

## Legal Framework

By exercising the powers conferred by section 80(7) & (8) and 250 (1), (2) and (6) of the Housing Act 2004 (a) makes the following Order.

3 –(1) In accordance with the following conditions, specified as additional conditions for the purpose of section 80 (2)(b) of the 2004 Act, which the local housing authority must consider are satisfied in relation to the areas before making a selective licensing designation under this provision-

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The designations are proposed on the basis of *Anti-social behaviour, Crime and Deprivation*.

The Housing Act 2004 Part 3, allows Local Authorities to introduce selective licensing for a period of five years where certain conditions apply and can be evidenced.

These are:

- (a) The area is one which is experiencing (or likely to experience) low housing demand and /or;
- (b) The area is experiencing a significant and persistent problem caused by anti-social behaviour;
- (c) That some or all of the private sector landlords who have let properties in the area (whether under a lease or licence) are failing to take appropriate action to combat the problem; and

That making a designation will, when combined with other measures taken in the area by the local housing authority, lead to a reduction in, or elimination of, the problems.

Pre- qualifying criteria 3 (1) (a)(b)

- (a) That the area contains a high proportion of properties in the private rented sector, in relation to the total number of properties in the area.
- (b) That some or all private sector landlords have let properties in the area (whether under lease or licences)
- (c) That one or more of the sets of conditions (4-7) is satisfied.
  - Poor property conditions, and
  - Migrant worker concentrations.
  - Deprivation.
  - Crime

## **Secondary Conditions in respect of Housing**

### **4. The first set of conditions are –**

(a) That having carried out a review of housing conditions under 3(1) of the 2004 Act, the local housing authority considers it would be appropriate for a significant number of properties referred to in article 3(1)(a) to be inspected, with a view to determining whether category 1 or category 2 hazards exist on the premises.

(b) that the local housing authority intends to carry out such inspections as referred to in sub paragraph (a), with a view to carrying out any necessary enforcement action; and

(c) and that making a designation will when combined with other measures taken in the area by the local housing authority, or by persons together with the local housing authority, including any licence conditions imposed under section 90 of the 2004 Act, contribute to an improvement in general housing conditions in the area.

## **Secondary Conditions in relation to Migration**

### **5. The second set of conditions are –**

(a) that the area has recently experienced or is experiencing an influx of migration into it;

(b) that a significant number of properties referred to in article 3(1)(a) are occupied by those migrants referred to in sub-paragraph (a); and

(c) that making the designation will, when combined with other measures taken in the area by the local housing authority, contribute to:-

(i) the preservation and improvement of the social or economic conditions in the area; and

(ii) ensure that the properties referred to in article 3(1)(a) are properly managed, and in particular, that overcrowding is prevented.

## **Secondary Conditions in relation to Deprivation**

### **6. (1) the third set of conditions**

(a) that the area is suffering from a high level of deprivation, which affects a significant number of occupiers of properties referred to in article 3(1)(a); and

(b) the making of the designation when combined with other measures taken by the local housing authority, or by other persons together with the local housing authority, contribute to a reduction in the level of deprivation in the area.

(2) In determining whether an area is suffering from a high level of deprivation, the local housing authority may have regard to the following factors in relation to the area-

