

# APPENDIX E - Equality Impact Assessment [version 2.9]



Title: Proposal to introduce new licensing schemes	
<input checked="" type="checkbox"/> Policy <input type="checkbox"/> Strategy <input type="checkbox"/> Function <input checked="" type="checkbox"/> Service <input type="checkbox"/> Other [please state]	<input type="checkbox"/> New <input checked="" type="checkbox"/> Already exists / review <input type="checkbox"/> Changing
Directorate: Growth & Regeneration	Lead Officer name: Tom Gilchrist
Service Area: Private Housing Service	Lead Officer role: Service Manager Private Housing

## Step 1: What do we want to do?

The purpose of an Equality Impact Assessment is to assist decision makers in understanding the impact of proposals as part of their duties under the Equality Act 2010. Detailed guidance to support completion can be found here [Equality Impact Assessments \(EqIA\) \(sharepoint.com\)](https://sharepoint.com).

This assessment should be started at the beginning of the process by someone with a good knowledge of the proposal and service area, and sufficient influence over the proposal. It is good practice to take a team approach to completing the equality impact assessment. Please contact the [Equality and Inclusion Team](#) early for advice and feedback.

### 1.1 What are the aims and objectives/purpose of this proposal?

Briefly explain the purpose of the proposal and why it is needed. Describe who it is aimed at and the intended aims / outcomes. Where known also summarise the key actions you plan to undertake. Please use plain English, avoiding jargon and acronyms. Equality Impact Assessments are viewed by a wide range of people including decision-makers and the wider public.

We are [proposing to introduce two property licensing schemes](#) (a) a citywide HMO (House in Multiple Occupation) licensing scheme and (b) to three wards – Bishopston and Ashley Down, Cotham and Easton. In the second scheme most privately rented properties would require a licence to continue letting. Citywide all HMOs (Houses in Multiple Occupation) will be required to be licensed. Some buildings are exempt from licensing such as social housing, owner occupied, purpose student accommodation, leased properties etc. and properties occupied by family members.

Under this proposal, it is estimated that 8,041 HMOs will have to apply for a licence if the additional licensing scheme is approved and 4,307 properties will need to be licensed if the selective licensing scheme is approved. Landlords will have to pay a licence fee of £1,861 less discounts of up to £300 for a new additional licence. If they are renewing an additional licence the fee is £1,470 less discounts. The fee for a selective licence is proposed to be £912 less discounts. A discount of £50 may be applied where licence holders of managers of licensed properties have accredited level of membership with one of the approved providers under the Rent with Confidence accreditation scheme. A discount of £150 may also apply if safety and performance certificates are provided within various timescales.

The total cost of running an additional licensing scheme for five years has been predicted to be £12.5m and for the selective scheme £3.5m. All income generated from licensing fees can only legally be used to run the scheme and no profit can be made nor can the funds be used for any other purpose.

A report will be taken to Cabinet on 6<sup>th</sup> February 2024 and if approved, it would come into force by the late summer of 2024.

The council recognises the need for good quality rented accommodation in the city and the positive impacts it has on the tenants of this sector. However, many tenants are not in a position of choice and live in accommodation

that does not meet minimum housing standards and with the lack of available social housing, the PRS (Private Rented Sector) is filling the gap. The demand for housing in Bristol is very high and some private landlords have taken advantage in these market conditions to let sub-standard property.

The HMOs have been targeted because they are considered as being at the highest risk of being in poor conditions and poor management practises. It is estimated that there are 8,041 properties that would be affected by the additional licensing proposal to licence all HMOs citywide. Many vulnerable people live in HMOs as this is the cheapest option for them and HMOs are some of the worst housing in the city and impact hugely on the local community when they are poorly managed.

According to the Census 2021 there are an estimated 191,638 dwellings in Bristol of which 50,213 (26%) are in the private rented sector.

The recently published report [National statistics: English Housing Survey 2021 to 2022: private rented sector](#) found:

- 14% of private rented sector homes, or 615,000 occupied dwellings, are estimated to contain a Category 1 hazard (for example severe damp and mould). This is higher than for social rented (4%) or owner occupied (10%) dwellings.
- Private rented homes were more likely to be non-decent than owner-occupied homes.
- Private rented homes were more likely to have damp than all other tenures. Almost 11% (465,000 dwellings) of private rented homes had dampness compared with 4% (177,000 dwellings) of social rented homes and 2% (262,000 dwellings) of owner-occupied homes.

The three targeted wards have been selected because there are higher than average concentrations of private rented sector (PRS) housing and have higher levels of disrepair and poor housing conditions than other areas in the city.

The evidence to identify suitable areas or types of housing that would most benefit from the introduction of licensing schemes and meet licensing criteria has come from a commissioned report from the [Building Research Establishment \(BRE\)](#).

Licensing will enable us to inspect each licensable property to ensure they meet licensing standards and thereby improving standards for many private tenants in the selected areas. Under the proposal for a targeted selective licensing scheme, it estimated that 4,307 properties would be affected and be required to be licensed and meet licensing standards.

Licensing gives us additional powers that other enforcement powers do not. Licensing conditions must be met for both property standard and good management practice. We will provide advice on the necessary improvements (and loans to finance the improvements if necessary) and enforce when landlords do not comply with the licensing standards or apply for a licence.

