

Appendix 1

Statement of Case for Designating Selective Licensing Areas 2025-2030:

Trinity

Queensgate

Gannow

Daneshouse and Stoneyholme

Padiham

Lyndhurst Road

March 2024

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1 Introduction

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

- Low housing demand (or is likely to become such an area)
- A significant and persistent problem caused by anti-social behaviour
- Poor property condition
- High levels of migration
- High level of deprivation
- High levels of crime

1.2 A designation can be in force for a maximum of 5 years. Within a designation all privately rented properties (except exemptions) require a licence to operate. The owner of the rented property will need to ensure an application is made to the Council for a licence. The licence is valid for a maximum of 5 years and will include a set of conditions licence holder must meet. Breach of the licence conditions is a criminal offence, as is operating without a licence, which could lead to a prosecution with an unlimited fine or a maximum civil penalty of £30,000.

1.3 This document sets out the proposal and reasons for proposing to designate six selective licensing designations in Burnley and Padiham.

2 The Strategic Significance to Burnley and Padiham

2.1 The Community Strategy for Burnley: Burnley's Future 2017-2020 set 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 it's potential, *and*
- Places: how we will improve housing and make the neighbourhoods in the borough cleaner, greener and safer.

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.

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.

2.4 There are however pockets of low demand in the inner areas of Burnley and Padiham 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, landlords and letting agents 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.

3 What is a Selective Licensing Scheme?

Legal Framework and Guidance

3.1 The relevant selective licensing legislation is 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:

- Approval Steps for Additional and Selective Licensing Designations in England; *and*
- Selective licensing in the private rented sector; A Guide for local authorities

3.2 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.

3.3 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.

3.4 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. 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.

3.5 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.

3.6 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.

3.7 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.

3.8 The Renters (Reform) Bill will introduce a new Private Rented Sector Database,

which will support the future digital Privately Rented Property Portal service. All landlords will be legally required to register themselves and their properties on the Property Portal and could be subject to penalties if they market or let out a property without registering it and providing the required information.

- 3.9 The Property Portal is intended to provide local councils with more data about private sector properties. One of the biggest and most time-consuming barriers faced by local councils is identifying poor quality and non-compliant private rented sector properties and who owns them.
- 3.10 Government guidance on the proposed Renters (Reform) Bill indicates that the Property Portal will assist local authorities who currently operate selective licensing schemes; helping Council's to continue delivering positive outcomes for their areas.

Consequences of designating a selective licensing area

- 3.11 If a selective licensing area is designated, any private landlord wishing to operate within the area must obtain 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.
- 3.12 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.
- 3.13 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 A. 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.
- 3.14 The licence is valid for up to 5 years. A licence will have conditions (Appendix B) attached that are either mandatory or discretionary conditions. The Council can also include discretionary conditions relating to the management of the property.

Implications of Letting a Property Without a Licence

- 3.15 It is a criminal offence to let 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.
- 3.16 A landlord of an unlicensed property within a designation 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'.

3.17 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.

3.18 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:

- 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*
- 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.

3.19 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:

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

3.20 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 prosecution and a fine not exceeding £5,000, or by a way of a civil penalty notice not exceeding £30,000.

4 Burnley's Profile

4.1 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.

4.2 Much of Burnley's character and distinctiveness today derives not only from its attractive Pennine setting, but also from 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.

Population

4.3 The borough's population has increased by 8.8% since 2011, to around 94,700 at the 2021 Census; higher than the overall increase for England over the same period

(6.6%) and greater than neighbouring areas of Hyndburn (1.8%) and Pendle (7.1%). The largest population increase was seen in persons aged 65 years and over (18.9%).

Deprivation

- 4.4 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.
- 4.5 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.
- 4.6 Levels of unemployment have reduced significantly in Burnley in the last five years to 5.1% (APS modelled unemployment rate NOMIS 2020), this is however still higher than the north west (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.

Housing Type

- 4.7 At the 2021 Census there were 42,123 dwellings in Burnley. Burnley has a much higher proportion of terraced housing than England or the region as a whole. According to the 2021 Census, 46.6% of Burnley's housing stock consisted of terraced houses compared to the England average of 23.2%. Much of the terraced housing stock comprises pre-1919 two bedroomed terraced houses and this constrains choice in the housing market.
- 4.8 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.

Housing Tenure

- 4.9 Census data shows that between 2011 and 2021 there has been a decrease in the number of Burnley residents in owner occupation and an increase in the percentage in private rented accommodation. The rates of change are greater than those seen across England and Wales.
- 4.10 Between the two censuses private renting in England and Wales rose from 16.7% to 20.3%; and in Burnley from 19.4% to 24.3% in the same period.
- 4.11 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.

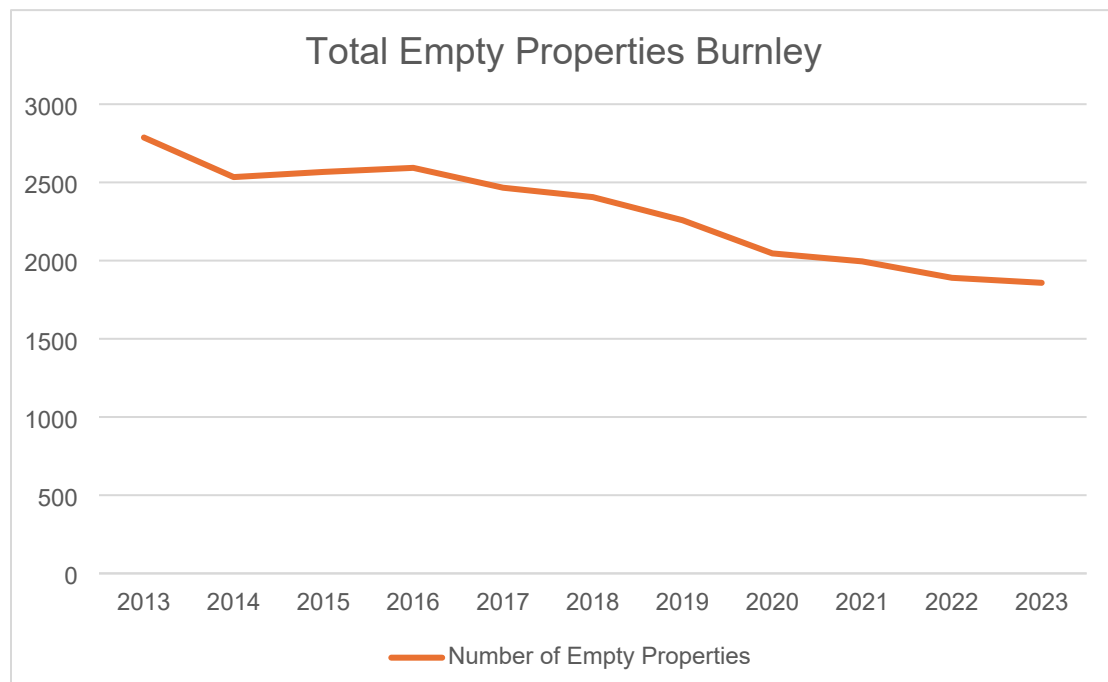
Table 1: Tenure, Burnley and England/Wales. ONS Census 2011 and 2021

Tenure	2011 Census		2021 Census	
	Burnley Households %	England and Wales %	Burnley Households %	England and Wales %
Owned	64.3	63.6	59.7	62.5%
Social rented	14.1	17.6	15.6	17.1%
Private rented	19.4	16.7	24.3	20.3%
Other	2.2	2.1	0.4	0.1%

Empty Homes

- 4.12 Over the last ten years there has been a steady reduction in the number of empty properties across the borough. In 2023 vacant properties accounted for 4.4% of the overall housing stock.
- 4.13 In 2020, 1.9% of properties in Burnley had been empty for more than two years. This has reduced to 1.3% in 2023.
- 4.14 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.

Figure 1: Empty Properties Burnley 2012-2023 (BBC Empty Homes Team)



Stock Condition

- 4.15 In 2023 the Council commissioned the Building Research Establishment (BRE) to undertake a series of modelling exercises on the housing stock in Burnley. The Council were given access to the Housing Stock Condition Database (HSCD). Estimates from this database have been used throughout this report to support other indicators of low demand and poor property condition.
- 4.16 The BRE estimates that 1013 (17.42%) properties in Burnley contain one or more category 1 hazard. 483 (48%) are thought to be privately rented, 486 (48%) are thought to be owner occupied, whilst the remaining 4% are in the social housing sector.
- 4.17 The 483 privately rented properties estimated to have category 1 hazards represent 22.7% of the private rented stock in Burnley.

Fuel Poverty

4.18 Fuel poverty in England is measured using the Low Income Low Energy Efficiency (LILEE) indicator. Under this indicator, a household is considered to be fuel poor if:

- They are living in a property with a fuel poverty energy efficiency rating of band D or below; *and*
- When they spend the required amount to heat their home, they are left with a residual income below the official poverty line.

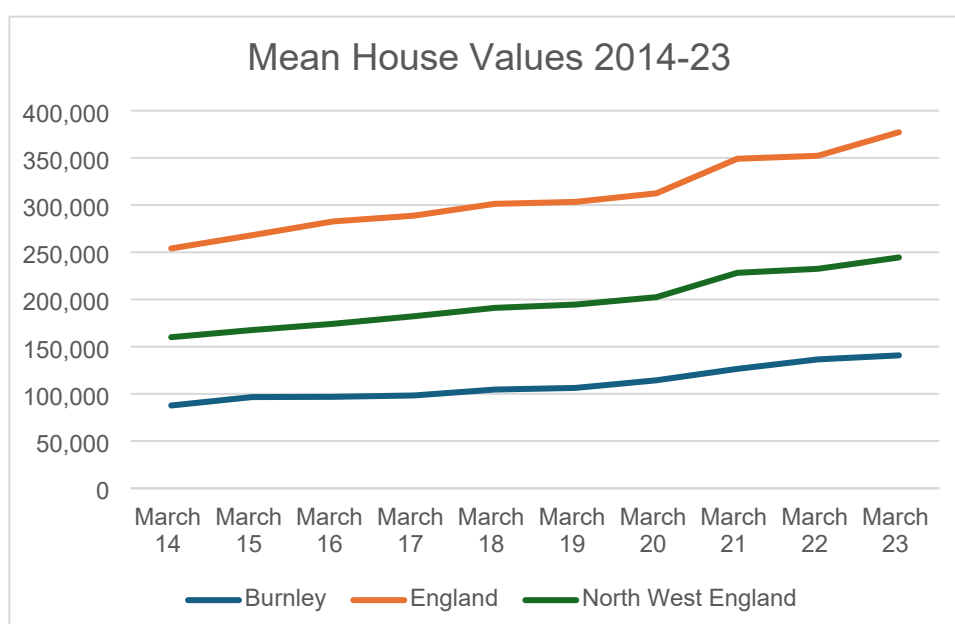
4.19 In 2022 there were an estimated 13.4% of households in fuel poverty in England (Department for Energy, Security and Net Zero). BRE data estimates that 6177 households in Burnley are living in fuel poverty, approximately 15.5% of the borough's population.

4.20 Of those, 2198 households are thought to live in the private rented sector, and these households make up 23.5% of the private rented sector in Burnley. Given that the figures for the borough and the private rented sector in Burnley are noticeably above the England average, it is crucial that the Council employs a multifaceted Housing Strategy which will tackle poor property condition and energy efficiency in both owner occupied and privately rented homes. Selective licensing is one such tool which allows the Council to closely monitor properties in some of the areas worst hit by fuel poverty.

Housing Market

4.21 In 2023 mean house prices in Burnley were around 37% of the national average for England, and 58% of the regional average – Burnley continues to close the gap on the regional averages, showing a promising trend, however mean values remain below the averages for the region and country.

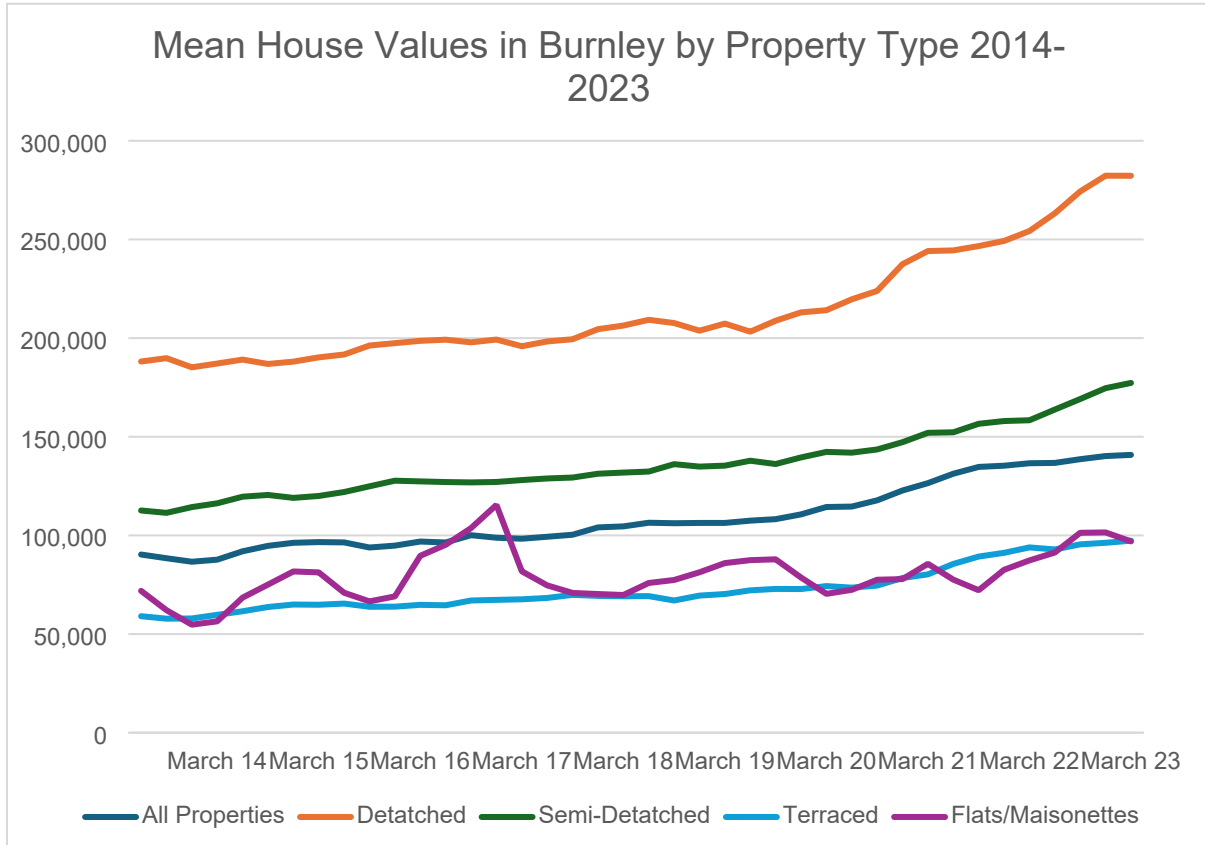
Figure 2: Mean House Values Burnley, North West, England 14-23 (ONS)



4.22 Figure 3 shows mean property values in Burnley since 2014 by property type.

Values for all property values have continued to rise consistently. Values for detached properties continue to rise, and in recent years at an increasing rate. Values for terraced properties and flats are much lower, and although there has been a general increase it is at a slower rate.

Figure 3: Mean House Values Burnley by Property Type 14-23 (ONS)

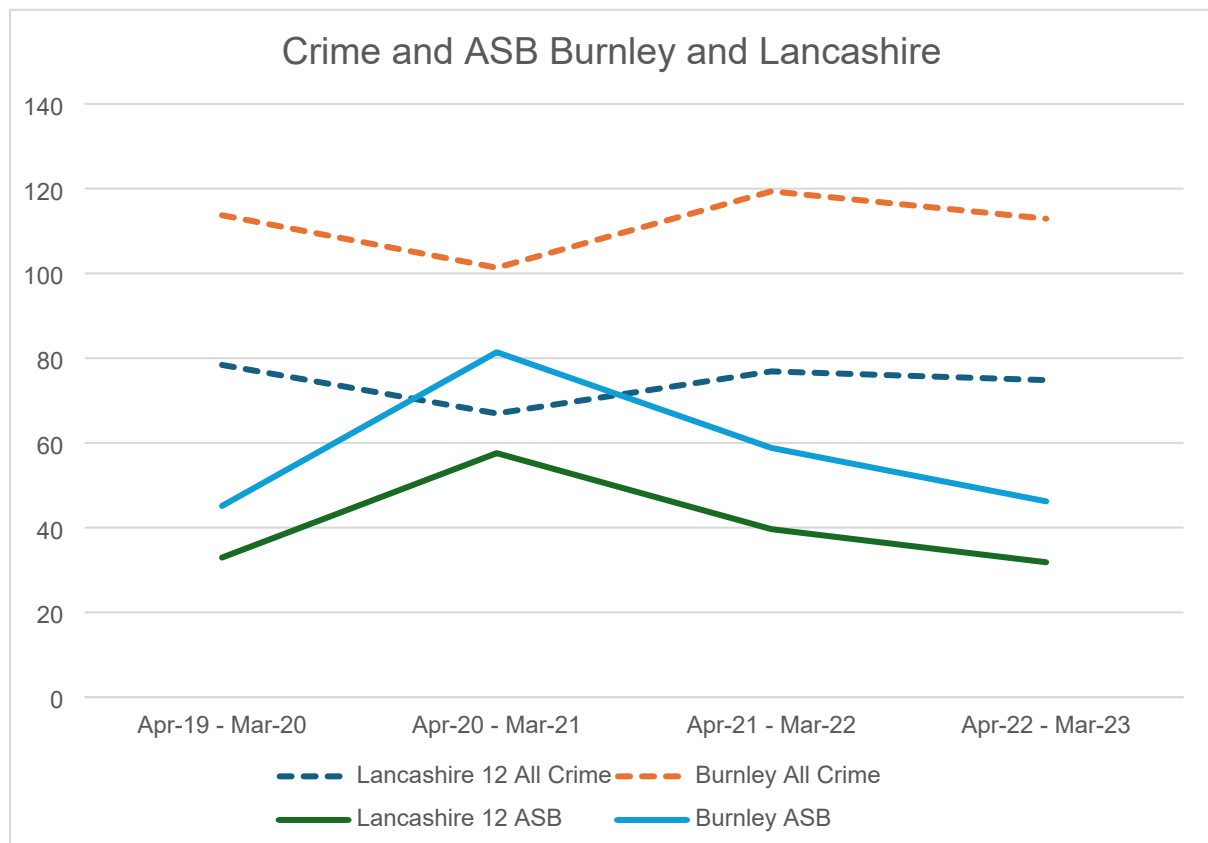


4.23 There are many local and wider economic factors which influence house price and sales trends and many of these factors are themselves being monitored e.g. employment levels, deprivation, population size and profile, crime rates, housing stock condition, land availability and household size. Other 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.

Crime and Anti-Social Behaviour (ASB)

4.24 Figure 4 shows instances of crime and ASB recorded by Police since April 2019. Figures are recorded as instances per 1,000 of the population. The data shows that Burnley has higher crime and ASB rates than the twelve Lancashire districts. Crime and ASB have reduced across Burnley and Lancashire.

Figure 4: Crime and ASB Burnley and Lancashire (Lancashire Insight)



5 Ward Level Data

5.1 The Council has analysed a series of key indicators across the borough and at the ward level, to greater understand which areas could benefit from a selective licensing designation.

5.2 The current and proposed licensing areas are in the following wards:

- Trinity – Trinity
- Queensgate – Queensgate and a small area of Bank Hall
- Gannow – Gannow
- Daneshouse and Stoneyholme – Daneshouse with Stoneyholme
- Burnley Wood with Healey Wood – Rosehill with Burnley Wood and a small area of Trinity
- Leyland Road Area – Bank Hall
- Padiham – Gawthorpe
- Lyndhurst Road Area – Bank Hall and Brunshaw

Tenure

5.3 Table 2 shows tenure types by ward across Burnley from 2021 Census. The top six ranked wards which are above the borough average all contain current or proposed licensing areas, and all have seen an increase in private renting since the 2011 Census of between 4.4% and 13.5%. The highest ranking ward is Bank Hall at 40.3%, significantly above the Burnley average of 24.3%.

Table 2: Household Tenure by Ward (ONS Census 2021)

	Owner Occupied (%)	Social Landlord (%)	Private Rented (%)	Private Rented Change from 2011 Census (%)	Ward Rank – Highest to Lowest PRS
Bank Hall	38.6	20.7	40.3	+10.7	1
Briercliffe	79.3	4.7	15.8	+5.2	12
Brunshaw	52.5	29.1	17.9	+7.6	11
Cliviger with Worsthorpe	86.2	2.5	11.1	+3.6	14
Coal Clough with Deerplay	67.8	20.8	11.2	+2.9	13
Daneshouse with Stoneyholme	44.1	16	39.5	+13.5	2
Gannow	60.7	13.3	25.6	+6.5	6
Gawthorpe	51.3	17.8	30.8	+6.7	5
Hapton with Park	64.5	15.8	19.1	+3.6	9
Lanehead	63	18.5	18.3	+3	10
Queensgate	56.9	7.7	35.2	+10.2	4
Rosegrove with Lowerhouse	55.5	20.6	23.6	+8.3	8
Rosehill with Burnley Wood	59.1	16.7	23.8	+4.4	7
Trinity	44.9	15.4	39.1	+6.3	3
Whittlefield with Ightenhill	81.1	8.7	10	+2	15
Burnley	59.8	15.6	24.3	+4.9	
England	62.3	17.1	20.6	+3.8	

Houses in Multiple Occupation (HMOs)

5.4 HMOs are properties or parts of properties containing one or more units of living accommodation, with two or more households occupying living accommodation as

their main residence and sharing basic amenities.

5.5 Where a HMO is occupied by five or more people forming two or more households and those persons share basic amenities, the landlord is required to obtain a licence from the Council.

5.6 HMOs form a vital part of the housing market, often providing cheaper accommodation to people whose housing options may be limited. Some HMOs are occupied by the most vulnerable in society. The risks of overcrowding and fire can be greater in HMOs than other types of property, therefore it is important to ensure that they are appropriately regulated, especially where they may fall under the threshold for licensable HMOs.

5.7 BRE data shows there are an estimated 916 HMOs in Burnley; 2.17% of all properties. Table 3 shows the distribution by ward.

5.8 The wards with the highest estimated rates of HMOs all contain current or proposed licensing areas. Properties in these areas tend to be rows of terraced houses; the impact of HMOs in these streets can be exacerbated by the high density of housing, and the position of the properties abutting the pavement or with short front gardens and lack of off-street parking.

5.9 The majority of HMOs in Burnley are non-licensable; given the concentration of HMOs in areas where property condition is believed to be poorer than the wider borough, it is essential that the Council has the tools to proactively monitor these properties.

Table 3: Estimated HMOs Burnley (BRE)

	Licensable HMOs	All HMOs	HMOs as % of Households	Rank High-Low % HMOs
Bank Hall	21	184	5.92%	1
Briercliffe	0	22	0.86%	12
Brunshaw	1	48	1.54%	9
Cliviger with Worsthorpe	1	14	0.59%	14
Coal Clough with Deerplay	0	12	0.5%	15
Daneshouse with Stoneyholme	7	68	2.77%	3
Gannow	2	62	2.19%	6
Gawthorpe	3	72	2.27%	5
Hapton with Park	6	32	1.12%	11
Lanehead	2	44	1.61%	8
Queensgate	2	67	2.47%	4
Rosegrove with Lowerhouse	0	36	1.16%	10
Rosehill with Burnley Wood	5	58	1.93%	7
Trinity	17	180	5.77%	2
Whittlefield with Ightenhill	0	17	0.66%	13
BURNLEY	67	916	2.17%	

Property Condition: Energy Performance Certificates (EPCs)

5.10 The purpose of the EPC is to inform prospective tenants or purchasers the energy performance of the property and gives a good indication of property condition within an area. 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”. Table 4 shows the number of properties across Burnley rated below “E”.

Table 4: EPC Below "E" (EPC Register 2023)

Ward	% of Properties Below Standard
Bank Hall	3.6%
Briercliffe	2.1%
Brunshaw	2.1%
Cliviger with Worsthorne	2.2%
Coalclough with Deerplay	2.0%
Daneshouse with Stoneyholme	4.3%
Gannow	2.8%
Gawthorpe	2.3%
Hapton with Park	2.5%
Lanehead	2.4%
Queensgate	3.8%
Rosegrove with Lowerhouse	2.1%
Rosehill with Burnley Wood	3.1%
Trinity	3.9%
Whittlefield with Ightenhill	0.7%
BURNLEY	2.7%

5.11 2.7% of properties in Burnley have an EPC rated below “E” (all tenures). The figures in Table 4 demonstrate a concentration of energy inefficient homes in the wards containing the current and proposed licensing areas. This is an indicator of poorer standard properties in these areas.

5.12 Landlords are required to submit a valid EPC as part of their selective licensing application; the licensing schemes have allowed the Council to take a proactive approach to utilising EPC regulations, identifying energy inefficient homes and ensuring landlords are making the relevant improvements to be compliant with the law.

Table 5: EPC Ratings Below “E” Licensing Areas (EPC Register)

Current Selective Licensing Areas	No. rated below “E” All Tenure	% rated below “E” All Tenure	No. PRS rated below “E”	% PRS rated below “E”
Trinity 2019-24	65	4.8%	3	0.4%
Queensgate 2019-24	83	5.2%	4	0.5%
Gannow 2019-24	27	2.8%	3	0.6%
Daneshouse & Stoneyholme 2019-24	97	5.4%	2	0.3%
Burnley Wood with Healey Wood 2022-27	20	2.5%	0	0%
Leyland Road 2022-27	27	3.6%	2	0.4%

5.13 Table 5 shows the percentage of properties rated below “E” for all tenures, and separately for PRS stock in the current licensing areas. Levels of non-compliant properties (all tenures) are above average in the licensing areas, indicating a concentration of poor property conditions in this area. Within the licensing area however, levels are much lower in large part due to the proactive work of the licensing team.

Property Condition: Estimated Category 1 Hazards

5.14 Property condition, maintenance and repair is a fundamental aspect of property management in the private rented sector. The Council has considered evidence from the BRE housing stock modelling report which estimated the number of properties in the borough likely to be subject to a Category 1 Hazard, as defined by the Housing Health and Safety Rating System (HHSRS) as a hazard which poses a serious and immediate risk to a person’s safety. In addition, the Council has also analysed the number of disrepair complaints made to the Council in respect of privately rented properties.

5.15 Table 6 shows the estimated distribution of Category 1 Hazards for all tenures across the borough. It also shows the percentage of the private rented sector in each ward estimated to have a Category 1 Hazard.

Table 6: Estimated Cat 1 Hazards All Tenures (BRE 2023)

Ward	No. Cat 1 Hazard All Tenures	Rank Total Cases	No. Cat 1 Hazard PRS	Rank PRS Cases
Bank Hall	514	2	284	2
Briercliffe	388	9	74	11
Brunshaw	352	11	63	12

Cliviger with Worsthorne	338	13	28	15
Coalclough with Deerplay	304	14	31	14
Daneshouse with Stoneyholme	510	3	244	4
Gannow	414	7	146	7
Gawthorpe	493	6	247	3
Hapton with Park	404	8	107	8
Lanehead	350	12	98	9
Queensgate	499	5	199	5
Rosegrove with Lowerhouse	357	10	88	10
Rosehill with Burnley Wood	507	4	163	6
Trinity	607	1	295	1
Whittlefield with Ightenhill	175	15	37	13
BURNLEY	6212		2104	

5.16 There are estimated to be 6212 properties with Category 1 Hazards across the borough (14.7% of all stock). The seven wards estimated to have the highest numbers of Category 1 Hazards are all those where the current and proposed licensing areas are located. The highest ranked ward for total cases was Trinity, followed by Bank Hall, Daneshouse with Stoneyholme, Rosehill with Burnley Wood, Queensgate, Gawthorpe and then Gannow.

5.17 There are estimated to be 2104 privately rented properties with Category 1 Hazards across the borough (22.5% of the PRS). Again, the wards with the highest number of estimated private rented properties with Category 1 Hazards are those where the licensing areas are located. As shown previously, levels of private renting do vary significantly across the wards. As such, it can be expected that wards with higher levels of private renting will have increased numbers of hazards.

5.18 The modelling suggests a clear concentration of poorer quality housing within the wards where the current and proposed selective licensing areas are located; the Council is satisfied that the licensing areas are located in the most appropriate wards when it comes to concerns around property condition.

Property Condition: Disrepair Complaints

5.19 Table 7 shows the numbers of disrepair complaints made to the Council's Housing Standards team in the last five years. The number of reported cases rose sharply between 18/19 and 20/21. and has since fluctuated. The seven highest wards for disrepair complaints are those where the selective licensing areas are located, with the highest being Bank Hall and Trinity.

5.20 The data again supports the Council's view that the selective licensing areas are in the areas where there is a poorer standard of private rented houses.

Table 7: Disrepair Complaints to BBC (BBC)

Ward	2018/19	2019/20	2020/21	2021/22	2022/23	Rank 22/23
Bank Hall	32	49	64	89	72	1
Briercliffe	0	5	3	7	7	13
Brunshaw	7	7	14	14	11	11
Cliviger with Worsthorne	0	1	3	4	3	15
Coalclough with Deerplay	1	7	10	10	12	10
Daneshouse with Stoneyholme	17	23	54	28	31	4
Gannow	10	6	7	21	23	=6
Gawthorpe	16	17	27	27	23	=6
Hapton with Park	5	14	14	21	16	9
Lanehead	4	9	11	14	9	12
Queensgate	23	31	43	41	40	3
Rosegrove with Lowerhouse	15	26	46	29	22	8
Rosehill with Burnley Wood	22	39	27	21	28	5
Trinity	49	65	63	64	61	2
Whittlefield with Ightenhill	3	7	7	9	6	14
Burnley Total	204	306	393	399	364	

Housing Market

5.21 Table 8 shows mean house values by ward across the borough since 2018/19. Values range from Daneshouse with Stoneyholme with the lowest average, to the rural ward of Cliviger with Worsthorne which records the highest values. It is well documented how house prices in Burnley have been consistently some of the lowest in the country, and the option to buy cheap properties “unseen” at auction means a greater risk of some parts of Burnley suffering from absentee landlords.

5.22 Five wards containing current or proposed licensing areas are ranked the lowest in terms of house values. The exceptions are Gannow (ranked 9) and Rosehill with Burnley Wood (ranked 11). Both areas contain a wider variety of property types at the ward level, but as later analysis will show, values within the licensing boundaries are much lower than the borough average.

5.23 Mean house values in Burnley for all properties rose by around 33% between 2018/19 and 2022/23; for terraced properties the increase was approximately 38%.

Table 8: Mean House Values by Ward (ONS)

Ward	March-19	March-20	March-21	March-22	March-23	Rank Low to High Mar-23
Bank Hall	58,131	68,737	69,725	91,171	88,883	2
Briercliffe	134,361	134,703	133,004	159,071	153,451	12
Brunshaw	101,651	96,065	111,613	128,529	132,996	7
Cliviger with Worsthorne	185,492	196,830	216,386	212,876	253,936	15
Coal Clough with Deerplay	129,109	152,389	150,607	161,213	173,931	13
Daneshouse with Stoneyholme	64,004	70,236	70,010	79,747	72,603	1

Gannow	83,971	111,286	149,073	141,222	143,860	9
Gawthorpe	90,722	95,045	121,604	106,989	113,255	5
Hapton with Park	139,647	139,139	150,093	147,255	149,441	10
Lanehead	117,224	106,989	112,057	134,979	133,261	8
Queensgate	63,871	79,134	74,355	99,355	95,991	4
Rosegrove with Lowerhouse	126,277	120,330	119,698	120,695	132,845	6
Rosehill with Burnley Wood	95,536	108,334	122,722	126,063	151,398	11
Trinity	77,206	71,373	76,720	89,395	92,148	3
Whittlefield with Ightenhill	144,738	155,311	173,509	189,033	218,405	14
Burnley All Properties	106,274	114,189	126,187	135,584	140,808	
Burnley Terraced	70,291	74,321	80,261	93,918	97,327	

Empty Homes

5.24 Table 9 shows the number of empty properties in Burnley by ward. Bank Hall and Trinity contained the most empty properties at year end March 2023, and the seven highest ranked wards for empty properties are where the current and proposed selective licensing areas are situated.

