

# Public Document Pack

# Blackpool Council

10 February 2017

To: Councillors Benson, Blackburn, Cain, Campbell, Cross, Jackson, Kirkland, Smith, I Taylor and Mrs Wright

The above members are requested to attend the:

## EXECUTIVE

Monday, 20 February 2017 at 6.00 pm  
in Committee Room A, Town Hall, Blackpool

## A G E N D A

### 1 DECLARATIONS OF INTEREST

Members are asked to declare any interests in the items under consideration and in doing so state:

- (1) the type of interest concerned; and
- (2) the nature of the interest concerned

If any member requires advice on declarations of interests, they are advised to contact the Head of Democratic Governance in advance of the meeting.

- 2 **COUNCIL TAX 2017/2018** (Pages 1 - 6)
- 3 **SELECTIVE LICENSING FOR THE CENTRAL AREA** (Pages 7 - 136)
- 4 **VEHICLE REPLACEMENT FOR BEACH PATROL - VISITOR SERVICES** (Pages 137 - 142)

#### Venue information:

First floor meeting room (lift available), accessible toilets (ground floor), no-smoking building.

#### Other information:

For queries regarding this agenda please contact Lennox Beattie, Executive and Regulatory Manager, Tel: (01253) 477157, e-mail [lennox.beattie@blackpool.gov.uk](mailto:lennox.beattie@blackpool.gov.uk)

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<b>Report to:</b>	<b>EXECUTIVE</b>
<b>Relevant Officer:</b>	Steve Thompson, Director of Resources
<b>Relevant Cabinet Member:</b>	Councillor Simon Blackburn, Leader of the Council
<b>Date of Meeting :</b>	20 February 2017

## COUNCIL TAX 2017/18

### 1.0 Purpose of the report:

- 1.1 Proposals for Blackpool Council's level of Council Tax for 2017/18 and the General Fund Revenue Budget 2017/18.

### 2.0 Recommendation(s):

- 2.1 To consider all information received since the meeting of the Executive on 6 February 2017 including the Final Settlement Funding Assessment if announced by the date of this meeting and to determine whether or not to confirm the Executive's recommendation to Council regarding the General Fund Revenue Budget 2017/18.
- 2.2 To recommend to Council approval of a level of Blackpool Council's Council Tax for the year 2017/18 of £1,425.75 at valuation band D equivalent which includes the additional 3% Adult Social Care Precept.
- 2.3 To recommend to Council the level of net expenditure for the General Fund Revenue Budget 2017/18 of £120,248,000. Any change in the final notification of Settlement Funding Assessment compared to the Provisional Settlement Funding Assessment will either be met from or added to Reserves.
- 2.4 To note that the Police and Crime Commissioner for Lancashire's precept for the financial year 2017/18 at valuation band D equivalent will be agreed on 13 February 2017 and will be reported verbally at this meeting.
- 2.5 To note that the Lancashire Combined Fire Authority will meet on the morning of 20 February 2017 to set its precept for the financial year 2017/18. This will again be reported verbally at this meeting.

### 3.0 Reasons for recommendation(s):

3.1 The Executive is required to consider the outcome of consultation meetings and surveys before finalising its Budget proposals.

The setting of the General Fund Revenue Budget and the level of Council Tax is consistent with the principles approved by the Executive at its meeting on 6 February 2017.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? NO

3.2b Is the recommendation in accordance with the Council's approved budget? Not applicable – the report once approved will become the Council's new approved Budget

3.3 Other alternative options to be considered:

Although one of the 8 guiding principles of the Council's Medium-Term Financial Sustainability Strategy 2016/17 – 2021/22 is "to keep Council Tax levels as low as possible", Government funding reductions alongside increasing service demands and inflationary pressures on the Council's Budget in 2017/18 including Adult Social Care pressures of 2.5 times the allowable Precept (see table below) prevent a Council Tax level any lower than the capped level being prudent or practicable.

	£000	£000
Adult Social Care – 2017/18 in- year cost pressures		
- In-house pay related	257	
- National Living Wage on External Contracts	2,079	
- Other Non-pay inflation	775	
- Demographic pressures	588	
Total		3,699
3% Adult Social Care Precept		1,453

The Council Tax level recommended balances all 8 principles against the real risk of further service cuts. Although the level of Council Tax at valuation band D that is recommended is £1,425.75, the profile of hereditaments in Blackpool with bands A and B comprising 74% of the total means that the average council tax payable per dwelling in 2017/18 is estimated at £726.

#### **4.0 Council Priority:**

4.1 The relevant Council Priorities are:

“The economy: Maximising growth and opportunity across Blackpool”

“Communities: Creating stronger communities and increasing resilience”

#### **5.0 Background Information**

5.1 At its meeting on 6 February 2017 the Executive considered a report of the Director of Resources that recommended to Council approval of a net expenditure for the General Fund Revenue Budget of £120,248,000 that would result in a level of Council Tax for the year 2017/18 of £1,425.75 at valuation band D equivalent. This is an increase of 4.99% and includes the additional and allowable 3% Adult Social Care Precept.

5.2 The Final Settlement of Blackpool Council’s 2017/18 Settlement Funding Assessment will be announced by the Department for Communities and Local Government later this month. If there is a change to the Provisional Settlement Funding Assessment for 2017/18 of £69.6m, it is proposed that it will be either met from, or added to Reserves.

5.3 As part of the Provisional Local Government Finance Settlement the threshold for ‘excessive’ Council Tax increases was set at 2%, an increase of 2% or more requiring a local referendum to be held. This 2% threshold excludes the additional 3% allowed for the Adult Social Care Precept. The level of Council Tax recommended in this report will not invoke this requirement.

5.4 Besides the ongoing dialogue with the Trade Unions throughout the budget-setting process, the draft General Fund Revenue Budget 2017/18 and supporting information was further considered at a meeting of the Tourism, Economy and Resources Scrutiny Committee with Trade Union representatives and Business Ratepayers held on 10 February 2017. The views presented at this meeting will be reported to the Executive.

5.5 The precepts of the Police and Crime Commissioner for Lancashire and the Lancashire Combined Fire Authority for the year 2017/18 are proposed to be agreed on 13 and 20 February 2017 respectively and will be reported verbally to this meeting of the Executive.

5.6 Does the information submitted include any exempt information? No

**5.7 List of Appendices:**

None

**6.0 Legal considerations:**

6.1 There is a duty for major precepting authorities to issue a precept for 2017/18 before 1 March 2017. For other local authorities, there is a duty to set 2017/18 budgets before 11 March 2017.

**7.0 Human Resources considerations:**

7.1 Human Resources considerations were outlined in the General Fund Revenue Budget 2017/18 report.

**8.0 Equalities considerations:**

8.1 An Equality Analysis was produced for the General Fund Revenue Budget 2017/18 report to the Executive on 6 February 2017 - this remains applicable.

8.2 In making this year's Council Tax proposal, particular account has been taken of the impact on vulnerable groups and people who share the protected characteristics under the Equality Act. A full Equality analysis report into the detailed budget proposals within the Revenue Budget has underpinned this consideration. In terms of impact, proposals have been balanced that will protect core services to vulnerable people and communities, together with the need to balance the budget and move to a greater self-sufficiency with regard to income and tax raising, given the future reductions in central government grant support outlined in the Medium-Term Financial Sustainability Strategy 2016/17 – 2021/22.

**9.0 Financial considerations:**

9.1 As outlined in this report.

**10.0 Risk management considerations:**

10.1 A Risk Analysis was produced for the General Fund Revenue Budget 2017/18 report to the Executive on 6 February 2017 - this remains applicable.

**11.0 Ethical considerations:**

11.1 In the context of a budget savings requirement of £18.7m in 2017/18 with inevitable cuts to some services, a council tax increase of 4.99% which will yield £2.4m is a necessary contribution to ensure that key Council services are maintained.

**12.0 Internal/ External Consultation undertaken:**

- 12.1 Consultation has taken place at a meeting with the Trade Unions and Business Ratepayers on 10 February 2017. Preceding this, an extensive engagement has taken place throughout the autumn with a wide range of community and equality interest groups covering the full range of issues concerning the budgetary position – including possible impacts on revenue raising, service cuts and council tax. The engagement sessions consisted of targeted focus groups with third sector partners taking a lead role, on-street interviews and an online survey. The results of this exercise were included in the Appendices to the report to the Executive on 15 December 2016.
- 12.2 The groups involved in this exercise included the Blackpool Disability Partnership, the Blackpool Fylde and Wyre LGB&T strategic partnership, Blackpool Faith Forum, Blackpool Gold (Senior Voice) Forum, Equality Forum, representatives of Young Peoples groups and the Third sector.

**13.0 Background papers**

- 13.1 Budget working papers and above consultation minutes and feedback.

**14.0 Key decision information:**

- 14.1 Is this a key decision? Yes
- 14.2 If so, Forward Plan reference number:
- 14.3 If a key decision, is the decision required in less than five days? No
- 14.4 If **yes**, please describe the reason for urgency:

**15.0 Call-in information:**

- 15.1 Are there any grounds for urgency, which would cause this decision to be exempt from the call-in process? No
- 15.2 If **yes**, please give reason:

**TO BE COMPLETED BY THE HEAD OF DEMOCRATIC GOVERNANCE**

**16.0 Scrutiny Committee Chairman (where appropriate):**

Date informed: 10 February 2017 Date approved:

**17.0 Declarations of interest (if applicable):**

17.1

**18.0 Executive decision:**

18.1

**18.2 Date of Decision:**

**19.0 Reason(s) for decision:**

**19.1 Date Decision published:**

**20.0 Executive Members present:**

20.1

**21.0 Call-in:**

21.1

**22.0 Notes:**

22.1



<b>Report to:</b>	<b>EXECUTIVE</b>
<b>Relevant Officer:</b>	Alan Cavill, Director of Place
<b>Relevant Cabinet Member:</b>	Councillor Mrs Christine Wright, Cabinet Member for Housing
<b>Date of Meeting:</b>	20 February 2017

## SELECTIVE LICENSING FOR THE CENTRAL AREA

### 1.0 Purpose of the report:

- 1.1 This report seeks approval for a Selective Licensing scheme to be introduced in the Central area of Blackpool, covering most of Talbot ward and parts of Brunswick and Bloomfield wards. Selective Licensing requires that, other than very limited exceptions, all privately rented properties are required to be licensed. Selective Licensing schemes are designed to help reduce anti-social behaviour and improve the management of privately rented homes.
- 1.2 Following public consultation from July to September 2015 on both Selective and Houses in Multiple Occupation Additional Licensing for the Central area, Executive decided to introduce a Houses in Multiple Occupation Additional Licensing scheme on 4 April 2016 and this scheme has been in effect since July 2016. A new Selective Licensing scheme would apply to the majority of privately rented homes in the Central area that are not already covered by Houses in Multiple Occupation mandatory and Houses in Multiple Occupation Additional Licensing schemes.
- 1.3 A new Selective Licensing scheme for the Central area would require Secretary of State confirmation, which, in accordance with the regulations, would be sought after the Executive has approved the introduction of the scheme.

### 2.0 Recommendation(s):

- 2.1 To request the Director of Place to submit the Selective Licensing scheme for the Central area to the Secretary of State for confirmation.
- 2.2 To request the Director of Place to advertise the scheme in accordance with the regulations.

2.3 That following the implementation of 2.1 and 2.2, and subject to the Secretary of State’s confirmation, to designate a Selective Licensing scheme for the Central area as set out in the report including the amendments proposed to the scheme as a result of the public consultation, with effect from at least 3 months after the published decision date in accordance with the regulations.

2.4 To agree in principle to the Council supporting a co-regulation scheme for Selective Licensing in the Central area and to receive a further report on the details of the scheme, the scheme provider, and the legal agreement before the scheme comes into effect.

**3.0 Reasons for recommendation(s):**

3.1 Selective Licensing is a key component of the Council’s approach to address issues commonly occurring as a result of poor quality privately rented accommodation; it will improve management, reduce the impact of anti-social behaviour arising from privately rented homes and help improve the quality of life for local residents.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.2b Is the recommendation in accordance with the Council’s approved budget? Yes

3.3 Other alternative options to be considered:

Alternative options to Selective Licensing for addressing poor conditions and anti-social behaviour are set out in the final proposal document at Appendix 3a. Alternative approaches have not been considered to be sufficient given the scale and severity of issues associated with poorly managed homes in the Central area.

Executive could decide not to allow landlords the option of co-regulation, but this would be a lost opportunity to take advantage of increased input from landlords and linking licensing to broader good practice in private sector management through a Code of Practice and training.

**4.0 Council Priority:**

4.1 The relevant Council Priority is:

“Communities: Creating stronger communities and increasing resilience”

## **5.0 Background Information**

- 5.1 A report was approved by Executive on the 20 July 2011 to develop work to introduce Selective Licensing to a number of inner areas of Blackpool. Following the introduction of Selective Licensing to South Beach in March 2012 and Selective and Houses in Multiple Occupation Additional Licensing to Claremont in July 2014, the remaining areas were brought together as the “Central area” and formal public consultation on a draft proposal for selective and Houses in Multiple Occupation Additional Licensing took place between 17 July and 25 September 2015.
- 5.2 While the consultation proposed both selective and Houses in Multiple Occupation Additional Licensing in the Central area, as a result of considering consultation responses, and having reviewed the proposals generally, the Council decided to introduce only a Houses in Multiple Occupation Additional Licensing scheme in the first instance, with a requirement in the Executive approval of 4 April 2016 that officers further develop Selective Licensing proposals for the Central area.
- 5.3 Part 3 of the Housing Act 2004 enables local authorities to introduce a Selective Licensing designation where they can demonstrate that there are a large number of privately rented homes that are being managed badly and that this is causing problems for the tenants or members of the public. If the scheme is approved, each affected property in the Central area will be required to obtain a licence and comply with the licence conditions. The licence lasts for 5 years.
- 5.4 The proposal demonstrates the prevalence of poorly managed privately rented homes in the Central area, and the impact that this is having on tenants and the wider community. The proposal sets out how the statutory criteria of a significant and persistent problem caused by anti-social behaviour, high levels of crime, a high level of deprivation and poor property conditions are met. It shows that selective licensing is an essential tool to help ensure that landlords comply with a minimum standard of property management, and how Selective Licensing will operate alongside other measures to address the issues within the area.
- 5.5 Since April 2015, local authorities have been required to seek Secretary of State confirmation for any new Selective Licensing schemes where more than 20% of privately rented homes in a borough will be included in Selective Licensing areas. This is the case for the Central scheme when added to the existing schemes in South Beach and Claremont.
- 5.6 The Selective Licensing proposal is now being brought forward for approval following the initial experience of the Houses in Multiple Occupation Additional Licensing scheme in the Central area. It was estimated that the Central Houses in Multiple

Occupation Additional Licensing scheme would cover around 700 Houses in Multiple Occupation properties in the Central area, but the current level of licence applications and experience from property inspections in the area suggests that approximately only 350 properties in the area are likely to be covered by Houses in Multiple Occupation Additional Licensing. This is because a significant number of converted properties in the area do not meet the minimum occupancy criteria of at least two households and at least three people.

- 5.7 While it is too early to determine the impact of the Houses in Multiple Occupation Additional licensing scheme, it is clear that this scheme alone will not tackle the density of issues within the Central area of Blackpool. As well as the evidence presented in the proposal at Appendix 3a, comprehensive inspections within the area suggest that issues of poor management are prevalent across the privately rented stock and not confined to Houses in Multiple Occupation. The most effective approach to tackling these issues is by the introduction of selective licensing alongside the existing Houses in Multiple Occupation Additional licensing scheme.
- 5.8 The selective licensing proposal has been further developed to reflect consultation responses. The headline results of the consultation are set out below:

#### **Consultation results**

- 1,408 completed questionnaires were received (online and postal) of which 1,141 were from residents and 267 were from landlords and managing agents
  - Over 150 people attended the 8 public meetings and Fylde Coast Landlords Forum meeting at which the proposals were discussed.
  - Written representations were made by the Residential Landlords Association and the National Landlords Association and a number of individual correspondents.
- 5.9 Separate questionnaires were sent out to landlords and managing agents and other residents within the consultation area and the headline results of the surveys are that:
- Landlords and Agents
- 75.5% think that the council should intervene in areas suffering from high levels of anti-social behaviour (ASB)
  - 80.6% think that poorly maintained properties contribute to the decline of an area
  - 77.4% think that badly managed properties contribute to the decline of an

area

- 85.0% think landlords have a responsibility to have satisfactory management arrangements in place

Landlords cited anti-social behaviour, empty properties, low rent levels, high turnover of tenants, and a poor perception of landlords, as being the 5 most significant problems in the area. These highlight the key issues that Selective and Houses in Multiple Occupation Additional Additional Licensing are seeking to tackle.

When asked if it was their responsibility to tackle nuisance and anti-social behaviour arising from either their tenants or visitors to their property, 50.4% said they thought it was, whilst 38.2% thought not.

When asked specifically about Additional and Selective Licensing their responses were largely negative, with 73.4% being against its introduction and 20.3% being in favour.

Residents

In terms of the findings from residents, the following can be highlighted:

- Residents said that their 5 biggest problems in the area were rubbish dumping, no sense of community, neglected properties, nuisance neighbours, and the use of/dealing drugs
- 96.1% felt it is a landlord's responsibility to make sure their properties are well maintained
- 82.8% think that private sector landlords should demand references from prospective tenants
- 82.1% think landlords should be responsible for dealing with nuisance tenants and anti-social behaviour caused by tenants or visitors to their property
- 60.7% feel that the Council are not effective enough in dealing with anti-social behaviour
- 64.7% would like to see additional and selective licensing and 22.2% would not, with 13.0% as don't know

5.10 Some respondents queried the robustness of Police data on anti-social behaviour and how it is recorded. Further interrogation of the data shows that anti-social behaviour is indeed strongly linked to private rented properties in the Central area. During the public meetings and through individual representations during the consultation period, a number of other suggestions and comments were made about the proposed scheme and these have been detailed in Appendix 3b.

## **Main changes to the scheme following consultation**

- 5.11 Following the consultation the Council has revised the proposal to reflect the views of residents and landlords. Many landlords were concerned about the high cost of licensing, having to pay the full costs for a 5 year licence up front, and they could not easily understand how the fees were being used. The revised proposal has sought to address these concerns by giving an alternative option to landlords of co-regulation. This is an approach that was first developed in Doncaster and has been used there for the last 12 months, and subsequently in Gainsborough in Lincolnshire.
- 5.12 Co-regulation would be enabled by allowing landlords who license their properties a choice of either paying fees up front to Blackpool Council and being inspected for compliance by Blackpool Council or to pay a much reduced fee to Blackpool Council and join a co-regulation scheme, with a monthly administration fee. A specific co-regulation scheme for Selective Licensing in the Central area of Blackpool will be set up and administered by an independent company using their systems, and with its own capacity in Blackpool. The total cost to landlords for co-regulation over a 5 year period is likely to be similar to the cost of paying fees up front to Blackpool Council.
- 5.13 If landlords choose membership of the co-regulation scheme they would have to comply with a Code of Practice that incorporates, but is broader than, the licence conditions. This Code of Practice would be agreed between the delivery partner and the Council. Under the scheme, landlords will have to complete annual inspections, with all of the information and photographic evidence on a web based system available to the Council. In this way, good landlords should be able to demonstrate compliance with broader standards in return for a reduced fee to the Council, while the Council focuses on landlords who cannot meet these standards. The local authority will be able to inspect a small sample of properties to ensure that inspections are robust.
- 5.14 Co-regulation also provides landlords with regular opportunities to contribute to development of the scheme. Current plans include the development of a tenant referencing scheme available to members. Members may also benefit from discounts negotiated with local suppliers and tradespeople to help encourage investment in property improvements.
- 5.15 Evidence from the Selective Licensing scheme in Hexthorpe, Doncaster that has used a co-regulation approach is that after 12 months there was a 44% reduction in nuisance complaints and a 35% reduction in noise complaints. The harnessing of constructive input from better landlords is seen to be an important element of this success.

5.16 Does the information submitted include any exempt information? **No**

5.17 **List of Appendices:**

Appendix 3a– Final proposal for selective licensing in the Central area  
Appendix 3b – Summary of consultation and the Council’s responses

**6.0 Legal considerations:**

6.1 Part 3 of the Housing Act 2004 allows the local authority to introduce a selective licensing scheme provided a range of conditions are demonstrated, and defined processes are followed. Advice has been sought from Counsel to confirm that the proposal demonstrates that the criteria for selective licensing have been met in the Central area. The full list of criteria is set out in the proposal document at Appendix 2a.

6.2 Counsel’s advice also confirms that the statutory processes have been followed to date, including the need for a public consultation of at least 10 weeks duration.

6.3 Following approval by the Council to introduce a selective licensing scheme for the Central area, confirmation will then be required from the Secretary of State before the new scheme can be brought into effect.

6.4 Legal and procurement implications would also arise from the proposed use of co-regulation to help implement the scheme. Discussions are underway with potential providers of the co-regulation scheme and while there is no cost to the Council and no payment will be made between the Council and provider, there will be compliance with the Council’s Corporate Procurement rules. These will be addressed in a further Executive report.

6.5 There would also need to be a legal agreement signed between the Council and the co-regulation delivery partner to ensure that the Council is satisfied that in making concessions to landlords who join the co-regulation scheme, the full Selective Licensing conditions will be met, the Council will be able to check the robustness of action taken by the co-regulation partner, and will have access to the information that it needs.

**7.0 Human Resources considerations:**

7.1 Dedicated staff will be retained to deliver the local authority’s responsibilities in the Selective Licensing scheme. The role of the local authority will be less than for

previous selective and additional licensing schemes due to the co-regulatory approach. Where landlords choose to join the membership scheme, the local authority's role is limited to basic checks, issuing licences, and monitoring.

## **8.0 Equalities considerations:**

- 8.1 An Equalities Impact Assessment has been completed to meet the requirements of S.149 of the Equality Act 2010. The assessment found that the selective licensing proposal would not adversely affect people with any of the key protected characteristics.

## **9.0 Financial considerations:**

- 9.1 Fees have been set so that the scheme is self-financing, with the fees reflecting the costs to the local authority of administering the scheme. Where landlords choose to become members of the co-regulation scheme, the fees due to the local authority are much less, reflecting the much more limited role of the local authority. The processes are well established from the South Beach and Claremont Selective and Additional Licensing schemes so the review of costs for the Central area reflects the knowledge gained from this experience.

## **10.0 Risk management considerations:**

- 10.1 There is a risk that the scheme is not confirmed by the Secretary of State. This has been mitigated by discussing the legal requirements with civil servants so that we can incorporate them into the Central selective licensing scheme proposal. There is also a risk of judicial review of the scheme, but the process and case has been planned in accordance with the relevant statute and legal advice has been taken. Working more closely with landlords through co-regulation should also reduce the risk of judicial review.
- 10.2 The introduction of co-regulation would raise a risk of a third party provider failing to operate effectively or ceasing to operate at all. This will be mitigated through a legal agreement that would allow close monitoring by the Council, and by separating the issuing of licences, which remains the responsibility of Blackpool Council, from on-going compliance. Due diligence will be undertaken on the proposed co-regulation partner before they are established as the co-regulation provider. If the co-regulation scheme were to cease to operate, an alternative scheme for ensuring compliance could be established, funded by continuing monthly membership payments by landlords. As most of the initial inspection work will be completed within the first year of the scheme, the risk reduces as time goes on.
- 10.3 Another risk is that by tackling problems in the private rented sector around the management and condition of properties some landlords may shut their properties



down, leading to a threat of empty properties and some homelessness. As in the previous Selective and Additional Licensing schemes, Housing Options staff will work closely with the licensing team to provide support to any tenants affected by the shutting down of sub-standard properties.

**11.0 Ethical considerations:**

11.1 None

**12.0 Internal/ External Consultation undertaken:**

12.1 Extensive consultation has been conducted as detailed in Section 5. Since the end of the formal consultation period there have been further informal discussions with landlords around the development of the proposals and the establishment of a co-regulation approach.

**13.0 Background papers:**

13.1 Proposal to designate the Central area for selective and additional licensing schemes published for public consultation from 17 July 2015

**14.0 Key decision information:**

- 14.1 Is this a key decision? Yes
- 14.2 If so, Forward Plan reference number: 22/2015
- 14.3 If a key decision, is the decision required in less than five days? No
- 14.4 If **yes**, please describe the reason for urgency:

**15.0 Call-in information:**

- 15.1 Are there any grounds for urgency, which would cause this decision to be exempt from the call-in process? No
- 15.2 If **yes**, please give reason:

**TO BE COMPLETED BY THE HEAD OF DEMOCRATIC GOVERNANCE**

**16.0 Scrutiny Committee Chairman (where appropriate):**

Date informed: 10 February 2017 Date approved:

**17.0 Declarations of interest (if applicable):**

17.1

**18.0 Executive decision:**

18.1

**18.2 Date of Decision:**

**19.0 Reason(s) for decision:**

**19.1 Date Decision published:**

**20.0 Executive Members in attendance:**

20.1

**21.0 Call-in:**

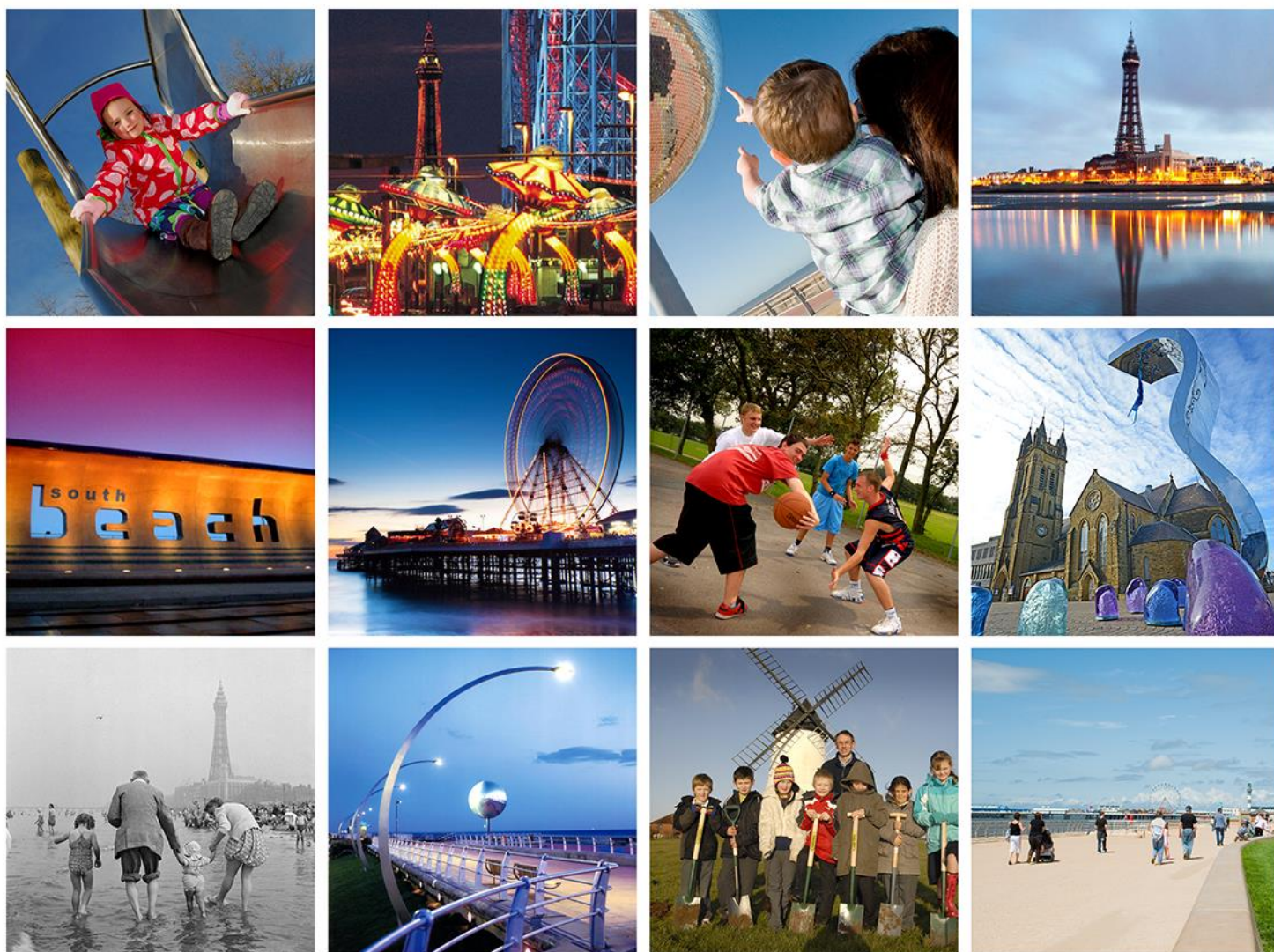
21.1

**22.0 Notes:**

22.1

# Appendix 3a Proposal to designate a Selective Licensing scheme in the Central area Final Scheme Proposal February 2017

Blackpool Council



# Proposal to designate a selective licensing scheme in Central Area, Blackpool

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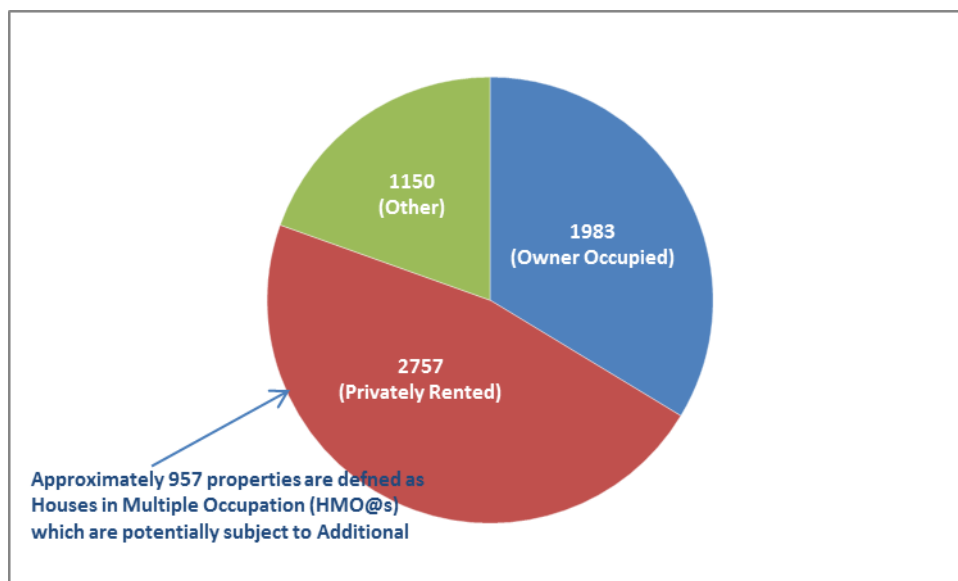
# Proposal to designate a selective licensing scheme in Central Area, Blackpool

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## 1. Introduction – About the Designated Area

Blackpool is a British institution, and a global phenomenon – the world’s first mass market seaside resort, with a proud heritage stretching back over 150 years. However, Blackpool is now the site of one of the country’s greatest concentrations of socio-economic deprivation as a consequence of decades of decline in traditional tourism sectors. According to the Indices of Multiple Deprivation Blackpool was ranked the 4<sup>th</sup> most deprived authority in England in 2015 – up two places from 2010.

The Central area includes parts of three wards, i) Talbot, ii) Brunswick and iii) Bloomfield. The chart below shows a breakdown of the tenure mix within this area. We are satisfied that this is a high proportion of privately rented accommodation and also satisfied that the majority of privately rented properties in this area are occupied either under assured tenancies or licences to occupy.



Blackpool in general has a problem with transience; i.e. the frequent movement of people in the town, particularly within the Central area. Analysis of new Housing Benefit claimants between April 2013 and March 2014 showed the following for each ward:

- Bloomfield - 11% of claimants had a previous address in Blackpool, whilst 89% had a previous address outside of Blackpool
- Brunswick - 16% of claimants had a previous Blackpool address whilst 84% had a previous address outside of Blackpool

## Proposal to designate a selective licensing scheme in Central Area, Blackpool

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- Talbot - 15% of claimants had a previous address inside Blackpool, whilst 85% had a previous address outside of Blackpool

A recent study of changes to GPs' address registers (over 2 years) found all three wards in the Central area have higher inward migration moves than the overall Blackpool average. The net population change for each of the three areas gave the three highest increases in population of any Council wards.

# Proposal to designate a selective licensing scheme in Central Area, Blackpool

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## 2. What is Selective Licensing?

