

## Equality Impact Assessment / Equality Analysis

<b>Title of service or policy</b>	Implementation of Additional Licensing of Houses in Multiple Occupation (HMOs) in Bath City.
<b>Name of directorate and service</b>	Directorate: Economy & Growth Service: Housing Services
<b>Name and role of officers completing the EIA</b>	Chris Mordaunt, Team Manager (Housing Standards & Improvements)
<b>Date of assessment</b>	Updated: 3 <sup>rd</sup> August 2018

1.	Identify the aims of the policy or service and how it is implemented.	
	Key questions	Answers / Notes
1.1	<p>Briefly describe purpose of the service/policy including</p> <ul style="list-style-type: none"> <li>• How the service/policy is delivered and by whom</li> <li>• If responsibility for its implementation is shared with other departments or organisations</li> <li>• Intended outcomes</li> </ul>	<p>Implementation of Additional Licensing for Houses in Multiple Occupation (HMO). A licence would be required for all HMOs<sup>1</sup> with shared facilities in Bath City. This would be managed and enforced by the Housing Standards and Improvement Team.</p> <p>The intended outcomes of this scheme are to ensure all HMOs comply with higher standards of safety, quality and management. It is intended this should lead to :</p> <ul style="list-style-type: none"> <li>• Improved quality of life for residents;</li> <li>• Safer and healthier homes;</li> <li>• Higher quality HMOs making it easier to attract and keep employees in Bath: and</li> <li>• Better quality housing will be available for potentially vulnerable people.</li> </ul>
1.2	<p>Provide brief details of the scope of the policy or service being reviewed, for example:</p> <ul style="list-style-type: none"> <li>• Is it a new service/policy or review of an existing one?</li> <li>• Is it a national</li> </ul>	<p>Additional licensing of HMOs is an extension to the existing Mandatory licensing scheme. This is already required for all properties with 5 or more occupants living as two or more households.</p> <p>It is not a national requirement. Local Housing Authorities are given the flexibility to implement additional licensing where there is the need in a specific local area.</p>

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<sup>1</sup> A House in Multiple Occupation (HMO) can be defined as a house with 3 or more people from 2 or more households (a full definition can be found in the 2004 Housing Act).

	<p>requirement?).</p> <ul style="list-style-type: none"> <li>How much room for review is there?</li> </ul>	<p>A ten week consultation was undertaken from 16<sup>th</sup> March to 25<sup>th</sup> May 2018 where much of the detail of the additional licensing proposals was available for review and comment. The Council cabinet will make the final decision on implementation expected September 2018.</p>
<b>1.3</b>	<p>Do the aims of this policy link to or conflict with any other policies of the Council?</p>	<p>The scheme will link and support a range of corporate priorities including: the Corporate Strategy (particularly the focus on prevention theme); the Economic Strategy; planning controls on HMOs and waste polices. Additional licencing will improve energy efficiency and so also contribute towards the corporate vision of low carbon communities by ensuring, where needed, energy ratings are improved.</p> <p>Potential challenges identified include:</p> <ul style="list-style-type: none"> <li>The costs of additional licensing could, at least theoretically, be passed on to tenants through increased rental prices; conflicting with objectives around affordability</li> <li>It could lead to a disparity of standards of HMO across the city; conflicting with equality objectives</li> <li>If the approach taken leads to a perception that HMOs are not welcome in Bath, then this may lead to a shortage in affordable private rented property. This may make it harder for employers to attract lower paid employees, particularly those at the start of their careers, including new graduates. This could damage economic development objectives for the city.</li> </ul>
<b>2. Consideration of available data, research and information</b>		
	<b>Key questions</b>	<b>Data, research and information that you can refer to</b>
<b>2.1</b>	<p>What is the equalities profile of the team delivering the service/policy?</p>	<p>Please see appendix A.</p>
<b>2.2</b>	<p>What equalities training have staff</p>	<p>Housing Standards and Improvement Team members have received equalities training,</p>

	received?	including training on the Equality Act 2010, and the 9 protected Characteristics. This is updated every three years.
<b>2.3</b>	What is the equalities profile of service users?	<p>No specific information is available on the equalities profile of the landlords and tenants of HMOs that will be subject to Additional Licensing. However, we do know that students make up a large proportion of occupants of HMOs in Bath. Data is available from the Higher Education Statistics Agency, on the age, gender and socio-economic profile of students at the Higher Education Institutions in Bath (<a href="http://www.hesa.ac.uk/index.php?option=com_content&amp;task=view&amp;id=2060&amp;Itemid=141">http://www.hesa.ac.uk/index.php?option=com_content&amp;task=view&amp;id=2060&amp;Itemid=141</a>)</p> <p>In broad terms, and given the large numbers of properties involved, around 2,000, it is reasonable to suspect that characteristics will be broadly similar to the wider population, as detailed in the appendix, with the notable exception of: age, where the tenants are likely to be younger; and income where the tenants are likely to have lower incomes.</p>
<b>2.4</b>	What other data do you have in terms of service users or staff? (e.g. results of customer satisfaction surveys, consultation findings). Are there any gaps?	None

