

Equalities Analysis in Lambeth

Proposal Title *

Civil Penalty Notices for Private Rented Landlords

Author

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Please provide name of lead author and/or those within project team who may be required to contribute to this assessment

Who will sign off the assessment?

Wightman,Neil

Please indicate who will be involved in approving this assessment. This will need to be signed off by the designated Head of Service or Director

Q1a. What is changing?

The Housing and Planning Act 2016 introduced new enforcement powers designed to complement the powers the private sector enforcement team use to target disreputable landlords and managing agents. These changes include a power for the council to impose civil penalties of up to £30,000 as an alternative to prosecution for several specified offences under the Housing Act 2004 and extend the scope of rent repayment orders so as to cover illegal eviction and other specified offences. The report outlines these powers and seeks approval to use civil penalties and rent repayment orders as laid out in the Housing and Planning Act 2016 as further tools to assist the Council in improving standards within the private rented sector.

What is the most significant or key change taking place? Can you indicate the type of change in your response (e.g. policy/decision/strategy/ service/procedural/ geographic/procurement etc.) so it is clear what is being equalities assessed? Why is this change happening? What do you aim to achieve? Can you clearly indicate what decision-makers are being asked to take a decision on?

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Q1b. Who will be involved in approving this decision?

Cabinet decision delegated to Cllr Gadsby

Who else will be involved in signing-off this decision?

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Q2a. What do we know about the people who will be impacted by this change?

The information we have regarding households in the PRS in Lambeth is as follows:

Household composition/Maternity

18.7% of households in the private rented sector contained dependent children. This compares to 26.8% in all tenures, 36.7% in social housing, and 24.1% in owner-occupation.

Disability

2.1% of people living in the private rented sector had an illness or disability which affected their day-to-day activities to a significant degree. This compared to 5.8% in all tenures, 10.9% in the social rented sector and 4.1% in owner-occupation.

Gender

The male/female ratio of all people living in the private rented sector was 52.6-47.4. This compared with 49.7-50.3 in all tenures, 48.2-51.8 in the social rented sector and 50.4-49.6 in owner-occupation.

Age

58.7% of households in the private rented sector were headed by a person aged 16-34. This compared with 32.2% in all tenures, 19.6% in the social rented sector and 21.6% in owner-occupation.

3.5% of households in the private rented sector were headed by a person aged 65+. This compared with 12.5% in all tenures, 18.1% in the social rented sector and 14.9% in owner-occupation.

Economic Status

89.4% of households in the private rented sector were headed by a person who was economically active. This compares with 77.4% in all tenures, 60.4% in the social rented sector and 83.9% in owner occupation.

Ethnicity

The ethnic breakdown of the private rented sector was: White British 39.9%, White Other 29.5%, Mixed Race 7.3%, Black African/Caribbean 13.8%, Asian 7.1%, and Other 2.3%. Comparisons:

All tenures: White British 39.2%, White Other 18.2%, Mixed 7.1%, Black African/Caribbean 26.1%, Asian 6.9%, and Other 1.9%

Social Rented: White British 22.8%, White Other 10.9%, Mixed 10.2%, Black African/Caribbean 48.5%, Asian 5.3%, and Other 2.4%

Owner-occupation: White British 55.1%, White Other 14.9%, Mixed 5.6%, Black African/Caribbean 14.6%, Asian 8.4% and Other 1.0%

Religion

The breakdown of the private rented sector in terms of the religious beliefs by household was as follows: Religion stated 54.7%, No religion 37.4%, Religion not stated 7.9%. Comparisons:

All tenures: Religion stated 62.0%, No religion 29.3%, Religion not stated 8.7%

Social Rented: Religion stated 73.1%, No religion 17.4%, Religion not stated 9.5%

Owner-occupation: Religion stated 57.2%, No religion 34.3%, Religion not stated 8.5%

With regards to income, for more detailed information on incomes by ward, the most recent data we have is from the GLA's London Living Rent calculations 2018-2019. The rent for a 2-bedroom London Living Rent property is based on one-third of the local median household income. For Lambeth, this works out as below. This shows a North-South divide in terms of incomes, with lower incomes tending to be concentrated in wards with a higher percentage of privately rented homes, such as St Leonard's and Streatham Wells:

