

Blackpool Council

2 March 2018

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, 12 March 2018 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 either a

- (a) personal interest
- (b) prejudicial interest
- (c) disclosable pecuniary interest (DPI)

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 | HOUSING ENFORCEMENT CIVIL PENALTIES POLICY | (Pages 1 - 16) |
| 3 | ALLOCATION OF SOCIAL HOUSING | (Pages 17 - 90) |
| 4 | SPECIAL SCHOOL PROVISION NEXT STEPS | (Pages 91 - 98) |
| 5 | SELECTIVE LICENSING FOR THE CENTRAL AREA | (Pages 99 - 194) |
| 6 | FINANCIAL PERFORMANCE MONITORING AS AT MONTH 10 2017/18 | (Pages 195 - 198) |

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

Copies of agendas and minutes of Council and committee meetings are available on the Council's website at www.blackpool.gov.uk.

Report to:	EXECUTIVE
Relevant Officer:	John Blackledge, Director of Community and Environmental Services
Relevant Cabinet Member	Councillor Gillian Campbell, Deputy Leader of the Council (Tourism, Economic Growth and Jobs)
Date of Meeting:	12 March 2018

HOUSING ENFORCEMENT CIVIL PENALTIES POLICY

1.0 Purpose of the report:

- 1.1 To seek approval of the Draft Civil Penalties Policy for Housing Enforcement and to seek approval to authorise the Service Manager (Public Protection) to enforce these provisions.

2.0 Recommendation(s):

- 2.1 To approve the adoption of Housing Enforcement Civil Penalties Policy, as attached at Appendix 2(a).
- 2.2 To agree that the Service Manager (Public Protection) be authorised to issue Civil Penalties on behalf of the Council.

3.0 Reasons for recommendation(s):

- 3.1 The penalties and the policy will be used as part of the suite of tools under the Community and Environmental Services Enforcement Policy, and Proceeds of Crime Policy. These will give officers a wider range of tools to tackle problematic landlords and thereby protect tenants.

- 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:

Not to adopt the revised policy which would reduce the range of options of

4.0 Council Priority:

- 4.1 The relevant Council priority is “Communities: Creating stronger communities and increasing resilience”.

5.0 Background Information

- 5.1 The Housing and Planning Act 2016 introduces a range of measures designed to crackdown on “rogue” landlords. These include Civil Penalties, Extended Rent Repayment Orders, a Rogue Landlords Database and Banning Orders. Council Officers have investigated the potential new powers and consulted with the Council’s Legal Services and Strategic Housing teams, as well as other Association of Greater Manchester Authorities as to how they could be implemented and drafted a policy, which is in line with that proposed by other members of the Association of Greater Manchester Authorities.

- 5.2 The Civil Penalties would range from £500 to £30,000 as an alternative to prosecution dependent on the severity of offence. These would have the same standard of proof as for prosecution. The imposition of a Civil Penalty could potentially provide a way to deal with offences in a more straightforward and efficient manner without the need for criminal proceedings. Criminal proceedings would still be considered for serious breaches.

- 5.3 While the imposition of the penalty would be the responsibility of the Service Manager (Public Protection), it is anticipated that the officer would consult in advance with the Council’s Legal team and other responsibility agencies as to whether the penalty would be appropriate.

- 5.4 The policy would if approved by subject to an informal review after 12 months of operation and monitoring would be undertaken to ensure it met its objectives.

- 5.5 Is the Corporate Delivery Unit aware of this report? Yes

The Corporate Delivery Unit has been consulted and has no issues to be raise.

- 5.6 Does the information submitted include any exempt information? No

5.7 List of Appendices:

Appendix 2(a) - Housing Enforcement Civil Penalties Policy

6.0 Legal considerations:

6.1 Any decision would need to in line with the Planning And Housing Act 2016. In order to ensure this Consultation with the Council’s Legal team has already occurred.

7.0 Human Resources considerations:

7.1 Authorisation of staff would be performed by Service Manager (Public Protection using delegated powers.

8.0 Equalities considerations:

8.1 None.

9.0 Financial considerations:

9.1 It is not intended to use the Civil Penalties to raise revenue. Any income generated would go towards covering the cost of the enforcement activities.

10.0 Risk management considerations:

10.1 None.

11.0 Ethical considerations:

11.1 None.

12.0 Internal/ External Consultation undertaken:

12.1 As mentioned above, internally with Legal Services and Strategic Housing, and externally with A.G.M.A. authorities.

13.0 Background papers:

13.1 D.C.L.G. Guidance “Civil Penalties Under The Planning And Housing Act 2016.
Community And Environmental Services Enforcement Policy

14.0 Key decision information:

14.1 Is this a key decision? Yes

14.2 If so, Forward Plan reference number: 5/2018

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

14.4 N/A

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

TO BE COMPLETED BY THE HEAD OF DEMOCRATIC GOVERNANCE

16.0 Scrutiny Committee Chairman (where appropriate):

Date informed: 2 March 2018 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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Blackpool Council Private Sector Housing

Civil Penalties Policy 2018

1.0 Introduction

- 1.1 Blackpool Council is committed to improving standards in the private rented sector, ensuring that landlords are aware of the standard of property they should be offering, and that all properties are well managed, properly maintained, habitable and safe.
- 1.2 Blackpool Council recognises that the Government is committed to tackling rogue landlords, consequently having introduced measures under the new Housing and Planning Act 2016. Blackpool Council is committed to utilising all available powers fully including Civil Penalties to improve standards across the private rented sector.
- 1.3 Blackpool Council also appreciates the importance of recognising good landlord performance, i.e. those who do provide the decent, habitable and safe homes that our local people want to live in.
- 1.4 Local authorities have the option to use these new powers alongside existing powers contained within the Housing Act 2004 and Town and Country Planning Act 1990.
- 1.5 Since 6 April 2017 Councils have had the power to impose civil penalties of up to £30,000 on individuals and organisations acting as or on behalf of private sector landlords as an alternative to prosecution for certain offences under the Housing Act 2004. Rent Repayment Orders have also been extended to cover a wider range of offences.
- 1.6 This policy contains information about civil penalties and rent repayment orders and how Blackpool Council intends to use them. It takes into account the statutory guidance that has been issued by Government under Schedule 9 of the Housing and Planning Act 2016, and should be read alongside the Council's Enforcement Policy.

2.0 Purpose of the Policy

- 2.1 Local authorities are expected to develop and enforce their own policy on when to prosecute and when to issue a civil penalty, and detail how they will decide on the size of each penalty.
- 2.2 This policy will outline the circumstances in which Blackpool Council will consider the use of a civil penalty as opposed to prosecution, and how it will determine the size of each civil penalty.
- 2.3 This Civil Penalties Policy is designed to ensure that Blackpool Council adopts a transparent, consistent and fair approach to how the new powers will be used. Complementing the existing Enforcement Policy it will play a significant role in assisting the Council in tackling poor standards within the private rented sector, by robustly dealing with rogue landlords.
- 2.4 Offenders who are issued with a civil penalty have a right of written representation to the Council: and then if still dissatisfied; the right of appeal to the Residential Property Tribunal where the soundness of the decision to impose a fixed penalty can be rigorously scrutinised.
- 2.5 Each case will be decided upon its own merits taking into account all the evidence available, Where the Local Housing Authority considers that a Housing Act offence has been committed; it must decide whether to prosecute or issue a civil penalty as an alternative to prosecution.

3.0 Housing Offences Covered by Civil Penalties

- 3.1 The introduction of section 126 and Schedule 9 of the Housing and Planning Act 2016 gives powers to local authorities to impose a civil penalty as an alternative to prosecution for certain housing offences.
- 3.2 The specified housing offences where a civil penalty can be issued are detailed below:
- Section 30: Failure to comply with an Improvement Notice;
 - Section 72: Offences in relation to licensing of Housings in Multiple Occupation;
 - Section 95: Offences in relation to licensing of houses under Part 3 of the Act;
 - Section 139: Offences of contravention of an overcrowding notice;

- Section 234: Failure to comply with management regulations in respect of Housings in Multiple Occupation.

4.0 Principles of Civil Penalties

- 4.1 Although the maximum civil penalty which can be issued is £30,000, it is for the Council to determine the level, having regard to each individual circumstance.
- 4.2 To prevent double jeopardy, civil penalties can only be issued as an alternative to prosecution. Where a landlord or letting agent (or both) has been prosecuted for any offence, a civil penalty cannot be issued for that offence, and conversely if a civil penalty has already been issued, a prosecution cannot ensue.
- 4.3 Although only one civil penalty can be issued for each of the four offences listed under section 3.2 above, this is not the case for Section 234 as here a civil penalty can be issued for each separate breach of the HMO Management Regulations.
- 4.4 Where a letting agent and landlord have committed the same offence the Council is able to impose a civil penalty on both parties as an alternative to prosecution. Although the level of penalty imposed may differ dependent on individual circumstances.

5.0 Determination of Civil Penalty Fines and Burden of Proof

- 5.1 The process for determining the level of penalty issued is based on the Sentencing Guidelines Councils Overarching Principles of culpability and harm.
- 5.2 The same standard of proof is required for a civil penalty as that of a prosecution. As with prosecutions the Council must determine beyond all doubt that the offence has been committed by the person alleged. The criminal burden of proof, i.e. beyond all reasonable doubt, must be satisfied before a civil penalty can be issued as an alternative to prosecution. The local housing authority must satisfy itself there would be a realistic prospect of conviction, applied objectively, given the evidence available.
- 5.3 Due regard must be given to any potential defences available, and, in certain circumstances the Local Housing Authority may decide to conduct an interview under caution in accordance with PACE Codes of Practice to assist in determining whether the issue of a civil penalty is appropriate or not.

5.4 A civil penalty should not be seen as a lesser option in comparison to prosecution. The level of fine should be set sufficiently high as to have a real impact economically upon the offender, whilst also clearly demonstrating the consequence of not complying with their responsibilities.

5.5 The Council will consider civil penalties for all landlords/letting agents that are in breach of one or more of the sections of the 2004 Act listed in section 3.2. Enforcement action will be considered on a case by case basis in line with Blackpool Council's Enforcement Policy.

5.6 This section sets out how the Council will determine the appropriate level of fine in each case. The agreed fine should take into consideration the severity of the offence and the offender's income and previous history.

5.7 Factors taken into account when deciding the level of penalty are detailed below.

The factors detailed below are taken from the CLG statutory Guidance:

- The severity of the offence
- The culpability and track record of the offender
- The harm caused to the tenant
- The punishment of the offender
- Whether it will deter the offender from repeating the offence
- Whether it will deter others from committing the offence
- Whether it will remove any financial benefit the offender may have obtained as a result of committing the offence.

5.8 The Council must also ensure that the level of penalty issued removes any financial benefit that has been gained from committing the offence(s).

5.9 The Council must also take into account the cost of investigating the offence(s); preparing the case for formal action; and any costs that could potentially be incurred from defending its decision at the First Tier Tribunal.

6.0 Process for determining the level of penalty issued

6.1 As outlined in the Council's Enforcement Policy the Local Authority must consider the Code for Crown Prosecutors when determining what action will be most appropriate to take. The two stages to this code are:

- The evidential stage: is there enough evidence to charge the offender? Consideration must be given to whether evidence could be used in Court and if it is 'reasonable' and 'credible'.
- The public interest stage: is it in the public interest to bring the case against the offender? The prosecutor needs to be sure that the public interest factors for the case to be brought outweigh those against.

6.2 The determination of a civil penalty will be based on four culpability levels and 3 levels of severity which are explained below:

Category of Offence	Example (but not limited to)
HIGH (Intentional): An intentional breach by the offender or a flagrant disregard for the law	Intentional breach by the landlord or letting agent, i.e. failure to comply with a correctly served improvement notice
HIGH (Reckless): An actual foresight of, or wilful blindness to the risk of offending, but takes the risk regardless	Failing to comply with HMO regulations
MEDIUM (Negligent): Failure of an offender to take reasonable care to put in place and enforce proper systems for avoiding the offence	Failure of the landlord or letting agent to take reasonable care to put in place and enforce proper systems, for avoiding commission of the offence; such as part compliance with a schedule of works but failure to complete all schedule items within notice timescale
LOW (Low or no culpability): The offender is responsible to at least some part however there are other mitigating circumstances out of their control	Obstruction by the tenant to allow a contractor to access the property to carry out repairs; or damage caused due to negligence on behalf of the tenant
Harm Level	Example
Level 1: MINOR HARM Minor risks which left unattended to could impact upon the health and safety of the occupant resulting in deterioration of health	Housing defects that may be scored as low category 2 hazards
Level 2: SERIOUS HARM Serious risks to the health and safety of the occupants and/or immediate community which has, or could have led to serious injury or disease requiring prolonged treatment and/or hospitalisation	Housing defects that may present such a risk could include risks associated with falls; lack of adequate heating; collision and entrapment and any other hazards that could lead to a serious risk to the occupants and immediate community
Level 3: MAJOR HARM Serious and substantial risk including imminent risk to the health and safety of the occupants and/or immediate community as a result of the offence, with potentially life threatening results	Housing defects that may present such a risk could include risks associated with electrical hazards; exposure to carbon monoxide; exposure to asbestos or radiation; fire safety risks; risk of explosion or structural collapse.

6.3 The penalty matrix can then be used to determine the level of fine issued (see section 7).

7.0 Penalty Matrix

Part A: This covers the following three sections of the Housing Act 2004

- Failure to licence HMO under Part 3 of the Act – Section 95(1)
- Failure to licence under Part 2 of the Act – Section 72(1)
- Breach of condition under Part 2 of the Act – Section 72(2)

Type of offender	Category of offence	Level 1 MINOR HARM	Level 2 SERIOUS HARM	Level 3 MAJOR HARM
Landlord/Agent with 1 property	Low culpability	£775	£1,250	£2,500
	Negligent	£1,250	£2,500	£5,000
	Reckless	£2,500	£5,000	£7,500
	Intentional	£5,000	£7,500	£10,000
Landlord/Agent with 2-15 properties	Low culpability	£6,250	£9,375	£12,500
	Negligent	£7,500	£11,250	£15,000
	Reckless	£8,750	£13,125	£17,500
	Intentional	£10,000	£15,000	£20,000
Landlord/Agent with 16+ properties	Low culpability	£11,250	£16,875	£22,500
	Negligent	£12,500	£18,750	£25,000
	Reckless	£13,750	£20,625	£27,500
	Intentional	£15,000	£22,500	£30,000

Part B: This covers the following four sections of the Housing Act 2004

- Breach of condition under Part 3 of the Act – Section 95(2)
- Breach of condition under Part 2 of the Act – Section 72(3)
- Failure to comply with an Improvement Notice under Part 1 of the Act – Section 30
- Failure to comply with management regulations in respect of HMOs under Part 7 of the Act – Section 234¹
- Contravention of an Overcrowding Notice under Part 4 of the Act – Section 139

Type of offender	Category of offence	Level 1 MINOR HARM	Level 2 SERIOUS HARM	Level 3 MAJOR HARM
Landlord/Agent with 1 property	Low culpability	£500	£750	£1,000
	Negligent	£1,000	£1,500	£2,000
	Reckless	£1,500	£2,250	£3,000
	Intentional	£2,000	£3,000	£4,000

¹ Section 234: a civil penalty can be issued for each separate breach of HMO Management Regulations.

Landlord/Agent with 2-15 properties	Low culpability	£2,500	£3,750	£5,000
	Negligent	£3,000	£4,500	£6,000
	Reckless	£3,500	£5,250	£7,000
	Intentional	£4,000	£6,000	£8,000
Landlord/Agent with 16+ properties	Low culpability	£4,500	£6,750	£9,000
	Negligent	£5,000	£7,500	£10,000
	Reckless	£5,500	£8,250	£11,000
	Intentional	£6,000	£9,000	£12,000

8.0 Issuing a Notice of Intent

8.1 The procedure for imposing a civil penalty is set out at Schedule 13A of the Housing Act 2004 and summarised in the DCLG guidance.

8.2 Schedule 13A states that the local housing authority must give the person notice of the authority's proposal to do so (a 'notice of intent').

8.3 The notice of intent must be given before the end of the period of 6 months beginning with the first day on which the authority has sufficient evidence of the conduct to which the financial penalty relates.

8.4 But if the person is continuing to engage in the conduct on that day, and the conduct continues beyond the end of that day, the notice of intent may be given—

- (a) At any time when the conduct is continuing, or
- (b) Within the period of 6 months beginning with the last day on which the conduct occurs.
- (c) A person's conduct includes a failure to act.

8.5 The notice of intent must set out:

- The amount of the proposed financial penalty
- The reasons for proposing to impose the financial penalty, and
- Information about the right to make representations

8.6 Once a landlord receives a notice of intent they have the opportunity to make written representations to the local housing authority about the proposal to implement a financial penalty

8.7 Any representations must be made within 28 days from the day after the notice of intent was issued

8.8 At the end of the 28 day period the local housing authority must:

- a) Decide whether to impose a financial penalty, and
- b) If it decides to impose a financial penalty, decide the amount of the penalty

8.9 The final notice must require the penalty to be paid within the period of 28 days beginning with the day after that on which the notice was given, and the notice must set out:

- a) The amount of the financial penalty
- b) The reasons for imposing the penalty
- c) Information about how to pay the penalty
- d) The period for payment of the penalty
- e) Information about rights of appeal, and
- f) The consequences of failure to comply with the notice.

8.10 The Council may, at any time, if circumstances dictate, withdraw a notice or reduce the amount owed as specified in a notice in relation to a civil penalty.

9.0 Appeal Process

9.1 Any person who received a final notice can appeal to the First-Tier Tribunal against either the decision to impose the penalty, the amount of the penalty

9.2 The appeal effectively suspends the notice and requirement to pay until determined

9.3 The First-Tier Tribunal can confirm, vary or cancel the final notice

10.0 Recovery of the financial penalty

10.1 Following failure to pay the whole or part of a financial penalty give the local authority the option to recover the financial penalty on the order of the County Court as if it were payable under an Order of that Court.

11.0 Consequences of non-compliance

- If a landlord has received a civil penalty, that fact can be taken into account in considering whether the landlord is a fit and proper person to be the licence holder for a HMO or any other property subject to licensing

12.0 Database of Rogue Landlords and Letting Agents

Where a landlord receives two or more civil penalties under this legislation across a twelve month period, the Council will make an entry on the National Database. When considering making an entry the Council will have regard to any guidance issued by the Secretary of State.

13.0 Policy Review

This policy will be subject to review and will be reviewed annually as a minimum.

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Report to:	EXECUTIVE
Relevant Officer:	Andrew Foot, Head of Housing
Relevant Cabinet Member	Councillor Christine Wright, Cabinet Member for Housing
Date of Meeting	12 March 2018

ALLOCATION OF SOCIAL HOUSING

1.0 Purpose of the report:

- 1.1 Following consultation To seek the adoption of a new policy for the allocation and letting of social housing in Blackpool.

2.0 Recommendation(s):

- 2.1 To consider the consultation report attached at Appendix 3(b).
- 2.2 To adopt the revised allocations policy, attached at Appendix 3(a), for social housing in Blackpool, to take effect from the launch of the updated My Home Choice Fylde Coast system.

3.0 Reasons for recommendation(s):

- 3.1 To ensure that the allocation of social housing continues to reflect local needs. The consultation report has been broadly supportive and the adoption of the revised policy will ensure continued consistency across the wider Fylde Coast.

- 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:

Not to implement the revised allocations policy which would result in variations in allocations across the Fylde Coast.

4.0 Council Priority:

- 4.1 The relevant Council priority is “ Communities: Creating stronger communities and increasing resilience”.

5.0 Background Information

- 5.1 The Executive gave approval on 17 July 2017 to enter into a new partnership agreement with local social housing providers, Fylde and Wyre Councils to further develop the My Home Choice Fylde Coast sub-regional system for letting social housing, and to contract with Civica to provide an updated system. The Executive also gave approval to develop and consult on a revised allocations policy that will be used with the new system.
- 5.2 Following public consultation, this report now seeks approval of the revised allocations policy, known as the Fylde Coast Consistent Assessment Policy. The policy covers who is eligible to join the housing register for social housing, how applicants are assessed and prioritised and how properties made available by local social housing providers, including Blackpool Council’s own properties, are to be let.
- 5.3 The new Policy is based on the one adopted in 2012, amended with a stronger local connection requirement in late 2013. In the last 4 years, the total number of social homes that become available for letting has reduced, as on average social tenants stay in their homes for longer and in Blackpool some of the homes with the highest turnover have been re-developed, particularly at Queens Park. The demand for social housing remains high, while private rented sector rents have been static, incomes are under pressure and there are slightly increasing numbers of people threatened with homelessness. The “bedroom tax” changed the balance in demand between different sizes of homes, with strong demand for one bedroom flats, but the immediate impact of this has worked its way through the system now and there is strongest demand in Blackpool for family houses. Demand is weakest for two and three bedroom flats, which are unattractive to families and unaffordable to others if they are reliant on Housing Benefit.
- 5.4 The new Policy also takes into account the expected impact of the new Homelessness Reduction Act 2017, which takes effect in April 2018 and Blackpool’s draft new Homelessness Prevention Strategy. Many of the principles remain the same in the new Policy, but the new Policy seeks to work with the updated lettings system to make the process of applying for a social rented home simpler. It also seeks to cater better for many people with low housing need who are either not able or not willing to wait for a long time on the housing register to find a new home. These are often households who are struggling to afford market rents or dissatisfied with the quality of their existing home, but do not meet the statutory housing need thresholds. The new Policy seeks to continue to give some additional preference to working

households while continuing to let most homes to people with the greatest housing needs.

5.5 The principal changes in the new Policy are:

- To make the local connection required to join the housing register a local connection to the whole Fylde Coast area rather than the current connection to individual boroughs. However, preference will still be given in letting homes in each borough to those applicants whose strongest link is to that individual borough.
- Introducing two ways of letting properties, with at least 50% reserved for applicants in housing need (Bands A-C) and prioritised according to level of need, and the rest available to all applicants and let on a first come, first served basis. The balance of lets will be monitored, with a target to let two thirds of all properties to those with a statutory housing need – similar to the current 64%.
- To simplify the housing register and priority bands so that only those with a statutorily defined housing need are given a priority band and the bands are reduced to A- high need and urgent requirement to move, B – high need, and C- low need. Qualifying applicants without a defined housing need will undergo a much simpler assessment process and will only be eligible for the first come first served homes. This should help make the application process much quicker and simpler for many people, and reduce the costs of assessing applications.
- To introduce restrictions on existing social housing tenants using the system to find a new home, so that the system will only be open to existing social housing tenants who have a housing need, or who are in employment.
- To give priority for 20% of the homes let on a first come first served basis to applicants in paid or voluntary work.
- To allow more flexibility in the sizes of homes that households can express an interest in. Currently, applicants are only allowed to bid for homes with a particular number of bedrooms. The new proposal will allow households an “extra” bedroom if they can show that they can afford the additional rent. This additional choice should make social housing more attractive to working households who would not otherwise consider it.

5.6 A report on the public consultation that took place in November and December 2017 is attached at Appendix 3(b). The consultation responses raised a number of issues that have led to small changes in the policy and lettings arrangements, but there was overall support for the principal elements of the new Policy. As well as consulting on changes to the Policy, a question was also asked about the income and savings threshold that is used to limit access to the housing register to households with an income of less than £60,000 and savings of £30,000 (for those under 55 years of age).

There were opposing views on this issue, but on balance support for maintaining the threshold at the current level.

- 5.7 Once approved by each of the Fylde Coast local authorities, the new Policy will come into effect with the launch of the new My Home Choice system, which is scheduled to be in September 2018 once software development and testing has been completed. The new Policy cannot come into effect before then because implementation relies on the new system being in place.

- 5.8 Is the Corporate Delivery Unit aware of this report? Yes

The Corporate Delivery Unit has been involved in a number of stages in the development of the policy and supports the process undertaken.

- 5.9 Does the information submitted include any exempt information? No

5.10 **List of Appendices:**

Appendix 3(a) - Fylde Coast Consistent Assessment Policy
Appendix 3(b) - Consultation Report
Appendix 3(c) - Equalities Impact Assessment

6.0 Legal considerations:

- 6.1 The changes to the Fylde Coast Consistent Assessment Policy have been subject to statutory consultation, and are compliant with the relevant legislation.

7.0 Human Resources considerations:

- 7.1 There are no specific proposals that place additional pressure on human resources within the Council. The implementation of the new Policy, alongside the new system, will be undertaken using existing resources in the Housing Options team, and revised approaches to letting Council housing will be delivered by staff within Blackpool Coastal Housing.

8.0 Equalities considerations:

- 8.1 An Equality Impact Assessment has been completed and is attached at Appendix 3(c). This found that no one with any of the protected characteristics should be adversely affected by the new Policy.

9.0 Financial considerations:

- 9.1 There are no financial implications from the new Policy; the costs of the new system have already been budgeted for, and it should help promote the efficient letting of the Council's housing stock.

10.0 Risk management considerations:

- 10.1 Regular monitoring of outcomes through the Fylde Coast Housing Providers group will help ensure that the system continues to achieve our objectives.

11.0 Ethical considerations:

- 11.1 The proposals are consistent with the Council's values, and aim to balance the need to continue to help those in the greatest need with providing opportunities for everyone to find the housing that they need.

12.0 Internal/ External Consultation undertaken:

- 12.1 Public consultation has sought views on the changes to the Consistent Assessment Policy and system improvements, as set out in Appendix 3b.

13.0 Background papers:

- 13.1 None.

14.0 Key decision information:

- 14.1 Is this a key decision? Yes
- 14.2 If so, Forward Plan reference number: 8/2018
- 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: 9 February 2018 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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Consistent Assessment Policy



Working in Partnership with:



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SECTION 1: INTRODUCTION

Purpose of the Policy

MyHomeChoiceFyldeCoast is the Choice Based Lettings (CBL) scheme operating across the Fylde Coast region. The Consistent Assessment Policy underpins the CBL scheme and forms the principal element of the allocation scheme for each Fylde Coast Local Authority (Blackpool, Fylde and Wyre) and Registered Provider operating in the area.

Each Local Authority has a statutory duty to have a scheme in place that sets out how social housing will be allocated. This is formulated and regularly reviewed in consultation with Local Authority members, housing providers and the public. It takes into account the level and patterns of the demand for social housing, stock profile, vacancies which are likely to become available and also reflects agreed strategic priorities.

This Policy sets out how applicants to the *MyHomeChoiceFyldeCoast* scheme will be assessed and priority awarded, ensuring a fair and efficient mechanism for the allocation of social rented homes across the Fylde Coast (including Council owned properties).

The Consistent Assessment Policy has been developed by the three Fylde Coast Local Authorities working in partnership with the following Registered Providers:

Blackpool Coastal Housing
Great Places Housing Group
Muir Group Housing Ltd
For Housing

Progress Housing Group
Places for People
Regenda Group

In drafting this policy *MyHomeChoiceFyldeCoast* partners have had regard to the Codes of Guidance issued by Central Government in addition to the following pieces of legislations:

- The Children's Act 2004.
- The Equalities Act 2010.
- Data Protection Act 1988
- Housing Act 1996 as amended by the Homelessness Act 2002
- Localism Act 2011

Aims of the Scheme

Although *MyHomeChoiceFyldeCoast* provides greater choice for applicants, the scheme in itself does not increase the number of properties available. Properties are advertised and applicants are encouraged to take an active part in the process by bidding on a property. The system is transparent and is expected to provide applicants with a realistic view of their prospects of securing accommodation.

The scheme's key objectives are to:

- Create a customer led choice based lettings scheme
- Widen the choice of housing
- Ensure the scheme is open, fair and accountable
- Increase understanding and satisfaction of the letting system
- Give new tenants a feeling of ownership of their property and community
- Help create sustainable communities

- Make more efficient use of the available housing stock
- Help tackle low demand and reduce void turnaround times
- Create a single point of access to all social housing on the Fylde Coast
- To meet the legal requirements for the allocation of social housing as set out in Part VI of the Housing Act (1996) as amended by the Homelessness Act (2002) and the Localism Act (2011)

Registered Providers participating in the scheme are committed to advertising their available properties to applicants who have applied and are registered on the system. Adverts will include a description of the property and indicate which applicants are eligible to apply. Applicants can then apply for the property of their choice provided they meet the stated eligibility criteria.

Overview of MyHomeChoiceFyldeCoast

To gain access to the *MyHomeChoiceFyldeCoast* scheme, eligible applicants only have to register once. They are then able to bid for suitable properties as they are advertised by partner organisations.

To have access to social housing through *MyHomeChoiceFyldeCoast*, applicants must i) meet nationally defined eligibility criteria for social housing, ii) have a local connection, and iii) not have been excluded for any other reason (see section 3 for further details on eligibility).

While all homes are advertised through the *MyHomeChoiceFyldeCoast* website, there are two different routes for allocating homes:

1. Homes reserved for applicants on the Housing Needs register

A minimum of 50% of properties advertised will be made available exclusively for applicants on the Housing Needs register. High demand properties, such as but not limited to 4+ bedrooms, Extra Care Housing and adapted stock will be reserved initially for those in the Housing Need stream.

Properties will be advertised for a 5 day cycle, with the cycle starting as soon as the property becomes available, on any working day.

Applicants from the Housing Needs register who express an interest in these properties will be shortlisted for homes in order of priority need for housing and the length of time the applicant has been in that band.

2. Homes open to all applicants registered on the system

A maximum of 50% of properties advertised will be made available to all applicants registered on the system - those on the Housing Needs register and those who are not. Applicants expressing an interest in these properties will be shortlisted in order of when their bid was placed, with the preference given to the earliest bids.

In order to recognise and reward those who work and make a contribution to the community, 20% of lettings available to all applicants will prioritise people who meet the working households and community contribution criteria (see Appendix Three).

Properties will be advertised for a minimum of 2 days to allow locals to bid, as soon as the property becomes available, on any working day.

Applicants who are on the Housing Needs register will have access to housing through both routes. The Local Authorities will monitor the proportion of all homes that are allocated to applicants on the Housing Needs register, The aim is to enable two thirds of all homes to be allocated to applicants from the Housing Needs register.

SECTION 2: APPLYING TO JOIN THE HOUSING REGISTER

Making an Application

Applicants aged 16+ can register an application by visiting the website www.myhomechoicefyldecoast.co.uk. Applicants should answer all questions in the form fully and accurately and be prepared to provide supporting evidence as required.

Applications will be assessed by an Assessing Partner based on the current address of the applicant.

All applicants eligible for social housing will be able to log onto the website immediately and bid on properties. Where applicants may be eligible for the Housing Needs register, the Assessing Partner will aim to assess the housing application and allocate a priority band within 10 working days of submission.

For homelessness applications, further checks may be required. Applicants will be informed if this is the case.

Information Required

Applicants will be required to provide the following information:

- Contact details of the current landlord, tenancy type and if a formal Notice To Quit has been served.
- Address history for the last 3 years including landlord details and reason for leaving.
- Details of anyone on the application who has unspent criminal convictions. Details of the crime, date and length of sentence given and how long they served will be required. (See Appendix Two for further details).
- Details of action taken against anyone on the application for Anti Social Behaviour including type of action e.g. court action or written warning and if an ASB Order has been granted.

Please note, *MyHomeChoiceFyldeCoast* will apply the suspension policy if appropriate (see section 4 for further details).

Documentation Requirements

The table below identifies potential verification needs and associated documentation required.

