

**REDECLARATION OF CATHAYS ADDITIONAL LICENSING
SCHEME**

DIRECTOR CITY OPERATIONS

AGENDA ITEM: 12

**PORTFOLIO: SAFETY, SKILLS & ENGAGEMENT (COUNCILLOR DAN
DE'ATH)**

Reason for this Report

1. To report on the results of the consultation exercise approved by Cabinet on the 17 July 2014, and detail the case for the re-declaration of an Additional Licensing Scheme in the Cathays Community Ward of Cardiff in relation to houses in multiple occupation (HMOs) in the private rented sector.
2. To make Cabinet aware of the improvements achieved during the term of the existing Cathays Additional HMO Licensing Scheme.

Background

3. Cardiff Council has a duty to enforce Part 2 of the Housing Act 2004 which regulates standards in private sector rented accommodation and has, since its implementation in 2006 undertaken a Mandatory Licensing Scheme for all HMOs across the City, and since 2010 operated an Additional Licensing Scheme in the Cathays ward. The Cathays Scheme extended the scope of the legislation to cover a wider range of property types.
4. The Cathays Additional Licensing Scheme was introduced in 2010 to provide extra powers to the Council to deliver better and more effective improvements to property standards in privately rented properties. The Scheme extended the scope of licensing to cover most rented property with 3 or more occupiers who form 2 or more households.
5. The introduction of the Scheme resulted from a motion put to Council on 20 November 2008 highlighting the impact of high student populations in certain areas of the City. The motion culminated in a Task and Finish Group consisting of officers and Members who established that an Additional Licensing Scheme could provide part of an effective solution and that Cathays would most benefit from its introduction.

6. A thorough appraisal and consultation exercise was undertaken and the Cathays Community Ward was declared an Additional Licensing Area at the Council's Executive Business Meeting on 4 March 2010. The Scheme became effective on 1 July 2010 to operate for 5 years.
7. Upon expiry of the 5 year term of the Scheme, Council can re-declare the Cathays areas as an Additional Licensing area provided that it is satisfied that specific criteria are met.
8. On 17 July 2014, Cabinet approved a consultation exercise with tenants, residents, local businesses, landlords and agents on the current Scheme.
9. On 1 April 2015 an evaluation exercise was undertaken on the effectiveness of the scheme since its implementation in 2010.

Legislative Context

10. The Housing Act 2004 radically overhauled the way local authorities regulate standards in private rented housing. From 30 June 2006, the Act introduced a number of new provisions:-
 - The Housing Health and Safety Rating System (HHSRS) is a comprehensive risk assessment regime allowing Councils to take action in relation to 29 potential hazards.
 - Mandatory licensing which requires the Council to operate a licensing scheme for Houses in Multiple Occupation (HMOs). This scheme applies to only HMOs with five (or more) people in properties with three (or more) storeys.
 - The Act allows the Council to introduce further licensing schemes of private rented properties to meet the needs in their locality.
11. Licence conditions are used to control the ongoing maintenance and management of HMOs and are granted when the Council is satisfied that:
 - The property is suitable (or can be made suitable) for the maximum number of occupants;
 - The licence holder is a fit and proper person, and
 - There are suitable management arrangements in place
12. Mandatory licensing cannot deal with all the problems highlighted in the private rented sector because it applies to only a small proportion of the stock and makes little visible impact in an area.

Council Powers to Introduce Additional Licensing

13. Under the Housing Act 2004, there are two powers available for the Council to extend licensing to other categories of property:-

- Additional licensing powers enable the Council to extend the scope of its HMO licensing to other descriptions of HMO either in all or in part of its district.
 - Selective licensing powers enable the Council to extend licensing to other types of properties other than just HMOs in an area of the City where there may be issues relating to low housing demand or anti-social behaviour.
14. The Welsh Assembly Government issued a General Approval to Local Authorities in April 2007 to implement additional licensing. This means that no additional approval is required from the Welsh Government if the criteria for the general approval are met.
15. Before using these discretionary powers the Council must carry out a thorough appraisal and a consultation exercise with stakeholders and must be satisfied that the following requirements are met:
- **Criteria 1** - Before making a designation the authority must consult persons who are likely to be affected by the designation and consider any representations.
 - **Criteria 2** - The authority must consider that a significant proportion of the HMOs of that description in the area are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public.
 - **Criteria 3** - The authority must have regard to any information regarding the extent to which any codes of practice approved under section 233 have been complied with by persons managing HMOs in the area.
 - **Criteria 4** - The authority must ensure that the exercise of the power is consistent with the authority's overall housing strategy.
 - **Criteria 5** - The authority must seek to adopt a co-ordinated approach in connection with dealing with homelessness, empty properties and anti-social behaviour as regards combining licensing under this part with other courses of action available, and as regards combining such licensing with measures taken by other persons.
 - **Criteria 6** - The authority must not make a particular designation unless they have considered whether there are other courses of action available to them that might provide an effective method of dealing with the problem.
 - **Criteria 7** – The Council must consider that making the designation will significantly assist them in dealing with problems in the area.

The Case for re-declaration of Cathays Scheme

Criteria 1 - Consultation Undertaken

16. A Public Consultation Document (Appendix 1) together with an online questionnaire was sent to approximately 2450 residential addresses and 1200 individual landlords, as well as to 220 lettings agents across the city to ascertain stakeholder views. The questionnaire was also made available in paper format for those that requested it. The consultation ran from 1st to 26th June 2015.
17. Other stakeholders also submitted their views and Appendix 2 lists the comments received.
18. Outcomes of the consultation show that while nearly all tenants received a copy of a tenancy agreement, only 31% of private tenants state that they believe their landlord/agent manages their property well. Responses show that landlords are failing to provide information on how the bond is protected (only 56% tenants received this), a copy of the gas safety and energy performance certificates (both 19%), waste collection data (19%) and general information about responsibilities as a tenant (44%). In terms of the property conditions, over half of the private tenants responding had reported concerns about their home to their landlord with only a quarter of those landlords taking steps to put things right. The highest reported concerns were damp and mould (50%), energy efficiency (44%), general property condition (44%) and storage areas for waste (44%).

The majority (81.3%) of the private tenants who responded to the survey believed the Scheme should be re-declared

19. Landlord and agent responses show that 63.3% of HMOs licensed by respondents were licensed under the Additional Licensing Scheme. The majority (72.9%) had been required to make changes to their property as a result of the Additional Licensing Scheme. The landlords/agents were asked about their experiences of the Additional Licensing Scheme. The responses varied with 36.7% citing negative aspects of the scheme, 28.9% stating positive experiences and 34.4% citing both positive and negative views. Of these 'mixed' views, predominantly respondents felt the Scheme itself and the way it was handled to be positive, with the negative aspects concentrating on the fees levied.

When asked whether the Scheme should be re-declared for a further 5 years, 54.6% of landlords/agents answered 'No', 28.9% answered 'Yes' and 16.5% responded 'Don't know'.

Local Member Consultation

20. Local Members for Cathays strongly support the retention of the Additional Licensing Scheme believing it to have benefits for tenants, responsible landlords and residents and ensuring good standards of housing and quality of life issues for tenants and their neighbours across

the ward. Local Members would like to see the Scheme develop and build on the progress already made, particularly in areas of waste management, anti social behaviour and building regulation and planning issues.

Criteria 2 – HMOs Managed Significantly Ineffectively

21. Cathays is an attractive area of the City for students because of its close proximity to campus and the city centre. The area contains a high proportion of private rented housing (64% of households in Cathays live in privately rented housing -2011 census) and over 64% of Cathays residents are full time students. This high demand for properties allows some landlords and agents to advertise and let poor quality properties in Cathays.
22. The number of households in privately rented accommodation in Cathays has increased from 45.69% to 64.2% between 2001 and 2011 (Census data).
23. When the Cathays Additional Scheme was declared in 2010, the area presented the highest rate of complaints to the Housing Enforcement section about housing standards.
24. During 2014/15 Cathays recorded the second highest number of complaints (142) to the Housing Enforcement Service regarding property condition.
25. Fire safety was a real cause for concern with 58% of HMOs lacking an effective means of escape in case of fire, 13.5% lacking fire alarm systems and 43% relying upon battery type smoke detectors which are known to be unreliable. There were 274 burglaries in 2008/9.
26. The Housing Enforcement Team has therefore been carrying out an inspection under the Housing Health and Safety Rating system in all cases where it has processed a HMO licence in Cathays with a focus on improving fire safety, warmth and security while also enforcing HMO licensing standards in relation to space standards and amenities.
27. A full evaluation of the Cathays Scheme can be found at appendix 3. The document lays out the progress made and the challenges which remain along with the service improvements made during the course of the scheme. While good progress has been made, significant challenges remain and in order to continue this process of improvement, a re-designation for a further 5 years is vital.
28. Housing Enforcement Officers have found a proportion of landlords reticent to respond to the requirements of the scheme. The profile of applications has been slow and the process of chasing applications has been extremely resource intensive. Despite significant publicity surrounding the scheme, complete applications were received as follows:

2010/11	482
2011/12	447
2012/13	315
2013/14	243
2014/15	281

29. During 2013/14 all Housing Enforcement Officers were fully engaged for a number of weeks going door to door in Cathays in order to find unlicensed HMOs. A Licensing Support Officer was employed to chase up applications which proved to be painstakingly difficult work with some landlords reluctant to make applications or making incomplete applications lacking the required certification relating to gas safety, electrical safety, energy efficiency or criminal records disclosure. A licensing Value Stream Analysis in 2013 showed that 60% of applications were incomplete on first receipt which entailed significant officer time in chasing applications. The licensing team has made significant improvements to its processes but still finds that 51% of applications received are incomplete.
30. During the course of the first 3 years of the scheme, over 71% of HMOs inspected were found to be non-compliant with HMO licensing standards. It has been a huge task to identify these necessary improvements and to re-inspect properties to check for compliance. Officers have found some landlords slow to respond to these issues, often despite several revisits or warning letters, and it is only with a second 5 year period that these property improvements will be realised.
31. Whilst positive improvements have been evidenced during the term of the current Scheme, 41% of properties licensed under the Additional Licensing Scheme in Cathays remain in need of improvement.
32. During the term of the Scheme, 787 notices have been served in relation to security issues in licensed properties. An ongoing compliance audit shows that 40% of notices have been complied with by owners, and while the true picture of compliance may be higher there will be an ongoing requirement to revisit properties following re-declaration to ensure that the required works are complete.
33. During the term of the Scheme, 633 notices have been served in relation to excess cold in licensed properties of which 45% are known to have been complied with the remainder subject to further compliance visits upon re-declaration of the scheme.
34. Fire hazards have been identified and improved in 652 properties and 520 properties in relation to amenities
35. Feedback from landlords during the consultation would suggest that the majority of landlords readily comply and that the council should focus its efforts on a small minority of criminal landlords. However, the figures given above present a picture of widespread non-conformity with statutory requirements and a sector which is slow to respond. Given this

level of non-compliance it would be hard to argue that HMOs are being effectively managed in Cathays.

36. Furthermore, Cathays has the highest proportion of noise complaints in the City and this can be attributable to lifestyle issues, such as a high proportion of students, younger people and the density of housing stock, e.g. number of flats, proportion of terraced properties. The playing of amplified music is the major cause of noise complaints in the Cathays area and across the City.

Criteria 3 – Codes of Practice

37. Welsh Government has not approved any codes of practice under section 233 of the Housing Act 2004 relating to the management of HMOs. Welsh Government has approved 3 codes of practice relating to the management of student halls of residence. Halls which comply with one of the codes shall not be defined as Houses in Multiple Occupation and will therefore fall outside of the scope of the scheme.

Criteria 4 - Consistent with Local Housing Strategy

38. Cardiff Council's Local Housing Strategy 2012-2017 sets out the key issues facing housing in Cardiff and outlines opportunities, constraints, problems and priorities for this period. The Additional Licensing Scheme is acknowledged as key to securing improved standards of accommodation, better management of properties and improved safety for occupiers and improvements to the wider community, further strengthening the opportunity for access into the private rented sector for those in housing need.

Criteria 5 - Co-ordinated Approach

39. Cardiff Council has a number of strategies and policies dealing with housing, energy efficiency and sustainability, homelessness, empty properties, waste management, student communities, crime and anti-social behaviour which support and integrate well with the Additional Licensing scheme. Currently the Council has a team focussing on Additional Licensing in Cathays working proactively with the above mentioned partners which have secured positive results for the area.
40. Community Safety, anti-social behaviour, sustainability, energy efficiency and waste management are all priority considerations for the Council. The Licensing process and the Housing Health and Safety Rating System provides the Council with the mechanisms to take action to secure improvements on these issues.
41. Partnership working between HMO Licensing Officers and Police undertaking joint visits to the 'top 5 burgled streets' in Cathays with a view to target harden properties and educate tenants on crime prevention has seen a decrease of 80% of burglaries on targeted streets.

42. The HMO licensing approach in Cathays has complimented the work of Waste Management in tackling waste storage and disposal issues with a requirement on all licence holders to ensure that suitable and sufficient bin storage is in place, that tenants are educated on their waste and recycling responsibilities and by placing an over-arching responsibility on licence holders to manage their HMOs and remove waste where tenants fail to do so. In 2014 Cathays received the third highest level of complaints (859) to the Waste Management Service with Plasnewydd first with 1529 and Grangetown second with 964.

Criteria 6 – Other Courses of Action

43. Cardiff established the voluntary Landlord Accreditation Wales Scheme in 2008 and to date has accredited over 900 landlords with properties in Cardiff, 736 since the Additional Licensing Scheme began. The importance of landlords having a wide and detailed knowledge of the many issues surrounding the letting of residential property was recognised and as such the scheme provides landlords with information and professional development opportunities to allow them to operate a successful business whilst providing their tenants with safe, high quality accommodation, thereby reducing the need for intervention from Local Authorities.
44. The Landlord Accreditation Wales (LAW) Scheme will shortly be replaced by Rent Smart Wales, which will place a statutory duty on private landlords and managing/letting agents to register with the Local Authority in the area where they operate and to become licensed. There will be duty on Authorities to maintain a register and take enforcement action against a non compliant landlord or agent. Landlords will be required to register and successfully complete approved training before they are licensed and will be unable to let property until they, or an agent acting on their behalf is licensed. It is important to note that while the Rent Smart Wales scheme focuses on landlord training and competence, it does not include any form of property inspection or any focus on property standards. It is therefore complimentary to, but not a substitute for, an effective HMO licensing regime.
45. In March 2009, the Council adopted the “Private Sector Housing Enforcement Policy”, which outlines the Council’s obligations to comply with legislation in order to improve housing standards in Cardiff. The Council firmly believes that securing sustained improvements to the private sector stock in Cardiff can only be achieved through a robust partnership approach involving tenants, landlords, local communities, the voluntary and private sectors.
46. The Council has partnership arrangements in place with landlords which have been strengthened over the last few years. The Council has a number of ways in which they educate and work collaboratively with landlords including:-

- The Cardiff Landlord's Forum and ALMA are both supported by the Council but are landlord / agent led organisations providing valuable information to Cardiff landlords.
 - The Council holds Landlords' Open Days; the last event held in 2013 was a national event that attracted over 300 delegates.
 - A Landlords Newsletter is produced on a quarterly basis providing valuable information and knowledge.
47. The 'Cardiff Digs' website was launched in 2008, predominantly targeted at students in their second or third year of study looking for and living in privately rented accommodation. There was a lack of information for those students regarding moving into their new homes and the impacts they have on their communities.
48. Additionally, the Council, working in conjunction with the three Cardiff Universities and Students Unions, have run an annual campaign since 2005 called "Get it Out for Cardiff". This campaign focus' on students to advise them how to donate reusable items, promote recycling, recover reusable items, remove waste and place refuse out for collection on the correct day when moving out of their tenancy. Whilst this annual campaign has been very successful, results of the consultation questionnaire show that 85% of tenants and residents remain concerned about litter, rubbish and waste in the Cathays area throughout the academic year.
49. In addition, the Council's Waste Management Team has resourced an Education and Enforcement Team to work proactively in Cathays as they have been identified as areas requiring additional support. The team identifies problem areas and takes appropriate education and enforcement action. Waste Management organise and support the delivery of the "Get it out for Cardiff" initiative. We will be assessing further opportunities to enhance this focussed approach.

Criteria 7 - Making the Designation will Assist the Local Authority to Deal with the Problems

50. The purpose of introducing an Additional Licensing Scheme is to improve the standard of rented property together with wider community issues such as waste, anti social behaviour, energy efficiency and property security. It is clear from evidence gathered, that the Additional Licensing Scheme has achieved this. In order to build on this success, the re-declaration of the Additional Licensing Scheme in Cathays would have the following benefits:
- **Improvements to Accommodation** will be secured by licensing conditions including means of escape from fire, amenities and space standards and other methods such as the Housing Health and Safety Rating System. It is intended that minimum standards will be applied to secure improvements in relation to excess cold and security.

Current Scheme improvements

- *The Scheme has successfully licensed an additional 1664 properties that would otherwise be exempt. Prior to the Scheme's implementation, only 323 properties were licensed in the area. These additional properties would not previously been subject to any requirements to address standards, but all have been inspected and many are now up to standard or are in the process of becoming up to standard.*
 - *787 notices have been served in relation to security since the Scheme was implemented, 40% of which have been complied.*
 - *633 notices have been served in relation to excess cold since the Scheme was implemented, 44% of which have been complied.*
 - *1921 HHSRS hazards have been removed or improved from properties.*
 - *652 properties have been improved in relation to fire since Scheme began.*
 - *520 properties have been improved in relation to amenities since Scheme began.*
 - *97% of landlords who responded to customer satisfaction surveys agreed that the Licensing Scheme improved standards in the private rented sector.*
- **Improvements to Health & Safety** will be secured by ensuring gas and electrical installations are safe.