Selective Licensing is a regulatory tool available to Local Authorities to enable the improvement the management and conditions of properties within the privately rented sector (parts 2 and 3 of the Housing Act 2004).

There are two types of scheme that can be considered:

1. Additional Licensing - enables Local Authorities to address issues in smaller Houses of Multiple Occupation (HMOs) with relation to property conditions (internal and external) as well as management conditions.
2. Selective Licensing – enables Local Authorities to address the management of properties and tackle ASB.

Guidance states that if a selective licensing designation will impact more than 20% of privately rented properties within the Borough then the Local Authority must seek Secretary of State Confirmation. Given the South Beach and Claremont existing selective licensing schemes, a further designation within the proposed area will mean more than 20% of properties within Blackpool will be within selective licensing areas and therefore Blackpool Council will need to seek Secretary of State Confirmation.

Central Government introduced further criteria to enable Local Authorities to designate a selective licensing scheme (2015). The guidelines state that a selective licensing designation *“may be made if the area to which it relates satisfies one or more of the following conditions:*

- *low housing demand*
- *a significant and persistent problem caused by anti-social behaviour*
- *poor property conditions*
- *high levels of migration*
- *high levels of deprivation*
- *high levels of crime”<sup>1</sup>*

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<sup>1</sup> (“Selective licensing in the private rented sector, A guide for local authorities”, March 2015)

# Proposal to designate a selective licensing scheme in Central Area, Blackpool

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The Guidance further goes on to say that on the grounds of property conditions, 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.

## **Properties covered by Selective Licensing**

By making the designation, all privately rented properties which fall under selective licensing in the designated area will require a licence. Owners of rented properties will be required to make an application to the Council for a licence and will need to nominate either the Manager or Owner to be the licence holder.

Section 79 (2) of the Housing Act details properties covered by selective licensing (defined as a whole house) that are occupied either under:

- A single tenancy or licence
- Under two or more tenancies or licences in respect of different dwellings contained in it.
- This definition has been interpreted to mean the following:
- A house let under a single tenancy only requires one licence.
- Where the freeholder of a building containing a number of flats, owns all the flats and lets those flats on tenancies or licences (not including long leasehold), then the freeholder will be required to apply for one licence to cover the whole building containing the flats.
- A building containing flats where each flat is owned by a long leaseholder and the flats are individually rented out, the leaseholder will be required to apply for a licence for their individual flat.
- A building containing flats where there is a mixture of different long leaseholders and accommodation owned by the freeholder, each of the leaseholders would require an individual licence for their flat or flats and the remaining accommodation would require a licence applied for by the freeholder.
- Landlords who own more than one 'house' under the above definitions within the designated area will need to apply for a licence for each of those houses.



# Proposal to designate a selective licensing scheme in Central Area, Blackpool

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Properties used as HMO's which are not subject to Mandatory or Additional Licensing schemes, will need a selective licence.

## **Licence Applications and Fees**

Section 87 of the Housing Act 2004 details the application process for a licence.

In particular this section states that an application must be made in accordance with such requirements as specified by the authority. It also states that the authority may require the application to be accompanied by a fee fixed by the authority.

When fixing fees under this section of the Act, the local housing authority may take into account all costs incurred by the authority in carrying out their functions under this part of the legislation and all costs incurred in carrying out their functions under Part 4 of the Act chapter 1 which relates to management orders.

The application process is detailed within the Act and there are subsequent regulations detailing the contents of an application form. This includes providing information on the property layout, certificates for gas, furniture and fire safety. The Licensing and management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 schedule 2 provides full details on what must be included within an application, including information to determine if the manager or proposed licence holder is a fit and proper person.

This requires the declaration of any unspent convictions, unlawful discrimination and prosecutions under housing, public health, environmental health or landlord and tenant law. The Council will make full checks into a person's 'fit and proper' status and will also request full Police checks if necessary and request owners to submit a full DBS clearance via Disclosure Scotland.

Once an application has been made the local authority must consider whether to grant or refuse the licence and the licence holder must first pass the Fit and Proper Person Test as defined by the Housing Act 2004 (section 66 (2)). This test specifies that the local authority must take into account evidence of any of the conduct detailed below and also applies to anyone "associated or formerly associated with the proposed licence holder or manager "whether on a personal, work or other basis", if relevant. The matters that the local authority needs to have a regard to are:

- Any offence involving fraud, or other dishonesty, or violence or drugs in section 3 of the Sex Offences Act 2003 practised unlawful discrimination of the law in connection with the carrying out of any business

# Proposal to designate a selective licensing scheme in Central Area, Blackpool

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- Contravened any provision of the law relating to housing or landlord and tenant law – illegal eviction etc.
- Acted other than in accordance with any code of practice for the management of the properties.

N.B. Any “spent” convictions cannot be taken into account. However a lack of conviction may not mean that the incident was not relevant. The manager must send in with their application proof of their status and that they do not have any unspent convictions as specified above.

In the event that the landlord would not pass the fit and proper person test then he/she can nominate a manager in their place who must pass this test. If the local authority is not satisfied then it must refuse the application and give its reasons for this. The local authority must grant a licence if it is satisfied that:

- The property is reasonably suitable
- The licence holder would be a fit and proper person

## Conditions and Penalties

If the licence is granted it will have conditions attached to it. Section 90 and Schedule 4 of the Act details the licence conditions that must be included, however there is provision for the local authority to add further conditions that are either specific to the licence in question or that are locally agreed to address specific issues.

A licence will be valid for 5 years; however, the local authority has the discretion to grant the licence for a shorter period of time where there are problems with the application such as evidence of insufficient management.

Once the licence has been issued the licence holder must comply with the conditions attached to the licence. Where there is a breach of those conditions the licence holder may be prosecuted with a fine of up to £5,000 per breach.

If the licence application is refused the local authority must instigate an interim management order. This is where the local authority takes over the management of the property for up to one year or until such time as the owner is able to rectify the reasons for the licence being refused. If the owner is unable to rectify the problems then the local authority can apply for a final management order where they take on the management for up to 5 years.

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In some circumstances rather than refuse the licence it may be possible for the owner to apply for a temporary exemption notice under section 86 of the Act. This allows 3 months for the owner to take such steps as are necessary so the property no longer requires a licence. Where a property requires a licence but the owner has not applied for one the owner can be prosecuted. Failing to apply for a licence could lead to prosecution and a fine of up to £20,000.

In addition to the fine there is a provision under section 96 of the Act for a Rent Repayment Order. This allows amounts paid in respect of a house or other periodical payment payable in connection with a tenancy or licence to be recovered for the period that the property should have been licensed.

Under section 98 of the Act there is also a restriction on terminating tenancies where a property is not licensed. This section states that *'No section 21 notice may be given in relation to a short hold tenancy of the whole or part of an unlicensed house so long as it remains a house'*.

# Proposal to designate a selective licensing scheme in Central Area, Blackpool

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## 3. Why is selective licensing being introduced in the Central area?

Improving the quality of private sector properties is a key strategic housing objective for Blackpool Council. The private rented sector accounts for 26% of Blackpool's total housing stock and therefore it is crucial that a high standard of accommodation and management is available for Blackpool residents in this sector. The private rented sector plays an important role in meeting wider council strategies – these are covered in more details in section 5.

The vision from Blackpool Council's Plan 2015-20 is to be the UK's number one family resort with a thriving economy that supports a happy and proud community. In order to make this vision a reality Blackpool needs to overcome core challenges. Selective Licensing supports Priority 1 of Blackpool Council's Plan – The economy: Maximising growth and opportunity across Blackpool.

The need to reduce transience, stabilise communities and improve the quality of private homes are identified as key housing and community safety projects. Selective licensing and the investment of the Transience Programme are at the heart of supporting Blackpool Council to achieve these ambitious goals

The Council acknowledges that whilst there are private sector properties that provide a good level of accommodation and are well managed by landlords, there are many properties that fall below acceptable standards. The introduction of selective licensing will address this issue and encourage both private sector landlords and tenants to play a more active part in the improvement of their neighbourhoods.

Any consideration of Blackpool's economy cannot ignore the failing housing market in parts of the town. Blackpool Council has an obligation to intervene to tackle housing market failure in inner Blackpool where an acute structural imbalance is supporting accelerated levels of socio-economic deprivation. Every year some 8,000 people move into Blackpool without support networks, with the majority renting properties in inner Blackpool, with the Central area at its heart. This is driven by the widespread availability of cheap accommodation and poor quality conversions of Bed and Breakfast stock to Houses of Multiple Occupation (HMO's), which arose from the decline of the domestic tourist market from the 1960's onwards. Addressing poor quality housing and encouraging the formation of more stable communities is essential to the town's economic prosperity.

Selective licensing helps to stabilise tenants in better managed homes, reducing the high turnover that can lead to homelessness. There will be cases where tenants need to be re-housed from accommodation that is found to be an immediate risk to their health and safety. In these cases, the

## Proposal to designate a selective licensing scheme in Central Area, Blackpool

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Enforcement team will work closely with the Housing Options service to ensure that alternative accommodation is made available.

# Proposal to designate a selective licensing scheme in Central Area, Blackpool

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## 4. Objectives for the introduction of Selective Licensing in the Central area of Blackpool

The local authority must ensure that:

- The exercise of power is consistent with their overall housing strategy AND
- A coordinated approach in connection with dealing with homelessness, anti-social behaviour, regeneration and empty properties affecting the private rented sector is taken and that licensing is combined with other action taken by them and others
- They have considered if there are any other courses of action available that might provide an effective method of achieving what the designation is intended to achieve AND
- That making the designation will significantly assist them to achieve the objective(s).

Additional licensing has already been introduced in the area, under section 56 of the Housing Act 2004 allowing the local authority to extend the Mandatory HMO licensing scheme to include other types of Houses in Multiple Occupation. Section 56 (2) states that;

‘The authority must consider that a significant proportion of the HMOs of that description in the area are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the Houses in Multiple Occupation or for members of the public.’

The objectives for the introduction of selective licensing are to:

- Reduce levels of anti-social behaviour and crime;
- Encourage landlords to manage their properties well and take responsibility to address housing management related issues;
- Offer residents an improved range of good quality accommodation by improving poor property conditions within the private rented sector;
- Reduce transience by offering support for tenants encouraging them to stay longer.

Selective licensing in the Central area will be at the heart of a multi-agency approach to tackling a wide range of socio-economic issues that debilitate and blight the lives of residents. If we want Blackpool to be a place where people not just come, but come and stay, then we need to look at the problems holistically.

# Proposal to designate a selective licensing scheme in Central Area, Blackpool

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## 5. Links to Wider Council Strategies

Blackpool Council wants to sustain long-term improvements in the private rented sector and selective licensing is essential to improving the quality of management. Selective licensing supports the below wider council strategies:

### Blackpool Council Plan 2015-2020

The vision for the future of Blackpool is to create the UK's number one family resort with a thriving economy that supports a happy and healthy community who are proud of this unique town. The Council Plan focuses on two key areas: boosting the local economy by maximising growth and opportunity and creating, stronger, healthier, more resilient communities.

A Housing Strategy is currently being written which begins with these two priorities, and will include the wider approach to tackling issues within the private rented sector, including licensing schemes.

### Town Centre Strategy 2013 – 2028

The vision for Blackpool Council's Town Centre Strategy 2013-28 is for *“Blackpool Town Centre to be a thriving heart of Britain's favourite resort, offering an all year-round high quality shopping, leisure, cultural and entertainment destinations”*

**In order to achieve its vision the strategy recognises the importance of improving the quality of homes and buildings within the town centre and to ensure they are managed effectively. The proposed selective licensing scheme covers these areas, thus, being an effective tool to support the strategy outcomes.**

### Blackpool Local Plan Part 1: Core Strategy (2012 – 2027)

Selective Licensing supports a number of Goals and Objectives for Blackpool's Local Plan Part 1 including:

- Develop sustainable and safer neighbourhoods that are socially cohesive and well connected to jobs, shops, local community services including health and education, culture and leisure facilities

## Proposal to designate a selective licensing scheme in Central Area, Blackpool

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- Establish balanced and stable communities in the inner areas with sustainable housing regeneration and new landmark residential development which improves housing quality and choice
- Creates a healthy, safe, secure and attractive environment and public realm, which promotes local pride and a sense of place

**This strategy identifies the need to address the challenges associated with quality housing and unauthorised residential use within the proposed licensing areas which selective licensing will support to achieve.**

### Blackpool Community Safety Plan 2012-2015 (ASB)

This builds upon the Blackpool Community Safety Partnership 2012 Strategic Assessment and sets out the analysis of crime, disorder and substance misuse and has identified the priorities that are the greatest threat to local people and where successful interventions will improve the quality of life in Blackpool. These priorities are Domestic Abuse, Violent Crime, Substance Misuse, Drugs, Substance Misuse, Alcohol and Anti-Social Behaviour.

**Selective licensing, combined with other measures, will support to address these priorities within the designated area.**

### Homelessness Prevention Strategy 2014

The Homelessness Prevention Strategy 2014 recognises the expanding use of the private rented sector in Blackpool as important in preventing and relieving homelessness. This reflects the very limited supply of homes in the social rented sector. But many private rented sector homes offer poor quality accommodation and management and these tend to be the last resort for the most vulnerable people, and to be subject to frequent tenancy turnover, increasing incidences of homelessness.

**Selective Licensing amongst other tools will work to improve standards of accommodation and address issues that could potentially result in private sector tenants presenting as homeless within the designated area.**



# Proposal to designate a selective licensing scheme in Central Area, Blackpool

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## 6. Approaches already taken in the area and consideration of new approaches

We have already sought to address issues associated with poorly managed privately rented properties in the Central area in many ways:

- We have invested in Blackpool town centre but it currently has the highest rate of retail leakage of any UK primary urban area and its image is undermined by the close proximity of poorly managed privately rented homes.
- We have established Blackpool Housing Company with an initial £26m of public investment to lead the process of structural change in inner Blackpool, including the Central area, acquiring and refurbishing homes and introducing higher standards of management.
- We are currently undertaking the large scale redevelopment of 500 Council flats at Queens Park in the Brunswick ward, adjacent to the Central area, to deliver 191 attractive new homes. The second half of the re-development is currently starting on site, with completion due by March 2018. We are also facilitating the development of over 400 high quality new homes within the Central area at the Foxhall Village development. Both of these developments will complement the improvement of the private rented sector in the Central area, and together help to create a much more attractive and balanced housing offer.
- We have also invested in a transience team to reach out to vulnerable tenants. This is now independently funded following a successful bid to Government, with funding in place to work alongside the licensing programme over the next two years. The team make contact with tenants and link them into support services and local community activities, training and employment. In this way, underlying problems are addressed and tenants start to develop in their confidence, skills, and sense of responsibility. This investment in pro-actively identifying and supporting vulnerable tenants is of considerable benefit to tenants themselves, their landlords, and the wider community. Interventions through selective licensing will assist in regenerating communities and neighbourhoods through improved management of properties by licence holders.
- Blackpool Council, the Police, and other agencies work together to tackle ASB in Blackpool. The Police are the primary agency in respect of reports of rowdy behaviour, neighbour disputes, vehicle nuisance or incidents of drug or substance misuse.

## Proposal to designate a selective licensing scheme in Central Area, Blackpool

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- Blackpool Council provides a response to noise complaints, dog barking and fouling, fly tipping and the removal of waste, graffiti and abandoned vehicles. Officers from The Council's Public Protection Department deal with a range of issues including those relating to the condition of housing and problems which relate to properties in the private rented sector.
- The Central area covers parts of Bloomfield, Brunswick and Talbot wards and there are Neighbourhood Policing Teams in each area, who have a policing base in the heart of the communities. Officers work from these bases daily, maximising their availability and visibility to local people. The neighbourhood policing teams work closely with the Council and other agencies within the Community Safety Partnership working to tackle problems and this partnership approach has an excellent track record in reducing ASB and solving other problems affecting communities. The Partnership's response to problems is coordinated through fortnightly tasking and coordinating meetings, where information is shared and action determined. The public can have their say at the monthly Police & Communities Together (PACT) meetings along with regular multi-agency 'walkabouts' coordinated by The Council identify issues affecting the physical environment.
- The Housing Enforcement Team is proactive in identifying issues affecting residents and in particular the tenants of privately rented accommodation where complaints are received, but they are reliant upon tenants making those complaints, something that tenants are not always confident to do for fear of being illegally evicted.
- The Police themselves respond to complaints of ASB and can back up Council staff where there are more serious public order issues, but since 2014's ASB, Crime and Policing Act, the Police rely on Council officers to use the most common tools of Community Protection Warnings and Notices. Council officers have issued 674 Community Protection Warnings, 111 Community Protection Notices, 5 Fixed Penalty Notices and 1 Criminal Behaviour Order, which is amongst the most actions anywhere in the country.
- Blackpool Council continues to work with a number of services and agencies to identify victims who are vulnerable and whose lives are seriously affected by ASB. Information is shared and resources combined to ensure effective action in dealing with perpetrators and supporting victims.
- BC Lets was introduced in 2013 as a homelessness prevention tool and was funded and accessed through Housing Options to build upon the success of the Council's Rent Bond Scheme, which

## Proposal to designate a selective licensing scheme in Central Area, Blackpool

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had previously been running since 2005. It also has a role to play in the general improvement of stock within the PRS. This is achieved by working closely with landlords encouraging them to raise the standards of their accommodation in exchange for the support package offered by BC Lettings.

- Another way in which Blackpool Council has sought other solutions to the problems experienced in the private rented sector in the area has been through the promotion of the Fylde Coast Landlords Accreditation Scheme, which was established in 2011 and was developed with the neighbouring councils of Fylde and Wyre, as well as with the Fylde Coast Landlords Forum and the Residential Landlords Association. The aim of the scheme was to promote good practice and self-certified standards as set out by all parties involved for landlords owning private rented sector property in the area and incentives were offered to landlords who sign up for the scheme.

Unfortunately the scheme failed to capture the interest of landlords, with less than 25 signed up for membership of it. In the Council's view, it will always be challenging to get widespread membership of voluntary accreditation schemes in a market like the one in the Central area of Blackpool, where tenants are undiscerning and many landlords are not interested in raising the quality of their offer. Accreditation schemes are least likely to attract landlords who are operating properties with the worst conditions and lowest standards of management. The widespread extent of the issues means that a more comprehensive approach is required.

Although our multi agency approach to problems in the area has had many successes, these in themselves are not enough and new approaches are needed to significantly reduce the issues in the different communities making up the Central area that have so blighted the area for residents and business owners.

Despite a number of initiatives and actions which have taken place in the area, progress has been slow and the area has continued to decline. Property values have continued to be low compared with other areas and deprivation levels have continued to be high. The area has many absentee landlords and high levels of privately rented accommodation which is often poorly managed and in a poor condition, including high numbers of empty properties.

The area experiences high levels of worklessness, poor health, high levels of crime and anti-social behaviour, as well as physical and social deprivation. It is not surprising therefore that the area is perceived to be rundown and contributing negatively to the overall reputation of Blackpool.

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Research shows that housing conditions play an important part in the health and wellbeing of its residents and statistics are symptomatic of the effect of housing that is poorly managed and in poor condition. Further information is also given below on anti-social behaviour, criminality and housing conditions, which further evidences factors related to the poor management and condition of properties in the Central area.

An HMO Additional licensing scheme was introduced to the Central area from 4<sup>th</sup> July 2016 to address the highest priority management issues – those in HMOs. However the initial low level of applications from landlords and experience from compliance inspections suggests that fewer properties than anticipated will be subject to HMO additional licensing in the area. While it is too early to determine the impact of the HMO additional licensing scheme, it is clear that this scheme alone will not tackle the density of issues within the Central area of Blackpool. As well as the evidence presented in the consultation proposal and updated in Section 10 below, comprehensive inspections within the area suggest that issues of poor management are prevalent across the privately rented stock and not confined to HMOs. The most effective approach to tackling these issues is by the introduction of selective licensing alongside the existing HMO additional licensing scheme.

This is an overview of the strengths and weaknesses of alternative solutions:

Alternative Solutions	Weaknesses	Strengths
Management and training support to private landlords	Requires landlord voluntary engagement. Could remove responsibility away from landlords. Source of funding unclear. No enforcement powers available.	Improves standards where landlord is engaged with authority and promotes confidence amongst their tenants.
Introduction of private sector leasing scheme	Resource intensive. Does not improve management standards of landlords who choose not to join the scheme. Reactive rather than proactive.	Contributes to homelessness prevention as could be used for allocation to those in need of housing.
Targeted use of Special Interim Management Orders and Empty	Resource intensive. Does not present a long term solution	Removes rogue landlord responsibilities and gives to

## Proposal to designate a selective licensing scheme in Central Area, Blackpool

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Dwelling Management Orders	to poor management of private rented properties (up to maximum of 5 years – then returned to original owner). Does not tackle poor management techniques. Reactive. Intervention of last resort.	responsible, nominated agent. Improves standards for tenants and local community.
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# Proposal to designate a selective licensing scheme in Central Area, Blackpool

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## 7. Consultation on the proposal

Consultation on a proposal for selective and additional licensing in the Central area ran from 17<sup>th</sup> July - 25<sup>th</sup> September 2015. Interested parties were contacted through:

- Blackpool Council's website
- The Fylde Coast Landlords Forum
- 8 public consultation meetings
- 7,000 letters which were sent to residents, business owner and landlords within the proposed Central area as well as the wider consultation area.
- Press release to local media/press
- Responses to consultation were received through:
  - 1,141 questionnaires completed by residents and local business owners
  - 267 questionnaires completed by landlords comments recorded at public consultation meetings and individual written responses from landlords
  - written responses from landlord representative organisations – NLA and RLA

A summary of the consultation that ran from 17<sup>th</sup> July to the 25<sup>th</sup> September 2015 and the Council's responses to the issues raised through consultation is published separately alongside this final proposal document. The original consultation is sufficient to inform the final selective licensing proposal because the nature of the proposal and reasons for it were sufficiently set out and clear for all to understand and remain fundamentally unchanged.

Two of the main objections raised in the consultation were:

1. Landlords objected to paying such a large licence fee in full at the start of the scheme;
2. Landlords felt that they were not receiving anything back for their licence fee

We have spent time considering a new approach to selective licensing. We researched other licensing schemes and spoke to other Councils across the country and re-visited the suggestion that had been

## Proposal to designate a selective licensing scheme in Central Area, Blackpool

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made by two landlords who led the campaign against licensing in Blackpool, which was to look at The Home Safe Scheme as introduced in Doncaster and Gainsborough.

The Home Safe Scheme was introduced in Doncaster in 2015 and offers co-regulation. Landlords can either; apply to the Council for a licence, pay fees up front, and have compliance checks carried out by the Council, or pay a much lower fee to the Council and become a member of the Home Safe co-regulation scheme which then ensures compliance with licence conditions for a monthly membership fee. In addition to this Home Safe can offer a bespoke package of benefits and advice and training to landlords to ensure that they have all the tools they need to offer a good standard of accommodation to their tenants.

Home Safe presented their scheme to the Fylde Coast Landlord's Forum on 8<sup>th</sup> December 2016 and the majority of landlords were in favour of introducing this approach alongside selective licensing, as opposed to just introducing selective licensing in the same way as previous areas.

In the first year of implementing this co-regulatory approach, Doncaster Council has reported the following results:

- 35% reduction in noise complaints
- 44% reduction in complaints of nuisance
- 25% reduction in housing complaints
- 20% reduction in complaints relating to poor property condition

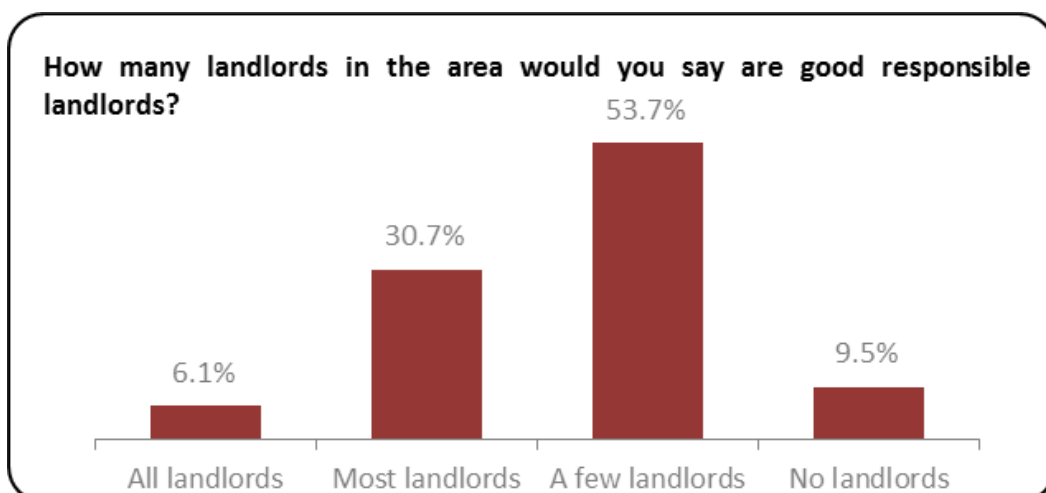
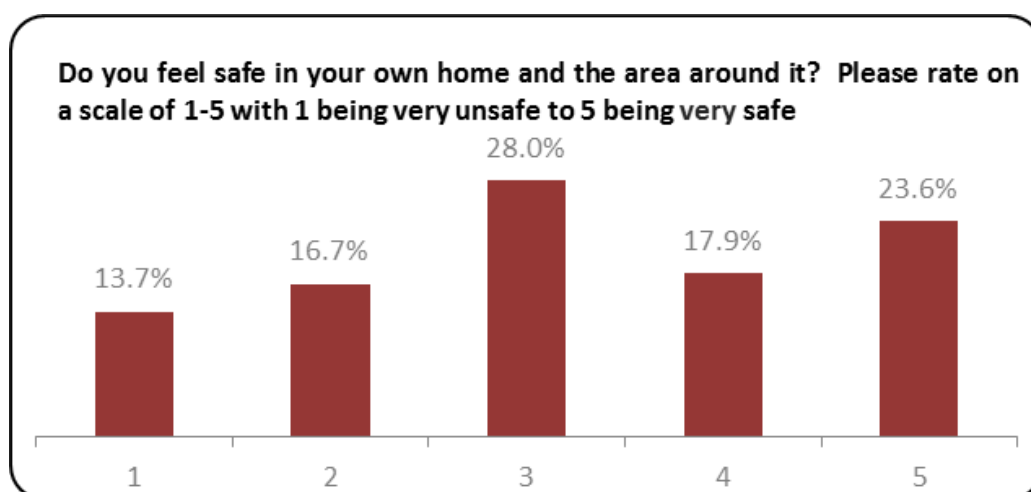
Home Safe have been able to offer a high standard of response to landlords, for example offering weekend reactions to maintenance emergencies and training on licensing conditions and standards.

The Central selective licensing scheme includes the option for landlords of a co-regulatory approach similar to that pioneered in Doncaster, working in partnership with private landlords to address the issues in the Central area of Blackpool.

# Proposal to designate a selective licensing scheme in Central Area, Blackpool

## 7.1 Summary of Consultation Responses

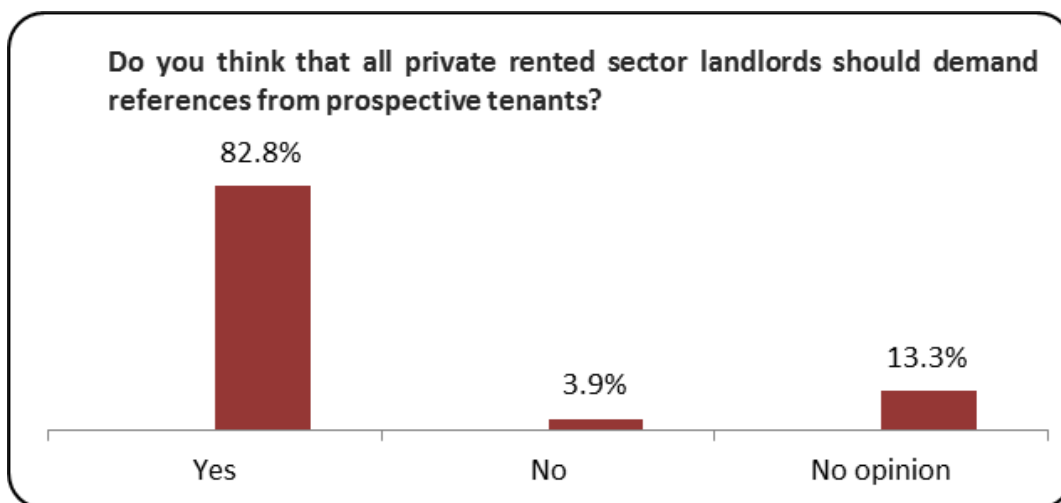
From the 1,141 questionnaires completed by residents, the three main concerns highlighted were: rubbish dumping (39.7%); no sense of community (31.7%); and neglected/run down properties (30.7%). Residents were asked to rate on a scale of 1-5 on how safe they felt in their own home and around their neighbourhood, with 1 being very unsafe and 5 being very safe. 13.7% of residents felt very unsafe; 16.7% of residents gave the rating of 2 and 28% rated the safety of their home and the neighbourhood as 3.



Only 6.1% of respondents believed all landlords in the area to be good and responsible, with 30.7% citing most landlords were good and responsible, and 53.7% said only a few landlords.

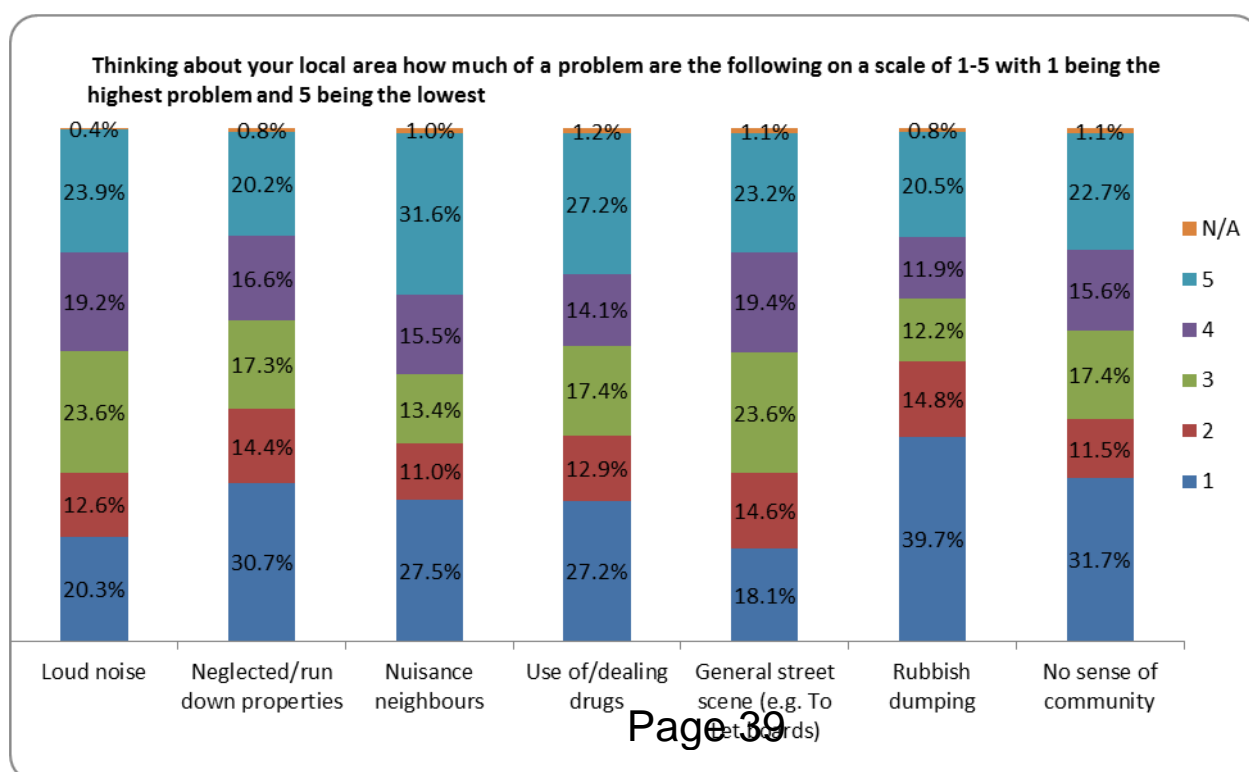


## Proposal to designate a selective licensing scheme in Central Area, Blackpool



82.8% of respondents felt that all landlords operating in the private rented sector should demand references from prospective tenants.