2.5	<p>What engagement or consultation has been undertaken as part of this EIA and with whom?</p> <p>What were the results?</p>	<p>Whilst the EqIA has not been subject to any consultation the proposal to introduce Additional Licensing in Bath City has been subject to extensive public consultation.</p> <p>M.E.L Research was commissioned to undertake public consultation on the proposal to introduce an Additional Licensing scheme covering Bath City. In total, 910 respondents took part in the survey with further feedback gathered from two public meetings, stakeholder interviews and written responses. The consultation period spanned 10 weeks (16<sup>th</sup> March to 25<sup>th</sup> May 2018). The main methods of consultation were an online survey and a door to door residents' survey with a representative sample of residents from across the LHA area.</p> <p>The Council's Equalities Team were specifically consulted, and contributed, as part of the consultation exercise.</p> <p>Overall, support for an Additional Licensing scheme in Bath City is very strong with over eight out of ten (85% ) respondents in support of the scheme and more than four out of ten (44%) feeling it will have a positive effect on them as individuals.</p>	
2.6	<p>If you are planning to undertake any consultation in the future regarding this service or policy, how will you include equalities considerations within this?</p>	n/a	
3. Assessment of impact: 'Equality analysis'			
		Examples of what the service has done to promote equality	Examples of actual or potential negative or adverse impact and what steps have been or could be taken to address this
3.1	Gender – identify the impact/potential impact of the	The process of requiring a licence will mean that action will be taken to raise the	This could lead to a disparity of standards across B&NES with HMOs outside of the

	<p>policy on women and men. (Are there any issues regarding pregnancy and maternity?)</p>	<p>quality of private rented accommodation, resolve hazards and ensure higher standards. The improved standards will be particularly beneficial for the most vulnerable tenants, who perhaps currently live in sub-standard accommodation. These more vulnerable residents often fall into one or more equality groups.</p> <p>NB this positive impact will apply to all the groups considered below.</p>	<p>proposed areas becoming poorer quality (e.g. in relation to energy efficiency, fire safety etc).</p> <p><b>Action:</b> <i>On-going monitoring of impacts of licensing to be used to consider whether it might be appropriate to extend the scheme in due courses.</i></p>
<b>3.2</b>	<b>Transgender</b> – – identify the impact/potential impact of the policy on transgender people	<p>There is no evidence of a positive or negative impact on this Equalities group, due to lack of data and knowledge about HMO landlords and HMO dwellers in B&amp;NES. Officers should be sensitive when investigating occupancy of rooms and inspecting properties.</p>	
<b>3.3</b>	<b>Disability</b> - identify the impact/potential impact of the policy on disabled people (ensure consideration of a range of impairments including both physical and mental impairments)	<p>As in 3.1 above; and</p> <p>The higher standards applied with the additional licensing will mean that provision with respect to disabled persons is improved.</p> <p>A paragraph has been added to enforcement notices, informal and formal, stating that reasonable adjustments may be required.</p> <p>Note: Care homes are exempt from licensing.</p>	<p>As in 3.1 above; and</p> <p>The completion of a licence application form can be difficult for those with certain impairments. There can also be communication difficulties if legal action is taken for noncompliance with the HMO licence provisions.</p> <p><b>Action:</b> <i>Assistance to be offered to all landlords to complete the application form and on-going help and advice will be given.</i></p> <p><i>A strapline will added to standard letters and notices saying that they are available in other formats.</i></p>

3.4	<b>Age</b> – identify the impact/potential impact of the policy on different age groups	<p>As in 3.1 above</p> <p>More choice of high quality HMOs will make it easier to attract young professionals/lower paid employees to Bath.</p> <p>The requirements for greater energy efficiency will reduce fuel poverty amongst the elderly and other age groups such as younger people on lower incomes.</p> <p>Young families and elderly people are more likely to be attracted to and enjoy certain areas.</p> <p>Note: Childrens homes and care homes are exempt under the Housing Act 2004.</p>	<p>It has been argued that licensing may push up rental prices if landlords can pass the costs on to tenants which would disproportionately affect those with lower salaries and students that tend to be younger people.</p> <p>However, it is impossible to ascertain whether this is true, not least given that in relation to average rental costs the cost of the licence is marginal, typically around 0.6% of rent.</p>
3.5	<b>Race</b> – identify the impact/potential impact on different black and minority ethnic groups	<p>As in 3.1 above and</p> <p>Increasing availability of HMOs that reach minimum standards.</p> <p>The imposition of a framework for good management, the provision of a good basic level of standard amenities and the subsequent remedying of actionable hazards in licensed HMOs has a positive impact for all ethnic groups. This would particularly be the case where a property is used for asylum seekers and migrant</p>	As in 3.1 above

