



## Equality Analysis for Selective Licensing

|                                      |   |
|--------------------------------------|---|
| Name of service change or function   | Selective Licensing Scheme 2022                                       |
| Directorate/Service                  | Resident Services:<br>Housing<br>Private Housing Services - Licensing |
| EA undertaken by/contact:            | Tony Jemmott – PHS Licensing Manager Ext 2377                         |
| Version/Date:                        | V1.TJ – October 2022  |
| Date of next review (if applicable): | March 2023  |

### Introduction

The Public Sector Equality Duty (PSED), section 149 of the Equality Act 2010 requires the Council to have “due regard” to its equality aims when exercising its public functions. Brent believes that an Equality Analysis (EA) is the best method to demonstrate compliance with the PSED.

Brent is one of the most diverse boroughs in the UK and to work effectively in such a diverse setting, we need to have a good understanding of all our communities and to apply an evidence-based approach to our decision-making processes.

This EA is informed by Brent Equalities profile 2020-21, the 2021 Census and other data sources about the demographic, diversity and socio-economic characteristics of the local population across the borough, including: age, sex, disability and long-term health conditions, ethnicity, religion or belief, sexual orientation, gender reassignment, marriage and civil partnership, pregnancy and maternity and income status. We have benchmarked census data for Brent against England and Wales, London, Inner London and Outer London and data from other sources against London and Great Britain.

### Brent Equalities Objectives 2019-2023

Under the Equality Act 2010, we have a duty to develop and publish equality objectives and make sure that we can show how we can measure improvement over the next three to five years. We have set four equality objectives in order to achieve key equalities outcomes for those who live and work in Brent:

1. Understand the barriers to equality experienced in Brent and act to remove them
2. Provide accessible information and services that are tailored to peoples’ needs
3. Tackle hate, harassment and victimisation
4. Lead the way in encouraging diversity to flourish in Brent

More information about our equalities objectives and about how we implement these is found in Brent Council Equality Strategy 2019-2023. We have gathered enviro-crime data from our council’s recording databases, police recorded crime for Brent, household and property data from our own records, data from the latest English Housing Condition Survey reports and data from a Brent commissioned Housing Stock Survey reports 2019 and 2022.

The data in respect to equalities is considered in relation to licensing criteria of levels of anti-social behaviour (ASB), poor property conditions, migration, deprivation and crime. ASB and crime will include *hate crimes*. 2021 census data released so far will be used and where not released, there will be differences between these censuses information and data more recently collected by service areas. The EA has also been informed by the responses of our licensing public consultation carried out between 10th June 2019 to 25th August 2019. As this reported to Cabinet in October 2019, we think that Census 2021 data would make minimum impact to that EA. We will however be informed by the responses from our 2022-23 selective licensing public consultation to identify the potential/likely impact that our s may have on people with protected characteristics, and to inform our action plan.

## **Stage 1 Screening Data**

### **1. What are the objectives and expected outcomes of your proposal? Why is it needed? Make sure you highlight any proposed changes.**

The Council report is proposing that selective licensing is applied across electoral wards in Brent. The council recognises that much of the private rented sector in Brent offers good accommodation to people who want to live in the borough, but also that parts of the borough are badly managed, in poor condition, and in some cases, unsafe. The proposal to implement selective licensing is intended to improve the conditions in the private rented sector (PRS) and to enhance housing management standards. Extending selective licensing will give the Council additional powers to tackle anti-social behaviour and poor property conditions. Overall, if licensing is introduced, it will help the council to work with landlords, tenants and businesses, and with internal and external partners to drive up standards. In summary, we believe that property licensing will:

- Provide an improved strategic approach to managing the sector
- Help to identify all properties that are rented out privately
- Establish a register of landlords operating in Brent and ensure that they are “fit and proper” persons to manage rented properties
- Give us the opportunity to inspect the properties to assess living conditions and to advise landlords, managing agents and tenants about their obligations
- Impose the local licensing conditions as a minimum letting standard in Brent
- Redefine how the service operates by shifting the emphasis from a customer complaints led, reactive service
- Reduce the levels of anti-social behaviour in the borough and take action against those whose properties or tenants cause persistent ASB
- Apply enforcement action to tackle those rogue landlords in the sector

If introduced the effect will be that landlords who rent or let any residential accommodation in any area designated for selective licensing in Brent must have a licence. Applications must be made to the Council and shall be accompanied by a licence fee. Licensing conditions will be applied to licences and compliance requirements will be enforced by the council. The draft licensing conditions are provided as an Appendix to this proposal document. These conditions include,

- If gas is supplied to the house, to produce to the LHA annually for their inspection a gas safety certificate obtained in respect of the house within the last 12 months.
- To keep electrical appliances and furniture made available by him in the house in a safe condition; and to supply a declaration as to the safety of such appliances and furniture.
- Ensure that a smoke alarm is installed on each story of the house and to keep them in proper working order;
- Ensure that a carbon monoxide is installed in any room which is used as living accommodation and contains a solid fuel burning combustion appliance
- Supply the occupier with a written statement of the terms of occupation;
- Demand references from persons wishing to occupy the house.

Using a sample of properties that are known to have at least one serious housing hazard (Category 1, HHSRS) there are 10,108 private rented properties in Brent that are likely to have at least 1 serious housing hazard. PRS properties with serious hazards are distributed across the borough. Harlesden & Kensal Green (812) and Dollis Hill (796) have the highest number of properties with at least one Category 1 hazard.

ASB directly linked to PRS properties occurs across the borough. Over a 5-year period, **10, 398** ASB incidents have been recorded by the authority. Follow up investigations identify drug & alcohol related ASB (42%), noise (25%), Intimidation & harassment (14%), vehicle ASB (6%), other ASB (4%) graffiti & vandalism (3%) prostitution (2%) and rubbish and fly tipping (4%).

## **2. Who is affected by the proposal? Consider residents, staff and external stakeholders.**

Private sector landlords and their tenants within the wards in scope will be directly affected by the proposals. We anticipate that the majority of residents will be positively affected by the proposal. Council employees will see an increase in their workloads and service growth benefits. The implications for staff will be considered as part of Council's internal policies and processes.

### ***Landlords and Managing agents***

In deciding whether to grant a licence, the council must consider whether the landlord (or the managing agent) is a 'fit and proper' person. The rules that must be followed in order to determine this are set out in section 89 of the Housing Act 2004. The local authority must have regard to any previous convictions relating to violence, sexual offences, drugs or fraud; whether the proposed license holder has contravened any laws relating to housing or landlord and tenant issues; and whether the person has been found guilty of unlawful discrimination practices.

The Council can decide, following the appropriate checks, that the landlord is not 'fit and proper' and may therefore refuse to grant a licence. The local authority can also withdraw a licence after issue if the licensee is no longer considered a 'fit and proper' person. The landlord has the right to appeal against this decision.

The Council must also satisfy itself that the person to whom the licence is granted is the most 'appropriate' person – which could involve taking into account whether they have ownership or management responsibility for the property in question.

The Council must also confirm that there are satisfactory management arrangements in place regarding the property; in doing so, it must have regard to a range of factors including the competence of the manager; management structures; and soundness of the financial arrangements.

Licences are issued for a period of 5 years, although local authorities may issue licences for shorter periods where certain requirements have not been met. Landlords will be required to pay a licence fee.

Landlords operating a property in the designated area without a licence, or those landlords who fail to comply with any licence condition can be prosecuted and face unlimited fines, or issued with Civil Penalties of up to £30,000.00.

### ***Tenants and residents***

Overall, tenants will benefit from an improvement in their property conditions and better standards of managing. Built into the licensing system is a rationale for elimination discriminatory practices by landlords. We recognise, however, that some landlords will seek to pass on licensing costs they incur to tenants and that this action which may result in some tenant displacement and landlords' claims for possession, through both legal and illegal means. Tenants might also potentially be

affected due to enforcement actions against landlords of overcrowded properties. Every effort will be made to ensure that affected tenants are supported and signposted to relevant agencies.

### ***Council employees***

The local authority is also obliged to take reasonable steps to ensure that licence applications are made and dealt with without undue delay. Staff will also be required to carry to compliance and enforcement work. This will have staffing and financial resources implications.

## **3. Potential impact on equalities characteristics and groups**

### **3.1 Could the proposal impact on people in different ways because of their equality characteristics?**

All groups who own, manage or live in privately rented accommodation are likely to be affected. People of ethnic minority origin, single parents and young children and certain vulnerable people e.g. those with mental health, drug or alcohol addiction, low income or on state benefits, are key tenant groups and are therefore likely to be affected as they are over-represented in private rented sector, and notably in properties which are in poorer condition.

### **3.2 Could the proposal have a disproportionate impact on some equality groups? If you answered 'Yes' please indicate which equality characteristic(s) are impacted**

Given the population demographics in Brent, the proposal will have an impact on some equality groups such as age, gender, race and disability. Nationally over 20% of renters are families with children. Further detail is available below in the second part of the EA.

### **3.3 Would the proposal change or remove services used by vulnerable groups of people?**

No, we do not think so, but we will be significantly upscaling the service offer to single-family vulnerable renters. Renters will need access to further housing needs advice agencies.

### **3.4 Does the proposal relate to an area with known inequalities?**

Yes – There are known health and socio-economic inequalities in the UK private rented sector with further evidence of highest rents and poorest housing in the PRS. Nationally, tenants are more likely to be on low incomes, and earnings are typically more than 40% of the tenant's gross income, (English Housing Survey). More than 30% of homes are in poor condition (classified as non-decent) which is higher than the national PRS averages (21%) in the owner-occupied (16%) or social rented sector (13%). There is a strong correlation between poor quality housing and fuel poverty. A high percentage of the PRS would fail the HHSRS "excess cold" hazard.

