

LICENSING SUPPLEMENTARY COMMITTEE		
Title	Proposed Additional Licensing Fee and Increase of Current Mandatory Licensing Fee	
Key Decision	Yes	Item No.3
Ward	All wards	
Contributors	Executive Director of Customer Services	
Class	Part 1	Date: 22 March 2016

1. Purpose

- 1.1 On 15th July 2015 Mayor and Cabinet received a detailed report for consideration of the business case for introducing an “additional” licensing scheme in Lewisham, to improve conditions of private rented Houses in Multiple Occupation (HMOs) above commercial premises (primarily flats over shops) across the borough.
- 1.2 The in-principle case for introducing “additional licensing” of private rented HMOs above commercial premises was accepted and officers were asked to undertake statutory public consultation on the proposals as presented, in line with the current statutory requirements and to report back the findings of the consultation later in the year. On the 1st of December the case for introducing “additional licensing” was considered and supported by the Housing Select Committee
- 1.3 On the 2nd of March 2016 Mayor and Cabinet received details of the public consultation undertaken on “additional licensing” and approved the implementation of the “additional licensing” scheme.
- 1.4 This report seeks formal approval to increase the mandatory licensing fees for Houses of Multiple Occupancy (HMO) and approve the proposed fees for the “additional licensing” of flats above commercial premises.

2. Recommendation

The Licensing Supplementary Committee is asked to:

- 2.1 Approve the following levels of Licensing fee charges

Licence fee at first application

Additional Licence Fee
Per unit, per 5 year period £500

Mandatory Licence Fee
Per unit, per 5 year period £500

Subsequent applications or relicensing by the same landlord

Additional Licence Fee	£334
Per unit, per 5 year period	

Mandatory Licence Fee	
Per unit, per 5 year period	£334

- 2.2 Both additional and mandatory licence fees will be capped at a maximum of £5000 per property. A 20% discount is offered to accredited landlords and landlords who are members of recognised landlord associations and a further 50% discount is offered to registered providers.
- 2.3 Note the costs of implementing the proposed additional licensing scheme set out in section 11 of this report. The estimated costs in the report to Mayor and Cabinet in July 2015 of £2.4m over 5 years has reduced to £1m over 5 years.
- 2.4 Note the results of both mandatory licensing and additional licensing consultation.

3. Policy Context;

- 3.1 The housing landscape is rapidly changing and demand is increasing across all tenures. The private rented sector in Lewisham is growing rapidly – having doubled in size since 2001 it now consists of more than 30,000 units and makes up more than 25% of all households. This is consistent with the trend across London where the growth in private renting over the decade to 2011 constitutes a 65.5% increase, or an additional 341,000 households.
- 3.2 Despite the increasing costs of private renting, the sector is expected to grow further in Lewisham to a level comparable with or even in excess of the social rented sector which is 31% based on 2011 census data. This is due in part to the relative unaffordability of home ownership as a result of rapidly increasing house prices, the large numbers of households on the housing waiting list (8,290 households as of December 2013) and relatively low levels of lets, all of which when combined means that Lewisham residents are more reliant on the private rented sector than ever before. The council recognises this and continues to act creatively by developing relationships and working in close partnership with private landlords to drive up standards and offer longer term tenancies, thereby ensuring residents have more choice. This is especially pertinent given that private renting remains the only option for many low income households and those in need.
- 3.3 The Housing Act 2004 introduced the mandatory licensing of HMOs. Mandatory licensing came into force on the 6th of April 2006. Local authorities are required to enforce mandatory licensing of HMOs which have three or more storeys and are occupied by five or more persons

forming two or more households. The Act also introduced additional licensing, allowing councils to impose licensing on other categories of HMOs. Additional licensing can cover properties which are not subject to mandatory licensing if the Council considers that a significant proportion of these HMOs are being managed sufficiently ineffectively giving rise to problems for either the occupants of the HMOs or for members of the public.

- 3.4 Following a series of reports to Housing Select Committee and Mayor and Cabinet between December 2014 and July 2015, it was agreed that the poorest standards, conditions, hazards and services in the private rented sector are to be found in properties over commercial property, primarily shops.
- 3.5 Based on these findings, it was concluded that an “additional” licensing scheme for approximately 4,500 private rented multi-occupied lettings above commercial premises:

- will help deliver the housing authority’s strategic private sector housing policies;
- is founded on quantitative evidence of problems created by poor private sector housing management;
- is founded on evidence that licensing will sustainably assist with addressing the problem;
- is the best solution to address the problem;
- must operate for no more than five years and must be kept under review; if the exercise has achieved its objectives, it should be discontinued.

4. License Fee Levels

- 4.1 The mandatory HMO scheme has been in place since 2006. The license fee under the scheme was last reviewed in 2012. A review of the fee charged has reached the conclusion that it does not fully recover the costs of managing the scheme.
- 4.2 The current mandatory licensing fee is £180 “per letting” for 5 years up to a maximum of £1800 per property every 5 years. There is a discount for second and any subsequent HMO license fee applications from the same landlord for other properties under their ownership. A 20% discount is offered to accredited landlords and landlords who are members of recognised landlord associations and an additional 50% discount to registered providers
- 4.3 By raising the mandatory license fee to £500 “per letting” alongside the implementation of additional licensing the council will recover the costs of administering both schemes.