5.25 Over the last ten years the number of empty homes in Burnley has continued to reduce. The number of long term empty properties (vacant for over two years) in 2022/23 across Burnley was 1.2%.

Table 9: Empty Properties by Ward (BBC Empty Homes)

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	Rank 2023
Bank Hall	408	326	255	253	272	328	252	215	280	271	259	1
Briercliffe	100	87	102	124	84	89	87	88	75	79	86	12
Brunshaw	83	84	112	110	124	113	123	104	108	116	98	11
Cliviger with Worsthorpe	94	84	85	89	93	80	90	63	79	78	72	13
Coal Clough Lane with Deerplay	135	117	103	88	88	78	73	63	77	49	52	15
Danehouse with Stoneyholme	319	274	223	225	234	204	186	157	139	138	132	6
Gannow	165	150	165	166	171	153	163	134	125	144	167	3
Gawthorpe	217	211	189	223	182	198	198	206	162	150	141	5
Hapton with Park	190	170	143	138	129	113	102	112	108	91	111	8
Lanehead	136	145	119	129	109	93	92	101	97	97	106	9
Queensgate	239	231	262	264	250	240	204	181	164	157	142	4
Rosegrove with Lower House	165	160	165	141	127	122	168	124	115	99	105	10
Rosehill with Burnley Wood	123	125	214	199	203	205	176	166	155	134	127	7
Trinity	320	288	345	350	307	302	265	255	233	222	204	2
Whittlefield with Ightenhill	93	82	85	94	93	88	79	77	78	65	56	14

Crime and Anti-Social Behaviour

5.26 Significant levels of crime and anti-social behaviour (ASB) can be a contributing factor to low demand. Table 10 shows all crime recorded by police from April 2020 to present. Levels of recorded crime across Burnley fluctuated during this period, which was reflected in many of the wards. The highest ranking ward for all crime was Daneshouse with Stoneyholme, though this ward does contain the town centre, and so a significant proportion of recorded crimes here will relate to the night time economy.

5.27 All of the current and proposed licensing areas are located in the highest ranked six wards, with the exception of Gannow which was ranked ninth.

Table 10: Recorded All Crime by Ward (Lancashire Insight)

	Apr-20 - Mar-21		Apr-21 - Mar-22		Apr-22 - Mar-23		Rank March 2023
Area	Per 1000 Population	% change on previous year	Per 1000 Population	% change on previous year	Per 1000 Population	% change on previous year	
Bank Hall	146.5	-16%	196.49	34%	168.36	-14%	3
Briercliffe	38.3	-7%	44.11	15%	39.02	-12%	14
Brunshaw	72.6	-14%	81.91	13%	80.87	-1%	10
Cliviger With Worsthorpe	22.9	-16%	22.72	-1%	33.17	46%	15
Coal Clough With Deerplay	98.5	-3%	107.37	9%	89.23	-17%	8
Daneshouse With Stoneyholme	191.5	-33%	276.74	45%	234.45	-15%	1
Gannow	95.5	3%	103.69	9%	88.4	-15%	9
Gawthorpe	110.6	1%	115.39	4%	129.74	12%	5
Hapton With Park	81.3	9%	90.57	11%	80.53	-11%	11
Lanehead	87.4	25%	79.98	-8%	57.77	-28%	12
Queensgate	155.3	5%	172.04	11%	133	-23%	4
Rosegrove With Lowerhouse	123.3	17%	110.11	-11%	99.73	-9%	7
Rosehill With Burnley Wood	142.7	0%	139	-3%	116.14	-16%	6
Trinity	197.0	-15%	223.05	13%	210.23	-6%	2
Whittlefield With Ightenhill	46.6	-4%	57.12	23%	45.06	-21%	13
Burnley	112.6	-8%	126.51	12%	112.93	-11%	

5.28 Table 11 shows levels of ASB recorded by Police across Burnley from April 2020 to present. Rates of recorded ASB rose significantly in 2020/21, due in part to the restrictions in place during the Covid 19 Pandemic. Breaches of restrictions were recorded by police as ASB, and larger numbers of people at home may have resulted in increased neighbourhood tensions.

5.29 Daneshouse with Stoneyholme recorded the highest level of ASB in March 2022/23; again this is likely to be due in part to the influence of the town centre and

night time economy.

5.30 Similarly to all crime levels, all of the current and proposed licensing areas are ranked in the highest six wards for recorded ASB with the exception of Gannow.

Table 11: Recorded ASB by Ward (Lancashire Insight)

	Apr -20 - Mar - 21		Apr-21 - Mar-22		Apr-22 - Mar-23		
Area	Per 1000 population	% change on previous year	Per 1000 population	% change on previous year	Per 1000 population	% change on previous year	Rank March 2023
Bank Hall	122.08	56%	84.96	-30%	70.93	-17%	2
Briercliffe	58.64	133%	25.48	-57%	21.76	-15%	13
Brunshaw	63.25	113%	36.85	-42%	28.71	-22%	11
Cliviger With Worsthorne	25.47	115%	11.76	-54%	10.07	-14%	15
Coal Clough With Deerplay	82.33	144%	44.74	-46%	35.2	-21%	8
Daneshouse With Stoneyholme	133.18	18%	132.17	-1%	99.94	-24%	1
Gannow	72.79	76%	52.46	-28%	34.48	-34%	9
Gawthorpe	86.89	70%	71.64	-18%	57.04	-20%	6
Hapton With Park	78.35	148%	54.58	-30%	32.59	-40%	10
Lanehead	73.53	104%	30.76	-58%	19.31	-37%	14
Queensgate	99.02	72%	97.64	-1%	60.14	-38%	4
Rosegrove With Lowerhouse	93.3	160%	52.62	-44%	40.15	-24%	7
Rosehill With Burnley Wood	120.85	80%	91.78	-24%	59.34	-35%	5
Trinity	161.79	80%	95.59	-41%	69.31	-27%	3
Whittlefield With Ightenhill	41.73	80%	25.8	-38%	27.31	6%	12
Burnley	88.11	80%	62.35	-29%	46.21	-26%	

Environmental Crime

5.31 Environmental crime includes fly tipping of back streets, and residents failing to keep their yards free of waste and dog fouling. Accumulations of waste have a detrimental effect on neighbourhoods, making an area look unattractive and run down, attracting vermin, and posing a risk of deliberate fires. Table 12 shows the number of incidents of dirty back yards reported to the Council by residents since 2018/19.

5.32 The wards containing current and proposed licensing areas are all in the top

eight ranked wards for resident complaints of dirty back yards in 2022/23.

Table 12: Dirty Back Yard Resident Complaints (BBC Streetscene)

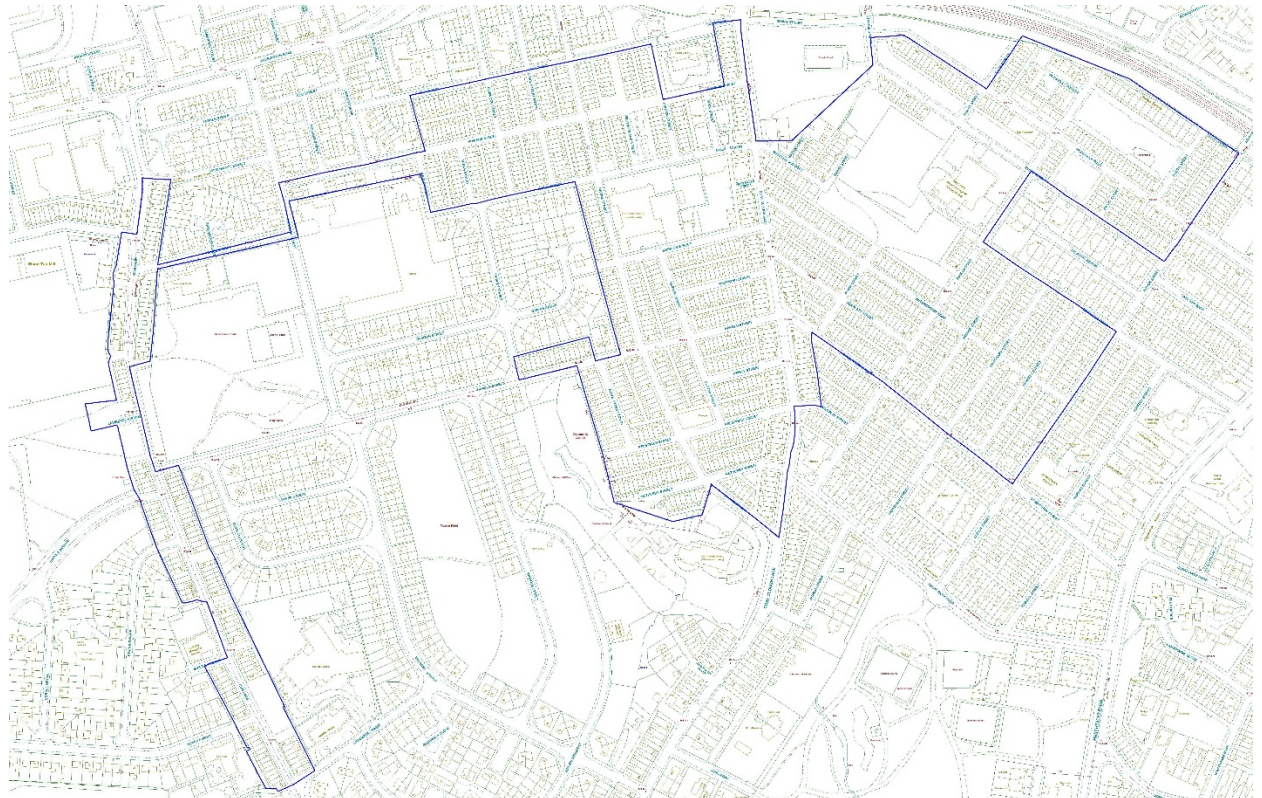
Ward Resident Complaints	2018/19	2019/20	2020/21	2021/22	2022/23	Rank 22/23
Bank Hall Ward	23	33	56	66	66	3
Briercliffe Ward	6	13	30	25	22	13
Brunshaw Ward	7	11	51	31	27	10
Cliviger with Worsthorne Ward	1	0	3	2	5	14
Coal Clough with Deerplay Ward	4	9	21	16	28	9
Daneshouse with Stoneyholme Ward	8	15	30	22	44	6
Gannow Ward	8	21	38	36	36	8
Gawthorpe Ward	12	16	51	71	52	4
Hapton with Park Ward	8	11	20	26	14	14
Lanehead Ward	10	7	37	28	23	12
Queensgate Ward	23	28	49	45	37	7
Rosegrove with Lowerhouse Ward	7	16	38	38	46	5
Rosehill with Burnley Wood Ward	18	17	85	56	82	1
Trinity Ward	17	37	155	82	71	2
Whittlefield with Ightenhill Ward	3	13	12	23	25	11

6 The Trinity Proposed Designation

Background

6.1 The Trinity area was first designated as an area subject to selective licensing in 2008; it has since been subject to two further designations, the most recent being the period of 2019-2024. Figure 5 shows the boundary of the current designation.

Figure 5: Trinity 2019-24 Boundary



6.2 The current designation covers a large residential area of over 1300 properties, of which 55.2% are privately rented (*SL Database 2023*). The majority of the designation is situated in Trinity ward.

6.3 Throughout the designation, the Council has monitored several key indicators of low housing demand. The scheme is now in its final year, and the Council has assessed these indicators to determine the effectiveness of the scheme, and whether this area, or other similar areas, would benefit from a further selective licensing designation.

6.4 The Council has also considered whether the following neighbouring areas would benefit from selective licensing:

- 6.4.1.1 Zone 1: Clifton Street Area
- 6.4.1.2 Zone 2: Westgate
- 6.4.1.3 Zone 3: Waverley/Dean Street Area
- 6.4.1.4 Zone 4: Florence/Villiers Street Area

6.5 Zones 1, 2 and 3 are located to the north-west of the current Trinity boundary, whilst Zone 4 is located to the West. Zones 1, 2 and 4 consist typically of blocks of terraced properties which the Council believes to contain high levels of private rented

properties. Zone 2, Westgate, is a main thoroughfare into Burnley town centre, and consists of larger terraced properties, the majority of which have been converted into individual flats or HMOs.

6.6 A map of the proposed boundary, consisting of the current designation plus the additional areas listed above, is attached as Appendix 2.

6.7 Table 13 summarises the key indicators of low housing demand which the Council has considered in relation to the current and proposed licensing areas.

Table 13: Key Indicators: Trinity and Surrounding Areas 2022/23

	Trinity Current Boundary	Zone 1: Clifton St	Zone 2: Westgate	Zone 3: Waverley/Dean St	Zone 4: Florence/Villiers St	Burnley Borough
Total Properties	1348	81	56	133	142	44,123
Private Rented	55.2%	74.1%	80.4%	60.9%	61.3%	24.3%
Owner Occupied	32.3%	23.5%	19.6%	32.3%	33.9%	59.8%
EPC Below Minimum Standard in PRS (EPC Register 2023)	0.4%	1.67%	6.67%	1.23%	0%	Figure unknown
Estimated Cat 1 hazards in PRS (BRE 2023, PRS cases as % of PRS)	22.6%	3.33%	40%	19.75%	23%	22.5%
Disrepair Complaints to BBC as % of PRS (22/23)	7.3%	3.3%	4.4%	2.5%	5.8%	3.8%
Estimated HMOs (BRE 2023)	5.9%	9.9%	28.6%	9%	2.4%	2.17%
Mean House Value (Land Registry 22/23)	£60,826	£67,750	£129,000	£64,571	£57,889	All: £140,808 Terraced: £97,327
Vacant Homes 2yr+ (March 23)	3%	2.5%	1.8%	0.9%	1.6%	1.2%
ASB Complaints to BBC (22/23)	0.8%	0%	0%	0%	0.7%	0.6%
DBY Resident Complaints to BBC (22/23)	3.1%	2.5%	1.8%	2.8%	3.3%	1.4%
Estimated PRS Households in Fuel Poverty (BRE 23)	21.2%	6.7%	35.6%	18.5%	28.7%	23.5%

Housing Tenure

6.8 Trinity ward has the third highest percentage of private rented properties at 39.1%, notably above the Burnley and England averages. The rate of increase from the 2011 census is also above the rate for Burnley as a whole. Levels of social renting are similar to Burnley as a whole and below the average for England, whilst owner occupiers are lower (Table 2).

6.9 Table 14 shows tenures within the current and proposed selective licensing areas. The proposed licensing area would extend the boundary by an estimated 273 private rented properties and is estimated to be 57.8% private rented. There is a significant concentration of the PRS within the boundary.

Table 14: Property Numbers and PRS in the selective licensing areas (SL Data 2023, BRE Data 2023)

Current Selective Licensing Areas	Total Properties	Total PRS	% PRS
Trinity 2019-24	1348	744	55.2
Queensgate 2019-24	1612	785	48.7
Gannow 2019-24	960	496	51.7
Daneshouse & Stoneyholme 2019-24	1783	603	33.8
Burnley Wood with Healey Wood 2022-27	810	429	53
Leyland Road 2022-27	756	464	61.4
Current Total	7269	3521	48.4
Proposed Selective Licensing Areas 2025-30	Estimated Total Properties	Estimated PRS	Estimated % PRS
Trinity 2025-30	1760	1017	57.8
Queensgate 2025-30	2873	1369	47.7
Gannow 2025-30	1145	555	48.5
Daneshouse & Stoneyholme 2025-30	1783	603	33.8
Padiham 2025-30	1317	671	51
Lyndhurst Road 2025-30	962	370	38.5
Proposed Total	9840	4585	46.6

Houses in Multiple Occupation (HMOs)

6.10 According to BRE data, Trinity ward is estimated to have the second highest rate of HMOs in the borough at 5.77% compared to 2.17% for Burnley (Table 3).

6.11 Table 15 shows estimated HMO rates in the current and proposed licensing areas.

6.12 The current Trinity licensing area has a much higher concentration of HMOs than the borough, and the proposed area has an even higher rate at 6.6%. This is partly due to the proposed inclusion of Westgate, which consists of larger terraced properties on three or four levels, many of which have been converted into individual flats or HMOs.

Table 15: Estimated HMOs Current and Proposed Licensing Areas (BRE)

Current Selective Licensing Areas	Estimated HMOs as % of Properties
Trinity 2019-24	5.93%
Queensgate 2019-24	5.52%
Gannow 2019-24	4.48%
Daneshouse & Stoneyholme 2019-24	2.8%
Burnley Wood with Healey Wood 2022-27	3.7%
Leyland Road 2022-27	11.24%
Proposed Selective Licensing Areas 2025-30	Estimated HMOs as % of

	Properties
Trinity 2025-30	6.6%
Queensgate 2025-30	5.01%
Gannow 2025-30	4.37%
Daneshouse & Stoneyholme 2025-30	2.8%
Padiham 2025-30	2.96%
Lyndhurst Road 2025-30	4.37%
BURNLEY	2.17%

Property Condition: Energy Performance Certificates (EPCs)

6.13 2.7% of properties (all tenures) in Burnley have an EPC rated below “E” (all tenures), compared to 4.8% of properties in the current Trinity designation (Table 4 and Table 16). However, of those properties, those that are privately rented are much lower at 0.4%.

6.14 The figures in Table 16 clearly show the positive impact that the licensing schemes have had; of the three privately rented properties in the current Trinity scheme rated below “E”, two are occupied by long term tenants (the landlord is not required to increase the rating until a new tenancy or renewal) and the other is a landlord who is not currently compliant with the licensing scheme. The Council is working to secure a valid application from them, which will include ensuring the property meets the minimum energy efficiency standard. Without the licensing schemes proactively investigating EPC ratings, it’s possible for landlords to operate below standard under the radar.

6.15 There are 13 properties in the additional zones which the Council is proposing to add to the Trinity designation which have recorded EPC ratings below “E”. Of those, five are believed to be privately rented. From experience of previous schemes, the Council often finds there are more privately rented properties in a designated area than initially estimated. The Council is confident that a further designation in the Trinity area will allow us to continue to monitor new privately rented properties to ensure they are meeting the required standard, and that extending the boundary of the scheme will allow us to address the issue in neighbouring zones.

Table 16: EPC Ratings in the licensing areas (EPC Register September 2023)

Current Selective Licensing Areas	No. rated below “E” All Tenure	% rated below “E” All Tenure	No. PRS rated below “E”	% PRS rated below “E”
Trinity 2019-24	65	4.8%	3	0.4%
Queensgate 2019-24	83	5.2%	4	0.5%
Gannow 2019-24	27	2.8%	3	0.6%
Daneshouse & Stoneyholme 2019-24	97	5.4%	2	0.3%
Burnley Wood with Healey Wood 2022-27	20	2.5%	0	0%
Leyland Road 2022-27	27	3.6%	2	0.4%
Current Total	319	4.4%	14	0.4%
Proposed Selective Licensing Areas 2025-30	No. rated below “E”	% rated below “E”	No. PRS rated below “E”	% PRS rated below “E”
Trinity 2025-30	78	4.4%	5	0.5%
Queensgate 2025-30	148	5.2%	24	1.8%

Gannow 2025-30	31	2.7%	4	0.7%
Daneshouse & Stoneyholme 2025-30	97	5.4%	2	0.3%
Padiham 2025-30	29	2.2%	9	1.3%
Lyndhurst Road 2025-30	41	4.3%	9	1.9%
Proposed Total	424	4.3%	53	1.2%
BURNLEY				

Property Condition: Estimated Category 1 Hazards

6.16 BRE data estimates that Trinity ward has the highest level of Category 1 Hazards in the PRS in the borough (Table 6).

6.17 Table 17 shows the estimated numbers of Category 1 Hazards in the current and proposed licensing areas. The percentage of properties in the current and proposed licensing areas estimated to have Category 1 Hazards is significantly above the Burnley average of 14.7%. When taken together, the estimated rates at privately rented properties for the current and proposed licensing areas is above the average for Burnley of 22.5%, though there is variation between the areas.

Table 17: Estimated Category 1 Hazards SL Areas (BRE 2023)

Current Selective Licensing Areas	Cat 1 Hazard All Properties	Total Properties	Cat 1 Hazard as % of Properties	Cat 1 Hazard PRS	Total PRS	Cat 1 PRS as % of PRS
Trinity 2019-24	313	1348	23.2%	162	744	21.8%
Queensgate 2019-24	325	1612	20.2%	165	785	21.0%
Gannow 2019-24	192	960	20%	107	496	21.6%
Daneshouse & Stoneyholme 2019-24	411	1783	23.1%	188	603	31.2%
Burnley Wood with Healey Wood 2022-27	184	810	22.7%	99	429	23.1%
Leyland Road 2022-27	163	756	21.6%	104	464	22.4%
Current Total	1588	7269	21.9%	825	3521	23.4%
Proposed Selective Licensing Areas 2025-30	Cat 1 Hazards All Properties	Total Properties	Cat 1 Hazards as % of Properties	Cat 1 Hazard PRS	Total PRS	Cat 1 PRS as % of PRS
Trinity 2025-30	396	1760	22.5%	218	1017	21.4%
Queensgate 2025-30	615	2873	21.4%	329	1369	24%
Gannow 2025-30	235	1145	20.5%	125	555	22.5%
Daneshouse and Stoneyholme 2025-30	411	1783	23.1%	188	603	31.2%

Padiham 2025-30	281	1317	21.3%	170	671	25.3%
Lyndhurst Road 2025-30	206	962	21.4%	90	370	24.3%
Proposed Total	2144	9840	21.8%	1120	4585	24.4%
BURNLEY			14.7%			22.5%

6.18 The current Trinity selective licensing area is estimated to have Category 1 Hazards at 22.5% of all properties and 21.4% of private rented properties; the rate for all properties is considerable above the Burnley average, whilst the rate at private rented properties is below the Burnley average. This shows that the licensing schemes are having a positive impact on property conditions in Trinity. The Council is satisfied that continuing and extending the scheme here would result in further reductions of properties with serious disrepair.

Property Condition: Disrepair Complaints

6.19 Trinity ward was ranked second highest in the borough for disrepair complaints made to the Council in 2022/23 (Table 7).

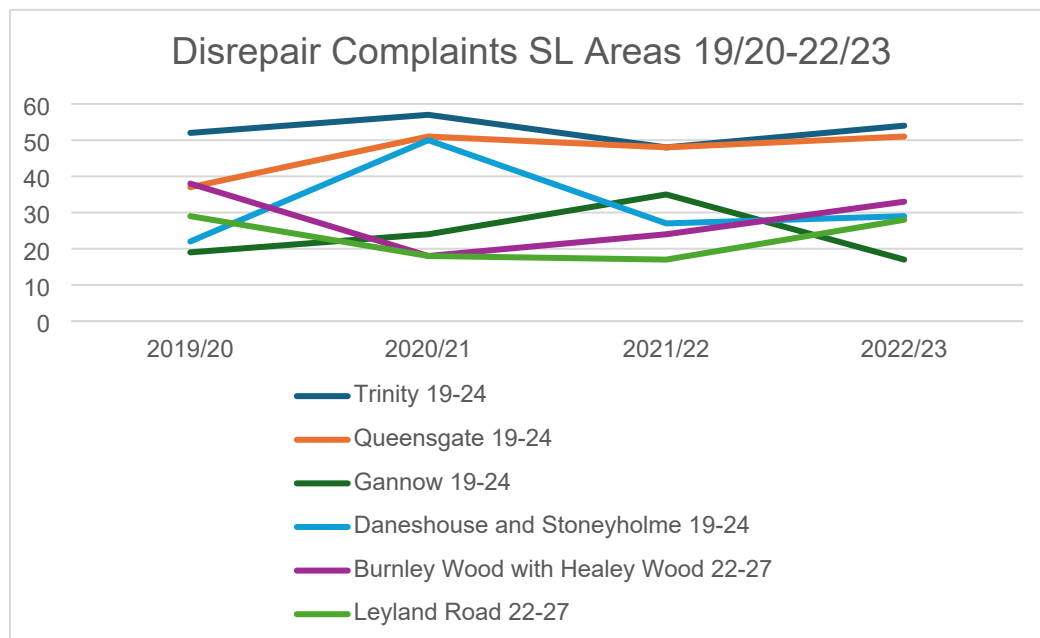
6.20 Table 18 and Figure 6 show the numbers of disrepair complaints within the current and proposed licensing areas. Despite a significant increase in disrepair complaints across the borough between 19/20 and 20/21, rates in the Trinity designation have remained fairly static, with a slight overall reduction in the last four years. The number of complaints as a percentage of the private rented stock is still significantly above average for the borough. By incorporating additional zones, this has reduced slightly, though this may be explained by the fact that residents of some areas, particularly those not immediately adjacent to an existing designation, may not be aware of the assistance the Council can provide when issues of disrepair have not been addressed by their landlord. The Council is satisfied that there is further work to be done to address poor property condition in the Trinity area.

Table 18: Disrepair Complaints to BBC SL Areas (BBC)

Current/Previous Selective Licensing Areas	Disrepair Complaints as % of PRS 19/20	Disrepair Complaints as % of PRS 20/21	Disrepair Complaints as % of PRS 21/22	Disrepair Complaints as % of PRS 22/23
Trinity 2019-24	8%	8.7%	6.7%	7.3%
Queensgate 2019-24	5%	6.9%	6.7%	6.5%
Gannow 2019-24	4%	5%	7.1%	3.4%
Daneshouse & Stoneyholme 2019-24	3.5%	8.1%	4.8%	4.8%
Burnley Wood with Healey Wood 2022-27	7.6%	3.6%	5.5%	7.7%
Leyland Road 2022-27	6.2%	3.8%	3.7%	6%
Proposed Selective Licensing Areas	Disrepair Complaints as % of PRS 19/20	Disrepair Complaints as % of PRS 20/21	Disrepair Complaints as % of PRS 21/22	Disrepair Complaints as % of PRS 22/23
Trinity 2025-30				6.4%
Queensgate 2025-30				4.7%
Gannow 2025-30				6.1%
Daneshouse and Stoneyholme 2025-				4.8%

30				
Padiham 2025-30				2.5%
Lyndhurst Road 2025-30				6%
BURNLEY				3.8%

Figure 6: Disrepair Complaints to BBC SL Areas (BBC)



Housing Market

6.21 Mean house values in Trinity ward are the third lowest in the borough for 2022/23 at £92,148 (Table 8).

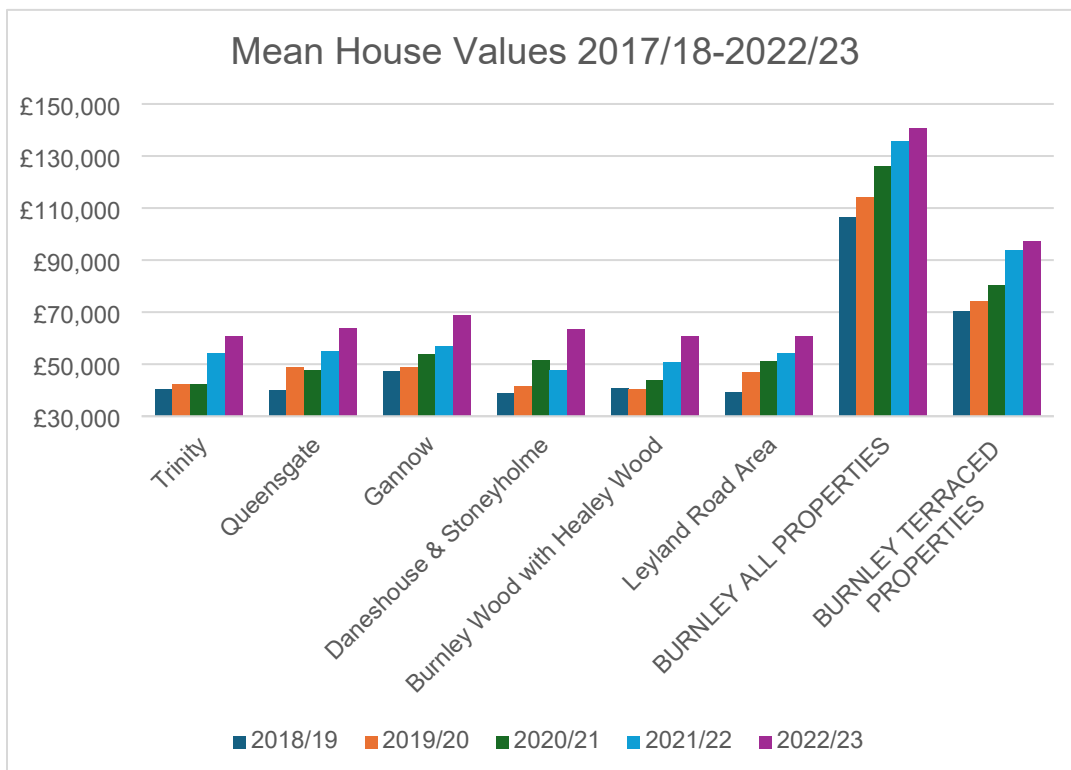
6.22 Table 19 and Figure 7 show trends in house values in the current licensing areas for the last four years, as well as the most recent data for the proposed new designations.

Table 19: Mean House Values SL Areas (ONS)

Current/Previous Selective Licensing Areas	2018/19	2019/20	2020/21	2021/22	2022/23
Trinity 2019-24	£40,240	£42,198	£42,356	£54,267	£60,826
Queensgate 2019-24	£40,146	£48,875	£47,782	£55,144	£63,860
Gannow 2019-24	£47,327	£48,982	£53,897	£56,759	£68,843
Daneshouse & Stoneyholme 2019-24	£38,684	£41,663	£52,344	£47,477	£63,607
Burnley Wood with Healey Wood 2022-27	£40,929	£40,499	£43,703	£50,860	£60,674
Leyland Road 2022-27	£39,102	£46,737	£51,008	£54,025	£60,810

Proposed Selective Licensing Areas					
Trinity 2025-30					£62,528
Queensgate 2025-30					£67,666
Gannow 2025-30					£73,043
Daneshouse and Stoneyholme 2025-30					£63,607
Padiham 2025-30					£75,671
Lyndhurst Road 2025-30					£82,081
BURNLEY ALL PROPERTIES	£106,274	£114,189	£126,187	£135,584	£140,808
BURNLEY TERRACED PROPERTIES	£70,291	£74,321	£80,261	£93,918	£97,327

Figure 7: Mean House Values (ONS)



6.23 Mean house values in Burnley for all properties rose by around 33% between 2018/19 and 2022/23; for terraced properties the increase was approximately 38%.

6.24 In Trinity licensing area, values rose by around 51% over the same period, after an initial period of slow growth there was a significant increase between 2020/21 and 2021/22. This is a significant rate of increase compared to the borough, which may indicate increasing confidence in the housing market within the licensing area.

6.25 However, property values in Trinity remain significantly below the borough average for all property types and terraces. They are also below the average for Trinity ward. The rate of increase is promising, but lower house values continue to indicate a problem of low demand in this area.

6.26 Values for the proposed licensing area are slightly higher than the current boundary but remain well below average.

Empty Homes

6.27 Empty homes in Trinity ward have continued to reduce in line with the trend across the borough, but still remain high.

6.28 Table 20 shows levels of empty properties as a percentage of houses in the current and proposed selective licensing areas. For comparison, the percentage of empty properties in March 2023 across Burnley was 4.4%

Table 20: Empty Properties in Current and Proposed Licensing Areas as % of Properties (BBC Empty Homes)

Current/Previous Selective Licensing Areas	March 2018	March 2019	March 2020	March 2021	March 2022	March 2023
Trinity 2019-24	15%	14%	12%	10%	10%	10%
Queensgate 2019-24	12%	10%	8%	8%	8%	7%
Gannow 2019-24	12%	11%	10%	9%	10%	10%
Daneshouse & Stoneyholme 2019-24	8%	8%	6%	6%	6%	6%
Burnley Wood with Healey Wood 2022-27				10%	9%	7%
Leyland Road 2022-27				8%	9%	8%
Proposed Selective Licensing Areas						
Trinity 2025-30						9%
Queensgate 2025-30						7%
Gannow 2025-30						9%
Daneshouse and Stoneyholme 2025-30						6%
Padiham 2025-30						7%
Lyndhurst Road 2025-30						7%

6.29 The data shows a decrease in vacant properties in Trinity between 2018 and 2021, which has then held at 10% for the last two years. The Council accepts that there will always be a number of vacant properties in the borough and licensing areas as properties are bought and sold, and tenancies change. The rates in the licensing areas are reducing but remain above average, which suggests more of an issue with low demand and high tenant turnover.