Current Scheme Improvements

- *All applications made for a Licence must be accompanied by up to date gas and electrical certificates showing that appliances and electrical installations are in a satisfactory condition.*
- **Sustainable improvements to the Cathays area** will be made through licensing conditions to improve the "street scene" by requiring suitable waste storage facilities.

Current Scheme Improvements

- *Standard licence conditions contain comprehensive requirements regarding the landlord and tenant's responsibility for storing and presenting refuse and recycling waste.*
- *Joint initiatives between the Council and the Students Unions such as "Get it out for Cardiff" and "You're in, now what?" educate students on their responsibilities for storing and presenting waste and encouraging recycling.*
- *The Council's Waste Management Team has a constant presence in the Cathays area and participates in a number of Student campaigns and events to promote responsible presentation of waste. Furthermore, the team undertake enforcement activities to tackle those that don't comply with waste management requirements.*

- **Better value for money secured by a proactive approach in one area** – By making a concerted effort in one area, increasing presence and regularly visiting HMOs, it is likely that a more long term sustained improvement to overall property conditions and neighbourhood environments will occur.

Current Scheme improvements

- *The number of licensable properties in Cathays that require improvement has dropped to 36% compared to 81% at the early stages of the Scheme.*
- *63% of licensed properties are currently up to standard.*
- *The Scheme has secured the licensing of 1664 properties. Prior to the Scheme's implementation this was estimated to be 1400 properties.*
- *During 2008/09, 274 burglaries were recorded in the Cathays Community Ward area, representing 12.09% of all burglaries in Cardiff. During 2014/15 this figure dropped to 98.*
- *Partnership initiatives with Police to target harden properties has led to an 80% diminution in burglaries in streets that previously appeared in the top 5 burgled streets in Cathays.*

- **Consistent approach to Tenancy Management & Property Conditions** for tenants living within the area. Licensed properties will abide by a common set of conditions controlling property maintenance and tenancy management. Examples of matters controlled include, fire safety management, condition and appearance of communal areas, gardens and forecourts, control of rubbish and waste, maintenance of gas and electricity installations and provision of a written tenancy agreement to each tenant

Current Scheme Improvements

- *Each Licence issued contains a set of licence conditions that control property maintenance and tenancy management which landlords must abide by.*

- **Improvements made through Landlord training** – The conditions attached to each licence will require that the licence holder attend appropriate training on the legal requirements relating to private renting and tenancy management, such as the Landlord Accreditation Wales course. This aims to encourage a professional approach by landlords.

Current Scheme Improvements

- *736 landlords have been trained and accredited since the Scheme began through conditions of Licence and incentives offered by the Council as part of the Scheme.*

- **Eradication of bad landlords** – Those landlords who are not “fit and proper”, e.g. with a criminal record or bad housing track record cannot hold a licence.

Current Scheme Improvements

- *It has not been necessary to refuse or revoke any Licences however 13 prosecutions have been carried out on landlords for either failure to license a property or breach of conditions of licence.*
- *Landlord training mentioned above assists in educating landlords and improving standards.*

- **Reducing anti-social behaviour**

Current Scheme Improvements

- *Licence conditions contain requirements for the licence holder to take reasonable steps to control noise and anti social behaviour arising from their property and to co-operate with the Council in order to eradicate such behaviour.*

- **Availability of information**

Current Scheme Improvements

- *The Council maintain a register of licensed properties which is shared with other Council services and members of the public who can check if a property is licensed.*

Cathays Re-designation

51. It is clear from evidence, that the Additional Licensing Scheme has been a valuable tool in applying standards and improvements to a large number of properties in Cathays that otherwise would have been exempt from the licensing regime. In order for this good work to continue, it is proposed that the new Scheme will go live from 1 January 2016. This would allow 3 months (as required in Regulation 9 of the Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (Wales) Regulations 2006 to allow for a marketing strategy to be developed and publicity to be undertaken.
52. Within seven days of the designation the Council would be required to publish the decision on the Council's Internet site, public notice boards and within 2 local newspapers in order to notify all stakeholders.
53. If a further designation of Cathays is made the re-licensing process will be less resource intensive, with all HMOs already inspected, and the scheme therefore charging a reduced licensing fee for landlords.

Reasons for Recommendations

54. The existing Additional Licensing Scheme has provided significant benefits in Cathays by securing improved housing accommodation together with wider community issues such as waste, anti social behaviour, energy efficiency and property security.
55. The re-declaration of Cathays as an Additional Licensing area will enable continued improvements and further benefits to be achieved in the area

ensuring continued regulation of properties that would otherwise be exempt from licensing.

56. Data shows that there remain issues surrounding standards of HMO accommodation in the ward and improvements that have yet to be made.

Financial Implications

57. The work required to operate the Additional Licensing scheme in Cathays will be undertaken by officers employed by the Regional Regulatory Service. The specific costs incurred by the Regional Service in delivering this service will however be earmarked for funding by Cardiff. The expenditure required to administer the proposed re-declaration of the Cathays Ward is expected to be funded from the licence fee income generated over the lifetime of the scheme.

Legal Implications

58. The legal implications appear in paragraphs 10-15 of this Report. A full Equality Impact Assessment has been undertaken (attached at Appendix 4) and has not identified any major differential impacts on the protected characteristics.

Human Resources Implications

59. As part of the Shared Regulatory Service hosted by the Vale of Glamorgan Council, this work has been identified and will be carried out by the appropriate staff. Time spent on these specific duties will be time recorded and the appropriate re-charges made to Cardiff.

RECOMMENDATIONS

The Cabinet is asked to re-declare the Cathays Community Ward as an Additional Licensing area with effect from 1 January 2016 to run for a period of 5 years.

ANDREW GREGORY

Director

11 September 2015

The following appendices are attached:-

Appendix 1 – Public Consultation Document

Appendix 2a - Consultation Report

Appendix 2b – Schedule of Consultation Responses

Appendix 3 – Evaluation of Additional Licensing Scheme 2010-2015

Appendix 4 – Equality Impact Assessment

Appendix 5 – Licensing Standards for HMOs under the Scheme

Public Consultation
On the Proposal to Re-declare Cathays
as an Additional Licensing Area



Public Consultation

On the proposal to Re-declare Cathays as an Additional Licensing Area

The Council is keen to ensure that all tenants in the city live in properties that are well managed, dry, safe, warm and secure. Within the private rented sector, the Council has powers to ensure that shared houses meet certain standards and can make the landlords/agents comply with specific requirements.

The Council has powers to license certain types of properties across the City known as HMOs (Houses in Multiple Occupation) and has used these powers to extend the types of dwellings that can be licensed in the Cathays Ward under an Additional Licensing Scheme. The Scheme runs for a period of 5 years, after which the Council must re-declare the area as an Additional Licensing area. The current Scheme expires in 2015 and the Council are now considering whether to re-declare the area for a further 5 years (See Appendix 1 for the area concerned). In doing so, the Council is asking a variety of people living in the area for their views.

This document explains the Council's intentions with regard to the proposed Scheme, the relevant legislation, the research undertaken to inform the proposals and also how the Scheme has worked in practice and the benefits it can bring.

The Council therefore invites comments in response to this consultation from tenants, residents, local businesses, landlords and agents. Please complete the associated questionnaire on line at:-

<http://www.cardiff.gov.uk/haveyoursay>

Or request a hard copy from Housing Strategy, tel. 029 20537126.

The consultation closes on 26th June 2015.

Date of issue: 29th May 2015

Introduction

Cardiff Council has a duty to enforce Part 2 of the Housing Act 2004 which regulates standards in private sector rented accommodation and has, since its implementation in 2006 undertaken a Mandatory Licensing Scheme for all HMOs across the City, and since 2010 operated an Additional Licensing Scheme in the Cathays ward. The Cathays Scheme extended the scope of the legislation to cover a wider range of property types.

Physical and management standards in HMOs can often be low and the aim of the licensing regime is to ensure that the poorest and highest risk properties in the private rental market meet the legal standards and are properly managed to provide greater protection to the health, safety and welfare of the occupants of this type of property.

The Council acknowledges the contribution that the private rented sector makes to the authority's housing stock and recognises that most landlords want to co-operate with the Council and that many properties are well managed and in a satisfactory condition. However, some landlords are unaware of standards required and tenants live in unsafe accommodation. The Council's licensing powers provide greater protection on issues of health, safety and welfare of the people living in HMOs.

Since the declaration of the 'Additional Houses in Multiple Occupancy Licensing Scheme' in Cathays in 2010, the Scheme has been successful in capturing an additional 1664 properties that otherwise would not have been licensed and inspected. Furthermore a large number of these properties have been improved and brought up to standard. The current Scheme will expire in 2015 and the Council is considering the re-declaration of the Cathays Scheme for a further 5 years.

Legislation

The Housing Act 2004 changed and improved the way in which Houses in Multiple Occupation (HMOs) are regulated. It came into force on 30 June 2006 and introduced a Mandatory Licensing Scheme for certain Houses in Multiple Occupation.

The definition of a HMO is technically complex and varies between those licensable under the Mandatory Scheme and those licensable under the Additional Licensing Scheme in Cathays. In basic terms however, the following definition applies:-

A **Mandatory HMO Licence** applies to houses in multiple occupation that have 3 storeys or more and 5 or more occupants who do not form a single household.

This applies across the whole of Cardiff and can include shared houses and houses split into bedsits, or a mixture of flats and bedsits.

Mandatory licensing requires that these larger HMOs must be licensed with the aim of ensuring that they have the amenities and facilities for the number of occupants and to ensure they are well managed by "fit and proper persons". A licence specifies the maximum

number of people who can live in the HMO and includes specific standard conditions which apply to every licence including fire safety, space standards and amenities.

The aim of the legislation is to improve management, amenity, safety standards and tackle anti social behaviour improving living standards and communities and gives local authorities discretionary powers to extend the scope of HMO Licensing by way of implementing an Additional Licensing Scheme to meet the needs of their locality if there is considered a need. Recognising that certain areas of the City were not adequately protected by the Mandatory licensing regime and were displaying a range of common problems, the Council used these additional powers to extend the licensing regime to other categories of property in the Cathays area.

An **Additional Licensing Scheme HMO** extends the scope of licensing to cover most rented property with 3 or more occupiers who form 2 or more households regardless of how many storeys the property has. Each Scheme runs for a period of 5 years, at the end of which, the Council are required to re-declare the Additional Licensing Scheme.

This currently applies to the [Cathays area](#) and [Plasnewydd Area](#) and can include shared houses and houses split into bedsits, or a mixture of flats and bedsits.

Additional Licensing does not apply to or affect properties that are licensable under the Mandatory Licensing Scheme above and does not include owner occupiers with up to 2 tenants living in their property

The following property types are classed as HMOs under the Additional Licensing Scheme.

- An entire house or flat which is let to 3 or more tenants who form 2 or more households and who share a kitchen, bathroom or toilet.
- A house which has been converted entirely into bedsits or other non self-contained accommodation and which is let to 3 or more tenants who form two or more households and who share kitchen, bathroom or toilet facilities.
- A converted house which contains one or more flats which are not entirely self contained (ie the flat does not contain within it a kitchen, bathroom and toilet) and which is occupied by 3 or more tenants who form two or more households.
- A building which is converted entirely into self-contained flats if the conversion did not meet the standards of the 1991 Building Regulations and more than one-third of the flats are let on short-term tenancies.
- In order to be an HMO the property must be used as the only or main residence of the tenants and it should be used solely or mainly to house tenants. Properties let to students and migrant workers will be treated as their only or main residence and the same will apply to properties which are used as domestic refuges

The Council has the right to obtain information to identify and target any HMOs that pose the greatest risk to safety. The Housing Health and Safety Rating System (HHSRS) enables the local authority to take action to reduce the likelihood of death and serious injury from fire and other hazards within the private rented sector.

How Additional Licensing Works

Anyone who owns or manages a HMO that falls within the Additional Licensing Scheme needs to apply to the Council for a Licence. The Council must give a licence if it is satisfied that:-

- The HMO is reasonably suitable for occupation by the number of people allowed under the proposed licence.
- The proposed licence holder is a “fit and proper” person
- The proposed licence holder is the most appropriate person(s) to hold the Licence.
- The proposed manager, if not the licence holder is a “fit and proper” person.
- The proposed management arrangements are satisfactory.
- The person involved in the management of the HMO is competent.
- The appropriate licensing fee is paid.

The Council can refuse to issue a Licence if the above requirements are not met. Landlords can appeal against decisions by the Council to refuse a licence, to attach conditions to a licence, to revoke a licence or to vary a licence. Appeals will be heard by the Residential Property Tribunal, and must be lodged within 28 days of the Council’s decision.

Fees

The Council currently charges each landlord a licensing fee in the region of £560-£770 per property for a licence which is valid for a period of 5 years. This is to cover the cost of administration, issuing of licences, accompanying documents, inspections, enforcement and monitoring of properties.

Benefits of Additional Licensing in the Cathays Ward

The “Additional Houses in Multiple Occupancy Licensing Scheme” was introduced in Cathays in July 2010 and expires in 2015.

The purpose of the Additional Licensing Scheme is to improve the standard of rented property within the Cathays Area whilst also aiming to tackle wider community issues such as waste, anti social behaviour, energy efficiency and property security by implementing licence conditions for each property and using the Housing Health and Safety Rating System. When introduced it was anticipated that the following benefits would be secured for tenants, the Cathays area in general and other Council services. An evaluation of the Additional Licensing Scheme undertaken in April 2015 has provided evidence that this has been achieved.

- **Improvements to accommodation** by licensing conditions including means of escape from fire, amenities and space standards and by using other methods such as the Housing Health and Safety Rating System to secure improvements in relation to excess cold and security.
- **Improvements to health and safety** by ensuring gas and electrical installations are safe;
- **Sustainable improvements to the Cathays area** through licensing conditions to improve the “street scene” by requiring suitable waste storage facilities;
- **Better value for money secured by a proactive approach in one area.** By making a concerted effort in one area, increasing presence and regularly visiting HMOs, more long term sustained improvement to overall property conditions will occur;
- **Consistent approach to Tenancy Management and Property Conditions** for tenants living within the area. Licensed properties will abide by a common set of conditions controlling property maintenance and tenancy management including:-
 - Fire safety management;
 - Condition and appearance of communal areas, gardens and forecourts;
 - Control of rubbish and waste;
 - Maintenance of gas and electricity installations;
 - Provision of a written tenancy agreement to each tenant.
 -
- **Improvements made through landlord training** – The conditions attached to each licence require that the licence holder attend appropriate training on the legal requirements relating to private renting and tenancy management such as the Landlord Accreditation Wales Course.
- **Eradication of bad landlords** – Those landlords who are not “fit and proper”, e.g. with a criminal record or bad housing track record cannot hold a licence.
- **Reducing anti-social behaviour** by making landlords more accountable for the behaviour of their tenants and tackle anti social behaviour;
- **Availability of information** – Licensing allows the Council to maintain a public register of licensed landlords allowing the Council to share information with other Council services. E.g. waste management with the resulting efficiency in services and enforcement activity. Also members of the public will have access to the information.

Evaluation and research findings for the Cathays Ward

- The number of households in privately rented accommodation in Cathays has increased from 45.69% to 64.2% between 2001 and 2011 (Census data).

- Prior to the Scheme being introduced Cathays had the highest rate of Housing Enforcement complaints in the City representing just under 15% of complaints across the whole City. During the term of the Scheme this has reduced to just under 13% and represents the second highest number of complaints for an area. Plasnewydd being the highest.
- Cathays has the highest proportion of noise complaints in the City and this can be attributable to lifestyle issues, such as a high proportion of students, younger people and the density of housing stock, e.g. number of flats, proportion of terraced properties. The playing of amplified music is the major cause of noise complaints in the Cathays area and across the City.

What the Scheme has achieved:-

Improvements to accommodation

- The Scheme has successfully licensed an additional 1664 properties that would otherwise be exempt. Prior to the Scheme's implementation, only 323 properties were licensed in the area. These additional properties would not previously been subject to any requirements to address standards, but all have been inspected and many are now up to standard or are in the process of becoming up to standard.
- 787 notices have been served in relation to security since the Scheme was implemented, 40% of which have been complied.
- 633 notices have been served in relation to excess cold since the Scheme was implemented, 44% of which have been complied.
- 1921 HHSRS hazards have been removed or improved from properties.
- 544 properties have been improved in relation to fire since Scheme began.
- 432 properties have been improved in relation to amenities since Scheme began.
- 97% of landlords who responded to survey agreed that the Licensing Scheme improved standards in the private rented sector.

Improvements to health and safety

- All applications made for a Licence must be accompanied by up to date gas and electrical certificates showing that appliances and electrical installations are in a satisfactory condition.

Sustainable improvements to the Cathays area

- Standard licence conditions contain comprehensive requirements regarding the landlord and tenant's responsibility for storing and presenting refuse and recycling waste.
- Joint initiatives between the Council and the Students Unions such as "Get it out for Cardiff" and "You're in, now what?" educate students on their responsibilities for storing and presenting waste and encouraging recycling.
- The Council's Waste Management Team has a constant presence in the Cathays area and participate in a number of Student campaigns and events to promote

responsible presentation of waste. Furthermore, the team undertake enforcement activities to tackle those that don't comply with waste management requirements.

Better value for money secured by a proactive approach in one area

- The number of licensable properties in Cathays that require improvement has dropped to 36% compared to 81% at the early stages of the Scheme.
- 63% of licensed properties are currently up to standard.
- The Scheme has secured the licensing of 1664 properties. Prior to the Scheme's implementation this was estimated to be 1400 properties.
- During 2008/09, 274 burglaries were recorded in the Cathays Community Ward area, representing 12.09% of all burglaries in Cardiff. During 2014/15 this figure dropped to 98.
- Partnership initiatives with Police to target harden properties has led to an 80% diminution in burglaries in streets that previously appeared in the top 5 burgled streets in Cathays.