5 Lewisham's Consultation process

- 5.1 Statutory consultation has been undertaken on the proposed Additional Licensing scheme as required by Section 56 (3) of the Housing Act 2004. Results of the consultation were considered by Mayor and Cabinet as part of the approval of the "additional licensing" scheme and can be seen in full in Appendix 1.
- 5.2 There is no specific statutory requirement to consult on the level at which the Mandatory license fee is set. However existing license fee holders have been formally consulted on the proposed fee increase, full results of which will be presented to the Supplementary Licensing Committee on the night.

6. Financial implications

The Council is required to set a licensing fee that covers no more than the cost of the licensing element of the service. The total cost of the scheme over a five year period is expected to be £1.3m. Based on the current estimated number of properties and letting to be covered by the scheme, a fee of £500, allowing for discounts, would achieve this requirement.

7. Legal Implications:

- 7.1 Houses in Multiple Occupation, ("HMO"s) for the purposes of s. 56 of the Housing Act 2004 ("HA 2004" are widely defined (in accordance with the provisions of s. 254(1) HA 2004), as a building or part of a building if it meets any one of the following conditions, (described in the Housing Act 2004 as being " the standard test", (defined fully within s. 254(2)HA 2004) or 'the self-contained flat test', (defined fully within s. 254(3) HA 2004) 'the converted building test', (defined fully within s. 254(4) HA 2004, or a 'converted block of flats'(pursuant to s. 257 HA 2004)).
- 7.2. The local housing authority pursuant to s. 63 of the HA 2004 has the power to impose a requirement for applicants for HMO licences to pay a fee. When fixing fees, the local housing authority may take into account all costs incurred by them in carrying out their related functions.
- 7.3 The European Convention on Human Rights states in Article 8 that "Everyone has the right to respect for his private and family life, his home and correspondence". The Human Rights Act 1998 incorporates the Convention. Whilst it does not, however, necessarily mean that everyone has an immediate *right* to a home, (because Article 8 is a "qualified" right and therefore is capable in certain circumstances, of being lawfully and legitimately interfered with,) the provision by an Authority of a relevant scheme such as an HMO additional licensing scheme does assist to reinforce the Article 8 principles.

- 7.4 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.5 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between people who share a protected characteristic and those who do not.
 - foster good relations between people who share a protected characteristic and those who do not.
- 7.6 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 7.7 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>
- 7.8 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
1. The essential guide to the public sector equality duty
 2. Meeting the equality duty in policy and decision-making
 3. Engagement and the equality duty
 4. Equality objectives and the equality duty
 5. Equality information and the equality duty
- 7.9 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties

and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:

<http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

8. Equalities Implications

An equalities impact assessment has been carried out in relation to the introduction of the additional licensing scheme and is attached at Appendix 2.

9. Environmental Implications

No specific environmental implications have been identified as arising from this report.

10. Crime and Disorder Implications

No specific crime and disorder implications have been identified as arising from this report

Background Documents and report author

Appendix 1 **CONSULTATION REPORT – ADDITIONAL LICENSING SCHEME FOR PRIVATE RENTED SECTOR PROPERTIES**

Appendix 2 **ADDITIONAL LICENSING – EQUALITY ANALYSIS ASSESSMENT**

If you require further information about this report please contact Madeleine Jeffery on 020 8314 9484 or Antoinette Stasaitis on 0208 314 9340.

APPENDIX I

CONSULTATION REPORT – ADDITIONAL LICENSING SCHEME FOR PRIVATE RENTED SECTOR PROPERTIES

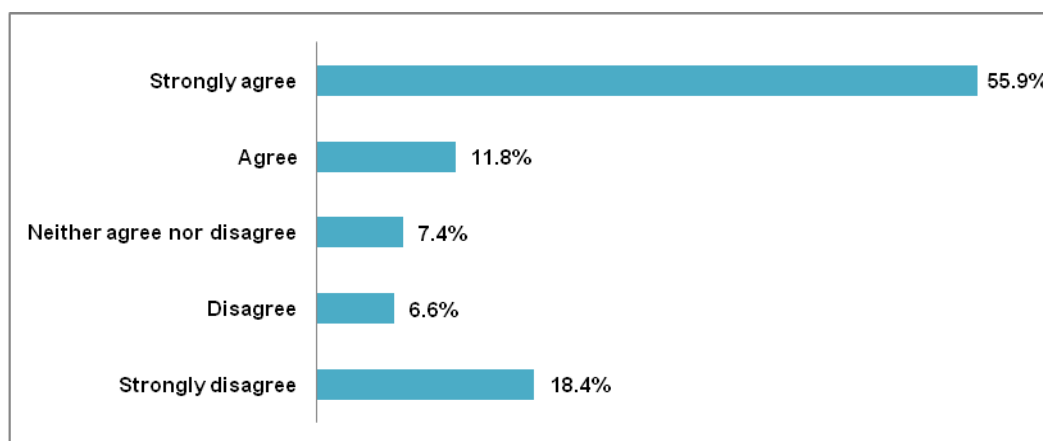
Introduction

The consultation on proposals to introduce an additional licensing scheme to cover all multi-occupied private rented accommodation above commercial properties in the borough (such as flats above shops) ran from 2 September 2015 to 24 November 2015. This report analyses the responses to the proposal in principle, the proposed standards that landlords would need to reach in order to be eligible for a licence and the fees to be charged.

