

Gannow – Transcript of the written responses and public meetings

<p>9/10/13 Meeting with Landlord representatives from the Private Rented Sector Forum</p>	<p>Officers explained the proposals. The landlords explained that they do not feel that there are problems associated with low demand on following streets nor do they have difficulties letting the properties on these streets: Ivory Street, Winsor Street, Pink Street, Ainsley Street, Adamson Street, Lubbock Street and Lional Street.</p> <p>The streets they did encounter problems on and difficulties in letting were Kime Street, Coultate Street, Wren Street, Oak Street, Wordsworth Street and all of Gannow Lane. In the Pennistone/Shale Street area the new built properties were proving difficult to let due to vandalism from the tenants living in the surrounding properties. The gates to the new properties have been smashed so many times that the management company will no longer replace them.</p> <p>When the new apartments were built that could be let for £500 per month they have now reduced to £395 per week.</p>
<p>Landlord Response</p>	<p>It is a fundamental problem. Good landlords are penalised and although the idea is good it can't come at a cost to good landlords. Nothing to benefit from being licensed, high costs for a form filling exercise. Pointless for good landlords as they do their best. If a property is well managed they should not have to pay as much. Financial benefits should be given e.g. free visits to the tip. Bigger multi property discounts needed and payable over a longer period.</p>
<p>BBC Response 7/11/13</p>	<p>Thank you for returning the consultation questionnaire for Selective Licensing and attending last nights landlord evening.</p> <p>As we know burnley as a town is in low housing demand and certain inner areas are suffering from acute effects of low demand such as high levels of empty homes, low house prices, a lack of mixed tenure housing, crime and anti-social behaviour which paints a rather dim picture. There however numerous positive initiatives such as the Empty Homes Cluster Programme, The Todmorden Curve, the University Technical College, Burnley Bridge the Weavers Triangle, and the fact that Burnley was named the most enterprising town. All of which are working towards economic growth which should them improve the demand for housing if we ensure we have the right quality and type of accommodation for this demand.</p> <p>Vital to ensuring quality housing is the private rented sector, a poor private rented sector exasperates the problems of low demand and deters people from living or remaining in a neighbourhood. Although there are many good, responsible landlords, unfortunately the reputation of the private rented sector in Burnley is one of poor quality with poor management practices. Working with landlords, tenants and managing agents we want to improve the sector and the reputation so it is a tenure of choice. We try to do this through landlord evenings, forums and the accreditation scheme, however many landlords will not engage.</p> <p>Selective Licensing is a way of compelling landlords to engage with Officers and have appropriate management standards to take action where breaches occur in tenancy agreements before they start to affect the wider community. The legislation does not facilitate the targeting of “bad” landlords only, it is based on an area and any landlord operating within that area then has to apply for a licence. With any business licence such as Taxi Licenses or Entertainment Licenses there is then an associated fee.</p> <p>To try and recognise “Good” Landlords we are proposing that a 30% discount should be given to those landlords that are accredited through the Good Landlord and Agent Scheme.</p> <p>I did however note your suggestions last night regarding a sliding scale, paying the fee over five years and benefits that would actual help landlords such as a free pass to the</p>

	<p>skip. These will be considered.</p> <p>If you would like further discussion or require further information please do not hesitate to contact me</p>
12/11/13	<p>Many thanks for your detailed response Clare, I appreciate it.</p> <p>It is a shame the legislation does not let you target bad landlords only as this does mean that good landlords have to incur costs as a direct result of their bad practice and negligence.</p> <p>I really hope that the suggested sliding scale for good landlords, 5 year pay period and free tip use come in.</p> <p>I was very conscious that its very easy for Landlords to just say NO to everything which isn't productive, hence why I came up with some suggestions which are useful to either be auctioned or create an idea bed for even better ideas to emerge.</p>
17/10/13	<p>I have invested over xxxxxx of my own money into Gannow Lane with no support from the council. I have even had threatening objection letters from one member of the council pertaining to the pub sign that has only been in situ. since 1824! Why should I be penalized with a license fee when I have done more in this area to raise the profile than any other individual & indeed the council. When I made the decision to invest & calculated my viability criteria I did NOT take into consideration any license fees as they were NOT applicable or potentially in the pipe line at the time I decided to invest.</p> <p>I have repeatedly offered to invest in Dickson Street but have seen no effort to improve this most deprived area of Gannow. Please advise what benefit I will experience from Gannow being licensed that will warrant a 30% reduction in the xxxxx development profitability.</p>
BBC response 8/11/2013	<p>Thank you for taking the time to respond to the Selective Licensing consultation. I understand the amount of work and investment you have put into the xxx and Gannow area which has made a significant positive contribution to the area.</p> <p>The Gannow area does however suffer from the acute problems of low housing demand such as high numbers of empty properties, low house prices, crime and anti-social behaviour. There are numerous positive initiatives and projects such as the work you have done. There is the Empty Homes Clusters programme, the Todmorden Curve, the Weavers Triangle and the Knowledge Quarter. All of which are improving economic growth which will improve the demand for housing if we have good quality and a mixed type of accommodation.</p> <p>The private rented sector is paramount to ensuring good quality accommodation. Whilst we recognise there are good landlords, many are not, which then exasperates the problems of low demand.</p> <p>Selective Licensing is a way of compelling all landlords to engage with the Council and improve management standards. However the legislation does not allow the targeting of "bad" landlords only, as it is done on an area basis.</p> <p>To try and recognise good landlords the proposal includes a discount of 30% for accredited landlords.</p> <p>The Council are committed to improve the Dickson, Wren, Gannow Street triangle. Properties have been purchased on the street and renovation work will be undertaken but I want to ensure this is done in a coordinated joined up approach with other landlords, which takes time to implement. Ownership details have been obtained for the land behind Dickson Street to look at ways of improving it. Alley gating is also being explored.</p> <p>There are individual benefits to landlords from licensing such as assistance with tenant referencing, support to deal with any problems, community skips, marketing of properties and assistance in finding tenants.</p> <p>Ultimately all on-going initiatives including Selective Licensing aim to improve the area,</p>

	<p>making it a place where people want to come and live, making it easier for landlords to let their properties.</p>
Landlord Response	<p>Thank you for your consultation paper relating to the proposed Selective Licensing. We would like to make the following submissions.</p> <p>We act as managing agents for landlords of a number of properties in the Burnley area, some within the Gannow neighbourhood referred to in your consultation paper. However all the properties that we manage are let by leases of 999 years created mainly by leases dated in the early 1900s. We collect the ground rents reserved by these leases, the rents being fixed and usually less than £5.00per year.</p> <p>The leases give the landlord no right of occupation to carry out repairs as the tenant alone is responsible for repairing the property.</p> <p>Accordingly we do not manage the properties at all. We do not arrange the insurance, carry out any repairs or have any control over the identity of the leaseholder.</p> <p>According we would submit that if a licensing scheme is introduced it would be unreasonable for it to extend to landlords of properties where the lease is for a long term. Licensing could only be effective if it controls the activities of landlords who are legally able to exert a degree of control over the tenant and manage the property.</p>
BBC response 11/12/13	<p>Thank you for your letter of the 1st December 2013. From the contents of the letter my understanding is that the landlords that you represent hold the freehold interest of the properties and collect ground rent from the leaseholders. Would that be correct? If this is the case selective licensing only relates to the person who is considered to be a private landlord renting out there property to a private tenant usually on a short hold tenancy of 6 months. This would be the leaseholder of the property. I hope this brings clarification.</p>
Landlord Response 12/01/14	<p>I am a landlord and I am not particularly happy with paying a license fee for my 3 properties when I have previously struggled to find a decent tenant in this town.</p> <p>I appreciate you want to clean up the place and ensure the landlords take responsibilities however pushing the cost onto the landlord doesn't seem fair. Burnley unfortunately has deprived areas with high unemployment and drug abuse, without addressing these issues we are going to get tenants from these backgrounds who struggle with the day to day. If I have to pay 20% of the rent I receive on the licensing scheme I will simply sell up and leave, leaving the area with further empty properties. There has to be a middle ground or at least a comprise on the cost i.e.5%</p>
BBC response 20/01/14	<p>Thank you for your response to the consultation in relation to the proposal to introduce selective licensing in the Gannow and Queensgate area of Burnley.</p> <p>As way of an explanation as why the Council are proposing to introduce selective licensing in the Gannow area it is part of a wider regeneration programme which includes improvements to education such as the new Technical College on Trafalgar Street; improvements in transport and connectivity such as the Todmorden Curve, heritage lead regeneration such as the Weavers Triangle and concentrated initiatives around business growth. All of which aim to attract people into the town to work and live.</p> <p>For people to want to live and remain in Burnley there needs to be a choice of good quality homes in a mixed tenure neighbourhood that is well managed and affordable. To assist in this there are new housing developments expanding the range of properties on offer in Burnley; the empty homes cluster programme which is bringing back into use 175 empty properties across the Gannow, Queensgate and Trinity areas.</p> <p>The private rented sector is a key component of providing a sustainable mixed tenure</p>

