

Appendix E

Equality Analysis Report

Title of activity / Budget Proposal title and number Additional HMO Licensing	Committee meeting (decision maker) and date Executive – 13 th February 2017
Service area Environmental Services	Lead officer Paul Pace
Approved by	Date of approval
Description of activity: Continuation of a scheme, originally launched in May 2013, requiring the licensing of houses in multiple occupation that do not fall within the scope of the compulsory mandatory HMO licensing scheme. The existing scheme of licensing of houses in multiple occupation imposes minimum safety standards for this type of accommodation and during the first 5 year period of licensing the standards have increased from 62% to 85% broad compliance. Formal action, including prosecution, can be taken against owners or agents that fail to license multiply occupied properties. An extension of the scheme is required to increase further the broad compliance figure and improve the living conditions for tenants of these properties.	

Please refer to the Equality Analysis Template Notes for guidance on completing this form.

Relevance Test

1. The outcomes of the activity directly and significantly impact on people, e.g. service users, employees, voluntary and community sector groups.	Yes	√	No	<input type="checkbox"/>
2. The activity could / does affect one or more protected equality groups.	Yes	√	No	<input type="checkbox"/>
3. The activity could / does affect protected equality groups differently.	Yes	<input type="checkbox"/>	No	√
4. One or more protected equality groups could be disadvantaged, adversely affected or are at risk of discrimination as a result of the activity.	Yes	<input type="checkbox"/>	No	√
5. The activity relates to an area where there are known inequalities.	Yes	<input type="checkbox"/>	No	√
6. The activity sets out proposals for significant changes to services, policies etc. and / or significantly affects how services are delivered.	Yes	<input type="checkbox"/>	No	√
7. The activity relates to one or more of the three aims of the Council's equality duty.	Yes	√	No	<input type="checkbox"/>
8. The activity relates to the Council's Corporate Plan objectives, is a significant activity and / or presents a high risk to the Council's public reputation.	Yes	√	No	<input type="checkbox"/>
9. An equality analysis of this activity is required.	Yes	√	No	<input type="checkbox"/>
This activity has no relevance to Bedford Borough Council's duty to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations. An equality analysis is not needed.				<input type="checkbox"/>
Explanation why equality analysis is not needed				
N/A				

Scope of equality analysis

Who is / will be impacted by the activity's aims and outcomes?	Landlords, Managing Agents, tenants and those living within the vicinity of properties caught by the licensing scheme.
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Which particular protected equality groups are likely / will be affected?	Relevant to all of the protected groups, not affecting one more than another.
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Evidence, data, information and consultation

What evidence have you used to analyse the effects on equality?	The public consultation period ran from the 9 th October to the 18 th December 2017 and additional consultation was carried out during the summer of 2017 using the Citizens Panel survey. The results of the consultation showed that 65% of respondents were in favour of the Council licensing private rented properties with 29% strongly agreeing and a further 29% also agreed with the Councils approach to tackling poorly managed properties through the existing licensing regime. 71% of landlords and 74% of tenants were in favour of the licensing of private rented properties. .
What consultation did you carry out with protected equality groups to identify your activity's effect on equality?	An extensive consultation process has been undertaken to try to obtain the views of anyone affected by or with an interest in houses in multiple occupation. The Council have used its own formal consultation process, included questions in its Citizens Panel, placed adverts in local newspapers, held a landlords forum meeting, contacted tenants who had previously used the Councils services to report issues with their properties and carried out face to face interviews in the Council's contact centre offices.
What does this evidence tell you about the different protected groups?	<p>All protected groups will be similarly affected whether they are landlords, managing agents who will be liable for the license fee or tenants of HMO 's or those living in proximity to houses in multiple occupation.</p> <p>There is the possibility that landlords or agents will pass on the cost of the license to their tenants in the form of increased rent however the Council has been operating an Additional HMO licensing scheme for 5 years and there is no evidence that indicates that this has been the case previously.</p>
What further research or data do you need to fill any gaps in your understanding of the potential or known effects of the activity?	No further information is required.

General Equality Duty

Which parts of the general equality duty is the activity relevant to?			
	Eliminate discrimination, harassment and victimisation	Advance equality of opportunity	Foster good relations
Age	All owners/managing agents and tenants of HMO's caught by this scheme will be equally affected regardless of whether they belong to a protected group (s) or not.	The scheme will improve standards for tenants in HMOs regardless of whether they belong to a protected group(s) or not.	The relationship between landlords and tenants of HMO's will improve as the standards are improved. Landlords will be able to use their HMO license to market their property as safe to prospective tenants.
Disability	All owners/managing agents and tenants of HMO's caught by this scheme will be equally affected regardless of whether they belong to a protected group (s) or not.	The scheme will improve standards for tenants in HMOs regardless of whether they belong to a protected group(s) or not. Improved standards will benefit those with disabilities i.e. better emergency evacuation arrangements in the event of a fire.	The relationship between landlords and tenants of HMO's will improve as the standards are improved. Landlords will be able to use their HMO license to market their property as safe to prospective tenants.
Gender reassignment	All owners/managing agents and tenants of HMO's caught by this scheme will be equally affected regardless of whether they belong to a protected group (s) or not.	The scheme will improve standards for tenants in HMOs regardless of whether they belong to a protected group(s) or not.	The relationship between landlords and tenants of HMO's will improve as the standards are improved. Landlords will be able to use their HMO license to market their property as safe to prospective tenants.
Pregnancy and maternity	All owners/managing agents and tenants of HMO's caught by this scheme will be equally affected regardless of whether they belong to a protected group (s) or not.	The scheme will improve standards for tenants in HMOs regardless of whether they belong to a protected group(s) or not.	The relationship between landlords and tenants of HMO's will improve as the standards are improved. Landlords will be able to use their HMO license to market their

