

Selective Licensing Consultation 2024: Trinity, Queensgate, Gannow, Daneshouse & Stoneyholme, Padiham and Lyndhurst Road areas

Why is the council proposing to introduce selective licensing in these areas?

Selective licensing can be introduced where there is evidence that an area is suffering from low demand for housing. The council believes that there is sufficient evidence of low demand in all of the proposed areas.

The council has operated selective licensing in parts of Burnley since 2008. The schemes were brought in to improve standards in the private rented sector; in order to operate in these areas landlords and managing agents have to apply for a licence. As part of this they have had to prove that they are managing their properties properly, that they are meeting all their legal obligations, and that they have appropriate management in place. Once the licence is granted, landlords and agents are bound by a number of conditions related to how they manage the property. Operating without a licence or breaching a condition is a criminal offence.

Throughout the current schemes, we have seen improvements in these areas. However, when compared to other parts of the borough, these areas are still suffering from low demand; house values are lower, and empty homes, environmental crime and antisocial behaviour, despite showing an improving picture, are still more of a problem here than in other areas.

The current schemes come to an end in November 2024; the council believes that these areas and the two newly proposed areas would benefit from licensing for a further five years to build upon and embed the progress already made. The council is also proposing to extend the boundaries of Trinity, Queensgate and Gannow, as we believe the surrounding areas could also benefit from the scheme.

How did the council decide where to introduce selective licensing?

The council is continually reviewing the existing licensing schemes to monitor the progress in the designation areas. We do this by assessing changes in the levels of private renting, the housing market, complaints of disrepair, antisocial behaviour and environmental crime such as fly tipping and dirty back yards. After analysing this data, the council is satisfied that whilst the licensing schemes are improving in many ways, they still show evidence of low demand for housing when compared with the rest of the borough. There is still more work to be done to improve standards in these areas for the benefit of residents.

As well as reviewing the existing licensing areas, the council has looked at the wider borough, and was able to identify a number of areas with higher than average levels of private renting. By analysing further data, we then identified the two areas of Padiham and the Lyndhurst Road area as being areas that were exhibiting signs of low demand for housing. The council believes these areas would benefit from a selective licensing scheme.

A summary of the individual areas and the key issues identified can be found at the end of this document.

Are there any other options?

It is true that the council does already have some powers to tackle poor properties. Before introducing selective licensing, we considered all of these, to determine if they alone would be sufficient to tackle the problems facing the area. Below are the main alternatives to licensing (further detail can be found in the Statement of Case on our website).

- Accreditation

The council runs a voluntary accreditation scheme for landlords and managing agents, allowing them to demonstrate that they meet or exceed the required standard. However, this is a voluntary scheme, and we cannot compel poor landlords and agents to join and be bound by the scheme.

- Enforce Housing Standards

The council can inspect poor properties, and legally require landlords to bring them up to standard. However this is a reactive service, which largely requires tenants/residents to come forward with complaints. Many residents do not know they can do this, or are too concerned about reprisals to come forward. It also means tackling just one property at a time, and does not improve wider management standards.

- Management Orders

The council can step in and remove properties from irresponsible landlords who are not operating properly, bring the property up to standard and manage it correctly. This is a resource intensive way to tackle the management at one property, and does not improve wider management standards across an area.

None of the above options allow the council to tackle a whole area at once; selective licensing gives the council tools to proactively examine properties and management arrangements, and take action where these fall short of the required standard.

What else are we doing in these areas?

Selective licensing currently runs alongside a number of other services and programmes, as part of the council's wider housing strategy for the borough. The council recognises the importance of providing good quality housing to residents of the borough, and we believe that a thriving private rented sector is a key part of this.