Consistent approach to Tenancy Management and Property Conditions

- Each Licence issued contains a set of licence conditions that control property maintenance and tenancy management which landlords must abide by.

Improvements made through landlord training

- 736 landlords have been trained and accredited since the Scheme began through conditions of Licence and incentives offered by the Council as part of the Scheme.

Eradication of bad landlords

- Although no licences have been refused or revoked, 13 prosecutions have been carried out on landlords for either failure to license a property or breach of conditions of licence.
- Landlord training mentioned above assists in educating landlords and improving standards.

Reducing anti-social behaviour

- Licence conditions contain requirements for the licence holder to take reasonable steps to control noise and anti social behaviour arising from their property and to co-operate with the Council in order to eradicate such behaviour.

Availability of information

- The Council maintain a register of licensed properties which is shared with other Council services and members of the public who can check if a property is licensed.

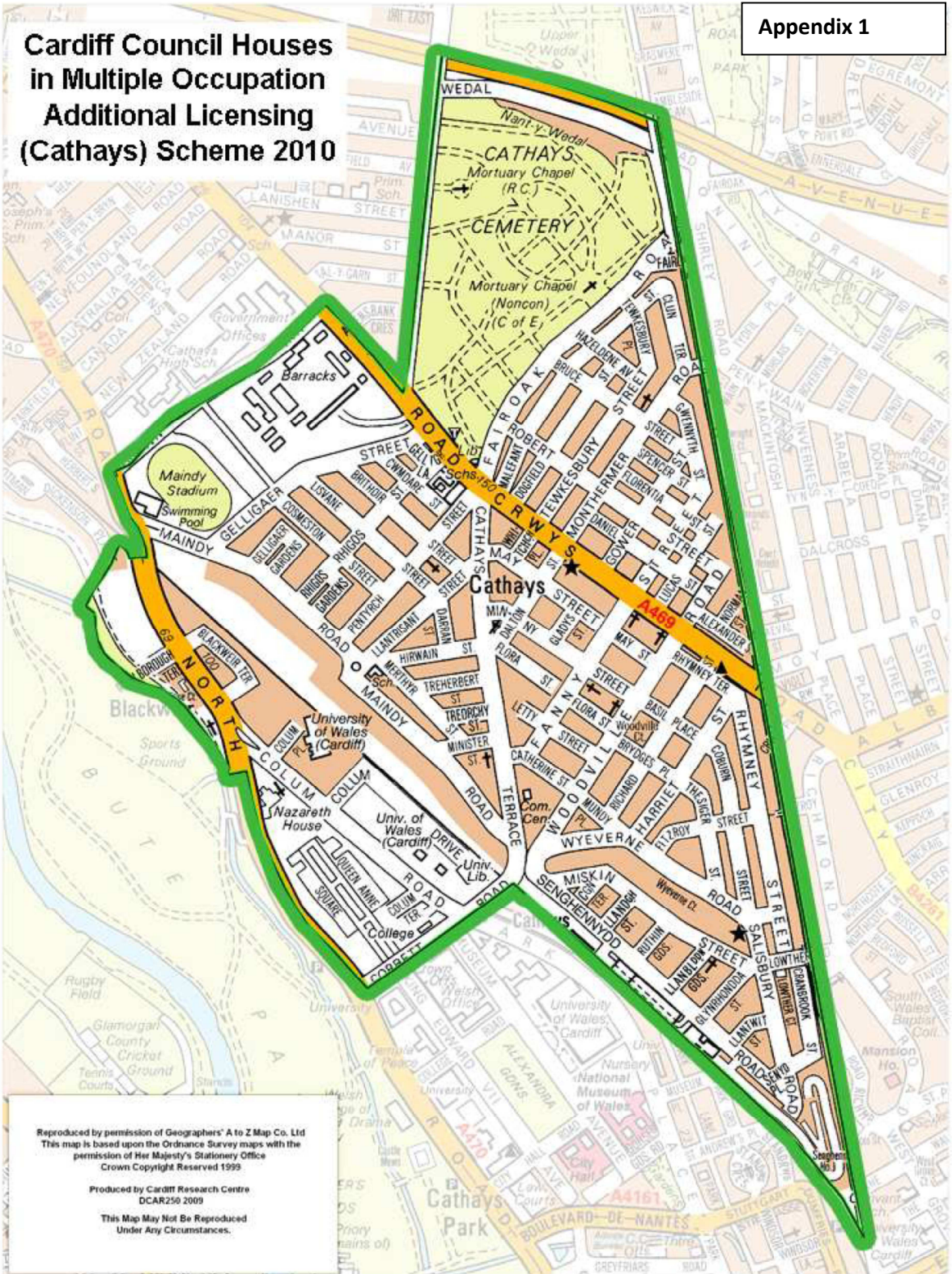
Summary

The Council would like to re-declare the Additional Licensing Scheme in Cathays for a further 5 years in order to build upon the positive improvements already achieved and further improve and maintain the quality of smaller HMOs and safety and security of tenants.

Specifically this will:-

- Continue to ensure that effective management arrangements are in place
- Further reduce the risk of fire and excess cold and other hazards in shared HMOs and poorly converted self contained flats by enforcing licence conditions against those landlords who are yet to comply with those requirements.
- Continue and further strengthen the partnership with South Wales Police which is effectively driving down burglary rates in Cathays.
- Further develop joint working arrangements with Waste Management and Pest Control for the improvement of hygiene and street scene in targeted streets.
- Improve the standard of HMOs relating to amenities, repair and security.
- Support inexperienced landlords and make all landlords/property owners more accountable.
- Create a fairer and more equitable situation where landlords of all HMOs invest in better standards.
- Improve the quality of housing to benefit both tenants and wider community.

Cardiff Council Houses in Multiple Occupation Additional Licensing (Cathays) Scheme 2010



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Produced by Cardiff Research Centre
DCAR250 2009

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Under Any Circumstances.

Is my property a HMO?

It will be a HMO if it is one of the following:	Housing Act 2004 section and schedule numbers
A house or building lived in by people who belong to more than one family* and who share one or more facilities**	S254(2) 'the standard test'
A house in bedsits lived in by people who belong to more than one family* and who share one or more facilities**	S254 (4) 'The converted building test'
An individual flat lived in by people who belong to more than one family* and who share one or more facilities**	S254(3) 'The self contained flat test'
A building of self contained flats that do not meet 1991 Building Regulation standards.	S 257
<p>Exemptions:</p> <ul style="list-style-type: none"> • If it is occupied by only two people. • If it is occupied by the owner (and their family if any) and one or two lodgers. • If it is occupied by a religious community • If the occupiers have their own residences elsewhere*** • If no one in the property is required to pay rent • If the owner or manager is a public body • If the owner or manager is an educational institution • A building of self contained flats if two thirds or more of the flats are owner-occupied • If the property is part of a guesthouse or hostel (unless an 'HMO Declaration' is made). 	<p>Sch 14, 7</p> <p>Sch 14, 6(c) Sch 14, 5 S259 (S) 254(2)(e) Sch 14,2 Sch 14, 4 S257 (2)(b) S254 (2)(d)</p> <p>S255 (1)</p>
<p>* Family – husband, wife, co-habitee, child, stepchild, foster-child, grandchild, parent, stepparent, foster-parent, grandparent, brother, half-brother, sister, half-sister, aunt, uncle, niece, nephew, cousin.</p> <p>** Facilities – basic amenities: wc; wash hand basin, shower, bath, cooking facilities</p> <p>*** Accommodation used by full time students while they are studying is taken to be their main residence.</p>	<p>S258</p> <p>S254 (8) S259(2) (a)</p>
Some of these HMOs will need a Licence – Which ones?	
<p>A HMO must have a licence under the Mandatory Scheme if all of the following apply:</p> <ol style="list-style-type: none"> a. It is an HMO and b. It is three storeys or more (includes basements) and c. It is occupied by five people or more people. <p>Exemptions:</p> <ul style="list-style-type: none"> • If the whole property is in self contained flats (subject to any further regulations). • If the basement is in commercial use and there are only two residential storeys above. <p>A HMO must have a licence under the Additional Licensing Scheme if all of the following apply:</p> <ol style="list-style-type: none"> a. It is an HMO, and b. It is occupied by 3 or more people who form 2 or more households. 	<p>Regulations made under s55</p>

**CATHAYS ADDITIONAL LICENSING
CONSULTATION REPORT
July 2015**

1. Methodology

1.1 Cardiff Council is keen to ensure that all tenants in the city live in properties that are well managed, dry, safe, warm and secure. Within the private rented sector, the Council has powers to ensure that shared houses meet certain standards and that landlords/agents comply with specific requirements.

1.2 The Council has powers to license certain types of properties known as HMOs (Houses in Multiple Occupation) and has used these powers to extend the types of dwellings that can be licensed in the Cathays Ward under an Additional Licensing Scheme. The current Scheme expires in 2015 and the Council is considering whether to re-declare the area for a further 5 years.

1.3 As part of a public consultation on the proposal, surveys were developed to gather the views of landlords and letting agents, tenants renting from a private landlord and other residents including home owners living in Cathays.

1.4 The surveys were made available online via the Ask Cardiff website in English and Welsh, with paper copies available on request. Letters and/or emails were sent to 1,430 landlords and letting agents and 2,450 tenants and residents living in Cathays inviting them to complete the surveys. A total of 143 responses were received – 97 from landlords/agents, 16 from private tenants and 30 from other residents.

1.5 Written submissions on the proposal were also received from landlord and letting agent representative bodies and other stakeholders. These submissions are considered within a separate Schedule of Consultation Responses and are not included within the scope of this report.

2. Landlord and Letting Agent Findings

2.1 A total of 97 landlords/agents responded to the survey who between them owned/managed 523 HMOs in Cathays. 63.3% of these HMOs have been licensed through the Additional Licensing Scheme, with 36.7% unlicensed.

2.2 Landlords/agents were asked if they have had to make changes to their HMOs to meet Licensing conditions. 96 responded to this question, with the majority (72.9%) having been required to make changes. These included additional capacity of kitchen/bathroom fittings; door and window locks; fire doors/closers; boxing in meters/consumer units and fire alarm systems.

2.3 The landlords/agents were asked about their experiences of the Additional Licensing Scheme. 90 responded to this question. The responses varied with 36.7% citing negative aspects of the scheme, 28.9% stating positive experiences and 34.4% citing both positive and negative views. Of these 'mixed' views, predominantly respondents felt the Scheme itself and the way it was handled to be positive, with the negative aspects concentrating on the fees levied.

2.4 When asked if they thought the scheme had been beneficial, 34.0% of landlords/agents answered 'yes', 42.3% answered 'No', and 23.7% responded 'Don't

know'. Reasons for answering 'Yes' included "improving standards of rented accommodation; protecting the safety of tenants; identifying and regulating 'rogue' landlords; providing access to professional advice and expertise." Reasons for answering 'No' included "costs to landlords outweigh any benefits to tenants; the Scheme is targeted at the wrong landlords; should apply to all rented accommodation across the city; Council not tough enough on bad landlords".

2.5 When asked whether the Scheme should be re-declared for a further 5 years, 54.6% of landlords/agents answered 'No', 28.9% answered 'Yes' and 16.5% responded 'Don't know'.

2.6 Landlords/agents were asked if there were things the Council should do differently if the Scheme was re-declared. 95 responded to the question, with almost two thirds (64.2%) of landlord/agents answering 'Yes', 9.5% answering 'No' and 26.3% 'Don't know'. Suggestions included:

- I think that Council employees should be more approachable and friendly.
- Send out reminders to owners / landlords / agents when the licence is up for renewal.
- Reduce the fee.
- Increase number of tenants criteria to 5 as I would suggest those are your targets.
- Add incentives for landlords who respond quickly and keep property in good repair.
- Dedicated officers to large scale landlords- clearer and more effective communication would be achieved through this.
- Ensure poor landlords are penalised.
- Need to feedback to Landlords.
- Stop expecting landlords to ask tenants to sign the 'Tenant's Undertaking'. Unpleasant anti-social people are unlikely to respect this document. Landlords already have an absurd amount of documentation to deal with for each tenant.
- Stronger focus on tenants and how they live in society. A lot of problems in managing HMO are tenant lifestyle problems.
- Clearer guidelines, slicker processes. Why can't more be done via the web?
- Register managing agents.
- If good standards are maintained, consider reducing/removing re-registration fee.

2.7 Finally, landlords/agents were asked if they had any other comments about the proposal to re-declare Cathays as an Additional Licensing area. The main points raised are summarised below:

- Concentrate on addressing bad/ 'rogue' landlords, using existing powers
- Licensing seen as money making exercise for the Council
- Should be applied to all areas, not just Cathays
- Unnecessary bureaucracy and disproportionate to benefits
- Fees too high, with costs passed on to tenants
- Licensing impacts negatively on the lettings market – bad for business and housing supply
- Scheme overlaps with forthcoming national landlord registration and licensing.

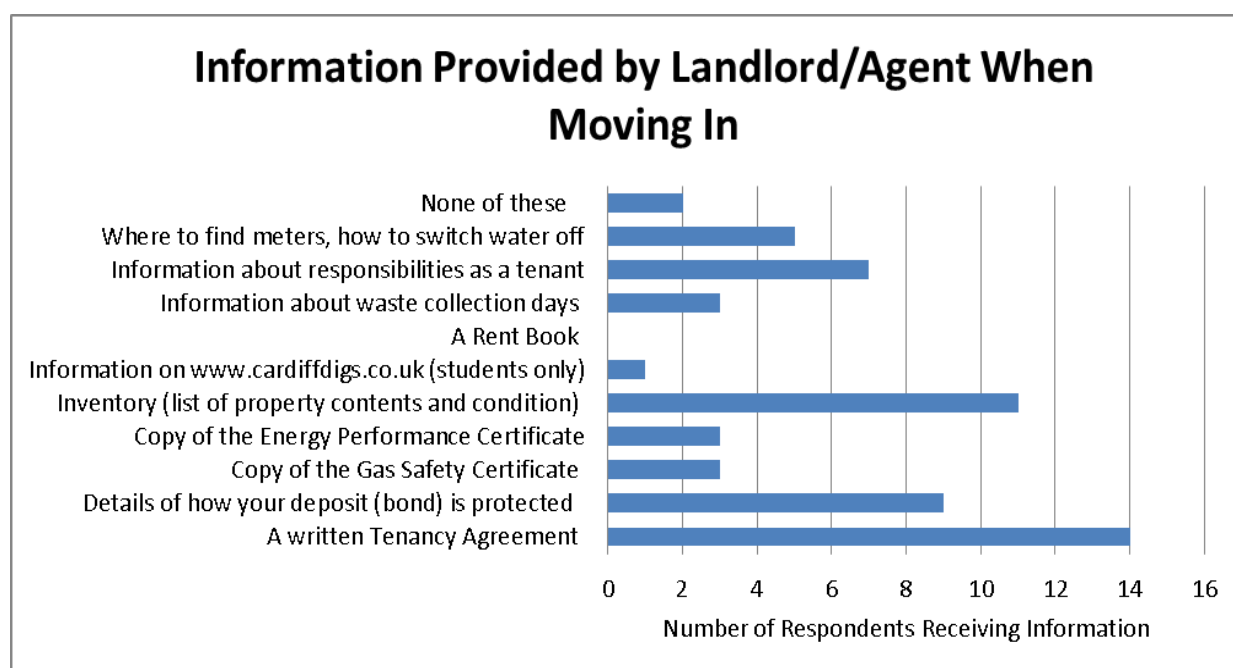
3. Tenants Renting from a Private Landlord Findings

3.1 A total of 16 private tenant surveys were received. 11 lived in shared houses (sharing a bathroom and/or kitchen), 2 lived in a house (one household), 2 lived in a flat/maisonette (one household) and 1 respondent lived in a shared flat/maisonette (sharing a bathroom and/or kitchen).

3.2 The 11 shared houses were over either 2 or 3 floors and occupied by between 3 and 9 tenants. All those who responded as living in a flat/maisonette identified that these were part of a converted house of 3 or 4 floors.

3.3 Of the 16 respondents, half had lived at their current address for less than a year and a quarter had moved address within Cathays at least once.