	<p>neighbourhood if it is of good quality and well managed. Undermining these neighbourhoods is the poor quality, poorly managed properties which cause “good” tenants and owner occupiers to leave an area.</p> <p>The Council is proposing selective licensing as one initiative in the wider regeneration programme as the only sanction that compels landlords to have satisfactory management practices in place to manage their properties and tenancy agreements in a way which does not have a detrimental impact on neighbouring residents.</p> <p>With any licensing scheme whether it be Taxi Licensing or Public Entertainment Licence there is a fee for such a licence. I note your comments about not charging landlords who work within the law, to try and recognise that “good” landlords are affected by a selective licensing scheme there is a proposed 30% reduction in the fee for those landlords that are accredited through the Good Landlord and Agent Scheme (GLAS). If you would like more information about GLAS do not hesitate to contact me or visit http://www.burnley.gov.uk/residents/housing/private-rented-sector/accreditation</p>
<p>Landlord Response 2/12/13</p>	<p>Why should Good Landlords be financially penalised for providing a good housing provision in what are believed to be run down areas of the town; its counterproductive. Is not a fact that Bad Landlords/Tenants are the cause of the sub-standard housing and anti-social behaviour within communities.</p> <p>Selective Licensing discriminates against the good landlords why is it not the root cause of the problem.</p> <p>Licensing for good landlords should be free upon passing certain criteria.</p> <p>Given the reduction in affordable housing because of recent demolition across Burnley. Do you not feel this has had some contribution to the detriment of areas that have had little or nor problems with poor housing anti-social behaviour.</p> <p>Are you not simply forcing the problem to migrate.</p> <p>How many staff are employed on the licensing team.</p>
<p>BBC response 11/12/13</p>	<p>Thank you for attending the Gannow drop in session on the 2nd December 2013 and for the written questions that you submitted, in response;</p> <p>Questions 1, 2, 3 and 4</p> <p>Burnley and in particular the inner areas of Burnley are suffering from low demand. There is a wide regeneration programme for Burnley and East Lancashire which includes improvements to education such as the new Technical College on Trafalgar Street; improvements in transport and connectivity such as the Todmorden Curve, heritage lead regeneration such as the Weavers Triangle and concentrated initiatives around business growth. All of which aim to attract people into the town to work and live.</p> <p>For people to want to live and remain in Burnley there needs to be a choice of good quality homes in a mixed tenure neighbourhood that is well managed and affordable. To assist in this there are new housing developments expanding the range of properties on offer in Burnley; the empty homes cluster programme which is bringing back into use 175 empty properties across the Gannow, Queensgate and Trinity areas.</p> <p>The private rented sector is a key component of providing a sustainable mixed tenure neighbourhood if it is of good quality and well managed. Undermining these neighbourhoods is the poor quality, poorly managed properties which cause “good” tenants and owner occupiers to leave an area.</p> <p>The Council is proposing selective licensing as one initiative in the wider regeneration programme as the only sanction that compels landlords to have satisfactory</p>

management practices in place to manage their properties and tenancy agreements in a way which does not have a detrimental impact on neighbouring residents.

The legislation governing selective licensing does not facilitate the targeting of specific landlords it is required to be on an area basis and then all private rented properties within threat area must then have a licence to operate.

With any licensing scheme whether it be Taxi Licensing or Public Entertainment Licence there is a fee for such a licence. To try and recognise that “good” landlords are affected by a selective licensing scheme there is a proposed 30% reduction in the fee for those landlords that are accredited through the Good Landlord and Agent Scheme (GLAS).

I note your comment that it should be free for good landlords after passing certain criteria. The Council recognises “good” landlords as those that are accredited through the above scheme. If you would like more information about GLAS do not hesitate to contact me or visit <http://www.burnley.gov.uk/residents/housing/private-rented-sector/accreditation>

Question 5

The main demolition programme in Burnley took place in the areas of Burnleywood, Trinity and Daneshouse in blocks that had high levels of empty properties and poor property conditions. The new housing developments on these sites are of mixed sizes, construction type and tenures offering owner occupation as well as affordable rents. This adds to the housing choice within the Borough.

Question 6

There is the risk that landlords that can no longer operate in licensing area still rent properties in other parts of the Borough there is also the risk that tenants that are evicted move to other areas of the town, they can’t however move within the designation area as the tenancies are monitored by the selective licensing team. However this has not been the experience in the Trinity Selective Licensing area; several tenants causing anti-social behaviour have ceased from doing so through meetings with their landlord and the Police and or referrals to support agencies that can support them in their tenancy.

Question 7

There are no staff employed in the licensing team for the proposed areas of Gannow and Queensgate as this is the statutory consultation period. The decision as to whether the areas will become licensing areas will be taken in March 2014.

The proposed staffing structure for Gannow should the scheme be introduced as it is proposed is detailed below. This is to determine whether a licence should be granted or refused on each private rented property, to monitor the management and licence conditions of each property and to monitor the area dealing with complaints about private rented properties.

	Gannow
Yr1	1.7 members of staff
Yr2	1.7
Yr3	1.2
Yr4	1
Yr5	0.5

The proposed fee is £750 for 1 landlord with 1 property and £670 for each additional property.

	<p>Examples of the fees</p> <p>One landlord with one property would pay a fee of £750 over a five year period. This equates to £13 per month. The fee can be paid in four instalments of £188.</p> <p>One accredited landlord with one property would pay a fee of £525 over a five year period. This equates to £9 per month. The fee can be paid in four instalments of £131 per year.</p>
<p>Landlord Response (no date)</p>	<p>I have been a landlord in Burnley for forty years, in fact I was born in xxxx, and in those forty years I have seen many Councillors and council officers come and go but I and many other landlords are still as our livelihood as PROFESSIONAL landlords depends on the success of Burnley. So what does Licensing say to me as a professional landlord. It says the areas of Burnley are of low demand and suffer from anti-social behaviour. It says to me that good tenants will not want to rent there, and it says owner/occupiers won't want to buy there. So as a professional landlord, would I invest in a Licensed area. Certainly not. I want to invest as a professional landlords in an area for the long term where I can attract good long term tenants. So who does invest in a licensed area? Private investors hoping for a quick return and naive new landlords who are sold or should I say mis-sold, cheap housing by estate agents who insist that licensing is going to improve an area. Five years ago I spoke before the Council and predicted what we would expect to see happen in Trinity. It has all come true. If we look at the record we see that far from the area improving overall things have got worse. Two bedroom terraced house prices have on average fallen further than in other areas. The population has decreased, as predicted, leading to more empty houses, like Grange Street where 80% of houses are empty. Antisocial behaviour may have dropped, but this can accounted for this reduction in population and the overall drop in antisocial behaviour across Burnley and Lancashire as a whole. Many improvements could have been made by the Council and landlord working together, an example being the Alleygating of back streets. A better use of the landlords money where everyone would benefit. It has cost Landlords, in Trinity, half a million pounds in the last five years which has seen no benefit to landlord or resident. According to the Council, Gannow Area suffers from low demand and rising antisocial behaviour. I have to ask the question! As the population of Burnley has dropped by at least 2500 between 2001 and 2011, and there have been many new properties built in the borough in both the social sector and private sale, where are all people who will fill these many houses? Two thousand five hundred people equate to at least 600 properties. It therefore stands to reason to any moderately intelligent person that without an increase in population, many lower cost two bed terraced housing are going to be difficult to fill. PENDLE HAS MANAGED TO DROP ITS EMPTY HOMES BY 30%. This was achieved by a dedicated Empty Homes Officer and without licensing. Obviously, Pendle Council has been able to achieve results that Burnley are unable too. This being the neighbouring borough, it makes one think? As to crime figures, I have copied the UK CRIME STATS which appear, to me anyway, to show that the majority of streets in the Gannow Area are of low results. I would have thought that this would allow for a better targeting by Council and Police, rather than a blanket cover of the whole area, or is licensing about money? See neighbourhood picture. Returns to landlords tend to be about 4% net therefore any extra costs without added value is uneconomic. No professional landlord wants a bad tenant. When a bad tenant leaves or is evicted, it can cost at least £2000 to clear out and repair the damage. No landlord can stand this for long. We don't want bad tenants! The council has always had the powers to control the bad landlords, and the bad tenant, powers, which should be used instead of further licensing in what is seen as merely supplementing Council taxes with draconian fees. Only one landlord in Trinity, in the five years, was prosecuted for a licensing misdemeanour. Many other</p>

	<p>Councils including Manchester have decided that Licensing was too bureaucratic and a waste of resources and have gone down the route of neighbourhood teams, Leeds city council, amongst others, use the NLA or RLA to train landlords and their accreditation scheme is run not by the council but in cooperation with RLASS Ltd which also has mandatory training for landlords that is of at no costs to the Councils. Reference Project Assistant (Licensing) and Head of Housing and Development. I understand that he RLA is to undertake a meeting with the council in the near future. You may wish to make yourselves aware of the Appeal Court ruling on Heming Ltd v Westminster Council as to the fixing of fees for selective licensing. This ruling sets out in European Law the amount of fees that can be legally set by a local authority and therefore the amount demanded by Burnley may not be lawful. If found to be the case Burnley Council would be liable for the difference to be repaid in cash. This figure could be up to six years worth for each landlord and our Association is at present seeking legal advice on this very ruling.</p>
<p>BBC response 12/12/13</p>	<p>Thank you for attending the landlord consultation events on the 6th November 2013 and the 9th December 2013 and for your comments that you have attached to your returned questionnaire.</p> <p>The Council are trying to achieve what you detail in your response; “a successful Burnley”. Although you disagree that the Council should intervene in areas suffering from low housing demand as you know there is a wide regeneration programme across Burnley and East Lancashire which includes improvements to education such as the new Technical College on Trafalgar Street; improvements in transport and connectivity such as the Todmorden Curve, heritage lead regeneration such as the Weavers Triangle and concentrated initiatives around business growth. All of which aim to attract people into the town to work and live.</p> <p>For people to want to live and remain in Burnley there needs to be a choice of good quality homes in a mixed tenure neighbourhood that is well managed and affordable. To assist in this there are new housing developments expanding the range of properties on offer in Burnley; the empty homes cluster programme which is bringing back into use 175 empty properties across the Gannow, Queensgate and Trinity areas.</p> <p>The Council do see the private rented sector as a key component of providing a sustainable mixed tenure neighbourhood if it is of a good quality and well managed. Undermining these neighbourhoods is the poor quality, poorly managed properties which cause “good” tenants “good” landlords and owner occupiers to leave an area compelling the problems of low demand.</p> <p>The Council is proposing selective licensing as one initiative in the wider regeneration programme as the only sanction that compels landlords to have satisfactory management practices in place to manage their properties and tenancy agreements in a way which does not have a detrimental impact on neighbouring residents.</p> <p>Your comments regarding the low figures for crime statistics in the Gannow area are noted and will be investigated further before a report is presented to the Council’s Executive in March 2014.</p> <p>House prices have fallen in the Trinity area as have house prices across the Borough and region. House prices paid in Burnley from January 2011 to March 2013 have fallen by 12.3%. For the same period house prices have fallen by</p>

32% in the Queensgate area and 50% in the Trinity area.