- Empty Homes Programme

Concentrations of empty homes are a clear indicator of low housing demand. The current and proposed selective licensing areas suffer disproportionately from empty homes, which can blight a neighbourhood, attracting vandalism and antisocial behaviour. The Empty Homes programme has been operating since 2002, working with landlords to bring empty properties back into use. The council also purchases and refurbishes empty properties which are then sold on the open market. Interest free loans of up to £20,000 are available to landlords in licensing areas to bring empty homes back into use, and we will also pay the licensing fee of landlords who do this work through the programme. Further designations will allow us to continue supporting the Empty Homes team with this work.

- Housing Enforcement

Selective licensing allows us to undertake proactive property checks at rented homes, to ensure that they are safe. Where officers have concerns, they work with the housing enforcement team to ensure a full inspection is completed under the Housing Health and Safety Rating System. The licensing team also work closely with the Housing Enforcement team to ensure that all rented properties are appropriately protected with smoke and carbon monoxide detection; protecting tenants and their neighbours.

- Accreditation, Training and Support

Accreditation under our Good Landlord and Agent Scheme (GLAS) is a mark of a good quality landlord or agent. As such, the council rewards qualifying members of the scheme with a 30% reduction in their licensing fees, in recognition of this. The council continues to encourage landlords to join the scheme and in doing so, meet our Code of Practice. We also host free, in person and online training days led by

qualified trainers from the National Residential Landlords Association, covering all aspects of letting, for landlords and agents operating in the licensing areas.

- Preventing Homelessness

The council recognises that the private rented sector plays a crucial role in the prevention of homelessness, and we are clear that private renting needs to offer a decent alternative to owner occupation and social housing. Selective licensing has helped us to strengthen partnerships with landlords to ensure they are managing things like antisocial behaviour and rent arrears promptly and appropriately, helping to stabilise tenancies and providing housing options for vulnerable tenants. Officers from licensing also work with the Housing Advice team to investigate illegal evictions, and assist with rehoming tenants where their existing home is not suitable.

- Crime and ASB

The licensing team work closely with neighbourhood police teams and the council's Community Safety Team to tackle instances of crime and antisocial behaviour. The extra tools given to us by licensing allow us to ensure that landlords are taking appropriate steps to prevent ASB from happening (e.g. appropriate referencing) and dealing with it if it occurs (e.g. issuing warnings, escalating to eviction where serious enough). Without the licensing conditions, the council would have fewer tools available to tackle ASB at rented properties.

- Environmental Crime

The licensing team support the work of Streetscene, by undertaking proactive audits to identify instances of fly-tipping and dirty back yards. Licensing conditions allow us to ensure that landlords are providing adequate bins, and making tenants aware of their responsibilities.

- Home Improvement Agency

Burnley Borough Council have an in-house Home Improvement Agency (HIA) dedicated to helping vulnerable older and disabled residents live safely and with dignity in their own homes.

The HIA have introduced several new grants which are available to residents living in their own home either in the private rented sector, social rented sector or owner occupiers who are aged 60 or over, disabled and/or vulnerable. Below are some of the services the HIA can assist with:

- Handyperson Services
- Safe and Secure Grant
- Decluttering and Cleaning Grant

The grants all have different eligibility criteria.

If the proposed schemes are designated, it will allow us to continue to work proactively with the above teams to further reduce empty homes, crime and dirty backyards, and raising management standards across the private rented sector.

What will the scheme achieve?

The ideal outcomes of the selective licensing areas are to:

- Improve the management of private rented houses through training, advice and support to landlords. Where necessary the council will enforce the licence conditions
- Improve the condition of private rented houses through training, advice and inspections.
- Reduce anti-social behaviour
- Reduce dirty backyards and fly-tipping
- Bring empty homes back into use by working in partnership with the empty homes team and property owners

Want to know more?

You can read more about why we are proposing to introduce the schemes in the Statement of Case document on our website. The Statement of Case gives greater detail on the evidence which the council is relying on when making its proposals. It also contains more information on why alternative remedies are insufficient, how licensing will help the proposed areas, and the intended outcomes of the schemes.