Verification Need:	Documents required (one of the following must be provided)
The identification of the applicant and households	Birth Certificate Passport Immigration papers
Eligibility to register for social housing	Passport National Identity Paper Home Office documents Wage slips Proof of Housing Benefit/Local Housing Allowance Proof of local connection
Proof of address and agreement terms, for example, tenancy agreement	Electoral Register entry Proof of rent payments Utility bills Pension book Confirmation from employer or DWP Tenancy Agreement Full driving licence Council Tax or telephone bill (recent) Bank statement (recent)
Proof of childcare responsibilities (Children who have previously been in the care of another person, including ex partner, must provide a combination of the evidence if a Residents Order is not available).	Child benefit or other benefits such as fostering allowance Residence Order Confirmation from Public Body (DWP, Social Services, Health & Education Authorities) Dependents birth certificate
Non-dependants verification for living with applicant	Confirmation from Social Services or other relevant statutory agency
Proof of pregnancy	Antenatal card/book Doctors letter MATB1
Threatened with eviction	Tenancy Agreement Valid Notice to Quit Court order

If an applicant is unable to provide the necessary documentation the case will be considered in light of individual circumstances by the relevant Partner Organisation. All offers are subject to verification.

Application Date and Effective Date

All applications will be given an 'Application Date' corresponding to the date the application was received for assessment.

Within each band, applicants order is listed by the 'Effective Date'. The 'Effective Date' is the date of application, or where an applicants circumstances have changed resulting in a higher band being awarded. The 'Effective Date' will be the date the higher band applies.

Online Security

Upon registration applicants will be issued with a registration number and memorable date to enable login for the service. Password resets can be requested via the *MyHomeChoiceFyldeCoast* website. Password reset/reminder information will be sent to the main applicants e-mail address. For this reason it is important that all applicants provide their own e-mail address.

Pre-tenancy Checks

Once an offer of accommodation is made, individual landlords may undertake relevant verification of their identity, circumstances and housing conditions. This may be in the form of an online application, interview, home visit and/or telephone call.

Evidence of outstanding housing debts will be verified. Where applicants have indicated anti social behaviour and 'unspent' convictions relevant checks will be made.

Landlord references (current/previous) will be sought where the applicant has held a private or social housing tenant. A credit check may also be carried out.

All applicants may be required to provide the following documents:

- Proof of identity and residence for all persons included on the application, including but not limited to: passport, identity card, phot driving licence, birth certificate or written confirmation from a professional person or support agency
- Proof that they are still an eligible person
- Proof of current address
- Proof of income
- Other documentation as appropriate

Offers may be withdrawn from an applicant who does not participate in pre-tenancy checks within a reasonable timescale.

References

Applicants will be required to provide two references to the Partner Organisation once they have successfully bid for a property. One reference must be from a current or the most recent landlord and may include a staff reference from interim or supported accommodation.

References will also be considered from the following (this list is not exhaustive):

- Successful completion of a recognised tenancy training program
- Current/former employer
- Teacher/College Lecturer
- Person of standing in the community.

References will not be accepted from family or friends. Further landlord references may be requested as required. Partner Organisations will review applications with unsatisfactory references.

Advice and Information

The Fylde Coast Local Authorities provide free independent housing advice to residents in their district. Partner Organisations to the *MyHomeChoiceFyldeCoast* scheme will ensure information and advice is available for applicants who need support to join or use the scheme, including a copy of the Consistent Assessment Policy.

False Information

Partner Organisations are committed to taking legal action against any applicant found to have gained a tenancy based on false information in their application form. (See section 4 – False Information for further details.

Data Sharing

Information provided in the application form will be made available to all partners of the Choice Based Lettings scheme. All supporting documentation will be scanned by relevant partners and electronically attached to the on-line application.

Data Protection

Information provided as part of the application process will be treated in the strictest confidence and in accordance with current data protection legislations. Information will be held on a computerised database and will only be accessible by Partner Organisations. The data provided will be used to assess an applicant's eligibility for social housing and identify if there are additional support needs, enabling Registered Providers to rehouse applicants into appropriate accommodation. Where necessary, information will be shared with agencies providing housing related support.

Partner Organisations reserve the right to validate applicant information with appropriate organisations including the Police, Local Authorities, Employers, Probation Services, Former/Current Landlords, Banks and Building Societies, Health Professionals, Social Services and Credit Reference Agencies. Consent is sought via the Declaration on the application form.

Individuals are entitled under the Data protection Act to request details of their personal data held by *MyHomeChoiceFyldeCoast* for which a charge may apply.

The information received from housing applications may also be used for housing management and research purposes.

SECTION 3: ELIGIBILITY TO JOIN THE HOUSING REGISTER

Eligibility

Applicants aged 16 and over are eligible to apply to *MyHomeChoiceFyldeCoast* Housing Register unless they are in one of the excluded groups below (See section 8 for 16 & 17 yrs olds).

Ineligibility (Non qualifying persons)

There are a number of circumstances in which applicants will be ineligible from joining the Housing Register:

1. Persons from abroad who the Secretary of State for Communities & Local Government has deemed ineligible for an allocation of housing accommodation
2. A person who, although not subject to immigration control, are not habitually (permanently) resident in the Common Travel Area (which includes the UK, Channel Islands, Isle of Man and the Republic of Ireland.)

These exclusions do not apply to existing social housing tenants where accommodation was allocated by the Local Authority.

There are a number of other circumstances in which applicants will be ineligible from joining the Housing Register.

3. Existing social housing tenants who apply with no housing need and who do not have permanent employment within the Fylde Coast area. (See Appendix Three – Working Households)
4. Applicants with no local connection (other than those exempt due to having served in the armed forces in the last five years or who are currently serving, and homeless applicants where a statutory duty to rehouse has been accepted by either Blackpool, Fylde or Wyre Council.
5. Households whose gross household income exceeds £60,000 pa
6. Applicants and households aged under 55 with savings exceeding £30,000
7. Households who have been evicted for Anti Social Behaviour (ASB) within the last five years
8. Households evicted from an Assured or Secure Tenancy from a Registered Provider, or evicted under section 8 of an Assured Shorthold Tenancy from a private landlord.

There is a right of review for each decision made by *the MyHomeChoiceFyldeCoast* partners on a case by case basis, having regard for exceptional circumstances. (See section 11 – Requesting a Review for further details).

Local Connection

When deciding eligibility, applicants must be able to demonstrate they have a local connection by one of the following:

- Local residency – they have lived in the Fylde Coast area consecutively for the last three years (does not include those that have been placed in the area)
- Permanent employment in the Fylde Coast area (see Appendix Three – Working Households)
- Close family association – has a parent, adult child, adult brother or sister who is living in the Fylde Coast area and has done so for the last 5 years
- Applicants who are serving in the Armed Forces and who are either employed or are resident in the Fylde Coast area
- Former Armed Forces personnel who had a previous residence in the Fylde Coast area as a result of a former posting to the area, within the last 5 years
- Homeless applicants where there is a statutory duty to provide housing by Blackpool, Fylde or Wyre Council

SECTION 4: APPLICATION ASSESSMENT

Each application is assessed in line with criteria and will either be:

1. Identified as 'no housing need' (no banding) due to:
 - Being adequately housed
 - Not meeting criteria within the housing need bands
 - Awaiting decision on a homeless application or further eligibility checks
 - Being an armed forces personnel currently serving or have served in the last five years who cannot demonstrate local connection
2. Placed on the 'Housing Needs' register and awarded a priority band.
MyHomeChoiceFyldeCoast uses a banding scheme to prioritise applications: A, B and C

Priority Bands

Applicants eligible for the 'Housing Needs' register will be placed in one of three priority bands depending upon the information provided on their housing application:

Housing Needs Register	Criteria for each band
Band A	<p>Homeless applicants with a statutory duty to provide housing by Blackpool, Fylde or Wyre Council</p> <p><i>Or</i></p> <p>Applicants with a local connection and at least one of the following:</p> <ul style="list-style-type: none"> ▪ A vulnerable person , who faces imminent discharge from hospital or temporary residential care and for whom there is no suitable accommodation to return to ▪ Applicants in exceptional circumstances including those in immediate danger of violence (at discretion)
Band B	<p>Applicants with a local connection and one of the following:</p> <ul style="list-style-type: none"> ▪ Disrepair in current property with identified Category 1 hazard where the landlord has failed to take the required action. ▪ Existing social housing tenant of a Partner Organisation who requires the property to be demolished or vacated. ▪ Under occupancy of a property owned by a Partner Organisation (applicable

	<p>after the start of a tenancy)</p> <ul style="list-style-type: none"> ▪ Adapted property, owned by a Partner Organisation, no longer required ▪ Urgent medical or disability, exacerbated due to current property conditions, with a medical assessment supporting the applicants (including household members) need to be rehoused. ▪ Armed forces personnel, currently serving or have served in the last 5 years (who meet at least one criteria from Band C) ▪ Urgent social or welfare needs, for example: <ul style="list-style-type: none"> ○ Admission into residential care or hospital if applicant is not rehoused ○ A dependent (under 16) will be accommodated by the Local Authority unless the applicant is rehoused into a suitable property. ○ The need to give or receive essential care and support ▪ At risk of serious harm in present accommodation, for example, domestic abuse, hate crime, anti social behaviour or witnesses of crime. ▪ Threatened with homelessness (as determined by the Local Authority) ▪ Property unintentionally overcrowded and in need of at least two additional bedrooms. ▪ Leaving Local Authority Care, with appropriate tenancy support, where there is a statutory duty under the Leaving Care Act 2000 to provide. ▪ Rough Sleeping, threatened with or have a history of rough sleeping who are supported and referred by Blackpool, Fylde or Wyre Local Authority Housing Teams. ▪ Leaving supported housing or rehabilitation accommodation and are ready for independent living with tenancy support (if required) in place.
Band C	<p>Applicants with a local connection and one of the following:</p> <ul style="list-style-type: none"> ▪ Medical or disability conditions (with no detrimental impact) with a medical assessment supporting the applicants need to be rehoused. ▪ Social or Welfare needs, for example, applicant requires to be rehoused to a particular area to avoid hardship to themselves or others. ▪ Disrepair in current property with identified Category 2 hazard where the landlord has failed to take the required action. ▪ Property unintentionally overcrowded and in need of one additional bedroom. ▪ Homeless with no priority need

- Intentionally homeless with no statutory duty to be rehoused by Blackpool, Fylde or Wyre Council
- In supported or rehabilitation accommodation and not ready for independent living and no tenancy support in place.
- Armed forces personnel currently serving or have served in the last five years.

Property sizes

The numbers of bedrooms for which applicants are normally eligible for is determined by the size of the household and in line with DWP regulations. As there is a shortage of larger homes, applicants are advised to consider a property that has two living rooms where one can reasonably be used as a bedroom.

The number of bedrooms allowed is calculated as follows:

One bedroom for:

- Every adult couple
- Any other adult aged 16 or over
- Any two children of the same sex
- Any two children regardless of sex under age 10
- Any other child

On occasion providers may under-occupy a property and this will be indicated on the individual advert and will be subject to affordability and pre-tenancy checks. Bedroom need will be assessed as above, however applicants will be permitted to bid for a property one bedroom size larger than their calculated need.

Expectant Mothers

Consideration will be given for unborn children in terms of bedroom entitlement but priority will only be awarded according to the current household needs.

Following the birth, and receipt of a birth certificate/s, a re-assessment will be made. It is the applicants responsibility to notify the assessing partner in order to update their circumstances.

Home Visits

In certain circumstances it may be necessary to carry out a home visit. Home visits can be used for, but not limited to:

- As part of application verification
- As part of pre-tenancy checks
- Where clarification is required

Applicants are expected to allow the visiting officer access to all parts of their home. If a *MyHomeChoiceFyldeCoast* Partner Organisation is unable to complete a home visit the applicant may be removed from the scheme.

Relationship to Interested Parties

Partner organisations will apply relevant procedures to ensure there are no conflict of interests.

False Information

It is a criminal offence for housing applicants to knowingly give false information or withhold information relevant to their application. An offence is also committed if an applicant allows a third party to provide false information on their behalf.

Ground 5 in schedule 2 of the Housing Act 1985 (as amended by s.146 of the 1996 Act) enables a housing authority to seek possession of a tenancy granted as a result of a false statement by the tenant or a person acting at the tenants instigations.

Applicants who have provided false or misleading information on their application will be suspended from the Housing Register.

Before a decision is made on whether an applicant is suspended from the housing register under this criteria, applicants will be contacted and given the opportunity to provide details of mitigating circumstances within 8 weeks. If the information is not provided then a decision will be made based on the information available.

Applicants who are suspended from the Housing Register under this criteria will notified in writing. All Partner Organisations are committed to taking legal action against applicants found to have gained a tenancy based on false information in their application form.

Notification of Change in Circumstances

Applicants are responsible for notifying *MyHomeChoiceFyldeCoast* with changes to personal circumstances. Existing applicants will be reassessed and placed in the appropriate band. Where an applicant is awarded a higher priority band the 'Effective Date' will be the date *MyHomeChoiceFyldeCoast* were notified of these changes.

In circumstances where a reassessment results in a lower priority band the 'Effective Date' will remain the same as the 'Application Date'.

Application Checks

Application details will be checked regularly. Applicants may receive a renewal letter requesting confirmation of their registered details and will be required to respond within 28 days. Applications will be cancelled if no response is received and will only be reinstated in exceptional circumstances. Checks will be made at the time of a housing offer to ensure the property has been allocated appropriately. Housing offers will be withdrawn if an applicant's current housing situation differs from their registered details. An application may be suspended until appropriate documentation has been reviewed.

Applicants who Fail to Bid

MyHomeChoiceFyldeCoast may contact applicants who have not taken part in the bidding process. Depending on their individual circumstances the application may be reassessed or cancelled. Where necessary, additional support provisions will be put in place.

Cancelling Applications

MyHomeChoiceFyldeCoast will cancel applications under the following circumstances:

- At the request of an applicant
- An applicant does not respond to a renewal letter within the specified time limit
- The applicant has been housed by *MyHomeChoiceFyldeCoast* partners
- An applicant completes a mutual exchange
- An applicant does not maintain their application through the renewal process, or where the applicant moves and does not provide a contact address
- The applicant has deceased
- Requested information has not been provided within the specified timescale.
- An applicant becomes ineligible for housing as defined by this policy.

Applicants can request a review should their application be cancelled - see section 11 for further details.

Where an applicant applies to re-join *MyHomeChoiceFyldeCoast* their new date of application will correspond to the date they reapplied.

Suspensions

MyHomeChoiceFyldeCoast may suspend applications from the Housing Register for a maximum of 5 years. Suspended applications will remain 'held' on the system and applicants will no longer be able to bid for properties.

Applicants will be notified in writing of the reasons for suspension, the timescale and details on how to appeal the decision.

It is the responsibility of the applicant to contact the Assessing Partner at the end of the suspension period to request a review of their application. The review will seek to establish if the reason for the suspension has been resolved satisfactorily, or if there is evidence of an improvement in the behaviour of the applicant(s) over a sustained period.

There is a right to review for each decision made by *MyHomeChoiceFyldeCoast* partners on a case by case basis having regard for exceptional circumstances. (See section 11 – Requesting a Review/Appeal and section 3 for Ineligible Applicants)

Suspension Criteria

Suspension may apply where the applicants or any member of the household:

- Owes rent arrears or any other housing related debt, excluding Council Tax, to a landlord and has not made and maintained a satisfactory arrangement to repay the debt (see section 4 – Debt)
- Has deliberately or negligently caused damage to a property belonging to a Partner Organisation or any other landlord, whether they are the tenant of that property or not
- Has made false or misleading statements (see section 4 – false information)
- Has engaged in anti-social behaviour (whether or not they were at the time a tenant of a Local Housing Authority or Registered Provider) and has not maintained a satisfactory undertaking to address their behaviour (see section 4 - Anti Social Behaviour)
- Is a current tenant of a participating landlord of the MyHomeChoiceFyldeCoast scheme (or another Registered Provider) and is, or has been, the subject of an action for breach of tenancy.
- Has been convicted of using their home, or allowing it to be used for immoral or illegal purposes (see Appendix Two – Convictions)

Other applications may be inactive on the system and therefore unable to bid:

- *MyHomeChoiceFyldeCoast* is waiting for more information about an applicant's circumstances. (The application will remain held until all relevant information has been provided)
- Offenders in custody, the application will remain held until 28 days before their release date

Anti-Social Behaviour

The meaning of anti social behaviour for the purpose of this policy encompasses a past action or activity on the part of an applicant but also an omission, failure to act, passivity or inactivity. This extends to any past or present member of the household.

Suspension will be considered for acts of anti-social behaviour that occurred within the last 2 years. Evidence of acts of anti-social behaviour include but are not limited to:

- Causing nuisance and annoyance to neighbours, visitors or the community
- Being violent towards a partner or family member
- Allowing the condition of a rented property to deteriorate
- Damaging/destroying or disposing of furniture provided by the landlord
- Paying money illegally to obtain a social housing tenancy.

Suspension will also be considered regardless of time of occurrence in the following circumstances:

- A current Probation risk assessment level of Medium or above
- A current ASBO/CRASBO in place
- Conviction for a serious unspent criminal offence

Suspensions for cases of ASB will be between 12months to 5 years. Partner Organisations may use Starter Tenancies or Introductory Tenancies to manage and reduce the risk of anti-social behaviour.

Debt

Applicants with housing related arrears, such as rent arrears, below £500 owed to a landlord (including Partner Organisations) are subject to the terms of a repayment plan, for example, a minimum of 12 consecutive payments or a large payment to reduce the debt value. An offer of accommodation will only be made if these terms are met unless there are exceptional circumstances.

Applicants with arrears of over £500 will usually be suspended. A number of factors will be taken into consideration when agreeing the terms of a repayment plan and the length of the suspension. These decisions will be reviewed by the Senior Officer Decision Panel which is made up of members from Partner Organisations to ensure consistency.

Debt owed to private sector landlords (arrears and/or damage) will only be taken into account if an unsatisfactory reference is received.

SECTION 5: ADVERTISING AND APPLYING FOR PROPERTIES

When Properties will be Advertised

The Fylde Coast Local Authorities and Partner Organisations will advertise available properties on *MyHomeChoiceFyldeCoast* website. Properties may be uploaded at any time. Customers will need to register their bids for properties that they are interested in.

Properties available only to applicants on the Housing Needs register will be advertised for a minimum of 5 days. Properties available to all applicants will be advertised for a minimum of 2 days.

Property Descriptions

Properties advertised will carry (where possible) a photograph and a full description. As a minimum the description will include:

- Type of property
- Number of bedrooms
- Location of property
- Any adaptations (e.g. disabled facilities)
- Services provided (e.g. support, caretaker, cleaning)
- Heating type
- Energy Performance Certificate rating
- Rent charges and any service charges
- Eligibility criteria

Local Lettings

The partners have the discretion to apply local lettings policies where there are specific issues. Local lettings policies can also assist in the management of existing stock to help resolve issues such as child density, anti-social behaviour, mixed communities and worklessness. It should be noted that local lettings policies may be required on affordable new build sites. There may also be planning restrictions and local lettings policies which apply to specific properties such as a Section 106.

APPLYING (BIDDING) FOR PROPERTIES

Under the *MyHomeChoiceFyldeCoast* scheme applicants are required to actively engage with the process of obtaining a new home. Applicants are advised to bid regularly for properties they would be willing to accept. Letting properties in this way means applicants are considered for homes they express an interest in giving them a greater choice over property location and type.

Bids can be made by visiting the website www.myhomechoicefyldecoast.co.uk. Applicants should only bid for properties they are eligible for which meets their housing needs.

SECTION 6: ALLOCATING PROPERTIES

Selection Process

The demand for social housing exceeds supply. Therefore, it is necessary to prioritise applications on the Housing Register to ensure housing stock is allocated appropriately.

Properties Reserved for Applicants on the Housing Needs Register

Shortlisting will be based on bids from applicants with a connection to the local borough and with the highest priority band. If bids are received from applicants in the same priority band, then the person with the longest Effective Date will be offered the property.

Where a property is adapted for use by a disabled person, it will be offered to the applicant with the highest priority band whose needs best match the facilities of the advertised property.

If there are no bids from applicants with a connection to the local borough, Partner Organisations will give consideration to applicants from other Fylde Coast areas.

Bids will not normally be considered if an applicant's or their household does not meet the size, age or disability requirements for the property unless there are exceptional circumstances or local lettings arrangements.

For Properties Open to all Applicants:

Applicants expressing an interest in these properties will be shortlisted in order of connection to the local borough, and when the bid was placed, with preference given to the earliest bids. Any bids that do not meet the criteria may be bypassed.

Pre-tenancy Checks

Once an offer of accommodation is made, individual landlords will undertake relevant verification of household member's identity, circumstances and housing conditions. This may take the form of an online form, interview, home visit and/or telephone call.

Evidence of anti-social behaviour and outstanding housing debts will be checked and will include checks where applicants have indicated an 'unspent' conviction.

Landlord references (current/previous) will be sought where the applicant has held a private or social housing tenancy. A credit check may also be carried out.

All applicants and household members may be required to provide the following documents:

- Proof of identity and residence for all persons included on the application; acceptable proof of identity is:
 - i. Passport
 - ii. Identity card (issued to certain foreign nationals)
 - iii. Photo driving licence²
 - iv. Birth certificate

v. Or written confirmation from a professional person or support agency

- Proof that they are eligible for social housing
- Proof of current address
- Proof of income
- Other documentation as appropriate

Offers may be withdrawn from an applicant who does not participate in pre-tenancy checks within a reasonable timescale.

The applicant to be offered the property will be contacted to verify their circumstances. Providing the applicant is eligible and suitable for the property (and in case of applicants on the Housing Needs register, that the applicant's priority has not changed), a provisional offer of the property will be made and a viewing arranged.

If the applicant refuses the property then it will be offered to the next applicant on the shortlist.

Refusal Following a Bid

MyHomeChoiceFyldeCoast will offer assistance and guidance to all applicants to help them through the application, bidding, viewing and sign up process.

Where an applicant has successfully bid for a property and then refuses it, generally no penalty will apply. In most cases, the applicant will be free to bid again.

Where an applicant does not keep an appointment to view a property, or refuses it, the next highest-ranking bidder will normally be offered the property.

Feedback on Successful Bids

MyHomeChoiceFyldeCoast will publish details on the number of bids received for each property and details of the successful applicant's band and Effective Date. This will help applicants determine their prospects of success in obtaining housing.

Withdrawal of Offers

An applicant dissatisfied with the withdrawal of an offer (or refusal to make an offer), may register a complaint following the relevant Partner Organisations complaints process. The property in question will not be 'held' whilst the review takes place and will be offered to the next successful applicant. If the original decision is not upheld, the applicant will be offered the next suitable property of their choice. In certain circumstances a Partner Organisation may make the applicant a Direct Offer.

SECTION 7: OTHER LETTING ARRANGEMENTS

Properties not Advertised

In exceptional circumstances *MyHomeChoiceFyldeCoast* may allocate properties directly. Examples include:

- Tenants who need to be decanted
- Specially adapted properties
- Extra care vacancies
- Applicants who have succeeded a tenancy but need to move to alternative accommodation
- Emergency management transfers, where there is a severe risk of harm (*one offer in line with the policy will be made*)
- Multi Agency Public Protection Panel cases
- Homeless households owed a main duty by the Fylde Coast Local Authorities under S.193 of the Housing Act 1996 (Part VII) (as amended by the Homelessness Act 2002). One offer, in line with the policy will be made.
- Witness protection cases where a referral has been received directly from the Home Office. Referrals received directly from the Police will be processed under the normal allocation policy.
- Assisting the Fylde Coast Local Authorities in relation to Homelessness Duties.

Refusals of Direct Lettings

Applicants are required to give their reasons for refusing a property. An investigation will take place to establish the reasonableness of the offer, if necessary, relevant officers/professionals will be consulted. Applicants will be informed in writing if the investigation concludes the property offer was reasonable. Impact to their rehousing application and the right to request a review will also be detailed (see section 11).

If the investigation concludes the property offer was unreasonable, it will be withdrawn with no consequences to the applicant.

Successions and Assignments

When an introductory or secure tenant has deceased, a member of the family living with them at the time of their death may have a right to succeed the tenancy. Where no family member has such succession rights but a member of the household has:

- a) Been living with the tenant for 12 months prior to the tenants death; or
- b) Accepted responsibility for the tenants dependants

then the social housing provider has discretion to grant an introductory tenancy to that person either in the same home or in suitable accommodation.

An introductory or secure tenant may be able to assign the tenancy to someone else so long as the tenancy has not already been passed on by assignment, or succession. It is usually assigned:

- By a court order following matrimonial /civil partnership breakdown or family proceedings;
OR

- To a member of the tenant's family who would qualify to succeed the tenancy if the tenant had deceased.

Mutual Exchange

A mutual exchange is where two tenants with Secure and Assured tenancies are in agreement to swap their properties in their current condition, including tenancies. Written permission must be obtained from the landlord prior to an exchange.

Requests will be processed by the relevant Partner Organisation and in certain circumstances can be refused, for example, action is being taken to repossess the property (Suspended Possession Order or Notice of Seeking Possession) or properties will be under/over occupied.

Transfer Policy

Existing tenants of Partner Organisations have the right to apply for a transfer, subject to being in housing need/permanent employment, and any restrictions that apply to their tenancy. Applications for transfers will be processed in the same way as a new application. Tenants' housing needs will be assessed and awarded appropriate banding.

To qualify, tenants must allow access for property inspections, viewings and sign ups. Properties must also be left in a good state of repair and in decorative order. Tenants with rent arrears or other breaches of their tenancy agreement may be suspended from the scheme (see section 4- Suspensions)

Partner Organisation may need to carry out emergency or management moves. These properties will not be advertised but recorded on the system for auditing and reporting purposes. (see section 10 – Properties not Advertised)

Joint Tenancies

Where there is a joint tenancy, both tenants are jointly and individually responsible for ensuring the tenancy agreement is adhered to.

Both parties to a joint tenancy must individually qualify to join *MyHomeChoiceFyldeCoast* and be eligible for an offer, or to bid on a property. If a joint tenancy is refused by a Partner Organisations, a clear reason will be provided to the applicants in writing. Applicants can request a review of the decision if required (see section 11 – Requesting a Review). When one of the joint tenants gives notice to the relevant Partner Organisation, discretion may be used when deciding to offer the property, or an alternative property, as sole tenancy to the other joint tenant.

In certain circumstances joint tenancies may be granted to more than two people.

SECTION 8: DEFINITIONS

Support in Accommodation

MyHomeChoiceFyldeCoast Partner Organisations work closely with relevant health and social care bodies to identify opportunities to rehouse residents, in receipt of adequate care and support, into appropriate accommodation.

Where support packages are not immediately available, Partner Organisations reserve the right to withhold an offer of accommodation until appropriate arrangements are in place and agreed by the applicant.

The above is dependent on the availability of suitable and appropriate accommodation.

Supported Accommodation

Applicants residing in supported accommodation or rehabilitation will not be awarded priority Band B until they are ready for independent living and/or tenancy support is in place (if required).

Sheltered Housing or Independent Living

Sheltered Housing or Independent Living is normally for people aged 55+. These schemes are designed for applicants who are able to live independently (including those in receipt of a care package) but would benefit from the security of an alarm system and low level support from staff. A single applicant or both joint applicants aged 55+ will automatically be eligible for Sheltered / Independent Living properties. Consideration will be given to applicants aged below 55 with an illness, disability or vulnerability.

Sheltered Housing applicants will not be listed separately on the Housing Register, but will be assessed in accordance with their housing need and placed within the appropriate band.

Extra Care

Extra Care housing is a form of specialised housing for adults with 'higher' levels of care and support needs. These schemes are equipped with facilities and services to aid independent living. There are a small number of extra care schemes within the Fylde Coast Region.

Adapted Properties and Ground Floor Accommodation

Adapted properties are fitted with equipment to aid independent living for a person with an illness or disability. Applications will automatically be registered for suitably adapted properties in accordance with identified need and placed in the appropriate band. An Occupational Therapy assessment may be required prior to an offer being made.

Applicants with an illness or disability will automatically be considered for ground floor accommodation.

Allocations for these types of properties will be prioritised to those with the appropriate need.

16 & 17 year olds

MyHomeChoiceFyldeCoast is open to applicants aged 16 and 17 years of age. An offer of a tenancy will usually be delayed until the age of 18 unless there is a statutory duty to house the applicant earlier. For example, the applicant is:

- Leaving care
- Pregnant or already has a child/children
- Homeless and owed a main duty under s.193 of the Housing Act 1996 (part VII) as amended by the Homelessness Act 2002
- Residing in supported accommodation and ready for independent living, as agreed by the support provider and where necessary appropriate tenancy support is in place

Applicants who fall in the above categories may need to provide details of a guarantor (professional person, parent or responsible adult) prior to being offered a tenancy.

Applicants will be considered for a tenancy on the condition they accept support to sustain their tenancy agreement.

Offenders

Offenders may apply to the Housing Register whilst in custody, or submit a change of address form if they are a current applicant prior to committal. The application will remain inactive, however, the applicant will accrue waiting time on the list. When the application is made live the original date of application will be the effective date.

Applications will remain inactive until 28 days prior to the offender being released from prison, unless any of the suspension criteria apply.

Offenders will be assessed in line with the service level agreement between Lancashire Probation Trust and each the Fylde Coast Local Authorities.

Rough Sleepers

Applicants who are rough sleeping, threatened with or have a history of rough sleeping will be awarded appropriate priority once their information has been verified. This is dependent on the applicant being supported and referred by the relevant Local Authority.

Mobile Homes/Caravans

Applicants will be considered to have a local connection if they live in a mobile home or caravan in the Fylde Coast area which is classed as their permanent residence and meet their other local connection criteria.

SECTION 9: HOMELESS APPLICANTS

The Local Authority has a duty to secure suitable accommodation for applicants who are accepted as homeless under s193 of the Housing Act 1996 (part VII) (as amended by the Homelessness Act 2002 and the Localism Act 2011).

Applicants will be entered onto the Housing Register for four weeks and will have full choice of areas to live. However, after the four week period (calculated from the date of the decision to accept the applicant as homeless) suitable accommodation has not been found, the Local Authority may bid on the applicants behalf. Applicants will be offered the first suitable property except in extreme mitigating circumstances.

One Offer Policy

The Local Authorities duty will come to an end if a homeless applicant refuses an offer of suitable accommodation. Applicants will be informed in writing that the Local Authority has discharged their duty under section 193 of the above act. Dissatisfied applicants can request a review – see section 11 for further details.

SECTION 10: REQUESTING A REVIEW/APPEAL

Applicants can request a review of decisions made by *MyHomeChoiceFyldeCoast* Partner Organisations for the following:

- Eligibility for entry on to the housing register
- Suspension or exclusion from the Housing Register
- The level of priority awarded
- Entitlement of the type and size of property required
- Removal of the applicant from the register other than at the applicants own request

Procedure

Requests for a review/appeal must be made within 21 days of the original notification and should include the applicant's reasons for believing the decision made was incorrect. It is at the discretion of Partner Organisations to extend the time if it considers it's reasonable to do so.