It is a [legal requirement](#) for us to keep a register of all properties licensed under the Housing Act 2004 which is a publicly available register. The register includes:

- names and addresses of a property's landlord and any managing agents
- permitted number of occupiers (for HMOs)

Once a scheme has been declared it is illegal for a landlord or agent to let a property without a licence nor can they evict their tenants under a section 21 if the property is unlicensed.

## 1.2 Who will the proposal have the potential to affect?

<input type="checkbox"/> Bristol City Council workforce	<input type="checkbox"/> Service users	<input checked="" type="checkbox"/> The wider community
<input type="checkbox"/> Commissioned services	<input checked="" type="checkbox"/> City partners / Stakeholder organisations	
Additional comments:		

## 1.3 Will the proposal have an equality impact?

Could the proposal affect access levels of representation or participation in a service, or does it have the potential to change e.g., quality of life: health, education, or standard of living etc.?

If 'No' explain why you are sure there will be no equality impact, then skip steps 2-4 and request review by Equality and Inclusion Team.

If 'Yes' complete the rest of this assessment, or if you plan to complete the assessment at a later stage, please state this clearly here and request review by the Equality and Inclusion Team.

**Yes**                       **No**                      [please select]

Tenants of landlords who do not comply with their legal requirements and the wider community will be positively affected through private housing improvements achieved through licensing and enforcement. Housing improvements have the potential to improve standard of living for the occupying tenants. Better management of licensable properties will have positive impacts on the local community.

It is illegal for a landlord or agent to let a property without a licence in areas where licensing schemes operate, nor can they evict their tenants under a Housing Act 1988, Section 21 notice if the property is unlicensed. For landlords who do not comply with their legal requirements in respect of licensing could result in prosecution and unlimited fine or a Civil Penalty of up to £30,000 if found unlicensed. Landlords who do not comply with relevant housing legislation such as Housing Act 2004, in relation to meeting licensing conditions or addressing disrepair where they have a duty to comply, are at risk of enforcement action including formal enforcement notices, civil penalty notices and prosecution.

Please note as part of the procedure of taking formal legal action in a case, Private Housing consider whether there are any equalities issues that should be considered (Please see checks and balances form).

## Step 2: What information do we have?

### 2.1 What data or evidence is there which tells us who is, or could be affected?

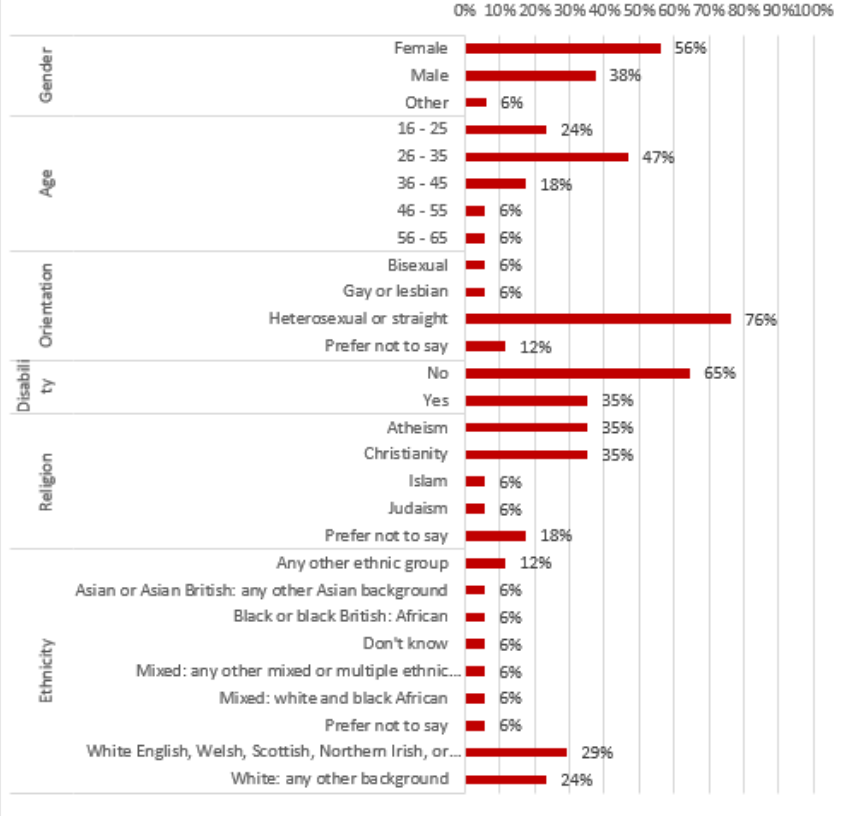
Please use this section to demonstrate an understanding of who could be affected by the proposal. Include general population data where appropriate, and information about people who will be affected with reference to protected and other relevant characteristics: <https://www.bristol.gov.uk/people-communities/measuring-equalities-success> .

