

Equality Impact Assessment Template – Policy, Function or Strategy

This document should be completed when a new policy, function or strategy is introduced or when a substantive change to an existing policy, function or strategy is recommended. This will ensure equality considerations are taken into account before a decision is made and the policy, function or strategy can be altered, if required.

| | | |
|--|---|---|
| 1. Policy, function or strategy | | |
| a. | Name/description of the policy, function or strategy ¹ | Inverclyde Council Short Term Lets Policy |
| b. | Responsible organisation(s)/Lead Service | Legal and Democratic Services |
| c. | Lead Officer | Anne Sinclair, Legal Service Manager |
| d. | Date of Impact Assessment | 9 September 2022 |
| e. | Partners/other Services involved in the development of the policy, function or strategy | Police Scotland, Inverclyde Council Environmental and Public Protection Service, Scottish Fire and Rescue Service, HSCP and the Scottish Government |
| f. | Is the policy, function or strategy? | <input checked="" type="checkbox"/> New |
| | | <input type="checkbox"/> Reviewed/Revised |
| g. | What is the purpose of the policy, function or strategy (include details of any new legislation which prompted the introduction of the policy, function or strategy or the substantive change to the policy, function or strategy)? | The policy statement sets out the Council's approach to the licensing of Short Term Lets ("STLs") in Inverclyde. The Civic Government (Scotland) Act 1982 (Licensing of Short term lets) Order 2022 ("the Order") came into force on 1 March 2022. This Order introduces a new mandatory licensing scheme for short term lets which local authorities across Scotland are required to establish by 1 October 2022. The licensing scheme was brought in by the Scottish Government with the aim of ensuring that STLs are safe, that issues faced by neighbours are addressed and to ensure that those providing STLs are suitable to do so. |

¹ Please attach details of the policy, function or strategy to this Template

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|--|---|
| 1. Policy, function or strategy | |
| h. | <p>What are the intended outcomes of the policy, function or strategy?</p> <p>The intended outcome of the policy is to provide guidance for applicants, licence holders and members of the public on the licensing system for STLs in Inverclyde, and a framework within which that system will operate.</p> |
| i. | <p>Geographical area (Inverclyde-wide or a specific location)</p> <p>Inverclyde-wide</p> |
| j. | <p>Which parts of the Equality Duty will the policy, function or strategy impact on? Not applicable, no parts of the Equality Duty will be impacted by the proposed Short Term Lets Policy.</p> <p><input type="checkbox"/> Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by The Equality Act 2010</p> |
| | <p><input type="checkbox"/> Advance equality of opportunity between people of different groups</p> |
| | <p><input type="checkbox"/> Foster good relations between people from different groups</p> |
| k. | <p>Will those who may be directly or indirectly affected by the policy, function or strategy be involved in its development?</p> <p>Yes, an initial consultation was carried out from May – 30 June 2022 seeking the views of the local community regarding the licensing of STLs. A further consultation was carried out from 30 August – 20 September 2022 seeking the views of the local community regarding the draft STL policy statement. A notice was published in the Greenock Telegraph advising the public of each consultation and details have also been published on the Council's website. A copy of the relevant consultation policy statement was emailed to the Police, HSCP, Scottish Fire and Rescue Service, local community councils and local letting agents.</p> |

| | | |
|---|------------|-----------|
| 2. Does the policy, function of strategy impact on: | | |
| | Yes | No |
| a. Protected Characteristics under The Equality Act 2010: Age; Disability; Gender Reassignment; Pregnancy and Maternity; Race; Religion and Belief; Sex; Sexual Orientation (see Section 3) | | X |
| b. Reducing inequalities of outcome caused by socio-economic disadvantage – Fairer Scotland Duty ² (see Section 6) | | X |
| c. Local Outcomes Improvement Plan (LOIP) 2017/22 ³ (see Section 7) | X | |
| d. Corporate Plan 2018/22 ⁴ (see Section 8) | X | |
| 3. If 'Yes' is selected for any part of Section 2, please populate the other relevant Sections of this Template. | | |
| 4. If 'No' is selected for <u>every part</u> of Section 2, please state the reasons for this. | | |
| <p>Please sign below and email a copy of this Template to Karen Barclay, Corporate Policy Officer: karen.barclay@inverclyde.gov.uk.</p> | | |
| Signature: | Date: | |