Requests can be made in the following ways and directed to the assessing Partner Organisation:

- In writing - by letter or email
- By telephone
- In person

How the Decision will be Reviewed

A senior officer of the Partner Organisation, not involved in the original decision, will review and determine if an error has occurred or deem it to be an exceptional circumstance. The decision will be based on known facts at the time of the review. The senior officer will request additional information if necessary.

Reviews will be responded to within eight weeks by the relevant Partner Organisation. Partner organisations have the discretion to extend the time if it considers it reasonable to do so.

Applicants will receive a letter providing the outcome of their review/appeal and where necessary, detail further actions to be taken with their application.

An applicant has the right to complain to the appropriate Ombudsman if they feel that they have been unfairly treated as a result of maladministration. Contact Details:

Local Government Ombudsman
PO Box 4771
Coventry
CV4 0EH

Housing Ombudsman Service
81 Aldwych
London
WC2B 4HN

Complaints

Applicants with a complaint regarding the withdrawal/refusal to make an offer should follow the Partner Organisations complaints process – see section 6 for further details.

Applicants can also seek independent legal advice through a solicitor or the Citizens Advice Bureau.

SECTION 11: MONITORING AND REVIEW OF THE SCHEME

A number of outcomes within the scheme will be monitored on a regular basis to ensure the system is operating effectively.

Policy Review

MyHomeChoiceFyldeCoast's Consistent Assessment Policy will be regularly reviewed. Minor changes which do not significantly affect the spirit of the policy will be approved by a majority agreement amongst the partners.

Customers and relevant partners will be consulted on major changes to the policy. Approval will then be gained through the appropriate governance arrangements including Council members and RSL board members.

Unless there is a statutory requirement, Partner Organisations have the right to use discretion when allocating properties. There may be circumstances where a Partner Organisations decision supersedes this policy.

Equal Opportunities Statement

MyHomeChoiceFyldeCoast is committed to promoting equality, combating discrimination and promoting good community relations and will ensure that discrimination does not take place in the allocation of properties and services it provides.

There is a commitment to:

- Ensure our services and how they are delivered meet the diverse needs of local residents.
- Ensure our buildings are as accessible as possible.
- Provide information about our services in accessible formats, such as, large print, Braille or alternative languages.
- Promote inclusive communities that have a shared sense of belonging and pride in the Fylde Coast
- Challenge unfairness and discrimination
- Engage with the diverse communities of the Fylde Coast to ensure their needs are identified and met
- Value the important contribution the community and voluntary sector make to the Fylde Coast Region
- Work in partnership to share good practice and promote a consistent approach
- Value and train staff to deliver services fairly, efficiently and effectively
- Actively seek feedback to continually develop and improve our approach

MyHomeChoiceFyldeCoast will regularly review its practices, policies, staff training and monitoring arrangements to ensure applicants are treated fairly regardless of their gender, age, ethnicity, disability, religion or belief or sexual orientation.

Partner Organisations have adopted corporate policies and action plans aimed at promoting equality and valuing diversity. Further local policies and action plans may be developed to address the needs of disadvantaged and under-represented groups.

Partner Organisations will conduct regular monitoring to ensure no group is unfairly disadvantaged.

Appendix 1: Qualifying persons and immigration chart.

Class of Applicant	Conditions of eligibility	How to identify/verify
Existing social tenant (allocation accommodation by LA)	None	
British Citizen	Must be habitually resident in the CTA	Passport
EEA Citizen	Must be habitually resident in CTA unless, <ul style="list-style-type: none"> Applicant is a 'worker' (3) Applicant has a right to res the UK (4) 	Passport or national identity card
Person subject to immigration control granted refugee status	None	Stamp in passport or Home Office Letter
Person subject to immigration control granted indefinite leave to remain	Must be habitually resident in CTA and if ILR was granted on undertaking that a sponsor(s) would be responsible for maintenance & accommodation and 5 years have not elapsed since date of entry to UK or undertaking – then at least one sponsor must have died	Stamp in passport of Home Office
Person subject to immigration control who is a citizen of a country that has ratified ECSMA (3) or ESC (6)	Must be lawfully present (3) in UK Must be habitually resident in CTA	Passport

1. CTA: the Common travel area includes the UK, the Channel Islands, the Isle of Man and the Republic of Ireland
2. EEA countries are: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, and the United Kingdom
3. A 'worker' for the purpose of the Council Regulation (EEC) no. 1612/68 or (EEC) No. 1251/70
4. A right to reside pursuant to Council Directive No.68360EEC or No.73/148/EEC
5. ECSMA is the European Convention on Social and Medical Assistance. Non EEA ratifying countries are: Belgium, Denmark, France, Germany, Iceland, Ireland, Italy, Luxemburg, Malta, the Netherlands, Norway, Portugal, Spain, Sweden, Turkey and the UK.
6. ESC is the European Social Charter. Non EEA ratifying countries are: Cyprus, Czech Republic, Hungary, Latvia, Poland, and Slovakia.
7. Persons subject to immigration control are not lawfully present in the UK unless they have leave to enter or remain in the UK. Asylum seekers are generally only granted "temporary admission" and do not have leave to enter or remain.

Appendix 2: How a conviction becomes spent.

The way in which a conviction can become 'spent' under the Rehabilitation of Offenders Act will depend upon the sentence received for the offence and the rehabilitation period that applies to that offence sentence. The principles apply to convictions in a criminal court, findings in a juvenile court, certain offences in service disciplinary proceedings and hospital orders under the Mental Health Act 1983. The time required before the conviction is spent, the 'rehabilitation period', will be different depending upon the nature and length of the sentence, be it a term of imprisonment, a fine, a surcharge order, probation, or an absolute or conditional discharge. Relevant rehabilitation periods are set out below. Unless otherwise stated, the rehabilitation period runs from the date of the conviction and will generally depend upon compliance with the sentence.

Relevant rehabilitation periods

Prison for more than two and a half years – **Never**

Prison for more than six months but less than two and a half years - **10 years**

Youth custody* for more than six months but less than two and half year – **10 years**

*Corrective training for more than six months but less than two and a half years – **10 years**

*Dismissal with disgrace from her Majesty's service – **10 years**

* A sentence of Borstal training – **7 years**

Prison for six months or less – **7 years**

* Dismissal from Her Majesty's service – **7 years**

Imprisonment or detention in YOI or youth custody for six months or less – **7 years ***

Detention in respect of conviction in service disciplinary proceedings -**5 years ***

(Most) fines – **5 years ***

Youth offender detention for over six months but less than two and a half years – **5 years**

Probation order or community order (person 18 or older) – **5 years**

Probation order or community order (person under 18) – **Either 2 ½ years from conviction, or until the order ceases to have effect –whichever is longer**

Hospital order under the Mental Health Act 1983 – **Either 5 years, or 2 years after order ceases to have effect, whichever is longer**

Young offender detention for six months or less – **3 years**

Conditional discharge, binding over, care order, supervision order, reception order – **Either 1 year after making of order, or 1 year after the order ends, whichever is the longer**

Absolute discharge – **6 months**

Disqualification – **The period of disqualification**

Cautions, Warnings and Reprimands – **Spent as soon as they are issued**

Conditional cautions – **Spent as soon as conditions end**

APPENDIX 3: DEFINITION OF WORKING HOUSEHOLDS AND COMMUNITY CONTRIBUTION

Working Households

Households where at least one applicant is in employment. For the purpose of this policy employment is described as;

- Over 16 hours per week (unless the remuneration is substantial)
- The main place of work is within the Fylde Coast area
- Offers of employment should be regular, intend to last for more than 12 months and there is a genuine intention to take up the offer of work

Appropriate evidence is provided which may include contract of employment, wage/salary slips, formal offer letter and tax and benefits information. – not sure where to include this point?

For applicants working outside the Fylde Coast, evidence will be required that their employment will continue.

It should be noted that this must be confirmed at point of application and evidenced at point of offer.

Community Contribution

Households where at least one applicant is undertaking voluntary work. For the purposes of policy, voluntary work (community contribution) is described as:

- Choosing to give your time to benefit others without being paid. For example, completing voluntary work in a charity, voluntary organisation or community group, public sector organisation (local council), a social enterprise or a local business
- The voluntary work must have been held for a minimum of 6 months prior to the application for the award in order to be eligible.

It is not volunteering if you help out a family member, are given money apart from expenses, or are under contract to do it (this does not include any volunteer agreement you may have).

It should be noted that this must be confirmed of application and evidenced at point of offer.

Exemptions

May include people who are able to demonstrate they are unable to work due to disability, age or gender.

Appendix 4: Armed Forces Personnel

References to “Armed Forces Personnel” include persons who meet the following criteria:

- i. is currently serving in the regular forces
- ii. formerly served in the regular forces within five years of the date of their application for an allocation of housing
- iii. has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person’s spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service
- iv. is serving or has served in the reserve forces within five years of their application for an allocation of housing and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person’s service.

The regular forces and the reserve forces are defined by section 374 of the Armed Forces Act 2006(2) as follows:

- “the regular forces” means the Royal Navy, the Royal Marines, the regular army or the Royal Air Force
- “the reserve forces” means the Royal Fleet Reserve, the Royal Naval Reserve, the Royal Marines Reserve, the Army Reserve, the Territorial Army, the Royal Air Force Reserve or the Royal Auxiliary Air Force

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Approved By:

Name	Title	Signature	Date

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Proposed changes to MyHomeChoice Fylde Coast allocations policy and lettings system

Summary of consultation responses, January 2018

Introduction

Consultation on proposed changes to the MyHomeChoice Fylde Coast policy and system took place between 8th November 2017 and 18th December 2017. The Consultation was publicised through:

- Fylde Coast local authority websites
- Mailshots to key stakeholders and registered applicants to the MyHomeChoice scheme (approx. 4600)
- Fylde Coast local authority offices
- Press Release
- MyHomeChoice Fylde Coast website

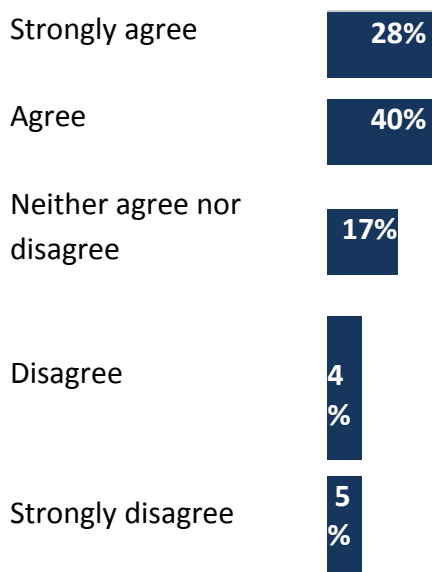
The summary of the changes proposed, and consultation questions, is attached at Appendix 1.

Respondents could complete a response either on-line or by submitting a paper copy of the consultation questionnaire. In total 258 response questionnaires were received.

Results from the consultation survey

The results from the consultation survey are as set out below.

1. Do you agree with the revised local connection requirement?



1. Do you agree with the revised local connection requirement?

Don't know **6%**

68% of respondents agreed with the revised local connection requirements, with 9% disagreeing.

2. Do you agree with the introduction of two ways of letting?

Strongly agree **15%**

Agree **36%**

Neither agree nor disagree **26%**

Disagree **6%**

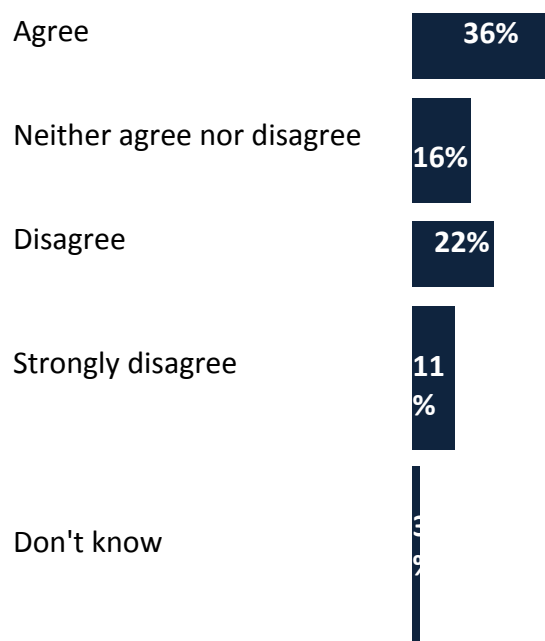
Strongly disagree **6%**

Don't know **12%**

51% agreed with the introduction of two ways of letting, and 12% disagreed, but 38% of those who responded neither agreed nor disagreed or didn't know.

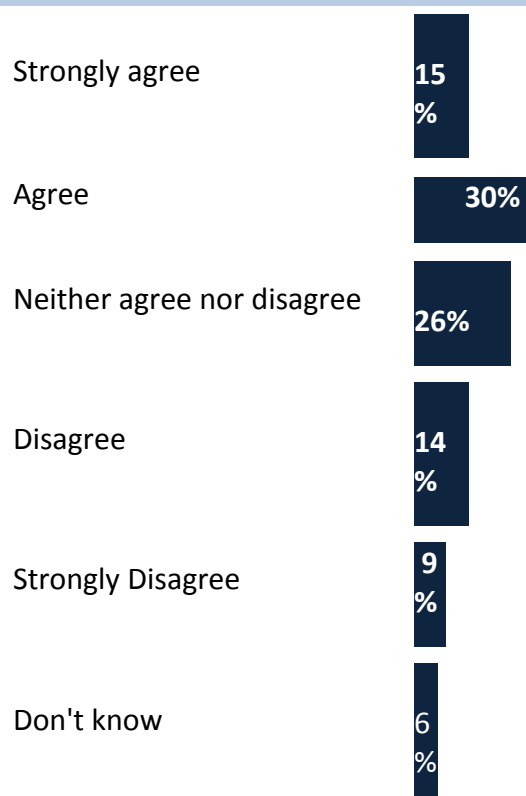
3. Do you agree with how applicants are awarded a priority band?

Strongly agree **13%**



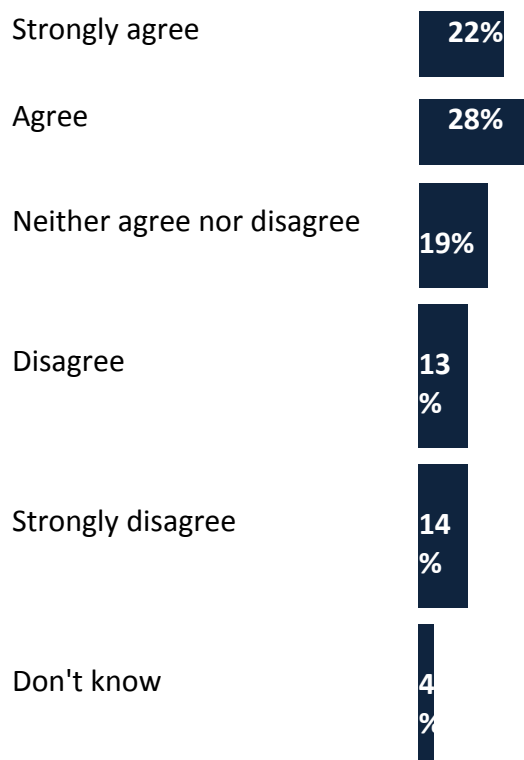
49% of respondents agreed with how applicants are awarded a priority band with 33% not in agreement.

4. Do you agree with restrictions on the use of the system by existing social housing tenants?



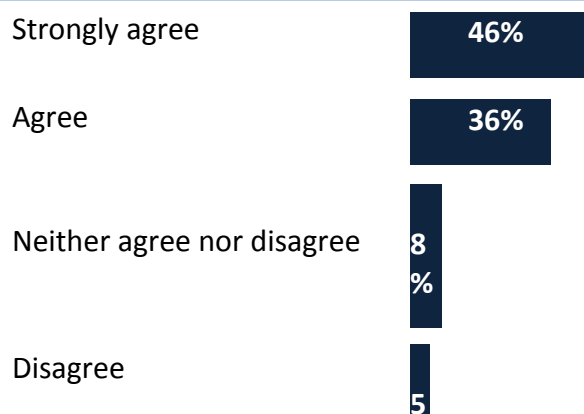
45% agreed with the restrictions on the use of the system by existing social housing tenants. 23% disagreed, but 26% neither agreed nor disagreed.

5. Do you agree with the proposed priority for working applicants for some homes?

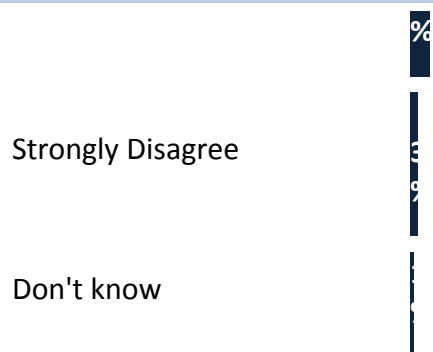


Half of the respondents agreed with the proposed priority for working applicants for some homes but 27% were in disagreement.

6. Do you agree with giving more flexibility in the size of properties that applicants can bid for?

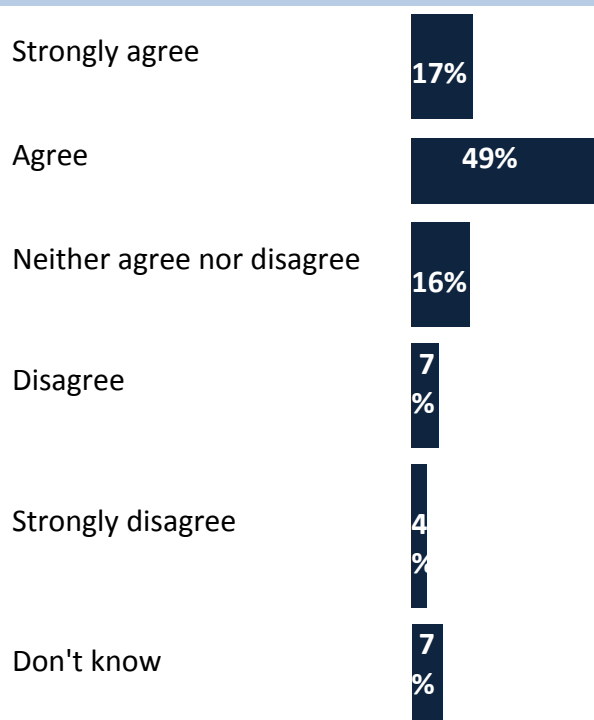


6. Do you agree with giving more flexibility in the size of properties that applicants can bid for?



83% agreed with giving more flexibility in the size of properties that applicants can bid for.

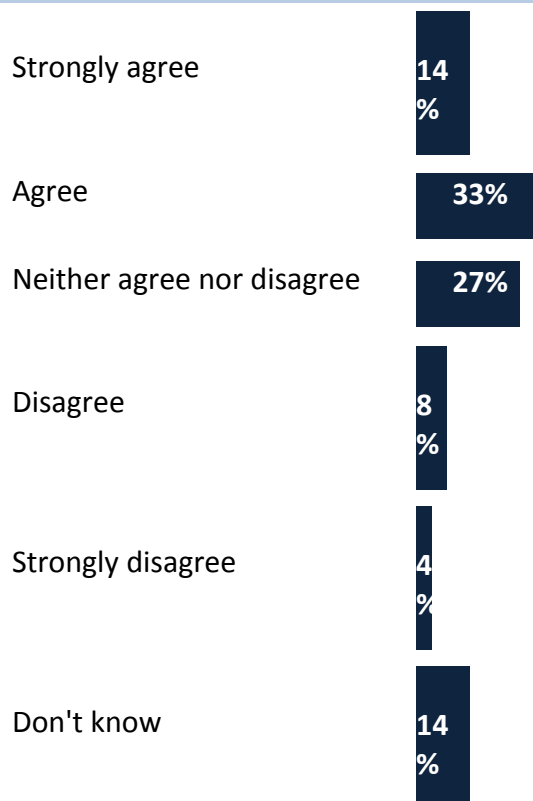
7. Do you think that, overall, the proposed new arrangements will enable us to make the best use of the social housing stock in the area?



66% of respondents felt the proposed new arrangements will enable the local

authorities to make best use of the social housing stock in the area. 11% were in disagreement.

8. Do you agree that the current income and savings thresholds are correct?



47% agreed with the current income and savings threshold are correct and 12% disagreed, but 41% of applicants neither agreed nor disagreed or didn't know.

Comments on the Proposals

Respondents were also given the opportunity to give comments on the proposals. There were 103 responses and this feedback has been collated and summarised under the categories listed below:

A. How applicants are prioritised for social housing

1. Income and Savings Eligibility Criteria, and Priority for working households

There were mixed comments on these issues.

Some respondents felt that there shouldn't be any threshold - one respondent commented that applicants with savings of £30k + are not necessarily financially stable, so should be allowed onto the register. Practically it is difficult for housing providers to verify applicants' savings in any case.

Another commentator saw having any maximum income and savings threshold as contributing to the marginalisation of social housing by deterring some honest people who might be interested in social housing and would add positively to the social mix in areas of social housing.

Some respondents supported the proposal to prioritise 20% of lettings available to all applicants to people who meet the working household and community contribution criteria as a positive change.

But some respondents felt that social housing should only be allocated to low income households, so there should be a lower income threshold in place.

One comment was that the household income threshold is too high because it is above the average income within the Fylde Coast area and the maximum income threshold should be no more than £50k.

2. Priority Banding

Some respondents raised concerns on how applicants are awarded a priority banding and felt the criteria should be widened, and in particular, more consideration should be given to the length of time an applicant has been on the housing register.

3. Priority for ground floor properties

Including age restrictions on properties was not favoured by some respondents, as ground floor accommodation in particular could benefit all residents.

4. Wider choice of property sizes

The opportunity to bid for properties with an additional bedroom, for those with financial means, was seen as a positive change with benefits for working families.

5. Local Connection

It was agreed that the local connection criteria should take into consideration applicants working in the Fylde Coast area. Some respondents disagreed with continuing to prioritise properties to applicants with a connection to particular local boroughs, while others were concerned to ensure that the link to each borough continued to be a core requirement for all lettings.

B. The Process for Applying for and Letting social housing

1. Registering an application

It was commented that the process to register a rehousing application or update existing information is cumbersome and should be simplified.

2. Advertisement of properties

The proposal to advertise properties as soon as they are available received mixed views. Those in disagreement felt applicants without regular access to a computer would be disadvantaged.

3. First come first served approach

Some respondents expressed concerns with letting some properties on a 'first come first serve' basis because those without regular access to the on-line letting system would be disadvantaged.

4. Lettings

The process of notifying applicants of their successful bid should be reviewed. Respondents suggested more time is given to confirm an interest in a property. Furthermore, tenancy start dates should take into consideration the notice period required by the successful applicant's current landlord. The current process can leave applicants in financial hardship.

5. Downsizing

The process to downsize a property should be simplified without the need to register an application and follow the bidding process.

6. Support

Better support should be made available for vulnerable applicants to ensure they can use the on-line lettings system and bid for suitable properties.

Response from the Local Authorities and Way Forward

Given the feedback to consultation, it is proposed to move forward on each issue as follows:

1. Local Connection

The proposed change to the system was to enable local connection (and thereby access to the Fylde Coast housing register) to be established through connection to any of the three boroughs, so that people do not fall out of the system if they move from one part of the Fylde Coast to another. This was comprehensively supported in the survey, and this approach will now be implemented in the new system.

Local connection will continue to be possible through residence, work, or family connection.

Some respondents also pressed to break down the priority given for connection to individual boroughs in allocating properties but this was not supported more generally, and will not change.

2. Introducing two ways of letting

There was overall support for introducing a first come, first served lettings process alongside lettings based on priority banding, but many survey respondents had no clear view. There were some concerns expressed about how the process would work, that people who are vulnerable or who don't have regular access to a computer would be disadvantaged, and that local connection might be compromised.

The new approach of two ways of letting will be taken forward, but kept under review to ensure that two thirds of lettings are made to applicants in priority bands A-C, compared with 64% to priority needs groups currently.

All lettings will give the first opportunity to applicants with a connection to the local borough. So, whether the letting is based on priority need or "first come first served", applicants who have expressed an interest will first be prioritised based on connection to the local borough and then on priority need / time on the register (for the priority need lettings) or time of bid (for "first come, first served" lettings). This ensures that the current approach to local connection is maintained for all properties.

The policy will be slightly amended to ensure that housing providers advertise lettings under "first come first served" for at least two days, to give local people a chance to see adverts and express an interest.

When the system changes so that properties can be placed on the system on any working day, and some properties are "first come first served", they will be first advertised during day time hours and not at midnight (as the current weekly cycle). Consideration will be given to the time of day so that those occupied by work, education, or child care are not disadvantaged.

The concern about access to a computer will be addressed by making the updated system more user friendly on smart phones, which are used by the majority of applicants. It will still be possible to find out about available properties and express an interest through local offices of the Councils and partner social housing providers, but it is expected that the large

majority of system users will continue to interact with the system on-line. It is noted that the full local roll out of Universal Credit from December 2018 will require that most benefits claimants have digital access.

Support is offered to applicants who struggle to understand and use the system, but the process of application will be simplified under the revised system, and this should go a long way to making the system more accessible.

It is currently up to individual housing providers to organise the letting process and the notice that is given to new tenants. This will continue to be the case, but the local authorities will work with them to review their current approaches and encourage good practice.

3. How applicants are awarded a priority band

The consultation proposed that the current Bands C and D are merged into a single Band C, and that those who do not have a housing need defined in law and were previously in Bands E and F are now placed on the housing register without a formal priority band. The relatively high 33% of respondents who disagreed with the proposal may reflect applicants who are unhappy with their current priority or length of time on the housing register without success.

While local authorities have some discretion in how priority bands are defined, there is a minimum legal responsibility that applicants in “reasonable preference” categories are prioritised for at least 50% of social housing lettings. In the proposed Fylde Coast system, people in these “reasonable preference” categories are prioritised in Bands A-C. Applicants who do not meet the legally defined criteria of Bands A – C but who have wider reasons for needing to move will have the opportunity to bid for the homes that are advertised as “first come first served”.

Time on the housing register will continue to be significant in deciding who is prioritised for homes allocated on the basis of priority need; where two applicants with the same priority band express an interest, it is the applicant who has been on the register for the longest time who is awarded the property.

Given the legal constraints and the balance already in the system, the way in which applicants are awarded a priority band will go forward unchanged from the consultation proposal.

4. Restrictions on the use of the system by existing social housing tenants

On balance, respondents supported the proposed change that existing social housing tenants should not be able to register for a new social housing property unless they have a housing need (including current under occupancy), but many did not have a view one way or the other and 23% disagreed. There were few comments on this issue.

Local housing providers were concerned that they may lose working tenants if this exclusion does not allow some movement to be close to new job roles, so the policy will be slightly amended to allow existing social housing tenants to register for new social housing if they either have a housing need or they are in permanent employment.

5. Priority for working applicants for some homes

The proposal slightly increases the chances of access to social housing for working applicants, in a similar way that Band E does under the existing system. More people supported this proposal than disagreed, but there were comments both supporting and disagreeing with this approach.

The proposed new policy seeks to strike a balance between meeting the needs of people in the greatest housing need, with providing opportunities for people who are working and often struggling to afford good quality market accommodation. It also seeks to promote balanced communities within areas of social housing.

Given the opposing views for and against, but an overall balance of support for the proposal, this aspect of the policy will be implemented as proposed.

6. More flexibility in the sizes of properties that applicants can bid for

There was very strong support for this policy in both the survey responses and comments, and so the policy will be implemented as proposed.

7. Whether the arrangements overall will enable the best use of social housing

There was positive feedback from the survey that a majority of respondents think that the arrangements overall will enable the best use of social housing, with only 11% disagreeing. There were further comments on how the system operates, including age restrictions for ground floor properties and a suggestion that down-sizing is dealt with outside of the system.

Age restrictions, and housing providers' local lettings policies more generally, will be kept under review to ensure that there is an appropriate balance between meeting the needs of particular groups (like older residents) and opportunities for the wider population.

It is important that the system does give priority to people looking to down-size as this helps release larger properties as well as assisting tenants to get a home that is more manageable. But this doesn't rule out a more pro-active approach by housing providers to work with their tenants outside of the allocations system to assist with moves and the freeing up of larger homes for families.

8. Income and savings thresholds

There were no changes proposed to the income and savings thresholds, but the consultation sought to get views on whether these remain appropriate. The survey response showed general support for maintaining the existing thresholds, but many comments were received that advocated either lowering or, conversely, removing the thresholds.

The argument advanced for lowering the thresholds was that social housing should only be available to people on low incomes who could not be expected to afford market housing; conversely, those who argued for removing the thresholds argued that social housing should be for a wide mix of households and that to focus only on those on the lowest incomes leads to social housing estates always being characterised by concentrations of poverty. This difference possibly reflects competing ideas on the role of social housing, but also variations across the Fylde Coast housing market area where some areas have an acute lack of access to housing that is affordable, and other areas have wider access to housing (mostly in the private rented sector) but entrenched deprivation on social housing estates.

The current thresholds do not in themselves prevent the majority of households across the Fylde Coast from accessing the housing register, but do set some limit to prevent affluent households from benefitting from social housing's sub-market rents. Given the balance of support, the existing income and savings thresholds will be maintained.

Appendix 1 – Consultation Information and Questions

Changes to how you access social housing in Blackpool, Fylde & Wyre

Blackpool, Fylde, and Wyre Councils, together with local Registered Providers, are proposing to make some changes to how people find and are offered social housing in the area and we would like to hear your views. We want to make the My Home Choice Fylde Coast system easier to use and fairer for everyone.

How are things working now?

There are currently 6,000 people who are registered on the My Home Choice Fylde Coast system but only 2,200 have high priority (Bands A-D) because they have the greatest housing need.

Last year just under 1,200 social rented homes were let through the system, with 64% of homes let to people in Bands A-D and 36% let to everyone else.

What do we want to change?

While we can't easily make more homes available, we want to make it quicker and easier for you to find the home that you are looking for. We plan to upgrade the system and reduce the amount of information that we ask for. Homes will be advertised as soon as they are available rather than all being advertised at the same time each week.

We also want to make some changes to how we prioritise people for our homes:

One local connection to the Fylde Coast

This means that local residents who have moved between the three Fylde Coast boroughs will now be able to get onto the housing register when previously they may not have met the local connection requirement.

However priority will still be given to Blackpool residents for Blackpool homes, Fylde residents for Fylde homes, and Wyre residents for Wyre homes.

Two ways of letting homes

The new system will offer at least 50% of homes, including those in the shortest supply, only to people in Bands A-C; each of these homes will be offered to the "bidder" with the highest priority. The rest of the homes will be available to everyone on the list and offered on a first come first served basis.

This is designed to ensure that people in the greatest need still have access to the most homes, while offering opportunities to everyone who needs to move quickly to find a suitable home as soon as it is available. There will be a target that across the whole system two thirds of lettings will go to people in Bands A-C.

Three Priority bands

We plan to simplify the priority bands for people with a legally defined housing need so that there are only three bands, with the current bands C and D now becoming a single band C. There will be no bands given to everyone else, making application simpler, while still allowing everyone to bid on first come first served homes.

Existing social housing tenants can only use the system if they have a housing need

We want to prioritise new applicants who are not already housed in social housing. Social housing tenants who do have a good reason to move because their situation has changed will still be given a priority band and be able to use the system to find a new home.

Some homes will be offered with priority to people in paid or voluntary work

We want to encourage people in work to access social housing, and propose that 20% of homes made available on a first come first served basis will be offered with priority to people in paid or voluntary work.