Empty properties have increased in the Piccadilly area of the designation area around Grange and Herbert; however this is where there was limited Housing Market Renewal intervention. Empty properties have decreased in other areas of the designation area. Through the empty homes programmes we are addressing 49 empty properties.

21 landlords have been prosecuted in the Trinity area for failure to apply for a licence or for breaching the licence conditions. Numerous meetings and letters have been sent to landlords for breaches of licence conditions, however this informal action rectified those breaches without prosecution action being taken. The Council have used Interim Management Orders and are the only Council in the country to use a Final Management Order in relation to selective licensing. Rent Repayment Orders are also being pursued to ensure landlords repay the rent received during the period they should have had a licence but did not.

Manchester have not chosen to continue with selective licensing at this time, however Leeds still have a selective licensing area. Salford has redesignated an area and Blackburn have proceeded with a further two selective licensing area. A survey conducted by Environmental Health news in November 2013 showed that more local authorities are considering going down the selective licensing route to tackle areas of deprivation, low demand and poor quality housing to drive up standards in the private rented sector. Current local authorities operating selective licensing schemes are: Blackburn, Blackpool, Bristol, Durham, Gateshead, Hartlepool, Hyndburn, Leeds, Newcastle, Newham, Salford and Stoke.

Burnley uses the National Landlords Association to train landlords and as you know we have had an accreditation scheme running since 2001. This scheme now has 155 accredited landlords and 7 accredited managing agents representing 1535 properties.

Officers are meeting with the National Landlords Association in December 2013 and a meeting is being arranged with the Residential Landlords Association.

Thank you for the information regarding the European Directive, fees set before 2009 are not affected so this case law will not affect the original Trinity designation area, however legal advice is currently being sought before the new Trinity area comes into force on the 15th January 2014.

<p>Landlord Response 8/11/13</p>	<p>regularly informed of local issues. We do not have any major problems because we are a responsible landlord, keeping our properties in good and sound condition. Equally, Belvoir are excellent letting agents.</p> <p>Selective Licensing in the Gannow area could be a positive move. Our thoughts are.....</p> <ol style="list-style-type: none"> 1) Burnley Borough Council (BBC) should operate the scheme pro-actively and should be seen to do so. Landlords and tenants who do not act within acceptable parameters must be identified and brought to task speedily. 2) Responsible landlords should not be made the scapegoat for the social problems of the area. They are a "soft" target for government bodies. 3) The area covered by the scheme appears to be somewhat arbitrary. Why is the area immediately north and adjacent to Padiham Road included – it appears to be relatively well maintained and managed. 4) The imposition by BBC of Council Tax on empty properties is making residential property letting even less financially attractive - at least give six months total grace for repairs and refurbishment. Having now to pay a substantial fee for Selective Licensing will add yet a further financial burden and does make me, as a responsible landlord, question whether I continue letting in Burnley. 5) If the scheme becomes another "cash cow" you may start to lose good landlords who decide to sell up and move elsewhere.
<p>BBC response 11/12/13</p>	<p>Thank you for taking the time to respond to the selective licensing consultation for the Gannow area of Burnley and raising your further thoughts which we value as ways of improving the delivery of any initiative or project.</p> <p>Burnley and in particular the inner areas of Burnley are suffering from low demand. There is a wide regeneration programme for Burnley and East Lancashire which includes improvements to education such as the new Technical College on Trafalgar Street; improvements in transport and connectivity such as the Todmorden Curve, heritage lead regeneration such as the Weavers Triangle and concentrated initiatives around business growth. All of which aim to attract people into the town to work and live.</p> <p>For people to want to live and remain in Burnley there needs to be a choice of good quality homes in a mixed tenure neighbourhood that is well managed and affordable. To assist in this there are new housing developments expanding the range of properties on offer in Burnley; the empty homes cluster programme which is bringing back into use 175 empty properties across the Gannow, Queensgate and Trinity areas.</p> <p>The private rented sector is seen by the Council as a key component of providing a sustainable mixed tenure neighbourhood if it is of good quality and well managed. Undermining these neighbourhoods is the poor quality, poorly managed properties which cause "good" tenants, "good" landlords and owner occupiers to leave an area.</p> <p>The Council is proposing selective licensing as one initiative in the wider regeneration programme as the only sanction that compels landlords to have satisfactory management practices in place to manage their properties and tenancy agreements in a way which does not have a detrimental impact on neighbouring residents.</p> <p>Should the designation area be approved, the decision for which will be made in March 2014 the Council will be proactively monitoring the area. Any landlord not</p>

	<p>meeting the required management standards of breaching the legislation will be prosecuted; the management of the property may then be taken over by the Council, a Rent Re-payment Order may be made which means that the Landlord has to re-pay the amount of rent received during the period that he should have had a licence but did not.</p> <p>Tenants acting anti-socially will be addressed by their landlord through the conditions within the tenancy agreement with both the support of the Council and the Police. This approach has been used in the Trinity Selective Licensing area and in several cases the anti-social behaviour has stopped without the need for the tenant to lose the home. There are however cases where the Council have taken enforcement cases against the tenant and the landlord have ended their tenancy agreement.</p> <p>The Council are supportive of “good” landlords and tries to recognise this through the Good Landlord and Agent Scheme (GLAS), under this scheme Belvoir is an accredited managing agent due to their responsible letting practices. However the legislation governing selective licensing does not facilitate the targeting of specific landlords it is required to be on an area basis and then all private rented properties within that area must hold a licence to operate.</p> <p>With any licensing scheme whether it be Taxi Licensing or Public Entertainment Licences there is a fee for such a licence. To try and recognise that “good” landlords are affected by a selective licensing scheme there is a proposed 30% reduction in the fee for those landlords that are accredited through the Good Landlord and Agent Scheme (GLAS).</p> <p>I note your comment about the scheme becoming a “cash Cow”, the licensing fees are used only for the running of the scheme, no profit can be made and the accounts of expenditure and income are published on an annual basis.</p> <p>In April 2013 the national legislation governing Council Tax was changed, many Councils across the Country then stopped give an exemption for 6 months and started charging 50% Council Tax.</p> <p>A report was presented to the Council’s Executive on the 10th December 2013 who approved a change to the current Council Tax policy. The change was that for properties that are empty for less than six months, apply a 100% discount for the first month followed by a 50% discount for the remaining five months. The reason for this recommendation was to grant owners of empty homes a reasonable period of time to put these properties back into use. This short period of 100% discount gives owners an incentive to do this quickly before charges apply.</p> <p>The current proposed boundary for the Gannow area was based upon statistics for low demand including the number of empty properties, the number of private rented properties, property prices, property turn over, anti-social behaviour and crime. I have however noted your comment which will investigated further before the final report is presented to the Council’s Executive in March 2014.</p>
<p>Landlord Response 28/11/13</p>	

We are the owners and landlords of the above property, and have received your communications about your proposed scheme.

The main thrust of your proposal seems to be to "improve Landlords management of properties". To this end you suggest that our tenancy agreements contain "rules about controlling anti-social behaviour". Please assist us with the following:-

- a) Supply a draft clause or agreement which fulfils your requirements.
- b) If a breach occurs of your proposed rules what sanctions do you propose and:-
- c) How do you propose to enforce them.

You state that Landlords will receive targeted information and guidance on how to manage our property. Please supply in writing an example of such information and guidance.

You refer to "properly managed" property. Please give details of your criteria for a properly managed house.

Next you refer to "property marketing services" as our advantage to Landlords arising from your scheme. Again please detail the scope and nature of these services.

	<p>Based upon your figures your Council will receive a sum of £122,250.00 upon the proposed implementation of this scheme or alternatively £24,450.00 per annum distributed over the next 5 years. You no doubt have a "business plan" as this is not the first scheme in the area, please therefore set out your proposals as to how this considerable sum of money is to be spent for the benefit of Gannow Ward.</p> <p>Your reply to the five preliminary enquiries set out above is awaited as part of your proposals for assessing the views of Landlords in this area.</p> <p>By way of postscript we have been letting properties in the Burnley area for a period of 20 years on a successful basis without the "benefit" of Selective Licensing Schemes.</p> <p>Yours sincerely</p>
<p>BBC response 11/12/13</p>	<p>Thank you for taking the time to write requesting further information for the proposal to introduce selective licensing in the Gannow area.</p> <p>As way of an explanation as why the Council are proposing to introduce selective licensing in the Gannow area it is part of a wider regeneration programme which includes improvements to education such as the new Technical College on Trafalgar Street; improvements in transport and connectivity such as the Todmorden Curve, heritage lead regeneration such as the Weavers Triangle and concentrated initiatives around business growth. All of which aim to attract people into the town to work and live.</p>

For people to want to live and remain in Burnley there needs to be a choice of good quality homes in a mixed tenure neighbourhood that is well managed and affordable. To assist in this there are new housing developments expanding the range of properties on offer in Burnley; the empty homes cluster programme which is bringing back into use 175 empty properties across the Gannow, Queensgate and Trinity areas.

The private rented sector is a key component of providing a sustainable mixed tenure neighbourhood if it is of good quality and well managed. Undermining these neighbourhoods is the poor quality, poorly managed properties which cause “good” tenants and owner occupiers to leave an area.

The Council is proposing selective licensing as one initiative in the wider regeneration programme as the only sanction that compels landlords to have satisfactory management practices in place to manage their properties and tenancy agreements in a way which does not have a detrimental impact on neighbouring residents.

In relation to the five preliminary enquiries you have raised as you will know the majority of landlords use a standard Assured Shorthold Tenancy which I have enclosed for your information. Clause 3.7.6 states:

“Not to do or permit to be done, in or on the Premises, any act or thing which may become a nuisance or annoyance (this includes any nuisance or annoyance caused by noise) or cause damage or inconvenience to the Landlord or the Tenants or occupiers of the nearby premises.”

