

EQUALITY IMPACT ASSESSMENT

Community Connections – Changes in HMO and Energy Efficiency



STAGE I: WHAT IS BEING ASSESSED AND BY WHOM?

What is being assessed - including a brief description of aims and objectives?

The mandatory HMO licensing scheme of large HMO's came into force on 6th April 2006 with the implementation of Statutory Instrument 2006 No.373 'The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006'.

Legislative changes made to the 'prescribed description' of licensable HMOs, effective from 1st October 2018, <https://www.legislation.gov.uk/uk/si/2018/221/article/4/made>, have removed the 'storey condition' from the pre-existing description. This change has led to a significant increase in the number of licensable HMOs in our city, doubling from an average of Circa 650 to an Average of Circa 1300. In addition it has also opened up the opportunity to look at flats in block style accommodation that meet the criterion of a licensable HMO.

Legislative changes brought about by the European Services Directive 2006, and the Provision of Services Regulations 2009, along with more recent case law, identified that licences under Parts 2 and 3 of the Housing Act 2004 (i.e. Mandatory HMO Licensing, and Selective HMO Licensing schemes) should be charged in two stages.

The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 as amended are designed to tackle the least energy-efficient properties in England and Wales – those rated F or G on their Energy Performance Certificate (EPC). The Regulations establish a minimum standard for both domestic and non-domestic privately rented property.

The objective implement the Local Authority's MEES policy and procedure in enforcing these standards. It provides advice and guidance to interested parties that may be subject to enforcement which include:

- A civil penalty up to a maximum of £5,000.
- Publication of details of the landlord's breach on a publicly accessible part of the PRS Exemptions register.

Changes being introduced aim raise the standards of privately rented accommodation by permitting PCC to comply with duties and enforce legislation.

The communities affected by the legislation (and this policy) are:

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| | <ul style="list-style-type: none"> tenants. There are approximately 22,000 privately rented houses and flats in Plymouth. Using the English Housing Survey Households 2013/14 average of 2.5 persons/household in this sector, this suggests about 55,000 people. landlords. It is estimated that there are about 12,000 landlords letting property in Plymouth. Of these, about 50% reside in Plymouth. |
| Author | Dave Ryland, Strategic Manager |
| Department and service | Community Connections |
| Date of assessment | 12 th October 2020 |

STAGE 2: EVIDENCE AND IMPACT

| Protected characteristics (Equality Act) | Evidence and information (eg data and feedback) | Any adverse impact See guidance on how to make judgement | Actions | Timescale and who is responsible |
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| Age | <p>Age profile data of those living in HMO accommodation or those landlords of HMO accommodation is not specifically available.</p> <p>However, it is known that the average age in Plymouth (39 years) is about the same as the rest of England (39.3 years), but less than the South West (41.6 years).</p> <p>The proportion of the working age population (16-64 years) is higher (66.1%) than regionally (62.8%) and nationally (64.7%).</p> <p>It is understood that majority of people occupying HMO accommodation are young adults of working age.</p> | <p>It is recognised that older people and the very young living in poor housing conditions may be more susceptible to conditions resulting from poor heating or damp and mould for example.</p> <p>Rising house prices, and a shortage of properties and changes to housing benefit are making it hard for young people to find suitable accommodation, and hence may be more likely to live in an HMO.</p> | <p>HMO Licensing is not dependent on the occupant, but the size and arrangement of the physical dwelling.</p> <p>Excess cold could be classified as a category I hazards via the Housing Health and Safety Rating System is influenced by a 'vulnerable group' that does not necessarily reflect the occupation of the property. Best endeavours will be used to negotiate improvements with a</p> | <p>Strategic Manager and Technical Lead (Housing Improvement), Community Connections</p> |