6.30 A useful additional indicator is to review the number of properties which have remained empty for two years or more. Table 21 shows the number of long term empty properties in the current and proposed licensing areas.

6.31 Both the current and proposed Trinity licensing areas have higher than average levels of long term empty homes, indicating there continues to be an issue of low demand, despite improvements made in recent years.

Table 21: Long Term Empty Properties (BBC Empty Homes 2023)

Current/Previous Selective Licensing Areas	Long Term Empty as % of Properties March 2023
Trinity 2019-24	3%
Queensgate 2019-24	2.2%
Gannow 2019-24	2.2%
Daneshouse & Stoneyholme 2019-24	1.8%
Burnley Wood with Healey Wood 2022-27	1.5%
Leyland Road 2022-27	2.1%
Proposed Selective Licensing Areas	
Trinity 2025-30	3.5%
Queensgate 2025-30	1.7%
Gannow 2025-30	2.1%
Daneshouse and Stoneyholme 2025-30	1.8%
Padiham 2025-30	1.6%
Lyndhurst Road 2025-30	0.8%
BURNLEY	1.2%

Crime and Anti-Social Behaviour

6.32 Rates of all crime recorded by Police in Trinity ward reduced from 20/21 to 21/22 before recording a slight increase in 22/23 (Table 10). Trinity was still ranked as the second highest ward for all recorded crime in 2022/23.

6.33 Trinity ward was the third highest ranking ward for ASB, despite reductions in the previous two years, and a greater than borough average reduction in 2021/22 (Table 11).

6.34 Table 22 shows the number of ASB cases recorded by Police for the current selective licensing areas by calendar year. Trinity has recorded a reduction in ASB 2021 and 2022, following a spike in 2020, which may in part be attributed to Covid breaches and increased neighbour intolerance during lockdown periods. 2023 saw a slight rise in recorded cases. Analyst data is not currently available for the proposed boundary.

Table 22: ASB Recorded by Police (Lancashire Police Analyst)

Current Selective Licensing Areas	2019	2020	2021	2022	2023
Trinity 2019-24	12.7%	26.3%	18.6%	11.5%	13.4%
Queensgate 2019-24	11.6%	20.5%	25%	20%	11%
Gannow 2019-24	14.6%	20.6%	23.4%	12.1%	11%
Daneshouse & Stoneyholme 2019-24	8.7%	12.1%	11.8%	2.9%	3.7%
Burnley Wood with Healey Wood 2022-27				17.7%	14.6%
Leyland Road 2022-27				14.6%	15.3%

6.35 Table 23 shows the numbers of cases reported to the Council in the licensing areas since 2018/19 as a percentage of properties. These figures differ from those recorded by Police, as not every incident is reported to both agencies. Cases recorded by the Council in Trinity have reduced notably since 2018, which shows a

promising trend, although it does remain above average for the borough for 2022/23.

- 6.36 Cases recorded in the proposed area are slightly lower than the current boundary, suggesting that the issue is more concentrated in the current boundary. However, the rate for the proposed area remains above the borough average.

Table 23: ASB Recorded by BBC SL Areas Cases as Percentage of Properties (BBC Community Safety Team)

Current Selective Licensing Areas	2018/19	2019/20	2020/21	2021/22	2022/23
Trinity 2019-24	1.9%	1.6%	1.6%	1.3%	0.82%
Queensgate 2019-24	2.1%	1%	1.4%	0.9%	0.74%
Gannow 2019-24	2%	4%	1.35%	1.35%	1.89%
Daneshouse & Stoneyholme 2019-24	0.62%	0.5%	0.84%	0.28%	0.5%
Burnley Wood with Healey Wood 2022-27				2.84%	2.22%
Leyland Road 2022-27				0.4%	2.51%
Proposed Selective Licensing Areas	2018/19	2019/20	2020/21	2021/22	2022/23
Trinity 2025-30					0.68%
Queensgate 2025-30					0.73%
Gannow 2025-30					0.7%
Daneshouse & Stoneyholme 2025-30					0.5%
Padiham 2025-30					0.76%
Lyndhurst Road 2025-30					0.31%
BURNLEY					0.55%

Environmental Crime

- 6.37 Trinity ward recorded the second highest number of dirty back yard complaints in 2022/23, although the figure has reduced since 2020/21 (Table 12).

- 6.38 Table 24 examines the number of dirty back yard resident complaints in the current and proposed licensing areas as a percentage of the total properties in each area.

- 6.39 Cases in Trinity rose sharply between 2019/20 and 2020/21, and have since reduced, but still remain well above the average for the borough. Environmental crime is clearly an issue for residents in this area.

- 6.40 Complaints for the proposed area are comparable with the current designation, indicating a similar problem in the proposed additional zones.

Table 24: Dirty Back Yard Resident Complaints SL Areas (BBC Streetscene)

Current Selective Licensing Areas	2018/19	2019/20	2020/21	2021/22	2022/23
Trinity 2019-24	0.82%	2.23%	7.27%	5.93%	3.12%
Queensgate 2019-24	1.55%	1.86%	3.1%	2.17%	2.05%
Gannow 2019-24	0.52%	2.6%	1.98%	4.59%	3.33%
Daneshouse & Stoneyholme 2019-24	0.28%	0.67%	1.29%	1.23%	1.57%
Burnley Wood with Healey Wood 2022-27				5.93%	7.16%
Leyland Road 2022-27				3.95%	3.17%

Proposed Selective Licensing Areas	2018/19	2019/20	2020/21	2021/22	2022/23
Trinity 2025-30					3%
Queensgate 2025-30					1.7%
Gannow 2025-30					2.9%
Daneshouse & Stoneyholme 2025-30					1.57%
Padiham 2025-30					2.13%
Lyndhurst Road 2025-30					1.25%
BURNLEY					1.37%

Why Propose a Selective Licensing Scheme?

6.41 The Council has seen some positive improvements in the Trinity area throughout the current scheme. Property values have increased from a mean value of £40,240 in 18/19 to £60,826 in 22/23 for the current scheme, and the mean for the proposed boundary for 22/23 is comparable at £62,528. This represents an increase of around 51% in the current scheme, compared to an increase across the borough for the same period of 33%. This shows increasing confidence in the housing market in this area as values rise at a faster rate. Despite this improvement, values remain well below the borough mean of £140,808 for all properties and £97,327 for terraced properties in 22/23.

6.42 In addition, the number of empty homes in the current designation has reduced from 15% of the area in 2018 to 10% in 2023, suggesting increasing stabilisation of the community. This is however still above the borough average of 4.4%. There are also more long term vacant properties in this area; 3% of the current area and 3.5% of the proposed area have been empty for two years or more, compared to a borough rate of 1.2% (22/23). The licensing team are working proactively with the Empty Homes team to bring as many empty properties back into use as possible, and the Council believes that continuing and expanding the licensing scheme will allow this proactive work to continue.

6.43 The Council has also seen the positive impact of the schemes when it comes to property condition. Just 0.4% of the privately rented properties in the current scheme have an EPC which does not meet the required standard; this small number of properties are those where the landlord has not been compliant with the licensing scheme and the Council is taking steps to enforce in these cases. Selective licensing has allowed the Council to proactively insist upon improvements to energy efficiency in properties and obtain the correct paperwork to reflect this (a licence will not be granted at a property with an EPC rated below "E"). Without the resources licensing provides, landlords could continue to operate below the required standard.

6.44 The evidence shows, however, that there is a significant number of properties in the current and proposed licensing area across all tenures where the EPC is rated below "E" (4.8% for the current area and 4.4% for the proposed boundary, compared to 2.7% for the borough). This shows a clear concentration of energy inefficient homes within this area and is a strong indicator of poor property condition.

6.45 Data from the BRE shows that Trinity ward has the highest rate of estimated serious hazards in the borough. 22% of all tenures are estimated to have a category

1 hazard, compared to 14% for the borough, and 27.3% of the private rented sector is estimated to have a serious hazard, compared to 22.5% for the borough. The current licensing area is estimated to have hazards at 23.2% of all properties, higher than both the borough and ward average. However, within the private rented sector in the current licensing area this reduces to 21.8%, just below the borough average. This shows the positive impact of licensing in tackling poor property condition.

- 6.46 The EPC and BRE data both show that the current and proposed licensing areas have significant levels of properties in poor condition across all tenures, and from the Council's experience we expect that a number of these properties will move into the private rented sector. It is crucial that the Council is able to monitor these properties closely to ensure they then meet the required standards.
- 6.47 Levels of disrepair complaints to the Council in the current licensing area have fluctuated throughout the scheme, from 8% of the private rented sector in 19/20 reducing slightly to 7.3% in 22/23. The level of complaints has remained consistently above the borough average (3.8% in 22/23). The Council received complaints about 6.4% of the private rented sector in the proposed boundary. The Council is satisfied that whilst small reductions in complaints are being seen, there is still further work to do to tackle poor property condition in this area.
- 6.48 The current and proposed licensing areas are estimated to contain a high number of HMOs; 5.93% and 6.6% respectively compared to 2.17% for the borough. HMOs form a vital part of the housing market, but they do carry greater risks than other property types, including risk of overcrowding and higher fire risks. A significant number of HMOs in the current and proposed licensing areas do not meet the threshold for mandatory HMO licensing; therefore it is important that the Council considers other ways to proactively monitor standards at these properties. Selective licensing gives the Council the tools to do this.
- 6.49 Complaints of ASB to the Council in the current scheme have reduced from 1.9% of all properties in 18/19 to 0.82% in 22/23, just slightly above the borough average of 0.55% for 22/23. Complaints to police have fluctuated over the same period, with increases in 2020/21 largely attributed to pandemic related breaches being recorded as ASB and increased neighbourhood tensions. Figures have now started to reduce closer to expected levels, but the current licensing area recorded a slightly higher rate in 2023 (13.4%) than in 2019 (12.7%).
- 6.50 The licensing team works closely with the neighbourhood policing teams and the Council's community safety team to tackle instances of ASB; representatives from the team attend various multi agency meetings and individual officers are in contact with the neighbourhood policing teams for their areas. The Council believes it is important to continue strengthening these relationships to ensure that all parties are sharing information, knowledge and skills to tackle ASB. The conditions of the selective licence require landlords to take steps to prevent and tackle ASB; this offers a unique tool which would not otherwise be available, strengthening the multi agency approach to tackling ASB.
- 6.51 Instances of residents complaining about dirty back yards have risen considerably in the licensing area from 0.82% of all properties in 18/19 to 3.12% in 22/23. Rates for 22/23 are comparable in the proposed boundary. There have been

fluctuations during this period; there was a significant increase in 20/21 which has now started to reduce, but overall levels remain high, compared to the borough average of 1.37%. The licensing team work closely with colleagues in Streetscene to tackle this blight on neighbourhoods, by undertaking proactive audits and sharing of data to try to identify repeat offenders. Licensing officers are able to utilise the conditions of the licence to ensure landlords are also playing their part to tackle environmental crime.

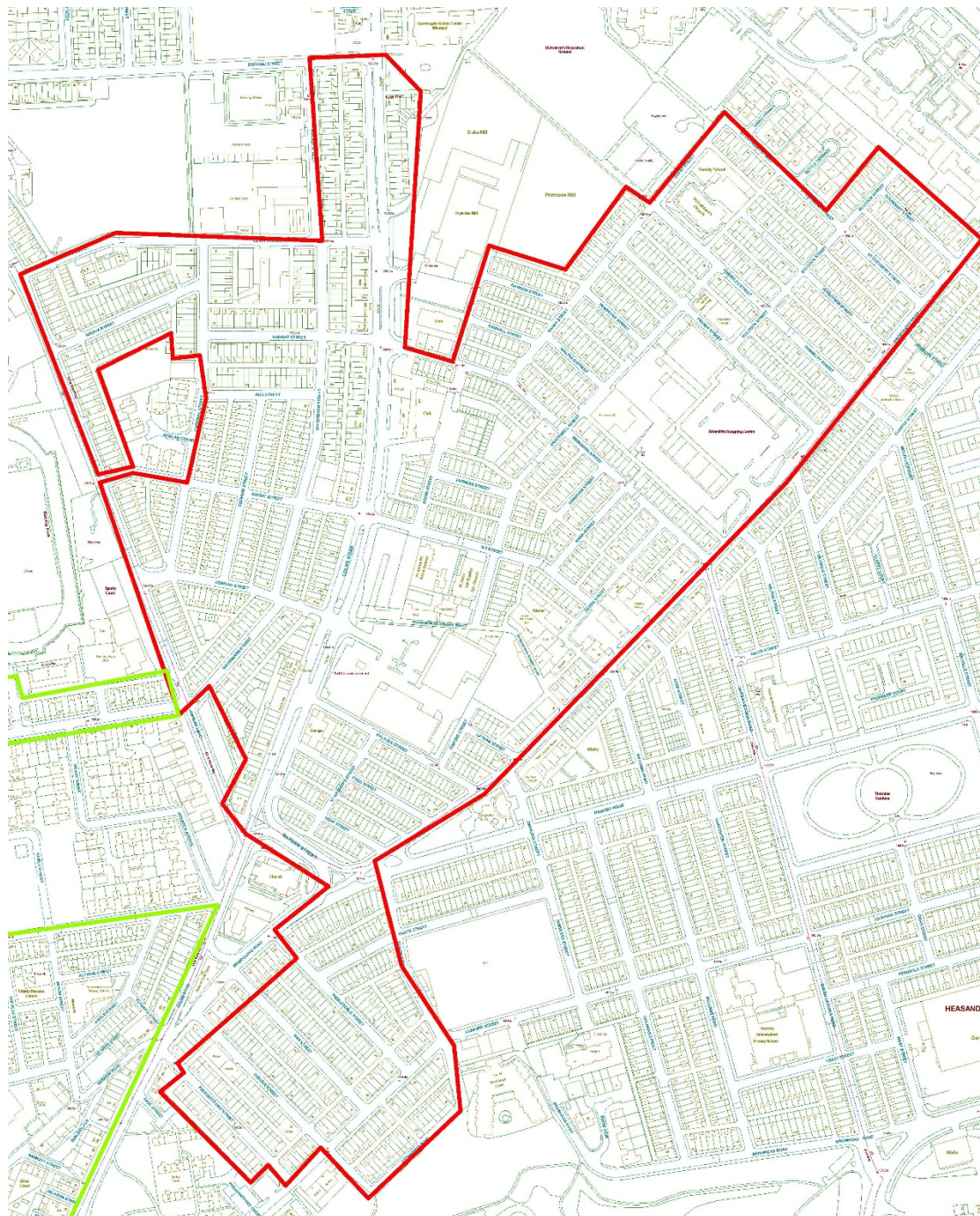
6.52 In summary, whilst the Council is satisfied that improvements are being made in the Trinity area, it believes that there is still work to be done on tackling low demand for housing. The Council is satisfied that selective licensing gives the Council the tools it needs, working with other partners, to ensure better outcomes for residents in this area. The Council is also satisfied that the evidence suggests the expansion of the licensing scheme in this area would ensure greater benefits to a larger number of residents.

7 The Queensgate Proposed Designation

Background

7.1 The Queensgate area was first designated as an area subject to selective licensing in 2014; it has since been subject to a further designation from 2019-2024. Figure 8 shows the boundary of the current designation. The designation is primarily located in the Queensgate ward, with a small area to the south located in Bank Hall.

Figure 8: Queensgate 2019-2024 Selective Licensing Boundary



7.2 The current designation covers a large residential area of over 1600 properties, of which 48.7% are privately rented (SL Database 2023).

7.3 Throughout the designation, the Council has monitored several key indicators of low housing demand. The scheme is now in its final year, and the Council has assessed these indicators to determine the effectiveness of the scheme, and whether this area, or other similar areas, would benefit from a further selective licensing designation.

7.4 The Council has also considered whether the following neighbouring areas would benefit from Selective Licensing:

7.4.1.1 Zone 1: Kyan/Grasmere Street Area

7.4.1.2 Zone 2: Heasanford Area

7.5 Zone 1 is a residential area situated to the north of the current Queensgate boundary and consists of 177 properties of which 41.8% are estimated to be privately rented (BRE 2023).

7.6 Zone 2 is primarily a residential area, with some commercial properties along Briercliffe Road, some of which have accommodation above, and is situated to the south-east of the current Queensgate boundary. It consists of 1084 properties of which 47.1% are estimated to be privately rented (BRE 2023).

7.7 The Council is proposing to designate the existing Queensgate area, plus the additional areas described above. A map of the proposed boundaries can be found in Appendix 4.

Table 25: Key Indicators: Queensgate and Surrounding Areas 2022/23

	Queensgate Current Boundary	Zone 1: Kyan/Grasmere St	Zone 2: Heasanford	Burnley Borough
Total Properties	1612	177	1084	44,123
Private Rented	48.7%	41.8%	47.1%	24.3%
Owner Occupied	37.7%	57.6%	51.2%	59.8%
EPC Below Minimum Standard in PRS (EPC Register 2023)	0.5%	4.1%	3.3%	Figure unknown
Estimated Cat 1 hazards in PRS (BRE 2023, as % of PRS)	23.2%	27%	28.2%	22.5%
Disrepair Complaints to BBC as % of PRS (22/23)	6.5%	1.35%	2.4%	3.8%
Estimated HMOs (BRE 2023)	5.5%	1.7%	4.9%	2.17%
Mean House Value (Land Registry 22/23)	£63,860	£74,539	£75,154	All: £140,808 Terraced: £97,327
Vacant Homes 2yr+ (March 23)	2%	1.1%	1.1%	1.2%
ASB Complaints to BBC (22/23)	0.7%	2.8%	0.4%	0.6%
DBY Resident Complaints to BBC (22/23)	2.1%	0.6%	1.4%	1.4%
Estimated PRS Households in Fuel Poverty (BRE 23)	21%	21.6%	28.6%	23.5%

Housing Tenure

7.8 Queensgate ward has the fourth highest level of private renting in the borough. A small part of the Queensgate designation falls into Bank Hall ward; which has the highest levels, and has also seen a significant increase since the 2011 census (Table 2).

7.9 Table 26 shows tenures within the current and proposed selective licensing areas. The proposed licensing area would extend the boundary by an estimated 584 private rented properties and is estimated to be 47.7% PRS. There is a significant concentration of the PRS within the proposed boundary.

Table 26: Property Numbers and PRS in the selective licensing areas (SL Data 2023, BRE Data 2023)

Current Selective Licensing Areas	Total Properties	Total PRS	% PRS
Trinity 2019-24	1348	744	55.2
Queensgate 2019-24	1612	785	48.7
Gannow 2019-24	960	496	51.7
Daneshouse & Stoneyholme 2019-24	1783	603	33.8
Burnley Wood with Healey Wood 2022-27	810	429	53
Leyland Road 2022-27	756	464	61.4
Current Total	7269	3521	48.4
Proposed Selective Licensing Areas 2025-30	Estimated Total Properties	Estimated PRS	Estimated % PRS
Trinity 2025-30	1760	1017	57.8
Queensgate 2025-30	2873	1369	47.7
Gannow 2025-30	1145	555	48.5
Daneshouse & Stoneyholme 2025-30	1783	603	33.8
Padiham 2025-30	1317	671	51
Lyndhurst Road 2025-30	962	370	38.5
Proposed Total	9840	4585	46.6

Houses in Multiple Occupation (HMOs)

7.10 According to BRE data, Queensgate ward is estimated to have the fourth highest rate of HMOs in the borough at 2.47% compared to 2.17% for Burnley (Table 3).

7.11 Table 27 shows estimated HMO rates in the current and proposed licensing areas. The current Queensgate licensing area has a much higher concentration of HMOs than the borough and the ward in which it is situated, and the proposed area has a comparable rate.

Table 27: Estimated HMOs Current and Proposed Selective Licensing Areas (BRE)

Current Selective Licensing Areas	Estimated HMOs as % of Properties
Trinity 2019-24	5.93%
Queensgate 2019-24	5.52%
Gannow 2019-24	4.48%
Daneshouse & Stoneyholme 2019-24	2.8%
Burnley Wood with Healey Wood 2022-27	3.7%

Leyland Road 2022-27	11.24%
Proposed Selective Licensing Areas 2025-30	Estimated HMOs as % of Properties
Trinity 2025-30	6.6%
Queensgate 2025-30	5.01%
Gannow 2025-30	4.37%
Daneshouse & Stoneyholme 2025-30	2.8%
Padiham 2025-30	2.96%
Lyndhurst Road 2025-30	4.37%
BURNLEY	2.17%

Property Condition: Energy Performance Certificates (EPCs)

8.12 2.7% of properties (all tenures) in Burnley have an EPC rated below “E” (all tenures), compared to 5.2% of properties in the current Queensgate designation. However, of those properties, those that are privately rented are much lower, at 0.5%.

Table 28: EPC Ratings in the licensing areas (EPC Register September 2023)

Current Selective Licensing Areas	No. rated below “E” All Tenure	% rated below “E” All Tenure	No. PRS rated below “E”	% PRS rated below “E”
Trinity 2019-24	65	4.8%	3	0.4%
Queensgate 2019-24	83	5.2%	4	0.5%
Gannow 2019-24	27	2.8%	3	0.6%
Daneshouse & Stoneyholme 2019-24	97	5.4%	2	0.3%
Burnley Wood with Healey Wood 2022-27	20	2.5%	0	0%
Leyland Road 2022-27	27	3.6%	2	0.4%
Current Total	319	4.4%	14	0.4%
Proposed Selective Licensing Areas 2025-30	No. rated below “E”	% rated below “E”	No. PRS rated below “E”	% PRS rated below “E”
Trinity 2025-30	78	4.4%	5	0.5%
Queensgate 2025-30	148	5.2%	24	1.8%
Gannow 2025-30	31	2.7%	4	0.7%
Daneshouse & Stoneyholme 2025-30	97	5.4%	2	0.3%
Padiham 2025-30	29	2.2%	9	1.3%
Lyndhurst Road 2025-30	41	4.3%	9	1.9%
Proposed Total	424	4.3%	53	1.2%

7.12 The figures clearly show the positive impact that the licensing schemes have had; of the four privately rented properties in the current Queensgate scheme rated below “E”, two are subject to ongoing applications where the Council is working with the landlords to ensure they meet the required standard, whilst the other two are currently non compliant with the scheme. The Council will take appropriate legal action regarding both the offence of operating without a licence and failure to adhere to energy efficiency regulations. Without the licensing schemes proactively investigating EPC ratings, it’s possible for landlords to operate below standard under the radar.

7.13 There are 65 properties in the additional zones which the Council is proposing to add to the Queensgate designation which have recorded EPC ratings below “E”. Of those, 20 are estimated to be privately rented. This is a significant number of

properties which do not appear to meet the current efficiency standards and from experience of previous schemes, the Council often finds there are more privately rented properties in a designated area than initially estimated. The Council is confident that a further designation and extension of the Queensgate area will allow us to proactively address this issue of non-compliance in the additional zones, as well as continuing to monitor new rental properties coming on stream in the existing areas to ensure they also meet the standard.

Property Condition: Estimated Category 1 Hazards

7.14 The percentage of properties in the current and proposed licensing areas estimated to have Category 1 Hazards is significantly above the Burnley average of 14.7%. When taken together, the estimated rates at privately rented properties for the current and proposed licensing areas is above the average for Burnley of 22.5%, though there is variation between the areas.

7.15 BRE data estimates that Queensgate ward has the fifth highest level of Category 1 hazards in the PRS in the borough (Table 6).

7.16 Table 29 examines the estimated numbers of Category 1 Hazards in the current and proposed licensing areas.

Table 29: Estimated Category 1 Hazards SL Areas (BRE 2023)

Current Selective Licensing Areas	Cat 1 Hazard All Properties	Total Properties	Cat 1 Hazard as % of Properties	Cat 1 Hazard PRS	Total PRS	Cat 1 PRS as % of PRS
Trinity 2019-24	313	1348	23.2%	162	744	21.8%
Queensgate 2019-24	325	1612	20.2%	165	785	21.0%
Gannow 2019-24	192	960	20%	107	496	21.6%
Daneshouse & Stoneyholme 2019-24	411	1783	23.1%	188	603	31.2%
Burnley Wood with Healey Wood 2022-27	184	810	22.7%	99	429	23.1%
Leyland Road 2022-27	163	756	21.6%	104	464	22.4%
Current Total	1588	7269	21.9%	825	3521	23.4%
Proposed Selective Licensing Areas 2025-30	Cat 1 Hazards All Properties	Total Properties	Cat 1 Hazards as % of Properties	Cat 1 Hazard PRS	Total PRS	Cat 1 PRS as % of PRS
Trinity 2025-30	396	1760	22.5%	218	1017	21.4%
Queensgate 2025-30	615	2873	21.4%	329	1369	24%
Gannow 2025-30	235	1145	20.5%	125	555	22.5%
Daneshouse and Stoneyholme 2025-30	411	1783	23.1%	188	603	31.2%
Padiham 2025-30	281	1317	21.3%	170	671	25.3%

Lyndhurst Road 2025-30	206	962	21.4%	90	370	24.3%
Proposed Total	2144	9840	21.8%	1120	4585	24.4%
BURNLEY			14.7%			22.5%

7.17 The current Queensgate selective licensing area is estimated to have Category 1 Hazards at 20.2% of all properties and 21% of private rented properties; the rate for all properties is considerable above the Burnley average, whilst the rate at private rented properties is just below the Burnley average. This suggests that the licensing schemes are having a positive impact on property conditions in Queensgate.

7.18 There are estimated to be an additional 164 privately rented properties in the proposed extended boundaries to Queensgate; when incorporated with the existing boundary this increases the percentage of privately rented properties estimated to have a serious hazard to 24%, higher than the Burnley average. The Council is satisfied that it is appropriate to consider extending the boundary to address issues of poor property condition in the wider area.

Property Condition: Disrepair Complaints

7.19 Queensgate ward ranked third highest in the borough for disrepair complaints made to the Council in 2022/23 (Table 7).

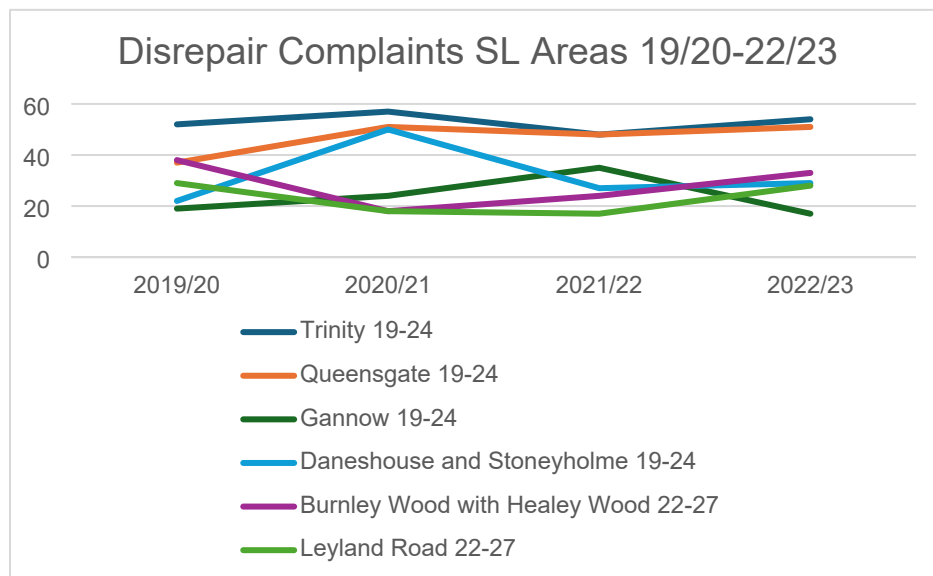
7.20 Table 30 and Figure 9 show the numbers of disrepair complaints within the current and proposed licensing areas. The number of complaints in the Queensgate designation rose slightly from 19/20 and have since remained static. The number of complaints as a percentage of the private rented stock is still significantly above average for the borough. By incorporating additional zones, this has reduced slightly, though this may be explained by the fact that residents of some areas may not be aware of the assistance the Council can provide when issues of disrepair have not been addressed by their landlord. The Council is satisfied that there is further work to be done to investigate and address poor property condition in the Queensgate and wider area.

Table 30: Disrepair Complaints to BBC SL Areas (BBC)

Current/Previous Selective Licensing Areas	Disrepair Complaints as % of PRS 19/20	Disrepair Complaints as % of PRS 20/21	Disrepair Complaints as % of PRS 21/22	Disrepair Complaints as % of PRS 22/23
Trinity 2019-24	8%	8.7%	6.7%	7.3%
Queensgate 2019-24	5%	6.9%	6.7%	6.5%
Gannow 2019-24	4%	5%	7.1%	3.4%
Daneshouse & Stoneyholme 2019-24	3.5%	8.1%	4.8%	4.8%
Burnley Wood with Healey Wood 2022-27	7.6%	3.6%	5.5%	7.7%
Leyland Road 2022-27	6.2%	3.8%	3.7%	6%
Proposed Selective Licensing Areas	Disrepair Complaints as % of PRS 19/20	Disrepair Complaints as % of PRS 20/21	Disrepair Complaints as % of PRS 21/22	Disrepair Complaints as % of PRS 22/23
Trinity 2025-30				6.4%
Queensgate 2025-30				4.7%
Gannow 2025-30				6.1%

Daneshouse and Stoneyholme 2025-30				4.8%
Padiham 2025-30				2.5%
Lyndhurst Road 2025-30				6%
BURNLEY				3.8%

Figure 9: Disrepair Complaints to BBC SL Areas (BBC)



Housing Market

7.21 Mean house values in Queensgate and Bank Hall ward are the fourth and second lowest respectively in the borough for 2022/23 at £95,991 and £88,883 respectively compared to a borough average of £140,808 (Table 8).

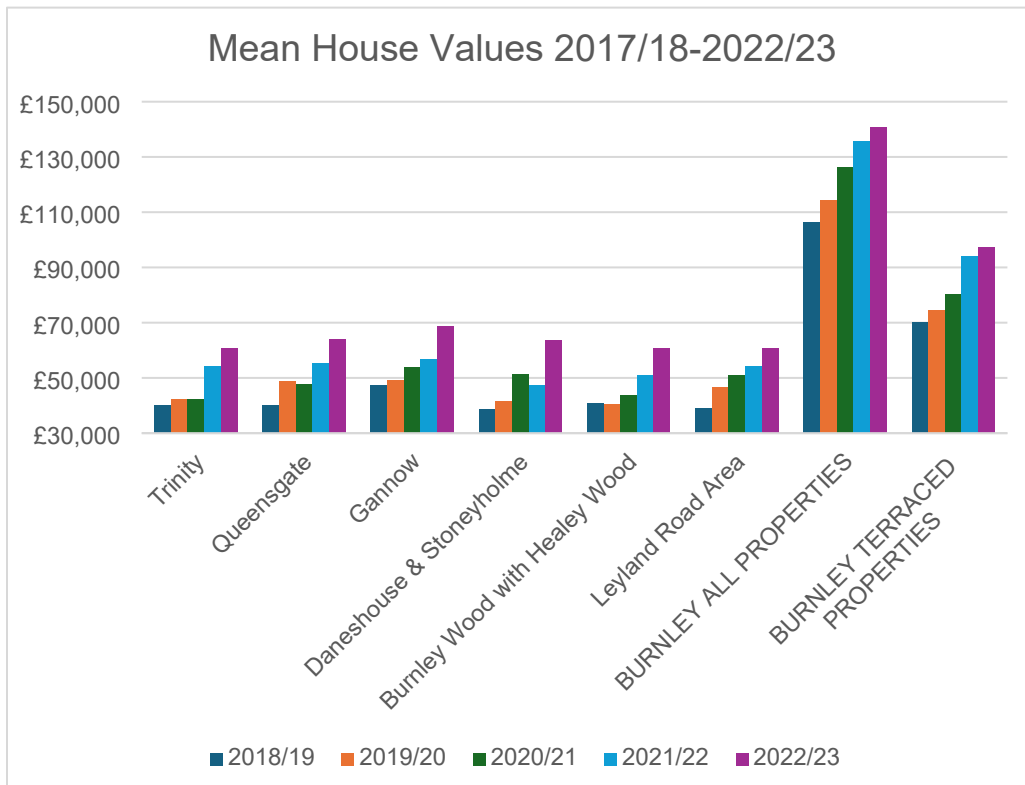
7.22 Table 31 and Figure 10 show trends in house values in the current licensing areas for the last four years, as well as the most recent data for the proposed new designations.