According to the Equality Profile for Brent 2020-21, around one in seven Brent residents have a long-term health problem or disability that limits their day-to-day-activities in some way. The prevalence of disability rises sharply with age: more than half of all residents aged 65 and over had a long-term health problem or disability.

Data clearly shows that concentrations of low-income households are found towards a central strip of Brent running from parts of Welsh Harp ward towards the north to Harlesden in the south. The highest levels overall are found in Harlesden, Stonebridge and Kensal Green.

In terms of deprivation, 36 Lower Super Output Areas (LSOAs) in Brent fall into the 20% most deprived areas in England, including all of the LSOAs in Stonebridge and the majority in Harlesden.

### **3.5 Is the proposal likely to be sensitive or important for some people because of their equality characteristics?**

**Yes** - Many tenants are reluctant to ask for repairs or complain for fear of eviction. Built into the licensing system is a rationale for improving poor housing conditions and for the elimination of discriminatory practices by landlords.

### 3.6 Does the proposal relate to one of Brent's equality objectives?

Yes, it relates to all four of Brent’s Equality objectives already listed in introduction above.

### Recommend this EA for Full Analysis?

No – A full EA was undertaken in 2019, this is still very much valid and as such, an update of the population statistics and of the action plan is felt to be adequate.

**4. Use the comments box below to give brief details of what further information you will need to complete a Full Equality Analysis. What information will give you a full picture of how well the proposal will work for different groups of people? How will you gather this information? Consider engagement initiatives, research and equality monitoring data.**

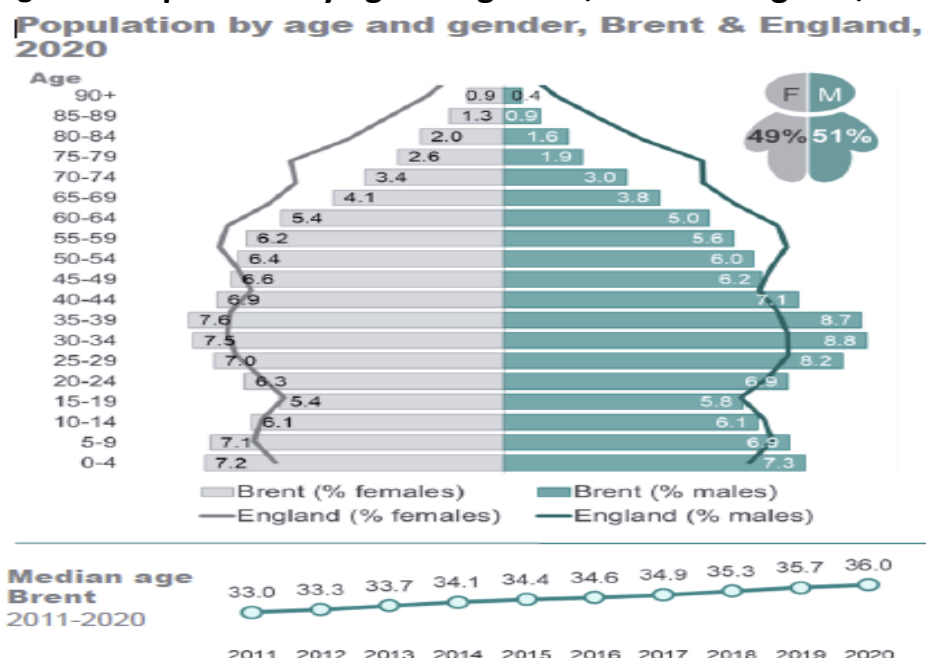
### Stage 2: Analysis

**5. What effects could your policy have on different equality groups and on cohesion and good relations?**

#### 5.1 Age (select all that apply)

- Positive
- Neutral
- Negative

**Figure 1: Population by age and gender, Brent & England, 2020**



Brent’s private rented sector has grown considerably in recent years, from 32% (2011) to 46% (2022) and this is expected to continue. In the next twenty years, the Brent population is expected to grow from currently 339,771 (Source: Census 2021,) the 5th most populous London borough to 395,800 in 2038 – a rise of 15% and an additional 56,000 residents. There are 127,378 residential dwellings in Brent, 58,105 of which are rented privately.

In common with other London Boroughs, Brent has a relatively young population. In 2017, the median age of the population was 36 in Brent, the same as in London, but lower than the England average (40).

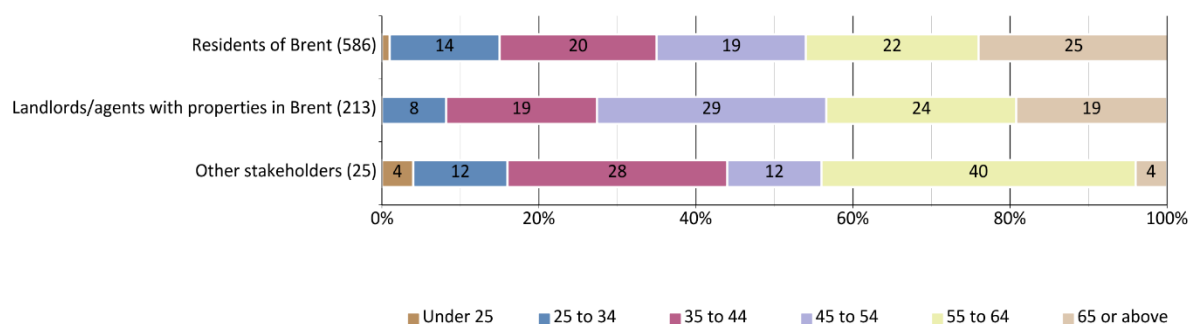
Brent has proportionately fewer over 50s than England (30% vs. 38%), but has more adults aged 25-44 (31% vs. 26%), and a higher proportion of children aged under ten (14% vs. 12%).

Net long term international migration into Brent in 2018-2019 was 3,193, making Brent the 9th highest London borough.

The proposal to renew and extend discretionary licensing is intended to enhance housing management standards in the private sector, in compliance with the Housing health and safety rating system (HHSRS) standards, which will have a positive impact on all age groups. Vulnerable age groups will particularly benefit from health intervention e.g. damp, moulds, infections, reduction of trip hazards, and falls as well as the requirements around excess cold, which can cause or exacerbate poor health.

The following is our understanding of the impact of licensing on equalities based on our 2019 survey, We do not anticipate any significant variation to warrant changes to our equalities action plan.

**Table 1: Questionnaire: Age Group what was your age on your last birthday?**



Brent Licensing Consultation 10 Jun -25 Aug 2019

16% (same as in the 2017 EA study) of residents under 34 years old responded to the survey, which is significantly below the borough average of 51%. Other age groups were well represented in the survey.

**Table 1.1: Age Group - Residents Face-to face Interview survey (ORS July 2019)**

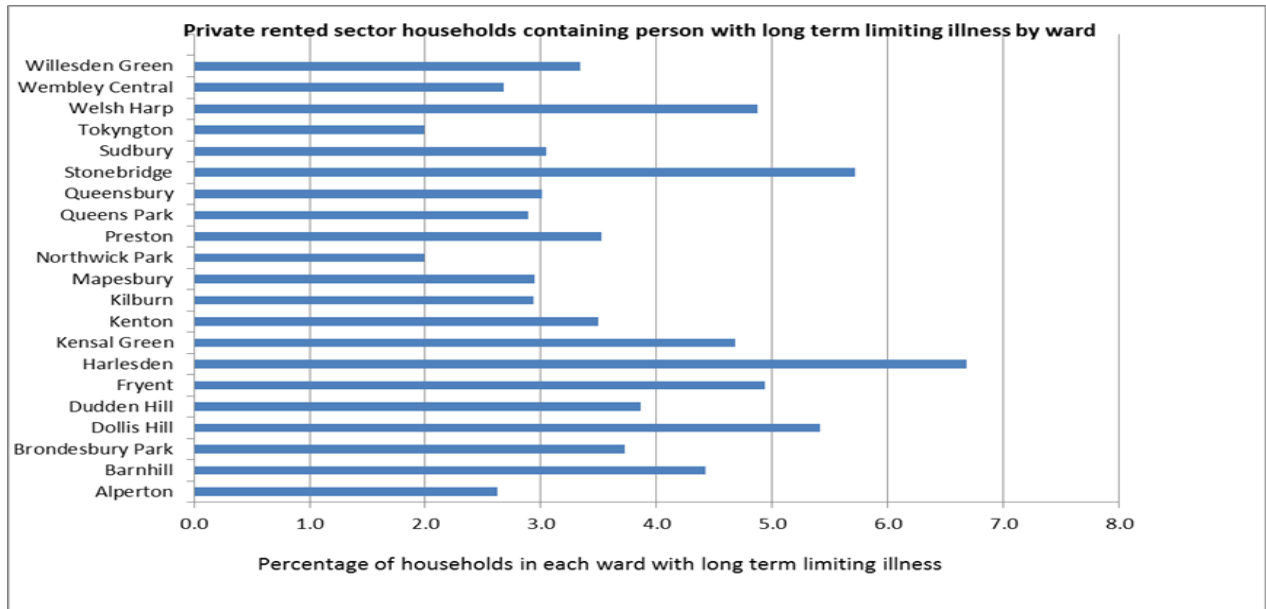
| Characteristic               | Unweighted Count | Unweighted Valid % | Weighted Valid % | Resident Population % |
|------------------------------|------------------|--------------------|------------------|-----------------------|
| <b>BY AGE</b>                |                  |                    |                  |                       |
| 16 to 24                     | 107              | 18                 | 14               | 14                    |
| 25 to 34                     | 151              | 25                 | 23               | 23                    |
| 35 to 44                     | 114              | 19                 | 20               | 19                    |
| 45 to 54                     | 84               | 14                 | 16               | 16                    |
| 55 to 64                     | 67               | 11                 | 11               | 13                    |
| 65 to 74                     | 51               | 8                  | 9                | 8                     |
| 75 or over                   | 31               | 5                  | 6                | 7                     |
| <b>Total valid responses</b> | <b>605</b>       | <b>100</b>         | <b>100</b>       | <b>100</b>            |

Figure 1.1 shows how the F2F quota sampling met the target met the number of interviews required by age.