Overall Survey Responses

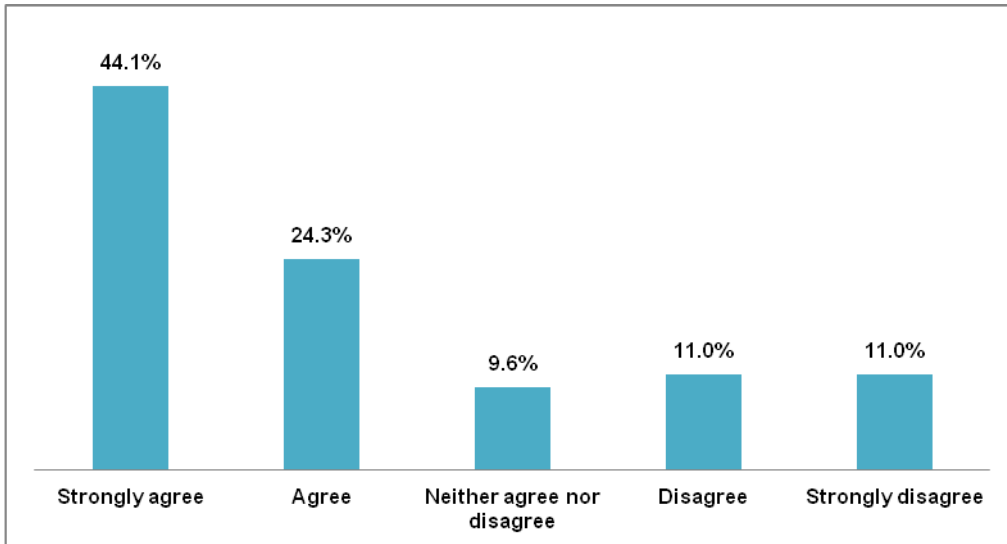
In total, there were 136 responses to the consultation.

Q1) More properties for private rent should be licensed



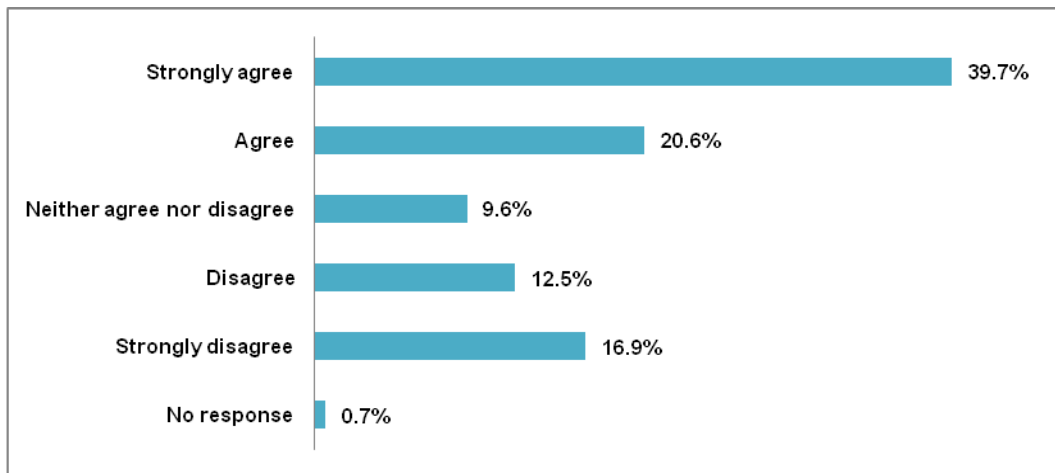
A total of 92 respondents (67.7%) either agreed or strongly agreed that more properties for private rent should be licensed. Of these, 7 respondents identified themselves as a private landlord whilst 27 were private tenants. A total of 34 respondents (25%) either disagreed or strongly disagreed with this statement (none were private landlords and only 6 were private tenants).

