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| Name of the activity being assessed | Selective licensing in the extended Darwen area | | | | |
| Directorate / Department | Localities, Housing and Prevention | Service | Housing Standards | Assessment lead | S. MacAlister |
| Is this a new or existing activity? | <input type="checkbox"/> New <input checked="" type="checkbox"/> Existing | Responsible manager / director for the assessment | | P. Cooke | |
| Date EIA started | 14/09/2016 | Implementation date of the activity | | May 2017 | |

SECTION 1 - ABOUT YOUR ACTIVITY

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| How was the need for this activity identified? | <p>Selective licensing was introduced under Section 80 of the Housing Act 2004 giving local authorities the power to require all privately rented housing in a defined geographical area to be licensed if an area suffers from low housing demand and/or significant and persistent anti-social behaviour. It also has to be shown to be a key component of a local area based approach by being joined up with other Council and partner interventions.</p> <p>The Darwen area is an area of low housing demand with a high proportion of privately rented houses which has had a lot of investment to renovate houses in poor condition. There is ongoing investment in building new homes in the area. The purpose of Selective Licensing is to regulate standards of property management in the private rented sector and tackle issues of crime and antisocial behaviour.</p> <p>We have seen a positive change in the Central Darwen area since its designation in 2009. This provides positive encouragement that the policy is making a difference. Whilst good progress has been evidenced there is further work to do to ensure that there is a sustained improvement.</p> |
| What is the activity looking to achieve? What are the aims and objectives? | <ul style="list-style-type: none"> • A continuation of the improvement in the management of the privately rented dwellings within the area. • Regulation of the management of the privately rented stock resulting in an improvement in the behaviour of the residents and the landlords. • Landlords taking more interest in their tenants and the area, resulting in an improvement in both the physical condition of the privately rented stock and the environment. |
| Services currently provided (if applicable) | There are two current Selective Licensing Areas within BwD. Part of the area being proposed was a Selective Licensing area previously but has now ended. This is a proposal to re-designate and extend the previous area to continue the education and regulation of the landlords using the powers available under this legislation. |
| Please outline recommendations that have been identified for implementation following a review of the activity. | <p>The Government has introduced changes to the mandatory conditions (http://www.legislation.gov.uk/ukdsi/2015/978011133439/contents) and the Council has modified the discretionary conditions to improve the information landlords provide to new tenants, to ensure waste receptacles are provided at the beginning of each tenancy and to provide information at the change of tenancies and regular recorded checks of the property. More information is to be provided to landlords to assist them in their role.</p> |

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| Type of activity | <input type="checkbox"/> Budget changes | <input type="checkbox"/> Decommissioning | <input type="checkbox"/> New activity |
| | <input type="checkbox"/> Change to existing activity | <input type="checkbox"/> Commissioning | <input checked="" type="checkbox"/> Other [Redesignation and extension] |

SECTION 2 - UNDERSTANDING YOUR CUSTOMER

Who else will be involved in undertaking the equality analysis and impact assessment?

Please identify additional sources of information you have used to complete the EIA, e.g. reports; journals; legislation etc.

- Housing Act 2004 and associated guidance. <http://www.legislation.gov.uk/ukpga/2004/34/contents>
- Approval steps for additional and selective licensing designations in England
<http://webarchive.nationalarchives.gov.uk/20120919132719/http://www.communities.gov.uk/documents/housing/pdf/154091.pdf>
- Selective licensing in the private rented sector: a guide for local authorities <https://www.gov.uk/government/publications/selective-licensing-in-the-private-rented-sector-a-guide-for-local-authorities>
- Improving the private rented sector and tackling bad practice: a guide for local authorities <https://www.gov.uk/government/publications/improving-the-private-rented-sector-and-tackling-bad-practice-a-guide-for-local-authorities>

Who are you consulting with? How are you consulting with them? (Please insert any information around surveys and consultations undertaken)

An interdepartmental and multi-agency workshop was held to obtain ideas for improvements to the scheme.

Ward members, landlords, managing agents, landlord associations, registered social landlords and all residents both within the proposed area and within the area around the proposed area have been consulted and provided with questionnaires to complete.

Drop in events were organised at Darwen Valley Community Centre for Tuesday 20th September 2016 and Wednesday 5th October 2016, 2pm – 7pm.

The landlords were mainly against redesignation of the area and the residents and ward members were predominantly in support. More of the residents felt that the area had got worse over the previous 5 years than felt it had improved. The majority of residents felt that various types of antisocial behaviour were a problem although rubbish dumping and people not treating others with respect and consideration were the biggest problem. Fewer landlords said they had experienced problems with their tenants as those who had not.

The consultation ended on Friday 25th November 2016.

The full results are set out in the Darwen Selective Licensing Designation report.