Table 31: Mean House Values SL Areas (ONS)

Current/Previous Selective Licensing Areas	2018/19	2019/20	2020/21	2021/22	2022/23
Trinity 2019-24	£40,240	£42,198	£42,356	£54,267	£60,826
Queensgate 2019-24	£40,146	£48,875	£47,782	£55,144	£63,860
Gannow 2019-24	£47,327	£48,982	£53,897	£56,759	£68,843
Daneshouse & Stoneyholme 2019-24	£38,684	£41,663	£52,344	£47,477	£63,607
Burnley Wood with Healey Wood 2022-27	£40,929	£40,499	£43,703	£50,860	£60,674
Leyland Road 2022-27	£39,102	£46,737	£51,008	£54,025	£60,810
Proposed Selective Licensing					

Areas					
Trinity 2025-30					£62,528
Queensgate 2025-30					£67,666
Gannow 2025-30					£73,043
Daneshouse and Stoneyholme 2025-30					£63,607
Padiham 2025-30					£75,671
Lyndhurst Road 2025-30					£82,081
BURNLEY ALL PROPERTIES	£106,274	£114,189	£126,187	£135,584	£140,808
BURNLEY TERRACED PROPERTIES	£70,291	£74,321	£80,261	£93,918	£97,327

Figure 10: Mean House Values (ONS)



7.23 Mean house values in Burnley for all properties rose by around 33% between 2018/19 and 2022/23; for terraced properties the increase was approximately 38%.

7.24 In Queensgate licensing area, values rose by around 59% over the same period, steadily increasing year on year. This is a significant rate of increase compared to the borough, which may indicate increasing confidence in the housing market within the licensing area.

7.25 However, property values in Queensgate and Bank Hall remain significantly below the borough average for all property types and terraces. The rate of increase is

promising, but lower house values continue to indicate a problem of low demand in this area.

7.26 Values for the proposed licensing area are higher than the current boundary, but remain well below average.

Empty Homes

7.27 Over the last ten years the number of empty homes in Burnley has reduced. Empty homes in Queensgate ward have continued to reduce significantly, but still remain high (Table 9)

7.28 Table 32 shows levels of empty properties as a percentage of houses in the current and proposed selective licensing areas. For comparison, the percentage of empty properties in March 2023 across Burnley was 4.4%

Table 32: Empty Properties in Current and Proposed Licensing Areas as % of Properties (BBC Empty Homes)

Current/Previous Selective Licensing Areas	March 2018	March 2019	March 2020	March 2021	March 2022	March 2023
Trinity 2019-24	15%	14%	12%	10%	10%	10%
Queensgate 2019-24	12%	10%	8%	8%	8%	7%
Gannow 2019-24	12%	11%	10%	9%	10%	10%
Daneshouse & Stoneyholme 2019-24	8%	8%	6%	6%	6%	6%
Burnley Wood with Healey Wood 2022-27				10%	9%	7%
Leyland Road 2022-27				8%	9%	8%
Proposed Selective Licensing Areas						
Trinity 2025-30						9%
Queensgate 2025-30						7%
Gannow 2025-30						9%
Daneshouse and Stoneyholme 2025-30						6%
Padiham 2025-30						7%
Lyndhurst Road 2025-30						7%

7.29 The data shows a steady decrease in vacant properties in Queensgate licensing area. The Council accepts that there will always be a number of vacant properties in the borough and licensing areas as properties are bought and sold, and tenancies change. The rates in the licensing areas are reducing but remain above average, which suggests more of an issue with low demand and high tenant turnover, though the picture is improving in this area.

7.30 A useful additional indicator is to review the number of properties which have remained empty for two years or more. Table 33 shows the number of long term

empty properties in the current and proposed licensing areas.

- 7.31 Long term empty properties in Queensgate remain above average, despite a reduction in recent years of overall vacant properties. The proposed boundary with additional zones has a lower rate of long term empty properties, demonstrating less of an issue in the wider zones than the current designation, however the total rate remains above the borough average. The Council believes that further intervention via selective licensing will support the work of the Empty Homes team in further reducing long term empty properties in the Queensgate and Bank Hall area.

Table 33: Long Term Empty Properties (BBC Empty Homes 2023)

Current/Previous Selective Licensing Areas	Long Term Empty as % of Properties March 2023
Trinity 2019-24	3%
Queensgate 2019-24	2.2%
Gannow 2019-24	2.2%
Daneshouse & Stoneyholme 2019-24	1.8%
Burnley Wood with Healey Wood 2022-27	1.5%
Leyland Road 2022-27	2.1%
Proposed Selective Licensing Areas	
Trinity 2025-30	3.5%
Queensgate 2025-30	1.7%
Gannow 2025-30	2.1%
Daneshouse and Stoneyholme 2025-30	1.8%
Padiham 2025-30	1.6%
Lyndhurst Road 2025-30	0.8%
BURNLEY	1.2%

Crime and Anti-Social Behaviour

- 7.32 Rates of all crime recorded by Police in Queensgate ward increased from 20/21 to 21/22 before recording a notable decrease in 22/23 (Table 10). Queensgate ward was ranked as the fourth highest ward for all recorded crime in 2022/23.

- 7.33 Queensgate ward was the fourth highest ranking ward for ASB, despite a significant reduction between 2021/22 and 2022/23, and a greater than borough average reduction in 2022/23 (Table 11).

- 7.34 Table 34 shows the number of ASB cases recorded by Police for the current selective licensing areas by calendar year. Queensgate has recorded a significant reduction in ASB in the last year, following a spike in 2020 and 2021, which may in part be attributed to Covid breaches and increased neighbour intolerance during lockdown periods. Levels have since returned to 2019 levels. Analyst data is not currently available for the proposed boundaries.

Table 34: ASB Recorded by Police (Lancashire Police Analyst)

Current Selective Licensing Areas	2019	2020	2021	2022	2023
Trinity 2019-24	12.7%	26.3%	18.6%	11.5%	13.4%
Queensgate 2019-24	11.6%	20.5%	25%	20%	11%
Gannow 2019-24	14.6%	20.6%	23.4%	12.1%	11%
Daneshouse & Stoneyholme 2019-24	8.7%	12.1%	11.8%	2.9%	3.7%

Burnley Wood with Healey Wood 2022-27				17.7%	14.6%
Leyland Road 2022-27				14.6%	15.3%

7.35 Table 35 shows the numbers of cases reported to the Council in the licensing areas since 2018/19. These figures differ from those recorded by Police, as not every incident is reported to both agencies. Cases recorded by the Council in Queensgate have reduced notably since 2018, which shows a promising trend, although it does remain above average for the borough for 2022/23.

7.36 Cases recorded in the proposed area are comparable with the current boundary, suggesting a similar level of concern with ASB, and the proposed boundary remains above the borough average for 2022/23.

Table 35: ASB Recorded by BBC SL Areas Cases as Percentage of Properties (BBC Community Safety Team)

Current Selective Licensing Areas	2018/19	2019/20	2020/21	2021/22	2022/23
Trinity 2019-24	1.9%	1.6%	1.6%	1.3%	0.82%
Queensgate 2019-24	2.1%	1%	1.4%	0.9%	0.74%
Gannow 2019-24	2%	4%	1.35%	1.35%	1.89%
Daneshouse & Stoneyholme 2019-24	0.62%	0.5%	0.84%	0.28%	0.5%
Burnley Wood with Healey Wood 2022-27				2.84%	2.22%
Leyland Road 2022-27				0.4%	2.51%
Proposed Selective Licensing Areas	2018/19	2019/20	2020/21	2021/22	2022/23
Trinity 2025-30					0.68%
Queensgate 2025-30					0.73%
Gannow 2025-30					0.7%
Daneshouse & Stoneyholme 2025-30					0.5%
Padiham 2025-30					0.76%
Lyndhurst Road 2025-30					0.31%
BURNLEY					0.55%

Environmental Crime

7.37 Queensgate ward is ranked seventh for resident complaints of dirty back yards in 2022/23, with Bank Hall ward ranked third. Queensgate has followed a similar trajectory to the borough, with increases in 2020/21 followed by reductions in the last two years (Table 12).

7.38 Table 36 examines number of dirty back yard resident complaints in the current and proposed licensing areas as a percentage of the total properties in each area.

7.39 Cases in Queensgate rose between 2018/19 and 2020/21, and have since reduced but still remain above the average for the borough. Environmental crime remains an issue for residents in this area.

7.40 Cases in the proposed boundary reduce the total to 1.7%, which whilst lower is still above the borough average. This suggests environmental crime is still an issue

for the proposed wider boundary.

Table 36: Dirty Back Yard Resident Complaints SL Areas (BBC Streetscene)

Current Selective Licensing Areas	2018/19	2019/20	2020/21	2021/22	2022/23
Trinity 2019-24	0.82%	2.23%	7.27%	5.93%	3.12%
Queensgate 2019-24	1.55%	1.86%	3.1%	2.17%	2.05%
Gannow 2019-24	0.52%	2.6%	1.98%	4.59%	3.33%
Daneshouse & Stoneyholme 2019-24	0.28%	0.67%	1.29%	1.23%	1.57%
Burnley Wood with Healey Wood 2022-27				5.93%	7.16%
Leyland Road 2022-27				3.95%	3.17%
Proposed Selective Licensing Areas	2018/19	2019/20	2020/21	2021/22	2022/23
Trinity 2025-30					3%
Queensgate 2025-30					1.7%
Gannow 2025-30					2.9%
Daneshouse & Stoneyholme 2025-30					1.57%
Padiham 2025-30					2.13%
Lyndhurst Road 2025-30					1.25%
BURNLEY					1.37%

Why Propose a Selective Licensing Scheme?

7.41 The Council has seen some positive improvements in the Queensgate area throughout the current scheme. Property values have increased from a mean value of £40,146 in 18/19 to £63,860 in 22/23 for the current scheme; the mean for the proposed boundary for 22/23 is slightly higher at £67,666. This represents an increase of around 59% in the current scheme, compared to an increase across the borough for the same period of 33%. This shows increasing confidence in the housing market in this area as values rise at a faster rate. Despite this improvement, values remain well below the borough mean of £140,808 for all properties and £97,327 for terraced properties in 22/23.

7.42 In addition, the number of empty homes in the current designation has reduced from 12% of the area in 2018 to 7% in 2023, suggesting increasing stabilisation of the community. This is however still above the borough average of 4.4%. There are also more long term vacant properties in this area; 2.2% of the current area and 1.7% of the proposed area have been empty for two years or more, compared to a borough rate of 1.2% (22/23). The licensing team are working proactively with the Empty Homes team to bring as many empty properties back into use as possible, and the Council believes that continuing and expanding the licensing scheme will allow this proactive work to continue.

7.43 The Council has also seen the positive impact of the schemes when it comes to property condition. Just 0.5% of the privately rented properties in the current scheme have an EPC which does not meet the required standard; this small number of properties are those where the landlord has not been compliant with the licensing scheme and the Council is taking steps to enforce in these cases. Selective licensing has allowed the Council to proactively insist upon improvements to energy efficiency

in properties and obtain the correct paperwork to reflect this (a licence will not be granted at a property with an EPC rated below “E”). Without the resources licensing provides, landlords could continue to operate below the required standard.

- 7.44 In addition, the evidence shows that there is a significant number of properties in the current and proposed licensing area across all tenures where the EPC is rated below “E” (4.8% for the current area and 4.4% for the proposed boundary, compared to 2.7% for the borough). This shows a clear concentration of energy inefficient homes within this area and is a strong indicator of poor property condition.
- 7.45 Data from the BRE shows that Queensgate ward has the fifth highest rate of estimated serious hazards in the borough. 19.7% of all tenures are estimated to have a category 1 hazard, compared to 14% for the borough, and 22.3% of the private rented sector is estimated to have a serious hazard, comparable with 22.5% for the borough. The current licensing area is estimated to have hazards at 20.2% of all properties, higher than both the borough and ward average. However, within the private rented sector in the current licensing area this reduces to 21%, just below the borough average. This shows the positive impact of licensing in tackling poor property condition.
- 7.46 The EPC and BRE data both show that the current and proposed licensing areas have significant levels of properties in poor condition across all tenures, and from the Council’s experience we expect that a number of these properties will move into the private rented sector. It is crucial that the Council is able to monitor these properties closely to ensure they then meet the required standards.
- 7.47 Levels of disrepair complaints to the Council in the current licensing area have increased throughout the scheme, from 5% of the private rented sector in 19/20 to 6.5% in 22/23. The level of complaints has remained consistently above the borough average (3.8% in 22/23). The Council received complaints about 4.7% of the private rented sector in the proposed boundary. This could indicate that the problems of disrepair are concentrated in the current boundary; but it could also be argued that as the additional zones have not yet been subject to selective licensing, residents are less aware that they can approach the Council to make a complaint. The Council believes that there is still significant work to be done in the Queensgate area to tackle property condition, and is keen to empower more residents to come forward with complaints if their landlord is not operating to the required standard.
- 7.48 The current and proposed licensing areas are estimated to contain a high number of HMOs; 5.52% and 5.01% respectively compared to 2.17% for the borough. HMOs form a vital part of the housing market, but they do carry greater risks than other property types, including risk of overcrowding and higher fire risks. A significant number of HMOs in the current and proposed licensing areas do not meet the threshold for mandatory HMO licensing; therefore it is important that the Council considers other ways to proactively monitor standards at these properties. Selective licensing gives the Council the tools to do this.
- 7.49 Complaints of ASB to the Council in the current scheme have reduced from 2.1% of all properties in 18/19 to 0.74% in 22/23, just above the borough average of 0.55% for 22/23. Complaints to police have fluctuated over the same period, with

increases in 2020/21 largely attributed to pandemic related breaches being recorded as ASB and increased neighbourhood tensions. Figures have since reduced following this peak, and are now back to 2019 levels (11.6% in 2019 compared to 11% in 2023).

7.50 The licensing team works closely with the neighbourhood policing teams and the Council's community safety team to tackle instances of ASB; representatives from the team attend various multi agency meetings and individual officers are in contact with the neighbourhood policing teams for their areas. The Council believes it is important to continue strengthening these relationships to ensure that all parties are sharing information, knowledge and skills to tackle ASB. The conditions of the selective licence require landlords to take steps to prevent and tackle ASB; this offers a unique tool which would not otherwise be available, strengthening the multi agency approach to tackling ASB.

7.51 Instances of residents complaining about dirty back yards have risen slightly in the licensing area from 1.55% of all properties in 18/19 to 2.05% in 22/23. Rates for 22/23 are lower in the proposed boundary (1.7%). There have been fluctuations during this period; there was a significant increase in 20/21 which has now started to reduce, but overall levels remain high, compared to the borough average of 1.37%. The licensing team work closely with colleagues in Streetscene to tackle this blight on neighbourhoods, by undertaking proactive audits and sharing of data to try to identify repeat offenders. Licensing officers are able to utilise the conditions of the licence to ensure landlords are also playing their part to tackle environmental crime.

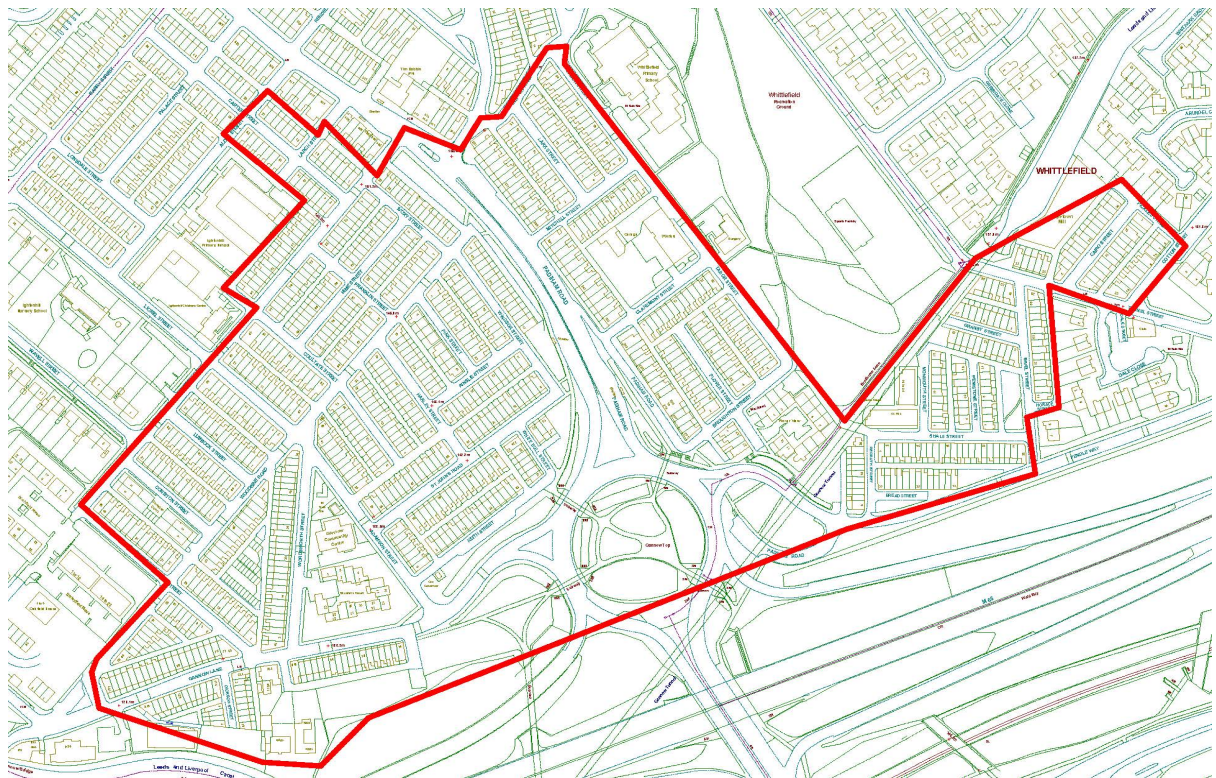
7.52 In summary, whilst the Council is satisfied that improvements are being made in the Queensgate area, it believes that there is still work to be done on tackling low demand for housing. The Council is satisfied that selective licensing gives the Council the tools it needs, working with other partners, to ensure better outcomes for residents in this area. The Council is also satisfied that the evidence suggests the expansion of the licensing scheme in this area would ensure greater benefits to a larger number of residents.

8 The Gannow Proposed Designation

Background

8.1 The Gannow area was first designated as an area subject to selective licensing in 2014; it has since been subject to a further designation from 2019-2024. Figure 11 shows the boundary of the current designation. The designation is primarily located in the Gannow ward.

Figure 11: Gannow 2019-2024 Selective Licensing Boundary



8.2 The current designation covers a residential area of just under 1000 properties, of which 51.7% are privately rented (*SL Database 2023*).

8.3 Throughout the designation, the Council has monitored several key indicators of low housing demand. The scheme is now in its final year, and the Council has assessed these indicators to determine the effectiveness of the scheme, and whether this area, or other similar areas, would benefit from a further selective licensing designation.

8.4 The Council has also considered whether a small neighbouring area to the north of the current designation would benefit from Selective Licensing: the Carter/Palace Street area. This is a small residential area of typical terraced houses, with the exception of some properties on Padiham Road which are larger terraces with higher property values. Whilst the area does have above average levels of owner occupiers, private renting is also above the Burnley average, there are higher than average complaints to the Council of property disrepair, and the BRE estimates that 30.5% of rented properties in this area have a category 1 hazard. Vacant homes and estimated HMOs are also above average. The Council is satisfied that further investigation into property condition is appropriate in this area.

8.5 The Council proposes to designate the current Gannow licensing area, with the

additional area described above. A map of the proposed boundary is attached as Appendix 6.

Table 37: Key Indicators: Gannow and Surrounding Area 2022/23

	Gannow Current Boundary	Carter Palace St	Burnley Borough
Total Properties	960	185	44,123
Private Rented	51.7%	31.9%	24.3%
Owner Occupied	33.4%	67%	59.8%
EPC Below Minimum Standard in PRS (EPC Register 2023)	0.6%	1.7%	Figure unknown
Estimated Cat 1 hazards in PRS (BRE 2023, as % of PRS)	24%	30.5%	22.5%
Disrepair Complaints to BBC as % of PRS (22/23)	3.4%	11.9%	3.8%
Estimated HMOs (BRE 2023)	4.5%	3.8%	2.17%
Mean House Value (Land Registry 22/23)	£68,843	£103,585	All: £140,808 Terraced: £97,327
Vacant Homes 2yr+ (March 23)	2.2%	1.6%	1.2%
ASB Complaints to BBC (22/23)	1.9%	0%	0.6%
DBY Resident Complaints to BBC (22/23)	3.4%	0.5%	1.4%
Estimated PRS Households in Fuel Poverty (BRE 23)	20%	45.8%	23.5%

Housing Tenure

8.6 Gannow ward has the sixth highest percentage of private rented properties at 25.6%, which is above the Burnley and England averages, though closer to the Burnley average than other wards where licensing areas are located (Table 2). As with all parts of Burnley, levels of private renting increased at the ward level between the last two censuses. Levels of social renting are below the Burnley and England average, whilst owner occupiers are just higher than the Burnley average.

8.7 Table 38 shows tenures within the current and proposed selective licensing areas. There is a clear concentration of private rented properties within the proposed boundary; the rate is much higher than that for Gannow ward as a whole. The proposed licensing area would extend the boundary a small amount by an estimated 59 private rented properties; the proposed licensing area is estimated to be 48.5% private rented.

Table 38: Property Numbers and PRS in the selective licensing areas (SL Data 2023, BRE Data 2023)

Current Selective Licensing Areas	Total Properties	Total PRS	% PRS
Trinity 2019-24	1348	744	55.2
Queensgate 2019-24	1612	785	48.7
Gannow 2019-24	960	496	51.7
Daneshouse & Stoneyholme 2019-24	1783	603	33.8
Burnley Wood with Healey Wood 2022-27	810	429	53

Leyland Road 2022-27	756	464	61.4
Current Total	7269	3521	48.4
Proposed Selective Licensing Areas 2025-30	Estimated Total Properties	Estimated PRS	Estimated % PRS
Trinity 2025-30	1760	1017	57.8
Queensgate 2025-30/Bank Hall???	2873	1369	47.7
Gannow 2025-30	1145	555	48.5
Daneshouse & Stoneyholme 2025-30	1783	603	33.8
Padiham 2025-30	1317	671	51
Lyndhurst Road 2025-30	962	370	38.5
Proposed Total	9840	4585	46.6

Houses in Multiple Occupation (HMOs)

8.8 According to BRE data, Gannow ward is estimated to have the sixth highest rate of HMOs in the borough at 2.19% comparable with 2.17% for Burnley (Table 3).

8.9 Table 39 shows estimated HMO rates in the current and proposed licensing areas. The current Gannow licensing area has a much higher concentration of HMOs than the borough and the ward in which it is situated, and the proposed area has a comparable rate.

Table 39: Estimated HMOs Current and Proposed Selective Licensing Areas (BRE)

Current Selective Licensing Areas	Estimated HMOs as % of Properties
Trinity 2019-24	5.93%
Queensgate 2019-24	5.52%
Gannow 2019-24	4.48%
Daneshouse & Stoneyholme 2019-24	2.8%
Burnley Wood with Healey Wood 2022-27	3.7%
Leyland Road 2022-27	11.24%
Proposed Selective Licensing Areas 2025-30	Estimated HMOs as % of Properties
Trinity 2025-30	6.6%
Queensgate 2025-30	5.01%
Gannow 2025-30	4.37%
Daneshouse & Stoneyholme 2025-30	2.8%
Padiham 2025-30	2.96%
Lyndhurst Road 2025-30	4.37%
BURNLEY	2.17%

Property Condition: Energy Performance Certificates (EPCs)

8.10 2.7% of properties (all tenures) in Burnley have an EPC rated below “E” (all tenures), the figure for Gannow is comparable at 2.8%. However, of those properties, those that are privately rented are much lower, at 0.6%.

Table 40: EPC Ratings in the licensing areas (EPC Register September 2023)

Current Selective Licensing Areas	No. rated below "E" All Tenure	% rated below "E" All Tenure	No. PRS rated below "E"	% PRS rated below "E"
Trinity 2019-24	65	4.8%	3	0.4%
Queensgate 2019-24	83	5.2%	4	0.5%
Gannow 2019-24	27	2.8%	3	0.6%
Daneshouse & Stoneyholme 2019-24	97	5.4%	2	0.3%
Burnley Wood with Healey Wood 2022-27	20	2.5%	0	0%
Leyland Road 2022-27	27	3.6%	2	0.4%
Current Total	319	4.4%	14	0.4%
Proposed Selective Licensing Areas 2025-30	No. rated below "E"	% rated below "E"	No. PRS rated below "E"	% PRS rated below "E"
Trinity 2025-30	78	4.4%	5	0.5%
Queensgate 2025-30	148	5.2%	24	1.8%
Gannow 2025-30	31	2.7%	4	0.7%
Daneshouse & Stoneyholme 2025-30	97	5.4%	2	0.3%
Padiham 2025-30	29	2.2%	9	1.3%
Lyndhurst Road 2025-30	41	4.3%	9	1.9%
Proposed Total	424	4.3%	53	1.2%

8.11 The figures clearly show the positive impact that the licensing schemes have had; of the three privately rented properties in the current Gannow scheme rated below "E", all belong to landlords who are not currently compliant with the licensing scheme, and whom the Council is actively pursuing. Without the licensing schemes proactively investigating EPC ratings, it's possible for landlords to operate below standard under the radar.

8.12 The proposed extension to the Gannow designation is relatively small, and as such there are only 4 additional properties which have recorded EPC ratings below "E". Of those, just one is believed to be privately rented. The issue of non-compliance with efficiency legislation is clearly less of a problem in this area. However, from experience of previous schemes, the Council often finds there are more privately rented properties in a designated area than initially estimated. The Council is confident that a further designation in the Gannow area will allow us to continue to monitor new privately rented properties to ensure they are meeting the required standard.

Property Condition: Estimated Category 1 Hazards

8.13 The percentage of properties in the current and proposed licensing areas estimated to have Category 1 Hazards is significantly above the Burnley average of 14.7%. When taken together, the estimated rates at privately rented properties for the current and proposed licensing areas is above the average for Burnley of 22.5%, though there is variation between the areas.

8.14 BRE data estimates that Gannow ward has the seventh highest level of Category 1 hazards in the PRS in the borough (Table 6).

8.15 Table 41 examines the estimated numbers of Category 1 Hazards in the current and proposed licensing areas.

Table 41: Estimated Category 1 Hazards SL Areas (BRE 2023)

Current Selective Licensing Areas	Cat 1 Hazard All Properties	Total Properties	Cat 1 Hazard as % of Properties	Cat 1 Hazard PRS	Total PRS	Cat 1 PRS as % of PRS
Trinity 2019-24	313	1348	23.2%	162	744	21.8%
Queensgate 2019-24	325	1612	20.2%	165	785	21.0%
Gannow 2019-24	192	960	20%	107	496	21.6%
Daneshouse & Stoneyholme 2019-24	411	1783	23.1%	188	603	31.2%
Burnley Wood with Healey Wood 2022-27	184	810	22.7%	99	429	23.1%
Leyland Road 2022-27	163	756	21.6%	104	464	22.4%
Current Total	1588	7269	21.9%	825	3521	23.4%
Proposed Selective Licensing Areas 2025-30	Cat 1 Hazards All Properties	Total Properties	Cat 1 Hazards as % of Properties	Cat 1 Hazard PRS	Total PRS	Cat 1 PRS as % of PRS
Trinity 2025-30	396	1760	22.5%	218	1017	21.4%
Queensgate 2025-30	615	2873	21.4%	329	1369	24%
Gannow 2025-30	235	1145	20.5%	125	555	22.5%
Daneshouse and Stoneyholme 2025-30	411	1783	23.1%	188	603	31.2%
Padiham 2025-30	281	1317	21.3%	170	671	25.3%
Lyndhurst Road 2025-30	206	962	21.4%	90	370	24.3%
Proposed Total	2144	9840	21.8%	1120	4585	24.4%
BURNLEY			14.7%			22.5%

8.16 Gannow ward was ranked joint sixth for disrepair complaints to the Council in 22/23.

Property Condition: Disrepair Complaints

8.17 Gannow ward ranked joint sixth highest for disrepair complaints made to the Council in 2022/23 (Table 7).

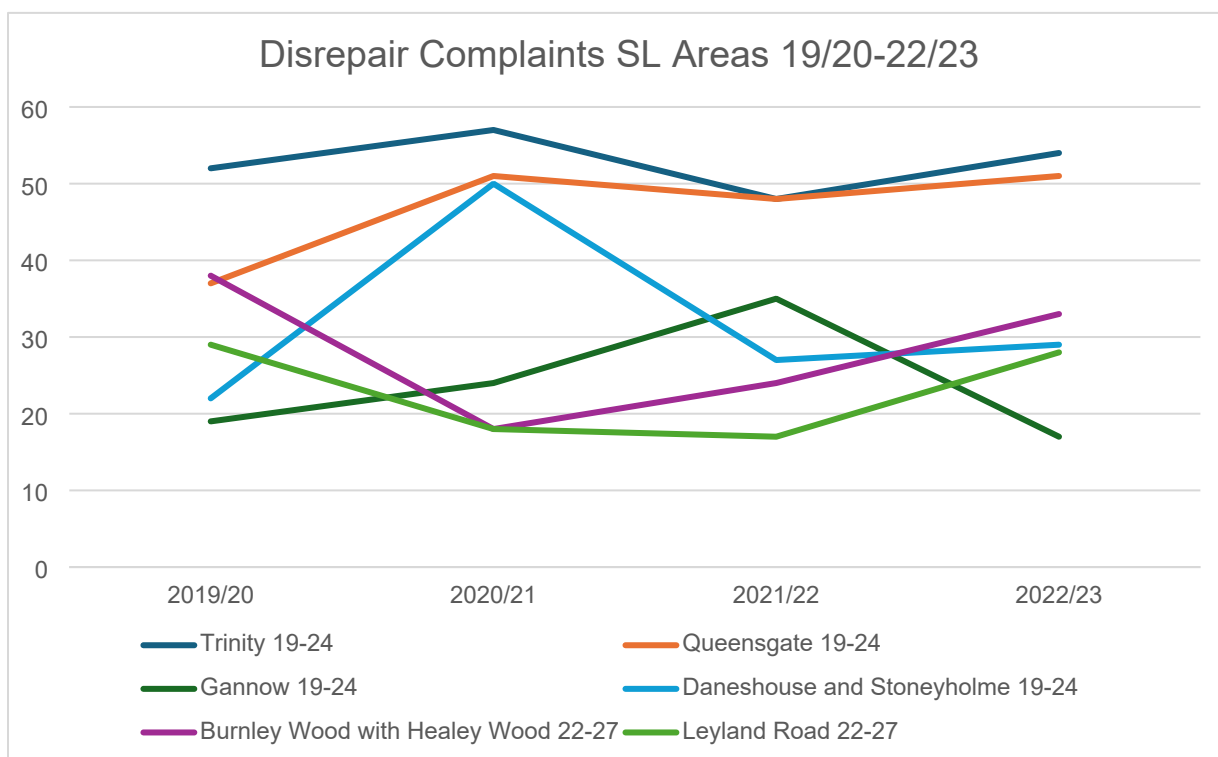
8.18 Table 42 and Figure 12 show the numbers of disrepair complaints within the current and proposed licensing areas. Numbers of disrepair complaints in Gannow rose noticeably in 21/22, before returning to more expected levels in 22/23. The number of complaints as a percentage of the private rented stock is now below average for the borough. The incorporation of a small additional area has increased the number of recorded cases to 6.1%, which is a significant increase. The Council is

therefore satisfied that it is appropriate to investigate further the condition of properties in the neighbouring Carter Street/Palace Street area, in order to improve property conditions to the same level as the existing designation.