The chart below gives an overview of problems and how they were rated by respondents in order of importance:



## Proposal to designate a selective licensing scheme in Central Area, Blackpool

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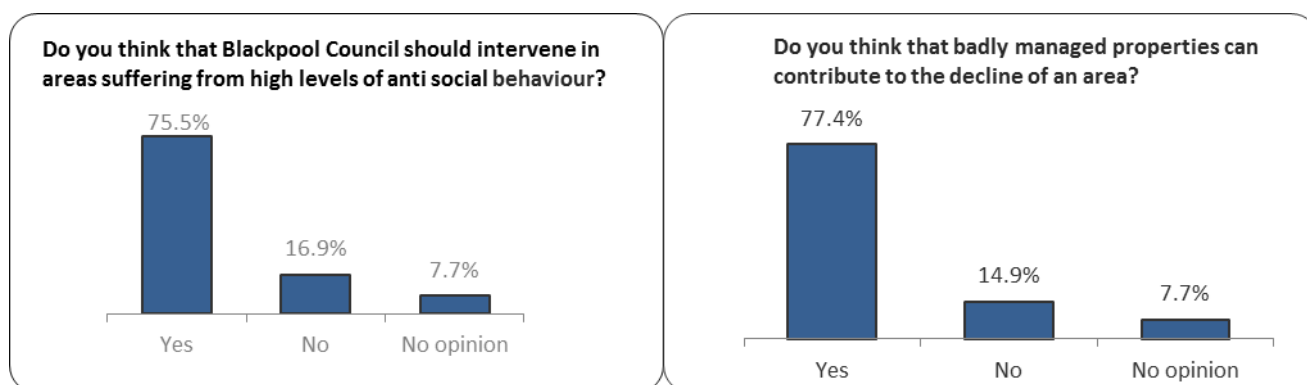
The majority of residents had experienced issues with other privately rented properties with the main issues being: fly tipping (61.8%); neglected/run down properties (45.8%) and loud noise (45%). The three main areas of concern for residents when renting a property were: security (17.3%); damp and mould (16%) and energy efficiency (13.3%).

53.7% of residents felt that most landlords were not good and responsible. 96.1% of residents felt that the responsibility lay with landlords to ensure that properties were in a good condition. Anti-social behaviour is a major concern and residents generally felt that the Council were ineffective in dealing with these issues. 82.1% of residents felt that landlords should be responsible for dealing with nuisance and ASB caused by tenants and their visitors.

267 landlords completed the survey. To summarise the results, the majority of landlords felt that poorly maintained and managed properties contributed to the decline of an area. The three areas which were deemed to have the most significant problems within the Central area of Blackpool were: anti-social behaviour (18.9%); empty properties (15.8%) and low rent levels (15.7%).

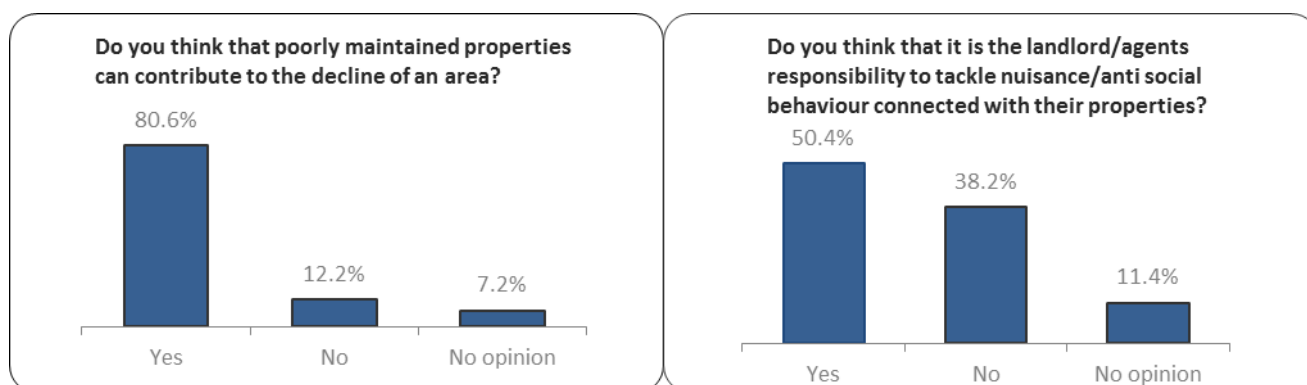
Currently 44.9% of landlords/agents were carrying out reference checks on prospective tenants; the majority (85%) felt that landlords/agents should have satisfactory procedures in place.

The results from the survey show that most landlords/agents felt that selective licensing would not address the issues currently linked to the Central area of Blackpool with 73.4% opposing an introduction of such a scheme. However 75.5% of respondents felt that Blackpool Council should intervene in areas suffering from high levels of anti-social behaviour.



## Proposal to designate a selective licensing scheme in Central Area, Blackpool

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Some of the concerns raised by landlords and some residents were around the need for additional and selective licensing when they felt the Council already has sufficient authority to respond to issues arising from privately rented properties. The Council responded by saying that although the Housing Act 2004, Part 1 does give Local Housing Authorities powers to deal with property conditions and disrepair categorised under the Housing Health and Safety Rating System (HHSRS), these powers alone are not sufficient in dealing with other issues arising from privately rented properties within the proposed area. Licensing will give additional enforcement powers by requiring all landlords to sign up to management conditions that help ensure that they adopt a responsible approach to management of their properties. These management conditions go beyond the normal statutory requirements under the HHSRS, for example, by requiring landlords to undertake tenant referencing and to act responsibly if anti-social behaviour complaints are raised against their tenants.

# Proposal to designate a selective licensing scheme in Central Area, Blackpool

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## 8. How will selective licensing work and what will it achieve?

When implemented effectively, and alongside other measures, selective licensing will increase the professionalism of the private rented sector by ensuring that:

- Landlords are 'fit and proper persons';
- Landlords offer good and fair management of tenancy relations;
- Support for landlords is available to engage in regeneration and tackle anti-social behaviour effectively;
- Protection is offered for vulnerable tenants from the worst housing conditions and from bad landlords;
- Strategic knowledge is available to support Blackpool Council in targeting health and safety inspections;
- Landlords are supported to improve the worst properties by helping them to achieve decent minimum standards in housing conditions and management.

### Benefits to Blackpool Council include:

- Landlords who have not engaged with Blackpool Council through any other means will be forced to engage;
- Bad landlords will be forced to improve their practices or leave the market;
- Blackpool Council will gain further knowledge about private renting in the Central area which will enable us to target support, information and enforcement much more effectively, whilst also being able to offer support pathways to vulnerable tenants living in the private rented sector.

### Benefits to landlords include:

- Responsible landlords will receive information and support;
- All landlords in the private rented sector will be treated the same and expected to adhere to the same standards;
- Poorly performing landlords can access support and training to improve;

# Proposal to designate a selective licensing scheme in Central Area, Blackpool

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- The reputation of the private rented sector will improve;
- The sector will potentially benefit from shorter void periods and reduced tenant turnover;
- Landlords can be offered incentives and opportunities to access additional support and advice.

## **Benefits to communities and neighbourhoods in the Central area include:**

- Reducing anti-social behaviour which will improve problem areas, making these safer and more desirable places to live
- Reducing environmental costs and costs of associated crimes, such as street cleaning services and the removal of fly-tipping and graffiti
- Encouraging all landlords to get involved in wider strategies including crime reduction initiatives, neighbourhood planning and community led projects to improve the wider area
- The protection of vulnerable groups who are often occupiers of privately rented accommodation which is poorly managed and maintained.

## **Benefits to tenants include:**

- More professional landlords should bring about improvements to the quality and management of property;
- Tenants could also see economic benefits, for example in reduced heating costs and improved likelihood of regaining any deposit paid;
- Improvements to the neighbourhood should also benefit private tenants' security and sense of community;
- Better management practices from landlords and letting agents should help to increase length of tenure and reduced incidence of unplanned moves, abandonments or homelessness.

The Council's overall aim is to improve the quality of life for residents within the area by improving management of tenant behaviour and the condition of properties in the private rented sector through the Selective Licensing scheme. The scheme will also benefit local businesses and visitors.

Selective Licensing is intended to help achieve the economic and social ambitions of Blackpool. Specific benefits for the Central area will include:

# Proposal to designate a selective licensing scheme in Central Area, Blackpool

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- Reductions in levels of anti-social behaviour
- Improved management and condition of privately rented accommodation
- Support for landlords in dealing with anti-social tenants
- Education for tenants in their responsibilities to behave in a tenant like manner
- Education for tenants to ensure they only live in properties that meet a minimum standard
- Encouraging landlords to operate to higher standards, acting in a professional manner with well written tenancy agreements, inventories and protected deposits
- Encouragement of landlords not to take tenants with a poor reference
- Improvement of the image and desirability of the area
- Improvement in the market to increase rents and values of property in the area

The scheme will deliver a significant improvement in management and property conditions experienced in the private sector as a whole in the area.

Selective Licensing provides the Council with enhanced ability to regulate the private rented sector through the imposition of clear licensing conditions for all affected properties. It also enables resources to be provided in the area to address the long standing issues.

For the approach to succeed in reducing anti-social behaviour and criminality and improving the overall management and standards of property, it is important that the Council works closely with landlords and residents. It is expected that introducing this scheme into the Central area, alongside complementary investment, will have a range of benefits to landlords, tenants, and the wider community.

The complementary investment will include:

- Support for vulnerable tenants and their families through our externally funded Transience Programme;
- Free home fire safety checks and free smoke alarms from Lancashire Fire and Rescue; plus advice and support for landlords on home fire safety;

## Proposal to designate a selective licensing scheme in Central Area, Blackpool

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- Support and reassurance for victims of crime and ASB from Lancashire Constabulary;
- Benefits advice and help preparing for and finding employment;
- Skills and training;
- Confidence building; community networking and health advice.

By adopting this approach we will offer a holistic approach to tackling property management, ASB, and crime while also offering a comprehensive support service to our most vulnerable residents.

# Proposal to designate a selective licensing scheme in Central Area, Blackpool

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## 9. Blackpool Council's new co-regulatory approach to Selective Licensing

Landlords are not wholly against licensing schemes, but do feel that good landlords are penalised by the schemes and treated in the same way as bad landlords. Some of the main concerns raised by landlords are centred around fees, and in particular:

- Landlords object to paying out a large amount (one off payment) up front
- Landlords object to paying the licence fee as they do not see what they receive in return

These views have been expressed through consultation on the Central Additional and Selective Licensing Proposal and Landlord Forum meetings.

As part of Blackpool Council's wider approach to tackling the issues within the private rented sector in inner Blackpool, we have been working with landlords to improve the relationship between the landlord community and the Council, and further to understand what good landlords major concerns are and how we can address these and work more proactively with those landlords that do provide a good standard of accommodation to their tenants.

As part of the consultation on the introduction of an additional and selective proposal for this area in 2015, one suggestion that came directly from landlords was the introduction of a co-regulatory approach to licensing. Since then, this approach has been researched in detail and contact made with other Councils who have introduced this approach and are currently working with a delivery partner.

We now feel in a position to take forward this approach, which expressly takes into account the two main concerns for landlords as mentioned above.

### An Overview of Co-Regulation

Under the selective licensing scheme in the Central area landlords will have a choice of whether to apply directly to the Local Authority and pay the full five year licence fee up front or apply to join a co-regulation scheme, where they pay a much lower initial fee to the local authority and then monthly payments to the co-regulation partner. The total cost will be similar over the five year period.

If landlords choose to pay the full fee to the Council, then the Council will undertake all of the compliance checks over the 5 year lifetime of the selective licensing scheme.

If landlords choose the co-regulation scheme, then the co-regulation delivery partner will work with landlords to ensure that licence conditions and the requirements of a wider Code of Practice are met,



# Proposal to designate a selective licensing scheme in Central Area, Blackpool

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including giving an opportunity for landlords to be trained to inspect their own properties. The Code of Practice for the co-regulation scheme will be agreed between the local authority and the co-regulation provider. The co-regulation provider will work with landlords over the lifetime of the selective licensing scheme to develop measures that help landlords to manage their properties well. Landlords will receive help, support, advice, and training, and discounts negotiated with tradespeople and suppliers should help landlords to manage and maintain their properties to a high standard.

This co-regulatory approach will ultimately allow landlords to become self-regulated, with the right support, training and guidance.

## **Monitoring the scheme and managing risks**

Appendix 4 sets out potential risks of introducing a Selective Licensing scheme into the Central area and mitigating measures.

A robust and comprehensive evaluation framework has been introduced to ensure that we are able to provide information at any point through the scheme to show the effectiveness of it, and the difference it is making to the area.

In order to be clear and transparent it is proposed that performance is monitored not only by members and officers, but is also set out to the public through the Council's website. The Fylde Coast Landlords Forum will also be invited to monitor the statistics to maintain a positive relationship with Blackpool landlords.

Blackpool Council recognises the risks in association with this co-regulatory approach. Robust performance monitoring arrangements will be worked up in conjunction with landlords and the chosen delivery partner to ensure they are held accountable.

# Proposal to designate a selective licensing scheme in Central Area, Blackpool

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## 10. The Proposal

It is proposed that Blackpool Council designates the area outlined in blue on Map 1 as a selective licensing scheme, with the boundary in green being the wider consultation area.

The designation will be used to tackle:

- anti-social behaviour,
- crime,
- property management and property conditions
- deprivation

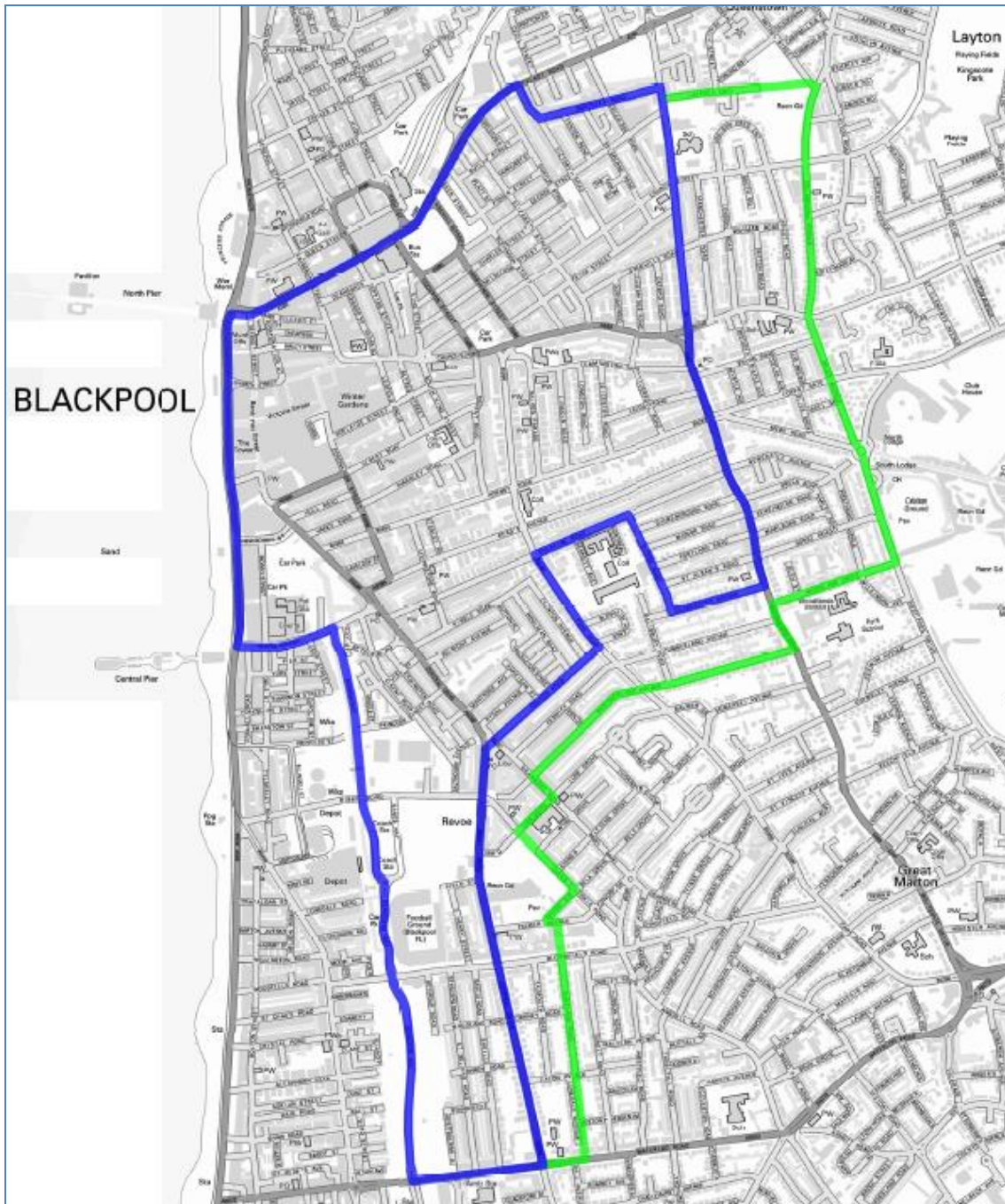
Every privately rented flat, house or room (unless already licensed as a HMO under the existing mandatory scheme, additional licensing scheme or classed as a business let such as tied accommodation) will require a licence to operate in the area and landlords will be responsible for making an application to the Council for a Selective Licence.

Initially it is expected that compliant landlords will apply for the relevant licence shortly after the designation, however it will be necessary to introduce a comprehensive inspection programme to capture unlicensed properties. As with South Beach and Claremont licensing schemes, enforcement will be carried out on a phased approach in order to effectively coordinate and address identified problems.

Map 1: The proposed selective licensing area (see appendix 1 for full list of streets)

# Proposal to designate a selective licensing scheme in Central Area, Blackpool

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THE PROPOSED LICENSING AREA IS DEFINED BY THE BLUE BOUNDARY WITH THE WIDER CONSULTATION AREA SHOWN BY THE GREEN BOUNDARY

## Proposal to designate a selective licensing scheme in Central Area, Blackpool

To meet the costs involved in running these schemes it is proposed to charge fees for Selective Licensing of: -

<b>Licence Fees – Members of Co-regulation Scheme</b>	
Each property occupied by one household	£101
Each property occupied more than one household	£110
Variations to an existing licence	£101

Note that in addition to these Licence Fees the co-regulation delivery partner will make other charges some of which are paid monthly.

<b>Licence Fees – Application to the Council</b>	
Each property occupied by one household	£670
Each property occupied by up to five households	£940
Each additional household above five	£60
Variations to an existing licence	£101
<b>Available Discounts</b>	
<b>(only available to those applying directly to the Council)</b>	
Applications made during the first three months of the scheme for each property	£100
Landlord is a member of the NWLA; NLA or RLA discount for first five properties, or:	£50
Landlord is a member of a Landlords Accreditation Scheme for first five properties	£100

Landlords will not be able to claim both discounts if a member of the NWLA, NLA or RLA and also accredited with an Accreditation scheme.

## Proposal to designate a selective licensing scheme in Central Area, Blackpool

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For landlords with a large portfolio of properties Blackpool Council will consider allowing them to pay by instalments on a case by case basis depending on their financial circumstances. The full cost must be paid by the end of the first 12 months of the scheme.

If any details of a licence need to be changed then the landlord or managing agent has to apply for a variation of the licence; for example if the number of units of accommodation within a property changes or the managing agent changes, then a fee of £101 applies. Where the property is sold the licence is not transferable and therefore the new owner will be required to apply for a new licence. The fee will be limited to £101 providing a valid existing licence is already in place.

If the designation is approved the scheme will come into effect no sooner than 3 months later to allow confirmation by the Secretary of State and for details of the scheme to be publicised within the designated area and amongst all interested parties.

By making the designation, all privately rented accommodation in the designated area not fitting into the definition of an Additional HMO or Mandatory Licensable HMO will require a licence. Owners of rented properties will be required to make an application to the Council for a selective licence and will need to nominate either the Manager or the Owner to be the Licence holder.

Landlords will require a licence for any properties they rent out within the designated area. The licence is valid for up to 5 years and will contain a series of conditions that the licence holder will be required to comply with. These conditions will include items relating to the management of the property, fire safety and anti-social behaviour. There will also be a requirement that landlords provide references for tenants that move on from their properties.

The Housing Enforcement Team will be responsible for ensuring compliance with the designation. Where a breach of licence conditions is identified the licence holder may be prosecuted with a fine of up to £5,000 per breach. Failing to apply for a licence could lead to prosecution and a fine of up to £20,000.

During the course of the designation the Housing Enforcement Team will be carrying out a programme of pro-active inspections and will take a firm approach where un-licensed properties or breaches of conditions are found, meaning that landlords in these circumstances are likely to be prosecuted. These enforcement activities will not be met from the revenue from fees.

# Proposal to designate a selective licensing scheme in Central Area, Blackpool

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## 11. Evidencing the need for a Selective Licensing Scheme in the Central area of Blackpool<sup>2</sup>

Selective licensing is being introduced on the grounds of:

- ASB
- Poor Property Conditions
- Deprivation
- Crime

The prevalence of transience in an area can affect community cohesion and stability, and this was highlighted in section 1. High levels of turnover affect community cohesion and stability with there being a proven link between high population inflow rates in an area and crime levels. The 2010 English House Condition survey showed that the average length of time spent in owner occupied properties was 11 years; it was 7 years for social rented properties and just 1 year for privately rented.

The transient nature of the population makes it extremely difficult to understand the needs of the residents in the area and to make a lasting impact by tailoring services to meet those needs.

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<sup>2</sup> Since the initial consultation (August 2015), more recent statistics have been made available which have been used in this proposal.

# Proposal to designate a selective licensing scheme in Central Area, Blackpool

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## 11.1 Anti-social behaviour

The Selective Licensing Guidance stipulates that Councils must demonstrate that to use the criterion of a significant and persistent problem caused by ASB<sup>3</sup>:

*“Some or all of the private sector landlords who have let premises in the area are failing to take action to combat such problems that it would be appropriate for them to take.*

*‘A landlord has responsibility to ensure persons he has permitted to reside at a property do not cause an annoyance or nuisance to other persons residing in it, or other persons living, working or visiting the immediate neighbourhood. If anti-social behaviour is being carried out within the immediate vicinity of the property and is being caused by the occupiers of it, then it would be reasonable to expect a landlord to ensure that those persons are not conducting themselves in a way that is adversely impacting on the local community. This applies equally to visitors of the property’<sup>4</sup>.*

This area has many absentee landlords and high levels of privately rented accommodation which is often poorly managed and in a poor condition, including high numbers of empty properties.

Referring back to the consultation responses, only 6.1% of respondents believed all landlords in the area to be good and responsible. 82.8% of respondents felt that all landlords operating in the private rented sector should demand references from prospective tenants.

The majority of residents had experienced issues with other privately rented properties with the main issues being: fly tipping (61.8%); neglected/run down properties (45.8%) and loud noise (45%). 53.7% of residents felt that most landlords were not good and responsible. 96.1% of residents felt that the responsibility lay with landlords to ensure that properties were in a good condition.

82.1% of residents felt that landlords should be responsible for dealing with nuisance and ASB caused by tenants and their visitors.

The data below evidences that there are high levels of anti-social behaviour within the proposed licensing area with a significant proportion arising from privately rented properties.

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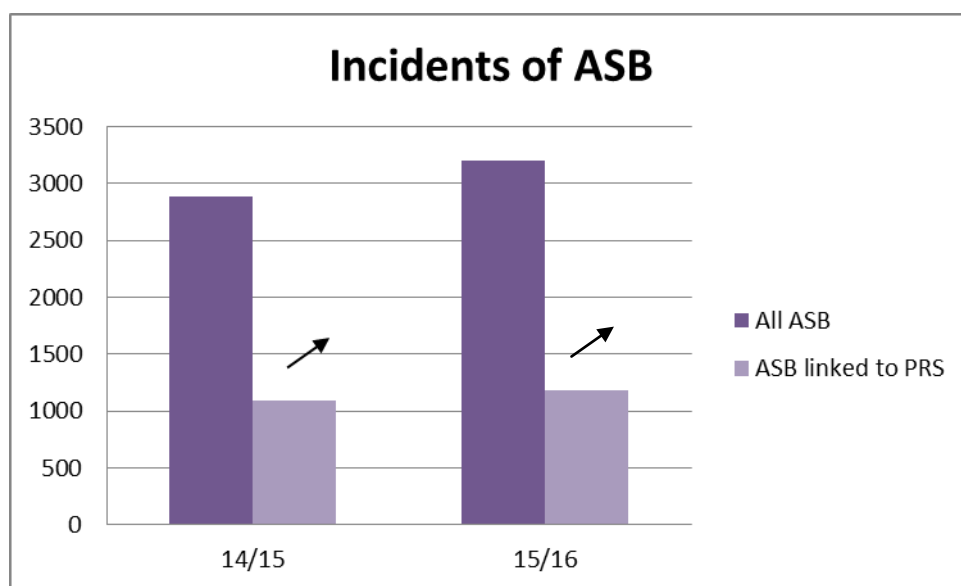
<sup>3</sup> *The Selective Licensing of Houses (Additional Conditions) (England) Order 2015*

<sup>4</sup> *(Approval steps for Additional and Selective Licensing designations in England, CLG).*

## Proposal to designate a selective licensing scheme in Central Area, Blackpool

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In the last financial year Lancashire Constabulary recorded 3199 incidents of anti-social behaviour across the designation, of which 1188 can be directly attributed back to privately rented properties in the area. This represents an increase of 10% from last year's overall figure, and a 9% increase in the private sector figures.

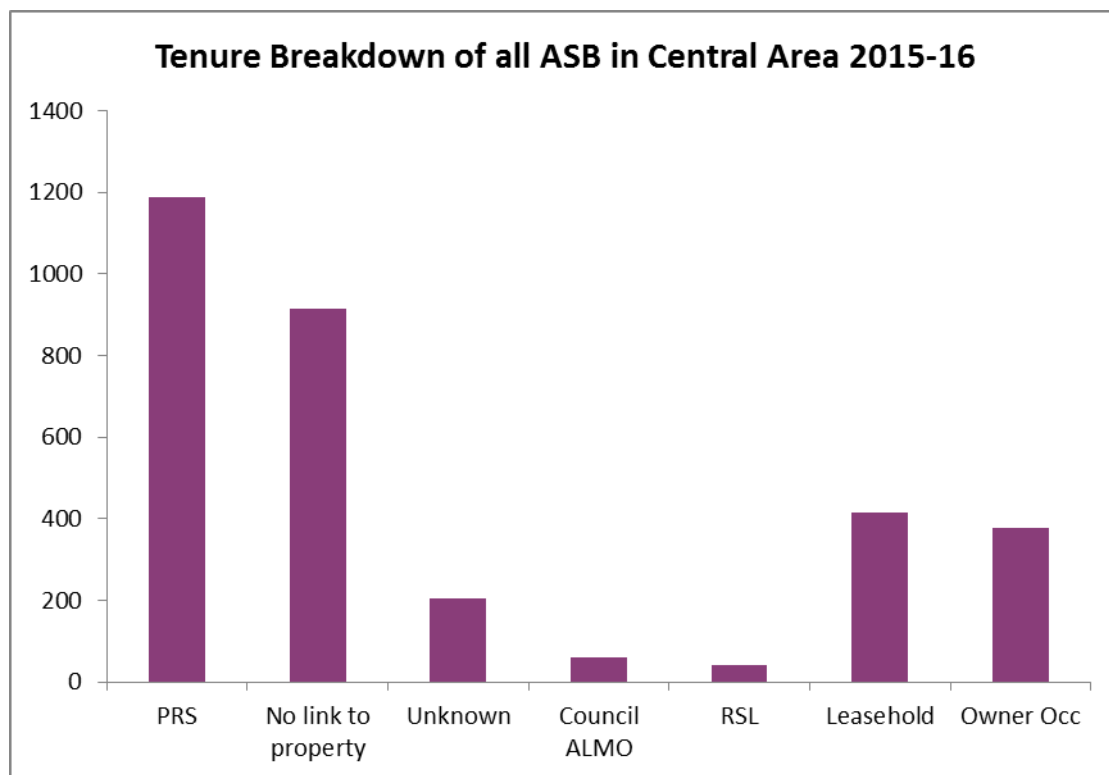


Police data shows that 37% of total incidents of ASB in 2015/16 came directly from privately rented properties. Breaking these figures down by taking away the commercial and tourism sectors, the graph below illustrates that 71% of the reported ASB in the area that is associated with a residential address comes from the private rented sector.



## Proposal to designate a selective licensing scheme in Central Area, Blackpool

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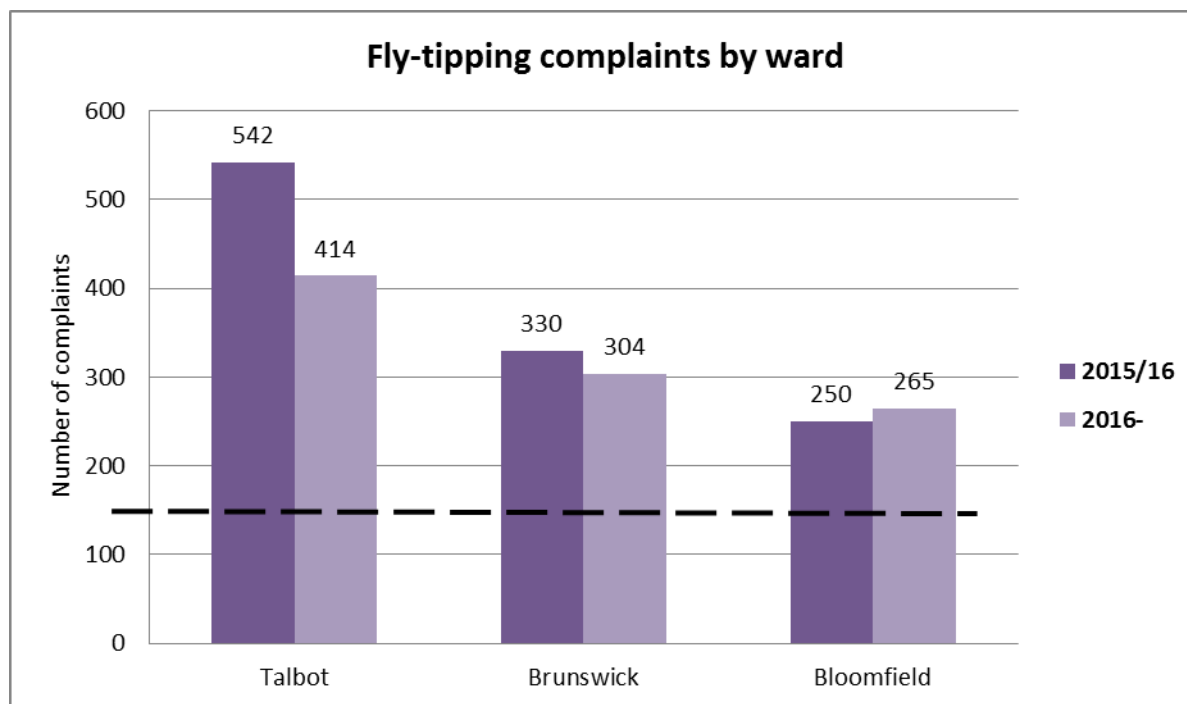
Of the 2,702 private rented sector properties in the proposed Central area, only around 400 are HMO's that fall under mandatory or additional licensing, which means that despite the link to high levels of ASB, we estimate around 81% of properties in the private rented sector are not currently subject to licensing.

### Fly Tipping

The graph below illustrates the level of complaints relating to fly-tipping by ward. The three wards within the designated area are all among the top four out of the 21 wards that make up Blackpool. In 2015-16 these three wards accounted for 36% of all complaints of fly tipping across Blackpool, and as represented in the graph below, there are already a higher amount of reported incidents in Bloomfield for this current financial year, with Brunswick not far behind. The black dashed line indicates the Blackpool average which reinforces the level of incidents of fly tipping in these three wards.

## Proposal to designate a selective licensing scheme in Central Area, Blackpool

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Linking anti-social behaviour back to the Council's wider strategies and initiatives, in order to achieve the objectives set out in the Blackpool Community Safety Plan which is currently under review, selective licensing will enable the Council to work with landlords to develop their own ASB plans. Landlords can work with the Council's Community Safety Team who can provide education; advice and assistance to both landlords to tackle anti-social tenants; and also to tenants who are suffering from anti-social behaviour to develop confidence in dealing with; and reporting of ASB.