Visit <http://www.burnley.gov.uk/sl2024>. Here you will also find the proposed fee structure, proposed licence conditions, as well as Frequently Asked Questions.

Talk to Us

You have until 14th June 2024 to let us know what you think about the proposed schemes. Visit our website for details on how you can be part of the consultation.

Area Summaries

Trinity

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

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

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

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

Data shows that Trinity ward has the highest rate of estimated serious hazards in the borough. 22% of all tenures are estimated to have a category 1 hazard, compared to 14% for the borough, and 27.3% of the private rented sector is estimated to have a serious hazard, compared to 22.5% for the borough. The current licensing area is estimated to have hazards at 23.2% of all properties, higher than both the borough and ward average. However, within the private rented sector in the current licensing area this reduces to 21.8%, just below the borough average. This shows the positive impact of licensing in tackling poor property condition.

The data shows that the current and proposed licensing areas have significant levels of properties in poor condition across all tenures, and from the Council's experience we expect that a number of these properties will move into the private rented sector. It is crucial that the Council is able to monitor these properties closely to ensure they then meet the required standards.

Levels of disrepair complaints to the Council in the current licensing area have fluctuated throughout the scheme, from 8% of the private rented sector in 19/20 reducing slightly to 7.3% in 22/23. The level of complaints has remained consistently above the borough average (3.8% in 22/23). The Council received complaints about 6.4% of the private rented sector in the proposed boundary. The Council is satisfied that whilst small reductions in complaints are being seen, there is still further work to do to tackle poor property condition in this area.

The current and proposed licensing areas are estimated to contain a high number of HMOs; 5.93% and 6.6% respectively compared to 2.17% for the borough. HMOs form a vital part of the housing market, but they do carry greater risks than other property types, including risk of overcrowding and higher fire risks. A significant number of HMOs in the current and proposed licensing areas do not meet the threshold for mandatory HMO licensing; therefore it is important that the Council considers other ways to proactively monitor standards at these properties. Selective licensing gives the Council the tools to do this.

Complaints of ASB to the Council in the current scheme have reduced from 1.9% of all properties in 18/19 to 0.82% in 22/23, just slightly above the borough average of 0.55% for 22/23. Complaints to police have fluctuated over the same period, with increases in 2020/21 largely attributed to pandemic related breaches being recorded as ASB and increased neighbourhood tensions. Figures have now started to reduce closer to expected levels, but the current licensing area recorded a slightly higher rate in 2023 (13.4%) than in 2019 (12.7%).

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

Instances of residents complaining about dirty back yards have risen considerably in the licensing area from 0.82% of all properties in 18/19 to 3.12% in 22/23. Rates for 22/23 are comparable in the proposed boundary. There have been fluctuations during this period; there was a significant increase in 20/21 which has now started to reduce, but overall levels remain high, compared to the borough average of 1.37%. The licensing team work closely with colleagues in Streetscene to tackle this blight on neighbourhoods, by undertaking proactive audits and sharing of data to try to identify repeat offenders. Licensing officers are able to utilise the conditions of the licence to ensure landlords are also playing their part to tackle

environmental crime.

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

Queensgate

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

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

The Council has also seen the positive impact of the schemes when it comes to property condition. Just 0.5% of the privately rented properties in the current scheme have an EPC which does not meet the required standard; this small number of properties are those where the landlord has not been compliant with the licensing scheme and the Council is taking steps to enforce in these cases. Selective licensing has allowed the Council to proactively insist upon improvements to energy efficiency in properties and obtain the correct paperwork to reflect this (a licence will not be granted at a property with an EPC rated below "E"). Without the resources licensing provides, landlords could continue to operate below the required standard.

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

Data shows that Queensgate ward has the fifth highest rate of estimated serious hazards in the borough. 19.7% of all tenures are estimated to have a category 1 hazard, compared to 14% for the borough, and 22.3% of the private rented sector is estimated to have a serious hazard, comparable with 22.5% for the borough. The current licensing area is estimated to have hazards at 20.2% of all properties, higher than both the borough and ward average. However, within the private rented sector in the current licensing area this reduces to 21%, just below the borough average. This shows the positive impact of licensing in tackling poor property condition.