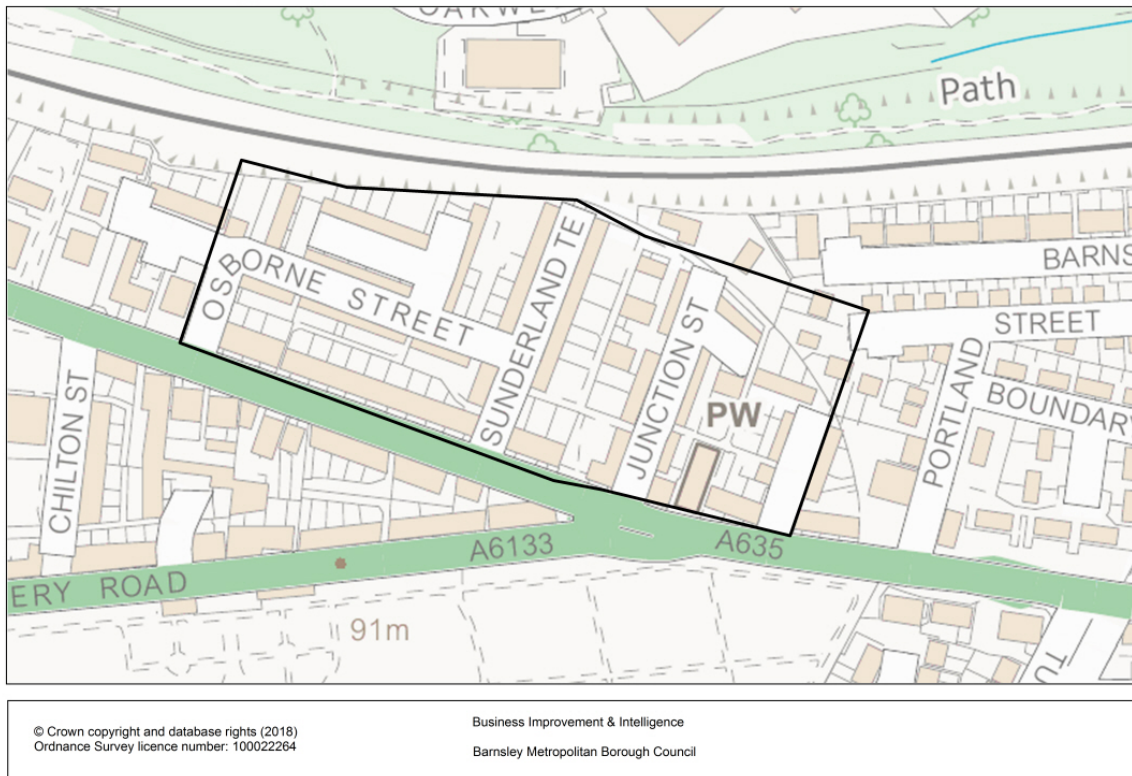
- (a) the employment status of adults;
- (b) the average income of household;
- (c) the health of households;
- (d) the availability and access to education, training and other services for households;
- (e) housing conditions;
- (f) the physical environment; and
- (g) levels of crime.

### **Secondary Conditions in relation to Crime**

7. The fourth set of conditions are-

- (a) that the area suffers from high levels of crime;
- (b) That the criminal activity affects those living in the properties referred to in article 3(1)(a), or the household and businesses in the area; and
- (a) That making a designation will, when combined with other measures taken in the area by the local housing authority, with the other persons together with the local housing authority or by the police, contribute to a reduction in the levels of crime in the area, for the benefit of those living in the area.