If a tenant is causing nuisance or anti-social behaviour at a property they will be breaching this clause. This breach should be addressed by their landlord through the conditions within the tenancy agreement with both the support of the Council and the Police. This approach has been used in the Trinity Selective Licensing area and in several cases the anti-social behaviour has stopped without the need for the tenant to lose the home. There are however cases where the Council have taken enforcement cases against the tenant and the landlord has ended their tenancy agreement.

Landlords who do not apply for a licence or breach the licence conditions, will be open to sanctions including prosecution action, in some cases the Council may have to take over the management of the property by way of an Interim or Final Management Order. A Rent Repayment Order may also be served which requires the landlord to pay back the rent that was received during the period he should have had a licence but did not have one.

The main form of guidance for landlords is through a Development Day which is run by the Council; however the tutor is a landlord and member of the National Landlords Association. In summary the Development Day covers: I have enclosed the course contents for further information.

- Matters in pre-tenancy including insurance and council tax
- Responsibilities and liabilities of the Landlord/Agent including the Housing Health and Safety -Rating System, Gas Safety, Electrical Safety, Safety of furniture etc..
- Setting up a Tenancy including types of tenancies, deposit schemes, setting the rent, raising the rent, housing benefit and local housing allowance.
- During a tenancy including the rights of entry and refusal, emergency procedures, preventing and controlling rent arrears.

	<p>-Landlord and Tenant Relations including nuisance and anti-social behaviour. - Ending a tenancy including grounds for possession, unlawful evictions, damage to the property and return of the deposit.</p> <p>Under the legislation for selective licensing the licence holder must be “fit and proper” and have satisfactory management practices in place. I have enclosed the Fit and Proper Person criteria which is used to determine whether a license should be granted or refused.</p> <p>If requested the Council will advertise licensed landlords properties on the Council’s website for rent. The Council will also be aware of tenants looking for properties and with your permission would give the tenant your details to determine if you would rent the property to them.</p> <p>The required budget over the 5 years of the scheme is £176,362. Based upon the proposed fees of £750 for 1 landlord with 1 property and £670 for each additional property the approximate number of landlords and private rented properties in the area gives and estimated income of £178,310.</p> <p>All funding is used to implement the scheme, this includes the processing of the licence applications, the decisions to grant or refuse a licence. The monitoring of the properties over the five year period. The monitoring of the area and weekly surgeries to address problems within the area.</p> <p>Enclosed An example of an assured short hold tenancy The Course contents for the landlord development day The Fit and Proper Person Criteria</p>
<p>BBC response 18/12/13</p>	<p>Thank you for your letter of the 16th December 2013, I have now spoken to the Officers who conducted the meeting to assist in my response to you. The Officers being Head of Housing and Development the Head of Housing and Development and Private Sector Housing Manager, Private Sector Housing Manager neither of whom are funded by Selective Licensing.</p> <p>My understanding is that the meeting began with a presentation to explain the wider regeneration programme followed by the reasons for the proposals in the Gannow and Queensgate area. The meetings are an open forum to give landlords the opportunity to raise their views about the proposals, these points are recorded and form part of the consultation results. The Officers did try to respond to the questions thoroughly, if you feel that you have further questions, queries or suggestions or that your enquiries were not answered at the Landlord Evening Officers will meet with you further.</p> <p>For people to want to live and remain in Burnley there needs to be a choice of good quality homes in a mixed tenure neighbourhood that is well managed and affordable. To assist in this there are new housing developments expanding the range of properties on offer in Burnley; the empty homes cluster programme which is bringing back into use 175 empty properties across the Gannow, Queensgate and Trinity areas.</p> <p>In relation to the specific points you have raised my observation and comments are:</p>

Point 1

I see the Private Rented Sector is a key component in providing a sustainable mixed tenure neighbourhood if it is of a good quality and well managed. I would encourage such landlords to invest in the Town however undermining these neighbourhoods is the poor quality, poorly managed properties which cause “good” tenants “good” landlords and owner occupiers to leave an area compelling the problems of low demand.

The Council is proposing selective licensing as one initiative in the wider regeneration programme as the only sanction that compels landlords to have satisfactory management practices in place to manage their properties and tenancy agreements in a way which does not have a detrimental impact on neighbouring residents.

Point 2

With any licensing scheme administered by a public authority whether it be Taxi Licensing or Public Entertainment Licence there is a fee for such a licence. To recognise that “good” landlords are affected by a selective licensing scheme there is a proposed 30% reduction in the fee for those landlords that are accredited through the Good Landlord and Agent Scheme (GLAS).

Point 3

The total Trinity Selective licensing scheme income over the 5 year period is £461,444 against a total scheme expenditure of £529,575. This has delivered improvements in the area some of which can be evidenced others being anecdotal.

Measurable outputs include:

- The scheme has licensed 329 landlord and 528 properties. 14 licenses have been refused. 21 Landlords have either been prosecuted for not applying for their licence or breaching a licence condition. This represents 28 properties.
- In total 374 properties inspected under the Housing Health and Safety Rating System.
- A total of 211 properties fitted with smoke detectors.
- 276 landlords have attended the training day to improve property management.
- 4 Interim Management Orders have been made where the landlord was unsuitable to manage the property.
- 1 Final Management Order was made, Burnley being the only Authority that have taken advantage of this legislation to ensure a property is managed satisfactorily and the health and safety of the occupant is protected.
- 135 reference requests from landlords.
- The police see the Selective Licensing team as their main partner in tackling anti social behaviour within the area. The data from Safer Lancashire shows that since the commencement of the active partnership working with all agencies including landlords and residents, reports of calls to the police about anti-social behaviour has reduced over a three year period, from 1210 calls in April 2010 to March 2011 to 764 in April 2012 to March 2013 demonstrating a 36.86% reduction in reports of ASB to the police in the Trinity ward.

More anecdotal evidence includes the continual monitoring of the properties and area including weekly surgeries in Trinity to ensure compliance with the licensing scheme, the Selective Licensing team have worked hard to inform landlords of best practice, through newsletters, landlord development training and when necessary individual meetings with landlords to discuss specific issues.

	<p>In addition to this the Selective Licensing team has been involved in assisting residents to organise community skips, assisting Street Scene in carrying out audits of dirty back yards, and organising resident representatives to conduct back yard audits.</p> <p>Intensive partnership work with the Police and the Councils Street Scene department has assisted in the reduction in antisocial behaviour and environmental crime in the area, with the latter having been reduced by 82 reported cases to Street scene from 380 cases in year 2 of the designation to 298 in year 4 of the designation for the Trinity Selective Licensing area.</p> <p>The Landlord Evening is one part of the statutory consultation, I understand that ? Landlords attended the meeting which represents ? of the Landlords in the proposed Gannow and Queensgate areas. In addition to this evening questionnaires have been sent to all landlords. Resident drop in sessions have been run and questionnaires have been sent to all tenants and owner occupiers within the proposed area, the Council's Management Team and Executive will consider all the results of the consultation.</p> <p>Point 4</p> <p>I note your comment, whilst there is not a higher levy imposed with those landlords that do not comply with Selective Licensing there is the sanctions of prosecution which brings with it a criminal conviction, in addition there are Rent Repayment Orders which require the landlord to repay the rent received during the period they did not have a licence but where so required to do so.</p> <p>Point 5</p> <p>If Selective Licensing including the Trinity Selective Designation area did not continue Officers funded by this scheme would face redundancy. The Housing and Development Unit comprising a further ? Officers would not close as they carry out a range of other front services, including the processing of planning applications, Building Regulations, Empty Properties, Landlord Enforcement, and Energy Efficiency, Grants, Homelessness and housing development.</p> <p>The Officer writing the report to the Council's Executive is not funded through Selective Licensing, all consultation results will be included in the report and I can assure that the Council's Management Team and Executive Committee taking the final decision are independent to those directly involved in the delivery of selective licensing.</p>
	<p>Response from Residential Landlords Association see Appendix 1.</p>
<p>BBC Response 12/12/13</p>	<p>Thank you for your letter of the 18th October 2013. I have now considered in consultation with the Council's Solicitor each point that you have raised and have responded accordingly.</p> <p>You raise two points in relation to existing legislation, one that licence conditions should not replicate existing legal obligations and two that the licence conditions should not be used for the Council to impose their own requirements that are imposed under general law.</p> <p>If Parliament did not intend for the licence conditions to reinforce existing legislation they would not have included in the prescribed conditions the need for the licence holder to produce an annual gas safety certificate, as you know this requirement is covered by the Gas safety (installation and use) Regulations 1998. There are numerous pieces of legislation which require action from the landlord, the licence conditions are ensuring the regulation of the management of the property by ensuring all such responsibilities are met by the licence</p>

holder.

Point 6 – The Council agree this condition will be removed.

Point 7 – Part 1 of the Housing Act 2004 will be used to address Category 1 and 2 hazards however satisfactory management practices should ensure the property is free from disrepair and such a condition is required to regulate this part of the management.

The condition will be reworded to state that “The Licence Holder must ensure that the property is kept in good repair”.

Point 8, 9 and 10 Electrical Testing – An essential part of the management of a property is for the landlord to ensure that the electrical installations are safe. Although there is no legal requirement to produce an annual safety check the Institute of Electrical Engineers recommends that a formal test be carried out at least once in 10 years. During inspections of the properties in the designation area it was shown that many of the electrical installations were old and outdated. The condition is checking the management in relation to the safety of the electrical installations.

Point 11 – PAT tests – As above the landlord has a responsibility to ensure that the electrical appliances he supplies are safe prior to and during the tenancy agreement. Inspection and testing are means of determining whether such appliances are safe or whether maintenance is required.

Point 12 – The Council agree this condition will be removed.

Point 13 – The Council agree this condition will be removed.

Point 14 – This is to ensure that any works to the licenced property is managed satisfactorily to ensure it is being undertaken in a safe way to current standards.

Point 15 – This has been reworded, however if the HMO is not licensable it still falls under Part 3 of the Housing Act 2004 however further management arrangements are required. This condition regulates the management of this type of property.

Point 16 – The Council agree this condition will be removed.

Point 19 – This condition will be removed.