## 5.2 Disability (select all that apply)

- Positive
- Neutral
- Negative

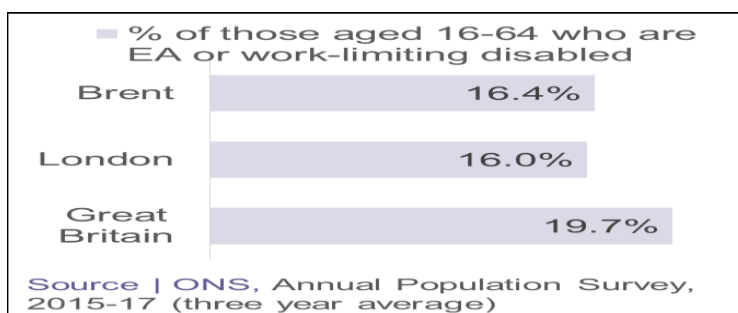
Please give details: **Figure 4: Disability**



The above chart in Figure 4 details the disability profile in the PRS by ward, showing that there are higher proportions of PRS households comprising disabled tenants in Harlesden, Stonebridge and Dollis Hill wards. The 2011 Census found that around one in seven Brent residents (14%) had a long-term health problem or disability that limited their day-to-day-activities in some way: 7% said their activities were limited a lot, and 7% said their activities were limited a little. This compares with a rate of 14.2% for London and 3.4% lower than the national figure.

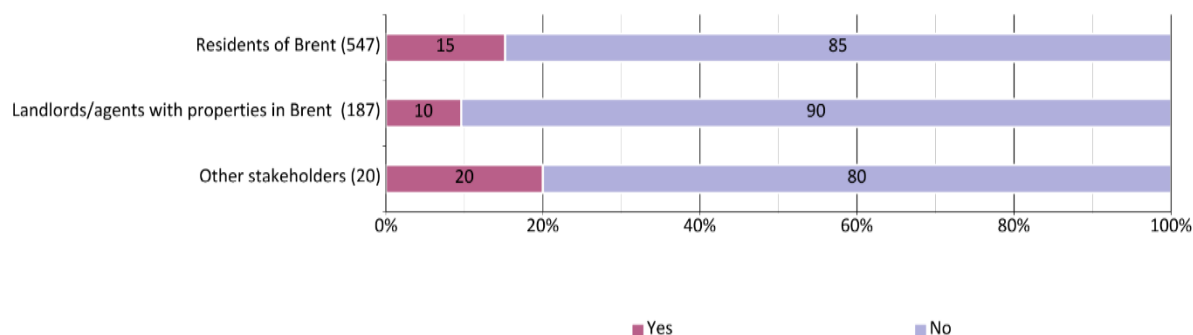
More recent survey data (ONS 2015-17), which focuses on the working age population, indicates that around 16% of Brent residents aged 16-64 are disabled according to the Equality Act 2010 and/or Work-limiting definition. The Equality Act 2010 definition aims to capture those who have a physical or mental impairment that has a substantial, and long-term, negative effect on their ability to do normal daily activities. The work-limiting definition relates to those whose disability, which affects the kind or amount of work they might do. The prevalence of disability in Brent is similar to the London average (16%), but lower than the national average (Great Britain, 20%), reflecting that the Brent and London populations have a younger age profile compared with Great Britain.

**Figure 5: Percentage of working age residents who are disabled, Brent, 2015-2017**



One of the potential outcomes of licensing is that landlords will be more aware of their duties under the Equality Act 2010 and of the support that is available to disabled people including information on the availability of Disabled Facilities Grant. Disabled people will also benefit from the need for PRS homes to comply with the Housing Health and Safety Rating System in terms of reasonable adaptations, reducing trip hazards and falls as well as the requirements around excess cold which can cause or exacerbate poor health.

**Table 2: Disability - Do you have any long-standing illness or disability?**



(Brent Licensing Consultation 10 Jun -25 Aug 2019)

Table 2 shows that the disability profile of residents is broadly reflective of the borough disability profile of 14.5%. The residents figure for the 2017 EA was 13%.

### 5.3 Sex/Gender (select all that apply)

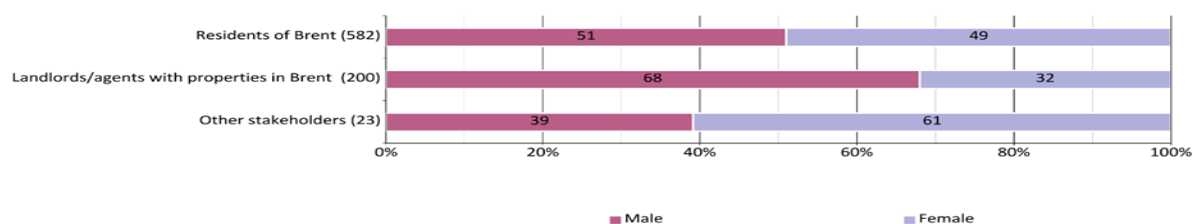
- Positive
- Neutral
- Negative

The gender split in the population is 51% male and 49% female. Brent has a slightly higher proportion of males compared with London or the UK (50% and 49%). The proportion of men is highest in the 20-39 age group where they comprise 53%-54% of the population. In contrast, women make up a higher proportion of the Borough's elderly population: 62% of those aged 85 and over are female. (Source Equality Profile of Brent 2019)

### Breakdown of Consultation Participants by Gender

Out of all the residents who responded to the consultation, 47% were male and 42% were female. From all the landlords who took part in the consultation 57% were Male and 29% were female. There is no information relating to the gender profile of landlords. Although half as many women responded. There was active female presence in the Brent Landlord forum on 25<sup>th</sup> June 2019 where the licensing proposals were consulted upon.

**Table 3: Gender**





(Brent Licensing Consultation 10 Jun -25 Aug 2019)

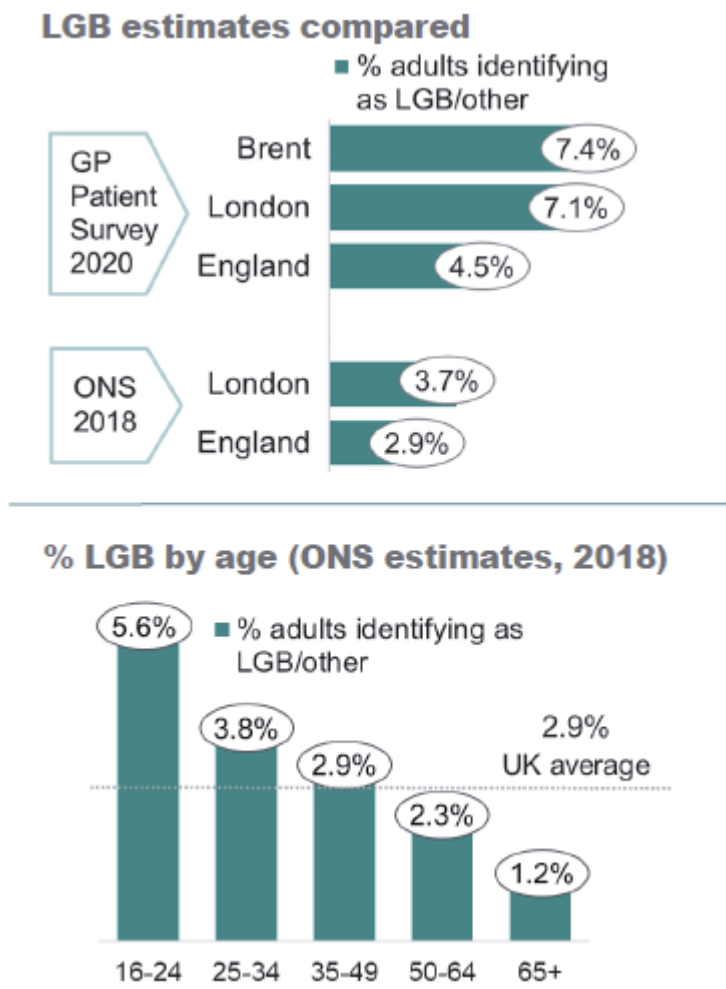
Literature was sent to all households. Table 3 shows that female respondents match the Borough profile where women represent 49% of the population. There is no data on the gender breakdown of those living in the PRS in Brent.

There is insufficient data available to measure accurately the potential impact of the proposal on gender. However, one of the aims of discretionary licensing is to tackle antisocial behaviour, which is likely to have a positive impact on both genders, particularly for women and girls. Both sexes are likely to benefit from improvement in the PRS. There were no comments made during the consultation with particular reference to gender.