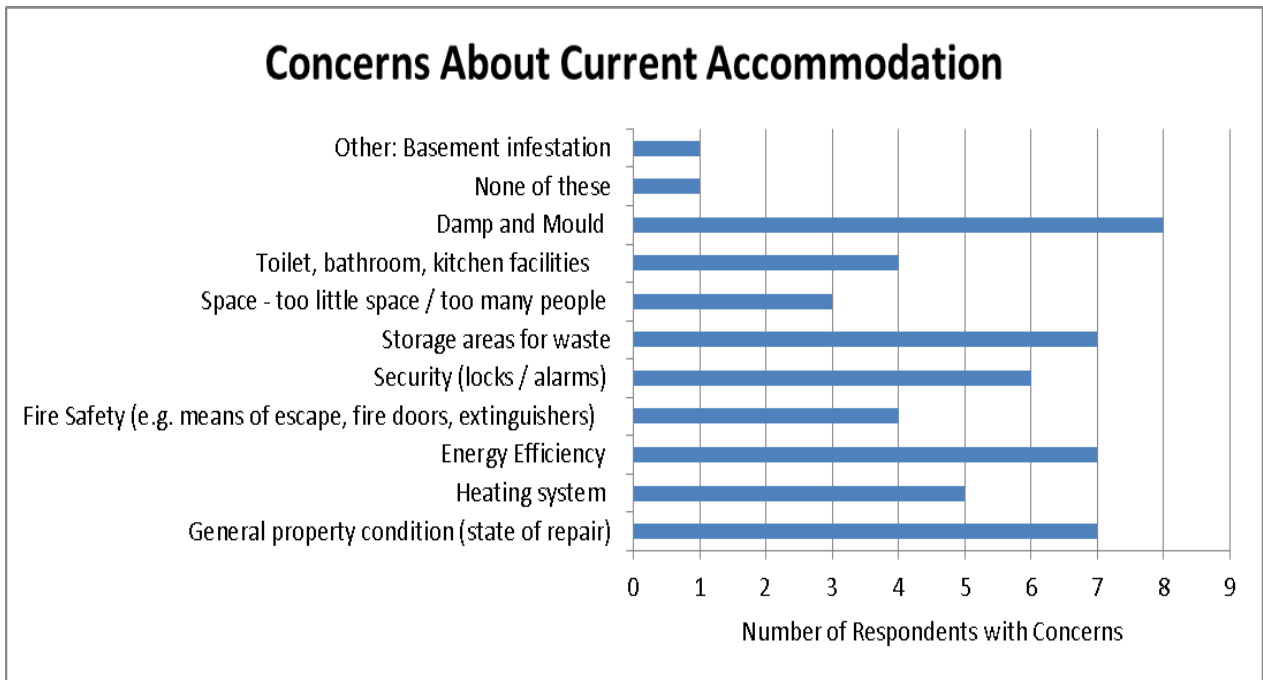
3.4 Respondents were asked about the information provided by their landlord/agent when they moved into the property. Nearly all (87.5%) had received a written tenancy agreement. However, the numbers who had received other types of information varied considerably as detailed below:



3.5 Only 31.3% of respondents felt that their landlord managed their accommodation well. Issues raised included:

- No information given about what is required of us as tenants, nor any emergency procedures, etc.
- Poor/unsafe repairs or take too long.
- Lack of communication and lack of information provided at the beginning of and throughout the tenancy, such as gas safety certificates.
- No action on damp/condensation – presuming tenant responsibility.
- The landlord will regularly turn up to the property unannounced and proceed to be rude to the tenants.

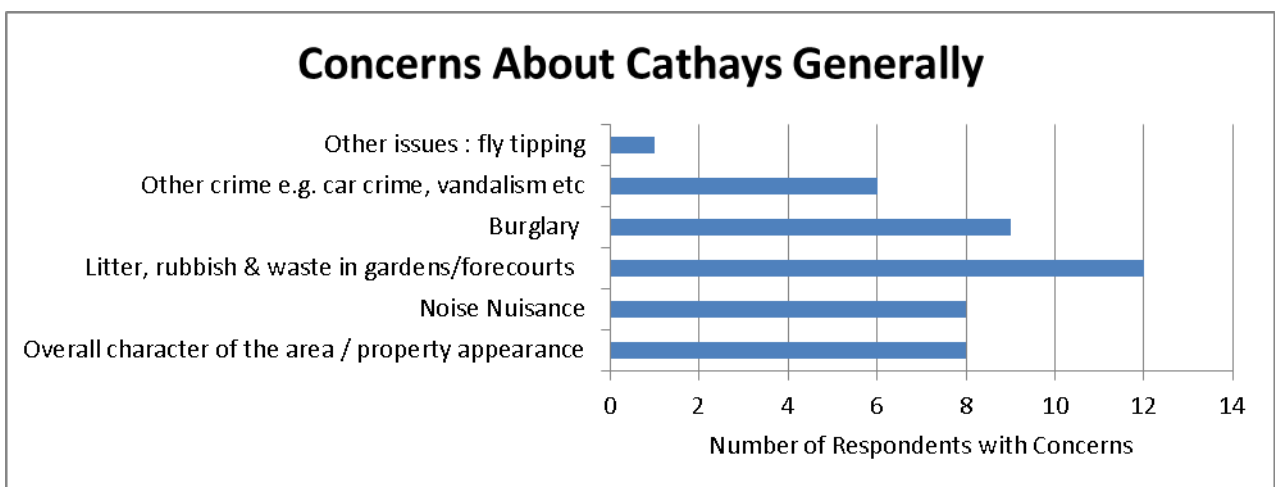
3.6 When asked about concerns with their accommodation, respondents noted the following:



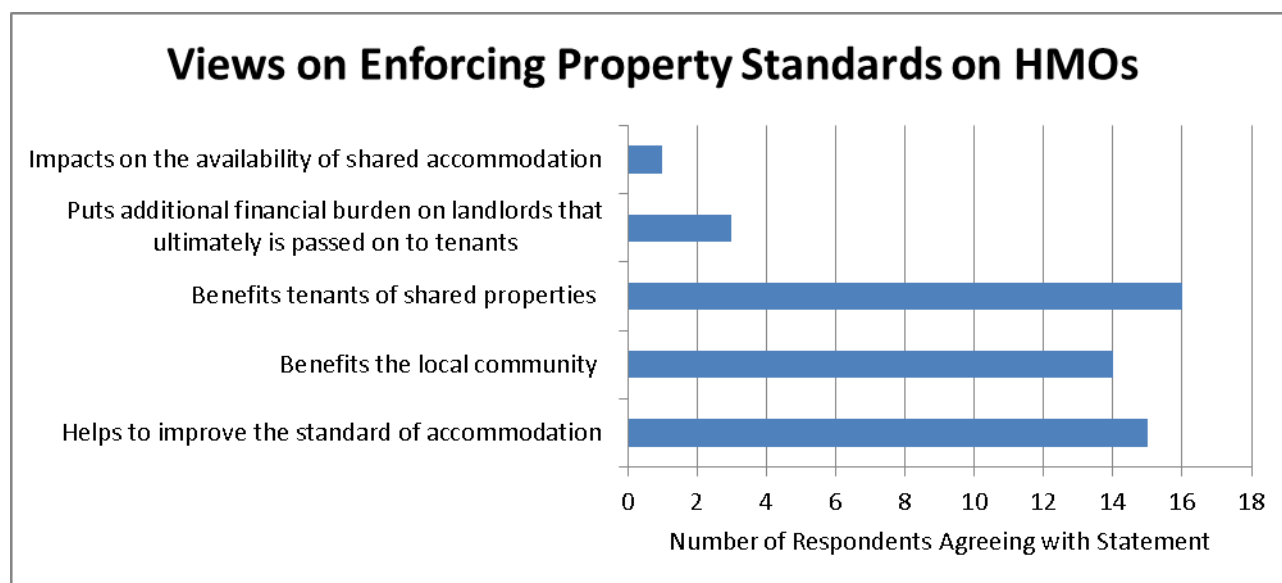
3.7 Only 56.3% of respondents had informed their landlords about their concerns, with only a quarter of these landlords then taking steps to put things right. The reasons for not contacting the landlord/agent included:

- I didn't think the landlord/agent was responsible (1);
- I am concerned that I could be evicted if I raise issues (2);
- Landlord not responsive to such requests (2).

3.8 The private tenants were asked about their concerns with Cathays generally and gave the following responses:



3.9 Overall, the private tenants responding to the survey were positive about enforcing property standards on HMOs:



3.10 However, only 50% felt the Scheme had been beneficial in improving property standards in Cathays over the past 5 years, with 6.3% feeling it had not and the remainder (43.8%) unsure. Views included “the landlord listens to the Council and regulation rather than their own tenants; anything to improve standards is welcome; if possible the scheme should go further in guaranteeing the standards of accommodation; I have contacted the council who have only been in the position to take action as a result of the property being licensed; provides much better accommodation than smaller properties viewed”.

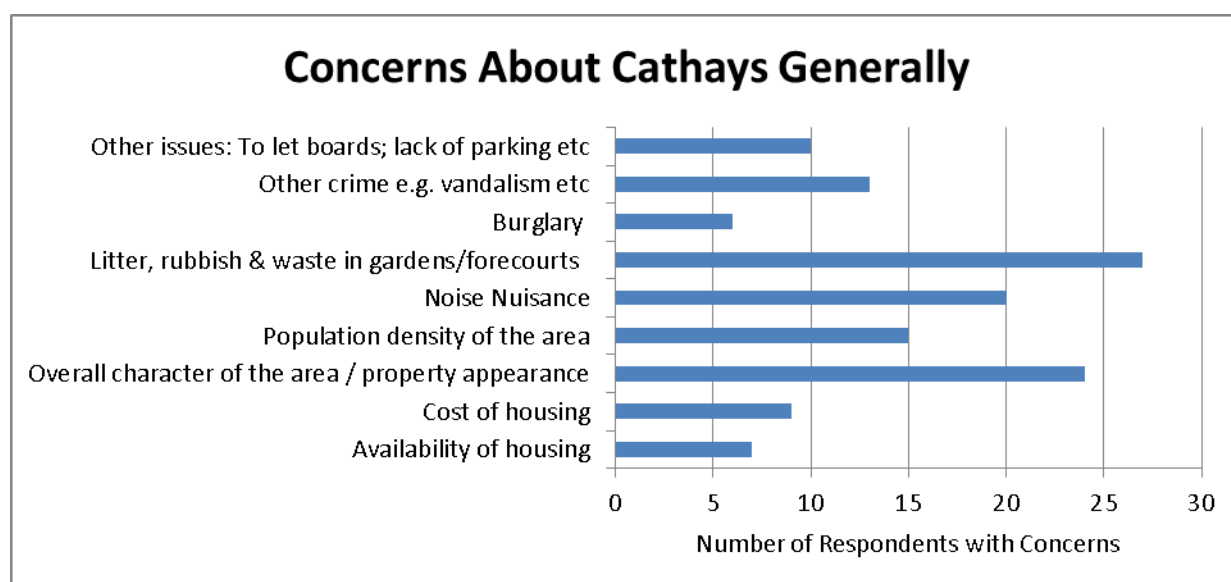
3.11 The majority (81.3%) of the private tenants who responded to the survey believed the Scheme should be re-declared. Suggestions for future priorities included:

- Making sure tenants have all the required documents available to them, including how to do meter readings, turn off gas in case of an emergency etc.
- Fire safety. Mould and damp issues.
- Making letting agents more transparent about costs.
- Ensuring landlords are held responsible for maintenance issues and not try and pass these off as damage caused by the tenants.

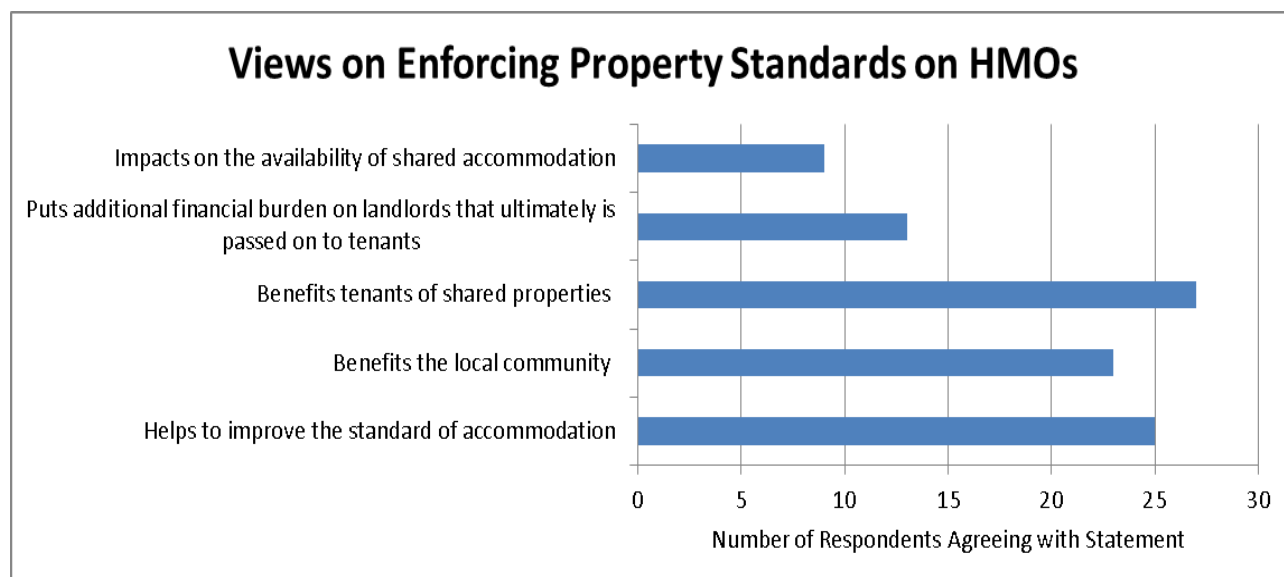
4. Other Residents Findings

4.1 A total of 30 ‘other’ residents of Cathays completed the survey. 27 were home owners, 2 were social housing tenants and 1 a community worker. Of the 30 respondents, the majority (83.4%) had lived in Cathays for over 5 years.

4.2 The residents were asked about their concerns with Cathays generally and gave the following responses:



4.3 Overall, the residents responding to the survey were positive about the enforcement of property standards on HMOs:



4.4 However, only 30% felt the Scheme had been beneficial in improving property standards, with 23.3% feeling it had not and the remainder (46.7%) unsure. Views included “To ensure standards of living conditions and fire safety; There has been an improvement in the condition of properties within Cathays; Have noticed an improvement to the general area; The improvements in safety, making landlords more accountable for their properties and Improvements in security which benefit the whole community.”

4.5 A total of 80% of residents who responded to the survey believed the Scheme should be re-declared, and suggestions for future priorities included:

- Safety, particularly fire and energy-efficiency (insulation)
- The amount of rubbish left outside houses of multiple occupation
- Stronger policing of the scheme

- Limits to be placed on advertising to let
- Landlords need to be held responsible for anti-social behaviour of their tenants.
- Better enforcement of standards already in place
- The secure storage of waste within the property
- Noise levels, litter levels, overall appearance of the outside of the properties, fly tipping in the back lanes, inability of long term residents parking when they get home from work
- Consistent approach to tenancy management
- Improved living conditions for tenants
- Keeping the outside of properties clean and properly decorated.

4.6 Finally, residents were asked for any other comments about the proposal to re-designate Cathays as an Additional Licensing area. The responses received included:

- The planners could look at opportunities for better links between the Heath Hospital and Cathays as a dormitory area.
- Please re - designate it and increase standards set upon landlords which will improve living standards for students and a nicer environment for all other residents.
- Cathays is a special area and has unique issues to deal with. Additional licencing is much needed.
- Should apply to all landlords in Cathays regardless as to whether or not they are HMO owner or not.

Cardiff Council Public Consultation on the Proposal to Re-designate Cathays as an Additional Licensing Area
Schedule of Consultation Comments

Appendix 2b

List of Consultees

Cardiff Council:

All Cathays Ward Members:

Elizabeth Clark

Sam Knight

Sarah Merry

Christopher Weaver

Planning

Waste Management

Sustainability

Regeneration

Housing Options Service

Anti-social Behaviour (Housing)

Assembly Members / MPs:

Jenny Rathbone AM, Cardiff Central

Jo Stevens MP, Cardiff Central

2,450 Tenants and Residents in the Ward

External Partners:

RSLs

Cadwyn Housing Association

Cardiff Community Housing Association

Hafod Housing Association Limited

Linc-Cymru Housing Association

Taff Housing Association

United Welsh Housing Association

Wales and West Housing Association

Students

Cardiff Students Union

Cardiff University

Cardiff Metropolitan University

University of South Wales

Landlords / Agents

1,210 individual Private Landlords

220 Letting Agents

Cardiff Landlord Forum

Residential Landlords Association

National Landlords Association

Association of Residential Letting Agents

South Wales Police

South Wales Fire Service

Shelter Cymru

Tai Pawb

Responses Received From:

David Cox, Managing Director,
Association of Residential Letting Agents

Douglas Haig, Vice-Chair and Director for
Wales, Residential Landlords Association
Cymru

Howard Kilvington, Secretary, Cardiff
Landlord Forum

Philip Dewhurst, private landlord

J.R. Hollands, private landlord

John Winter, private landlord

Christopher Watkins, private landlord

Christopher Weaver, Councillor for
Cathays

Karen McNeil, Police Sergeant, Cardiff
Bay police Station

Mike Neate, Community Safety Student
Liaison Officer, Cardiff Bay Police Station

Sarah Spencer, Accommodation Services
Manager, Cardiff Metropolitan University

142 Online Respondents

Cardiff Council Public Consultation on the Proposal to Re-designate Cathays as an Additional Licensing Area
Schedule of Consultation Comments

Topic	Consultee	Comment	Response
Approach to consultation	John Winter, private landlord	Too short a time allowed for responses especially coinciding with the summer holiday period. Other public consultations – e.g. Welsh Government – allow a 2 month period.	<p>The 4 week consultation period is in line with other formal Cardiff Council consultations and has been sufficient to gather a meaningful response, particularly from landlords where 97 responses were received compared to 16 from private tenants and 30 from other residents. The list of organisations making a formal written response is listed on the front page of this Schedule of consultation responses. The exercise has been comprehensive with letters and/or emails going to 1,430 landlords as well as 2,450 tenants and residents inviting them to complete the survey.</p> <p>The Cathays additional licensing scheme has been in place for 5 years with 2,174 HMOs now licensed. It is felt therefore that landlords are now very familiar with the concept of Additional Licensing and will have formed views about how the scheme operates. Landlords are therefore better informed about the impact of the scheme and under those circumstances it is believed that 4 weeks is quite adequate for a response, and indeed landlords have made comprehensive responses within that time frame.</p>
Approach to consultation	Howard Kilvington, Secretary, Cardiff Landlord Forum	Allowing 23 days for the public consultation is woefully inadequate, especially considering that most landlord forums, including the CLF, meet every two months. This is clearly not in the interests of best practice and only adds to the underlying feeling that Cardiff Council has already made the decision on the renewal of Additional HMO Licensing, regardless of what our or other responses say. It is therefore understandable when some of our members feel as though this consultation is a formality, rather than an	Comments as above. It should be noted that Housing Enforcement has provided extensive support to Cardiff Landlord Forum over many years and continues to fund provision of meeting room facilities and attends meetings to provide updates on additional licensing and other enforcement issues. The Council has held focus groups with CLF members in previous consultations, but this is not a legislative requirement and it is felt that the

