

Agenda Item No:	5	
Committee:	Overview & Scrutiny Panel	
Date:	04 April 2016	
Report Title:	Selective Licensing Scheme for Wisbech	

Cover sheet:

1 Purpose / Summary

To update the Overview and Scrutiny panel on the Selective Licensing consultation and process to date.

2 Key issues


- Cabinet approved for consultation the draft Selective Licensing Scheme and conditions during the meeting on 21 January 2016
- A comprehensive consultation exercise is currently being undertaken with the community, partners and other stakeholders on implementing a Selective Licensing Scheme in Wisbech and a further findings report will be submitted to Cabinet in June 2016

3 Recommendations

- Members are asked to note the consultation responses received to date
- Members are asked to note any emerging themes arising from the consultation
- Members are asked to provide an overview of the selective licensing proposals.

Wards Affected	Wisbech Town Wards
Forward Plan Reference	
Portfolio Holder(s)	<p>Cllr Will Sutton, Portfolio Holder for Neighbourhood Planning, wsutton@fenland.gov.uk</p> <p>Cllr David Oliver, Portfolio Holder for Community Safety and Heritage, doliver@fenland.gov.uk</p>
Report Originator(s)	<p>Dan Horn, Head of Housing & Community Support, dhorn@fenland.gov.uk, 01354 622470</p> <p>Sarah Gove, Housing and Communities Manager, sgove@fenland.gov.uk, 01354 622372</p>

Contact Officer(s)	Richard Cassidy, Corporate Director, richardcassidy@fenland.gov.uk , 01354 622300 Dan Horn (details above) Sarah Gove (details above)
Background Paper(s)	Cabinet report 21 January 2016 – Selective Licensing Scheme for Wisbech

Agenda Item No:	9	
Committee:	Cabinet	
Date:	21 January 2016	
Report Title:	Selective Licensing Scheme for Wisbech	

Cover sheet:

1 Purpose / Summary

- To consider commencing a 10 week consultation on a proposal to implement a Selective Licensing Scheme in Wisbech

2 Key issues

- Operation Pheasant was formed in September 2012 by Cambridgeshire Police and Fenland District Council. The partnership expanded to include Cambridgeshire Fire and Rescue and Gangmasters Licensing Authority
- From intelligence following that initial work, in November 2012 the Operation Pheasant Task Force group was formed adding to the partnership the National Crime Agency, Immigration Enforcement and HM Revenues & Customs.
- The purpose of Operation Pheasant is to tackle exploitation, associated criminal activity, poor management practice and property conditions within the private rented sector.
- This work had led to intelligence gathering via voluntary questionnaires completed on multi agency home visits to privately rented properties in Wisbech, which has in turn identified a host of issues including organised crime, exploitation, fraud, sham marriages and human trafficking.
- Between September 2012 and April 2015, there were 76 cases of human trafficking referred to the National Referral Mechanism. The National Referral Mechanism is a process where individuals who are believed to have been subjected to human trafficking are given specialist advice and support to come to terms with the abuse they have suffered and start to re build their lives out of the area.
- There is evidence of extensive criminal activity coordinated between rogue Gangmasters and rogue landlords providing temporary homes for workers identified. This includes facilitating overcrowded properties, with safety hazards including no smoke detection, exposed wiring, blocked means of escape, damp and mould, tenancy issues including harassment and illegal eviction.
- Any Local Housing Authority has the ability to implement a Selective Licensing Scheme utilising the Housing Act 2004 in the private rented sector where local circumstances meet one or more of a set criteria of issues.
- Selective Licensing Scheme makes it mandatory for any private rented property in the designated area to be licensed to ensure it meets criteria of standard for a license.

- Guidance was revised on how to implement such a scheme in March 2015. The revised criteria and guidance reflected learning by Central Government on the private rented sector which included evidence from the Wisbech private rented market (the 7 wards of Wisbech – see map at Appendix A)
- The report sets out:
 - why consideration for a Selective Licensing Scheme is needed
 - why maintaining the status quo and other licensing schemes will not enable the Council and partners to bring the management and maintenance of the homes up to legal standards
 - how the private rented sector in Wisbech meets the criteria set out in national guidance for a Selective Licensing Scheme relating to Anti Social Behaviour / High Levels of Crime, Poor Property Conditions, High Level of Deprivation
 - that no other area of Fenland meets the criteria for the scheme
- The work of Operation Pheasant and the Rogue Landlord programme has been a key element in bringing forward this proposal for consideration.
- The proposal has the backing of the Police who identify the private rented sector in Wisbech as a house tenure that contributes to exploitation of the migrant community and high levels of crime.
- The cost of a license is based on full cost recovery. The license would last for 5 years. The cost is £575 for a single household let and £750 for a House in Multiple Occupation.
- Recognising the work underway with the Comprehensive Spending Review the Council explored if there would be efficiencies through a shared service arrangement with an adjacent Council. However the conclusion was that there were no significant efficiencies that would reduce the licence fee.
- The scheme helps support a range of broader strategic priorities and initiatives in the town, for example Wisbech 2020.
- Prior to commencement of the scheme Secretary of State approval will be required.
- It is important to note that the council will continue to enforce similar housing standards in the other areas of the District, outside of the proposed scheme. The difference is that there is a need to improve standards on a proactive basis for private rented properties in Wisbech due to the extent of problems found, whilst in the rest of the district the Council will generally ensure standards are delivered on a reactive basis, where issues arise.

3 Recommendations

Cabinet are asked to:

- Note the evidence set out in the report establishing the need for a Selective Licensing Scheme in Wisbech.
- Approve for consultation the draft selective licensing scheme and the conditions as set out in Appendix F and G.
- Note that a comprehensive consultation exercise will be undertaken with the community, partners and other stakeholders on implementing a Selective Licensing Scheme in Wisbech and a further findings report will be submitted to Cabinet in June 2016.

Wards Affected	Wisbech Town Wards
Forward Plan Reference	
Portfolio Holder(s)	<p>Cllr Will Sutton, Portfolio Holder for Neighbourhood Planning, wsutton@fenland.gov.uk</p> <p>Cllr David Oliver, Portfolio Holder for Community Safety and Heritage, doliver@fenland.gov.uk</p>
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Background Paper(s)	

1 Background / introduction

1.1 The Housing Act 2004 and revised guidance issued in March 2015 gives councils the power to introduce Selective Licensing schemes for privately rented properties in selected areas. The purpose of such schemes are to improve standards of property management in the private rented sector. If a landlord rents a property in a Selective Licensing area they will need to obtain a licence from the Council. Selective licensing will form part of a wider set of measures that seek to address issues within the private rented sector associated with anti social behaviour and low demand. A selective licensing designation may be made if the area to which it relates satisfies one or more of the following conditions:

- Low housing demand (or is likely to become such an area)
- Anti social behaviour
- High level of crime
- Poor property conditions
- High levels of migration
- High level of deprivation

The following paragraphs sets out these conditions in more detail:

1.2 Low housing demand looks at:

- the value of residential premises in the area, in comparison to the value of similar premises in other areas which the authority considers to be comparable (whether in terms of type of housing, local amenities, availability or transport).
- The turnover of occupiers of residential premises (in both rented and owner occupied properties)
- The number of residential premises which are available to buy or rent, and the length of time for which they remain unoccupied.
- The general appearance of the locality and the number of boarded up shops and properties.

1.3 Anti-Social Behaviour can include but is not limited to:

- intimidation and harassment of tenants or neighbours
- noise, rowdy and nuisance behaviour affecting persons living or visiting the vicinity,
- animal related problems
- vehicle related nuisance
- anti-social drinking or prostitution
- illegal drug taking or dealing
- graffiti and fly posting
- litter and waste within the curtilage of the property.

1.4 High levels of crime:

- The local housing authority should consider whether the criminal activities impact on some people living in privately rented accommodation as well as others living in the areas and businesses therein;
- the nature of the criminal activity, e.g. theft, burglary, arson, criminal damage, graffiti

- whether some of the criminal activity is the responsibility of some people living in privately rented accommodation.

1.5 **Poor property conditions consider the following factors:**

- age and visual appearance of properties in the area and that a high proportion of those properties are in the private rented sector,
- whether following a review of housing conditions under Section 3(1) of the 2004 Act the authority considers a significant number of properties in the private rented sector need to be inspected in order to determine whether any of those properties contain category 1 or 2 hazards. In this context, 'significant' means more than a small number, although it does not have to be a majority of the private rented stock in the sector. It would not be appropriate to make a scheme if one or a few individual properties needed attention.

1.6 **High levels of migration:**

- Migration refers to the movement of people from one area to another.
- It includes migration within a country and is not restricted to migration from overseas.
- a selective licensing designation can be made, as part of a wider strategy, to preserve or improve the economic conditions of the area to which migrants have moved and ensure people (including migrants) occupying the private rented properties do not live in poorly managed housing or unacceptable conditions.
- In considering whether an area is experiencing, or has experienced, high levels of migration, the local housing authority will want to consider whether the area has experienced a relatively large increase in the size of the population over a relatively short period.
- In assessing this, the local housing authority should consider whether net migration in to the designated area has increased the population of the area. Government suggest a population increase of around 15% or more over a 12 month period would be indicative that the area has or is experiencing a high level of migration into it. The designated area must contain a high proportion of privately rented properties with a significant number of migrants to the area occupying them.

1.7 **High levels of deprivation:**

- the local authority considers:
 - the employment status of adults,
 - the average income of households,
 - the health of households,
 - the availability and ease of access to education, training and other services
 - as well as this in terms of households: housing conditions, the physical environment and levels of crime.

1.8 Taking the criteria for Selective Licensing into account it is considered that within the town of Wisbech (See map at Appendix A for proposed licensing area) the following criteria are met:

- Anti Social Behaviour Criteria and High Level Of Crime
- Poor Property Conditions
- High levels of deprivation

Wisbech also meets elements of the criteria:

- High levels of migration

- 1.9 Alongside this, the work from projects such as Operation Pheasant and Rogue Landlord fund shows that there is a lot of support needed to ensure landlords take appropriate action to combat problems
- 1.10 Selective Licensing is seen as the next step in supporting the one team multi agency partnership of Operation Pheasant that has been working to tackle issues from the private rented sector. This partnership has recognised that the resource required to get on top of the issues in the private rented sector is significant for the town of Wisbech and that all available powers are required to improve the management and maintenance of this housing sector to support broader strategic objectives for the town linked to Wisbech 2020.

2 Options appraisal

2.1 Looking at available Housing legislative powers there are 3 options to consider:

- Status Quo
- Implementation of an “additional licensing scheme”
- Implementation of a “selective licensing scheme”

2.2 Status Quo:

- The work of Operation Pheasant highlighted that whilst having a positive effect; it is a reactive service and is not reducing the issues being unearthed through intelligence gathering. It is seen as a containment exercise and that more regulatory powers need to be exercised to enable the partnership to get in control of the issues identified.
- The Council currently implements a national mandatory license scheme in accordance with the 2004 Housing Act to all 3 storey properties housing 5 or more people. However, across the whole of Fenland this currently amounts to just 13 properties that meet the mandatory license scheme criteria.
- Some additional resources have been provided to help tackle problems within the private rented housing sector by the Department of Communities and Local Government (DCLG) under the national “Rogue Landlord programme” (see paragraph 3.28) although the funding scheme came to an end this year.
- The council has considered alternatives to selective licensing. The Council has previously encouraged landlords and lettings agents to work to good practice models. A landlord forum has been established to work through issues and concerns. Information on landlord responsibilities are published on our website and an event with the National Landlords Association has been held to share good practice and to provide independent support and guidance. However significant problems remain in Wisbech.

2.3 Implementation of an “additional licensing scheme”

- An additional licensing scheme requires all properties which are privately rented to 3 or more people who form 2 or more households (Houses in Multiple Occupation) to be licensed with the Council.
- Peterborough City Council implemented this scheme in 2009 in part of their City. Unfortunately, in the following 4 years it has been reported that they have only managed to license around 55 properties, with a significant time and resource taken to prove that any property met the criteria to warrant a license. A key issue Peterborough identified was that following an inspection which suggested a property was an HMO, a landlord would then take action to claim it was now only a private rented single household property and therefore would not require a licence. Peterborough also found situations where occupants claimed they were all family related and therefore not meeting the HMO definition. Therefore, because the

problem moved around the City and was not resolved, Peterborough are also considering a similar Selective licencing scheme.

- The same problem in Fenland has been witnessed by Officers undertaking inspections through Operation Pheasant. In essence the problem moves to another property then the same property gets used again once the multi agency focus moves away from it.
- If you license all properties in the private rented sector no matter what type, this issue cannot arise.

2.4 Implementation of an “Selective Licensing Scheme”

- Implementing a selective licensing scheme means that there is no risk of having an expensive and resource intensive process of proving if a property meets the scheme requirements, as it incorporates all private rented within the defined area. Although this may appear onerous, it has been demonstrated to raise property standards in the areas it has been introduced.

3 Evidence to implement a “Selective Licensing scheme” in Wisbech

- 3.1 The following sections explain how the Private Rented Sector housing market in Wisbech meets the Selective Licensing criteria relating to Anti Social Behaviour and High Levels of Crime, Poor Property Conditions and High Levels of Deprivation. The evidence base will be further refined as part of the consultation exercise.
- 3.2 Although there is no quantitative evidence available to demonstrate sufficiently high levels of migration to meet the licensing criteria, it is considered that migration levels in Wisbech are an important contributing factor to the other qualifying criteria.
- 3.3 **Anti Social Behaviour and High Levels of Crime**
- 3.4 In September 2012, the Council and Cambridgeshire Constabulary recognised a rise in migrant rough sleeping and food related shop lifting in Wisbech. On investigation and with input from the local voluntary sector organisations, it was discovered that both issues were linked to the private rented sector in Wisbech.
- 3.5 Joint property inspections commenced under the banner of Operation Pheasant. Intelligence was gathered by the Police and the Council. Overcrowding was discovered in both houses in multiple occupation (HMO) and family rented homes, often in a poor and dangerous condition.
- 3.6 Also discovered were cases of harassment including threats and violence and illegal eviction resulting in homelessness. There is evidence of exploitation in the form of stolen deposits, stolen papers, no tenancy agreements or rent payment receipts, extortionate rents being charged, loans taken out in people’s names without their knowledge, fraud, and human trafficking.
- 3.7 There are a number of issues that regularly face migrant workers who come to Wisbech to work. Rogue Gangmasters take on rented properties from property agents and sub-let them. Migrant workers are housed in them, very often in very poor, overcrowded conditions. The purpose of this is to make money from vulnerable people for their own gain.
- 3.8 The exploitation can include having your passport removed by rogue Gangmasters. Wages are often paid to workers in cash to avoid payment of tax and without payslips, often with a third party taking a slice of the money for themselves. Penalties such as deductions of money received due to a range of bogus issues are also common, leaving the worker vulnerable and unable to see a way forward without help.
- 3.9 Due to the magnitude of these highly complex issues there is often an impact on neighbouring properties, a multi agency task force was formed called Operation

Pheasant which added new partners including the Gangmaster Licensing Authority, Home Office Immigration Enforcement, Cambridgeshire Fire & Rescue and HM Revenues & Customs.