#### 5.4 Sexual orientation and gender identity (*select all that apply*)

- Positive
- Neutral
- Negative

**Figure 6: Sexual Orientation**



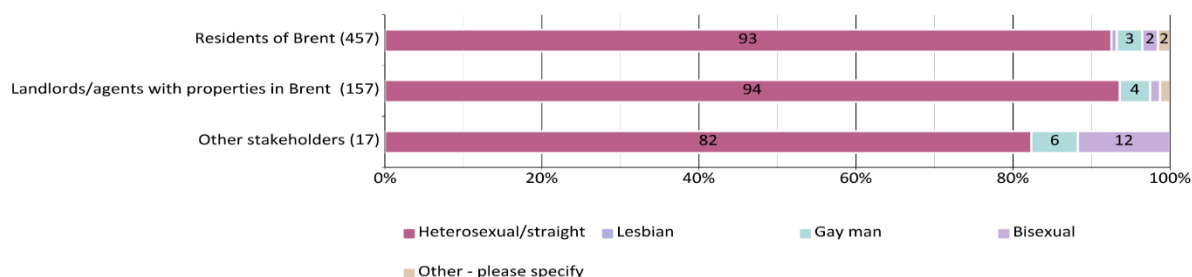
The 2020 GP Patient Survey found that 4% of Brent adults surveyed identified as Lesbian, Gay, Bisexual (or 'Other'). The percentage in Brent was below the London average (5.4%) but well above the England estimate (4.5%). ONS survey estimates are typically lower (England 2.0%).

The GP Survey is one of the few sources that provides Borough level data and tends to provide slightly higher estimates compared with other sources.

Stonewall research has found that many LGBT people of all ages experience homophobic harassment and violence in their neighbourhood. Someone may know or suspect their sexuality. Harassment can include name-calling, graffiti, and criminal damage and over time even seemingly small incidents can cause extreme distress and fear, with people often too frightened to leave their own home.

## Results of the consultation relating to Sexual Orientation and Gender Identity

**Table 5: What is your sexual orientation?**



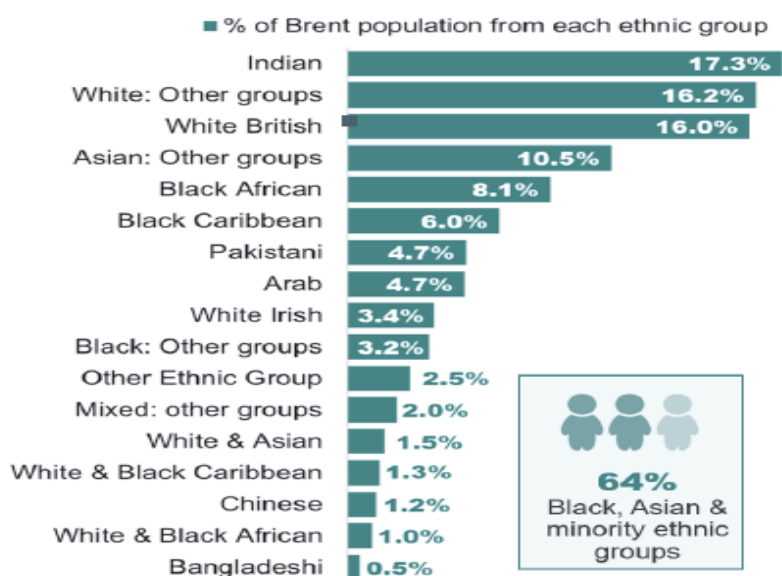
(Brent Licensing Consultation 10 Jun -25 Aug 2019)

### 5.5 Ethnic Origin

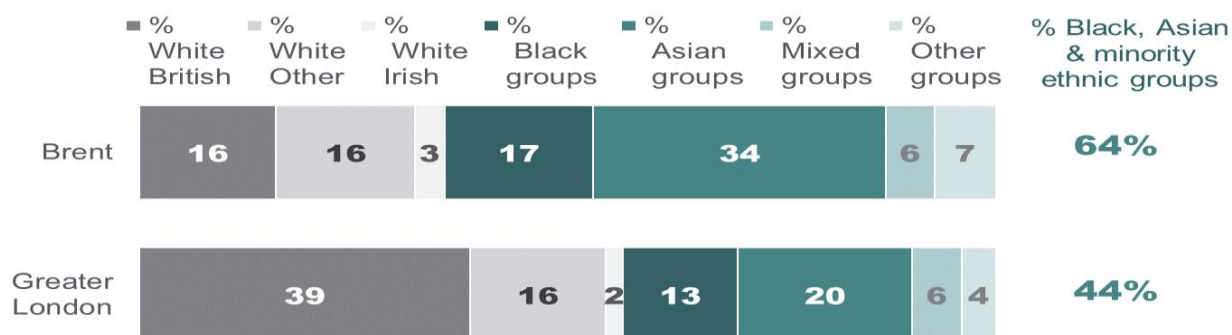
Brent is one of the most diverse boroughs in London: estimates for 2020 suggest that almost two thirds of the population (64%) are from Black, Asian and Minority ethnic groups, the third highest in London (after Newham and Redbridge). One third of residents are from Asian ethnic groups compared with 20% across London. Around 16% of residents are White British, the second lowest in London. Brent also has a significant White minority population: 16% from the 'White Other' group and 3% White Irish.

The last Census found that over half (55%) of the Brent population were born outside the UK –the highest percentage in England and Wales. The Census identified Brent residents born in 215 different countries. More recent survey estimates for 2019 suggest the percentage born outside the UK remains high in Brent (at around 52%).

**Figure 8: Population by ethnicity, Brent, 2020**

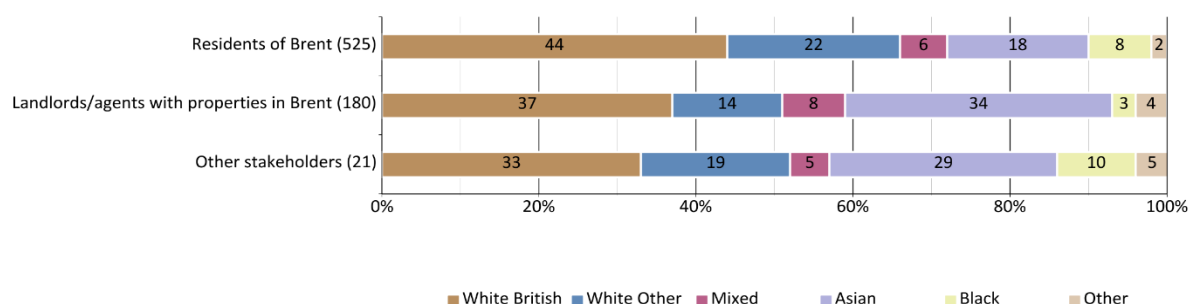


## Population by ethnicity, Brent and London, 2020 GLA projections



**Table 6: Results of the consultation relating to ethnic origin**

How would you describe your ethnic origin? (Grouped Responses)



(Brent Licensing Consultation 10 Jun - 25 Aug 2019)

### 5.6 Religion or belief (select all that apply)

- Positive
- Neutral
- Negative

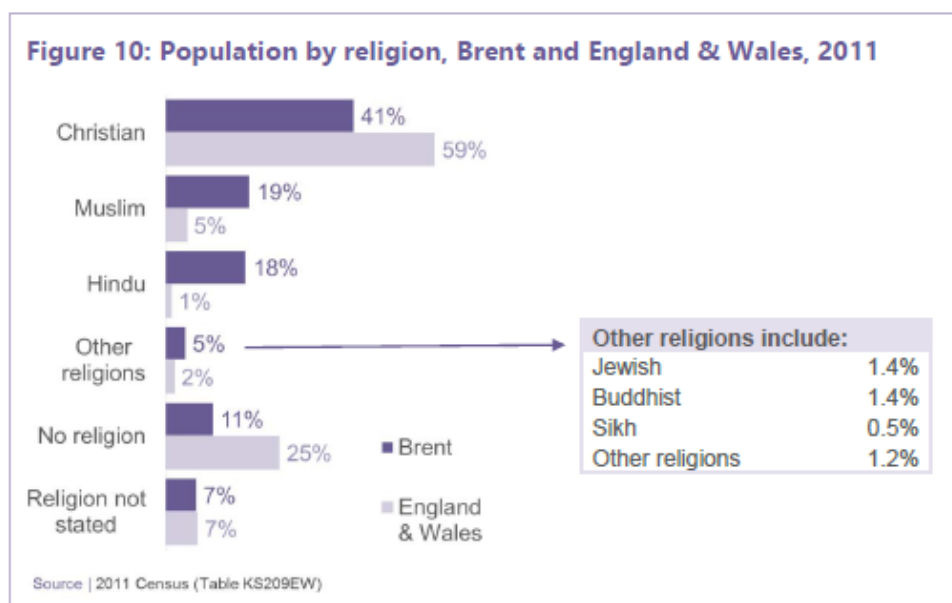
#### Please give details:

The borough's three largest religious groups are Christian (41%), Muslim (19%) and Hindu (18%). Other smaller, but significant, groups included: Jewish and Buddhist residents (both 1.4%), Jain residents (0.8%) and Sikh residents (0.5%).