Q2) Licensing more private properties will help improve living conditions



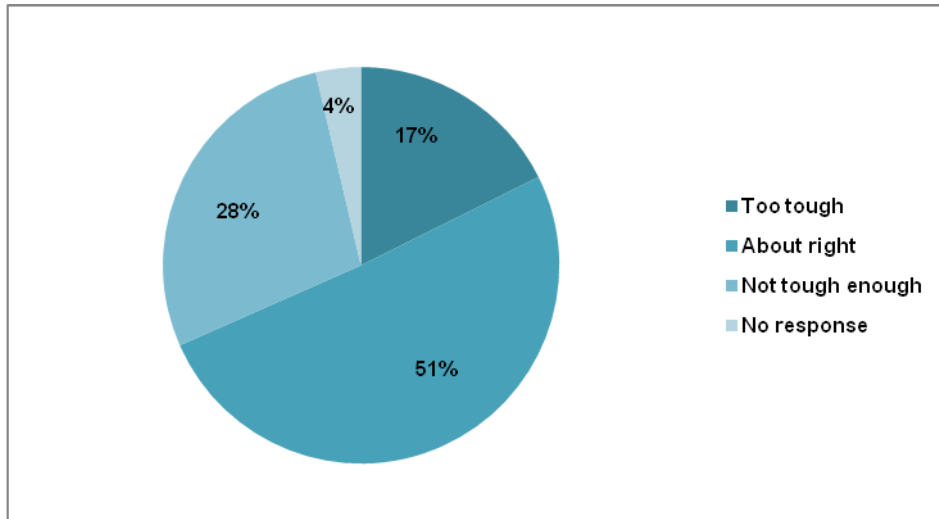
A total of 93 respondents (68.4%) either agreed or strongly agreed that licensing more private properties will help to improve living conditions. Of these, 9 respondents identified themselves as a private landlord whilst 26 were private tenants. A total of 30 respondents (21%) either disagreed or strongly disagreed with this statement (21 of whom were private landlords or private tenants).

Q3) It is right to target flats above shops and other commercial properties



A total of 82 respondents (60.3%) either agreed or strongly agreed that it was right to target flats above shops and other commercial properties. A total of 40 respondents (29.4%) either disagreed or strongly disagreed with this statement. Overall, private landlords were more likely to disagree (21 respondents versus 5 who were in favour) whilst private tenants were more likely to agree (27 respondents versus 3 who were not in favour).

Q4) Do you think the standards required to meet to be eligible for a licence are:



A number of standards that landlords would be required to reach in order to be eligible for a licence were proposed in the consultation documentation, including ensuring there were no health hazards in their property and meeting the legal requirements for managing their property (as set out in the Management Regulations Act 2006). The licence holder and any person appointed by them to manage the property on their behalf would also need to be a 'fit and proper person'.

In total, 69 respondents (51%) felt that the standards proposed in the consultation were about right. However, 38 respondents (28%) felt that the standards were not tough enough – interestingly, the vast majority (33 respondents) were private tenants. In contrast, only 24 respondents (17%) felt that they were too tough, although over half (13 respondents) were private landlords.

Q5) Please tell us if you think there are any standards or conditions that should be added or removed?

46 respondents provided additional comments – the key themes are summarised below by tenure type:

Owner occupiers

- The licensing scheme will discourage, penalise and further tax private landlords – as a result, there will be fewer landlords and fewer properties available for rent
- Perception that the scheme is simply a way for the Council/central government to increase revenue
- All individuals should be taxed or incentivised to look after themselves and the local community (wider focus than private rented properties)
- Tenants already have rights if the property is sub-standard (e.g. withholding rent, breaking contract or moving out)
- Landlords already have an obligation to provide decent housing for tenants under existing legislation
- The proposed standards should include requirements relating to energy efficiency, adequate soundproofing, insulation, limits on the number of occupants, minimum square footage per tenant and minimum requirements for health & safety (including fire regulations)

- The scheme should also require landlords to keep their properties in good cosmetic condition
- Almshouse should be exempted from the scheme
- All HMOs should be included in the scheme, rather than only those above commercial properties
- Explore whether fees can be levied via Council Tax or NHS registrations (otherwise landlords may increase rents to cover the costs of the licence, which will impact poorer and more vulnerable tenants)

Private tenants

- Tenants who request improvements to the property may be at risk of 'revenge evictions' by landlords – could there be a requirement for tenancies/leases to stipulate that existing tenants have priority at renewal?
- The proposed standards should include requirements relating to energy efficiency, insulation, damp proofing, soundproofing, minimum square footage per tenant, pest control, adequate heating
- All private rented properties should be included in the scheme, rather than only those above commercial properties
- Perception that the scheme is simply a way for the Council/central government to increase revenue and will not improve conditions
- Landlords may pass the costs of the licence and any improvements required to the property onto tenants – could there be a requirement that rent increases do not exceed the average level of inflation over the previous 12 months unless the landlord can prove that extensive improvements had been done to the property, the overall cost of which exceeded 5% of the market value of the property?
- The Council should tighten up the rules for defining an HMO and review all non-HMO rental properties in the borough to ensure that they still meet these tighter rules to be exempted from being considered an HMO
- The licence scheme should also protect tenants from exploitative landlords and lettings agents e.g. ensuring deposits are capped, allowing a six-month break clause, requiring repairs and maintenance to be dealt with within an agreed time frame and permitting residents to have their names on Council Tax even if their bills are inclusive
- Properties should be maintained/refurbished every 3-4 years to maintain liveable conditions
- There should be tighter regulation for buy-to-let properties, which would ensure transparency in agency fees, proper protection for deposits, an increased awareness of landlord obligations, full tax on rental income, a better complaint route for tenants and a cheaper mediating space (rather than the courts)
- The licence scheme should not apply to fully-mutual housing co-operatives