More flexibility to get a home with an extra bedroom

Instead of only allowing you to express an interest in a home that meets your household's minimum needs, we want you to be able to get a home that has more space, as long as the rent is affordable to you. We hope that this will make social housing attractive to a wider range of people.

We would also appreciate your views on aspects of the current eligibility criteria:

Eligibility for those with high income or savings

Currently applicants whose gross household income is over £60,000, and applicants with savings over £30,000 (except those over 55) are excluded from the housing register. This means that social housing is currently restricted to those on low incomes.

The full draft new policy is available on the MyHomeChoiceFyldeCoast and partner organisations' websites and www.myhomechoicefyldecoast.co.uk

Tell Us What You Think

You can tell us what you think by using the on-line survey at www.smartsurvey.co.uk/s/CBRYN

Or, complete the survey form and return it to Housing Strategy, One Bickerstaffe Square, Talbot Road, Blackpool, FY1 3AH

Please let us have your views by Monday 18th December 2017 so that we can take them into account in the new system.

Based on the responses we receive a new system would be developed and tested in the first part of 2018, and would go live in September 2018.

The current policy and system will continue to operate until the new system goes live.

My Home Choice Consultation Questions

1. Do you live in Blackpool, Fylde or Wyre?
2. Do you agree or disagree with the revised local connection requirement?
3. Do you agree with the introduction of two ways of letting?
4. Do you agree with how applicants are awarded a priority band?
5. Do you agree with restrictions on the use of the system by existing social housing tenants?
6. Do you agree with the proposed priority for working applicants for some homes?
7. Do you agree with giving more flexibility in the size of properties that applicants can bid for?
8. Do you think that, overall, the proposed new arrangements will enable us to make the best use of the social housing stock in the area?
9. Do you agree that the current income and savings thresholds are correct?

Do you have any comments about why you agree or disagree with this proposal and any impact it might have on you/your household?

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Equality Analysis (EA) Record Form
Formerly Equality Impact Assessment



Revised February 2015

Department: **Places Directorate**

Team or Service Area Leading Assessment: **Housing Options/Housing Strategy**

Title of Policy/ Service or Function: **Consistent Assessment Policy – My HomeChoiceFyldeCoast**

Proposals to introduce/ alter/ delete policy, service, expenditure etc:

Date of proposals:

Committee/Team: **Housing**

Lead Officer: **Andrew Foot, Head of Housing**

STEP 1 - IDENTIFYING THE PURPOSE OR AIMS

1. What type of policy, service or function is this?

Existing

☐

New/ proposed

☐

Changing/ updated



2. What is the aim and purpose of the policy, service or function?

There is a statutory requirement for Local Authorities to have an allocations scheme in place detailing how social housing stock is allocated. 'MyHomeChoiceFyldeCoast' is a Choice Based Letting (CBL) scheme operating across the Fylde Coast Local Authorities (Blackpool, Fylde & Wyre).

The Consistent Allocations Policy (CAP) underpins the scheme to unify the way Local Authorities within the Fylde Coast Region allocate social housing stock enabling residents a wider choice of housing. In drafting of this Policy, the legal provisions of the Housing Act 1996 as amended by the Homelessness Act (2002) and the Localism Act (2011), together with the related Code of Guidance issued by the Government have been taken into consideration.

The CBL scheme has been adopted by the relevant elected members of each of the three Fylde Coast Local Authorities and key Registered Providers:

Blackpool Coastal Housing
Great Places Housing Group
Muir Group Housing Ltd
Progress Housing Group
Places for People
Regenda Group

All participating partners will advertise at least 50% of their empty properties via the CBL scheme. Applicants can apply for a property of their choice provided they meet the criteria.

3. Please outline any proposals being considered.

The CAP details how applicants for social housing are assessed and awarded priority, thus, supporting the operations of the MyHomeChoiceFyldeCoast letting scheme.

All homes will be advertised through the CBL scheme allowing 20% of empty properties to be prioritised to households who meet the working households and community contributions criteria.

The policy reflects changes within the local housing market and addresses the demand for social housing across the Fylde Coast Region. It promotes a fair and efficient mechanism for the allocations of social housing providing a greater choice for applicants.

4. What outcomes do we want to achieve?

The schemes key objectives are to:

- Create a customer led Choice Based Lettings scheme
- Widen the choice of housing
- Ensure the scheme is open, fair and accountable
- Increase understanding and satisfaction of the letting system
- Give new tenants a feeling of ownership of their property and community
- Help create sustainable communities
- Make more efficient use of the available housing stock
- Help tackle low demand and reduce void turn around times
- Create a single point of access to all social housing on the Fylde Coast
- Meet the legal requirements for the allocation of social housing as set out in Part VI of the Housing Act (1996) as amended by the Homelessness Act (2002) and the Localism Act (2011).

5. Who is the policy, service or function intended to help/ benefit?

The policy enables Blackpool Council to work collaboratively with other local authorities and key Registered Providers within the Fylde Coast Region providing a greater choice of housing for applicants.

This policy seeks to ensure that i) applicants housing needs are met, ii) social

housing properties are utilised and allocated to those in most need and iii) to build strong stable communities.

The process has been simplified and household with a higher statutory need will be rehoused quicker.

6. Who are the main stakeholders/ customers/ communities of interest?

Residents looking to be rehoused within the Fylde Coast Region
Blackpool Coastal Housing
Great Places Housing Group
Muir Group Housing Ltd
Progress Housing Group
Places for People
Regenda Group
Blackpool Council – Housing Options
Fylde Council
Wyre Council

7. Does the policy, service or function have any existing aims in relation to Equality/ Diversity or community cohesion?

The policy aims to develop a fair and efficient rehousing lettings system within the social housing sector, ensuring properties are allocated to those in greater housing need.

Property Information will be available enabling applicants to make informed decisions on the suitability of the home, thus, benefitting local communities as tenants will have chosen to live in the area.

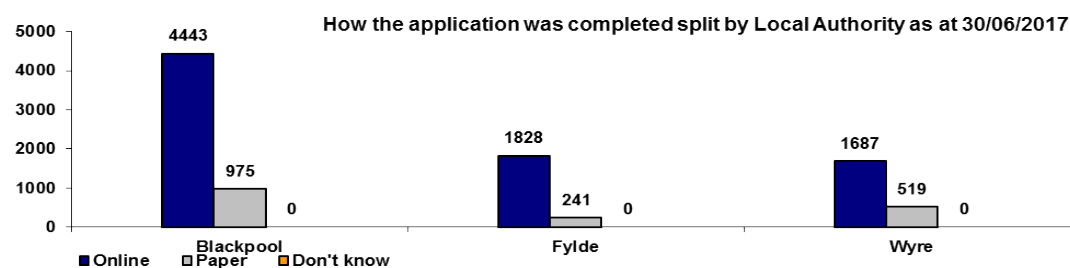
STEP 2 - CONSIDERING EXISTING INFORMATION AND WHAT THIS TELLS YOU

8. Please summarise the main data/ research and performance management information in the box below.

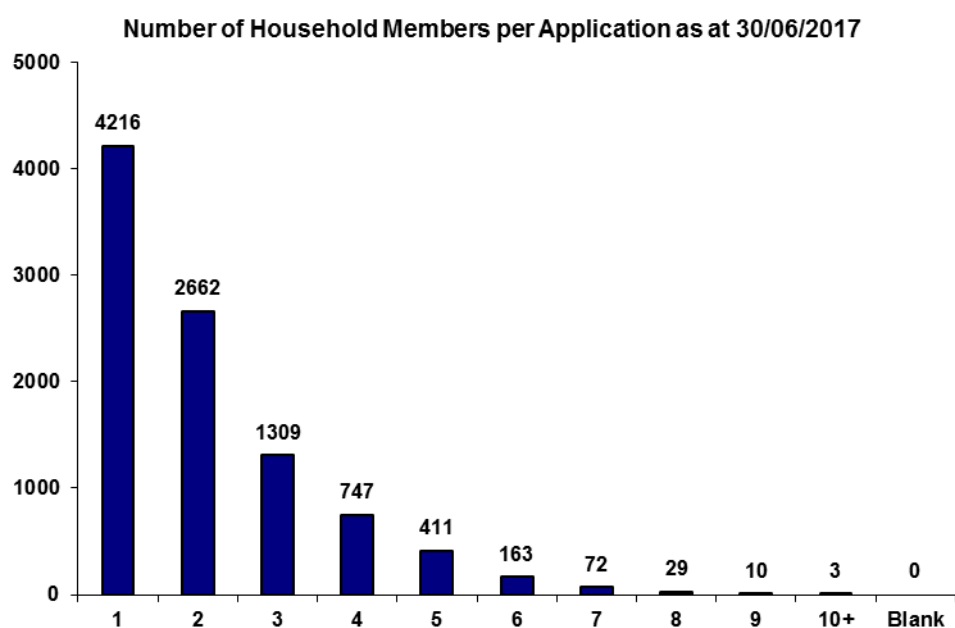
Data/ information

There are approximately 6400 active applicants on the current CBL system who may need to be reassessed as a result of the changes within the CAP policy.

82% of applications completed as at 30th June '17 were on-line, a breakdown by local authority is shown below:



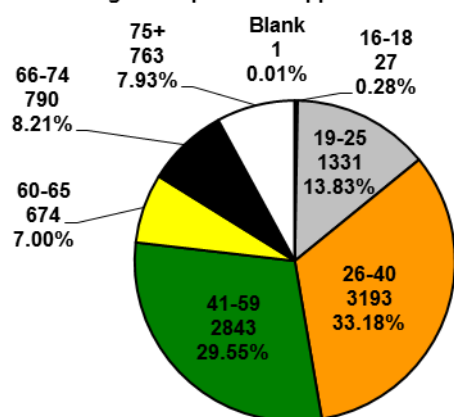
There are 4216 applicants with one person in the household, this equates to 65% of active applications requiring 1 bed properties (see below)



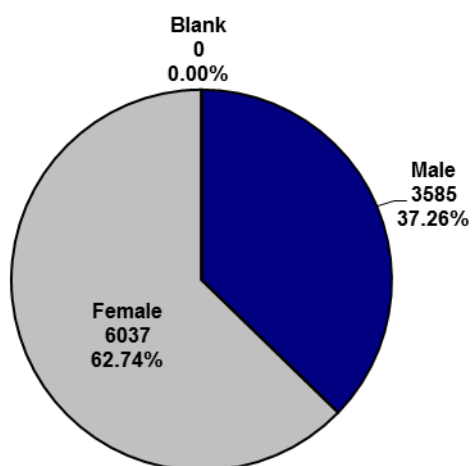
22% of active applicants are in employment. Fylde continues to have the greater percentage of employed applicants with Blackpool continuing to have the lowest.

A third of rehousing applicants are aged between 26-40. 62% of main applicants are female (see below)

Age Group of Main Applicant at 30/06/2017

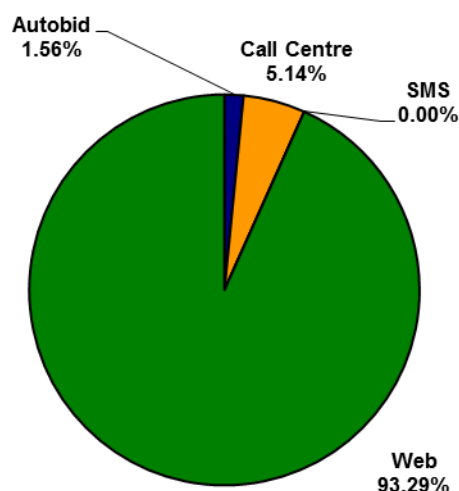


Gender of Main Applicant at 30/06/2017

***Research or comparative information***

Analysis of the current my home choice system shows that majority of applicants express their interests for a property on-line.

Source of Bids at 30/06/2017



The tables below provide an overview of the number of applicants placing bids:

Short Term Trend (Quarter on Quarter)

Local Authority	Q4	Q1	Trend
Blackpool	1281	1094	↓
Fylde	251	216	↓
Wyre	442	437	↓

Long Term Trend (Against Same Time Last Year)

Local Authority	2016-17	2017-18	Trend
Blackpool	1126	1094	↓
Fylde	212	216	↑
Wyre	405	437	↑

27% of active applicants have placed bids. By quickening up the application process applicants will be able to complete an online application and be able to place bids immediately rather than having to wait for their application to be processed. Properties will also be advertised on a daily basis encouraging applicants to become more proactive when requiring housing.

Key findings of consultation and feedback

Consultation on the proposed changes to the MyHomeChoiceFyldeCoast policy took place between 8th November '17 – 18th December '17. 258 questionnaires in total were completed

(5.6% response rate). The headline results of the survey:

- 68% of respondents agree with the revised local connection requirements with 9% in disagreement.
- Just over half (51%) agree with the introduction of two ways of letting, 38% have no opinion or didn't know.
- 47% of respondents agree with how applicants are awarded a priority band with 33% not in agreement.
- 45% agree with the restrictions on the use of the system by existing social housing tenants. 23% disagreed, 26% neither agreed nor disagreed.
- Half of the respondents agree with the proposed priority for working applicants for some homes. 27% are in disagreement.
- More than ¾ of respondents (83%) agree with giving more flexibility in the size of properties that applicants can bid for.
- 66% of respondents felt the proposed new arrangements will enable the local authority to make best use of the social housing stock in the area. 11% are in disagreement.
- 47% agree with the current income and savings threshold are correct. 27% of applicants neither agree nor disagree.

Whilst the majority of respondents are in agreement with the proposed changes, feedback from the consultation raised concerns regarding the banding and eligibility criteria. Some respondents felt the proposed changes would disadvantage applicants who are most in need and identified areas where the process can be simplified.

9. What are the impacts or effects for Key Protected Characteristics?

Age

The CAP sets out how applicants to the CBL scheme will be assessed. The assessment criterion takes applicants vulnerabilities into consideration and awards priority accordingly.

Monitoring data for the existing CBL scheme indicates that residents of all groups are using the system. Existing data shows the majority of CBL applications have been completed on-line (between October '16 - June '17) with 24% of main applicants aged 60+

The new policy operates in a similar way thus not disadvantaging residents due to their age. The partnership will continue using the same good practises and will be put procedures and safeguards in place to ensure support and assistance is available.

With the exception of supported housing (sheltered/extra care), the CBL scheme does not restrict the type of housing applicants can apply for based on their age.

Applicants aged 16 + are eligible to apply for re-housing and will be offered a tenancy at the age of 18 unless there is a statutory duty to house them earlier.

Disability

The policy enables adapted homes and ground floor accommodation to be allocated to applicants with a medical need. Applicants will be assessed and registered for suitably adapted accommodation, including ground floor accommodation, in accordance with identified need and placed in the appropriate band.

All partnership organisations will continue to offer residents support and assistance with completing application forms. Residents will have the option to set up proxy bidding to allow relatives, friends, support workers or housing staff to bid on their behalf.

The simpler banding system may help to make the allocation process easier to understand for people with learning disabilities.

Gender Reassignment

There is no evidence to suggest this policy will have a particular impact on this group.

Marriage and Civil partnership

There is no distinction made in the policy between people who are married or in civil partnership thus having no particular impact on this group.

Pregnancy and Maternity

Consideration will be given for unborn children in terms of bedroom entitlement.

Race

Ethnic minorities make up a very small proportion of residents on the Fylde Coast. 85% of applicants on the Housing Register are White British.

There is no evidence to suggest this policy will have a particular impact on this group.

<i>Religion and Belief</i>
The policy does not discriminate on the basis of religion or belief. Applicants residing in mobile homes/caravans will be considered to have a local connection providing they live in the Fylde Coast area and meet other local connection criteria.
<i>Sex</i>
<p>The policy awards priority banding to applicants in immediate danger of physical violence of which victims are usually women. The CBL partnership will enable movement within the Fylde Coast area allowing an opportunity for victims to move away from the perpetrator.</p> <p>The policy has adopted a broader definition of ‘working households and community contributions’ enabling applicants an opportunity to demonstrate they inability to work due to disability, age or gender.</p>
<i>Sexual Orientation</i>
There is no evidence to suggest this policy will have a particular impact on this group.

10. What do you know about how the proposals could affect community cohesion?

The policy seeks to create a customer led choice based letting scheme, thus, promoting community cohesion. Properties will be advertised with adequate information enabling applicants to make informed decisions before expressing their interest.

11. What do you know about how the proposals could impact on levels of socio – economic inequality, in particular Poverty?

Properties advertised under the CBL scheme fall within the Affordable Housing category with rent levels at least 20% below the market rate.

STEP 3 - ANALYSISING THE IMPACT

12. Is there any evidence of higher or lower take-up by any group or community, and if so, how is this explained?

There is no evidence of the policy significantly affecting any one group or community. The policy aims to deliver a fair and efficient mechanism for the allocation of social rented homes and awards priority to households who are most in need.

13. Do any rules or requirements prevent any groups or communities from using or accessing the service?

No, the CBL system is available to all residents looking for re-housing within the social housing sector. Assistance is available within all three local authority areas for residents who require support with applications and the bidding process.

14. Does the way a service is delivered/ or the policy create any additional barriers for any groups of disabled people?

See section 9

15. Are any of these limitations or differences “substantial” and likely to amount to unlawful discrimination?

Yes ☐ No ☒

If yes, please explain (referring to relevant legislation) in the box below

16. If No, do they amount to a differential impact, which should be addressed?

Yes ☐ No ☒

If yes, please give details below.

STEP 4 - DEALING WITH ADVERSE OR UNLAWFUL IMPACT

17. What can be done to improve the policy, service, function or any proposals in order to reduce or remove any adverse impact or effects identified?

n/a

18. What would be needed to be able to do this? Are the resources likely to be available?

n/a

19. What other support or changes would be necessary to carry out these actions?

n/a

STEP 5 - CONSULTING THOSE AFFECTED FOR THEIR VIEWS

20. What feedback or responses have you received to the findings and possible courses of action? Please give details below.

Consultation on the proposed changes to the MyHomeChoiceFyldeCoast policy took place between 8th November '17 – 18th December '17. See '**Key findings of consultation and feedback**' for results on key findings.

21. If you have not been able to carry out any consultation, please indicate below how you intend to test out your findings and recommended actions.

n/a

STEP 6 - ACTION PLANNING

Please outline your proposed action plan below.

Issues/ adverse impact identified	Proposed action/ objectives to deal with adverse impact	Targets/Measure	Timeframe	Responsibility	Indicate whether agreed
n/a					

STEP 7 - ARRANGEMENTS FOR MONITORING AND REVIEW

Please outline your arrangements for future monitoring and review below.

Agreed action	Monitoring arrangements	Timeframe	Responsibility	Added to Service Plan etc.
Review the allocation of social housing stock within the Fylde Coast Region		12 months	Fylde Coast Local Authorities	

Date completed:

Signed:

Name:

Position:

Report to:	EXECUTIVE
Relevant Officer:	Diane Booth, Director of Children's Services
Relevant Cabinet Member :	Councillor Kath Benson, Cabinet Member for Schools and Learning
Date of Meeting :	12 March 2018

SPECIAL SCHOOL PROVISION NEXT STEPS

1.0 Purpose of the report:

- 1.1 To approve the provision of a new social, emotional and mental health Free School in Blackpool and that the delivery is via the Local Authority self-delivery model.

2.0 Recommendation(s):

- 2.1 To agree the provision of a new 48 place social, emotional and mental health school on a Blackpool Council owned site on Langdale Road Blackpool which was previously the site of the Langdale Adult Training Centre.
- 2.2 To agree that the new school is delivered via the self-delivery model with the Council being responsible for the development of the new school, with funding being provided by the Education and Skills Funding Agency.

3.0 Reasons for recommendation(s):

- 3.1 The Blackpool pupils who require access to the social, emotional and mental health specialist school have complex needs and require long-term intensive intervention before they can be integrated into main stream schools. The pupils who are referred to the new provision will have already accessed and exhausted current provision within Blackpool which will usually include short term intensive intervention either through specialist outreach services or the Pupil Referral Unit.

The pupils are currently transported for approximately 40 – 50 minutes each way per day and for children who display challenging behaviour these journeys can present safety concerns for both staff and young people. The 16 schools the pupils currently attend do cater for the diverse range of needs for the pupils, but do not provide links to the Blackpool community and as a result transition back into the Blackpool community when the placements are finished can be turbulent and are often unsuccessful. However the desired outcome remains that all young people who

attend Key Stages 2, 3 and 4 should be enabled to reintegrate back into mainstream education.

The new school is being funded by the Education and Skills Funding Agency and the transfer of the land from the vacant/ underused portfolio to the Education portfolio will be funded by the Education Department based upon a valuation provided by the Council's Estates Department.

The new school will be able to provide specialist expertise and advice to current mainstream and Pupil Referral Unit provision in Blackpool, which would help to reduce the need for young people to attend specialist provision in the long-term.

The new school would be funded by reducing the number of commissioned places with the independent providers and significantly reduce transport costs.

Young people will be admitted from school year 5 to 11 and the ages will be between 10 and 16. There will however need to be a phased approach to admissions starting with a smaller number of pupils when the new school opens with the intention of being full within two years of opening.

The recommendation to deliver the project via the self-delivery model is being made as although the project will be fully funded by the Education and Skills Funding Agency self-delivery will allow for the Council to have control over the quality of the build, nature of the facility and to promote the use of local labour within the construction process and increase the local area engagement. The new school will also help to provide job creation in Blackpool.

It is proposed to deliver the project through the Blackpool Local Education Partnership (LEP) and for the building project to be project managed by the Council's Education Property Team.

- | | | |
|------|--|-----|
| 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: | |

To approve the development of the new school to be delivered directly by the Education and Skills Funding Agency. There would be the risk that the Council's influence in shaping the development of the new provision was minimised.

4.0 Council Priority:

- 4.1 The relevant Council priority is “Communities: Creating stronger communities and increasing resilience”.

5.0 Background Information

- 5.1 Blackpool has seen an increase in the number of young people needing Education, Health and Care plans/ statements over a relatively short period of time. In 2012, 513 young people had statements with this rising to 658 in 2016 and the projected number for 2020 is 825. The increases are in part due to Blackpool being a net importer of need and this increase is currently unsustainable and cannot be supported with the current funding allocations.
- 5.2 Currently within Blackpool there is no SEMH (social, emotional and mental health) specialist school provision and the majority of Blackpool pupils who need specialist provision are transported out of the borough to independent special schools at a considerable cost to the authority, annual cost approximately £23 - £50,000 per pupil. An expression of interest for a new free school was submitted to the Education Skills and Funding Agency (ESFA) and following the submission they have agreed to proceed to the next stage of the process, a feasibility survey and to enter into the appointment process of choosing a sponsor for the school.
- 5.3 Two approaches can be taken for the construction of the facility. One approach would be for the Education and Skills Funding Agency to directly deliver the school however, under recent amendments within the free schools programme there is also the other option which is for the Council to deliver the construction of the school under the ‘self-delivery’ model.
- 5.4 Approval is being sought for the Council to self-deliver the project, with the construction being delivered by the Local Education Partnership (LEP).
- 5.5 The new school would reduce a significant cost burden on the Council and see the number of commissioned places out of borough reduce. The provision would also reduce the cost of transporting the young people to the out of borough independent providers.
- 5.6 The Special Educational Needs provision for young people has reduced in Blackpool and this has resulted in the Pupil Referral Unit being oversubscribed with more independent specialist places increasing and the number of places in Blackpool special schools increasing. The new school would reduce the number of commissioned out of borough independent specialist placements whilst providing outreach services to mainstream schools to support young people with social, emotional and mental health and communication difficulties.

- 5.7 A sponsor for the school is currently being evaluated and they will be a key stakeholder in the building project. This sponsor would be appointed by the Education and Skills Funding Agency and the Council has been involved in this evaluation.
- 5.8 Is the Corporate Delivery Unit aware of this report? Yes
- The Corporate Delivery Unit has been consulted and has no issues to be raise.
- 5.9 Does the information submitted include any exempt information? No
- 5.10 List of Appendices:**
- None.
- 6.0 Legal considerations:**
- 6.1 A licence would needed to be granted for feasibility works to be undertaken on the site and a contract will need to be entered into with the Local Education Partnership for the building project and to enter into the required legal documentation.
- 7.0 Human Resources considerations:**
- 7.1 The proposal for the delivery of the development would be via the Blackpool Local Education Partnership with the Eric Wright group undertaking construction works on site. There will be a financial allowance made within the Education and Skills Funding Agency funding envelope for professional fees and project management. The Council resource to manage the project will include an Education Property and Development officer to lead the project with technical support from Property Services. There will be an element of legal support for the project and the cost and fees will be offset against the Education and Skills Funding Agency funding.
- 8.0 Equalities considerations:**
- 8.1 None.
- 9.0 Financial considerations:**
- 9.1 The scheme is being fully funded by the Education and Skills Funding Agency via the Free Schools Programme. It is not anticipated that any additional resource will be required from other Council budgets for the delivery of the project.

9.2 Once fully operational, the school will be funded by the commissioning of 48 places at a fixed annual cost of £10,000 each, plus a lump sum of £150,000, and variable top-up funding for each pupil on the roll of the school (NB these are 2017/18 values and are subject to annual review). The level of top-up funding is determined by reference to the needs of each individual pupil, but it is estimated that this will be approximately £8,500 per year, meaning that the costs of each place is likely to be in the region of £22,000 each year. Given that the costs of placements in out-of-borough provision can exceed £50,000 per year, the creation of the in-borough provision will deliver significant cost savings.

9.3 The High Needs Block of the Dedicated Schools Grant, from which funding for specialist places comes, is currently overspending against the available income, and the establishment of the new special free school is part of the medium-term plan to manage the financial pressures.

10.0 Risk management considerations:

10.1 The Council would prefer to self-deliver the project as this would allow for more local input to the design and quality of the new facility. It is anticipated that the funding envelope will be sufficient for the delivery of the new school and that project costs will be contained within the budget.

10.2 The Council is currently in discussion with the Education and Skills Funding Agency over timescales for the delivery of the new facility however it is anticipated that the school will be open during 2020.

11.0 Ethical considerations:

11.1 None.

12.0 Internal/ External Consultation undertaken:

12.1 None.

13.0 Background papers:

13.1 Local Authority Commissioned Special Free Schools Submission

14.0 Key decision information:

14.1 Is this a key decision? Yes

14.2 If so, Forward Plan reference number: 12/2018

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: 2 March 2018 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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Notice of:	EXECUTIVE
Relevant Officer:	Andrew Foot, Head of Housing
Relevant Cabinet Member:	Councillor Mrs Christine Wright, Cabinet Member for Housing
Date of Meeting:	12 March 2018

SELECTIVE LICENSING FOR THE CENTRAL AREA

1.0 Purpose of the report:

- 1.1 This report seeks approval to consult on a new Selective Licensing proposal for 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 improve the management of privately rented homes.
- 1.2 Executive resolved on 20 February 2017 to introduce a new Selective Licensing scheme into the Central area that would apply to the majority of privately rented homes in the Central area that are not already covered by HMO mandatory licensing and the HMO Additional Licensing scheme introduced to the area from July 2016. The Selective Licensing scheme required Secretary of State confirmation, but this was not received because of concerns by civil servants about the length of time since public consultation in summer 2015 and how the scheme would be implemented.
- 1.3 This report now sets out the details of a revised Selective Licensing scheme for the Central area.

2.0 Recommendation(s):

- 2.1 To begin a new consultation on the revised Selective Licensing proposal for the Central area.
- 2.2 To bring a report with a final proposal for approval back to Executive following consultation.

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 proposal document. 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.

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 HMO 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 HMO Additional Licensing took place between 17 July and 25 September 2015.

5.2 While the consultation proposed both Selective and HMO 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 an HMO Additional Licensing scheme in the first instance, from July 2016. In February 2017, Executive resolved to approve a Selective Licensing scheme for the Central area and an application was made for Secretary of State confirmation on 24 March 2017.

5.3 After delays caused by the change in Government, in mid-August 2017 the Department for Communities and Local Government provided feedback that in their opinion the length of time that had passed since the consultation in summer 2015 was too long and recommended a fresh consultation; they were also nervous about the proposed co-regulation approach. It was clear that Department for Communities and Local Government officials would not recommend confirmation to the Secretary of State and for this reason, the Council withdrew its application. At a face a face

meeting with Department for Communities and Local Government officials on 20 September 2017, the Department for Communities and Local Government made it clear that they had no concern about the evidence base and the robustness of the case presented, but that their only concerns were to do with the use of co-regulation in the Council's proposal and the length of time since consultation.

- 5.4 A new proposal has now been developed for public consultation. The Council now has further evidence to inform the new proposal, principally evaluation of the impact of the South Beach licensing scheme, reported to Executive on 15 January 2018, and experience of 12 months of inspections in the Central area under the HMO Additional Licensing scheme that was introduced in July 2016. 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 HMO Additional Licensing, leaving around 2,300 private rented properties in the area outside of a licensing regime. Issues of poor management are prevalent across the whole 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.
- 5.5 The new proposal sets out 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.
- 5.6 The new proposal introduces a Blackpool Standard. The Blackpool Standard is essentially a Code of Practice that landlords can choose to align themselves to, which is set above current minimum legal requirements. Landlords who meet this Standard will receive a 30% reduction in licence fees. This Standard will be endorsed as best practice and promoted to tenants. In this way, those landlords who already let properties responsibly will be recognised, allowing enforcement to focus on tackling those who do not. The names of those landlords and letting agents who meet the Blackpool Standard will be published on Blackpool Council's website and given the Blackpool Standard kite mark to use on their marketing material and letterheads.
- 5.7 The licensing fees have been re-set to reflect the actual costs of delivering recent licensing schemes. This has led to an increase in fees for landlords who do not meet the Blackpool Standard, but lower fees for those who do, and a continuation of early bird discounts for landlords who apply promptly at the start of the licensing scheme.

- 5.8 The new proposal incorporates the funding of dedicated Anti-Social Behaviour officers, so that there will be two officers for the Central area, reflecting the large size of the area compared with Claremont and South Beach which each had one dedicated officer. This role is important to work with landlords on tackling problem tenants.
- 5.9 The new licensing scheme would include more regular reporting of progress and impact against a clear evaluation framework.
- 5.10 Public consultation on the new licensing proposal will meet statutory requirements, with a 10-week duration starting from April 2018, so that a revised proposal should be ready for consideration in July 2018. Following a further report to Executive, confirmation will need to be sought from the Secretary of State because alongside the current Claremont scheme, the total number of homes subject to selective licensing in Blackpool will exceed 20% of the borough's private rented sector.
- 5.11 Is the Corporate Delivery Unit aware of this report? Yes
- The Corporate Delivery Unit has been consulted and has no issues to raise.
- 5.12 Does the information submitted include any exempt information? No
- 5.13 **List of Appendices:**
- Appendix 5(a) – Consultation proposal for Selective Licensing in the Central area.
- 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 previously been sought from Counsel to confirm that the proposal demonstrates that the criteria for selective licensing have been met in the Central area.
- 6.2 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.
- 7.0 Human Resources considerations:**
- 7.1 If following consultation a new scheme is approved, dedicated staff will be retained to deliver the local authority's responsibilities in the Selective Licensing scheme.

8.0 Equalities considerations:

- 8.1 A draft 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. A final assessment will be completed following consultation to reflect a final licensing proposal.