			property as safe to prospective tenants.
Race	A large percentage of the population of Bedford Borough are from an ethnic minority group and a range of different languages are spoken. There could be confusion regarding the requirements of the scheme should English not be their first language. However the scheme has been in operation for 5 years and there have been no issues raised by anyone affected by it regarding their ability to understand the requirements of it.	The scheme will improve standards for tenants in HMOs regardless of whether they belong to a protected group(s) or not.	The relationship between landlords and tenants of HMO's will improve as the standards are improved. Landlords will be able to use their HMO license to market their property as safe to prospective tenants.
Religion or belief	All owners/managing agents and tenants of HMO's caught by this scheme will be equally affected regardless of whether they belong to a protected group (s) or not.	The scheme will improve standards for tenants in HMOs regardless of whether they belong to a protected group(s) or not.	The relationship between landlords and tenants of HMO's will improve as the standards are improved. Landlords will be able to use their HMO license to market their property as safe to prospective tenants.
Sex	All owners/managing agents and tenants of HMO's caught by this scheme will be equally affected regardless of whether they belong to a protected group (s) or not.	The scheme will improve standards for tenants in HMOs regardless of whether they belong to a protected group(s) or not.	The relationship between landlords and tenants of HMO's will improve as the standards are improved. Landlords will be able to use their HMO license to market their property as safe to prospective tenants.
Sexual orientation	All owners/managing agents and tenants of HMO's caught by this scheme will be equally affected	The scheme will improve standards for tenants in HMOs regardless of whether they belong to a protected	The relationship between landlords and tenants of HMO's will improve as the standards are improved.

	regardless of whether they belong to a protected group (s) or not.	group(s) or not.	Landlords will be able to use their HMO license to market their property as safe to prospective tenants.
Marriage & civil partnership	All owners/managing agents and tenants of HMO's caught by this scheme will be equally affected regardless of whether they belong to a protected group (s) or not.		

Impact on equality groups

Based on the evidence presented what positive and negative impact will your activity have on equality?				
	Positive impact	Negative impact	No impact	Explanation
Age	√	<input type="checkbox"/>	<input type="checkbox"/>	The scheme provides minimum standards of safety and management, therefore the effect of this will benefit all of those from any protected group living in this type of property.
Disability	√	<input type="checkbox"/>	<input type="checkbox"/>	The scheme provides minimum standards of safety and management, therefore the effect of this will benefit all of those from any protected group living in this type of property.
Gender reassignment	√	<input type="checkbox"/>	<input type="checkbox"/>	The scheme provides minimum standards of safety and management, therefore the effect of this will benefit all of those from any protected group living in this type of property.
Pregnancy and maternity	√	<input type="checkbox"/>	<input type="checkbox"/>	The scheme provides minimum standards of safety and management, therefore the effect of this will benefit all of those from any protected group living in this type of property.
Race	√	<input type="checkbox"/>	<input type="checkbox"/>	The scheme provides minimum standards of safety and management, therefore the effect of this will benefit all of those from any protected group living in this type of property.
Religion or belief	√	<input type="checkbox"/>	<input type="checkbox"/>	The scheme provides minimum standards of safety and management, therefore the effect of this will benefit all of those from any protected group living in this type

				of property.
Sex	√	<input type="checkbox"/>	<input type="checkbox"/>	The scheme provides minimum standards of safety and management, therefore the effect of this will benefit all of those from any protected group living in this type of property.
Sexual orientation	√	<input type="checkbox"/>	<input type="checkbox"/>	The scheme provides minimum standards of safety and management, therefore the effect of this will benefit all of those from any protected group living in this type of property.
Marriage & civil partnership	√	<input type="checkbox"/>	<input type="checkbox"/>	The scheme provides minimum standards of safety and management, therefore the effect of this will benefit all of those from any protected group living in this type of property.
Other relevant groups	√	<input type="checkbox"/>	<input type="checkbox"/>	The scheme provides minimum standards of safety and management, therefore the effect of this will benefit all of those from any protected group living in this type of property.

Commissioned services

What equality measures will be included in Contracts to help meet the three aims of the general equality duty?	N/A
What steps will be taken throughout the commissioning cycle to meet the different needs of protected equality groups?	N/A

Actions

	What will be done?	By who?	By when?	What will be the outcome?
Actions to lessen negative impact				
Actions to increase positive impact				
Actions to develop equality evidence, information and data				
Actions to improve equality in procurement / commissioning				
Other relevant actions				

Recommendation

No major change required	<input checked="" type="checkbox"/>	
Adjustments required	<input type="checkbox"/>	
Justification to continue the activity	<input type="checkbox"/>	
Stop the activity	<input type="checkbox"/>	

Summary of analysis

In preparing this report, due consideration has been given to the Borough Council's statutory Equality Duty to eliminate unlawful discrimination, advance equality of opportunity and foster good relations, as set out in Section 149(1) of the Equality Act 2010.

The Council has been operating an Additional HMO licensing scheme successfully since 2013. The current consultation and Committee Report has been compiled to inform the decision making process relating to the options for extending the existing scheme for a further 5 year period or whether other licensing options such as Selective licensing should be introduced within the Borough.

The responses from the consultation indicate that both landlords and tenants are in favour of the continuation of a licensing scheme and

this equalities analysis confirms that to do so would not cause any unfair discrimination to any protected group so no changes are required to the proposal.

Monitoring and review

Monitoring and review	Review date
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