Social housing tenants

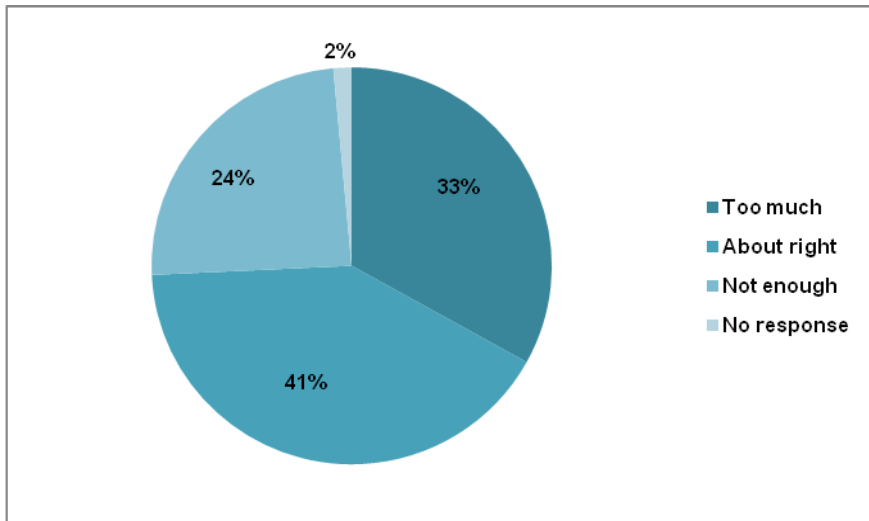
- All landlords should be held responsible for antisocial tenants
- The licence scheme should meet the Lewisham Decent Homes standard
- Commercial properties should include spaces above pubs which are rented out by owners
- Landlords with two or more properties should have a different licence, which is much stricter in its terms and conditions
- Agents that breach conditions should first be fined for breaches, with a second penalty of five times the amount of the first penalty, followed by a closure order

- Individuals that run agencies should be registered and should any closure/winding up order be imposed on their businesses, they should have a life time ban from running another agency
- Owners (both private and commercial) or directors should be required to put their own homes down as security and these could be seized if they repeatedly breach conditions
- Landlords should be obliged to have an annual inspection of their properties carried out by qualified Local Authority Property Inspectors

Private landlords

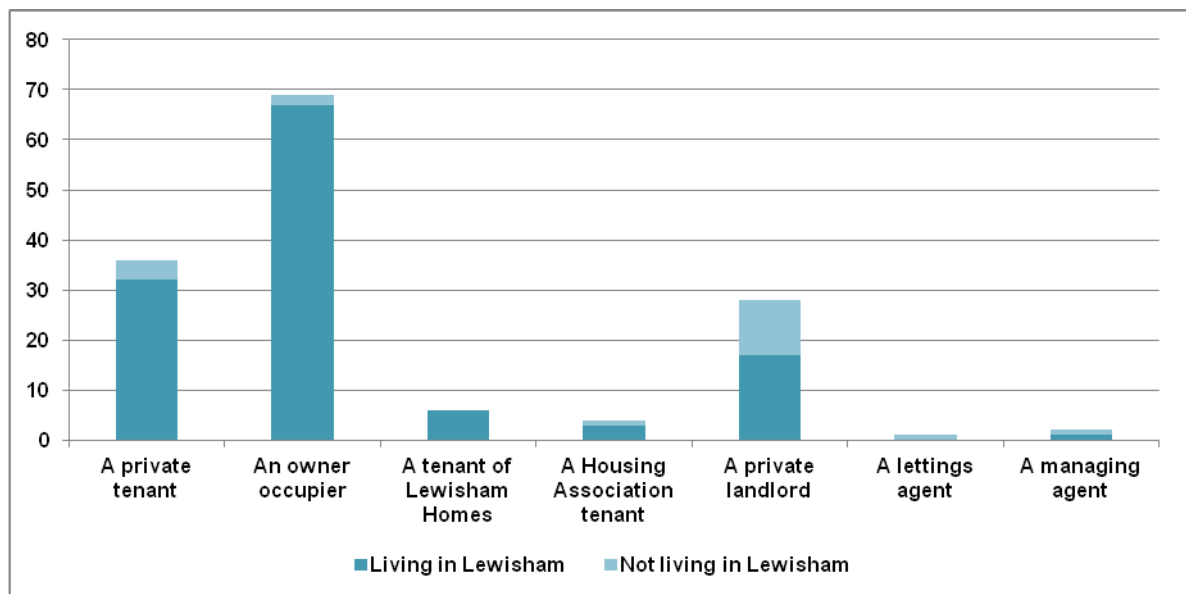
- The licence scheme penalises good landlords (bad landlords will not comply) and only adds more 'red tape' to an increasingly bureaucratic process – they will simply pass the costs of the licence onto tenants via a rent increase
- There is already a high-level of law and protection for the tenants that live in any flat above shops or flats (e.g. they can contact the Council in regards to repair issues), although landlords should be fined if they do not meet standards
- Perception that the scheme is simply a way for the Council/central government to increase revenue and will not improve conditions
- The proposed standards should include building regulations and safety of structures, particularly extensions and outbuildings (to address the 'beds in sheds' issue)
- The licence scheme will only be effective if it is properly enforced (the Council already has legislative powers to address property standards, but has only prosecuted five landlords since 2011)
- The Council should consider alternative schemes, such as the Home Safe scheme in Doncaster and SEAL in Southend, which are more cost effective
- All private rented properties should be included in the scheme, rather than only those above commercial properties