# Proposal to designate a selective licensing scheme in Central Area, Blackpool

## 11.2 Crime

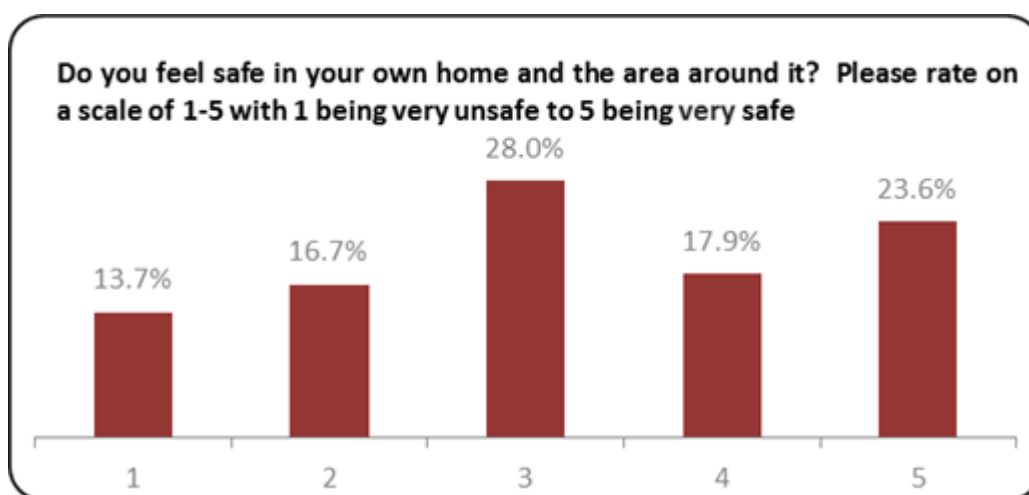
The Selective Licensing Guidance stipulates that Councils must demonstrate that to use the criterion of high levels of crime:

*(a) That the area suffers from high levels of crime;*

*(b) That the criminal activity affects those living in the properties referred to in article 3(1) (a), or other households and businesses in the area; and*

*(c) That making a designation will, when combined with other measures taken in the area by the local housing authority, other persons together with the local housing authority or by the police, contribute to a reduction in the levels of crime in the area, for the benefit of those living in the area.*

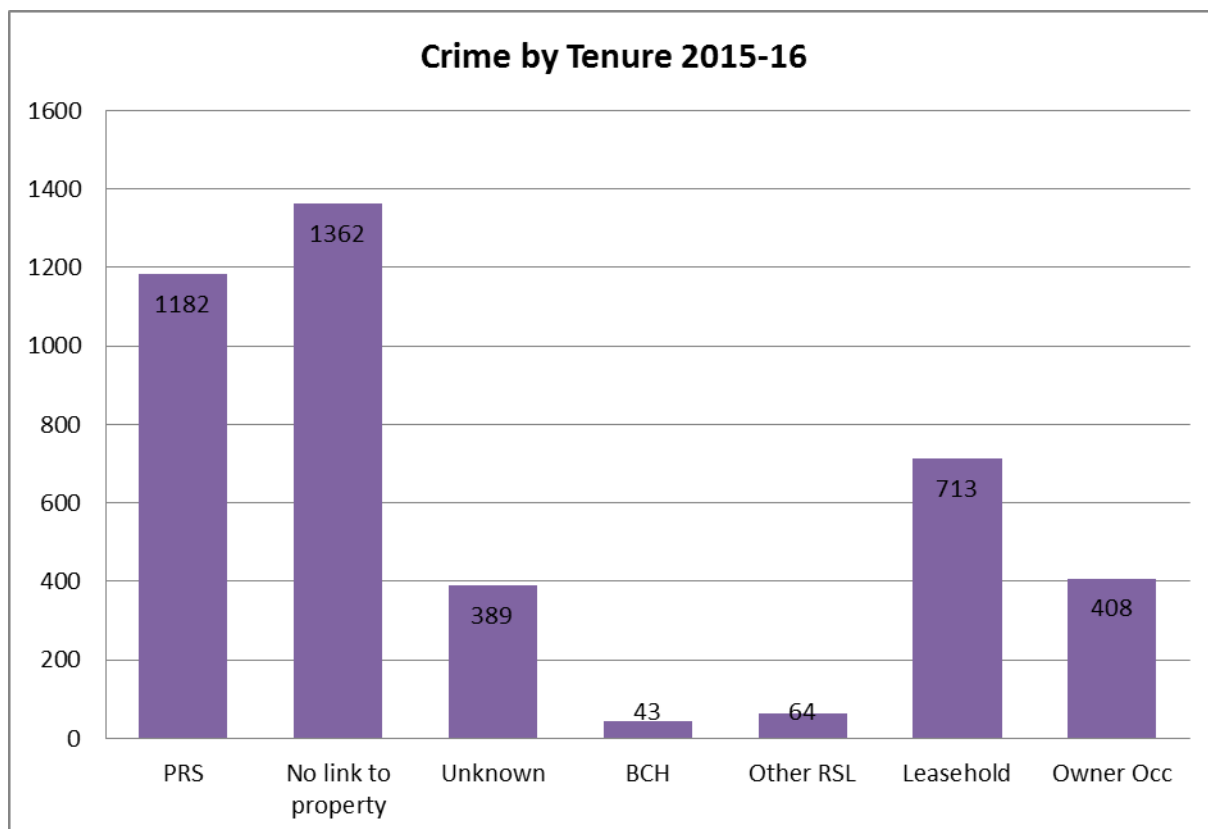
Referring back to the consultation responses residents were asked to rate on a scale of 1-5 on how safe they felt in their own home and around their neighbourhood, with 1 being very unsafe and 5 being very safe. 13.7% of residents felt very unsafe; 16.7% of residents gave the rating of 2 and 28% rated the safety of their home and the neighbourhood as 3.



The Central area of Blackpool has especially high levels of recorded crime. In the period from April 2015 to March 2016 there were 4161 recorded incidents of crime across the proposed designation, of which 28% were directly linked to privately rented properties (see below chart). However if we remove the 'no link to property' and 'unknown' – ie making an assumption that we are taking out crimes committed in the commercial and tourism sectors, this percentage rises to a significant 49%.

## Proposal to designate a selective licensing scheme in Central Area, Blackpool

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The 'no link to property' figure relates to incidents which cannot be directly linked to a property, for example, shops, take aways, supermarkets, public houses and some hotels.

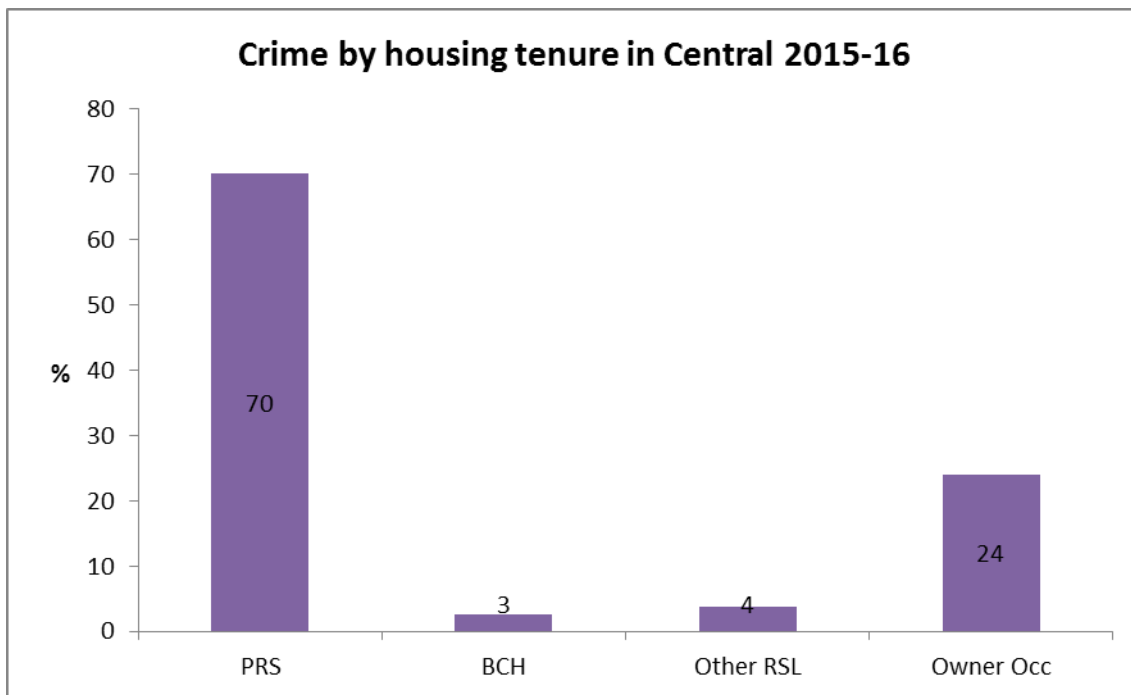
The 'unknown' category relates to police logs that do not have a recorded tenure type. Upon looking through the logs it is apparent to see that one of the main themes here is consistently around alcohol misuse and centred in the town centre area around Market Street and Promenade area.

The 'leaseholder' category, which is the third highest category, also covers crime recorded in and around the same area, includes 66% retail; 20% commercial and 9% office accommodation.

Taking out the 'leaseholder'; 'no link', and 'unknown' categories, this shows that 70% of the reported crime in the area that is associated with a residential address comes from the private rented sector:

## Proposal to designate a selective licensing scheme in Central Area, Blackpool

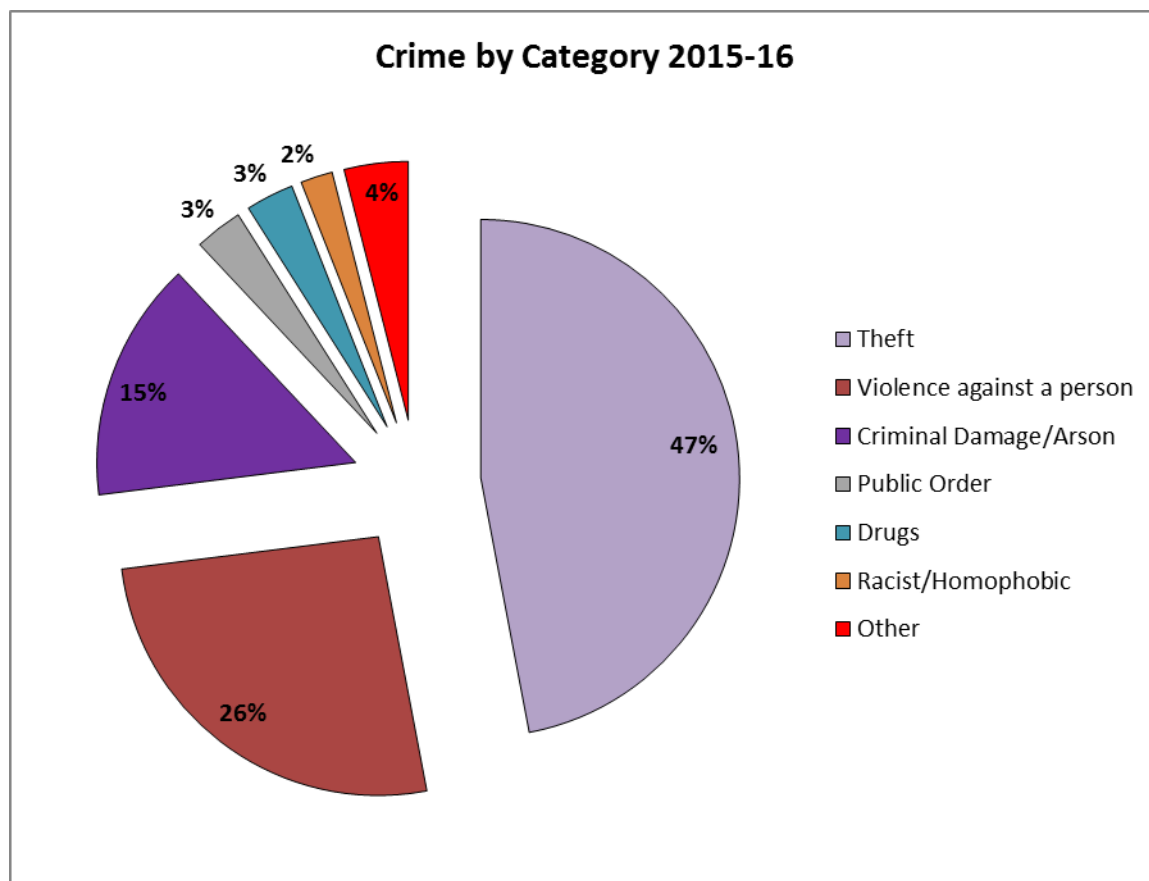
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When looking at the Police crime statistics for the designated area as a whole, 47% of all crimes recorded in the last financial year were related to theft; 26% violence against a person and 15% criminal damage/arson. These three categories alone account for 88% of all the recorded crime in the Central area in the last financial year.

## Proposal to designate a selective licensing scheme in Central Area, Blackpool

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Lancashire Police have provided information of a number of Operations that have been necessary to implement in direct response to the high levels of ASB and crime in the Central area:

### **Operation Castle**

This was a summer 2016 ASB operation on Talbot Ward and Town Centre, aimed at tackling low level youth ASB, street drinking and street begging. This was necessary due to complaints from residents and businesses in this area regarding young people causing harassment, alarm and distress to people visiting the area.

### **Operation Warrior**

This operation focuses on overt targeting of street dealing on Talbot, Claremont and Brunswick Wards, where drug dealing is a prominent issue for local people.

### **Operation Azure**

This operation is focused on Blackpool's overall management of sex workers. The Central area houses many of Blackpool's parlours, and this covers the 'on' street workers on the Palatine Road, Central Drive

## Proposal to designate a selective licensing scheme in Central Area, Blackpool

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area, and the 'off' street workers that include the management of the parlours around Cookson Street and King Street.

### **Operation Forager**

This is a divisional wide operation using statistical analysis of burglary dwelling patterns, allowing officers to identify where offences have taken place and based on statistical mapping, predict where another burglary is likely to take place. Much of their work under this operation covers the Central Blackpool area.

Linking crime back to the Council's wider strategies and initiatives, in order to achieve the objectives set out in the Blackpool Local Plan Core Strategy, a robust and clear message must be sent out to landlords and tenants, and people living within the private rented sector in the Central area should be able to feel that they live in a safe and secure environment, which promotes a local pride and sense of place. The Core Strategy identifies the need to address the challenges associated with quality housing and the development of sustainable and safer neighbourhoods.

# Proposal to designate a selective licensing scheme in Central Area, Blackpool

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## 11.3 Deprivation

The Selective Licensing Guidance stipulates that Councils must demonstrate that to use the criterion of deprivation:

*(a) That the area is suffering from a high level of deprivation, which affects a significant number of the occupiers of properties referred to in article 3(1) (a); and*

*(b) That making a designation will, when combined with other measures taken in the area by the local housing authority, or by other persons together with the local housing authority, contribute to a reduction in the level of deprivation in the area.*

And in determining whether an area is suffering from a high level of deprivation, the local housing authority may have regard to the following factors in relation to the area:

*(a) The employment status of adults;*

*(b) The average income of households;*

*(c) The health of households.*

The English Indices of Multiple Deprivation is a UK government study of deprived areas in English local councils. It provides a set of relative measures of deprivation for small areas (Lower-layer Super Output Areas - LSOAs) across England based on seven different domains of deprivation:

- Income Deprivation
- Employment Deprivation
- Education, Skills and Training Deprivation
- Health Deprivation and Disability
- Crime
- Barriers to Housing and Services
- The Living Environment



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The 2015 index ranks Blackpool as the most deprived of 326 Local Authority areas in England, based on both the average LSOA score and concentration of deprivation indicators; 36 of 94 Blackpool LSOAs are in the 10% most deprived in the country.

Within the proposed selective licensing area there are 9 LSOA's, three within Bloomfield, two for Brunswick and four for Talbot ward (mapped to the closest boundary line). All LSOA's within the proposed licensing area are deemed to be within the 5% most deprived in England.<sup>5</sup>

## **The overall Index of Multiple Deprivation**

The overall Index of Multiple Deprivation is a measure based on combining the seven specific dimensions of deprivation. The overall ranking for LSOAs within the proposed selective licensing area shows that deprivation has deteriorated from 2010 apart from Bloomfield 013C where the ranking improved by 1 place (out of 38,000). 7 LSOA areas out of 9 are within 1% of the most deprived places in the country with the remaining 2 falling within in the most 5% deprived.

## **Employment Deprivation Domain**

The Employment Deprivation Domain measures the proportion of the working-age population in an area involuntarily excluded from the labour market. This includes people who would like to work but are unable to do so due to unemployment, sickness or disability, or caring responsibilities.

The indicators

- Claimants of Jobseeker's Allowance (both contribution-based and income-based), women aged 18 to 59 and men aged 18 to 64
- Claimants of Employment and Support Allowance (both contribution-based and income-based) , women aged 18 to 59 and men aged 18 to 64
- Claimants of Incapacity Benefit, women aged 18 to 59 and men aged 18 to 64
- Claimants of Severe Disablement Allowance, women aged 18 to 59 and men aged 18 to 64

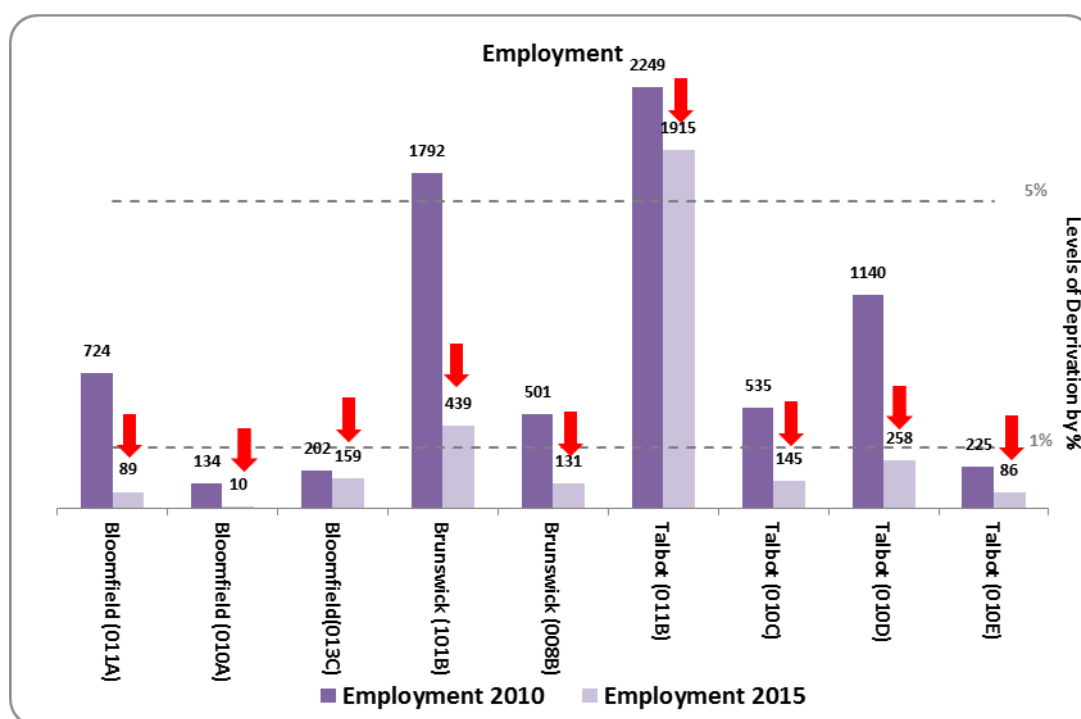
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<sup>5</sup> In the initial consultation proposal for selective and additional licensing (July 2015) IMD 2010 was used, however more recent data has since been released.

# Proposal to designate a selective licensing scheme in Central Area, Blackpool

- Claimants of Carer’s Allowance, women aged 18 to 59 and men aged 18 to 64. <sup>6</sup>

All LSOAs within the proposed designated area have seen a decline in ranking since 2015. Apart from Talbot (101B) all other areas fall within the 1% most deprived in the County for employment.



## Education, Skills and Training Deprivation Domain

The Education, Skills and Training Domain measure the lack of attainment and skills in the local population. The indicators fall into two sub-domains: one relating to children and young people and the other relating to adult skills. These two sub-domains are designed to reflect the ‘flow’ and ‘stock’ of educational disadvantage within an area respectively. The ‘children and young people’ sub-domain measures the attainment of qualifications and associated measures (‘flow’), while the ‘skills’ sub-domain measures the lack of qualifications in the resident working-age adult population (‘stock’). The two sub-domains are then standardised by ranking and transforming to an exponential distribution and combined with equal weights to create the overall domain score.

## The indicators

<sup>6</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/464485/English\\_Indices\\_of\\_Deprivation\\_2015\\_-\\_Technical-Report.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/464485/English_Indices_of_Deprivation_2015_-_Technical-Report.pdf)

# Proposal to designate a selective licensing scheme in Central Area, Blackpool

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## Children and Young People sub-domain

- Key Stage 2 attainment: The average points score of pupils taking reading, writing and mathematics Key Stage 2 exams
- Key Stage 4 attainment: The average capped points score of pupils taking Key Stage 4
- Secondary school absence: The proportion of authorised and unauthorised absences from secondary school
- Staying on in education post 16: The proportion of young people not staying on in school or non-advanced education above age 16
- Entry to higher education: A measure of young people aged under 21 not entering higher education

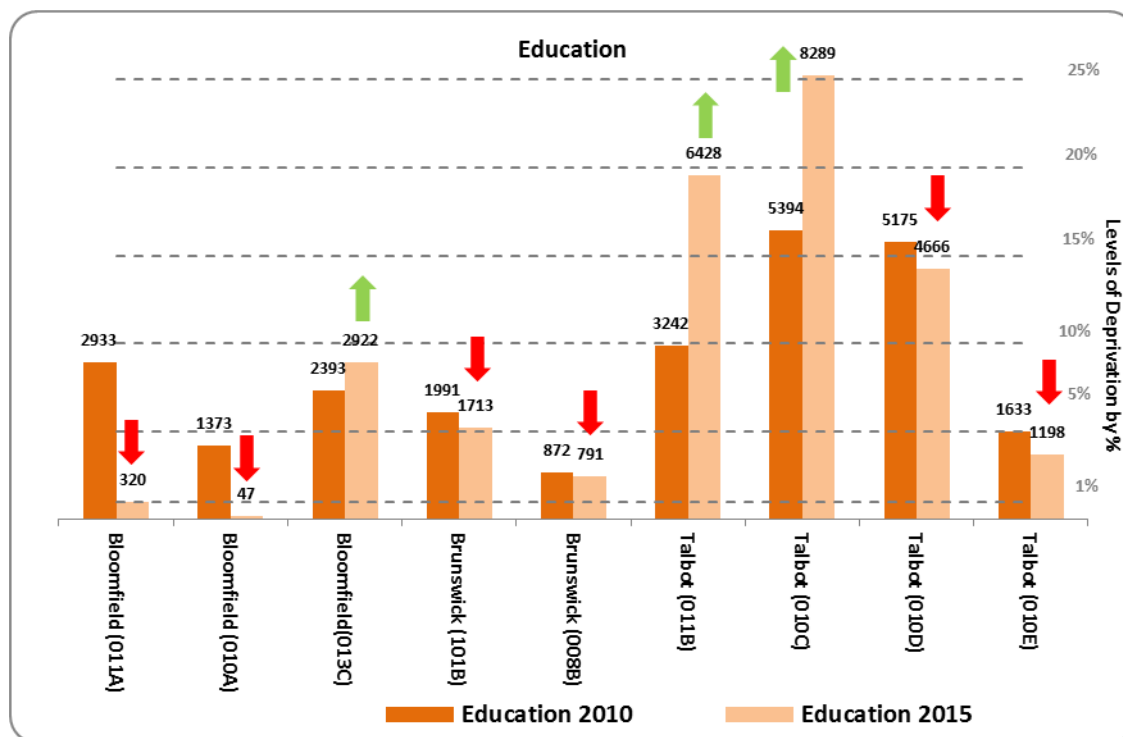
## Adult Skills sub-domain

- Adult skills: The proportion of working-age adults with no or low qualifications, women aged 25 to 59 and men aged 25 to 64
- English language proficiency: The proportion of working-age adults who cannot speak English or cannot speak English well, women aged 25 to 59 and men aged 25 to 64<sup>7</sup>

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<sup>7</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/464485/English\\_Indices\\_of\\_Deprivation\\_2015\\_-\\_Technical-Report.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/464485/English_Indices_of_Deprivation_2015_-_Technical-Report.pdf)

# Proposal to designate a selective licensing scheme in Central Area, Blackpool



Six LSOAs have seen a decline in ranking for education. Whilst some LSOA's have seen an improvement in ranking, all wards falls within the 25% of the most deprived areas within the Country for Education.

## Income Deprivation Domain

The Income Deprivation Domain measures the proportion of the population in an area experiencing deprivation relating to low income. The definition of low income used includes both those people that are out-of-work, and those that are in work but who have low earnings (and who satisfy the respective means tests).<sup>[1]</sup>

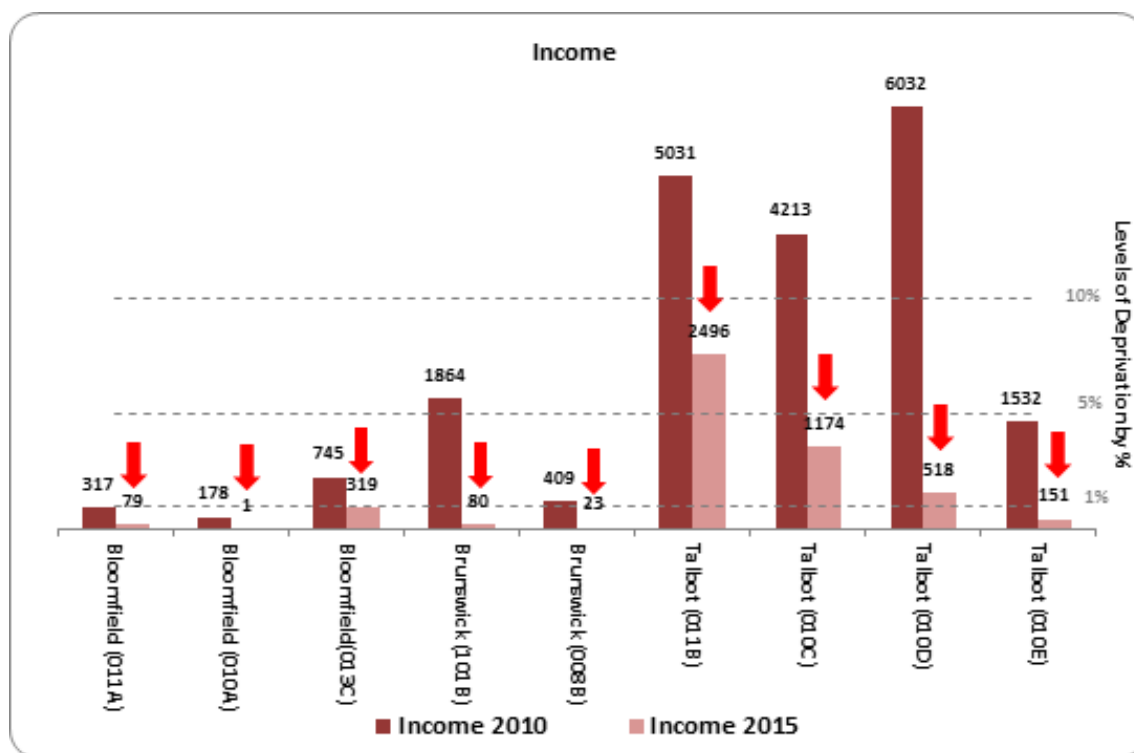
### The indicators

- Adults and children in Income Support families
- Adults and children in income-based Jobseeker's Allowance families

<sup>[1]</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/464485/English\\_Indices\\_of\\_Deprivation\\_2015\\_-\\_Technical-Report.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/464485/English_Indices_of_Deprivation_2015_-_Technical-Report.pdf)

## Proposal to designate a selective licensing scheme in Central Area, Blackpool

- Adults and children in income-based Employment and Support Allowance families
- Adults and children in Pension Credit (Guarantee) families
- Adults and children in Working Tax Credit and Child Tax Credit families not already counted, that is those who are not in receipt of Income Support, income-based Jobseeker's Allowance, income-based Employment and Support Allowance or Pension Credit (Guarantee) and whose equivalised income (excluding housing benefit) is below 60 per cent of the median before housing costs
- Asylum seekers in England in receipt of subsistence support, accommodation support, or both



There has been a significant decline in Income since 2010, particularly in Talbot. 6 wards fall within the 1% of the most deprived wards within the county.

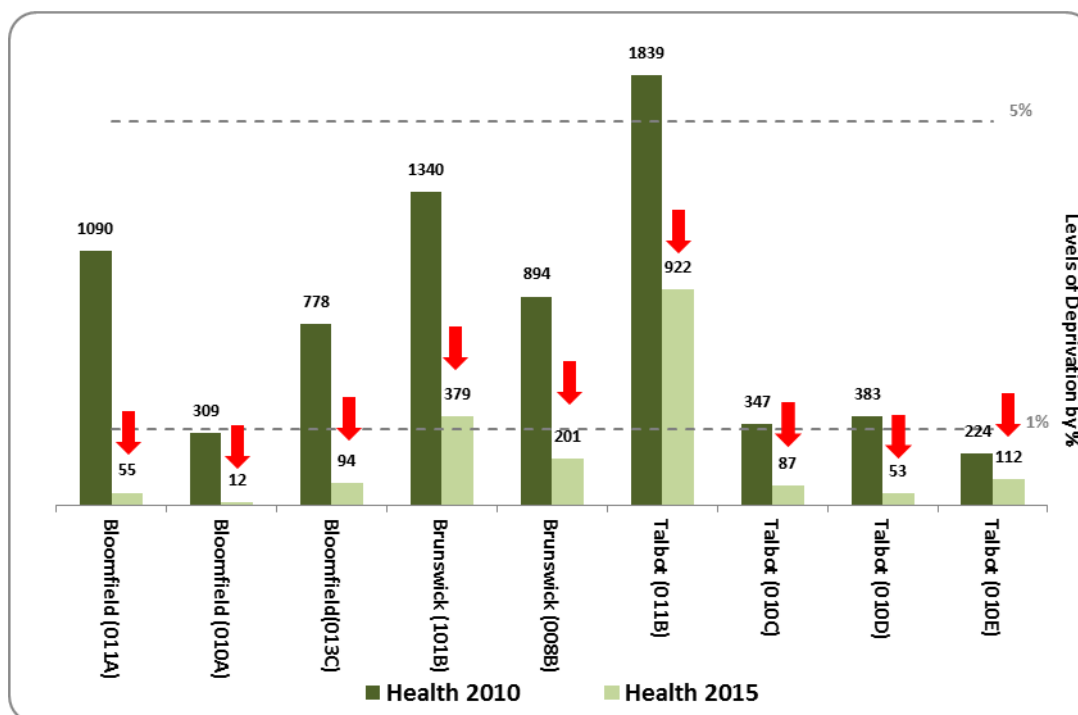
### Health Deprivation and Disability Domain

## Proposal to designate a selective licensing scheme in Central Area, Blackpool

The Health Deprivation and Disability Domain measures the risk of premature death and the impairment of quality of life through poor physical or mental health. The domain measures morbidity, disability and premature mortality but not aspects of behaviour or environment that may be predictive of future health deprivation.