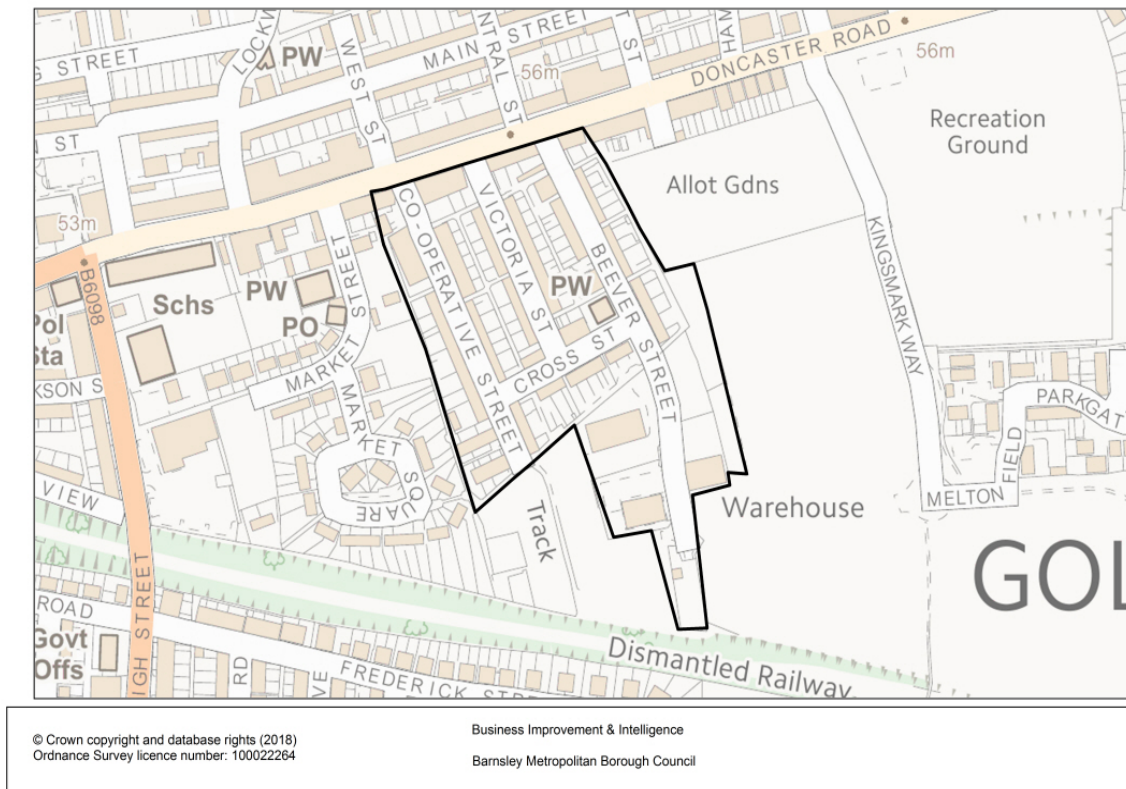
## Measbrough Dyke



- **Measborough Dyke** - Pindar Street, Sunderland Terrace, Seth Terrace, Osbourne Street, Evelyn Terrace, Ivy Terrace, Burton Terrace, Junction Street and Terrace, Jubilee Terrace, Victor Terrace, Doncaster Road (174-278) and King Georges Terrace.

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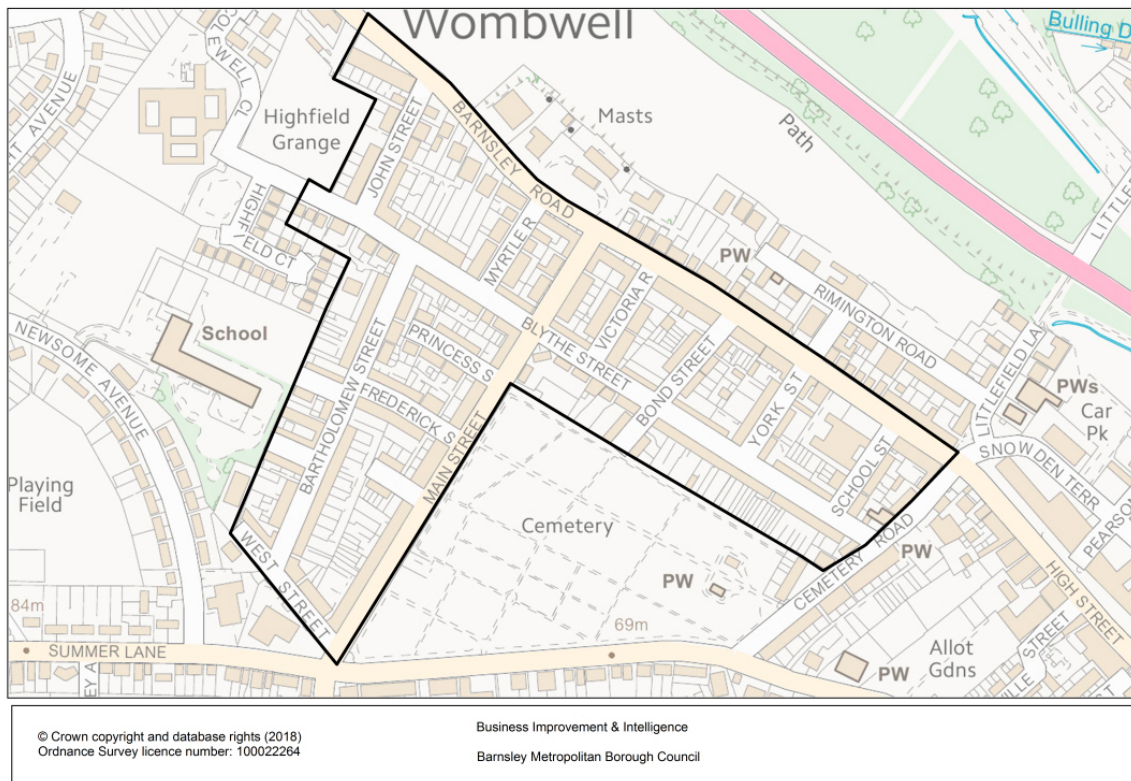
## Goldthorpe



- **Goldthorpe** - Beaver Street, Victoria Street, Cross Street, Cooperative Street and Claycliffe Terrace.