Q6) Do you think the proposed fee of £100-£110 per year is:



In total, 56 respondents (41%) felt that the proposed fee of £100-£110 per year was about right. However, 45 respondents (33%) felt that the standards were too much – of these, 20 respondents were private landlords. In contrast, 33 respondents (24%) felt that the proposed fee was not enough, although only 10 of these respondents were private landlords or private tenants. Overall, 65% of respondents were in favour of charging at least £100 per year for a licence.

Q7) What is your tenure type?

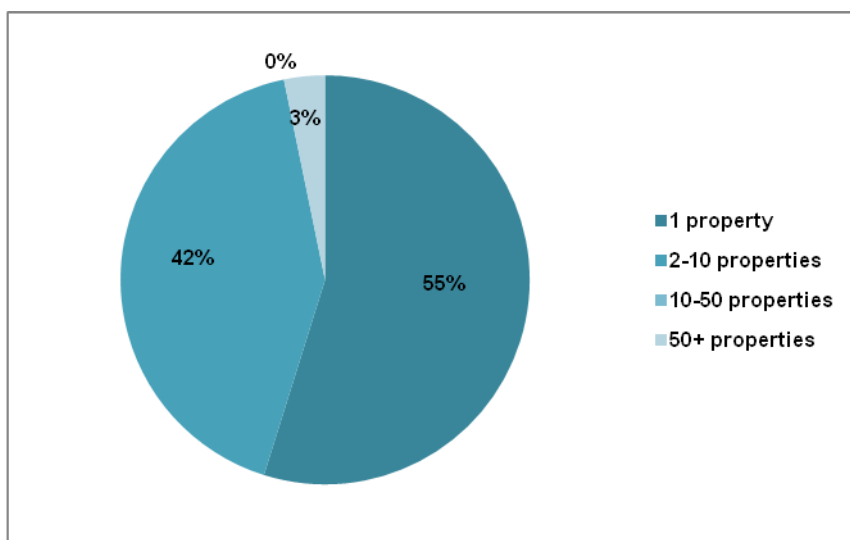


Tenure Type	Living In Lewisham	Not Living In Lewisham	Total
A private tenant	32	4	36
An owner occupier	67	2	69
A tenant of Lewisham Homes	6	0	6
A Housing Association tenant	3	1	4

A private landlord	17	11	28
A lettings agent	0	1	1
A managing agent	1	1	2
TOTAL	126	20	146

There were 146 individual responses to this question (as respondents were able to select multiple options). A total of 69 respondents stated that they were owner occupiers whilst 36 respondents were private tenants and 10 respondents were social housing tenants. Overall, 28 respondents were private landlords – 8 of these respondents also identified as owner occupiers (2 of whom were additionally managing agents). None of the private tenants were also owner occupiers, lettings agents or managing agents.

Q8) If you are a private landlord, how many properties do you let out?



A total of 31 respondents identified as private landlords (which does not correlate exactly with the number above). All but one of the respondents (97%) stated that they let out between 1-10 properties each, with more than half (55%) only letting out 1 property.

APPENDIX 2

ADDITIONAL LICENSING – EQUALITY ANALYSIS ASSESSMENT

1 Introduction

1.1 Public bodies such as local authorities are legally required to consider the three aims of the Public Sector Equality Duty (set out in the Equality Act 2010) and document their thinking as part of the process of decision making. The Act sets out that public bodies must have regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation;
- advance equality of opportunity between people who share a protected characteristic and those who do not share that characteristic;
- foster good relationships between those who share a protected characteristic and those who do not share that characteristic.

1.2 This equality analysis assessment sets out how the Council has considered the likely impact of the Additional Licensing scheme on the characteristics protected under the Equality Act of 2010.

2 Additional Licensing - background and context

2.1 The Housing Act 2004 (Part 2) introduced a mandatory duty for local housing authorities to administer a licensing scheme for all large Houses in Multiple Occupation (HMO). It became a criminal offence for anybody to run an unlicensed HMO.

2.2 It also introduced a power for local authorities to decide to extend the Mandatory licensing scheme to include additional types of HMO – i.e. smaller HMOs and illegally converted properties that do not meet planning requirements or Building Regulations. This is known as additional licensing.

2.3 The proposal here is to introduce additional licensing for HMOs classified as 'Private Rented Sector Flats over Commercial Premises'. In order to introduce a scheme of this type, the Council must consider that a significant number of properties of this type are likely to be managed ineffectively and therefore cause problems for people who live in those properties and the wider environment. It must also carry out consultation with persons likely to be affected by the scheme.