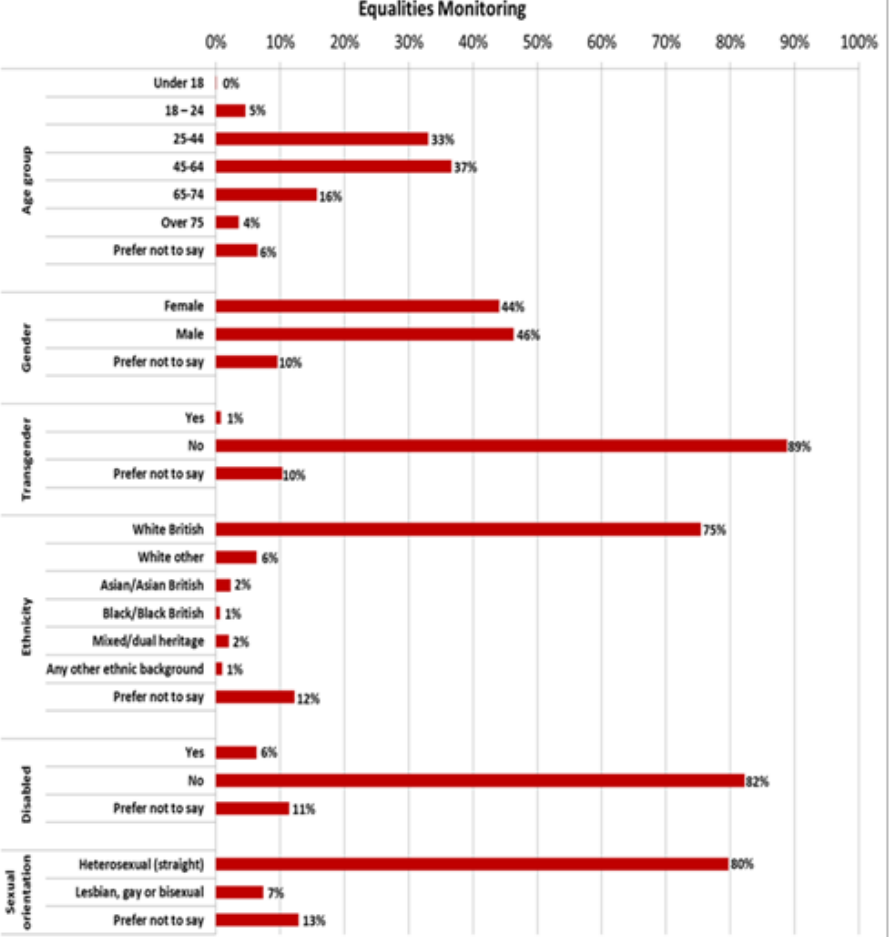
Use one row for each evidence source and say which characteristic(s) it relates to. You can include a mix of qualitative and quantitative data e.g., from national or local research, available data or previous consultations and engagement activities.

Outline whether there is any over or under representation of equality groups within relevant services - don't forget to benchmark to the local population where appropriate. Links to available data and reports are here [Data, statistics and intelligence \(sharepoint.com\)](#). See also: [Bristol Open Data \(Quality of Life, Census etc.\)](#); [Joint Strategic Needs Assessment \(JSNA\)](#); [Ward Statistical Profiles](#).

For workforce / management of change proposals you will need to look at the diversity of the affected teams using available evidence such as [HR Analytics: Power BI Reports \(sharepoint.com\)](#) which shows the diversity profile of council teams and service areas. Identify any over or under-representation compared with Bristol economically active citizens for different characteristics. Additional sources of useful workforce evidence include the [Employee Staff Survey Report](#) and [Stress Risk Assessment Form](#)

Data / Evidence Source [Include a reference where known]	Summary of what this tells us
<a href="#">BRE Integrated Dwelling Level Housing Stock Modelling and Database for Bristol City Council</a>	This dwelling stock modelling report identified that there are 203,722 dwellings in Bristol of which 52.5% (107,048) are owner occupied and 27.4% (55,670) are privately rented, the rest are social rented. The percentage of dwellings in the PRS in Bristol is far higher than the national average of 19%.
A public consultation was undertaken from 29 August 2023 to 7 <sup>th</sup> November 2023 on the new proposals.	Private Landlords, private tenants and other residents living in the proposed areas were invited by letter or email to participate along with landlord and tenant organisations, councillors and neighbouring LAs (Local Authorities). Information was posted online on Facebook and on Twitter.