- 3.10 The underlying issue related to individuals who were entitled to work in the UK, coming to Wisbech on a promise of a better life and suffering at the hands of rogue property agents and unlicensed Gangmasters, profiteering from vulnerable people with no other focus than to make money out of them, irrespective of migrant workers safety and wellbeing.
- 3.11 There is a plentiful supply of cheap accommodation to rent in Wisbech which in some cases is in poor condition and badly managed. There is often collusion between rogue landlords/agents and unlicensed Gangmasters resulting in exploitation.
- 3.12 In October 2013, in response to evidence of exploitation in Fenland that was unearthed through the work of Operation Pheasant, the Police and Gangmaster Licensing Authority led on a multi agency approach called Operation Endeavour supported by the Council, the National Crime Agency, HM Revenues & Customs, Immigration Enforcement, the Salvation Army and Red Cross.
- 3.13 The purpose of this operation was to tackle migrant exploitation and fraud. The operation, the largest of its kind in the county, resulted in:
 - 10 arrests, two of which were remanded in custody and 4 subsequent convictions
 - 3 Gangmasters had their licences removed,
 - 10 company vehicles were seized.
 - The operation also included the delivery and running of a reception centre in Wisbech which was open for 3 days in total. A total of 82 workers and their children were brought to the reception centre. Of those 82 people 39 went in to the National Referral Mechanism.
- 3.14 Property inspections and intelligence gathering has continued as part of the work of Operation Pheasant, and appropriate enforcement action, however, due to the magnitude of the issues, it is not sustainable without the use of additional available powers to tackle the root cause of exploitation, namely poor property conditions and poor management which lead to exploitation and other associated criminal activity.
- 3.15 The work of Operation Pheasant, the Rogue Landlord Programme (see poor property conditions section) and Operation Endeavour has led to the work in Wisbech being considered by national government to inform guidance and policy making
- 3.16 Steven Barclay MP has been supportive of Council's efforts to tackle the issue of exploitation within the private rented sector and the work of Operation Pheasant. This was outlined in a letter of support for the bid the Council made to the Rogue Landlords Programme (see Appendix B).
- 3.17 The Council received a visit from government officials from DCLG in May 2013. The purpose of the visit was to see first hand the extent of the issues vulnerable people are facing in Fenland.
- 3.18 There have been a number of subsequent visits and presentation to central government departments including Housing & Immigration Ministers, the Migration Advisory Committee and the Permanent Secretary for the Home Office, to understand the good practice approach being taken in Fenland. The Operation Pheasant team have also presented at a Home Office Serious & Organised Crime event to highlight the learning for other areas in tackling serious and organised criminal activity including exploitation and links to the private rented sector in Wisbech. This work has influenced the Governments' development of the revised Selective Licensing guidance and criteria that was released in March 2015.

3.19 The Fenland Commander Mike Hills has written a note of support (see Appendix C) in which concern is raised as to how this housing sector has contributed to issues of concern relating to ASB and Crime and how implementing a selective licensing scheme will assist with tackling crime and disorder.

3.20 Poor Property Conditions

- Appendix D highlights Census data trends in property tenure between 2001 and 2011. Key aspects regarding the tenure change:
 - In 2011, 21.61% of the private rented sector in Fenland is in the town of Wisbech (2071 properties)
 - The private rented sector has nearly doubled in 10 years in Wisbech (1054 private rented properties in 2001, 2071 private rented properties in 2011).
 - The private rented tenure has overtaken the number of social rented properties over the 10 year period (1865 social rented in 2001, 1948 social rented properties in 2011).
 - In the 7 Wisbech town wards the increase in the private rented sector has been between 58% in Staithe and 135% in Hill.
 - Over the 10 year period, 7 wards in Fenland had a reduction in owner occupied tenure, 6 of those wards are in Wisbech. The only ward in Wisbech not to have a reduction in owner occupied sector was Peckover ward (0%).
 - Appendix D does show a significant proliferation in the private rented sector across the whole district. However the management and condition of this sector in Wisbech differs greatly to that of the rest of Fenland. This is due to the prominence of Houses in Multiple Occupation making up the private rented sector and the proliferation of this sector in Wisbech to meet the economic needs of businesses locally to provide accommodation for economic migrants coming from EU countries (predominantly central and eastern Europe).
 - In 2009 the Council's Private Sector Stock Condition Survey referenced 93.2% of the districts HMO profile is in Wisbech.

3.21 The table below summarises council activity to tackle through prevention, intervention and enforcement of property conditions and management complaints.

Table 2 FDC Private Sector Housing Condition and Management complaints data

Year	Wisbech Private Rented	March Private Rented	Chatteris Private Rented	Whittlesey Private Rented	Villages Private Rented	HMO (predominantly Wisbech)
2010 /11	45	28	22	18	19	74
2011/12	66	32	15	25	18	21*
2012/13	79	36	32	23	13	36*
2013/14	72	33	11	14	22	102
2014/15	80	33	10	15	20	197
Total	361	175	92	100	98	467

*an additional 200 HMO's investigated through Migrant Impact Funding project

These statistics do not include the outcomes of the Rogue Landlord Fund activity where there were 487 additional HMO visits to Wisbech addresses between January 2014 and March 2015.

3.22 The table above highlights:

- That Wisbech is by far the most resource intensive area for addressing issues around housing management and condition issues relating to the private rented sector

- That there is a problem relating to management and condition in the private rented sector that goes beyond purely HMO type of accommodation.

3.23 At the end of December 2013, the Council received notification that we had been successful in receiving £179,000 from CLG's Rogue Landlord programme to increase activity in tackling issues arising from the private rented sector. The Council was one of only 23 Local authorities to receive the funding and received the 6th highest funding allocation.

3.24 This success evidences the concern nationally there is with regard to the situation in Wisbech and the private rented sector. One of the criteria relating to the funding submission was to explain how the funding could help deliver a sustainable solution to the problem in the medium to long term, which identified that a sustainable solution could be achieved through the implementation of a selective licensing scheme. Between January 2014 and April 2015 the Rogue Landlord programme was delivered through Operation Pheasant. It conducted inspections on 487 Houses in Multiple Occupation.

From these inspections:

- 211 Category 1 hazards in accordance with the Housing Health and Safety Rating System (for example defects relating to inoperative boilers, poor electrical safety and absence of smoke detection) were removed.
- 386 Category 2 hazards (for example damp and mould growth, unsafe stairs & breach of security were removed).
- Action taken to eliminate 175 cases of overcrowding
- 243 Notices under Section 235 of the 2004 Housing Act & Town & Country Planning Act 1990, Section 330 notices were served on landlords and agents to provide information or carry out improvements to private rented accommodation in Wisbech
- 30 enforcement notices under Section 11 & 12 of the 2004 Housing Act and Planning Contravention Notices under Section 172 of the 1990 Town & Country Planning Act
- 6 premises were closed down using powers under the Miscellaneous Provisions Act 1976, Section 29
- There were 195 cases where poor management issues were addressed involving illegal eviction and harassment of tenants.

3.25 There have been examples of issues within the private rented sector where property owners are unaware that their homes are being used as HMO without their consent.

3.26 Through the work achieved on Operation Pheasant we have seen several owners of properties converting back to single occupancy use and/or moving to alternative property agents.

3.27 There have been many examples of workers who have been illegally evicted and made homeless when work dries up or they are no longer needed for work. The Council has seen an increase in rough sleeping which has been tackled by the Council and partner agencies. There have been 56 individuals who have been voluntarily repatriated in between October 2012 and June 2015. This has had a knock on effect for the broader community where rough sleeping is more visible.

3.28 Over 3000 voluntary questionnaires have also been completed by the Operation Pheasant team during home visits, this face to face approach has worked as it has been historically difficult to engage and build trust with the migrant population. Advice is given in relation to fraud, exploitation, property condition and workers rights. Workers have come forward to the Council and Police as a result of this approach with their concerns to inform crime investigations as highlighted above.

- 3.29 The work of Operation Pheasant has evidenced to partners involved that the housing is the root cause of the illegal activity undertaken. Without an effective licensing scheme the Operation will not be able to gain control of the situation. The Police have highlighted that they expect all partners to use all powers available to them to enable to gain control of the situation.
- 3.30 Local advice services in Wisbech see roughly 525 people from Central and Eastern Europe per month needing information, advice and guidance. Increasingly new residents moving to the area are unskilled individuals migrating from small rural villages in central and Eastern Europe who do not speak English. Many of these individuals have come to Wisbech on the promise of work and inflated fictitious salaries that are available.
- 3.31 Appendix E details an example case study from the work to help give flavour to some of the issues unearthed from Poor Property Conditions.
- 3.32 **High Levels of Deprivation – Indices of Multiple Deprivation**

Cambridgeshire Acre have undertaken an analysis of Wisbech in comparison with Fenland, East Of England and England. The domains looked at included:

- **Employment** – any member of the household not a full time student is either unemployed or long term sick.
- **Education** - no person in the household has at least level 2 education, and no person aged 16-18 is a full time student
- **Health and disability** – any person in the household has general health bad or very bad or had a long term health problem
- **Housing** – household’s accommodation is either overcrowded, with an occupancy rating of -1 or less, or is in a shared dwelling, or has no central heating

Table 3 below demonstrates levels of deprivation in Wisbech when compared to Fenland, East of England and England:

Table 3 Comparison of deprivation between Wisbech, Fenland East of England and England (2011)

Households	Wisbech	Fenland	East of England	England
Households is Not Deprived in any Dimension (Households)	2,723 28.4%	14,722 36.2%	1,084,585 44.8%	9,385,648 42.5%
Household is Deprived in 1 Dimension (Households)	3,434 35.8%	14,027 34.5%	799,157 33.0%	7,204,181 32.7%
Household is Deprived in 2 Dimensions (Households)	2,584 27.0%	9,539 23.5%	434,169 17.9%	4,223,982 19.1%
Household is Deprived in 3	765 8.0%	2,163 5.3%	95,983 4.0%	1,133,622 5.1%

dimensions (Households)				
Household is Deprived in 4 Dimensions (Households)	77 0.8%	169 0.4%	9,141 0.4%	115,935 0.5%

The table clearly shows Wisbech to be deprived in the context of the district, the region and England. In summary Wisbech is in the top 20% most deprived communities in the country.

4 Proposed operation of the Selective Licensing Scheme:

- 4.1 Appendix F sets out the proposed Licensing Scheme for Landlords and Managing Agents. Appendix G sets out the licence conditions of the scheme which would help address the issues highlighted above in a proactive rather than reactive way. It requires the landlord to take appropriate reasonable action if their tenants are engaged in such activities which are having a negative impact on the area.
- 4.2 As part of the licensing process properties would be inspected to ensure they meet the conditions set out in the License
- 4.3 Under Selective licensing landlords would also need to be 'fit and proper' which will help to protect tenants from unscrupulous and rogue landlords.
- 4.4 The Council in keeping with the Comprehensive Savings Review has explored whether another council who is proposing to implement Selective Licensing could undertake the inspections through a shared service arrangement. However in undertaking this assessment there were no efficiencies which could be driven into reducing the cost of the license to Landlords based on full cost recovery.
- 4.5 A licence would last for 5 years. The proposed cost for a 5 year period is set out in Appendix F. The costs are based on cost modelling from a fee calculation spreadsheet developed for the scheme by central government to deliver the scheme on a property by property basis over a 5 year period to ensure the conditions and management set out in Appendix G are met including:
 - Application Assessment
 - Application Validation
 - Compliance monitoring and enforcement before approval of application,
 - Application approval.
 - Ongoing compliance work of the license including legal support.
- 4.6 In summary it is proposed the fee to be £575 for a single household let dwelling and £750 for a HMO. The license will apply for a 5 year period. Please see Appendix F and the section "What does it cost"
- 4.7 A licence would stipulate how many people could live in the property which would help to prevent overcrowding. Enforcement would be undertaken in accordance with the Councils existing policy and powers include:

Through the Court:

 - For failure to licence a property could result in a fine of £20,000
 - For failure to comply with the licence conditions could result in a fine of up to £5,000 through the Court.

Through Residential Property Tribunal:

- Rent Repayment Orders to reclaim Housing Benefit if property should have been licensed but has not been.
- Interim Management Orders where there is serious Health and Safety issues and no likelihood of the landlord resolving. The Council would engage with a partner e.g possible a registered provider to manage the property and resolve the issues for an initial one year period
- Final Management Orders can be obtained if following the Interim order there is no likelihood of improved landlord action a further 5 years can be obtained although this can be revoked earlier if the situation changes.

4.8 It should be noted that the enforcement routes under this legislation are executive functions and are not reserved to the Licensing Committee and Panel process.

5 Frequently Asked Questions:

5.1 Appendix H details a list of Frequently Asked Questions. This will be used in our communications and added to as feedback is received. However, learning from the experience of Peterborough City Council who have recently undertaken consultation there have been three questions that are highlighted in the below:

Table 4 Example Frequently Asked Questions

Question	Response
I am a good landlord in Wisbech – why am I being punished?	You are not being punished. The scheme is helping to protect your investment. Through Selective Licensing the Council is addressing issues affecting the Private Rented Sector in Wisbech. The impact will be to improve the look and feel of Wisbech through good ownership and management of the Private Rented Sector and increased resource to address issues when they arise. This should help protect your property asset as an investment as it supports addressing housing market issues in Wisbech. Alongside this the cost of a license is for a 5 year period.
Isn't it just a money making scheme?	Absolutely not, the scheme has to be set up on the basis of full cost recovery and must not make a profit. It therefore is cost neutral to the Fenland taxpayer.
Why just Wisbech?	Because the issues affecting the private rented sector in Wisbech meets the criteria for implementing Selective Licensing. Although there are pockets of issues in other market towns, the scale and profile of the problem is not of such a significant scale that it meets the criteria. These properties will be tackled using existing housing and planning enforcement powers.