The indicators

- Years of potential life lost: An age and sex standardised measure of premature death
- Comparative illness and disability ratio: An age and sex standardised morbidity/disability ratio
- Acute morbidity: An age and sex standardised rate of emergency admission to hospital
- Mood and anxiety disorders: A composite based on the rate of adults suffering from mood and anxiety disorders, hospital episodes data, suicide mortality data and health benefits data.<sup>8</sup>



<sup>8</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/464485/English\\_Indices\\_of\\_Deprivation\\_2015\\_-\\_Technical-Report.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/464485/English_Indices_of_Deprivation_2015_-_Technical-Report.pdf)

# Proposal to designate a selective licensing scheme in Central Area, Blackpool

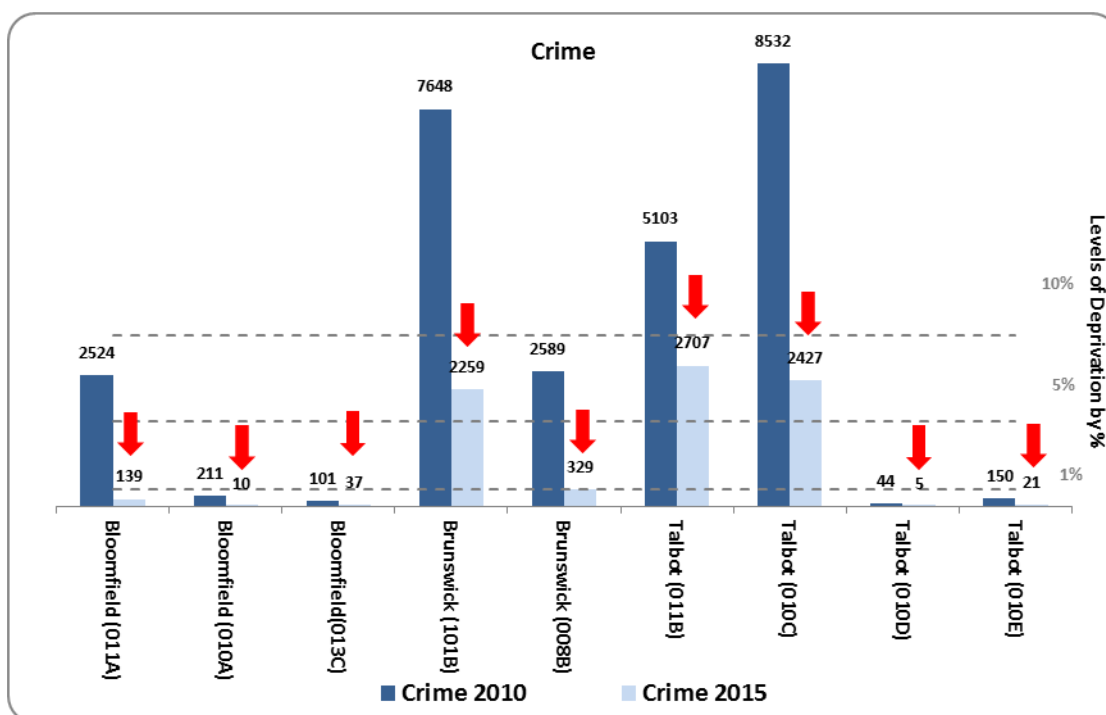
The IMD 2015 for health deprivation shows that within the proposed licensing area residents' health has deteriorated relative to other areas, particularly in parts of Bloomfield, Brunswick and Talbot. All wards fall within 5% of the most deprived in the Country with some areas falling within 1% of the unhealthiest LSOA's.

## Crime Deprivation Domain

Crime is an important feature of deprivation that has major effects on individuals and communities. The Crime Domain measures the risk of personal and material victimisation at local level.

The indicators

- Violence: The rate of violence per 1,000 at-risk population
- Burglary: The rate of burglary per 1,000 at-risk properties
- Theft: The rate of theft per 1,000 at-risk population



## Proposal to designate a selective licensing scheme in Central Area, Blackpool

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Criminal Damage: The rate of criminal damage per 1,000 at-risk populations.<sup>9</sup>

The measures applied by DCLG to rank this domain demonstrates that crime has increased within the proposed licensing areas, relative to other areas, with some parts seeing a significant decline in ranking. All areas within the proposed selective licensing scheme fall within the 10% of most deprived places in the country for crime.

### **Barriers to Housing and Services Domain**

The Barriers to Housing and Services Domain measures the physical and financial accessibility of housing and local services. The indicators fall into two sub-domains: 'geographical barriers', which relate to the physical proximity of local services, and 'wider barriers' which includes issues relating to access to housing such as affordability.

The indicators

#### *Geographical Barriers sub-domain*

Road distance to a post office: A measure of the mean distance to the closest post office for people living in the Lower-layer Super Output Area

Road distance to a primary school: A measure of the mean distance to the closest primary school for people living in the Lower-layer Super Output Area

Road distance to a general store or supermarket: A measure of the mean distance to the closest supermarket or general store for people living in the Lower-layer Super Output Area

Road distance to a GP surgery: A measure of the mean distance to the closest GP surgery for people living in the Lower-layer Super Output Area

#### *Wider Barriers sub-domain*

Household overcrowding: The proportion of all households in a Lower-layer Super Output Area which are judged to have insufficient space to meet the household's needs

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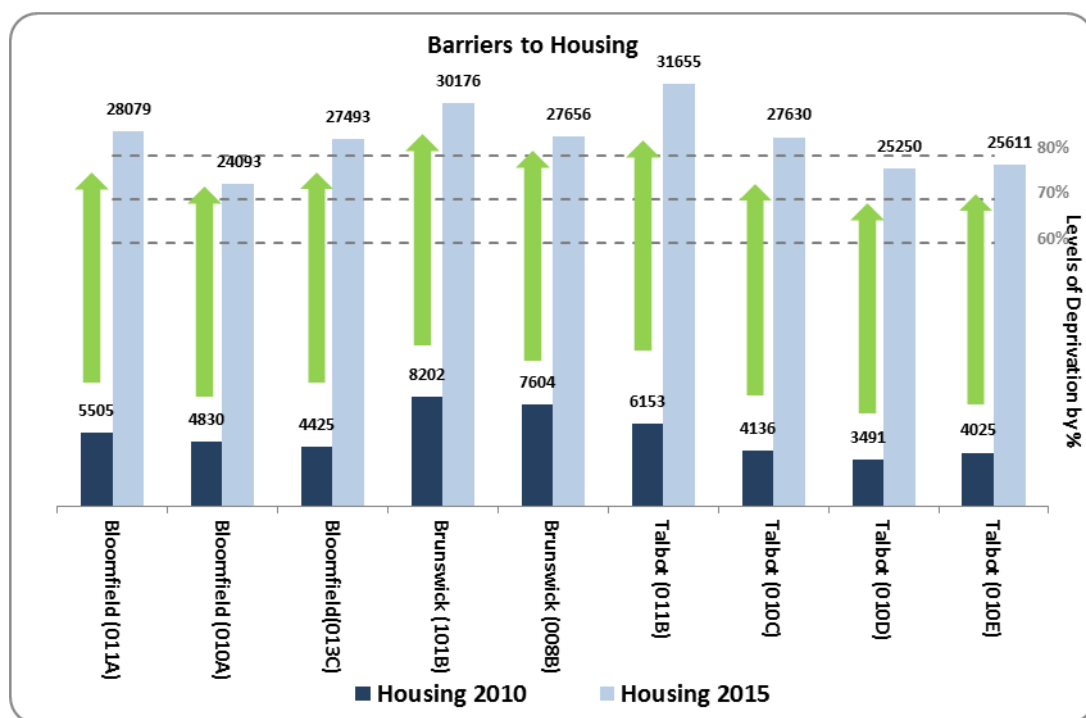
<sup>9</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/464485/English\\_Indices\\_of\\_Deprivation\\_2015\\_-\\_Technical-Report.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/464485/English_Indices_of_Deprivation_2015_-_Technical-Report.pdf)



## Proposal to designate a selective licensing scheme in Central Area, Blackpool

Homelessness: Local authority district level rate of acceptances for housing assistance under the homelessness provisions of the 1996 Housing Act, assigned to the constituent Lower-layer Super Output Areas

Housing affordability: Difficulty of access to owner-occupation or the private rental market, expressed as the inability to afford to enter owner-occupation or the private rental market.<sup>10</sup>



Since 2010 there has been a significant improvement in ranking for 'Barriers to Housing and Services' domain. All areas within the proposed licensing scheme scored above 70% demonstrating that this particular domain is considered as the least deprived within the country.

It is important to understand that this domain does not take into account actual property conditions, such as adequate heating and properties being in good decorative conditions. The emphasis is more upon the availability of local amenities and being able to access the private rental market (47% for the proposed area). There are high levels of housing benefit claimants within these areas which is supported by the findings from Employment Domain.

<sup>10</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/464485/English\\_Indices\\_of\\_Deprivation\\_2015\\_-\\_Technical-Report.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/464485/English_Indices_of_Deprivation_2015_-_Technical-Report.pdf)

# Proposal to designate a selective licensing scheme in Central Area, Blackpool

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## Living Environment Deprivation Domain

The Living Environment Deprivation Domain measures the quality of the local environment. The indicators fall into two sub-domains. The 'indoors' living environment measures the quality of housing; while the 'outdoors' living environment contains measures of air quality and road traffic accidents.

The indicators

### *Indoors sub-domain*

- Houses without central heating: The proportion of houses that do not have central heating or heating which is expensive to run.
- Housing in poor condition: The proportion of social and private homes that fail to meet the Decent Homes standard.

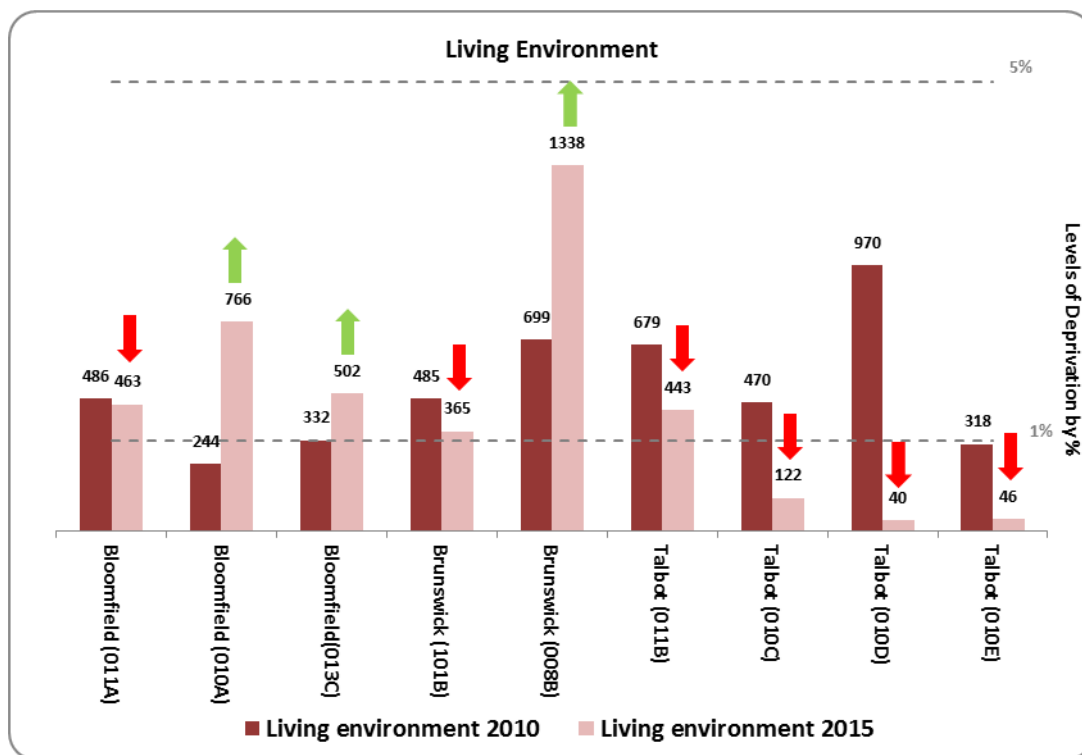
### *Outdoors sub-domain*

- Air quality: A measure of air quality based on emissions rates for four pollutants
- Road traffic accidents involving injury to pedestrians and cyclists.<sup>11</sup>

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<sup>11</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/464485/English\\_Indices\\_of\\_Deprivation\\_2015\\_-\\_Technical-Report.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/464485/English_Indices_of_Deprivation_2015_-_Technical-Report.pdf)

## Proposal to designate a selective licensing scheme in Central Area, Blackpool

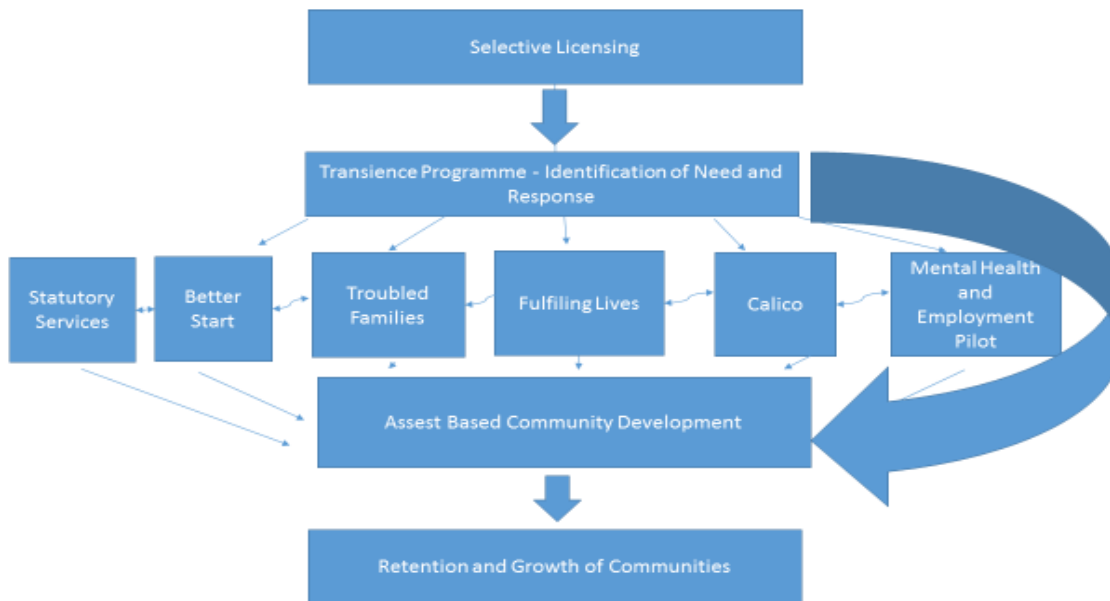


Whilst some areas within the proposed licensing area have seen an improvement in ranking for the domain of Living Environment, most LSOA's have seen a decline. All LSOA's are considered to be within the 5% of the worst areas within the country emphasising the need to improve property conditions.

Linking deprivation back to the Council's wider strategies and initiatives, alongside the licensing schemes, Blackpool Council obtained external funding to deliver a Transience Project aimed at locating the most vulnerable and deprived members of the town and working with them by providing them access to support services. The model for the project is illustrated below.

# Proposal to designate a selective licensing scheme in Central Area, Blackpool

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Licensing is not used as a standalone tool, and we feel it is important to address both the people and the property in order to make a real difference to the levels of deprivation in Blackpool.

# Proposal to designate a selective licensing scheme in Central Area, Blackpool

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## 11.4 Poor Property Conditions

The Selective Licensing Guidance stipulates that Councils must demonstrate that to use the criterion of poor property conditions:

*(a) that having carried out a review of housing conditions under section 3(1) of the 2004 Act, the local housing authority considers it would be appropriate for a significant number of the properties referred to in article 3(1) (a) to be inspected, with a view to determining whether any category 1 or category 2 hazards exist on the premises (1);*

*(b) that the local housing authority intends to carry out such inspections as referred to in sub-paragraph (a), with a view to carrying out any necessary enforcement action; and*

*(c) that making a designation will, when combined with other measures taken in the area by the local housing authority, or by other persons together with the local housing authority, including any licence conditions imposed under section 90 of the 2004 Act, contribute to an improvement in general housing conditions in the area.*

As part of the additional licensing inspection programme in the Central area, a multi-agency team have been 'sweeping' the area and attempting to get property details for as many properties in the area as possible as part of the Council's area housing condition review. The statistics below demonstrate that since the inspections began on 5<sup>th</sup> October 2016, a total of 175 properties have been accessed, and as a result, 66 schedules of work have been issued following the identification of a total of 814 hazards: 95 Category 1 and 719 Category 2.

It is important to note that a high number of these hazards have been found in non-HMO properties which are not covered under the additional licensing scheme but would however fall under the remit of a selective licensing scheme. In just three months, these figures highlight the need for the introduction of selective licensing in this area:

<b>CAT 1</b>		<b>HMO</b>	<b>Non-HMO</b>
Hazard 02 Excess Cold	88	36	52
Hazard 11 Crowding and Space	1	1	0
Hazard 12 Entry by Intruders	1	1	0
Hazard 23 Electrical Hazards	1	0	1
Hazard 24 Fire	4	4	0

## Proposal to designate a selective licensing scheme in Central Area, Blackpool

<b>TOTAL</b>	<b>95</b>	<b>42</b>	<b>53</b>
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<b>CAT 2</b>		<b>HMO</b>	<b>Non-HMO</b>
Hazard 01 Damp and mould growth	150	45	105
Hazard 02 Excess Cold	2	0	2
Hazard 03 Excess Heat	3	0	3
Hazard 06.1 Carbon monoxide	6	3	3
Hazard 09 Uncombusted fuel gas	12	4	8
Hazard 11 Crowding and Space	1	0	1
Hazard 12 Entry by Intruders	22	13	9
Hazard 13 Lighting	5	3	2
Hazard 15 Domestic Hygiene, Pests and Refuse	30	12	18
Hazard 16 Food Safety	72	29	43
Hazard 17 Personal Hygiene, Sanitation, Drainage	63	26	37
Hazard 19 Falls associated with Baths etc.	1	0	1
Hazard 20 Falling on Level Surfaces etc.	39	18	21
Hazard 21 Falling on Stairs etc.	37	15	22
Hazard 22 Falling between Levels	37	16	21
Hazard 23 Electrical Hazards	37	16	21
Hazard 24 Fire	111	69	42
Hazard 25 Flames, Hot Surfaces etc.	25	10	15
Hazard 26.1 Collision and Entrapment	27	11	16
Hazard 28 Position and Operability of Amenities	11	4	7
Hazard 29 Structural Collapse and Falling Elements	28	6	22
<b>TOTAL</b>	<b>719</b>	<b>300</b>	<b>419</b>

The above information gives a very clear and compelling picture and confirms that poor property conditions within inner Blackpool are not restricted to houses of multiple occupation, but highlights the wider issues across the area which would be addressed by selective licensing. We would be able to get behind the front doors of the most vulnerable residents within the town who do not live in HMO's. Blackpool Council are committed to carrying out inspections in these properties with a view to carrying out any necessary enforcement action, but also working with landlords to provide advice and assistance

## Proposal to designate a selective licensing scheme in Central Area, Blackpool

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in bringing their properties up to standard. We have recently offered subsidised financial support to landlords through the Central Heating Fund and also through other ECO funding and government grants to improve energy efficiency in the private rented sector, however we have received a disappointingly low take up of these measures from landlords. Selective licensing would enable us to identify poor property conditions and management, and work directly with landlords to improve conditions across the sector. There is also a real need to undertake this role to ensure the safety and security of tenants, who in a high proportion of cases will be some of the most vulnerable in the town.

Information from Blackpool Council's housing waiting list supports the prevalence of poor property conditions in the private rented sector. In April 2015 – March 2016 Blackpool Council's Housing Options Team received 113 applications for rehousing from tenants living in privately rented properties on the grounds that their properties were in a poor condition.

Figures from the Office of National Statistics show that in the private rented sector there are more non decent properties which are in serious disrepair than in other tenures. Furthermore, there are more properties with high levels of fuel inefficiency and poor quality of environment than any other tenure.

NHS Blackpool research in 2010 found that Bloomfield, Talbot, and Brunswick had a significantly higher number of Job Seekers Allowance (JSA) claimants than the Blackpool average, as well as significantly more claiming Invalidity Benefit (IVB), Severe Disablement Allowance (SDA) and Disability Living Allowance (DLA). They also had a significantly worse level of emergency hospital admissions and levels of mortality. When asked about their levels of health and disabilities, local residents gave answers that were again significantly worse than the Blackpool average in all three ward areas.

### *The Impacts of poor housing on health*

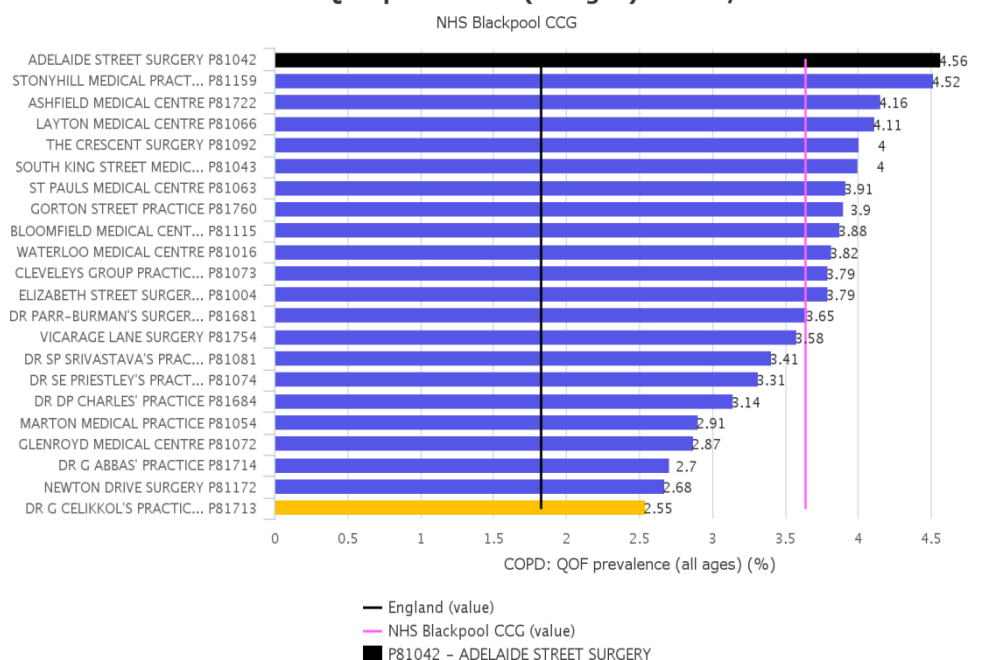
Poor housing conditions have a detrimental impact on health, costing the NHS at least £600 million per year. Research based on the various sources of housing and health data suggests that poor housing is associated with increased risk of cardiovascular diseases, respiratory diseases and depression and anxiety.<sup>12</sup> Adelaide Street Surgery is located in the heart of the Talbot ward within the proposed licensing area. It looks after the health needs of approximately 10,786 residents in the locality and has recorded the highest rate of respiratory disease in all the surgeries located within the Blackpool CCG

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<sup>12</sup> [http://www.parliament.uk/documents/post/postpn\\_371-housing\\_health\\_h.pdf](http://www.parliament.uk/documents/post/postpn_371-housing_health_h.pdf)

# Proposal to designate a selective licensing scheme in Central Area, Blackpool

**COPD: QOF prevalence (all ages) - 2014/15**



For many individuals According to the Chartered Institute of Environmental Health (CIEH) there is a strong link between mental health problems and insecure, poor quality and overcrowded homes. These environments compound the mental health issues, such as increased noise and the chaotic way of living, especially if overcrowded. Tenants may also find themselves isolated and without support mechanisms. Substandard housing has also been found to impact on socio-emotional development, psychological distress, behavioural problems, and educational outcomes of children and young people. There is a growing base of evidence to indicate that very young children under school age are very susceptible to long term mental health issues, such as anxiety and depression, if they are in substandard housing. Some evidence also suggests that there is also a greater impact on women, at home alone, especially if a single parent; and older people who due to disability, lack of simple interventions such as handrails or other support mechanisms find themselves housebound and socially isolated.

Interventions that improve housing conditions have been shown to result in improvements on mental health measures, including reduced anxiety or depression, psychological distress, and improved patient reported health score. Providing a warm home has been clearly shown to benefit both young and old in relation to their feeling of wellbeing as well as reducing the physical risks that can arise from cold homes.



## Proposal to designate a selective licensing scheme in Central Area, Blackpool

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Children are most likely to live in overcrowded housing compared with working age adults and pensioners. There is building evidence that living in a crowded home can have a negative impact on a child's development and educational attainment. Overcrowding may have both direct and indirect effects. The latter are of course less easily measured. For example, children's education may be affected by overcrowding directly, through a lack of space for homework, as well as indirectly because of school absences caused by illness, which may be related to overcrowding.

Qualitative research, with small numbers of families, has revealed a link between overcrowding and: stress, tension, and sometimes family break-up; anxiety and depression; a lack of privacy, particularly for adolescents and disrupted sleep patterns, which for the young can lead to problems with cognitive development, reading skills and sometimes even the ability to speak with clarity which ultimately will impact on their education and health. The chaotic sleeping arrangements were an underlying cause of many mental health effects.

Excess cold also has an impact with clear evidence linking home temperatures and mental health. The evaluation of the UK Warm Front Scheme, found that increasing the warmth of homes had a clear impact on mental health – those with bedroom temperatures of 21 degrees C were 50% less likely to experience depression and anxiety than those whose bedrooms were only 15 degrees C.

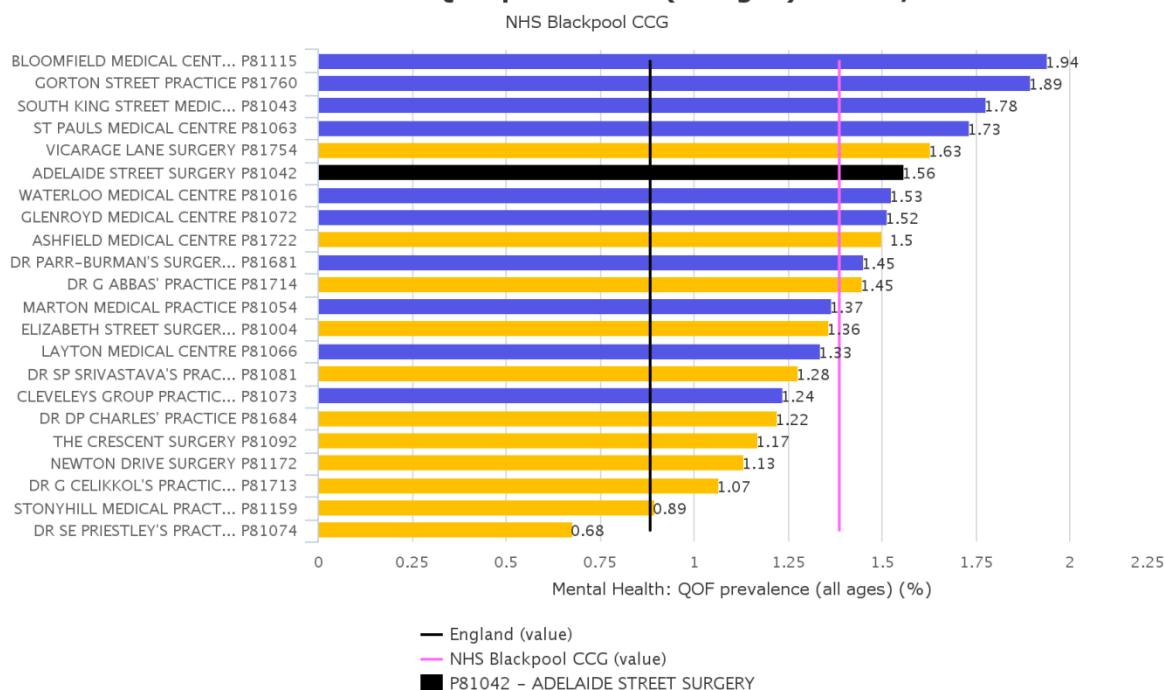
Other housing hazards such as condensation, damp and mould; noise; pests; living in flats; draughts and the age of homes have also been shown to have some connection to mental health.

The cost to the NHS and society of poor housing conditions is already well documented; however current cost estimates often do not include impacts on mental health. This means that it is possible that cost savings would in fact increase due to the reduction in mental illness – which costs England at least £105bn each year. In addition, the social and economic costs associated with mental ill health – in terms of personal suffering and family and community impacts as well as costs to employment and benefits payments – would likely decrease.

In terms of those number of patients in the local area being diagnosed with mental health conditions the top three surgeries within the Blackpool CCG boundary are Bloomfield Medical Centre, Gorton Street Practice and South King Street Medical Centre with Adelaide Street Surgery in 6<sup>th</sup> position. Patients attending these three surgeries are predominantly in areas of high concentration of private rented accommodation and fall within the proposed selective licensing designation. These reported levels are significantly higher than the average for England.

## Proposal to designate a selective licensing scheme in Central Area, Blackpool

**Mental Health: QOF prevalence (all ages) - 2014/15**



Blackpool Council's Public Health Annual Report 2014 states that 26% of houses in the most deprived areas are not meeting the Decent Homes Standard compared to 17% in the most affluent areas. The highest proportion of homes that do not meet the Decent Homes Standard are found to be in the private rented sector. This is a significant issue for Blackpool where over a quarter (26.1%) of residents live in privately rented accommodation; a much higher proportion than is seen in the North West (15.4%) or across England (16.8%).

The high number of improvement notices issued under Part 1 of the Housing Act 2004 by Blackpool Council's Housing Enforcement Team evidences the poor condition of properties within the inner areas.

Fuel poverty refers to a household that cannot afford to heat their home to an adequate standard impacting on their health and wellbeing. The quality of housing, the cost of energy and the household income are all contributing factors in determining whether a household finds itself in fuel poverty. In Blackpool 13.5% of households experience fuel poverty compared to 10.4% of households in England.

Around two thirds of all homes that fail the Decent Homes Standard do so because of the lack of thermal comfort, poor energy efficiency or inadequate heating systems. There are many more

## Proposal to designate a selective licensing scheme in Central Area, Blackpool

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vulnerable people living in private homes that fail to meet the Decent Homes Standard in Blackpool than the national average (40.6% as opposed to 23.6% nationally).

Homelessness charity Shelter has highlighted research from a YouGov survey in 2014 showing 10% of 4,544 private renters in England suffered ill health in the past 12 months because their private rented housing was of a poor state.

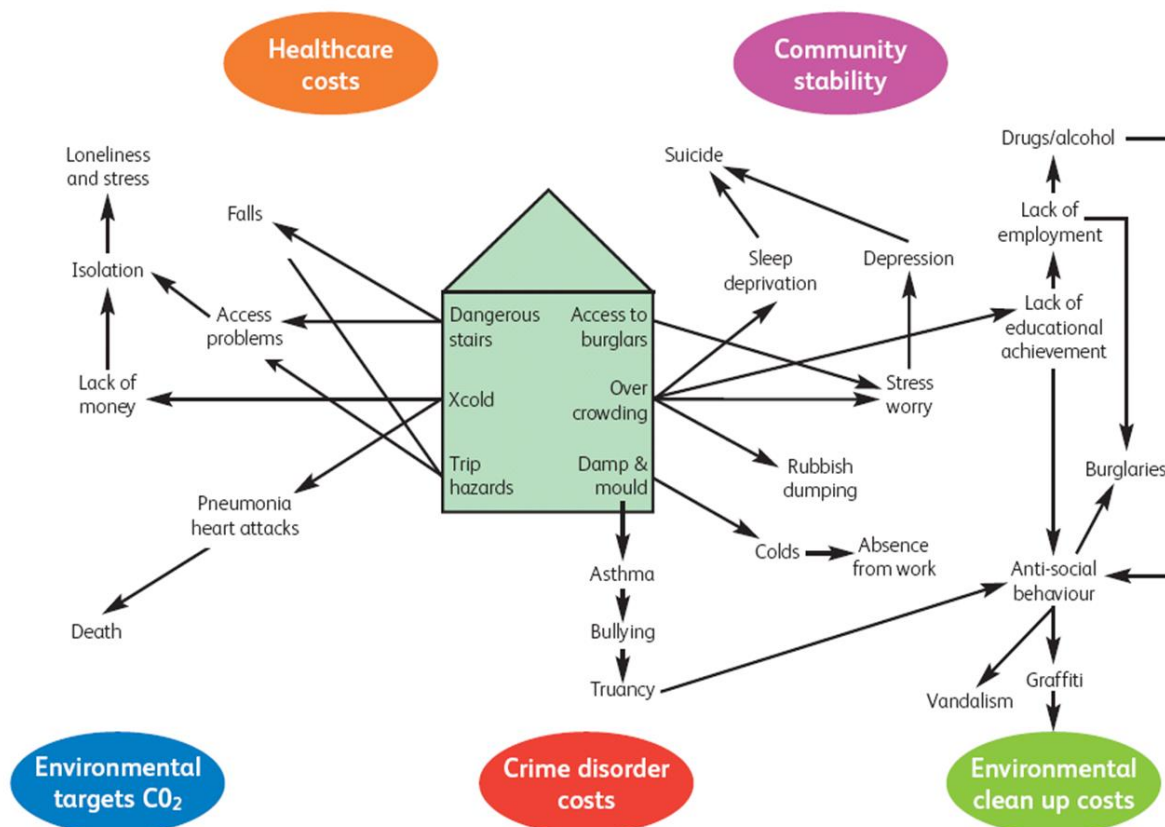
5% of the respondents also said that their family had been threatened with eviction because they told their landlord they would complain to the local council. 2% said they were actually evicted, or served a notice, because they had asked a landlord to carry out repairs and maintenance on their home.