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	<p>Posters were placed in all 27 libraries and distributed by Community Development Team. Also, an electronic version of the poster shared through their network e.g., Community Exchange network (over 100 organisations), Avon Task groups and other contacts. Paper copies of the consultation pack were available on demand for those with no access to the internet. We received 1,562 responses.</p>																																																																			
<p>Tenancy Relation service user data (Sept – Dec 2021)</p> <p>This demonstrates the profile from private tenants who have used the tenancy relations service where they have a specific issue with their landlord and the Tenancy relations have them to resolve this problem, i.e. illegally eviction, harassment etc..</p>	<p style="text-align: center;"><b>Tenancy Relations Equalities Monitoring Data</b></p>  <table border="1"> <thead> <tr> <th>Category</th> <th>Sub-group</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td rowspan="3">Gender</td> <td>Female</td> <td>56%</td> </tr> <tr> <td>Male</td> <td>38%</td> </tr> <tr> <td>Other</td> <td>6%</td> </tr> <tr> <td rowspan="6">Age</td> <td>16 - 25</td> <td>24%</td> </tr> <tr> <td>26 - 35</td> <td>47%</td> </tr> <tr> <td>36 - 45</td> <td>18%</td> </tr> <tr> <td>46 - 55</td> <td>6%</td> </tr> <tr> <td>56 - 65</td> <td>6%</td> </tr> <tr> <td>66 - 75</td> <td>6%</td> </tr> <tr> <td rowspan="4">Orientation</td> <td>Bisexual</td> <td>6%</td> </tr> <tr> <td>Gay or lesbian</td> <td>6%</td> </tr> <tr> <td>Heterosexual or straight</td> <td>76%</td> </tr> <tr> <td>Prefer not to say</td> <td>12%</td> </tr> <tr> <td rowspan="2">Disability</td> <td>No</td> <td>65%</td> </tr> <tr> <td>Yes</td> <td>35%</td> </tr> <tr> <td rowspan="5">Religion</td> <td>Atheism</td> <td>35%</td> </tr> <tr> <td>Christianity</td> <td>35%</td> </tr> <tr> <td>Islam</td> <td>6%</td> </tr> <tr> <td>Judaism</td> <td>6%</td> </tr> <tr> <td>Prefer not to say</td> <td>18%</td> </tr> <tr> <td rowspan="10">Ethnicity</td> <td>Any other ethnic group</td> <td>12%</td> </tr> <tr> <td>Asian or Asian British: any other Asian background</td> <td>6%</td> </tr> <tr> <td>Black or black British: African</td> <td>6%</td> </tr> <tr> <td>Don't know</td> <td>6%</td> </tr> <tr> <td>Mixed: any other mixed or multiple ethnic...</td> <td>6%</td> </tr> <tr> <td>Mixed: white and black African</td> <td>6%</td> </tr> <tr> <td>Prefer not to say</td> <td>6%</td> </tr> <tr> <td>White English, Welsh, Scottish, Northern Irish, or...</td> <td>29%</td> </tr> <tr> <td>White: any other background</td> <td>24%</td> </tr> </tbody> </table>	Category	Sub-group	Percentage	Gender	Female	56%	Male	38%	Other	6%	Age	16 - 25	24%	26 - 35	47%	36 - 45	18%	46 - 55	6%	56 - 65	6%	66 - 75	6%	Orientation	Bisexual	6%	Gay or lesbian	6%	Heterosexual or straight	76%	Prefer not to say	12%	Disability	No	65%	Yes	35%	Religion	Atheism	35%	Christianity	35%	Islam	6%	Judaism	6%	Prefer not to say	18%	Ethnicity	Any other ethnic group	12%	Asian or Asian British: any other Asian background	6%	Black or black British: African	6%	Don't know	6%	Mixed: any other mixed or multiple ethnic...	6%	Mixed: white and black African	6%	Prefer not to say	6%	White English, Welsh, Scottish, Northern Irish, or...	29%	White: any other background	24%
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	<p>Bristol Key Fact 2022 (July 2022 update) document</p>	<p>The population of Bristol is estimated to be 472,400 people and has become increasingly diverse.</p> <p>Age: Bristol has a relatively young age profile with more children aged 0-15 than people aged 65 and over. Bristol's 60,300 older people make up 13% of the total population, i.e., 1 in every seven people living in Bristol is aged 65 or over. The median age of people living in Bristol was 32.4 years old.</p> <p>Race: The proportion of the population who are not 'White British' is at 22% of the total population. The proportion of people living in Bristol who were not born in the UK has increased from 8% to 15% of the total population. In Bristol, at least 187 countries of birth represented and at least 91 main languages spoken by people living in Bristol.</p> <p>Religion: In Bristol, there are now at least 45 religions. 47% of population state they are Christian. 37% of the population state they have no religion.</p> <p>Bristol Household tenure: 53%, Owner occupied, 29% Private Rented, 18% Social Rented</p> <p>This is general population data which shows the general population being affected by the proposal.</p>																																																																		

Data / Evidence Source [Include a reference where known]	Summary of what this tells us
<a href="#">Quality of Life Survey – Equalities View</a>	Shows disparities by equalities group in Housing indicators including % with accommodation / % satisfied they can stay in their home for as long as they choose to.
<a href="#">Housing BAME Communities In Bristol - A Community-Led Initiative- 2020</a>	Whilst focused on recommendations for housing provision this BSWN report has useful data on housing disparities for Black, Asian and minoritised communities in Bristol and the Southwest.
<p>Additional licensing consultation equalities data 2018</p> <p>This equalities information was gathered from the 2018 licensing consultation those who responded to the consultation and gave this information.</p>	
<b>Additional comments:</b>	

## 2.2 Do you currently monitor relevant activity by the following protected characteristics?

<input checked="" type="checkbox"/> Age	<input checked="" type="checkbox"/> Disability	<input checked="" type="checkbox"/> Gender Reassignment
<input checked="" type="checkbox"/> Marriage and Civil Partnership	<input checked="" type="checkbox"/> Pregnancy/Maternity	<input checked="" type="checkbox"/> Race
<input checked="" type="checkbox"/> Religion or Belief	<input checked="" type="checkbox"/> Sex	<input checked="" type="checkbox"/> Sexual Orientation

## 2.3 Are there any gaps in the evidence base?

Where there are gaps in the evidence, or you don't have enough information about some equality groups, include an equality action to find out in section 4.2 below. This doesn't mean that you can't complete the assessment without the information, but you need to follow up the action and if necessary, review the assessment later. If you are unable to fill in the gaps, then state this clearly with a justification.

For workforce related proposals all relevant characteristics may not be included in HR diversity reporting (e.g., pregnancy/maternity). For smaller teams' diversity data may be redacted. A high proportion of not known/not disclosed may require an action to address under-reporting.