Ward name Gross annual household income

Bishop's £44,172

Clapham Town £43,380

Oval £43,164

Clapham Common £42,912

Ferndale £41,472

Prince's £39,672

Larkhall £38,700

Vassall £36,972

Herne Hill £36,936

Brixton Hill £36,612

Stockwell £36,612

Thornton £36,612

Coldharbour £36,180

Tulse Hill £36,180

Thurlow Park £33,228

Streatham Hill £32,832

Gipsy Hill £31,140

St Leonard's £30,960

Knight's Hill £30,492

Streatham Wells £30,276

Streatham South £29,448

We do not hold information on sexual orientation, gender reassignment or granular information on languages spoken. From the information above, protected groups are generally less prevalent in the PRS than in the social rented sector, however there are still significant numbers in the PRS. This is particularly true of households in PRS in the south of the borough, who tend to have lower incomes. It is these groups who can tend to be more impacted by sub standard conditions in the PRS, as their housing is more unstable and they are dependent on staying in cheaper accommodation. Recent trends have shown an increase in HMOs developing South of the borough.

Enforcement against PRS landlords will have a positive impact on the condition of housing for these groups.

What does your information tell you about the people who will be affected by this change? Are protected groups impacted? What information do you hold on the protected characteristics of the people affected by the change? (Age, disability, gender reassignment, pregnancy and maternity, race/ethnicity, religion or belief, gender, sexual orientation, health, socio-economic, language) Are there any gaps or missing information?

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Q2b. How will they be impacted by the change?

Enforcement of extended powers against landlords who fail to comply with basic standards for accommodation should have a positive impact on all PRS tenants, particularly those in lower income groups whose housing status can be precarious. Enforcement of legislation that tackles sub-standard living conditions will improve the quality of PRS stock and supply throughout the borough, with the associated benefits for health and income that have been linked to better housing conditions, however this is difficult to monitor and will need more work with the data team and health colleagues.

Would you assess the impact as positive, adverse, neutral? Do you have any uncertainty about the impact of your proposal? Is there a likelihood that some people will more impacted than others? Can you describe the ways in which they will be affected? How might this change affect our 'general duty'?

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Q3a. How do you plan to promote and deliver any positive impacts of the proposal?

We intend to promote this new service with a marketing drive, working with the comms department. We have also recently improved information on the Council's website, making it easier for people to report complaints/issues about their PRS accommodation. We are implementing an on-line HMO Licensing form to make it easier for landlords to apply for licenses. We will publish successful prosecutions to illustrate that enforcement can work, encourage PRS tenants to complain and act as a deterrent to PRS landlords who are non-compliant.

How might the principles of fairness, equality of opportunity and positive relationships be further promoted as a consequence of this proposal? How do you propose to measure your positive outcomes and the benefits outlined to find out if these have been achieved?

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Q3b How do you plan to address and mitigate any negative impacts of the proposal?

We have not identified any negative impacts of the proposal.

What impact has this evidence had on what you are proposing? What can you do differently that might lessen the impact on people within the timeframes i.e. development-implementation? Who can help you to develop these solutions?

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Q4. How will you review/evaluate your proposal, mitigating actions and/or benefits?

Who will be responsible for this?

Enforcement activity will be monitored and reported regularly. Findings and outcomes will inform the regular reviews of our PRS strategy. Data on enforcement activity will be collected by the Housing Needs managers and reported corporately. It will also be reviewed by the PRS steering group

Who will you be accountable to for the above actions/outcome? How will those responsible know these actions have worked? What performance indicators will you use to demonstrate this? Are there any other forms of evidence you can use to support this assessment of their effectiveness?

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Section to be completed by Sponsor/Director/Head of Service

Outcome of equality impact assessment

- No adverse impact, no change required
- Low adverse impact, minor adjustment required
- Significant adverse impact, further action required
- Unlawful in/direct discrimination, stop and rethink

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Comments from Sponsor/Director/Head of Service

Submit for approval

Pending

Executive Approval

Pending

Attachments

Close