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| | <p>The removal of automatic entitlement to housing costs for 18-21 year olds in universal credit, may mean that a higher proportion of young people may occupy an HMO. A report published in January 2018 by DWP states that 96% of 18-21 year olds who applied for support for housing costs were awarded it.</p> <p>https://www.gov.uk/government/statistics/removal-of-automatic-entitlement-to-housing-costs-for-18-to-21-year-olds-in-universal-credit</p> | | <p>landlord where enforcement is not proportionate or possible.</p> <p>Staff have been trained in Equality & Diversity and comply with the requirements. They are able to identify specific needs and requirements, apply a suitable style of communication and modify the application of the policy in appropriate cases.</p> | |
| <p>Disability</p> | <p>Disability profile data of those living in HMO accommodation or those landlords of HMO accommodation is not available.</p> <p>It is suggested that 1 in 3 households with a disabled person live in non-decent accommodation and 1 in 5 disabled people requiring adaptations to their home believe their accommodation is not suitable.</p> <p>A total of 31,164 people declared themselves as having a long-term health problem or disability, compared with the total number with disabilities in UK (11,600,000).</p> <p>1297 adults registered with a GP in Plymouth have some form of learning disability (2013/14).</p> | <p>The very nature of HMO accommodation would not lend itself easily to people with physical disabilities and would be less likely to be able to be adapted to meet someone's physical needs.</p> <p>However, there may be people with non-physical disabilities, including learning disabilities living in private rented accommodation.</p> <p>The provisions set out an assessment method for the</p> | <p>HMO Licensing is not dependent on the occupant, but the size and arrangement of the physical dwelling.</p> <p>Excess cold could be classified as a category 1 hazards via the Housing Health and Safety Rating System. This system is influenced by what may be deemed a 'vulnerable group' which does not necessarily reflect the occupation of the property. Best endeavours will be used to negotiate</p> | <p>Strategic Manager and Technical Lead (Housing Improvement), Community Connections</p> |

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| | | <p>condition of accommodation which means that improvements can be made if required, either by negotiation or enforcement of the landlord.</p> | <p>improvements with a landlord where enforcement is not proportionate or possible.</p> | |
| <p>Faith/religion or belief</p> | <p>It is recognised that occupants of HMO accommodation may include people who would be protected under the Equality Act in regard to their faith, religion or belief.</p> <p>84,326 of the Plymouth population stated they had no religion, and those with a Hindu, Buddhist, Jewish or Sikh religion combined total less than 1%.</p> | <p>Private rented accommodation is available across the city however due to the city's development HMO accommodation may be more central and thus more accessible to those visiting places of worship on regular basis.</p> | <p>HMO Licensing is not dependent on the occupant, but the size and arrangement of the physical dwelling.</p> <p>Excess cold could be classified as a category 1 hazards via the Housing Health and Safety Rating System. This system is influenced by what may be deemed a 'vulnerable group' which does not necessarily reflect the occupation of the property. Best endeavours will be used to negotiate improvements with a landlord where enforcement is not proportionate or possible.</p> <p>There may be some more specific housing requirements in regard to accommodation that</p> | <p>Strategic Manager and Technical Lead (Housing Improvement), Community Connections</p> |

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| | | | <p>is not addressed by the HHSRS, for example additional/separate washing facilities.</p> | |
| <p>Gender - including marriage, pregnancy and maternity</p> | <p>Overall 50.6% of the population are women, and 49.4% are men. This reflects the national figure of 50.8% women and 49.2% men.</p> <p>In Plymouth in 2017 the mean difference between average hourly earnings of men and women as a proportion of average hourly earnings of men was 11.3% the median difference was 14.9%.</p> <p>In Plymouth 61.3% of women are working and 38.9% of men are working, however, a larger proportion of men work full time in comparison to women.</p> | <p>Gender pay gap, and issues relating to domestic abuse may see occupants of HMO accommodation more affected by this characteristic.</p> <p>Those on lower incomes may seek cheaper accommodation.</p> | <p>HMO Licensing is not dependent on the occupant, but the size and arrangement of the physical dwelling.</p> <p>Excess cold could be classified as a category 1 hazard via the Housing Health and Safety Rating System. This system is influenced by what may be deemed a 'vulnerable group' which does not necessarily reflect the occupation of the property. Best endeavours will be used to negotiate improvements with a landlord where enforcement is not proportionate or possible.</p> <p>There may be some more specific housing requirements in regard to accommodation that is not addressed by the HHSRS, for example additional/separate washing facilities.</p> | <p>Strategic Manager and Technical Lead (Housing Improvement), Community Connections</p> |