		workers.  Any cultural issues will be considered before enforcing standards.	
<b>3.6</b>	<b>Sexual orientation</b> - identify the impact/potential impact of the policy on lesbians, gay, bisexual & heterosexual people	There is no evidence of a positive or negative impact on this Equalities group, due to lack of data and knowledge about HMO landlords and HMO dwellers in B&NES. Officers should be sensitive when investigating occupancy of rooms and consider that same sex couples may be living as a household.	
<b>3.7</b>	<b>Religion/belief</b> – identify the impact/potential impact of the policy on people of different religious/faith groups and also upon those with no religion.	As in 3.1 above  Note: Certain buildings occupied by a religious community are exempt from additional licensing.	As in 3.1 above
<b>3.8</b>	<b>Socio-economically disadvantaged</b> – identify the impact on people who are disadvantaged due to factors like family background, educational attainment, neighbourhood, employment status can influence life chances	As in 3.1 above  The requirements for greater energy efficiency will reduce fuel poverty amongst those on lower income as it should reduce energy bills.  Better quality housing will be provided to tenants on lower incomes.  Good quality housing is important for people to achieve their educational and professional potential.  Note: Properties managed by a social landlord are exempt.	As in 3.1 and 3.4 above; and  <b>Action:</b> <i>On-going monitoring of impacts of licensing to be used to consider whether it might be appropriate to extend the scheme in due courses.</i>



<b>3.9</b>	<b>Rural communities</b> – identify the impact / potential impact on people living in rural communities	Increasing the quality of affordable areas within the city to live, e.g. young people living at home in rural areas, may be able to move out.	As in 3.1 above.  <b>Action:</b> <i>On-going monitoring of impacts of licensing to be used to consider whether it might be appropriate to extend the scheme in due courses.</i>
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#### 4. Bath and North East Somerset Council & NHS B&NES Equality Impact Assessment Improvement Plan

Please list actions that you plan to take as a result of this assessment. These actions should be based upon the analysis of data and engagement, any gaps in the data you have identified, and any steps you will be taking to address any negative impacts or remove barriers. The actions need to be built into your service planning framework. Actions/targets should be measurable, achievable, realistic and time framed.

Issues identified	Actions required	Progress milestones	Officer responsible	By when
The completion of a licence application form can be difficult for those with certain impairments or for whom reading & writing English is a challenge. There can also be communication difficulties if legal action is taken for noncompliance with the HMO licence provisions.	Assistance to be offered to all landlords to complete the application form.	Assistance available from when the licensing requirements are implemented.	Housing Standards and Improvement Team	When licensing requirements are implemented
May make those outside the areas where additional licensing is proposed more vulnerable to lower standards in shared housing (this	On-going monitoring and consideration as to whether the scheme should be extended in due course.	Ad-hoc monitoring reports	Housing Standards and Improvement	Post implementation of additional licensing

may impact adversely on a number of equality groups)			Team	scheme.
Potential for people to be uncomfortable or give inaccurate information when asked about living arrangements.	Sensitive consideration will need to be undertaken by Housing Officers when asking questions of people about their living arrangements when seeking to establish if a property is an HMO.	Customer Service standards.	Housing Standards and Improvement Team	Ongoing

## 5. Sign off and publishing

**Signed off by:** Graham Sabourn, Head of Housing

**Date:** 7<sup>th</sup> August 2018

## Appendix A

### Equalities profile of Housing Services and B&NES residents

<b>Gender</b>	Male	Female				
HS	25%	75%				
B&NES	49%	51%				
<b>Ethnicity</b>	White*	Mixed	Not known	Asian/Asian British	Black/Black British	Chinese or other ethnic
HS	93.88%	4.08%	2.04%	0%	0%	0%
B&NES	95%	2.5%	0%	0%	2.5%	0%
<b>Religion</b>	Christian	Buddhist	Not revealed	Muslim	No religion	Other
HS	50%	0%	7.5%	0%	40%%	7.5%
B&NES	71.01%	0.33%	8.03%	0.39%	19.50%	0.71%
<b>Sexuality</b>	Heterosexual	Lesbian/Gay/Bisexual	Not stated			
HS	77.5%	2.5%	20%			
B&NES	93%	7%	0%			
<b>Disability</b>	Disabled	Not revealed	Not disabled			
HS	5%	5%	90%			
B&NES	15% (3.1% aged under 65)	0%	85%			
<b>Age</b>	Under 24	25-44	45-64	65+		
HS	0	25%%	75%	0%		
B&NES	17.19%	26.03%	24.04	17.24%		

\* Split 82.5% White British; 12.5% White – European/other