Table 42: Disrepair Complaints to BBC SL Areas (BBC)

Current/Previous Selective Licensing Areas	Disrepair Complaints as % of PRS 19/20	Disrepair Complaints as % of PRS 20/21	Disrepair Complaints as % of PRS 21/22	Disrepair Complaints as % of PRS 22/23
Trinity 2019-24	8%	8.7%	6.7%	7.3%
Queensgate 2019-24	5%	6.9%	6.7%	6.5%
Gannow 2019-24	4%	5%	7.1%	3.4%
Daneshouse & Stoneyholme 2019-24	3.5%	8.1%	4.8%	4.8%
Burnley Wood with Healey Wood 2022-27	7.6%	3.6%	5.5%	7.7%
Leyland Road 2022-27	6.2%	3.8%	3.7%	6%
Proposed Selective Licensing Areas	Disrepair Complaints as % of PRS 19/20	Disrepair Complaints as % of PRS 20/21	Disrepair Complaints as % of PRS 21/22	Disrepair Complaints as % of PRS 22/23
Trinity 2025-30				6.4%
Queensgate 2025-30				4.7%
Gannow 2025-30				6.1%
Daneshouse and Stoneyholme 2025-30				4.8%
Padiham 2025-30				2.5%
Lyndhurst Road 2025-30				6%
BURNLEY				3.8%

Figure 12: Disrepair Complaints to BBC SL Areas (BBC)



Housing Market

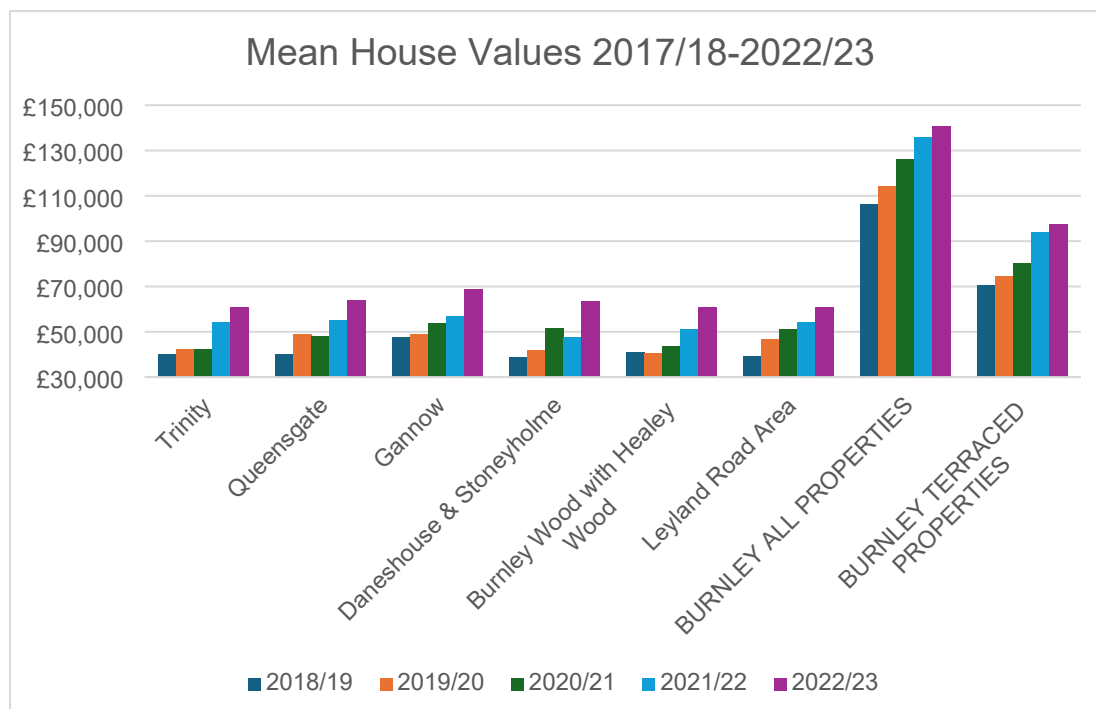
8.19 Mean house values in Gannow ward are the ninth lowest in the borough for 2022/23 (Table 8) Gannow ward contains more variation in housing than many of the other wards where licensing schemes are situated, with many areas of new builds and larger, higher value properties. These are largely located outside of the licensing area.

8.20 Table 43 and Figure 13 show trends in house values in the current licensing areas for the last four years, as well as the most recent data for the proposed new designations.

Table 43: Mean House Values SL Areas (ONS)

Current/Previous Selective Licensing Areas	2018/19	2019/20	2020/21	2021/22	2022/23
Trinity 2019-24	£40,240	£42,198	£42,356	£54,267	£60,826
Queensgate 2019-24	£40,146	£48,875	£47,782	£55,144	£63,860
Gannow 2019-24	£47,327	£48,982	£53,897	£56,759	£68,843
Daneshouse & Stoneyholme 2019-24	£38,684	£41,663	£52,344	£47,477	£63,607
Burnley Wood with Healey Wood 2022-27	£40,929	£40,499	£43,703	£50,860	£60,674
Leyland Road 2022-27	£39,102	£46,737	£51,008	£54,025	£60,810
Proposed Selective Licensing Areas					
Trinity 2025-30					£62,528
Queensgate 2025-30					£67,666
Gannow 2025-30					£73,043
Daneshouse and Stoneyholme 2025-30					£63,607
Padiham 2025-30					£75,671
Lyndhurst Road 2025-30					£82,081
BURNLEY ALL PROPERTIES	£106,274	£114,189	£126,187	£135,584	£140,808
BURNLEY TERRACED PROPERTIES	£70,291	£74,321	£80,261	£93,918	£97,327

Figure 13: Mean House Values (ONS)



8.21 Mean house values in Burnley for all properties rose by around 33% between 2018/19 and 2022/23; for terraced properties the increase was approximately 38%.

8.22 In Gannow licensing area, values rose by around 45% over the same period, steadily increasing year on year with a notable jump between 2021/22 and 2022/23. House values in Gannow remain the highest of the current licensing schemes.

8.23 However, property values in Gannow still remain significantly below the borough average for all property types and terraces. The rate of increase is promising, but lower house values continue to indicate a problem of low demand in this area.

8.24 Values for the proposed licensing area are notably higher than the current boundary for 2022/23, but remain below average. Land registry data shows one significantly high value sale for a large property within the proposed additional boundary which has increased the total mean value for this year.

Empty Homes

8.25 Empty homes in Gannow ward have fluctuated in the last ten years; reductions in 2020 and 2021 were followed by increases in 2022 and 2023 (Table 9).

8.26 Table 44 shows levels of empty properties as a percentage of houses in the current and proposed selective licensing areas. For comparison, the percentage of empty properties in March 2023 across Burnley was 4.4%

Table 44: Empty Properties in Current and Proposed Licensing Areas as % of Properties (BBC Empty Homes)

Current/Previous Selective Licensing Areas	March 2018	March 2019	March 2020	March 2021	March 2022	March 2023
Trinity 2019-24	15%	14%	12%	10%	10%	10%
Queensgate 2019-24	12%	10%	8%	8%	8%	7%
Gannow 2019-24	12%	11%	10%	9%	10%	10%
Daneshouse & Stoneyholme 2019-24	8%	8%	6%	6%	6%	6%
Burnley Wood with Healey Wood 2022-27				10%	9%	7%
Leyland Road 2022-27				8%	9%	8%
Proposed Selective Licensing Areas						
Trinity 2025-30						9%
Queensgate 2025-30						7%
Gannow 2025-30						9%
Daneshouse and Stoneyholme 2025-30						6%
Padiham 2025-30						7%
Lyndhurst Road 2025-30						7%

8.27 In line with the ward trends, rates of empty properties in Gannow licensing area reduced in 2020 and 2021, before increasing to 10% in 2022 and 2023. This remains well above the borough average of 4.4% and is the joint highest level of empty properties amongst the current licensing areas.

8.28 A useful additional indicator is to review the number of properties which have remained empty for two years or more. Table 45 shows the number of long term empty properties in the current and proposed licensing areas.

8.29 Long term empty properties in Gannow remain above average. The proposed boundary contains a very similar level of long term empty properties. The Council believes that further intervention via selective licensing will support the work of the Empty Homes team in reducing long term empty properties in the Gannow area.

Table 45: Long Term Empty Properties (BBC Empty Homes 2023)

Current/Previous Selective Licensing Areas	Long Term Empty as % of Properties March 2023
Trinity 2019-24	3%
Queensgate 2019-24	2.2%
Gannow 2019-24	2.2%
Daneshouse & Stoneyholme 2019-24	1.8%
Burnley Wood with Healey Wood 2022-27	1.5%
Leyland Road 2022-27	2.1%
Proposed Selective Licensing Areas	
Trinity 2025-30	3.5%
Queensgate 2025-30	1.7%

Gannow 2025-30	2.1%
Daneshouse and Stoneyholme 2025-30	1.8%
Padiham 2025-30	1.6%
Lyndhurst Road 2025-30	0.8%
BURNLEY	1.2%

Crime and Anti-Social Behaviour

8.30 Rates of all crime recorded by Police in Gannow ward increased in 20/21 and 21/22 before decreasing again in 22/23 (Table 10). Gannow ward was ranked as the ninth highest ward for all recorded crime in 2022/23, indicating levels of all crime are less of a concern in this ward.

8.31 Gannow ward was also the ninth highest ranking ward for ASB, despite a significant reduction increase in 2020/21. This was followed by notable decreases from 2021/22 to 2022/23 (Table 11). Rates for 2022/23 at the ward level are lower than the Burnley rate.

8.32 Table 46 shows the number of ASB cases recorded by Police for the current selective licensing areas by calendar year. Gannow has recorded a significant reduction in ASB in 2022, following a spike in 2020 and 2021, which may in part be attributed to Covid breaches and increased neighbour intolerance during lockdown periods. This was followed by a further slight decrease in 2023. Rates overall have reduced since 2019. Analyst data is not currently available for the proposed areas.

Table 46: ASB Recorded by Police (Lancashire Police Analyst)

Current Selective Licensing Areas	2019	2020	2021	2022	2023
Trinity 2019-24	12.7%	26.3%	18.6%	11.5%	13.4%
Queensgate 2019-24	11.6%	20.5%	25%	20%	11%
Gannow 2019-24	14.6%	20.6%	23.4%	12.1%	11%
Daneshouse & Stoneyholme 2019-24	8.7%	12.1%	11.8%	2.9%	3.7%
Burnley Wood with Healey Wood 2022-27				17.7%	14.6%
Leyland Road 2022-27				14.6%	15.3%

8.33 Table 47 shows the numbers of cases reported to the Council in the licensing areas as a percentage of properties since 2018/19. These figures differ from those recorded by Police, as not every incident is reported to both agencies. Cases recorded by the Council in Gannow have fluctuated, with a slight increase recorded in 2022/23, and remain above the borough average.

8.34 Cases recorded in the proposed licensing area are lower than the current boundary, suggesting a concentration of ASB within the current boundary; the proposed boundary remains above the borough average for 2022/23.

Table 47: ASB Recorded by BBC SL Areas Cases as Percentage of Properties (BBC Community Safety Team)

Current Selective Licensing Areas	2018/19	2019/20	2020/21	2021/22	2022/23
Trinity 2019-24	1.9%	1.6%	1.6%	1.3%	0.82%
Queensgate 2019-24	2.1%	1%	1.4%	0.9%	0.74%
Gannow 2019-24	2%	4%	1.35%	1.35%	1.89%

Daneshouse & Stoneholme 2019-24	0.62%	0.5%	0.84%	0.28%	0.5%
Burnley Wood with Healey Wood 2022-27				2.84%	2.22%
Leyland Road 2022-27				0.4%	2.51%
Proposed Selective Licensing Areas	2018/19	2019/20	2020/21	2021/22	2022/23
Trinity 2025-30					0.68%
Queensgate 2025-30					0.73%
Gannow 2025-30					0.7%
Daneshouse & Stoneholme 2025-30					0.5%
Padiham 2025-30					0.76%
Lyndhurst Road 2025-30					0.31%
BURNLEY					0.55%

Environmental Crime

8.35 Gannow ward is ranked eighth for resident complaints of dirty back yards in 2022/23 (Table 12). Gannow had a similar increase to the borough in 2022/21 and has remained static since.

8.36 Table 48 examines number of dirty back yard resident complaints in the current and proposed licensing areas as a percentage of the total properties in each area.

8.37 Cases in Gannow reduced between 2019/20 and 2020/21, contrary to the other licensing areas, but then rose again by a notable amount in 2021/22. Levels have since reduced again but remain above the borough average. Environmental crime remains an issue for residents in this area.

8.38 Cases in the proposed area are slightly lower, indicating there is less of a concern in the additional proposed zones, however the figure is still well above the borough average and requires further intervention.

Table 48: Dirty Back Yard Resident Complaints SL Areas (BBC Streetscene)

Current Selective Licensing Areas	2018/19	2019/20	2020/21	2021/22	2022/23
Trinity 2019-24	0.82%	2.23%	7.27%	5.93%	3.12%
Queensgate 2019-24	1.55%	1.86%	3.1%	2.17%	2.05%
Gannow 2019-24	0.52%	2.6%	1.98%	4.59%	3.33%
Daneshouse & Stoneholme 2019-24	0.28%	0.67%	1.29%	1.23%	1.57%
Burnley Wood with Healey Wood 2022-27				5.93%	7.16%
Leyland Road 2022-27				3.95%	3.17%
Proposed Selective Licensing Areas	2018/19	2019/20	2020/21	2021/22	2022/23
Trinity 2025-30					3%
Queensgate 2025-30					1.7%
Gannow 2025-30					2.9%
Daneshouse & Stoneholme 2025-30					1.57%
Padiham 2025-30					2.13%
Lyndhurst Road 2025-30					1.25%
BURNLEY					1.37%

Why Propose a Selective Licensing Scheme?

- 8.39 There have been many improvements seen in the Gannow area in recent years. Property values in the current licensing area have continued to rise from a mean value of £47,327 in 18/19 to £68,843. This represents an increase of around 45%. Property values across Burnley rose by 33% across the same period. This shows a continued and improving confidence in the housing market in the licensing area. Mean property values in the proposed area for 22/23 are higher, at £73,043. Despite this improvement, values remain well below the borough mean of £140,808 for all properties and £97,327 for terraced properties in 22/23. The Council believes that by continuing to support these areas by improving property management and condition, we will continue to see improvements in the housing market.
- 8.40 Empty homes in the current licensing area have reduced from 12% in 2018 to 10% in 2023. Levels for the proposed area are similar, at 9% for 22/23. This shows a positive reduction in empty properties which can blight a neighbourhood, and indicates a stabilisation of the community. However despite these improvements, levels of empty properties remain above the average of 4.4% for the borough. Long term empty properties are also higher in the current and proposed licensing areas, at 2.2% and 2.1% respectively compared to 1.2% for the borough in 2023. The licensing team are working proactively with the Empty Homes team to bring as many empty properties back into use as possible, and the Council believes that continuing and expanding the licensing scheme will allow this proactive work to continue.
- 8.41 The Council has also seen the positive impact of the schemes when it comes to property condition. Just 0.6% of the privately rented properties in the current scheme have an EPC which does not meet the required standard; this small number of properties are those where the landlord has not been compliant with the licensing scheme and the Council is taking steps to enforce in these cases. Selective licensing has allowed the Council to proactively insist upon improvements to energy efficiency in properties and obtain the correct paperwork to reflect this (a licence will not be granted at a property with an EPC rated below “E”). Without the resources licensing provides, landlords could continue to operate below the required standard.
- 8.42 Rates of properties across all tenures with below standard EPCs in the licensing area are consistent with the borough average; 2.8% of the current boundary and 2.7% of the proposed boundary are below “E”, compared to 2.7% for the borough. Whilst there is still work to be done to improve energy efficiency for all residents, the Council is satisfied that the inefficient properties are not a significant concern in this area.
- 8.43 Data from the BRE shows that Gannow ward has the seventh highest level of estimated category 1 hazards in the borough; the lowest of all the wards containing licensing areas. 15.8% of properties are thought to have serious disrepair across all tenures, and 21.7% of the PRS is estimated to have a serious hazard. This is comparable with the rates for the borough at all tenures (14.7%) and is just lower in the PRS (22.5% for the borough).
- 8.44 However within the licensing areas, the figures are higher: at 20% and 20.5% for current and proposed areas for all tenures, and 21.6% and 22.5% for the PRS. This shows that the poorer properties are concentrated within the current and proposed boundaries, but that estimated serious hazards are below the average for

the borough; a positive indicator for property condition in this area.

- 8.45 There has been fluctuation in recent years in disrepair complaints to the Council; in 19/20 the Council received complaints about 4% of properties, this peaked at 7.1% in 21/22 but has since reduced to 3.4% in 22/23 which was just below the borough average for that year of 3.8%. Despite the fluctuations, there has been a significant improvement in property condition in this area. However, the percentage of complaints is greater in the proposed boundary, at 6.1%, indicating that there are issues with property condition in the surrounding proposed areas.
- 8.46 The current and proposed licensing areas are estimated to contain a high number of HMOs; 4.48% and 4.37% respectively compared to 2.17% for the borough. HMOs form a vital part of the housing market, but they do carry greater risks than other property types, including risk of overcrowding and higher fire risks. A significant number of HMOs in the current and proposed licensing areas do not meet the threshold for mandatory HMO licensing; therefore it is important that the Council considers other ways to proactively monitor standards at these properties. Selective licensing gives the Council the tools to do this.
- 8.47 Complaints of ASB to the Council in the current scheme have reduced slightly from 2% of all properties in 18/19 to 1.89% in 22/23, above the borough average of 0.55% for 22/23. Complaints to police have fluctuated over the same period, with increases in 2020/21 largely attributed to pandemic related breaches being recorded as ASB and increased neighbourhood tensions. Figures have since reduced significantly following this peak, and are now lower than 2019 levels (14.6% in 2019 compared to 11% in 2023).
- 8.48 The licensing team works closely with the neighbourhood policing teams and the Council's community safety team to tackle instances of ASB; representatives from the team attend various multi agency meetings and individual officers are in contact with the neighbourhood policing teams for their areas. The Council believes it is important to continue strengthening these relationships to ensure that all parties are sharing information, knowledge and skills to tackle ASB. The conditions of the selective licence require landlords to take steps to prevent and tackle ASB; this offers a unique tool which would not otherwise be available, strengthening the multi agency approach to tackling ASB. Whilst the trends are encouraging, complaints to the Council remain above the borough average.
- 8.49 Instances of residents complaining about dirty back yards have risen considerably in the licensing area from 0.52% of all properties in 18/19 to 3.33% in 22/23. Rates for 22/23 are slightly lower in the proposed boundary at 2.9%; both areas remain above average for the borough average of 1.37%. The licensing team work closely with colleagues in Streetscene to tackle this blight on neighbourhoods, by undertaking proactive audits and sharing of data to try to identify repeat offenders. Licensing officers are able to utilise the conditions of the licence to ensure landlords are also playing their part to tackle environmental crime.

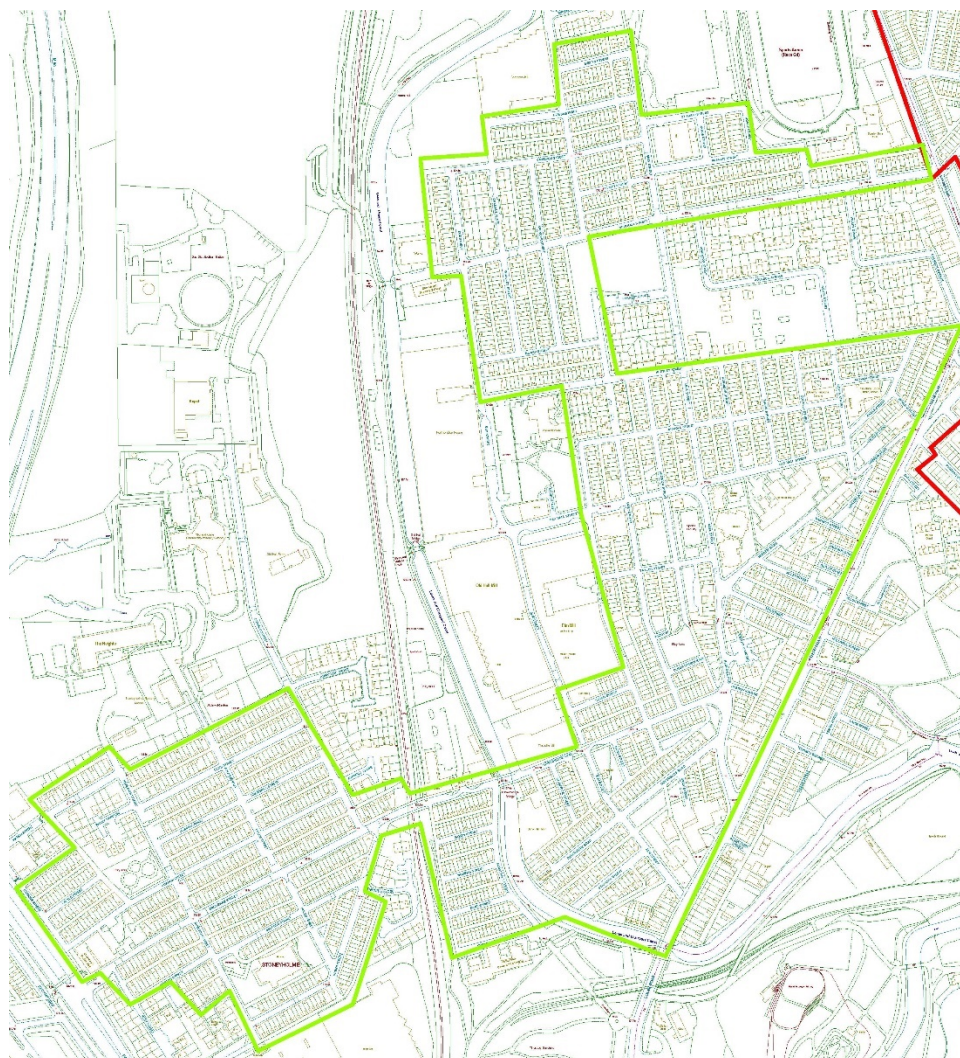
8.50 In summary, whilst the Council is satisfied that improvements are being made in the Gannow area, particularly concerning property condition, it believes that there is still work to be done to build on and strengthen progress on tackling low demand for housing; stepping away from the area prematurely risks undoing the positive work that has been done so far. The Council is satisfied that selective licensing gives the Council the tools it needs, working with other partners, to ensure better outcomes for residents in this area. The Council is also satisfied that the evidence suggests the expansion of the licensing scheme in this area would ensure greater benefits to a larger number of residents.

9 The Daneshouse & Stoneyholme Proposed Designation

Background

9.1 The Daneshouse and Stoneyholme area was first designated as an area subject to selective licensing in 2014; it has since been subject to a further designation from 2019-2024. Figure 14 shows the boundary of the current designation. The designation is located in the Daneshouse with Stoneyholme ward.

Figure 14: Daneshouse and Stoneyholme 2019-23 Selective Licensing Boundary



9.2 The current designation covers a large area of over 1700 properties, of which 33.8% are privately rented (*SL Database 2023*). The area is primarily residential, but does have significant volumes of commercial properties along Colne Road and Abel Street.

9.3 Whilst other licensing areas in Burnley have been designated on the basis of low demand for housing, Daneshouse and Stoneyholme was also designated on the basis of poor property condition.

9.4 Throughout the designation, the Council has monitored several key indicators of low housing demand. The scheme is now in its final year, and the Council has assessed these indicators to determine the effectiveness of the scheme, and whether this area, or other similar areas, would benefit from a further selective licensing designation.

9.5 The Council is satisfied that the current boundary is appropriate to consult on a second designation, and does not propose to add any areas. A map of the proposed boundary is attached as Appendix 8.

Table 49: Key Indicators: Daneshouse & Stoneyholme 2022/23

	Daneshouse & Stoneyholme Current Boundary	Burnley Borough
Total Properties	1783	44,123
Private Rented	33.8%	24.3%
Owner Occupied	46.3%	59.8%
EPC Below Minimum Standard in PRS (EPC Register 2023)	0.3%	Figure unknown
Estimated Cat 1 hazards in PRS (BRE 2023, as % of PRS)	34.8%	22.5%
Disrepair Complaints to BBC as % of PRS (22/23)	4.8%	3.8%
Estimated HMOs (BRE 2023)	2.8%	2.17% PW report??
Mean House Value (Land Registry 22/23)	£63,607	All: £140,808 Terraced: £97,327
Vacant Homes 2yr+ (March 23)	1.8%	1.2%
ASB Complaints to BBC (22/23)	0.5%	0.6%
DBY Resident Complaints to BBC (22/23)	1.6%	1.4%
Estimated PRS Households in Fuel Poverty (BRE 23)	27.4%	23.5%

Housing Tenure

9.6 Table 2 shows that Daneshouse with Stoneyholme ward has the second highest percentage of private rented properties at 39.5%, notably above the Burnley and England averages. Levels of owner occupiers are also lower. The ward has also seen the greatest rate of increase in private rented properties since the 2011 census. Levels of social renting are similar to Burnley and England.

9.7 Table 50 shows tenures within the current and proposed selective licensing areas. The proposed boundary has the lowest level of private renting of all the licensing areas, however this is still above the average for Burnley and England.

Table 50: Property Numbers and PRS in the selective licensing areas (SL Data 2023, BRE Data 2023)

Current Selective Licensing Areas	Total Properties	Total PRS	% PRS
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Trinity 2019-24	1348	744	55.2
Queensgate 2019-24	1612	785	48.7
Gannow 2019-24	960	496	51.7
Daneshouse & Stoneyholme 2019-24	1783	603	33.8
Burnley Wood with Healey Wood 2022-27	810	429	53
Leyland Road 2022-27	756	464	61.4
Current Total	7269	3521	48.4
Proposed Selective Licensing Areas 2025-30	Estimated Total Properties	Estimated PRS	Estimated % PRS
Trinity 2025-30	1760	1017	57.8
Queensgate 2025-30/Bank Hall???	2873	1369	47.7
Gannow 2025-30	1145	555	48.5
Daneshouse & Stoneyholme 2025-30	1783	603	33.8
Padiham 2025-30	1317	671	51
Lyndhurst Road 2025-30	962	370	38.5
Proposed Total	9840	4585	46.6

Houses in Multiple Occupation (HMOs)

9.8 According to BRE data, Daneshouse with Stoneyholme ward is estimated to have the third highest rate of HMOs in the borough at 2.77% compared with 2.17% for Burnley (Table 3).

9.9 Table 51 shows estimated HMO rates in the current and proposed licensing areas. The current Daneshouse and Stoneyholme licensing area has a similar concentration of HMOs to the borough and the ward in which it is situated.

Table 51: Estimated HMOs in the Current and Proposed Selective Licensing Areas (BRE)

Current Selective Licensing Areas	Estimated HMOs as % of Properties
Trinity 2019-24	5.93%
Queensgate 2019-24	5.52%
Gannow 2019-24	4.48%
Daneshouse & Stoneyholme 2019-24	2.8%
Burnley Wood with Healey Wood 2022-27	3.7%
Leyland Road 2022-27	11.24%
Proposed Selective Licensing Areas 2025-30	Estimated HMOs as % of Properties
Trinity 2025-30	6.6%
Queensgate 2025-30	5.01%
Gannow 2025-30	4.37%
Daneshouse & Stoneyholme 2025-30	2.8%
Padiham 2025-30	2.96%
Lyndhurst Road 2025-30	4.37%
BURNLEY	2.17%

Property Condition: Energy Performance Certificates (EPCs)

Table 52: EPC Ratings in the licensing areas (EPC Register September 2023)

Current Selective Licensing Areas	No. rated below "E" All Tenure	% rated below "E" All Tenure	No. PRS rated below "E"	% PRS rated below "E"
Trinity 2019-24	65	4.8%	3	0.4%
Queensgate 2019-24	83	5.2%	4	0.5%
Gannow 2019-24	27	2.8%	3	0.6%
Daneshouse & Stoneyholme 2019-24	97	5.4%	2	0.3%
Burnley Wood with Healey Wood 2022-27	20	2.5%	0	0%
Leyland Road 2022-27	27	3.6%	2	0.4%
Current Total	319	4.4%	14	0.4%
Proposed Selective Licensing Areas 2025-30	No. rated below "E"	% rated below "E"	No. PRS rated below "E"	% PRS rated below "E"
Trinity 2025-30	78	4.4%	5	0.5%
Queensgate 2025-30	148	5.2%	24	1.8%
Gannow 2025-30	31	2.7%	4	0.7%
Daneshouse & Stoneyholme 2025-30	97	5.4%	2	0.3%
Padiham 2025-30	29	2.2%	9	1.3%
Lyndhurst Road 2025-30	41	4.3%	9	1.9%
Proposed Total	424	4.3%	53	1.2%

9.10 2.7% of properties in Burnley have an EPC rated below "E" (all tenures) compared to 5.4% in Daneshouse and Stoneyholme licensing area. This suggests a concentration of poor property condition in this area. The rates for the private rented properties in this area is much lower however, at 0.3%.

9.11 The figures clearly show the positive impact that the licensing schemes have had; both privately rented properties in the current Daneshouse and Stoneyholme scheme currently rated "E" are owned by landlords who are currently non-compliant with the licensing scheme. The Council is working to secure complete applications and associated valid documentation, and will seek to take legal action where necessary for operating contrary to the law.

9.12 The Council is not proposing to make any changes to the current Daneshouse and Stoneyholme boundary, however throughout the schemes the Council continues to identify newly rented properties which must meet the required standard. There is a high number of properties in this area rated below "E" (5.4% compared to a borough average of 4.3%). The Council believes it is important to continue working in this area to ensure any of these properties which become privately rented are meeting the required efficiency standards.

Property Condition: Estimated Category 1 Hazards

9.13 Daneshouse and Stoneyholme ward is estimated to have the fourth highest number of category 1 hazards in the borough (Table 6).

9.14 Daneshouse and Stoneyholme was designated as a selective licensing area on the basis that it was both an area suffering from low demand for housing, and also that it suffered from poor property condition.

9.15 Table 52 examines the estimated numbers of Category 1 Hazards in the current and proposed licensing areas. It is estimated that 31.2% of the PRS in the proposed licensing area has one or more category 1 hazard, much higher than the estimated figure for Burnley (22.5%).

Table 53: Estimated Category 1 Hazards SL Areas (BRE 2023)

Current Selective Licensing Areas	Cat 1 Hazard All Properties	Total Properties	Cat 1 Hazard as % of Properties	Cat 1 Hazard PRS	Total PRS	Cat 1 PRS as % of PRS
Trinity 2019-24	313	1348	23.2%	162	744	21.8%
Queensgate 2019-24	325	1612	20.2%	165	785	21.0%
Gannow 2019-24	192	960	20%	107	496	21.6%
Daneshouse & Stoneyholme 2019-24	411	1783	23.1%	188	603	31.2%
Burnley Wood with Healey Wood 2022-27	184	810	22.7%	99	429	23.1%
Leyland Road 2022-27	163	756	21.6%	104	464	22.4%
Current Total	1588	7269	21.9%	825	3521	23.4%
Proposed Selective Licensing Areas 2025-30	Cat 1 Hazards All Properties	Total Properties	Cat 1 Hazards as % of Properties	Cat 1 Hazard PRS	Total PRS	Cat 1 PRS as % of PRS
Trinity 2025-30	396	1760	22.5%	218	1017	21.4%
Queensgate/ Bank Hall 2025-30	615	2873	21.4%	329	1369	24%
Gannow 2025-30	235	1145	20.5%	125	555	22.5%
Daneshouse and Stoneyholme 2025-30	411	1783	23.1%	188	603	31.2%
Padiham 2025-30	281	1317	21.3%	170	671	25.3%
Lyndhurst Road 2025-30	206	962	21.4%	90	370	24.3%
Proposed Total	2144	9840	21.8%	1120	4585	24.4%
BURNLEY			14.7%			22.5%

9.16 The percentage of properties in the current and proposed licensing areas estimated to have Category 1 Hazards is significantly above the Burnley average. When taken together, the estimated rates at privately rented properties for the current and proposed licensing areas is above the average for Burnley of 22.5%, but there is variation between the areas.

9.17 Daneshouse and Stoneyholme current designation is estimated to have the highest level of private rented Category 1 Hazards of all the licensing areas, and is

significantly above the average for Burnley.