Point 20 – This condition will be reworded to take into account where manuals are not available.

Point 23 – Condition 89 2 (b) of the Housing Act 2004 states that in deciding whether a licence holder is fit and proper you must consider whether they have practised unlawful discrimination on the grounds of sex, colour, race, ethnic, or national origins or disability in or in connection with, the carrying on of any business. Condition 23 reflects this section of the legislation and ensures that the ongoing management of a property is conducted in a lawful way in relation to discrimination.

Point 24 – The word reasonably will be removed from the condition.

Point 25 – The training is in relation to the managing agent of the property. The licence holder can request that their manager attend the training day and can remove their property from their management if they refuse. Experience has shown that the majority of managers and landlords have attended the Development Days and found them extremely informative.

Point 28 – The condition will be amended to reflect your point.

Point 29 to 31 – These conditions are ensuring regulation of the management of the property in relation to harassment or unlawful eviction. A licence holder found to breaching any of these three conditions could be creating a criminal offence under the Protection from Eviction Act 1977; however a licence should also then be revoked which these conditions would enable.

Point 32 – This condition will be removed.

Point 33 – This condition is checking that there are suitable management practices in place in relation to Energy Efficiency and that prospective tenants are being provided with the correct information to make an informed choice as to whether to accept the tenancy agreement.

Point 34 - This condition will be removed.

Point 35 – This condition is needed to ensure the management of access to and from the rear of the property including the provision for the collection of refuse.

Point 40 – This condition has been reworded to “The Licence Holder shall ensure that the property is not overcrowded within the meaning of the overcrowding set out in section 324 of the Housing Act 2004. The legislation can be viewed on the internet; ignorance of the law would not be a defence if the legislation was breached.

Point 41- This condition has been reworded for clarity.

Point 42 – This condition has been removed.

Point 43 – This condition has been reworded.

Point 44 – A schedule has been added to this condition to make it clear what the Council mean in relation to an incremental process.

Point 48 – The mandatory condition requires the licence holder to provide references. There have been instances where landlords are charging for such references and where false references have been given to ensure the problematic tenant leaves their property. Condition 48 is to prevent this happening within the licensing area and is needed to reduce anti-social behaviour and regulate the management of the letting of the properties.

Point 49 – This condition has been removed.

Thank you for the information in relation to the selective licensing fees. The Council’s Selective Licensing Designation Area in Trinity started in 2008 before the case law judgement was made. The designation ended in October 2013, therefore there is no requirement for the Council to adjust the fees that were associated with this designation area.

	<p>There are currently no selective licensing areas in force in the Borough of Burnley. Any future fees will be reviewed and finalised taking into consideration the recent case law.</p>
14. 24/10/13	Resident Drop in Session. 5 residents attended.
15. 2/12/13	Resident Drop in Session. 5 residents attended.
16. 6/11/13	<p>Landlord Evening – 18 Landlords attended the event. Officers Present</p> <p>Head of Housing and Development Control Private Sector Housing Manager Project Officer (Licensing) Project Assistant Licensing Assistant Democracy Officer</p> <p>Head of Housing and Development welcomed everyone to the meeting and indicated that Landlords were invited this evening for consultation on the proposals for a Selective Licensing scheme for Queensgate & Gannow.</p> <p>Private Sector Housing Manager indicated that statutory consultation for the proposed Selective Licensing Area for Queensgate and Gannow commenced on 14th October 2013 and would last for a period of 12 weeks until the 5th January 2014.</p> <p>She further advised that the Council had organised two landlord events, this was the first event and the second event will be held on Monday 9th December at 5.30pm at the Burnley Mechanics Theatre.</p> <p>She further briefed Members on the timescales and proposals for the proposed Selective Licensing scheme.</p> <p>Questions and comments received from Members of the forum.</p> <p>1. Members asked why Queensgate & Gannow had been proposed for the designation of Selective Licensing.</p> <p>Private Sector Housing Manager explained that these areas had been identified as they were suffering from low demand housing, the area had a number of instances of empty properties, and a high proportion of rented properties. The areas are also receiving empty homes cluster funding which Selective Licensing would complement. She added that the areas weren't identified as the two worst areas in relation to low demand however the areas had a number of growing concerns. Head of Housing and Development reported that Selective Licensing was introduced by the Housing Act 2004 and allowed LHA to designate areas experiencing low housing demand and/or significant and persistent anti-social behaviour, which meant within a chosen designated area all privately rented properties required a licence to operate. He highlighted that selective licensing was a key component of a wider regeneration programme that would help provide a stable, mixed tenure neighbourhood offering quality and choice in the future.</p> <p>2. Members indicated that Selective Licensing would lead to more vacant properties.</p> <p>3. Members said if there was no fee, then their opinion could change, but fundamentally were not in favour of something being imposed on landlords.</p> <p>Private Sector Housing Manager indicated that she appreciated the problems landlords</p>

faced. The Council wants to improve working relationships, and work with landlords to resolve the situation.

Head of Housing and Development emphasised that Licensing was the only tool available to the Council that would enable us to work with landlords and agents to improve property management standards.

4. How would Selective Licensing change and improve property standards and management.

Private Sector Housing Manager said that it would improve the contact between tenants and absentee landlords ensuring landlords took responsibility for the tenants they placed in their properties. It would improve poor landlord management practices, such as requiring written tenancy agreements, providing contact details to tenants and ensuring penalties for antisocial and nuisance behaviour at the properties. It should also help improve residents' confidence in dealing with problems.

5. Members suggested that the Council should identify all the problem properties then identify their landlords and then license them only.

Private Sector Housing Manager commented that the legislation stated that it had to be on an area basis. The Council would monitor landlords who managed properties poorly in the designation area and address this through the licence conditions and all landlords within the area then had to apply for a licence.

6. Members emphasised that to target the bad landlords the Council was penalising the good landlords. The Council needed a strategy where they worked with the bad landlords.

Private Sector Housing Manager said that Management Orders did not help raise management standards across the sector; they take responsibility away from the landlords and don't give the council the option of working with them that's why Selective Licensing would make a difference. Management Orders are a last resort where a landlord cannot be granted a license. The scheme proposed tries to recognise good landlords through a proposed reduction of 30% in fees for landlords accredited through GLAS.

7. Members said that bad tenants as well as bad landlords needed addressing. Could the Council not exempt the good landlords from not paying fees?

Private Sector Housing Manager responded that the legislation stated you had to select an area and all landlords in that area had to apply for a licence, which would need to be accompanied by some level of fee.

8. Members asked what difference had Selective Licensing made in Trinity? Private Sector Housing Manager indicated that statistics showed that improvements had been made in the management practice of properties. As a result of selective licensing and partnership work with the police and other agencies, there had been a reduction in anti-social behaviour in the area, management of properties was improving and people had more confidence to buy in that area.

	<p>9. Members indicated that Trinity still remained at the top for deprivation, low cost housing, and felt that nothing had changed.</p> <p>10. What was the correlation between low demand and licensing a landlord? Private Sector Housing Manager said that one of the criteria for the Selective Licensing scheme was low demand housing, indicators of which are empty properties, higher than average private rented properties and low house prices.</p> <p>11. Why is the Gannow area included in these proposals, problems in Gannow were far less than other Wards. Head of Housing and Development stated that the Council welcomed Members views through the consultation process and their views would be considered when looking at the the proposals to introduce Selective Licensing. He added that the Gannow area had been included due to statistics showing the potential issue of low demand housing, low house prices and high numbers of empty properties, ASB related issues and feedback from residents.</p> <p>12. Members felt that other areas showed low demand housing and why was this particular area chosen. Private Sector Housing Manager explained that introducing Selective Licensing in the area would support the physical regeneration such as the empty homes cluster programme, rebuilding confidence in the area, attracting new investment and encouraging people to move to the area instead of leaving.</p> <p>13. Members felt that Pendle had reduced their number of empty properties by 30% without introducing Selective Licensing and why couldn't Burnley do the same. Head of Housing and Development indicated that he couldn't speak for Pendle and how they operate. Selective Licensing was introduced to improve the private rented sector; owner/occupiers were not buying in rented areas where ASB issues had been high. Selective Licensing would improve areas and people would be encouraged to invest more. He added that the results showed a successful outcome for Trinity, properties were being managed efficiently, ASB problems had been reduced and environmental crime was reducing. Selective licensing has had a direct impact, working together with the police and other neighbouring agencies.</p> <p>14. Why was no Police present at the Landlord evening to show their support. They were not invited.</p> <p>15. Members indicated that Selective Licensing would make landlords leave the areas and housing stock would crash. Landlords believe that there is a problem with poorly managed properties and that those landlords should be targeted by introducing legislation for landlords who did not managed their properties. Why were other landlords being penalised. Private Sector Housing Manager stated that in terms of the legislation it had to target an area and then all landlords renting properties within that area had to apply to the Council for a license. Selective Licensing concentrated on the management of the properties which would help to improve the area as a whole.</p> <p>16. Members questioned that if an average tenant lived in an area for 10 years, and the property was in a suitable condition, no related ASB issues, what difference would the proposed Selective Licensing scheme make for that landlord and or in that area.</p> <p>17. Members asked why introduce Selective Licensing for all landlords; why not</p>
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enforce against the minority of poor landlords.
Private Sector Housing Manager reiterated the above point.

18. Members felt the Council needs to save money that's why Selective Licensing had been introduced.
Head of Housing and Development indicated that the Council worked well with good landlords who showed willingness through the management of their properties.

19. Members felt that two areas had been identified for Selective Licensing but the problems would continue, we can't solve the problem. Members felt the whole idea was a cash generating exercise, why should all landlords suffer.

20. Members asked why can't the Council introduce a sliding scale fee, or introduce a checklist to monitor maintenance of the property e.g. do a score sheet. Landlords should not need to pay any fees to be a licenced landlord. Why penalise all the landlords who are doing their fair share to maintain their properties.
The Council recognised that there were good and bad landlords, that's why it was proposing that good landlords be awarded a 30% discount if they were accredited.

21. Members felt that good landlords were always maintaining their property standards and performance. If the condition of these properties was improving what benefit would there be from selective licensing.