The data shows that the current and proposed licensing areas have significant levels of properties in poor condition across all tenures, and from the Council's experience we expect that a number of these properties will move into the private rented sector. It is crucial that the

Council is able to monitor these properties closely to ensure they then meet the required standards.

Levels of disrepair complaints to the Council in the current licensing area have increased throughout the scheme, from 5% of the private rented sector in 19/20 to 6.5% in 22/23. The level of complaints has remained consistently above the borough average (3.8% in 22/23). The Council received complaints about 4.7% of the private rented sector in the proposed boundary. This could indicate that the problems of disrepair are concentrated in the current boundary; but it could also be argued that as the additional zones have not yet been subject to selective licensing, residents are less aware that they can approach the Council to make a complaint. The Council believes that there is still significant work to be done in the Queensgate area to tackle property condition, and is keen to empower more residents to come forward with complaints if their landlord is not operating to the required standard.

The current and proposed licensing areas are estimated to contain a high number of HMOs; 5.52% and 5.01% respectively compared to 2.17% for the borough. HMOs form a vital part of the housing market, but they do carry greater risks than other property types, including risk of overcrowding and higher fire risks. A significant number of HMOs in the current and proposed licensing areas do not meet the threshold for mandatory HMO licensing; therefore it is important that the Council considers other ways to proactively monitor standards at these properties. Selective licensing gives the Council the tools to do this.

Complaints of ASB to the Council in the current scheme have reduced from 2.1% of all properties in 18/19 to 0.74% in 22/23, just above the borough average of 0.55% for 22/23. Complaints to police have fluctuated over the same period, with increases in 2020/21 largely attributed to pandemic related breaches being recorded as ASB and increased neighbourhood tensions. Figures have since reduced following this peak, and are now back to 2019 levels (11.6% in 2019 compared to 11% in 2023).

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

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

conditions of the licence to ensure landlords are also playing their part to tackle environmental crime.

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

Gannow

There have been many improvements seen in the Gannow area in recent years. Property values in the current licensing area have continued to rise from a mean value of £47,327 in 18/19 to £68,843. This represents an increase of around 45%. Property values across Burnley rose by 33% across the same period. This shows a continued and improving confidence in the housing market in the licensing area. Mean property values in the proposed area for 22/23 are higher, at £73,043. Despite this improvement, values remain well below the borough mean of £140,808 for all properties and £97,327 for terraced properties in 22/23. The Council believes that by continuing to support these areas by improving property management and condition, we will continue to see improvements in the housing market.

Empty homes in the current licensing area have reduced from 12% in 2018 to 10% in 2023. Levels for the proposed area are similar, at 9% for 22/23. This shows a positive reduction in empty properties which can blight a neighbourhood, and indicates a stabilisation of the community. However despite these improvements, levels of empty properties remain above the average of 4.4% for the borough. Long term empty properties are also higher in the current and proposed licensing areas, at 2.2% and 2.1% respectively compared to 1.2% for the borough in 2023. The licensing team are working proactively with the Empty Homes team to bring as many empty properties back into use as possible, and the Council believes that continuing and expanding the licensing scheme will allow this proactive work to continue.

The Council has also seen the positive impact of the schemes when it comes to property condition. Just 0.6% of the privately rented properties in the current scheme have an EPC which does not meet the required standard; this small number of properties are those where the landlord has not been compliant with the licensing scheme and the Council is taking steps to enforce in these cases. Selective licensing has allowed the Council to proactively insist upon improvements to energy efficiency in properties and obtain the correct paperwork to reflect this (a licence will not be granted at a property with an EPC rated below "E"). Without the resources licensing provides, landlords could continue to operate below the required standard.

