is that this seems to be an area of high rental demand. There is a new development of properties at the top end of the road, and it seems to be popular. I would be interested to know how much anti-social behaviour there is in the area now and if it is carried out by tenants in private rented properties or elsewhere, or by others from other areas visiting. What measures have already been taken to address any anti-social behaviour? Where is the money being spent? My own view is that the street has improved over the last 10 years with a greater diversity of people staying longer.</p>	<p>One of the main things Selective Licensing looks at before submitting our statement to central government is ASB statistics and there are still high levels of ASB from private rented tenants in the new development which is being proposed to be included in the next designation. The Selective Licensing team work closely with the Police to tackle the ASB issues and have evicted many tenants who cause such issues. All funds raised from Selective Licensing are used to improve the areas including court fees, legal costs, back-alley gates, clearing back streets etc.</p>
28/9/21	Online	Home Owner	<p>The area has degenerated over the years, which has an obvious impact on people wanting to live in the area. As a consequence, you get transient occupants who do not really care about themselves let alone the area and houses they live in, which adds further to the degeneration. So, from what I can see if this scheme encourages a requirement from landlords to look after their property and thus be selective with the tenants they choose this can only be a good thing.</p>	<p>Thank you for your comments.</p>
28/9/21	Online	Landlord	<p>The licensing of Landlords and their tenants help to raise the quality of housing in Burnley by filtering out the bad landlords and tenants.</p>	<p>Thank you for your comments.</p>
28/9/21	Online	Landlord	<p>I disagree with landlord licensing. I pride myself on being a good and fair landlord and have not noticed any benefits from the scheme. I am unhappy with both the expense and the paperwork involved.</p>	<p>Thank you for your comments.</p>
28/9/21	Online	Landlord	<p>Certainly a few problems in this area. It's in our interest to keep it tidy and safe.</p>	<p>Thank you for your comments.</p>
28/9/21	Online	Landlord	<p>I have always maintained my properties in the area and find the license unnecessary. It adds an extra layer of expense. Surely this will force a lot of investors away from the area and contribute to the shortage of rental properties?</p>	<p>Selective Licensing will deter investors who do not want to follow the correct renting procedures and just think they can make a bit of money from renting without actually</p>

				looking after their properties from investing in the area, leaving only good landlords and investors.
29/9/21	Online	Private Tenant	I follow what my agent advises. I have no views on selective licensing	Thank you for your comments.
29/9/21	Online	Managing Agent	As a managing agent we have not found particular larger issues within this are compared to others.	Thank you for your comments.
29/9/21	Post	Home Owner	Fully agree with selective licensing if it means cleaning up of back yards, streets, car park areas but not in agreement with opening up a fifty-bedroom unit on Belvedere Road and will vote accordingly. This area has completely dropped in standard i.e., Lower Ridge has since no longer under council management. Who authorised removal of trees on Belvedere Road? Visitors to town see it as an eyesore on a main road to town, an awful back street.	Thank you for your comments. Selective Licensing is not involved in any decision making towards private developments or removing trees.
30/9/21	Phone	Landlord	I do not agree with Selective Licensing on my street as there are no problems with ASB, properties or the back street. Where does the money go? It is the tenants that cause the problems, not the landlords. What is the next stage of consultation?	Thank you, this conversation will be included in our submission to central government. Your street is included in the boundary as there are ASB cases near to your street and it will be decided by the Secretary of State based on the stats and consultation comments whether to include it or not. A lot of what the Selective Licensing team do is not visible, such as deterring bad landlords from the area, ensuring landlords perform reference checks and assisting landlords when their tenants breach their TA conditions. After the consultation period the Council will submit all evidence to central government, and they will decide to implement Selective Licensing or not.
30/9/21	Online	Landlord	Pros: Safer environment Makes the area an attractive place to live	Thank you for your comments.

			Cons: Selective licence fee. This should be paid by the council as they are the ones who are putting this in place. If people already have properties in the area before this does happen the council should not charge a fee to these people.	
1/10/21	Email	Landlord	<p><b>Sent:</b> 30 September 2021 18:41  <b>To:</b> Landlords &lt;<a href="mailto:landlords@burnley.gov.uk">landlords@burnley.gov.uk</a>&gt;  <b>Subject:</b> Selective Licensing Reminder</p> <p>I would like to refer you to our letter to you dated 6th September 2021 and your reply dated 8th September 2021 giving my husband and I a detailed report on just how wonderful your selective licensing program is!</p> <p>Well today we both received separately yet another "reminder" which only goes to prove that your department is not as efficient as you propret them to be because surely you check who, and who has not responded to your original letter dated the 9th August 2021.</p> <p>So, I repeat myself by saying yet again that you get "money for old rope" and what money you do get from either your Council tax or from Landlords paying for your license you waste/squander by not paying attention to who has replied and sending out mail unnecessarily and at a cost to your council tax payers and license fee payers.</p> <p>We both feel that you need not respond to this email - just let the Secretary of State know just how our money is being wasted.</p>	Thank you for your comments.
1/10/21	Online	Landlord	Area has improved	Thank you for your comments.
1/10/21	Online	Landlord	area is much improved, which has been helped by licensing. By continuing to keep the are licensed, makes it have a sense of 'deprivation' compared to others.	Thank you for your comments.
2/10/21	Online	Landlord	Whilst the whole idea of inspection/monitoring rented properties is good however, the high licence fees is an unnecessary tax on landlords/tenants	The licensing fees go towards paying for the property inspections and monitoring.
2/10/21	Online	Landlord	There is already a huge demand for properties within this area contrary to your claim that there is no demand. As soon as a property goes on the market to sell or let it gets snapped up. There is no need	We understand there is still more work to do in the area, which is why we are proposing to renew the Selective Licensing for a second term. As you say, if properties are



			for selective licensing as the past 5 years have shown that nothing has changed	being snapped up, but nothing has changed, we as Selective Licensing need to continue to ensure the correct tenants are being placed in this area.
3/10/21	Online	Landlord	I don't want to have another selective licensing in this area	Thank you for your comments.
4/10/21	Online	Landlord	I would rather sell my rented house, than pay £715 to Burnley Council. My house is run by a management company who I pay, and repairs are done when requested.	Thank you for your comments.
5/10/21	Online	Landlord	Licensing has not been helpful but a extra cost, which can be used to improve the property instead.	Thank you for your comments.
6/10/21	Online	Landlord	No need to make harder for good landlords to rent out their properties, no need for license. Just chase up the bad landlords who fail to keep rented properties up to required standard. Stop them renting out if necessary.	What you describe is what Selective Licensing does, however, to chase the 'bad' landlords, we need to licence all landlords to identify which ones are 'bad'.
11/10/21	Online	Landlord	Hi, the cost of life is already very high the rent we receive from the tenant is very low in general in all areas selective license is not a good idea the landlords to pay	Thank you for your comments.
15/10/21	Online	Landlord	Don't receive any support from the councils. Not worth the time, money or hassle when we don't see anything from it. Happy to keep an eye on things ourselves.	Thank you for your comments. Please let us know how we can support you.
15/10/21	Online	Landlord	Too much time and effort is spent on SL and no support is received from councils.	Thank you for your comments. Please let us know how we can support you.
15/10/21	Online	Landlord	Not worth the hassle as well as the massive cost that is incurred to ensure every property in licensed. in my opinion we can personally keep an eye on our tenants and ensure they comply with their tenancy agreement.	Thank you for your comments.
15/10/21	Online	Landlord	Council do not offer help/support - would prefer less involvement from them.	Thank you for your comments. Please let us know how we can support you.
20/10/21	Drop in	Home Owner	Happy to see the back street has been cleared, bad tenant evicted and neighbours property improved since last meeting. Supportive of Selective Licensing. An elderly gentleman knocked on the door asking to sign a petition against it, but I refused to sign.	Thank you for your feedback, I am glad you can visibly see the work Selective Licensing does as a lot of the work we do is behind the scenes.

20/10/21	Drop in	Home Owner	Supportive of Selective Licensing, the street has improved over the past 5 years. There is still some dirty back yards. I was approached to sign the petition, but I refused.	Thank you for your comments, I will do another back yard / street audit in your area.
20/10/21	Drop in	Private Tenant	My neighbour has been causing problems, I use the Noise App and he has now left. Landlords need to do their reference checks properly on their tenants before letting them move in. We as a community need to come together more to report issues as 10 people reporting the same issue will get more priority over 1 person reporting that issue. Supportive of Selective Licensing	Thank you for your comments, you are right, if it is not reported, we don't know about it and can't do anything about it.
20/10/21	Drop in	Private Tenant	I live in a ground floor flat, and the electric meter is in the upstairs flat, what is the legislation around this? The managing agent needs to do his reference checks properly as my neighbour above has just been arrested again. Supportive of Selective Licensing	Thank you for your comments, I will investigate the legislation regarding flats in Selective Licensing areas and get back to you.
21/10/21	Online	Private Tenant	There has been no changes, everything still the same, what has the licensing money gone on can someone give us a breakdown	A lot of what the Selective Licensing team do is not visible, such as deterring bad landlords from the area, ensuring landlords perform reference checks and assisting landlords when their tenants breach their TA conditions. The money has also gone towards legal fees against landlords who breach their licensing conditions and making improvements to back streets.
21/10/21	Online	Private Tenant	The licensing money what has it been spent on no where still the same can anyone tell us	A lot of what the Selective Licensing team do is not visible, such as deterring bad landlords from the area, ensuring landlords perform reference checks and assisting landlords when their tenants breach their TA conditions. The money has also gone towards legal fees against landlords who breach their licensing conditions and making improvements to back streets.

21/10/21	Online	Private Tenant	Licensing done nothing to improve the area or explain where the money was spent on	A lot of what the Selective Licensing team do is not visible, such as deterring bad landlords from the area, ensuring landlords perform reference checks and assisting landlords when their tenants breach their TA conditions. The money has also gone towards legal fees against landlords who breach their licensing conditions and making improvements to back streets.
21/10/21	Online	Resident	waste of money licensing have done nothing what have they spent money on	A lot of what the Selective Licensing team do is not visible, such as deterring bad landlords from the area, ensuring landlords perform reference checks and assisting landlords when their tenants breach their TA conditions. The money has also gone towards legal fees against landlords who breach their licensing conditions and making improvements to back streets.
21/10/21	Online	Private Tenant	The licensing has been waste of time and money	A lot of what the Selective Licensing team do is not visible, such as deterring bad landlords from the area, ensuring landlords perform reference checks and assisting landlords when their tenants breach their TA conditions. The money has also gone towards legal fees against landlords who breach their licensing conditions and making improvements to back streets.
21/10/21	Online	Private Tenant	No good where have they spent the money on	A lot of what the Selective Licensing team do is not visible, such as deterring bad landlords from the area, ensuring landlords perform reference checks and assisting landlords

				when their tenants breach their TA conditions. The money has also gone towards legal fees against landlords who breach their licensing conditions and making improvements to back streets.
22/10/21	Online	Private Tenant	Waste of time and money don't see no improvements in past 5 years	A lot of what the Selective Licensing team do is not visible, such as deterring bad landlords from the area, ensuring landlords perform reference checks and assisting landlords when their tenants breach their TA conditions. The money has also gone towards legal fees against landlords who breach their licensing conditions and making improvements to back streets.
22/10/21	Online	Private Tenant	Not good enough improvement from licensing just taking money of landlords for nothing	A lot of what the Selective Licensing team do is not visible, such as deterring bad landlords from the area, ensuring landlords perform reference checks and assisting landlords when their tenants breach their TA conditions. The money has also gone towards legal fees against landlords who breach their licensing conditions and making improvements to back streets.
22/10/21	Online	Private Tenant	Waisting money could go in Better place during lockdown everyone struggling	The fees charged are ring fenced solely for the implementation of licensing and ensuring landlords are operating correctly in your area.
22/10/21	Online	Private Tenant	Where does the licensing money even go, it does not improve our area so why should we pay.	Tenants do not have to pay for Selective Licensing, landlords do.
22/10/21	Online	Private Tenant	Cost too damn high.	Tenants do not have to pay for Selective Licensing, landlords do.

22/10/21	Online	Private Tenant	Can't afford to pay because of lockdown and coronavirus.	Tenants do not have to pay for Selective Licensing, landlords do.
22/10/21	Online	Private Tenant	Struggling already because of lockdown	Tenants do not have to pay for Selective Licensing, landlords do.
24/10/21	Online	Landlord	<p>After the firsthand experience of being a landlord in a selective license area, I strongly oppose the continuation of this scheme. There is already legislation in place to protect tenants and landlords from problems that most commonly occur; they're in place right now, at this very moment. We don't need another wrapper (because that's essentially all the license is) to sit on top of the existing legislation. We need more people to be aware of what already exists. The landlord license scheme is just another policy tenants will need to be educated on, so the real problem isn't being tackled, it's only being multiplied. If the powers that be want to make a real positive impact, they need to cut the nonsense and tackle the underlying issues. Educating tenants and landlords of their rights and responsibilities would be much more constructive. Landlords are already required to ensure gas and electrics are safe, they are also required to ensure heating and water systems are in proper working order, and to generally provide a safe living environment. The main issues beyond those parameters are usually related to the personality disorders of the individual landlords/tenants. And unfortunately, rehabilitation and personality transplants don't come in the form of £500 licenses. The slowdown: the entire process of letting a property has slowed down, meaning longer vacant periods, slower "transition" times, and an overall loss of earnings. This has affected the entire chain, not just the landlord. Invitation for other fees: mortgage lenders have started to refuse lending in landlord licensed zones, which is obviously a massive concern not only regarding borrowing, but also regarding other services like insurance. Insurance policies have started to climb in those flagged "problem areas" that require landlord licensing. The scheme may especially sound appealing to tenants, but sadly, they're probably the ones that will end up suffering the most. This license isn't going to protect</p>	<p>Without, the Selective Licensing team monitoring these properties, there will be no one to proactively enforce the legislation. The aim of Selective Licensing is to ensure landlords are adhering to their legal responsibilities and tenants are adhering to their tenancy agreements, whilst also helping landlords and tenants understand their rights and providing advice. Unfortunately, there are still some landlords who do not ensure gas and electrics are safe and that there is heating and hot water in their properties, which is why we are proposing to re-introduce Selective Licensing to continue to enforce these issues. Another main aim of Selective Licensing is to attract better tenants to the area by enforcing landlords to conduct proper references before letting their properties. Unfortunately, without Selective Licensing enforcing landlords to improve their properties for their tenants and the area, there are still some landlords that do not and think they can just earn money from rent without adhering to their legal responsibilities. Without Selective Licensing,</p>