9.0 Financial considerations:

- 9.1 Proposed fees have been set so that the scheme would be self-financing, with the fees reflecting the costs to the local authority of administering the scheme. Where landlords choose to meet the Blackpool Standard, the fees due to the local authority are reduced, reflecting the reduced role of the local authority in dealing with better managed properties.

10.0 Risk management considerations:

- 10.1 There is a risk of judicial review of the scheme if following consultation a scheme is approved, but the process and case has been planned in accordance with the relevant statute.
- 10.2 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 public consultation will be undertaken subject to approval of this report and associated licensing proposal.

13.0 Background papers:

- 13.1 Proposal to designate the Central area for selective licensing

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 None

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:**

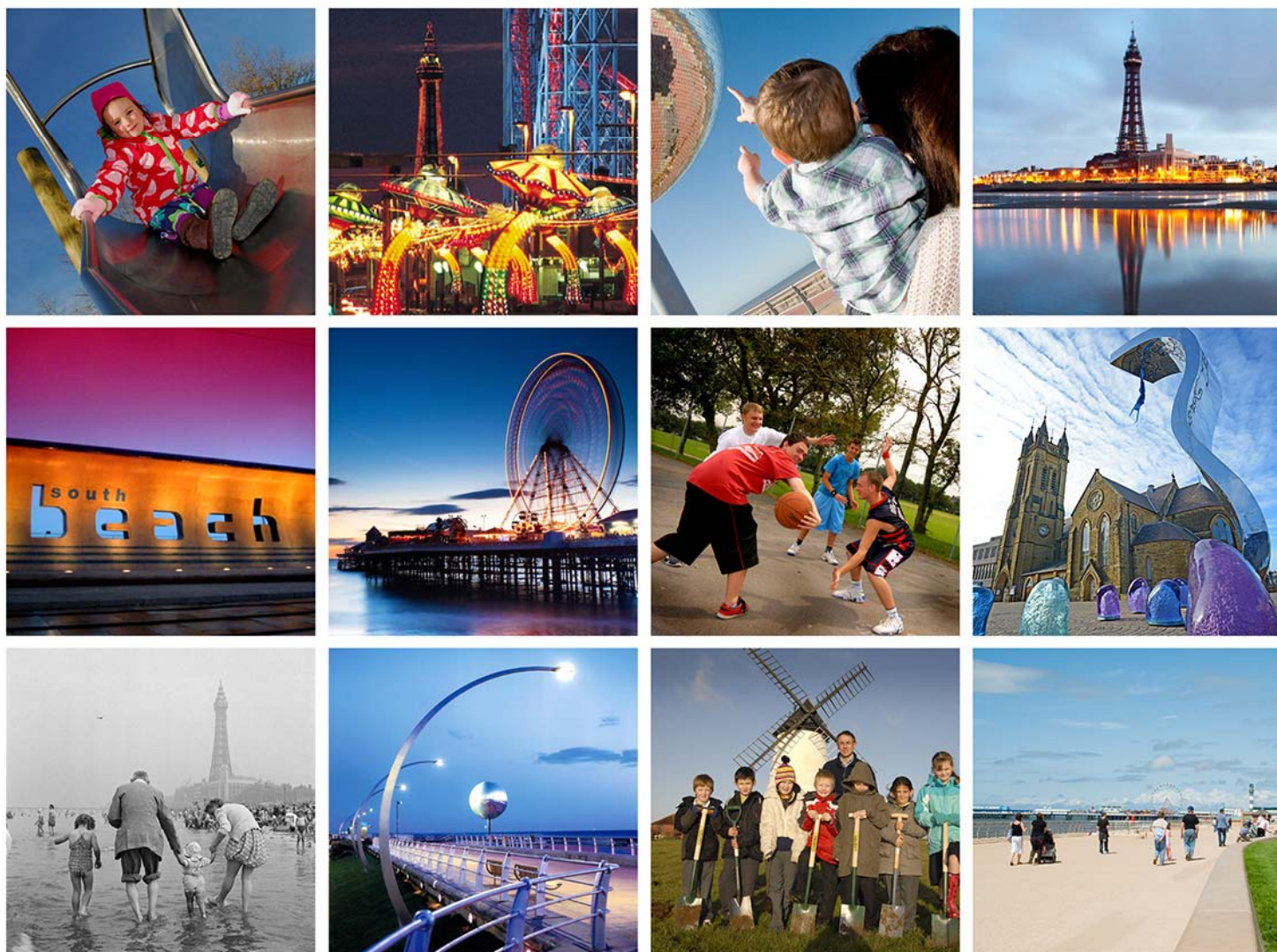
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Proposal to designate a Selective Licensing scheme in the Central area

Consultation Proposal March 2018

Blackpool Council



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

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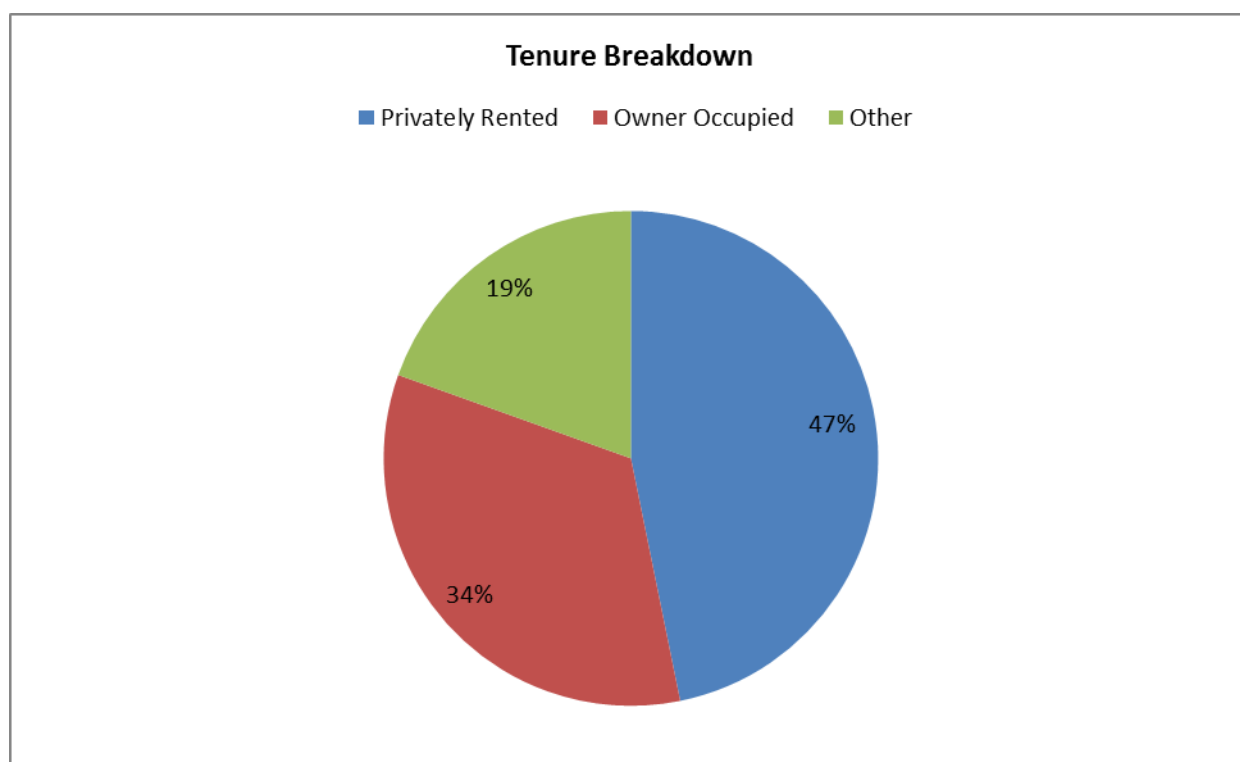
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Proposal to designate a selective licensing scheme in Central Area, Blackpool

1. Introduction – About the Central 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 4th 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. High levels of turnover affect community cohesion and stability.

Analysis of new Housing Benefit claimants between April 2013 and March 2014 showed the following for each ward:

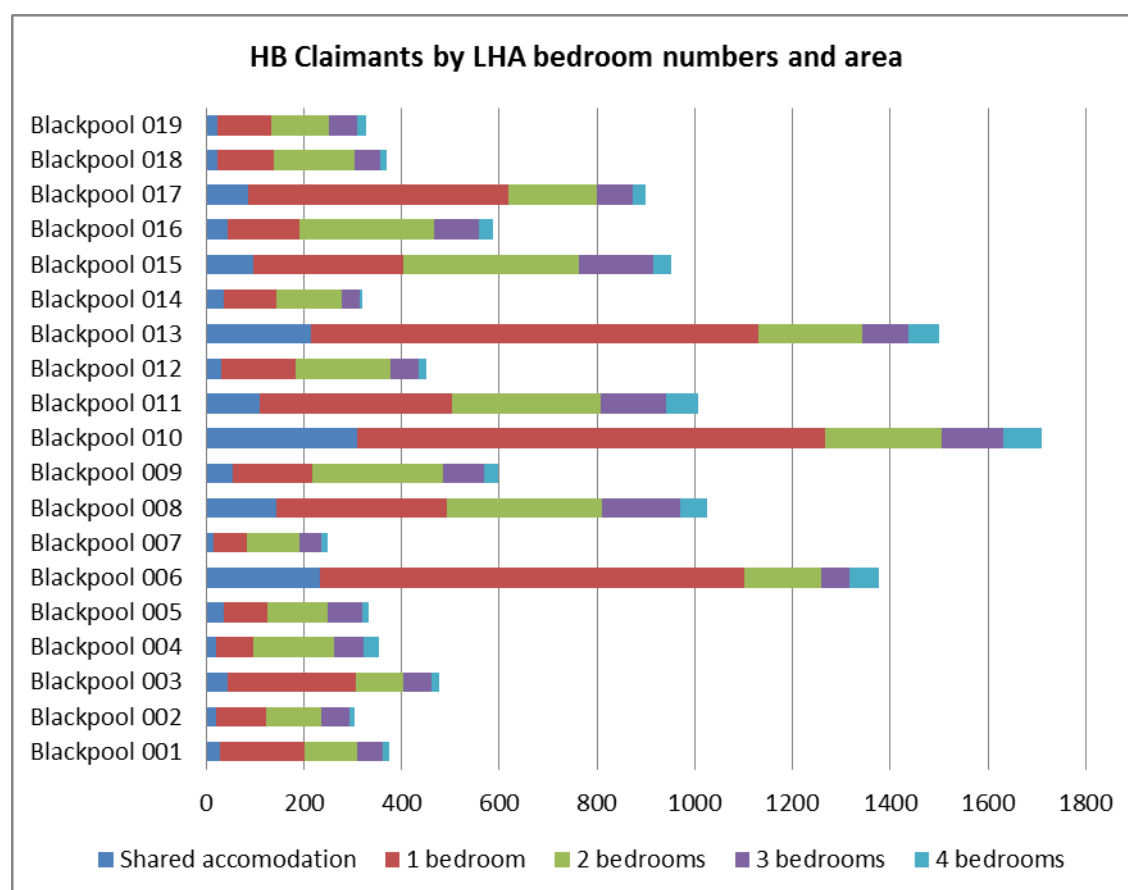
Proposal to designate a selective licensing scheme in Central Area, Blackpool

- 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
- 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.

Transience in the Central area is driven by the dominance of the private rented sector in the area, focused on low income households, with an over-representation of small flats. The Central area is approximately aligned with Medium Super Output areas 010, 011 and 013 in the Housing Benefit information below, showing high claimant numbers from the private rented sector and an emphasis on small households / units of accommodation:

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



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.

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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 existing Claremont selective licensing scheme, 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 new 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*¹

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:

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

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- 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.

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.

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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
- 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

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- 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. 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.

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

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.

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

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

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;

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

- 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.

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:

Building a Better Blackpool – Blackpool Council Housing Strategy 2018

The draft Housing Strategy presents the Council's approach to address the housing issues within the borough. It sets the vision and priorities to support the delivery of the Council's plan to make Blackpool a great place to live in with a thriving economy that supports a happy and healthy community.

The Strategy is built around four key themes:

1. New housing supply
2. Improving the private rented sector
3. Stabilising lives
4. Increasing delivery capacity

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.

Town Centre Strategy 2013 – 2028

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

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
- 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 2016-2019 (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.

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

Homelessness Prevention Strategy 2018-2021

The Homelessness Prevention Strategy 2018 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.

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. 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.
- 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 November 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.

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- 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; however funding will end in September 2018. 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. 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.
- 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

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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 a combination of over 1000 Community Protection Warnings and Notices, with further action taken in some cases. This is amongst the most actions taken anywhere in the country. We have achieved a 91% success rate of success in resolving the problem at the first stage, which can be attributed to the proactive and multi-agency approach we take to tackling issues.
- 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.

- Recent progress has been made in forging a positive working relationship with good landlords through the continued strengthening of the Fylde Coast Landlords Forum; since the Council has worked in partnership with the Forum it has seen a steady increase in membership. We are also working to introduce a new PRS Planning and Networking Group consisting of landlords and letting agents who want to work with the Council to improve standards across the PRS.

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

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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.

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 4th 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. 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
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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 Dwelling Management Orders	Resource intensive. Does not present a long term solution 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.	Removes rogue landlord responsibilities and gives to responsible, nominated agent. Improves standards for tenants and local community.

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7. Initial consultation on the proposal

Consultation on a proposal for selective and additional licensing in the Central area ran from 17th July - 25th 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 17th July to the 25th 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:

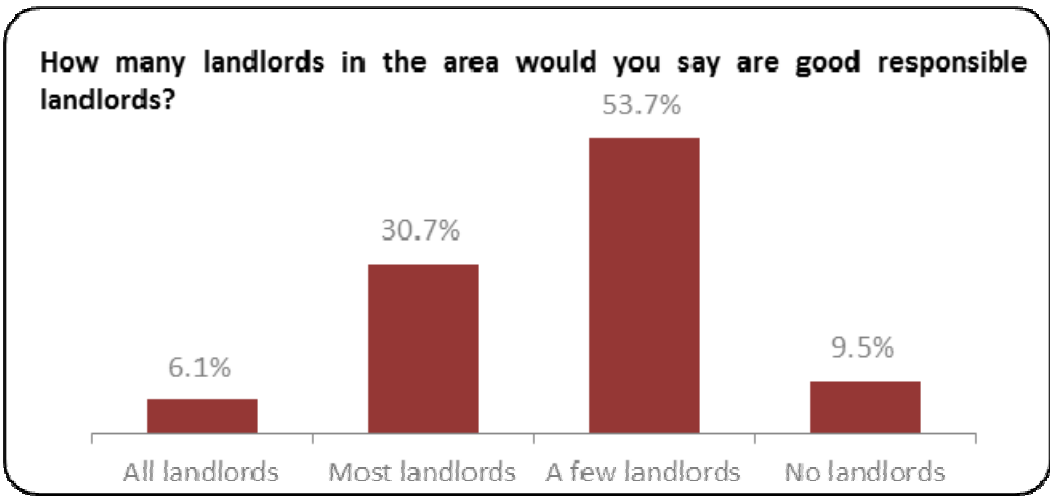
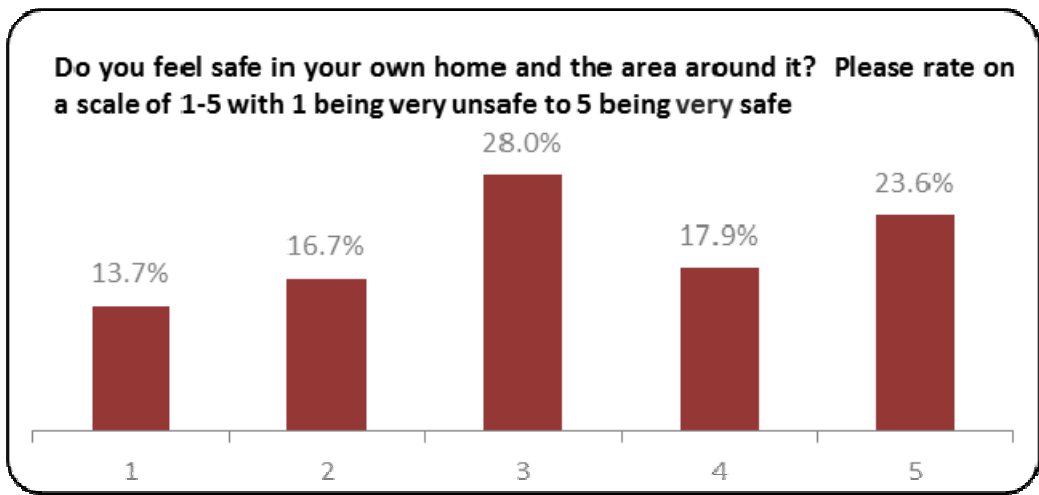
1. Landlords objected to paying such a large licence fee in full at the start of the scheme;
2. Landlords felt that they were not receiving anything back for their licence fee

We have spent time considering a new approach to selective licensing. We researched other licensing schemes and spoke to other Councils across the country.

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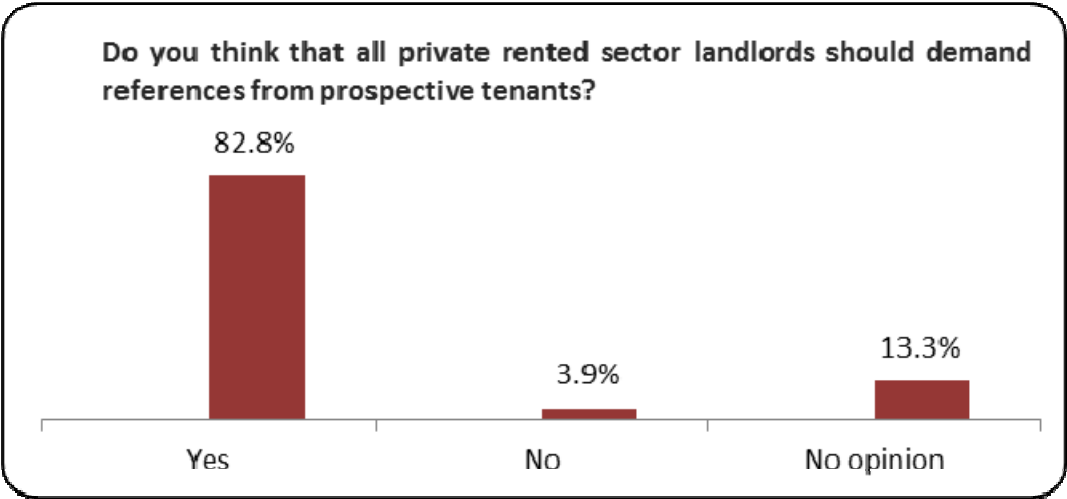
7.1 Summary of Consultation Responses

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. 17.9% of residents gave the rating of 4 and 23.6% rated the safety of their home and the neighbourhood as 5.



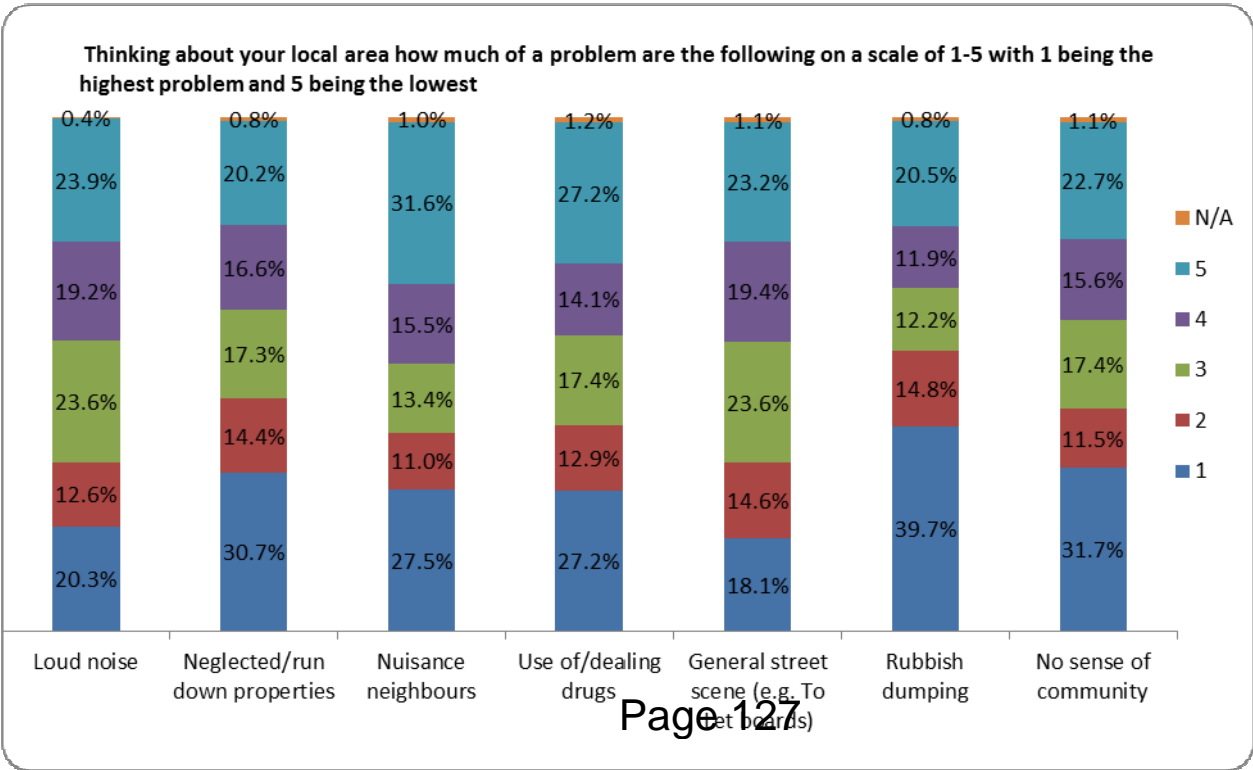
Only 6.1% of respondents believed all landlords in the area to be good and responsible, with 30.7% citing most landlords were good and responsible, and 53.7% said only a few landlords.

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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:



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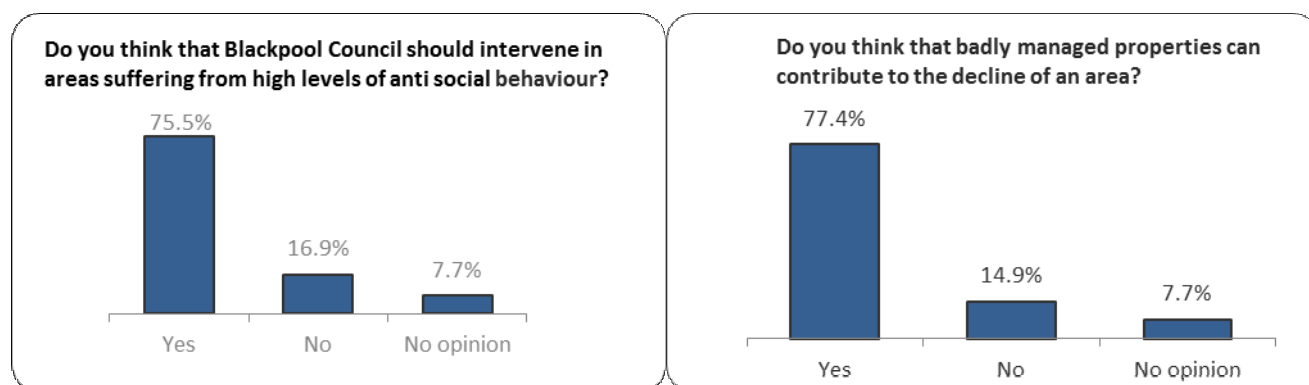
The majority of residents had experienced issues with other privately rented properties with the main issues being: fly tipping (61.8%); neglected/run down properties (45.8%) and loud noise (45%). The three main areas of concern for residents when renting a property were: security (17.3%); damp and mould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

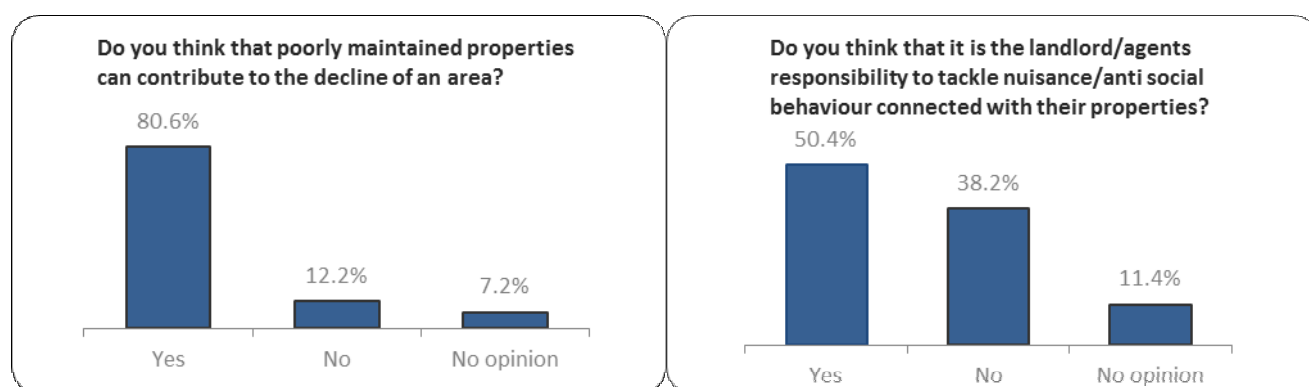
267 landlords completed the survey. To summarise the results, the majority of landlords felt that poorly maintained and managed properties contributed to the decline of an area. The three areas which were deemed to have the most significant problems within the Central area of Blackpool were: anti-social 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.



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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.

Following the consultation responses back in 2015 the decision was taken to introduce additional licensing only and then to evaluate its success in tackling the problems, especially around poor property condition. It has become clear from the initial property inspections that a higher number of hazards are being identified in those properties that do not fall under additional licensing and therefore it is imperative to introduce selective licensing to ensure that we can ensure consistent standards of management in all properties in the area.

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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;

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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:

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- 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.

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.

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9. Blackpool Council's new approach to Selective Licensing

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.

We are proposing to introduce a Blackpool Standard which good landlords should have no hesitation in aspiring to meet. This Standard represents the benchmark a tenant should expect to access across Blackpool's private rented sector. Although a landlord will not be forced to meet the Standard, any landlord that does, will receive a significant discount off their licensing fee and support from Blackpool Council in promoting them as a good landlord.

9.1 The Blackpool Standard

Creating a Blackpool Standard will facilitate strong partnership links between Blackpool Council and good landlords. The Blackpool Standard is essentially a Code of Practice that landlords can choose to align themselves to, which sets a standard above current minimum legal requirements through the Housing, Health and Safety Ratings System (HHSRS).

Blackpool Council recognises that many landlords provide accommodation far above and beyond the minimum standards required by law. We feel that it is important to recognise these landlords and reward the good practice that we see across the town, whilst allowing us to focus on tackling those who choose not to meet even the most minimum standards enforceable under current law.

9.2 Aims of the Blackpool Standard

The aims of the Blackpool Standard are to:

- ❖ Improve standards of accommodation offered across Blackpool
- ❖ Promote good standards of management and best practice in the private rented sector
- ❖ Provide quality assurances to tenants over the standard of property they can expect to rent
- ❖ Enable better relationships between the Council and good landlords

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- ❖ Establish better relationships between landlords and their tenant

The names of those landlords and letting agents who meet the Blackpool Standard will be published on Blackpool Council's website and given the Blackpool Standard kite mark to use on their marketing material and letterheads.

Benefits of meeting the Blackpool Standard for landlords and letting agents are:

- ❖ A significant reduction in the licensing fee in recognition of the standard of accommodation offered
- ❖ Opportunities for landlords to access training, support and good practice
- ❖ Offer a market advantage over those who do not meet the standard
- ❖ The opportunity to attract a good tenant who is more likely to want a longer-term tenancy and willing to abide by the terms of the tenancy agreement
- ❖ Recognition as a good, reputable and trustworthy landlord, and endorsement from the Council

9.3 Details of the Standard

Details of the Blackpool Standard will be worked up with landlords and tenants before the scheme is launched. It is proposed that it will consist of a robust framework of measures that a landlord or letting agent must prove they have put in place in order to achieve the standard. This will include setting out the landlord's responsibilities pre-tenancy, during tenancy and post tenancy. There will also be a property condition checklist which must be completed and passed.

This standard will be higher than the HHSRS risk assessment tool and will ensure that the property is being rented out in a condition which ensures that the occupants are safe, warm, and free from damp and mould growth, with secure and lockable doors and windows. The extensive property checklist will run alongside a management standard that the licensee is expected to adhere to.

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.

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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.

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:

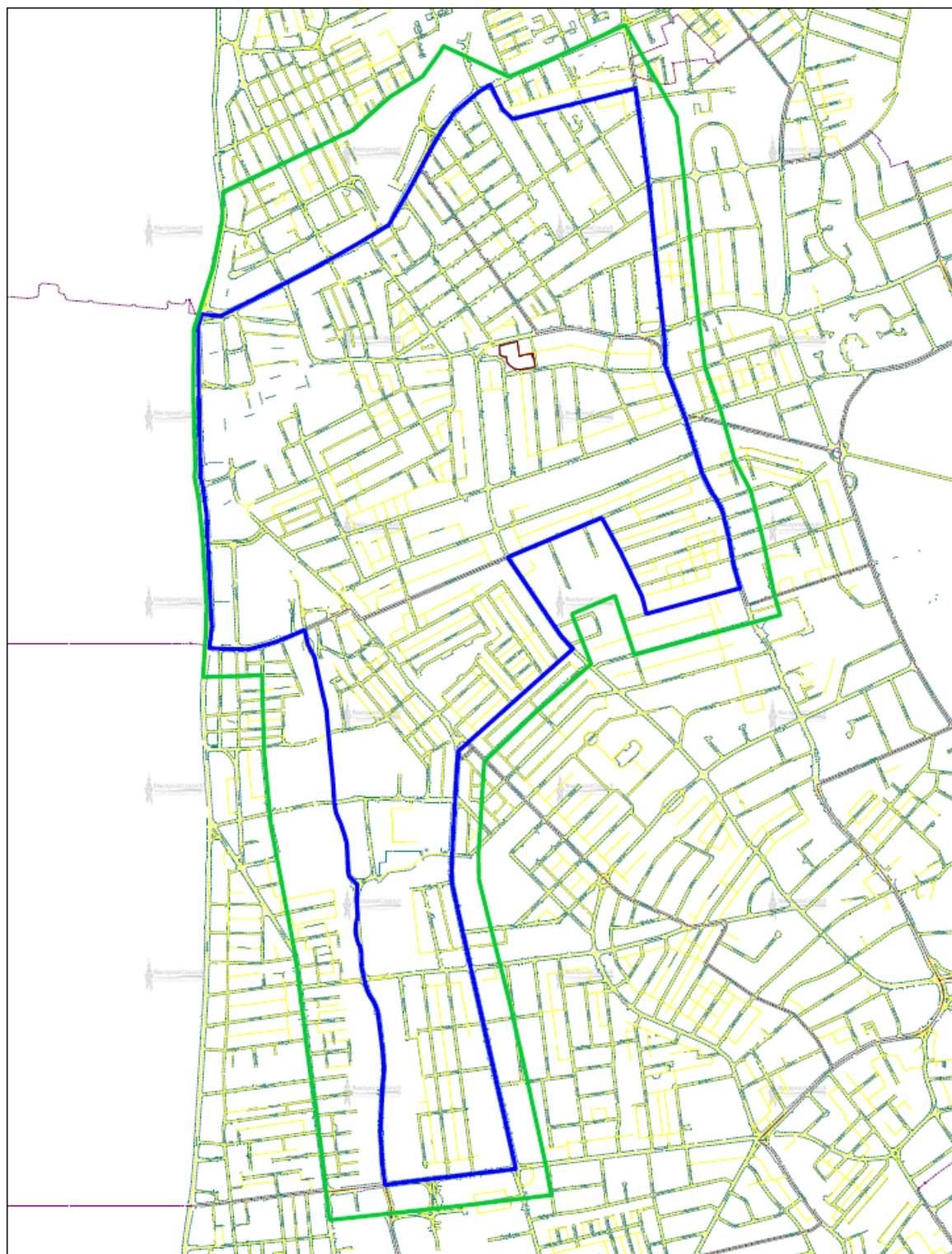
- anti-social behaviour,
- crime,
- property management and property conditions
- deprivation

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)

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

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

Licence Fees – Landlords who meet The Blackpool Standard	
Each property occupied by one household	£542 (30% discount)
Multiple occupancy up to 5 units	£763 (30% discount)
Cost per additional unit over 5 units	£47
Change of ownership to an existing licence	£140

Licence Fees	
Each property occupied by one household	£775
Multiple occupancy up to 5 units	£1090
Cost per additional unit over 5 units	£68
Change of ownership to an existing licence	£140

Early Bird Discount (available to all applicants whether applying for the Blackpool Standard or not)	
Applications made during the first three months of the scheme for each property	£100

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.