Almost half of the respondents to the survey (48%) said they lived in a property with mould and 44% in a home with damp. These can cause health conditions such as asthma and eczema. Nearly a fifth (19%) lived in accommodation with electrical hazards and 18% reported their homes were infested with animals such as mice, ants and cockroaches.

The Marmott review into health inequalities in England, 'Fair Society, Healthy Lives (2010)' found that mental health conditions such as depression, stress and anxiety are negatively affected by fuel poverty and cold housing, and more than 1 in 4 adolescents living in cold housing are at risk of multiple mental health problems compared to 1 in 20 adolescents who have always lived in warm housing. Cold housing increases the level of minor illnesses such as colds and flu and exacerbates existing conditions such as arthritis and rheumatism. The report also found an indirect link between cold housing and fuel poverty with children's educational attainment, emotional wellbeing and resilience; dietary opportunities and choices; and dexterity and an increased risk of accidents and injuries in the home.

The links between poor housing conditions and public health are further linked below, illustrated by a diagram taken from CIEH, "Good housing leads to good health" (2008). Poor conditions such as overcrowding, damp, indoor pollutants and cold have all shown to be associated with physical illnesses including eczema, hypothermia and heart disease. Housing can also impact on mental health as families try to cope with the stress of living in cold, damp conditions.

# Proposal to designate a selective licensing scheme in Central Area, Blackpool



Bloomfield Ward in Blackpool is the most deprived Ward in England and as such fuel poverty and affordable warmth are a major issue. According to statistics from the Department of Energy and Climate Change (DECC) published on 30<sup>th</sup> June 2016, Bloomfield ward has the highest percentage of households in fuel poverty, with an average across the ward of 27.3%. As a numerical value this is an estimated 856 households in the Bloomfield ward who are fuel poor. In the Talbot ward the percentage was slightly lower at 20.4% with an estimated 652 households in fuel poverty and 18% in the Brunswick ward with an average of 614 households who are fuel poor. This shows the high level in these wards in comparison to other wards of Blackpool such as Park ward with 10.3% and Stanley ward with 7.5%. The Blackpool average of those households who are fuel poor is third highest in the North West with a percentage figure of 13.2% with an estimated 8633 households in fuel poverty. According to these figures this shows that 25% of all those 8633 households estimated to be living in fuel poverty in Blackpool live in the three wards of Bloomfield, Talbot and Brunswick.

## Proposal to designate a selective licensing scheme in Central Area, Blackpool

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A mapping exercise laying health data across Blackpool also shows high levels of cold related health conditions in this Ward, conditions which are generally linked to poor and under-heated housing. The build type and condition of the housing stock in this area rules out easy to treat insulation measures. To date in Bloomfield Ward 706 external wall insulation measures have been installed partly using Central Government funding with additional funding from Public Health to subsidise the cost of installation. The reasoning behind implementing these measures from a Council and Public Health perspective is to improve resident's homes making them a warmer healthier environment.

Residents have reported seeing a difference in their annual fuel bills and have noticed how much warmer their homes are. The intention is to continue the programme in this area and other LSOA's in Blackpool, but without continued support from Public Health this is unlikely to go ahead.

### Review of Property Conditions in Blackpool

The 2008 Private Sector House Condition Survey showed that 38.7% of all private sector dwellings in Blackpool were classed as non-decent compared to an average 27.1% for England. The same survey found that poor housing conditions in Blackpool were mostly associated with pre 1919 properties, the private rented sector, converted flats, occupiers on the lowest incomes and those in receipt of benefits. 46.7% of private sector dwellings occupied by vulnerable tenants are estimated to be non-decent with the majority being concentrated in inner Blackpool.

Linking poor property conditions back to the Council's wider strategies and initiatives, in order to achieve the objectives set out in the Homelessness Prevention Strategy, the introduction of selective licensing alongside other tools would enable Blackpool Council to work with landlords to improve standards of accommodation and address issues that could potentially result in private sector tenants presenting as homeless within the designated area.

# Proposal to designate a selective licensing scheme in Central Area, Blackpool

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## **12. How Selective Licensing will support reduced ASB and crime, lower levels of deprivation, and improved property conditions**

### ASB and Crime

Poor management by a significant number of landlords is a major contributor to issues that affect local residents, which can be demonstrated through the day to day work of the Police and Blackpool Council's Enforcement Team. There is strong evidence that many landlords are willing to house tenants without conducting appropriate reference checks or who are known to have a history of causing problems. Many properties are in such a poor quality within the proposed licensing area that it attracts people whom live chaotic lifestyles which more often than not contribute to negative activities in the area such as ASB.

The scale of the issues is such that just focusing on the limited number of individual enforcement actions that result from tenants' complaints is insufficient to address the widespread issues. By licensing these properties it is possible to require landlords to ensure that their tenants are suitable and behave in a way which reduces the risk of their tenants or visitors engaging in nuisance or ASB.

Selective licensing would mean landlords must adhere to the license conditions, to ensure that their premises comply with minimum standards of fire safety and security against burglary. Landlords will be made to ensure they are obtaining tenant references that show the tenant has a good history and is not likely to commit anti-social behaviour or crime.

Through licensing conditions the landlord has to ensure that the premises comply with the space and amenity standards and assessed alongside legislative requirements- see Fylde Coast Amenity and Space Standards guidance.

All properties should have a valid Energy Performance Certificate, which works to safeguard the health and wellbeing of the occupants with regards to the reduction of fuel poverty and national energy efficiency measures. They must be aware of the statutory requirements for EPCs.

Landlords will be required to undertake training, where appropriate, and be able to prove they are competent in meeting the licence conditions and have the right knowledge and experience to maintain their tenants and offer a quality offer of accommodation. This will enable the local authority to provide licence holders with the knowledge and expertise to improve the management of their properties and reduce ASB.

Landlords are also required to provide the local authority with a management plan about how they will deal with complaints of anti-social behaviour regarding their tenants. This will safeguard the wellbeing

## Proposal to designate a selective licensing scheme in Central Area, Blackpool

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of occupants, persons visiting the premises and persons in the immediate locality and help to reduce ASB.

### Deprivation

Selective licensing will give us the opportunity to get behind the front door of properties we may never otherwise be able to. Those vulnerable people living behind those front doors may never otherwise get access to the support and assistance local authority staff and partners can provide through the inspection process. This document provides some case studies however the positive impact on life chances and future quality of life can also be told by those support services who work with us. Police and Fire clearly see the benefits, on individual people; families and more widely on communities. South Beach now can demonstrate stronger and more resilient communities and hoteliers in the area have already been contacting Blackpool Council requesting for a new scheme for a further five years following the expiry of the current scheme in March 2017.

### Property Conditions

A high proportion of properties in the private rented sector in the Central area are old and poorly converted. Age is particularly an issue from the Planning Enforcement Team's view, and selective licensing could enable the inspections of many properties which are in need of modernisation and improvements both internally and externally. An example of where selective licensing could encourage more landlords to improve the standard of their properties is detailed below. A property in South Beach was referred to planning enforcement in 2012 by the selective licensing team for poor condition of the property. A letter was issued to the owner requiring improvements to be carried out to the property. Unfortunately no works were carried out, so a s215 notice was authorised and served. The owner was given a period of four months to comply with the works. A visit four months later revealed that some works had been carried out – half of the front of the property had been painted, the front gate had been removed, but a window to the rear had been smashed. A further five months later no further works had been completed, so papers were passed to Legal Services to commence prosecution of the owner for failure to comply with the s215 notice. An initial court hearing was scheduled but then adjourned due to the owner's ill health; a further hearing was scheduled but was once again adjourned, this time due to the owner re-commencing works. 22 months after the initial letter was issued to the owner, they had completed all the required works, so prosecution was withdrawn and the owner accepted a simple caution. This work meant that the owner benefitted from being able to offer a better standard of accommodation; the tenants were able to benefit from a better and safer place to live; and the community benefitted from significant improvements in the external frontage of the property.



## Proposal to designate a selective licensing scheme in Central Area, Blackpool

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The next section will give an overview of the achievements in South Beach following the introduction of Selective Licensing. A comprehensive evaluation will be carried out at the end of the scheme however it is important to note here that we can demonstrate that previous selective licensing schemes in Blackpool have made a real difference and reduced anti-social behaviour and crime; raised the aspirations of tenants living in the area; encouraged more stabilised and sustainable communities and engagement from landlords who are now offering a higher standard of accommodation.

Having now also had the opportunity to evaluate the first three months of the additional licensing scheme in this area we now feel we are able to benefit from the information contained within this report around the number of hazards identified and the number of vulnerable residents that we have been able to support and signpost into support services as part of our unique multi-agency approach to licensing. It is important to highlight the benefits of such a holistic approach. We now feel that this information supports our proposal to introduce selective licensing and, having seen the extent of issues being identified we feel that now is the right time to proceed with this proposal.



# Proposal to designate a selective licensing scheme in Central Area, Blackpool

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## 13. Experiences of previous schemes

The selective licensing scheme in South Beach started in March 2012 and by 31<sup>st</sup> May 2013 99% of all landlords and managing agents in the area had complied in applying for a licence.

A comprehensive programme of inspections of private rented properties started in September 2012 in order to see if licence conditions are being complied with and this has identified a number of management issues where further action has been necessary. The programme led to:

- A 40% reduction in personal, environmental and nuisance ASB (that is directly linked to private rented properties and excludes night time economy and commercial properties).
- A 75% reduction in environmental ASB in the area, whilst fly tipping in alleys remains a key concern for residents.
- A 44% reduction in drug related crime, 17% in theft related crime; 8.2% reduction in violent crime and a 40% reduction in alcohol related crime.

For the duration of the scheme South Beach has benefitted from a dedicated ASB officer and Housing Enforcement Officer (HEO). As well as the engagement and partnership activity in addition the officers operate a complaints and enquiry service with a telephone answer service available 7 days a week. They complete weekly walkabouts in the area, so are highly visible and known to local residents.

To illustrate the complex nature of the ASB role an evaluation took place from the 1st April 2016 to identify an average week in the life of an ASB officer in South Beach. During the week the officer received 34 ASB complaints which were dealt with immediately and the opening of 11 new cases consisting of ASB of more complex nature requiring referrals and input from partners and dealt with 207 follow up actions.

By the end of the inspection programme our multi-agency team had:

- Engaged over 48% of South Beach residents with a continuing on- going process of engagement – some with complex, multiple needs (41%);
- Supported 39 people with complex needs into employment, for 26 of those people this was their first experience of employment;
- Supported residents with health, social care and other needs, 19% of the total population South Beach:

## Proposal to designate a selective licensing scheme in Central Area, Blackpool

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- 26% received brief interventions around drugs and alcohol of which 7% were new and previously disengaged clients provided with support to remain engaged of which 75% of clients successfully completed treatment;
- 21% were registered with local GP's and dentists;
- 30% received social inclusion interventions;
- 23% received other health related support;
- 12% were referred into service for adult social care needs (including community mental health and Occupational therapy);
- 14% were supported for lower level adult social care needs.

# Proposal to designate a selective licensing scheme in Central Area, Blackpool

## APPENDIX 1 CENTRAL DESIGNATED AREA NAMES

Streets in proposed Central Designated Area Page 1		
Abingdon Street	Buchanan Street	Devonshire Road (2-180 & 1-155)
Adelaide Street	Butler Street	Durham Road
Adelaide Street West	Cambridge Road	East Topping Street
Adelphi Street	Counce Street (2-180 & 1-131)	Edelston Road
Albert Road	Cedar Square	Edward Street
Alfred Street	Central Drive	Elizabeth Street
Anderson Street	Chadwick Street	Erdington Road
Back Ribble Road	Charles Street	Fairhurst Street
Back Church Street	Charnley Road	Fenton Road
Back Read Road	Church Street	Field Street
Bank Hey Street	Clifton Street	Fisher Street
Baron Road	Clinton Avenue	Fleet Street
Belmont Avenue	Coleridge Road (36-78 & 29-69)	Freckleton Street
Bethesda Road	Cookson Street	Gainsborough Road
Birley Street	Coronation Street	George Street
Bloomfield Road (31-67 & 76-92)	Corporation Street	Gloucester Avenue (odds)
Boothley Road (evens)	Deansgate	Gloucester Court

## Proposal to designate a selective licensing scheme in Central Area, Blackpool

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### Streets in proposed Central Designated Area Page 2

Gorton Street	Jameson Street	Milbourne Street
Granville Road (1-27 & 2-100)	Kent Road	Montrose Avenue
Grosvenor Street	King Street	Orme Street
Handley Road	King Street South	Oxford Road
Harrison Street	Leamington Road	Palatine Road
Havelock Street	Leeds Road	Park Road (1-147 & 2-100)
Henry Street	Leicester Road	St John's Court
Heywood Street	Leopold Grove	Parker Street
Hornby Road	Lincoln Road	Peter Street
Lawn Court	Liverpool Road	Platt Street
Hornby Court	Livingstone Road	Portland Road
Park Court	Longton Road	Princess Court
Lincoln Court	Louise Street	Princess Street
Courtfields	Manor Road	Princess Court (50-52 & 27-35)
Hull Road	Market Street	Priory Court
Ibbison Court	Maudland Road	Promenade
Iddon Court	Middle Street	Raikes Mews

## Proposal to designate a selective licensing scheme in Central Area, Blackpool

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### Streets in proposed Central Designated Area Page 3

Raikes Parade	South King Street	Winstanley Grove
Reads Avenue	St Albans Road	Wood Street
Regent Road East	St Heliers Road	Woolman Road
Regent Road	Stanley Road	
Ribble Road	Stansfield Street	
Rigby Road (100)	Talbot Road (20-286)	
Ripon Road	Talbot Square	
Rishton Street	Topping Street	
Rydal Avenue	Vance Road	
Salthouse Avenue	Victoria Street	
Sands Way	Victory Road	
Saville Road	West Street	
Seed Street	Westbourne Avenue	
Selbourne Road	West View	
St Georges Court	Westwell Grove	
Selby Avenue	Whitegate Drive	
Seymour Road	Whiteside Street	
Sheppard Street	Winifred Street	

## Proposal to designate a selective licensing scheme in Central Area, Blackpool

<u>APPENDIX 2: PROPOSED SELECTIVE LICENCE CONDITIONS</u>	
<u>Conditions of Selective Licences under Part 3 of the Housing Act 2004</u>	
1	Gas
	<p>If gas is supplied to the house, the licence holder must provide to Blackpool Council a Gas Safety Certificate issued within the previous 12 months at the time of the application and thereafter annually or on demand.</p> <p>Reason: Mandatory condition required by Schedule 4 of the Housing Act 2004</p>
2	Electrical Appliances
	<p>The Licence Holder must keep all electrical appliances and furniture supplied in a safe condition and must provide a declaration as to their safety at the time of application and thereafter on demand.</p> <p>Reason: Mandatory condition required by Schedule 4 of the Housing Act 2004</p>
3	Furniture and Furnishings
	<p>The Licence Holder must ensure that furniture and furnishings supplied by them are compliant with the Furniture and Furnishings (Fire) (Safety) Regulations 1988 (as amended 1989 and 1993) and must provide a declaration as to their safety at the time of application and thereafter on demand.</p> <p>Reason: Mandatory condition required by Schedule 4 of the Housing Act 2004</p>
4	Smoke Alarms:
	<p>The Licence Holder must ensure that smoke alarms are installed in the property and kept in proper working order and provide a declaration as to their condition and positioning to Blackpool Council on demand</p> <p>Reason: Mandatory condition required by Schedule 4 of the Housing Act 2004 &amp; to comply with minimum fire safety standards LACORS</p>
5	Tenant references
	The licence holder must demand references from persons who wish to occupy the house and must

## Proposal to designate a selective licensing scheme in Central Area, Blackpool

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	<p>provide evidence of pre-let reference checks undertaken to the Council upon request.</p> <p>Reason: Mandatory condition required by Schedule 4 of the Housing Act 2004</p>
6	<p><b>Terms of Occupation:</b></p>
	<p>The Licence Holder must supply to the occupiers of the house a written statement of the terms on which they occupy the property. A copy of the terms will be provided to the Council on demand.</p> <p>Reason: Mandatory condition required by Schedule 4 of the Housing Act 2004</p>
7	<p><b>Numbers of Occupiers</b></p>
	<p>The Licence Holder must ensure that rooms other than bedrooms are not used for sleeping purposes.</p> <p>Reason: to ensure that the premises comply with the space and amenity standards and assessed alongside legislative requirements- see Fylde Coast Amenity and Space Standards guidance</p>
8	<p><b>Energy Efficiency</b></p>
	<p>Each new tenancy will require an Energy Performance Certificate.</p> <p>Reason: To safeguard the health and wellbeing of the occupants with regards to the reduction of fuel poverty and national energy efficiency measures and to be aware of the statutory requirements for Energy Performance Certificates (EPCs).</p>
9	<p><b>Property Management</b></p>
	<p>The Licence Holder must ensure that:-</p> <p>All repairs to the house or any installations, facilities or equipment within it are carried out by competent and reputable persons.</p> <p>All occupants of the house receive written confirmation detailing arrangements in place to deal with repairs and emergencies and report nuisance and anti-social behaviour.</p> <p>If accommodation is provided on a furnished basis and includes electrical appliances, the Licence Holder must provide the occupier copies of user manuals or equipment provided as part of the agreement for the occupation of the house.</p>

## Proposal to designate a selective licensing scheme in Central Area, Blackpool

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	<p>All occupiers are made aware of the licence and conditions.</p> <p>Reason: to safeguard the health, safety and wellbeing of occupants and to reduce Anti-Social Behaviour (ASB).</p>
10	<p><b>Common Areas</b></p> <p>Where the dwelling is a flat in a block and the licence holder is the owner or manager of the block, the licence holder must ensure that:</p> <p>Common areas, including shared living rooms, kitchens, hallways, etc. are not used for sleeping, either by tenants or their guests;</p> <p>Corridors, stairways and lobbies are fitted with emergency lighting in accordance with BS5266;</p> <p>A cleaning regime is demonstrated on request to ensure that all corridors, stairways, lobbies and all exit routes are kept free from obstruction and combustible material;</p> <p>Smoking is not permitted in any common areas and ‘no smoking’ signs should be displayed where the dwelling is a flat in a block and the Licence Holder is the owner or manager of the block. (Health Act 2006).</p> <p>Reason: to safeguard the health, safety and wellbeing of occupants in the event of fire.</p>
11	<p><b>Fire Safety</b></p> <p>The Licence Holder will inform the local authority of any changes to the positioning of smoke alarms and if the property is a house in multiple occupation, produce a Fire detection and alarm certificate on request.</p> <p>Reason: to safeguard the health, safety and wellbeing of occupants in the event of fire. The Fire Safety Guidance is provided by LACORS, see <a href="http://www.lacors.gov.uk">www.lacors.gov.uk</a>. <a href="http://www.lacors.gov.uk/lacors/upload/19175.pdf">http://www.lacors.gov.uk/lacors/upload/19175.pdf</a> The Housing- Fire Safety guidance on fire safety provisions for certain types of existing housing can also be found at Blackpool Council Website <a href="http://www.blackpool.gov.uk">www.blackpool.gov.uk</a> under Housing- Selective Licensing.</p>
12	<p><b>Security</b></p>



## Proposal to designate a selective licensing scheme in Central Area, Blackpool

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	<p>The Licence Holder must ensure that:-</p> <ul style="list-style-type: none"> <li>a) The security provisions for the access to the dwelling (including but not limited to locks, latches, deadbolts and entry systems) must be maintained in good working order at all times.</li> <li>b) Where window locks are fitted, the Licence Holder will ensure that keys are provided to the relevant occupant.</li> <li>c) Where a burglar alarm is fitted to the house, the Licence Holder will inform the occupant in writing the circumstances under which the code for the alarm can be changed, and provide details when required on how this can be arranged.</li> <li>d) Where previous occupants have not surrendered keys, the Licence Holder will arrange for a lock change to be undertaken, prior to new occupants moving in.</li> <li>e) Where alley gates are installed to the rear of the licensed property, the licence holder must take responsibility for holding a key and make satisfactory arrangements for the occupiers' access.</li> </ul> <p>Reason: to safeguard the health, safety and well-being of occupants in the event of fire and entry by intruders and reduce ASB</p>
13	External areas, refuse and waste
	<p>The Licence Holder must ensure that:-</p> <p>The exterior of the property is maintained in a reasonable decorative order and state of repair;</p> <p>At all times any gardens, yards and other external areas within the curtilage of the house are kept in reasonably clean and tidy condition and free from rodent infestation, and</p> <p>Suitable and adequate provision is made for storage of refuse generated in the property and that occupants use receptacles provided by the Council for storage prior to collection. The receptacles or plastic refuse sacks where receptacles have not yet been issued must not be exposed for a period longer than 12 hours prior to collection and must not cause obstruction at any time.</p> <p>Access must be available at all times to adequate, external, refuse storage.</p> <p>The Licence Holder must ensure that any kind of refuse which the Council will not ordinarily collect (e.g. large items, hazardous waste) are disposed of responsibly and appropriately.</p>

## Proposal to designate a selective licensing scheme in Central Area, Blackpool

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	Reason: to ensure that the domestic hygiene and condition of the licensed property is maintained and reduce ASB
14	<b>Training</b>
	<p>The Licence Holder and/or Manager will need to demonstrate competence of managing private rented accommodation and shall undertake property management training courses where required to do so by the authority.</p> <p>Reason: to enable the Council to provide licence holders with the knowledge and expertise to improve the management of their properties and reduce ASB</p>
15	<b>Management/ Anti-Social Behaviour</b>
	<p>The Licence Holder must take reasonable and practical steps to reduce or prevent anti-social behaviour by persons occupying or visiting the house and the use of premises for illegal purposes.</p> <p>The licence holder must:</p> <p>Provide a written action plan to Blackpool Council outlining procedures for dealing with anti-social behaviour at the time of application. This must be reviewed annually and submitted on request.</p> <p>Obtain tenant references prior to granting a tenancy as to previous tenancy conduct, including behaviour of the proposed occupier and household. The Licence Holder needs to have due regard to what the reference says and be satisfied that the tenant is not likely to cause any anti-social behaviour.</p> <p>If a Licence holder receives a reference request for a current or former tenant for the purposes of an application to rent a property from another Licence Holder he must respond to the request in writing within a reasonable period and either i) decline the request for a reference ; or ii) when giving a reference state whether or not he is aware of any allegations of anti-social behaviour made against the tenant and if such allegations have been made give details of the same including details of whether (to his knowledge) the allegations have been admitted or have been found proven in any court or tribunal.</p> <p>Require any prospective tenant to disclose unspent criminal convictions when applying for a tenancy. Where the prospective tenant discloses unspent criminal convictions the Licence Holder must demonstrate that due consideration was given to whether those convictions indicate a real risk that the prospective tenant is likely to commit acts of antisocial behaviour.</p> <p>Cooperate with Blackpool Council, Lancashire Constabulary and other agencies in resolving complaints</p>

## Proposal to designate a selective licensing scheme in Central Area, Blackpool

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	<p>of anti-social behaviour. The Licence Holder and/or their nominated managing agent are required to undertake an investigation of any complaints regarding their tenants. Written records of these will be required.</p> <p>The licence holder/management agents must make regular (at least monthly) inspections of the property to ensure that the property is in a decent state of repair and that the occupiers are not in breach of tenancy terms and conditions.</p> <p>Ensure that each tenant is made aware that they are responsible for their own behaviour and the behaviour of other occupiers and visitors. Tenants must be made aware that if they, other occupiers, or their visitors: Cause nuisance or annoyance to neighbours; or use abusive or threatening language or behaviour to neighbours; or fail to store or dispose of refuse properly; or cause damage to fixtures, fittings, fire prevention or alarm equipment or installations, or to the fabric of the premises; or fail to give access to the landlord or his agent for the purpose of maintaining communal areas or, upon reasonable notice, to inspect or undertake works within their accommodation. They will be liable to enforcement action which may include possession proceedings either under the terms of the tenancy, pursuant to s.21 of the Housing Act 1988 or pursuant to Grounds 13 or 14 of Schedule 2 to the Housing Act 1988.”</p> <p>Reason: to safeguard the wellbeing of occupants, persons visiting the premises and persons in the immediate locality and reduce ASB.</p>
16	Notification/Consultation of Changes
	<p>The Licence Holder and managing agents must consult with Blackpool Council before making any material changes to the layout, amenity provision, fire precautions or occupation of the house and must inform Blackpool Council of:</p> <p>Details of any unspent convictions not previously disclosed to the Local 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 or dishonesty, or violence or drugs or any offence listed in Schedule 3 to the Sexual Offences Act 2003;</p> <p>Details of any finding by a court or tribunal against the Licence Holder and /or the manager that he/she has practiced unlawful discrimination on grounds of sex, colour, race, ethnic or national origin or disability in, or in connection with, the carrying on of any business;</p> <p>Details of any contravention on the part of the Licence Holder or manager of any provision of any</p>

## Proposal to designate a selective licensing scheme in Central Area, Blackpool

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	<p>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;</p> <p>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;</p> <p>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;</p> <p>The property becoming empty:</p> <p>Changes to liability insurance:</p> <p>Notification of repossession/foreclosure</p> <p>Successful claims against the licence holder for default of tenancy deposits.</p> <p>Change in managing agent or the instruction of a managing agent;</p> <p>The undertaking of substantial works to the property, including conversions and modernisations or emergency problems relating to fire, flood or disaster and the tenants are made temporarily homeless.</p> <p>Reason: to safeguard the health, safety and wellbeing of occupants in the event of changes during the period of the licence and reduce ASB.</p>
17	Absence
	<p>The licence holder is required to have in place suitable emergency and other management arrangements in the event of their absence. The name and contact details of the licence holder and/or manager must be supplied to each occupier and must also be on display in a prominent place.</p> <p>Reason: to safeguard the health, safety and wellbeing of occupants in the event of temporary absence of persons in control and reduce ASB.</p>
18	Compliance inspections

## Proposal to designate a selective licensing scheme in Central Area, Blackpool

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	<p>The licence holder must allow the Council to undertake compliance checks. Council Officers will give the licence holder 24 hours' notice of these checks and produce valid authorisation at the time of visit.</p> <p>Reason: To ensure that the property complies with the Housing Act 2004 and licence conditions.</p>
19	<b>Removal from the Co-regulation Scheme</b>
	<p>Any licence that has been granted based on membership of the co-regulation scheme being offered by our chosen delivery partner, will lapse should the Licence Holder be removed, for whatever reason, from the aforementioned Scheme.</p> <p>Reason: To ensure all licence holders who join the co-regulation scheme comply with the requirements of co-regulation.</p>

# Proposal to designate a selective licensing scheme in Central Area, Blackpool

## Appendix 3: Risk Assessment Table

Description of Risk	Description of Impact	Probability of Risk	Level of Impact	Risk prevention, management or mitigation
<p>1a. Landlords do not apply or are reluctant to apply for licences.</p> <p>1b. Landlords apply for Judicial Review of the designation.</p>	<p>ASB and other problems are not resolved.</p> <p>Landlords operate illegally.</p> <p>LA resources are taken up with enforcement and prosecutions.</p> <p>LA resources are taken up with defending an application for Judicial Review.</p>	Medium	High	<p>Undertake a thorough consultation process with plenty of opportunities for input, and effective communication of new scheme.</p> <p>Landlords also engaged with by means of the Fylde Coast Landlords Forum.</p> <p>Wide range of detailed evidence gathered to support the scheme</p> <p>Intended outcomes of the proposals promoted to landlords, including an overall improvement in the area.</p> <p>Proposals prepared following all available guidance and best practice learned from other local authorities including those whose schemes have been the subject of Judicial Review applications.</p>
2. A number of landlords evict tenants and sell their properties or leave them	<p>Increase in abandoned and vacant properties.</p> <p>Loss of rental properties</p>	Medium	High	<p>The Council's strategy is to encourage alternative tenures and the de-conversion of HMOs into a smaller number of units with a better balance of house</p>

## Proposal to designate a selective licensing scheme in Central Area, Blackpool

<p>vacant. Speculative landlords choose to invest elsewhere</p>	<p>Increase in homelessness.</p>			<p>types. A reduction in HMO uses would be consistent with this transition.</p> <p>Empty properties will be monitored and managed as part of the scheme.</p> <p>There is sufficient capacity within the local market to mean that a small reduction in total numbers of homes available will not lead to increased homelessness.</p> <p>The Housing Options Team will work closely with the Enforcement team around individuals at risk of homelessness because of enforcement action, finding them alternative accommodation.</p>
<p>3. Local Authority inadequately manages the scheme or inadequately resources the scheme</p>	<p>Need to revoke the designation before the end of the 5 year period.</p> <p>ASB and other problems are not resolved.</p> <p>Resources spent in the research and implementation of the scheme are wasted.</p> <p>Inadequate resources</p>	<p>Low</p>	<p>High</p>	<p>Full business model drafted to show resource implications for the duration of the scheme and management decisions made on the basis of this.</p> <p>Fees set to cover proportionate costs of the scheme.</p> <p>Additional staff employed as necessary to administer scheme, undertake property inspections and help ensure existing statutory functions are maintained and minimise impact</p>

## Proposal to designate a selective licensing scheme in Central Area, Blackpool

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	in place to undertake other statutory and non-statutory functions.			on non-statutory functions.  Competent and experienced staff employed as necessary.  Scheme is managed and resourced for the five year life of the scheme.
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# Proposal to designate a selective licensing scheme in Central Area, Blackpool

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## Appendix 4 – Proposed designation

Blackpool Council

Designation of an area for selective licensing

Blackpool Council Designation of an Area for Selective Licensing 2017

Blackpool Council in exercise of their powers under section 80 of the Housing Act 2004 (“the Act”)

Hereby designates for selective licensing the area described in paragraph 4.

### CITATION, COMMENCEMENT AND DURATION

1. This designation may be cited as the Blackpool Council Designation for an Area for Selective Licensing 2017.

2. This designation is made on the xx day of x 2016 and shall come into force on the xx Day of xx 2017.

3. This designation shall cease to have effect on the xx day of x 2022 or earlier if the Council revokes the scheme under section 84 of the Act.

NB the designation will be reviewed by the xx of x 2022.

### AREA TO WHICH THE DESIGNATION APPLIES

This designation shall apply to the Central area as delineated and edged blue on the map and in the streets listed at Annex A.

# Proposal to designate a selective licensing scheme in Central Area, Blackpool

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## APPLICATION OF THE DESIGNATION

5. This designation applies to any house (1) which is let or occupied under a tenancy or licence within the area described in paragraph 4 unless:-

- (a) The house is a house in multiple occupation and is required to be licensed under Part 2 of the Act (2);
- (b) The tenancy or licence of the house has been granted by a registered social landlord (3);
- (c) The house is subject to an Interim or Final Management Order under Part 4 of the Act;
- (d) The house is subject to a temporary exemption under section 86 of the Act, or
- (e) The house is occupied under tenancy or licence which is exempt under the Act (4) or the occupation is of a building or part of a building so exempt as defined in Annex B;

## EFFECT OF THE DESIGNATION

6. Subject to sub paragraphs 5(a) to (e) every house in the area specified in paragraph 4 that is occupied under a tenancy or licence shall be required to be licensed under section 85 of the Act (5)

7. Blackpool Council will comply with the notification requirements contained in section 83 of the Act and shall maintain a register of all houses registered under this designation, as required under section 232 of the Act (6).

This designation is made on the day of xxxx and

THE COMMON SEAL of

# Proposal to designate a selective licensing scheme in Central Area, Blackpool

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THE BLACKPOOL

COUNCIL was hereunto

affixed in the presence

of: -

Head of Legal Services

1 For the definition of “house” see sections 79 and 99 of the Act

2 Section 55 of the Act defines which Houses in Multiple Occupation are required to be licensed under the Act. See also The Licensing of Houses in Multiple Occupation (Prescribed Descriptions) (England) Order 2005 (SI 2006/371)

3 Section 79 (3) of the Act. For definition of a Registered Social Landlord see Part 1 of the Housing Act 1996.

4 Section 79 (4) of the Act and SI 370/2006

5 Section 86 of the Act provides for certain temporary exemption. As to suitability see section 89.

Note, if the house is not suitable to be licensed, the Council must make an Interim Management Order – see section 102.