tenants from “bad landlords”, it’s just not a sustainable or logical policy that tackles the real issues it’s advertised to address. But besides from that, consider the following... Many landlords are already on tight budgets, so they’ll need to get that extra money to pay for the license from somewhere. Who do you think will be the most likely person they look to when it comes to passing on the costs? Even those that aren’t on tight budgets, it’s just another justified excuse to raise the already crazy rental prices. Letting agents have a field day because they often add this cost into their ‘admin fee’. Instead of paying £500 for a license, wouldn’t both landlord/tenant rather spend that money on improving the property and making it more comfortable? I know I would. In that sense, the license suddenly becomes extremely counter-intuitive. Real positive change usually comes through awareness and education. The main problem associated with poor living conditions and acceptance of those conditions is ignorance. People don’t know any better because they’re unaware of their statutory rights and the resources they have available. But that’s a fact throughout life, in every aspect. Still to this day, e.g. I’m uncertain of exactly what my rights are when a police officer stops me on the street. And I know that’s the case for most people. Most tenants don’t know their rights, and even when they’re certain they’re being mistreated, they’re oblivious to what steps to take. Fear is also a major factor; many tenants are scared when they’re being mistreated. The common misconception is that landlords hold all the power, with the ability to force tenants into homelessness at the drop of a hat, which of course is completely untrue. Tenants know they’re entitled to hot water and a working heating system, or at least assume they are. But how many know that if the landlord doesn’t resolve the problem in reasonable time, they can report the issue to the Health and Safety Executive for further investigation, which could lead to prosecution? Same applies with tenancy deposits and tenancy deposit schemes - many tenants are still oblivious that their deposits are protected (or should be), so landlords can’t just unfairly snatch deposits. Another massive

there would be no one to proactively inspect these properties and educate the tenants that they have a right to live in safe and healthy conditions, provide advice on what support is available to them and ultimately enforce the landlords to make improvements to their properties. All tenants should have a tenancy agreement which should highlight what they and their landlord are responsible for and if the tenant feels their landlord is not carrying out their responsibilities, they can contact us, and we have the powers to enforce the landlord to make changes. We try our best to advertise our services to tenants via posters, word of mouth, local surgeries (hindered by coronavirus restrictions recently), consultation days, social media etc. A part of the Selective Licence application process is to declare if the landlord receives a deposit, if so, we check that they are a member of a Tenancy Deposit Scheme and will not grant a licence unless they are, so in Selective Licensing areas, landlords cannot “unfairly snatch deposits”. This information should also be on the tenancy agreement for the tenant. Again, we are here to offer advice to tenants on what their rights are, if the scheme does not get renewed, we will not be here to offer that service. The Council have taken legal action

			<p>misunderstanding is that tenants often believe that their statutory rights are directly related to how much rent they are paying. Again, completely untrue. It doesn't matter if you are paying £100pcm or £2000cpm, you are ALL entitled to your statutory rights, meaning you are entitled to live in a safe environment. Taking legal action against anyone sounds expensive, and that acts as a major deterrent for allowing justice to prevail. Really, it isn't, nor is it that complicated to take legal action against your landlord. Need free legal advice? No problem, Shelter and Citizens Advice are at your disposal. Since the introduction of Energy Performance Certificates, not ONE of my tenants have enquired about it or known of its existence, even though it's my legal obligation as the landlord to purchase and present it to them. The selective license scheme has been a major influence over where a landlord chooses to buy in the future. I've already spoken to many landlords that consciously avoid zones that are subject to the scheme - not because they have something to hide, but simply out of principle. As with most of these harebrained schemes introduced to benefit the 'greater good' – it comes attached with a financial cost that landlords are forced to grin and bear. I specifically say "NO" to the scheme because I don't think it has directly resolved the underlying problems the scheme is packaged to address.</p>	<p>against many landlords for not licensing properties and breaching their licensing conditions. This legal action has come at a cost to the council, without affecting the tenants.</p>
24/10/21	Post	Home Owner	<p>This is an area of the town with a lot of problems. Things have improved over the last few years, since selective licensing. There is still a lot of work to do and the team should be able to carry on their work.</p>	<p>Thank you for your comments.</p>
24/10/21	Post	Home Owner	<p>Selective Licensing wins the moral argument: that providers of goods and services essential for life (i.e. Shelter) must strive for the highest standards. In the absence of a professional body for private landlords, the state must regulate and educate – and charge fees (as the architectural profession.) Without Burnley Council's oversight, abuses impacting on vulnerable people will proliferate. Aren't we supposed to be levelling up?</p>	<p>Thank you for your comments.</p>

This page is intentionally left blank



## **Appendix B**

### **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 twelve months of the designation will pay 50% of the application fee; however, this will only apply in circumstances where the property has not been eligible for licensing prior to the 12 month deadline.

11. Licences are non-transferrable. Applications resulting from a change in ownership of a licensed property will be charged the full standard fee.

### **Fee Reimbursements**

12. 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.

13. The Council will give the applicant a refund if a duplicate application or an application for an exempted property has been made by mistake.

14. 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.

15. Where a licence is refused or revoked, the applicant or licence holder will not be entitled to any refund of the application fees and will still be required to pay any outstanding charges due as a result of the application.

### **Fee Discounts**

16. 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: xxx

- For properties in the Leyland Road area: xxx

17. 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 (xxxx), a discount of £100 will be applied to the application fee, providing the applicant submits a full complete application form and all requested documentation. This £100 discount will be applied to the applicants first application and the applicant will only be entitled to this discount once. 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.

18. 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.

**Fee**

19. All applications should be made online. The fees detailed below are for an online application:

	Upon Application (Part A)	Upon Granting a Licence (Part B)	Overall Fee A+B
New online application with one property (Not been licensed previously)	£370	£345	£715
Online renewal/additional property	£340	£300	£640

20. In exceptional circumstances the Council will accept a paper application. The fees detailed below are for a paper application:

	Upon Application (Part A)	Upon Granting a Licence (Part B)	Overall Fee A+B
New online application with one property (Not been licensed previously)	£405	£345	£750
Online renewal/additional	£370	£300	£670

property			
----------	--	--	--

**Appendix C - BURNLEY BOROUGH COUNCIL**

**PROPOSED SELECTIVE LICENCE CONDITIONS**

---

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.

---

**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.

---

<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**



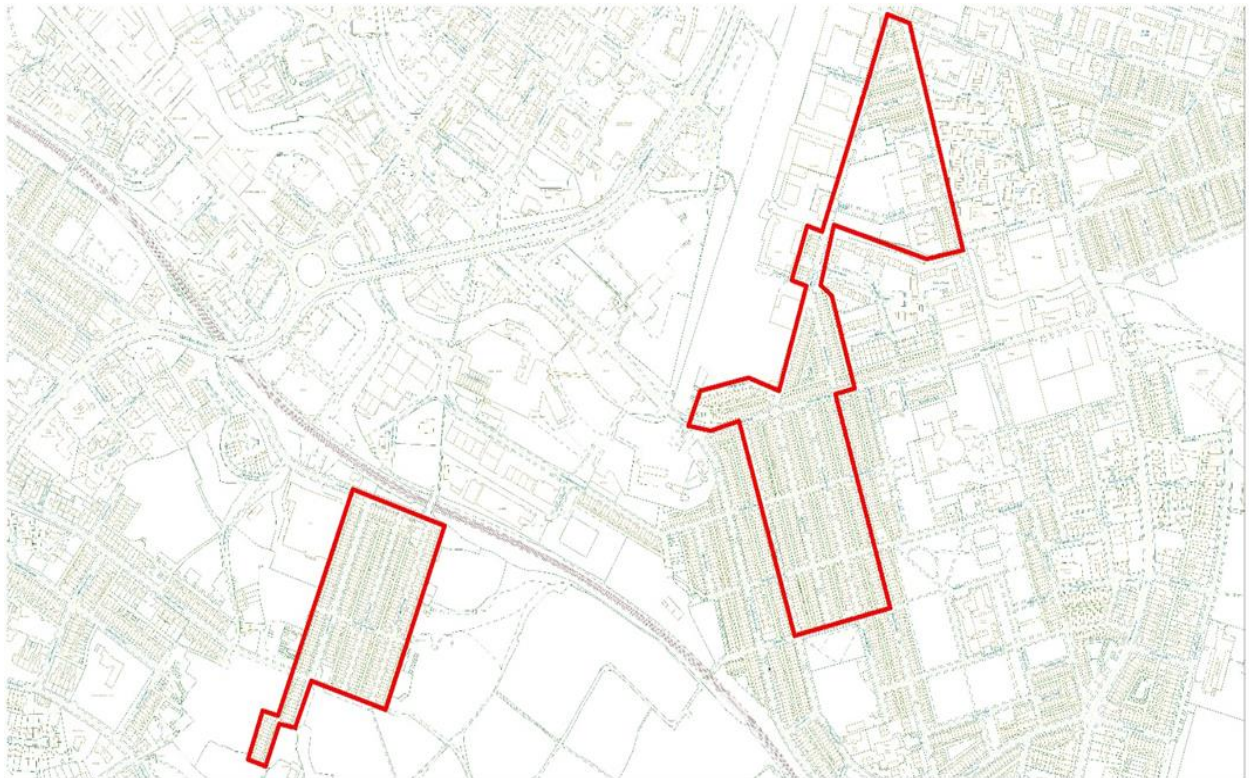
23. The Licence Holder must take all reasonable and practicable steps for preventing and dealing with antisocial behaviour. The Licence Holder and/or his manager must undertake a reasonable and effective investigation of any complaints which have been made either directly to them, or via the Authority, 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.

This page is intentionally left blank

# Plan A Proposed Burnley Wood with Healey Wood Designation Boundary 2022 to 2027



Internal Use Only - Not for Distribution outside the Authority  
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Authority.  
 Ordnance Survey (© Crown Copyright) is authorised to reproduce this map. Crown copyright and other rights reserved as in and to the Ordnance Survey Licence (10001714) (2005)

DRAWN :  
 CHECKED :  
 DATE :  
 SCALE : 1:3900

Head of Service Unit



DRAWING NUMBER

Date Printed: 21/05/2021

This page is intentionally left blank

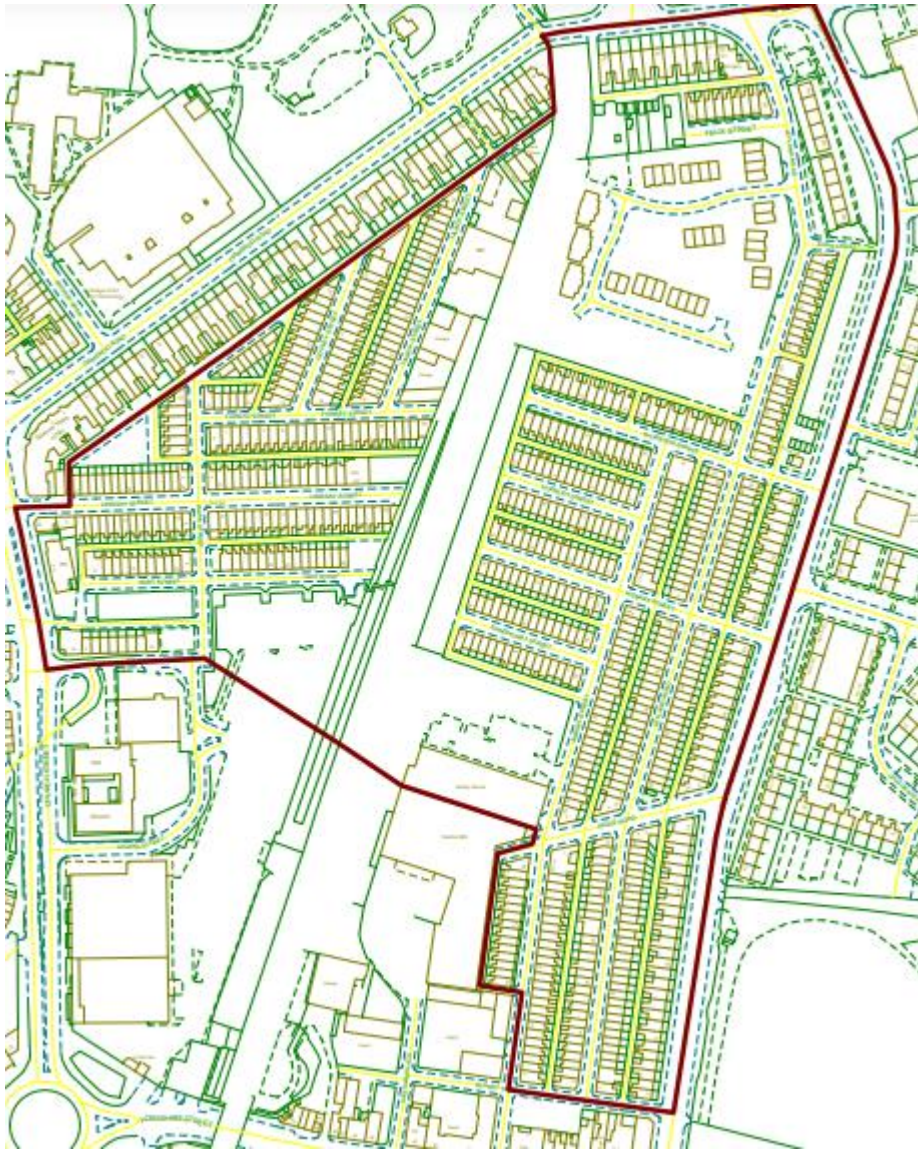
Street List A

**Burnley Wood with Healey Wood 2022 – 2027 designation street list.**

All	Ash Street	24 – 96 Even (Incl) 79 – 97 Odd (Incl)	Plumbe Street
1 – 123 Odd (Incl) 4 – 50 Even (Incl)	Branch Road	All	Pine Street
83 – 89 Odd (Incl) 82 – 86 Even (Incl)	Brunswick Street	1 – 103 Odd (Incl) 2 – 100 Even (Incl)	Reed Street
All	Cedar Street	57 – 65 Odd (Incl) 98 – 108 Even (Incl)	Springfield Road
2 – 104 Even (Incl)	Dall Street	All	Berry Street
All	Hornby Street	All	David Street
All	Hull Street	2 & 4	Evans Street
47 & 51	Kirkgate	All	Healey Wood Road
1 – 61 Odd (Incl)	Oxford Road	All	Laithe Street
1 – 95 Odd (Incl) 2 – 100 Even (Incl)	Parkinson Street	1 – 7 Odd (Incl)	Reservoir Street
71 – 139 Odd (Incl) 62 – 72 Even (Incl)	Parliament Street	1 – 15 Odd (Incl)	Springhill Road.