Property Condition: Disrepair Complaints and Proactive Inspections

9.18 Table 7 shows Daneshouse with Stoneyholme ward to have the fourth highest number of disrepair complaints to the Council in 2022/23.

9.19 In September 2016, the Council undertook a private sector improvement scheme within what is now the licensing area; the Council inspected 93 properties. The results are summarised in Table 54:

Table 54: Daneshouse Private Sector Improvement Results (Housing Standards, BBC)

Daneshouse Private Sector Improvement Scheme Outcomes
44 (47%) Properties were found to have category 1 hazards
46 (49%) Properties did not have adequate smoke detection
73 (78%) Gas safety certificates had not been completed prior to booking of inspection
49 (43%) Properties did not have an Energy Performance Certificate

9.20 This estimated number of properties with a category 1 hazard as modelled by the BRE in 2023 is now lower than the number found during the improvement scheme. The existence of the licensing scheme also means that all landlords must ensure their property has a gas safety certificate and valid EPC. They must also declare that their property has adequate smoke detection. The application process proactively ensures that landlords are compliant with these requirements.

9.21 The Council is aware that some landlords are still not compliant, however licensing allows us to monitor and undertake proactive inspections in order to detect instances of non-compliance.

9.22 Table 55 and Figure 15 show the numbers of disrepair complaints within the current and proposed licensing areas. There was a significant increase in complaints in 20/21, shortly after the introduction of the first licensing scheme in Daneshouse and Stoneyholme. The Council believes that this could be due to some tenants not previously being aware that they could report issues of unaddressed disrepair to the Council. However since then, the rates have decreased, though they remain above the average rate for the borough.

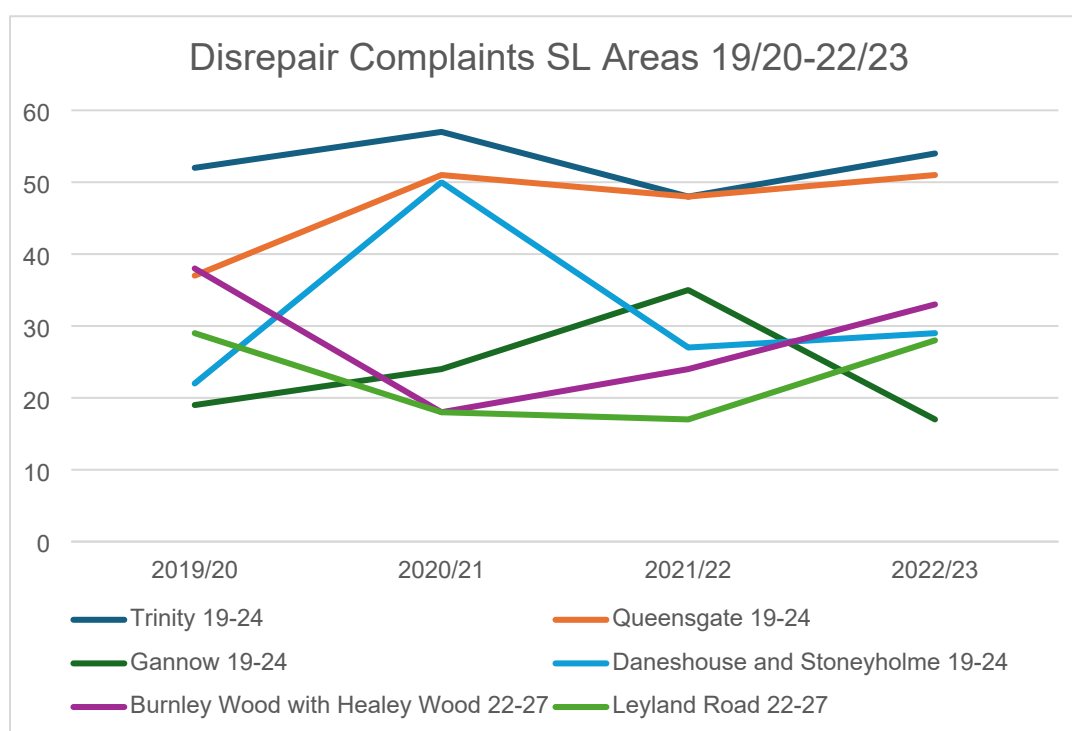
9.23 The Council is satisfied that based on the BRE data and evidence of disrepair complaints, it is still appropriate to continue working in Daneshouse and Stoneyholme to address issues of poor property condition.

Table 55: Disrepair Complaints to BBC SL Areas (BBC)

Current/Previous Selective Licensing Areas	Disrepair Complaints as % of PRS 19/20	Disrepair Complaints as % of PRS 20/21	Disrepair Complaints as % of PRS 21/22	Disrepair Complaints as % of PRS 22/23
Trinity 2019-24	8%	8.7%	6.7%	7.3%
Queensgate 2019-24	5%	6.9%	6.7%	6.5%
Gannow 2019-24	4%	5%	7.1%	3.4%
Daneshouse & Stoneyholme 2019-24	3.5%	8.1%	4.8%	4.8%
Burnley Wood with Healey	7.6%	3.6%	5.5%	7.7%

Wood 2022-27				
Leyland Road 2022-27	6.2%	3.8%	3.7%	6%
Proposed Selective Licensing Areas	Disrepair Complaints as % of PRS 19/20	Disrepair Complaints as % of PRS 20/21	Disrepair Complaints as % of PRS 21/22	Disrepair Complaints as % of PRS 22/23
Trinity 2025-30				6.4%
Queensgate 2025-30				4.7%
Gannow 2025-30				6.1%
Daneshouse and Stoneyholme 2025-30				4.8%
Padiham 2025-30				2.5%
Lyndhurst Road 2025-30				6%
BURNLEY				3.8%

Figure 15: Disrepair Complaints to BBC SL Areas (BBC)



Housing Market

9.24 Mean house values in Daneshouse with Stoneyholme ward are the lowest recorded for 2022/23. Contrary to the trend across Burnley, values decreased between 2021/22 and 2022/23 (Table 8).

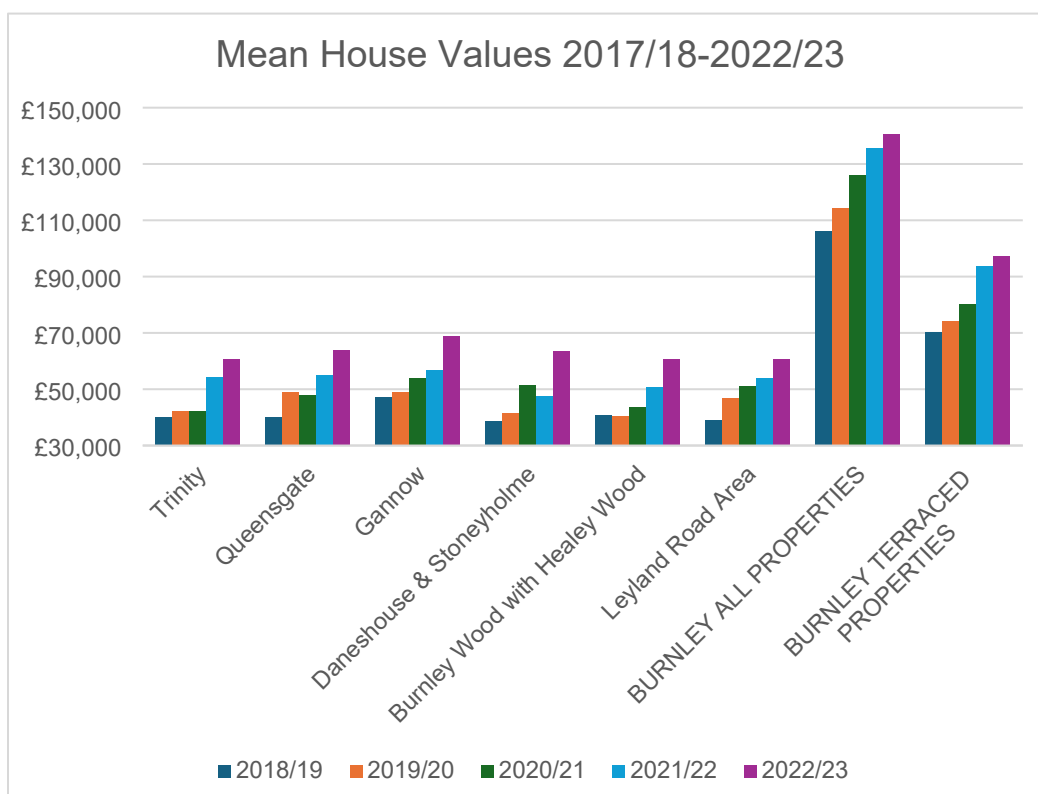
9.25 Table 56 and Figure 16 show trends in house values in the current licensing areas for the last four years, as well as the most recent data for the proposed new designations.

Table 56: Mean House Values SL Areas (ONS)

Current/Previous Selective Licensing Areas	2018/19	2019/20	2020/21	2021/22	2022/23
Trinity 2019-24	£40,240	£42,198	£42,356	£54,267	£60,826
Queensgate 2019-24	£40,146	£48,875	£47,782	£55,144	£63,860

Gannow 2019-24	£47,327	£48,982	£53,897	£56,759	£68,843
Daneshouse & Stoneyholme 2019-24	£38,684	£41,663	£52,344	£47,477	£63,607
Burnley Wood with Healey Wood 2022-27	£40,929	£40,499	£43,703	£50,860	£60,674
Leyland Road 2022-27	£39,102	£46,737	£51,008	£54,025	£60,810
Proposed Selective Licensing Areas					
Trinity 2025-30					£62,528
Queensgate 2025-30					£67,666
Gannow 2025-30					£73,043
Daneshouse and Stoneyholme 2025-30					£63,607
Padiham 2025-30					£75,671
Lyndhurst Road 2025-30					£82,081
BURNLEY ALL PROPERTIES	£106,274	£114,189	£126,187	£135,584	£140,808
BURNLEY TERRACED PROPERTIES	£70,291	£74,321	£80,261	£93,918	£97,327

Figure 16: Mean House Values (ONS)



9.26 Mean house values in Burnley for all properties rose by around 33% between 2018/19 and 2022/23; for terraced properties the increase was approximately 38%.

9.27 In Daneshouse and Stoneyholme licensing area, values rose significantly by around 64% over the same period, despite some fluctuations in the intervening years. House values in the licensing area are now comparable with the other licensing areas, despite reductions in values at the ward level.

9.28 Despite this increase, property values in Daneshouse and Stoneyholme still remain significantly below the borough average for all property types and terraces. The rate of increase is promising, but lower house values continue to indicate a problem of low demand in this area.

Empty Homes

9.29 Over the last ten years the number of empty homes in Burnley has reduced. Empty homes in Daneshouse with Stoneyholme ward have continued to reduce significantly in line with this trend (Table 9).

9.30 Table 57 shows levels of empty properties as a percentage of houses in the current and proposed selective licensing areas. For comparison, the percentage of empty properties in March 2023 across Burnley was 4.4%

Table 57: Empty Properties in Current and Proposed Licensing Areas as % of Properties (BBC Empty Homes)

Current/Previous Selective Licensing Areas	March 2018	March 2019	March 2020	March 2021	March 2022	March 2023
Trinity 2019-24	15%	14%	12%	10%	10%	10%
Queensgate 2019-24	12%	10%	8%	8%	8%	7%
Gannow 2019-24	12%	11%	10%	9%	10%	10%
Daneshouse & Stoneyholme 2019-24	8%	8%	6%	6%	6%	6%
Burnley Wood with Healey Wood 2022-27				10%	9%	7%
Leyland Road 2022-27				8%	9%	8%
Proposed Selective Licensing Areas						
Trinity 2025-30						9%
Queensgate 2025-30						7%
Gannow 2025-30						9%
Daneshouse and Stoneyholme 2025-30						6%
Padiham 2025-30						7%
Lyndhurst Road 2025-30						7%

9.31 Levels of empty properties in the Daneshouse and Stoneyholme licensing area are the lowest of all the licensing areas, reducing between 2019 and 2020 and since remaining static. Rates are still above the borough average.

9.32 A useful additional indicator is to review the number of properties which have remained empty for two years or more. Table 58 shows the number of long term

empty properties in the current and proposed licensing areas.

- 9.33 Long-term empty properties in Daneshouse with Stoneyholme remain above average. The Council believes that further intervention via selective licensing will support the work of the Empty Homes team in further reducing long-term empty properties in Daneshouse and Stoneyholme.

Table 58: Long Term Empty Properties (BBC Empty Homes 2023)

Current/Previous Selective Licensing Areas	Long Term Empty as % of Properties March 2023
Trinity 2019-24	3%
Queensgate 2019-24	2.2%
Gannow 2019-24	2.2%
Daneshouse & Stoneyholme 2019-24	1.8%
Burnley Wood with Healey Wood 2022-27	1.5%
Leyland Road 2022-27	2.1%
Proposed Selective Licensing Areas	
Trinity 2025-30	3.5%
Queensgate 2025-30	1.7%
Gannow 2025-30	2.1%
Daneshouse and Stoneyholme 2025-30	1.8%
Padiham 2025-30	1.6%
Lyndhurst Road 2025-30	0.8%
BURNLEY	1.2%

Crime and Anti-Social Behaviour

- 9.34 Daneshouse with Stoneyholme ward consistently ranks the highest in the borough for rates of all crime, largely due to the town centre being situated in this ward. Rates of all recorded crime rose notably in 2022/22 before a 15% reduction in 2022/23 (Table 10).

- 9.35 The ward is also ranked highest for ASB; again this is largely due to the location of the town centre in this ward (Table 11).

- 9.36 Table 59 shows the number of ASB cases recorded by Police for the current selective licensing areas by calendar year. Rates of ASB within the licensing area rose in 2020 before reducing dramatically in 2022. This suggests a much lower rate of ASB in the licensing area compared to the ward. There was a slight increase in recorded ASB in the licensing area in 2023, but rates are much lower than the other licensing areas.

Table 59: ASB Recorded by Police (Lancashire Police Analyst)

Current Selective Licensing Areas	2019	2020	2021	2022	2023
Trinity 2019-24	12.7%	26.3%	18.6%	11.5%	13.4%
Queensgate 2019-24	11.6%	20.5%	25%	20%	11%
Gannow 2019-24	14.6%	20.6%	23.4%	12.1%	11%
Daneshouse & Stoneyholme 2019-24	8.7%	12.1%	11.8%	2.9%	3.7%
Burnley Wood with Healey Wood 2022-27				17.7%	14.6%
Leyland Road 2022-27				14.6%	15.3%

9.37 Table 60 shows the numbers of cases reported to the Council in the licensing areas as a percentage of properties since 2018/19. These figures differ from those recorded by Police, as not every incident is reported to both agencies. Cases recorded by the Council in the licensing area have fluctuated, and in 2022/23 were just below average for the borough.

Table 60: ASB Recorded by BBC SL Areas Cases as Percentage of Properties (BBC Community Safety Team)

Current Selective Licensing Areas	2018/19	2019/20	2020/21	2021/22	2022/23
Trinity 2019-24	1.9%	1.6%	1.6%	1.3%	0.82%
Queensgate 2019-24	2.1%	1%	1.4%	0.9%	0.74%
Gannow 2019-24	2%	4%	1.35%	1.35%	1.89%
Daneshouse & Stoneyholme 2019-24	0.62%	0.5%	0.84%	0.28%	0.5%
Burnley Wood with Healey Wood 2022-27				2.84%	2.22%
Leyland Road 2022-27				0.4%	2.51%
Proposed Selective Licensing Areas	2018/19	2019/20	2020/21	2021/22	2022/23
Trinity 2025-30					0.68%
Queensgate 2025-30					0.73%
Gannow 2025-30					0.7%
Daneshouse & Stoneyholme 2025-30					0.5%
Padiham 2025-30					0.76%
Lyndhurst Road 2025-30					0.31%
BURNLEY					0.55%

Environmental Crime

9.38 Daneshouse with Stoneyholme ward is ranked sixth for resident complaints of dirty back yards in 2022/23, and in the most recent year complaints have doubled (Table 12).

9.39 Table 61 examines the number of dirty back yard resident complaints in the current and proposed licensing areas as a percentage of the total properties in each area.

9.40 Cases in Daneshouse and Stoneyholme increase steadily from 2018/19 to 2020/21, before further fluctuating, and are currently slightly above the borough average, though they are the lowest of all the licensing areas.

Table 61: Dirty Back Yard Resident Complaints SL Areas (BBC Streetscene)

Current Selective Licensing Areas	2018/19	2019/20	2020/21	2021/22	2022/23
Trinity 2019-24	0.82%	2.23%	7.27%	5.93%	3.12%
Queensgate 2019-24	1.55%	1.86%	3.1%	2.17%	2.05%
Gannow 2019-24	0.52%	2.6%	1.98%	4.59%	3.33%
Daneshouse & Stoneyholme 2019-24	0.28%	0.67%	1.29%	1.23%	1.57%
Burnley Wood with Healey Wood 2022-27				5.93%	7.16%
Leyland Road 2022-27				3.95%	3.17%

Proposed Selective Licensing Areas	2018/19	2019/20	2020/21	2021/22	2022/23
Trinity 2025-30					3%
Queensgate 2025-30					1.7%
Gannow 2025-30					2.9%
Daneshouse & Stoneyholme 2025-30					1.57%
Padiham 2025-30					2.13%
Lyndhurst Road 2025-30					1.25%
BURNLEY					1.37%

Why Propose a Selective Licensing Scheme?

9.41 There have been many encouraging improvements in the current scheme. Property values in the current licensing area have continued to rise from a mean value of £38,684 in 18/19 to £63,607 in 22/23. This represents a significant increase of around 64%. Property values across Burnley rose by 33% across the same period. This shows a continued and improving confidence in the housing market in the licensing area. Despite this improvement, values remain well below the borough mean of £140,808 for all properties and £97,327 for terraced properties in 22/23. The Council believes that by continuing to support these areas by improving property management and condition, we will continue to see improvements in the housing market.

9.42 Empty homes in the current licensing area have reduced from 8% in 2018 to 6% in 2023. This shows a positive reduction in empty properties which can blight a neighbourhood. However, despite these improvements, levels of empty properties do remain above the average of 4.4% for the borough. Long term empty properties are also slightly higher in the licensing area, at 1.8% compared to 1.2% for the borough in 2023. The licensing team are working proactively with the Empty Homes team to bring as many empty properties back into use as possible, and the Council believes that continuing and expanding the licensing scheme will allow this proactive work to continue.

9.43 ASB reports to the police show increases from 8.7% in 2019 to 12.1% in 2020 before reducing again to 11.8% in 2021. The police analysts who provide this data to the Council largely attributed this rise to restrictions relating to the Covid 19 pandemic; breaches of lockdown legislation were recorded as ASB, and increased neighbour tensions resulted in increased complaints. Figures have now reduced dramatically, and are now much lower than 2019 levels. Evidence shows that complaints to the Council across the same period have remained more consistent, from 0.62% of all properties in 18/19 to 0.5% in 22/23. This is below the average for the borough. The Council is pleased to see that levels of ASB appear to be low and reducing in the licensing area. Should another licensing scheme be brought into force, the Council would seek to improve engagement with communities to ensure residents are aware of where to go for assistance for problematic behaviour.

9.44 Instances of residents complaining about dirty back yards have risen slightly during the scheme, from 0.28% in 18/19 to 1.57% in 22/23. Rates are only slightly above the borough average for 22/23 (1.37%). The licensing team have found during audits of the areas that instances of dirty back yards and fly tipping tend to be more common than the complaints to the Council would suggest. If the Council re-introduces selective licensing to this area, we would be keen to improve community

engagement and increase confidence in reporting environmental crime if it does occur.

- 9.45 The current designation has the lowest levels of private renting of all the licensing areas, at 33.8%, though this is still above the borough rate of 24.3%. The licensing area is estimated to have a slightly higher number of HMOs at 2.8% compared to 2.17% for the borough.
- 9.46 The Daneshouse and Stoneyholme area was initially designated as a licensing area not only because it demonstrated issues of low demand, but also due to poor property condition. In 2016 47% of properties in the area were believed to have a Category 1 Hazard. The BRE data from 2023 estimates this figure is now 31.2%, showing some improvement in property condition, though this figure is still well above the borough average of 22.5% of the private rented stock. This suggests that whilst there have been improvements, there is still a higher than acceptable level of poor quality properties in this area.
- 9.47 There has been an overall increase in disrepair complaints for the current licensing area since the start of the scheme; the Council received complaints regarding 3.5% of the PRS in 19/20, which has risen to 4.8% in 22/23. Disrepair complaints remain consistently above the borough average of 3.8%.
- 9.48 On a positive note, just 0.3% of the privately rented properties in the current scheme have an EPC which does not meet the required standard; this small number of properties are those where the landlord has not been compliant with the licensing scheme and the Council is taking steps to enforce in these cases. Selective licensing has allowed the Council to proactively insist upon improvements to energy efficiency in properties and obtain the correct paperwork to reflect this (a licence will not be granted at a property with an EPC rated below "E"). Without the resources licensing provides, landlords could continue to operate below the required standard.
- 9.49 Evidence shows that there is a significant number of properties in the licensing area across all tenures where the EPC is rated below "E" (5.4% compared to 2.7% for the borough). This shows a clear concentration of energy inefficient homes within this area and is a strong indicator of poor property condition.
- 9.50 The EPC and BRE data both show that the current and proposed licensing areas have significant levels of properties in poor condition across all tenures, and from the Council's experience we expect that a number of these properties will move into the private rented sector. It is crucial that the Council is able to monitor these properties closely to ensure they then meet the required standards.
- 9.51 The evidence above shows that despite significant improvements in energy efficiency, there is still a significant concern about property condition in this area. The Council believes that continuing selective licensing in this area will provide the additional tools required to tackle poor property management.

10 The Padiham Proposed Designation

Background

- 10.1 The town of Padiham is situated approximately 3.5 miles west of Burnley, within Gawthorpe ward. The Council previously designated a small area of Gawthorpe ward under selective licensing, the Ingham and Lawrence Street area, between 2016 and 2021. The Council was satisfied that this intervention was sufficient to address the problems of low demand in that area, and it was determined that a second designation was not required at that time.
- 10.2 The Council has now analysed several key indicators of low demand across the borough and determined that a separate area of Gawthorpe and a small part of Hapton ward, centered around Padiham town centre, would benefit from a selective licensing scheme.
- 10.3 The proposed designation covers a large residential area (with some commercial) of over 1300 properties, of which 51%% are estimated to be privately rented (*SL Database 2023*).
- 10.4 A map of the proposed boundary is attached as Appendix 10.

Table 62: Key Indicators: Padiham 2022/23

	Padiham Proposed Boundary	Burnley Borough
Total Properties	1317	44,123
Private Rented	51%	24.3%
Owner Occupied	47.3%	59.8%
EPC Below Minimum Standard in PRS (EPC Register 2023)	1.3%	Figure unknown
Estimated Cat 1 hazards in PRS (BRE 2023, as % of PRS)	25.3%	22.5%
Disrepair Complaints to BBC as % of PRS (22/23)	2.5%	3.8%
Estimated HMOs (BRE 2023)	3%	2.17% PW report??
Mean House Value (Land Registry 22/23)	£75,671	All: £140,808 Terraced: £97,327
Vacant Homes 2yr+ (March 23)	1.6%	1.2%
ASB Complaints to BBC (22/23)	0.7%	0.6%
DBY Resident Complaints to BBC (22/23)	2.1%	1.4%
Estimated PRS Households in Fuel Poverty (BRE 23)	24.7%	23.5%

Housing Tenure

- 10.5 Table 2 shows Gawthorpe ward has the fifth highest level of private renting at 30.8%, which has increased at a greater rate than Burnley since the last census. Levels of owner occupiers are lower than Burnley and England, whilst social renting is similar to the England average and higher than Burnley.
- 10.6 Table 63 shows tenures within the current and proposed selective licensing areas. The proposed licensing area would cover over 1300 properties of which 51% are estimated to be private rented. The level of private renting is comparable to the

existing licensing areas.

Table 63: Property Numbers and PRS in the selective licensing areas (SL Data 2023, BRE Data 2023)

Current Selective Licensing Areas	Total Properties	Total PRS	% PRS
Trinity 2019-24	1348	744	55.2
Queensgate 2019-24	1612	785	48.7
Gannow 2019-24	960	496	51.7
Daneshouse & Stoneyholme 2019-24	1783	603	33.8
Burnley Wood with Healey Wood 2022-27	810	429	53
Leyland Road 2022-27	756	464	61.4
Current Total	7269	3521	48.4
Proposed Selective Licensing Areas 2025-30	Estimated Total Properties	Estimated PRS	Estimated % PRS
Trinity 2025-30	1760	1017	57.8
Queensgate 2025-30/Bank Hall???	2873	1369	47.7
Gannow 2025-30	1145	555	48.5
Daneshouse & Stoneyholme 2025-30	1783	603	33.8
Padiham 2025-30	1317	671	51
Lyndhurst Road 2025-30	962	370	38.5
Proposed Total	9840	4585	46.6

Houses in Multiple Occupation (HMOs)

10.7 According to BRE data, Gawthorpe ward is estimated to have the fifth highest rate of HMOs in the borough at 2.27% comparable with 2.17% for Burnley (Table 3).

10.8 Table 64 shows estimated HMO rates in the current and proposed licensing areas. The proposed Padiham licensing area has a slightly higher concentration of HMOs than the borough and the ward in which it is situated.

Table 64: Estimated HMOs Current and Proposed Selective Licensing Areas (BRE)

Current Selective Licensing Areas	Estimated HMOs as % of Properties
Trinity 2019-24	5.93%
Queensgate 2019-24	5.52%
Gannow 2019-24	4.48%
Daneshouse & Stoneyholme 2019-24	2.8%
Burnley Wood with Healey Wood 2022-27	3.7%
Leyland Road 2022-27	11.24%
Proposed Selective Licensing Areas 2025-30	Estimated HMOs as % of Properties
Trinity 2025-30	6.6%
Queensgate 2025-30	5.01%
Gannow 2025-30	4.37%
Daneshouse & Stoneyholme 2025-30	2.8%
Padiham 2025-30	2.96%
Lyndhurst Road 2025-30	4.37%
BURNLEY	2.17%

Property Condition: Energy Performance Certificates (EPCs)

Table 65: EPC Ratings in the licensing areas (EPC Register September 2023)

Current Selective Licensing Areas	No. rated below "E" All Tenure	% rated below "E" All Tenure	No. PRS rated below "E"	% PRS rated below "E"
Trinity 2019-24	65	4.8%	3	0.4%
Queensgate 2019-24	83	5.2%	4	0.5%
Gannow 2019-24	27	2.8%	3	0.6%
Daneshouse & Stoneyholme 2019-24	97	5.4%	2	0.3%
Burnley Wood with Healey Wood 2022-27	20	2.5%	0	0%
Leyland Road 2022-27	27	3.6%	2	0.4%
Current Total	319	4.4%	14	0.4%
Proposed Selective Licensing Areas 2025-30	No. rated below "E"	% rated below "E"	No. PRS rated below "E"	% PRS rated below "E"
Trinity 2025-30	78	4.4%	5	0.5%
Queensgate 2025-30	148	5.2%	24	1.8%
Gannow 2025-30	31	2.7%	4	0.7%
Daneshouse & Stoneyholme 2025-30	97	5.4%	2	0.3%
Padiham 2025-30	29	2.2%	9	1.3%
Lyndhurst Road 2025-30	41	4.3%	9	1.9%
Proposed Total	424	4.3%	53	1.2%

10.9 2.7% of properties in Burnley have an EPC rated below "E" (all tenures); this is comparable to the proposed licensing area at 2.2%. Of those, 1.3% are estimated to be privately rented.

10.10 The figures clearly show the positive impact that the existing licensing schemes have had, with much lower levels of inefficient privately rented properties. The Council has identified 29 properties in the proposed Padiham designation which are rated below "E", of which it is estimated nine are privately rented. Whilst the total number for all tenures is below the average for Burnley, the number which we believe to be privately rented is significantly higher than the current selective licensing areas. From experience of previous schemes, the Council also finds that the number of private rented properties in an area is often higher than estimated. Therefore, the Council believes the area would benefit from the proactive approach to energy efficiency which the licensing scheme would allow.

Property Condition: Estimated Category 1 Hazards

10.11 The percentage of properties in the current and proposed licensing areas estimated to have Category 1 Hazards is significantly above the Burnley average of 14.7%. When taken together, the estimated rates at privately rented properties for the current and proposed licensing areas is above the average for Burnley of 22.5%, though there is variation between the areas.

10.12 According to the BRE data, Gawthorpe ward is estimated to have the third highest number of private rented properties with category 1 hazards in the borough

(Table 6).

10.13 Table 66 examines the estimated numbers of Category 1 Hazards in the current and proposed licensing areas.

Table 66: Estimated Category 1 Hazards SL Areas (BRE 2023)

Current Selective Licensing Areas	Cat 1 Hazard All Properties	Total Properties	Cat 1 Hazard as % of Properties	Cat 1 Hazard PRS	Total PRS	Cat 1 PRS as % of PRS
Trinity 2019-24	313	1348	23.2%	162	744	21.8%
Queensgate 2019-24	325	1612	20.2%	165	785	21.0%
Gannow 2019-24	192	960	20%	107	496	21.6%
Daneshouse & Stoneyholme 2019-24	411	1783	23.1%	188	603	31.2%
Burnley Wood with Healey Wood 2022-27	184	810	22.7%	99	429	23.1%
Leyland Road 2022-27	163	756	21.6%	104	464	22.4%
Current Total	1588	7269	21.9%	825	3521	23.4%
Proposed Selective Licensing Areas 2025-30	Cat 1 Hazards All Properties	Total Properties	Cat 1 Hazards as % of Properties	Cat 1 Hazard PRS	Total PRS	Cat 1 PRS as % of PRS
Trinity 2025-30	396	1760	22.5%	218	1017	21.4%
Queensgate/ Bank Hall 2025-30	615	2873	21.4%	329	1369	24%
Gannow 2025-30	235	1145	20.5%	125	555	22.5%
Daneshouse and Stoneyholme 2025-30	411	1783	23.1%	188	603	31.2%
Padiham 2025-30	281	1317	21.3%	170	671	25.3%
Lyndhurst Road 2025-30	206	962	21.4%	90	370	24.3%
Proposed Total	2144	9840	21.8%	1120	4585	24.4%
BURNLEY			14.7%			22.5%

10.14 The proposed Padiham selective licensing area is estimated to have Category 1 Hazards at 21.3% of all properties and 25.3% of private rented properties; both of which are above the Burnley average. The Council is satisfied that this evidence suggests further investigation into property condition in Padiham is required.

Property Condition: Disrepair Complaints

10.15 Gawthorpe ward is ranked sixth highest for complaints to the Council regarding private rented disrepair (Table 7).

10.16 Table 67 shows the numbers of disrepair complaints within the current and

proposed licensing areas. The number of complaints for the most recent available data for Padiham is below average. This is inconsistent with the estimates made by the BRE regarding serious hazards. The Council is concerned that there may be a lack of awareness in Padiham of the appropriate routes to go down when a landlord fails to address disrepair and believes that a selective licensing designation would be an appropriate way to focus attention on potential properties with unreported hazards.

Table 67: Disrepair Complaints to BBC SL Areas (BBC)

Current/Previous Selective Licensing Areas	Disrepair Complaints as % of PRS 19/20	Disrepair Complaints as % of PRS 20/21	Disrepair Complaints as % of PRS 21/22	Disrepair Complaints as % of PRS 22/23
Trinity 2019-24	8%	8.7%	6.7%	7.3%
Queensgate 2019-24	5%	6.9%	6.7%	6.5%
Gannow 2019-24	4%	5%	7.1%	3.4%
Daneshouse & Stoneyholme 2019-24	3.5%	8.1%	4.8%	4.8%
Burnley Wood with Healey Wood 2022-27	7.6%	3.6%	5.5%	7.7%
Leyland Road 2022-27	6.2%	3.8%	3.7%	6%
Proposed Selective Licensing Areas	Disrepair Complaints as % of PRS 19/20	Disrepair Complaints as % of PRS 20/21	Disrepair Complaints as % of PRS 21/22	Disrepair Complaints as % of PRS 22/23
Trinity 2025-30				6.4%
Queensgate 2025-30				4.7%
Gannow 2025-30				6.1%
Daneshouse and Stoneyholme 2025-30				4.8%
Padiham 2025-30				2.5%
Lyndhurst Road 2025-30				6%
BURNLEY				3.8%

Housing Market

10.17 Mean house values in Gawthorpe ward are the fifth lowest in the borough for 2022/23 (Table 8).

10.18 Table 68 shows trends in house values in the current licensing areas for the last four years, and the most recent data for the proposed new designations.