² [Fairer Scotland Duty: guidance for public bodies](#)

³ [Local Outcomes Improvement Plan 2017/22](#)

⁴ [Corporate Plan 2018/22](#) (agenda item 5)

3. Impact – Protected Characteristics

Which of the Protected Characteristics will the policy, function or strategy have an impact upon?

| Protected Characteristic | Impact | | | | | Reasons/Comments |
|--------------------------------|---------------|--------------|---------|---------------|--------------|---|
| | Positive High | Positive Low | Neutral | Negative High | Negative Low | |
| Age | | | x | | | The licensing of Short Term Lets in Inverclyde will not of itself have a positive or negative impact on this Protected Characteristic |
| Disability | | | x | | | The licensing of Short Term Lets in Inverclyde will not of itself have a positive or negative impact on this Protected Characteristic |
| Gender Reassignment | | | x | | | The licensing of Short Term Lets in Inverclyde will not of itself have a positive or negative impact on this Protected Characteristic |
| Marriage and civil partnership | | | x | | | The licensing of Short Term Lets in Inverclyde will not of itself have a positive or negative impact on this Protected Characteristic |
| Pregnancy and maternity | | | x | | | The licensing of Short Term Lets in Inverclyde will not of itself have a positive or negative impact on this Protected Characteristic |
| Race | | | x | | | The licensing of Short Term Lets in Inverclyde will not of itself have a positive or negative impact on this Protected Characteristic |
| Religion and belief | | | x | | | The licensing of Short Term Lets in Inverclyde will not of itself have a positive or negative impact on this Protected Characteristic |

| 3. Impact – Protected Characteristics | | | | | | |
|--|--|--|---|--|--|---|
| Sex | | | x | | | The licensing of Short Term Lets in Inverclyde will not of itself have a positive or negative impact on this Protected Characteristic |
| Sexual orientation | | | x | | | The licensing of Short Term Lets in Inverclyde will not of itself have a positive or negative impact on this Protected Characteristic |
| Other groups to consider • Carers | | | x | | | The licensing of Short Term Lets in Inverclyde will not of itself have a positive or negative impact on this Protected Characteristic |

| 4. Which parts of the Equality Duty will the policy, function or strategy have an impact upon? | |
|---|---|
| <input type="checkbox"/> | Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010 |
| <input type="checkbox"/> | Advance equality of opportunity between people from different groups |
| <input type="checkbox"/> | Foster good relations between people from different groups |

| | |
|--|---|
| 5. Impact – groups | |
| From the information you have highlighted above, describe the positive and negative impacts and the groups affected under The Equality Act 2010. | |
| Positive impacts + <i>(Describe groups affected.)</i> Not applicable | Negative impacts - <i>(Describe groups affected.)</i> Not applicable |

6. Impact – Fairer Scotland Duty

What impact will this policy, function or strategy have on reducing inequalities of outcome caused by socio-economic disadvantage?

| Positive impact + | Neutral impact = | Negative impact - |
|---|---------------------|----------------------|
| X | | |
| Briefly describe how the policy, function or strategy will impact on reducing inequalities of outcome. Not applicable | | |

7. Impact – LOIP 2017/22

Which Priority/Priorities from the LOIP 2017/22 will this policy, function or strategy impact on?

| | |
|-------------------------------------|--|
| <input type="checkbox"/> | 1. Population: Inverclyde’s population will be stable and sustainable with an appropriate balance of socio - economic groups that is conducive to local economic prosperity and longer term population growth |
| <input type="checkbox"/> | 2. Inequalities: There will be low levels of poverty and deprivation and the gap between the richest and poorest members of our communities will be reduced (This may already have been highlighted at Section 6.) |
| <input checked="" type="checkbox"/> | 3. Environment, culture and heritage: Inverclyde’s environment, culture and heritage will be protected and enhanced to create a better place for all Inverclyde residents and an attractive place in which to live, work and visit |
| <input checked="" type="checkbox"/> | 4. The local economy: Inverclyde has a thriving and diverse local economy, economic activity is increased and skills development enables both those in work and those furthest from the labour market to realise their full potential |

Briefly describe how the policy, function or strategy will impact on the LOIP Priority/Priorities.

Priority 3: The creation of an STL Policy in Inverclyde will allow STLs operating in Inverclyde to be regulated. The policy will allow the Council to: ensure that properties operating as STLs in Inverclyde meet the basic safety and property condition standards set out by the licensing conditions; ensure that the Council is aware of properties in Inverclyde which are operating as STLs; reduce the risk of anti social behaviour in relation to STLs within local communities; minimise the risk of crime in relation to STLs in the community; carry out checks and verification of STLs in Inverclyde; and ensure that those operating STLs are fit and proper persons. The regulation of STLs in Inverclyde by the Council will allow the Council to safeguard the interests of the local residents along with those seeking accommodation in the STLs. This will have the effect of protecting Inverclyde’s environment and ensuring that Inverclyde remains an attractive place in which to live, work and visit.

Priority 4: The Policy will assist the Council to gain an understanding of the prevalence of STLs in Inverclyde, which will accordingly allow the Council to determine what impact this business will have on tourism, local housing provision and the local economy.

8. Impact – Corporate Plan 2018/22

Which Priority/Priorities from the Corporate Plan 2018/22 will the policy, function or strategy impact on?

| | |
|--------------------------|---|
| X | 1. To promote Inverclyde, to both residents and visitors alike, as a great place to live, work and visit |
| X | 2. To work collaboratively, to enable strong, connected and empowered communities, particularly in areas of deprivation, so that residents have influence and control over the things that matter to them |
| X | 3. To grow the local economy in a way that creates opportunities for all our residents, including access to good quality jobs |
| <input type="checkbox"/> | 4. To reduce the prevalence of poverty and, in particular, child poverty in our communities |
| X | 5. To safeguard, support and meet the needs of our most vulnerable families and residents |
| <input type="checkbox"/> | 6. To improve the health and wellbeing of residents so that people live well, and for longer |
| X | 7. To protect and enhance our natural and built environment |
| X | 8. To preserve, nurture and promote Inverclyde's unique culture and heritage |
| <input type="checkbox"/> | 9. To deliver services that are responsive to community needs and are underpinned by a culture of innovation, continuous improvement and effective management of resources |
| <input type="checkbox"/> | 10. To develop motivated, trained and qualified employees who deliver quality services that meet current and anticipated service needs |

Briefly describe how the policy, function or strategy will impact on the Corporate Plan Priority/Priorities.

Priorities 1, 2, 3, 5, 7 and 8: The STL Policy will allow the licensing of STLs in Inverclyde to be regulated and will allow the Council to: ensure that properties operating as STLs in Inverclyde meet the basic safety and property condition standards set out by the licensing conditions; ensure that the Council is aware of properties in Inverclyde which are operating as STLs; reduce the risk of anti social behaviour in relation to STLs within local communities; minimise the risk of crime in relation to STLs in the community; carry out checks and verification of STLs in Inverclyde; and ensure that those operating STLs are fit and proper persons. The regulation of STLs in Inverclyde by the Council will allow the Council to safeguard the interests of the local residents along with those seeking accommodation in the STLs. This will have the effect of

protecting Inverclyde's environment and culture, including its built environment, and also promoting Inverclyde to residents and visitors as an attractive place to live, work and visit. The Policy will assist the Council to gain an understanding of the prevalence of STLs in Inverclyde, which will accordingly allow the Council to determine what impact this business will have on tourism, local housing provision and the local economy.

9. Evidence

What evidence do you have to help identify any potential impacts of the policy, function or strategy?

Note: Evidence could include information from consultations, surveys, the Citizens' Panel, focus groups, interviews, projects, user feedback, complaints, Officers' knowledge and experience, equalities monitoring data, publications, research, reports, and local and national groups.

| Evidence | Details |
|---|---|
| Consultation/Engagement (including any carried out while developing the policy, function or strategy) | Various organisations and community groups have been consulted on the terms of the Council's draft STL Policy. The responses received to the initial consultation have informed the development of the policy. |
| Research | Local authorities across Scotland are required to establish a licensing scheme in relation to STLs in their area. Various authorities across Scotland have developed draft policies for consultation and such policies aim to ensure that STLs are safe, address issues faced by neighbours and ensure that those providing STLs are suitable to do so. |
| Officers' knowledge and experience (including feedback from frontline staff) | Relevant Council officers worked on the draft Policy, including from Licensing, Legal Services and Public Protection. |
| Equalities monitoring data | Not applicable. |
| User feedback (including complaints) | Not applicable. |

| Evidence | Details |
|--|--|
| Stakeholders Other | In addition to the public consultation which was open to local residents a copy of the relevant consultation information was emailed to the Police, HSCP, Scottish Fire and Rescue Service, local community councils and local letting agents. |
| Are there information gaps and, if so, what are these? | The second consultation in relation to the draft STL Policy Statement commenced on 23 August 2022 and concluded on 20 September 2022. There has been a very tight time scale afforded to local authorities to respond to the 2022 Order which was implemented in March 2022. |

10. Consequences of analysis

What steps will you take in response to the findings of your analysis? Please select at least one of the following and provide a brief explanation.

| | | | |
|----|--|--------------------------|---|
| a. | Continue development with no changes | <input type="checkbox"/> | |
| b. | Continue development with minor alterations | X | Legal and Democratic Services have drafted the STL Policy based on the new legislation, the evidence referred to above and responses received to the two consultation exercises. The draft STL Policy will require the approval of the General Purposes Board before the STL Policy can be finalised and published. The Policy will also be subject to a review after 1 year. |
| c. | Continue development with major changes | <input type="checkbox"/> | |
| d. | Discontinue development and consider alternatives (where relevant) | <input type="checkbox"/> | |

How will the effect of the policy, function or strategy be monitored following implementation?

The Policy will be kept under review by Legal and Democratic Services and revised if appropriate.

When is the policy, function or strategy due to be implemented?

The licensing of STLs in Inverclyde will come into effect on 1 October 2022.

When will the policy, function or strategy be reviewed?

The policy will be subject to review after 1 year and revised if and when appropriate.

What resources are available for the implementation of the policy, function or strategy? Have these resources changed?

Additional resources will be required. Given this is a new licensing regime the exact level of resources cannot be determined at the time of writing. However, it is anticipated that the resources will be contained within Directorate budgets, including through the use of additional licensing income generated from this new regime.

11. Please use the space below to detail any other matters arising from the Equality Impact Assessment process, including what action could be taken to mitigate the impact of the policy, function or strategy.

Existing STL operators: Existing hosts or operators (operating before 1 October 2022) can continue to accept bookings and receive guests while their licence application is being determined and have until 1 April 2023 to apply for a licence.

Excluded properties: The Order provides for certain properties and accommodation to be excluded from the STL licensing regime and such accommodation is listed at Appendix 2 of the STL policy, for instance secure residential accommodation.

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| Details of the Person(s) who completed the Assessment: | |
| Name: | Emma Peacock/ Anne Sinclair |
| Position: | Solicitor/ Legal Service Manager - Legal and Democratic Services |
| Date: | 9 September 2022 |
| Authorised by: | |
| Name: | Alan Puckrin |
| Position: | Interim Director Finance and Corporate Governance |
| Date: | 3 October 2022 |

Thank you for your assistance with the completion of this task.

Please send a copy of the completed Template to Karen Barclay, Corporate Policy Officer at karen.barclay@inverclyde.gov.uk.