This page is intentionally left blank

Plan B Proposed Leyland Road Designation Boundary 2022 to 2027



This page is intentionally left blank



Street List B

**Leyland Road Designation Street List**

All	Adlington Street	All	Hobart Street
All	Albert Street	All	Hunslet Street
2-154 even	Belvedere Road	All	Leyland Road
All	Brown Square	All	Lindsay Street
45 & 49	Church Street	99-123 odds	Ormerod Road
1	Doris Street	All	Ridge Road
All	Felix Street	All	Sandhurst Street
All	Forest Street	All	Straight Mile Court
All	Godley Street	All	Talbot Street
All	Hart Street	All	Thurston Street
All	Hawk Street		

This page is intentionally left blank

**Health and Safety Intervention Plan (reviewed 2021/2022)**

**REPORT TO EXECUTIVE**



<b>DATE</b>	<b>19<sup>th</sup> January 2022</b>
<b>PORTFOLIO</b>	<b>Community &amp; Environmental Services</b>
<b>REPORT AUTHOR</b>	<b>Jill Wolfendale</b>
<b>TEL NO</b>	<b>01143999065</b>
<b>EMAIL</b>	<b>jwolfendale@burnley.gov.uk</b>

**PURPOSE**

1. The Council's regulatory team responsible for Health & Safety at Work enforcement must have in place an intervention plan to meet the requirements of statutory guidance. This report formally consults the Committee on the plans prior to their approval at Full Council.

**RECOMMENDATION**

2. Executive recommends to Full Council to approve the Health and Safety Intervention Plan (reviewed 2021/2022), detailed at Appendix 1 to this report.

**REASONS FOR RECOMMENDATION**

3. Section 18 of the Health & Safety at Work Act 1974 and the subsequent National Local Authority Enforcement Code for Health and Safety (The Code) provides a framework within which the Environmental Health & Licensing Team must operate when carrying out its public protection duties within workplaces. The framework requires the Council to have plans in place to control these activities, and mechanisms for review. The intervention plan appended to this report has been prepared to satisfy the statutory requirements.

**SUMMARY OF KEY POINTS**

4. The Health & Safety Intervention Plan has been produced to outline the health and safety regulation duties undertaken by Burnley Borough Council's health and safety team. The regulation of health and safety is split between local authority (LA) regulators and the Health and Safety Executive (HSE), the businesses we regulate as the LA are mostly in the service sector and include offices, shops, restaurants, care homes, hotels, tyre and exhaust fitters and warehouses. The HSE regulate health & safety in factories, hospitals, council run premises, schools, colleges, construction and agricultural premises.
5. The approach to health and safety regulation changed significantly in 2013, following the Red Tape Challenge on health and safety. The changes resulted in the National Local

Authority Enforcement Code for Health and Safety which is designed to ensure that LA health and safety regulators take a more consistent and proportionate approach to their regulatory interventions. Responsibility for managing health and safety risks lies with the businesses who create the risk, however, health and safety regulators an important role in ensuring the effective and proportionate management of risks, supporting business, protecting their communities and contributing to the wider public health agenda.

### **Interventions carried out in 2020/2021 - Coronavirus pandemic**

The COVID19 pandemic in 2022/21 dominated Environmental Health and Licensing activity. Officers in all teams worked hard to support and advise businesses in the borough on the `working safely` guidance. Since the start of the pandemic Environmental Health & Licensing officers along with covid officer colleagues have carried out over 2,300 interventions with businesses in Burnley. This includes; visits, inspections, advice, guidance updates with specific emails, letters and telephone calls. Officers have dealt with hundreds of requests for advice from businesses and the public on The Health Protection (Coronavirus Restrictions) Regulations, in addition to working with Public Health England and Lancashire Health Protection colleagues to investigate and manage workplace outbreaks. Burnley Council also worked with the HSE to deliver `Spot Checks` on businesses throughout the Borough to check compliance with working safely guidance.

Recovery plans are now in place and as we approach the end of 2021 we are preparing to get back to `business as usual` and to start to pick up interventions listed as national priorities such as; falls from heights and violence in the workplace.

The 2021 LAC 67-2 guidance for Local Authorities on Interventions provides enforcement targeting advice based on a philosophy of using local and national intelligence to identify issues of greatest priority and possible poor performance. This approach remains just as valid during the current Coronavirus pandemic. Although there have been significant recent scientific developments, it is still unclear as to when enforcement priorities can revert completely back to business as usual.

The HSE recognises the need for LAs to prioritise regulatory resources and where appropriate, shift the focus to Coronavirus related health and safety activities. They recommend LAs continue raising awareness of suitable workplace Coronavirus controls, engaging with and following up those duty holders failing to take appropriate Coronavirus related measures in the workplace. In addition to dealing with pandemic related issues it is important for LAs to remain focussed on also ensuring that `traditional` workplace health and safety issues of major concern are not ignored, e.g. work related major or fatal injuries.

This is a particular balance for the Council, considering the current national concerns of the rise in Coronavirus cases (known as the Omicron Variant). At the end of December 2021, Local Authorities received an indication that further details in early 2022 may follow from the Secretary of State for the Department for Levelling up, Housing and Communities (DLUHC) on the potential regulatory services that could be re-prioritised by Council's due to current national concerns of the rise in Omicron cases. At this stage it is unknown as to whether the work outlined in the Health and Safety At Work Intervention Plan will be affected. The Council will, however, continue to work with the relevant Government agencies on this, should this work be re-prioritised.

## **FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

6. Health and Safety regulation is a core statutory service delivered by the Environmental Health & Licensing Team, under contract to Liberata UK Ltd and within existing operational budgets.

## **POLICY IMPLICATIONS**

7. As national regulators the Health & Safety Commission set and monitor national standards. The framework for local plans is prescribed to ensure “official controls” are consistently delivered across the country. Through audit, they monitor local authorities to ensure that local controls are effective, and they have intervention powers where delivery fails to meet the required standard.

## **DETAILS OF CONSULTATION**

8. Scrutiny and Executive will be consulted prior to Full Council decision

## **BACKGROUND PAPERS**

9. None

## **FURTHER INFORMATION**

**PLEASE CONTACT: Jill Wolfendale**

**ALSO: Karen Davies**

This page is intentionally left blank



**Burnley**  
.gov.uk

Environmental Health & Licensing Section

# **Health and Safety Intervention Plan**

**Reviewed 2021/2022**

# Contents

Page	
3	Introduction
4	Our commitment to Improving Health and Safety Outcomes
5-6	Service Aims & Objectives
7	Delivery of Priorities
8	Profile of the Local Authority
9	Organisation Structure
10	Scope of the Health and Safety Service
11-15	Service Delivery Output 2020/21
16	Table 1 – 2020/21 workplan review
17	Table 2 - Workplan 2021/22



## Introduction

The Health & Safety Intervention Plan has been produced to outline the health and safety regulation duties undertaken by Burnley Borough Council's health and safety team. Health and safety regulation is split between local authority (LA) regulators and the Health and Safety Executive (HSE), the businesses we regulate as the LA are mostly in the service sector and include offices, shops, restaurants, care homes, hotels, tyre and exhaust fitters and warehouses. The HSE regulate health & safety in factories, hospitals, council run premises, schools, colleges, construction and agricultural premises.

The approach to health and safety regulation changed significantly in 2013, following the recommendations in "Reclaiming health & safety for all: an independent review of health & safety legislation" by Professor Ragnar Löfstedt in 2011 and as an outcome of the Red Tape Challenge on health and safety. The changes resulted in the [National Local Authority Enforcement Code for Health and Safety Enforcement](#), which is designed to ensure that LA health and safety regulators take a more consistent and proportionate approach to their regulatory interventions. It sets out the Government expectations of a risk-based approach to targeting. Whilst the primary responsibility for managing health and safety risks lies with the businesses who create the risk, LA health and safety regulators have an important role in ensuring the effective and proportionate management of risks, supporting business, protecting their communities and contributing to the wider public health agenda.

This Code sets out what is meant by 'adequate arrangements for enforcement' and replaces the existing S18 Standard, it concentrates on the following four objectives:

- a) Clarifying the roles and responsibilities of business, regulators and professional bodies to ensure a shared understanding on the management of risk.
- b) Outlining the risk-based regulatory approach that LAs should adopt with reference to the Regulator's Compliance Code, HSE's Enforcement Policy Statement and the need to target relevant and effective interventions that focus on influencing behaviours and improving the management of risk.
- c) Setting out the need for the training and competence of LA H&S regulators linked to the authorisation and use of HSWA powers; and
- d) Explaining the arrangements for collection and publication of LA data and peer review to give an assurance on meeting the requirements Of the Code.

## Our commitment to Improving Health and Safety Outcomes

Burnley Council's 10 year vision for the Borough (*Burnley Council's Strategic Plan 2017/18-2019/20*)

*The Council wants to make the borough a place of choice. It will be a place where businesses want to invest, because of its skilled workforce and its competitive, modern economy. It will be a place where people want to live because of its clean and safe neighbourhoods, its reputation as a centre of educational excellence, and its beautiful parks and wild countryside.*

Our values:

One Burnley –Leading the Way

One Council –Working Together

One Team –Ambitious for Burnley

Burnley Borough Council has a range of corporate objectives covering the four themes, "People", "Places", "Prosperity" and "Performance".

People: Creating flourishing, healthy and confident communities

Places: Making the Borough a place of choice

Prosperity: Promoting transformational economic change for Burnley

Performance: Ensuring a continuous focus on improvement in all aspects of the Council's performance.

## Service Aims and Objectives

To this end Environment Health and Licensing Service's overall aim is to:

*"Ensure that Burnley is a safe and healthy place of choice to live work and enjoy leisure time. We act on the front line directly providing services that affect people's daily lives. We provide protection to users of taxis, customers of food businesses, employees in offices, shops and warehouses and help to those suffering the effects of noise nuisance. We police premises which pollute the atmosphere and monitor a whole range of activities that make the Borough a healthier place to be".*

This intervention plan details how the Health and Safety Team intend to meet these objectives.

**The aim of the health and safety service is to protect the health, safety and welfare of employees in the borough and to safeguard others, principally the public, who may be exposed to risks from work activity.**

The Health and Safety service is a core Statutory function, within the Environmental Health & Licensing service, as such the aim is to set priorities within our health & safety intervention programme that contribute to the health, safety and welfare of those exposed to work activities, the intervention plan aims to meet all of the requirements of the mandatory guidance issued under Section 18 of the Health and Safety At Work etc Act 1974 that requires each local authority to make adequate arrangements for the enforcement of health and safety legislation.

Officers working for Burnley Borough Council delivering the health and safety service were seconded to the strategic partner, Liberata from January 2016. The Council will work with Liberata to deliver the Council's health and safety service from January 2016. A detailed contract for delivery has been developed to ensure an effective contractual relationship, continuity of service delivery, risk management and the maintenance of high-quality services.

Progress on all key areas of service unit activity will be fed into a balanced scorecard and reported to Members throughout the year. The key performance indicator relating to environmental health compliance services for 2020/21 is.

EHLPI 1: % of Programmed EH&L compliance inspections and interventions delivered in line with statutory targets.

The specific Key Performance Indicators measured for health and safety regulation are;

- Number of inspections of higher risk activities due on workplan undertaken (identified within HSE national code)
- Due Cat A (as per s18 risk rating) rated Inspections undertaken
- Non-inspection 'face to face' intervention due on workplan undertaken
- Non-inspection 'other contact' intervention due on workplan undertaken (information distributed, including information sent with food S/A)

## Delivery of Priorities

Our delivery priorities will be achieved by;

- A proactive intervention programme which prioritises high risk or poor performing businesses over low-risk businesses
- Investigating workplace accidents in line with the service's accident investigation policy
- Responding to service requests in line with the service's expected standards
- Delivery of identified local priorities and HSE national priorities where appropriate.
- Delivery and participation in interventions that aim to reduce health inequalities as they relate to delivery in the workplace.
- Partnership working – work with other Council Departments, Environmental Health Lancashire, Environment Agency, Police, fire Officers, HMRC, joint work with Health and Safety Executive, and with Public Health England and other organisations to meet local and national targets or initiatives.
- Ensure enforcement decisions are consistent with our Enforcement Policy, the HSC's Enforcement Policy Statement and the Enforcement Management Model. (ensures proportionate, consistent, transparent and accountable enforcement - part of the Better Regulation agenda)
- Train and develop our staff to ensure competence. (encourages staff retention/recruitment and ensures credibility with local business)

## Profile of the Local Authority

Burnley has a population of around 87,000 and an area of 42.7 square miles. It is 21 miles north of Manchester and 20 miles east of Preston, at the confluence of the River Calder and River Brun, with the Leeds-Liverpool canal running through the Borough. Neighbouring local authorities are Lancashire's Hyndburn, Ribble Valley, Pendle, Rossendale; and Calderdale in West Yorkshire.

During the Industrial Revolution Burnley became one of Lancashire's most prominent mill towns; at its peak it was one of the world's largest producers of cotton cloth. Burnley has strong economic links with the cities of Manchester and Leeds, as well as neighbouring towns along the M65 corridor. This is helped by excellent road and rail links including the recent reopening of the direct train line to Manchester.

In 2013, in recognition of its success, Burnley received an Enterprising Britain award from the UK Government, for being the "Most Enterprising Area in the UK".

Other accolades include Burnley being named as one of the UK's leading Tech Towns in a recent report by Tech Nation which identified Burnley as one of the top 16 towns in the UK for the growth of its digital sector. Burnley was positioned 2nd in the UK for digital jobs growth in 2018. Burnley continues to buck national trends with private sector jobs growth figures consistently ranking in the UK's top ten (Burnley 9.7%, Lancashire 3.0%, North West 5.9%, UK 5.9% ONS BRES). The town was also named the friendliest place in the UK by the Financial Times

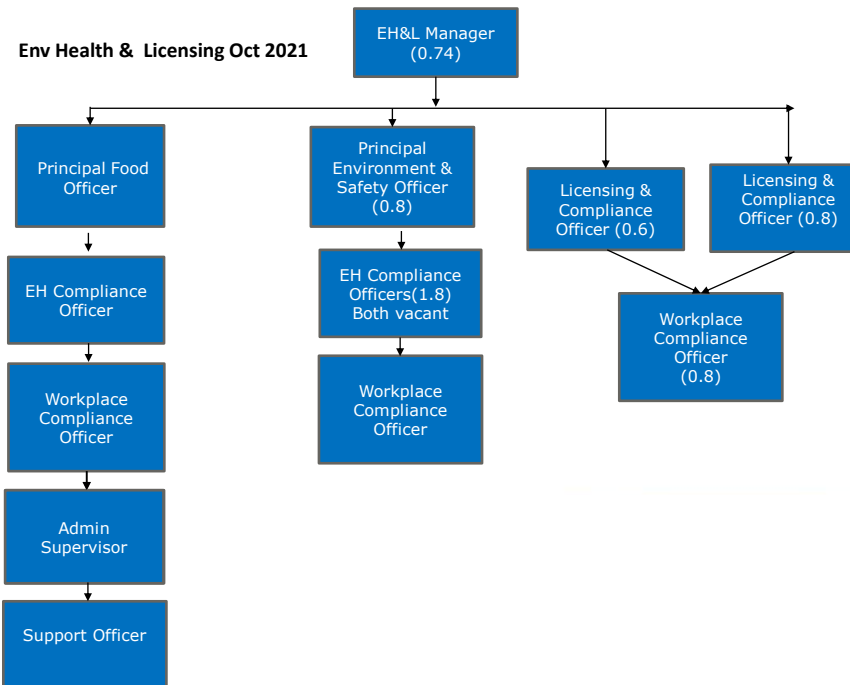
Burnley Council is divided into 15 wards served by 45 councillors. The Council is based on a Cabinet structure with 5 Portfolios, a Leader and 4 Executive portfolio holders; there are 4 committees including 1 scrutiny committee. The health and safety team sits within the Community & Environmental Services portfolio.