We have limited diversity data about our service users, and citywide and ward level diversity data is unavailable for some protected characteristics e.g., gender reassignment.

The Building Research Establishment (BRE) report focuses on the property details as licensing is property led irrespective of the tenants except by the number and relationship of the households who occupy these properties to determine the type of licence required where licensing is introduced.

Many private landlords and tenants are unknown to us and therefore we do not hold equalities data for the majority of these. We do collect the equalities data through our consultations however and we have just completed our 5th consultation on licensing across different areas of the city. Of course, this information is only on those who complete the consultation questionnaires and is not therefore representative of all those who may be affected by the proposal.

The Private Housing Service also has online equalities monitoring forms linked to our online service user forms which service users can choose to complete. However, this has only been fully in place since June and there have not been sufficient responses to allow use of data.

## **2.4 How have you involved communities and groups that could be affected?**

You will nearly always need to involve and consult with internal and external stakeholders during your assessment. The extent of the engagement will depend on the nature of the proposal or change. This should usually include individuals and groups representing different relevant protected characteristics. Please include details of any completed engagement and consultation and how representative this had been of Bristol's diverse communities. See <https://www.bristol.gov.uk/people-communities/equalities-groups>.

Include the main findings of any engagement and consultation in Section 2.1 above.

If you are managing a workforce change process or restructure, please refer to [Managing change or restructure \(sharepoint.com\)](#) for advice on consulting with employees etc. Relevant stakeholders for engagement about workforce changes may include e.g., staff-led groups and trades unions as well as affected staff.

A public consultation was undertaken between 29<sup>th</sup> August 2023 and 7<sup>th</sup> November 2023 (ten weeks). The consultation ran for ten weeks via the Ask Bristol hub with an online survey form and paper copies of the consultation documents made available on request and pre-paid envelopes provided for the completed surveys to be returned and uploaded for those with no access to the internet.

A Press release was issued, and the council's private housing website was updated with details about the consultation.

Private Landlords, private tenants and other residents living in the proposed areas were invited by letter or email to participate along with landlord and tenant organisations, councillors and neighbouring LAs. In all 12,636 letters and 43,565 emails were sent during the consultation.

Information was posted online and posts on Facebook and on Twitter were made throughout the consultation period.

Posters were placed in all 27 libraries and distributed by Community Development Team. Also, an electronic version of the poster shared through their network e.g., Community Exchange network (over 100 organisations), Avon Task groups and other contacts.

Landlords who had signed up for the Private Housing Landlord newsletter were also emailed with full details of the consultation and proposals via the Landlord Newsletter including a reminder 3 weeks before the end of the consultation period.

Meetings were held both with Landlord and tenant organisations.

The results of the consultation will be published on the Consultation Hub from mid-December 2023. We received 1,562 responses.

Overall, 52.57% of respondents agreed with the proposals for a citywide additional licensing scheme and 39.19% disagreed.

38.96% respondents agreed with the proposal for a selective licensing scheme and 51.22% disagreed with the proposal.

## **2.5 How will engagement with stakeholders continue?**

Explain how you will continue to engage with stakeholders throughout the course of planning and delivery. Please describe where more engagement and consultation is required and set out how you intend to undertake it. Include

any targeted work to seek the views of under-represented groups. If you do not intend to undertake it, please set out your justification. You can ask the Equality and Inclusion Team for help in targeting particular groups.

No further contact will be made until the Cabinet decision is known at which time we will once again write to all known landlords with properties in the area, with private tenants living in the area and with consultees who wished to be kept informed, of the decision. Also, landlord and tenant organisations will be kept updated. If the scheme is approved by Cabinet, prescribed public notices must be published in two local papers every other week for ten weeks declaring the scheme details.

We will also write out to all those affected again – mainly landlords and tenants and other stakeholders and equalities groups when the scheme is about to go live and update our web pages, newsletters etc. to publicise as widely as possible with details about how to apply for a licence. Those that remain unlicensed after the initial three-month application period will be contacted and encouraged to make an application, with help from a caseworker if necessary.

We monitor progress throughout the term of the scheme to ensure that all properties that should be licensed are licensed. All properties are inspected, and action is taken to remedy any failings that are undertaken. Statistics are kept throughout on performance and monitored against the scheme's aims.

A review of the scheme is taken halfway through and again at the end to check progress is being made and to measure its impact on the number of properties improved, enforcement action taken and analysis of the private rented sector market.

### Step 3: Who might the proposal impact?

Analysis of impacts must be rigorous. Please demonstrate your analysis of any impacts of the proposal in this section, referring to evidence you have gathered above, and the characteristics protected by the Equality Act 2010. Also include details of existing issues for particular groups that you are aware of and are seeking to address or mitigate through this proposal. See detailed guidance documents for advice on identifying potential impacts etc. [Equality Impact Assessments \(EqIA\) \(sharepoint.com\)](#)

#### 3.1 Does the proposal have any potentially adverse impacts on people based on their protected or other relevant characteristics?

Consider sub-categories (different kinds of disability, ethnic background etc.) and how people with combined characteristics (e.g., young women) might have particular needs or experience particular kinds of disadvantage.

Where mitigations indicate a follow-on action, include this in the 'Action Plan' Section 4.2 below.