**Cardiff Council Public Consultation on the Proposal to Re-designate Cathays as an Additional Licensing Area
Schedule of Consultation Comments**

Topic	Consultee	Comment	Response
		<p>open discussion.</p> <p>One of the purposes of the Cardiff Landlord Forum is to improve relations and encourage dialogue between the Council and the landlords of Cardiff. Recently we have heard from a number of government officials, including Anne Rowland and the waste management team at the previous forum meeting. Landlords genuinely appreciate the effort that government officials make in taking the time to come and explain changes and proposals. We may not always agree, but it helps landlords to understand some of the difficult decisions being made, and we certainly recognise the effort made by those individuals. This relatively healthy relationship takes a considerable hit, especially when important topics such as Additional Licensing Schemes are renewed without any proper consultation or explanation with CLF members.</p> <p>We are deeply dissatisfied with the lack of proper consultation and engagement from the Council. We feel that the actions of the Council are contrary to one of the key purposes of the CLF; to promote open dialogue between the Council and Landlords.</p>	<p>issues and experiences in Cathays are well understood after 5 years of Additional Licensing. The consultation exercise has been comprehensive and sufficient to meet legislative requirements.</p>

Cardiff Council Public Consultation on the Proposal to Re-designate Cathays as an Additional Licensing Area
Schedule of Consultation Comments

Topic	Consultee	Comment	Response
Approach to consultation	Douglas Haig, Vice-Chair and Director for Wales, Residential Landlords Association Cymru	<p>As stated in our letter of complaint dated 18th June 2015, the RLA is disappointed by the how the consultation exercise has been undertaken. It is clear that Cardiff Council only opened this consultation once the proposals to renew the Cathays licensing scheme had reached an advanced stage. It is important to consult at all stages of a policy formulation and decision-making process to ensure that any decision taken is workable and successful in meeting its objectives. In this particular case, it would have been good practice to hold focus groups, in which delegates from landlord representative bodies and local landlords were invited to share their knowledge and expertise with the appropriate housing officials.</p> <p>It is vital that stakeholders and interested parties have sufficient time to respond to any written consultation exercises. The three weeks provided in this instance wasn't sufficient for smaller organisations and landlords to respond due diligently, especially where a respondent wanted to obtain further information from the council or external body to inform their response; a timeframe of six weeks tends to be the norm for like exercises undertaken by the Welsh Government and other local authorities.</p>	As above.
Legislative issues	Howard Kilvington, Secretary, Cardiff Landlord Forum	<p>The Housing Act 2004 (HA) sets out a number of criteria for establishing an Additional HMO Licensing scheme which the council must adhere to. Most notably we refer to sections 56(2) and 56(5).</p> <p>Section 56 (2) - The authority must consider that a significant proportion of the HMOs of that description in the area are being managed sufficiently ineffectively as to give</p>	<p>No codes of practice for the management of HMOs have been approved under section 233.</p> <p>The cabinet report lays out evidence to the extent to which properties are badly managed.</p> <p>In particular it should be noted that over 70% of HMOs inspected have been found to be non-compliant with legal standards during the course of</p>

**Cardiff Council Public Consultation on the Proposal to Re-designate Cathays as an Additional Licensing Area
Schedule of Consultation Comments**

Topic	Consultee	Comment	Response
		<p>rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public.</p> <p>Section 56 (5) - In forming an opinion as to the matter mentioned in subsection (2), the authority must have regard to any information regarding the extent to which any codes of practice approved under section 233 have been complied with by persons managing HMOs in the area in question.</p> <p>We do not believe that the justification set out in the public consultation document adequately addresses the rate of compliance with matters set out in any code approved in section 233. The Council justifies the extension of the Additional Licensing Scheme, stating that the extension will:</p> <p>“Continue to ensure that effective management arrangements are in place... Continue and further strengthen the partnership with south Wales Police... further develop joint working arrangements with Waste Management and Pest control... Create a fairer and more equitable situation where landlords of all HMOs invest in better standards...”</p> <p>We would also add that since the result of Clark Vs Manchester 2015 (UKUT 129) councils can give guidance to landlords over living standards considered reasonable for local HMOs, but cannot enforce them if they differ from the minimum set by law. This implies that the goal of “Create[ing] a fairer and more equitable situation where landlords of all HMOs invest in better standards” is entirely</p>	<p>the original 5 year designation, and while follow up auditing continues there remains a significant proportion of HMOs that are yet to meet minimum legal standards. This is outlined in the cabinet report and in the Cathays additional licensing scheme 2010-2015 evaluation report found within the appendices to the cabinet report and at www.cardiff.gov.uk/privaterent.</p>

**Cardiff Council Public Consultation on the Proposal to Re-designate Cathays as an Additional Licensing Area
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Topic	Consultee	Comment	Response
		<p>unenforceable above the minimum standards set by law.</p> <p>Firstly we struggle to see the direct read-across between these aims and a code of practice approved under section 233. It seems that the Council's ambitions for the renewal of Additional Licensing for the next 5 years do nothing to address any mismanagement of HMOs as suggested by a code of practice approved under section 233. Without access to such a code we cannot understand what criteria the Council is using to determine that a significant number of HMOs are being mismanaged.</p> <p>Secondly the consultation document makes no actual reference to an approved code of practice under section 233, leading many of our members to question if an approved code really exists.</p> <p>Finally we would add that the first objective, should Additional Licensing be renewed, is to "continue to ensure that effective management arrangements are in place". Section 56 (2) and 56 (5) do not make reference to any continuation principles. Additional Licensing should only be in place where a significant proportion of HMOs are being managed sufficiently ineffectively. Licensing cannot be used to continually monitor management practices in areas that HMOs are being managed effectively. The consultation document does not satisfy the requirement that a significant number of HMOs are being managed sufficiently ineffectively.</p>	
Legislative issues	David Cox, Managing Director, Association of Residential Letting	The Association of Residential Letting Agents (ARLA) opposes the re-introduction of Additional Licensing in Cathays Ward. We also question the Council's lawful ability to recreate the scheme.	Addressed within the cabinet report. The Cathays additional licensing scheme 2010-2015 evaluation report found within the appendices to the cabinet report and at www.cardiff.gov.uk/privaterent outlines the improvements made within the area

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	Agents	<p>The consultation document indicates that the existing designation has improved the quality of accommodation, health and safety standards and value for money by a proactive approach in one area. It has also provided sustainable improvements to the Cathays area, a consistent approach to Tenancy Management and Property Conditions; made improvements through landlord training; eradicated bad landlords; reduced anti-social behaviour; and assisted with the availability of information. In order to create an Additional Licensing designation, “[T]he authority must consider that a significant proportion of the HMOs of that description in the area are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public” under Section 56(2) Housing Act 2004. The consultation document makes no reference to these problems or how the proposed designation will improve conditions. Indeed, it states quite the opposite. Therefore, we do not believe Cardiff Council has provided sufficient evidence to pass the legal requirements necessary to create an Additional Licensing designation.</p> <p>Further, if Cardiff Council is suggesting there is still a “significant proportion of the HMOs of that description in the area are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public” as required under Section 56(2), then it must consider Section 57(4) Housing Act 2004 which states “[T]he authority must not make a particular</p>	<p>during the first 5 years, which are significant, while highlighting the remaining challenges to be addressed during the course of a second designation.</p>

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		<p>designation under section 56 unless ... (b) they consider that making the designation will significantly assist them to deal with the problem or problems (whether or not they take any other course of action as well)". As such, if the first Additional Licensing designation did not lead to a reduction or elimination of the problem, then there is no evidence to suggest recreating the scheme will have a different result.</p> <p>Indeed, ARLA would argue the Council is in one of two positions. Either:</p> <p>i. The original scheme was successful (as indicated in the consultation document) and therefore the legal basis for the creation of a new scheme does not exist; or</p> <p>ii. The original scheme was not successful and therefore there is no evidence to suggest recreating the scheme will have a different effect.</p> <p>In either situation, the Council will not be able to provide the necessary evidence to support the legal creation of an Additional Licensing designation.</p>	
Legislative issues	Anonymised response – Landlord/agent	<p>The Council should recognise that the basis for Additional Licensing is purely to correct sufficient ineffective management of properties in the designated area. The Council's formulated standards for smaller H.M.O.s have no basis in law as shown by the recent First Tier Tribunal decision Clark v Manchester City Council [2015] UKUT 129 (LC)- Council's refusal to change a licence on the grounds of living space did not meet the Council's standards. The Cardiff H.M.O. standards are not legal standards and although may be considered desirable, could be legally challenged.</p>	<p>This response fails to understand the implications of Clark v Manchester City Council [2015]. Cardiff Council does not enforce guidance which supersedes standards set in law. Schedule 3 of the Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions)(Wales) Regulations 2006 sets out prescribed standards for Heating, Washing Facilities, Kitchens and Fire Precautionary Facilities but only in a general sense and it is only right and proper that Councils adopt minimum standards based on recognised guidance such as</p>

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			Chartered Institute of Environmental Health Amenity Standards or LACORS Fire Safety Guidance in order to ensure the fair and consistent applications of standards.
Overlap with Landlord Registration/ Licensing	Howard Kilvington, Secretary, Cardiff Landlord Forum	<p>It should come as no surprise to Cardiff Council that landlords will soon have to be registered under the new requirements in the Wales Hosing Act 2014. [When surveyed by the CLF about Additional Licensing in Cathays] a number of our members expressed a concern that this new requirement to be registered will duplicate many of the requirements and responsibilities alongside any Additional HMO licensing.</p> <p>Members commented:</p> <p><i>“Surely with the introduction of all Wales licensing local authorities do not need this. One register and licence is fine, but duplicating is just stupid.”</i></p> <p><i>“Local authorities need to stop putting more and more burden and cost on private rented sector Landlords. Agreed for licensing of Landlords but not additional as well, it’s overdone.”</i></p> <p>And when asked “should Additional HMO licensing be extended for a further five years in Cathays?”</p> <p><i>“In light of Welsh Assembly duplication, no”.</i></p> <p><i>“No, because the Wales wide licensing will duplicate (durrrr!!)”</i></p> <p>Both the registration element of the Housing Wales Act</p>	<p>There is of course an element of duplication because both schemes require a fit and proper person test.</p> <p>Rent Smart Wales will require that a licence holder undertake training, so it is proposed that HMO licensing no longer carry a requirement for landlords to undertake training.</p> <p>The additional cost implications should not be excessive for landlords as the requirement to register and obtain a licence under Rent Smart Wales will be a straight forward administrative process which will be reflected in the level of the fee.</p> <p>Rent Smart Wales will not have any focus on property standards and given the comprehensive All Wales coverage of the scheme it is not suited as a tool to bringing about a concerted area based improvement to a district containing a high density of HMOs.</p> <p>While both schemes involve obtaining a licence, with some duplication in the fit and proper test, the focus of the two schemes is distinct and indeed complimentary with Rent Smart focusing on fitness and training/competence with HMO licensing having a greater influence on property conditions and management standards.</p>

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		<p>2014 and the Additional HMO Licensing share a certain level of requirement for a property to be 'up to standard', including fire safety. The new Wales wide registration will record much of the same information as the Additional Licensing scheme, such as property type and location. It is understandable that with such big changes happening in Wales, our members feel that a lot of regulation is duplicated. This also represents a duplication of the work landlords must do to comply with these licensing schemes, which contributes to the overall frustration of Wales wide registration combined with the Additional Licensing.</p> <p>We would therefore like the Council to acknowledge where the new national registration scheme and the Additional HMO Licensing overlap. In these areas, cost saving measures should be taken, which would help ensure that landlords are getting value for money. Given this significant overlap and the extra resources associated, we cannot see any good reason why the licensing fee should increase and would like to see, if the scheme is extended, a reduction in the fee to reflect the additions from the Housing Wales Act 2014.</p>	
Overlap with Landlord Registration/ Licensing	David Cox, Managing Director, Association of Residential Letting Agents	It is necessary to consider the implications of creating another licensing scheme when the Welsh Government is in the final stages of implementing its nationwide agent and landlord licensing scheme under the Housing (Wales) Act 2014. Cardiff Council has been appointed to administer the Welsh Agent and Landlord Licensing Scheme (WALLS) which has broadly the same aims as this proposed Additional Licensing designation. It therefore appears illogical for Cardiff Council to create another licensing scheme so shortly before the introduction of WALLS; unless the Council does not believe the nationwide scheme will be successful. We would strongly argue Cardiff Council should	See above.

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		<p>allow WALLS to be implemented and properly evaluated before creating potentially an entirely unnecessary secondary layer of local licensing. Indeed, it is important to remember that imposing multiple layers of additional compliance on landlords will only increase the costs of operating a rental portfolio; which in turn will result in a reduction in supply of properties in the designated area and thus increased rents for tenants.</p>	
<p>Overlap with Landlord Registration/ Licensing</p>	<p>Douglas Haig, Vice-Chair and Director for Wales, Residential Landlords Association Cymru</p>	<p>The local authority should consider the proposed re-designation in light of the wider context. As the sole licensing authority for mandatory registration and licensing, Cardiff Council should have a better understanding than any other about the magnitude of the legislative changes, which will affect every landlord in Wales. It is not morally right that Cardiff Council should consider renewing the scheme in a period when landlords and their agents will have to spend a considerable amount of resources in registering and attaining the new type of national licence. The local authority owes a moral duty to assist landlords in adapting to the new legislation: furthering the number of obligations at local level acts contrary to this.</p> <p>The RLA also questions whether Cardiff Council, as the licensing authority, has the resources to adequately implement the new registration and national licensing scheme, enforce mandatory HMO licensing, ensure that landlords are complying with any HSSRS notices issued and monitor the compliance of Additional licensing condition. We are deeply concerned that Cardiff Council may not have sufficient staff numbers to cope with demand, following the recent redundancies and overall cuts to the local authority budget by the Welsh and UK Governments. Nevertheless, if the council does proceed with the renewal of the scheme against our advice, we would like to receive</p>	<p>See above</p> <p>The two issues are separate.</p> <p>Cardiff Council has been designated by Welsh Government as the Licensing Authority for the new National Registration and Licensing Scheme (RENTSMART) and has taken on this responsibility on a cost neutral basis, with the expense of administering the scheme on behalf of the 21 other Local Authorities being recovered through fee income.</p>

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		reassurances that extra finance will be spent on enforcement.	<p>Officers of the Shared Regulatory Service, which is delivering a range of environmental health and trading standards services on a regional level, will be responsible for the other regulatory regimes referred to such as HSSRS, Mandatory Licensing and Additional Licensing.</p> <p>The Shared service was entered into by Cardiff Council in order to provide more resilience in discharge of its statutory duties and we are confident that the Shared service, supported by the Additional Licensing income derived from fees, will provide sufficient resource to cover the lifetime of the scheme.</p>
Overlap with Landlord Registration/ Licensing	Anonymised response – Landlord/agent	Will the WAG new licensing scheme duplicate this proposed scheme.	See above.
Overlap with Landlord Registration/ Licensing	Anonymised response – Landlord/agent	This is not required when you are introducing a landlord register and property register.	See above
Fees	Douglas Haig, Vice-Chair and Director for Wales, Residential Landlords Association Cymru	A significant issue, not sufficiently covered in the consultation document, is the sheer cost of Additional licensing, both to landlords and the local authority. The £560-£770 fee charged for a licence, particularly those with only one or two properties, is extortionate and can in no way be justified. A response to an earlier freedom of information request, illustrates that landlords in Cardiff have spent a total of over £600,000 solely on Additional licensing fees, during the four years covered in the spreadsheet: over the full five years this is likely to be over £750,000. Furthermore, the RLA cannot understand why a landlord	<p>Mandatory and Additional Licensing Fees were last reviewed and increased in December 2013 following a benchmarking exercise with neighbouring Welsh Councils and comparator English Authorities. It was found that Cardiff's fees were comparable with neighbouring authorities and low compared to many other comparable authorities, in some instances significantly lower.</p> <p>The Council has made every effort to keep fees low and recognises the impact that high fees may</p>

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		<p>that currently possesses a licence should have to repay the full fee: they are less likely to be a burden on the council's enforcement team as they will have already made the required changes to their property during the validity period of their first licence.</p> <p>The same response also informed us that over £1,200,000 has been spent just on staffing the existing mandatory HMO and additional licensing schemes. Approximately £200,000 has been spent on administration alone, presumably mainly in processing licensing applications. We simply do not understand why the local authority proposes to spend these vast sums on operating a scheme when the department is clearly in need of additional officers to enforce mandatory statutory obligations</p>	<p>have on landlords.</p> <p>The figures quoted in the consultation response, which have been obtained via a Freedom of Information Act request, demonstrate that a proportion of salary and administrative costs are met from base funding rather than fee income.</p> <p>This has been a conscious approach in order to satisfy the principles laid down in the Hemming v Westminster case, which restricted the ability of Councils to spend licence fee income on the enforcement of the scheme, now largely overturned. However, fees have also been kept comparatively low in recognition of the feedback received from landlords about the impact of high fees.</p> <p>Councils are under pressure to make significant budgetary savings and the Housing Enforcement Service is under similar resourcing pressures. The Council wishes to address issues relating to the impact of HMOs in Cathays and Plasnewydd, and it makes sense to secure an additional budgetary source to support this proactive area based work, but we need to be clear that this is not a money making exercise for the Council, which can derive no profit from this income stream and which only partially covers salary and administrative costs.</p>
Fees	Howard Kilvington, Secretary, Cardiff Landlord Forum	The standard fee to obtain an Additional HMO licence in Cathays is currently between £560 and £770. The public consultation document on page 6 claims that the scheme has successfully licensed an additional 1664 properties. At the lowest end of the costing, given our rough estimates, the scheme has generated over £931,840 with the actual	<p>See above.</p> <p>Also see evaluation of Cathays Additional Licensing Scheme 2010-15 at www.cardiff.gov.uk/privaterent.</p>