The Key Corporate objectives, governance arrangements, and decision-making timetables are outlined in 4 key corporate documents:

- The Council's Constitution & Scheme of Delegation
- Strategic Plan 2019/2020
- Forward Plan of key Decisions and Private Meetings
- Burnley's Community Strategy

# Organisational Structure

Health and Safety Law Enforcement responsibilities are mainly discharged by the health and safety team with a range of support functions provided by a small compliment of support staff, which also provides support for officers throughout the Environmental Health & Licensing service unit. The unit covers a number of functions which include health and safety regulation, food safety regulation, licensing, and environmental protection. Officers in the Food Safety team also undertake some health and safety work, particularly regarding 'Matters of Evident Concern' observed during food safety inspections. FTE refers to number of full-time equivalents working on Health and Safety.



## Scope of the Health and Safety Service

The Health and Safety Team is responsible for providing the following services;

- The programmed and reactive inspection of business premises.
- Advice to new and existing business premises
- Other visits including advice and complaints investigation.
- The investigation of reported accidents
- Licensing of skin piercing premises
- Maintain a register of cooling towers
- Enforcement action in accordance with the Enforcement Policy.
- Workplace health promotional activities.
- Enforcement of Smokefree Legislation
- Advice in relation to events through Events Safety Group



## Service Delivery

### LAC 67-2 (Revision 10) Title: Setting Local Authority Priorities and Targeting Interventions

This Local Authority Circular, which was revised in 2021, provides LAs with guidance and tools for setting their health and safety priorities and targeting their interventions to enable them to meet the requirements of the Code. The LAC states that;

*'In delivering their priorities LAs should ensure their planned regulatory activity is focussed on outcomes. The Code provides flexibility for LAs to address local priorities alongside the national priorities set by HSE.*

*LAs should construct their work plan to deliver specific outcomes. The plan is likely to consist of work to deliver those national priorities set by HSE, work to deliver local priorities and be accompanied by an inspection programme that meets the requirements of the Code'.*

Annex A of the LAC Outlines a summary of national planning priorities

#### Page 237 Coronavirus pandemic

The 2021 LAC 67-2 guidance provides enforcement targeting advice based on a philosophy of using local intelligence and national intelligence to identify issues of greatest priority and possible poor performance. This approach remains just as valid during the current Coronavirus pandemic. Although there have been significant recent scientific developments, it is still unclear as to when enforcement priorities can revert to business as usual.

HSE recognises the need for LAs to prioritise regulatory resources and where appropriate, shift the focus to Coronavirus related health and safety activities. We recommend LAs continue raising awareness of suitable workplace Coronavirus controls, engaging with and following up those duty holders failing to take appropriate Coronavirus related measures in the workplace. In addition to dealing with pandemic related issues it is important for LAs to remain focussed on also ensuring that 'traditional' workplace health and safety issues of major concern are not ignored, e.g. work related major or fatal injuries. Coronavirus specific regulatory guidance and materials for enforcement officers are available on HELex at <https://ourknowledge.hse.gov.uk/regulatory/Lists/COVID19/AllItems.aspx>

The full document can be found at: <https://www.hse.gov.uk/lau/lacs/67-2-priorities-targeting-interventions.pdf>

## Service delivery Interventions 2020/2021

Intervention Type	Number of interventions/ visits to 1/4/20 to 31/3/21	Note
<b>Proactive Inspection</b>	Targeted Using National/local Intelligence	Some visits undertaken to businesses in response to Covid related concerns and to offer advice have been recorded differently. So not all are reported here. However, since the start of the pandemic EH & Licensing officers along with covid officer colleagues have carried out over 2,300 interventions with businesses in Burnley, this includes visits/ re visits, specific emails, letters and telephone calls
	0	
<b>Other Visits/face to face contacts</b>	62	
<b>Other Contact/ Interventions</b>	407 Self assessments 631 Service requests & other contacts (this includes Covid interventions)	
<b>Visit to investigate health &amp; safety related incidents.</b>	0	
<b>Visits to investigate H&amp;S complaints</b>	19	
<b>Visits following requests for H&amp;S service from businesses.</b>	2	
<b>Revisits following earlier intervention.</b>	0	

## Service Delivery

### Enforcement

All enforcement action will be taken by authorised and competent officers and in accordance with the Health and Safety Enforcement Policy. The following actions may be taken following an inspection or investigation.

Enforcement Action	Description	Number issued. 2020/21*
Improvement Notice	Legal Notice requiring works to be completed within a minimum of 21 days	0
Prohibition Notice	Legal Notice prohibiting an activity being carried out where there is a serious risk of injury	1
Deferred Prohibition Notice	As above but with a time delay allowing certain actions to be taken before the Notice comes into force	0
Simple Caution	May be offered in certain circumstances instead of prosecution	0
Prosecution	Where the health and safety offences are dealt with at Court	0

**\*Note: Notices have been issued in relation to breaches of Coronavirus Restrictions not under Health and Safety At Work Act 1974**

<b>Liaison with Other Organisations</b>	<p>Formal and informal relationships exist with the following organisations;</p> <ul style="list-style-type: none"> <li>• Health and Safety Executive (HSE)</li> <li>• Environmental Health Lancashire Health and Safety Officers Group</li> <li>• Environmental Health Lancashire Chief Environmental Health Officers</li> <li>• Public Health England</li> <li>• Ofsted</li> <li>• Lancashire County Council - Safeguarding</li> <li>• Lancashire Fire Service</li> <li>• Lancashire Police Service</li> <li>• Burnley Council Regeneration &amp; Planning Policy</li> <li>• Better Regulation Delivery Office (BRDO)</li> <li>• United Utilities</li> <li>• HMRC</li> <li>• GENGA Partner organisations</li> </ul>				
<b>Staff Allocation</b>	<p>Staff resources devoted to health and safety enforcement work as of 31 March 2021</p> <table border="1" data-bbox="577 882 1216 1074"> <tr> <td><b>No of HSWA Warranted Officers</b></td> </tr> <tr> <td>5</td> </tr> <tr> <td><b>Full Time Equivalent of warranted officers time spent on HSWA activity</b></td> </tr> <tr> <td>1.7</td> </tr> </table>	<b>No of HSWA Warranted Officers</b>	5	<b>Full Time Equivalent of warranted officers time spent on HSWA activity</b>	1.7
<b>No of HSWA Warranted Officers</b>					
5					
<b>Full Time Equivalent of warranted officers time spent on HSWA activity</b>					
1.7					

<b>Staff Development and Competency</b>	<p>The service is committed to the continuing development of individual members of the team. The Council operate under the Investors in People Standards. Staff competency and training needs are assessed as part of the Corporate Performance and Development Reviews which are annually – any training or development needs that are identified at the review are fed into an annual training plan which links to the budget planning process.</p> <p>In line with revised Section 18 Standard our procedures will be reviewed to include the use of the HSE’s Regulators Development Needs Assessment Tool (RDNA)</p>
<b>The Regulators Code</b>	<p><a href="#">The Regulators’ Code</a> came into statutory effect on 6 April 2014 under the Legislative and Regulatory Reform Act 2006, replacing the Regulators’ Compliance Code. It provides a clear, flexible and principles-based framework for how regulators should engage with those they regulate.</p> <p>Nearly all non-economic regulators, including local authorities and fire and rescue authorities, must have regard to it when developing policies and procedures that guide their regulatory activities.</p> <p>We are currently reviewing all our policies to ensure they comply with the Regulators Code</p>

Table 1

## Health and Safety Workplan What we did last year 2020/21

	<b>Interventions</b>	<b>Outcomes</b>
<b>Accident/Major Investigations</b>	<p><b>2020/21</b></p> <p>A prohibition Notice was issued to a venue in relation to a potentially unsafe structure that had been erected at height, to seat customers outside.</p> <p>A number of workplace covid outbreaks were investigated throughout the year</p>	<p><b>2020/21</b></p> <p>Following the Notice that businesses engaged specialists to check the safety of the structure, works were subsequently carried out to ensure it was safe to use.</p> <p>Investigations resulted in business making significant changes to Covid risk assessments and practices in a number of businesses to reduce the spread of infection</p>
<b>Health and Safety inspections</b>	<p>Planned proactive inspections in warehouses &amp; care homes were suspended due to resources being directed to Covid work</p>	
<b>Complaints/ Requests for Service</b>	<p>As already outlined from March 2020 the number of service requests related to the pandemic was unprecedented.</p>	<p>From the beginning of March team members pulled together to try and respond as quickly as possible to all the requests received from business and members of the public in respect of the new restrictions. Fortunately, extra staff resources were provided to assist to team to meet the ever-increasing demands throughout the rest of 2020 and into 2021</p>

Page 242

Table 2

## Health and Safety Workplan What we are doing in 2021/2022

<b>Interventions</b>	<b>Outcomes</b>
Accident investigations	Continue to investigate any accident that indicative or poor health and safety management or fit criteria outlined in the Councils Accident Investigation Policy
Complaints and requests for service	Continue to respond to all complaints and request for service within the service target response times
Inspections	A recovery plan has been agreed and funding has been made available to assist the team to carry out a number proactive inspections in line with the National Code and LAC 67/2 (Rev 10)
Other.  Other service demands	Continue to work with other Lancashire authorities through the health and safety officers' group to identify local or national H&S issues  We hope to recruit to vacant posts in other specialisms in the team which have put demands on the H&S officers time. Filling these posts this should allow for more time to be dedicated to H&S.

Page 243

This page is intentionally left blank



## Food Safety Delivery Plan (reviewed 2021/2022)

### REPORT TO EXECUTIVE



<b>DATE</b>	19 <sup>th</sup> January 2022
<b>PORTFOLIO</b>	Community & Environmental Services
<b>REPORT AUTHOR</b>	Jayne Enright
<b>TEL NO</b>	01143999059
<b>EMAIL</b>	jenright@burnley.gov.uk

#### PURPOSE

1. In order to meet statutory requirements, the Council's Environmental Health and Licensing Team is responsible for Food Safety enforcement and must have in place approved plans. In line with the Constitution, approval of the Food Safety Delivery Plan will be sought from Full Council.

#### RECOMMENDATION

2. Executive recommends to Full Council to approve the Food Safety Delivery Plan (reviewed 2021 to 2022), detailed at Appendix 1 to this report.

#### REASONS FOR RECOMMENDATION

3. To formally review past performance and agree a framework for the future delivery of effective, risk based, proportionate and consistent food safety services.

#### SUMMARY OF KEY POINTS

4. The Food Safety Act 1990 Codes of Practice provides a framework within which the Food Safety Team must operate when carrying out its public protection duties in relation to food safety. The Food Standards Agency requires the Council to have plans in place to control these activities. The Food Safety Delivery Plan has been prepared to satisfy these statutory requirements and outline the services to be provided over the coming year.

#### 5. **Burnley Food Safety Delivery Plan**

This Plan is a requirement of the Food Standards Agency and has been drawn up in accordance with the Food Standards Agency's Framework Agreement (amendment 5, April 2010). This ensures a consistent approach across England and Wales, which enables the Food Standards Agency to address how the Council is performing. It also

allows the Food Standards Agency and Local Authorities to compare and contrast performance and service delivery.

It sets out:

- An outline of the key services and work activity delivered
- The Council's statement on food safety and the links with corporate priorities and objectives
- A profile of the Borough including the political and managerial arrangements.
- The demands on the service
- Summary of service activity in relation to premises inspection, complaints investigation, advice, sampling, infectious diseases, food safety incidents, liaison arrangements and promotional activities
- The resources deployed to meet these demands
- Quality assessment procedures and performance indicators

Key services and work activity delivered by the Food Safety Team include:-

- Carrying out routine, programmed inspections of local food businesses
- Responding to Service requests including food complaints and hygiene of premises complaints
- Investigating notifications of infectious diseases and local outbreaks, which may be associated with food.
- Promoting food safety and best practice by working closely with local businesses
- Working with the Food Standards Agency to run and maintain the Food Hygiene Rating Scheme

As we know, 2020/21 has been an unprecedented period in light of the Covid19 pandemic. Since March 2020, significant additional duties in relation to the regulation, implementation and inspection of the duties and powers regarding Covid 19 have been undertaken by Local Authority Environmental Health teams to administer. Environmental Health & Licensing have played a vital role in explaining rules and regulations to the local businesses and local communities and supporting businesses in how to operate in a safe, covid- secure way.

## 6. **Future Delivery of Food Safety Services**

In July 2021 many of the coronavirus (COVID-19) restrictions were removed. All businesses and venues, including nightclubs and adult entertainment venues, were able to open. All capacity limits at sporting, entertainment, or business events, at this time were also lifted.

Hospitality venues such as pubs, restaurants and bars at this time were no longer required to provide table service or follow other social distancing rules that had been introduced earlier that year as part of England's Covid response.

From July 2021, the Council's Environmental Health & Licensing, in accordance with national practice, set out a recovery plan for 'business as usual' functions detailing

the work that had accrued due to covid 19 duties and prioritisation of Covid response work, associated with outbreak management, contact tracing and community testing. The recovery plan for Food Safety was based on the requirements of the national Food Standards Agency Recovery Plan. During the response phase of the Pandemic the council had continued to prioritise the higher risk food businesses and to respond to all complaints/queries and inspect the new businesses, again in accordance with national guidance. The return to 'business as usual' activities has enabled the Team to reintroduce a plan for all food risk inspections to be resumed and are programmed into our inspection program for 2021/2022.

The Recovery plan also involves clearing a backlog of lower risk inspections that were incurred in 2019/20, in accordance with the prioritisation of the '1<sup>st</sup> wave Covid response'. The Council are in the process of responding to these inspections.

In April 2020 to March 2021, we completed 49 inspections and we had 154 inspection visits that were overdue.