6 Selective Licensing supports wider objectives for Wisbech

6.1 The longer term benefits of Selective licensing include:

- Increasing the desirability of the area by improving the image of the private rented sector, which improves the visual look of the area.
- To have well managed properties in the private rented sector promotes increased community pride.
- It helps create a sustainable and stable private rented sector and reduce the likelihood of tenants being exploited which has been so apparent from Operation Pheasant and Operation Endeavour.
- It will help to achieve more sustainable communities. If tenants feel more secure in their homes, they are less likely to move around.
- Helping to improve the health and well being of families. Improving housing management will ensure that private housing is free from category one hazards such as excess cold as the heating appliances will be properly checked, maintained and working efficiently.
- Licenses would stipulate clearly how many people each individual property can accommodate. This would help alleviate overcrowding in the private rented sector which would lead to better health and wellbeing outcomes for families by reducing the associated health problems that can come from families sharing facilities within the same accommodation.
- The impact will be wider than the roads in which the properties are situated. Evidence from Operation Pheasant has linked the problems and management of the overcrowded private rented sector to community safety concerns from the town centre.:
- Eliminate rough sleeping from residents who have been illegally evicted from the private rented properties and have become homeless,
- Reduce street drinking by residents who cannot relax at their home due to overcrowding and excessive numbers of residents sleeping in the property on a shift basis (sometimes 'hot bedding' a term used for sharing a bed on a rota shift system).

7 Links to other key priorities:

7.1 Implementing Selective Licensing in Wisbech contributes to the strategic challenges the Town is tackling through delivery of work from a variety of key strategic initiatives including:

- Delivering the Wisbech 2020
- Delivering the Action Plan for the Fenland Community Safety Partnership
- Delivering the Council's Homelessness Strategy with an emphasis on Prevention
- Fenland-wide Cohesion Action Plan
- Boost the objectives set out in the Council's Economic Development Strategy 2012 to 2031
- Tourism Strategy for Fenland and action plan

8 Next Steps & Consultation Period

8.1 The following process is suggested to consider implementation of a Selective Licensing Scheme:

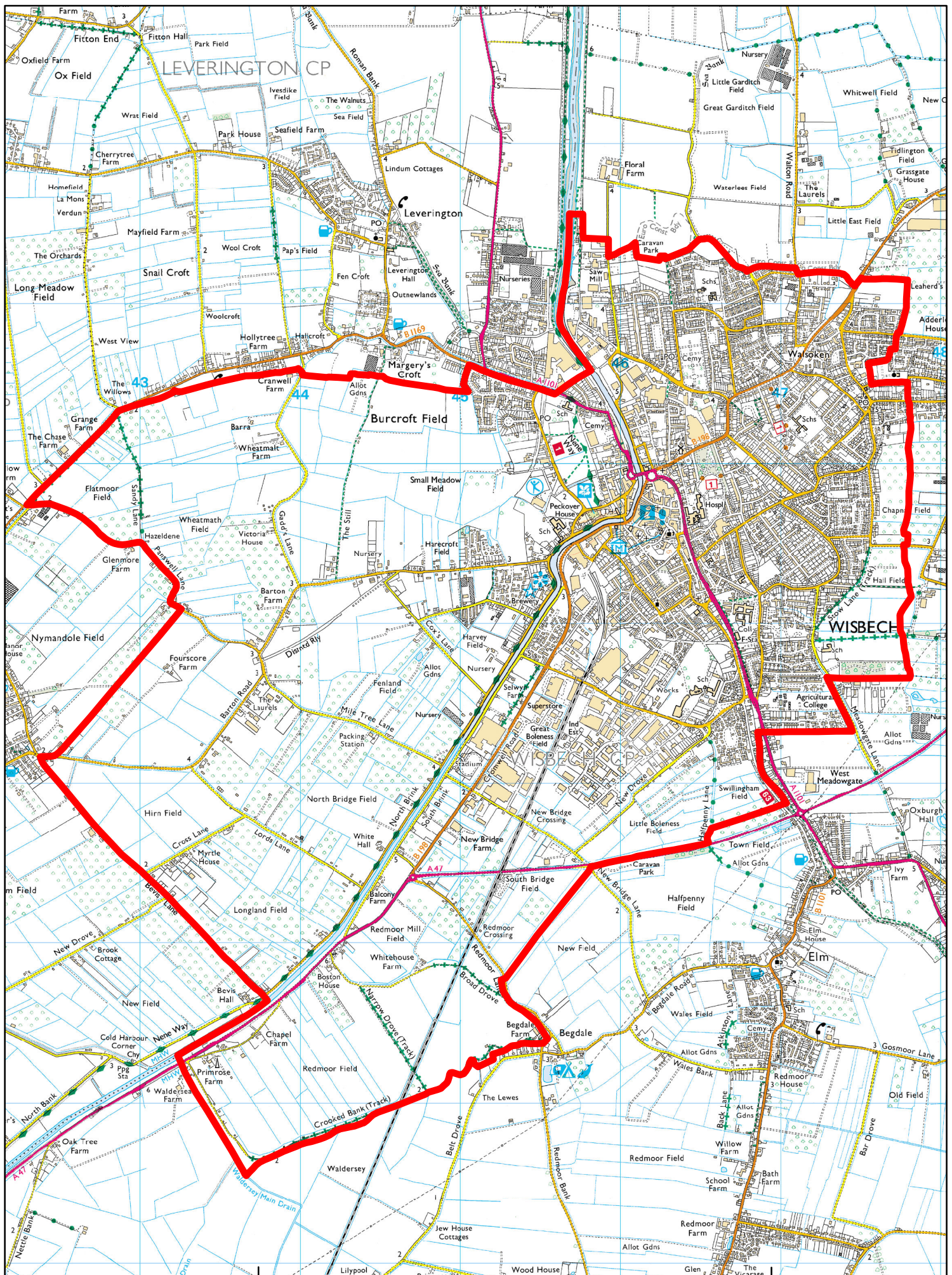
Task	Date(s)
Cabinet consideration to consult on the proposal	21 January 2016
Development of detailed communications plan and materials	February 2016
Consultation period	29 February 2016 – 8 May 2016
Cabinet consideration to consultation response and decision on whether to implement	June 2016
Subject to Cabinet decision send to Secretary of State for ratification of Cabinet decision	June 2016
Notice period to commence implementation including request to Secretary of State to approve implementation of the Scheme	By September 2016
Selective Licensing Scheme goes live	January 2017

8.2 A comprehensive consultation process will take place including:

- A letter to households in Wisbech wards
- A letter to known landlords and agents
- Website and local press
- Consultation event with the 3 tiers of Councillors including an all member briefing at FDC
- Consultation with the Overview & Scrutiny Committee
- Drop in events for landlords/agents and residents.
- A draft consultation questionnaire is attached at Appendix I.

9 Community Impact

9.1 Appendix J details the Customer Impact Assessment that has been completed looking at the scheme against the requirements of the 2010 Equality Act



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Wisbech CP

Scale = 1:30,000



STEPHEN BARCLAY MP



HOUSE OF COMMONS

LONDON SW1A 0AA

Mark Prisk MP
Minister of State
Department of Communities and Local Government
Eland House
Bressenden Place
London
SW1E 5DU

16 September 2013

Dear Mark,

I would like to set out my support for Fenland District Council's bid for funding from the Tackling Rogue Landlords fund.

In recent years the extremely high numbers of Houses in Multiple Occupation and associated issues of antisocial behaviour in my constituency have had a significant impact on community cohesion and law enforcement efforts from the local police force.

These issues have been compounded by the activities of illegal gangmasters who prey on many of the most vulnerable in my community, in particular migrants from Eastern Europe working in the agricultural sector.

I have raised the issues arising from this problem on many occasions in Parliament, and to date have held two Westminster Hall debates on the impact of gangmasters and actions that must be taken to deter their activities. I have also had the opportunity to discuss my concerns about rogue landlords in productive meetings with you and the Home Secretary prior to the launch of the multi-agency taskforce Operation Pheasant.

Co-ordinated efforts to overcome the difficulties faced in Fenland in relation to rogue landlords have also received support more widely across White Hall. This has included a meeting between HMRC Chief Executive Lin Homer, myself and local Police Inspector Robin Sissons to discuss the law and order implications of rogue landlords and HMO's. These discussions included tax avoidance, counterfeit goods and antisocial behaviour. I have also met with Roads Minister Stephen Hammond regarding uninsured foreign vehicles on the roads.

Recent media coverage of the region has also served to highlight growing issues stemming from the activities of rogue landlords, with the Daily Mail and the Express newspapers suggesting that the town of Wisbech has a growing reputation of hosting the 'Baltic Mafia'. Earlier this year we received more negative coverage when we were targeted by extremist groups who organized an anti-immigration march.





Together with Local Councils, Cambridgeshire Police Force and voluntary groups participating in Operation Pheasant, I am working hard to bring different stakeholders together and improve council cohesion to tackle this issue more effectively. The issue of rogue landlords does need support from Government and I would be most grateful if this submission could be looked on favourably.

I believe that a successful bid would enable Fenland District Council and all associated agencies to consolidate and extend the headway they are making on deterring rogue landlords and protecting migrant workers from their unscrupulous activities.

Yours ever,

A handwritten signature in black ink, appearing to read 'Steve Barclay', with a long horizontal flourish extending to the right.

Steve Barclay MP

APPENDIX C

Chief Inspector Mike Hills
Area Commander Fenland
E-mail: Mike.Hills@cambs.pnn.police.uk



17th November 2015

To all Cabinet members
Fenland District Council
Fenland Hall
County Road
March
Cambs

Dear Members

I would like to take this opportunity to highlight to members, the support of the police for the implementation of a selective licensing scheme in Wisbech.

We have been delighted with the success that has been achieved to date, through Operation Pheasant. This was, as I'm sure you are aware, as a consequence of the close partnership working and the commitment of a number of partner agencies, including Fenland District Council. The operation was initiated in part, to tackle housing related abuses linked to exploitation of migrant workers and the significant harm subsequently caused to both to those directly affected but also, the wider local community in Wisbech.

As a force we have invested significant resource through Operation Pheasant to tackle the crime and disorder linked to these properties in the Private Rented Sector. In doing so, we depend upon each of the partner agencies using all their available powers to ensure we can deal proactively and effectively with the wide range of issues that are identified.

We are pleased the Council has been able to use its available resources to tackle the mismanagement of the private rented sector, however as a partnership we recognise that we cannot be complacent. We must ensure that our response continues to be effective in light of the changing nature of the criminality committed by those who exploit some of the most vulnerable members of our communities.

To tackle these issues effectively in both the medium to long term, our approach must be one of both enforcement and prevention. Preventing the issues from arising at the earliest opportunity can avoid the need to invest potentially significantly greater resource further down the line in then dealing with the consequences that arise. The additional discretionary powers of Selective Licensing available to the Council under the Housing Act could provide us with an important preventative tool which will aid us in our efforts.

When seeking to tackle crime and disorder, prosecution and safeguarding agencies all rely upon intelligence to identify, prevent and respond effectively to criminality. The challenges posed by our migrant communities including a cultural distrust of authority and language issues, can make it difficult to build an accurate picture of criminality within these groups. This can result in limited opportunities to increase intelligence, leading to gaps in our knowledge and understanding of the threats and risks that exist.

The implementation of the selective licensing scheme will present an opportunity for us to visit in excess of 2,400 properties within Wisbech. Doing so in partnership, will allow us to gather and increase intelligence opportunities, leading to a more effective response.

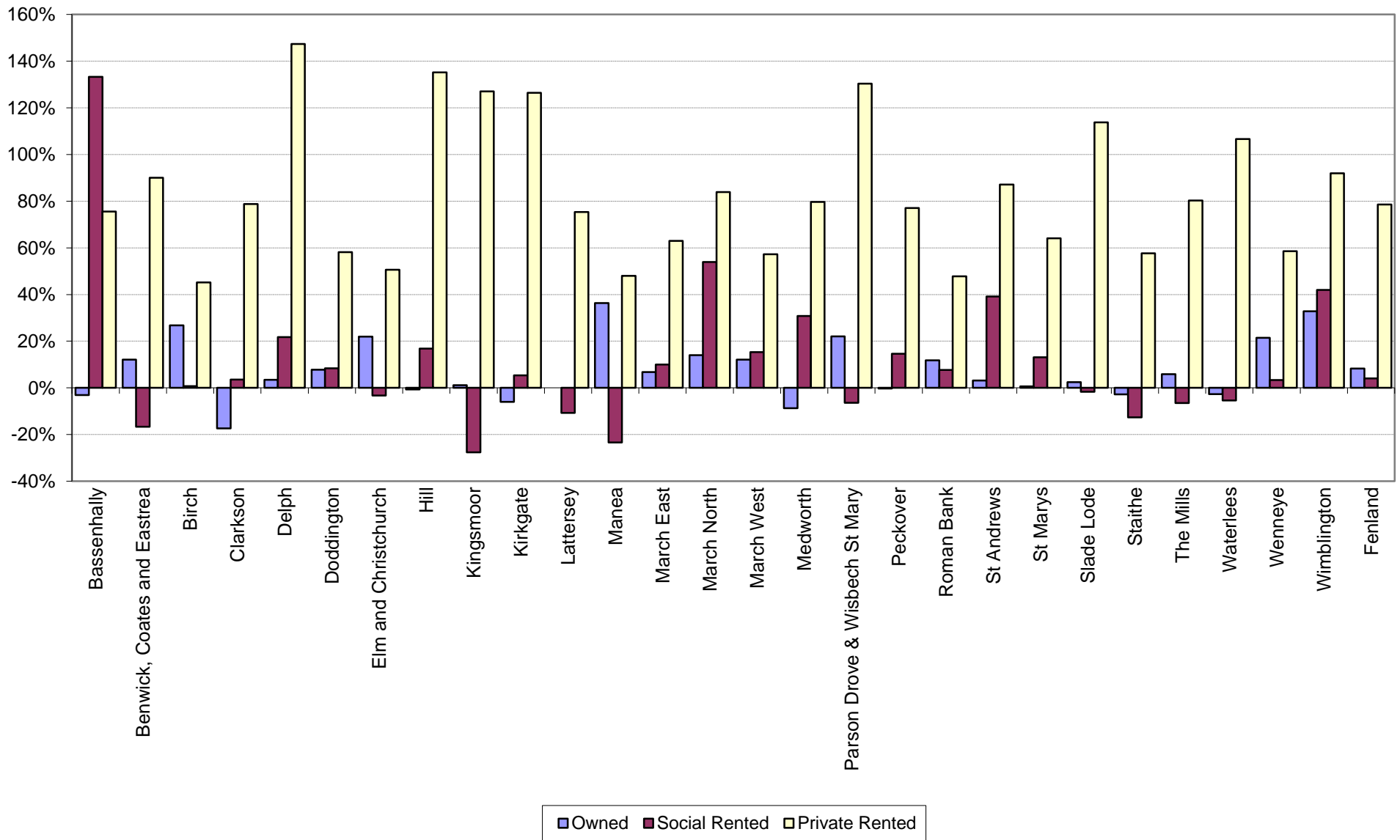
The evidence submitted provides a compelling case for implementing a Selective Licensing Scheme for the town of Wisbech. While there are also pockets of concerns in other towns it is not to the same level as that which we are experiencing in Wisbech. We also believe the scheme will help us in tackling other issues of ASB, crime and disorder and could also positively impact on the disproportionate suicide rates, which are often directly linked to the exploitation of people accommodated within the private rented sector.