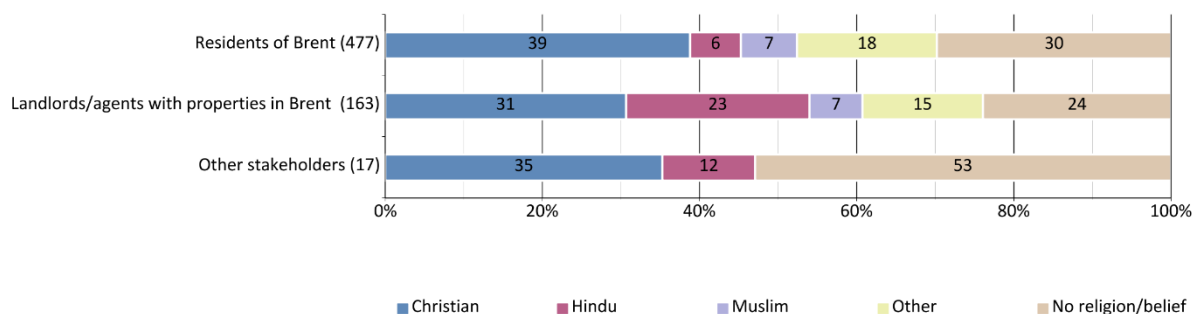
Compared with other areas, Brent residents are more likely to have a religion: 82% had a religion compared with 71% across London and 68% nationally –the fourth highest rate in England and Wales. Just 11% had no religion and the remaining 7% chose not to state their religion.

Brent has the second largest Hindu population in England and Wales, after Harrow and the 10<sup>th</sup> largest Muslim population nationally (as a percentage of the population).

While a relatively small proportion of residents are Buddhist, –just 1.4% -this is the 6<sup>th</sup> highest percentage nationally. Similarly, Brent has the 2<sup>nd</sup> largest percentage of Jain residents in England (0.8%).



**Figure 10: What is your religion or belief? (Grouped Responses)**



(Brent Licensing Consultation 10 Jun -25 Aug 2019)

From Figure 10, Christian, Hindu and Muslim residents seem to be well represented in the survey compared to the Borough profile. Christian and Muslim landlords also seem to be under-represented, while Hindu landlords appear to be marginally overrepresented in the consultation. It should be noted, however, that the percentages of those who preferred not to disclose their religious beliefs are very high.

There is insufficient data available to measure accurately the potential impact of the proposal on religion or belief. However, one of the aims of selective licensing is to tackle antisocial behaviour, including hate crime and incidents and this is likely to have a positive impact on this characteristic. There were no direct comments made in relation to religion or belief.

## 5.7 Other (please specify)

### 5.7.1 Socio-economic disadvantage

- Positive
- Neutral
- Negative

**Please give details:**

*Socio-economic status of the local area*

**Deprivation:** The Indices of Deprivation 2019 (ID2019) are the primary measure of deprivation for small areas or Lower layer Super Output Areas (LSOAs) in England. The indices were published by the Ministry of Housing, Communities & Local Government (MHCLG) in September 2019 and replace the 2015 indices.

- Brent ranks (Rank of average rank) as the 49th most deprived borough in England out of 317. Brent has a mixture of high and low deprivation wards. 16 of 22 wards have aggregated IMD rankings below the national average.
- 5% of the LSOAs in Brent are in the most deprived 10% nationally, compared to 8% of LSOAs in 2015.
- The most highly deprived areas in the borough are concentrated in Stonebridge and Harlesden. Brent has one LSOA that is within the 5% most deprived in England, and this is located in north Stonebridge.
- 19% of the borough's 173 LSOAs are in the most deprived 20% of LSOAs in England.
- The least deprived areas in the borough are located in the northwest, in the wards of Kenton and Northwick Park.

The Barriers to Housing and Services Domain measures the physical and financial accessibility of housing and local services. The borough is highly deprived on this domain.

- Stonebridge ward is ranked as second most deprived ward in England.
- 12 of the 21 wards in Brent are in the 5% most deprived wards in the country
- Other London boroughs are also ranked in the most deprived nationally on this domain. On the average score measure, Brent is ranked third most deprived nationally, below Newham and Barking & Dagenham.

**Fuel poverty:** A household is considered to be fuel poor if they have required fuel costs that are above average (the national median level); and, were they to spend that amount, they would be left with a residual income below the official poverty line. The fuel poverty score was produced by the Department for Business, Energy & Industrial Strategy using 2019 data and published in 2021. Over the next 12 months these figures are likely to change significantly as a result of acute fuel price increases. Notwithstanding, Brent has a higher proportion in fuel poverty (17.3%) than the national average (13.8%).

**The Minimum Energy Efficiency Standard (MEES):** The MEES regulations came into force in England and Wales on 1 April 2018. The regulation applies to PRS properties and mandates that all dwellings must have an EPC rating of E and above to be compliant. It has been calculated using the matched addresses that 12.2% of PRS properties in Brent have an E, F, and G rating. Extrapolated to the entire PRS, 755 PRS properties are likely to fail the MEES statutory requirement.

**Rents and affordability:** Considering the average (median) earnings for one-bedroom dwellings as a proportion of median rents. Brent has above average rents for London, with 53% of median earnings used to pay rent. The London average is 47.9%. (VAO Statistics PRS Market 2018)

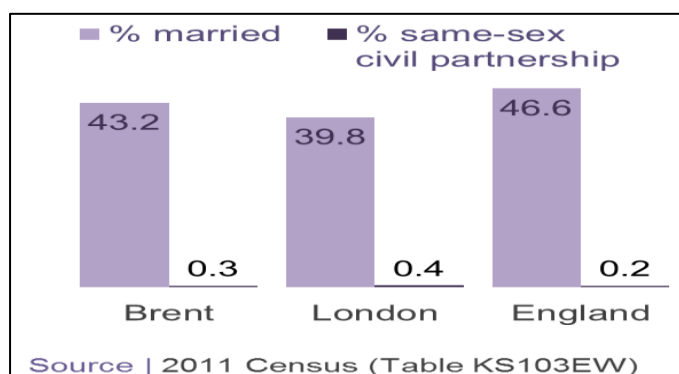
**Residential property crime (burglary):** Between April 2021 and March 2022, 1,534 burglaries were reported to the Metropolitan Police across London, averaging (mean) 47.9 per London borough. 65 burglaries were reported in Brent for the same period. (MPS Crime data 2022)

### 5.7.2 Marriage and Civil Partnership

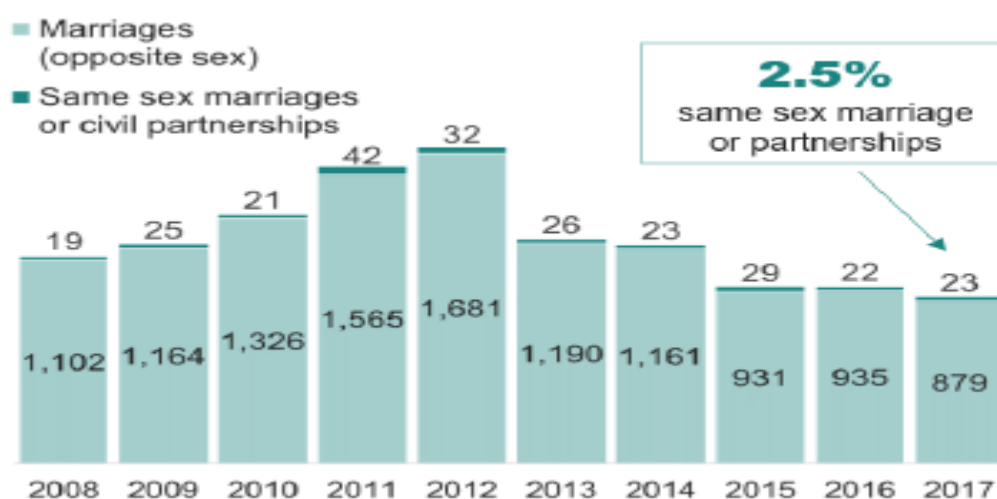
Marital status of Brent adults as at 2011. At this time, 43% were married and 0.3% were in a civil partnership (648 residents). The remaining were either single (42%) or separated, divorced or

widowed (14%). The proportion who were in a civil partnership in Brent was marginally lower than the London average (0.4%) and marginally higher than the England average (0.2%).

**Figure 11: Marital status of adults aged 16 and over, 2011**



**Figure 12: Number of Marriage and Civil Partnerships formed in Brent, 2008-17**



## 5.8 Gender reassignment and gender identity

The Government Equalities Office tentatively estimates that around 0.3-0.8% of the UK population may be transgender. Since 2005, 5,871 people across the UK have obtained a Gender Recognition Certificate (GRC) to legally change their gender (0.009% of the UK population). Any 2021 Census question about gender identity should provide local data about this important topic for the first time.

## 5.9 Homelessness

Although Brent has continued to increase its dwelling stock over the last 10 years (period 2006 - 2016) by 10.5%, its current housing stock does not meet demand. Brent Council's own housing stock consists of 11,378 homes as of February 2018, comprised of 7,878 rented and 3,500 leasehold properties. According to the Social Housing Regulator, in 2018, there were 55 RPs operating in Brent, managing 20,221 affordable homes for rent.

As of 22 July 2022, 3,073 households are in Bands A-C minus on the Housing Register (those who meet the criteria of the Council's Allocation Scheme to be awarded reasonable preference on the Housing Register). Brent has had one of the largest temporary accommodation portfolios in the country for many years. As of 31st August 2022, Brent Council reports to have 1,703 households in Temporary Accommodation, a total reduction of 27% since 2018. In 2021/22, 283 individuals were recorded rough sleeping in Brent, a 24% decrease on figures from 2020/21. Brent is taking

a range of actions to address demand arising from homelessness and reduce reliance on temporary accommodation.