**In line with FSA guidance and controlling the spread of Covid19, from 01/04/20 to 05/11/21 we have:**

- **completed 61 higher risk-rated inspections.**
- **completed 136 New Inspections.**
- **Responded to 803 service requests for food.**

**In 2020/21 the number of broadly compliant premises across the Borough was 98% and continues to be 98%. This is a key performance measure used within the service**

## 7. Residual Covid Activity

Officers continue to be involved with work relating to Covid 19, this includes:

- Outbreak management in workplace settings
- Test & Trace Support to Liberata in both the management and daily delivery of services.
- Collation and referral of data to Calico

At the end of December 2021, Local Authorities received an indication that further details in early 2022 may follow from the Secretary of State for the Department for Levelling up, Housing and Communities (DLUHC) on the potential regulatory services that could be re-prioritised by Council's due to current national concerns of the rise in Covid cases (known as the Omicron Variant). At this stage it is unknown as to whether the work outlined in the Food Safety Delivery Plan will be affected. The Council will, however, continue to work with the relevant Government agencies on this, should this work be re-prioritised.

## FINANCIAL IMPLICATIONS AND BUDGET PROVISION

8. Food Safety Regulation is a core statutory service delivered by Environmental Health and Licensing Team and is covered by existing service budgets.

<b>POLICY IMPLICATIONS</b>
----------------------------

9. As national regulators, the Food Standards Agency set and monitor national standards. The framework for local plans is prescribed to ensure “official controls” are consistently delivered across the country. Through audit, and annual returns they monitor local authorities to ensure that local controls are effective, and they have intervention powers where delivery fails to meet the required standard

<b>DETAILS OF CONSULTATION</b>
--------------------------------

10. Scrutiny and Executive will be consulted prior to Full Council decision

<b>BACKGROUND PAPERS</b>
--------------------------

11. None

<b>FURTHER INFORMATION</b>
----------------------------

**PLEASE CONTACT:** Jayne Enright  
**ALSO:** Karen Davies

**BURNLEY BOROUGH COUNCIL**

**Food Safety Delivery Plan  
2021/2022**



**Burnley**  
.gov.uk

## **Burnley Food Safety Delivery Plan**

### **1. Introduction**

- 1.1 Burnley Food Safety Delivery Plan
- 1.2 Profile of Burnley
- 1.3 The Council Structure
- 1.4 The Management Structure
- 1.5 Burnley Borough Council Statement of the Food Safety Service

### **2. Service Aims and Objectives**

- 2.1 Service aims – Food Hygiene and Infection Control Service
- 2.2 Links to Council objectives
- 2.3 Service Objectives
- 2.4 Links with other Plans

### **3. Food Safety Team**

- 3.1 Food Safety Team
- 3.2 Food standards
- 3.3 Scope of the Food service
- 3.4 Data Profiles
- 3.5 Local Challenges
- 3.6 Access to the service
- 3.7 Enforcement Policy

### **4. Service Delivery**

- 4.1 Food Premises Interventions
- 4.2 Food Related Complaints
- 4.3 Primary Authority Scheme
- 4.4 Advice to Businesses
- 4.5 Food Sampling and Inspection
- 4.6 Control and Investigation of Outbreaks of Food Related Infectious Diseases
- 4.7 Food Safety Alerts and Incidents
- 4.8 Liaison with other organisations
- 4.9 Consumer Education and Health Promotion

### **5. Resources**

- 5.1 Financial Allocation
- 5.2 Staffing
- 5.3 Staff development
- 5.4 Local Initiatives, joint working and external grant funding

### **6. Service Quality and Improvement**

- 6.1 Quality Assessment
- 6.2 Regional Peer Group Auditing
- 6.3 National Auditing
- 6.4 Commitment to Service Improvement

### **7. Service Review**

- 7.1 Quality Review and Continuous Improvement

### **8. Food Safety Delivery – the Future**

- 8.1 Food Standards Agency Delivery Plan
- 8.2 Natasha's Law

## **1. INTRODUCTION**

### **1.1 Burnley Food Safety Delivery Plan**

This document is the Burnley Food Delivery Plan. This Plan is a requirement of the Food Standards Agency and has been drawn up in accordance with the Food Standards Agency's Framework Agreement (amendment 5, April 2010). This ensures a consistent approach across England and Wales, which enables the Food Standards Agency to address how we are doing and allows useful comparison for benchmarking performance with other local authorities to be undertaken of performance and service delivery.

It sets out:

- An outline of the key services and work activity delivered
- The Council's statement on food safety and the links with corporate priorities and objectives
- A profile of the Borough including the political and managerial arrangements
- The demands on the service
- Summary of service activity in relation to premises inspection, complaints investigation, advice, sampling, infectious diseases, food safety incidents, liaison arrangements and promotional activities
- The resources deployed to meet these demands
- Quality assessment procedures and performance indicators

### **1.2 Profile of Burnley**

The borough of Burnley is situated on the western edge of the Pennines, 21 miles north of Manchester. Along with Blackburn, Blackpool and Preston, Burnley is a key business, service and retail centre in Lancashire. Burnley has a diverse population of around 87,000 and an area of 42.7 square miles, situated at the confluence of the River Calder and Brun and with the Leeds Liverpool canal running through the borough.

Burnley has strong sense of identity and pride that stems back from its long manufacturing history. The connectivity of the Borough today is primarily by its road and rail links that services the town's residents, employers and service suppliers.

One of the unique things about Burnley is the mix of our industrial heritage and our growing modern and innovative sectors and facilities. One minute you can be in a state-of-the-art laboratory and the next in a traditional canal-side café.

Growing the economy of the town and maintaining a clean, green and safe Borough are key strategic priorities of the Council for its residents.

Our growing status as a university town goes hand in hand with our digital jobs success. In fact, we rank second in the UK for digital jobs growth. During 2014-2015 alone, we saw annual growth of almost 162%, compared to 2% across Great Britain and 30% across the rest of the North West. With UCLan committed to having 4,000 university students in Burnley by 2025, we are excited to see this sector further expand.

The outstanding Campus has been designed with students in mind. The College are constantly investing in the £100 million Campus which lies in the heart of Burnley. It has been designed with the learner experience at its heart, with state-of-the-art, industry standard facilities and bright, airy social spaces.

Other accolades include Burnley being named as one of the UK's leading Tech Towns in a recent report by Tech Nation which identified Burnley as one of the top 16 towns in the UK for the growth

of its digital sector. Burnley was positioned 2nd in the UK for digital jobs growth in 2018. Burnley continues to buck national trends with private sector jobs growth figures consistently ranking in the UK's top ten (Burnley 9.7%, Lancashire 3.0%, North West 5.9%, UK 5.9% ONS BRES).

### **1.3 The Council Structure**

Burnley Council is divided into 15 wards served by 45 councillors. The Council is based on a Cabinet structure with 6 Portfolios, a Leader and 5 Executive portfolio holders; there are 4 Committees including 1 Scrutiny Committee. The Food Safety Team sits within the Community and Environmental Services Portfolio.

The Key Corporate objectives, governance arrangements, and decision-making timetables are outlined in 4 key corporate documents:

- The Council's Constitution & Scheme of Delegation
- Strategic Plan
- Forward Plan of key Decisions and Private Meetings
- Burnley's Community Strategy

### **1.4 The Management Structure**

The Council management structure comprises the Chief Executive, a Chief Operating Officer and 7 Heads of Service.

The Food Safety Team sits within Streetscene. The Environmental Health and Licensing Manager have responsibility for environmental health and licensing functions. The team shares an office with the Environmental Protection and Safety Team, which is beneficial to service delivery and joint working, particularly as the Food Safety Team also has responsibility for enforcing health and safety within food premises. We currently have a hybrid working arrangement in place with increased office presence, but with people working in the field from their home/office base.

From 1<sup>st</sup> January 2016 the Council procured a strategic partner to deliver a range of services within a reduced cost base. The Environmental Health and Licensing functions form part of the suite of services that are now outsourced to the private sector.

The overall aim of the contract with respect to Environmental Health is:

“To provide a professional environmental health and licensing service that protects the public and assists businesses to meet their public health obligations”.

Officers currently working for Burnley Borough Council delivering the food safety service are now seconded to the strategic partner, Liberata. A detailed contract for delivery has been developed to ensure an effective contractual relationship, continuity of service delivery, risk management and the maintenance of high-quality services.

The Strategic Partnership arrangements that are in place between the Council and Liberata maintain a robust approach to ensure that strong performance of the Council's regulatory provisions and services are maintained. In relation to the purpose of this report and the Council's annual review of food safety enforcement, Members of the Council's Scrutiny Committee have reviewed the Delivery Plan, activity to date and have recognised the strong performance of the Team in maintaining food standards.



## 1.5 Burnley Borough Council Statement on the Food Safety Service

The overarching purpose of the service is to:

- protect the health of the public through its statutory and non-statutory responsibilities in food safety and a variety of public health measures; and
- ensure quality food for healthier communities

## 2.0 SERVICE AIMS AND OBJECTIVES

### 2.1 Service Aims - Food Hygiene and Infection Control Service

- Safeguard public health through the regular inspection of food premises at a frequency appropriate to the risk
- Respond to complaints from the public and other agencies relating to food safety.
- Promote good practice in food hygiene through the provision of education, advice and training.
- Discharge the Council's statutory and other responsibilities in a positive and efficient manner, in line with relevant enforcement protocols.
- Ensure advice and assistance is readily accessible to the public and businesses alike
- Investigate the occurrence of food related infectious disease, prevent the spread and take action to prevent recurrence or enforcement action as appropriate
- Carry out programmed and reactive food sampling and microbiological swabbing to support local, national and regional programmes and investigations

### 2.2 Links to Council Objectives

Burnley Borough Council has a range of corporate objectives covering the four themes, “People”, “Places”, “Prosperity” and “Performance”.

<b>People:</b>	Creating flourishing, healthy and confident communities
<b>Places:</b>	Making the Borough a place of choice
<b>Prosperity:</b>	Promoting transformational economic change for Burnley
<b>Performance:</b>	Ensuring a continuous focus on improvement in all aspects of the Council’s performance.

Environmental Health and the Food Safety Service cuts across the four corporate themes by:

- Improved health standards – responding to broader public health initiatives to improve the health and wellbeing of citizens.
- Developing a diverse business base with an entrepreneurial culture and supporting business growth.
- Embedding the partnership with Liberata within the Council's budget, strategic vision and commercial strategy.
- Proactively supporting the borough’s businesses to innovate and expand and make the borough a natural choice for business relocation.

### 2.3 Service Objectives

The Environmental Health & Licensing Service act on the front line. They directly provide services that affect people’s daily lives. We provide protection to users of taxis, customers of food businesses, employees in offices, shops and warehouses and help to those suffering the effects of noise nuisance. We police premises which pollute the atmosphere and monitor a whole range of

activities that help to make the Borough healthier. Our role is not only to regulate and enforce, but also to help and advice, so that businesses can thrive and residents and visitors to the Borough have improved health choices.”

### **Service objectives from March 2020.**

Changes on local authority powers and duties resulting from Coronavirus had a profound effect on Environmental Health & Licensing. The Covid19 Pandemic forced the UK Government into lockdown from March 2020. The Government response was to take a host of complex measures, including restrictions on public transport and international travel, school & workplace closures, bans on public gatherings and other steps to create social distancing. These interventions represented an unprecedented challenge for local governments. The focus needed at the household and community level highlights the pivotal role that local government have had to play in response to the crisis. Environmental Health & Licensing have played a vital role in explaining rules and regulations to the local businesses and local communities and supporting businesses in how to operate in a safe, covid- secure way.

### **Service Objectives from July 2021**

Most coronavirus (COVID-19) restrictions were removed on 19 July 2021.

All businesses and venues, including nightclubs and adult entertainment venues, are able to open. All capacity limits at sporting, entertainment, or business events have been lifted.

Hospitality venues such as pubs, restaurants and bars are no longer required to provide table service or follow other social distancing rules.

We continue to advise businesses to follow the principles set out in the [working safely guidance](#).

### **Recovery Plan - Business as Usual**

From July 2021, Environmental Health & Licensing set out a recovery plan detailing the backlog of work that has accrued and continues to accrue due to Covid 19 duties. We based the recovery plan for Food Safety on the requirements of the Food Standards Agency Recovery Plan. We continue to prioritise the higher risk food businesses and to respond to all complaints/queries and inspect the new businesses. We are in the process of contracting out the lower risk inspections which are programmed into our inspection program for 2021/2022 to Consultant Environmental Health Officers.

The Recovery plan also involves clearing a backlog of lower risk inspections. We are also in the process of contracting out these inspections to consultant Env Health Officers.

Other backlogs outlined in the recovery plan are detailed as systems backlogs and involve officers ongoing work with IDOX and remote Apps and new services for example the implementation of a local `report a food problem` and signing up to the FSA system to register our new businesses on-line.

### **Residual Covid Activity**

**Outbreak management in workplace settings:** Ongoing Consultation/liaison/Incident meetings with LCC/UKHSA/Workplaces/access and reference to coincidence postcode data reports and ITS (CTAS) for case numbers and names.

**Test & Trace Support (case tracing, local support referrals, venue alerts etc):** T&T/Letter drops/Continuous consultation including guidance and advice to support Liberata/training/daily downloading & sharing of data /management of systems.

Key Food Safety objectives include:-

- Establish and deliver a programme of targeted and risk-based interventions and inspections in food premises, providing advice on legal obligations and taking an escalated approach to enforcement action.
- Improve the proportion of food businesses with Food Hygiene Ratings of 3, 4 or 5.
- Monitor, record and report on the programme of activities to relevant bodies to ensure the Council's obligations are being met, resources are targeted appropriately, and steps are taken to make any necessary improvements.
- Investigate the occurrence of food related infectious disease and take the necessary action to prevent the spread or recurrence, working collaboratively with Public Health England and other key partners
- Deliver a programme of targeted proactive sampling of food products.
- Offer a comprehensive advice and support service to business regarding any relevant food legislation and compliance, offering specific support for those wishing to establish a food business within the Borough.
- Investigate complaints about food products or food establishments and take any action that is required on a coordinated local, sub-regional, regional or national basis.
- Work collaboratively across Lancashire with other Environmental Health and Trading Standards professionals to ensure consistency, improvement and the delivery of an effective high-quality service
- Advise, provide support and enforce Health and Safety standards within food businesses
- Work in collaboration with partners in addressing key health inequalities in the Borough.
- Proactively obtain feedback from food businesses regarding the service to ensure continuous improvement in service deliver.
- Support the on-going professional development of officers to deliver high quality services that meet the needs of the public and the requirements of the Gold Standard Investors in People status of the Council.
- Implement the Council's appraisal system for training needs and performance based on the principles of Continuing Professional Development (CPD) and meeting the requirements of the relevant professional bodies including the Chartered Institute of Environmental Health

#### **2.4 Links with other Plans:**

Food safety activities support and link to the following key Council and inter-agency plans:

- UKHSA 2017 Outbreak Plan
- UKHSA C&L Care Home OB Plan 2018
- East Lancashire Equality and Inclusion Strategy 2014 to 2017
- Burnley Council Major Emergency Plan September 2019
- Burnley Multi-Agency Flood Plan September 2019
- Lancashire Resilience Forum. (Outlines roles and responsibilities of organisations including District and Unitary Councils)
- Business Continuity Policy - April 2016

- Principles and Practice Recommendations for the Public Health Management of Gastrointestinal Infections 2018

### **3 FOOD SERVICE**

#### **3.1 Food Safety Team**

The Food Safety Team is overseen by the Environmental Health and Licensing Manager and the Principal Officer. Both are qualified Environmental Health Officers (EHO's) and experienced in food safety matters.