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## Wombwell

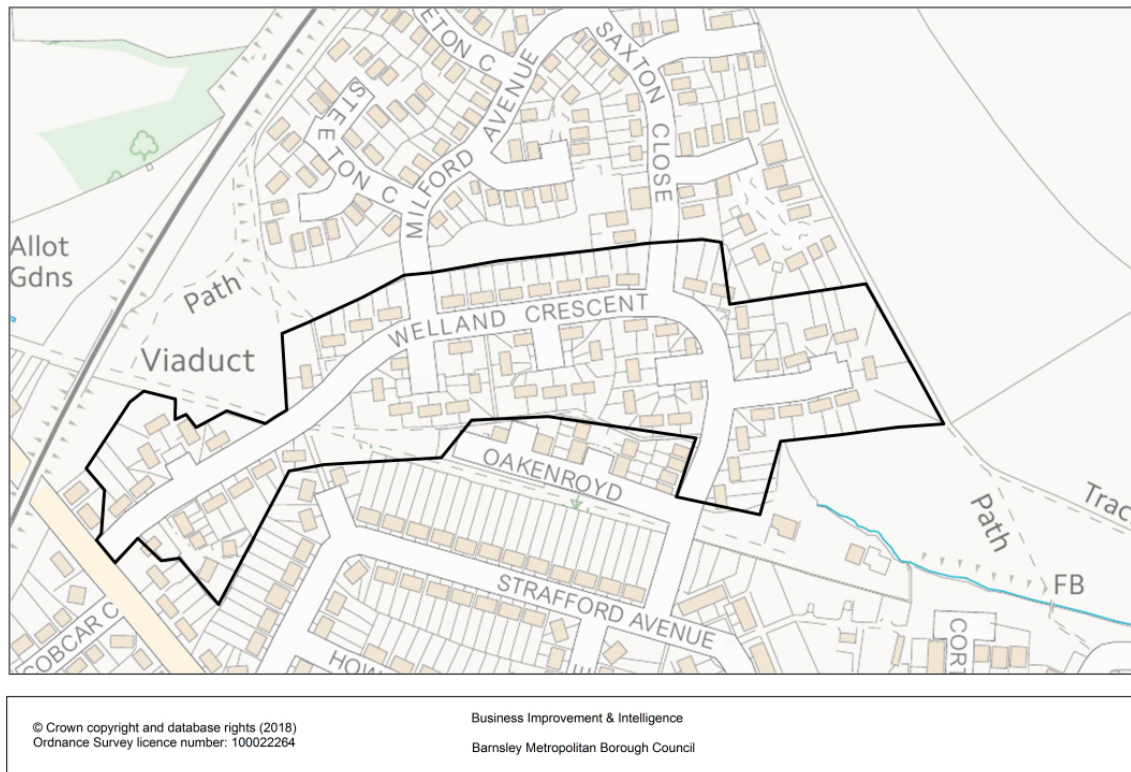


- **Wombwell** - John Street, Mount Terrace and William Street, Blythe Street, Main Street, Bond Street, Myrtle Road, Victoria Road, York Street, Frederick Street, Princess Street, Bartholomew Street, Barnsley Road (1-99), West Street, Western Terrace and School Street.

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### Elsecar - Welland Crescent



- **Elsecar - Welland Crescent.**

### The rationale for implementing the schemes post consultation is as follows:

Primarily, the scheme has been consulted upon to address issues of antisocial behaviour, crime and deprivation affecting some of our most vulnerable residents in Barnsley. These areas have more than twice the national average private rented property concentrations in the geographical designation. (Currently the National Average is 19%).