6 Section 232 of the Act and paragraph 11 of the SI 373/2006.

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# Appendix 3b: Proposal to designate an Additional Licensing scheme in the Central area Summary of Consultation Responses April 2016

Blackpool Council



# Summary of Consultation Responses April 2016

## Contents

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<b>1. Introduction</b>	
<b>2. Comments from Consultation Meetings and Landlord Associations</b>	
<b>3. Results from the Resident and Landlord Surveys</b>	

# Summary of Consultation Responses April 2016

## 1. Introduction

Consultation on a proposal to introduce Selective and Additional Licensing in the Central area of Blackpool took place between 17<sup>th</sup> July 2015 and 25<sup>th</sup> September 2015. This report summarises the responses received through the range of consultation methods employed. Blackpool Council has taken into account the responses set out in this report before bringing forward revised proposals for additional licensing in the Central area to be considered at the Council's Executive in April 2016, and further developing proposals for selective licensing in the Central area.

The Council believes that the consultation that was undertaken is sufficient to underpin final, revised proposals. The consultation proposals and the reasons for them were sufficiently set out to enable those consulted to consider the proposals intelligently and make an intelligent response. The Council has considered the responses to consultation and undertaken a general review of the proposals, resulting in changes being made to the proposals and a decision to proceed initially with additional licensing alone. But these changes are not such as to require further consultation before proceeding.

The consultation was publicised through:

- Blackpool Council's website
- The Fylde Coast Landlords Forum
- 8 consultation meetings
- 7,000 letters which were sent to residents, business owner and landlords within the proposed Central area as well as the wider consultation area.

## 2. Comments from Consultation Meetings and Landlord Associations

Landlords, residents and landlord associations (the National Landlords Association (NLA) and Residential Landlords Association (RLA)) were given the opportunity to provide feedback, voice concerns and ask questions relating to the introduction of Selective and Additional Licensing within the central areas of Blackpool. All feedback has been collated, read and has been summarised under the categories listed below along with Blackpool Council's response.

### 1. Rationale

## Summary of Consultation Responses April 2016

**a. *Is Selective and Additional Licensing required when the Council already has enforcement powers?***

Landlords and some residents feel that the Council already has sufficient authority to respond to issues arising from private rented properties. For this reason they have requested further clarity on what the introduction of Selective and Additional Licensing into the Central area would deliver.

**Council's response:**

*The Housing Act 2004, Part 1, gives Local Housing Authorities powers to deal with property conditions and disrepair categorised under the Housing Health and Safety Rating System (HHSRS). These powers alone are not sufficient in dealing with other issues arising from privately rented properties within the proposed area. Selective and Additional Licensing will give additional enforcement powers by requiring all landlords to sign up to management conditions that help ensure that they adopt a responsible approach to management of their properties. These management conditions go beyond the normal statutory requirements under the HHSRS, for example, by requiring landlords to undertake tenant referencing and to act responsibly if Anti-Social Behaviour (ASB) complaints are raised against their tenants.*

*The introduction of Selective and /or Additional Licensing will provide clear standards to be met within the private rented sector enabling tenants to have a clear benchmark and for landlords to clearly know their responsibilities. It will identify landlords whose management arrangements are inadequate and ensure improvements are carried out. The scheme will promote a more comprehensive approach than has previously been possible in tackling crime, ASB, environmental and HMO management issues and for action to be taken against landlords who do not take reasonable steps to reduce the problems.*

**b. *Area for Selective and Additional Licensing***

Some respondents asked how the Council defined the Central area and one suggested that consideration be given to taking Gloucester Avenue and St Alban's Road out of the scheme area. Residents and landlords asked whether the Council had any plans to further extend the licensing schemes into wider areas of



## Summary of Consultation Responses April 2016

Blackpool and sought confirmation that approval from the Secretary of State will be sought.

### **Council's response:**

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*The Council has taken a number of factors into account to define the boundary of the area for the proposed licensing, in the context of the statutory criteria that need to be met before Selective and Additional Licensing schemes can be designated. Along with the existing licensing areas of South Beach and Claremont, the Central area has a very high concentration of privately rented properties, and especially HMOs in converted buildings with high turnover. There are significant problems with poor management, and poor conditions, with anti-social behaviour caused by private tenants having negative impact on the wider community.*

*The boundaries to the north and south of the area are defined by the existing selective and additional licensing areas. The boundary to the east of the area is Devonshire Road/ Whitegate Drive, where there is a clear division between intense problems to the west and better conditions with fewer problematic private rented properties to the east. The south eastern boundary of the area is also defined by evidence of where problems are greatest.*

*The Council has reviewed ASB and crime data for Gloucester Avenue and St Alban's Road and concluded that these streets should remain within the area for additional licensing in the final proposal. Additional licensing will only apply to HMOs that meet the statutory criteria, so will not in any case apply to many properties in Gloucester Avenue and St Alban's Road.*

*There are currently no plans to extend selective and additional licensing to areas beyond the Central area. Confirmation from the Secretary of State will be sought for the introduction of selective licensing to the Central area, but this is not required for an additional licensing designation.*

### **c. Purpose of Selective and Additional Licensing**

Whilst one of the proposed outcomes of Licensing is to reduce anti-social behaviour, residents and landlords have asked for more detail around the linkage of Selective/Additional Licensing and crime reduction rates and its links

## Summary of Consultation Responses April 2016

to the private rented sector. Points were also raised that anti-social behaviour is also caused by social housing tenants.

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### **Council's response:**

*Anti-Social Behaviour (ASB) and crime are significant problems for the Central area. Blackpool experiences the highest recorded crime rates in Lancashire, and the highest rates in Blackpool are within the South Beach, Claremont, and Central areas. The Crime and ASB figures used in the consultation proposal were provided by the Community Safety Partnership team. Given the status of Blackpool as a major resort town, there are clearly a lot of incidents of crime and ASB in inner Blackpool that are not caused by residents and not caused by private rented tenants. To understand the extent of crime and ASB linked to the private rented sector, Blackpool Council identified privately rented properties by 'mapping' them and overlaying the Police database – the results showing that 52% of ASB and 43% of Crime incidents within the Central Area were linked to privately rented properties.*

*Some respondents to the consultation queried the robustness of Police data on ASB and how it is recorded. Further interrogation of the data shows that ASB is indeed strongly linked to private rented properties in the Central area, and especially to HMOs. Further investigation of a sample of the original reports of ASB that were linked to private rented property addresses in the Central area has shown that in all but a handful of cases, reports of ASB recorded by the Police did reflect the site of the incident and not just the address from which the report originated.*

*It is further incumbent on the Council to demonstrate that crime and ASB linked to private rented accommodation is the result of poor management by a significant number of landlords. This can only be demonstrated through the day to day work of the Police and Council Enforcement team. There is strong evidence that many landlords are willing to house tenants without references or who are known to have a history of causing problems in previous accommodation. Many*

## Summary of Consultation Responses April 2016

*properties offer such a poor quality of accommodation that is only attractive to people have no other choices and are willing to accept anything. The quantitative evidence for this is the very high number of enforcement notices that are issued and the high number of successful prosecutions of landlords. But the scale of the issues is such that just focusing on the limited number of individual enforcement actions that result from tenants' complaints is insufficient to address the widespread issues.*

*There are problems with anti-social behaviour from social housing tenants, but these are not the majority of problems in the Central area because of the relatively small numbers of social rented homes in the area, and because social landlords do invest significant resources in dealing with ASB issues. Social landlords are already required by their regulator - the Homes and Communities Agency - to work closely with Councils in dealing with any issues that arise. Selective and Additional licensing schemes cannot legally be applied to social landlords' properties.*

- d. Landlord Associations require further clarity on how Licensing will help address the wider social problems within the proposed licensing areas. There are also concerns that Selective/Additional Licensing could lead to homelessness as landlords maybe reluctant to house known offenders.**

### **Council's response:**

*Blackpool faces significant levels of deprivation and social problems. Whilst there have been some successes in tackling issues across the area, until properties within the privately rented sector are better maintained and managed, they will continue to attract and tolerate tenants who cause problems for the wider community. In this way, licensing is at the heart of efforts to address social problems. However, it is not in itself sufficient to address all of the social issues. Besides the usual statutory support services, the principal complementary investment that the Council will make in the area is through the Transience Programme. This is funded by Government following a successful bid by the Council and employs support workers to find tenants with on-going issues and get them engaged with support services, local community activities, and programmes to get people into work.*

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*Selective and Additional Licensing should not lead to homelessness; the licensing scheme aims to stabilise tenants in better managed homes, reducing the high turnover that can lead to homelessness. There will be cases where tenants need to be re-housed from accommodation that is found to pose an immediate risk to their health and safety. In these cases, the Enforcement team will work closely with the Council's Housing Options service to ensure that alternative accommodation is made available.*

*Selective and Additional licensing may make it less likely for known offenders to find independent accommodation in the Central area, but it is right that in an area of concentrated problems, there is less housing of unsupported problematic offenders. The Council does, however, work closely with partner agencies in the probation services and Police to find appropriate accommodation for the re-settlement of offenders, with the right support. Where the right support is in place and the wider community is not placed at risk, landlords will be able to have confidence in letting properties to offenders and still comply with the licence conditions.*

- e. **Effectiveness of existing schemes (South Beach and Claremont):** Landlords and residents have asked for more evidence to demonstrate that the claimed improvements in the South Beach and Claremont areas are a direct result of implementing Selective Licensing there.

### **Council's response:**

*The final proposal document sets out the available evidence from the South Beach and Claremont schemes. While the outputs from the schemes can be readily quantified, for example, the numbers of properties licensed and cases where licensing has led to intervention by public services, it is inevitably more difficult to attribute positive outcomes specifically to selective and additional licensing. This is especially the case where extra investment is being made in the areas, such as through the Transience Programme.*

- f. **Alternatives to Selective/Additional Licensing:** Landlords, residents and Landlord Associations would like the Council to consider alternative options to Selective and Additional Licensing such as, i) adopting the scheme implemented in Doncaster and Southend, ii) licensing individual tenants who cause anti-social

# Summary of Consultation Responses April 2016

behaviour, iii) to make it a mandatory requirement for all private landlords to have a Lettings Agent in place or iv) adopt the 'Co-Regulation' proposal suggested by the RLA

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## **Council's response:**

*The final proposal sets out the alternative approaches that have been considered following consultation responses. Some of these approaches, like accreditation, have been tried previously without success in Blackpool. Other suggested approaches still use selective and/or additional licensing but outsource the verification of landlords' credentials and inspection of properties to ensure compliance with licence conditions. Given the extent and severity of issues in the Central area of Blackpool, and the tendency for properties to drift between holiday and HMO uses, it is considered that all affected landlords should have to comply with management conditions, and that using in-house staff to manage the licensing scheme ensures consistency with wider regulatory activity.*

*With regard to suggestions of licensing individuals or requiring landlords to use managing agents, the Council does not have any legal powers to take these approaches. Anti- Social Behaviour legislation is used to tackle individual cases of tenants causing ASB where applicable.*

## **2. Delivering Blackpool Council's Proposal**

- a. **Licence Exemptions:** Who will be licensed and will the Council give consideration to exempt good landlords from the scheme? Many landlords commented that good landlords should not have to get a licence but that only bad landlords should be targeted.

### **Council's response:**

*As required by the relevant legislation, all landlords will be required to obtain a licence for each property that is let within the designated area, and which falls within the licensing criteria. Selective and additional licensing schemes take a comprehensive approach to ensure that there are consistently high standards of management and property conditions within the area. We anticipate that*

## Summary of Consultation Responses April 2016

*licensing will improve standards within the market as a whole, thus benefiting responsible landlords.*

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- b. **Identification of private rented properties:** Landlords asked what steps will be taken to ensure correct contact details are used to send further communication, such as licence application forms (including land registry checks).

**Council's response:**

*Blackpool Council uses a number of databases to check landlord addresses which include; i) Land Registry information, ii) the Council's property database and iii) the Council's Housing Benefit and Council Tax database. It is important for landlords to ensure their contact details are up to date.*

- c. **Fees:** Landlords and residents have requested further details on licence fee calculations and how they benchmark against other Local Authorities. Many landlords felt that the proposed fees are unreasonably high and should be less. They would also like more details on how the money collected through fees will be spent and whether consideration will be given to offer further discounts.

**Council's response:**

*The Council has reviewed the processes involved in administering the scheme to ensure the fees are set at the right level. The processes are well established from the South Beach and Claremont selective and additional licensing schemes so the review of costs for the Central area reflects the knowledge gained from this experience. The review showed that the costs to administer the licensing schemes have increased. We acknowledge the fees proposed have caused financial concerns to some landlords and for this reason Blackpool Council will absorb these additional costs.*

*The final proposal confirms the licence fees and discounts where applicable. The basic fee structure remains the same, to reflect the costs of administering the scheme. The changes to fees that are proposed following consultation responses are:*

## Summary of Consultation Responses April 2016

- *Additional fees for late or incorrect applications have been omitted because the costs of collecting the additional fees can be uneconomic.*
- *The fee for variations of licences, for example through changes in ownership, has been reduced to ensure that it only reflects the costs of carrying out now fit and proper person checks.*

*The principal areas of work from which the fees are built us are:*

- *Preliminary Checks - Property Use, Planning & Building Regulations checks, Council tax, Land registry, Legal status*
- *Procedural Checks - Request & Check Documentation, Annual Gas certs x 5 years, Referrals to Gas Safe/HSE, Return to Applicant if incomplete, Fit and proper checks undertaken, Application re complete*
- *Licence Inspection - Ensure compliance with licence conditions and check management*
- *Review & Monitoring Over the Term of Licence - Ensure landlord compliance with licence conditions, annual safety checks and management of current and new tenancies within the 5 year period*
- *ASB Monitoring and Support, including employing dedicated ASB Officers to work with licensed landlords*

*The fee levels are similar to those in most other local authority areas where selective and additional licensing schemes are in place. The approach in Blackpool includes ensuring that all licensable properties are inspected to ensure compliance with licence conditions, and providing dedicated ASB officers. This helps to maximise the positive impact of the schemes.*

- d. **Multiple Licensing:** Is there a requirement for a landlord to purchase one licence per property?

**Council's response:**

## Summary of Consultation Responses April 2016

*Yes. Each property will be required to be licensed.*

- e. **Buying and selling licensed properties:** Landlords would like to have a better understanding of the legal impacts of purchasing and selling selective licensed properties including repossessions.
- 

### **Council's response:**

*The Council does not anticipate that Selective and Additional Licensing will impact adversely on the purchasing and selling of properties. We recommend that landlords have discussions with their solicitors during the conveyancing process to ensure that purchasers are aware of licensing requirements and understand, where applicable, that licences for a 5 year period have already been obtained. New purchasers are required to apply for a new licence and undergo the fit and proper person checks, but new purchasers are required only to pay the variation fee of £140 per licence, rather than the full cost, where there has already been a valid licence in place for a property.*

- f. **Property Inspections:** Some landlords commented that landlords cannot be held responsible for how tenants behave and how tenants treat their properties, especially where tenants cause damage to properties or do not dispose of refuse responsibly.

### **Council's response:**

*Landlords are not directly responsible for the behaviour of their tenants. However, there is a strong correlation between badly managed, poor quality rental properties and ASB. For this reason, it is important that landlords take a responsible approach to letting their properties and a proactive approach to housing management, encouraging their residents to behave responsibly, being available if there are any issues, and taking appropriate action where tenants are in breach of their tenancy conditions. In HMOs it is especially important that tenants understand and comply with management arrangements such as refuse disposal and are held to account by landlords if they do not.*



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## 3. Finance

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- a. **Impact of reduced appetite for lending by mortgage lenders:** Whilst it is anticipated by the Council that Selective/Additional Licensing will ultimately help improve conditions, values, and rents in the area, further evidence is required to support this prediction. There are also concerns that banks and mortgage lenders may be less willing to lend in Selective Licensing areas.

**Council's response:**

*Evidence from a report undertaken on behalf of the Department of Communities and Local Government in 2010 looking at the impact of selective licensing schemes, shows no evidence of 'market collapse' as a result of licensing. The biggest improvements in the market conditions were found in the authority whose designation was made on the grounds of ASB, as proposed in Blackpool, rather than Low Demand.*

*It is accepted that in some cases, mortgage lenders have been reluctant to lend in selective licensing areas, but this simplistic approach is not taken by all financial institutions, and the availability of mortgage finance is predominantly contingent on lenders being satisfied that the relevant property will hold its value and that income streams will be sufficient to repay the funds borrowed. Licensing schemes should contribute to making lending conditions more attractive in the long run.*

- b. **Flexibility in making licence fee payments:** Some landlords said that the scheme would be less onerous if licence fees could be paid in instalments over the 5 year period instead of all of the fees being due up front, especially where landlords own a number of properties within the licensing area.

**Council's response:**

*Requiring the payment of fees up front minimises the costs of administering the scheme, Payments can be made in instalments for the first 12 months. In the*

## Summary of Consultation Responses April 2016

*instance where a landlord can prove financial hardship the Council will give consideration to devising a more tailored repayment agreement.*

- c. **Impact on rents:** Some landlords and tenants commented that requiring landlords to pay licence fees would lead to increased rents as landlords sought to pass on their costs.

### **Council's response:**

*The cost of licence fees over a 5 year period, relative to rental income received, is very small. All landlords operate within a wider market, which for most landlords and tenants in the Central area is also influenced by Local Housing Allowance rates. Landlords may wish to pass on costs to tenants through rents but in reality rents are set by the "market" and not by landlords' costs. For example, there is no direct effect on rents of changes in mortgage interest rates or tax obligations which are also costs for landlords. In the same way, it is not expected that the cost of licensing fees will be passed on to tenants through rents.*

## **4. Penalties**

- a. **Implications for not applying for a Selective/Additional Licensing:** Landlords and residents would like to have a better understanding of the possible sanctions should they choose not to apply for a licence. Furthermore, would there be an additional penalty if a licensed property is found to be in a poor condition?

### **Council's response:**

*It will be a criminal offence to rent a property without a licence. Doing so could result in prosecution, with a fine of up to £20,000. Additional measures may be introduced when a landlord fails to obtain a licence. These include: i) a Management Order, taking control of the property from the landlord or ii) a rent repayment order (RRO) for up to 12 months rental income.*

*If a property is found to fall below minimum property standards then a schedule of works will be given to the landlord. If the landlord fails to complete this work then the Local Authority, in line with the Housing Act 2004, can take additional action to address non-compliance, such as Improvement Notices and Prohibition Orders.*

# Summary of Consultation Responses April 2016

## 5. Support

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- a. **Support for vulnerable tenants and Landlords:** Landlords and residents would like to understand the provisions that will be put in place to support vulnerable tenants living in properties in poor condition, particularly where enforcement action could leave them facing eviction. Also, whether support will be provided for both residents and landlords to help them understand their responsibilities.

**Council's response:**

*As stated at 1(d) above, there is a range of support available to vulnerable tenants, and close working between the Council's Enforcement and Housing Options teams should prevent tenants facing eviction as a result of enforcement action becoming homeless. The licensing proposals seek to address poor management and conditions so that there are fewer tenants living in unacceptable conditions and more tenants who are satisfied with their accommodation and want to stay put.*

*The Enforcement team and dedicated ASB Officers can provide advice to landlords and tenants on their responsibilities. The Council will look to provide more training and information to landlords and tenants, such as the new Key to Your Home tenant training courses that were launched late in 2015 and are becoming increasingly well attended.*

- b. **Anti-Social Behaviour:** Clarity was required on how quickly the Council would respond to anti-social behaviour more effectively once the scheme had been implemented and whether this would include taking action against tenants with rent arrears. Clarity is also sought on 'waste management' responsibilities and whether the Council can offer landlords additional support when tenancies are due to come to an end.

**Council's response:**

*The introduction of licensing will mean a dedicated ASB Officer will be employed to work in the proposed area. Their role will be to respond and deal with ASB*

## Summary of Consultation Responses April 2016

*reports as well as assisting landlords in dealing effectively with problematic tenants.*

*From experience, we have seen more positive outcomes where good working relationships have been developed. Having a dedicated ASB Officer will set the foundations for developing a strong partnership with the local Police.*

*The Local Authority is not authorised to take action against tenants in privately rented properties for non-payment of rent – in law that is a civil matter between landlords and their tenants.*

*Fly tipping is a common issue and the Council has measures in place to assist landlords. The Council currently provides euro bins for HMOs as there is recognition that these types of properties generate larger volumes of refuse. One of the tasks assigned to the ASB Officer will be to ensure that fly tipping is removed quickly and they will work alongside the Enforcement Team to take action against perpetrators.*

- c. **Tenant Referencing:** Landlords felt that the tenant reference information they currently received was not very meaningful and would like details on the Council's proposals to support them in this area. Furthermore, could this be extended to the Council maintaining a tenant registration scheme to support landlords in dealing with nuisance tenants?

### **Council's response:**

*We appreciate that some landlords are making the effort to obtain tenant references and acknowledge that this information is not always useful. The Council are exploring options to provide a tenant referencing scheme to assist landlords in finding suitable tenants. This would focus on information from the Police on offending histories. The proposed approach is to make it quick and easy for tenants themselves to get a report based on Police records that landlords could require before granting a tenancy. This avoids data protection issues. It is not clear at this point when this new facility will become available.*

*The Council has developed a tenant training course called Key to your Home that tenants attend in three sessions over the course of three weeks. Tenants that have attended the course are given a certificate to prove their attendance and*

## Summary of Consultation Responses April 2016

*commitment, so this can also be used by landlords as evidence that tenants are committed to behaving responsibly. It is expected that the course will grow further in numbers attending and public profile over 2016.*

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- d. **Immigration:** Reports in the media suggest that anti-social behaviour is caused by asylum seekers being placed in hotels. Clarity is required on the Council's plans to address this alleged problem and details on the support available to landlords to check immigration status for prospective tenants.

**Council's response:**

*Blackpool Council has not consented to any contracts whereby the Home Office or its sub-contractors places asylum seekers into hotels. To the best of our knowledge, individuals who are in the process of making an asylum application have not been housed within the Central area. There are no ASB issues caused in the Central area by asylum seekers.*

*Government have made it the landlord's responsibility to check on new tenants' immigration status; there is no further help with this that the local authority can offer.*

### 6. AOB

- a. **Stag and hen parties:** Landlords and residents felt that other external factors were having a negative impact on the Central area of Blackpool, such as stag and hen parties and would like an understanding of how the Council proposes to deal with this issue.

**Council's response:**

*Blackpool Council recognises there are external factors which have a negative impact within the Town Centre area, including the behaviour associated with stag and hen parties. Blackpool Council, in partnership with the Fire and Rescue, Police and North West Ambulance Service, are working to address issues relating to the night time economy.*

## Summary of Consultation Responses April 2016

*The Local Authority is taking steps to attract more families to the Town Centre area and recent figures show an increase in visitor numbers. In an effort to tackle Anti-Social Behaviour (ASB) within the Town Centre, Blackpool Council has recently introduced (November 2015) a Town Centre and Promenade Public Space Protection Order. This gives the Police, and authorised officers, the ability to tackle issues such as street drinking and other ASB behaviour.*

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### 3. Results from the Resident and Landlord Surveys

The results from the surveys that could be completed either directly on the Council's website or by submitting a paper questionnaire are as set out below. Please note that not all questions were mandatory and therefore results have been calculated on the response count for individual questions.

#### **Resident Survey**

1,141 questionnaires in total were completed by residents. To summarise, the survey shows the three main concerns residents have in their area are; i) rubbish dumping (39.7%), ii) no sense of community (31.7%), and iii) neglected/run down properties (30.7%). Residents were asked to rate on a scale of 1-5 on how safe they felt in their own home and around their neighbourhood, with 1 being very unsafe and 5 being very safe. 13.7% of residents felt very unsafe, 16.7% of residents gave the rating of 2 and 28% rated the safety of their home and neighbourhood as 3.

The majority of residents had experienced issues with other privately rented properties and HMO's with the main issues being: fly tipping (61.8%), neglected/run down properties (45.8%) and loud noise (45%). The three main areas of concerns for residents when renting a property were; i) security (17.3%), ii) damp and mould (16%) and iii) energy efficiency (13.3%)

53.7 % of residents felt that most landlords were not good and responsible. 96.1% of residents felt that the responsibility lied with landlords to ensure that properties were in a good condition. Anti-Social Behaviour (ASB) is a major concern and residents generally felt the Council were ineffective in dealing with these issues. 82.1% of residents felt that landlords should be responsible for dealing with nuisance and ASB caused by their tenant and visitors.

The results show that 82.8% residents would like landlords to demand references from prospective tenants. 38.9% of residents felt that people were leaving the area as a direct result

## Summary of Consultation Responses April 2016

of the issues outlined in the consultation. 64.7% of residents supported the introduction of Selective Licensing to the Central area, with 22.2% of residents opposing it.

### **Landlord Survey**

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267 landlords completed the survey. To summarise the results, the majority of landlords felt that poorly maintained and managed properties contributed to the decline of an area. The three areas which were deemed to be the most significant problems within the Central area of Blackpool were; i) Anti-Social Behaviour (18.9%), ii) empty properties (15.8%) and iii) low rent levels (15.7%)

Currently 44.9% of landlords/agents were carrying out reference checks on prospective tenants; the majority (85%) felt that landlords/agents should have satisfactory procedures in place.

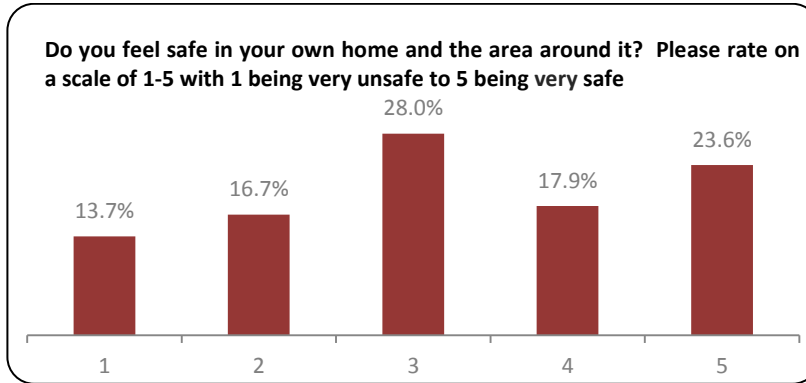
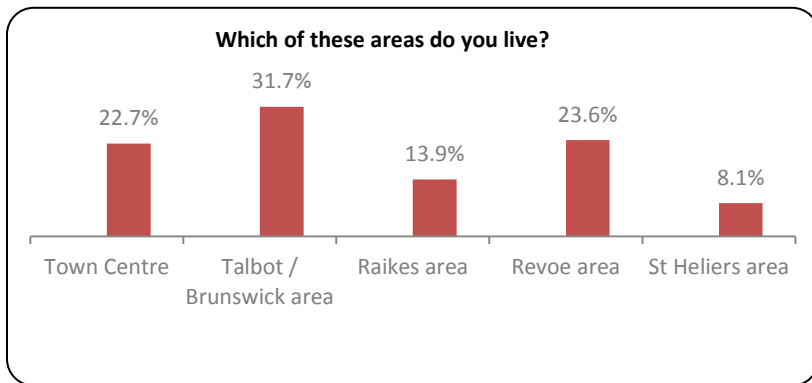
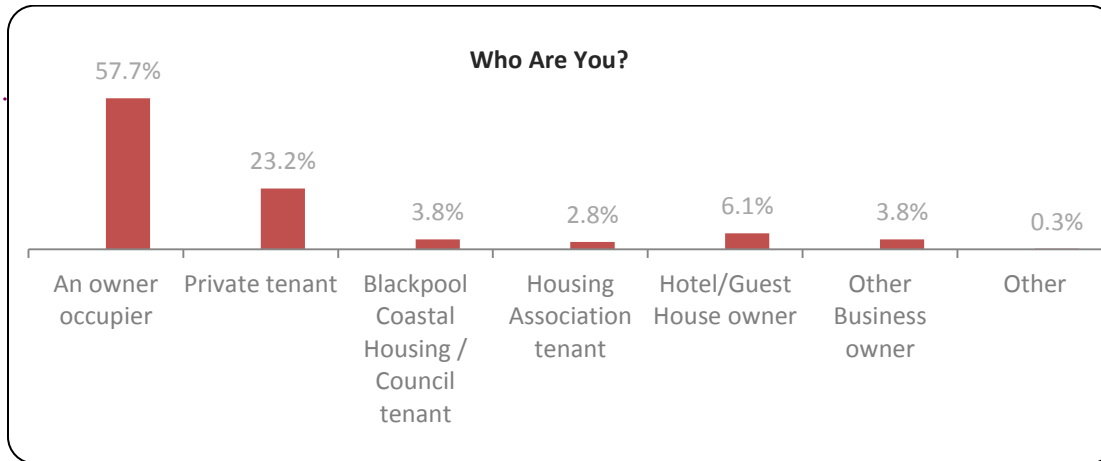
The three most problematic areas for landlords/agents are; i) tenants leaving without paying rent/giving correct notice (21.7%), ii) tenants building up high levels of rent arrears (20.7%) and iii) difficulties with finding tenants (12.9%). The issues which were of a least concern for landlords/agents were; i) tenants not staying because they were unhappy with the standard of the property (77%), ii) tenants not staying in a property because of the area (63.5%) and iii) tenants being the victims of Anti-Social Behaviour (54.5%).

The results from the survey show that most landlords/agents felt that selective licensing would not address the issues currently linked to the Central area of Blackpool with 73.4% opposing the licensing scheme being introduced. However, 75.5% of respondents felt that Blackpool Council should intervene in areas suffering from high levels of Anti-Social Behaviour (ASB).

More detailed results from both surveys can be found below.