#### **GENERAL COMMENTS** (highlight any potential issues that might impact all or many groups)

The aim of licensing is to improve property conditions and poor management practices in the private rented sector. The positive impact of licensing schemes are the numbers of improvements made to properties that are below minimum standard. The negative impact is that for the landlord there is a financial cost and for some tenants, landlords will increase rents to cover these additional costs of relevant scheme even though for the majority the costs are low – maximum £7.15 (additional scheme) or £3.50 per week (selective scheme), before discounts.

There are risks that landlords may leave the rental market rather than pay the fees but the rental income they can receive far outweighs this one-off cost of selective and additional licensing. Analysis from earlier schemes has shown that although some landlords have left the market, but new landlords have joined and although there may be an initial drop, most landlords do come back as it is a very lucrative market currently.

Rental costs have increased over the last few years and now demand is so high in Bristol, landlords have been increasing rents anyway because of market conditions. Those increases are outside of our control and are down to the individual landlord.

Landlords who do not make an application for a licence when they should be at risk of enforcement action or even prosecution if they do not licence their properties and yet continue to rent them out. Tenants can apply for Rent Repayment Order if a landlord continues to let a property that has no licence. This means they can get some or all their rent back for the time the property was unlicensed when it should have been. Landlords who do not comply with relevant housing legislation in relation to meeting licensing conditions or addressing disrepair where they

have a duty to comply, are at risk of enforcement action including formal enforcement notices, civil penalty notices and prosecution.

There will be a lot of publicity about the scheme to make as many landlords and agents as possible aware of the scheme (and relevant private tenants). Applicants are given three months to make an application before we consider them to be unlicensed. Those who do not licence when they should, will be investigated by caseworkers to encourage and assist them to apply for a licence to avoid enforcement action. We will work with voluntary and community sector also to ensure the message reaches those who need it. Even properties owned and let by charities will require a licence to ensure conditions are met but no fee will be payable - Section 63(3), Housing Act 2004. Charities are legally exempt from paying a fee but must still make an application, be inspected and meet all licensing standards. Normally landlords will be asked to comply with housing legislation through informal if appropriate or relevant means prior to any formal enforcement action.

Please note as part of the procedure of taking formal legal action in a case, Private Housing consider whether there are any equalities issues that should be considered and actions that should have been taken when deciding whether formal action is to be taken/appropriate/determining level of financial penalty.

#### PROTECTED CHARACTERISTICS

<b>Age: Young People</b>	Does your analysis indicate a disproportionate impact? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Potential impacts:	As most people renting in the private rented sector are younger people, they will be impacted the most by licensing.
Mitigations:	Licensing aims to improve living conditions for those renting in the private rented sector so the overall impact should be positive. All tenants will benefit from any improvements and better management that licensing can bring and may have cost savings through utility bills if property improvement related to energy efficiency. Please also see Section 1.
<b>Age: Older People</b>	Does your analysis indicate a disproportionate impact? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Potential impacts:	Some landlords rent out property as a retirement fund so licensing and the additional costs involved may impact those and potentially reduce their profit in the first year.
Mitigations:	The aim of licensing is to improve property conditions and poor management practises in the PRS. Financial impact on landlords is minimal given the income collected from the rent. Additional impact a maximum of £7.15 (additional scheme) or £3.50 per week (selective scheme), before discounts. Landlords may have longer term savings through better management of properties in terms of maintenance costs by address disrepair before becoming a more serious issue. Without the proactive work carried out under declared licensing schemes, many properties in the private rented sector could continue to be let in sub-standard conditions and we would only be able to do something about them on a responsive basis.
<b>Disability</b>	Does your analysis indicate a disproportionate impact? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Potential impacts:	Tenants: Disabled people in Bristol are less likely to be satisfied overall with their current accommodation, therefore the licensing scheme is likely to have a positive impact on Disabled people and potential health and wellbeing improvements from improved accommodation quality.  Landlords: Disability (including hidden impairments and neurodiverse conditions such as Dyslexia, ADHD, Dyscalculia or Autism) may be a factor in not being able to achieve compliance with legislation. There may be financial implications associated with disability status.
Mitigations:	Tenants: Licensing aims to improve living conditions for those renting in the PRS so the overall impact should be positive.  Landlords: See general comments. Checks and balances forms completed prior to enforcement support officers identify when Disabled landlords may require reasonable adjustments such as additional time to complete works, alternative means of communication, additional time/visits with landlords to discuss requirements and consider any landlord representations.
<b>Sex</b>	Does your analysis indicate a disproportionate impact? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>



