

## Cambridge City Council Equality Impact Assessment (EqIA)



Please fill this out on the computer as a Word document or complete the form on SurveyMonkey – find the link on the Intranet.

This tool helps the Council ensure that we fulfil legal obligations of the [Public Sector Equality Duty](#) to have due regard to the need to –

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Guidance on how to complete this tool can be found on the Cambridge City Council intranet. For specific questions on the tool email Helen Crowther, Equality and Anti-Poverty Officer at [equalities@cambridge.gov.uk](mailto:equalities@cambridge.gov.uk) or phone 01223 457046. Once you have drafted the EqIA please send this to [equalities@cambridge.gov.uk](mailto:equalities@cambridge.gov.uk) for checking. For advice on consulting on equality impacts, please contact Graham Saint, Strategy Officer, ([graham.saint@cambridge.gov.uk](mailto:graham.saint@cambridge.gov.uk) or 01223 457044).

**1. Title of strategy, policy, plan, project, contract or major change to your service:**

Extension of Mandatory Licensing for Houses in Multiple Occupation

**2. Webpage link to full details of the strategy, policy, plan, project, contract or major change to your service (if available)**

N/A

**3. What is the objective or purpose of your strategy, policy, plan, project, contract or major change to your service?**

In December 2017 the government announced that it would proceed with extending mandatory property licensing of houses in multiple occupation (HMOs).

Having gained Parliamentary approval, the necessary regulations will be brought into force on 1st October 2018.

In Cambridge this will result in an increased number of properties that require a license and the need for additional staffing resources to deal with this. It will be necessary to increase the licence fee to recover costs of the extension of Mandatory licensing.

The HMO licensing regime exists to ensure standards are maintained in these types of properties which historically show poor standards both in the way they are maintained and managed. Licence holders must meet a “fit and proper” person test to hold a licence. HMO licensing brings about the raising of housing standards in the HMO sector, and the results benefit to the health and safety of occupying residents. It also improves the performance of property landlords, and ensures they comply with legal responsibilities in operating such properties.

The new mandatory requirements are that all properties will need to be licenced if they are:

- occupied by five or more persons in two or more separate households, regardless of the number of storeys.
- purpose built flats where there are up to two flats in the block and one or both are occupied as an HMO by five or more persons.

**4. Responsible Service**

Residential Team – Environmental Services

**5. Who will be affected by this strategy, policy, plan, project, contract or major change to your service? (Please tick those that apply)**

Residents of Cambridge City

Visitors to Cambridge City

Staff

Please state any specific client group or groups (e.g. City Council tenants, tourists, people who work in the city but do not live here):

- Landlords
- Managing agents
- Tenants in the Private Rented Sector

**6. What type of strategy, policy, plan, project, contract or major change to your service is this? (Please tick)**

New

Major change

Minor change

**7. Are other departments or partners involved in delivering this strategy, policy, plan, project, contract or major change to your service? (Please tick)**

No

Yes (Please provide details): Licensing Team

**8. Has the report on your strategy, policy, plan, project, contract or major change to your service gone to Committee? If so, which one?**

It is due to go on the 19<sup>th</sup> June 2018 Housing Scrutiny Committee

**9. What research methods/ evidence have you used in order to identify equality impacts of your strategy, policy, plan, project, contract or major change to your service?**

Cambridge City Council has an existing mandatory obligation to licence Houses in Multiple Occupation . We currently have over 330 properties that are licensed within the City. Although the new requirements extend the scope of properties that need licensing the processes remains much the same. With regard to this we have been able to use existing data to calculate the likely effect of extending mandatory licensing and calculate additional resources that will be needed.

The current license scheme has not identified any specific equality impacts, although there is no formal way of recording this information.

The Council may take account of all its costs of running the licensing scheme (under Part 2 and Chapter 1 of Part 4 of the Housing Act 2004) when setting the licensing fee.

A benchmarking exercise has also been carried to ensure that Cambridge City Councils fee remains comparative to that of other local authorities.

**10. Potential impacts**

For each category below, please explain if the strategy, policy, plan, project, contract or major change to your service could have a positive/ negative impact or no impact. Where an impact has been identified, please explain what it is. Consider impacts on service users, visitors and staff members separately.

**(a) Age - Any group of people of a particular age (e.g. 32 year-olds) , or within a particular age range (e.g. 16-24 year-olds) – in particular, please consider any safeguarding issues for children and vulnerable adults**

**Licence Holder** The requirement to licence and the increased licence fee could affect any adult who owns a House in Multiple Occupation that becomes licensable or is already licensable regardless of their age. The affect is equal across those who may be affected as the licensing fee is not specific to age group. There is no evidence to suggest it would raise safeguarding issues based on the current scheme. The effect of the extension of mandatory licensing will be the requirement to pay a licence fee or an increased licence fee on properties that fall within the criteria. Some properties may also require additional work to improve safety and suitability .Children will not be affected as they would not be a licence holder.