Rates of properties across all tenures with below standard EPCs in the licensing area are consistent with the borough average; 2.8% of the current boundary and 2.7% of the proposed boundary are below "E", compared to 2.7% for the borough. Whilst there is still work to be done to improve energy efficiency for all residents, the Council is satisfied that the inefficient properties are not a significant concern in this area.

Data shows that Gannow ward has the seventh highest level of estimated category 1 hazards in the borough; the lowest of all the wards containing licensing areas. 15.8% of properties are thought to have serious disrepair across all tenures, and 21.7% of the PRS is estimated to have a serious hazard. This is comparable with the rates for the borough at all tenures (14.7%) and is just lower in the PRS (22.5% for the borough).

However within the licensing areas, the figures are higher: at 20% and 20.5% for current and proposed areas for all tenures, and 21.6% and 22.5% for the PRS. This shows that the poorer properties are concentrated within the current and proposed boundaries, but that estimated serious hazards are below the average for the borough; a positive indicator for property

condition in this area.

There has been fluctuation in recent years in disrepair complaints to the Council; in 19/20 the Council received complaints about 4% of properties, this peaked at 7.1% in 21/22 but has since reduced to 3.4% in 22/23 which was just below the borough average for that year of 3.8%. Despite the fluctuations, there has been a significant improvement in property condition in this area. However, the percentage of complaints is greater in the proposed boundary, at 6.1%, indicating that there are issues with property condition in the surrounding proposed areas.

The current and proposed licensing areas are estimated to contain a high number of HMOs; 4.48% and 4.37% respectively compared to 2.17% for the borough. HMOs form a vital part of the housing market, but they do carry greater risks than other property types, including risk of overcrowding and higher fire risks. A significant number of HMOs in the current and proposed licensing areas do not meet the threshold for mandatory HMO licensing; therefore it is important that the Council considers other ways to proactively monitor standards at these properties. Selective licensing gives the Council the tools to do this.

Complaints of ASB to the Council in the current scheme have reduced slightly from 2% of all properties in 18/19 to 1.89% in 22/23, above the borough average of 0.55% for 22/23. Complaints to police have fluctuated over the same period, with increases in 2020/21 largely attributed to pandemic related breaches being recorded as ASB and increased neighbourhood tensions. Figures have since reduced significantly following this peak, and are now lower than 2019 levels (14.6% in 2019 compared to 11% in 2023).

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

Instances of residents complaining about dirty back yards have risen considerably in the licensing area from 0.52% of all properties in 18/19 to 3.33% in 22/23. Rates for 22/23 are slightly lower in the proposed boundary at 2.9%; both areas remain above average for the borough average of 1.37%. The licensing team work closely with colleagues in Streetscene to tackle this blight on neighbourhoods, by undertaking proactive audits and sharing of data to try to identify repeat offenders. Licensing officers are able to utilise the conditions of the licence to ensure landlords are also playing their part to tackle environmental crime.

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

Daneshouse & Stoneyholme

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

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

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

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

The current designation has the lowest levels of private renting of all the licensing areas, at 33.8%, though this is still above the borough rate of 24.3%. The licensing area is estimated to have a slightly higher number of HMOs at 2.8% compared to 2.17% for the borough.

The Daneshouse and Stoneyholme area was initially designated as a licensing area not only because it demonstrated issues of low demand, but also due to poor property condition. In 2016 47% of properties in the area were believed to have a Category 1 Hazard. Data from 2023 estimates this figure is now 31.2%, showing some improvement in property condition, though this figure is still well above the borough average of 22.5% of the private rented stock. This suggests that whilst there have been improvements, there is still a higher than acceptable level of poor quality properties in this area.

There has been an overall increase in disrepair complaints for the current licensing area since the start of the scheme; the Council received complaints regarding 3.5% of the PRS in 19/20, which has risen to 4.8% in 22/23. Disrepair complaints remain consistently above the borough average of 3.8%.