22. A recent report for Trinity showed appalling statistics, no improvement in the area and the Council was proposing two further areas to be licensed, it's a disgrace. This does not give any confidence to landlords. Members further engaged in a discussion about the merits and issues they had with Selective Licensing and the view was expressed that Trinity had not seen an improvement since the introduction of licensing.

23. Members indicated that a Survey for Trinity showed 80% of properties were boarded, or empty, council statistics showed a 75% increase on empty homes, it's appalling why aren't agencies working together e.g. police to reduced ASB issues. Private Sector Housing Manager stated these statistics are incorrect. Empty properties have increased overall from 15.5% to 20%. However the main increase is the Grange Street area. Other properties in the area have been brought back into use and landlords are investing there.

24. Members of the forum felt that this was a financial argument, £750.00 from each landlord would take the cost of refurbishment and profit away. Landlords would not maintain properties, but in fact let them become vacant and boarded up. Private Sector Housing Manager indicated that there had been examples in Trinity where landlords had bought properties and renovated them as well as residents investing in those areas and owner occupiers buying.

25. Members felt that landlords would deliberately board up their properties, due to financial constraints. They had bought the properties at a high price, tenant vandalises the property, and the landlord has no money to spend on the property.

26. Members were more concerned about the Selective Licensing fees, Landlords would sell their properties, rent would go up, more properties would become vacant and people would not invest in Burnley.
Private Sector Housing Manager stated that this has not been seen in Trinity.

27. What were the main objectives for Selective Licensing in Trinity? Landlords were suffering, why isn't the Council paying 50% of the costs. Were landlord's paying for the cost of meetings? And staffing?

	<p>Private Sector Housing Manager assured Members that the cost of meetings was not paid for from fees. The proposed fee structure was attached to the consultation documents; Selective Licensing was a self-financing scheme. The fees were set for the management of running the scheme which also involved officer's time.</p> <p>28. Members asked where the money would be spent and what would it go towards?</p> <p>Private Sector Housing Manager indicated that the fees would enable the running of the scheme, application process and monitoring properties over a 5 year period.</p> <p>29. Members asked what the estimated revenue projection was over the next 5 years?</p> <p>30. Members asked whether the Council would be in profit from the revenue gained from Trinity? £380,000 generating over the 5 year period. Private Sector Housing Manager explained the Council can't make a profit under the legislation and details of the fee would be presented at the next landlord consultation event.</p> <p>31. Members indicated whether the proposed fee was set per property or per landlord. Project Officer (Licensing) stated that £750.00 was proposed for one landlord with one property, for every additional property the fee was £670.00.</p> <p>32. Members felt that margins were very thin, rent not breaking even, some landlord's would go into administration, especially landlords who owned 5 to10 properties.</p> <p>33. Members indicated that a lot of properties were empty in these areas, how would these properties be occupied by tenants again, which landlord would invest in these areas knowing that the area was under Selective Licensing. Head of Housing and Development stated that the Council did not have clear evidence of future investment in areas however, people would come to live in areas where there was an improvement, a lot of money was being spent in Burnley, especially from the housing prospective, a lot was happening such as the empty homes programme, economic regeneration, new homes.</p> <p>34. Members asked who proposed Gannow and Queensgate for Selective Licensing. Head of Housing and Development stated that the Executive asked for research on low demand areas, we as officers gathered research, and then the Executive asked officers to look at the proposed areas in detail and under statutory consultation.</p> <p>35. Members asked whether the Council were carrying out the same process on Selective Licensing as they did for Trinity? These two areas proposed were out for consultation; at first when Trinity was introduced in 2008 Landlords were not in favour, however, now 32% of the landlords were in favour and 66% against.</p> <p>36. Members felt that this was a tick box exercise and that this landlord event was purely for formality and the Council had already made up their mind.</p> <p>37. Members of the forum strongly agreed that they do not agree with paying the fees as the landlords do not benefit from the scheme.</p> <p>38. Members queried whether 32% of the landlords were in favour of Selective Licensing, where was the evidence? Private Sector Housing Manager stated that from the questionnaires returned 32% of</p>
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landlords were in favour of Selective Licensing.

39. Members asked whether the Council had tried to look at other strategies before going down the route for Selective Licensing i.e.) Apply to the secretary of state. Private Sector Housing Manager reported that legislation had changed and the Council no longer had to apply to Secretary of State. The Council has had an accreditation scheme since 2001, however only responsible landlords join. Licensing is required to compel others to improve their management standards.

40. Could the Council consider a generous award for Landlords, e.g. use of skip, free of charge skip permit, use of tip once a month etc.

41. Could the landlord pay the fee over the 5 year period, stagger the payment rather than upfront payment?

42. Trinity was now a Selective Licensing area for the next 5 years, would the scheme be extended again?

43. How was the fee structured proposed, how had the council come up with this figure of 750.00? Was the fee based on office, staffing costs, is that how much it costs to run the scheme? Did the Executive decide on the fees? Was Selective Licensing implemented to increase staffing?

Officers have calculated the fee based on the cost to deliver and monitor the selective licensing scheme. This forms part of the consultation. The Executive have to approve the final proposal of the area and fee. This is timetabled for March 2014.

44. Members felt very little consultation was being carried out with landlords, landlords who owned 15 to 20 properties would suffer the most.

45. Members felt that the fees were atrocious and would decapitate the private rented sector.

46. A question was asked if there was a row of properties all done up looking good and there was one property not in a suitable condition and they are owner occupied and could not afford to maintain the property what would the Council do?

Private Sector Housing Manager said that the Council would speak to the owners, go through various options to assist or could look at a Section 215 notice. The Council would try and work with owner occupier to bring the property in to a reasonable state.

47. Members commented that if the tenant had a lease for 21years they would be exempt from selective licensing.

Private Sector Housing Manager confirmed this.

48. Members felt that Selective Licensing was misguided, there was no evidence of any improvement made in areas, and the Council was embracing the idea to generate income.

Head of Housing and Development indicated that the Council was working together with a range of agencies, loans were being offered to landlords, working with the police, developers, a wide range of issues to improve the housing market – Selective Licensing was just one tool in a wider regeneration programme.

49. Members felt that if nothing had been achieved in Trinity why introduce selective licensing in other areas, was the Council proposing to do things differently in these two proposed areas?

Private Sector Housing Manager confirmed that if the areas become licensing areas the council were intending to streamline the application process? (Members highlighted that they were not talking about the administration side of things)

	<p>50. Members indicated that if an area was in low demand housing, how would the Council measure its success? Private Sector Housing Manager said there was a range of performance and monitoring indicators which are detailed in the proposal document for Trinity.</p> <p>51. Members asked why was Manchester & Leeds not proposing to go ahead with selective licensing? Head of Housing and Development indicated that there would be a number of factors and it was their decision but pointed out that Salford Council had decided to re-designate some areas.</p> <p>52. Members asked why the Good Tennant scheme was abolished, was there anything else to replace this? Private Sector Housing Manager stated that selective licensing offered an opportunity for landlords to obtain tenant referencing, which would maintain professional management practices and help reduce anti-social behaviour. She indicated that a checklist for referencing prospective tenants was also available to landlords.</p> <p>53. Members indicated that there was no real benefit to the landlords in fact it was slightly insulting to landlords that the Council would inspect their properties when in fact the properties were currently well maintained. Private Sector Housing Manager indicated that the Council recognised good landlords and the management of their properties. The Council wants to continue to develop the good relationship and hopes this would continue through Selective Licensing.</p> <p>54. Members indicated that when the accredited scheme was introduced landlords had to go through certain obstacles, further costs, why can't the Council provide a 90% reduction to accredited landlords for Selective Licensing areas. Private Sector Housing Manager stated that 30% was the current proposed discount.</p> <p>55. Members asked how would the Council assist in the management of bad tenants? e.g. ASB issue, would the Council support the landlord? Private Sector Housing Manager indicated there is a range of options to support landlords through joint meeting with the tenant, landlord and police. Referral to agencies for support and ASB contracts.</p> <p>56. Members indicated that the value of properties was not increasing? What were the benefits to landlords in Selective Licensing areas? Landlords were struggling to get tenants. Project Officer (Licensing) highlighted the work that had been carried out with partners such as the fire service, streetscene and the neighbourhood policing team to tackle ASB. This had resulted in improvements the behaviour of some tenants. In addition developments days were planned and the Council had utilised management orders. A management order enabled the Council to gain possession of a problem property.</p> <p>57. Members asked what would the Council do in the case of squatters? Private Sector Housing Manager would seek advice from the Council's Legal Department.</p> <p>58. Members asked whether the police put any extra resources in these areas? Private Sector Housing Manager explained there was a close working relationship with the police in Trinity who see selective licensing as a key tool in reducing ASB.</p> <p>59. Members asked whether the revenue from Gannow would remain in Gannow? Private Sector Housing Manager replied - Yes</p> <p>60. Members indicated that crime statistics showed that Gannow was amber, how often did that equate to ASB issues? Overall the Gannow area was highlighted blue. Private Sector Housing Manager advised that some areas were worse than others, e.g. Kime Street.</p> <p>61. Members asked why the Council do not focus on those specific streets with</p>
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	<p>potential problems. Private Sector Housing Manager advised that this was part of the Consultation process. The Council was asking landlords and the police to identify the streets that are of most concern and their views on the overall proposed boundary.</p> <p>62. Members of the forum asked for a comprehensive breakdown of the fees estimated for the Queensgate & Gannow areas. The estimated cost of running the scheme and a breakdown of other agencies involvement. Private Sector Housing Manager indicated that the proposal documents would contain that information and could be presented at the next meeting.</p> <p>63. Members asked whether the Executive would be present at the next landlord meeting. Head of Housing and Development indicated that Executive Member for Housing and Environment, was a Member of the Private Rented Sector forum and consultation had taken place with them.</p> <p>64. Members asked for clarification that if a landlord had paid their fees for the proposed selective licensing and sold their property would the fees be refunded. Project Officer (Licensing) responded that the registration of the licence would not be refunded and was not transferable.</p> <p>65. Members asked whether residents have any say on the consultation? Private Sector Housing Manager responded Yes, resident drop in sessions were being held and questionnaires were hand delivered to all houses in the proposed areas.</p> <p>66. Members asked whether tenants were being advised /consulted on this proposal as they will suffer too, due to rent increase? Private Sector Housing Manager stated yes.</p> <p>67. A question was asked about shared ownership of a property and if at a later date the other partner transferred the property to their partner would additional costs be incurred. Project Officer (Licensing) stated that no additional charge would be made for a transfer. The licence owner could transfer the deeds, providing the licence holder did not change.</p> <p>68. Members asked what would happen if a landlord was classed as a not a fit & proper person. Private Sector Housing Manager explained that the Council would serve a management order and effectively step into the shoes of the landlord. The associated risks to the tenant e.g. health & safety regulations were proved to be fit. Under selective licensing landlords and managing agents had to demonstrate they were a “fit and proper” person, it is appropriate they held a licence, and that they had management arrangements in place to properly manage their tenancies.</p> <p>69. Why couldn't the Council introduce a favourable discount scheme e.g. based on portfolio of properties with a fee worked out pro-rata.</p> <p>70. Members indicated that some landlords in Trinity were not licenced and asked would they be prosecuted? Project Officer (Licensing) stated that the Council had prosecuted a number of landlords. 16 prosecutions made so far, 2 currently underway and 5 management orders.</p> <p>71. Landlords were experiencing a recent hike in fees through changes in housing benefits, payments were being made to tenants, and it seemed that landlords were not benefiting at all. The Council was not working with landlords.</p>
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The Council needs to target landlords who do not maintain their properties instead of penalising the majority of the landlords.