**HMO – Residents** There is no reliable data on the age of occupants within licensed HMOs. Anecdotally, single, younger persons aged 20-40 will typically be found in these properties. However, with high housing costs within Cambridge this type of accommodation is widely used. Licensing aims to improve the health and safety of occupants, which would have a positive impact for people occupying HMOs of all protected characteristics. It is possible that instances of safeguarding may reduce with improvement of property standards.

**(b) Disability - A person has a disability if she or he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities**

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**Licence holders** - There is no evidence under the existing mandatory licensing scheme to suggest that the extension of mandatory licensing will have any specific greater effect on a person with a disability .The effect of the extension of mandatory licensing will be the requirement to pay a licence fee or an increased licence fee on properties that fall within the criteria. Some properties may also require additional work to improve safety and suitability .

**HMO Residents** There is no information available with regard to disability and occupiers of HMOs. However licensing aims to improve the health and safety of all occupants, which may help prevent disability and long-term illness caused by poor housing conditions.

**(c) Sex – A man or a woman.**

**Licence holders** - There is no evidence under the existing mandatory licensing scheme to suggest that the extension of mandatory licensing will have any specific greater effect on either men or women. The effect of the extension of mandatory licensing will be the requirement to pay a licence fee or an increased licence fee on properties that fall within the criteria. Some properties may also require additional work to improve safety and suitability.

**HMO Residents** There is no evidence of people of a particular sex being more or less likely to reside in a licensed HMO. However licensing aims to improve the health and safety of all occupants, which would have a positive impact for people occupying HMOs of all protected characteristics.

**(d) Transgender – A person who does not identify with the gender they were assigned to at birth (includes gender reassignment that is the process of transitioning from one gender to another)**

**Licence holders** -There is no evidence under the existing mandatory licensing scheme to suggest that the extension of mandatory licensing will have any specific greater effect on the transgender community. The effect of the extension of mandatory licensing will be the requirement to pay a licence fee or an increased licence fee on properties that fall within the criteria. Some properties may also require additional work to improve safety and suitability

**HMO Residents** - There is no specific information available regarding transgender people living in Houses of Multiple Occupation. However licensing aims to improve the health and safety of all occupants, which would have a positive impact for people occupying HMOs of all protected characteristics.

**(e) Pregnancy and maternity**

**Licence holders.** There is no evidence under the existing mandatory licensing scheme to suggest that the extension of mandatory licensing will have any specific greater effect during pregnancy and maternity, existing mandatory. The effect of the extension of mandatory licensing will be the requirement to pay a licence fee or an increased licence fee on properties that fall within the criteria. Some properties may also require additional work to improve safety and suitability.

**HMO Residents** There is no specific information available regarding pregnancy or maternity of people living in Houses of Multiple Occupation. It is likely some expectant mothers will live in HMOs throughout the city. However licensing aims to improve the health and safety of all occupants, which would have a positive impact for people occupying HMOs of all protected characteristics.

**(f) Marriage and civil partnership**

**Licence holders** - There is no evidence to suggest that the changes will have any specific greater effect for people who are married or in a civil partnership. The effect of the extension of mandatory licensing will be the requirement to pay a licence fee or an increased licence fee on properties that fall within the criteria. Some properties may also require additional work to improve safety and suitability.

**HMO Residents** - There is no specific information available regarding people who are married or in a civil partnership living in Houses of Multiple Occupation. However licensing aims to improve the health and safety of all occupants, which would have a positive impact for people occupying HMOs of all protected characteristics..

**(g) Race - The protected characteristic 'race' refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.**

**Licence holders-** There is no evidence under existing mandatory licensing scheme to suggest that the changes will have any specific greater effect for people who are of a specific race/ethnicity. If language barriers are identified the relevant officer will ensure that steps are taken such as offering translated information or an interpreter where this is deemed appropriate. The effect of the extension of mandatory licensing will be the requirement to pay a licence fee or an increased licence fee on properties that fall within the criteria. Some properties may also require additional work to improve safety and suitability.