Table 68: Mean House Values SL Areas (ONS)

Current/Previous Selective Licensing Areas	2018/19	2019/20	2020/21	2021/22	2022/23
Trinity 2019-24	£40,240	£42,198	£42,356	£54,267	£60,826
Queensgate 2019-24	£40,146	£48,875	£47,782	£55,144	£63,860
Gannow 2019-24	£47,327	£48,982	£53,897	£56,759	£68,843
Daneshouse & Stoneyholme 2019-24	£38,684	£41,663	£52,344	£47,477	£63,607
Burnley Wood with Healey Wood 2022-27	£40,929	£40,499	£43,703	£50,860	£60,674
Leyland Road 2022-27	£39,102	£46,737	£51,008	£54,025	£60,810

Proposed Selective Licensing Areas					
Trinity 2025-30					£62,528
Queensgate/ Bank Hall 2025-30					£67,666
Gannow 2025-30					£73,043
Daneshouse and Stoneyholme 2025-30					£63,607
Padiham 2025-30					£75,671
Lyndhurst Road 2025-30					£82,081
BURNLEY ALL PROPERTIES	£106,274	£114,189	£126,187	£135,584	£140,808
BURNLEY TERRACED PROPERTIES	£70,291	£74,321	£80,261	£93,918	£97,327

9.24 Mean house values for 2022/23 in the Padiham proposed designation are higher than the current licensing areas, but remain below the Burnley average for all property types and terraced properties, further suggesting that the area may be suffering from low demand for housing.

Empty Homes

10.19 Over the last ten years the number of empty homes in Burnley has reduced. Empty homes in Gawthorpe ward have continued to reduce, but the ward is still ranked fifth highest across the borough (Table 9).

10.20 Table 69 shows levels of empty properties as a percentage of houses in the current and proposed selective licensing areas. For comparison, the percentage of empty properties in March 2023 across Burnley was 4.4%

Table 69: Empty Properties in Current and Proposed Licensing Areas as % of Properties (BBC Empty Homes)

Current/Previous Selective Licensing Areas	March 2018	March 2019	March 2020	March 2021	March 2022	March 2023
Trinity 2019-24	15%	14%	12%	10%	10%	10%
Queensgate 2019-24	12%	10%	8%	8%	8%	7%
Gannow 2019-24	12%	11%	10%	9%	10%	10%
Daneshouse & Stoneyholme 2019-24	8%	8%	6%	6%	6%	6%
Burnley Wood with Healey Wood 2022-27				10%	9%	7%
Leyland Road 2022-27				8%	9%	8%
Proposed Selective Licensing Areas						
Trinity 2025-30						9%
Queensgate 2025-30						7%
Gannow 2025-30						9%
Daneshouse and						6%

Stoneyholme 2025-30						
Padiham 2025-30						7%
Lyndhurst Road 2025-30						7%

10.21 Levels of empty properties in the proposed Padiham designation are comparable with the existing licensing areas, and are above average for the borough, suggesting similar issues with low demand for housing in this area to those witnessed in the existing areas.

10.22 A useful additional indicator is to review the number of properties which have remained empty for two years or more. Table 70 shows the number of long term empty properties in the current and proposed licensing areas.

10.23 Long term empty properties in Padiham are at the lower end of the current licensing area range, but are still above average for the borough. The Council is satisfied that it would be a selective licensing scheme in this area could support the work of the Empty Homes Team and encourage landlords to bring empty properties back into use.

Table 70: Long Term Empty Properties (BBC Empty Homes 2023)

Current/Previous Selective Licensing Areas	Long Term Empty as % of Properties March 2023
Trinity 2019-24	3%
Queensgate 2019-24	2.2%
Gannow 2019-24	2.2%
Daneshouse & Stoneyholme 2019-24	1.8%
Burnley Wood with Healey Wood 2022-27	1.5%
Leyland Road 2022-27	2.1%
Proposed Selective Licensing Areas	
Trinity 2025-30	3.5%
Queensgate 2025-30	1.7%
Gannow 2025-30	2.1%
Daneshouse and Stoneyholme 2025-30	1.8%
Padiham 2025-30	1.6%
Lyndhurst Road 2025-30	0.8%
BURNLEY	1.2%

Crime and Anti-Social Behaviour

10.24 Rates of all reported crime in Gawthorpe have remained fairly static for the last few years, and the ward is ranked fifth highest for all recorded crime in the borough in 2022/23 (Table 10).

10.25 Gawthorpe was the sixth highest ranking ward for ASB in 2022/23, but has seen reductions in recorded ASB in the last two years (Table 11).

10.26 Table 71 shows the numbers of cases reported to the Council since 2018 as a percentage of total properties. Cases of ASB recorded by the Council in Padiham are above the borough average, and comparable with the Trinity and Queensgate existing licensing areas.

Table 71: ASB Recorded by BBC SL Areas as a Percentage of Properties (BBC Community Safety Team)

Current Selective Licensing Areas	2018/19	2019/20	2020/21	2021/22	2022/23
Trinity 2019-24	1.9%	1.6%	1.6%	1.3%	0.82%
Queensgate 2019-24	2.1%	1%	1.4%	0.9%	0.74%
Gannow 2019-24	2%	4%	1.35%	1.35%	1.89%
Daneshouse & Stoneyholme 2019-24	0.62%	0.5%	0.84%	0.28%	0.5%
Burnley Wood with Healey Wood 2022-27				2.84%	2.22%
Leyland Road 2022-27				0.4%	2.51%
Proposed Selective Licensing Areas	2018/19	2019/20	2020/21	2021/22	2022/23
Trinity 2025-30					0.68%
Queensgate 2025-30					0.73%
Gannow 2025-30					0.7%
Daneshouse & Stoneyholme 2025-30					0.5%
Padiham 2025-30					0.76%
Lyndhurst Road 2025-30					0.31%
BURNLEY					0.55%

Environmental Crime

10.27 Gawthorpe ward is ranked fourth for resident complaints of dirty back yards in 2022/23 (Table 12).

10.28 Table 72 examines the number of dirty back yard resident complaints in the current and proposed licensing areas as a percentage of the total properties in each area.

10.29 Cases in the proposed Padiham designation are significantly above the borough average; environmental crime is clearly an issue for residents in this area. The Council is satisfied that a selective licensing designation could help to tackle this issue by ensuring both landlords and residents are aware of their responsibilities, and instigating greater monitoring of the areas to target repeat offenders.

Table 72: Dirty Back Yard Resident Complaints SL Areas (BBC Streetscene)

Current Selective Licensing Areas	2018/19	2019/20	2020/21	2021/22	2022/23
Trinity 2019-24	0.82%	2.23%	7.27%	5.93%	3.12%
Queensgate 2019-24	1.55%	1.86%	3.1%	2.17%	2.05%
Gannow 2019-24	0.52%	2.6%	1.98%	4.59%	3.33%
Daneshouse & Stoneyholme 2019-24	0.28%	0.67%	1.29%	1.23%	1.57%
Burnley Wood with Healey Wood 2022-27				5.93%	7.16%
Leyland Road 2022-27				3.95%	3.17%
Proposed Selective Licensing Areas	2018/19	2019/20	2020/21	2021/22	2022/23
Trinity 2025-30					3%
Queensgate 2025-30					1.7%
Gannow 2025-30					2.9%
Daneshouse & Stoneyholme 2025-30					1.57%

Padiham 2025-30					2.13%
Lyndhurst Road 2025-30					1.25%
BURNLEY					1.37%

Why Propose a Selective Licensing Scheme?

10.30 The Council is proposing to introduce selective licensing in Padiham because there is evidence to suggest that the area is suffering from or is at risk of becoming an area of low demand for housing.

10.31 The proposed licensing area is estimated to have higher than average levels of private rented stock, at 51% compared to a borough average of 24.3% and England average of 20.6% (Census 2021). This is notably higher than the ward rate of 30.8% for Gawthorpe.

10.32 It is estimated that 2.2% of properties (all tenures) in the proposed area have below standard EPCs, similar to the borough figure of 2.7%. 1.3% of properties in the private rented sector are estimated to have a below standard EPC. This represents a much higher level of non compliance with energy efficiency regulations than the existing licensing areas where the Council have been able to proactively target resources to ensure properties are up to standard. The Council has also found from experience that after the introduction of a scheme, additional private rented properties are identified; therefore the figures for non compliance are anticipated to be higher.

10.33 It is estimated that 21.3% of properties in the proposed area have one or more serious hazards, and that 25.3% of the private rented sector in this area has a serious hazard. This is above the borough averages of 14.7% for all tenures and 22.5% for the PRS. In addition, as above, there may be more properties in the PRS than initially estimated, therefore this figure could be higher.

10.34 Complaints to the Council of disrepair are lower than the borough average, 2.5% compared to 3.8% for the borough. This is inconsistent with the above evidence which shows estimates of poor property condition and poor energy efficiency. The Council is concerned that many residents will not be aware of the assistance the Council can provide when landlords are not compliant with their repair obligations, and that by introducing a selective licensing scheme, the Council will be able to investigate closer, identify and act upon issues with poor property condition in this area.

10.35 Numbers of empty homes in the proposed area are comparable with the current licensing areas at 9%, whilst long term empty properties are slightly above average at 1.6% compared to 1.2% for the borough. The licensing team are working proactively with the Empty Homes team to bring as many empty properties back into use as possible, and the Council believes that introducing a licensing scheme in Padiham will allow this proactive work to expand to a wider area.

10.36 Complaints to the Council of ASB are slightly above average for 22/23, 0.76% compared to 0.55% for the borough and instances of resident complaints for environmental crime are significantly above the borough average at 2.13% for 22/23

compared to 1.37% for the borough.

10.37 Mean property values in this area are higher than the existing licensing areas, at £75,671 for 22/23, however this is still notably below the borough mean of £140,808 for the same year, and the mean for terraced properties of £97,327.

10.38 The Council is satisfied that further investigation into the private rented sector is appropriate, and that conducting a public consultation will allow us to greater understand the issues affecting the private rented sector, in order to determine whether a selective licensing scheme is appropriate in this area.

11 The Lyndhurst Road Proposed Designation

Background

- 11.1 The Lyndhurst Road area is a residential area on the edge of the town centre, located near to Burnley Football Club, and is situated along a major thoroughfare into the town (Brunshaw Road to Harry Potts Way). Burnley Council is currently undertaking significant improvement works to the route into the town centre from this area.
- 11.2 The proposed designation has not been subject to selective licensing previously, and is located 0.3 miles to the south west of the current Leyland Road designation, and 0.1 miles to the west of the current Burnley Wood with Healey Wood designation, both of which have been designated for the period 2022-2027.
- 11.3 Roughly half of the proposed designation is located in Bank Hall ward, whilst the other half is situated in Brunshaw.
- 11.4 The proposed designation covers a residential area of over 1300 properties, of which 51%% are estimated to be privately rented (*SL Database 2023*).
- 11.5 A map of the proposed designation is attached as Appendix 12.

Table 73: Key Indicators: Lyndhurst Road 2022/23

	Lyndhurst Road Proposed Boundary	Burnley Borough
Total Properties	962	44,123
Private Rented	38.5%	24.3%
Owner Occupied	59.1%	59.8%
EPC Below Minimum Standard in PRS (EPC Register 2023)	1.9%	Figure unknown
Estimated Cat 1 hazards in PRS (BRE 2023, as % of PRS)	24.3%	22.5%
Disrepair Complaints to BBC as % of PRS (22/23)	6%	3.8%
Estimated HMOs (BRE 2023)	4.4%	2.17%
Mean House Value (Land Registry 22/23)	£82,081	All: £140,808 Terraced: £97,327
Vacant Homes 2yr+ (March 23)	0.8%	1.2%
ASB Complaints to BBC (22/23)	0.3%	0.6%
DBY Resident Complaints to BBC (22/23)	1.3%	1.4%
Estimated PRS Households in Fuel Poverty (BRE 23)	27.8%	23.5%

Housing Tenure

- 11.6 Table 2 shows that Bank Hall ward (where half of the proposed designation is situated) has the highest percentage of private rented properties in the borough at 40.3%, and there has been a significant increase in private renting since the 2011 Census. Levels of owner occupiers are also well below the rate for Burnley and England, whilst social landlords are higher than both averages. Conversely, Brunshaw, where the remainder of the proposed designation is located, is ranked

11th for levels of private renting, and is below average for Burnley and England. It also has higher levels of owner occupiers, though these are still below the Burnley and England averages. Further analysis at the designation level shows that in this part of Brunshaw, private renting is notably higher than for the ward as a whole.

11.7 Table 74 shows tenures within the current and proposed selective licensing areas. The proposed licensing area contains 962 properties, of which it is estimated 38.5% are privately rented. This figure is at the lower end of the range for the current selective licensing areas but remains well above the Burnley average. The Council is therefore satisfied that further analysis of the private rented sector in this area is appropriate.

Table 74: Property Numbers and PRS in the selective licensing areas (SL Data 2023, BRE Data 2023)

Current Selective Licensing Areas	Total Properties	Total PRS	% PRS
Trinity 2019-24	1348	744	55.2
Queensgate 2019-24	1612	785	48.7
Gannow 2019-24	960	496	51.7
Daneshouse & Stoneyholme 2019-24	1783	603	33.8
Burnley Wood with Healey Wood 2022-27	810	429	53
Leyland Road 2022-27	756	464	61.4
Current Total	7269	3521	48.4
Proposed Selective Licensing Areas 2025-30	Estimated Total Properties	Estimated PRS	Estimated % PRS
Trinity 2025-30	1760	1017	57.8
Queensgate 2025-30	2873	1369	47.7
Gannow 2025-30	1145	555	48.5
Daneshouse & Stoneyholme 2025-30	1783	603	33.8
Padiham 2025-30	1317	671	51
Lyndhurst Road 2025-30	962	370	38.5
Proposed Total	9840	4585	46.6

Houses in Multiple Occupation (HMOs)

11.8 According to BRE data, Bank Hall ward is estimated to have the highest rate of HMOs in the borough at 5.92% compared to 2.17% for Burnley (Table 3).

11.9 Table 75 shows estimated HMO rates in the current and proposed licensing areas. The proposed Lyndhurst Road area has a lower concentration of HMOs than the ward, but this is still notably above the borough average.

Table 75: Estimated HMOs Current and Proposed Selective Licensing Areas (BRE)

Current Selective Licensing Areas	Estimated HMOs as % of Properties
Trinity 2019-24	5.93%
Queensgate 2019-24	5.52%
Gannow 2019-24	4.48%
Daneshouse & Stoneyholme 2019-24	2.8%
Burnley Wood with Healey Wood 2022-27	3.7%
Leyland Road 2022-27	11.24%
Proposed Selective Licensing Areas 2025-30	Estimated HMOs as % of

	Properties
Trinity 2025-30	6.6%
Queensgate 2025-30	5.01%
Gannow 2025-30	4.37%
Daneshouse & Stoneyholme 2025-30	2.8%
Padiham 2025-30	2.96%
Lyndhurst Road 2025-30	4.37%
BURNLEY	2.17%

Property Condition: Energy Performance Certificates (EPCs)

Table 76: EPC Ratings in the licensing areas (EPC Register September 2023)

Current Selective Licensing Areas	No. rated below "E" All Tenure	% rated below "E" All Tenure	No. PRS rated below "E"	% PRS rated below "E"
Trinity 2019-24	65	4.8%	3	0.4%
Queensgate 2019-24	83	5.2%	4	0.5%
Gannow 2019-24	27	2.8%	3	0.6%
Daneshouse & Stoneyholme 2019-24	97	5.4%	2	0.3%
Burnley Wood with Healey Wood 2022-27	20	2.5%	0	0%
Leyland Road 2022-27	27	3.6%	2	0.4%
Current Total	319	4.4%	14	0.4%
Proposed Selective Licensing Areas 2025-30	No. rated below "E"	% rated below "E"	No. PRS rated below "E"	% PRS rated below "E"
Trinity 2025-30	78	4.4%	5	0.5%
Queensgate 2025-30	148	5.2%	24	1.8%
Gannow 2025-30	31	2.7%	4	0.7%
Daneshouse & Stoneyholme 2025-30	97	5.4%	2	0.3%
Padiham 2025-30	29	2.2%	9	1.3%
Lyndhurst Road 2025-30	41	4.3%	9	1.9%
Proposed Total	424	4.3%	53	1.2%

11.10 2.7% of properties in Burnley have an EPC rated below "E" (all tenures) compared to 4.3% for the proposed Lyndhurst Road area designation. The Council estimated that of those, 1.9% are privately rented. The Council is concerned that this indicates poor property condition in this area.

11.11 The figures clearly show the positive impact that the current licensing schemes have had. The percentage of properties in the proposed Lyndhurst Road designation rated below "E" is higher than both the Gannow and Burnley Wood with Healey Wood designations and is comparable with the Trinity designation. This figure suggests that property condition is a concern in this area. Of the 41 properties rated below "E", the Council estimated nine to be privately rented, however this figure could be higher. The Council has found in previous schemes that we frequently identify more privately rented properties than initially estimated. Therefore, the Council believes the area would benefit from the proactive approach to energy efficiency which the licensing scheme would allow.

Property Condition: Estimated Category 1 Hazards

11.12 The percentage of properties in the current and proposed licensing areas estimated to have Category 1 Hazards is significantly above the Burnley average of 14.7%. When taken together, the estimated rates at privately rented properties for the current and proposed licensing areas is above the average for Burnley of 22.5%, though there is variation between the areas (Table 6).

11.13 BRE data estimates that Bank Hall Ward has the second highest level of privately rented properties with category 1 hazards in the borough. The figure is much lower for Brunshaw, but as the table below shows, the proposed licensing area is estimated to have a concentration of properties in poor condition.

11.14 Table 77 examines the estimated numbers of Category 1 Hazards in the current and proposed licensing areas.

Table 77: Estimated Category 1 Hazards SL Areas (BRE 2023)

Current Selective Licensing Areas	Cat 1 Hazard All Properties	Total Properties	Cat 1 Hazard as % of Properties	Cat 1 Hazard PRS	Total PRS	Cat 1 PRS as % of PRS
Trinity 2019-24	313	1348	23.2%	162	744	21.8%
Queensgate 2019-24	325	1612	20.2%	165	785	21.0%
Gannow 2019-24	192	960	20%	107	496	21.6%
Daneshouse & Stoneyholme 2019-24	411	1783	23.1%	188	603	31.2%
Burnley Wood with Healey Wood 2022-27	184	810	22.7%	99	429	23.1%
Leyland Road 2022-27	163	756	21.6%	104	464	22.4%
Current Total	1588	7269	21.9%	825	3521	23.4%
Proposed Selective Licensing Areas 2025-30	Cat 1 Hazards All Properties	Total Properties	Cat 1 Hazards as % of Properties	Cat 1 Hazard PRS	Total PRS	Cat 1 PRS as % of PRS
Trinity 2025-30	396	1760	22.5%	218	1017	21.4%
Queensgate/ Bank Hall 2025-30	615	2873	21.4%	329	1369	24%
Gannow 2025-30	235	1145	20.5%	125	555	22.5%
Daneshouse and Stoneyholme 2025-30	411	1783	23.1%	188	603	31.2%
Padiham 2025-30	281	1317	21.3%	170	671	25.3%
Lyndhurst Road 2025-30	206	962	21.4%	90	370	24.3%
Proposed Total	2144	9840	21.8%	1120	4585	24.4%
BURNLEY			14.7%			22.5%

11.15 The proposed Lyndhurst Road selective licensing area is estimated to have

Category 1 Hazards at 21.4% of all properties and 24.4% of private rented properties; both of which are above the average for Burnley.

Property Condition: Disrepair Complaints

11.16 Bank Hall ward is the highest ranked ward for disrepair complaints made to the Council in 2022/23. Brunshaw ward is ranked much lower at eleventh (Table 7).

11.17 Table 78 shows the numbers of disrepair complaints within the current and proposed licensing areas. The latest data for the proposed Lyndhurst Road designation shows a rate of complaints notably higher than the borough average, and comparable with the current selective licensing areas.

11.18 The Council is satisfied that there is ample evidence to support the introduction of selective licensing in this area to improve property condition.

Table 78: Disrepair Complaints to BBC SL Areas (BBC)

Current/Previous Selective Licensing Areas	Disrepair Complaints as % of PRS 19/20	Disrepair Complaints as % of PRS 20/21	Disrepair Complaints as % of PRS 21/22	Disrepair Complaints as % of PRS 22/23
Trinity 2019-24	8%	8.7%	6.7%	7.3%
Queensgate 2019-24	5%	6.9%	6.7%	6.5%
Gannow 2019-24	4%	5%	7.1%	3.4%
Daneshouse & Stoneyholme 2019-24	3.5%	8.1%	4.8%	4.8%
Burnley Wood with Healey Wood 2022-27	7.6%	3.6%	5.5%	7.7%
Leyland Road 2022-27	6.2%	3.8%	3.7%	6%
Proposed Selective Licensing Areas	Disrepair Complaints as % of PRS 19/20	Disrepair Complaints as % of PRS 20/21	Disrepair Complaints as % of PRS 21/22	Disrepair Complaints as % of PRS 22/23
Trinity 2025-30				6.4%
Queensgate 2025-30				4.7%
Gannow 2025-30				6.1%
Daneshouse and Stoneyholme 2025-30				4.8%
Padiham 2025-30				2.5%
Lyndhurst Road 2025-30				6%
BURNLEY				3.8%

Housing Market

11.19 Mean house values in Bank Hall ward are the second lowest in the borough for 2022/23, whilst in Brunshaw they rank seventh (Table 8).

11.20 Table 79 shows trends in house values in the current licensing areas for the last four years, as well as the most recent data for the proposed new designations.

Table 79: Mean House Values SL Areas (ONS)

Current/Previous Selective Licensing Areas	2018/19	2019/20	2020/21	2021/22	2022/23
Trinity 2019-24	£40,240	£42,198	£42,356	£54,267	£60,826
Queensgate 2019-24	£40,146	£48,875	£47,782	£55,144	£63,860
Gannow 2019-24	£47,327	£48,982	£53,897	£56,759	£68,843
Daneshouse & Stoneyholme 2019-24	£38,684	£41,663	£52,344	£47,477	£63,607
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Daneshouse and Stoneyholme 2025-30					£63,607
Padiham 2025-30					£75,671
Lyndhurst Road 2025-30					£82,081
BURNLEY ALL PROPERTIES	£106,274	£114,189	£126,187	£135,584	£140,808
BURNLEY TERRACED PROPERTIES	£70,291	£74,321	£80,261	£93,918	£97,327

11.21 Mean house values for 2022/23 in the Lyndhurst Road area are higher than the current licensing areas, but remain below the Burnley average for all property

types and terraced properties, further suggesting that the area may be suffering from low demand for housing.

Empty Homes

11.22 Over the last ten years the number of empty homes in Burnley has reduced. Empty homes in Bank Hall have reduced but remain the highest in the borough. Empty Homes in Brunshaw have remained more consistent (Table 9).

11.23 Table 80 shows levels of empty properties as a percentage of houses in the current and proposed selective licensing areas. For comparison, the percentage of empty properties in March 2023 across Burnley was 4.4%

Table 80: Empty Properties in Current and Proposed Licensing Areas as % of Properties (BBC Empty Homes)

Current/Previous Selective Licensing Areas	March 2018	March 2019	March 2020	March 2021	March 2022	March 2023
Trinity 2019-24	15%	14%	12%	10%	10%	10%
Queensgate 2019-24	12%	10%	8%	8%	8%	7%
Gannow 2019-24	12%	11%	10%	9%	10%	10%
Daneshouse & Stoneyholme 2019-24	8%	8%	6%	6%	6%	6%
Burnley Wood with Healey Wood 2022-27				10%	9%	7%
Leyland Road 2022-27				8%	9%	8%
Proposed Selective Licensing Areas						
Trinity 2025-30						9%
Queensgate 2025-30						7%
Gannow 2025-30						9%
Daneshouse and Stoneyholme 2025-30						6%
Padiham 2025-30						7%
Lyndhurst Road 2025-30						7%

11.24 Levels of empty properties in the proposed Lyndhurst Road designation are comparable with the existing licensing areas, and are above average for the borough, suggesting similar issues with low demand for housing in this area to those witnessed in the existing areas.

11.25 A useful additional indicator is to review the number of properties which have remained empty for two years or more. Table 81 shows the number of long term empty properties in the current and proposed licensing areas.

11.26 Long term empty properties in the Lyndhurst Road area are currently below the borough average, suggesting that this area does not suffer from the same blight of vacant properties as the current licensing areas. This is a positive indicator for this

area, and the Council is keen to introduce further measures to maintain this.

Table 81: Long Term Empty Properties (BBC Empty Homes 2023)

Current/Previous Selective Licensing Areas	Long Term Empty as % of Properties March 2023
Trinity 2019-24	3%
Queensgate 2019-24	2.2%
Gannow 2019-24	2.2%
Daneshouse & Stoneyholme 2019-24	1.8%
Burnley Wood with Healey Wood 2022-27	1.5%
Leyland Road 2022-27	2.1%
Proposed Selective Licensing Areas	
Trinity 2025-30	3.5%
Queensgate 2025-30	1.7%
Gannow 2025-30	2.1%
Daneshouse and Stoneyholme 2025-30	1.8%
Padiham 2025-30	1.6%
Lyndhurst Road 2025-30	0.8%
BURNLEY	1.2%

Crime and Anti-Social Behaviour

11.27 Bank Hall, which contains roughly 50% of the proposed designation, is ranked third highest for all crime in 2022/23, whereas Brunshaw ward is ranked much lower at fourteenth (Table 10).

11.28 Bank Hall has recorded the second highest level of ASB in 2022/23, though these rates have reduced in the last two years. Brunshaw, conversely, is ranked eleventh in the borough (Table 11).

11.29 Table 82 shows the numbers of ASB cases reported to the Council since 2018 as a percentage of total properties. Cases of ASB recorded by the Council in the proposed Lyndhurst Road area are below the borough average, suggesting ASB is less of a problem in this area.

Table 82: ASB Recorded by BBC SL Areas as a Percentage of Properties (BBC Community Safety Team)

Current Selective Licensing Areas	2018/19	2019/20	2020/21	2021/22	2022/23
Trinity 2019-24	1.9%	1.6%	1.6%	1.3%	0.82%
Queensgate 2019-24	2.1%	1%	1.4%	0.9%	0.74%
Gannow 2019-24	2%	4%	1.35%	1.35%	1.89%
Daneshouse & Stoneyholme 2019-24	0.62%	0.5%	0.84%	0.28%	0.5%
Burnley Wood with Healey Wood 2022-27				2.84%	2.22%
Leyland Road 2022-27				0.4%	2.51%
Proposed Selective Licensing Areas	2018/19	2019/20	2020/21	2021/22	2022/23
Trinity 2025-30					0.68%
Queensgate 2025-30					0.73%
Gannow 2025-30					0.7%
Daneshouse & Stoneyholme 2025-30					0.5%
Padiham 2025-30					0.76%

Lyndhurst Road 2025-30					0.31%
BURNLEY					0.55%

Environmental Crime

- 11.30 Bank Hall ward is ranked third for resident complaints of dirty back yards in 2022/23, whilst Brunshaw is tenth. Cases in Bank Hall have remained static for the last two years (Table 12).
- 11.31 Table 83 examines the number of dirty back yard resident complaints in the current and proposed licensing areas as a percentage of the total properties in each area.
- 11.32 Cases in the proposed Lyndhurst Road area are below the borough average, indicating that environmental crime is less of a concern in this area. The Council believes that given other indicators of low demand in the area, a consultation on selective licensing would allow us to further investigate how much of a concern, if at all, environmental crime is in the area, and if residents are aware of how to report cases.

Table 83: Dirty Back Yard Resident Complaints SL Areas (BBC Streetscene)

Current Selective Licensing Areas	2018/19	2019/20	2020/21	2021/22	2022/23
Trinity 2019-24	0.82%	2.23%	7.27%	5.93%	3.12%
Queensgate 2019-24	1.55%	1.86%	3.1%	2.17%	2.05%
Gannow 2019-24	0.52%	2.6%	1.98%	4.59%	3.33%
Daneshouse & Stoneyholme 2019-24	0.28%	0.67%	1.29%	1.23%	1.57%
Burnley Wood with Healey Wood 2022-27				5.93%	7.16%
Leyland Road 2022-27				3.95%	3.17%
Proposed Selective Licensing Areas	2018/19	2019/20	2020/21	2021/22	2022/23
Trinity 2025-30					3%
Queensgate 2025-30					1.7%
Gannow 2025-30					2.9%
Daneshouse & Stoneyholme 2025-30					1.57%
Padiham 2025-30					2.13%
Lyndhurst Road 2025-30					1.25%
BURNLEY					1.37%

Why Propose a Selective Licensing Scheme?

- 11.33 The Council is proposing to introduce selective licensing in the Lyndhurst Road area because there is evidence to suggest that the area is suffering from or is at risk of becoming an area of low demand for housing.
- 11.34 There are a number of positive indicators regarding housing in this area; levels of empty homes in the proposed area are comparable with the current licensing areas at 7%, however long term empty properties are below average at 0.8% compared to 1.2% for the borough. Complaints to the Council of ASB are below average for 22/23, 0.31% compared to 0.55% for the borough and instances of resident complaints for environmental crime are below the borough average at 1.25%

for 22/23 compared to 1.37% for the borough.

- 11.35 Mean property values in this area are higher than the existing licensing areas, at £82,081 for 22/23, however this is still notably below the borough average of £140,808 for the same year. It is also below the mean value for terraced properties in the borough for 22/23 (£97,327).
- 11.36 The proposed licensing area is estimated to have higher than average levels of private rented stock, at 38.5% compared to a borough average of 24.3% and England average of 20.6%. The area also has a notably higher percentage of estimated HMOs at 4.37% compared to 2.17% for the borough. HMOs form a vital part of the housing market, but they do carry greater risks than other property types, including risk of overcrowding and higher fire risks. A significant number of HMOs in the current and proposed licensing areas do not meet the threshold for mandatory HMO licensing; therefore it is important that the Council considers other ways to proactively monitor standards at these properties. Selective licensing gives the Council the tools to do this.
- 11.37 It is estimated that 4.3% of properties (all tenures) in the proposed area have below standard EPCs, higher than the borough figure of 2.7%. 1.9% of properties in the private rented sector in the proposed area are estimated to have a below standard EPC. This represents a much higher level of non compliance with energy efficiency regulations than the existing licensing areas where the Council have been able to proactively target resources to ensure properties are up to standard.
- 11.38 It is estimated that 21.4% of properties in the proposed area have one or more serious hazards, and that 24.3% of the private rented sector in this area has a serious hazard. This is above the borough averages of 14.7% for all tenures and 22.5% for the private rented sector.
- 11.39 Complaints to the Council of disrepair are much higher than the borough average, at 6% compared to 3.8% for the borough. This is consistent with the evidence which shows estimates of poor property condition and poor energy efficiency.
- 11.40 The Council has also found from experience that after the introduction of a scheme, additional rented properties are identified; therefore the figures for non compliance are anticipated to be higher. There is also the possibility that increasing numbers of privately owned properties in poor condition will enter the private rented sector, potentially whilst below standard. Selective licensing would allow us to monitor any such changes in this area.
- 11.41 The Council is satisfied that the evidence suggests a concentration of poor property conditions in this area, and that selective licensing would allow the Council to effectively target poorly managed privately rented stock.
- 11.42 The Council is satisfied that further investigation into the private rented sector is appropriate, and that conducting a public consultation will allow us to greater understand the issues affecting the private rented sector, in order to determine whether a selective licensing scheme is appropriate in this area.

12 Option Appraisal

12.1 The option appraisal below examines other powers and projects which are available to the Council as an alternative to selective licensing to achieve the outcomes detailed in section 19 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 the selective licensing designations to support the outcomes of the schemes.