The Draft London Plan (2017) sets a new target of 29,150 additional homes to be delivered in Brent over the period 2019/20 to 2028/29, an average of 2,915 per annum. This is almost double the 2015 target of 1525 homes per annum. Of these new homes, The Council's Housing Strategy aims to facilitate the delivery of 1,000 new affordable homes each year from all possible sources with 70% for affordable rent and 30% for affordable homeownership. This includes the Council's own development programme which will deliver 817 new council homes. The Greater London Authority report that Registered Providers who are receiving grant will have 3,330 units started on site in the Brent by 2020. It is important to note, 841 will be Social Rent, London Affordable Rent or Affordable Rent.

The number of housing benefit claimants in Brent reached its peak in 2012-13 at 38,099, as of March 2019 this number is 32,644, a reduction of 1,924 since November 2018, when Universal Credit (UC) went live in Brent. The UC caseload in Brent, at 31<sup>st</sup> March, was 5,849, an increase of 3,674 on November. (This will include our former HB cases plus UC claims from non-dependants etc., with no rent liability.). Brent has the highest number of housing benefit claimants in all of the outer London Boroughs, and has the 2nd highest number of housing benefit claimants in social rented accommodation.

Brent has the 4th highest number of private landlord possession claims in London, with 2,399 in 20197 (Figure 6). The average number of claims for London boroughs during this period was 1,224. (source MOJ 2019)

The private sector therefore plays an important role being a key source of temporary and permanent accommodation to meet it. Licensing can play a significant role in ensuring that the sector is well managed and provides settled and decent accommodation for Brent residents. It is also recognised though a Brent commissioned study report by Future of London 2017, that licensing enforcement action could lead to homelessness and the council acts to secure the rights of tenants and provide advice and assistance as required. There has been no evidence of any significant level of homelessness applications directly arising from licensing activity.

Recently, the Government has [reconfirmed](#) its commitment to abolishing section 21. The [A Fairer Private Rented Sector White Paper](#) outlines the government's plans to outlaw section 21 and "replace section 21 'no fault' eviction notices with a modern tenancy system".

#### Findings from the Brent Consultation June – August 2019 in respect of homelessness

Several submissions and groups raised concern about the impact of licensing on homelessness, on one hand that homelessness might increase, especially among people with protected characteristics, but as a counter-position, that the schemes will provide better protection for tenants.

There were calls for the Council to indicate how tenants and landlords will be supported, and to provide reports on the achievements of the scheme against set targets.

The Government is proposing a consultation on the abolition of Section 21, so called 'no fault', repossession in the private rented sector in favour of improving the court system to ensure landlords can more speedily repossess properties through them in legitimate cases. Landlord and tenant organisations have voiced their views on the impact of the particular sectors. Landlords warning of "serious dangers" to the supply of rental housing for vulnerable tenants on the one hand and others feeling that the reforms will give better protection for tenants against eviction.

Our consultation provided many comments regarding the potential impact licensing on homelessness, and also sought that s21 was properly considered by the Council.

**6. Could any of the impacts you have identified be unlawful under the Equality Act 2010? Prohibited acts include direct and indirect discrimination, harassment, victimisation and failure to make a reasonable adjustment.**

- Yes
- No

**7. Please provide a brief summary of any research or engagement initiatives that have been carried out to formulate your proposal.**

1. The Census provides valuable information regarding Brent's population
2. A Licensing consultation was undertaken with resident, tenants and businesses, landlords and managing agents, and other stakeholders including with neighbouring boroughs for between 10 June 2019 and 25 August 2019.
3. Brent Council Open data store and Equalities profile 2020-21
4. Business intelligence research was undertaken with respect to equalities, housing indicators of deprivation in Brent.
5. Private Rented Sector: Housing Stock Condition and Stressors Report, Metastreet, October 2022
6. Licensing Public consultation exercise October 2022-January 2023

**What did you find out from consultation or data analysis?**

See above. The relevant findings from the research, consultation and data analysis have been presented in the individual sections for each protected characteristic, including socio-economic status.

**Were the participants in any engagement initiatives representative of the people who will be affected by your proposal?**

Yes. The resident's forums and face-to-face interviews facilitated by consultants Opinion Research Services (ORS), were diverse by area, tenure, age, class and ethnicity – and so the meetings (taken together) were broadly representative of Brent residents

**How did your findings and the wider evidence base inform the proposal?**

The findings we used to determine the extent and scope of the designations, the type of properties to be included in the scheme, the fee and licence conditions set and the scheme objectives.

**Conclusion**

This analysis has concluded that, overall, it is anticipated that the continuation of Licensing is likely to bring about positive benefits to groups with protected characteristics, particularly those who are disadvantaged and who have little or no choice but having to rent in the private sector.

A key purpose of the scheme is to reduce antisocial behaviour, improve property conditions and reduce the level of deprivation, which will benefit residents across all protected characteristics and particularly more vulnerable groups. Vulnerable groups will also benefit from overall improvements in management standards due to the ability of the Council to better identify those properties that are being rented privately and the improved ability to enforce standards to the whole of the sector.



In particular, BAME groups, new migrants, families with young children, disabled residents and vulnerable adults will benefit from better enforcement of licence conditions and of the Housing Health and Safety Rating System standards. All groups will benefit from improvements in engagement, communication and signposting information between the council, landlords and tenants and other service providers. Information would relate to such matters as changes in the law affecting the PRS, energy efficiency measures and grants availability, information on local organisations and agencies which may be able to provide support.

The Equality Analysis has identified some potential for adverse impacts, particularly for lower income groups, if landlords decide to increase rents, young people, migrants, single parent tenants may be particularly affected by this. However, based on our experience of licensing over the past 5 years and that of other Councils who have introduced licensing, we believe this unintended outcome is very unlikely to materialise.

There is an increased threat of homelessness for some residents should landlords decide to withdraw from the private renting sector altogether. To mitigate this, the proposal tries to minimise the cost of licences, including offering a discount for certain accredited landlords and to minimise bureaucracy.

It is proposed that a major publicity campaign is launched when licensing is introduced to make tenants and landlords aware of their rights and obligations and what tenants can do if they are threatened with eviction. Specific actions are set out in more detail in the action plan below.

If selective licensing is continued, it is intended to enforce the scheme robustly; to closely monitor the situation on an on-going basis and carry out a major review after the scheme has been in place for a year. Overall, it is felt that the benefits to groups with protected characteristics of this initiative will outweigh any potential negative impacts and that there are robust measures put in place to mitigate against negative consequences.

### **Outcome of Analysis**

The Draft Equalities Analysis will allow for an update of our action plan based on fresh consultation and updated Brent profiles. However, we do not envisage any significant change to the impact of the proposals on the equalities characteristics of people in Brent. The responses and concerns raised in the 2019 consultation as well as the action and initiatives to address them are provided in the Stage 3: Action Planning tables below.

## STAGE 3: ACTION PLANNING

This section details the responses and concerns raised as part of the consultation that relate to specific protected characteristics. It also outlines the proposed actions and initiatives that will be put forward to address these.

### Equality Characteristic: Age

#### How Age was considered as part of the consultation process

We know that people in the 24-34 and 35-44 age groups are over-represented in the PRS in Brent. Older people, typically over 65s will be less able to use online technology. To ensure maximum engagement leaflets were sent to all households. All licensed landlords were contacted via mail outs. All email and social media channels were used to target all groups; this method would especially reach younger people who are very familiar with social media. The general marketing campaign across the borough provided information on how people of all ages could take part in the consultation process. Reference was made to the responses outcomes from the selective licensing 2016 survey and from that survey's evaluation report. A resident's survey was undertaken to achieve a broadly representative sample of face-to-face (F2F) interviews of residents of Brent, aged 16 and over.

#### Breakdown of Consultation Participants by Age

##### a) Residents – Face-to-face interviews

- Figure 1.1 shows how the F2F quota sampling met the target met the number of interviews required by age.

##### b) Questionnaire Survey

Table 1 compares the respondents' age groups with their respective borough averages. Overall the consultation was successful in reaching the tenant age group, landlords and older residents these being people most impacted by selective licensing.

- The figures for residents who are between 18-24 (14%) are perhaps not surprising as landlords are likely to be older and people of this age group are less likely to be householders and so will have less interest in licensing.
- The borough average of residents who are between 25-34 is 23 %. This age group is the second most likely to be renting in the private sector according to the 2011 census figures.
- The borough average of residents who are between 35-44 is 19%. From all the residents who took part in the consultation 20% were in this age group. From all the landlords who took part in the consultation 19% were in this age group. This age group is the most likely to be renting in the private sector.
- The borough average of residents who are between 45-54 is 16%. From all the residents who took part in the consultation 19% were in this age group. From all the landlords who took part in the consultation 29% were in this age group. The consultation exercise received a higher than average response from residents in this age range and a significantly higher response rate from landlords from this age group.
- The borough average of residents who are between 55-64 is 13%. From all the residents who took part in the consultation 2% were in this age group. From all the landlords who took part in the consultation, 24% were in this age group.
- The borough average of residents aged over 65+ is 15%. From all the residents who took part in the consultation 25% were in this age group. From all the landlords who took part in the consultation, 19% were in this age group.