On a positive note, just 0.3% of the privately rented properties in the current scheme have an EPC which does not meet the required standard; this small number of properties are those where the landlord has not been compliant with the licensing scheme and the Council is taking steps to enforce in these cases. Selective licensing has allowed the Council to proactively insist upon improvements to energy efficiency in properties and obtain the correct paperwork to reflect this (a licence will not be granted at a property with an EPC rated below “E”). Without the resources licensing provides, landlords could continue to operate below the required standard.

Evidence shows that there is a significant number of properties in the licensing area across all tenures where the EPC is rated below “E” (5.4% compared to 2.7% for the borough). This shows a clear concentration of energy inefficient homes within this area and is a strong indicator of poor property condition.

The data shows that the current and proposed licensing areas have significant levels of properties in poor condition across all tenures, and from the Council’s experience we expect that a number of these properties will move into the private rented sector. It is crucial that the Council is able to monitor these properties closely to ensure they then meet the required standards.

The evidence above shows that despite significant improvements in energy efficiency, there is still a significant concern about property condition in this area. The Council believes that continuing selective licensing in this area will provide the additional tools required to tackle poor property management.

Padiham

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

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

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

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

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

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

Complaints to the Council of ASB are slightly above average for 22/23, 0.76% compared to 0.55% for the borough and instances of resident complaints for environmental crime are significantly above the borough average at 2.13% for 22/23 compared to 1.37% for the borough.

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

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

Lyndhurst Road Area

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

There are a number of positive indicators regarding housing in this area; levels of empty homes in the proposed area are comparable with the current licensing areas at 7%, however long term empty properties are below average at 0.8% compared to 1.2% for the borough. Complaints to the Council of ASB are below average for 22/23, 0.31% compared to 0.55% for the borough and instances of resident complaints for environmental crime are below the borough average at 1.25% for 22/23 compared to 1.37% for the borough.

Mean property values in this area are higher than the existing licensing areas, at £82,081 for 22/23, however this is still notably below the borough average of £140,808 for the same year. It is also below the mean value for terraced properties in the borough for 22/23 (£97,327).

The proposed licensing area is estimated to have higher than average levels of private rented stock, at 38.5% compared to a borough average of 24.3% and England average of 20.6%. The area also has a notably higher percentage of estimated HMOs at 4.37% compared to 2.17% for the borough. HMOs form a vital part of the housing market, but they do carry greater risks than other property types, including risk of overcrowding and higher fire risks. A significant number of HMOs in the current and proposed licensing areas do not meet the threshold for mandatory HMO licensing; therefore it is important that the Council considers other ways to proactively monitor standards at these properties. Selective licensing gives the Council the tools to do this.

It is estimated that 4.3% of properties (all tenures) in the proposed area have below standard EPCs, higher than the borough figure of 2.7%. 1.9% of properties in the private rented sector in the proposed area are estimated to have a below standard EPC. This represents a much higher level of non compliance with energy efficiency regulations than the existing licensing areas where the Council have been able to proactively target resources to ensure properties are up to standard.

It is estimated that 21.4% of properties in the proposed area have one or more serious hazards, and that 24.3% of the private rented sector in this area has a serious hazard. This is above the borough averages of 14.7% for all tenures and 22.5% for the private rented sector.

Complaints to the Council of disrepair are much higher than the borough average, at 6% compared to 3.8% for the borough. This is consistent with the evidence which shows estimates of poor property condition and poor energy efficiency.

The Council has also found from experience that after the introduction of a scheme, additional rented properties are identified; therefore the figures for non compliance are anticipated to be

higher. There is also the possibility that increasing numbers of privately owned properties in poor condition will enter the private rented sector, potentially whilst below standard. Selective licensing would allow us to monitor any such changes in this area.

The Council is satisfied that the evidence suggests a concentration of poor property conditions in this area, and that selective licensing would allow the Council to effectively target poorly managed privately rented stock.

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