Option	Strengths	Weaknesses	Risks
Accreditation (GLAS)	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.
Enforcement of Housing Standards	Legal requirement. Improves property conditions.	Reactive rather than proactive. Relies upon the tenant complaining, some of whom may be too scared to do so. Does not improve management practices.	Resource intensive.
Management Orders	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, 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.
Introduce a Private Sector Leasing Scheme	Contributes to homelessness prevention	Does not improve management standards of landlords who	Resource intensive. Relies upon an external company managing the

		choose not to join the scheme. Reactive rather than proactive.	properties. Companies do not come forward to run such a scheme.
Local Authority Trading Company (Housing Company)	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 and 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 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.
Landlord Training Days	Provides up to date training on relevant legislation. Allows networking and sharing of best practice. Flexible attendance options.	Cannot compel landlords to attend. Cannot ensure best practice is then implemented. Limited numbers possible at each event.	Resource intensive.
Empty Homes	Tackles blight of empty homes in an area. Contributes to improving housing stock.	Tackles individual properties rather than areas. Does not improve management practices.	Resource intensive – staff time, risks of increasing costs.
Proposed Renters (Reform) Bill	Provides data to local authorities on private rented stock and who owns properties in their area, removing a time consuming and sometimes costly barrier to identifying responsible parties.	Resources will be required to monitor and implement the scheme, and to pursue those who are non compliant and do not provide their details to the Portal.	Risk that poor landlords will continue to be non compliant with the requirements of the Portal, Council's will still need to put resources into identifying absentee landlords
Selective Licensing	Legal requirement. Improves property condition. Improves property management. Promotes good practice.	Maximum 5 years Includes those landlords that already operate responsibly.	Monitoring of the scheme is extremely resource intensive on staff time. Landlords may try and illegally evict tenants.

	Reduces levels of ASB. Area based Administration of the scheme is self-financed.		Landlords may try and avoid licensing. Landlords may leave the area creating more vacant properties.
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Accreditation

- 12.2 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.
- 12.3 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.
- 12.4 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.
- 12.5 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 300 landlords and 20 managing agents who are members of the scheme.
- 12.6 In July 2016, in partnership with the Private Rented Sector Forum the GLAS Code of Practice 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.
- 12.7 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.
- 12.8 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.
- 12.9 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.
- 12.10 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.

- 12.11 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.

Enforcement of Housing Standards

- 12.12 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.
- 12.13 The Council receive between upwards of 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.
- 12.14 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.

Management Orders

- 12.15 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.
- 12.16 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).

12.17 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.

12.18 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.

12.19 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.

A Private Sector Leasing Scheme

12.20 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.

12.21 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.

Local Authority Trading Company

12.22 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.

Landlord Development Days

12.23 Since 2014 the Council have held landlord development days for accredited landlords and landlords operating in the selective licensing areas. 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 and the Council now offers a mixture of online and face to face sessions to increase access.

12.24 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.

The Empty Homes Programme

12.25 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.

12.26 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.

12.27 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.

How Does Selective Licensing Support the Council's Housing Strategy?

13.1 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.

13.2 Burnley's Housing Strategy 2016 to 2021 is a plan which set out our ambitions for improving housing across the borough over that five year period; it set out where we intended to focus our energy and resources and how we would achieve our priorities. The strategy is due to be updated, and

delivering transformational improvements in the private rented sector remains a core priority for future strategies.

- 13.3 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.
- 13.4 Selective licensing compels landlords to engage with the Council and improve their management practices and will continue to form a key part of the Council's Housing Strategy going forward.

Prevention of Homelessness Strategy

- 13.5 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.
- 13.6 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 it is crucial that this sector can offer a decent alternative to owner occupation or social rented housing.
- 13.7 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.
- 13.8 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.
- 13.9 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.

- 13.10 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.

Supporting and Complementary Activity

- 14.1 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.
- 14.2 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.
- 14.3 Selective licensing is one aspect of a wider economic, social, environmental, and housing regeneration strategy that includes multiple initiatives.

Social and Economic Regeneration Activity

- 14.4 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:

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.

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.

Places - This explains how the Council and our partners will improve housing and make the neighbourhoods in our borough cleaner, greener

and safer.

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

- 14.5 The strategy recognises that the Covid-19 pandemic had a significant impact on all lives in 2021. The Council will do everything it can to help the borough bounce back from its effects.
- 14.6 The pandemic 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 these 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.

Empty Homes Programme

- 14.7 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.
- 14.8 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 into use.
- 14.9 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.
- 14.10 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.
- 14.11 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 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.

14.12 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.

14.13 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.

14.14 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. The Council is keen to continue this partnership working with registered

social landlords.

Housing Enforcement and Proactive Inspections

- 14.15 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.
- 14.16 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.
- 14.17 The licensing team have always proactively monitored the designation areas, however since 2021 officers have instigated a programme of structured area audits, focusing on smaller pockets within the designation area for a period of around three months. As part of the audit officers undertake external property audits, identifying external disrepair as well as flagging any properties which they believe required an internal inspection. They also survey the back yards and streets to identify and tackle fly tipping and dirty back yards. Simultaneously they audit documentation such as gas safety certificates, energy performance certificates and electrical safety reports. The Council have found this to be a very effective and proactive way to tackle small areas within the licensing areas, identifying repeat offenders who are not complying with the scheme and also helping us to have a greater understanding of the areas within a scheme which require the strongest intervention.

Accreditation, Training and Development

- 14.18 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.
- 14.19 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.

Crime and Anti-Social Behaviour

- 14.20 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:

- 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

14.21 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.

14.22 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.

14.23 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.

Environmental Crime

14.24 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.

14.25 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 dirty back yards.

14.26 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.

Supporting Vulnerable Residents

- 14.27 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, police, fire service, health, adult and children social care, CVS, Inspire, Age UK, Calico and Burnley Together.
- 14.28 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.

Administration of the Designation Area

- 15.1 This section explains how the Council will implement and administer the scheme, if approved by the Secretary of State.
- 15.2 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.
- 15.3 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.

- 15.4 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.

Fees

- 15.5 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.
- 15.6 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.
- 15.7 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 £369. The maximum fee payable would be for a landlord who has never been licensed in Burnley, is not accredited and does not apply within the first three months of the scheme: £750. The full Fees and Charging Structure is attached as Appendix 14 to this document.
- 15.8 The fee may be paid by direct debit usually over a 2-year period.
- 15.9 All fees are calculated based on the staff needed to cover the processing of the estimated number of applications and the monitoring and implementation of the scheme. Costing estimates for the scheme include salaries and on costs and all anticipated non-salary revenue spending.

Fit and Proper Person Criteria

- 15.10 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.
- 15.11 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.
- 15.12 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”.

15.13 The existence of a criminal record does not automatically bar a person from being licensed.

15.14 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. A proposed fit and proper person criteria is included as Appendix A.

Licence Conditions

15.15 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:

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 fixed combustion appliance other than a gas cooker 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.

15.16 In addition to the above mandatory conditions the Council may attach local conditions to licences. A copy of the proposed conditions is included as Appendix B.

Level of Compliance with Current Selective Licensing Areas

16.1 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.

16.2 Table 84 shows application data for the current licensing areas. The licensing team works hard to support landlords in securing a licence, and compliance with the scheme is high. Trinity and Queensgate have the lowest levels of landlords who are non-compliant. A recent exercise in the Gannow licensing area identified additional privately rented properties which the Council were not previously aware of, which has increased the number of non-compliant landlords; these are being actively pursued by the licensing team. Of the four older schemes, Daneshouse and Stoneholme has the lowest level of compliance, with 9% of landlords who the Council believes to require a licence, not having one. The licensing team has a number of ongoing cases being prepared for our legal team across the four areas where landlords have evaded the licensing scheme.

16.3 Rates of compliance in the 2022-27 areas are also positive, and the licensing team is proactively working to ensure that ongoing applications are completed so that we are able to make a decision on whether to grant the licence. Statements for civil penalties are also being prepared for properties in these areas where landlords have repeatedly failed to comply with the scheme. The Council prioritises cases based on potential harm at the property, length of time without a licence, and cases where the landlord has shown non-compliance at multiple properties or in contradiction of multiple pieces of legislation.

Table 84: Compliance in the Current Selective Licensing Areas (SL Team 2024)

Selective Licensing Area	No. Licensable Properties	% Licensable Properties Licensed	% Applications Ongoing	% Non-Compliant Properties
Trinity 2019-24	744	93%	4%	3%

Queensgate 2019-24	785	89%	8%	3%
Gannow 2019-24	496	90%	4%	6%
Daneshouse & Stoneyholme 2019-24	603	89%	2%	9%
Burnley Wood with Healey Wood 2022-27	429	70%	15%	15%
Leyland Road Area 2022-27	464	71%	16%	13%

16.4 Since 2015 the Council has prosecuted 25 landlords in respect of 36 properties for offences contrary to Part 3 of the Housing Act 2004. In addition, the Council prosecuted a letting agent whose properties were managed to a very poor standard in respect of 11 properties for operating without a licence. The letting agent in question now no longer operates in the borough. These prosecutions resulted in criminal convictions and fines totaling over £52,000.

16.5 Since 2017 the Council has issued 34 civil penalties for offences contrary to Part 3 of the Housing Act 2004. The penalties totalled over £260,000. The majority of the offences were operating a privately rented property without a licence, with five of the penalties related to breaches of licensing conditions. Table 85 shows the breakdown of civil penalties and prosecutions by area.

16.6 The Council is always keen to ensure compliance, and legal action is taken as a last resort. The Council rescinded five notices of intent to serve a civil penalty where it was felt that the landlord in question had provided evidence of mitigating circumstances, engaged with the licensing team and complied with the legislation, or that the Council felt for other reasons it was no longer in the public interest to pursue the case.

16.7 The introduction of civil penalties in the Housing and Planning Act 2016 resulted in a change to the Council's Enforcement Policy. Where the Council believes an offence has been committed, the starting point will be to issue a civil penalty. Where non compliance continues, and further offences are committed, the Council will then seek to take prosecution action, with a view to then escalating action towards Banning Orders and entries onto the Rogue Landlord Database. The Council has submitted one landlord to the Rogue Landlord Database due to persistent non compliance throughout several of the selective licensing schemes. The introduction of civil penalties has led to a decrease in prosecution action, particularly in the later designations, though this is still taken where appropriate.

Table 85: Total Civil Penalties in the Licensing Areas

Selective Licensing Areas	Total Civil Penalties 2015-2023	Total Prosecutions 2015-2023
Trinity	4	15
Queensgate	5	18
Gannow	6	11
Daneshouse & Stoneyholme	7	1
Burnley Wood with Healey Wood	5	2
Leyland Road Area	7	0
TOTAL	34	

Electrical Safety Regulations

16.8 The licensing team is currently working closely with the Housing Standards team to ensure that properties in the licensing areas are compliant with the Electrical Standards in the Private Rented Sector (England) Regulations 2020. Table 86 shows the actions taken/currently ongoing by the licensing team up to January 2024.

16.9 The licensing team will continue to proactively pursue landlords who have not submitted valid electrical reports; the licensing application process and conditions are utilised alongside additional legislation to ensure safety and compliance at properties within the licensing areas. Without this focus from the licensing team, it would be a significant task for the Housing Standards team to pursue non compliant landlords across the borough.

Table 86: Enforcement Action Electrical Safety SL Team

SL Area	Total 7 Day Letter	Total 28 Day Remedial Notice	Satisfactory Certificate Received	Outstanding	Civil Penalty Action Ongoing
Trinity	19	12	13	6	2
Queensgate	10	8	8	1	0
Gannow	9	9	4	5	1
Daneshouse & Stoneyholme	6	1	6	0	0
Burnley Wood with Healey Wood	6	3	3	2	0
Leyland Road Area	5	5	5	0	0
TOTAL	55	38	39	14	3

Refusals

16.10 In order grant a licence, the Council must be satisfied, amongst other matters, that the proposed licence holder and manager where one is appointed, is a fit and proper person to hold the licence, and that the management arrangements for the property are satisfactory.

16.11 The Council is committed to ensuring that selective licensing is robust, and as such during the current designations we have refused applications in respect of 31 properties where the standard was not met. Of those refusals, 15 related to a single managing agent who was operating in the borough below the expected standard. The licensing team are now working with landlords affected to ensure they are compliant with the scheme and that appropriate management procedures are put in place.

Case Study: Improving Management

16.12 The licensing team had concerns about the management standards of an individual who had control of several properties in the licensing areas and was managing them on behalf of the owners. He had failed to apply for licences for several properties following the reintroduction of a licensing scheme. After pursuing applications for several months, the officer issued a civil penalty of £5000 on both the owners and the manager.

16.13 This prompted conversations between the owners and the manager and resulted in the management arrangement coming to an end. Six of the properties previously in control of this manager are now being managed by GLAS accredited managing agents, are being brought up to the required standard and are now licensed. The Council rescinded the notice of intent to serve a civil penalty and is satisfied that the properties in question are now being managed to the required standard.

Risk Assessment

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

- 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.
- 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.
- 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.
- 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.

Consultation

- 18.1 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:
- Take reasonable steps to consult persons who are likely to be affected by the designation, and,
 - Consider any representations made in accordance with the consultation.
- 18.2 Should the Council's Executive decide to approve the proposed designation areas, The Council would then be required to obtain further confirmation of the designations from the Secretary of State.
- 18.3 The Council proposes to consult with the following known stakeholders:
- Residents – letters/questionnaires will be hand delivered to all residents within the proposed boundary, and those resident on the periphery of the scheme. Residents will have the option to complete their questionnaire online.
 - Landlords and letting agents – emails and letters to be sent to all known landlords operating in the proposed licensing areas, with the option to complete an online questionnaire or submit representations in writing or verbally.
 - Businesses – questionnaires will also be delivered to businesses operating in the proposed areas.
 - Drop in sessions – to be held at community venues within or as close as possible to the proposed licensing areas. Stakeholders to be made aware of dates/times/venues within letters, emails and questionnaires to be distributed.
 - Landlord Evening – event focused on landlords and agents to be held at the Town Hall.
 - Consultation with the Private Rented Sector Forum.
 - Registered Social Landlords – emails/letters to be sent to RSLs operating in Burnley inviting responses.
 - Other key partners: NRLA, Shelter, neighbouring local authorities, local Councillors, neighbourhood police, fire and health teams will be contacted and invited to submit their response.
- 18.4 Information providing to stakeholders will be clear and concise, written in plain English. A frequently asked questions document will be provided, as well as a summary of this document. Council officers will be available during office hours for

discussion by phone or email, and officers will correspond by letter if required.

- 18.5 The consultation will be publicised via the Council's website and social media channels. Key documents including the proposals, maps and street lists will be available online, as well as FAQs, a summary of the proposals, proposed fee structure, conditions and fit and proper person criteria.
- 18.6 Follow up reminder letters and emails will also be sent to stakeholders at the mid-way point of the consultation.
- 18.7 After the consultation, anonymised transcripts of all results and responses will be made publicly available as well as a full breakdown of the results of the consultation, analysis and subsequent recommendations.

Outcomes of the Proposed Designation Area

- 19.1 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.
- 19.2 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.
- 19.3 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
- 19.4 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.

19.5 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.

- a. 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)

- b. 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
 - Multi Agency Meetings
 - MATAC

- c. Improve the management of the private rented sector
 - Continue to monitor and where necessary enforce licence conditions
 - Continue to request certificates upon expiry
 - Continue landlord and agent training days
 - 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

- d. 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
- e. 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 ant-social behaviour
 - Use of Community Protection Warnings and Notices and as a last resort Closing Orders
- f. 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.
- g. 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

Conclusion

- 20.1 The Council is satisfied that this report has established a clear need to further investigate the designation of the six proposed selective licensing areas, by demonstrating that those areas are suffering from low demand for housing and/or poor property condition.
- 20.2 The Council has demonstrated how selective licensing has resulted in improvements in the existing licensing areas, and that it is appropriate to continue and expand these areas, plus two additional areas, to build upon this progress and make improvements in the private rented sector in Burnley.

Recommendations

- 21.1 That the Executive approve the consultation in the six proposed areas as specified in this report.
- 21.2 That the Executive approve the appointment of a full time Project Assistant for a

period of ten months to run the consultation, gather and analyse results.

Appendix A: Fit and Proper person criteria



Fit and Proper Person and Management Arrangement Criteria for Selective Licensing

1. Part 3 of the Housing Act 2004 outlines that, when deciding whether to grant a licence or not, the local authority (the “Authority”) is required to look at three aspects of the management of the property (the “Property”) and if these are satisfactory then it must grant a licence:
 - The proposed licence holder (the “Licence Holder”)
 - The proposed manager (the “Manager”) (if a different person from the Licence Holder)
 - The proposed management arrangements (the “Property Management Arrangements”)
2. The application will be checked to determine whether:
 - The proposed Licence Holder is a fit and proper (“Fit and Proper”) person to be the Licence Holder, and is, out of all the persons reasonably available to be the Licence Holder in respect of the house, the most appropriate person to be the Licence Holder;
 - The proposed Manager of the house is either – the person having control of the house, or a person who is an agent or employee of the person having control of the house;
 - That the proposed Manager is a fit and proper person to be the Manager;
 - That the proposed Property Management Arrangements for the house are satisfactory; *and*
 - All persons involved in the management of the property are to be identified and assessed under the Fit and Proper person criteria.
3. The Authority will ensure, through this procedure that:
 - each case will be determined on its own merit; and
 - each specific offence, incident or issue will be considered in terms of its relevance to the holding of a Licence or to management and will take into account the gravity of the offence.
4. Where the information contained in the initial application is insufficient to determine suitability, we may contact the applicant to request further information. Where no

other information is available or forthcoming, the Authority can refuse to grant the licence on grounds of insufficient evidence.

Definition of Fit and Proper Person Criteria

5. A Fit and Proper person means that they are morally suitable.
6. In determining whether a person is Fit and Proper the Housing Act 2004 Section 89 outlines the test, this includes assessing whether there has been any;
 - Offences involving fraud, or other dishonesty, or violence or drugs, or any offence listed in Schedule 3 to the Sexual Offenders Act 2003
 - Unlawful discrimination on grounds of sex, colour, race, ethnic or national origins, or disability
 - Breaches of housing or landlord and tenant law
7. When determining if the person is Fit and Proper the Authority will consider the following;
 1. They are without any significant and relevant convictions, cautions, reprimands and warnings
 2. If involved in managing the house, they have the necessary experience and/or managerial skills and competence to successfully manage the property in accordance with satisfactory Management Arrangements
 3. They are aware of, and sensitive to, the needs of all sections of society;
 4. They are willing to engage with the Authority in the licensing procedure.
 5. They have suitable Management Arrangements and funding arrangements

Application process - How we will determine whether a person meets Fit & Proper

The Licence Holder and Manager will be assessed under each of the following categories to determine whether they meet the Fit and Proper person requirements.

They are without any significant and relevant convictions, cautions, reprimands and warnings

8. The applicant is to provide a current Disclosure and Barring Service (DBS) check for the proposed Licence Holder and Manager, if either party has not previously met the Fit and Proper person criteria.
9. Any significant and relevant convictions, cautions, reprimands and warnings showing up under this check will not necessarily mean that an application for licence will be refused. However, the nature of some offences will be viewed more seriously than

others. Offences have been categorised into “Category 1”, “Category 2” and “Category 3”, where category 1 is to be regarded as the most serious.¹

10. Due regard to the full circumstances surrounding the offence will be given.

If involved in managing the house, they must have the necessary experience and/or managerial skills and competence to successfully manage the property in accordance with satisfactory management standards

11. As of the 1st October 2014 it is a legal requirement for all managers to be a member of a redress scheme. Redress schemes for letting agency work and property management work (requirement to belong to a scheme) (England) Order 2014.

12. The Client Money Protection for Property Agents (Requirement to Belong to a Scheme etc.) Regulations 2019 requires that managers must join a government approved ‘client money protection scheme’ if they are a letting or property management agent in the private rented sector in England and they hold clients’ money. Details of government approved schemes can be found at: <https://www.gov.uk/client-money-protection-scheme-property-agents>

13. Landlords and managing agents must be aware of their rights and obligations under the Tenant Fees Act 2019, and ensure they act lawfully with regard to payments in connection with a tenancy.

14. A manager must be either accredited, who has already passed the Fit & proper assessment, or a member of a registered landlord or managing agent association such as NLA, RLA, UKALA, RICS.

15. Checks will be made with other departments such as Streetscene, Housing Renewal, with other local authorities, to check the applicant, proposed Licence Holder or Manager regarding performance in handling disrepair complaints, dealing with anti-social behaviour, compliance with legal notices to identify any concerns relating to Management Arrangements.

16. The applicant is to provide information relating to out of hours emergencies, anti-social behaviour, tenancy deposits, lettings and repairs reporting procedures.

17. The Management Arrangements provided in the application will be assessed against the Property Management Arrangements.

They are aware of, and sensitive to, the needs of all sections of society

18. Through the application form, Applicants must demonstrate an understanding of the needs of people from all sections of society.

19. That their Property and Arrangements are promoted and accessible to all, without discriminating against race, colour, gender, religion, ethnic or national origin disability (where appropriate) or sexual preference; and are promoted and available to people whose backgrounds may include such circumstances as homelessness, mental health

¹ The Authority is permitted to consider the underlying conduct behind spent convictions, as confirmed by the Court of Appeal in *Hussain v Waltham Forest LBC* [2020] EWCA Civ 1539. When a local authority exercises its functions under Parts 2 and 3 of the Housing Act 2004 it is doing so as a judicial authority, and consequently is able to consider the underlying conduct of spent convictions, overriding S.4(1)(a) of the Rehabilitation of Offenders Act 1974.

problems, bankruptcy etc, where the provision of support where necessary enables that person to successfully manage their tenancy;

20. That all information relating to the tenancy, property and tenant rights and responsibilities is presented in a format accessible and understandable by the individual; and

That the management of their property does not contravene relevant legislation and standards, such as the Race Relations Act and Statutory Code of Practice on Racial Equality in Housing.

They have suitable management structures and funding arrangements

21. The Licence Holder must reside within the United Kingdom.

22. In addition to those financial responsibilities outlined in the Property Management Arrangement, the Authority would expect a successful licence applicant to have suitable funding arrangements in place to effectively deal with repairs etc when they arise.

23. As part of the application process, potential Licence Holders will have to show that they have suitable financial management procedures in place to ensure contingency funds are available for any repair or emergency remedial works needed. Further investigation, for example credit reference checks or examination of bank account statements may be required.

They are willing to engage with the Authority in the licensing procedure.

24. In addition to assessing compliance with current and previous licence criteria, the Authority will take into account the way in which the applicant has engaged with any previous licensing or enforcement procedures, both within or outside the Authority. The fact that the prospective Licence Holder may have been successful in mandatory licence applications is not sufficient evidence on its own to fully demonstrate engagement with previous application or enforcement processes.

25. It should be noted that this document and the fit and proper person criteria is not exhaustive and the Authority reserve the right to amend the Fit and Proper Person criteria and the Property Management Arrangements from time to time in line with government directives or through service or policy development. Any amendments changes to the document or the Criteria will be published and sent to existing Licence Holders and Managers.

Property Management Arrangements

It is expected that all information for the prospective tenant referred to in this document will be in a format and method understandable to them and makes it possible for queries or concerns to be easily raised.

The Licence Holder and Manager are to ensure that there are satisfactory Property Management Arrangements in place; below are the standards that the Authority require for each property.

Standard 1 – Letting Practices

Licence Holder or Manager will be expected to demonstrate that they have a letting procedure in place that:

- Actively encourages applicants from all backgrounds and makes clear that prospective tenants will not be discriminated against due to their race, colour, gender, religion, sexual orientation, ethnicity, disability or national origin or age.
- Provides clear information to prospective tenants about the property including rent levels, due dates and increase dates, deposits, receipts, the terms and conditions of the tenancy, charges (including service charges), a rent book and payment methods.
- Abides by the Tenant Fees Act 2019.
- Includes referencing procedures which include obtaining from a prospective tenant formal identification the taking of 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. The landlord/manager should request details of how that person conducted any such tenancy in terms of causing nuisance, anti-social behaviour, payment of rent and any breaches of the tenancy agreement. Where this is not possible, from an employer, educational professional or other responsible person who knows the prospective tenant well. It is not advisable to rely on references from friends or family members. Home visits should also be carried out to check the tenants' housekeeping.
- Provides clear information on who has responsibility for the payment of all utility charges and Council Tax and for what period.
- Provides clear information about how deposits are to be held under the Tenancy Deposit Scheme, which was introduced by Part 6 of the Housing Act 2004.
- Ensures prospective tenants are made aware of the standard operating procedures, such as emergency repairs, hours of contact etc.
- Provides the tenant, on receipt of a deposit, with an inventory describing the state of the property and contents. Where practicable, photographic evidence should be included.

Standard 2 – Creating the tenancy

The Tenancy Agreement issued must comply with current legislation. All parties included in the tenancy agreement should be aware of their rights and responsibilities under the agreement and landlords should be able to demonstrate that they have made every reasonable effort to ensure the tenants awareness.

This could include providing clear, written descriptions of:

- The terms on which the property is to be occupied.
- An address in England or Wales for the tenant to use to serve notice.
- Contact details for the landlord, agent or representatives, including emergency and 'out of hours' information.
- Repair-reporting procedures including maximum response times.
- Local facilities and amenities, including refuse collection/recycling days, neighbourhood watch and residents' association details, post offices and shops etc.
- Provision of alley gate keys where applicable.
- The tenancy should contain acceptable behaviour clauses. Tenants should be provided with clear information about the level of behaviour expected of them whilst in the

tenancy and their responsibilities both to the property and to their new neighbours and wider community. The information should also include examples of behaviour constituting antisocial behaviour and nuisance, as well as explaining clear consequences of displaying such behaviours.

Standard 3 – Managing the tenancy

They must make every possible step to ensure their tenants are able to live peacefully within their property. More specifically, they must:

- ensure any repairs are undertaken within a reasonable timescale;
- ensure the property is free from disrepair
- Carry out quarterly checks of the property
- promptly tackle any antisocial or nuisance behaviour emanating from the property, whether perpetrated by the tenants or people visiting or living with them; and
- Respect the privacy of the tenant, for example by giving adequate notice and ensuring permission is given (usually no less than 24 hours) before access to the property is needed.
- Tackle any breaches of the tenancy agreement promptly, and take any necessary action.

Standard 4 – Tackling Antisocial Behaviour

The Authority recognises the difficulties faced by private landlords in addressing issues of antisocial behaviour, particularly relating to possession proceedings.

- The tenancy should contain acceptable behaviour clauses. Tenants should be provided with clear information about the level of behaviour expected of them whilst in the tenancy and their responsibilities both to the property and to their new neighbours and wider community. The information should also include examples of behaviour constituting antisocial behaviour and nuisance, as well as explaining clear consequences of displaying such behaviours.
- Ensure there is a clear procedure for dealing with ASB, including warning letters, home visits and an escalation process.
- Landlords and Agents should seek advice from the Authority as soon as they become aware of nuisance or antisocial behaviour being perpetrated by their tenants or people visiting or living with them.
- The Authority and partners will work with landlords, managers and agents to develop an appropriate course of action for each case. This could include referral to mediation services, requesting action to regain possession of the property, the provision of a support service to the tenant.
- Where complaints against the property continue, Licence Holders and Managers will be requested to demonstrate measures undertaken to address the issues.
- Good references for tenants that have caused ASB should not be provided, in order to move a tenant on. Landlords, managers and agents must always provide accurate and honest references to other landlords or agents on request.

Standard 5 – Ending a tenancy

Licence Holder or Manager must be able to demonstrate a satisfactory understanding of relevant legislation and procedures.

Unless a tenant clearly surrenders the property or the tenancy is ended by mutual agreement evidenced in writing, the correct legal notice must be served in order for the landlord to regain possession of the property. If the tenant fails to leave the property following the granting of a possession order, a Bailiff's Warrant must be obtained in order to evict the tenant.

The authority expects applicants, Licence Holders and managers to be able to evidence that:

- They will comply with current legislation in order to gain possession of the property.
- Tenants are issued with clear information regarding the arrangements for bringing the tenancy to an end. This information must include clear guidance regarding the condition of the property expected at the end of the tenancy and the consequences of failing to meet this standard.
- The Tenancy Deposit Scheme is used to promptly and efficiently return deposits and that any deductions are justified with evidence of expenditure, made available to the tenant.

Standard 6 - Other relevant issues

In addition to the specific standards outlined above, the authority may take into consideration the following points:

- That the Licence Holder or manager be suitably located to the licensable property to ensure adequate management, especially with regards to accessing the property, arranging repairs and being available to the tenants. Whilst each application will be considered individually, it is the view of the Authority that it is difficult to successfully manage a property when the landlord or agent are based a significant distance away, particularly overseas. In such circumstances, the Authority would expect a local managing agent to be employed, within a 40 minute drive of the property.
- That the applicant, landlord, manager or agent has a significant history of legal notices, work in default or enforced sales. Such a history will be considered to be an indication of poor management in relation to repairing obligations.
- That the applicant, landlord, manager or agent has no significant history of frequent and substantive complaints and/or successful civil actions relating to the unreasonable withholding of deposits. Such a history will be considered to be an indication of poor management in terms of collection and return of deposits.
- That the applicant, landlord, manager or agent has no history of frequent and substantial complaints from tenants relating to conduct considered constituting harassment or attempted or actual unlawful eviction. Such a history will be considered to be an indication of unsatisfactory management arrangements.
- That the applicant, landlord, manager or agent has not breached any current or previous management regulations applicable to HMOs. Any such breach will be considered to be an indication of unsatisfactory management arrangements.

Appendix 1 – list of convictions, cautions, reprimands or warnings

Category 1 offences

A conviction for these offences will usually result in the licence application being rejected.

Offences of dishonesty

Benefit fraud (*offences under ss111A and 112 of the Social Security Administration Act 1992*)

Forgery Burglary

Conspiracy to defraud

Obtaining money or property by deception

Offences of violence

Murder

Manslaughter

Arson

Malicious harm (*s20 Offences against the Person Act 1861*)

Possession of a firearm

Possession of an offensive weapon

Actual bodily harm (*s47 Offences Against the Person Act 1861*)

Grievous bodily harm (*s18 Offences Against the Person Act 1861*)

Robbery

Riot

Affray

Any racially aggravated offence (*Crime and Disorder Act 1988*)

Offences relating to drugs

Supply of drugs

Sexual and indecency offences

Rape

Soliciting

Indecent assault

Indecent exposure

Any other offence under Schedule 3 of the Sexual offences act 2003

Housing Act Offences

Protection from Harassment Act 1997 Protection

from Eviction Act 1997

Any conviction for failure to comply with the licensing regime as set out in the Housing Act 2004 (s95)

Provision of false or misleading information (*s238 of Housing Act 2004*)

Obstruction (*s241 of the Housing Act 2004*)

Failure to comply with a licence condition (*s95 of the Housing Act 2004*)

Failure to hold a relevant licence (*s72 of the Housing Act 2004*)

Breach of improvement notices and prohibition orders (*s35.6 s32.2b of the Housing Act 2004*)

Category 2 offences

A conviction for these offences will be viewed seriously and, following further investigation, could result in the licence application being rejected:

Offences of dishonesty

Handling or receiving stolen goods

Theft

Offences of violence

Violent disorder

Police assault

A caution, reprimand or warning for any Category 1 offences will be classed as a Category 2 offence.

Category 3 offences

A conviction, caution, reprimand or warning for these offences may also be taken into account and further information will be requested in order to determine the relevance of these offences. If deemed to be relevant or sufficiently severe, these offences could result in the licence application being rejected:

Offences of violence

Common assault

Criminal damage

Obstruction

All other offences relating to dishonesty, drugs, sexual and indecency, Housing and Landlord and Tenant.

A caution, reprimand or warning for any Category 2 offences will be classed as a Category 3 offence.

Last Amended 27/01/2021 C Jackson, L Dickens

Appendix B

BURNLEY BOROUGH COUNCIL 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 fixed combustion appliance other than a gas cooker 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 tenant upon commencement of their occupation of the Property, to be retained electronically or at the home/business address of the licence holder or their nominated agent.
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 and arrangements for return (within 30 days);
- 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 ¹convictions 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.

¹ 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, ensure all new tenants are provided 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 tenants 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.