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		<p>figure for the 5 year period likely to be much higher.</p> <p>It is noticeable that under the section titled “Better value for money secured by a proactive approach in one area” no actual financial assessment of the Additional Licensing scheme is carried out. Landlords therefore cannot see exactly where this £931,840 is being spent, and are understandably sceptical that this is little more than a stealth tax.</p> <p>Furthermore landlords do not see proper enforcement of the regulations for this vast sum they are paying. The Public Consultation proudly boasts that 787 notices have been issued in relation to security, of which 40% have been complied with. This means that over this period only 314 notices have been effective. A 40% compliance rate in any other publically funded scheme would be an embarrassment, especially when so much money is supposedly being put into a relatively small area. The few statistics which suggest that the scheme has delivered results are tenuous at best. For example that during 08/09, 274 burglaries were recorded in the Cathays community Ward area, however in 14/15 this figure dropped to 98. While a reduction in crime is always good news, it is highly unlikely that this drop is solely due to the Additional Licensing scheme, despite the implications made by the public consultation document.</p> <p>Over 90% of our members, when asked “should the fees remain the same if the scheme is extended?” replied “no the fee should be lower”, with a proportion of our members</p>	

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		<p>saying they were unsure.</p> <p>Our members are the landlords who comply and have been doing so throughout the licensing period. Despite this, they see no recognition of their continued compliance and still have to pay the same fee as those criminal landlords who are caught, as opposed to complying from day 1.</p> <p>Members commented:</p> <p><i>"I feel this is a nice money earner for the council and that it is unfair on the good landlords."</i></p> <p><i>"The fee is extortionate and should be considerably lower, it does not represent value for money at all and I for one would like to know how the ridiculously high figure has been arrived at... other than "as much as we can get away with"?"</i></p> <p>A large number of additional comments were also received in relation to the high cost of obtaining a licence.</p> <p>Given the laughable enforcement rate, the post hoc ergo propter hoc fallacy and the sizeable income from this scheme, there is little evidence to suggest these members are wrong or at the very least their claims are without warrant. Before any renewal is carried out, the CLF would like to see a full costing of the scheme for the past 5 years. It is our strong suspicion, in the absence of any real evidence from the council, that landlords are not getting value for money. As part of this, we would also like to see a side-by-side comparison with areas in Cardiff that were not subject to Additional Licensing.</p>	
Fees	J.R. Hollands, private landlord	I feel that the [licence] fee - £500 – is excessive, and fuels an impression that the main purpose of the scheme was to	See above

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		make money for the Council.	
Fees	Anonymised response – Landlord/agent	It looks like another form of taxation on Cathays landlords if not implemented and enforced properly. If only good landlords get licensed then it's not doing what it should be doing and just creates a wider margin for unscrupulous landlords to exploit.	See above
Fees	Anonymised response – Landlord/agent	As a landlord I honestly feel this has been a money making venture on councils part. They claim to have introduced it for the students but the licence has had little impact, made money for the council and added to the rent for the students. Who was the real winner?	See above
Fees	Anonymised response – Landlord/agent	The cost to the landlord is in general past onto the tenants, which equals rent rises. Furthermore, some landlords may withdraw from the market, meaning fewer rental properties and further rent rises. Therefore, licences that are supposed to protect tenants end up costing the tenants.	See above
Fees	Anonymised response – Landlord/agent	I am a member of the Welsh landlord scheme and keep my houses in good order and check them on a regular basis. I think all landlords should be regulated as long as the costs are kept to a minimum.	See above
Fees	Anonymised response – Landlord/agent	Stop hammering landlords to pay for yourselves.	See above
Fees	Anonymised response – Landlord/agent	No excessive fees for inspections.	See above
Fees	Anonymised response – Landlord/agent	Whatever my comments Cardiff Council will probably ignore them as they want the revenue from licensing.	See above
Fees	Anonymised response – Landlord/agent	Please don't do it. It is classic unnecessary bureaucracy and disproportionate to the benefit, especially for single-property landlords.	See above
Fees	Anonymised response – Landlord/agent	I feel the proposed fees are excessive. I can't see how each property could cost the council up to £750 to administrate. A fee of £250 might be considered more appropriate.	See above

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Fees	Anonymised response – Landlord/agent	We know it's going to happen, we just want to know how much it's going to cost?	See above
General administration	Howard Kilvington, Secretary, Cardiff Landlord Forum	The administration of the Additional Licensing scheme in Cathays has received a relatively neutral response from our members. When asked, just under 60% of our members described the experience of Additional HMO Licensing, including Cardiff Council's administration, as neutral. However 25% of our members described the experience as negative or very negative. Without further time to prepare, it is difficult to ascertain exactly why our members have had negative experiences, or for our members to discuss ways in which the administration of the scheme could be improved.	It must be questioned whether the response of the CLF members, which is campaigning against the re-introduction of the Additional Licensing Scheme in Cathays, is representative of the views held by landlords in Cathays generally. The Council has sent out a customer satisfaction survey with all HMO licences since 2012. 81 responses have been received. 97% of respondents agreed that the scheme improved standards in the private rented sector. 96% of customers reported that they were either satisfied or very satisfied with the service with 93% saying that nothing needed to be improved. As a result of customer feedback, the Council has: <ul style="list-style-type: none"> • Fully rewritten the HMO licensing web page • Re-written guidance • Re-designed and simplified the application form • Removed the need for a CRB check • Reduced the processing time from 90 to 56 days
Scope of the scheme	J.R. Hollands, private landlord	I can see no case for maintaining Additional Licensing in Cathays if it is not at the same time extended to other areas, such as Roath.	Noted.
Scope of the scheme	Anonymised response – Landlord/agent	It was greeted by the rental community as a total waste of time and again seen as a money-grab opportunity. I have heard stories from my tenants about houses that were awful and even dangerous these houses were available to rent in the Cathays area. I do not think it has raised the standard at all. My property is in fantastic condition so if I have to pay out for more boiler efficiency certs or any other certs you feel I must pay for so be it. Why not spread the licence area	Financial issues addressed above. The scheme has licensed 2174 HMOs in Cathays. Officers have gone door to door to every property in Cathays to identify HMOs. All have been inspected. The status of properties changes continually with new HMOs being created and with properties reverting to single household status, so it is not possible to say at any one time that all

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		up to Whitchurch Rd. I have looked at a flat there for rental it was in an awful dirty and I felt unsafe condition but the landlord had not had to get a licence.	HMOs are licensed. A further designation will enable the Council to again ensure the most comprehensive coverage possible is achieved. An independent survey has been carried out by Opinion Research Services which shows that there is currently insufficient justification for the extension of the scheme to Whitchurch Road which lies predominantly in Gabalfa Ward. (Number 1 to 9 odd numbers Whitchurch Road are within Cathays Ward and within the area of the proposed re-designation).
Scope of the scheme	Anonymised response – Landlord/agent	Why just Cathays?	Scheme also operates in Plasnewydd.
Scope of the scheme	Anonymised response – Landlord/agent	If re-designation goes ahead, keep licence requirements as before.	Noted.
Scope of the scheme	Anonymised response – Landlord/agent	Look at other towns where over-zealous "health and safety" requirements have reduced the student rentals. Be fair, extend the requirements to cover ALL rentals not just friends sharing.	Scheme covers all HMOs, not just friends sharing.
Scope of the scheme	Anonymised response – Resident	Should apply to all landlords in Cathays regardless as to whether or not they are HMO owner or not.	Scheme can only apply to HMOs.
Addressing non-compliant landlords	Howard Kilvington, Secretary, Cardiff Landlord Forum	A distinction that is always made, whenever new regulations are discussed, is that good landlords will always do their very best to comply while criminal landlords will carry on regardless. This means that good landlords take the time and money to comply with a whole host of new licensing and registration schemes, while the criminal landlords ignore these requirements. As a result many of our members (who are good landlords) feel that they are being penalised by high cost and administrative burden, when criminal landlords operate in the same streets without	It is unclear what is meant here by "criminal landlord" and whether that means landlords who have failed to apply or whether it means a landlord who has failed to comply with the licence conditions requiring works. If the intention is that those landlords who have failed to comply with conditions are referred to as criminal landlords then that means that potentially 60% of landlords are criminal landlords. Completing the Additional Licensing project in 5

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		<p>penalty.</p> <p>Although the CLF feel that the Additional Licensing Scheme should be ended, if it were to be extended we would like to see greater penalties for those criminal landlords found to be actively avoiding the scheme. Ideally these penalties would then be kept by the Council to fund further enforcement, and potentially drive down the cost of licensing.</p> <p>During the survey members commented:</p> <p>“Unnecessary wasted time and cost when the good landlords are already over compliant. The council need to find the non compliant landlords; the Additional Licensing does NOT do that.”</p> <p>“As ever, 'good' landlords will meet standards and 'bad' ones may find ways of avoiding licensing altogether.”</p> <p>“Extra expense and burden on LL the good ones do what is required anyway and the bad ones don't regardless of licensing”</p> <p>“Because it penalises the good landlords and there are still some bad landlords in Cathays who are still not licensed even after 5 years and it seems to me that they have got away with it”</p> <p>The final comment echoes what many landlords feel about regulations designed to improve the PRS, that they strive to comply while seeing criminal landlords 'get away with it'. It is understandable that landlords feel a crippling sense of</p>	<p>years and ensuring full compliance is a huge undertaking. Welsh Government are currently examining whether the 5 year limit should be extended to 10 years or removed in recognition of the amount of work required to ensure full compliance and the administrative burden of re-designation.</p> <p>A further 5 year designation will enable the Council to build upon the solid base that has been established, to focus enforcement resources on landlords who fail to license and to seek 100% compliance with licensing standards.</p> <p>13 prosecutions either for failure to license or for breach of conditions have been carried out during the course of the scheme, with numbers increasing as the scheme has matured. In the early stages of the scheme, it has been logical to focus resources on producing licences for those that have made applications and to shift that focus to enforcement as the scheme has progressed. 7 of the 13 prosecutions were carried out in the final year. The Council intends to continue with that ramping up of enforcement during the term of a second designation.</p>

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		<p>disappointment when they are the ones captured and complying with an expensive scheme, but do not see any real targeting of the criminal landlord next-door.</p> <p>If the scheme had a higher enforcement rate than 40%, used funds to find criminal landlords who avoid licensing, or if the scheme had produced meaningful results for the citizens of Cathays, then maybe our good landlords would be more positive towards the extension of Additional Licensing. At present our landlords are paying a very high fee for very little in return and until Additional Licensing targets criminal landlords more effectively, our landlords will continue to feel this way.</p>	
Addressing non-compliant landlords	Anonymised response – Landlord/agent	Do you show anywhere how many Landlords have had legal action taken against them as a result of compliance breaches?	13 prosecutions either for failure to license or for breach of conditions have been carried out during the course of the scheme, with numbers increasing as the scheme has matured. 7 of the 13 prosecutions were carried out in the final year. The Council intends to continue with that ramping up of enforcement during the term of a second designation.
Addressing non-compliant landlords	Anonymised response – Landlord/agent	There are plenty of laws and regulations in effect that could be used to control bad landlords.	Noted.
Addressing non-compliant landlords	Anonymised response – Landlord/agent	Use the powers already in place to punish bad landlords and agents who let shoddy houses and exploiting tenants, and stop penalising the good landlords who have high quality houses who are always the first to comply.	Compliance figures tend to show that this is a clichéd and inaccurate picture. With over 70% of houses non-compliant with standards on inspection, it is wrong to say that good landlords with high quality houses are the first to comply. The position is in fact less polarised than that with a small number of landlords avoiding responsibilities or presenting dangerous properties but with a great many landlords having potential to improve property standards, knowledge, and management competence.

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Addressing non-compliant landlords	Anonymised response – Landlord/agent	Many good landlords and agents know of badly run and appallingly maintained rental properties five years after the additional licensing scheme was introduced. It is time consuming and hard work to rid the area of bad landlords, so instead of the scatter gun approach which seems to penalise the compliant landlord, why not direct all the council's efforts at the rogue elements. The rental market is one of the most regulated of all business sectors in the UK which is forcing landlords to gradually starting to dispose of their properties to owner occupiers leading to a reduction in the housing stock available for rent. I am selling two properties this year because of my frustration at the increasing tide of unnecessary regulation.	
Addressing non-compliant landlords	Anonymised response – Landlord/agent	Get tougher with landlords who do not license their houses.	Noted and agreed.
Addressing non-compliant landlords	Anonymised response – Landlord/agent	Go back to the system of prosecuting offending landlords when there are justified tenant complaints.	Noted.
Impact on business / rental market	Anonymised response – Landlord/agent	Please do not re-designate the area as an additional licensing area. There is no need for it, and there are enough pressures on landlords as it is, especially with the huge increase in large privately owned student blocks in the city centre, eg. Student Castle, Mansion Shand House etc. Additional legislation on property and renting is bad for business.	The Council will endeavour to keep renewal fees in Cathays low in order to minimise the impact on landlords. However, despite pressures from private halls, the student market in Cathays is buoyant and landlords can charge significant rents in comparison to other areas of the city and other household types. Students rightly expect high standards and the additional licensing scheme helps to deliver that.
Impact on business / rental market	Anonymised response – Landlord/agent	The problem we have as the landlord is to get mortgage or re mortgage, some mortgage lenders not interested to lend money to Cathays area because of HMO. Some other lenders want 1% extra for interest rate in Cathays area. This is my main concern if the scheme re-declared again.	In practice we have found that landlords have been able to obtain a mortgage in Cathays provided the necessary licence (or assurances that the property has already been licensed) is obtained.
Impact on business /	Anonymised response –	As I have said there is no need for re-declaring again as this area has its own competitions and the standard of the	It is true to an extent that market conditions will help to drive up standards but this is clearly not the

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rental market	Landlord/agent	properties has to be high to be able to let. So by involving the local government into this private business you are effecting the developing and expanding the buy to let as most of the mortgage providers are pulling out of the buy to let.	full picture with over 70% of HMOs surveyed being non-compliant with HMO licensing standards.
For or against the scheme	Anonymised response – Landlord/agent	I support the venture	Noted
For or against the scheme	Anonymised response – Landlord/agent	It's an extremely bad idea.	Noted
For or against the scheme	Anonymised response – Landlord/agent	I think it is a good idea.	Noted
For or against the scheme	Anonymised response – Landlord/agent	Unnecessary and repeating the process from 5 years ago.	Noted
For or against the scheme	Anonymised response – Landlord/agent	No. I am an accreditation plus landlady and have been since the start of the first scheme. I am up for anything that improves and maintains standards. However it is up to the council to ensure that the properties are continually maintained by inspecting them and keeping in contact with the landlords rather than just charging a licence fee.	It would be hard to resource this proposal without charging a licence fee.
For or against the scheme	Anonymised response – Landlord/agent	Any proposition that helps expose rogue landlords who try to make money of desperate people by providing sub-standard accommodation must be good for the community, tenants and decent landlords.	Noted
For or against the scheme	Anonymised response – Resident	Please re - designate it and increase standards set upon landlords which will improve living standards for students and a nicer environment for all other residents	Noted. However, there are no plans for an increase in standards but a more vigorous application of existing licensing standards in particular to improve street scene.
For or against the scheme	Anonymised response – Resident	Cathays is a special area and has unique issues to deal with. Additional licencing is much needed.	Noted

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General comment	Anonymised response – Landlord/agent	Personally the only major problem I now see is tackling the refuse/rubbish issue in Cathays. I know the council is strapped for cash. All students are exempt from paying council tax yet they are a heavy burden on the council in areas such as refuse collection, why not charge all students at least some council tax in order to help pay at least some of the costs. For Example a 50% reduction in Council Tax this would go a long way in helping to tidy up Cathays as a whole. The refuse problem needs a completely different approach to what is being done at the moment it needs a completely different approach.	Housing Enforcement is currently engaged in some joint working with Waste Management in order to determine how we can work more effectively together in any further designation of additional licensing. Agreed that this needs more work.
General comment	Anonymised response – Landlord/agent	Street cleaning and fly tipping/rubbish could be usefully addressed.	Noted and agreed.
General comment	Anonymised response – Landlord/agent	In this era of financial pressures on Cardiff Council, the Council would make better use of its existing time and resources on its current duties and responsibilities rather than trying to extend them.	Noted.
General comment	Anonymised response – Landlord/agent	Already affects us and have accepted it will carry on.	Noted
General comment	Anonymised response – Landlord/agent	My property is a residual from the time my daughter attended Cardiff University. Attendance at seminars etc. from a distance of 150 mile is/has been extremely onerous, particularly when I have not been in particularly good health. So where a degree of coercion is applied to shepherding people to courses, careful consideration needs to be given-- particularly where in any event a landlord operates with or through a competent and compliant agent	Noted. Given the introduction of Rent Smart Wales, the requirement to attend a training course to satisfy the HMO licence requirements will not be enforced.
General comment	Anonymised response – Landlord/agent	This is clearly aimed at the landlords of students, and I can see that students can be felt a detriment to the local community. However, Cardiff is proud of its university and colleges, so students and their attendant landlords should be encouraged rather than vaguely victimised. The introduction of the wheelie bin scheme was a much more	The Additional Licensing Scheme is being effective at driving up standards in student housing. The Council does not believe that such improvements will be made by encouragement alone.