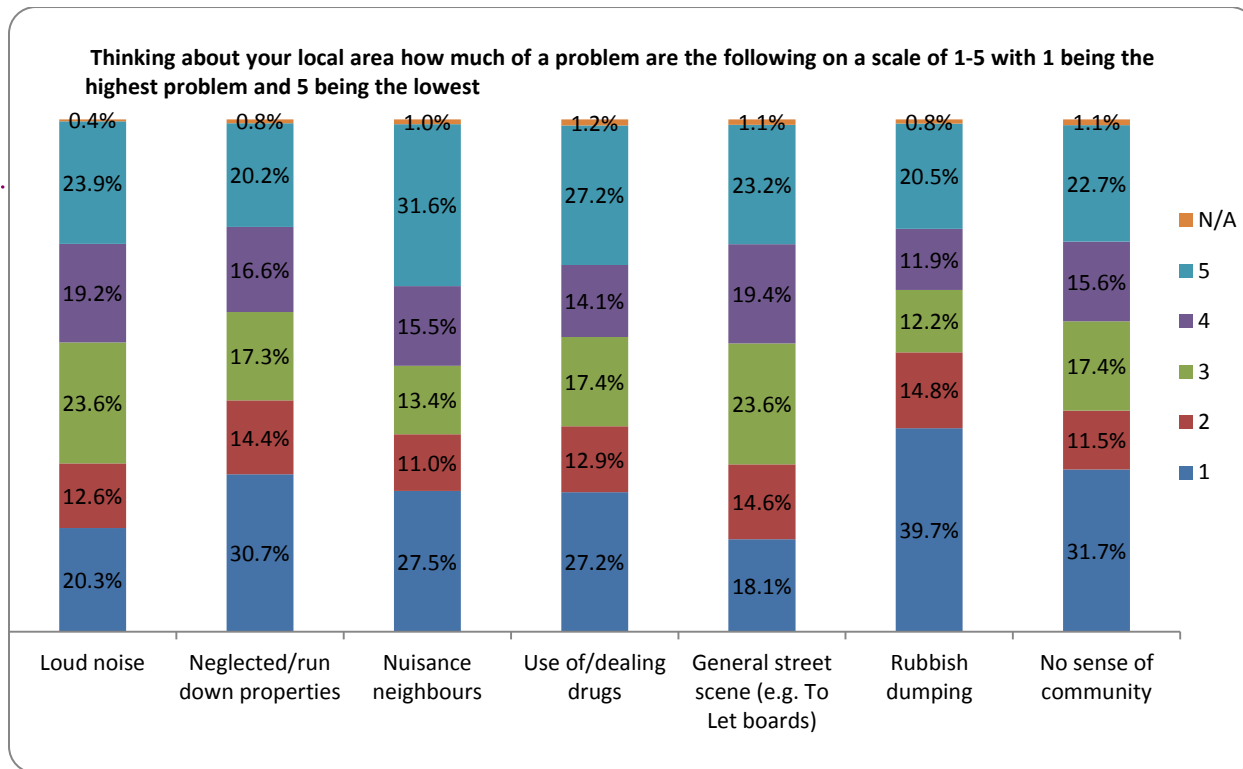
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## Resident Survey

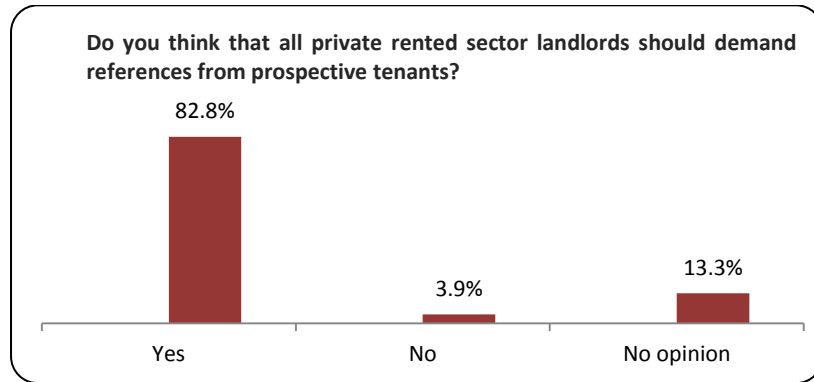
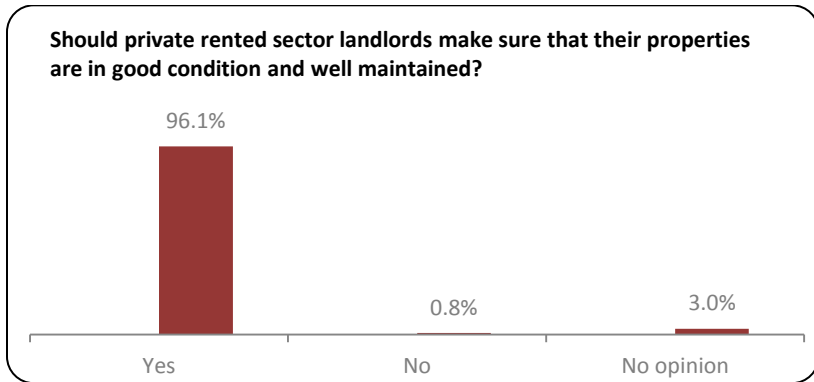
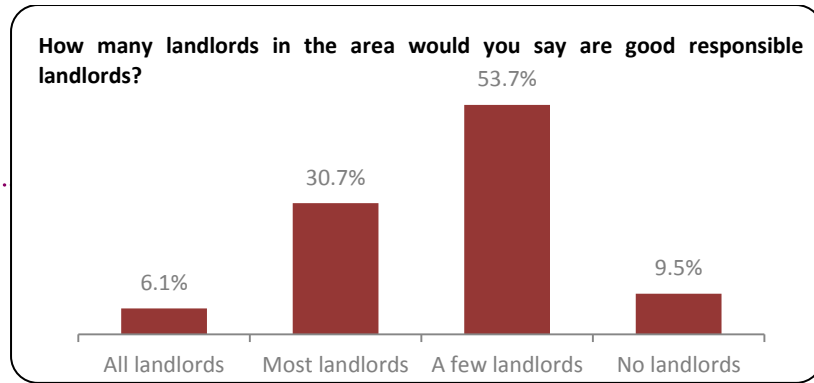
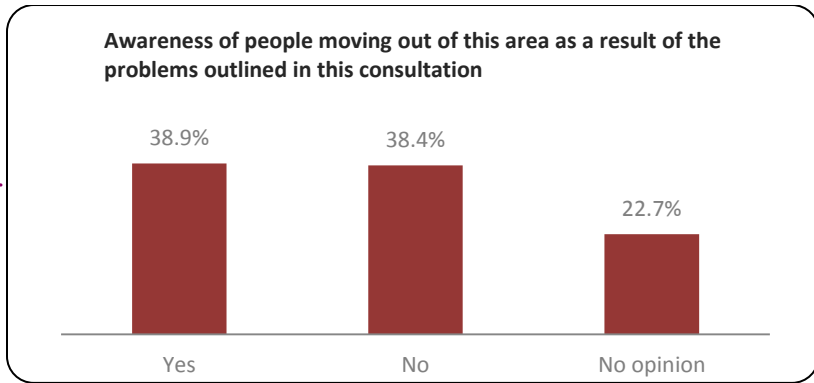




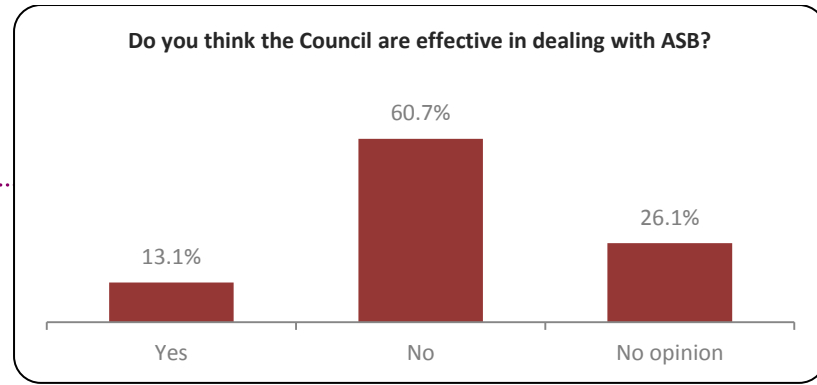
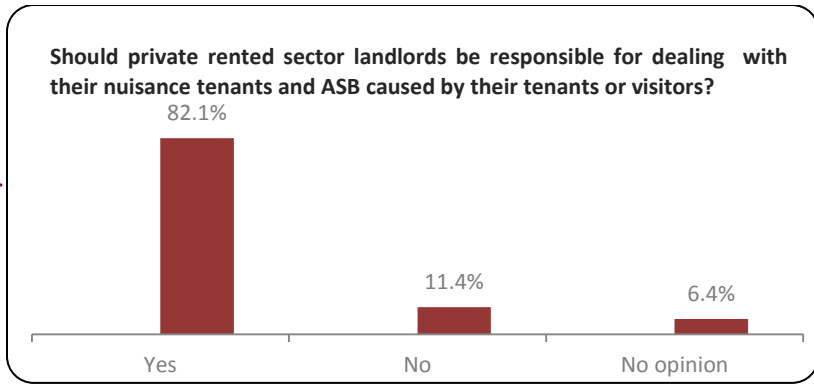
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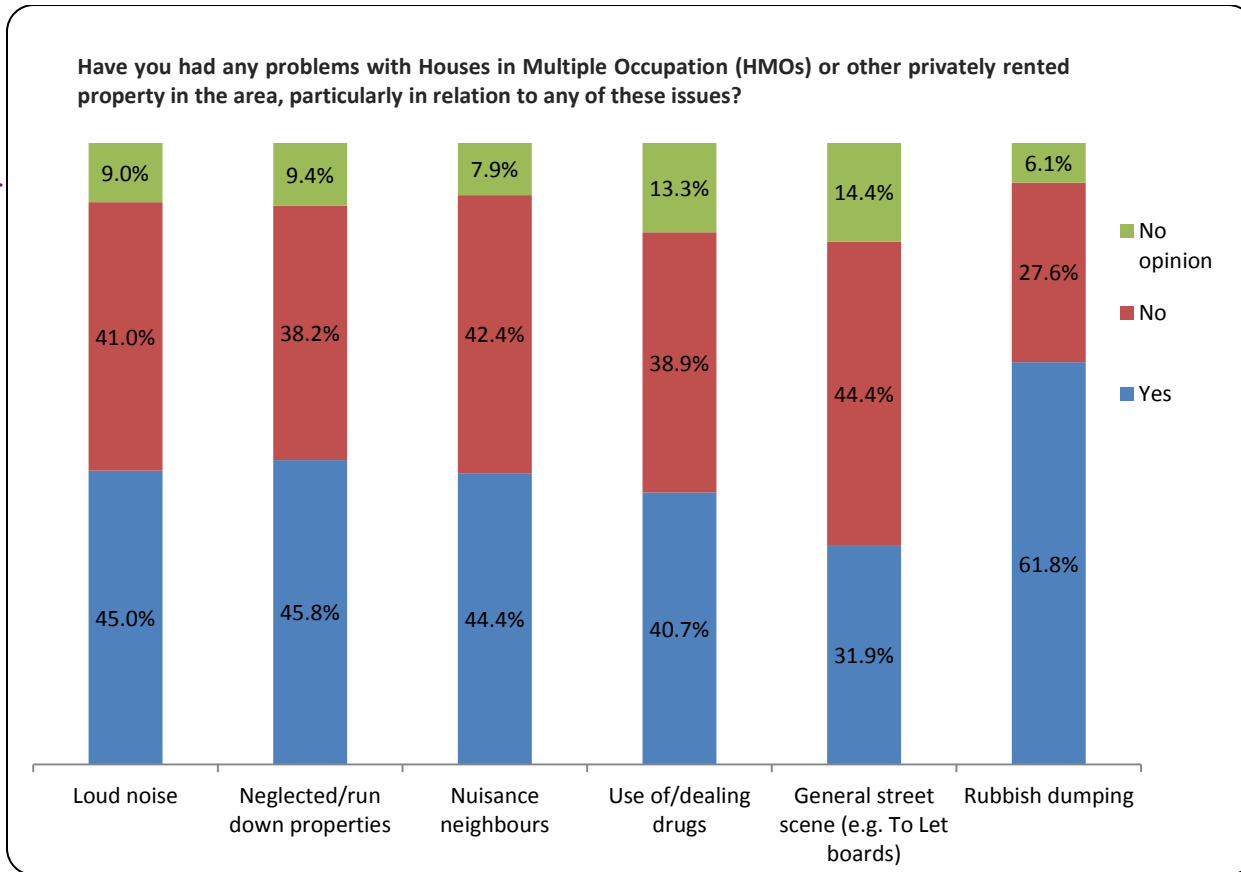


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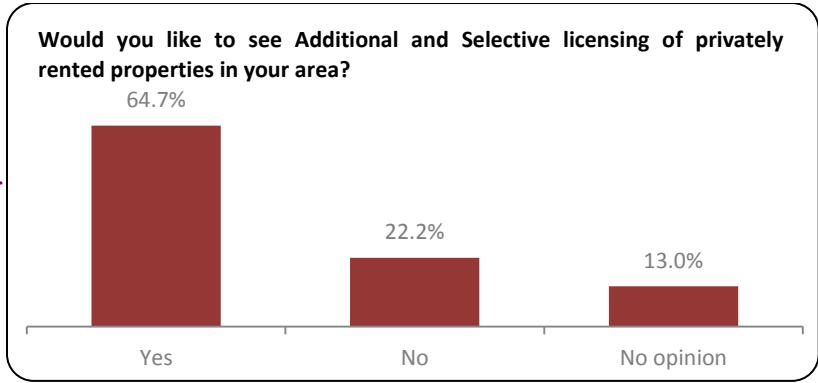


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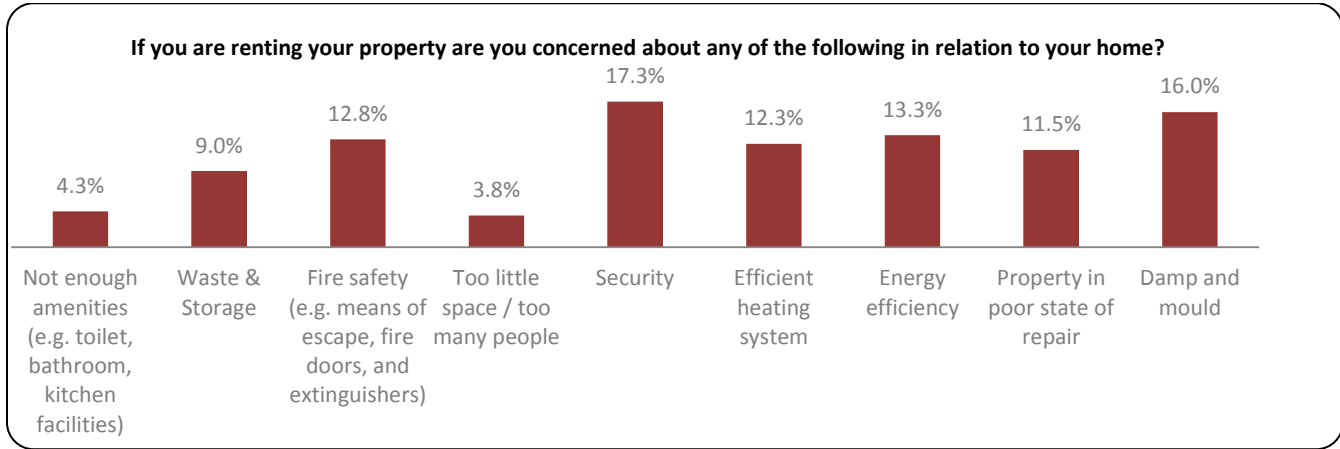
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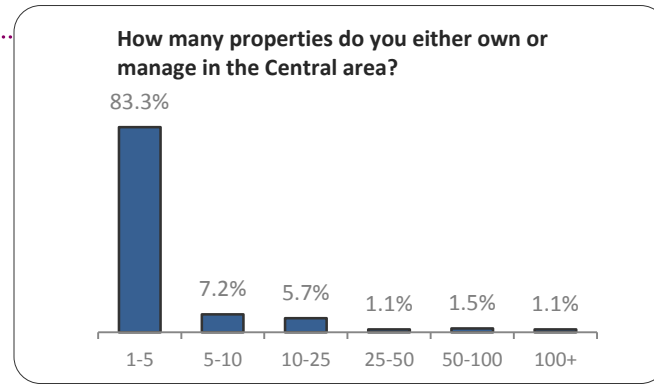
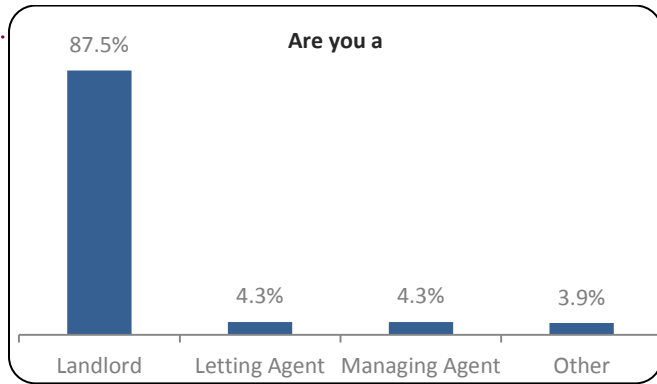


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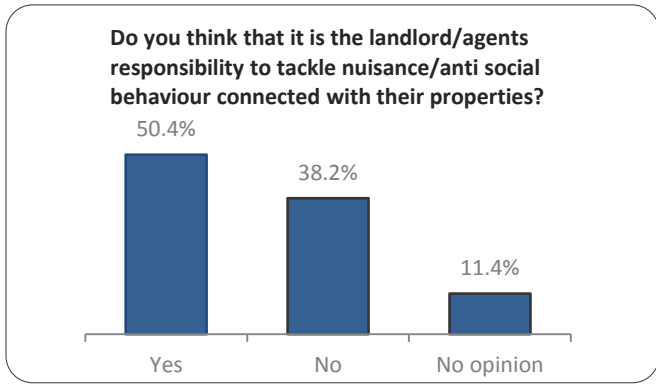
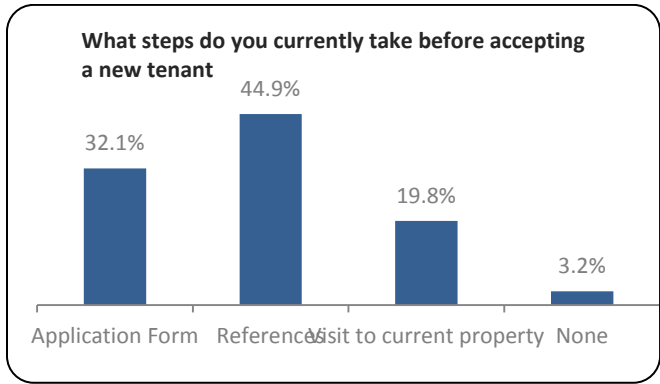
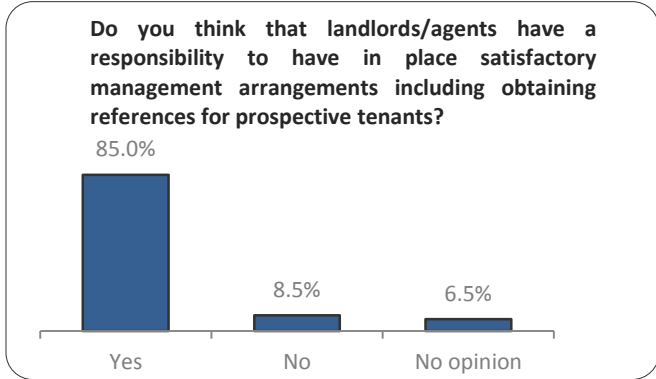
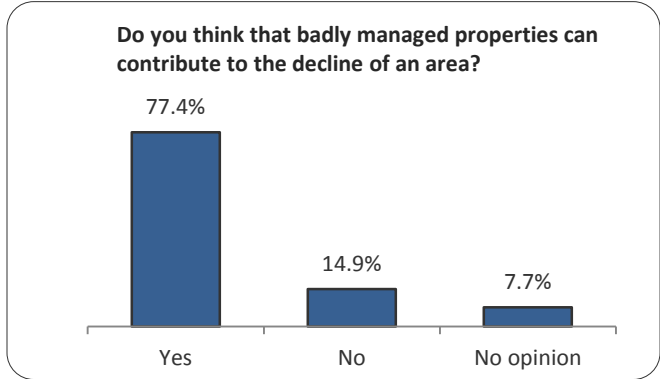
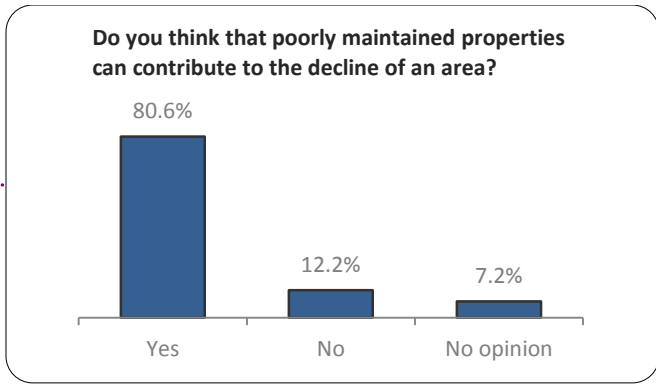
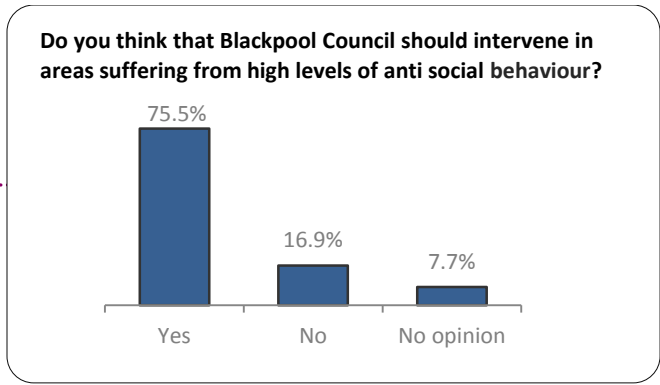
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## Landlord Survey

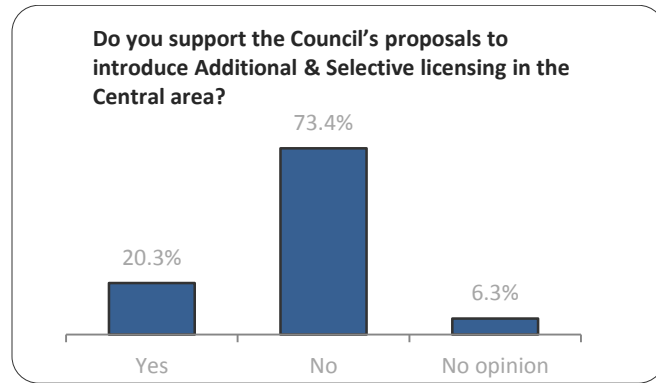
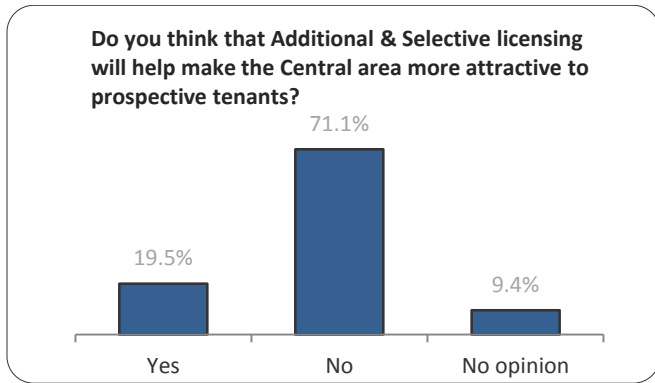
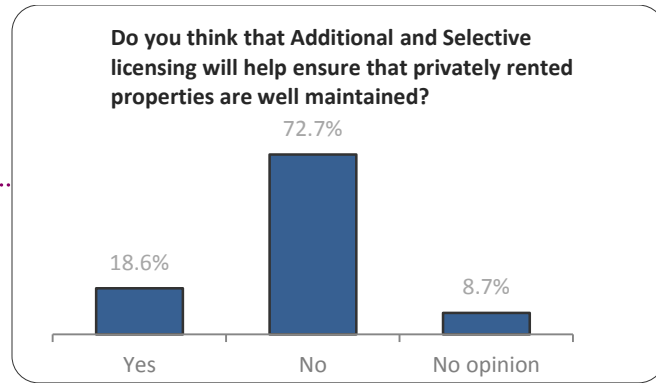
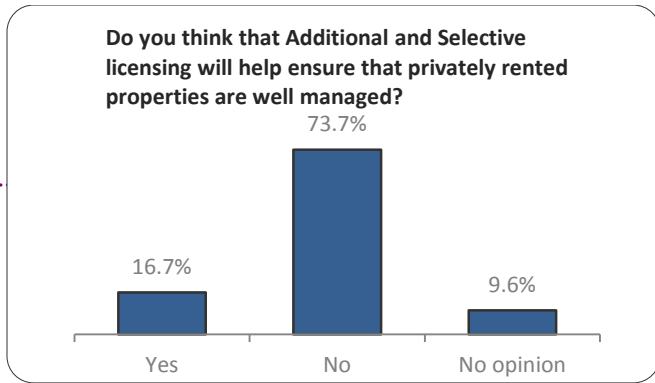


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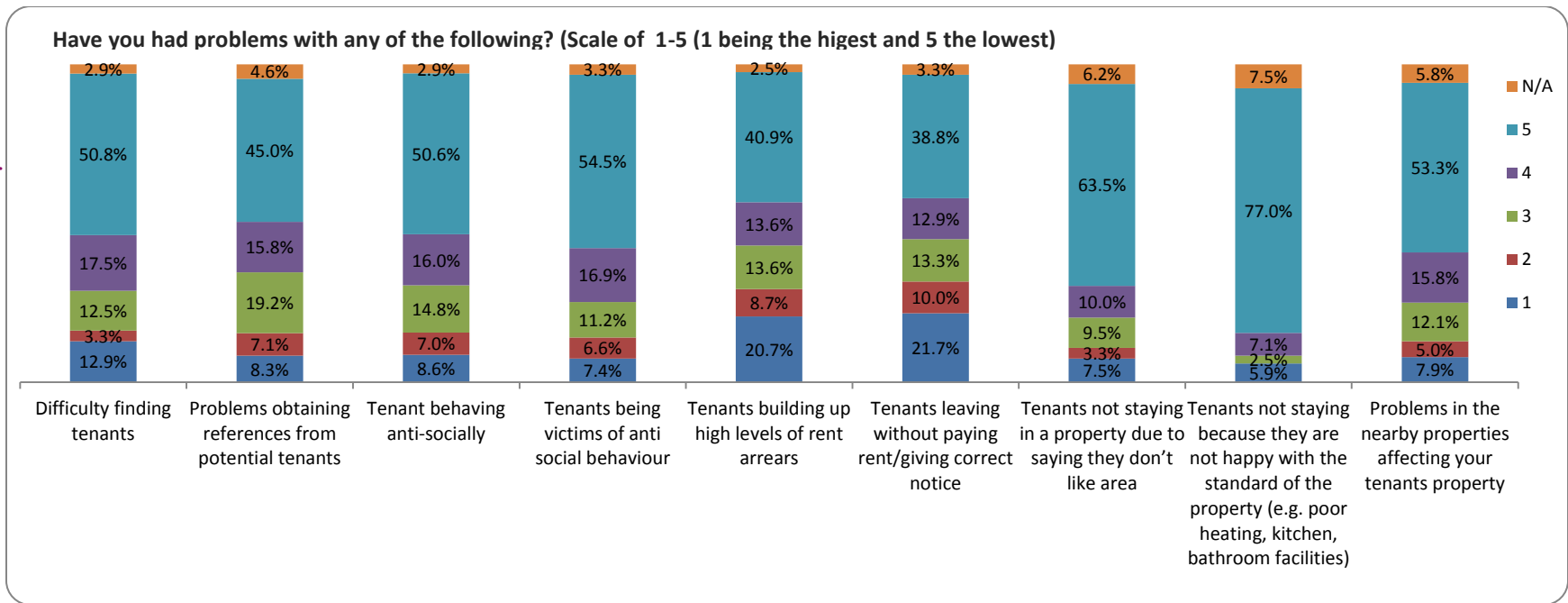


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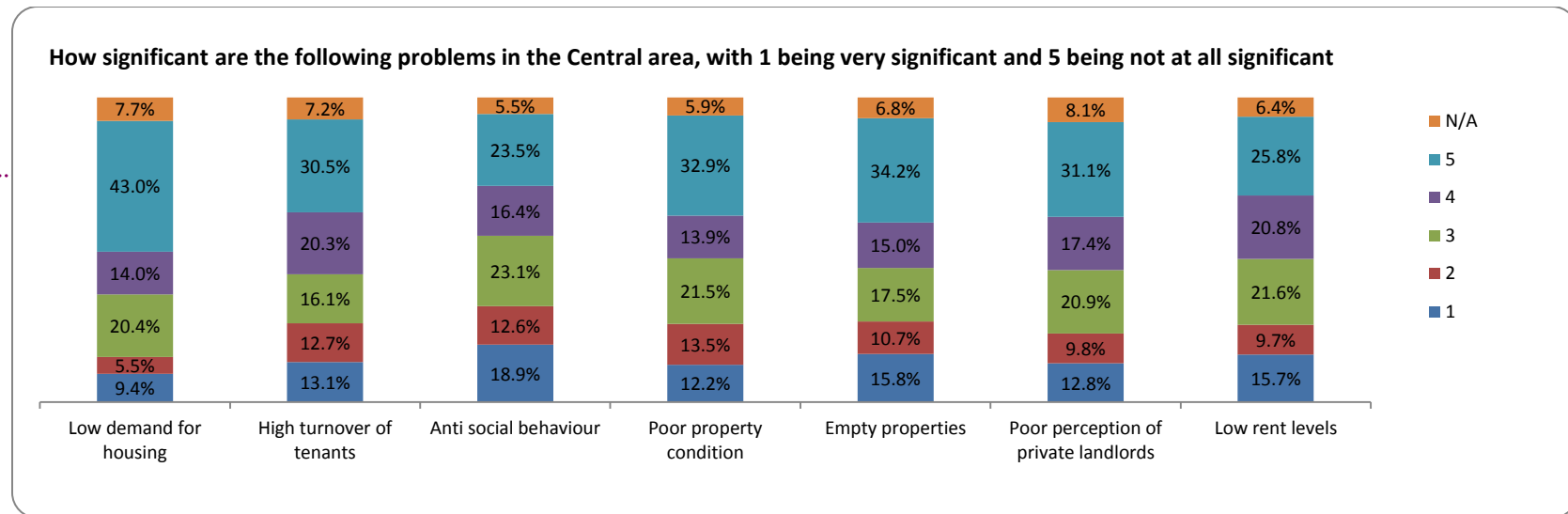




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# Summary of Consultation Responses April 2016



<b>Report to:</b>	<b>EXECUTIVE</b>
<b>Relevant Officer:</b>	Alan Cavill, Director of Place
<b>Relevant Cabinet Member:</b>	Councillor Fred Jackson, Cabinet Member for Highways and Environmental Services
<b>Date of Meeting :</b>	20 February 2017

## VEHICLE REPLACEMENT FOR BEACH PATROL - VISITOR SERVICES

### **1.0 Purpose of the report:**

- 1.1 To consider the replacement purchase of the Beach Patrol Land Rover in order to support the delivery of Visitor Services.

### **2.0 Recommendation(s):**

- 2.1 To approve the replacement purchase of a new Beach Patrol Landover for Visitor Services funded through Prudential Borrowing.

### **3.0 Reasons for recommendation(s):**

- 3.1 To assist in ensuring the effective delivery of a Beach Patrol Service.

Prudential Borrowing represents the most cost effective way to purchase a required replacement vehicle.

- 3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

- 3.2b Is the recommendation in accordance with the Council's approved budget? Yes

- 3.3 Other alternative options to be considered:

Outright purchase and lease options purchase have been considered however Prudential Borrowing is considered the most cost-effective method of purchase.

**4.0 Council Priority:**

4.1 The relevant Council Priority is: “The economy: Maximising growth and opportunity across Blackpool”

**5.0 Background Information**

5.1 The Beach Patrol’s main purpose is to minimise or prevent incidents either occurring or escalating on the beach promenade or in the sea. This service is provided for both Residents and Visitors alike.

5.2 The Beach Patrol Land Rover is fast approaching its cost effective/reliable replacement date of 1st April 2017.

5.3 The continuity of this emergency vehicle is pivotal to safeguarding Blackpool’s coastline. In 2016 the Beach Patrol attended 350 serious incidents involving over 5,000 members of the public. The Beach Patrol successfully reunited 131 lost children / vulnerable adults who had been found in distress on the beach and promenade, safely back with their carers.

5.4 Finance

5.5 From a financial perspective, the recommendations are to replace the Beach Patrol Land Rover again over a three year cycle through the Prudential Borrowing scheme. This will ensure emergency reliability, a 3 year warranty (no expensive repairs) and reflect a strong corporate image.

5.6 The Beach Patrol vehicle has been recognised as having an economical working life of three years after which reliability and maintenance costs become prohibitive to providing a consistent and cost efficient service.

5.7 This vehicle purchase needs to be expedited, as production lead times for required specialist bespoke equipment preparation will take a minimum of three months.

5.8 The current residual value of the Beach Patrol Land Rover stands at approximately £21,000 if part exchanged with a new Land Rover (November valuation – Land Rover dealership as a cost appraisal part exchange)

5.9 Does the information submitted include any exempt information? No

**5.10 List of Appendices:**

None

**6.0 Legal considerations:**

6.1 None

**7.0 Human Resources considerations:**

7.1 None

**8.0 Equalities considerations:**

8.1 None

**9.0 Financial considerations:**

9.1 Land Rover 110 Defender at £18,676 over three years (net of part exchange), with annual repayments of £7,124, which is accounted for within the revenue budget.

9.2 Full details are set out in paragraphs 5.4 to 5.8 of the Background Information

**10.0 Risk management considerations:**

10.1 Failure to replace the Beach Patrol Vehicle will leave the Council vulnerable to loss of reputation as safe family resort, Negative media coverage and potentially risks from lack of beach patrol cover.

**11.0 Ethical considerations:**

11.1 None

**12.0 Internal/ External Consultation undertaken:**

12.1 None

**13.0 Background papers:**

13.1 None

**14.0 Key decision information:**

14.1 Is this a key decision? No

14.2 If so, Forward Plan reference number:

14.3 If a key decision, is the decision required in less than five days? No

14.4 If **yes**, please describe the reason for urgency:

**15.0 Call-in information:**

15.1 Are there any grounds for urgency, which would cause this decision to be exempt from the call-in process?

No

15.2 If **yes**, please give reason:

**TO BE COMPLETED BY THE HEAD OF DEMOCRATIC GOVERNANCE**

**16.0 Scrutiny Committee Chairman (where appropriate):**

Date informed:

Date approved:

**17.0 Declarations of interest (if applicable):**

17.1

**18.0 Executive decision:**

18.1

**18.2 Date of Decision:**

**19.0 Reason(s) for decision:**

**19.1 Date Decision published:**

**20.0 Executive Members in attendance:**

20.1

**21.0 Call-in:**

21.1

**22.0 Notes:**

22.1

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