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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. Failing to apply for a licence could lead to prosecution and a fine of up to £20,000. Alternatively the new civil penalties powers will also be considered, leading to a penalty of up to £30,000.

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.

11. Evidencing the need for a Selective Licensing Scheme in the Central area of Blackpool²

Selective licensing is being introduced on the grounds of:

- ASB
- Poor Property Conditions

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

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- Deprivation
- Crime

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 ASB³:

“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’⁴.

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.

³ *The Selective Licensing of Houses (Additional Conditions) (England) Order 2015*

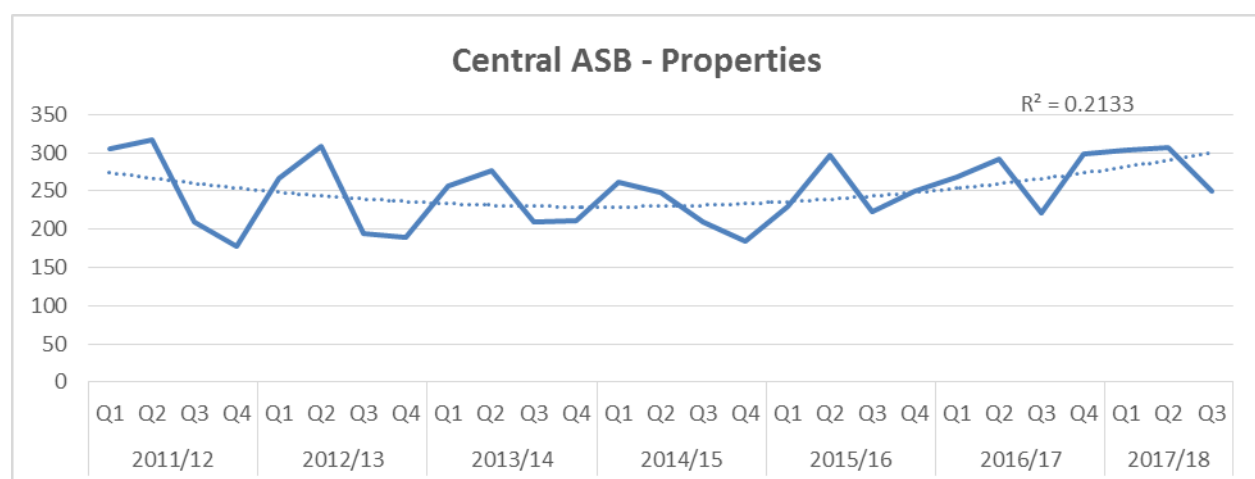
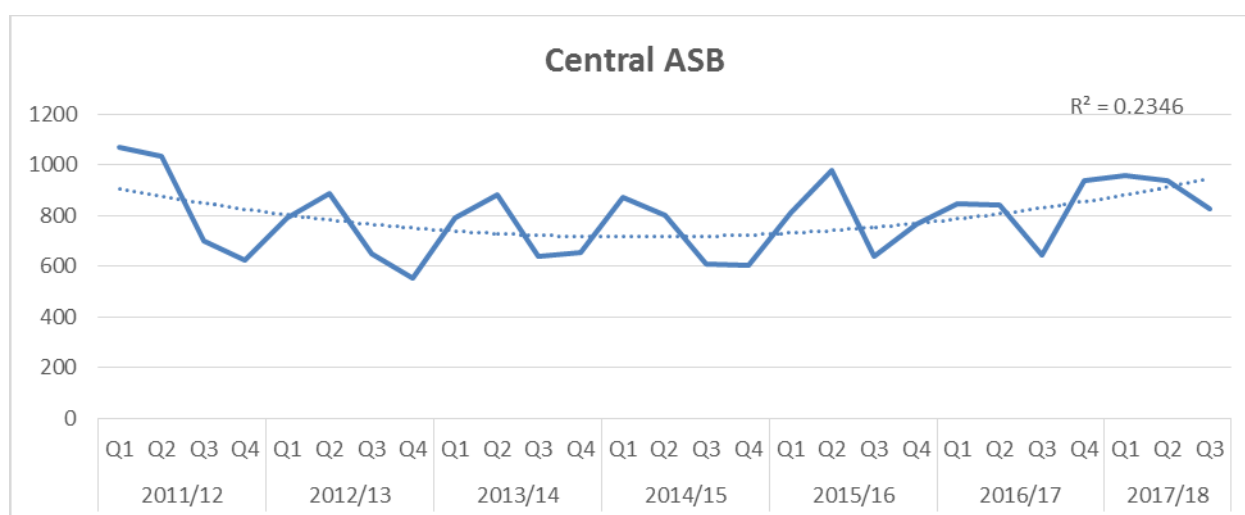
⁴ *(Approval steps for Additional and Selective Licensing designations in England, CLG).*

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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.

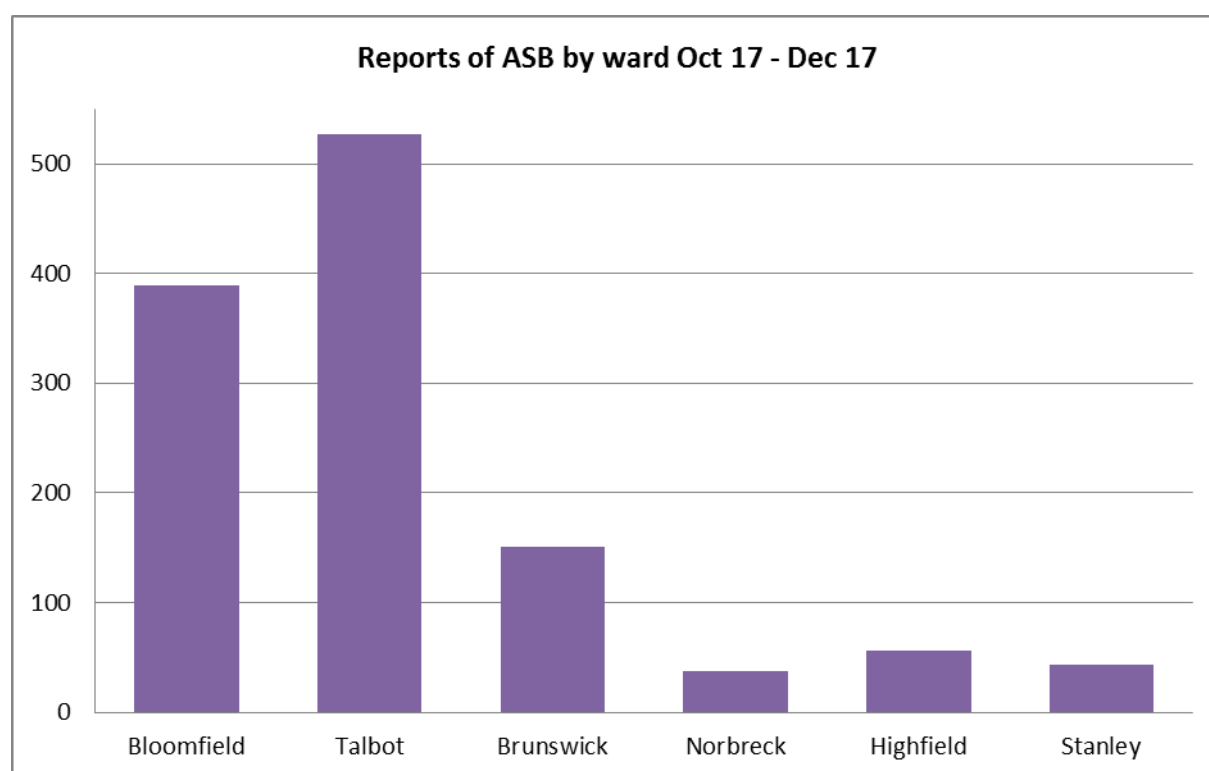
Independent statistical information provided by Lancashire Constabulary shows trends in ASB both across the whole Central area and also where a report of ASB can be directly linked back to a private rented property in that area. The graphs below are provided by Lancashire Constabulary and show a significant proportion of reports of ASB can be linked directly back to the private rented sector.



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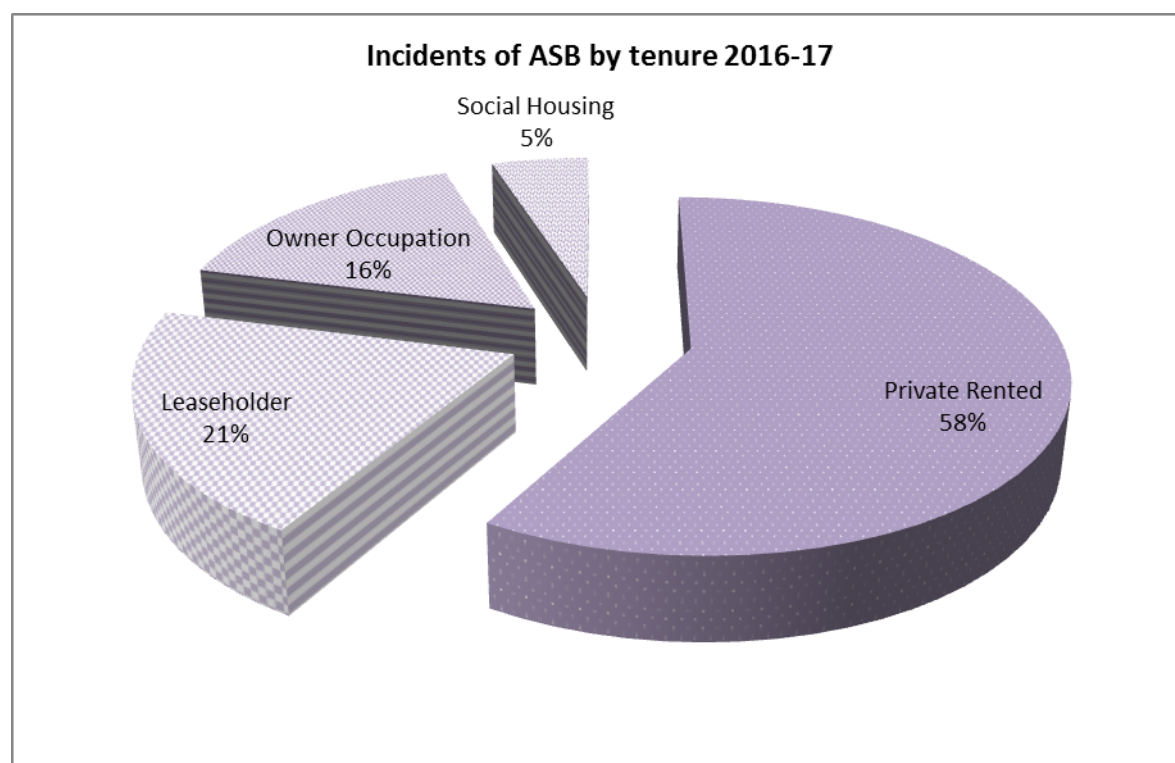
Linking anti-social behaviour back to the Council's wider strategies and initiatives, in order to achieve the objectives set out in the Blackpool Community Safety Plan which is currently under review, selective licensing will enable the Council to work with landlords to develop their own ASB plans. Landlords 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.

To provide some comparative data to show the difference in levels of anti-social behaviour across Blackpool, the graph below illustrates the number of reports of ASB in the three wards in the Central area compared to other areas of the town:



Using the most recent annual data provided by Lancashire Constabulary to break down reports of ASB by tenure type, the chart below illustrates that 58% of reports were linked back to a property within the private rented sector:

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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;

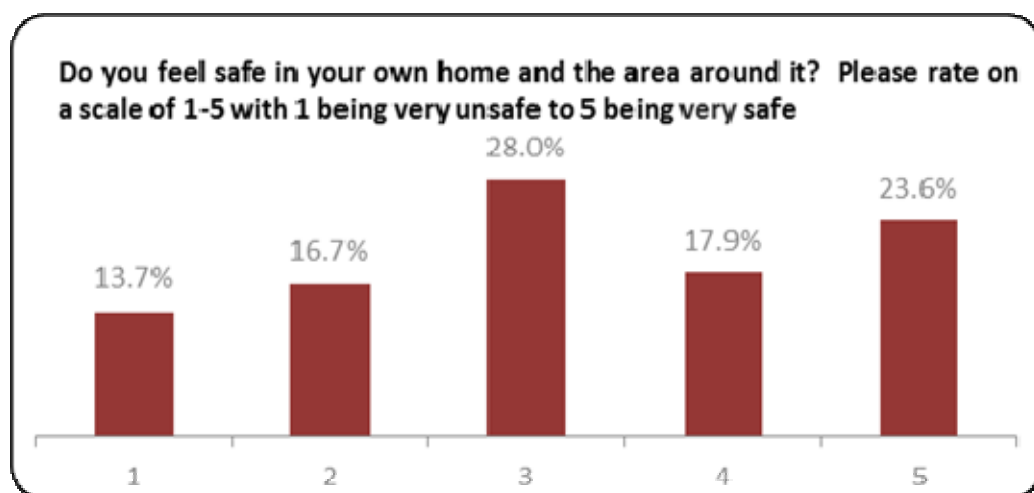
(b) That the criminal activity affects those living in the properties referred to in article 3(1) (a), or other households and businesses in the area; and

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 initial 2015 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

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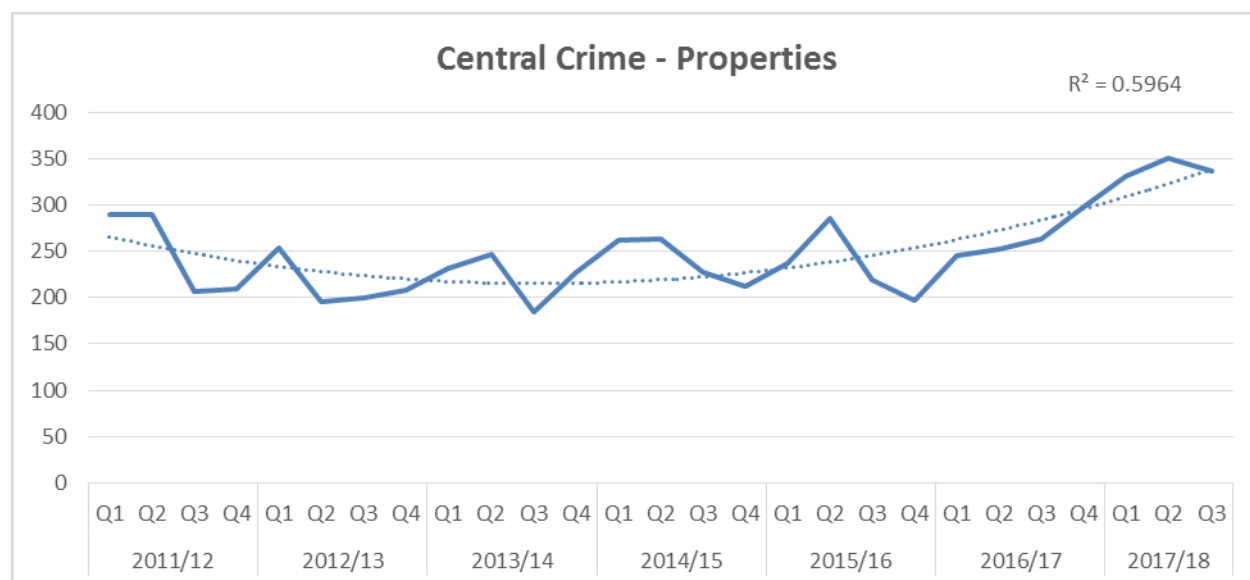
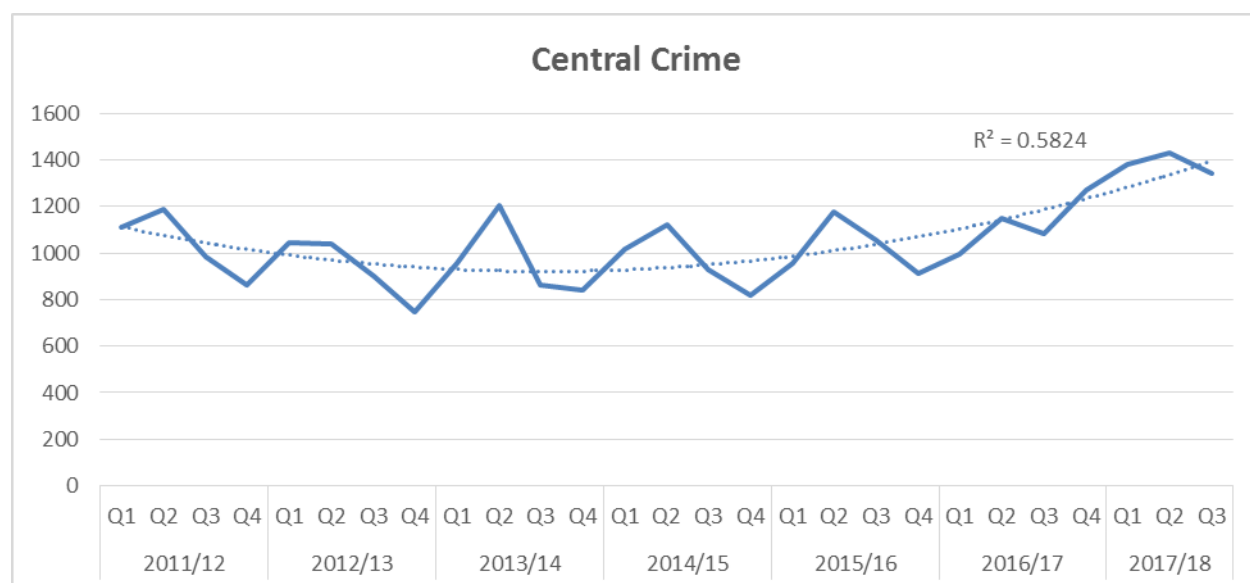
5 being very safe. 13.7% of residents felt very unsafe; 16.7% of residents gave the rating of 2 and 28% rated the safety of their home and the neighbourhood as 3.



The Central area of Blackpool has especially high levels of recorded crime. In the period from April 2015 to March 2016 there were 4496 recorded incidents of crime across the proposed designation, of which 24% were directly linked to privately rented properties.

The graph below demonstrates the crime trends in the Central area over the past five years both across the whole area and then those which can be directly linked back to privately rented properties within the area.

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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

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the area. The new **Operation Clean Up** has now been stepped up to include tackling 'Spice' users; the combination of these issues is continuing to cause residents to feel unsafe in the area in which they live.

Operation Warrior

During 2016-17 this operation focused 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 the majority of sex workers, and this covers the 'on' street workers on the Palatine Road, Central Drive 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.

We are also current joint working with Blackpool Transport to tackle serious bus and taxi damage across the Central area. Youths living in the area have been throwing rocks at buses and taxi and 'bus-surfing' causing a danger to themselves and others.

One of our largest and most serious problems at this current time relates to the cultivation of cannabis farms within residential property within the private rented sector. We have currently carried out a series of raids seizing thousands of cannabis farms and are using heat seeking cameras to continue this work. We are finding these farms are being run by serious organised crime groups who are using illegal immigrants who have been trafficked into the UK.

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.

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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.⁵

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

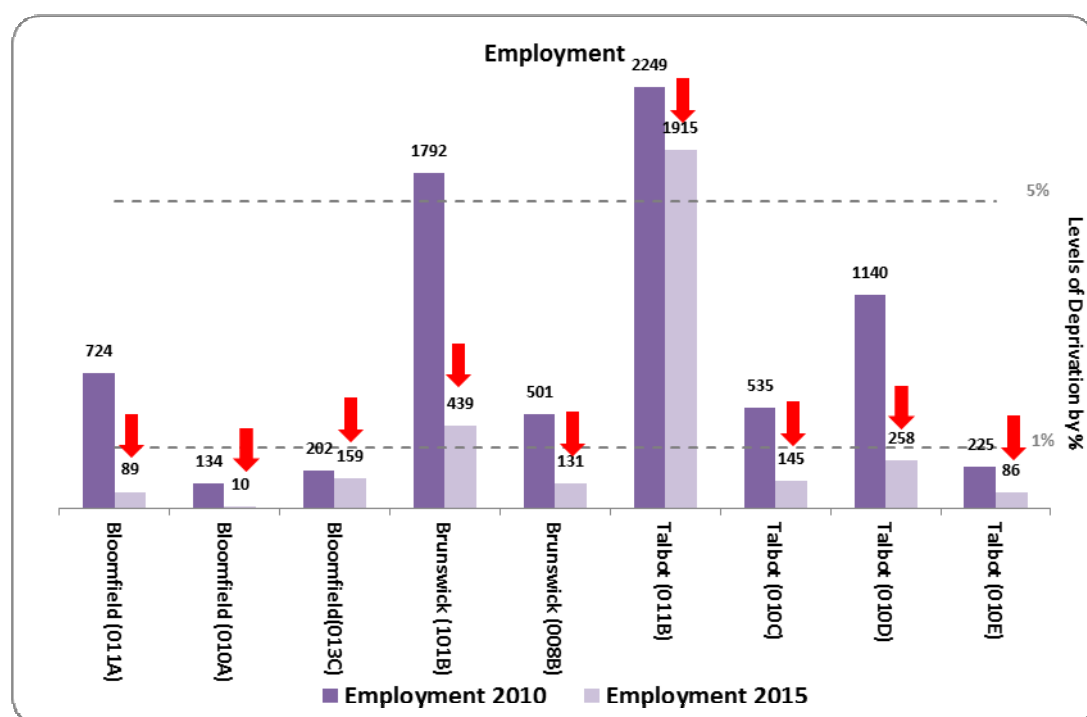
- Claimants of Jobseeker's Allowance (both contribution-based and income-based), women aged 18 to 59 and men aged 18 to 64
- Claimants of Employment and Support Allowance (both contribution-based and income-based) , women aged 18 to 59 and men aged 18 to 64
- Claimants of Incapacity Benefit, women aged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

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

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- Claimants of Carer's Allowance, women aged 18 to 59 and men aged 18 to 64.⁶

All LSOAs within the proposed designated area have seen a decline in ranking since 2015, meaning more intense deprivation. Apart from Talbot (101B) all other areas fall within the 1% most deprived in the country 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.

⁶ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/464485/English_Indices_of_Deprivation_2015_-_Technical-Report.pdf

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The indicators

Children and Young People sub-domain

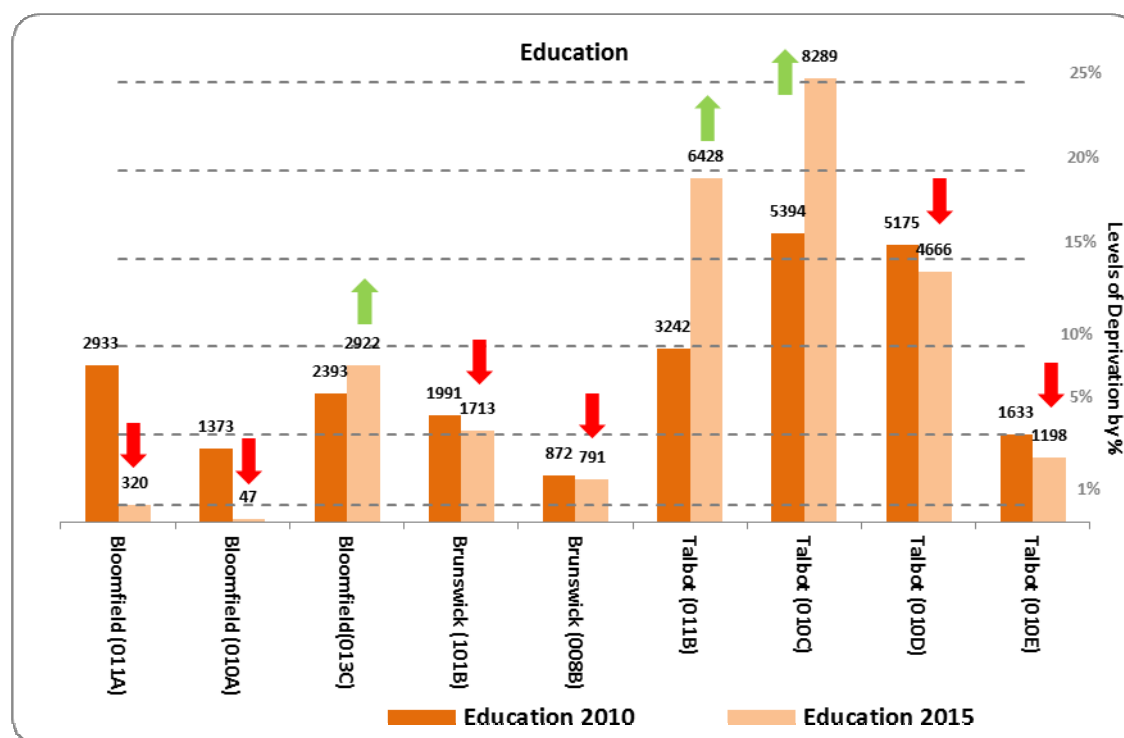
- Key Stage 2 attainment: The average points score of pupils taking reading, writing and mathematics Key Stage 2 exams
- Key Stage 4 attainment: The average capped points score of pupils taking Key Stage 4
- Secondary school absence: The proportion of authorised and unauthorised absences from secondary 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 64⁷

⁷ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/464485/English_Indices_of_Deprivation_2015_-_Technical-Report.pdf

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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).^[1]

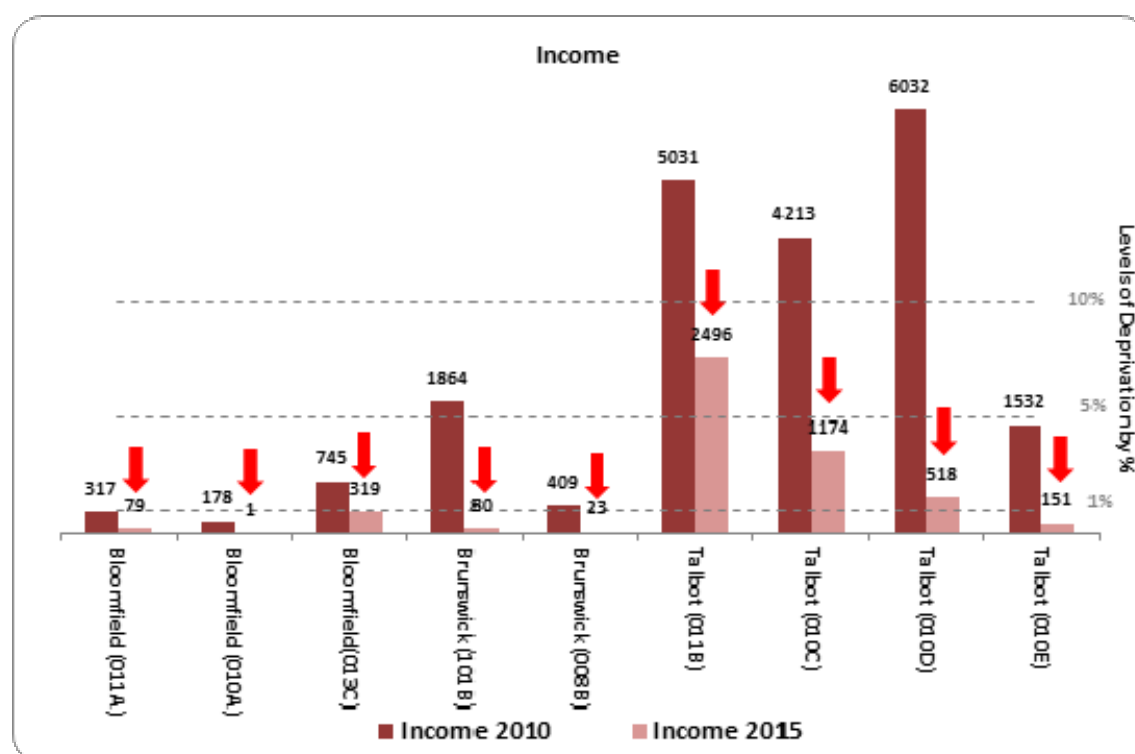
The indicators

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

^[1] https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/464485/English_Indices_of_Deprivation_2015_-_Technical-Report.pdf

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- 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.

