

## Cambridge City Council Equality Impact Assessment (EqIA)

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).

<b>1. Title of strategy, policy, plan, project, contract or major change to your service</b>
Feasibility Study for the Implementation of Selective Licensing in the City of Cambridge - publication and actioning the recommendations
<b>2. Webpage link to full details of the strategy, policy, plan, project, contract or major change to your service (if available)</b>
N/A

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

Cambridge City Council has an existing mandatory obligation to license Houses in Multiple Occupation. We currently have over 770 properties that are licensed within the City with a team who is highly experienced with investigating housing complaints and ensuring properties meet the relevant standards.

Section 3 of the Housing Act 2004 places a duty on all local housing authorities to keep the housing conditions in their area under review, with a view to identifying any action that may need to be taken.

In March 2020, a feasibility study was commissioned, this feasibility study investigates the need, suitability, and appropriateness for the implementation of Selective Licensing under Part 3 of the Housing Act 2004, on privately rented properties, in Cambridge. The study was carried out following guidance produced by the Department for Communities and Local Government (DCLG, now known as the Ministry for Communities and Local Government, MHCLG) that states that local authorities may only make a designation if the area has a high proportion of property in the private rented sector.

In coming to conclusions small geographical areas within the city were assessed against six criteria set in legislation:

- Low housing demand
- A significant and persistent problem with anti-social behaviour
- Poor property conditions
- High levels of migration
- High levels of deprivation
- High levels of Crime

The report identified several areas where recommendations need to be followed. These include

- Targeted enforcement of properties not meeting the Minimum Energy Efficiency Regulations, with EPC ratings below E.
- Targeted proactive work around HMOs within the applicable LSOA's within the City and looking for correlations between those HMOs and other factors such as ASB/crime. If any significant links are made, a study could be commissioned for the implementation of additional licensing in the city following this work

### **4. Responsible service**

Residential Team, Env Health, Env Services

**5. Who will be affected by this strategy, policy, plan, project, contract or major change to your service?**

**(Please tick all that apply)**

- Residents
- Visitors
- 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

- Owners of property in the private rented sector
- 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?**

- 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)**

- Yes
- No

If 'Yes' please provide details below:

The future work to carry out recommendations made in the feasibility study will involve forging new relationships both with internal and external stakeholders. This may include continued work with the fire service, relevant services if safeguarding issues are identified as well as internal services such as planning, housing advice, building control and antisocial behaviour. This will develop as the project progresses.

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

Housing Scrutiny Committee 19th January 2020

**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?**

The equality impacts were based around the finding of Feasibility Study for the implementation of Selective Licensing in the City of Cambridge. The study was prepared with evidence from the following sources.

- Police.uk
- Building Research Establishment (BRE)
- Office for National Statistics
- Ministry of Housing, Communities and Local Government
- Building Research Establishment (BRE)
- Police.uk

Remaining indicators are from Building Research Establishment (BRE)'s housing stock modelling in Cambridge in 2015. BRE's modelling approach provides information of local housing stock status for targeted housing condition improvement.

The Housing Health and Safety Rating system which focuses on the links between unsatisfactory housing and the health of residents. It is enforced under the Housing Act 2004.

The 2018 English Private Landlord Survey (EPLS), this is a national survey of landlords and letting agents<sup>1</sup> who own and/or manage privately rented properties in England. It was commissioned by the Ministry of Housing, Communities and Local Government (MHCLG).

The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 establish a minimum level of energy efficiency for privately rented property in England and Wales. Since 1 April 2020, landlords can no longer let or continue to let properties covered by the Minimum Energy Efficiency Standards (MEES) Regulations if they have an EPC rating below E, unless they have a valid exemption in place.

## 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 - Please also consider any safeguarding issues for children and adults at risk

#### **Property Owner /Landlord / Agent.**

The 2018 English Private Landlord Survey (EPLS) is a national survey of landlords and letting agents who own and/or manage privately rented properties in England. It was commissioned by the Ministry of Housing, Communities and Local Government (MHCLG). This survey indicates that over half (59%) of landlords are aged 55 years or older. Given the older age profile, a third (33%) of landlords are retired.