Potential impacts:	Although we don't collect local data national indicates that female landlords are more likely to own one property (55% of landlords owning one property were female compared to 45% male) <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/531212/english_private_landlord_survey_2021_main_report.pdf">English Private Landlord Survey 2021: main report - GOV.UK (www.gov.uk)</a> . However male landlords made up a higher proportion of all portfolio size categories owning more than one property.
Mitigations:	Although men would appear therefore to be more greatly affected than females by the licensing fees, they are also receiving greater rental income having more than property in the rental market. The fees are payable per property and would only ever come under one scheme not both.
<b>Sexual orientation</b>	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Potential impacts:	In previous schemes, consultees expressed concern that co-habiting same sex couples will be forced to come out to their landlord to avoid paying licence fees.
Mitigations:	If any three or more people are living in a privately rented property which is not rented as a family dwelling it would be licensable regardless of their relationship status to each other – however they would not be required to declare what the nature of their relationship is. The definition of a family for the purposes of HMO licencing is defined by central government and outside the scope of this proposal. <a href="https://www.gov.uk/private-renting/houses-in-multiple-occupation">https://www.gov.uk/private-renting/houses-in-multiple-occupation</a> Under this proposal however we are also licencing family accommodation, so the landlord does not need to be made aware of a relationship as all properties need to be licensed and will be based on numbers of occupants on whether it is an HMO or non-HMO. No other detail is necessary.
<b>Pregnancy / Maternity</b>	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Potential impacts:	Babies and children do not count as an occupant under this legislation so are not included in HMO occupants for the purposes of licensing. In fact, some landlords in previous schemes have stopped letting HMOs in preference to letting to families to avoid additional licensing
Mitigations:	
<b>Gender reassignment</b>	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Potential impacts:	
Mitigations:	
<b>Race</b>	Does your analysis indicate a disproportionate impact? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Potential impacts:	If English is not a landlords first language, there may be misunderstanding of the requirement to licence, and they may not understand the implications of enforcement which could lead to non-compliance and enforcement action. Private tenants who do not speak English as a first language may not be aware of the scheme or their rights as a tenant. Black, Asian and minority ethnic people in Bristol are also less likely to be satisfied overall with their current accommodation.
Mitigations:	Information about the potential schemes will be disseminated to landlord and tenant groups and stakeholder contacts as well as posting on social media, online and by mail including information about how to access translation and interpretation services. The renting of private properties is a business, and all landlords of private rented properties should be competent to manage their property(s). If they are not and then it is likely they have an agent or an appointed manager to manage the property for them. Where circumstances require, and no family member or agent is available to translate, we can arrange for access to translation and interpretation services. Licensing aims to improve living conditions for those renting in the PRS so the overall impact should be positive
<b>Religion or Belief</b>	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Potential impacts:	
Mitigations:	
<b>Marriage &amp; civil partnership</b>	Does your analysis indicate a disproportionate impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

Potential impacts:	Co-habiting couples who live in rented accommodation with other are not disproportionately affected by this proposal
Mitigations:	
<b>OTHER RELEVANT CHARACTERISTICS</b>	
<b>Socio-Economic (deprivation)</b>	Does your analysis indicate a disproportionate impact? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Potential impacts:	Financial impact on landlords, and tenants if additional costs are passed on.
Mitigations:	The aim of licensing is to improve property conditions and poor management practises in the PRS. Financial impact on landlords is minimal given the income collected from the rent. Additional impact a maximum of £7.15 (additional scheme) or £3.50 per week (selective scheme), before discounts for timely submission of relevant certificates and membership of an approved landlord accreditation scheme. Landlords may have longer term savings through better management of properties in terms of maintenance costs and address disrepair before becoming a more serious issue. All tenants will benefit from any improvements and better management that licensing can bring and may have cost savings through utility bills if property improvement related to energy efficiency. We cannot control how much of these additional costs' landlords will pass on to their tenants by way of higher rents although separately the Bristol Living Rent Commission is looking into how this might be achieved going forward.
<b>Carers</b>	Does your analysis indicate a disproportionate impact? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Potential impacts:	People who are carers in Bristol are less likely to be satisfied overall with their current accommodation.
Mitigations:	Licensing aims to improve living conditions for those renting in the PRS so the overall impact should be positive.
<b>Other groups</b> [Please add additional rows below to detail the impact for other relevant groups as appropriate e.g., Asylums and Refugees; Looked after Children / Care Leavers; Homelessness]	
Potential impacts:	Depending on the status of the landlord some of these groups would be exempt from licensing if leased through the council for the purposes of council objectives
Mitigations:	Legal exemptions may be appropriate.

### 3.2 Does the proposal create any benefits for people based on their protected or other relevant characteristics?

Outline any potential benefits of the proposal and how they can be maximised. Identify how the proposal will support our Public Sector Equality Duty to:

- ✓ Eliminate unlawful discrimination for a protected group
- ✓ Advance equality of opportunity between people who share a protected characteristic and those who don't
- ✓ Foster good relations between people who share a protected characteristic and those who don't

The aim of licensing is to improve property conditions and as most private tenants are young people, they will feel the improvements more than other groups. All tenants of licensed properties have better protection and are more able to access services if there are issues as each property will have an assigned case officer who can be contacted.

Tenants from particular protected characteristic groups are overrepresented in the private rented sector. Any scheme which encourages better accommodation and better management of the accommodation would therefore benefit people with protected characteristics ..

People who spend a considerable proportion of their time at home should benefit from better quality accommodation in particular – e.g., some Disabled people, single parents with small children, some older people.

Tenants with additional vulnerabilities, for example people with mental health needs, women leaving refuges, homeless men and women are increasingly placed in private rented accommodation. The scheme will make it easier for vulnerable tenants and their support workers to identify landlords and letting agencies who are licenced and offer good standards of accommodation.

Some private rented tenants are less settled within their communities than those in social housing or homeowners. Some accommodation sees a high turnover of tenants for example students. Poor quality accommodation can include severe overcrowding and result in a high turnover of tenants. High turnover can cause community cohesion issues with neighbours and creates additional strain on local services e.g., local schools.