We look forward to continuing to work in partnership with you on this significant issue.

Yours sincerely

A handwritten signature in cursive script that reads "Mike Hills".

Mike Hills
Chief Inspector
Area Commander - Fenland



Appendix D Tenure change in Fenland

WARD_NA	2011				2001		
	All Househ	Owned	Social Rented	Private Rented	All Households	Owned	Social Rented
Bassenhall	700	607	7	86	678	626	3
Benwick, C	1809	1421	120	268	1553	1268	144
Birch	1056	767	138	151	846	605	137
Clarkson	950	482	173	295	915	583	167
Delph	836	658	84	94	743	636	69
Doddington	920	775	39	106	822	719	36
Elm and Cl	1994	1497	235	262	1644	1227	243
Hill	2279	1423	402	454	1970	1433	344
Kingsmoor	669	462	123	84	664	457	170
Kirkgate	926	654	118	154	876	696	112
Lattersey	1047	688	217	142	1012	688	243
Manea	866	706	49	111	657	518	64
March East	3444	2149	573	722	2976	2012	521
March North	3066	2316	237	513	2465	2032	154
March West	3068	2282	264	522	2596	2035	229
Medworth	1250	606	272	372	1079	664	208
Parson Drove	2056	1550	248	258	1647	1270	265
Peckover	1008	666	149	193	907	668	130
Roman Bar	2775	2224	254	297	2427	1990	236
St Andrews	1117	954	32	131	1018	925	23
St Marys	1192	763	86	343	1043	758	76
Slade Lodge	1148	765	120	263	992	747	122
Staithe	980	591	255	134	985	608	292
The Mills	1237	908	100	229	1092	858	107
Waterlees	2190	1142	579	469	2012	1173	612
Wenneye	1096	828	92	176	882	682	89
Wimblington	941	757	88	96	682	570	62
Fenland	40620	28641	5054	6925	35183	26448	4858

d District 2001- 2011

	Change (n)			Change (%)			
	Private Rented	All Households	Owned	Social Rented	Private Rented	All Households	Owned
	49	22	-19	4	37	3%	-3%
	141	256	153	-24	127	16%	12%
	104	210	162	1	47	25%	27%
	165	35	-101	6	130	4%	-17%
	38	93	22	15	56	13%	3%
	67	98	56	3	39	12%	8%
	174	350	270	-8	88	21%	22%
	193	309	-10	58	261	16%	-1%
	37	5	5	-47	47	1%	1%
	68	50	-42	6	86	6%	-6%
	81	35	0	-26	61	3%	0%
	75	209	188	-15	36	32%	36%
	443	468	137	52	279	16%	7%
	279	601	284	83	234	24%	14%
	332	472	247	35	190	18%	12%
	207	171	-58	64	165	16%	-9%
	112	409	280	-17	146	25%	22%
	109	101	-2	19	84	11%	0%
	201	348	234	18	96	14%	12%
	70	99	29	9	61	10%	3%
	209	149	5	10	134	14%	1%
	123	156	18	-2	140	16%	2%
	85	-5	-17	-37	49	-1%	-3%
	127	145	50	-7	102	13%	6%
	227	178	-31	-33	242	9%	-3%
	111	214	146	3	65	24%	21%
	50	259	187	26	46	38%	33%
	3877	5437	2193	196	3048	15%	8%

Social Rented	Private Rented
133%	76%
-17%	90%
1%	45%
4%	79%
22%	147%
8%	58%
-3%	51%
17%	135%
-28%	127%
5%	126%
-11%	75%
-23%	48%
10%	63%
54%	84%
15%	57%
31%	80%
-6%	130%
15%	77%
8%	48%
39%	87%
13%	64%
-2%	114%
-13%	58%
-7%	80%
-5%	107%
3%	59%
42%	92%
4%	79%

Appendix E Operation Pheasant Case Study

Case Study on Human Trafficking:

A 22 year old male was living in private rented property. He had been living at this address for over a year. There were four adults that also live at this address.

L had worked with various agencies. He worked between 8 and 12 hours a day and did not see any of this money. He had his bank card, passport and other documentation removed from him. This was kept locked away.

Everything L does is controlled by a male called B. This male has a very short temper and is in control of all of the adults in the house. This male has assaulted L approximately four times, due to his anger problem.

There were only two keys for the front door at the house. B has a key as does one other resident.

L is unable to leave the house if the doors are locked. If he asks to leave then B questions why he wants to go out.

There is a CCTV camera outside of the house.

B has also taken out a loan in L's name to the value of £450.00 from the money shop and another loan for £500.00 but it is unknown where the second loan was taken out from.

L wants to stay in England and is happy to be interviewed. He wants to stay and find another job. He is frightened that there may be repercussions from this.

He has not spoken to his family for a long time. He does not own a mobile phone.

He states that he cannot talk to anyone about this as they will probably tell B.

Operation Pheasant Response:

L managed to escape from the house and presented on foot at March Police Station some 12 miles away. Contact was made with United Kingdom Human Trafficking Centre. From this The Salvation Army provided temporary safe accommodation out of the area.

Arrests were made in response to the work.

Improving the Private Rented Sector in Wisbech

Selective Licensing

The Fenland District Council Selective Licensing Scheme for Landlords and
Managing Agents

Appendix F - Fenland District Council – Selective Licensing Scheme

Selective Licensing Scheme – An Introduction

This guide will give you the information you need to understand the law around licencing and how to obtain a licence.

The private rented sector is continually growing and is an essential and significant part of the Fenland's housing market. We believe that residents should be able to live in good quality, safe, warm, affordable homes in mixed, thriving sustainable communities.

Landlord licensing is part of a wider set of measures to enable landlords to provide good quality housing within their communities and to address issues of anti-social behaviour and low demand within the areas.

The Housing Act 2004 - Improving conditions in Privately Rented Property

The Housing Act 2004 and revised guidance issued in March 2015 gives councils the power to introduce Selective Licensing schemes for privately rented properties in selected areas. The purpose of such schemes is to improve standards of property management in the private rented sector. If a landlord rents a property in a Selective Licensing area they will need to obtain a licence from the Council. Selective licensing will form part of a wider set of measures that seek to address issues within the private rented sector associated with anti social behaviour and low demand. A selective licensing designation may be made if the area to which it relates satisfies one or more of the following conditions:

- Low housing demand (or is likely to become such an area)
- Anti social behaviour
- Poor property conditions
- High levels of migration
- High level of deprivation
- High level of crime

Why is the Selective Licensing scheme being introduced?

The Council has looked at the private rented property market in Wisbech and the evidence has highlighted that the private rented sector meets the Selective Licensing criteria relating to Anti Social Behaviour, Poor Property Conditions and High Levels of Deprivation.

In summary:

- Operation Pheasant was formed in September 2012 by Cambridgeshire Police and Fenland District Council. The partnership expanded to include Cambridgeshire Fire and Rescue and Gangmasters Licensing Authority
- From intelligence following that initial work, in November 2012 the Operation Pheasant Task Force group was formed adding to the partnership the National Crime Agency, Immigration Enforcement and HM Revenues & Customs.

Appendix F - Fenland District Council – Selective Licensing Scheme

- The purpose of Operation Pheasant is to tackle exploitation, associated criminal activity, poor management practice and property conditions within the private rented sector.
- This work had led to intelligence gathering via voluntary questionnaires completed on multi agency home visits to privately rented properties in Wisbech, which has in turn identified a host of issues including organised crime, exploitation, fraud, sham marriages and human trafficking.
- Between September 2012 and April 2015, there were 76 cases of human trafficking referred to the National Referral Mechanism. The National Referral Mechanism is a process where individuals who are believed to have been subjected to human trafficking are given specialist advice and support to come to terms with the abuse they have suffered and start to rebuild their lives out of the area.
- There is evidence of extensive criminal activity coordinated between rogue Gangmasters and rogue landlords providing temporary homes for workers identified. This includes facilitating overcrowded properties, with safety hazards including no smoke detection, exposed wiring, blocked means of escape, damp and mould, tenancy issues including harassment and illegal eviction.
- Any Local Housing Authority has the ability to implement a Selective Licensing Scheme utilising the Housing Act 2004 in the private rented sector where local circumstances meet one or more of a set criteria of issues.
- Selective Licensing Scheme makes it mandatory for any private rented property in the designated area to be licensed to ensure it meets criteria of standard for a license.
- Guidance was revised on how to implement such a scheme in March 2015. The revised criteria and guidance reflected learning by Central Government on the private rented sector which included evidence from the Wisbech private rented market (the 7 wards of Wisbech)
- No other area of Fenland meets the criteria for the scheme
- The work of Operation Pheasant and the Rogue Landlord programme has been a key element in bringing forward this proposal for consideration.
- The proposal has the backing of the Police who identify the private rented sector in Wisbech as a house tenure that contributes to exploitation of the migrant community and high levels of crime.

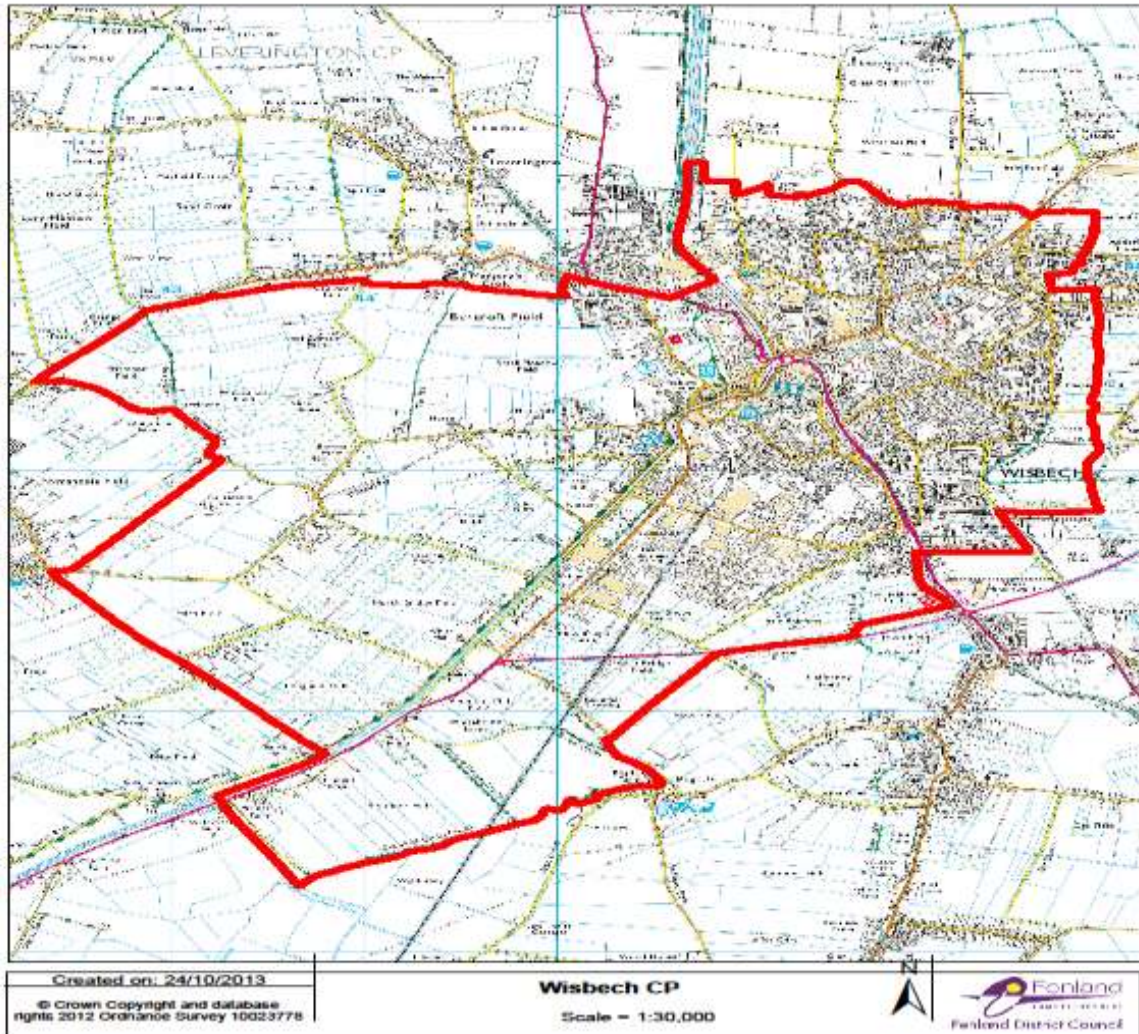
For the detail behind the reasons for proposing the selective licensing scheme please click on the following link

INSERT LINK TO CABINET REPORT

Selective Licensing will give the Council the power to make landlords accountable for the management of their property and tenants in the town of Wisbech. All landlords who rent a property in these areas must apply for a licence from **+++ commencement date+++**

Appendix F - Fenland District Council – Selective Licensing Scheme

Wisbech town area



All properties contained in the electoral wards of Wisbech town:

- Clarkson Ward
- Kirkgate Ward
- Medworth Ward
- Octavia Hill Ward
- Peckover Ward
- Staithe Ward
- Waterlees Village

Please note new developments / roads within the red line area within the wards identified above will be subject to this scheme during the 5 year period of operation.