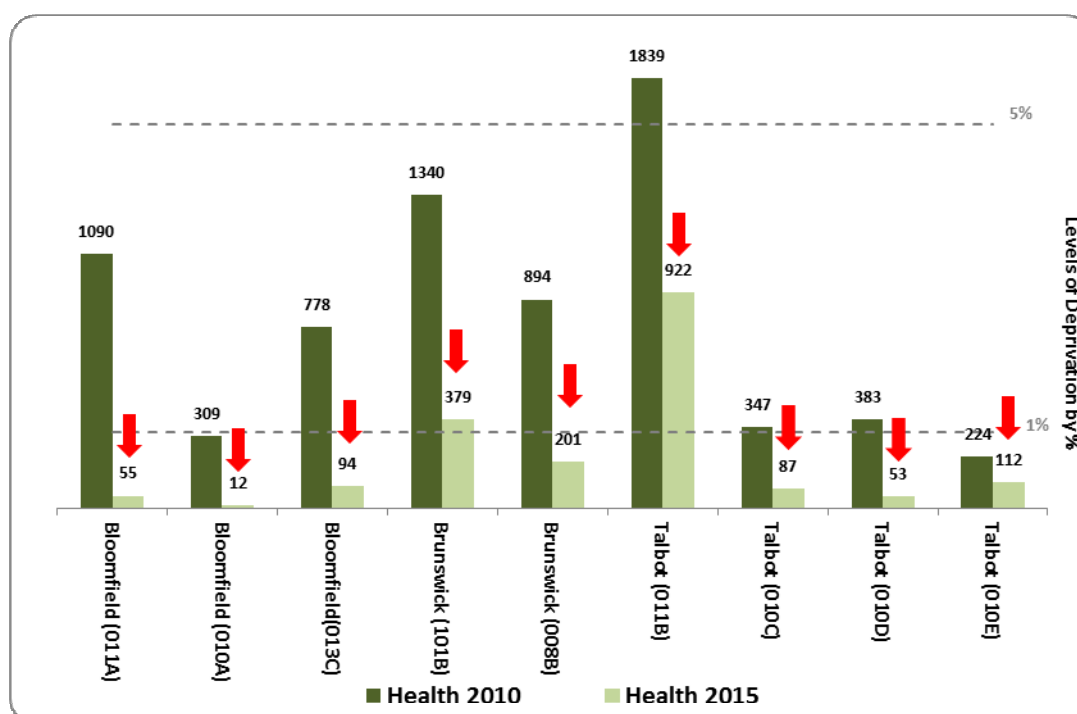
Health Deprivation and Disability Domain

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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.⁸



⁸ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/464485/English_Indices_of_Deprivation_2015_-_Technical-Report.pdf

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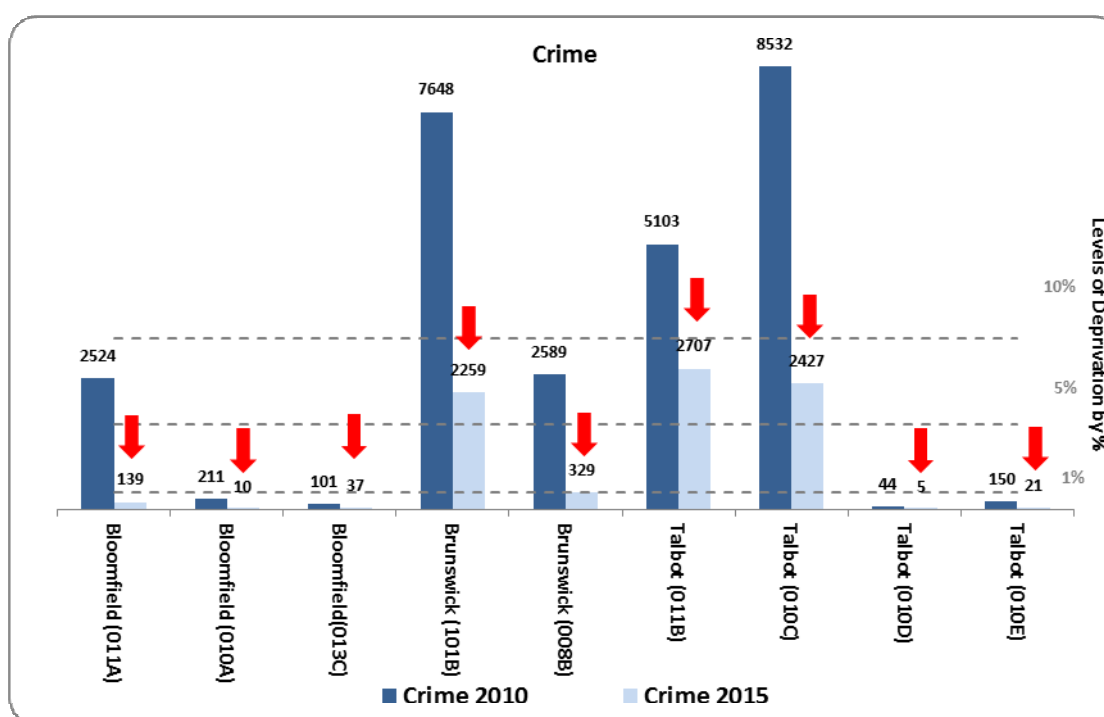
The IMD 2015 for health deprivation shows that within the proposed licensing area residents' health has deteriorated relative to other areas, particularly in parts of Bloomfield, Brunswick and Talbot. All wards fall within 5% of the most deprived in the Country with some areas falling within 1% of the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



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

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

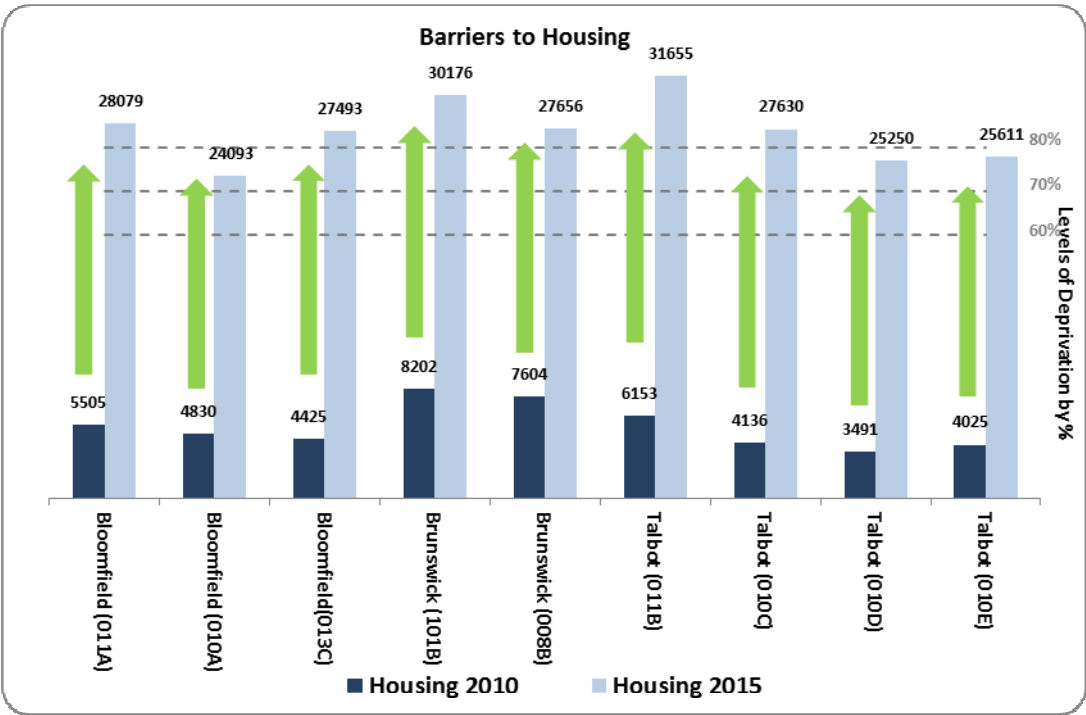
Household overcrowding: The proportion of all households in a Lower-layer Super Output Area which are judged to have insufficient space to meet the household's needs

⁹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/464485/English_Indices_of_Deprivation_2015_-_Technical-Report.pdf

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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.¹⁰



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.

¹⁰ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/464485/English_Indices_of_Deprivation_2015_-_Technical-Report.pdf

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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

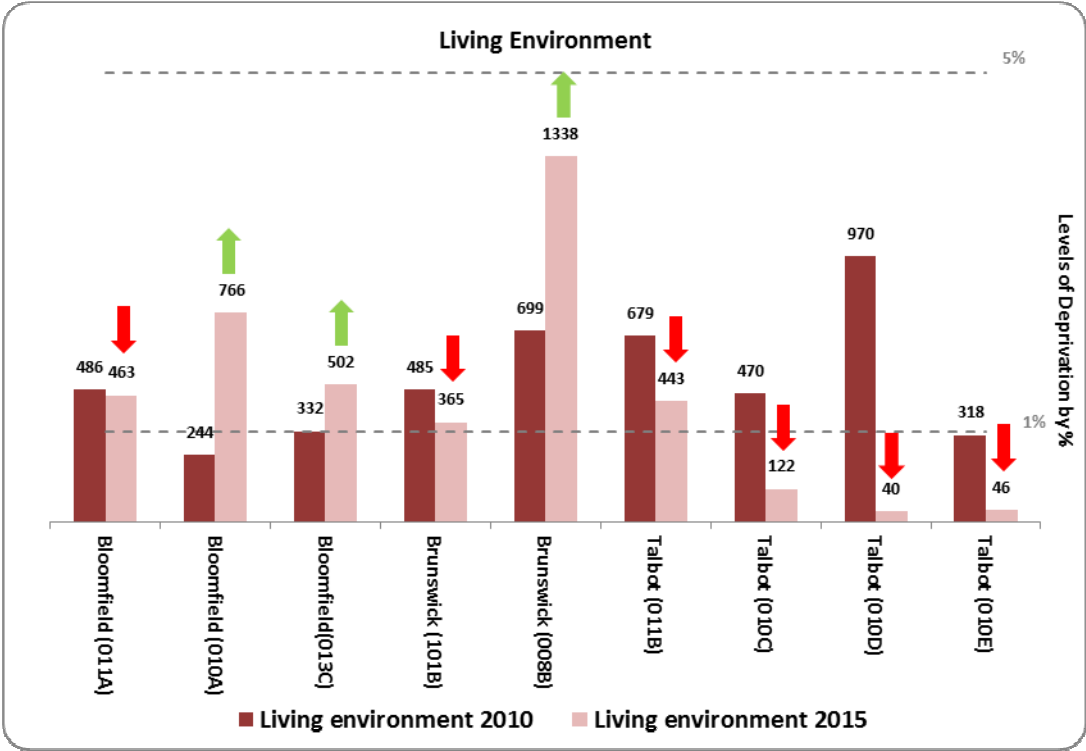
- Houses without central heating: The proportion of houses that do not have central heating or heating which is expensive to run.
- Housing in poor condition: The proportion of social and private homes that fail to meet the Decent Homes standard.

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.¹¹

¹¹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/464485/English_Indices_of_Deprivation_2015_-_Technical-Report.pdf

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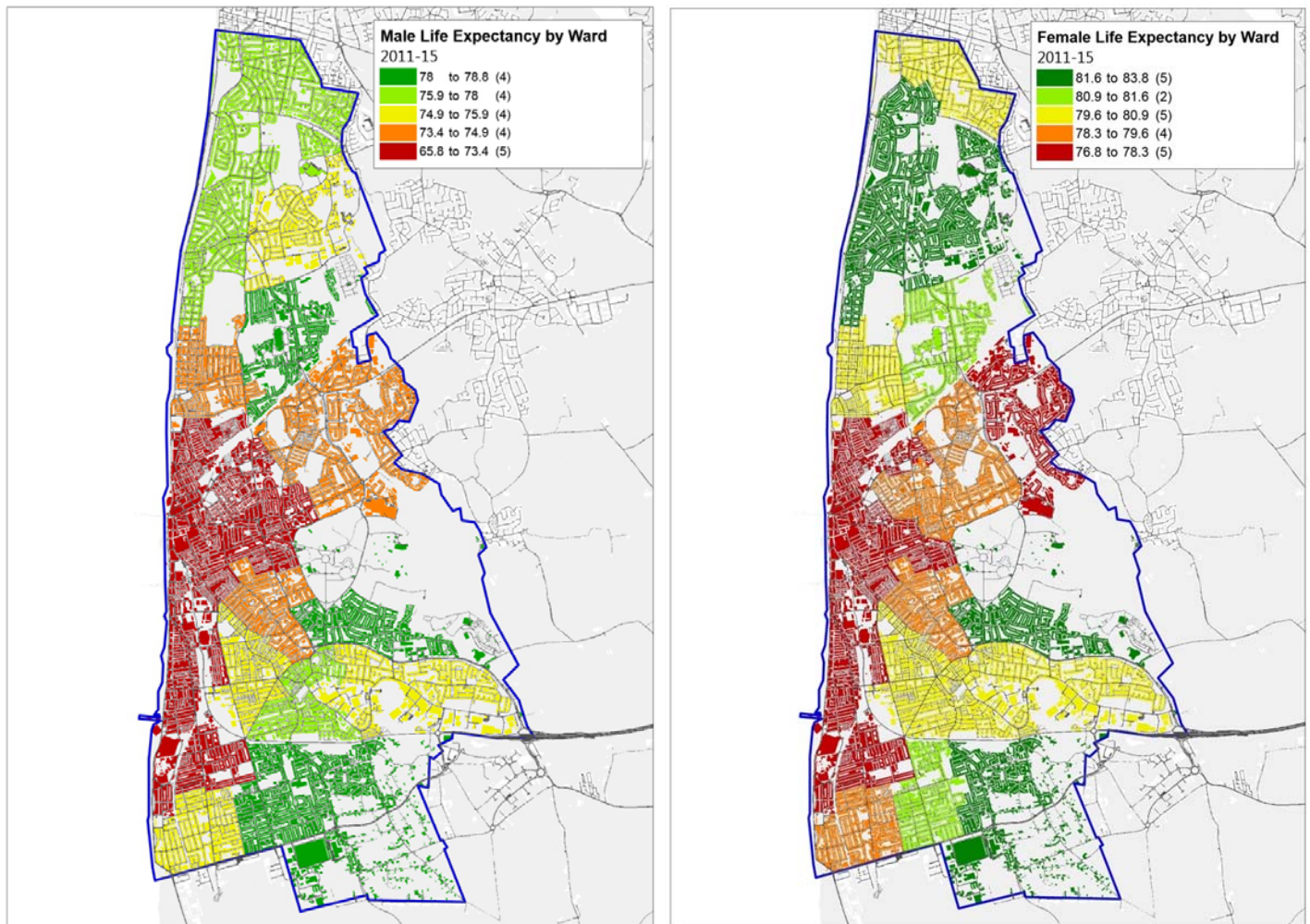


Whilst some areas within the proposed licensing area have seen an improvement in ranking for the domain of Living Environment, most LSOA’s have seen a decline. All LSOA’s are considered to be within the 5% of the worst areas within the country emphasising the need to improve property conditions.

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.

One example of the issues within inner Blackpool is illustrated below in the form of life expectancy. For men, there is a 10.3 difference in life expectancy between the ward with the highest male life expectancy and the lowest. For women the difference was 7.3 years.

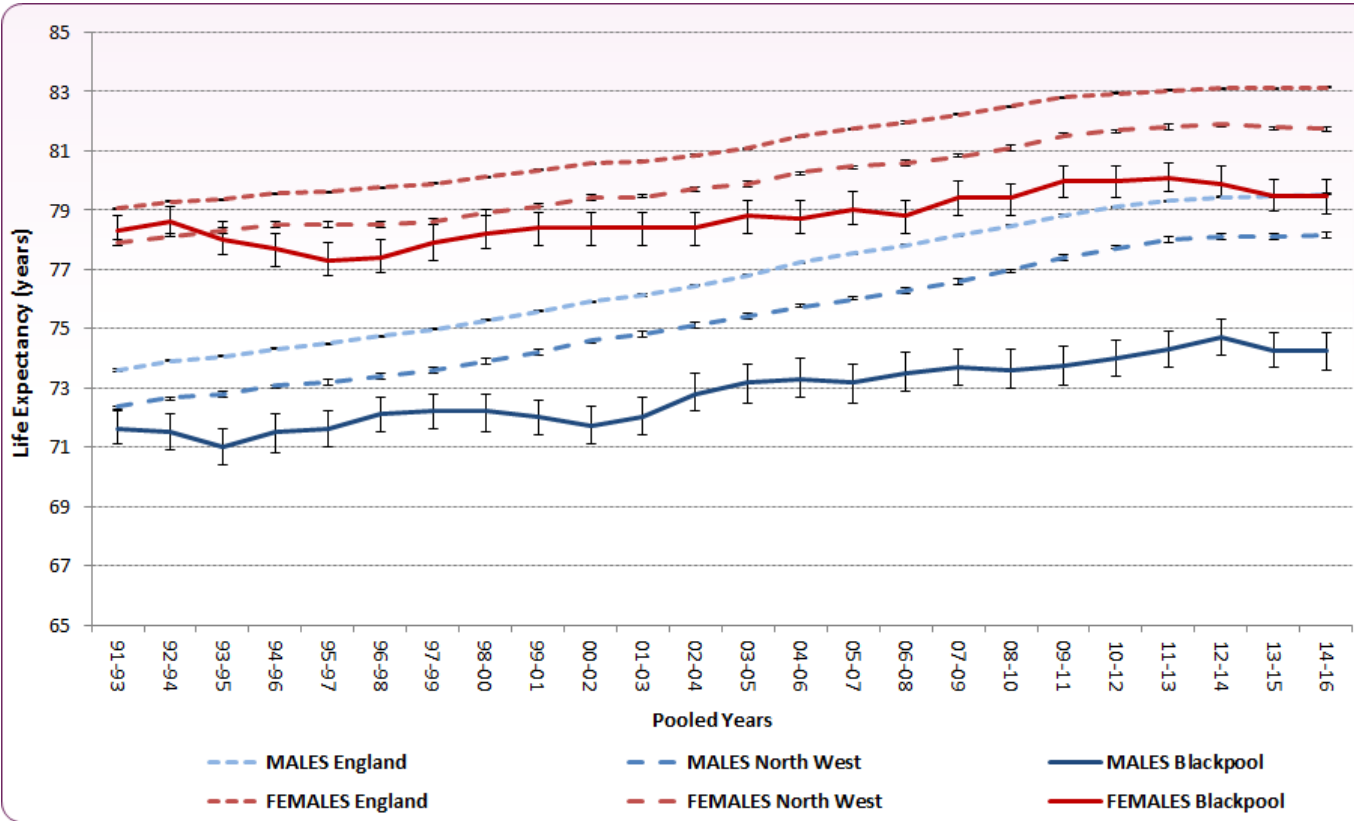
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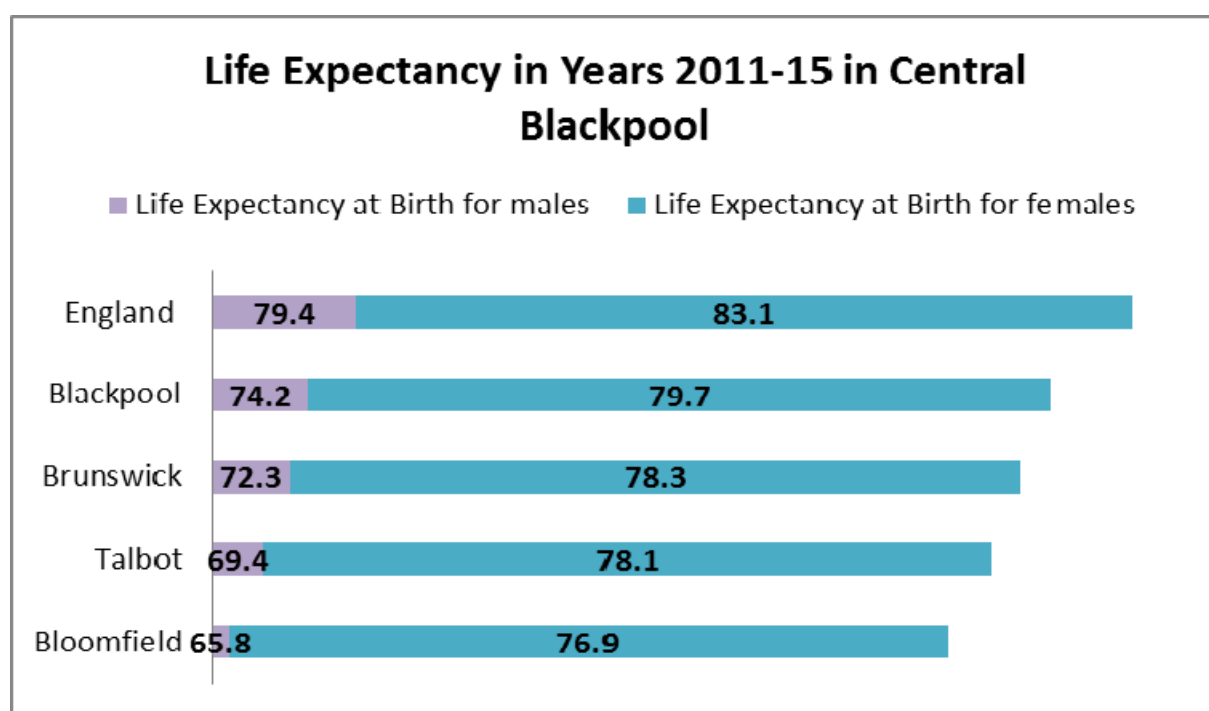
Men in Blackpool have the lowest life expectancy from birth in the whole of England and Wales. Blackpool's life expectancy is 5.3 years below England and 4.0 years below the North West figure. Female life expectancy is 3.6 years below England and Wales and 2.2 years below the North West figure.

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Life Expectancy at Birth (1991-1993 to 2014-16)



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Figures taken from the Blackpool JSNA show the three wards in the Central area have amongst the lowest rates of life expectancy, with a difference of 13 years between the highest and lowest rated wards in Blackpool (men) and 6.9 (women).

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 .

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(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.

The English Housing Survey 2016-17¹² showed that in 2016, one fifth of dwellings (20% or 4.7 million homes) failed to meet the Decent Homes Standard. The private rented sector had the highest proportion of non-decent homes at 27%.

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.

A comprehensive inspection programme began in the area in October 2016 as part of the additional licensing designation, and in the first year alone, **1058** properties have been inspected, **315** schedules of work and **24** notices (we expect this figure to rise) for failure to comply with the improvements required to meet the minimum standard contained within the Housing, Health and Safety Rating System (HHSRS).

This equates to ***just less than 1 in 3 of properties inspected in the first year which have fallen below the basic minimum standard expected for decent habitation.*** The HHSRS rating is extremely low and although meeting this standard makes a landlord compliant, it may actually still fall significantly below the standards expected by the majority of tenants living in the private rented sector.

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.

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 the first year of inspections, these figures highlight the need for the introduction of selective licensing in this area:

¹² MHCLG, English Housing Survey Headline Report 2016-17

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Hazards by Type			
Category 1	HMO	Non-HMO	Total
Hazard 02 Excess Cold	111	109	220
Hazard 12 Entry by Intruders	4	0	4
Hazard 13 Lighting	1	0	1
Hazard 17 Personal Hygiene, Sanitation, Drainage	1	0	1
Hazard 18 Water Supply	1	0	1
Hazard 21 Falling on Stairs etc	2	1	3
Hazard 22 Falling between Levels	1	0	1
Hazard 23 Electrical Hazards	8	2	10
Hazard 24 Fire	6	2	8
Hazard 29 Structural Collapse and Falling Elements	1	2	3
Category 2			
Hazard 01 Damp and mould growth	134	226	360
Hazard 02 Excess Cold	1	3	4
Hazard 03 Excess Heat	3	13	16
Hazard 06.1 Carbon monoxide	1	1	2
Hazard 06.3 Sulphur dioxide and Smoke	0	4	4
Hazard 09 Uncombusted fuel gas	6	11	17
Hazard 11 Crowding and Space	0	1	1
Hazard 12 Entry by Intruders	24	34	58
Hazard 13 Lighting	2	3	5
Hazard 15 Domestic Hygiene, Pests and Refuse	24	47	71
Hazard 16 Food Safety	57	91	148
Hazard 17 Personal Hygiene, Sanitation, Drainage	48	89	137
Hazard 18 Water Supply	1	0	1
Hazard 19 Falls associated with Baths etc	1	1	2
Hazard 20 Falling on Level Surfaces etc	30	50	80
Hazard 21 Falling on Stairs etc	41	81	122
Hazard 22 Falling between Levels	44	46	90
Hazard 23 Electrical Hazards	59	84	143
Hazard 24 Fire	231	138	369
Hazard 25 Flames, Hot Surfaces etc	22	31	53
Hazard 26.1 Collision and Entrapment	14	33	47
Hazard 26.2 Collision Hazards Low Architectural	0	4	4

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Hazard 28 Position and Operability of Amenities	14	12	26
Hazard 29 Structural Collapse and Falling Elements	17	29	46
TOTAL HAZARDS IDENTIFIED	910	1148	2058

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. 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 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.

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.

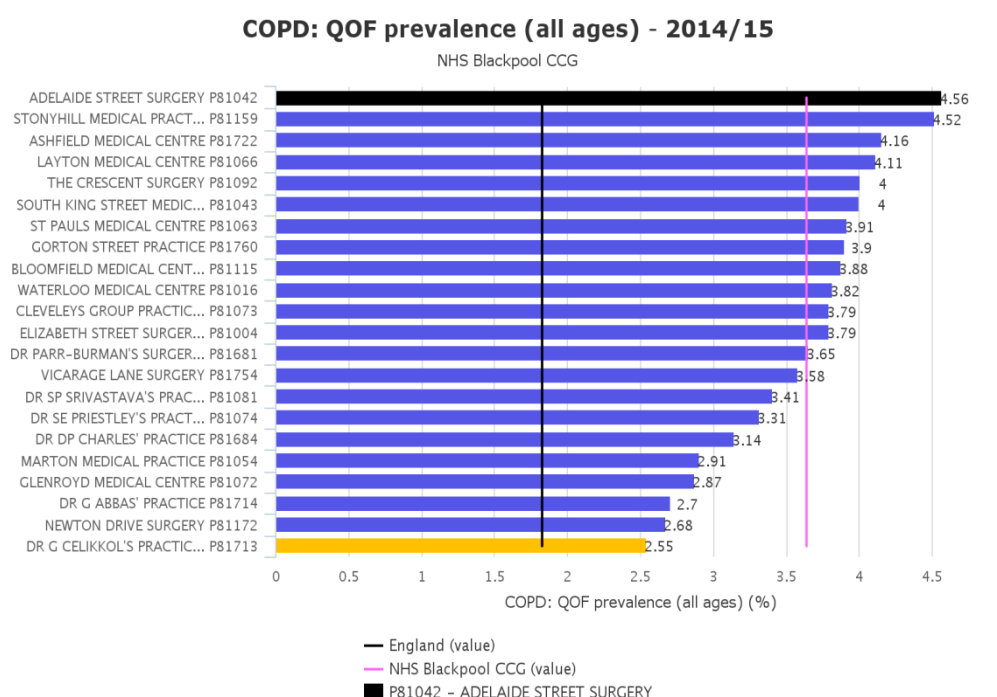
The Impacts of poor housing on health

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.¹³ 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

¹³ http://www.parliament.uk/documents/post/postpn_371-housing_health_h.pdf

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recorded the highest rate of respiratory disease and in particular COPD (Chronic Obstructive Pulmonary Disease) in all the surgeries located within the Blackpool CCG:



Looking at emergency hospital admissions the admission levels for COPD is significantly higher in Talbot, Brunswick and Bloomfield wards than Blackpool as a whole¹⁴.

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.

¹⁴ Blackpool JSNA

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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.

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.

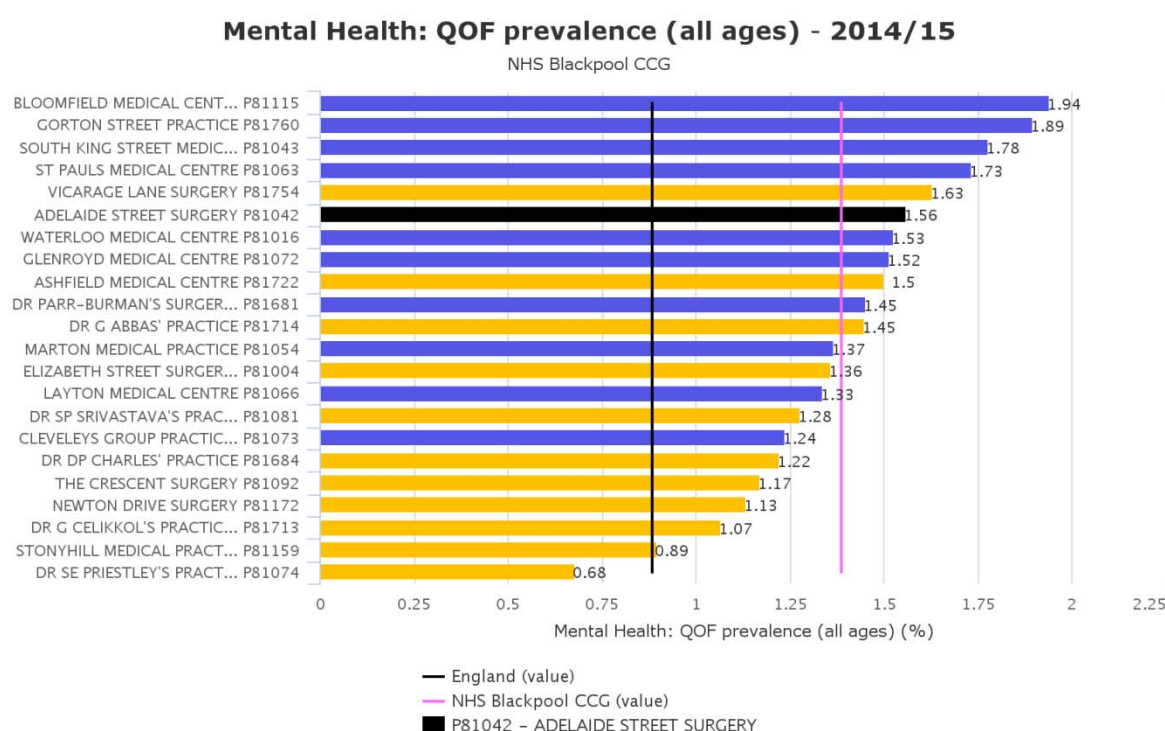
Other housing hazards such as condensation, damp and mould; noise; pests; living in flats; draughts and the age of homes have also been shown to have some connection to mental health.

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

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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 6th position. Patients attending these three surgeries are predominantly in areas of high concentration of private rented accommodation and fall within the Central area. These reported levels are significantly higher than the average for England.



Blackpool Council's Public Health Annual Report 2014 stated 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%).

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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 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.

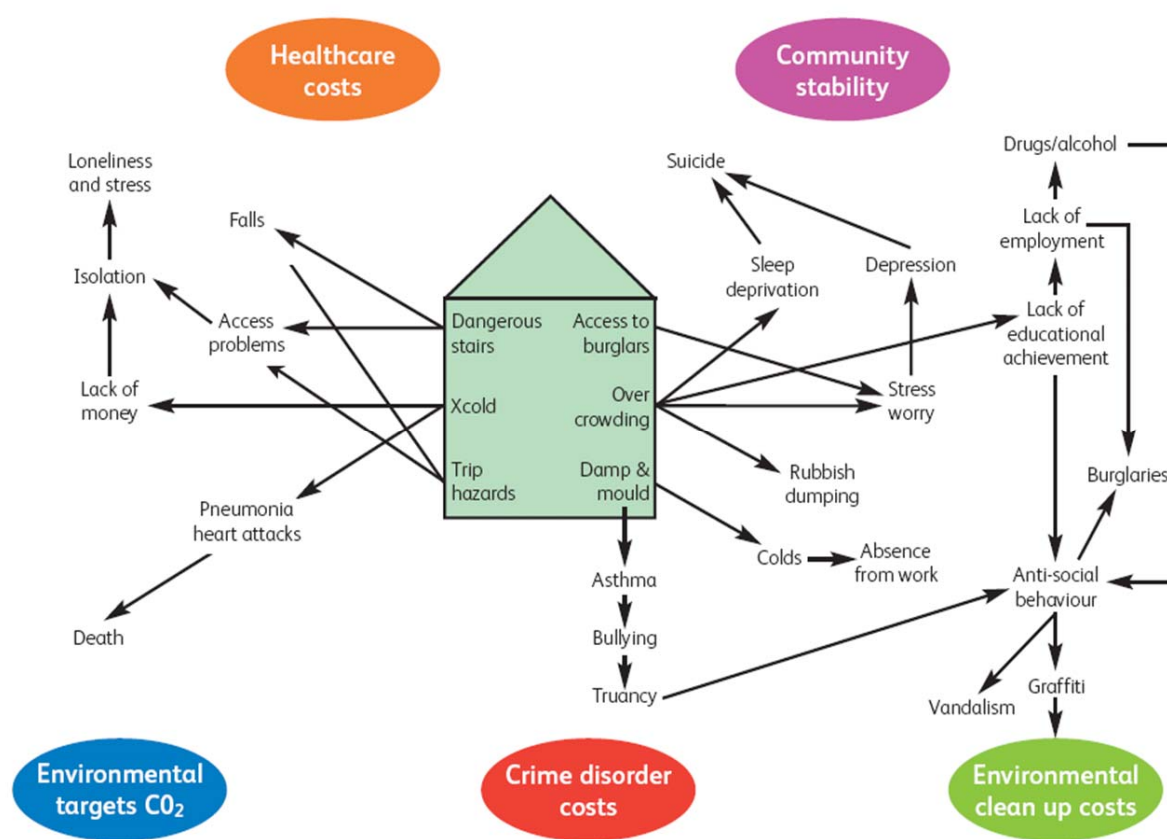
Almost half of the respondents to the survey (48%) said they lived in a property with mould and 44% in a home with damp. These can cause health conditions such as asthma and eczema. Nearly a fifth (19%) lived in accommodation with electrical hazards and 18% reported their homes were infested with animals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

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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.