2.4 The rationale for extending Lewisham's HMO licensing scheme is that the properties identified – those over commercial premises – have similar characteristics to properties which fall under the mandatory licensing scheme. That is, tenants of these properties are more likely to be vulnerable and the properties are more likely to be poorly managed and maintained. Therefore the Council is seeking to intervene to extend the protection of HMO licensing to this additional designation of properties and vulnerable tenants.

2.5 Between the 2001 and 2011 censuses the Private Rental Sector in Lewisham has doubled and is continuing to grow. There are an estimated 3,700 Landlords operating in the borough, the majority of which are small and own a handful of properties. Localised additional licensing of private rented flats and

HMO's above commercial premises is estimate to cover 4,223 lettings across 1813 addresses.

- 2.6 There is a clear pattern of concentration whereby the poorest standards, conditions, hazards and services are concentrated along the high roads of 6 secondary shopping streets (Deptford, Lee, Hither Green, Brownhill Road, Sydenham and Brockley).
- 2.7 It is important that the Council strikes a balance between taking action that will reduce the supply and affordability of decent private sector housing and taking licensing action to prevent those in the sector from risk of unacceptably low physical and management standards.
- 2.8 Fewer than 60% of tenants in the Private Rental Sector in Lewisham are from White ethnic groups, just under 22% are from Black ethnic groups and 10.5% are from Asian ethnic groups. 44% have a gross income below £20,800 per annum, 29% have a gross income between £20,800 and £31,2000 per annum and the remaining 27% have a gross income over £31,2000 per annum. Those with health problems or a disability comprise over 8% of those in this sector. 58% of tenants in this sector are working full time and 16% are working part time. 55% are aged between 16 and 34, 32% are aged between 35 and 49, 10% are aged between 50 and 64 and 2% are aged over 65. Just under 34% of households in the Private Rental Sector in Lewisham are in receipt of Housing Benefit.

3 Consultation

- 3.1 A letter was sent to over 4000 properties where there is a mix of commercial and residential use with a summary of the proposal, an invitation to a public meeting and a link to the website. 136 responses were received of which 56% were received from Private Tenants and 44% were received from private landlords.
- 3.2 The consultation asked respondents to answer five questions relating to the proposal, the outcome was as follows.
 - **“More properties for private rent should be licensed”**: this question showed the strongest positive agreement and biggest consensus, including a quarter of the private landlords. No private landlords disagreed with the statement.
 - **“Licensing improves conditions”**: a large majority agreed with this statement, including just under a third of private landlords, although 21% disagreed with the statement.
 - **“It is right to target flats above commercial premises”** 60% agreed though private landlords were divided on the question with only one quarter of them agreeing. 90 % of tenants were in agreement.
 - **Proposed standards to be met for a license**: a small majority felt standards proposed are about right, but 28% who were overwhelmingly private tenants, felt the standards were not tough enough. Just under half of landlords considered them too tough.

- **On the proposed fee of £100- £110 pa** : opinion was most divided on this question; a small majority favoured the fee being *at least* the proposed sum but more than two thirds of landlords thought the fee too high

3.3 Whilst there is concern that the introduction of additional license will result in an increase in rent to cover the costs, it was felt that the main driver for current rent increases was the opportunity to increase profit, and that there are no grounds to believe that not introducing an additional fee will reverse this trend. To monitor this it was suggested that the PRS survey be undertaken again in two years' time to assess the impact.

3.4 The overall opinion is strongly in favour of extending private licensing and there was a broad agreement that flats above commercial properties was a suitable area for such an extension. Generally speaking, private landlords favoured the view that the proposals are too tough and the fee as too high, whereas private tenants were inclined to see the proposals as not tough enough and the fee as too low. On balance it seems that the proposals have a broad consensus.

4. Impact of proposed changes on specific groups

4.1 In developing Lewisham's Additional Licensing Scheme, consideration has been given to the impact of the proposals on specific groups protected under the Equality Act 2010. The Act provides specific protection to the following:

Age	<p>There is no intention or foreseeable impact of the policy to mean that people would be treated more adversely on the grounds of age as a consequence of additional licensing to flats above commercial premises.</p> <p>Only a small proportion of residents of PRS accommodation are children or older adults, however improved standards of accommodation as a result of additional licensing will be particularly beneficial to these vulnerable groups.</p> <p>Additional licensing will increase Landlord's knowledge of legal requirements positively impacting vulnerable tenants.</p> <p>Additional monitoring of Landlords of flats above commercial premises will prevent unlawful practice in the form of discrimination on the grounds of age, disability, gender, race, religion, sexual orientation, gender reassignment and marriage and civil partnership.</p>
Disability	<p>There is no intention or foreseeable impact of the policy to mean that disabled people would be treated more adversely as a consequence of additional licensing to flats above commercial premises.</p> <p>The negative health impacts of poor standards of accommodation are well documented. The worst housing conditions have been identified in flats above commercial premises in Lewisham. Additional licensing will improve the standards of accommodation to flats above commercial premises positively impacting on people with disabilities.</p>