Appendix F - Fenland District Council – Selective Licensing Scheme

Who needs a Licence?

Once an area has been designated for licensing all properties let by private landlords must have a licence. A licence holder can be the owner or an appropriate person designated by the owner, e.g. a managing agent

Exemptions

Certain properties are exempt from licensing, these include:

- Those managed by Housing Associations or the local authority
- Buildings regulated by other legislation
- Holiday Lets
- Tenancies under long leases

Temporary Exemption Notices

A property can also be exempted for a period of 3 months if a Temporary Exemption Notice (TEN) is in force. The council can issue a TEN, on written request of the owner/proposed licence holder if they are satisfied that the proposed owner/ proposed licence holder is taking steps to ensure that the status of the property will be changing within the exemption period and that it would not be required to be licensed thereafter.

If you think that your property is exempt from licensing you must contact the Council. If it is found that your property is exempt then a written confirmation will be provided to you.

What do I need to do?

You must make a valid application online for each property you rent out. Applications can be made at www.fenland.gov.uk/xxxxxxxxxxxxxxxxxx.

If you need assistance with completing the form please refer to the guidance notes on the web site. If you need further assistance or you are unable to complete an online application you can contact the **Selective Licensing team:**

- online at www.fenland.gov.uk
- by telephone by calling 01354 44444
- by email at selective.licensing@fenland.gov.uk
- by writing to: Fenland District Council, Fenland Hall, County Road, March Cambs PE15 8NQ.

Appendix F - Fenland District Council – Selective Licensing Scheme

In order to obtain a licence the applicant will need to demonstrate that they are a 'fit and proper' person and that they have satisfactory management arrangements in place for the property. This will involve providing your identification and providing a declaration to confirm your status with regards to criminal offences.

Fit and Proper Person

The council must take into account any evidence that the person applying for a licence has:

- Committed any offence involving fraud or other dishonesty, violence, drugs and certain sexual offences
- practised unlawful discrimination on the grounds of Equality Act 2010 relating to the 9 protected characteristics and / or the Human Rights Act
- Contravened any provision of the law relating to housing or landlord and tenant law

Management

You must also be able to demonstrate satisfactory management is in place for each rented property. The council aims to use the Selective Licensing scheme to ensure that all privately rented properties are well managed. Many landlords do this already, however there are problems in many areas where landlords neglect their management responsibilities. There are also a number of well-intentioned landlords that are not aware of their responsibilities and the relevant laws and there are also some absentee landlords who may not be aware of problems that are being caused by their tenants.

Where licence holders are not able to demonstrate satisfactory management practices they may be required to undertake training to give them the knowledge and skills that are necessary.

As part of the application process the proposed licence holder must also provide evidence of appropriate safety and security within their property:

- The licence holder must provide a valid gas safety certificate (if there is gas in the property) with the application form and then on a yearly basis.
- The licence holder must keep all electrical appliances and furniture supplied in a safe condition and they must provide a declaration as to their safety as part of the application and thereafter on demand.
- The licence holder must provide on a 5 yearly basis a satisfactory periodic inspection report on the electrical installation at the property. This must be carried out by a 'competent person' who is a member of one of the government approved schemes i.e. NICEIC, NAPIT, ELECSA, or BRE.
- The licence holder must ensure that all furniture supplied by the landlord

Appendix F - Fenland District Council – Selective Licensing Scheme

complies with the Furniture and Furnishings (Fire) (Safety) Regulations 1988 and that there are arrangements for the routine inspection of all items provided by the landlord to ensure they are maintained in a satisfactory and safe condition. A declaration must be signed as part of the application process confirming that all furniture meets the relevant standards.

- The licence holder must ensure that smoke alarms are installed in the property and keep them in proper working order at all times. The licence holder must also provide a declaration as to the condition and positioning of the alarms as part of the application form.
- The licence holder must supply to the occupiers of the house a signed, written statement of the terms in which they occupy i.e. a Tenancy Agreement. It must include the following:

- a) Name and address of the licence holder or managing agent
- b) A contact address and daytime telephone number
- c) An emergency telephone number
- d) A copy of the landlord licence and licence conditions

- The licence holder must abide by the conditions and responsibilities contained within the tenancy agreement and carry out all landlord functions as laid down in the agreement.

- The licence holder must obtain valid references for any person who wishes to occupy the house, in order to make an informed decision regarding their suitability. Evidence of these references and checks must be made available to the council upon request.

- The licence holder must take reasonable and practical steps, following advice and recommendations from the Council, to prevent or reduce anti-social behaviour by persons occupying or visiting the house.

- The licence holder must take reasonable and practical steps following advice and recommendation from the Council and/or police should it be found that the property is being used for illegal or immoral use.

- The licence holder must inform the Council of any changes of circumstances which may affect their suitability to be the licence holder. This must be done within 5 working days of any change taking place.

- The licence holder must ensure that if the property becomes empty that it is made secure to prevent any unauthorised entry.

- The licence holder must reside in the UK.

The team will work with you to support you throughout the application process and to assist you in meeting the criteria in order to be granted a licence. This may involve you undertaking a training course.

Anti-Social Behaviour

The conditions set out a staged approach for landlords to deal with anti-social behaviour and that the landlord shall work with the council and partner

Appendix F - Fenland District Council – Selective Licensing Scheme

agencies to address complaints associated with his/ her property. These include, but are not limited to:

- Writing to the tenant upon receipt of a complaint regarding ASB informing them of the allegation and the possible consequences of it continuing, then monitoring the complaint for a period of 14 days to see if the problem continues. If it doesn't then the landlord can just file the complaint in a safe place.
- If the issue is not resolved within 28 days the landlord must visit the property and give the tenants a warning letter advising them of the possibility of eviction. If the ASB continues for a further 14 days the landlord, take the appropriate legal proceedings to evict the tenants. Advice is on the Council's website on how to do this. **[PUT IN LINK]**

If the landlord suspects criminal activity he/she must notify the appropriate authorities, e.g the police. The landlord must also participate in any case conferences or multi agency meetings that take place to address ASB associated with his property.

The Anti-Social Behaviour, Crime and Policing Act 2014 provides for a new absolute ground for possession in the following circumstance:

- Where a tenant or member of their household or visitor has met one of the following conditions:
 - Is convicted of a serious criminal offence
 - Is found by a court to have breached an injunction to Prevent Nuisance and Annoyance (IPNA)
 - Is convicted of breach of a Criminal Behaviour Order (CBO)
 - Is convicted for breach of a Noise Abatement Notice
 - Tenants property closed under a Closure Order

If a landlord applies to the court after serving the relevant notice then the court MUST grant possession provided the correct procedures have been followed. The courts discretion to suspend possession is restricted to 14 days or 6 weeks in exceptional circumstances.

The Application

Each application must be accompanied by all the relevant supporting documentation. The list will be explained:

- 2 forms of identification (one to be photo ID)
- A copy of relevant certificates required as part of the scheme conditions
- A copy tenancy agreement
- The fee

Appendix F - Fenland District Council – Selective Licensing Scheme

Full details will be clearly explained on the application form.

The Fee

Each licence will run for up to 5 years.

If your property is let to a single family the fee for each licence is £575.

If your property is let as a house of multiple occupation the fee is £750.

What happens if I fail to apply for a licence?

It will be a criminal offence to let a property in the licensing area from **+++date+++**, without applying for a licence. There are a range of sanctions that could be applied. These are:

- You could be prosecuted in the Magistrates Court and face a fine of up to £20,000 for failure to apply for a licence and have a criminal conviction.
- If the Council cannot grant a licence or a licence is revoked, the Council has the power to make an Interim Management Order (IMO). This will transfer the management of the property to the council or an agent acting for the Council.
- You will be unable to use Section 21 to regain possession of your property
- For any period where an unlicensed property is rented, an application can be made to the Residential Property Tribunal for a Rent Repayment Order of up to 12 months.

Right of Appeal

If a landlord feels that the council has made a decision that is unfair, in the first instance they should contact the Council through its Complaints process called “3cs” to try and resolve the problem.

If the landlord still feels the council has acted unfairly you can appeal to the Residential Property Tribunal (RPT). The RPT is an independent tribunal that can either confirm, amend or overturn the council’s decision.

Monitoring the Scheme

The Council must from time to time review the operation of the scheme. The Council intend to do this through a series of methods including but not limited to:

- Resident questionnaires
- Monitoring levels of ASB

Appendix F - Fenland District Council – Selective Licensing Scheme

- Regular reporting of prosecutions and enforcement action
- The number of accredited landlords and agents
- The number of houses brought up to the required housing standard
- The number of category one and two hazards removed from licensed properties
- Number of complaints received regarding poor properties and management
- Number of complaints regarding illegal eviction and harassment

Private Sector Housing Team

Contact details

Private Sector Housing Officers are responsible for the administration of landlord licensing and are available to help and advise you.

They are also responsible for the inspection of your property and ensuring that management conditions are adhered to.

You can contact the team in the following ways:

Telephone: 01354 654321

Email: ++++email address+++

Post: Private Sector Housing
Fenland District Council
Fenland Hall
County Road
March
Cambs
PE15 8NQ

Fenland District Council

Selective Licensing

Licensing Conditions

Selective Licensing Scheme Conditions Schedule 4 - Housing Act 2004
These conditions are set out in sections no 1 to 19

Appendix G - Fenland District Council – Selective Licensing Scheme – License Conditions

The licence holder must ensure that the premises fully comply with each of the conditions in sections 1 to 19 below unless specific alternatives are notified and agreed with the case officer. For example converted flats may have a master flat which has the fuse board. Other flats would not have this, but if there was an agreed management process for how access for the fuse board could be achieved when needed then this could be an acceptable alternative.

Failure to comply with any condition may result in legal proceedings including fines up to £5,000 and loss of the licence

Licence holder includes any agent or representative acting on behalf of the licence holder

Appendix G - Fenland District Council – Selective Licensing Scheme – License Conditions

1. Tenancy Management

The Licence Holder must give the occupiers a written statement of the terms on which they occupy the house (tenancy agreement) and details of the arrangements in place to deal with repairs and emergencies. Copies of the written statement of terms must be provided to the Council for inspection within 7 days upon demand.

The licence holder must act lawfully and reasonably in requiring any deposits from occupiers, in handling rents, in returning deposits and in making deductions from deposits. The licence holder will provide occupiers/prospective occupier with the following information:

- The amount of rent payable
- The details of any deposit required
- Details of what the deposit covers and arrangements for its return
- The frequency of payments
- The details of any utilities (gas, electric, water) or other charges included in the rent
- The responsibility for payment of Council Tax
- The responsibility for payment of utilities and arranging provision of such
- Provide tenants with written details of how to dispose of rubbish properly, including appropriate use of the bulky waste collection service and information on the recycling centre provided by Fenland District Council.
- It must also include a prohibition regarding the illegal burning of waste and warn residents not to fly-tip from the property.

The licence holder shall ensure that each tenant is made aware, in written format, that they are responsible for their own behaviour and the behaviour of other occupiers and visitors. Tenants must be made aware that if they, other occupiers, or their visitors:

- Cause nuisance or annoyance to neighbours;
- or fail to dispose of refuse properly;
- or cause damage to fixtures, fittings, fire prevention or alarm equipment or installations, or to the fabric of the premises;
- or fail to give access to inspection of works undertaken within their accommodation.

They may be liable to enforcement action which may include possession proceedings under the terms of their tenancy, pursuant to Grounds 13 or 14 of Schedule 2 of the Housing Act 1988.

In addition to giving the prescribed information to the tenants, you, or your agent must keep a record of having given this information i.e. a signed disclaimer, to

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demonstrate this information was received by the tenants.

During the fixed term of the tenancy agreement, you must not make any attempt to increase the rent or make extra charges other than what is allowed for in the tenancy agreement. If the tenancy becomes periodic (there is no fixed term and the tenancy is continuing after the fixed term) any rent increases will be proposed through the appropriate legal procedure (currently Housing Act 1988 s.13)

2. References

You must obtain references for prospective tenants. These references must provide testimony as to the tenants past record of adhering to tenancy conditions and not committing anti-social behaviour, or provide other genuine and significant evidence as to the likelihood of them adhering to tenancy conditions and not committing anti-social behaviour such as the tenants signing a declaration (written in a language they can fully understand) stating that they agree to abide to the licence and tenancy conditions and outlining the specific conditions relating to anti-social behaviour, waste management and overcrowding. This signed declaration must be kept by the landlord/agent for the period of the licence and provided to the council within 14 days on demand. It is understood that in certain circumstances it may not be possible to obtain a reference i.e. where it is a first tenancy, newcomer to the UK, tenant was previously homeless or being rehoused with assistance from support services.

3. General

Gas and electric meters, fuse boards, gas and water stop taps should be accessible to all occupants at all times without having to pass through other accommodation or through a shop/business premises. Where this is not possible due to security issues, tenants must be able to shut off gas and electrics from within their accommodation.

The licence holder must ensure that the appropriate consents are obtained from Planning and Building Control prior to any relevant improvement or repair works commencing

The licence holder must not unreasonably cause or permit the water supply or drainage used by the occupants of the house to be interrupted.

The licence holder must not unreasonably cause or permit the gas or electric supplies used by the occupants to be interrupted.

The License Holder must ensure that the property is free from hazards that would be assessed as Category 1 under the Housing Health and Safety Rating Assessment:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/15810/142631.pdf

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Typical examples of Category 1 hazards are –

- Excess Cold within a dwelling - where homes have either no or an inadequate fixed and controllable heating systems; or where the home is inadequately insulated;
- Damp and Mould growth – where homes have excessive damp/mould, or fungal growths resulting from dampness and or high humidities.