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| <p><b>What is the proposal's impact on the equalities aims?</b></p> <p>The proposal will potentially benefit all age groups.</p> <p>Figures 1-3 and Table 1 show the private rented sector age by household member and responses age profile respectively. We expect the 25 – 44 age groups to directly benefit from better housing management standards. All properties that are granted a licence are expected to comply with the Housing Health and Safety Rating System standards (HHSRS) and the licensing conditions. This system includes reducing trips, slips and fall hazards which will be particularly relevant for older people who are more likely to suffer a serious injury from a fall. The HHSRS “most vulnerable group” considers the age demographic.</p> <p>According to Figure 3 high percentages of people living within the PRS are between 25 and 49 years of age making the PRS an important market for younger and more mobile people.’</p> | <p><b>What actions can be taken to remove or reduce the potential negative impacts that have been identified?</b></p> <p>If Licensing is renewed extended Brent Council will:</p> <ul style="list-style-type: none"> <li>• Set up a residents focus groups</li> <li>• Licence fee will be set at a reasonable level to minimise the likelihood that the charges be passed onto tenants through increased rent</li> <li>• Continue training sessions for landlords on tenancy issues</li> </ul> <p><b>What actions can be taken to enhance the potential positive impacts that have been identified?</b></p> <ul style="list-style-type: none"> <li>• PHS will develop a PRS tenant’s newsletter on our website</li> <li>• Promote the presence of the PHS webpage for landlords and tenants of private rented properties with information and updates</li> <li>• Promote our quarterly electronic landlord’s newsletter to all landlords</li> <li>• Develop a tenant’s charter which will include information on both rights and responsibilities for tenants</li> <li>• Signpost and give advice to landlords and tenants on the Well Being and other services which are available in the borough for vulnerable residents.</li> </ul> <p><b>Explanation how any remaining negative impacts can be justified? N/A</b></p> |
| <p><b>Comments received from consultation relating to Age</b></p> <p>‘Council should spend more money on community projects i.e. youth clubs, community centres, parks etc. to deter problems in area’. (Free text comment from questionnaire)</p> <p>-----</p> <p>“There are rogue landlords who will rent their property to 18-20 people and make a lot of money and they may be contacted by the council every 6 years, but the fine is nothing compared to the money they’ve made. This scheme will not catch rogue landlords”. <i>Brent Civic Centre focus group</i></p> <p>Exemptions from licensing for student properties that are accredited and inspected under the approved Unipol National Codes (e.g. like in Bristol)</p>  | <p><b>Council's response</b></p> <p>The council provides many projects for young people. The council will consider how best to publicise any available or newly created projects and initiatives to ensure that they are accessible to all.</p> <p>-----</p> <p>We recognise that some young people prefer to rent. However, a proportion of migrant other professionals and students live away from home are more likely to be occupying shared houses rather than single family households. Properties with less than 3 tenants will come under the scheme if licensing is introduced. Proportionate enforcement will be used to tackle overcrowded and sub-let properties.</p> <p>Certain student accommodation is already excluded from licensing, but HMO premises which are not run or managed by educational establishments will be inspected.</p>  |

## Characteristic: Disability

### How Disability was considered as part of the consultation process

The proportion of Brent residents who felt that they had good health increased from 70.2% in 2001 to 82.9% in 2011. Also from the Census 2011, 1 in 7 (14.5%) Brent residents considered that their health had a limiting impact on their day to day activities. This is comparable to the rate for London (14.2%) and 3.4% lower than the rate for England and Wales. In February 2014, 0.8% (1,650 people) Brent residents of working age - aged 16 to 64 - were claiming disability benefits (Nomis). This rate was only slightly lower than the rate for London, 0.9%. It is recognised and acknowledged that some perpetrators of anti-social behaviour have mental health problems. There is a link between mental health problems and drug/alcohol misuse for both perpetrators and complainants. Community safety departments in London boroughs are reporting that a significant proportion of ASB cases they are dealing with will have a mental health dimension. That is to say that either or both the complainant and alleged perpetrator have mental health support needs. (London Council's ASB and Mental Health Needs Jan 2014)

### Breakdown of Consultation Participants by Disability

Table 2 is an analysis of the open questionnaire consultation results and indicates that 85% of Brent's residents and 90% of landlords did not have a long standing illness or disability. As a further comparison, the disability profile of consultation respondents (15%) is broadly reflective of the Borough average (14.5%). A below average response was received from all landlords who took part in the consultation, with 10% disclosing they had a disability or a long-term health condition. There is no disability borough average for landlords but it is noted that 19% of the landlords who took part in the consultation are in the 65+ age group.

Direct publicity methods were used in addition to the online questionnaire and web based consultation to ensure disabled housebound residents and landlords can have their say. The Brent Connect communications were for all wards and would reach residents in the Harlesden, Stonebridge, Dollis Hill, Welsh Harp, Fryent, Kensal Green, Barnhill etc.; wards which we know have the highest percentages of PRS households with disabilities or long-term health conditions.

### What is the proposal's impact on the equalities aims?

Sources indicate that people suffering from a disability or mental health are more likely to be perpetrators or victims of ASB and live in poor housing conditions. People with disabilities may feel vulnerable to retaliatory practices which will mean that they may be less likely to complain to the Council.

Figure 2 shows the wards where a long term health problem or disability is highest. Table 2 in the disability section shows from all the residents who took part in the consultation 15% of residents and 10% of landlords had a long term health problem or disability. The Council will be able to more accurately identify properties where landlords would qualify for grants to benefit older residents with disabilities. As part of the licensing proposal it is intended to promote energy efficiency, for example, by

### What actions can be taken to remove or reduce the potential negative impacts that have been identified?

If Licensing is extended Brent Council will:

- Assist tenants with legal advice and signpost them to relevant support services available to them
- Provide information and advice on adaptations and grants available to fund these
- Provide communication with and support provided to tenants with Learning Disabilities, Mental Health needs, BSL users?
- Analyse the disability response by tenant age

### What actions can be taken to enhance the potential positive impacts that have been identified?

If Licensing is extended Brent Council will:

- Give advice to landlords and tenants on the services that are available across the borough for vulnerable residents. This will particularly benefit people with learning disabilities or dealing with substance/alcohol misuse or needing physical adaptations

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| <p>requiring up to date EPCs and raising awareness of energy efficiency and how to reduce fuel poverty. We expect our older residents to benefit from this since national statistics show they are more likely to suffer from fuel poverty.</p>  | <p><b>Explanation how any remaining negative impacts can be justified?</b><br/>N/A</p>  |
| <p><b>Comments from consultation relating to disability</b><br/>         “A joined-up approach is required but there is little information on how, for example, services like adult social care will be impacted (given that many tenants will have issues with addiction or mental health), nor does the proposal consider possible link with homelessness”.</p> <p>“The council needs a strategy to deal with tenants who are persistent offenders, especially where the problems arise from complex needs (e.g. drug and alcohol addiction) that landlords are not qualified to address”.<br/>         (NLA written submission)</p> | <p><b>Council’s response</b></p> <ul style="list-style-type: none"> <li>• The licensing conditions proposal sets out some actions which landlords must take to address ASB. We accept that where tenants have mental health issues that we must take this into consideration and additional support may be needed.</li> <li>• If Licensing is introduced, the scheme and this EA will be reviewed at least annually</li> <li>• We will continue to promote our information to landlords and tenants about disabled adaptations</li> </ul> <p>These support mechanisms will need to be funded by other means and we will be looking at our relationship with internal teams e.g. Housing Needs, Adult Social Care and with our Legal Partners as well as voluntary agencies such as Brent CAB and Shelter UK</p> |

| <p align="center"><b>Characteristic: Race</b></p>  |
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| <p><b>How was race considered as part of the consultation process</b></p> <p>Brent was the first local authority in the UK to have a majority black, Asian and minority ethnic (BAME) population. In the 2011 Census, 63.7% of the population were BAME. By contrast, 14% of people in England and Wales and 40% of people in London were BAME. The largest ethnic groups in Brent were Asian: Indian or British Indian people (18.6% of Brent’s population compared to 8.8% of the Outer London population) and White: English/ Welsh/ Scottish/ Northern Irish/ British people (18.0%). Brent had a higher proportion of the following ethnic groups than London and nationally: Black African people (7.8%), Black Caribbean people (7.6%), White Irish people (4%), Arab people (3.7%), White Polish people (2.9%) and White: Other Eastern European people (2.1%). 0.1% of Brent’s population were White: Gypsy or Irish Traveller which was on par with London and national figures.</p> <p>A more recent look at the 2019 profiles is shown in Table 8 above – Population by ethnicity. Brent has a large Asian population: one third (35%) of residents are from Asian groups compared with 20% across London. One in six residents have Indian ethnicity – more than double the London average (17% vs. 7%) – and the fourth highest in London, and 18% are black. Other groups particularly well represented in Brent (compared with other areas in London) include the White Irish, Arab and Other Asian groups. In contrast, 38% are white, and just 16% of residents are White British.</p> <p>Under <b>Age profile by ethnicity, Brent and London 2019;</b></p> <ul style="list-style-type: none"> <li>• 41% of people under 18 are black</li> <li>• 46% of people are of mixed ethnic groups</li> </ul> |

Figure 3 shows how ethnicity groups are represented in the private rented sector in Brent. The multi-channelled communications strategy was designed to reach all groups, including ethnic minority groups and residents with English as a second language.

**Results of the consultation relating to race**

Table 6 shows the results of the consultation and compares the results with the borough averages for the race characteristic. The table shows that Asian residents (18%), Black residents (8%) and Black landlords (3%) responded to the consultation at a level that was well below the borough average for residents of 35% and 16% respectively. 66% of residents responding and 55% of landlords responding.