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		profound and valuable improvement, as is the Get it out for Cardiff scheme.	
General comment	Anonymised response – Landlord/agent	Advance information to any additional requirements before they are actually enforced.	Noted.
General comment	Anonymised response – Landlord/agent	Look at the reasons why this is being proposed. What are the priorities? What will be improved? How will this benefit reputable landlords?	See declaration report.
General comment	Anonymised response – Landlord/agent	There is a balance to be struck between the community, the tenants and the landlords. The current climate seems to be biased against the competent and considerate landlords.	Noted.
General comment	Anonymised response – Resident	The planners could look at opportunities for better links between the Heath Hospital and Cathays as a dormitory area.	Noted.
General comment	J.R. Hollands, private landlord	Much more effort should be devoted to ensuring that “to let” signs are removed promptly. The almost permanent forest of such signs drags the area down, contrary to one of the stated aims of the licensing scheme.	<p>The City of Cardiff Council has received approval from the Welsh Planning Minister to introduce local controls over the erection of residential letting boards within the Cathays and Plasnewydd wards. These controls will be in force from 1st October 2015.</p> <p>The application was submitted on 21st October 2014 and approved 23rd April 2015.</p> <p>The reason for the Direction is that the number of letting boards displayed has become so excessive that they are considered to have a significant adverse impact on the character and appearance of the area and the wellbeing of the resident communities.</p> <p>This is known as a 'Regulation 7 Direction', which removes normal rights (known as 'Deemed Consent') to display such boards without permission unless they follow</p>

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			A public notice will be published in September confirming the implementation date of 1st October 2015 . From this date it will be unlawful for letting boards that do not conform to the criteria to remain in place or be erected within the control area unless they have advertisement consent. If any such boards are in place on or after 1st October, then those parties responsible for displaying the advert could be subject to a maximum fine of £2,500 in the Magistrates Court.
General comment	Philip Dewhurst, private landlord	Having read the details on your website the scheme seems to have worked well and improved both the area and the living conditions of tenants. We would support the continuation of the scheme for another five years but hope that costs can be contained at a similar level to the current fee.	Noted.
General comment	PC Mike Neate, Community Safety Student Liaison Officer	I most definitely support the re-declaring of Cathays as an Additional Licensing Area.	Noted. This will enable the Council to continue the good partnership work so far carried out in conjunction with the Police to reduce burglary.
General comment	Police Sergeant Karen McNeil	Just to re-iterate what PC Mike Neate has responded with – I would absolutely support his assertion that Cathays be declared an Additional Licencing Area. From a police perspective, we know that the work undertaken to date has had a massive impact in terms of burglary reduction, and to continue this work, would only be to our advantage.	Noted. This will enable the Council to continue the good partnership work so far carried out in conjunction with the Police to reduce burglary.
General comment	Sarah Spencer Accommodation Services Manager, Cardiff Metropolitan	From our perspective at Cardiff Metropolitan University, we would like to see the Additional Licensing of the Cathays area continue for the next 5 years. The progress that has been made for our students in the area in terms of safe and secure housing needs to continue.	Noted and agreed.

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	University	<p>As the statistics show in the report, whilst progress has been made it is by no means completed and some landlords remain oblivious to their responsibilities to their tenants health and safety.</p> <p>We have endeavoured to educate our students about what to look for when searching for properties and raising awareness through the Additional Licensing Scheme has allowed us to increase their knowledge of keeping safe and secure.</p> <p>We work closely with the Council to ensure that landlords who appear on the University's Landlord Register have appropriate management skills which has benefitted our students enormously.</p> <p>I therefore support the proposal to re-declare Cathays as an Additional Licensing Area.</p>	
General comment	Christopher Weaver, Councillor for Cathays, also on behalf of Councillors Merry and Knight	<p>We strongly support retention [of the additional licensing scheme], and welcome the progress so far, and the very positive response it has received. We see it having benefits to tenants, responsible landlords and residents in all housing types in Cathays. We believe additional licencing is necessary to ensure good standards of housing and tackle quality of life issues for tenants and their neighbours across the ward.</p> <p>We would like to see the scheme develop and build on the progress of the last few years. We believe the licensing scheme needs to be clear on responsibility for waste management, a frequent problem in HMO's. Providing secure and adequate waste storage should be essential for the granting of a licence, and failure to do so grounds for removing one. Landlords should have an obligation to make information about the waste system available to their tenants.</p>	<p>Noted.</p> <p>Licence conditions require landlords to provide adequate waste storage facilities. Waste enforcement officers are currently assessing whether HMOs have the correct bin storage facilities in place, in support of the new waste minimisation policy. Housing Enforcement Officers have met with counterparts in Waste Management and have agreed that the HMO licensing case officer will make a joint visit with the waste enforcement officer, where the landlord does not readily comply with the instructions of Waste Management, to ensure that adequate facilities are in place.</p> <p>There is also a problem with landlords and agents putting the residual waste left by their tenants at</p>

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		<p>We would also suggest that the scheme considers whether part of the fee of the licence can be used to book one annual bulky waste collection, which landlords or tenants could arrange for when they leave the property – applicable for most HMO’s in Cathays where tenancies last one academic year. This could help reduce the waste issues we experience in June/July. If this is not possible, and we would like it explored, we think this service should be promoted to licence holders.</p> <p>Residents have raised with us how the scheme can work to tackle anti-social behaviour, persistent waste issues, building regulation & planning issues, or noise. Whilst the responsibility for breaches on issues like this may be the tenants (though not if inadequate waste information and storage has been provided), and the solution may require action by a combination of the police, Council and/or Universities, we know responsible landlords want to tackle issues like this. We would like to see the licence require landlords to work with the Council on addressing issues in properties where persistent problems are identified.</p> <p>We strongly support the conditions that improve the quality and security of properties. We are concerned poor housing in the HMO sector is underreported as tenancies are short – licensing can play a part in making sure all landlords meet at least minimum standards of decent houses.</p> <p>There are additional costs to the Council as a result of the density of HMO’s in Cathays. It is noted that noise complaints are highest here, and waste issues are persistent. The Council bears the cost of responding to these problems, and the licensing scheme should be developed to both seek to prevent or minimise the likelihood of these problems occurring, and cover the cost of enforcing the standards we expect.</p>	<p>the end of term out for collection either on the wrong day of the week or not presented in the correct way or in the right waste streams. Where Waste Enforcement witness repeated breaches by the same landlord they will submit evidence to Housing Enforcement for consideration of prosecution under the HMO licence conditions.</p> <p>We cannot include bulky item collections within the licence fee. The fee must be there to cover the administrative cost of administering and enforcing the licensing fee only. The licence conditions promote the bulky item collection service to landlords with telephone and email contact details.</p> <p>The licence conditions require, amongst other matters: “The licence holder shall take all reasonable steps as a diligent property manager to control noise and other anti-social behaviour arising from the property.” and; “The licence holder shall take all reasonable steps as a diligent property manager to ensure that tenants store and dispose of their waste in a proper manner.</p> <p>These steps shall include spoken and written advice or warnings as appropriate. Where items do accumulate, the licence holder shall arrange for a registered waste carrier to collect the waste or to remove the items themselves and take to a suitably licensed refuse facility (e.g. Bessemer Close HWRC).”</p>

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		<p>Additional licensing is welcome by many landlords, tenants and the wider community and we want to see it renewed and developed to build on the improvements so far. Once the consultation is complete, as ward members we would like to meet to discuss specific ideas regarding the scheme that can promote better housing, waste management, tackle anti social behaviour and compliance with planning guidelines and building regulations.</p>	
General comment	Douglas Haig, Vice-Chair and Director for Wales, Residential Landlords Association Cymru	<p>Additional HMO licensing should only be introduced or re-designated as a last resort. The local authority hasn't provided anywhere near sufficient evidence to suggest that the situation in Cathays is anywhere close to this scenario. Our general concerns around Additional licensing are as follows:</p> <p>a. Discretionary licensing is not being used for its intended purpose of a short period of intensive care; rather it is being used by the back door to regulate the PRS.</p> <p>b. The level of fees which are ultimately passed on to tenants to pay is a major worry so far as it affects landlords.</p> <p>c. Despite high fee levels local authorities still lack the will and resources to properly implement licensing.</p> <p>d. Little has been done to improve property management. Opportunities to require training have been ignored. As always it has become an obsession with regard to physical standards with very detailed conditions being laid down. No action is taken against criminal landlords.</p> <p>e. We believe that a significant number of landlords are still operating under the radar without being licensed.</p> <p>f. As always it is the compliant landlord who is affected by the schemes. They pay the high fees involved but do not need regulation of this kind.</p> <p>g. Where areas are designated for additional or selective licensing this highlights that they can be "sink" areas. This could well mean it would be harder to obtain a mortgage to buy a property in these areas.</p>	<p>Response as follows:</p> <p>a) Nowhere is it indicated that additional licensing is intended to be a short period of intensive care. It is a tool for improving HMOs where they are poorly managed. There is a focus on management standards and the Housing act 2004 requires that risks to health and safety are addressed concurrently. The Council is using HMO licensing for its intended purpose.</p> <p>b) Issues relating to fees are addressed earlier in this document. The Council will endeavour to keep fees low.</p> <p>c) The document Evaluation of Cathays Additional Licensing Scheme 2010-2015 lays out the successes of the scheme and the areas where the Council could improve during the course of a second designation. The document can be found by going to the HMO licensing page at www.cardiff.gov.uk/privaterent</p> <p>d) Improvements are outlined in the evaluation document, see above. Cardiff has been leading the way in landlord training and has trained over 900 landlords with properties in Cardiff (736 since the Additional Licensing Scheme began). This has been achieved</p>

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		<p>h. Schemes are not laying down clear objectives to enable decisions to be made whether or not these have been achieved. Proper monitoring is not being put into place to see if schemes are successful or not.</p> <p><u>Problems with Additional Licensing in Cathays</u> The consultation document provides a number of 'benefits of Additional licensing in the Cathays Ward'. Instead of proving a basis for 'improvements to accommodation...[and] health and safety', Additional licensing creates an unnecessary distraction for the local authority, as well as the vast majority of competent landlords. At a time when there are massive financial constraints for council, the RLA would rather funds went into monitoring and enforcing standards under the Housing Health and Safety Rating System (HHSRS) than extending an overly bureaucratic licensing scheme.</p> <p>The RLA believes that a 'consistent approach to tenancy management and property conditions' can often lead to approach which is not considerate of a particular situation or set of circumstances: a 'one fits all' framework isn't usually the right way forward. A common sense approach is needed that can be adapted to meet the particular characteristics of a property and needs of the current tenants. A licence holder must abide by a set of conditions and amenity standards, and from our experiences these don't often correlate to the needs of the occupants e.g. in Cardiff two ovens and one microwave are required in larger HMOs, but some professional tenants would rather have two microwaves and one oven, as this suits their busy lifestyle.</p> <p>We strongly refute the suggestion that licensing leads to an 'eradication of bad landlords' or 'rogue landlords', as they are commonly referred to. Licensing creates another layer of bureaucracy which disproportionately impacts the most</p>	<p>by requiring that HMO licence holders attend training and providing a voucher code for discounted training through Landlord Accreditation Wales.</p> <p>e) No evidence is provided. Enforcement Officers have gone door to door throughout Cathays in order to ensure complete coverage. It is, however, likely that a minority of landlords have slipped the net and a second designation would enable the Council to ensure that their properties are indeed licensed.</p> <p>f) This is an unrealistic and polarised view of the true position. The scheme in fact presents a full spectrum of compliance from excellent landlords with immaculate properties to poor properties which are totally mismanaged with every variation in between. In excess of 70% of HMOs are non-compliant on first inspection (even though the Council offered a £100 rebate to drive up front compliance with standards). It is wrong to categorise landlords simply as good or bad. There is a full spectrum of competence, knowledge and experience in between.</p> <p>g) In practice we have found that landlords have been able to obtain a mortgage in Cathays provided the necessary licence (or assurances that the property has already been licensed) is obtained.</p> <p>h) See c above for full evaluation document.</p> <p>All FOI requests received have been answered in full. There have been no complaints about the</p>

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		<p>competent landlords, who apply for licence and do everything they reasonably can to abide by the conditions; rogue landlords sit back and do not undertake the necessary actions to obtain an Additional licence or comply with <i>any</i> applicable legislation. This completely defeats the object of any such measures.</p> <p><u>The Case Against Renewal</u> In the 'what the scheme has achieved section' a series of attempts have been used to make the case for re-designating Cathays a licensing area. The RLA believes that this section falls short of providing anything close to sufficient evidence to justify renewing the scheme.</p> <p>Over the last year, the RLA has made a number of attempts to measure the impact of Additional HMO licensing in Cardiff. In particular, we have made a number of freedom of information requests concerning health and safety standards in properties that are obliged to have a HMO licence. Unfortunately, on each occasion we received an unsatisfactory response; the local authority have denied us the opportunity of attaining an enhanced understanding of the impact of Cardiff's Additional licensing schemes.</p> <p>Consequently, we are limited to analysing the very few statistics that have been published in this consultation document. For instance, why under the 'improvements to accommodation' section have statistics only been provided for two category 1 HHSRS hazards, 'security' and 'excess cold'? We question the relevance of many of the statistics presented in this section. It is stated that '1921 HHSRS hazards have been removed or improved from properties', but there is nothing to indicate what type of hazards these are and whether they were of a genuine practical concern to the occupants or not. Under 'better value for money secured...' it is stated that burglary in Cathays is lower in</p>	<p>information provided in response to FOI complaints. The Council has carried out evaluations of additional licensing in 2012, 2013 and 2015. The documents have been made available to the public and published on the website. The Group Leader for the HMO licensing team has made presentations to landlord representatives on progress throughout the scheme. There has been an additional licensing working group in which progress has been scrutinised by Chief Officers, Operational Managers and Ward Councillors. The Council has been entirely open about the progress made. The latest evaluation document can be found at the HMO licensing page at www.cardiff.gov.uk/privaterent</p> <p>On the issue of partnership working, such an approach would not be possible in Cathays without the area focus and additional resources provided by additional licensing.</p>

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		<p>14/15 compared with when the scheme was introduced, but there is no comparison with areas of similar demographics that don't have Additional licensing. Without such comparatives it is difficult to see how the local authority can successfully justify the proposition that licensing in Cathays has resulted in the area being more successful than others in addressing the specific issues outlined. Furthermore, it is also important to emphasise the fact that additional finance has been spent in Cathays which is not directly related to the licensing scheme via a series of schemes, including those operated by South Wales police to confront anti-social behaviour. This point is expanded on below.</p> <p>In fact the few measurable statistics outlined illustrates a case against licensing. Under the 'improvements to accommodation' it is stated that 787 notices have been issued regarding security improvements with a 40% compliance rate, and 45% for excess cold. A rate of 40-5% is far too low, and demonstrates that licensing is unsuccessful with regards to ensuring better standards are enforced.</p> <p>It is argued that by extending Additional licensing in Cathays there will be a continuation of the joint working between different services and council departments. The RLA welcomes any joined up approach that enables the local authority to better assist the private rented sector. Indeed, we are aware that campaigns such as 'Get it out for Cardiff' and the ones undertaken by South Wales Police have been welcomed by a significant number of local tenants and landlords. However, joint up working is good practice, and doesn't or at least shouldn't need a licensing scheme to facilitate it. In fact, by not linking such initiatives to licensing there may be a potential to make these types of campaigns more effective: under the current structure,</p>	

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		<p>residents that live a couple of streets away from the ‘border’ of Cathays presumably wouldn’t receive the same level of assistance as those are in the designated area. Furthermore, the fact that Cathays has received a higher level of support and financial assistance from the local authority than other areas adds serious doubt as to whether any positive impacts identified can be attributed to the introduction of licensing <i>per se</i>.</p> <p>Some of the main justifications outlined in this section are going to be covered by the remit of the new national registration and licensing regime. Any overlap is unwarranted and will only worsen the financial impact on both landlords and Cardiff Council. Nationwide registration promises to ensure the ‘availability of information’ for every landlord across Wales, and we remind the council that it will have access to the centrally held data for monitoring and enforcement purposes. Furthermore, training will be a compulsory aspect of the new nationwide scheme; as the licensing authority Cardiff Council has the authority to set the training syllabus (within the remit of the authority in secondary legislation).</p> <p>As a side point, we question the need for electrical safety certifications for properties with newer installations: instead attentions should be focused on facilitating landlords who have accommodation with a higher than average risk, through age or otherwise.</p>	



Housing Enforcement



Evaluation of Cathays Additional Licensing Scheme 2010-2015

Introduction

Cardiff Council has a duty to enforce Part 2 of the Housing Act 2004 which regulates standards in private sector rented accommodation and has, since its implementation in 2006 undertaken a Mandatory Licensing Scheme for all HMOs with 5 or more people in properties with 3 or more storeys. The aim of the legislation is to improve management, amenity, safety standards of HMOs and tackle anti social behaviour to improve living standards within the community. It also gives local authorities discretionary powers to extend the scope of HMO Licensing by way of implementing an Additional Licensing Scheme to meet the needs of their locality if there is considered a need.

The Council recognises the contribution that the private rented sector makes to the authority's housing stock and through the Mandatory Scheme and other initiatives has worked hard to improve standards in those properties with some success. However the limited application of the scheme to houses with 3 or more storeys, made only a small impact in any one geographical area and it was recognised that extra powers were needed, particularly in certain wards, to provide better and more effective solutions to the problems. Therefore following a thorough appraisal and consultation exercise, Cathays Community Ward was declared an Additional Licensing Area at the Council's Executive Business Meeting on 4th March 2010.