4. Gas

If gas is supplied to the property, the licence holder must obtain a gas safety check, carried out by a GAS SAFE registered engineer. A copy of the current gas safe certificate must be provided to Fenland District Council at the time of licence application and annually thereafter or within 7 days of being requested by the Council.

A Carbon Monoxide alarm is required for any property with a gas or solid fuel appliance, such as a boiler, gas fire or gas oven/hob. This will conform to BS EN50291:2001. It should be fitted to a suitable location, following the manufacturer's specific instructions, usually at least 3 m away from the away from the gas appliance. Where there are multiple gas appliances additional detectors should be positioned in accordance with manufacturer's instructions. The whole detector (not just the battery) must be tested as part of the regular tenancy inspection regime, (at least annually) in accordance with the manufacturer's instructions.

5. Electricians

The fixed electrical wiring and installations must be certified as safe by an electrician qualified to undertake the test at least every 5 years, unless otherwise indicated on the previous inspection to be sooner, and must be to a 'Satisfactory' standard. This will usually be a domestic electrical installation condition report. The landlord must supply a copy of the electrical condition report with the application for licensing. Where there is no existing report then one shall be provided within 1 year of the commencement of the licence.

Should the Electrical Report specifies that the installation is unsatisfactory, the licence holder must ensure that such works are completed no later than 28 days following the date of the report and must inform the licensing team upon completion of the works.

Any works highlighted by the report must be completed as required by the report; and the Council advised once works are complete.

The licence holder must ensure, throughout the period of the licence, that the premises are covered by a valid domestic electrical installation condition report.

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Where a report expires during the term of the licence, an up to date report must be provided to the Council within 28 days of the expiry date.

6. Smoke Alarms

The licence holder must ensure that smoke alarms are installed in the property and kept in proper working order and provide a declaration as to their condition and position to Fenland District Council upon request. Smoke alarms must be tested at each property inspection, details of the test recorded by the licence holder and supplied to the Council within 7 days of written request.

It is a legal requirement for all landlords to fit smoke alarms in rented homes. Under the new laws smoke alarms must be fitted on every floor of the property as well as carbon monoxide alarms in properties which burn solid fuels. Landlords must check the alarms are working at the start of every new tenancy with potential penalties of up to £5,000 if they don't comply. The licence holder will inform the local authority of any changes to the positioning of smoke alarms.

7. Furniture and Furnishings

The licence holder must ensure that furniture and furnishings supplied by them are compliant with the Furniture and Furnishings (Fire) (Safety) Regulations 1988 (as amended 1989 and 1993) and must provide a declaration as to their safety at the time of application and thereafter on demand.

8. Numbers of Occupants

The licence holder and/or his agent must ensure that rooms other than bedrooms are not used for sleeping purposes. The number of persons residing in the house shall not exceed the maximum number stated on the licence.

9. Space Standards

In accordance with the 1985 Housing Act (part x statutory overcrowding):

- Bedrooms of 10.2 sqm or above can be occupied by a maximum of 2 adults or children over 10 years old, 1 adult and 2 children or 4 children
- Bedrooms 8.35sqm to 10.2 sqm can be occupied by no more than 1 adult and 2 children or 3 children
- Bedrooms 6.5 sqm to 8.35 sqm can be occupied by no more than 1 adult or 2 Children
- Bedrooms 4.65 sqm and 6.5 sqm can be occupied by no more than 1 child
Rooms of less than 4.65 sqm are not acceptable as bedrooms

(An adult is deemed to be anyone over the age of 10 and a child anyone between

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the ages of 1 and 9)

Multi Occupied Houses shall adhere to the following minimum room sizes:

- Bedrooms - 10 sqm if occupied by a single person or 15 sqm if occupied by two persons

Other requirements for space standards for the selective licensing scheme includes:

- Houses occupied as single family dwellings that are of up to 3 bedrooms shall have a minimum of one living room that is not used for sleeping.
- For Houses in Multiple Occupation bedroom sizes can be reduced to 8 sqm and 12 sqm if there is a separate communal lounge that is not used as a kitchen/dining room.

(Space standards for kitchens, living rooms and dining rooms vary in accordance with the number of occupants and layout and need to be assessed individually)

10. Energy Efficiency

The licence holder must provide the tenant with a copy of the Energy Performance Certificate (where applicable). The licence holder must supply a copy of the Energy Performance Certificate to the Council within 7 days of request.

11. Overcrowding

You must not allow anyone to live or stay in your property if it is going to make it overcrowded. Your licence will state how many people can live in your property.

If you suspect that your house has become overcrowded, you must make the tenant immediately aware that it is an offence. The Council can prosecute landlords and tenants who cause overcrowding.

Where there is evidence that the tenants have caused overcrowding, you must make it clear to the tenants, in writing, that you will take reasonable steps to end the overcrowding including taking possession action through the courts for breach of the tenancy agreement.

Tenants must be informed that they must not allow guests to sleep in their homes, except on an occasional short term basis, if it will exceed the permitted numbers shown on your licence.

*short term occasional basis – i.e. over a holiday period, or a 2 week period for visiting friends and family.

12. Property Management

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The licence holder must ensure that:

a) the occupiers of the house, with details of the following:

- Name and address of the licence holder or managing agent
- A contact address, daytime telephone number
- An emergency contact telephone number

This information must be clearly displayed within the house. An emergency contact telephone number for the licence holder/agent or representative shall also be made available and notified to the Council.

Competent and reputable persons carry out all repairs to the house or any installations, facilities or equipment within it or its boundary, and that, repairs are completed to a reasonable standard.

All tradespersons must remove all debris and redundant components from the property and exterior after completing works.

All occupants of the house receive written confirmation detailing arrangements in place to deal with repairs and emergencies and report nuisance and anti-social behaviour

a) If accommodation is provided on a furnished basis and includes electrical appliances, the licence holder must provide the occupier copies of user manuals or equipment provided as part of the agreement of occupation (tenancy agreement)

b) All occupiers are made aware of the licence and conditions and be given a copy of the licence as part of their agreement of occupation (tenancy agreement)

The licence holder/management agents must make regular inspections of the property to ensure that the property is in a decent state of repair and that the occupiers are not in breach of tenancy terms and conditions. Regular means at least every 3 months during the first 12 months of a tenancy and then as appropriate thereafter but at least annually.

The licence holder must ensure that any persons involved with the management of the house are to the best of their knowledge 'fit and proper persons' for the purposes of the Act.

13. Security

The licence holder must ensure that:

a) The security provisions for the access to the building (including but not limited to locks, latches, deadbolts and entry systems) must feature all the security features of an equivalent lock complying with BS3621:2004 and be maintained in good working order at all times

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- b) Where window locks are fitted, the licence holder will ensure that keys are provided to the relevant occupant
- c) Where a burglar alarm is fitted to the house the licence holder will inform the occupant in writing the circumstances under which the code for the alarm can be changed, and provide details when required on how this can be arranged
- d) Where alley gates are installed to the rear of the licensed property, the licence holder must take responsibility for holding a key and making satisfactory arrangements for the occupier access

14. External Refuse and Waste

The licence holder must ensure that: -

- a) The exterior of the property is maintained in a reasonable decorative order, and in a good state of repair
- b) The exterior of the property and all boundary walls, fences and gates must be kept free from graffiti
- c) At all times any gardens, yards and other external areas within the curtilage of the house are kept in reasonably clean and tidy condition and free from rodent infestation. The tenancy agreement must set out who is responsible for maintaining the gardens and other external areas within the curtilage of the property.
- d) The licence holder must ensure the gardens, yards and other external areas are cleared of rubbish, debris and accumulations and are cleaned between tenancies.
- e) Suitable and adequate provision is made available, at the start of a tenancy, for storage of refuse generated in the property and that occupants are provided with information on the correct storage and disposal of waste prior to collection.
- f) The licence holder must inform the tenants in writing that receptacles are put out for collection as appropriate in accordance with their collection date and times and that bins are removed from the street as soon after collection as possible. .
- g) Access must be available to adequate, external, refuse storage

The licence holder must inform occupants on the correct disposal arrangements for rubbish and bulky waste and the penalties of fly-tipping and storing accumulations within the front and rear gardens and any outbuilding of the house.

The licence holder must ensure that the water supply and drainage system serving the house is maintained in good, clean and working order.

The licence holder must take reasonable steps to protect occupants from injury especially in relation to:

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- a) Any roof or balcony that is unsafe – ensuring that it is either made safe or access to it restricted.
- b) Any windowsill that is at floor level – ensuring that bars or other such safeguards are fitted as necessary to protect occupants from falling

The licence holder must ensure that all common parts and fixtures are maintained in a safe condition including handrails, windows, stair coverings, fixtures, fittings and appliances.

15. Training

The Licence holder and/or Manager shall undertake property management training courses where required to do so by the authority.

16. Anti-Social Behaviour

Anti-social behaviour is defined as being ‘behaviour that causes nuisance, annoyance, harassment, alarm or distress to one or more people living nearby’. This can include (but is not limited to), leaving rubbish and litter, vandalism, noise nuisance, harassment and intimidation, abusive behaviour, and drug and alcohol abuse.

The licence holder must take reasonable and practical steps to reduce or prevent ASB by persons occupying or visiting the house and the use of the premises for illegal purposes.

The licence holder must:-

- a) Obtain tenant references prior to granting a tenancy as to previous tenancy conduct, including behaviour of that of the proposed occupier and household (see condition 2 above)
- b) If a licence holder receives a reference request for a current or former tenant from another landlord he must respond to the request in writing within a reasonable period and either i) decline the request for a reference; or ii) when giving a reference state whether or not he is aware of any allegations of ASB made against their tenant and if such allegations have been made give details of the same including details of whether (to his knowledge) the allegations have been admitted or have been found proven in any court or tribunal.
- c) The licence holder and/or the manager are required to provide information regarding the full names and dates of birth of each occupant, when asked by the Council
- d) Co-operate with Fenland District Council, Cambridgeshire Constabulary

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and other agencies in resolving complaints of anti-social behaviour. The licence holder and/or their nominated managing agent are required to undertake an investigation of any complaints regarding their tenants. Written records of these will be required.

- e) The licence holder will ensure occupants of the house are aware of the services available to them and how they can report nuisance and ASB to the authority
- f) The licence holder must not ignore or fail to take action, if he has received complaints of ASB that concern the visitors to or occupiers of the property or result from their actions.
- g) Any letters relating to ASB sent or received by the licence holder or managing agent must be kept for 3 years by the licence holder, and provided to the Council on demand
- h) The licence holder must ensure that written notes are kept of any meetings or telephone conversations or investigations regarding ASB for 3 years.
- i) If a complaint regarding ASB is received or discovered by the licence holder or manager then the tenant must be contacted within 14 days and informed of the allegations of ASB in writing and of the consequences of its continuation.
- j) The licence holder shall from the date of receipt of a complaint monitor any allegations of ASB and whether it is continuing.
- k) Where ASB continues for 28 days from receipt of the complaint the licence holder or his manager/agent must, within 7 days, visit the premises and serve the tenant with a warning letter advising them of the possibility of eviction.
- l) Where the licence holder or manager has reason to believe that the ASB involves criminal activity the licence holder shall ensure that the appropriate authorities are informed.
- m) If after 14 days of giving a warning letter the tenant has taken no steps to address the ASB and the ASB is continuing the licence holder shall take formal steps under the written statement of terms of occupation (tenancy agreement) which shall include promptly taking legal proceedings to address the ASB
- n) Where the licence holder is specifically invited they shall attend any case conferences or multi agency meetings arranged by the Council or the police.

17. Notification of Changes

The Licence Holder and managing agents must consult with Fenland District Council before making any material changes to the layout, amenity provision, fire precautions or occupation of the house and must inform the Council of:

- a) Details of any unspent convictions not previously disclosed to the Local Authority that may be relevant to the licence holder and/or property manager and their fit and proper person status and in particular any such conviction in respect of any offence involving fraud or dishonesty, or violence or any offence listed in Schedule 3 of the Sexual Offences Act 2003;
- b) Details of any findings by a court or tribunal against the licence holder and/or the manager that he/she has practiced unlawful discrimination on grounds of sex, colour, race, ethnic or national origin or disability in, or in connection with, the carrying on of any business;

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c) Details of any contravention on the part of the licence holder or manager of any provision of any enactment relating to housing, public health, environmental health or landlord and tenant law which lead to civil or criminal proceedings resulting in a judgment or finding being made against him/her;

d) Information about any property the licence holder or manager owns or manages or has owned or managed for which a local housing authority has refused to grant a licence under Part 2 or 3 of the Act, or has revoked a licence in consequence of the licence holder breaching the conditions of his/her licence;

e) Information about any property the licence holder or manager owns or manages or has owned or managed that has been the subject of an interim or final management order under the Housing Act 2004;

f) Changes to liability insurance;

g) Notification of foreclosure or repossession;

h) Successful claims against the licence holder for default of tenancy deposits;

i) Change in managing agent or the instruction of a managing agent;

Any major works to be undertaken to the property, including conversions and modernisations or emergency problems relating to fire, flood or disaster and the tenants are made temporarily homeless.

18. Absence

The licence holder is required to have in place suitable emergency and other management arrangements in their absence. The name and contact details of the licence holder and/or manager must be given to each occupier and must also be displayed in a prominent place within the property.

19. Compliance Inspections

The licence holder must allow officers of the Council (upon production by of their ID) access to the house for the purpose of carrying out inspections of the house at all reasonable times.

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Contact details

Private Sector Housing Officers are responsible for the administration of landlord licensing and are available to help and advise you.

They are also responsible for the inspection of your property and ensuring that management conditions are adhered to.

The team are available during office hours Monday to Friday

You can contact the team in the following ways:

Telephone: 01354 xxxxxx

Email: email address xxxxxx

Post: Private Sector Housing
Fenland District Council I
Fenland Hall
County Road
March
Cambs PE15 2XE

If you would like to meet with a member of the team please telephone to make an appointment.

Selective Licensing

Frequently asked questions – we will update this list of frequently asked questions following our consultation

General information

What is Selective Licensing?

The Housing Act 2004 gives councils the power to introduce the licensing of private rented homes, within a designated area. In 2015 a significant widening of the selection criteria was introduced.

Selective Licensing may be introduced into an area if it satisfies one or more of the following conditions:

- Low housing demand (or is likely to become such an area)
- A significant and persistent problem caused by anti-social behaviour
- Poor property conditions
- High levels of migration
- High levels of deprivation
- High levels of crime

Why is the current legislation not enough?