**What is the proposal’s impact on the equalities aims?**

Licensing has the potential to drive up standards which will benefit new / emerging communities and minority ethnic groups as they are over-presented in the PRS, and notably young people under 18s, large families and families with children under 5s. These groups are also likely to be vulnerable, on low income and may be attracted to properties which are in a poorer condition.

According to the 2016 Country of Birth profiles, Brent has, 44% born in the UK, 18% Europe, 23% Asia, 10% Africa and 4% in North/South & Central America.

Brent has a growing EU population comprising; Old EU 7.2% Accession Countries 5.9% Bulgaria and Romania 3.1% Other Europe 2.1%. “White other” Residents from EU accession countries are the most likely group to rent privately and so will benefit from improvements in this sector.

149 languages are spoken in Brent. In 1 in 5 households nobody speaks English as their main language. Licensing will help landlords in understanding their responsibilities and assist tenants in understanding their rights.

Considering the link between low pay and ethnicity in London, BAME groups, notably Black Africans (41%) and Black Pakistani or Bangladeshi (43%) are paid less than the Living Wage within ethnic groups. (Brent 2106 diversity profiles). The consultation responses suggest that landlords may seek to pass on the costs of licensing to their tenants in the form of rent increases. Where this occurs it may present an economic burden to ethnic tenants who are more likely to be on low pay.

**What actions can be taken to remove or reduce the potential negative impacts that have been identified?**

- The Landlord Focus Group to look at issues and support for vulnerable and other tenants. Particular efforts will be made to include BAME landlords.
- Review the enforcement policy to ensure that licensing enforcement is fair and proportionate.
- We will review and improve our landlord training provision
- Develop strategies to tackle Modern Day Slavery
- Analyse the impact of enforcement on landlords

**What actions can be taken to enhance the potential positive impacts that have been identified?**

Undertake compliance checks within the licence period. This would be helpful for people where English is not their main language to ensure that their tenancy management is adequate.

**Please explain how any remaining negative impacts can be justified?**

Licensing is likely to see an increase in enforcement action against BAME landlords. Landlord training and accreditation will continue to be made available to landlords. Enforcement will be in line with our private housing enforcement policy, where possible using civil penalties as an alternative prosecution.

**Comments from consultation relating to race**

There were no specific comments made in relation to race or ethnicity.

“Anecdotally, there are concerns that HMO rules are being circumvented because the occupants claim to be all be members of one household when they are clearly not”

**Council’s response**

Our experience is that this situation arises when inspecting or dealing with licence applications in relation to ethnic tenants/landlords. Officers take particular case in establishing the relationship before deciding on action. Ultimately it may be for either party to prove their submission.

**Characteristic: Socio-economic status**

**How was Socio-economic status considered as part of the consultation process (Source: Brent Responsible Growth Strategy (RGS): Economy (2018-2038)**

Brent is one of the most diverse local authorities in the UK, with 329,000 people living in the borough. 45% of Brent residents were born outside of the UK and over 149 languages are spoken. Around 65% of residents are from Black, Asian and Minority Ethnic (BAME) backgrounds and Brent is home to 55,000 EU citizens. Brent has a lower level of economic activity and higher share of unemployment compared to the rest of London. These factors are especially prevalent among women, who are much more likely than men to drop out of the labour market, and instead stay at home to take care of the house and family.

In 2016,

- Approximately 222,000 people were aged between 16 and 64 years old, and 37,800 residents were over 65 years old; comparing these indicators for both the working age and elder population, Brent had the 9th largest such population amongst the London boroughs.
- Brent has the second largest working age non-UK population in London at 148,000 people, and the third largest EU working age population in London at 44,000.
- Approximately 74.3% of Brent’s working age population were economically active, a lower percentage than Outer London, London and the UK.
- Unemployment rates among youth population in Brent were below London and Outer London averages, as was the proportion of 16-18-year-olds currently not in education, employment, or training (NEET).

In 2017,

- Approximately 92% of the working age population held some form of qualification, however, a lower proportion of Brent’s population (33.8%) held a degree or a higher qualification than the proportion across London
- Elementary occupations are overrepresented in Brent accounting for over 14% of the working population, compared with only 10.5% of the UK working population and just under 9% of the London working population
- Median gross weekly earnings for full-time employees in Brent was £564, up 3.6% from 2016. This is still well below the average for Outer London (£631) and London (£654).

The consultation was designed to reach the widest target groups and to enable people on low incomes and those socially marginalised to be able to take part in the consultation. The consultation targeted businesses and business groups. The Brent 2016 survey asked question in relation to the socio-economic status. The response there were felt to be valid for 2019. Data from income, employment, education, health, crime, barriers to housing and living environment are all used to measure levels of deprivation.

**Results of the 2016 consultation relating to Socio-economic status**

The consultation asked certain questions relating to the Socio-economic status of the local area. The responses drawn were:

71.9% of residents and tenants tend to agree or strongly agree that licensing the PRS will help to preserve and improve the social and economic status of the local area

59.39% of landlords and managing agents responding to the consultation agree that tenants building up high levels of rent arrears is a problem

58.54% of landlords and managing agents responding to the consultation agree that the number of tenants claiming benefits is a problem

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| <p><b>What is the proposal's impact on the equalities aims?</b></p> <p>The setting of fees, licensing conditions and enforcement will have an economic impact on landlords</p> <p>In addition to having to pay for their property licences, landlords may need to carry out repairs to their rented properties as well as to take steps to improve their management skills.</p> <p>Tenants on low incomes and socio-economic status will especially benefit from improved property conditions thus affording a similar good standard of renting as people of better socio-economic status.</p> <p>Selective licensing should bring about more stable tenancies by being able to support tenants and landlords experiencing rent and debt problems and to reduce claims for possession, homelessness and mental distress.</p> | <p><b>What actions can be taken to remove or reduce the potential negative impacts that have been identified?</b></p> <p>The licence fee structure to be set to reduce the need for costs to be passed on to tenants<br/>         Provide information within the PHS landlords newsletter on dealing with tenant rent arrears<br/>         Signpost affected tenants to local organisations that can support them</p> <p><b>What actions can be taken to enhance the potential positive impacts that have been identified?</b></p> <p>Set up links with tenants and landlord advice representatives to identify and address their needs, particularly in relation to debt, rent arrears and homelessness</p> <p><b>Please explain how any remaining negative impacts can be justified?</b> N/A</p> |
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| <p><b>Comments from consultation relating to Socio-economic status</b></p> <ul style="list-style-type: none"> <li>• Proposal is just another money-making scheme/additional tax/increased cost/waste of money/money could be spent on improvements. Proposals affect profitability for landlords i.e. not making enough money/won't make it worthwhile/forcing landlords to sell etc.,</li> <li>• Proposals will affect people on lower income i.e. increase people on benefits/increase homelessness</li> <li>• Proposed licensing fee is too high/should be lower/should be free</li> <li>• Some felt deprivation was a consequence of cuts to council services in recent years and therefore unlikely to be impacted by licensing</li> <li>• High levels of renting and people moving into area (e.g. Wembley) were said to have caused infrastructure issues that the Council would need to address</li> </ul> | <p><b>Council's response</b></p> <p>We note the comments about the impact of the fees and expenses on the landlords and the "knock on" effect on tenants especially those on low income or who are otherwise vulnerable. Judging from our experience with the existing licensing schemes in Brent and in other boroughs we believe it is very unlikely that licensing costs will be passed on to the tenants. The licensing fee will be set at a level designed to cover the functions related to licensing in order to minimise the burden on landlords.</p> <p>Though some lenders may be reluctant to lend in licensable areas, there are several products available on the market for investor landlords. The Council will respond positively to mortgage lenders to support landlords</p> |
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| <ul style="list-style-type: none"> <li>• There are wider issues of a local ‘mafia’ in Brent who use property developments to launder money</li> <li>• There needs to be adequate support for the homeless, victims of domestic violence and those who suffer poor mental health</li> <li>• Council should spend more money on community projects i.e. youth clubs, community centres, parks etc. to deter problems in area</li> <li>• Proposed licensing scheme will mean rental prices will go up/cost will be passed on to tenants/rent is too high already</li> <li>• Lenders see licensing as a risk to their investment because of the ASB stigma attached to licensed areas and this is seen as a risk to the property value and leads to mortgages being rejected</li> <li>• The scheme will lead to further displacement of problem tenants in Brent/London</li> <li>• The documentation provided fails to indicate that sufficient funding will be available to support the functions necessary to support licensing in cases involving rehousing, tenants with mental health issues and social exclusion</li> <li>• If the scheme works well it means that there will be better managed property which would be a benefit for the community but only if the money that is generated from this scheme actually goes towards the enforcement activity. If the money goes to other council expenses, then it won’t be useful.</li> </ul> | <p>If licensing is extended in Brent the council will be committed to reviewing the licensing scheme and fees at least once annually. The reviews will consider the equalities impact.</p> <p>The consultation exercise included 100 face-to-face interviews of resident who live in the 7 boroughs surrounding Brent. There were no concerns of displacement raised.</p> <p>The Council will encourage longer term tenancies</p> <p>We will respond to tenant complaints and signpost tenants for financial advice</p> <p>Our Landlord forum will include topics aimed to address the socio-economy e.g. taxation, fair renting, dealing with vulnerable tenants</p> |
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### Draft EA Sign off

| Role/Position                     | Name/signature   | Date         |
|-----------------------------------|------------------|--------------|
| EA author – PHS Licensing Manager | Tony Jemmott     | October 2022 |
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