Private Sector Housing Manager responded that the Council was working with landlords through the work of the private rented sector forum meetings and the working relationship had improved. A recent example was given in terms of smart meters which was an issue that was currently being looked at through the forum. Following the issue being raised at the forum the consultation feedback from Trinity proposed a fee discount from 15% to 30%. The Council fed this back to the Executive and the decision was made to implement a 30% discount.

72. Members felt that some landlords had different circumstances and some properties were not being managed however, the majority of landlords were suffering.

73. Members felt that overall they had no issues with selective licensing BUT they had an issue with paying the fees and felt it was not fair especially in this current economic situation.

74. Members felt there could be a potential conflict of interest and an independent panel should carry out the consultation on proposals for Selective Licensing.

75. Generally Members of the forum felt that the crime statistics put forward by the Police had not reduced, the level of vacant properties had increased, and they asked whether selective licensing was value for money? What were the benefits compared to a non-selective licensing area.

Head of Housing and Development noted Members comments and explained that the anti-social behaviour statistics had reduced and the benefits were the improvement of a more stable area.

76. A question was asked on what the Councils targets were, what was the council aiming to achieve and how was the progress being measured?

Private Sector Housing Manager responded that the performance measures were contained within the annual reports that were available on the Council's website

77. Concerns were raised that there was no benefit/discount in terms of pricing structure for accredited landlords. The proposal to reduce the discount for accredited landlords had taken away the incentive to join GLAS.

Officers noted this comment.

78. Members expressed that it was the landlords paying for the scheme, and that after 5 years and half a million pound spent what benefit could they see?

Private Sector Housing Manager mentioned the reduction in anti-social behaviour and a more stable future with better tenancy management, improved properties and people buying in the area.

79. Members asked how the outcomes of the scheme were being measured and could the outcomes be justified?

Private Sector Housing Manager explained about the performance targets that were set out in the annual reports and that the annual reports were available on the Council's

	<p>website.</p> <p>80. Members outlined that the landlord's funds had reduced, that the increased fee would mean that the money would not be spent on their properties.</p> <p>Officers noted this comment.</p> <p>81. Members made a comment that some landlords were not aware of this meeting.</p> <p>82. That an estimated financial forecast of running the selective licensing scheme in Queensgate & Gannow be provided for the next meeting.</p> <p>83. The final points made during the discussion were, whether licensing really made a difference. That the good landlords were paying for the bad landlords and why aren't the good landlords receiving a discount on the fee.</p> <p>Head of Housing and Development indicated that questionnaires were available for landlords to fill in and a dedicated email address for consultation.</p>
17. 9/12/13	<p>Landlord Evening – 31 landlords attended the event.</p> <p>Notes of the Landlord Consultation Event 9th December 2013</p> <p>Officers Present</p> <p>Head of Housing and Development, Private Sector Housing Manager, Project Assistant (Licensing), Democracy Officer</p> <p>Head of Housing and Development – Introduction – Regeneration Presentation on University Technical College – Todmorden Curve (housing offer implications) – Weavers Triangle – Education (good quality hsg offer) – creates demand – Gannow and Queensgate have empty homes clusters – housing association and Private and landlord mix – alleygating/community skips offer</p> <p>e.g. of mix of housing but could have no management, no tenancy agreement, no inventory – tenant ASB – leading to other tenants moving out leaving empty properties</p> <p>If selective licensing was introduced a landlord who is not local to the area would need a local managing agent appointed.</p> <p>Q. L/L out of town – market rate – in cluster – in Trinity Council is cherry picking properties – e.g. corner of Coal Clough Lane or Carter Street 3 bed turned into a 2 bed. Council has sufficient powers already to deal with absentee landlords or those or those failing to maintain properties</p> <p>A. house bought on Dixon Street – dealing with 49 properties – 3 on Westmorland Street / Herbert Street / Pritchard Street – all across the areas</p> <p>Q. houses on Westmorland Street – not that bad anyway – boarding up policy bringing areas down</p> <p>Q. metal boards everywhere in town</p>

	<p>Q. proliferation of boards on front door / windows</p> <p>A. not Council policy to board</p> <p>Q. discussed with Police / poverty is what people learn about Burnley</p> <p>Q. broken window syndrome – degrades the area</p> <p>A. trying to bring empty homes, back into use – not to shutter them</p> <p>Q. signalling a bad area</p> <p>A. private owners also board up</p> <p>Q. want regeneration – boarding up?</p> <p>Q. want to stop people breaking in</p> <p>Q. at the end of 5yr selective licensing in Trinity – have you concentrated on identifying long term vacants? – take Athol St North? – you say you have no money – you have washed your hands of this street</p> <p>A. That is a problem block- within the empty homes cluster funding no demolition is allowed- recognize that particular areas have particular funding restrictions.</p> <p>A. there are other ways looking at empties – need money for demolition</p> <p>Q. have you proved success in Trinity</p> <p>A. Selective licensing money is to fund management of the scheme, fund administration and monitoring of the scheme</p> <p>Q. Athol St – is it too big a problem</p> <p>Q. What are we getting for our money</p> <p>A. Selective licensing does not fund empty properties</p> <p>Q. Selective licensing failed in Trinity – still boarding up – why have an extra bill to fund administration – deal with bad L/L – now paying CT for empty properties</p> <p>A. From Trinity, selective licensing has raised fees of 435K – 301K were employees costs – what are we getting for our money?</p> <p>A. Fees are not capital funding – fees are funding selective licensing – deliver the scheme</p> <p>Q. how has delivery been demonstrated?</p> <p>A. has reduced ASB by 21% years r 2 to 4 – based on no of police complaints</p>
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Q. has there been a reduction as a whole? –has it not dropped in Lancashire??

A. police are saying selective licensing has a direct impact – reduced environmental crime – L/L knowledge has improved – tenants behavior improved – meetings held with tenants and L/L/Police + Council – so tenants stay

Q. my tenants not a problem – vast majority of L/L are responsible – laws in place to deal with ASB – Council Tax payable now – pay for policing with CT – Selective licensing will not contribute to good L/L

Q. Police and Council going to tenants – happens all over Burnley

A. will not happen when L/L won't engage – only selective licensing forces them to engage

Q. accredited L/L also running

A. The legislation is area specific so that all landlords in the drawn boundaries are affected – if accredited as good L/L then L/L get a discount

Q. Trinity successful?

A. Yes and more work for next 5 yrs

A. Deep rooted problems – potential solution is selective licensing designation – know you don't like fees – is set out in legislation – good/bad L/L – some L/L need some support

Q. 20% tax + 2 months rent + costs to maintain – we can't subsidise bad L/L – we can't afford it

A. with selective licensing bad L/L are penalized by not getting a licence

- Prosecuted 16 L/L; 1 for breaches of licence conditions
- had many meetings with L/L
- Can't stop HB payments if L/L is not managing property
- Can and have prosecuted L/L for breaches of poor condition

Q. only 1

A. on top of 120 meetings with L/L for breaches- then understand by training

Q. small percentage bad L/L

Q. 17% Housing stock in Gannow is rented – 1/5 of 17% - so 3% subject to poor management – sledge hammer to crack a nut – good idea to get a reference from previous L/L – not a requirement – got harsh letter – yes is best practice – stated 'in breach of licensing conditions' but had a reference just not from previous L/L.