The current regulatory regime surrounding private rented accommodation means that it falls to a number of different agencies to regulate and enforce. In general it means that the local authority are only aware of issues after they have occurred and have very little influence in order to prevent issues from arising in the first place. The introduction of a Selective Licensing scheme enables the local authority to ensure all locally privately rented stock in the designated areas meet a high standard by ensuring all housing meets the conditions set out within the licence.

Why does the council want to introduce Selective Licensing?

Wisbech town wards have some of the highest deprived areas in the country. As a council we want to tackle deprivation which includes the provision of well managed, safe and decent quality for people to rent. This is at the heart of the health and wellbeing of people living in Fenland.

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Wisbech also experiences more anti-social behaviour and reported crime than the rest of Fenland. There are also more properties in a poor and dangerous condition. Overcrowding leads to more excessive waste and sometimes affects the health of the occupants.

In order to help reduce these problems, the council is considering introducing Selective Licensing of private landlords in Wisbech. The council has considered other remedies, but considers Selective Licensing provides the best chance of improving the management and condition of properties in the private rented sector, which will in turn reduce crime and anti-social behaviour.

Proposed areas

Where are you proposing to introduce Selective Licensing?

The areas that we are proposing to designate for Selective Licensing are located in the following Wisbech Town wards:

- Clarkson
- Kirkgate
- Medworth
- Octavia Hill
- Peckover
- Staithe
- Waterlees Village

How have the proposed areas for Selective Licensing been chosen?

The council has taken great care in deciding which areas would be included in the proposed Selective Licensing scheme, this is based on looking at the criteria for Selective Licensing and the Private Rented Stock in Fenland. The work of Operation Pheasant since September 2012 has provided supporting evidence. Please see the following web link which has the Cabinet report which explains why the Council is proposing such a scheme.

[Insert weblink.](#)

How Selective Licensing would work

How would the proposed Selective Licensing scheme work?

All private landlords with residential property within the proposed area would need to apply for a licence for each property before they can be let to tenants. In order to become a licence holder they must be a fit and proper person. This means a landlord has to meet a certain standard before they can legally rent out a property

I'm a landlord, what would I have to pay for a licence?

There is a fee structure for taking a licence at any time within the five year period that the programme runs for.

The proposed fees are:

- £575 for a single let property
- £750 for a House in Multiple Occupation (HMO). Note that HMOs already require a licence

The council recognises that some landlords fail to reach the required standards simply because they are not aware of good practice or the legal requirements. Fenland District Council would therefore signpost landlords to where training can be undertaken

What would be the licence conditions?

There would be conditions attached to each licence which would relate to the management of the property. Under the terms of the Housing Act 2004, several conditions are mandatory.

They include:

- A gas safety certificate must be obtained annually and produced to the council (if there is a gas supply to the house)
- Electrical appliances and furniture supplied by the landlord must be kept in a safe condition
- Smoke alarms must be installed in the house and should be well maintained
- The licence holder must supply the occupiers with a tenancy agreement
- The licence holder must demand references from prospective tenants

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These conditions mean that landlords would have to upgrade currently unsafe or unhealthy properties and would enhance the protection available to tenants.

In addition to the mandatory conditions the council may attach local conditions, and in Wisbech we propose to introduce the following:

- The house is free from Category 1 Hazards (meaning the house is safe to occupy);
- Any house legally required to have an Energy Performance Certificate (EPC) must have one
- Any appropriate electrical test certificate for fixed wiring in the house must be provided at least once every 5 years. There must also be an annual portable appliance test to be carried out for any portable appliances supplied by the landlord
- Occupiers are advised and reminded of their responsibilities for the storage and disposal of household waste
- The licence holder does not allow the house to be overcrowded
- At a change of tenancy the house and any land associated with it is in a clean and tidy condition with reasonable levels of decoration
- The property is kept secure and free from accumulations of refuse during any vacant periods
- A copy of the licence and conditions is provided to all tenants

What would happen if the licence conditions were not met?

Any licence holder found to be in breach of the licence conditions could face prosecution, and upon conviction in a Magistrates' court, a fine of up to £5,000. In such circumstances, the council would then consider whether it was appropriate to revoke the licence and make a Management Order taking over the management of the property.

What happens if a landlord does not apply for a licence?

It would be a criminal offence to operate without a licence in a designated Selective Licensing Area. On conviction a landlord could be fined up to £20,000 and any rent collected during the unlicensed period could be reclaimed by either the tenant or the Local Housing Authority. Additionally if a landlord failed to comply with the licence conditions it could result in the licence being removed and a fine of up to £5,000.

Refunds

We will give you a refund if:

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- You make a duplicate application
- You make an application for an exempted property by mistake

We will not give you a refund if:

- We refuse your application
- You withdraw your application
- We revoke (take away) your licence
- You are refused planning permission for a mandatory HMO license

Landlords

I am a good landlord in Wisbech – why am I being punished?

You are not being punished. The scheme is helping to protect your investment. Through Selective Licensing the Council is addressing issues affecting the Private Rented Sector in Wisbech. The impact will be to improve the look and feel of Wisbech through good ownership and management of the Private Rented Sector and increased resource to address issues when they arise. This should help protect your property asset as an investment as it supports addressing housing market issues in Wisbech. Alongside this the cost of a license is for a 5 year period.

I am a landlord. What are the benefits of Selective Licensing for me?

Selective Licensing would create a clear set of guidelines so that all landlords can achieve a benchmark standard of property management. It would prevent less competent or unscrupulous landlords cutting corners whilst good landlords' reputations are tarnished. Landlords would also have to provide and obtain references for their tenants so that prospective landlords would be able to make better informed choices when selecting tenants.

The council would work with licensed landlords to signpost training and support in order to help landlords achieve the licensing conditions and improve their knowledge and skills in renting. Tenants would also be offered support to ensure they are aware of their rights and provided with advice on tenancy relations and housing matters.

Tenants

I am a tenant living in an area where Selective Licensing is proposed. How would it affect me?

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Selective licensing would make sure that your landlord is managing and maintaining your home, so that it is safe and kept in a good state of repair. They would also be expected to act in a responsible manner. This would include carrying out tenant vetting, issuing valid tenancy agreements, rent receipts, and keeping all safety certificates up to date and also not evicting tenants illegally.

Tenants would also be offered support to ensure they are aware of their rights and responsibilities including advice on tenancy relations and housing matters.

How can I find out if my landlord is licensed should Selective Licensing go ahead?

Once a license had been issued, the information would be entered onto a public register which could be accessed via the Council's website.

Residents

I am a resident in an area where Selective Licensing is proposed. How will it help me?

A lot of houses in the designated areas are privately rented. If Selective Licensing was introduced every privately rented property within the area would need to be licensed. Houses in Multiple Occupation (HMOs) which are 3 storey and above already require a licence. All licence holders must be fit and proper persons and licences would have conditions attached to them.

Strict monitoring of the licence conditions would help to improve the house and management conditions of privately rented property, which would lead to an overall environmental and physical improvement of the area. For example, less flytipping, improved street scene, and less anti-social behaviour.

I live just outside the areas where you want to introduce Selective Licensing. Will it have an impact on my neighbourhood?

The council will be constantly monitoring the effect of Selective Licensing across the whole of Fenland.. The council believes this will raise standards of living for all and it will positively influence those landlords who operate in areas which are not thought suitable for designation at this time.

Other measures

What are the supporting measures to curb anti-social behaviour and help landlords deal with problem tenants?

Support for landlords

The council wants to sustain long-term improvements in the quality of private rented sector accommodation within the schemes boundary. Therefore it understands the need to ensure a balance is achieved between the rights and responsibilities of landlords and those rights and responsibilities of their tenants.

Therefore, in addition to the proposed introduction of Selective Licensing, the Council and its partners have already introduced some, or are exploring the following, additional measures:

There is a Designated Public Place Order in Wisbech town – these are discretionary powers for the Police to require a person to stop drinking and confiscate alcohol containers in public places. Failure to comply could result in arrest and or a fine.

Operation Pheasant, a multi agency partnership team consisting of the Police, Fenland District Council, Cambridgeshire Fire and Rescue, Home Office Immigration Enforcement, The Gangmaster Licensing Authority and HM Revenues & Customs have been working together since September 2012 to combat poor property conditions, exploitation including human trafficking, fraud, deception and anti social behaviour. The focus for the team has been Wisbech, the approach has been nationally recognised as best practice to tackle these issues.

The licensing conditions comprising the scheme will set out a staged approach for landlords to deal with anti- social behaviour. The landlord, council and other agencies will work together to address complaints with associated properties. If the landlord suspects criminal activity a responsible landlord will notify the appropriate authorities. We will make this easier by ensuring easily understood reporting routes to the landlord support officer, ASB team or police.

A review of the current Cumulative Impact Zone Policy introduced under The Licensing Act 2003 that addresses the growth of licensed premises in Wisbech. The policy was introduced to stem the levels of alcohol related anti-social behaviour and crime and thus improve the environment and quality of life for all.

Engagement with landlords has identified a training need for some. As part of the scheme we intend to signpost training packages and access to an online information

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library which will be developed with landlords during consultation to ensure that the training meets the specific needs of Wisbech landlords and agents

The proposal also supports the coordinated actions underway that form part of Wisbech 2020 vision

Additional benefits of Selective Licensing include:

- Protecting investment in the area.
- Supporting all local landlords so that they can achieve a benchmark standard of property management.
- Improving the quality of life for all by educating those landlords who are not providing good quality accommodation or managing their tenancies effectively and removing "rogue landlords" altogether.
- Educating tenants in their responsibilities and the impact of their behaviour on the community and neighbours.
- Improving desirability of area as a place where people want to live.
- Reducing tenant turnover leading to more sustainable communities, creating communities where tenants want to remain
- Encouraging the use of reputable managing agents when landlords are inexperienced or "absentee".
- .

Other benefits

What are the other benefits of Selective Licensing?

Additional benefits of Selective Licensing include:

- Protecting investment in the area.
- Supporting all local landlords so that they can achieve a benchmark standard of property management.
- Improving the quality of life for all by educating those landlords who are not providing good quality accommodation or managing their tenancies effectively and removing "rogue landlords" altogether.
- Educating tenants in their responsibilities and the impact of their behaviour on the community and neighbours.
- Improving desirability of area as a place where people want to live.

Appendix H – Selective Licensing - Frequently Asked Questions

- Reducing tenant turnover leading to more sustainable communities, creating communities where tenants want to remain
- Encouraging the use of reputable managing agents when landlords are inexperienced or “absentee”.

Isn't it just a money making scheme?

Absolutely not, the scheme has to be set up on the basis of full cost recovery and must not make a profit.

Why just Wisbech?

Because the issues affecting the private rented sector in Wisbech meets the criteria for implementing Selective Licensing. Although there are pockets of issues in other market towns, the scale and profile of the problem is not of such a significant scale that it meets the criteria. These properties will be tackled using existing housing and planning enforcement powers.

Public consultation

How can I let you have my views about the proposals?

Your views are important to us and we would like to hear what you think about the proposed Selected Licensing scheme. We are, therefore, consulting about our proposals. The consultation will run for 10 weeks from 1st February 2016 to 11th April 2016.

You can [complete an online questionnaire](#) about the proposals.

Alternatively, you can [contact us](#) to request a paper copy of the questionnaire. Copies are available in English, Lithuanian, Polish, Latvian, Russian

We are also holding a series of public exhibitions where you can find out more and give us your feedback about the proposed scheme. Paper copies of the questionnaire and details of the scheme will be available at the public exhibitions.

The public exhibitions will be advertised on our website or contact 01354 654321.

Next steps

What happens after the public consultation?

The public consultation will run for 10 weeks. S

At the end of this period the council will consider all representations made before deciding whether or not to introduce Selective Licensing and confirming the details of any scheme. The council will publish the findings of the consultation and details about next steps once the consultation has been completed.

If the Council decides to implement the scheme following consultation the proposal will be sent to the Secretary of State for Local Government and Communities for approval.

Should the council introduce Selective Licensing there would be at least three months' notification before any scheme came into force.

[to be finalised & designed through survey monkey]

Selective Licensing

Public consultation and questionnaire

Your views are important to us and we want to hear what you think about the proposed Selective Licensing Scheme. We are, therefore consulting on our proposals. The consultation will run for 10 weeks from 1st February 2016 to 11th April 2016.

PUBLIC CONSULTATION EVENTS

We are holding a series of public consultation events where you can find out more and give us your feedback about the proposed scheme. Paper copies of the questionnaire and details of the scheme will be available at the public consultation events.

Fenland has several areas of deprivation, the centre of which is located in Wisbech. The Council wants to see the quality, management and safety of all private rented properties in Wisbech improve.

Wisbech has seen a significant increase in private rented properties since 2001 for private rented accommodation in Fenland. In Wisbech there are also more rented properties than elsewhere in Fenland. The evidence is that many properties in Wisbech have been found to be in a poor and dangerous condition. Alongside this there have been issues of anti social behaviour and crime with overcrowding alongside poor waste management. The issues have become linked to wider issues that have needed the support of many partners for example Police, National Crime Agency, Gangmasters Landlord Agency, Fire and Rescue, Revenue and Customs. A partnership called Operation Pheasant has been formed and a lot of good work has been done. However new issues are always arising we are working on a reactive rather than proactive way. The level and scale of problems are not reducing. Selective Licensing reverses this by ensuring that the landlord has to apply for the license and the Council checks that the information received meets the scheme standard requirements.

That is why Fenland District Council is considering introducing a scheme called "Selective Licensing". This will apply to private landlords of residential properties in Wisbech.