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| Who does the activity impact upon?* | Service users | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Indirectly | | | |
| | Members of staff | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input checked="" type="checkbox"/> Indirectly | | | |
| | General public | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Indirectly | | | |
| | Carers or families | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Indirectly | | | |
| | Partner organisations | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input checked="" type="checkbox"/> Indirectly | | | |
| Does the activity impact positively or negatively on | Positive impact (all impacts will be | <input checked="" type="checkbox"/> Age | <input checked="" type="checkbox"/> Disability | <input checked="" type="checkbox"/> Gender reassignment | <input checked="" type="checkbox"/> Marriage & Civil Partnership | <input checked="" type="checkbox"/> Pregnancy & maternity | <input checked="" type="checkbox"/> Vulnerable groups |

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| any of the protected characteristics as stated within the Equality Act (2010)?* The groups in blue are not protected characteristics (please refer to p. 3 of the guidance notes) | indirect) | <input checked="" type="checkbox"/> Race | <input checked="" type="checkbox"/> Religion or belief | <input checked="" type="checkbox"/> Sex | <input checked="" type="checkbox"/> Sexual orientation | <input checked="" type="checkbox"/> Deprived communities | <input checked="" type="checkbox"/> Carers |
| | Negative impact | <input type="checkbox"/> Age | <input type="checkbox"/> Disability | <input type="checkbox"/> Gender reassignment | <input type="checkbox"/> Marriage & Civil Partnership | <input type="checkbox"/> Pregnancy & maternity | <input type="checkbox"/> Vulnerable groups |
| | | <input type="checkbox"/> Race | <input type="checkbox"/> Religion or belief | <input type="checkbox"/> Sex | <input type="checkbox"/> Sexual orientation | <input type="checkbox"/> Deprived communities | <input type="checkbox"/> Carers |
| | Don't know | <input type="checkbox"/> Age | <input type="checkbox"/> Disability | <input type="checkbox"/> Gender reassignment | <input type="checkbox"/> Marriage & Civil Partnership | <input type="checkbox"/> Pregnancy & maternity | <input type="checkbox"/> Vulnerable groups |
| <input type="checkbox"/> Race | | <input type="checkbox"/> Religion or belief | <input type="checkbox"/> Sex | <input type="checkbox"/> Sexual orientation | <input type="checkbox"/> Deprived communities | <input type="checkbox"/> Carers | |

*If no impact is identified on any of the protected characteristics a full EIA may not be required. Please contact your departmental Corporate Equality & Diversity representative for further information.

| Does the activity contribute towards meeting the Equality Act's general Public Sector Equality Duty? Refer to p.3 of the guidance for more information <i>A public authority must have 'due regard' (i.e. consciously consider) to the following:</i> | |
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| DUTY | DOES THE ACTIVITY MEET THIS DUTY? EXPLAIN |
| Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act <i>(i.e. the activity removes or minimises disadvantages suffered by people due to their protected characteristic)</i> | Selective licensing ensures that residential areas become cleaner, safer, cohesive and settled. This improved cohesion directly relates to improved relations between all residents including those from a protected background. |
| Advance equality of opportunity between those who share a protected characteristic and those who do not <i>(i.e. the activity takes steps to meet the needs of people from protected groups where these are different from the needs of other people)</i> | By inspecting all licensed properties and ensuring they meet necessary standards properties will be of a higher quality for potential residents, as a result of this they are much more likely to meet the needs of a greater number of people. |
| Foster good relations between people who share a protected characteristic and those who do not <i>(i.e. the function encourages people from protected groups to participate in public life or in other activities where their participation is disproportionately low)</i> | The benefits of selective licensing in this area will extend to all residents regardless of characteristics. Working with the local residents' group will help to foster good relations between tenants and other residents by encouraging tenants to participate in the residents' group. A number of the people living in the privately rented sector are vulnerable, encouraging these people to participate in an active resident group will improve their representation within the community and provide a platform for which their voices can be heard. |

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| ASSESSMENT | Is a full EIA required? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Please explain how you have reached your conclusion (<i>A lack of negative impacts must be justified with evidence and clear reasons, highlight how the activity negates or mitigates any possible negative impacts</i>) | | | |
| <p>It is anticipated that the implementation of selected licensing would have a positive impact on all regardless of the protected groups, nevertheless, protected groups may, in addition, indirectly benefit from this activity. The designation of the area as a Selective licensing area requires landlords to produce evidence that safety checks on the electrical and gas services have been carried out and landlords are advised that the properties will be inspected without the need to receive a complaint from the tenant. This means the tenancies are not put at risk by the tenant complaining thus having a positive impact on tenants. Following inspections landlords are required to carry out any repairs thus improving the condition of the properties and hence having a positive impact on the tenants. Landlords who have owned properties within the previous area for more than two years would be aware of the scheme as this is a re-designation of a previous scheme and all previously licensed landlords in this area have been consulted. Landlords of properties in the extended area have been identified from Council tax records and contacted with a questionnaire.</p> <p>Where inspections are carried out this will identify possible safeguarding issues and enable referrals to provide support for vulnerable people living there. It will prevent landlords being able to take advantage of vulnerable people. The potential reduction in anti-social behaviour is also likely to impact positively on the community as a whole regardless of protected characteristic.</p> <p>As no negative impacts have been identified it is not considered that a full EIA is required for this activity. Regular inspections will help to ensure that any issues are identified and action is taken in order to mitigate impact.</p> | | | |

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| Assessment Lead Signature | Signature redacted for online version | Date | 25/01/2017 |
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