### Antisocial behaviour (ASB)

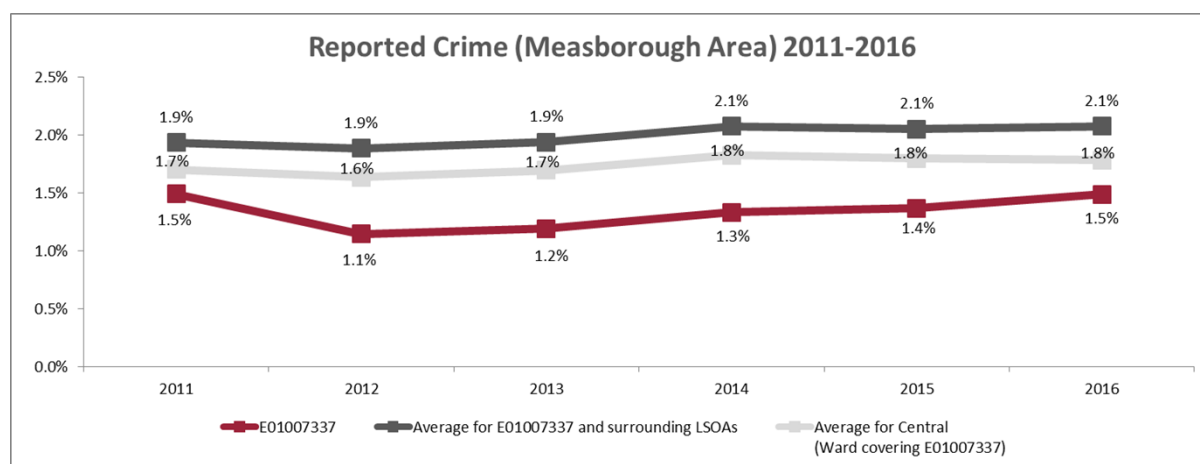
The criteria for ASB is outlined above in Primary condition and takes account of Police recorded ASB and BMBC antisocial behaviour, which includes such issues as fly tipping, waste presentation, noise nuisance and neighbour issues.

## Deprivation

Deprivation is commonly geographically represented within a Lower Super Output Area (LSOA's) relating to how relatively deprived the area is by giving it a percentile banding. For example: Goldthorpe is within the 2.2% most deprived of LSOAs and therefore falls within the lowest 10%. Likewise; Elsecar Area E01007394 and Wombwell E01007448 are both within the 20% most deprived area and Measborough Area E01007337 is within the lower 30% most deprived areas of England.