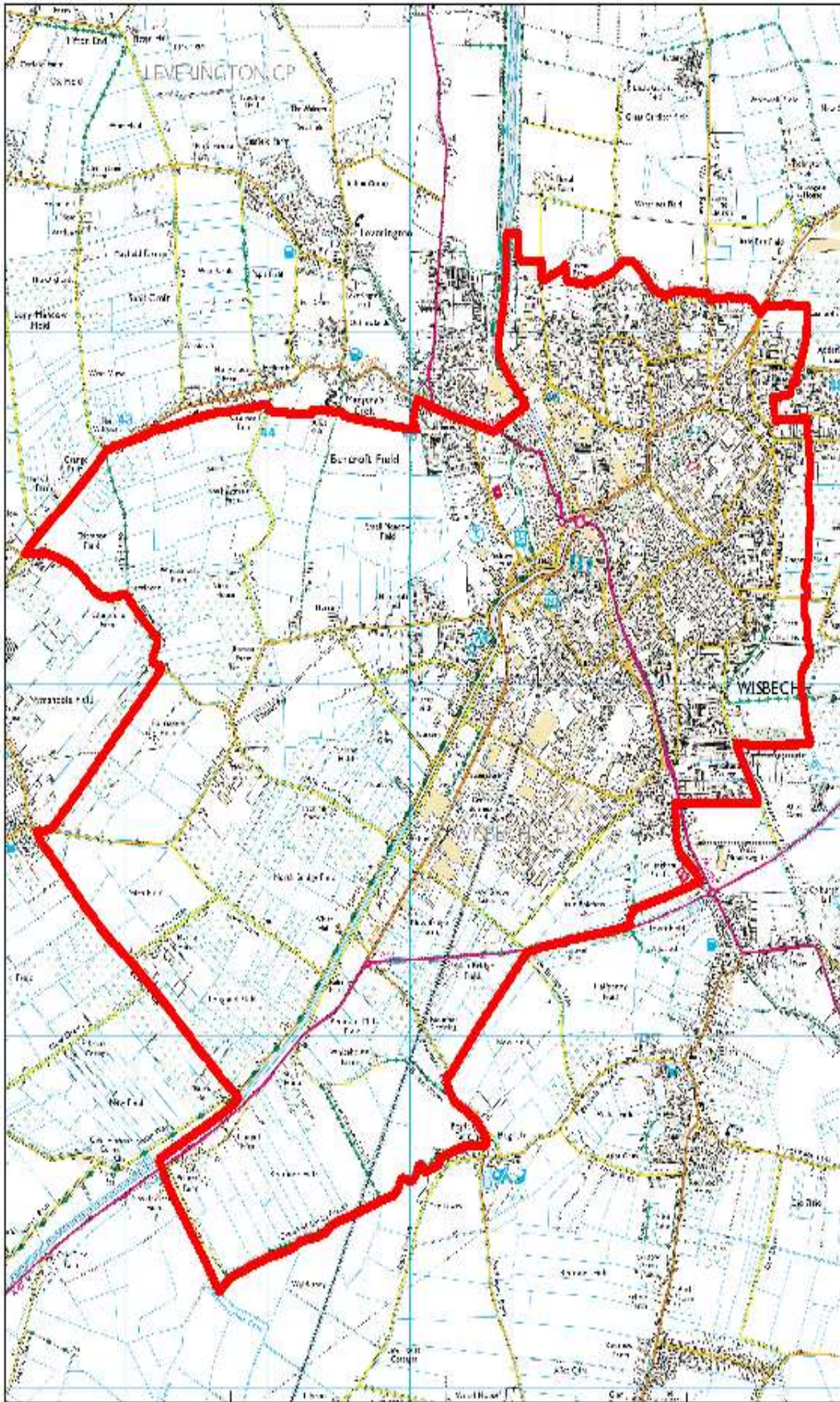
Please give us your views on this proposal using this questionnaire. For more information on the proposal see [INSERTWEBLINK](#) . If you cannot access the web please visit any of the Council's shops in Wisbech, March , Chatteris and Whittlesey and computers can be accessed here with staff on hand to assist if necessary.

1. Are you a:

- Private tenant
- Housing Association tenant e.g. Circle Housing Roddons, Accent Nene, Axiom
- Owner Occupier
- Business
- Landlord
- Letting Agent
- Other (please specify)

2. Do you live in Wisbech:

- Yes
- No (if no please specify)



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Wisbech CP

Scale = 1:30,000



3. If you are a landlord, are you a member of an accredited landlords organisation?

National Landlords Association

Residential Landlord Association

Neither

4. Do you think your area has problems with any of the following? (tick any that apply)

Low housing demand

Anti-Social Behaviour

Deprivation (i.e a lack of access to basic facilities)

Crime

Increasing population in the selected area

Poorly maintained properties

5. Thinking about the area, how much of a problem are the following on a scale of 1-10, with 10 being the highest problem and 1 being the lowest (please tick)

1

2

3

4

5

6

7

8

9

10

Large
number of
Off-Licences

High
turnover of
private
rented
tenants

Neglected /
run down
properties

Overcrowded
properties

Nuisance
from parking
/ lack of
street
parking

Nuisance
neighbours

Litter

1 2 3 4 5 6 7 8 9 10

Badly managed properties

Vermin

Use of / drug dealing or drug related crime

People not treating others with consideration

Rubbish dumping / fly and street tipping

Large gatherings on the street

6. Have you had any problems in your area in the past five years with any of the following:

	Yes	No
Privately rented properties	<input type="text" value="Yes"/>	<input type="text"/>
Social rented properties	<input type="text"/>	<input type="text"/>
Owner occupied properties	<input type="text"/>	<input type="text"/>

Other (please state)

7. Have you ever been a victim or witness of any anti-social behaviour in the proposed areas?

- Yes
- No

8. Thinking about properties in your area that are owned by private landlords, have you experienced or witnessed anti-social behaviour from tenants of those properties?

- Yes
- No

9. Thinking about the properties in your area that are owned by private landlords, do you think the owners maintain the properties to a good standard?

- Yes
- No

10. Do you think some private landlords make a positive contribution to your area?

- Yes
- No
- Don't know

11. Do you think some private landlords make a negative contribution to your area?

- Yes
- No
- Don't know

12. Do you agree that private landlords should take the following actions:

	Yes	No	Don't know
Obtain references for tenants	<input type="text"/>	<input type="text"/>	<input type="text"/>
Ensure tenants know anti-social behaviour is unacceptable	<input type="text"/>	<input type="text"/>	<input type="text"/>
Keep properties in good condition	<input type="text"/>	<input type="text"/>	<input type="text"/>
Give tenants their contact details	<input type="text"/>	<input type="text"/>	<input type="text" value="menu"/>
Provide tenants with a tenancy agreement	<input type="text"/>	<input type="text"/>	<input type="text"/>
Ensure the property is not overcrowded	<input type="text"/>	<input type="text"/>	<input type="text"/>
Keep their property maintained and secure and the garden free	<input type="text"/>	<input type="text"/>	<input type="text"/>

Yes

No

Don't know

from any waste

13. Do you think the council should have more control over the way that private landlords manage their properties?

- Yes
- No
- Don't Know

14. Please state whether you agree with the following statements?

Yes

No

Don't know

Selective
Licensing will
help Landlords
understand the
legal
requirements
they must follow

Poorly managed
properties
contribute to the
decline of an
area

Selective
Licensing will
ensure that all
privately rented
properties are
well maintained
and managed

Selective
Licensing,
together with
the council's
other actions,
will help reduce
anti-social
behaviour

Selective
Licensing will
help make an
area more
attractive to
potential

Yes

No

Don't know

residents

15. Do you support the council's proposed to introduce Selective Licensing?

- Yes
- No [if no please can you explain why in the box below. Box to be inserted]
- Don't know

16. Any other comments about the proposal [box to be inserted]

Assessing Equality – The Equality Act 2010

INTRODUCTION

The Equality Act 2010 reminded all public authorities of their duty to have ‘due regard’ to the need to:

- **Eliminate unlawful discrimination**, harassment, victimisation and any other conduct prohibited by the Act;
- **advance equality of opportunity** between people who share a protected characteristic and people who do not share it; and
- **foster good relations** between people who share a protected characteristic and people who do not share it.

The protected groups (previously known as equality strands) are as follows:

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Race
- Religion or belief
- Gender
- Sexual orientation
- Marriage and civil partnerships (eliminate unlawful discrimination only)

Other legislation and practice has determined that we extend this to cover:

- Human Rights
- Socio Economic factors

The duty reminds us of the need to analyse the effect of existing and new policies and practices on equality.

The equality analysis should be proportionate and relevant – not just a tick box exercise. In some cases the written record will be a quick set of bullet points or notes under each heading. Others will need a more detailed explanation.

However, legal case law makes it clear that we must carry out the analysis **before making the relevant policy decision**.

A meaningful equality analysis will help the Council make the best decisions or formulate a policy which best meets our customers needs.

Once a Customer Impact Assessment (replacing our existing Equality Impact Assessment) has been completed there is no need to automatically carry out a new assessment each year. A review assessment has been put in place, and can be completed if there has been no change to the original policy, the way it’s implemented and its customer impact.

Assessing Equality – The Equality Act 2010

A SIMPLE GUIDE TO ASSESSING EQUALITY

What is Customer Impact Assessment (CIA)?

- CIA is the act of systematically assessing the likely (or actual) effects of policies or services on people based on the following:
 - Age
 - Disability
 - Gender reassignment
 - Pregnancy and maternity
 - Race
 - Religion or belief
 - Gender
 - Sexual orientation
 - Marriage and civil partnerships
 - Human Rights
 - Socio Economic factors

This means considering the above, as set out in the table below, in relation to a policy, practice or service, before a decision is made.

	Eliminating unlawful discrimination, harassment and victimisation	Advancing equality of opportunity between different groups	Fostering good relations between different groups
Disability			
Age			
Pregnancy and maternity			
Race			
Religion or belief	√	√	√
Sex/ Gender			
Gender reassignment			
Sexual orientation			
Human Rights			
Socio Economic Factors	√	√	√
Marriage and civil partnerships			

Assessing Equality – The Equality Act 2010

- You are looking for opportunities to promote equality, and good relations between all groups as well as removing or mitigating negative or adverse impacts.
- Remember it might not be possible to remove all barriers to service or your policy or practice may have a negative impact on certain groups ... please note anything of this nature

Why is it important?

- Assessing equality issues helps us understand the needs of our customers, ensures our decisions meet those needs, and are also cost effective, and demonstratable.
- As a public authority we also have a **legal** duty to show “*due regard*” for equality in decision making and the way services are provided
- To be able us to show “*due regard*”, we need to show that consideration of [possible impact to the groups mentioned have taken place **prior** to a decision being made; that equality issues were considered, and that this consideration was rigorous, open minded, and involved thinking about the three arms of the Equality Act as part of this process, and that potential adverse impacts were either removed or reduced, and that all our decisions can be defended if challenged.
- Documenting our equality analysis enables the Council show it has had “*due regard*” for equality if decisions are challenged. If “*due regard*” for equality can not be shown, decisions may be overturned at judicial review. This could result in lost time, money and negative publicity.
- The sooner equality is considered in a process; the more efficiently that process can be carried out.

Assessing Equality – The Equality Act 2010

How can equality be assessed?

1. Gather information This can be consulting with relevant groups, using a previous EqIA as a starting point, consultations carried out by other services, details of the service 'hard to reach groups', customer satisfaction surveys, MOASIC data, consider relevance to equality



2. Assess impact Could different groups be affected differently? Is this difference positive or negative? Consider the three arms of the Equality Act in relation to all the protected groups as per the table. NOTE: The quality of the assessment will depend on the quality of the information gathered



3. Take action This could be to reduce negative or increase positive impact. Produce an action plan where appropriate; make actions SMART. Unlawful discrimination MUST be actioned immediately



4. Summarise your findings on the EqIA form. Where it is clear from initial information gathering that a policy will not have any effect on equality, this may simply be a sentence recording this; the greater the relevance to equality, the greater the level of detail required. Publish your findings



5. Monitor the on-going effects of the policy on equality. This is usually in the form of the annual review carried out in October of each year, to fit in with the service planning cycle. The Equality Act is a **continuing** duty!

Assessing Equality – The Equality Act 2010

Customer Impact Assessment

Name and brief description of policy being analysed

Briefly summarise the policy including any key information such as aims, context etc; note timescales and milestones for new policies; use plain language – NO JARGON; refer to other documents if required

Selective licensing- to work with the landlords of privately owned rental properties and ensure that each property in the town of Wisbech has a license.

Timescales dependant on Consultation & Member decision.

Consultation to commence from January 16 with proposed implementation of scheme in October 2016

Information used for customer analysis

Note relevant consultation; who took part and key findings; refer to, or attach other documents if needed; include dates where possible

	Could particularly benefit	Neutral	May adversely impact	Explanations	Is action possible or required?	Details of actions or explanations if actions are not possible Please note details of any actions to be placed in your Service Plan
Race	√	<input type="checkbox"/>	√	Due to the nature of the proposed selective licensing there may be an increase in engagement with landlords and residents who represent different races.	Y	Ensure that where required people of different races are able to access the information in different languages.
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Y / N	
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Y / N		
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Y		
Age	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Y / N		
Sexual orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Y / N		
Religion or belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Y / N		
Pregnancy & maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Y / N		
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Y / N		
				Many of the properties are lived in by residents from other countries and therefore the proposal will improve housing conditions for such residents		

Assessing Equality – The Equality Act 2010

Human Rights	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Y / N	
Socio Economic	√	<input type="checkbox"/>	<input type="checkbox"/>	The criteria set by Government for a scheme includes deprivation and migration as a criteria and this proposal will support taking action to improve the look and feel of the area	Y	Continue the multi agency work in the town such as Operation Pheasant to ensure this work is not done in isolation
Multiple/ Cross Cutting	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Y / N	
Outcome(s) of customer analysis						
a) Will the policy/ procedure impact on the whole population of Fenland and/ or identified groups within the population; negative <input type="checkbox"/> neutral <input type="checkbox"/> positive <input type="checkbox"/>						
No major change needed <input checked="" type="checkbox"/> Adjust the policy <input type="checkbox"/> Adverse impact but continue <input type="checkbox"/> Stop and remove / reconsider policy <input type="checkbox"/>						
Arrangements for future monitoring:						
Note when analysis will be reviewed; include any equality indicators and performance against those indicators The impact of the scheme will be monitored on an ongoing basis						
Details of any data/ Research used (both FDC & Partners):						
Existing working carried out by Peterborough City Council, work from Blackpool city council, police reports.						
Completed by:						
Name: Sarah Gove						
Position: Housing & Communities Manager						
Approved by (manager signature): Dan Horn				Date published: December 15		
Details of any Committee approved by (if applicable):				Date endorsed by Members if applicable:		

Assessing Equality – The Equality Act 2010