	<p>Additional licensing will increase Landlord's knowledge of legal requirements positively impacting vulnerable tenants.</p> <p>Additional monitoring of Landlords of flats above commercial premises will prevent unlawful practice in the form of discrimination on the grounds of age, disability, gender, race, religion, sexual orientation, gender reassignment and marriage and civil partnership</p>
Gender	<p>There is no intention or foreseeable impact of the policy to mean that people would be treated more adversely on the grounds of gender as a consequence of additional licensing to flats above commercial premises.</p> <p>Additional monitoring of Landlords of flats above commercial premises will prevent unlawful practice in the form of discrimination on the grounds of age, disability, gender, race, religion, sexual orientation, gender reassignment and marriage and civil partnership</p>
Gender reassignment	<p>There is no intention or foreseeable impact of the policy to mean that people would be treated more adversely on the grounds of gender reassignment as a consequence of additional licensing to flats above commercial premises.</p> <p>Additional monitoring of Landlords of flats above commercial premises will provide Lewisham council with greater control over poor landlord practice such as not tackling ASB. As a result instances of ASB, discrimination and hate crime will be reduced.</p> <p>Additional monitoring of Landlords of flats above commercial premises will prevent unlawful practice in the form of discrimination on the grounds of age, disability, gender, race, religion, sexual orientation, gender reassignment and marriage and civil partnership</p>
Marriage & civil partnership	<p>There is no intention or foreseeable impact of the policy to mean that people would be treated more adversely on the grounds of marriage and civil partnership as a consequence of additional licensing to flats above commercial premises.</p> <p>Additional monitoring of Landlords of flats above commercial premises will prevent unlawful practice in the form of discrimination on the grounds of age, disability, gender, race, religion, sexual orientation, gender reassignment and marriage and civil partnership</p>
Pregnancy & maternity	<p>There is no intention or foreseeable impact of the policy to mean that people would be treated more adversely on the grounds pregnancy and maternity as a consequence of additional licensing to flats above commercial premises.</p> <p>A child's physical and mental health and education attainment is negatively impacted by poor accommodation standards. The worst housing conditions have been identified in flats above commercial premises in Lewisham. Additional licensing will improve the standards of accommodation to flats above commercial premises</p>

	<p>positively impacting pregnant women, mothers and their children.</p> <p>Additional monitoring of Landlords of flats above commercial premises will prevent unlawful practice in the form of discrimination on the grounds of age, disability, gender, race, religion, sexual orientation, gender reassignment and marriage and civil partnership</p>
Race	<p>There is a risk that landlords of flats above commercial premises for whom English is not their first language are negatively impacted by the additional licensing scheme as a result of language and literacy barriers. Landlords may not understand the legislative requirements and therefore be at increased risk of enforcement action. In order to mitigate this risk information, notifications, application forms and guidance will be made available in multiple languages.</p> <p>Additional licensing will improve the standards of accommodation to flats above commercial premises resulting in better accommodation and security of tenure for tenants. As a consequence tenant turnover may be reduced resulting in increased community cohesion.</p> <p>Additional monitoring of Landlords of flats above commercial premises will prevent unlawful practice in the form of discrimination on the grounds of age, disability, gender, race, religion, sexual orientation, gender reassignment and marriage and civil partnership</p>
Religion & belief	<p>There is no intention or foreseeable impact of the policy to mean that people would be treated more adversely on the grounds religion and belief as a consequence of additional licensing to flats above commercial premises.</p> <p>Additional licensing will improve the standards of accommodation to flats above commercial premises resulting in better accommodation and security of tenure for tenants. As a consequence tenant turnover may be reduced resulting in increased community cohesion.</p> <p>Additional monitoring of Landlords of flats above commercial premises will prevent unlawful practice in the form of discrimination on the grounds of age, disability, gender, race, religion, sexual orientation, gender reassignment and marriage and civil partnership</p>
Sexual orientation	<p>There is no intention or foreseeable impact of the policy to mean that people would be treated more adversely on the grounds sexual orientation as a consequence of additional licensing to flats above commercial premises.</p> <p>Additional monitoring of Landlords of flats above commercial premises will provide Lewisham council with greater control over poor landlord practice such as not tackling ASB. As a result instances of ASB, discrimination and hate crime will be reduced.</p> <p>Additional monitoring of Landlords of flats above commercial premises will prevent unlawful practice in the form of discrimination on the grounds of age, disability, gender, race, religion, sexual orientation, gender reassignment and marriage and civil partnership</p>

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5. Conclusion

5.1 As noted above, it is anticipated that the introduction of Additional Licensing will have a positive impact on all groups protected under the Equality Act 2010 because additional monitoring of landlords of flats above commercial premises will prevent unlawful practice in the form of discrimination on the grounds of age, disability, gender, race, religion, sexual orientation, gender reassignment and marriage and civil partnership.

5.2 This Equalities Analysis Assessment recognises that there is a risk that landlords of flats above commercial premises for whom English is not their first language are negatively impacted by the additional licensing scheme as a result of language and literacy barriers. In order to mitigate this risk information, notifications, application forms and guidance will be made