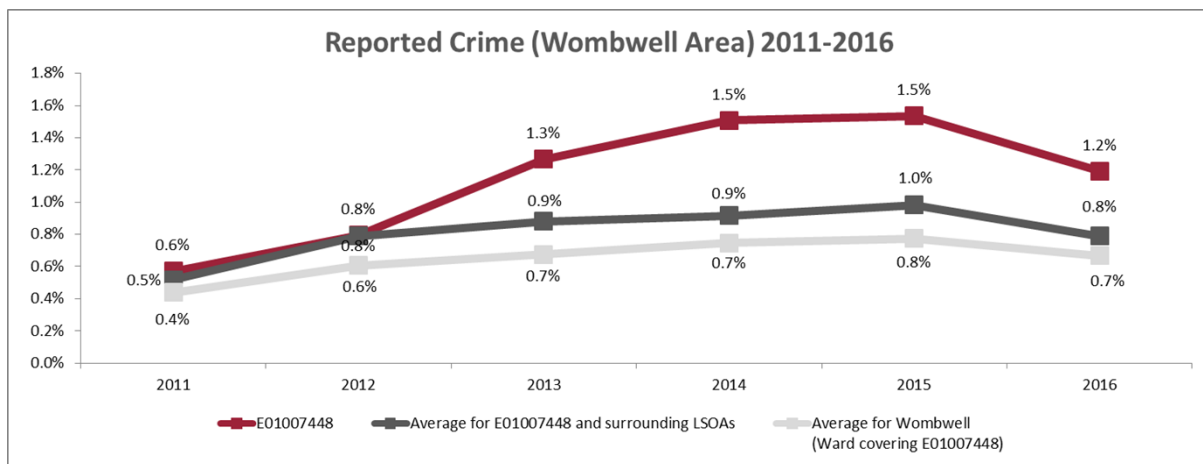
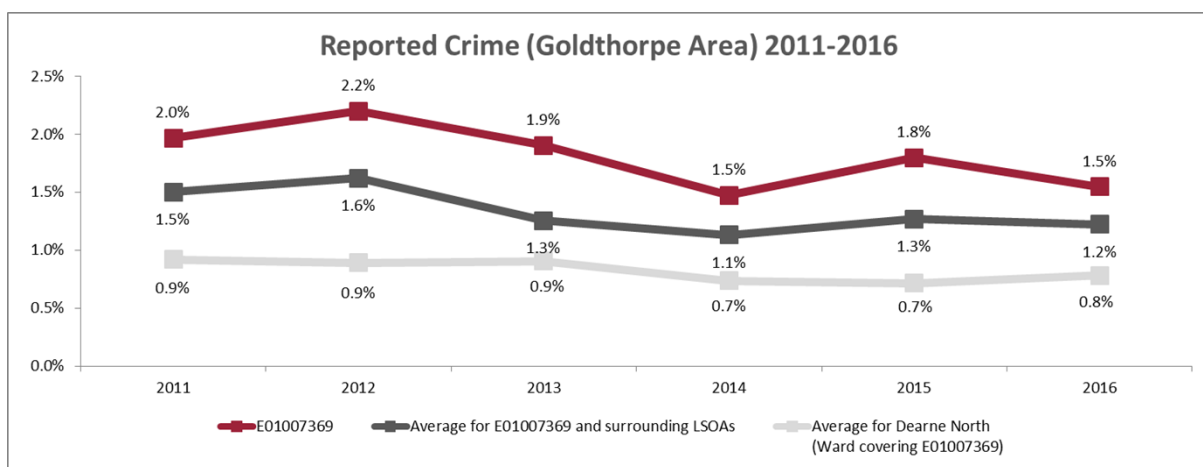
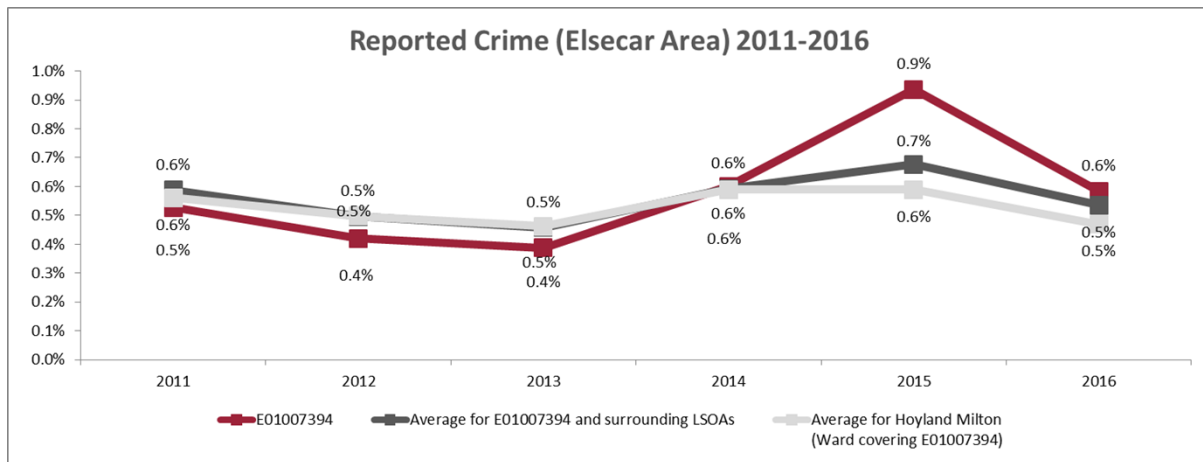
## Crime

The crime percentages provided in the original consultation document were later re-evaluated. Ward level averages were re-calculated to reflect the number of crimes in the ward in question as a percentage of overall crime for Barnsley. This is reflected in the following graphs.



To Note: It is recognised that reported crime in E01007337 is lower than the average for E01007337 and the LSOAs that surround it and the average for Central ward. This is to be expected as LSOAs which surround E01007337 include the town centre and transport interchange which have higher volumes of crime.





Post consultation several objections and data enquiries were received. All of these have been investigated and where appropriate measured against the initial criteria for selection. Whilst overall some minor amendments have been made to reflect information received or recalculations of data, the areas originally consulted upon still meet the criteria to implement a selective licensing scheme.

In order to address some of the wider issues raised by landlords, BMBC have recognised the need to reflect better management practices by some landlords. The implementation of an accreditation scheme which runs within the Selective licensing scheme acknowledges this. Therefore making the designation will, when combined with the accredited landlord option, contribute towards reductions in ASB, deprivation and crime in the area designations.