The Principal Officer heads a team of 3 (2.1 FTE) with 1 Environmental Health Compliance Officers (0.8 FTE) and 2 Workplace Compliance officers (1.3 FTE). The EHCO holds the EHORB Higher Certificate and Higher Certificate in Food Control. Activities are undertaken in line with the professional requirements as outlined in the Code of Practice.

The service is also supplemented through consultants who undertake a range of lower risk inspections (Categories C and D) but no enforcement activity. On occasions, further technical expertise is sought from external professionals to assist with more complex matters.

#### **3.2 Food Standards**

The Trading Standards functions within the Borough are carried out by Lancashire County Council. There is a good working relationship between the two services and a good track record of liaison via the Lancashire Food Officers' Group and joint working initiatives.

#### **3.3 Scope of the Food Service**

The Service is delivered by the Food Safety Team with additional support as outlined above. The team complies with the Food Standards Agency Codes of Practice and Local Government Regulation guidance for the purposes of food safety including the Regulators' Code. Enforcement action is undertaken in accordance with the Council's Enforcement Policy and follows a graduated approach.

Areas of core service delivery include:

- Developing and delivering a programme of planned food hygiene interventions meeting statutory obligations as set out in the Food Standards Agency Code of Practice. The programme will be focussed on those businesses that are not broadly compliant and with Food Hygiene Ratings of 0, 1 or 2 and those premises that are unrated.
- Implementing alternative approaches such as coaching and mentoring to deal with non-compliance
- Operating the Food Standards Agency Food Hygiene Rating Scheme in accordance with the Brand Standard for all relevant food businesses and taking the necessary steps to publicise the ratings.
- Approving and regulating any food activities and premises requiring approval and subject to Regulation EC No 853/2004
- Consideration of any requests from a business or making approaches to businesses for the purpose of entry into a Primary Authority relationship with them.
- Responding to complaints about food premises and the fitness and wholesomeness of food sold in the Borough
- Planning and implementing an annual food and environment sampling programme for microbiological quality and chemical purposes and participation in the Lancashire Food Officer Group programmes as resources permit.
- Acting on Food Standards Agency alerts and incidents in accordance with recommended action and relevant parts of the Code of Practice

- Preparation of contingency plans to be used in the event of an incident or when the Major Incident Plan is invoked
- Maintaining and recording food establishment registration applications and maintaining the register in accordance with the relevant statutory provisions and Code of Practice.
- Investigating and liaising with Public Health England to deliver infectious disease and outbreak investigation and control.
- Service promotion including press releases and articles, leaflets, talks and presentations to relevant parties, seminars, conferences, displays and exhibitions. This includes national initiatives such as National Food Safety Week.
- Preparation of evidential files and reports to the Council for use in legal action, court proceedings or formal Committee hearings.
- The management of any contractors engaged to undertake duties

### 3.4 Data Profiles

We have adopted a new specialist cloud- based system, Uniform, by Idox, for managing and reporting across Environmental Health. Through smart technology Idox have evolved their front-line services in response to the changing needs of society and claim the system will deliver improved outcomes for the citizens within the borough of Burnley.

We can now fully utilise the database, however we still need to develop and set up the reporting side of the system. The next phase is to use the mobile app to give officers the option to work on site, which will involve improving access to the database. We continue to move towards a digital system to improve service efficiencies and reduce paper-based records.

The following Table provides a summary of the last 4 years of Food Businesses and their risk rating profiles. The ratings are defined in the FSA Food Law Code of Practice with A representing the highest risk premises and E the lowest which are subject to a self-assessment and reporting procedure.

**Table1: Number of Food premises by Risk Rating Category**

<b>Risk Rating Category (Inspection Frequency)</b>	<b>No. of Food premises 2017/2018</b>	<b>No. of Food Premises 2018/2019</b>	<b>No. of Food Premises 2019/2020</b>	<b>No. of Food Premises 2020/2021</b>
A (At least every 6 months)	0	2	0	0
B (At least every 12 months)	30	27	29	25
C (At least every 18 months)	116	123	120	123
D (At least every 24 months)	367	352	349	336
E (Alternative strategy for inspection)	380	378	392	405
Unrated	20	24	30	34
Outside Programme	18	23	17	8
<b>TOTAL</b>	<b>931</b>	<b>929</b>	<b>937</b>	<b>923</b>

--	--	--	--	--

**Table 2: Premises Approved Under EC Regulation 853/2004**

The following table highlights those premises which require approval under EC Regulation No. 853/2004 due to the specific nature of their activities.

Approved premises	2016/17	2017/2018	2018/2019	2019/2020	2020/2021
Approved Fish processing premises	2	2	2	2	1
Meat and meat products approved premises	2	2	2	2	2
Milk and milk products approved premises	1	1	1	1	1
The approved treated stomachs establishments	1	1	1	1	0
Stand - alone Cold Store	1	1	1	1	1

**Table 3: Premises Profile**

The following table provides the detail of the types of premises within the Borough.

Description	No. of premises 2016/17	No. of premises 2017/18	No. of premises 2018/2019	No. of premises 2019/2020	No. of premises 2020/2021
Primary producers	3	3	3	3	4
Manufacturers/processors	21	21	24	23	24
Distributors/transporters	5	9	14	13	12
Retailers	280	270	268	269	255
Restaurants and other caterers	605	624	615	626	625
Importers/Exporters	2	4	5	3	3
<b>TOTAL</b>	<b>916</b>	<b>931</b>	<b>929</b>	<b>937</b>	<b>923*</b>

**Table 4: Service Requests**

The following is a summary of requests for service received by the Food Safety Team since

Request type (includes all requests for service relating to any food business)	2015/16	2016/17	2017/2018	2018/2019	2019/2020	2020/2021
	Infectious diseases	130	99	144	112	128
Advice requests	261	354	429	287	218	436
Complaints regarding Hygiene at premises	94	83	66	300	324	93
Advice on unfit/contaminated food	12	6	10	2	N/A – no longer have the category	
Complaints re unfit/contaminated food	44	59	54	64	91	41
Food Hygiene Re-rating visits	28	30	9	23	15	7
<b>Total</b>	<b>574</b>	<b>633</b>	<b>712</b>	<b>788</b>	<b>776</b>	<b>640</b>

\*We have moved to a new MIS (Management Information System) where the recording method is slightly different. We no longer record advice on unfit/contaminated food, these will be merged into advice & complaints re unfit/contaminated food.

**Table 6: Levels of Compliance in Food Businesses**

The following table indicates the number of broadly compliant premises across the Borough which is a key performance measure used within the service

Year	Total number premises	Total Number of Businesses within the programme	Total No broadly compliant within the programme	Target %	Actual %
2014/15	867		794	100	92
2015/16	899		848	100	93
2016/17	893		872	100	98*
2017/18	929		860	100	98**
2018/19	937		864	100	97**
2019/20	926	771	750	100	97
2020/21	908	776	761		98

\*This excludes the number of unrated businesses and premises outside the programme

\*\* This excludes the no. of unrated businesses and premises outside the programme

In 2020/21 we completed 49 inspections and we had 154 inspection visits that were overdue (01/04/20 to 31/03/21)

### **3.5 Local Challenges**

The service faces the following challenges:

- A high number of takeaways/restaurants and temporary food stall undertake their food preparation out of traditional office hours.
- A high turnover of businesses where the food business operator can change and a new business requires a new inspection and a new rating.
- Understanding the cultural issues and needs of the ethnic minorities who operate food businesses in the borough and whose first language may not be English
- Reducing staff resources and uncertainties regarding the future model for delivery and the potential impact on the service.
- Economic downturn and local economic deprivation is reflected in the reluctance of some smaller local food businesses to invest in repairs and refurbishment of their premises.

### **3.6 Access to the Service**

The Service is delivered from the Council offices at Parker Lane, Burnley. The Public can access the service via telephone, e-mail or in person by visiting the Contact centre on Parker Lane in Burnley. Normal business hours are 9 am to 5pm Monday to Friday.

Out of hours work is also undertaken from time to time as the need arises.

In addition, a 365-day/24 hour telephone contact service is available for appropriate emergencies.

The authority has actively participated in Inter-Authority Auditing (IAA) through a programme of audit agreed through the Lancashire Food Safety Group.

### **3.7 Enforcement Policy**

The Food Safety service operates in accordance with the Regulators Code, the Code for Crown Prosecutions and the Human Rights Act.

Copies of the Compliance and Enforcement Policy for the Food Safety Team are currently unavailable and are under review.

## **4. SERVICE DELIVERY**

The aim of the Food Safety Team is to ensure the protection and good health of consumers in the Borough by enforcing relevant statute, Regulations and by educating and promoting high standards of quality and safety within the food manufacturing, catering and retail establishments of the Borough.

Delivery of the Food Hygiene Control Service is carried out in accordance with national procedures, Good Practice and guidance including:

- Food Law Code of Practice
- Food Law Practice Guidance
- Food Standards Agency Guidance
- The Brand Standard for FHRS
- Burnley BC Compliance and Enforcement Policy
- The Regulators' Code

### **4.1 Food Premises Interventions**



The term “Intervention” refers to any reactive or planned visit to a food business in the course of delivering the Food Safety service. The Food Safety Team will undertake a programme of comprehensive and targeted interventions at food premises to ensure compliance with relevant legislation and the promotion of best practice. The frequency of inspections is determined by risk assessment for each type of food business and each Food business will be allocated a risk category ranging from A to E where “A” is considered to be highest risk.

#### **4.2 Food Related Complaints**

The Food Safety Team will consider, and where appropriate investigate food complaints or requests for service in accordance with internal procedures and relevant Codes of Practice.

Where necessary, samples will be submitted for analysis. Where appropriate intelligence will be gathered from complaint investigations and used to inform sampling programmes or project based work.

#### **4.3 Primary Authority Scheme**

There are currently no primary Authority Agreements with food businesses based in Burnley. The Primary Authority scheme is now regulated by the Regulatory Delivery Division of The Department for Business, Energy and Industrial Strategy (BEIS) The scheme covers trading standards, environmental health and licensing functions and for the first time businesses will be able to form a statutory partnership with a single local authority, which will provide robust and reliable advice that other councils must take into account when carrying out inspections or dealing with non-compliance.

The scheme builds on the foundation created by voluntary home and lead authority initiatives and looks to further develop consistent and proportionate enforcement across the country. It will affect how the Service carries out inspections and takes enforcement action at those businesses subject to a primary authority agreement.

#### **4.4 Advice to Businesses**

The Food Safety Team provides an advice service, which, encourages, advises and assists businesses to comply with food safety legislation.

If a business requires bespoke advice which can only be delivered at the premises there is a charge per hour for this advice.

#### **4.5 Food Sampling and Inspection**

The Food Safety Team undertakes programmed and reactive local sampling in a manner specified by relevant legislation, Codes of Practice and other guidance sources. Ad hoc project-based sampling of food, drink and the food environment activity is undertaken in liaison and co-ordination with other Lancashire Environmental Health Services and Public Health England in accordance with an agreed sampling programme and current resources.

A documented sampling programme for each year will be followed, considering local needs and priorities, subject to available resources and using a risk- based approach.

Examples of food sampled examined as part of the programme included the following foods:-

- Milk
- Ready to eat cooked meats and meat products

- Pies

#### 4.6 Control and Investigation of Outbreaks of Food Related Infectious Disease

This Food Safety Team is responsible for investigating the notification of infectious diseases or suspected infectious diseases. The objective is to minimise the risk of spread of the disease and where possible, identify the source. Notifications may arise as formal notifications from G.P.'s or through informal routes such as laboratory notifications, self -notifications etc. Investigations are carried out by either the Council or Public Health England depending on the nature of the specific disease notification. The Council has a Joint Major Outbreak Plan for Managing an Outbreak of Food Poisoning or Communicable Disease in the Community developed in conjunction with partner agencies. Managing the investigation into major outbreaks can be very resource intensive and include the issuing of sample pots, visiting affected premises, and interviewing patients.

#### 4.7 Food Safety Alerts and Incidents

This Food Safety Team responds to food safety alerts and incidents in accordance with FSA Code of Practice and good practice to ensure that public health is safeguarded. Alerts are received directly from the FSA using their automated notification system and acted upon accordingly.

#### 4.8 Liaison with Other Organisations

The Food Safety Team works with other enforcement agencies, partners and other stakeholders for the purpose of developing consistency of enforcement, openness and transparency. The following table details the regular, ongoing liaison with external partners:

Partner Organisation type	Brief description
Other Local Authorities/Scientific support	Lancashire Food Liaison Group – Enforcement issues, sampling, policies, best practice, training, inter-authority audits etc. Public Health England – Food Sampling and examination, Communicable Disease control. Public Analyst – Chemical analysis etc. Environmental Health Lancashire Lancs County Council Trading Standards –Food Standards/Allergens
Local professionals	East Lancs Primary care Trust – working together on health promotion, infectious disease control, health inequalities etc.
Professional bodies and Agencies	CIEH- professional practice, consultation, training. FSA – statutory plans, guidance, training, annual returns, consistency of enforcement, best practice, training.

Within Burnley Borough Council, the Food Safety Team currently links with all services. Liaison is particularly strong for food safety issues with:

- Development control – for planning and building control applications
- Legal and Corporate Services – for litigation purposes
- Licensing
- Environmental Protection & Safety Team
- Market Hall Management
- Street Scene
- Building Control

## 4.9 Consumer Education and Health Promotion.

Health promotion remains an important element to the on-going commitment to improving public health and tackling health inequalities.

Although this element of the service is non-statutory, Burnley remains committed to supporting local Health promotion activity where resources permit.

We will continue to support local initiatives and local campaigns, working closely with other local or National partners to maximise the Impact and resources.