It is likely that targeted enforcement will identify those who have failed to ensure they meet with legal requirements prescribed in housing legislation. To mitigate the negative effects of enforcement action in the first instance an informal approach will be used to try resolve issues of compliance where possible. Cambridge City Councils enforcement policy also supports the use of informal action initially. The Residential Team have a lot of experience in this field of work and can offer support and advice to landlords to try and avoid the necessity to take enforcement action. However, it is important to recognise that landlords who fail to take the action required maybe subject to enforcement action.

#### **Residents in the private rented sector**

Cambridge City's population is defined by high migration rates and population churn, a young adult population with a preponderance of people between 18 and 26 years of age and an under representation of children and older people. The average age of people living in the city is 36 years, one of the lowest in the country. The Enforcement of the Minimum Energy Standards will look to improve health through better living conditions as well as the reduction of fuel bills through better fuel efficiency. The Housing Health and Safety rating system classes those aged over 65 as the most vulnerable to suffer harm from excess cold. Due to higher house prices within Cambridge City people now rent for longer, so although the age profile for Cambridge is younger it may also affect older people.

It is possible landlords may withdraw properties from the rental market where they are unwilling to carry out enough work to bring the property up to the correct standard leading to displacement of tenants. This can only be done by following a legal process to regain possession of property and avoid illegal eviction. It is possible that households with children, or vulnerable adults could be displaced. However retaliatory eviction and prohibition within Cambridge following housing inspections is not common. In the event of this happening support could be provided from the Housing Advice team. When investigating complaints or carrying out inspections, officers give careful consideration to the best course of action including reducing the risk of homelessness or retaliatory eviction.

## **(b) Disability**

### **Property Owner /Landlord / Agent.**

Mitigation of the negative effects of enforcement action will be the same as those detailed under the age category 10(a).

We encourage landlords to bring to our attention to any relevant matters which may need to be taken into consideration by us when seeking improvements to private rented properties in the City. Following which we can work to support them in relation to this.

Reasonable adjustment can be made where necessary with regard to disability, including provision of accessible documents and meeting locations and online meetings. Where a disability is likely to affect an individual's ability to carry out their function as a landlord we would advise them to engage a property manager.

### **Residents in the private rented sector**

The feasibility study supports improved physical and mental health through delivering improved environments for residents and providing positive health effects via increasing housing standards. The link between housing and health is well researched, understood and accepted. Higher housing standards including energy efficiency reduce mould and damp, which can cause health implications to residents including those with underlying health conditions. Health conditions are reflected in the Housing Health and Safety Rating System which includes statistical information from cardiovascular and respiratory illness serious enough to lead to hospital admission. Targeted enforcement will ensure that properties meet the minimum energy requirements and have an EPC rating of "E" or above. The impact from following the recommendations in the feasibility study will be positive for tenants as they will benefit from improved living conditions.

Risk of displacement of tenants could be the same as that detailed under the age category 10(a). Tenants with a disability are likely to have priority need in relation to the local authorities' provision of alternative temporary accommodation.

## **(c) Gender reassignment**

No impacts identified specific to this equality group for property owners, landlords, agents, residents in the private rented sector or staff.

**(d) Marriage and civil partnership**

No impacts identified specific to this equality group for property owners, landlords, agents, residents in the private rented sector or staff.

**(e) Pregnancy and maternity**

**Property Owner /Landlord / Agent.**

Reasonable adjustments can be made to ensure that people within this category are supported where necessary including scheduling of meetings and telephone appointments at an agreed time to allow for childcare responsibilities.

**Residents in the private rented sector**

The Enforcement of the Minimum Energy Standards as well as targeted enforcement in relation to houses in multiple occupation (HMO) looks to improve health through better living conditions as well as the reduction of fuel bills through better fuel efficiency.

The Housing Health and Safety Rating System specifically identifies pregnant people as being more susceptible under the hazard of food safety and un-combusted fuel gas in a dwelling meaning they would have a more server outcome.

Risk of displacement of tenants could be the same as that detailed under the age category 10(a). Tenants within this category are likely to have priority need in relation to the local authorities' provision of alternative temporary accommodation.