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 30th 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

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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.

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.

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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, and that licence holders proactively manage and tackle complaints of ASB involving their tenants and/or visitors to their property. 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.

In December 2017 a Closure Order was issued by the Magistrates Court on a property in the Central area. The property had blighted the lives of neighbours living on Bethesda Road, to the point where even an illegal squatter called the Police for help when a door was kicked in. The house had been a target for a fight between rival drugs gangs causing serious anti-social behaviour. Evidence for this Closure Order was obtained from residents during the comprehensive inspection programme of the additional licensing scheme.

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.

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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 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. Lack of investment 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 further action was taken. 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. The case was escalated to prosecution proceedings, but it became apparent that the owner had very poor health. The Council worked with the owner to allow him more time to complete the work. Prosecution proceedings were 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.

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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 and the new minimum energy efficiency standards introduced in April 2018 (MEES).

The next section will give an overview of the achievements in South Beach following the completion of the five year selective licensing scheme. It is important to note here that we can demonstrate that previous selective licensing schemes in Blackpool have made a real difference and tackled poor property condition; 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.

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Having now also had the opportunity to evaluate the first year of the additional licensing scheme in Central 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.

13. Experiences of previous schemes

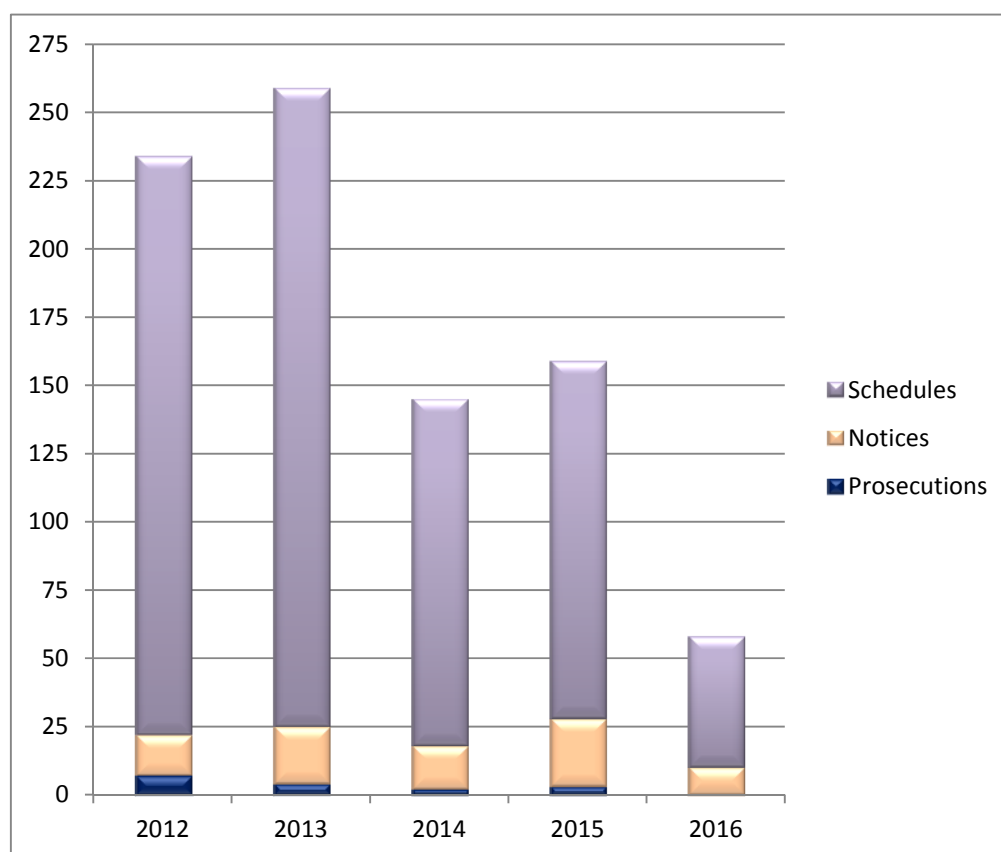
The selective licensing scheme in South Beach started in March 2012 and by 31st May 2013 99% of all landlords and managing agents in the area had complied in applying for a licence.

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.

Selective licensing powers have enabled local authority enforcement officers to gain access to nearly all of the private rented properties in the area through a comprehensive inspection programme to check compliance with licensing conditions. Without licensing, local authorities can only require landlords to provide access to their properties where there is reason to believe that the property standards are in breach of Housing Health and Safety Rating System requirements, usually following complaints.

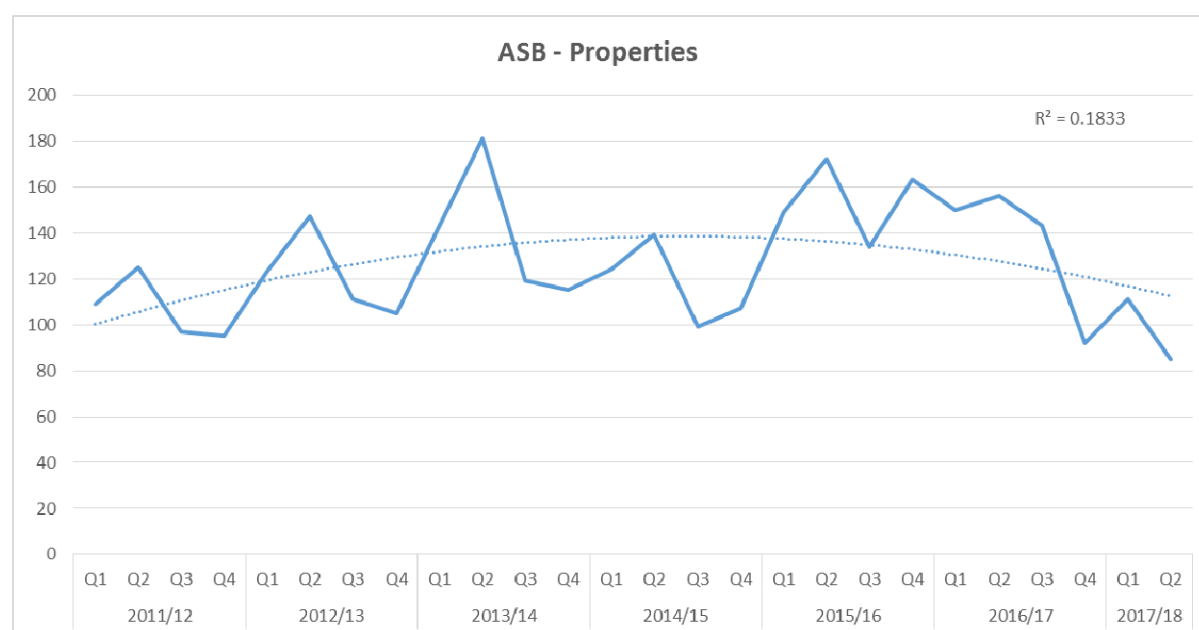
The inspection programme has led to thousands of property condition issues being identified and addressed. In South Beach 87 enforcement notices and 752 schedules of work were issued during the licensing programme period. The large majority of these would not have been picked up and addressed without licensing.

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The statutory ground for introducing the scheme in South Beach was high levels of anti-social behaviour linked to privately rented properties. The dedicated ASB officer has worked with landlords and residents to help resolve complaints of ASB in the licensing area. This officer has encouraged safe reporting of ASB, encouraging tenants and landlords to acknowledge their responsibilities and make a real difference in improving the South Beach community. From the introduction of licensing in South Beach to the end of the programme, ASB levels have fluctuated, but there has been an overall trend of a small rise in ASB reports linked to private rented properties from the start of the programme in 2012/13 before a reduction by the end of the 5 year period.

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As well as enabling compliance with licence conditions to be checked, support has been offered to vulnerable tenants through the Transience Programme, and the Police and Fire Service have also been able to identify and respond to issues that would not otherwise have been identified. Across the area nearly half of all the residents met through the multi-agency inspection programme have received some form of intervention, including access to a GP or a dentist, support for improved mental or physical health, social isolation, or employment or volunteering opportunities.

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:

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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.

Deprivation levels across the inner areas of Blackpool are the highest in the country. Licensing in South Beach has enabled the comprehensive inspection programme to access and support the most vulnerable individuals and families, and get behind the front doors of the properties in which they live. Poor property condition has been identified across the area; and housing enforcement officers have had to step in and issue many hundred schedules of work to bring these properties up to the minimum standard as detailed in the Housing, Health and Safety Rating System.

Multi-agency working has assisted in tackling the most prolific offenders in the area and encouraged heightened reporting of anti-social behaviour from residents, tenants and landlords alike. Officers have supported the South Beach community and provided extra resources to tackle the issues of most importance to those who live there.

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APPENDIX 1 CENTRAL DESIGNATED AREA NAMES

Streets in proposed Central Designated Area Page 1		
Abingdon Street	Butler Street	Durham Road
Adelaide Street	Cambridge Road	East Topping Street
Adelaide Street West	Caunce Street (2-180 & 1-131)	Edelston Road
Adelphi Street	Cedar Square	Edward Street
Albert Road	Central Drive	Elizabeth Street
Alfred Street	Chadwick Street	Erdington Road
Anderson Street	Charles Street	Fairhurst Street
Back Ribble Road	Charnley Road	Fenton Road
Back Church Street	Church Street	Field Street
Back Read Road	Clifton Street	Fisher Street
Bank Hey Street	Clinton Avenue	Fleet Street
Baron Road	Coleridge Road (36-78 & 29-69)	Freckleton Street
Belmont Avenue	Cookson Street	Gainsborough Road
Bethesda Road	Coronation Street	George Street
Birley Street	Corporation Street	Gloucester Avenue (odds)
Bloomfield Road (31-67 & 76-92)	Danesbury Place	Gloucester Court
Boothley Road (evens)	Deansgate	Gorton Street
Buchanan Street	Devonshire Road (2-180 & 1-155)	Granville Road (1-27 & 2-100)

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Streets in proposed Central Designated Area Page 2

Grosvenor Street	Kent Road	Montrose Avenue
Handley Road	King Street	Orme Street
Harrison Street	King Street South	Oxford Road
Havelock Street	Leamington Road	Palatine Road
Henry Street	Leeds Road	Park Road (1-147 & 2-100)
Heywood Street	Leicester Road	St John's Court
Hornby Road	Leopold Grove	Parker Street
Lawn Court	Lincoln Road	Peter Street
Lily Street	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
Jameson Street	Milbourne Street	Raikes Parade

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Streets in proposed Central Designated Area Page 3

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	
South King Street	Winstanley Grove	

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	<p><u>APPENDIX 2: PROPOSED SELECTIVE LICENCE CONDITIONS</u></p> <p><u>Conditions of Selective Licences under Part 3 of the Housing Act 2004</u></p>
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 & to comply with minimum fire safety standards LACORS</p>
5	Tenant references
	<p>The licence holder must demand references from persons who wish to occupy the house and must provide evidence of pre-let reference checks undertaken to the Council upon request.</p>

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	Reason: Mandatory condition required by Schedule 4 of the Housing Act 2004
6	Terms of Occupation:
	<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	Numbers of Occupiers
	<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	Energy Efficiency
	<p>Each new tenancy will require a valid Energy Performance Certificate which must comply with current government guidance.</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	Property Management
	<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> <p>All occupiers are made aware of the licence and conditions.</p>

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	Reason: to safeguard the health, safety and wellbeing of occupants and to reduce Anti-Social Behaviour (ASB).
10	Common Areas
	<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	Fire Safety
	<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>The Licence Holder must also produce a comprehensive fire risk assessment which should be regularly reviewed and produced upon 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 www.lacors.gov.uk. http://www.lacors.gov.uk/lacors/upload/19175.pdf The Housing- Fire Safety guidance on fire safety provisions for certain types of existing housing can also be found at Blackpool Council Website www.blackpool.gov.uk under Housing- Selective Licensing.</p>
12	Security

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	<p>The Licence Holder must ensure that:-</p> <p>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.</p> <p>b) Where window locks are fitted, the Licence Holder will ensure that keys are provided to the relevant occupant free of charge</p> <p>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.</p> <p>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.</p> <p>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. The occupier(s) must be provided with an alley gate key free of charge at the start of the tenancy.</p> <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 throughout each tenancy 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>The occupier is made aware of the arrangements for the collection of refuse and bulky goods, and any instructions given in writing of where/when/how the occupier must put out and return waste</p>

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	<p>receptacles on the day of collection.</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> <p>Make appropriate arrangements for the disposal of any waste throughout, at the end of a tenancy and produce waste transfer notes for inspection on request.</p> <p>Reason: to ensure that the domestic hygiene and condition of the licensed property is maintained and reduce ASB.</p>
14	Training
	<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	Management/ Anti-Social Behaviour
	<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> <ul style="list-style-type: none"> • 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. • 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. • If a Licence holder receives a reference request for a current or former tenant for the purposes

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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.

- 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.
- Cooperate with Blackpool Council, Lancashire Constabulary and other agencies in resolving complaints 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.
- 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.
- 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.
- Provide the occupants of adjoining properties with direct contact details in case of an emergency, or to enable them to inform the licence holder of problems affecting their properties.
- Take all reasonable steps to deal with nuisance and/or ASB perpetrated by the occupier(s) and/or visitors to the property. This includes taking proactive action (eg warnings, legal action),

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	<p>as soon as the licence holder is made aware of a problem and must co-operate fully with the relevant agencies.</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> <ul style="list-style-type: none"> • 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; • 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; • Details of any contravention on the part of the Licence Holder or manager of any provision of any enactment relating to housing, public health, environmental health or landlord and tenant law which led to civil or criminal proceedings resulting in a judgment or finding being made against him/her; • 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; • 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; • The property becoming empty;

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

	<ul style="list-style-type: none"> • Changes to liability insurance: • Notification of repossession/foreclosure • Successful claims against the licence holder for default of tenancy deposits. • Change in managing agent or the instruction of a managing agent; • 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>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
	<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	Consequences of failing to meet the Blackpool Standard upon inspection
	<p>Any licence that has been granted with a discounted fee based on meeting the Blackpool Standard must adhere to the Standard for the entirety of the licence period. The Council reserve the right to inspect the property at any time during the licence period to ensure standards are maintained.</p> <p>Failure to maintain the Blackpool Standard will result in the full licence fee being</p>

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

	<p>made payable to the Council within 30 days.</p>
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	<p>Reason: To ensure all licence holders who apply for and successfully meet the Blackpool Standard comply with the requirements of the Code of Practice.</p>
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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	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

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

vacant. Speculative landlords choose to invest elsewhere	Increase homelessness. in			<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>
3. Local Authority inadequately manages the scheme or inadequately resources the scheme	<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>	Low	High	<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

	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

Appendix 4 – Proposed designation

Blackpool Council

Designation of an area for selective licensing

Blackpool Council Designation of an Area for Selective Licensing 2018

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 2018 and shall come into force on the xx Day of xx 2018.

3. This designation shall cease to have effect on the xx day of x 2023 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 2023.

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

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

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.

Report to:	EXECUTIVE
Relevant Officer:	Steve Thompson, Director of Resources
Relevant Cabinet Member:	Councillor Simon Blackburn, Leader of the Council
Date of Meeting:	12 March 2018

FINANCIAL PERFORMANCE MONITORING AS AT MONTH 10 2017/ 2018

1.0 Purpose of the report:

- 1.1 The level of spending against the Council's Revenue and Capital budgets for the first 10 months to 31 January 2018.

2.0 Recommendation(s):

- 2.1 To note the report.
- 2.2 To continue to lobby Government (Ministry of Housing, Communities and Local Government and the Department for Education in particular) along with other local authorities facing similar pressures, the Local Government Association and the Association of Directors of Children's Services for more funding to cope with the mounting demand and new burdens presenting in Children's Services.
- 2.3 To require the respective directors and Director of Resources to continue to closely monitor and manage service financial and operational performances, specifically Children's Services, Strategic Leisure Assets and Parking Services.

3.0 Reasons for recommendation(s):

- 3.1 To ensure financial performance against the Council's Revenue and Capital Budget is kept under review by members.
- 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:

None.

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 See reports and appendices circulated to members under separate cover.

5.2 Does the information submitted include any exempt information? No

5.3 Is the Corporate Delivery Unit aware of this report? Yes

The Corporate Delivery Unit has been working with Resources to ensure any service Transformation required by budget savings are addressed in the Delivery Unit workplan.

5.4 List of Appendices:

Report

Appendix 1 - Revenue Summary

Appendix 2 - Schedule of Service forecast overspendings

Appendix 3(a) - Chief Executive

Appendix 3(b) - Governance and Partnership Services

Appendices 3(b/c) - Ward Budgets

Appendix 3(d) - Resources

Appendix 3(e) - Places

Appendix 3(f) - Strategic Leisure Assets

Appendix 3(g) - Community and Environmental Services

Appendix 3(h) - Adult Services

Appendix 3(i) - Children's Services

Appendix 3(j) - Public Health

Appendix 3(k) - Budgets Outside the Cash Limit

Appendix (4) - Capital Monitoring

Appendix (5) - Cash Flow Summary

Appendix (6) - General Fund Balance Sheet Summary

All circulated to members under separate cover

6.0 Legal considerations:

6.1 None.

7.0 Human Resources considerations:

7.1 See reports and appendices circulated to members under separate cover.

8.0 Equalities considerations:

8.1 An Equalities Impact Assessment was produced as a part of the budget setting process and remains relevant.

9.0 Financial considerations:

9.1 See reports and appendices circulated to members under separate cover.

10.0 Risk management considerations:

10.1 Impact of financial performance on Council balances. Financial performance against approved Revenue and Capital budgets.

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? N/A

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: N/A

Date approved: N/A

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

Report to:	EXECUTIVE
Relevant Officer:	Alan Cavill, Director of Place
Relevant Cabinet Member	Councillor Gillian Campbell, Deputy Leader of the Council (Tourism, Economic Growth and Jobs)
Date of Meeting:	12 March 2018

TRAMWAY EXTENSION TO NORTH STATION

1.0 Purpose of the report:

- 1.1 To seek approval to implement the Blackpool Tramway Extension to North Station local major scheme. This has recently been granted Full Approval by the Lancashire Enterprise Partnership, which means, subject to a Grant Funding terms and conditions being agreed, that a maximum of £16.4m of funding can now be released to Blackpool Council over the next three financial years (2018/ 2019 - 2020/ 2021). With a preferred bidder appointed to construct the scheme, formal approval to finance and to implement the scheme is now required.

2.0 Recommendations:

- 2.1 That Blackpool Council approves the finance for the scheme (£6.4m) to supplement the £16.4m being funded through the Lancashire Enterprise Partnership, subject to a Grant Funding terms and conditions being agreed.
- 2.2 That the scheme to extend the Blackpool Tramway to North Station is fully implemented.
- 2.3 That Blackpool Council gives authority to the Head of Legal to enter into the Grant Funding Agreement with the Lancashire Enterprise Partnership, the contract(s) required to be entered into with any contractors for delivery of the scheme and any other legal documentation required for the implementation of the scheme.

3.0 Reasons for recommendations:

- 3.1 In order that the Blackpool Tramway Extension to North Station local major scheme can be implemented.

- 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:
- Not to implement the scheme and forgo £16.4m of funding from the Lancashire Enterprise Partnership.
- 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 A brochure providing information on the scheme, published in Summer 2016, can be found at Appendix 7(a).
- 5.2 The scheme will:
- Improve public transport in the Blackpool area.
 - Provide connectivity and integration between the existing tramway and the national rail services at North Station.
 - Provide benefits to commuters and visitors travelling to and from the town.
 - Support regeneration and economic growth by improving accessibility to jobs and services and improving the connectivity between the economically important seafront and the redeveloping town centre.
 - Complement and support the continued development and regeneration of the Talbot Gateway area.
 - Facilitate urban realm enhancements in the town centre and provide improvements to the Talbot Road area.
 - Provide on street parking and servicing along Talbot Road.
- 5.3 Blackpool Council's Executive approved the scheme on 28 April 2014.
- 5.4 The Lancashire Enterprise Partnership has recently granted the scheme Full Approval and has confirmed their funding contribution of £16.4m, which is subject to a Grant Funding terms and conditions being agreed.
- 5.5 The Secretary of State for Transport has recently granted a Transport and Works Act Order, giving powers to build and operate the scheme.
- Does the information submitted include any exempt information? No

5.6 List of Appendices

Appendix 7(a) - Brochure 'New Tramway Extension, North Pier to North Station'.

6.0 Legal considerations:

- 6.1 On 30 November 2017, the Secretary of State for Transport announced his decision to make the 'Application for the proposed Blackpool Tramway (Blackpool North Extension) Order' under the Transport and Works Act 1992, effectively granting approval for the scheme. This also gave deemed planning consent under section 90(2A) of the Town and Country Planning Act 1990.
- 6.2 The Secretary of State has concluded that the potential impacts of the proposed development are not likely to result in any significant differential impacts on any of the protected characteristics referred to in section 149 of the Equality Act 2010.
- 6.3 Legal Services will be required to review and advise on the legal documentation relating to the implementation of the scheme, including, but not limited to, the Grant Funding Agreement and the contract(s) for delivery of the works.

7.0 Human Resources considerations:

- 7.1 Staff time will be needed to implement the scheme and manage the process, which can be found internally and through necessary specialist consultancy support.

8.0 Equalities considerations:

- 8.1 As for the public sector equality duty, the Secretary of State for Transport has had due regard to the need to achieve the statutory objectives referred to in section 149 of the Equality Act 2010. Please see the second paragraph of 'Legal considerations' above.

9.0 Financial considerations:

- 9.1 The scheme outturn cost is projected to reach £22.836m.
- 9.2 Subject to a Grant Funding terms and conditions being agreed, £16.4m of the scheme cost will come from the Lancashire Enterprise Partnership (LEP) over three financial years (2018/2019 - 2020/2021), with the balance of these costs (£6.4m) being funded by Blackpool Council, through the Capital Programme. In addition, there has been £0.6m of expenditure funded through the Local Transport Plan allocations, making the total scheme outturn cost £23.4m.

10.0 Risk management considerations:

- 10.1 The risk strategy for the extension to North Station is to both reduce the risk to an acceptable and manageable level and/ or transfer the risk through the procurement of specialist contractors.
- 10.2 The risk management strategy is also based on following the successful formula developed for previous tramway schemes, this has significantly reduced the risk profile on the proposed extension works.
- 10.3 This will be achieved through the process of procurement, the formulation of the contracts for the works and the development of the project timescales.
- 10.4 The main civil engineering work is being awarded on a fixed price, lump sum, design and construct basis.
- 10.5 The associated Supervisory control and data acquisition (SCADA) works and the supply of additional trams are also fixed price. However, whilst the utility diversion works are based on quotations received, they can be subject to change. On previous tramway schemes a 10% cost contingency has been allowed and this has proved sufficient to complete the schemes within budget. A similar cost contingency has been allowed within the overall cost for the tramway extension.

11.0 Ethical considerations:

- 11.1 None.

12.0 Internal/ External Consultation undertaken:

- 12.1 Extensive consultation has been undertaken with stakeholders and with residents. A brochure outlining the proposals (please see Appendix 7(a)) was available at key locations, including Central Library and Blackpool North Railway Station, during the summer 2016. In addition, a copy of the brochure was sent to any property that could be affected by the proposed scheme and works. Notices were also placed on and adjacent to the proposed alignment. Leaflets and posters, providing details of the scheme, were displayed on every tram and large posters were placed in tram and bus shelters. These provided a link to the tramway extension website:
<https://www.blackpool.gov.uk/Residents/Parking-roads-and-transport/Transport/Blackpool-tramway-extension.aspx>

This provided the opportunity for anyone to provide their comments on the scheme.

12.2 Households in Blackpool received information on the tramway extension in the 'Your Blackpool' summer 2016 edition provided further details of the proposed scheme, including an artist's impression and details of the exhibition, which was held in Blackpool Central Library for several weeks as part of the application for a Transport and Works Act Order to the Secretary of State for Transport. This provided forms to complete and return with comments, both in support of or objecting to the proposals. They were placed in Blackpool Central Library, Fleetwood Library and at the Solaris Centre. A number of people and organisations took up this opportunity, but those in favour of the scheme significantly outweighed those that objected. At the end of this statutory process, the Department for Transport, on behalf of the Secretary of State, were satisfied that sufficient consultation had taken place and that due to the small number of objections it was not necessary to hold a public inquiry into the proposed scheme.

13.0 Background papers:

13.1 Blackpool Council Executive Decision: EX30/2014.

14.0 Key decision information:

14.1 Is this a key decision? No – as the proposed decision is a direct consequence of decision EX30/2014

14.2 If so, Forward Plan reference number: n/a

14.3 If a key decision, is the decision required in less than five days? n/a

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

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: n/a

TO BE COMPLETED BY THE HEAD OF DEMOCRATIC GOVERNANCE

16.0 Scrutiny Committee Chairman (where appropriate):

Date informed: N/A Date approved: N/A

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:

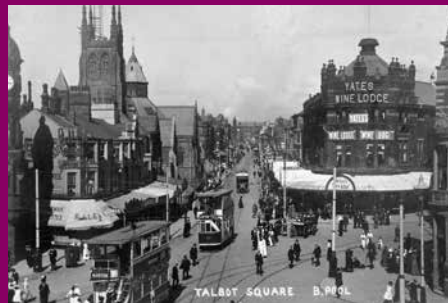
22.1

New Tramway Extension

North Pier to North Station

Blackpool Council





Brief History

The Blackpool Tramway is synonymous with the town and the only original tramway in Britain to remain in continuous operation. Now over 130 years old, the first section was opened in 1885 between Cocker Street, near Talbot Square, and Dean Street near South Pier.

The present 18km route between Starr Gate and Fleetwood was established by linking the Blackpool Corporation Tramway to the Fleetwood line in 1900 and the further extension to Starr Gate in 1926.

The Blackpool Improvement Act 1899 granted Blackpool Corporation Tramway the powers to operate a tramway along the current proposed extension route from North Pier to the North Railway Station and then beyond to Layton which opened on 18 June 1902.

Blackpool Improvement Act 1901 granted powers for the single track route up Talbot Road to become a double line and the map shows the double track granted.

The Layton tramway route ceased passenger operation at the end of the summer season on 19 October 1936.

Introduction

Following on from the recent successful upgrade of the Blackpool to Fleetwood tramway, Blackpool Council is now proposing to extend the existing tramway from North Pier to Blackpool North railway station. The proposals will re-establish the link to North Station, which ceased operation in 1936 and will provide direct services from North Station to the north and south of the town.





New Tramway Extension – North Pier to North Station

Benefits of the Proposed Scheme

The proposed extension to North Station will:

- Improve public transport in the Blackpool area
- Provide connectivity and integration between the existing tramway and the national rail services at North Station
- Provide benefits to commuters and visitors travelling to and from the town
- Support regeneration and economic growth by improving accessibility to jobs and services and improving the connectivity between the economically important seafront and the redeveloping town centre
- Complement and support the continued development and regeneration of the Talbot Gateway area
- Facilitate urban realm enhancements in the town centre and provide improvements to the Talbot Road area
- Provide on street parking and servicing along Talbot Road



Proposed Route



Talbot Square

The proposed tramway extension will leave the existing route at North Pier, via a two way double track junction. The route would cross the Promenade highway and enter Talbot Square, which would be remodelled to provide segregation of trams and highway traffic. The existing pedestrian signals on the Promenade would be replaced by a signalled intersection. A new eastbound tramstop would be located in Talbot Square, to allow interchanges with the existing North Pier tramstops.

Talbot Road

Beyond Talbot Square, a double track alignment continues eastwards in the centre of the highway. Along this section of the route eastbound highway traffic will be diverted along Clifton Street. The signalled intersection with Abingdon Street will remain and the highway movements will not change.

The proposed route continues along Talbot Road to a new signalled intersection with Topping Street. This section of the route will be shared with highway traffic and on street parking, loading and taxi bays will be provided.

Tramway Terminus (Wilko)

The proposed tramway terminus is planned to form part of the redevelopment of the current Wilko store site. The terminus is planned to be located in the centre of the development, close to and at the same level as the existing underpass to Blackpool North Station.



Picture by Muse

Proposed Services

The existing tramway service operates between Starr Gate and Fleetwood Ferry from approximately 05.30am until 11.30pm, with a peak service every 10 minutes. Following completion of the extension to North Station, these services and timescales will be maintained.

The proposed services to North Station will operate to a similar timescale with a peak service every 10 minutes. The services to and from North Station will alternate with northbound services towards Bispham and southbound services towards Pleasure Beach.

The additional services to and from North Station will also provide additional capacity and an increased frequency of service in the busy seafront area of the tramway network.

Timescales

It is proposed to make an application for an order under the Transport and Works Act 1992 for powers to construct, operate and maintain the extension in summer 2016. A decision authorising the scheme would then be expected from the Secretary of State within around 12 months.

The proposed scheme is also subject to final funding approval by the Lancashire Enterprise Partnership. It is anticipated that final funding approval would be sought at the end of 2017.

It is hoped that construction would commence at the beginning of 2018. It is anticipated that the proposed tramway extension will take up to sixteen months to construct, with services to North Station commencing by April 2019.

The work would be sequenced to minimise disruption and would ensure that access was maintained to businesses and properties along the route during the period of the works.

Further consultation

As the scheme develops, further and more detailed information will be made available. This will include a forthcoming exhibition outlining the proposals and updates on progress to be held in Blackpool's Central Library early in June 2016. We would like to hear the views of local business owners, residents, community groups and anyone who visits Blackpool for work or leisure.

There will also be an opportunity for formal representations to be made to the Secretary of State once the application for the Transport and Works Act Order is submitted.

Please let us know your thoughts. You can contact us via:

- **Email:** TramwayExtension@blackpool.gov.uk
- **Visit:** www.blackpool.gov.uk/TramwayExtension
- **Write:**
Transport Policy Team
PO Box 17
Corporation Street
Blackpool FY1 1LZ



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