**HMO Residents –** We do not hold information on how HMOs are occupied in Cambridge in terms of breakdown related to race. National statistics show that housing of black and minority ethnic people live in tends to be of lower quality, especially among households of Pakistani origin, and overcrowding is more common, particularly among households of Bangladeshi origin. (Reference Cabinet Office (2017), 'Race Disparity Audit: Summary Findings from the Ethnicity Facts and Figures Website. The changes to HMO licencing will improve the quality of HMOs so may have an especially positive impact on BAME people. If language barriers are identified the relevant officer will ensure that steps are taken such as offering translated information or an interpreter where appropriate. Licensing aims to improve the health and safety of all occupants.



#### **(h) Religion or belief**

**Licence holders-** There is no evidence to suggest that the changes will have any specific greater effect for people who are of a specific religion and there is no evidence of this under existing mandatory licensing scheme. The effect of the extension of mandatory licensing will be the requirement to pay a licence fee or an increased licence fee on properties that fall within the criteria. Some properties may also require additional work to improve safety and suitability. Officers would ensure they offer appropriate support, considering when to make appointments, where specific religious events, festivals or prayer have been identified.

**HMO Residents –** We do not hold information on religions of Occupiers of HMOs in Cambridge, Licensing aims to improve the health and safety of all occupants. Officers would ensure they offer appropriate support, considering when to make appointments, where specific religious events, festivals or prayer have been identified.

#### **(i) Sexual orientation**

**Licence Holders -**The cost of the licence will affect all licence holders. Some properties may also require additional work to improve safety and suitability .We do not require information on the sexual orientation of licence holders, so do not have equalities monitoring data related to this protected characteristic, but there is no evidence to suggest that the changes will have any specific greater effect based on the current scheme.

**HMO – Residents** There is no specific evidence relating to sexual orientation of Occupiers of Houses in Multiple Occupation In Cambridge. However Licensing aims to improve the health and safety of all occupants.

**(j) Other factors that may lead to inequality – in particular – please consider the impact of any changes on low income groups or those experiencing the impacts of poverty**

**Impact on low income tenants** - Although it is yet unknown it is possible that licence fees may be passed on through rent. However licences will generally last for 5 years. In the worst case scenario if the entire amount of the licence was shared between the minimum of 5 tenants which is the point at which the property becomes licensable it would equate to approx. £3.17 per month per tenant. However some HMOs are operated by rogue landlords who exploit their vulnerable tenants, by renting sub-standard, overcrowded and dangerous accommodation. Poor practice can include: housing illegal migrants; failing to meet the required health and safety standards; permitting overcrowding; and ineffective management of tenant behaviour. The mandatory extension of licensing will address these issues to ensure that continued improvement of property standards.

**Impact on low income landlords** – The extension of licensing is a mandatory requirement for all properties that fall within the extended criteria in England. The increase in the licence fee has been identified to cover the costs to the Council that the additional requirements will bring. Many licence holders are property professionals. In most cases properties will be licensed for the maximum period that is permitted under legislation of 5 years meaning the fee is only due every 5 years. A reduction will be made to licence holders who re apply for renewal of licence before expiry of their existing licence.

**11. Action plan – New equality impacts will be identified in different stages throughout the planning and implementation stages of changes to your strategy, policy, plan, project, contract or major change to your service. How will you monitor these going forward? Also, how will you ensure that any potential negative impacts of the changes will be mitigated? (Please include dates where possible for when you will update this EqlA accordingly.)**

- The Licence fee will continually to be reviewed annually.
- Housing inspections are already routinely carried out and will continue under the extension of licensing.
- The Residential Team will still reactively investigate complaints from those housed in HMOs including licensed HMOs.

**12. Do you have any additional comments?**

The biggest change within the scheme will be to landlords and property managers. The licence fee will be raised on renewal for existing properties that fall into the scope of licensing, and will come in to use on the 1<sup>st</sup> October 2018 for properties which will come into the scope of licensing. Many landlords who may have been able to operate without a licence will now need to apply.

It is generally not disputed that licensing has been largely successful in improving management and safety standards in those HMOs and on this basis tenants within Cambridge will see an improvement in some properties which become licensable and may otherwise not have been maintained to the correct standard. It is estimated in the region of 1100 additional properties will come under the scope of mandatory licensing.

There is no change to how existing staff will be required to carry out the role, the scheme will require additional staff to meet requirement of licensing additional properties.

### 13. Sign off

Name and job title of lead officer for this equality impact assessment: Claire Adelizzi

Names and job titles of other assessment team members and people consulted: Philip Winter

Date of EqlA sign off: 30<sup>th</sup> May 18

Date of next review of the equalities impact assessment: 1 year

Sent to Helen Crowther, Equality and Anti-Poverty Officer?

Yes

No

Date to be published on Cambridge City Council website (if known):