Q. value for money from Trinity = 120 meetings + 1 prosecution + reduced ASB - how

	<p>many hours + payment has this taken – be more transparent</p> <p>A. publish annual accounts – employees costs</p> <p>Q. paying pensions</p> <p>Q. consultation - designated area? If streets should not be in the area – when will we know?</p> <p>A. consultation ends 5/1/14 – Executive meeting in March – report done end of February 200 L/L have had a questionnaire – you will see the responses– 29 are here</p> <p>Q. legislation – end after 5 yrs?</p> <p>A. British BRE Survey states selective licensing in 5yrs is not long enough to turn around private sector – re-designation – low demand</p> <p>Q. want to quantify effect of 5 yrs Trinity</p> <p>Q. make it compulsory for L/L to attend a meeting</p> <p>A. no</p> <p>Q. Government intervention in private business not a good idea</p> <p>Q. BBC sold off housing stock – now interfering in private property – how get money back from fees?</p> <p>Q. if empty – pay CT – not happy to fund BBC</p> <p>Q. talk to tenants on HB – find out their L/L</p> <p>Q. if BBC paying towards scheme – would they fund it? – not costing BBC anything</p> <p>Q. court case quoted– couldn't charge for certain things in the licensing fees. Raised this at the Executive who didn't ask any further questions.</p> <p>Q. idea commendable – if not cost anything then BBC says fine – outcomes Trinity questionnaire – consultation – exec decided – what happens to housing department if the scheme ends.</p> <p>A. The Housing and Development Unit has many functions in addition to Selective Licensing.</p> <p>Q. quality of BBC management dealing with bad L/L questioned –do not ask good L/L to subsidise it</p> <p>A. we are consulting to get your views</p> <p>Q. just penalize bad L/L</p>
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	<p>Q. tell bad L/L to sort out their bad tenants</p> <p>Q what are the standards</p> <p>A conditions – management – some mandatory and some discretionary standards</p> <p>Q how long have to wait for improvement through selective licensing</p> <p>A tenants say there is poor L/L management</p> <p>Q. problem is poor tenants</p> <p>A. where L/L engage, tenants behavior improves</p> <p>Q. bought Leyland Rd – blaming L/L for wars of the world</p> <p>A. not blaming L/L</p> <p>Q. can't make bad L/L good L/L</p> <p>Q. 29 L/L here need converting</p> <p>Q. certain streets – Carter St is good – who decides which streets – who takes streets out of designation area</p> <p>A. The proposals will not change during the consultation period, any changes will be as a result of the consultation periods. This will then be presented to the Executive with information about number of private rents/ASB/environmental crime/empty properties.</p> <p>Q. too many 2 bed terraced in Burnley – areas of low demand not solved by selective licensing</p> <p>Q. engage with the area – boarding up</p> <p>A. scrap metal is a problem – smart water – private sector L/L are boarding them up – left empty as no capital – bringing in free loans – making several compulsory purchase orders, renovating and selling at market value.</p> <p>Q. BBC making area look like a slum</p> <p>A. need time to secure/renovate – back to low demand – poor standard of properties/unpopular areas/ASB– selective licensing is part solution with cluster programme then more stable /more popular</p> <p>Q. low demand areas not having people there – where are people coming from – too much stock</p> <p>Q. need work – Todmorden Curve improves connections to Manchester</p>
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	<p>Q. draft report - make recommendations to Exec – if tenants say ok 60/70% – vs L/L 95% against</p> <p>A. It will be a balanced decision</p> <p>Q. tenants views</p> <p>Q. to all residents</p> <p>A. have 100's of replies – every house in area!</p> <p>Q. not leaflets to 3 tenants</p> <p>Q. if you asked has ASB lessened in last 5 years? – only 5 people lived in a street for 5 years – not investigation in depth – is a biased study for result you want</p> <p>Q. underlying cause is crime – criminals – need crackdown by Police as well takes long time to evict a lunatic – need control of crime – what are you giving L/L in return – zero tolerance of crime</p> <p>Q. need manager in the area</p> <p>A. fee is license application fee £700</p> <p>Q. cost is £700 – not fit for purpose l/l – go to management agent</p> <p>A. cost for whole process of application – look at licence holder- if out of town also look at manager as to whether fit and proper – application is per property</p> <p>Q. checks on L/L + Manager (fit + proper person)</p> <ul style="list-style-type: none"> - Per property fee - If manager has property in more than one area – 1 property in Trinity – then Gannow – just pay the additional property fee – 1 L/L + 1 prop + 1 prop <p style="margin-left: 40px;">£750 + £620</p> <p>Q. based on streets – if streets come out – estimated fee goes down, number of properties goes down, and staffing goes down</p> <p>A. licensing scheme – 30% reduction good L/L, if application is received in the first 3 months £100 reduction. Blackpool charge £670 as a one off fee, Blackburn £750.</p> <p>Q. Hammersmith charge £150</p> <p>A. L/L and 1 prop is £750 – £13 per month 4 yearly payments – 188 pr yr – accredited £520 – £9 pm – £131 4 yearly payments</p> <p>Q. how become accredited?</p> <p>A. 1 page form – do sample inspection for condition – Housing Health & Safety – need gas safety certificate</p>
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Q. 21 yr lease disallows selective licensing

Q. ask Exec to pay half of the cost of selective licensing

Q. invest then will get good tenants – issue is tenants + no work in Burnley – you are penalizing L/L – fit & proper – is for a person – should apply to all their properties – taking money from L/L to pay for Council jobs – Council needs to be efficient & effective – benefit of £750 + what get for it

A. process + 5 yr of monitoring (referencing)

Q. not proved 5 yr Trinity is cost effective – no of staff and what paid them – need to demolish houses– BBC bought 19 Cola Clough Lane SO cherry picked or significantly improved

A. we are talking to L/L/using CPO

A. 34 Brennand St – vacant 15 yrs – not just good props

Q. ask L/L if they want to buy it

A. we do sell un-renovated - funding criteria includes renovation

Q. urge look at costing – do costing exercise prior to Exec to alleviate some costing – be cut

Q. scheme needs all costs that is being billed?

Q. mechanism to target bad L/L – voluntary registration/nominal registration

A. voluntary registration does not work – had GLAS since 2001 and only good, committed L/L will join.

Q £10 per property – then target ones

Q. justify £750 cost? Where going & what being done? – sent 5 point letter to office

A. will be replied to before end of consultation 5/1/13- will reply

Q. if accreditation works?

A. give 30% reduction to recognize it

Q. Trinity – 5 yr – no input from Police

A. Police have committed to working with BBC
32% L/L agreed for it to carry on

Q. some banks not putting money in for lending in selective licensing areas?

	<p>A. have been mortgages in selective licensing area – no evidence of above re banks – due to isolated structured issues in areas</p> <p>Q. limit is 40/50k anywhere</p> <p>Q. trace bad L/I through DSS payments to tenants</p> <p>Q. value for money</p> <ul style="list-style-type: none"> - write to the Executive - set targets to achieve – eg. Empty houses – need costs and consequences for BBC - key set of performance indicators linked to value for money <ul style="list-style-type: none"> . need to target small no of bad L/L and get them to subsidise the BBC - demolition not necessarily the answer - still have areas of low demand
18. 21/11/13	<p>As the community officer for Gannow and Ightenhill it is an excellent prospect for both the community and Police. I am well aware of the success of the scheme in the Trinity area.</p> <p>Selective Licensing will provide a more robust way of policing the private housing in the area in line with the housing association property. It will improve the way in which tenants are selected which will reduce the amount of anti-social behaviour caused by unsuitable tenants who disrupt the peace and engage in criminality. It will also provide an easier route to deal with any such problems as any property owner will be obliged to assist in any such process. It will also provide a faster more efficient way of identifying property owners when problems arrive to deal with them far sooner.</p> <p>The proposed map in my opinion is suitable and covers the relevant part of the ward where problems already occur and are likely to occur. The area of Ightenhill which includes Bivel st, Penistone street etc is the worst part of the area and needs work to improve. In my opinion the map ought not to be changed as if any areas were to be taken away then that is where any problem tenants would be displaced to. The M65 creates a natural barrier so tenants would try to move from Penistone st to Gannow Lane for example or vice versa if either part was not in the proposed scheme.</p>
19. 19/12/13	<p>Consultation Meeting with the National Landlords Association. Officers explained the background of the Selective Licensing Proposals in relation to the wider regeneration programme. We would like to thank you for giving us your time at our meeting.</p> <p>NLA explained that as an Association they are against licensing but support accreditation. They also explained that they work within the law and Burnley’s proposals seemed to be following the correct Legal process. They do understand the difficulties of the voluntary aspect of accreditation and were pleased that when considering the fee for licensing, the Council looked to give a discount of 30% for accredited landlords. The NLA are looking to help any local authority all we can in regards to accreditation.</p> <p>Discussed the current activity surrounding the licence fee and the charges, discussed the stated cases around the fees being charged. Several law cases which have now become accepted in setting out how the fees should be lawfully constructed. Discussed previous fees which included the cost of training. As a result of the stated cases NLA feel that this is not sustainable, BBC informed NLA that the Hemming v Westminster case is being assessed by your legal department.</p>

	<p>Discussed conditions and subsequently the conditions attached to the licenses have been amended.</p> <p>Discussed how BBC measure the success of these schemes, explained that in the Trinity area BBC have monitoring targets that will measure the reduction in ASB and the number of empty properties brought back into use.</p> <p>NLA felt that BBC could not judge success or failure with ASB if case is on low demand. Success has to be relevant to the demand in that area. NLA have found that they cannot get from local authorities a vision/measure of their success. NLA get statements of the levels of reductions in ASB but, for wide range of reasons, it cannot be pin pointed down to licensing. They would very much like to have this as it may show that licensing was the way forward if they could get proof that success was directly contributed to licensing.</p> <p>NLA stated that there should be statements at the start that could be verified at the conclusion. Empty properties and ASB go hand in hand but empty properties are not a landlord problem.</p> <p>NLA explained that it would be very helpful if at the beginning of the scheme what, as a local authority we would be expecting to happen, and how it will be monitored over the 5 years.</p>
11/02/14	<p>Specifically in relation to the streets north of Padiham Road: Ward Councillors: “Lark Street, Plover Street and the Tabor Street are should be included, there is a lot of rented properties in this area and at times become problems”.</p> <p>“There have been some incidents of ASB related to tenants” “My understanding from the tenant of a shop on Padiham Road is that the tenant in the flat above was known for ASB. No xxx Claremont Street had tenants who were unruly causing disturbance at night, I think they have now moved. There is no xxx that has been empty for years. There is a bail house on Padiham Road- where there has been problems. The multi agency should aid any complaints regarding this particular house. I think the potential is there for selective licensing to be an advantage for this area. The residents at the meeting did seem keen on the idea”.</p> <p>“As we are saying Gannow is having Selective Licence then I think it should be all the Ward then people will not be confused that are We in or out ? Also that Lark,Tabor,Plover Street have rented properties and that just because at the moment ASB is down does not say that it will be that way forever. So please include it as well as any other area of the Ward with Rented Properties”.</p>