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| <p>Gender reassignment</p> | <p>Recent surveys have put the prevalence of transgender people between 0.6 and 1% of the population.</p> <p>Over the last 8 years the prevalence of transgender people in the UK has been increasing at an average rate of 20% per annum in adults and 50% in children.</p> <p>A study funded by the home office suggests that there are between 300k and 500k people aged 16 and over in the UK who are experiencing some degree of gender variance. This could mean that of Plymouths 16 + population, we can estimate between 1287 and 2146 adults in the city that are experiencing some degree of gender variance.</p> <p>The average age presentation for male to female is 40-49, and for female to male is 20-29.</p> <p>More than 28% of trans people in a relationship in the last year have faced domestic abuse from a partner.</p> | <p>Many young people experience gender variance and will transition around the onset of puberty and this can bring them into conflict with parents who may find it difficult to accept their gender identity. This may lead to a displacement in the young person's housing thus cheaper accommodation becoming more attractive, and HMO accommodation providing this.</p> <p>The demographic information could suggest that those experiencing gender variance or transitioning may be likely to require cheaper accommodation, even if simply in the short term, due to discrimination in the workplace, fleeing domestic abuse in the home, and displacement from home setting.</p> | <p>HMO Licensing is not dependent on the occupant, but the size and arrangement of the physical dwelling.</p> <p>Excess cold could be classified as a category I hazards via the Housing Health and Safety Rating System. This system is influenced by what may be deemed a 'vulnerable group' which does not necessarily reflect the occupation of the property. Best endeavours will be used to negotiate improvements with a landlord where enforcement is not proportionate or possible.</p> <p>There may be some more specific housing requirements in regard to accommodation and shared facilities that is not addressed by the HHSRS.</p> | <p>Strategic Manager and Technical Lead (Housing Improvement), Community Connections</p> |
| <p>Race</p> | <p>92.9% of Plymouth's population identify themselves as White British.</p> | <p>Across the country 17% of households living in private rented accommodation. As a group, ethnic minority</p> | <p>HMO Licensing is not dependent on the occupant, but the size</p> | <p>Strategic Manager and Technical Lead (Housing</p> |

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| | <p>7.1% identify themselves as Black and Minority Ethnic with White Other (2.7%), Chinese (0.5%) and other Asian (0.5%) the most common ethnic groups.</p> <p>Plymouth BAME population rose from 3% in 2001 to 6.7% in 2011, and therefore has more than doubled since the 2001 census.</p> <p>Four neighbourhoods have a population of school age children where 20% or more are from a BAME background. They are City Centre (38%), Greenbank and University (32.3%) Stonehouse (29.9%) and East End (23.4%). All of these areas have a high concentration of HMO accommodation.</p> | <p>households are more likely to rent privately than white British households and to spend a higher proportion of their incomes on rent.</p> <p>Given the proximity of HMO accommodation and the % of residents in those areas being from a BAME background, it could be a fair assumption that some HMO accommodation may be occupied by people from a BAME background.</p> <p>All publication are available in translated formats.</p> | <p>and arrangement of the physical dwelling.</p> <p>Excess cold could be classified as a category I hazards via the Housing Health and Safety Rating System. This system is influenced by what may be deemed a 'vulnerable group' which does not necessarily reflect the occupation of the property. Best endeavours will be used to negotiate improvements with a landlord where enforcement is not proportionate or possible.</p> | <p>Improvement), Community Connections</p> |
| <p>Sexual orientation - including civil partnership</p> | <p>There is no definitive data on sexual orientation at a local or a national level. A recent estimate from the 2015 ONS annual population survey suggests that 1.7% of the UK population is lesbian, gay or bisexual, if this figure is applied to Plymouth it would mean there are approximately 3649 LGB people in the city.</p> | <p>There is little evidence to suggest that LGB people would be more likely to occupy private rented accommodation specifically.</p> | <p>HMO Licensing is not dependent on the occupant, but the size and arrangement of the physical dwelling.</p> <p>Excess cold could be classified as a category I hazards via the Housing Health and Safety Rating System. This system is influenced by what may</p> | <p>Strategic Manager and Technical Lead (Housing Improvement), Community Connections</p> |

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| | | | be deemed a 'vulnerable group' which does not necessarily reflect the occupation of the property. Best endeavours will be used to negotiate improvements with a landlord where enforcement is not proportionate or possible. | |
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STAGE 3: ARE THERE ANY IMPLICATIONS FOR THE FOLLOWING? IF SO, PLEASE RECORD ACTIONS TO BE TAKEN

| Local priorities | Implications | Timescale and who is responsible |
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| Reduce the gap in average hourly pay between men and women by 2020. | None | N/A |
| Increase the number of hate crime incidents reported and maintain good satisfaction rates in dealing with racist, disablist, homophobic, transphobic and faith, religion and belief incidents by 2020. | None | N/A |
| Good relations between different communities (community cohesion) | Identifying and supporting good quality housing where people can live their lives in safe and secure accommodation, supporting good relations between communities. | 5 yearly license renewals and hence inspection regime. Strategic Manager and Technical Lead (Housing Improvement), Community Connections |
| Human rights Please refer to guidance | Structures will be fair and will not differential on the basis of any protected characteristic or any grounds that we cannot objectively justify. | |

STAGE 4: PUBLICATION

Responsible Officer 

Date
15/10/2020

Director, Assistant Director or Head of Service