## 5. RESOURCES

### 5.1 Staffing

The Food Safety Team has an establishment of:

	Officer	FTE - Management	FTE- Operational
Management	Environmental Health and Licensing Manager	0.25	0
Delivery	Team Manager	0.2	0.8
	Env Health Compliance Officers	0	0.8
	Workplace Compliance Officers	0	1.3
Support	Admin	0.25	0.75

NB This core is supplemented by the use of consultants to undertake some lower risk inspection work.

All Food enforcement staff involved in service delivery meet the Qualifications, Experience and Training and Competence criteria contained within the Food Law Code of Practice. Each Officer has been individually authorised in accordance with their qualification and experience as described in this Code.

### 5.2 Staff Development

The Council has successfully obtained Investors in People award and is committed to retaining this. As part of this process all staff undergo an annual Performance and Development review which includes training needs. These individually identified training and development needs are carried forward after consideration by Managers. The Food Safety Team operates a documented procedure for the recording of qualifications, training and competencies.

Officers in the Food Safety Team have undertaken Lead Auditor training to assist in the operation of Inter-Authority Auditing with other Lancashire Councils.

The Council supports personal development by offering opportunities to attend internal courses and supporting attendance at external courses. In addition, the Authority offers internal training courses on a range of subjects, primarily concerned with personal development issues.

Previous training courses have included:-

1. Best Practice Day
2. Legal training
3. Outbreak Training
4. Sampling training

## 5. Consistency Training/FHRS Consistency Exercise

### 5.3 Local Initiatives, Joint Working and External Grant Funding

The Food safety Team has an excellent track record of joint working on local initiatives and success in securing external grant funding. Examples include:-

- Food Safety mentoring for local Businesses
- Implementing the National Food Safety Rating Scheme
- Joint initiatives with Trading Standards
- Business Events targeting the lower rated premises to improve compliance and allergen management
- Joint initiative with Public Health England Re: Infectious Disease Studies
- Delivery of Allergen Training with Trading Standards

## 6. SERVICE QUALITY AND DEVELOPMENT

### 6.1 Quality Assessment

The quality of the Food Law Enforcement Service in Burnley is monitored in various ways and was audited by the Food Standards Agency in November 2009 as part of its national review of IAA's.

### 6.2 Regional Peer Group Auditing

The Service is audited annually by peers from other Lancashire councils as part of the Inter-Authority Audit (IAA) scheme.

### 6.3 National Auditing

- The Food Service makes returns to the Food Standards Agency (FSA) on an annual basis. The FSA now use central surveillance methods on data to monitor local authorities

### 6.4 Commitment to Service Improvement

We regularly review existing policies and procedures to ensure our policies and procedures reflect local circumstances, good practice and National policy. Examples of National reports and papers influencing local procedures and priorities includes:-

- Findings from Inter-Authority Audits
- Findings from FSA audits/FSA Consistency exercises
- Review of the Service against the FSA Framework Agreement on Local Authority Food Law Enforcement
- The national Food Standard Agency guidance on the National Food Hygiene Rating Scheme The "Brand Standard"

## Commercialisation/commercial opportunities – changing the way we operate

In line with many other local authorities the food safety service is looking to become more commercial in the way it operates.

Recent commercial developments which are of benefit to both our local businesses, members of the public and the council include:

- A service that allows businesses to request a re-rating visit under the Food Hygiene Rating scheme. The business pays for the visit, which is based on a cost recovery fee, which benefits the business in terms of improving compliance and enhancing their customer image to boost trade.
- Introduction of a bespoke advisory service, again based on cost recovery that allows businesses to request an advisory visit from us to discuss the operation of their business and go through the 3 areas that the FHRS is based on, hygiene, structure and management.
- Assisting other local authorities in improving compliance in their boroughs by implementing projects, pioneered within the borough to target lower rated businesses and mentor them through educating them at workshops and mentoring them in the management of their food business.
- Assisting other local authorities in auditing officer training and competency including undertaking accompanied inspections and review of systems and procedures.
- Achieving Business Compliance Programme through online registration & review of competencies. The FSA recovery plan will allow us the flexibility to use the workplace compliance officers to review and carry out initial visits to the lower risk businesses.

## **7. SERVICE REVIEW**

### **7.1 Quality Review and Continuous Improvement**

Service delivery will be regularly reviewed in line with this plan, and giving due consideration of National regulations, good practice and local priorities.

## **8. Food Safety Delivery – the future**

### **8.1 Food Standards Agency (FSA) Recovery Plan**

#### **Guidance from the FSA:**

During the pandemic, the FSA adjusted their expectations of LAs. This was in recognition of the challenges LAs were facing in delivering their statutory food functions whilst having to prioritise protecting communities from COVID-19. It also reflected the changing business landscape, with many food businesses closing or changing operations. This enabled LAs to target scarce resources at the most high-risk establishments while deferring planned interventions, particularly for low risk premises.

Proposals have now been developed for recovery of planned interventions and other activities by LAs at food establishments during the period from 1 July 2021 through to 2023/24.

#### **The recovery roadmap takes account of the following points:**

- Numbers of 'new' food businesses have significantly increased and, although some may never have started trading and others will have ceased trading, the risks associated with them remain largely unknown
- Some existing businesses may have changed hands
- Existing businesses will be re-opening, many after prolonged closure, as restrictions on businesses in the hospitality sector on eating onsite are lifted, while others will continue to diversify activities to adapt to ongoing changes in the market.

- The highest risk establishments – which represent a relatively small proportion of the total number of establishments – may have missed one, two or, in a very small number of cases, three planned interventions.
- LA resources have been – and in many cases still are – diverted during the pandemic to activities related to reducing the spread of COVID-19.
- LAs are anecdotally reporting that significant resource is currently being used for non-statutory, but important, wider government priorities such as export certification.
- LAs are also anecdotally reporting that in some cases hygiene standards have reduced since the onset of the pandemic.

### Recovery plan outline and timings

There are two phases to the recovery plan:

- **Phase 1** - 1 July to 30 September 2021.
- **Phase 2** – 1 October 2021 to April 2023 and beyond.

**In Phase 1**, LAs will also be expected to undertake the following:

- a) Managing the expected increase in necessary reactive work resulting from the lifting of restrictions in the hospitality sector, which will include carrying out interventions at high-risk establishments.
- b) Planning for resumption of planned intervention programmes for high-risk category and non-compliant establishments in Phase 2

The FSA reminded us that the focus should remain on:

- Prioritising onsite visits to those establishments which are overdue on a risk priority basis.
- ongoing proactive surveillance to obtain an accurate picture of the local business landscape and, where new and emerging risks are identified.
- the inspection of new businesses
- urgent reactive work including, but not limited to, following up on food incidents, investigating foodborne disease outbreaks, following up on complaints.

Total interventions for food (**from 01/04/20 to 05/11/21**)

**In line with FSA guidance and controlling the spread of Covid19, we have:**

- **completed 61 higher risk-rated inspections.**
- **completed 136 New Inspections.**
- **Responded to 803 service requests for food.**

- **Phase 2** – 1 October 2021 to April 2023 and beyond.

Phase 2 will continue until the FSA's plans for a new food standards delivery model and a revised food hygiene intervention rating scheme are in place. The new delivery model for food standards is being piloted in England and Northern Ireland to end December 2021 prior to national rollout from April 2023. Work to review and revise the food hygiene intervention rating scheme is planned to commence shortly for implementation in 2023/24.

**In Phase 2**, LAs will also be expected to undertake the following:

- a) Implementing planned intervention programmes for high-risk category and non-compliant establishments.
- b) Implementing an intelligence-based approach for low risk category establishments.

- c) Sampling in accordance with the LA sampling programme or as required in the context of assessing food business compliance.
- d) Responding to FHRS requested revisits in line with the timelines specified in the FHRS Brand Standard for England or the statutory guidance in Wales and Northern Ireland.

### **Risks:**

The FSA recognise that ongoing uncertainties related to the course of the pandemic may have consequences for deployment of LA resources and delivery of food controls. Some LAs may be unable to deliver at the pace set out in the recovery plan. There may also be an emphasis at local level on support for businesses to encourage economic growth leading to a lighter touch being taken to enforcement.

The plan provides Food Teams with clarity on the FSA's expectation that resources are focussed on protecting public health and consumer interests in relation to food.

### **Monitoring of LA delivery**

Monitoring delivery will be key to identifying LAs struggling to deliver against the expectations of the plan and to identifying those that require ongoing support from the FSA.

The FSA will also consider the 2020/21 LA monitoring returns and, where significant resource issues are identified, engage with LAs to explore what support we might be able to provide.

The FSA intend to use FHRS data to monitor on a quarterly basis the numbers of businesses 'awaiting inspection', numbers of new ratings being published and levels of compliance etc

### **Conclusion**

The recovery plan outlined in the paper will restart LA planned interventions in a risk-based manner. It enables resources to be targeted where they add greatest value in providing safeguards for consumers and securing compliance in persistently non-compliant businesses. This is consistent with what we want to achieve through the new standards delivery model and the revised food hygiene intervention ratings scheme.

### **8.2 Natasha's Law**

From **1 October 2021**, the requirements for prepacked for direct sale (PPDS) food labelling changed in Wales, England, and Northern Ireland. This labelling helps protect consumers by providing potentially life-saving allergen information on the packaging.

Any business that produces PPDS food is required to label it with the name of the food and a full ingredients list, with allergenic ingredients emphasised within the list.

Businesses need to check if their products require PPDS labelling and what they need to do to comply with the law.

As a Food team we all need to be familiar with these requirements and have been allocated funds from central government to carry out training for each officer in the team. If we observe any issues at our food businesses we need to inform Lancashire CC Trading Standards who are responsible for enforcing the legislation.

This page is intentionally left blank



**REPORT TO THE EXECUTIVE**



<b>DATE</b>	<b>19<sup>th</sup> January 2022</b>
<b>PORTFOLIO</b>	<b>Resources</b>
<b>REPORT AUTHOR</b>	<b>Margaret Rutherford</b>
<b>TEL NO</b>	<b>01282 477305</b>
<b>EMAIL</b>	<b>mrutherford@burnley.gov.uk</b>

**PROPOSED LEASE OF PART OF RAKEHEAD RECREATION GROUND FOR TEMPORARY CAR PARKING**

**PURPOSE**

1. To seek approval to lease part of Rakehead Recreation Ground, shown edged red on the attached plan, to East Lancashire Hospitals NHS Trust for use as a temporary car park.

**RECOMMENDATION**

2. That the Executive authorises

the Head of Finance & Property to agree terms with East Lancashire Hospitals NHS Trust for a three year lease of part of Rakehead Recreation Ground for use as a temporary staff car park in connection with development works at Burnley General Hospital;

the Head of Legal & Democracy to complete all necessary legal documentation in connection with the lease, subject to the NHS Trust obtaining planning permission for its proposed use;

the ringfencing of the rental income received from the NHS Trust to fund a programme of improvement works to be undertaken at Rakehead Recreation Ground at the end of the lease.

**REASONS FOR RECOMMENDATION**

3. The grant of the lease of part of Rakehead Recreation Ground for use as a temporary staff car park for the NHS Trust will facilitate the development of an Extra Care unit at Burnley General Hospital. The rental income generated from the temporary letting will be used to fund a programme of improvements at the recreation ground which will be of long term benefit to the local community.

## SUMMARY OF KEY POINTS

4. East Lancashire Hospitals NHS Trust is proposing to develop an Extra Care facility at Burnley General Hospital on an area currently used for a 200 space car park for nurses and medical staff. The Extra Care unit will provide long term support for patients discharged from hospital prior to returning home. As part of the scheme, the NHS Trust will provide replacement car parking in a new multi storey car park, however a temporary car park is required for a period of three years until the construction of the new development has been completed.
5. The NHS trust has considered several options for the temporary car park but these have been ruled out due to their significant distance from the hospital. In the past, the NHS Trust rented the Prairie car park at Windermere Avenue from the Council for use as a temporary car park. This is no longer an option as the car park is now required as part of the golf driving range facility let to Burnley Leisure. The running costs from that location were high as a park & ride scheme had to be implemented due to its distance from the hospital. Nurses and medical staff were also reluctant to park remotely from the hospital due to personal safety issues and time constraints which led to an increase in on street parking in the vicinity of the hospital, which was in short supply.
6. The NHS trust has identified part of Rakehead Recreation Ground as potentially the most suitable option as it is located adjacent to the Burnley General site. The provision of temporary car parking very close to the hospital would assist in the efficient management of medical services and be beneficial to nurses and medical staff dealing with the backlog in elective cases. The preferred option would allow efficient staff car parking without reducing on site patient parking which is under increased demand.
7. Rakehead Recreation Ground comprises a grassed, level field, two surfaced ball courts, and a play area with play equipment. The proposal will reduce the grassed area by approximately 45% for three years. The NHS Trust is proposing to surface the area with 150mm permeable substrate. The area will be lit by solar lampposts and be secured with a 2.4m high paladin green powder coated boundary fence. The temporary car park will be accessed directly from the hospital site and, in the interests of public safety, a zebra crossing will be marked where the access point crosses the existing perimeter footpath, as indicated on the attached plan.
8. Under the terms of the lease, the NHS Trust will pay the Council an annual rent and reinstate the site to grass when the lease expires. It is proposed that the rental income received by the Council will be used to fund improvements to the recreation ground. The programme of improvements will be subject to local consultation and could include drainage and the provision of two small-sided junior sports pitches with artificial turf goal mouths, improvements to the footpaths through the site, re-lining and LED floodlighting to the two existing ball courts, additional seating and litter bins, reusing the NHS Trust's solar lampposts to provide new lighting to the footpath to the northern side of the recreation ground, refurbishment of the play area and the repair or replacement of railings and gates.

## **FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

9. It is proposed that the first year of the three year lease to the NHS Trust will be rent free to account for the expenditure it will incur in bringing the site into use as a car park. For the remaining two years of the term, the NHS Trust will pay the Council a rent of £50,000 per annum for the 200 space surfaced car park, equating to its market rent. It is proposed that the total £100,000 rental income is used to fund a programme of improvement works to the recreation ground at the end of the three year term, subject to consultation with Ward Councillors and the local community.