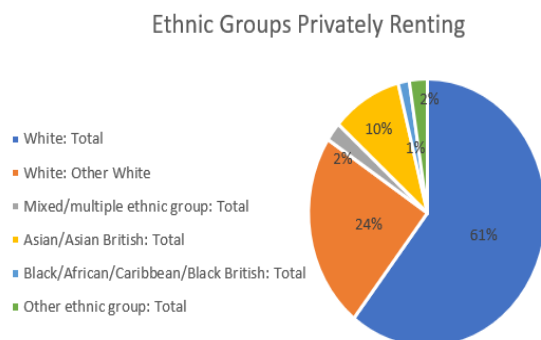
(f) **Race – Note that the protected characteristic ‘race’ refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.**

**Property Owner /Landlord / Agent.**

The 2018 English Private Landlord Survey (EPLS) is a national survey of landlords and letting agents<sup>1</sup> who own and/or manage privately rented properties in England. It was commissioned by the Ministry of Housing, Communities and Local Government (MHCLG). In terms of ethnicity, 89% of landlords identified as White<sup>16</sup>, with 4% Indian, 2% Black, 1% Pakistani or Bangladeshi and the remaining 4% Other, Annex Table 1.10. This compares to the 2011 Census statistics for England and Wales, where 86% of the population identified as White, with 3% Indian, 3% Black, 3% Pakistani or Bangladeshi and the remaining 5% other. An interpretation and translation service can be used to communicate with people who have English as a second language and need to understand our communications fully.

**Residents in the private rented sector.**

The chart below displays tenure by ethnic group taken from the 2011 Census data used within the feasibility study. An interpretation and translation service can be used to communicate with people who have English as a second language and need to understand our communications fully.



(g) **Religion or belief**

**Property Owner /Landlord / Agent.**

The importance of understanding and acknowledging religious events and holidays is recognised. During these periods’ steps will be taken to avoid appointments being made however this may not always be possible if a housing emergency is identified.

**Residents in the private rented sector.**

The importance of understanding and acknowledging religious events and holidays is recognised. During these periods’ steps will be taken to avoid disruption and take into account tenants wishes regarding visits to affected properties and progression of enforcement action, this may not always be possible if a housing emergency is identified.



**(h) Sex**

No impacts identified specific to this equality group for property owners, landlords, agents, residents in the private rented sector or staff.

**(i) Sexual orientation**

No impacts identified specific to this equality group for property owners, landlords, agents, residents in the private rented sector or staff.

**(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**

A feasibility study was commissioned into the implementation of selective licensing of private rented properties in the city of Cambridge. This considers each of the following points:

- If a significant and persistent problem existed from anti-social behaviour
- poor property conditions
- high levels of migration
- high level of deprivation
- high levels of crime

None of our 34 candidate LSOAs looked at in the study can be classed as suffering from high levels of deprivation. Overall, Cambridge City is a relatively prosperous place with an Index of Multiple Deprivation 2019 Rank of Average Score amongst local authorities of 205 (66%) out of the 317 local authorities, with 1 being the most deprived.

**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.)**

If appropriate the EqlA can be updated following the first 6 months of targeted enforcement. This is likely to be necessary should the effect of enforcing The Minimum Energy Efficiency Standard provide new data.

**Staff** -There is no substantial change for staff, there will be some training need around the implementation of the Minimum Energy Efficiency Standards, but this falls within normal work.

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

N/A

**13. Sign off**

Name and job title of lead officer for this equality impact assessment: Claire Adelizzi, Team Manager – Residential Team

Names and job titles of other assessment team members and people consulted: Philip Winter, Project Officer – Residential Team, Helen Crowther Equality and Anti-Poverty Officer

Date of EqIA sign off: 22/12/2020

Date of next review of the equalities impact assessment: 01/10/2021

Date to be published on Cambridge City Council website: 20/01/2021

**All EqIAs need to be sent to Helen Crowther, Equality and Anti-Poverty Officer. Ctrl + click on the button below to send this (you will need to attach the form to the email):**

**Send form**