Details of landlords who license their properties are placed on a 'Public register' and this information will be available to all. Our web site will also give information and how to contact the council if there are issues with the condition or management of these properties. It is a requirement of the licence to display the contact details of landlord within the rented property and inform the neighbouring property owners the details of the landlord/agent. This will enable tenants and neighbours to report concerns which will ease community cohesion tensions.

It should also make it easier for people to stay in rented accommodation for longer, rather than needing to move because of poor quality accommodation.

We know that some Black, Asian and minority ethnic people and migrants are particularly vulnerable to exploitation regarding poor housing as they are less likely to know their rights and the standards that are deemed acceptable and appropriate. Licensing will highlight their rights through the provision of information, signposting and referrals to the relevant departments and organisations where necessary. For most private tenants licensing will have a positive impact in that the council will ensure that their home is safe and responsibly managed. Under a declared licensing scheme, every licensable property in the area will be inspected and steps taken to ensure the properties meet licensing conditions. This is done without any need for the tenant to contact us as would be necessary outside of licensing in a reactive complaint service.

The equalities screening process used by officers prior to enforcement action aims to eliminate unlawful discrimination, and advance equality of opportunity by the provision of relevant information and removing barriers such as communication barriers.

## Step 4: Impact

### 4.1 How has the equality impact assessment informed or changed the proposal?

What are the main conclusions of this assessment? Use this section to provide an overview of your findings. This summary can be included in decision pathway reports etc.

If you have identified any significant negative impacts which cannot be mitigated, provide a justification showing how the proposal is proportionate, necessary, and appropriate despite this.

#### **Summary of significant negative impacts and how they can be mitigated or justified:**

There are concerns around the cost of the fees both on landlords and on the tenants - if the costs are passed on to the tenants but at a maximum fee equivalent of £5 pw or £3pw it is hoped that increase is minimal given the income collected from the rent and all tenants will benefit from any improvements and better management that licensing can bring.

There are risks that landlords may leave the rental market rather than pay the fees but the rental income they can receive far outweighs this one-off cost of selective and additional licensing. Analysis from previous schemes has shown that although there is a churn in the market, and some may initially leave, they seem to come back into the market especially as demand is currently so high.

Rental costs have increased over the last few years across the city and now demand is so high in Bristol, landlords have been increasing rents to take advantage of this market. Those increases are outside of our control and are down to the individual landlord.

Some landlords may try to continue to operate below the radar and not apply for a licence. However, we have a team of officers who investigate those properties that we believe require a licence and will encourage them to apply for a licence and meet licensing conditions or face prosecution if they still fail to engage. In those situations, we can assist tenants to make an application for a Rent Repayment Order as a landlord cannot legally charge a rent while being unlicensed when the property is required to be licensed.

As part of the procedure of taking formal legal action in a case, Private Housing consider whether there are any equalities issues that should be considered and actions that should have been taken when deciding whether

formal action is to be taken and appropriate. The enforcement process normally allows for landlords to provide representations which will be considered. See checks and balances form attached.

The Living Rent Commission is looking into these issues and considering introducing rent caps, this is outside the scope of this scheme. Bristol City Council are actively involved in this working group.

**Summary of positive impacts / opportunities to promote the Public Sector Equality Duty:**

Licensing will improve property conditions and poor management practises in PRS properties in the area and should have a positive impact on the local community if property standards are being improved and issues around ASB (Anti-Social Behaviour), noise etc are being dealt with. So, all people who live in these privately rented properties and other residents of various characteristics will feel the benefit.

We hope that individuals will be empowered to report poor conditions and poor management practises as we will already be involved in an inspection programme etc. so the tenants do not have to fear retaliatory action if they report anything because the landlord will assume that the actions we take are normal licensing activity.

## 4.2 Action Plan

Use this section to set out any actions you have identified to improve data, mitigate issues, or maximise opportunities etc. If an action is to meet the needs of a particular protected group, please specify this.

Improvement / action required	Responsible Officer	Timescale

## 4.3 How will the impact of your proposal and actions be measured?

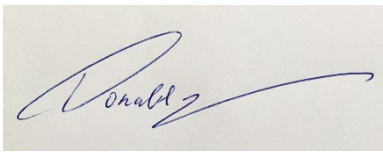
How will you know if you have been successful? Once the activity has been implemented this equality impact assessment should be periodically reviewed to make sure your changes have been effective your approach is still appropriate.

We monitor progress throughout the term of the scheme to ensure that all properties that should be licensed are licensed. All properties are inspected and action to remedy any failings are undertaken.

A review of the scheme is taken halfway through and again at the end to check progress is being made and to measure its impact on the number of properties improved, enforcement action taken and analysis of the PRS market.

## Step 5: Review

The Equality and Inclusion Team need at least five working days to comment and feedback on your EqIA. EqIAs should only be marked as reviewed when they provide sufficient information for decision-makers on the equalities impact of the proposal. Please seek feedback and review from the [Equality and Inclusion Team](#) before requesting sign off from your Director<sup>1</sup>.

<b>Equality and Inclusion Team Review:</b>  The Equality and Inclusion Team	<b>Director Sign-Off:</b> Donald Graham, Director Housing and Landlord Services  
Date: 30.11.2023	Date: 30/11/2023

<sup>1</sup> Review by the Equality and Inclusion Team confirms there is sufficient analysis for decision makers to consider the likely equality impacts at this stage. This is not an endorsement or approval of the proposal.