## **POLICY IMPLICATIONS**

10. The proposal is aligned with the strategic objective of working with partners to improve residents' health.

## **DETAILS OF CONSULTATION**

11. Queensgate Ward Councillors

## **BACKGROUND PAPERS**

12. None

## **FURTHER INFORMATION**

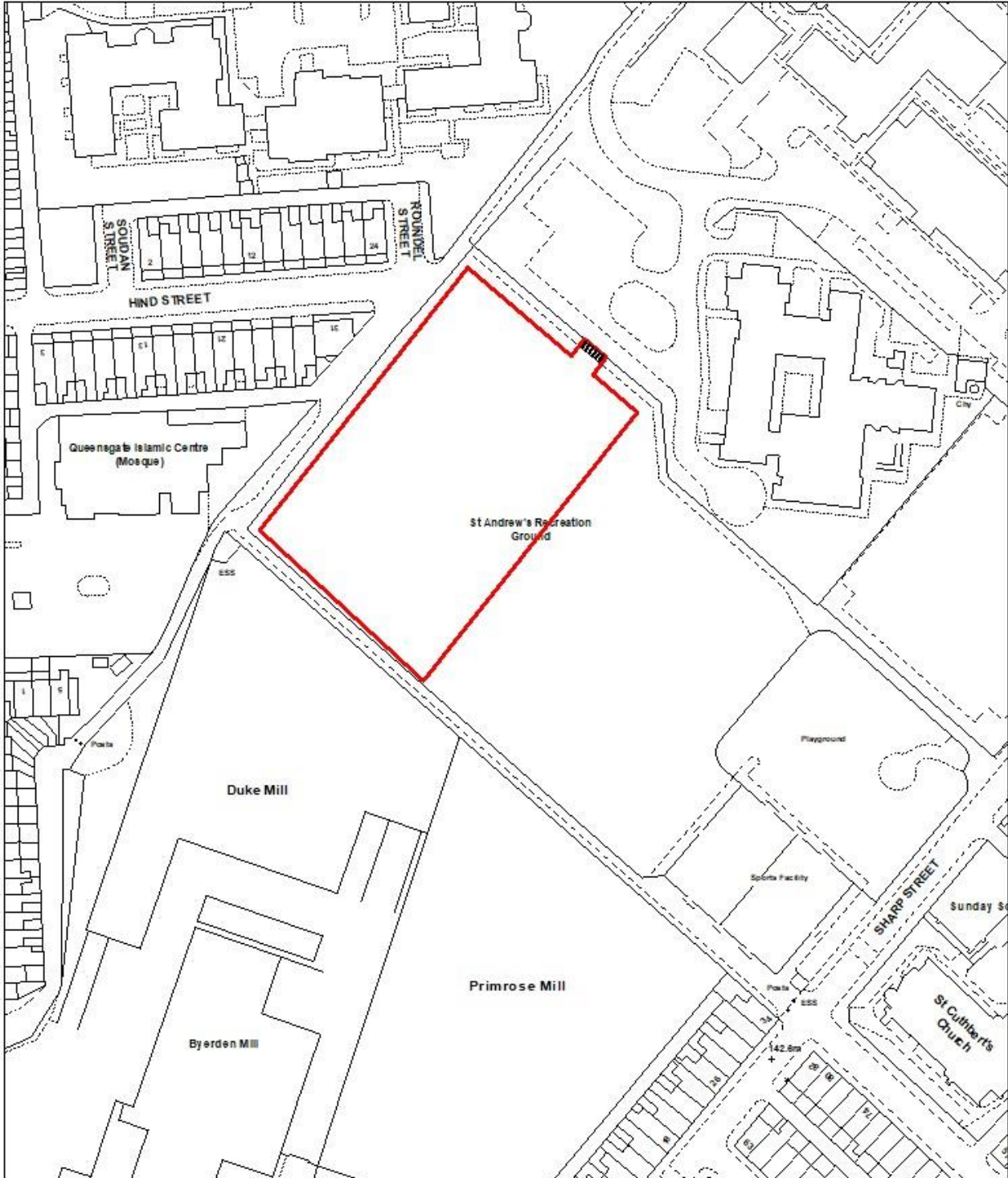
**PLEASE CONTACT:**

**Margaret Rutherford Ext 7305**

### Temporary Car Park Rakehead Rec



1:1250



For reference purposes only. No further copies may be made.

**REPORT TO EXECUTIVE**



<b>DATE</b>	<b>19<sup>th</sup> January 2022</b>
<b>PORTFOLIO</b>	<b>Resources</b>
<b>REPORT AUTHOR</b>	<b>Andrew Leah</b>
<b>TEL NO</b>	<b>01282 477149</b>
<b>EMAIL</b>	<b>aleah@burnley.gov.uk</b>

**Sale of land off Tabor Street, Burnley**

**PURPOSE**

1. To approve the sale of land off Tabor Street Burnley for use in connection with the adjoining Primary School.

**RECOMMENDATION**

2. That the sale of the land be approved on the outline terms set out in the report, and the Head of Legal and Democratic Services be authorised to complete the legal formalities.

**REASONS FOR RECOMMENDATION**

3. To provide the school with additional outside space to encourage pupils to become more active and to develop community use/links, subject to planning consent.

**SUMMARY OF KEY POINTS**

4. Whittlefield Primary School is a small, mixed gender, community school catering for children in the age range 3-11 with approximately 230 pupils. Space within their existing site is limited hence their request to be allowed to use the adjoining level area of open space on Tabor Street to extend their curtilage and improve their facilities.
5. The site of the proposed extension is shown edged red on the plan attached and comprises 0.30 acres or thereabouts. Its currently designated as protected open space in the Local Plan. As part of the proposals an advert regarding the possible disposal of the plot was placed in the local press with a closing date of 30<sup>th</sup> June. A number of objections were received on the basis that the plot contains a bench and a mature tree and is a useful amenity for the houses nearby and concerns were raised regarding the possible impact of visitor parking due to the use of the land by the school.

6. Local Ward Councillors have also been consulted and subject to consultation with local residents regarding the proposal, planning consent being obtained and ensuring that the diverted path is properly designed and laid out to maintain access are generally supportive.
7. As part of the proposals the site would be securely fenced and the existing informal footpath across the site would be diverted around the new extension to the Council's specification. Whilst community use would be encouraged this would be at the discretion of the School. Planning consent would be required for any works.
8. Given the social/community use proposed for the site, the School have asked that it be transferred for a nominal consideration.

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

9. The proposed works will be funded by the School/Lancashire County Council using a mix of public and grant funding.
10. S123 of the Local Government Act 1972 requires that any disposal of an interest in land should be at best consideration.
11. The proposal to transfer the site for a nominal consideration would be a disposal at an undervalue, however under the provisions of the Local Government Act 1972: General Disposal Consent 2003 the Council can sell land at below best consideration provided that it considers that the purpose for which the land to be disposed of is likely to contribute to the achievement of any one or more of the following objectives in respect of the whole or part of its area, or of all or any persons resident or present in its area;
  - i) The promotion or improvement of economic well-being;
  - ii) The promotion or improvement of social well-being;
  - iii) The promotion or improvement of environmental well-being;

and the difference between the unrestricted value of the land to be disposed of and the consideration for the disposal does not exceed £2,000,000 (two million pounds).

12. The plot comprises approximately 0.3 acres which as protected open space with a restriction on its use for community/school use would have a value of approximately £1,500.

#### **POLICY IMPLICATIONS**

13. None.

#### **DETAILS OF CONSULTATION**

14. Head of Green Spaces, Gannow Ward Members.

**BACKGROUND PAPERS**

15. None.

**FURTHER INFORMATION**

**PLEASE CONTACT:**

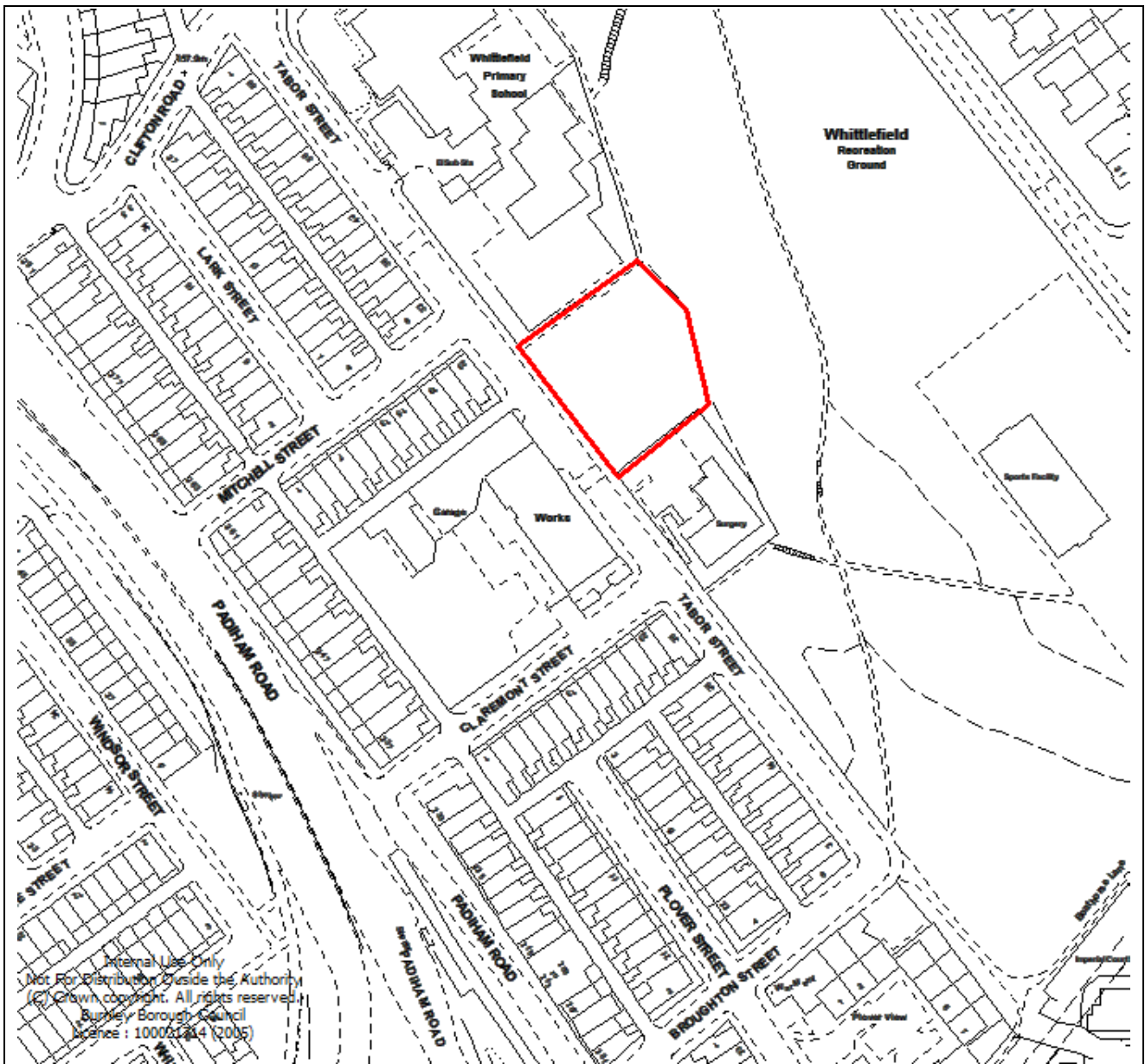
**Andrew Leah: 01282 477149**

**ALSO:**

**Simon Goff: Extension 7223**

APPENDIX 1

FOR IDENTIFICATION ONLY - NOT TO SCALE





## Scrutiny Work Programme 2021-22

<p>Wednesday 2<sup>nd</sup> June 2021</p>	<p>Notice of key decisions and private meetings Review Groups Update from 2020/21 Reviews for 2021/22 Work Programme</p>
<p>Thursday 8<sup>th</sup> July 2021</p>	<p>Notice of Key Decisions and Private Meetings Outturn 2020/21 Financial Reports-Revenue, Capital, &amp; Treasury Management Annual Review of Activity Anti Social Behaviour Policy Homelessness paper Authority Monitoring Report - planning Review Group Updates Work Programme</p>
<p>Monday 12<sup>th</sup> July 2021 Extraordinary</p>	<p>Charter Walk</p>
<p>Thursday 16<sup>th</sup> September 2021</p>	<p>Notice of Key Decisions and Private Meetings Revenue Monitoring 2021/22 Quarter 1 Capital Monitoring 2021/22 Quarter 1 Revenue Budget 2022-25-Latest Position and Savings Proposals Review Groups; - Housing (Update after Calico Meeting with RG on 31 Aug) - Market (Update, including on any scope discussion by RG) Work Programme Recycling Round Mobile Home Fee Waste Vehicle Fleet,</p>
<p>Thursday 21<sup>st</sup> October 2021 Extraordinary</p>	<p>Pioneer Place</p>
<p>Thursday 25<sup>th</sup> November 2021</p>	<p><u>Policy Framework items</u> Revenue Budget Monitoring Q2 2021/22 Capital Budget Monitoring - Q2 2021/22 Fees &amp; Charges -From Jan 2022 Treasury Management Mid-year update 2021/22 <b>ADD</b> Gambling Act 2005 Policy 2022-24 <b>POSTONE;</b> Food Delivery Programme (Annual Update)- TO JAN Health &amp; Safety Delivery Programme (Annual Update)-TO JAN</p>

	<p><u>Scrutiny Items</u>  Notice of Key Decisions and Private Meetings  Half Year performance report 2021-22  Liberata Scrutiny Presentation  Homelessness -Update from July 2021 meeting  Review Groups-Housing and Markets  Work Programme</p> <p><u>Exec items - on 2 Nov 201228-day Notice Key and Private Decisions;</u>  ADD  Household Support Fund  POSTPONE  Land at Holme Road-TO JAN</p>
<p>Wednesday 12<sup>th</sup>  January 2022</p>	<p><u>Scrutiny items</u>  Notice of Key Decisions and Private Meetings  Resident Satisfaction Survey  Community Safety Annual Report  Review Groups -Housing and Markets  Work Programme</p> <p><u>Policy Framework items</u>  Food Delivery Programme (Annual Update)- FROM NOV  Health &amp; Safety Delivery Programme (Annual Update)-FROM NOV</p> <p><u>POSTPONE to FEB Exec 28day Notice items</u>  Land at Holme Road-FROM NOV</p>
<p>Thursday 10<sup>th</sup>  February 2022  Budget Scrutiny  Panel</p>	<p><u>Scrutiny items</u>  Notice of Key Decisions and Private Meetings  Review Groups  Work Programme</p> <p><u>Policy Framework items</u>  Revenue Budget Monitoring Q3 2021-22  Capital Budget Monitoring - Q3 2021-22  Revenue Budget 2022-23  Capital Budget 2022-23 and Cap Investment Prog 2022/23  Treasury Management &amp; Prudential Borrowing.  Medium Term Financial Strategy  Revenue Budget 2022-25 – Latest Position &amp; Saving Proposals</p> <p>ADD  Land at Holme Road-FROM NOV</p>
<p>Wednesday 9<sup>th</sup>  March 2022</p>	<p>Notice of Key Decisions and Private Meetings  State of the Local Economy (reduced to annual reporting)  Leisure Trust Annual Report</p>

DRAFT

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank



By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank