Nuneaton & Bedworth
United to Achieve

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Date: 20th November 2026

Our Ref: MM

Dear Sir/Madam,

An Extraordinary meeting of the **Business, Regeneration and Planning Overview and Scrutiny Panel** will be held in the Council Chamber, Town Hall, Nuneaton on **Monday, 30 November 2026** at **6.00 p.m.**

Yours faithfully,

Tom Shardlow

Chief Executive

To: All Members of the Business, Regeneration and Planning Overview and Scrutiny Panel

Councillors J. Clarke (Chair), M. Bird (Vice-Chair) N. Bagga, D. Boughan, A. Brassington, C. Cape, P. Hickling, N. King, K. Kondakor and Mr J Healy.

The Council is committed to providing a safe and respectful environment for our employees, customers and elected members. As such, please be advised that any form of abuse, aggression, or disrespectful behaviour towards our team will not be tolerated under any circumstances.

AGENDA

PART 1 – PUBLIC BUSINESS

1. ANNOUNCEMENTS AND EVACUATION PROCEDURE
A fire drill is not expected, so if the alarm sounds please evacuate the building quickly and calmly. Exit by the door by which you entered the room or by the fire exits which are clearly indicated by the standard green fire exit signs.

   Please use the stairs and do not use the lifts. Once out of the building, please gather outside Lloyds Bank on the opposite side of the road.

   If you need any assistance in evacuating the building, please make yourself known to a member of staff.

   Please also make sure all your mobile phones are turned off or set to silent.

2. APOLOGIES - To receive apologies for absence from the meeting.

3. DECLARATIONS OF INTEREST/PARTY WHIP - To receive declarations of Disclosable Pecuniary and Other interests in accordance with the Members' Code of Conduct and of the Party Whip in accordance with the Overview and Scrutiny Procedure Rules 4E, Paragraph 16(b).

   Declaring interests at meetings
   If there is any item of business to be discussed at the meeting in which you have a disclosable pecuniary interest or non- pecuniary interest (Other Interests), you must declare the interest appropriately at the start of the meeting or as soon as you become aware that you have an interest.

   Arrangements have been made so that interests that are declared regularly by members can be viewed in a schedule on the Council website (Councillor Declarations of Interests) Any interest noted in the schedule on the website will be deemed to have been declared and will be minuted as such by the Democratic Services Officer. As a general rule, there will, therefore, be no need for those Members to declare those interests as set out in the schedule.

   There are, however, TWO EXCEPTIONS to the general rule:

   1. When the interest amounts to a Disclosable Pecuniary Interest that is engaged in connection with any item on the agenda and the member feels that the interest is such that they must leave the room. Prior to leaving the room, the member must inform the meeting that they are doing so, to ensure that it is recorded in the minutes.
   2. Where a dispensation has been granted to vote and/or speak on an item where there is a Disclosable Pecuniary Interest, but it is not referred to in the Schedule (where for example, the dispensation was granted by the Monitoring Officer immediately prior to the meeting). The existence and nature of the dispensation needs to be recorded in the minutes and will, therefore, have to be disclosed at an appropriate time to the meeting.

   Note: Following the adoption of the new Code of Conduct, Members are reminded that they should declare the existence and nature of their personal interests at the commencement of the relevant item (or as soon as the interest becomes apparent). If that interest is a Disclosable Pecuniary or a Deemed Disclosable Pecuniary Interest, the Member must withdraw from the room.
   Where a Member has a Disclosable Pecuniary Interest but has received a dispensation from Audit & Standards Committee, that Member may vote and/or

speak on the matter (as the case may be) and must disclose the existence of the dispensation and any restrictions placed on it at the time the interest is declared.

Where a Member has a Deemed Disclosable Interest as defined in the Code of Conduct, the Member may address the meeting as a member of the public as set out in the Code.

Note: Council Procedure Rules require Members with Disclosable Pecuniary Interests to withdraw from the meeting unless a dispensation allows them to remain to vote and/or speak on the business giving rise to the interest.

Where a Member has a Deemed Disclosable Interest, the Council's Code of Conduct permits public speaking on the item, after which the Member is required by Council Procedure Rules to withdraw from the meeting.

4. PUBLIC CONSULTATION - Members of the Public will be given the opportunity to speak on specific agenda items if notice has been received.

Members of the public will be given three minutes to speak on a particular item and this is strictly timed. The chair will inform all public speakers that: their comments must be limited to addressing issues raised in the agenda item under consideration: and that any departure from the item will not be tolerated.

The chair may interrupt the speaker if they start discussing other matters which are not related to the item, or the speaker uses threatening or inappropriate language towards Councillors or officers and if after a warning issued by the chair, the speaker persists, they will be asked to stop speaking by the chair. The chair will advise the speaker that, having ignored the warning, the speaker's opportunity to speak to the current or other items on the agenda may not be allowed. In this eventuality, the chair has discretion to exclude the speaker from speaking further on the item under consideration or other items of the agenda.

5. CABINET DECISION ON HOUSES OF MULTIPLE OCCUPATION – The decision of Cabinet on the 4th November 2026 regarding the above has been 'called in'. The following documents are attached:

a) Request for call in received on 9th November 2026 **(Page 7)**

The call in has been assessed against Article 12: Principals of Decision Making as detailed within the Council Constitution.

The reason the Monitoring Officer has accepted the call in (in part) is set out below. For clarity, the applicable section of the Constitution to which this call-in shall be considered is as at 4E.15 c).

The Equality Impact Assessment identifies potential adverse impacts relating to protected characteristics including age, disability, sex and race. The existence of those risks does not automatically render the decision unlawful or inappropriate. The key consideration is whether Cabinet had due regard to the Equality Impact Assessment and the Public Sector Equality Duty when it reached its decision and whether that consideration is demonstrable from the report, debate and decision record.

Whilst the report covered the implications, this was based on the options in the report. Cabinet moved an amended Option D and as it wasn't clear in the meeting what matters would be redacted and/or published, its not clear from the

decision record how Cabinet had due regard to the Equality Impact Assessment and the Public Sector Equality Duty when it reached its decision.

The call in was therefore accepted on this point only insofar as it raises a legitimate question regarding how Cabinet's consideration of the Equality Impact Assessment and Public Sector Equality Duty is evidenced in relation to the final decision reached. The principal questions arising from the review are therefore:

1. Whether the decision record provides sufficient clarity regarding the final form of the decision, including the scope of publication, any redactions to be applied and the extent of the delegated authority granted;
2. Whether the reasons for selecting a modified version of Option D, rather than one of the options presented within the report, were sufficiently articulated and recorded within the decision-making process; and
3. Whether Cabinet's consideration of the associated risks, equality implications, mitigation measures and justification for the final approach can be clearly evidenced from the decision record.

The OSP is therefore asked to review and consider the above.

b) Extract of Cabinet Minute CB67 **(Page 10)**

c) Report to Cabinet dated 4th November 2026 **(Page 13)**

THIS PAGE IS FOR INFORMATION ONLY

Nuneaton and Bedworth Borough Council
Corporate Plan
Building Communities 2025 – 2029

United in Achievement.

Theme 1: Place and Prosperity

Strategic Aims:

1. Regenerate Nuneaton Town Centre; completing the Transforming Nuneaton Programme.
2. Establish an increased number of residential properties within the Town Centres
3. Help local businesses thrive, support new business incubation and reduce the number of vacant units.
4. Continue to promote and enable events across the Borough.
5. Continue to develop and help our markets to thrive.
6. Work with the business community to strengthen business in the whole Borough
7. Deliver a regeneration plan for Bedworth Town Centre.
8. Promote, and support our Town Centre economies.

Theme 2: Housing, Health and Communities

Strategic Aims:

1. Deliver the construction and opening of the Bedworth Physical Activity Hub (BPAH).
2. Focus on awareness and promotion of support services for mental health and wellbeing.
3. Facilitate warm, safe, sustainable and affordable housing.
4. Work with public health colleagues and partners to address community inequalities.
5. Promote active travel across the Borough.
6. Extend the housing home building programme to provide more Council homes.
7. Work with partners to prioritise community safety and empowerment.

Theme 3: Green Spaces and Environment

Strategic Aims:

1. Review the grounds maintenance contract for the Borough.
2. Celebrate the heritage within our green spaces, including museums, George Eliot and local industry.
3. Decarbonise our housing stock and promote the decarbonisation of homes in the private sector.
4. Support our residents to recycle more of their household waste.
5. Promote and develop play area facilities in line with the Parks and Green Space Strategy.
6. Reduce the carbon footprint of the Pingles Leisure Centre by 2026.
7. Establish a Climate Change Strategy and Delivery Plan by 2026.
8. Work with partners to improve air quality across the Borough.
9. Explore opportunities to promote, protect and enhance biodiversity in the borough.

Theme 4: Your Council

Strategic Aims:

1. Conduct a Local Government Association Peer Review by 2026.
2. Increase the level of resident engagement and consultation.
3. Deliver a refreshed Council change plan to modernise services.
4. Focus on civic pride, celebrating rich heritage and diverse communities.
5. Deliver continued forward financial planning to safeguard the finances of the Council.
6. Set ambitious and challenging budgets, to ensure taxpayers money is respected, and high-quality services are delivered.
7. Deliver a modern organisation with agile and effective structure that meet the needs of residents.
8. Strive for transparency and accountability in all that we do. Increase public scrutiny

NUNEATON AND BEDWORTH BOROUGH COUNCIL

Request for Call In

This form is to be used when calling in a decision taken by the Executive, an individual Member of the Executive, or a key decision made by an officer with delegated authority from the Executive, or under joint arrangements. An extract from the call in procedure is set out overleaf. The full procedure is set out in the Constitution.

DECISION TAKEN BY: Cllr Nicola King. DATE: 09/11/2026

ITEMS TO BE CALLED IN:

Agenda item 13. Cabinet decision on Houses of Multiple Occupation

Each point made will refer to part of the constitution this group feels they apply to separately.

REASONS FOR CALL IN

There were 4 recommendations for the decision taken at Cabinet, a, b, c or d. Option D was selected.

1. *This group believes that the section 5.6 wasn't considered. (extract below)*

5.6 Section 149 of the Equality Act 2010 is the Public Sector Equality Duty. It requires the Council, when exercising its functions, to have due regard to the need to:
a) eliminate discrimination, harassment, victimisation and other prohibited conduct;
b) advance equality of opportunity between people who share a protected characteristic and those who do not; and
c) foster good relations between those groups.
For the HMO-register decision, this means the decision-maker should consciously consider the potential equality effects before deciding whether and how to publish, supported by an equality impact assessment. The relevant characteristics may include race, age, disability and sex.

Does not apply to the constitution section 12.2 part b, c, d, e.

2. *The report clearly states that in section7, Legal implications,7.7 - that if options C or D were chosen, the council's legal team would be unable to defend a claim made against the council and so an external legal appointment would be required. No cost was assigned to this.*

Does not apply to the constitution 4E, 15. Decision appears to be outside of the budget and policy framework approved by council.

3. *Under the options, advantages and disadvantages, it clearly states that publication is subject to human error. This Labour Group feel uncomfortable with this*

Constitution section A12.2 items a, b and c.

4. *Under Appendix B the equality impact assessment clearly shows there is a potential risk to tenants because of age, disability, sex and race.*

Furthermore, it is the opinion of this group that this is a purely political motive. Reform have already publicized this is a 'done deal' on their socials. We believe the police should be informed of this, but this doesn't capture the HMOs which are not subject to licensing or planning regulations, of which there are many in this borough, due to housing affordability.

Constitution section A12.2 items b, c, d, e.

PROPOSED ALTERNATIVE COURSE OF ACTION:

To continue with Option A, with the option of review of article 4 direction to ensure that tighter control is made on the smaller HMOs that fall outside of the planning and licensing remit.

DOCUMENTATION REQUIRED BY OVERVIEW AND SCRUTINY PANEL:

SIGNED: Councillor: Nicola King OSP

PRINT NAME NICOLA KING

Councillor: BRADY HUGHES

PRINT NAME

Councillor: ..... OSP

PRINT NAME .....

Councillor: .....

PRINT NAME KEITH IONDAKOR

(Note: A valid request for call in must be signed by 1 Member of the relevant OSP and any other two Members of the Council)

DATE:

THIS REQUEST FOR CALL IN MUST BE SUBMITTED TO THE CHIEF EXECUTIVE OR MONITORING OFFICER (BY POST OR EMAIL), WITHIN 5 WORKING DAYS OF THE DATE OF PUBLICATION OF THE DECISION.

Agenda Item 5b

CB67 **Publication of the register of licences for Houses in Multiple Occupation (HMO)**

A report by the Strategic Director – Culture & Environment was submitted to Cabinet following the Leaders's stated intention to publish the Council's register of licences for Houses in Multiple Occupation online. The report was to advise Cabinet of the Council's current statutory arrangements regarding the HMO Register and presented to Cabinet options regarding the publication of HMO Register information on the Council's website which included the officer recommendation to retain existing arrangements.

RESOLVED that

a) delegated authority be given to the Chief Executive in consultation with the Leader of the Council to amend the wording of Option D in the report to ensure it reflects the intentions of Cabinet as considered in the meeting; and

b) subject to the above Option D of the report be approved.

SPEAKERS:

Councillor Keith Kondakor
Councillor Brady Hughes
Councillor Kris Wilson
Councillor Jeff Clarke
Councillor Michele Kondakor

Options:

Option	Description	Advantages	Disadvantages
A - Rejected	Maintain the current position. No online publication. Statutory access provided by inspection at the Town Hall and by certified copy on request.	Lawful and fully compliant with section 232. Lowest exposure in relation to occupant safety. No new processing of personal data requiring justification. Preserves the ability to consider each request on its facts.	Attracts criticism for lack of transparency and is out of step with many authorities. Does not prevent access, as the copy on request duty remains. Increases the volume of individual requests and the associated officer resource.

Option	Description	Advantages	Disadvantages
B - Rejected	Publish a reduced dataset. Withhold licence holder and manager names and addresses and HMO property address but retain postcode excluding the last two digits of the postcode for example “CV11 3”.	Delivers most of the transparency benefit. Removes the home address exposure for individual landlords and managers. Proportionate under data minimisation principles and straightforward to defend.	Does not reduce the risk to occupants, because the property address is itself the sensitive element. Requires a Data Protection Impact Assessment and a documented necessity and proportionality case. Creates a downloadable, searchable list of licensed properties.
C - Rejected	Publish the full prescribed register online, including all particulars set out in regulation 11.	Maximum transparency. Removes the need to triage individual requests.	Highest exposure on both occupant safety and landlord safety. Publishes home addresses of individual licence holders and managers to the world at large. Weakest position to defend if harm follows, particularly where advice against publication has been received and not followed.

Option	Description	Advantages	Disadvantages
D – Preferred	Publish a reduced dataset online including all particulars set out in Regulation 11, with the exception of properties used to accommodate individuals fleeing domestic abuse where publication could undermine the purpose of the accommodation	Next maximum transparency. Aligns largely with the practice of a number of other authorities. Requests will require triaging.	Next highest exposure on both occupant safety and landlord safety. Publishes home addresses of individual licence holders and managers to the world at large. Next weakest position to defend if harm follows, particularly where advice against publication has been received and not followed. Furthermore, as this requires a sift process, it is subject to human error and a property being published invertedly.

Reasons

There is no statutory requirement to publish the register online. Online publication is a discretionary act and hence the report coming before Cabinet. Continue withholding from the website is lawful, provided the inspection and copy on request duties are discharged.

Regulation 11 of the Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 prescribes the particulars for each entry. These include the name and address of the licence holder, the name and address of the person managing the property, the address of the licensed property, a short description of it, a summary of the licence conditions, the permitted number of households and persons, the commencement and expiry dates, and summary information on any tribunal proceedings.

For individual landlords, the prescribed address is frequently a home address. It is personal data and its publication requires separate justification.

Nuneaton & Bedworth
United to Achieve

Agenda Item 5c

AGENDA ITEM NO. 13

NUNEATON AND BEDWORTH BOROUGH COUNCIL

Report to:	Cabinet
Date of Meeting:	4 November 2026
Subject:	Publication of the register of licences for Houses in Multiple Occupation.
Portfolio:	Planning, Enforcement and Public Services
Responsible Officer:	Strategic Director Culture and Environment
Corporate Plan – Theme:	Housing, Health and Communities Your Council
Corporate Plan – Aim:	Facilitate warm, safe, sustainable and affordable housing; Strive for transparency and accountability, in all that we do. Increase public scrutiny.
Ward Relevance:	All
Public or Private:	Public
Amendment to Budget:	No Council Tax Related: No
Recommendation to Council:	No
Forward Plan:	Yes
Subject to Call-in:	Yes

1. Purpose of report

1.1. This report has been prepared following the Leader's stated intention to publish the Council's register of licences for Houses in Multiple Occupation online.

1.2. To advise Cabinet of the Council's current statutory arrangements regarding the House in Multiple Occupation (HMO) Register.

1.3. To confirm that the Council is compliant with its legal obligations by maintaining an HMO Register and making it available for inspection in accordance with legislative requirements.

1.4. To present Cabinet with options regarding the publication of HMO Register information on the Council's website, including the officer recommendation to retain existing arrangements.

1.5. To advise Cabinet that consultation has been undertaken with relevant partners, including the Police, Fire and Rescue Service and Warwickshire County Council colleagues and that a risk assessment has been completed and is attached as an appendix to this report.

1.6. It sets out the legal framework, appraises the available options, makes a recommendation and identifies the decision route.

1.7. The scope is limited to the manner and extent of public access to the register maintained under section 232 of the Housing Act 2004.

2. Recommendations

2.1. Cabinet is recommended to:

2.1.1. Consider the report and options contained in the report;
2.1.2. Consider the associated risks and appendices attached to the report; and
2.1.3. Approve either option A, B, C or D.

3. Background

3.1. Local housing authorities are required to maintain a register of licensed Houses in Multiple Occupation (HMOs)

in accordance with the Housing Act 2004. The legislation states:

(1)Every local housing authority must establish and maintain a register of—

(a)all licences granted by them under Part 2 or 3 which are in force;
(b)all temporary exemption notices served by them under section 62 or section 86 which are in force; and
(c)all management orders made by them under Chapter 1 or 2 of Part 4 which are in force.

(2)The register may, subject to any requirements that may be prescribed, be in such form as the authority consider appropriate.

(3)Each entry in the register is to contain such particulars as may be prescribed.

(4)The authority must ensure that the contents of the register are available at the authority's head office for inspection by members of the public at all reasonable times.

(5)If requested by a person to do so and subject to payment of such reasonable fee (if any) as the authority may determine, a local housing authority must supply the person with a copy (certified to be true) of the register or of an extract from it.

(6)A copy so certified is prima facie evidence of the matters mentioned in it.

(7)In this section "prescribed" means prescribed by regulations made by the appropriate national authority.

3.2. The Register is available for inspection by members of the public upon request and appropriate arrangements are in place to facilitate access. Consequently, the Council is compliant with current legislative requirements and there is no statutory requirement for the register to be published online or made available in a downloadable format.

3.3. While the register must be available on request, many local authorities publish a register to proactively support

transparency, improve compliance, and assist residents in identifying licensed properties.

3.4. The proposal has been the subject of significant discussion at Cabinet and in the media, and concerns relating to public safety have been raised. This has resulted in the Council receiving concerns regarding the publication of the register, and to the extent that the Council's insurance provider has been notified of such risk by others.

3.5. Advice has been sought from Warwickshire Police, Warwickshire Fire and Rescue and Warwickshire County Council teams.

4. Body of report and reason for recommendations

4.1. There is no statutory requirement to publish the register online. Online publication is a discretionary act and hence the report coming before Cabinet. Continued withholding from the website is lawful, provided the inspection and copy on request duties are discharged.

4.2. Regulation 11 of the Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 prescribes the particulars for each entry. These include the name and address of the licence holder, the name and address of the person managing the property, the address of the licensed property, a short description of it, a summary of the licence conditions, the permitted number of households and persons, the commencement and expiry dates, and summary information on any tribunal proceedings.

4.3. For individual landlords, the prescribed address is frequently a home address. It is personal data and its publication requires separate justification.

Data Protection

4.4. Proactive publication to the world at large is a materially different processing operation from inspection at the Town Hall or supply of a copy on request. It requires its own lawful basis. Article 6(1)(c) of the United Kingdom General Data Protection Regulation supports disclosure to the extent required by section 232, but publication going

beyond that duty must rest on Article 6(1)(e) and be shown to be necessary and proportionate to the Council's public task.

4.5. The data minimisation principle at Article 5(1)(c) requires the published fields to be limited to what is necessary. A Data Protection Impact Assessment is required under Article 35 before publication proceeds, given the scale of the processing and the risk to the rights and freedoms of both occupants and licence holders. A data protection impact assessment has been completed based on option A, B and C the noting these three options cover no publication, partial publication and full publication, a copy of the assessment is attached at appendix C. Option A as recommended as this results in the lowest risk rating overall.

4.6. Section 21 of the Freedom of Information Act 2000, covering information reasonably accessible to the applicant by other means, is available while the register remains accessible under section 232. Sections 38 and 40 may apply to entries or fields. Each request falls to be considered on its own facts, and a blanket position should not be adopted.

Limitation on the effect of withholding

4.7. The duty at section 232(5) to supply a copy of the register on request contains no public safety exemption in the English provision. This may be contrasted with the position in Northern Ireland, where councils are under an express duty to exclude from the register information likely to jeopardise safety or welfare, and where Belfast City Council removed its register from its website after properties of this type were targeted. The English provision offers no equivalent route.

4.8. The practical consequence is that withholding the register from the website changes the ease and the scale of access, not whether the information can be obtained. This limitation must be stated plainly in the decision report so that the decision maker is not invited to treat non-publication as a complete answer to the safety concern.

5. Consultation with the public, members, officers and associated stakeholders

Warwickshire Police Response

5.1. Warwickshire Police acknowledges receipt and review of the HMO Publication Risk Assessment provided by Nuneaton and Bedworth Borough Council. Having considered the assessment, they consider it to be a comprehensive, balanced and proportionate evaluation of the potential risks and benefits associated with publication.

5.2. From a policing perspective, Warwickshire Police has not identified any additional risks beyond those already captured within the assessment and associated discussions. They would, however, note that the level of any potential risk remains significantly dependent upon the accuracy of the information published, together with the context and explanatory narrative provided alongside it. Clear communication regarding the purpose of the register and the broad definition of HMOs will be important in reducing misunderstanding and unintended community impacts.

Warwickshire County Council

5.3 County Council colleagues acknowledges the receipt and review of the HMO Publication Risk Assessment provided by Nuneaton and Bedworth Borough Council. Having considered the assessment, they considered it to be comprehensive consideration and proportionate of the potential risks and benefits associated with publication. With specific emphasis on protecting potential impact on vulnerable occupants placed in such accommodation.

Crime and disorder

5.4 Section 17 of the Crime and Disorder Act 1998 requires the council to exercise its function with due regard to the likely effect of the exercise of those functions on and the need to do all that it reasonably can to prevent crime and disorder in its area. Crime and disorder for this purpose includes anti-social behaviour adversely affecting the local environment and the duty extends in the same terms of violence. It applies to every function the council exercises, including a discretionary decision about how a statutory register is made available and how a statutory register is made available and it applies in addition to the duties described above.

Access to information

5.5 Section 21 of the Freedom of Information Act 2000, covering information reasonably accessible to the applicant by other means, is available while the register remains accessible under section 232. Sections 38 and 40 may apply to particular entries or fields. Each request falls to be considered on its own facts, and a blanket position should not be adopted.

Equality

5.6 Section 149 of the Equality Act 2010 is the Public Sector Equality Duty. It requires the Council, when exercising its functions, to have due regard to the need to:

a) eliminate discrimination, harassment, victimisation and other prohibited conduct;
b) advance equality of opportunity between people who share a protected characteristic and those who do not; and
c) foster good relations between those groups.

For the HMO-register decision, this means the decision-maker should consciously consider the potential equality effects before deciding whether and how to publish, supported by an equality impact assessment. The relevant characteristics may include race, age, disability and sex. Appendix B of the report is the equality impact assessment considering this decision.

Warwickshire benchmarking

5.7 A benchmarking exercise across Warwickshire has been undertaken. The table below outlines the comparison between other borough/district council's in Warwickshire in regard to the online publication of the HMO register.

Information field	Warwick District Council Register accessed online	North Warwickshire Borough Council Register accessed online	Rugby Borough Council Register not available online	Stratford Upon Avon District Council Register accessed online
Property address	Yes	Yes	N/A	Yes
Licence holder name and address	Name – Yes Address - No	No	N/A	Yes
Licence Issue date	Yes	Yes	N/A	Yes
Licence expiry date	Yes	Yes		Yes
Maximum permitted occupants	Yes	Yes	N/A	Yes
Licence reference number	Yes	Yes	N/A	Yes
Geo coded location	No	No	N/A	No
Manager details	Yes	No	N/A	Yes
Properties housing vulnerable tenants	Not included	Not included	N/A	Not included

6 Financial Implications

6.4 There are no direct financial implications resulting from the content of this report. However, please note 7.4 and 12.2 of the report and thus a need to resource any legal challenge if the Council received claims arising from any publication.

6.5 Publication of a redacted register (option B) if Cabinet were minded to publish, would result in minor officer resource requirements relating to preparation, publication, review, ongoing maintenance and information governance oversight. Remaining with status quo (Option A), results in the least amount of officer resource.

7 Legal Implications

7.4 As outlined earlier in the report, the Council is required to maintain an HMO Register and make it available for inspection in accordance with applicable housing legislation.

7.5 The Council is currently compliant with those statutory requirements.

7.6 Any publication of information beyond the statutory minimum should have regard to data protection legislation, common law confidentiality obligations and wider public law considerations.

7.7 Cabinet should note that if C or D is decided, the Council legal team would be unable to defend a claim against the Council and so, an external legal appointment would be required.

8 Equalities implications

8.4 Further to 5.5 of the report, Cabinet should consciously consider the potential equality impact (and its legal obligations under the Public Sector Equality Duty) before deciding whether and how to publish the register. The relevant characteristics which this decision may impact include race, age, disability and sex. Appendix B is the equality impact assessment considering this decision.

9 Health implications

9.1 No specific or direct health implications have been identified following the completion of an impact assessment. However, Cabinet are advised to consider the attached risk assessment and equality impact assessment when considering its decision in terms of any indirect health implications dependent on its decision.

10 Environmental implications

10.1 No specific environmental implications have been identified.

11 Section 17 Crime and Disorder Implications

11.1 Please see 5.1 to 5.3 of the report. Furthermore, Cabinet are advised to consider the attached risk assessment and equality impact assessment when considering its decision.

12 Risk management implications

12.1 Risks are outlined in the report and attached risk assessment at Appendix A, B, C and D. No direct risk management implications have been identified for option A.

12.2 Options C and D carry the highest risk for the Council, from a claim, GDPR and defence position. This in term can result in a direct cost implication for any future insurance renewal for the Council.

12.3 Cabinet are advised to consider the attached risk assessment and equality impact assessment when considering its decision.

13 Human resources implications

13.1 No direct human resource implications have been identified.

14 Biodiversity Implications

14.1 No direct biodiversity implications have been identified.

15 Local Government Reorganisation (LGR) Implications

15.1 No direct LGR implications have been identified

16 Options considered and reason for their rejection

16.1 In formulating this report and recommendations, the following other options were identified. Reasons for their rejection or why the option and recommendation proposed in section 2 of the report has been selected are outlined below.

Option	Description	Advantages	Disadvantages
A	Maintain the current position. No online publication. Statutory access provided by inspection at the Town Hall and by certified copy on request.	Lawful and fully compliant with section 232. Lowest exposure in relation to occupant safety. No new processing of personal data requiring justification. Preserves the ability to consider each request on its facts.	Attracts criticism for lack of transparency and is out of step with many authorities. Does not prevent access, as the copy on request duty remains. Increases the volume of individual requests and the associated officer resource.
B	Publish a reduced dataset. Withhold licence holder and manager names and addresses and HMO property address but retain postcode excluding the last two digits of the postcode for example “CV11 3”.	Delivers most of the transparency benefit. Removes the home address exposure for individual landlords and managers. Proportionate under data minimisation principles and straightforward to defend.	Does not reduce the risk to occupants, because the property address is itself the sensitive element. Requires a Data Protection Impact Assessment and a documented necessity and proportionality case. Creates a downloadable, searchable list of licensed properties.
C	Publish the full prescribed register online, including all particulars set out in regulation 11.	Maximum transparency. Removes the need to triage individual requests.	Highest exposure on both occupant safety and landlord safety. Publishes home addresses of individual licence holders and managers to the world at large. Weakest position to defend if harm follows, particularly where advice against publication has been received and not followed.

Option	Description	Advantages	Disadvantages
D	Publish a reduced dataset online including all particulars set out in Regulation 11, with the exception of properties used to accommodate individuals fleeing domestic abuse where publication could undermine the purpose of the accommodation	Next maximum transparency. Aligns largely with the practice of a number of other authorities. Requests will require triaging.	Next highest exposure on both occupant safety and landlord safety. Publishes home addresses of individual licence holders and managers to the world at large. Next weakest position to defend if harm follows, particularly where advice against publication has been received and not followed. Furthermore, as this requires a sift process, it is subject to human error and a property being published invertedly.

The distinction that matters most is that Option B mitigates the risk to licence holders and the data protection risk but does not mitigate the risk to occupants. The property address is itself the sensitive element, and Option B aligns with this risk. Only Option A materially reduces that risk whilst options C and D publish the address information and thus, creates the highest risk against the Council.

17 Conclusion

17.1 The Council already complies with all relevant legislative requirements by maintaining an HMO Register and making it available for public inspection (existing Option A).

17.2 There is no legal requirement to publish the register online.

17.3 Officers have reviewed the matter, undertaken consultation with relevant partners and completed a risk assessment considering the available options.

17.4 Having considered the legal position, consultation responses and risk assessment findings, officers advise to

Cabinet is to retain the current arrangements (Option A) but notes a desire from Cabinet to publish a register.

18 Appendices

18.1 Please note the following appendices:

i. Appendix A – HMO register publication Risk Assessment
ii. Appendix B – Equality impact assessment considering this decision
iii. Appendix C – Data Protection Impact Assessment

19 Background papers

19.1 Please note there are no background papers attached to this report.

Nuneaton and Bedworth Borough Council

Risk Assessment: Online Publication of the Register of Licences for Houses in Multiple Occupation

1. Purpose and scope

1.1 This assessment has been prepared following the Leader's stated intention to publish the Council's register of licences for Houses in Multiple Occupation online. It assesses the risks arising both from publication and from continued withholding, sets out the legal framework, appraises the available options, makes a recommendation and identifies the decision route.

1.2 The scope is limited to the manner and extent of public access to the register maintained under section 232 of the Housing Act 2004.

1.3 This assessment is a draft for comment. It takes account of the response received from Warwickshire County Council, summarised at paragraphs 2.7 and 2.8. At the Chief Executive's request, it also addresses the Council's duty under section 17 of the Crime and Disorder Act 1998, at paragraphs 3.12 to 3.14. Advice from Warwickshire Police has not yet been incorporated, and the conclusions below are provisional to that extent.

2. Background

2.1 The Council is required to maintain a register of licences. The register was previously published on the Council's website and is not currently published.

2.2 The Leader has indicated an intention to publish the register online again.

2.3 The proposal has been the subject of significant discussion at Cabinet and in the media, and concerns relating to public safety have been raised.

2.4 The Council's insurers have been contacted regarding the proposal.

2.5 Advice is being sought from Warwickshire Police and other partner agencies, in light of instances of disorder directed at properties of this type elsewhere in the country.

2.6 A material local factor is the dispersed asylum accommodation procured in the district. However, Serco properties are not on the register, and the Council is not provided with this information by the Government. The register will therefore contain the addresses of properties that are being used by private tenants in the ordinary way, none of which are known to the Council to be in use as asylum accommodation. Two consequences follow. Publication would not deliver transparency about dispersed accommodation, because the properties that are the subject of local concern do not appear. It would, however, place a searchable list of licensed properties into the public domain that may be assumed, wrongly, to be accommodation of that type.

2.7 This assessment was shared in draft with Warwickshire County Council and Warwickshire Police on 17 September 2026. The Executive Director for Children and Young People at Warwickshire County Council responded on 18 September 2026. He supported the weight given to the potential impact on vulnerable occupants,

particularly people placed through homelessness, social care or care leaver arrangements, and to the consequences for children and young people if a property becomes the focus of attention or disorder. He described the recommendation that publication should not proceed until the Police advice, the Data Protection Impact Assessment, Legal advice and the other assessments at section 6 have been completed and considered as a sensible and proportionate approach.

2.8 He asked that the following be established: when and how the decision to remove the register from the website was taken and recorded, and whether a risk assessment was completed at the time; whether the removal followed any specific incident, intelligence, disorder, complaint or concern about targeted properties; whether Warwickshire Police holds any local intelligence on the targeting of licensed properties; how many requests to inspect the register or to obtain a copy have been received since its removal; and whether any assessment has been made of whether vulnerable households, care leavers, people fleeing domestic abuse or others subject to safeguarding concerns are resident in licensed properties that could be identified through publication, including whether any property used as a refuge should be excluded. These points are carried at paragraphs 2.1, 5.4 and 5.15, at C7 and at actions 1 and 8 to 10.

3. Legal framework

Statutory duty

3.1 Section 232(1) of the Housing Act 2004 requires the Council to establish and maintain a register of licences granted under Part 2 and Part 3 of the Act, of temporary exemption notices and of management orders.

3.2 Section 232(4) requires the Council to ensure that the contents of the register are available at its head office, which for this Council is the Town Hall, for inspection by members of the public at all reasonable times. Section 232(5) requires the Council, on request and subject to payment of such reasonable fee as it may determine, to supply a certified copy of the register or of an extract from it.

3.3 There is no statutory requirement to publish the register online. Online publication is a discretionary act. Continued withholding from the website is lawful, provided the inspection and copy on request duties are discharged.

3.4 Regulation 11 of the Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 prescribes the particulars for each entry. These include the name and address of the licence holder, the name and address of the person managing the property, the address of the licensed property, a short description of it, a summary of the licence conditions, the permitted number of households and persons, the commencement and expiry dates, and summary information on any tribunal proceedings.

3.5 For individual landlords, the prescribed address is frequently a home address. It is personal data and its publication requires separate justification.

Data protection

3.6 Proactive publication to the world at large is a materially different processing operation from inspection at the Town Hall or supply of a copy on request. It requires its own lawful basis. Article 6(1)(c) of the United Kingdom General Data Protection

Regulation supports disclosure to the extent required by section 232, but publication going beyond that duty must rest on Article 6(1)(e) and be shown to be necessary and proportionate to the Council's public task.

3.7 The data minimisation principle at Article 5(1)(c) requires the published fields to be limited to what is necessary. A Data Protection Impact Assessment is required under Article 35 before publication proceeds, given the scale of the processing and the risk to the rights and freedoms of both occupants and licence holders.

Human rights

3.8 Section 6 of the Human Rights Act 1998 requires the Council to act compatibly with Convention rights. Where the Council knows, or ought to know, of a real and immediate risk to the life or physical safety of identifiable individuals, positive obligations under Articles 2 and 8 are engaged. The advice sought from Warwickshire Police is therefore evidence that the decision maker must have before them, rather than a matter of courtesy, and it should be recorded in the decision report whether or not it supports publication.

Limitation on the effect of withholding

3.9 The duty at section 232(5) to supply a copy of the register on request contains no public safety exemption in the English provision. This may be contrasted with the position in Northern Ireland, where councils are under an express duty to exclude from the register information likely to jeopardise safety or welfare, and where Belfast City Council removed its register from its website after properties of this type were targeted. The English provision offers no equivalent route.

3.10 The practical consequence is that withholding the register from the website changes the ease and the scale of access, not whether the information can be obtained. This limitation must be stated plainly in the decision report so that the decision maker is not invited to treat non-publication as a complete answer to the safety concern.

Access to information

3.11 Section 21 of the Freedom of Information Act 2000, covering information reasonably accessible to the applicant by other means, is available while the register remains accessible under section 232. Sections 38 and 40 may apply to particular entries or fields. Each request falls to be considered on its own facts, and a blanket position should not be adopted.

Crime and disorder

3.12 Section 17 of the Crime and Disorder Act 1998 requires the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. Crime and disorder for this purpose includes anti-social and other behaviour adversely affecting the local environment, and the duty extends in the same terms to serious violence. It applies to every function the Council exercises, including a discretionary decision about how a statutory register is made available, and it applies in addition to the duties described above.

3.13 The duty holds on this decision in two ways. The first is that the decision maker must consider the likely effect of each option on crime and disorder in the borough. The pathway described at paragraph 5.6 is a pathway to crime and disorder: criminal

damage, arson, assault, harassment and intimidation, and gatherings at or near the homes of people who have no part in the decision. The second is that the duty is not confined to considering that effect. It requires the Council to do all that it reasonably can to prevent crime and disorder, so that if publication proceeds, the controls identified in this assessment become part of the discharge of a statutory duty rather than matters of good practice. These include the exclusion mechanism at T2, the removal protocol at T1, the joint response with Warwickshire Police at T3 and the avoidance of publication at a point of heightened tension.

3.14 The duty does not point in one direction only. The licensing regime exists in part to address offences, including the operation of an unlicensed house in multiple occupation and the harassment and unlawful eviction of occupiers, and publication could make it easier for tenants and others to check whether a property is licensed. That benefit is partial, because the register is not a determination of whether a property requires a licence, as noted at C8, so absence from it does not show that a property is being let unlawfully. It would also be offset to the extent that occupants disengage from the Council as described at T5. The Police advice at paragraph 6.1.1 is the principal evidence available on the likely effect of publication on crime and disorder in the borough. A decision taken without demonstrable regard to the duty would be open to challenge, and the decision report should address it expressly under its own heading rather than leave it to be inferred from this assessment.

Equality

3.15 Section 149 of the Equality Act 2010 requires the Council, in exercising its functions, to have due regard to the need to eliminate discrimination, harassment and victimisation, to advance equality of opportunity, and to foster good relations between people who share a protected characteristic and those who do not. The duty is engaged because the risk at T1 arises from an assumption that occupants are migrants or asylum seekers, which relates to race, including nationality and national origins, and because the occupants described at paragraph 5.4 and at T4 include children, care leavers, adults placed under social care duties and people who have left an abusive partner, so that age, disability and sex are also likely to be engaged. An equality impact assessment should be completed alongside the Data Protection Impact Assessment and placed before the decision maker.

4. Options

4.1 Three options have been considered.

Option	Description	Advantages	Disadvantages
A	Maintain the current position. No online publication. Statutory access provided by inspection at the Town Hall and by certified copy on request.	Lawful and fully compliant with section 232. Lowest exposure in relation to occupant safety. No new processing of personal data requiring justification. Preserves the ability to consider each request on its facts.	Attracts criticism for lack of transparency and is out of step with many authorities. Does not prevent access, as the copy on request duty remains. Increases the volume of individual requests and the associated officer resource.

Option	Description	Advantages	Disadvantages
B	Publish a reduced dataset. Withhold licence holder and manager names and addresses and HMO property address but retain postcode excluding the last two digits of the postcode for example “CV11 3”.	Delivers most of the transparency benefit. Removes the home address exposure for individual landlords and managers. Proportionate under data minimisation principles and straightforward to defend.	Does not reduce the risk to occupants, because the property address is itself the sensitive element. Requires a Data Protection Impact Assessment and a documented necessity and proportionality case. Creates a downloadable, searchable list of licensed properties.
C	Publish the full prescribed register online, including all particulars set out in regulation 11.	Maximum transparency. Removes the need to triage individual requests.	Highest exposure on both occupant safety and landlord safety. Publishes home addresses of individual licence holders and managers to the world at large. Weakest position to defend if harm follows, particularly where advice against publication has been received and not followed.
D	Publish a reduced dataset online including all particulars set out in Regulation 11, with the exception of properties used to accommodate individuals fleeing domestic abuse where publication could undermine the purpose of the accommodation	Next maximum transparency. Aligns largely with the practice of a number of other authorities. Requests will require triaging.	Next highest exposure on both occupant safety and landlord safety. Publishes home addresses of individual licence holders and managers to the world at large. Next weakest position to defend if harm follows, particularly where advice against publication has been received and not followed. Furthermore, as this requires a sift process, it is subject to human error and a property being published invertedly.

4.2 The distinction that matters most is that Option B mitigates the risk to licence holders and the data protection risk but does not mitigate the risk to occupants. The property address is itself the sensitive element, and Option B publishes it. Only Option A materially reduces that risk, and only in part for the reasons given at paragraph 3.10.

5. Risk assessment

5.1 Risks are scored on a five-by-five basis. Likelihood and impact are each rated from 1, being the lowest, to 5, being the highest, and the score is the product of the two. Impact is held constant for each risk, and it is the likelihood that changes between the two positions assessed, so that the effect of the decision can be seen directly. Each risk is scored as it stands now, with the register not published online; as it would

stand if the register were published in full under Option C; and as a residual score on the basis of the recommendation at section 8.

Score	Rating	Response required
1 to 4	Low	Accept and monitor through normal service management.
5 to 9	Moderate	Manage through identified controls. Review at agreed intervals.
10 to 15	High	Active mitigation required. Escalate to the Strategic Director.
16 to 25	Very high	Not to be accepted without an explicit, recorded decision by the decision maker.

Who is affected, and how the risk arises

5.2 Three groups are affected by a decision to publish. The first is the tenants and other occupiers of licensed properties. The second is the owners, licence holders and managers of those properties. The third is the Council itself. The three tables at the end of this section deal with each in turn.

5.3 The occupiers are private tenants. They take no part in the licensing decision, are not consulted on publication and in most cases cannot readily move. A licensed property is by definition occupied by several unrelated people, and it is that characteristic which has led properties of this type to be assumed to accommodate migrants or asylum seekers whether or not they do. As set out at paragraph 2.6, none of the dispersed accommodation in the borough appears on the register, so every address published would be one occupied by tenants with no connection to it.

5.4 Licensed properties also accommodate people whose address is sensitive for reasons unconnected with immigration. These include people who have left an abusive partner, people placed by this Council or by another authority under homelessness or social care duties, care leavers and people rehoused following harassment or intimidation. Any licensed property in use as refuge accommodation should be excluded from any published dataset as a matter of course and identified in the first exclusion pass at action 10. The wider concern is that ordinary licensed shared houses are used to accommodate individuals for whom the disclosure of an address is not an inconvenience but a direct route by which they can be found.

5.5 The owners and licence holders are a mixed group, from individuals letting a single property from their own home address to corporate landlords with portfolios. The prescribed particulars include their names and addresses, so the risk to them arises from two distinct things: the exposure of their own home address, and the exposure of the properties they hold.

5.6 The pathway from release of the information to harm is as follows. Publication creates an authoritative and complete list of addresses. That list can be filtered, mapped, downloaded and circulated, and it remains in circulation once copied, whether or not the Council later withdraws it. Individuals or groups seeking to identify properties of a particular type use it as a starting point. Properties are then subject to surveillance, doorstepping, filming, graffiti and criminal damage, and in the most serious cases to

arson or assault. Occupants who were never the intended target are harmed alongside those who were, because the list does not distinguish between them.

5.7 The protection that currently exists is not a legal protection. It is the practical difficulty of attending the Town Hall or making a traceable request, and the fact that no compiled and searchable list is in circulation. Section 232(5) contains no public safety exemption, so a determined requester can still obtain the register. What the decision changes is the ease and the scale of access, and whether the Council itself places the list in the public domain. The tables below are therefore structured to show the position now, the position that would follow publication, and the impact if the risk materialises.

5.8 It is necessary to be clear about what publication would and would not introduce, because the register was previously published on the Council's website. The addresses of licensed properties were in the public domain for that period. Material published online is copied, cached, scraped and saved, so removal from the website did not recover what had already been taken. Part of the exposure assessed in the tables below is therefore not new. What would be new is a current, complete and accurate dataset, kept up to date by the Council, and the attention that a decision to publish would attract.

5.9 Two consequences follow. The first is operational and does not wait on the decision. Any property that ought to be excluded for a protective reason may already have been published, so the exclusion exercise described at T2 should be carried out now rather than held as a condition of publication. Because section 232 contains no public safety exemption (paragraph 3.9), Legal advice should be taken on whether any entry identified can lawfully be withheld from inspection or from a copy supplied on request, having regard to the obligations described at paragraph 3.8. The second is that the earlier publication was passive: it was not announced, not promoted and attracted little attention, and its withdrawal was not announced either. A decision now would be reported as the introduction of something new, which is assessed at T7.

Evidence from elsewhere

5.10 Belfast City Council removed its register from its website in 2025 after properties of this type were targeted. Reporting has since established that the council had been warned about threats to such properties around a year earlier, and that requests to suspend registers had been received in a number of council areas. Attacks in east Belfast earlier that year involved windows being broken and graffiti daubed on the properties concerned. The Northern Ireland legislation expressly requires councils to exclude from the register information likely to jeopardise safety or welfare, and confines access to persons with a particular interest in the property. The English provision contains no equivalent, which makes the decision here a matter of discretion rather than of statutory direction.

5.11 In August 2024 a hotel in Rotherham accommodating more than two hundred people was attacked and set alight. Staff barricaded themselves in a panic room and the occupants were trapped inside. One man was later sentenced to nine years for arson with intent to endanger life. In February 2023 a similar disturbance took place outside a hotel in Knowsley following rumours circulated on social media. Those incidents concerned hotels rather than licensed properties, but they establish the level of harm that can follow once a location becomes publicly associated with a particular group,

and a hotel has a degree of physical security and staffing that a terraced house does not.

5.12 In Williams v Information Commissioner, decided by the First-tier Tribunal in January 2026, the Home Office was held entitled to neither confirm nor deny whether it held information that would reveal whether a site was used as asylum accommodation. The tribunal accepted evidence of repeated harassment, assault and threats at accommodation sites between 2023 and 2025. It found that official confirmation was qualitatively different from press speculation, carrying an authority that would be likely to embolden those inclined to target such sites, and that the public interest in transparency was outweighed. That reasoning applies directly here. An entry on a published council register is official confirmation of the character of a property.

5.13 In the context of council owned property, the Information Commissioner and the Information Tribunal have accepted that addresses used to accommodate individuals requiring protection may be withheld, and that unfairness arises where disclosure identifies individuals as members of a vulnerable group, the examples given including asylum seekers and people who have left a violent partner.

5.14 Practice among authorities that do publish is not uniform, and it is not unconditional. The City of York publishes its register but states that where a property houses vulnerable tenants, such as persons seeking refuge from domestic abuse, the details are redacted, and that a small number of properties are excluded for public safety reasons. Oxford publishes a searchable register linked to a map. Birmingham and Reading publish in full. Publication and targeted exclusion are not alternatives. Authorities that publish routinely operate an exclusion mechanism alongside it, and this Council has none.

Assessment: tenants and other occupiers

Ref	Risk	Position now, register not published online	Position if published online	Impact if the risk materialises	Score	Mitigation
T1	The property is targeted because it is assumed to accommodate asylum seekers or migrants.	The address is obtainable only by attending the Town Hall or making a request for a copy. That requires a deliberate and traceable approach to the Council and produces no searchable list. No current and complete list is in circulation, although material taken during the earlier period of online publication may have been copied and retained.	A complete and authoritative list of every licensed address in the borough is available to anyone at any time without contact with the Council. It can be filtered, mapped, downloaded and re-circulated, and remains in circulation once copied even if the Council later withdraws it.	Surveillance, doorstepping, filming, graffiti and criminal damage, and in the most serious cases arson or assault. Occupants with no connection whatever to asylum accommodation are exposed, because none of the dispersed accommodation in the borough appears on the register.	Now 10 Published 20 Residual 10	Only Option A materially reduces this, and only in part. Obtain written advice from Warwickshire Police and place it before the decision maker. Agree a protocol for immediate removal of the dataset in the event of an incident, recognising that removal does not recall copies already taken.
T2	A person living at an address that must not be disclosed is located through the register.	The register is indexed by property and by licence holder, not by occupant, so it cannot be searched for a named person. Obtaining it requires attendance at the Town Hall or a traceable request. The protection is practical friction rather than any statutory prohibition, and it is incomplete, because these addresses were published online during the earlier period.	Every licensed address is searchable and mappable from any device, anonymously and without contact with the Council. Someone holding partial information, such as a street or an area, can narrow a search quickly and without leaving any record of having done so.	A person who moved for their own safety is found at their new address. Any licensed property in use as a refuge should be excluded from publication as a matter of course. Beyond that, it concerns individuals living in ordinary licensed shared houses: people who have left an abusive partner, people placed under homelessness or social care duties, care leavers, and people rehoused following harassment or intimidation. Consequences range from intimidation and assault to, in the most serious cases, death.	Now 10 Published 15 Residual 5	The exclusion exercise should be carried out now, not held as a condition of publication, because these addresses were published previously and the risk to any affected occupant may already be live. Agree the referral route with Housing Options, Adult and Children's Social Care, Warwickshire Police and registered providers, and a route for an occupant or landlord to request exclusion without explaining the reason in detail. The mechanism must then be operating before any further publication.

Ref	Risk	Position now, register not published online	Position if published online	Impact if the risk materialises	Score	Mitigation
T3	Occupants are subjected to harassment and intimidation falling short of criminal offending.	Occupants are not identifiable as such from any published source. Contact depends on local knowledge rather than on a list.	Occupants can be identified by address by anyone, including neighbours, campaigners, commercial parties and journalists.	Sustained doorstepping, filming, leafleting and abuse, with effects on mental health and on the sense of security at home. Individual incidents are unlikely to meet a criminal threshold, which makes them difficult for the Council or the Police to act on.	Now 6 Published 12 Residual 9	Publish reporting arrangements alongside any dataset. Agree a joint response with Warwickshire Police for occupants reporting harassment linked to publication. Brief front line teams so that such reports are escalated rather than treated as routine neighbour disputes.
T4	Children and other vulnerable occupants are exposed to disorder at or near the home.	Any disorder affecting an occupant is geographically incidental to where they live.	The home itself may become the focus of attention or of a gathering.	Children present during disorder at their own home. Disruption to schooling, harm to health and wellbeing, and potential safeguarding referrals arising from events the household did not cause.	Now 10 Published 15 Residual 10	Assess this expressly in the Data Protection Impact Assessment rather than treating occupants as a single undifferentiated group. Notify Children's Services of the publication decision. Avoid publication at a point of heightened local tension.
T5	Occupants disengage from the Council and stop reporting conditions in the property.	Occupants deal with the Council as the body that inspects and enforces on their behalf. The licensing regime depends on that relationship.	Occupants may associate the Council with the exposure of their address and may not distinguish between the Council's regulatory and publishing roles.	Disrepair, harassment and illegal eviction go unreported. Housing conditions deteriorate unobserved. The stated purpose of the licensing regime is undermined by the act of publishing the register that the regime produces.	Now 4 Published 12 Residual 8	Communicate the decision and its reasons to occupants as well as to landlords. Maintain a reporting route that does not require the occupant to give their address at first contact.

Ref	Risk	Position now, register not published online	Position if published online	Impact if the risk materialises	Score	Mitigation
T6	Occupants lose their home, through their own decision to leave or through the landlord ending the tenancy.	Tenancies are unaffected by the existence of the register.	Landlords may seek to end tenancies or change the use of the property to reduce attention, and occupants may leave of their own accord.	Loss of settled accommodation, homelessness applications to the Council, and disruption to employment and schooling. The cost falls on the Council as well as the household.	Now 4 Published 12 Residual 8	Model the potential demand with Housing Options before a decision is taken and present it to the decision maker as a cost as well as a harm.
T7	Publicity attending the decision makes a far larger number of people aware that the register exists and where to find it.	The earlier online publication was passive. It sat on the website, was not promoted, and attracted little attention. Awareness among the wider public is correspondingly low, and the withdrawal was not announced either.	The Leader has publicly described publication as something he intends to introduce, so the step will be reported as new whether or not it is. The Forward Plan entry required by Article 12.3, the Cabinet report and the media coverage all precede or accompany go live.	Many people who never knew the register was published become aware of it and are told where to find it. Use of the dataset is concentrated in the weeks immediately following publication, which is also when local attention and tension are at their highest. This risk acts as a multiplier on T1 to T4 rather than as a separate harm.	Now 4 Published 20 Residual 12	Largely outside the Council's control, since the framing of the decision is a matter for members and the press. Agree the communications position before the Forward Plan entry rather than after. If publication proceeds, consider phasing go live away from any period of heightened tension, and do not pair publication with promotion.

Assessment: owners, licence holders and managers

Ref	Risk	Position now, register not published online	Position if published online	Impact if the risk materialises	Score	Mitigation
L1	The licence holder or manager is identified at a home address.	The name and address are prescribed particulars and are already available on inspection or by copy, so they are not confidential. They are not, however, compiled into a searchable form.	Every licence holder's and manager's name and address, including the home addresses of individual landlords, sits in a single searchable dataset alongside the properties they hold.	Harassment and intimidation at home, extending to family members who have no connection with the business. Unsolicited commercial approaches. Where a property attracts hostility, the landlord is treated as the responsible party and located accordingly.	Now 6 Published 12 Residual 6	Option B withholds these particulars from publication and considers requests for them individually under section 232(5). Advise applicants at the point of application which particulars are prescribed and how the Council intends to handle them.

Ref	Risk	Position now, register not published online	Position if published online	Impact if the risk materialises	Score	Mitigation
L2	The property is damaged, with consequent cost and loss of rent.	The property is not identifiable as licensed from any published source.	The property is publicly identifiable as a licensed house in multiple occupation, which is the characteristic that attracts attention.	Criminal damage, arson, loss of rent during repair, and increased premiums or withdrawal of cover. A pattern of incidents could affect the insurability of licensed properties across the borough.	Now 8 Published 16 Residual 8	This risk cannot be mitigated by redaction, because it attaches to the property address. Removal protocol as at T1. The insurance market position should be established before a decision is taken.
L3	Compliant landlords bear exposure that non-compliant landlords avoid, creating a disincentive to apply for a licence.	Licensed and unlicensed properties are indistinguishable to the public, so compliance carries no public exposure.	Only licensed properties appear. Landlords who have complied are listed. Those who have not are absent from the list and remain unidentified.	A direct disincentive to apply for a licence, working against the enforcement objective the register exists to serve. Increased difficulty in bringing unlicensed properties into the regime, and a fairness objection that compliant landlords can reasonably make.	Now 3 Published 9 Residual 6	Recognise the perverse incentive expressly in the decision report. If publication proceeds, pair it with a communication making clear that absence from the register is not evidence that a property is lawful, and with a visible enforcement programme against unlicensed properties.
L4	Landlords withdraw from the licensed shared housing market.	No effect on market participation.	Some landlords may sell, revert properties to single household use, or decline to renew licences.	Reduction in available shared accommodation in a district where supply is already constrained, with consequent pressure on the Council's homelessness function and on the tenants displaced.	Now 3 Published 9 Residual 6	Test this with the landlord forum and in any consultation before a decision is taken, rather than assuming it will not occur.

Assessment: the Council

Ref	Risk	Position now, register not published online	Position if published online	Impact if the risk materialises	Score	Mitigation
C1	Personal data is processed unlawfully.	Processing is limited to what section 232 requires. The lawful basis is the legal obligation at Article 6(1)(c) and no impact assessment is required for the statutory minimum.	Publication to the world at large goes beyond the statutory duty. It must rest on Article 6(1)(e) and requires a documented necessity and proportionality case and a Data Protection Impact Assessment under Article 35.	Regulatory action by the Information Commissioner, compensation claims from affected individuals, and reputational damage. The absence of a completed impact assessment would be the first matter examined.	Now 4 Published 16 Residual 8	Complete the Data Protection Impact Assessment before any publication and obtain sign off from the Data Protection Officer. Record the lawful basis and the necessity and proportionality assessment. Apply data minimisation to the published fields.
C2	The Council is held responsible for harm to an occupant or a landlord.	The Council has not placed the information in the public domain, and the statutory access routes are those Parliament provided.	The Council has taken a positive and discretionary act to publish, in the knowledge of the risk and, potentially, against advice received.	Claims in negligence or under the Human Rights Act 1998, exposure to criticism at an inquest or public inquiry if serious harm follows, and an uncertain insurance position. The decision maker is personally exposed if advice was received and not followed.	Now 5 Published 15 Residual 10	Ensure the Police advice, the insurer response and the impact assessment are before the decision maker at the point of decision, and that the reasons and the alternatives considered are recorded. Obtain Legal advice on the final recommendation.
C3	The decision is challenged, whether the Council publishes or refuses to publish.	The current position is lawful and, so far as is known, unchallenged.	Either outcome may be challenged by judicial review or by complaint to the Information Commissioner, particularly if reasons are not recorded or advice not demonstrably considered.	Cost, delay, the decision being quashed and having to be retaken, and adverse publicity during the proceedings.	Now 8 Published 12 Residual 8	Take the decision through the correct formal route as set out at section 9, with reasons and alternatives recorded. Do not take the decision before the material at section 6 is available.

Ref	Risk	Position now, register not published online	Position if published online	Impact if the risk materialises	Score	Mitigation
C4	Community tension and reputational harm to the Council.	The matter is contested but largely contained within Cabinet and local media coverage.	The Council becomes the identifiable source of the list and is associated with whatever follows from its use.	Loss of confidence among tenants, landlords and partner agencies. Criticism from opposing directions simultaneously. Damage to working relationships with Warwickshire Police and the Home Office.	Now 12 Published 16 Residual 9	Agree a communications position in advance covering both outcomes. Coordinate with Warwickshire Police and partner agencies. Avoid publication at a point of heightened local tension.
C5	Insurance exposure.	Cover is in place on the current basis.	Insurers may attach conditions, increase premiums, or decline cover for consequences arising from publication.	Uninsured loss following an incident, increased cost, and restriction on the Council's freedom of action in a matter members expect to decide.	Now 4 Published 12 Residual 8	Obtain the insurer position in writing, including any conditions or exclusions that would apply following publication, and record it in the decision report.
C6	The Council is criticised for a lack of transparency.	The Leader has stated publicly at Cabinet his intention to publish the register online, and the matter has attracted local media coverage.	This risk largely falls away. Publication answers the transparency criticism directly.	Reduced member and public confidence, allegations of concealment, sustained requests and continuing media interest.	Now 12 Published 3 Residual 9	If publication is not pursued, publish a clear statement explaining the statutory position, the access routes that remain available, and the reasons for the decision, and commit to a stated review point.
C7	Volume of individual requests, with resource cost and exposure of front line staff.	Requests are handled individually, with officer time and occasional contentious contact.	Requests reduce. Section 21 of the Freedom of Information Act 2000 and the availability of the dataset would answer most of them.	Officer time diverted from licensing and enforcement, delay to casework, and exposure of reception and licensing staff to hostile contact.	Now 8 Published 4 Residual 6	Agree a standard handling process and a reasonable fee for certified copies. Consider sections 38 and 40 on the facts of each request. Brief front line staff on handling contentious contact.

Ref	Risk	Position now, register not published online	Position if published online	Impact if the risk materialises	Score	Mitigation
C8	Inaccurate or out of date entries are relied upon.	An error affects only the individual requester and can be corrected on the next request.	An error is visible to everyone, is copied and re-circulated, and cannot be recalled once taken.	A property wrongly shown as licensed or unlicensed. A property wrongly exposed. Complaints, and reliance by third parties on information the Council has told them not to rely on.	Now 6 Published 9 Residual 6	Validate the dataset before publication. Agree a refresh frequency and a named officer responsible for it. Publish the date the dataset was last updated, and a statement that the register is not a determination of whether a property is a licensable house in multiple occupation.

What the assessment shows

5.16 For tenants and occupiers every risk increases on publication, and none decreases. T1 and T2 carry an impact rating of 5 because each includes a risk to life, and T2 is the one least capable of being remedied afterwards, because a person who has been found cannot be un-found. T7 scores as highly as T1 on publication and is the risk most easily overlooked, because it is not about the data at all. The addresses were published before and attracted little notice. Presenting publication as a new step is what creates the awareness, and awareness is what turns an available dataset into a used one.

5.17 For owners and licence holders the exposure of home addresses at L1 can be removed by redaction under Option B, but the exposure of the properties themselves at L2 cannot, because it attaches to the address. L3 identifies a consequence that runs against the purpose of the register: publication exposes the landlords who have complied and leaves those who have not unidentified.

5.18 For the Council publication increases the data protection, liability, challenge, tension and insurance risks. It reduces the transparency criticism at C6 and the request handling burden at C7. Those two are the only risks in the whole assessment that publication improves, and both are risks to the Council's standing and workload rather than to any person's safety. The decision maker should be told that plainly, because the case for publication rests substantially on them.

5.19 A number of the risks that publication increases are risks of crime and disorder in the borough: T1 to T4 for occupants, L1 and L2 for owners and licence holders, and C4 for the Council, with T7 acting as a multiplier on T1 to T4. These are the matters to which section 17 of the Crime and Disorder Act 1998 requires the Council to have due regard, and which it must do all that it reasonably can to prevent, as set out at paragraphs 3.12 to 3.14. Even if publication proceeds on the basis recommended at section 8, T1, T4 and T7 remain in the high band, and the decision report should explain how that has been weighed in discharging the duty.

6. Advice and assessment required before a decision

6.1 The following must be obtained and placed before the decision maker. A decision taken without them would be difficult to defend if harm followed.

6.1.1 Written advice from Warwickshire Police on the risk of targeting of licensed properties in the district, including any current intelligence. This is also the principal evidence available to the Council on the likely effect of publication on crime and disorder, for the purposes of the duty at paragraph 3.12.

6.1.3 A completed Data Protection Impact Assessment addressing Options B and C, signed off by the Data Protection Officer. An equality impact assessment should be completed alongside it, for the reasons given at paragraph 3.15

6.1.4 Advice from Legal, and the view of the Monitoring Officer, on the recommendation, the decision route and the adequacy of the reasons recorded.

6.1.5 A request to the Home Office and its accommodation provider for the addresses of dispersed accommodation in the district, so that the Council can

assess whether any of those properties are licensable and whether any specific intelligence attaches to them. The Council does not currently hold this information.

6.1.6 An agreed communications position covering both outcomes.

6.1.7 A designed and agreed exclusion mechanism, so that a property can be withheld from any published dataset where the Council is aware of a protective reason. This must be operating before first publication rather than introduced after an incident.

7. Forward context

7.1 The Private Rented Sector Database created by the Renters' Rights Act 2025 opens for registration on 15 December 2026, with a phased regional rollout beginning with the West Midlands. The first stage provides access to landlords and local authorities. Wider public access and data sharing follow at a later stage. The Council's own register will therefore become progressively less significant as a source of this information, although not immediately as a public source.

7.2 Local government reorganisation in Warwickshire is paused. On 7 September 2026 the Secretary of State for Housing, Communities and Local Government made a statement to Parliament announcing a review of the reorganisation programme following updated legal advice. The decisions taken in the four Devolution Priority Programme areas were withdrawn, and the fourteen other areas, of which Warwickshire is one, were paused pending a rapid review by the Minister for Local Government, Devolution and Regional Growth. The July 2026 decision, under which the six Warwickshire councils would have been replaced by two unitary authorities with this Council forming part of a northern authority alongside North Warwickshire and Rugby, is therefore no longer a settled basis for planning.

7.3 Two consequences follow for this decision. The first is that this Council and its present functions continue for a period that cannot presently be dated. Elections in May 2027 will be held on existing council boundaries, and the shadow authority elections that were to precede reorganisation will not take place. The Secretary of State also stopped short of ruling out the retention of two-tier arrangements when asked directly. The Council should therefore proceed on the basis that it will own the register, any published dataset, the exclusion mechanism and the refresh process for a longer and currently indeterminate period, rather than until April 2028.

7.4 The second is that this removes the argument, available a week ago, that a publication route need not be built properly because it would shortly pass to a successor authority. It also removes the argument that the matter should be left to a successor authority to decide. The Council must decide it and must resource whatever it decides. If publication proceeds, the controls at T2, C7 and C8, being the exclusion mechanism, the request handling process and the named officer responsible for accuracy, have to be sustainable arrangements rather than transitional ones.

7.5 The Private Rented Sector Database remains the nearer and more certain change of the two, and it is unaffected by the pause. A decision on the register need not await the outcome of the reorganisation review, which one member has been given to understand may conclude within weeks, but neither should it be justified by reference

to reorganisation in either direction. [Placeholder: update this section once the outcome of the rapid review is known.]

7.6 Taken together, these factors support a decision that is recorded as capable of review, with a stated review point, rather than one framed as permanent.

8. Recommendation

8.1 That the register is not published online until the advice and assessment listed at section 6 have been obtained and considered.

8.2 That, once that material is available, a decision report is prepared setting out the three options, the advice received and this assessment, for determination through the route identified at section 9.

8.3 That, if the advice received does not support continued withholding, Option B is adopted as the minimum position, publishing the property address, licence reference number, permitted number of households and persons and the licence dates, and withholding licence holder and manager names and addresses, and that publication does not proceed until the exclusion mechanism described at T2 is in place and operating.

8.4 That any decision to publish includes a stated review point, a named officer responsible for the accuracy of the dataset, and an agreed protocol for immediate removal of the dataset in the event of an incident.

8.5 That the decision report states expressly the limitation identified at paragraph 3.10, so that the decision maker is not invited to treat non-publication as a complete mitigation.

8.6 That the decision report states expressly the position at paragraph 2.6, namely that publication would not provide transparency about dispersed asylum accommodation, because those properties do not appear on the register and the Council is not provided with their addresses.

8.7 That the exclusion exercise described at T2 is carried out now and not held as a condition of publication, since any property requiring exclusion may already have been published during the earlier period, and that Legal advice is taken on whether any entry identified can lawfully be withheld from inspection or from a copy supplied on request.

8.8 That the decision report addresses expressly, under their own headings, the duty at section 17 of the Crime and Disorder Act 1998 and the public sector equality duty at section 149 of the Equality Act 2010, as described at paragraphs 3.12 to 3.15, setting out the likely effect of each option on crime and disorder in the borough and the steps the Council will take to prevent it.

9. Decision route

9.1 This is an executive function, and the Constitution is explicit about where it sits. Article 8.1 provides that, with the exception of licensing and gambling policy under the Licensing Act 2003 and the Gambling Act 2005, all other licensing policy is an executive function discharged by Cabinet. Publication of the register maintained

under Part 2 of the Housing Act 2004 falls within that description. It is not a matter for the Licensing Committee or any other regulatory committee.

9.2 This now sits within Culture and Environment. Article 7.1 also provides that the Leader has power to take any executive decision of the Council, including decisions that could be taken by a portfolio holder, so the Leader could lawfully take this decision personally.

9.3 This is a key decision. Article 12.3 defines a key decision as one taken in the exercise of an executive function which either is likely to result in the Council incurring expenditure or making savings of one hundred and twenty-five thousand pounds or more, or is likely to be significant in terms of its effect on communities in any Borough Ward. The second limb is met. The Council's threshold is expressed by reference to any single ward, which is a lower threshold than the two or more wards formulation used by many authorities, and licensed properties are distributed across the Borough.

9.4 A key decision may only be taken in accordance with the Cabinet Procedure Rules at Part 4D and the Access to Information Procedure Rules at Part 4B. It must be entered on the Forward Plan and the required period of public notice given before the decision is taken. That has a practical consequence: the decision cannot be taken quickly, and the Forward Plan entry will itself make the proposal public before any decision is made.

9.5 An Individual Cabinet Member Decision under the protocol at Part 5H is available, and the Leader could take the decision under Article 7.1. Cabinet is nonetheless recommended, for three reasons. Article 8.1 identifies Cabinet as the body that discharges licensing policy. The proposal is contested, and a collective decision taken on a published report with recorded reasons affords the decision maker the protection described at C2. And the officer advice, the Police advice and the impact assessment would be before Cabinet as appendices, which is what Article 12.2 requires.

9.6 Article 12.2 sets out the Council's own principles of decision making: proportionality, due consultation and the taking of professional advice from officers, respect for human rights, a presumption in favour of openness, clarity of aims and desired outcomes, options offered for consideration explained, and reasons recorded. Two of those bear directly on this decision and pull in opposite directions. The presumption in favour of openness supports publication. The requirement to respect human rights, taken with the assessment at T1, T2 and T4, does not. The decision report should address both expressly rather than resting on the presumption of openness alone.

9.7 Although officer delegations exist for private sector housing functions, this should not be taken under officer delegation, given the level of public and member interest, the human rights dimension and the need for recorded reasons.

9.8 A Cabinet or individual Cabinet Member decision is subject to call in by the relevant Overview and Scrutiny Panel. Private sector housing sits within the remit of the Communities, Corporate Resources and Housing Overview and Scrutiny Panel. The decision should not be implemented until the call-in period has expired, and the publication itself should not go live before then.

9.9 Article 11.3 requires the Monitoring Officer, who at this Council is the Assistant Director Democracy and Governance, to report to Cabinet if a proposal, decision or omission would give rise to unlawfulness, and such a report has the effect of stopping

the proposal or decision being implemented until it has been considered. Given the data protection and human rights issues identified at section 3, the Monitoring Officer should be consulted on the draft decision report rather than only on the final version.

9.10 If publication required expenditure not provided for in the budget, Article 4.3(c) would require the matter to be referred to Full Council.

9.11 Whichever route is used, the record must set out the reasons for the decision and the alternative options considered and rejected and must show that regard has been had to the duties described at paragraphs 3.12 to 3.15.

Appendix B - Equality Impact Assessment - Screening

Name of Policy/Procedure/Service	Publication of the register of licences for Houses in Multiple Occupation
Service Unit	Planning, Enforcement and Public Services
Date of Implementation	4th November 2026

Does this policy/procedure/service have any differential impact on the following groups/people? (please tick):

Group	This may have a positive impact	This may have a negative impact	No adverse impact
Age		X	
Disability		X	
Sex		X	
Gender Reassignment			X
Marriage and Civil Partnership			X
Pregnancy and Maternity			X
Race – which includes ethnic or national origins, colour, caste or nationality		X	
Religion or Belief – this also includes no religion/belief			X
Sexual Orientation (Including LGBT)			X
impact on Serving and/or Ex Serving Armed Forces Personnel and their families			X

Please tick if you believe that this document:

Should proceed to a Full Impact Assessment	□	Red
Needs some minor changes, but does not need a Full Impact Assessment	□	Amber
Needs no further action	X	Green

Comments:

Before a decision is reached as to whether the register of licences for Houses in Multiple Occupation (HMO) is published, Cabinet must take into considerations its obligations under the Public Sector Equality Duty (as set out in the report).

The characteristics highlighted by this assessment that may be negatively impacted should option B or C be selected by Cabinet include race, age, disability and sex. Each person who posses one or more of the characteristics (who own, operate or reside in a HMO) could be made more vulnerable & at risk of harm should the details of the property be published online.

Adverse impact could also be caused if someone is fleeing anti-social behaviour, domestic violence, stalking etc and possess one or more of the characteristics above.

No further equality action is required at this stage, as the report outlines the equality and other factors Cabinet must consider.

Signed	
Officer completing assessment	Craig Dicken
Date	26th October 2026

Appendix C

HMO Register Publication Review

Data Protection Impact Assessment

Purpose

The Council is required under the Housing Act 2004 to maintain a register of licensed Houses of Multiple Occupation (HMOs) and make that register available for public inspection. Cabinet is considering whether the current arrangements should remain unchanged or whether some form of online publication should be introduced.

Whilst there is a statutory requirement to make the register available for inspection, there is no requirement that the full register must be published online. Any decision to publish information on the Council's website should therefore be assessed against the UK GDPR principles of lawfulness, necessity, proportionality, data minimisation and data protection by design.

The key consideration is whether publication of property-level information online is necessary to achieve the Council's transparency objectives, particularly where less intrusive alternatives may be available.

Options Considered

Option A - Status Quo

Maintain the current arrangements whereby the register is available upon request in accordance with Section 232 of the Housing Act 2004.

Benefits

- Lowest privacy and safeguarding risk.
- Prevents large-scale aggregation and mapping of HMO locations.
- Fully compliant with statutory inspection requirements.
- Information disclosed in a controlled manner.

Considerations

- Lowest level of proactive transparency.
- Information is less readily accessible to residents.

Option B - Reduced Dataset Publication

Publish a limited dataset online including:

- Licence reference number.
- Postcode sector only (e.g. CVXX XXX).
- Ward.
- Licence status.
- Licence issue and expiry dates.
- Permitted occupancy levels.

Exclude:

- Full property addresses.
- Licence holder names.
- Manager names.
- Correspondence addresses.

Benefits

- Increased transparency regarding HMO licensing activity.
- Supports public awareness and accountability.
- Reduces the risk of individual properties being identified and mapped.
- More closely aligns with the principles of data minimisation and privacy by design.

Considerations

- Does not provide information about specific properties.
- Some location-based analysis may still be possible at postcode-sector level.

Option C - Full Online Register

Publish the complete register online without redaction.

Benefits

- Highest level of transparency.
- Immediate public access to the full register.

Considerations

- Enables identification and mapping of licensed HMO properties.
- Information could be harvested, aggregated and republished by third parties.
- Potential for individual properties to become the focus of complaints, protests or unwanted attention.
- Increased safeguarding, privacy and reputational risks.
- More difficult to demonstrate compliance with the principles of necessity and proportionality where less intrusive alternatives exist.

Risk Assessment Summary

Risk Area	Option A	Option B	Option C
Privacy Risk	Low	Low-Medium	High
Safeguarding Risk	Low	Low	High
Data Aggregation / Mapping	Very Low	Low	Very High
Community Cohesion Risk	Low	Low-Medium	High
Reputational Risk	Low	Low	High
GDPR Compliance Risk	Low	Low	Medium-High
Overall Risk Rating	Low	Low-Medium	Very High

Key Data Protection Considerations

As part of the assessment, consideration has been given to:

- The purpose and intended benefits of online publication.

- Whether those benefits can be achieved through less intrusive means.
- The impact upon landlords, managing agents and occupiers.
- The ability for information to be aggregated, mapped and shared.
- Potential secondary use by social media platforms and third-party websites.
- Safeguarding implications for vulnerable residents.
- Equality and community cohesion considerations.
- The Council's obligations under UK GDPR and the Housing Act 2004.

Consideration should also be given to local circumstances and known sensitivities surrounding housing provision within communities. Whilst HMO licensing information is not special category data, wider publication of property-level information may increase the likelihood of properties being identified, mapped, shared and discussed beyond the Council's control.

Publication on the internet differs significantly from making information available through a controlled inspection process, as information may be copied, retained, redistributed and republished indefinitely.

Residual Risk Position

Option	Residual Risk Assessment
Option A	Within normal organisational risk tolerance.
Option B	Risks can be mitigated through routine governance controls and periodic review.
Option C	Significantly higher residual risks arising from unrestricted online publication and subsequent use of information by third parties.

Conclusion

All three options can support compliance with the Housing Act 2004, but they present different levels of transparency, accessibility, privacy risk and potential impact on affected individuals.

The decision requires a balance to be struck between the benefits of increased transparency and accessibility, and the identified privacy, safeguarding, community cohesion and reputational risks associated with each approach.

This DPIA is intended to ensure that Members are fully informed of those risks and considerations when determining the most appropriate approach to publication of the HMO register.