The Additional Licensing Scheme in Cathays came into effect on 1 July 2010 and extended the scope of licensing to cover most rented property with 3 or more occupiers who form 2 or more households regardless of how many storeys the property has. The Scheme runs for a period of 5 years, at the end of which, the Council are required to re-declare the Additional Licensing Scheme area undertaking a comprehensive and thorough appraisal and consultation exercise.

Upon expiry of the existing Scheme in 2015, the Council will consider proposals for re-declaring Cathays ward. Since the Scheme was introduced, the Scheme has been routinely evaluated providing an opportunity to regularly appraise the effectiveness of the Scheme, monitor performance and facilitate any necessary improvements. The first evaluation of the Scheme was undertaken in April 2012 followed by another evaluation in 2013, which provided a comprehensive review of the Scheme since its introduction in July 2010 together with a number of recommendations. As we approach the expiry of the 5 year period of the Scheme in June 2015, this report has been prepared to provide a concluding evaluation of the Scheme to inform the possible extension of the Scheme for another 5 year period.

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Background

1.1 Legislative context

Part 2 of the Housing Act 2004 introduced the licensing of houses in multiple occupation (HMO) requiring that HMOs consisting of three or more storeys AND five or more persons living as two or more single households and sharing some amenities are licensed. Known as Mandatory Licensing, the term applies to those properties in the private rented sector.

Physical and management standards in HMOs can often be low and the aim of the licensing regime is to ensure that the poorest and highest risk properties in the private rental market meet the legal standards and are properly managed to provide greater protection to the health, safety and welfare of the occupants of this type of property.

In Cardiff, a large number of requests/complaints about the condition of private properties in the City relate to HMOs. They are also associated with issues that affect the neighbourhood such as rubbish and anti-social behaviour which can occur because of poor management of the property. HMOs can also change the nature of an area and result in reduced community cohesion.

Whilst the Mandatory licensing regime captures a number of properties, it cannot deal with all the problems highlighted in the private rented sector because it applies to only a small proportion of the stock and makes little visible impact in an area, particularly one with significant issues associated with a high density of HMOs.

Under the Housing Act 2004, additional powers are available to local authorities to extend the licensing regime to other categories of property, namely:-

- Additional licensing powers enabling the Council to extend the scope of its HMO Licensing to other descriptions of HMO either in all or in part of its district.
- Selective licensing powers enabling the Council to extend licensing to other types of properties other than just HMO's in an area of the City where there may be issues relating to low housing demand or anti social behaviour.

Despite the good work undertaken to improve properties throughout the City, it was evident that certain areas in the City were not adequately protected by the existing licensing regime and were displaying a range of common problems such as rubbish accumulation, parking stress, street scene decay and poor housing. The Authority therefore recognised that the extra powers available through the introduction of an Additional Licensing would provide better and more effective solutions.

On 10 September 2009, the Executive resolved to undertake internal and external consultation on the proposal to introduce an Additional Licensing Scheme within the Cathays Community Ward of Cardiff. Following this thorough appraisal and consultation exercise, the area was formally declared an Additional Licensing Scheme area at the Executive Business Meeting on 4th March 2010 with an implementation date of 1 July 2010.

1.2 Profile of Cathays

Cardiff is a university city with approximately 36,000 full time students over the age of 18 in residence. These students comprise approximately 10% of Cardiff's population, many of whom live in the Cathays and Plasnewydd areas, typically in shared terraced pre 1919 houses.

Cathays is an attractive area of the City for students because of its close proximity to campus and the city centre. The area contains a large number of private rented housing (64% of households in Cathays live in privately rented housing -2011 census) and over 64% of Cathays residents are full time students. This high demand for properties allows some landlords and agents to advertise and let poor quality properties in Cathays.

In 2006 a strategic partnership was established between the Council and the City's Universities through the adoption of the Cardiff Student Community Plan which addressed the "studentification" of certain areas of the city housing high numbers of students. Typically these areas displayed a range of problems such as rubbish accumulation, parking stress, street scene decay and poor housing. This partnership was supported by a jointly funded co-ordinator to lead on the implementation of a student community plan but despite this, student unions continue to report that student housing is the single most important issue they have to deal with and community dissatisfaction continues.

This dissatisfaction culminated in a motion being put to Council on 20 November 2008 highlighting the impact of a high student population in certain areas of the City calling for officers to explore how the provisions of the Housing Act 2004 for extending the licensing of HMO's might be applied to Cardiff. The Group established that Additional Licensing of HMOs could provide part of an effective solution and considered which areas of the City would benefit most.

In establishing appropriate areas for declaration, the Council considered a number of additional factors which led to the selection of Cathays as an Additional Licensing Scheme area:-

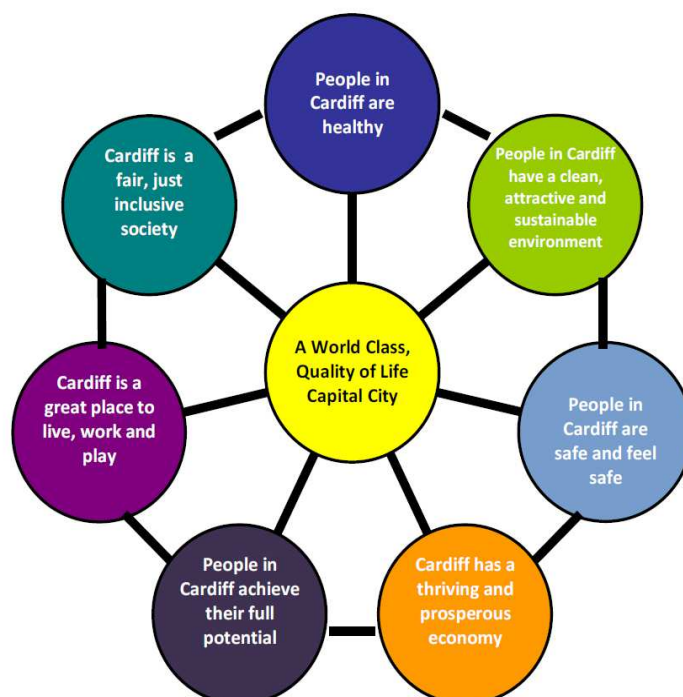
- That Cathays had the highest rate of Housing Enforcement complaints per property in the City. (14.83% of all Housing Enforcement service requests were made about properties located in Cathays).
- The Private Sector Housing Stock Condition Survey 2005 showed that the highest levels of unfitness in Cardiff were found in Area 5 (Cathays and Gabalfa combined) with 8.9% of dwellings in the area being unfit.
- The 2005 survey also identified Area 5 (Cathays and Gabalfa) as having the highest repair cost per dwelling in Cardiff.
- The Survey also showed Area 5 (Cathays and Gabalfa) as having by far the highest levels of fuel poverty with 19.4% of households living in fuel poverty compared to the second highest of 10.1%.
- During 2008/09, 118 (22.78% of Cardiff total) of Housing Enforcement Accumulation Service requests were received in respect of the Cathays area.

- During 2008/09, 195 (11.74% of Cardiff total) of Private Sector Housing Noise nuisance complaints were received in respect of the Cathays area.
- During 2008/09, 274 burglaries were recorded in the Cathays Community Ward area, representing 12.09% of all burglaries in Cardiff.
- Tenant responses to the Stakeholder questionnaires indicating high levels of concerns about their accommodation and area.

1.3 Links to Policies, Plans and Strategies

Cardiff Council’s Local Housing Strategy 2012-2017 sets out the vision that Cardiff achieves a housing market that supports the needs and aspirations of its community; a market that enables choice and accessibility by providing quality, affordable and sustainable homes. Each section describes the strategic issues for housing services in Cardiff and the activities being implemented that will assist in addressing the priorities. The Additional Licensing Scheme in Cathays is identified within the Strategy as having significant benefits to securing improved housing accommodation and better management of properties whilst improving safety for the occupiers and bringing improvements to the wider community. Furthermore it acknowledges that the implementation of the Scheme in the Cathays Community Ward has focussed on a student housing area, helping to ensure a supply of good quality, well managed private rented sector accommodation. The regular evaluation of the Scheme in Cathays is identified as an activity that will help deliver objectives that ensure Tenants and residents live in homes that are safe and secure.

Cardiff’s “What Matters” Strategy 2010-2020 is a ten year strategy that brings together partners from the public, private and voluntary sectors in Cardiff working together across organisational boundaries to share and deliver what matters most to people in the city. The collective vision of the Strategy is that by “2020 Cardiff will be a world class European capital city with an exceptional quality of life at the heart of a thriving city region”. To achieve this, partners agreed 7 outcomes.



The aims of the Cathays Additional Licensing Scheme contribute directly to a number of these key outcomes, by ensuring Cardiff has a **clean, attractive and sustainable environment, is a great place to live, work and play** and has a **fair, just and inclusive society where people are safe and feel safe, and are healthy**.

During the lifetime of the Cathays Additional Licensing Scheme, **Cardiff's Corporate Plan** has annually set out the Council's priorities for the next 3 years towards the delivery of services to the people of Cardiff. The Plans set out the vision for the City highlighting the priorities that will underpin and take forward the Council's ambitions.

Additional Licensing has been one such priority that is frequently represented in Corporate Plans. Sitting under the "People in Cardiff have a clean and attractive and sustainable environment" outcome (*Corporate Plan 2011-2014*), there was a desire to regenerate local neighbourhoods by developing and promoting Cardiff as a social landlord by evaluating the work of the Corporate Working Group on Additional Licensing for Cathays and considering the benefits of extending the scheme in other parts of Cardiff. The Additional Licensing Scheme also played a key contribution to securing safe and warm housing by promotion, partnership working, support for landlords and effective regulation (*Corporate Plan 2013-17*). Furthermore, by investing in a strategic response to reduce the Council's carbon emissions and increase the Council's generation of renewable energy, it was proposed that the improvements to properties achieved through the additional licensing scheme will improve the energy efficiency of rented accommodation. In 2015, **Cardiff's Corporate Plan 2015-17** continues to place access to good quality housing for Cardiff's citizens as a key improvement objective and commits to ensuring the private rented sector is fit for purpose and homes meet legal standards to protect the health of tenants through prioritised investigation of complaints and the proactive delivery of additional licensing schemes in the City.

1.4 Aims of the Scheme

The purpose of the Additional Licensing Scheme is to improve the standard of rented property within the Cathays Area. This includes all properties that are considered HMOs. The Scheme also aims to tackle wider community issues such as waste, anti social behaviour, energy efficiency and property security by implementing licence conditions for each property and using the Housing Health and Safety Rating System. When considering the implementation of the Additional Licensing Scheme the Council recognised that any such implementation would form part of a bigger strategy and that only by working in partnership with other Council Services, Universities, the Police, Fire Service and landlords could the challenges and issues be addressed. The following outcomes therefore represent how, by working in partnership, the Additional Licensing Scheme was anticipated to secure real benefits for tenants, the Cathays area in general and other Council services.

- **Improvements to accommodation** by licensing conditions including means of escape from fire, amenities and space standards and by using other methods such as the Housing Health and Safety Rating System to secure improvements in relation to excess cold and security.
- **Improvements to health and safety** by ensuring gas and electrical installations are safe;

- **Sustainable improvements to the Cathays area** through licensing conditions to improve the “street scene” by requiring suitable waste storage facilities;
- **Better value for money secured by a proactive approach in one area.** By making a concerted effort in one area, increasing presence and regularly visiting HMOs, more long term sustained improvement to overall property conditions will occur;
- **Consistent approach to Tenancy Management and Property Conditions** for tenants living within the area. Licensed properties will abide by a common set of conditions controlling property maintenance and tenancy management including:-
 - Fire safety management;
 - Condition and appearance of communal areas, gardens and forecourts;
 - Control of rubbish and waste;
 - Maintenance of gas and electricity installations;
 - Provision of a written tenancy agreement to each tenant.
- **Improvements made through landlord training** – The conditions attached to each licence require that the licence holder attend appropriate training on the legal requirements relating to private renting and tenancy management such as the Landlord Accreditation Wales Course.
- **Eradication of bad landlords** – Those landlords who are not “fit and proper”, e.g. with a criminal record or bad housing track record cannot hold a licence.
- **Reducing anti-social behaviour** by making landlords more accountable for the behaviour of their tenants and tackle anti social behaviour;
- **Availability of information** – Licensing allows the Council to maintain a public register of licensed landlords allowing the Council to share information with other Council services. E.g. waste management with the resulting efficiency in services and enforcement activity. Also members of the public will have access to the information.

In summary, by introducing the Scheme, the Council would:-

- Ensure that effective management arrangements are in place.
- Reduce the risk of fire, excess cold and other hazards in shared HMO’s and poorly converted self contained flats
- Improve the standard of HMO’s relating to amenities and repair
- Improve the standard of HMO’s relating to security
- Support inexperienced landlords and make all landlords / property owners more accountable for the behaviour of their tenants and tackle anti-social behaviour
- Create a fairer and more equitable situation where landlords of all HMO’s invest in better standards
- Improve the quality of housing to benefit both tenants and the wider community.

2

Delivering the Scheme

2.1 Scope of Additional Licensing Scheme

Section 254 of the Housing Act 2004, lays down the definition of a House in Multiple Occupation together with appropriate exemptions but in short the Mandatory Licensing of Houses in Multiple Occupation (HMO) requires that HMOs consisting of three or more storeys AND five or more persons living as two or more single households and sharing some amenities are licensed. The Additional Licensing Scheme for Cathays extends the scope of licensing to cover most rented property with 3 or more occupiers who form 2 or more households regardless of how many storeys the property has.

Since introducing the Additional Licensing Scheme, the number of properties licensed has increased from 323 properties to 2174.

2.2 Introducing the Scheme

Once the Additional Licensing Scheme was approved on 4th March 2010, the necessary publicity was undertaken with the legally required public notices being placed in the Western Mail and South Wales Echo on 11 March 2010 advising of the proposed implementation date of 1 July 2010. Following the public notice process, 4 objections were received, however these were not taken on board, and the scheme implementation date remained the same.

Recognising the need to raise as much awareness as possible amongst landlords, the Scheme was further promoted in the Council's Capital Times, Unity News and the Landlord Accreditation Wales Newsletter with presentations also being made to the Cardiff Landlord Forum and to Universities, Police Officers and relevant Council Officers. Furthermore, the Cardiff Council website and the Student Housing website, www.cardiffdigs.co.uk were also updated to carry full details of the scheme. Furthermore all letting agents were informed and landlords were also made aware of the need for a Licence by Officers undertaking their duties within the Cathays area.

The initial response to the Scheme was very good with a number of requests for applications being submitted during the first 2 months. September/October saw the first influx of completed applications being returned in large numbers. It was pleasing to note that landlords and agents were approaching the Council to obtain application forms. As time has progressed, awareness has grown further with the majority of licensable properties being licensed, or awaiting the outcome of their application.

2.3 Complementary initiatives

The Council has implemented a number of schemes and initiatives to address the challenges and issues present within the Cathays Community Ward that run alongside the Additional Licensing Scheme as follows:-

- The **Landlord Accreditation Wales (LAW) Scheme** is a national scheme launched in November 2008 that aims to train and support landlords thereby raising standards of knowledge and professionalism in the private rented sector and improving the way landlords deal with their properties and tenants. To date 900 landlords with properties in Cardiff have been trained under the Scheme.

Attendance on a suitable and accredited training course on tenancy management and legal standards in private renting is a condition of the mandatory and additional licensing schemes and incentives have been made available to encourage attendance. Such incentives have included a reduction of £175 in the Additional Licensing fee for each property a landlord owns, and free training to those landlords who became accredited after completing the licensing process.

As an organisation LAW supports landlords with information and guidance on changes in legislation as well as sharing best practice and gives accredited landlords recognition that helps differentiate them from those less reputable landlords who give the rental market a bad name. It is both beneficial to the landlord in terms of business and reputation and to the Council who have less need to intervene when an issue arises.

- Cardiff Council and the three Universities jointly fund a Student Liaison Officer to implement Cardiff's Student Community Action Plan. The post strengthens partnership working between the Council and Universities to reduce the negative impacts associated with large student populations in small geographical areas. The Student Liaison Officer also acts as a single point of contact for student housing and lifestyle issues.
- www.cardiffdigs.co.uk is a dedicated website for students to access a range of housing and living advice on private rented accommodation including costs, accredited letting agents, landlords, moving from halls etc.
- **Halls to House** annual campaign informs students living in halls of residence about living in the private rented sector. Held before the summer break, partners come together to give advice to students about re-use, sustainable travel, securing valuables and advice about moving from halls to houses.
- **'You're In. Now What?'** annual campaign informs students of their tenant responsibilities in the private rented sector by distributing and displaying information on issues such as community relations, rubbish and recycling, security and health and safety. Moving In and Out checklists have been produced to support the campaign. These are distributed to over 600 landlords and letting agents in Cardiff for inclusion in their student tenancy welcome packs.
- **'Lock it. Hide it. Keep it'** is a joint campaign with the police aimed at students to increase safety and reduce/prevent burglaries. A range of initiatives are in place

including increased police presence, marketing drives including door to door safety and community awareness messages, property registration initiatives, and a team of volunteer student police wardens.

- A voluntary action group **Environmental Champions** has been set up to tackle sustainability and environmental issues in the local area. The group is made up of students and community members who regularly take part in sustainability events and environmental tasks such as waste awareness door knocking exercises, river clean ups, supporting sustainability week, working alongside Fairtrade Cardiff, innovative litter picks and environmental projects.
- **Get it out for Cardiff** is a joint, award winning campaign that helps students to clear out their rubbish at the end of the academic year with the aim of re-using and recycling as much as possible. The scheme is designed to help students across Cardiff plan a stress-free move out of their accommodation, whilst ensuring that the local community is left clean and tidy.

21 Green Zones are set up in halls of residences and Student Unions across the city where students can donate clothing, food (unopened tins, packets, jars etc.), small electrical items, books, CDs, DVDs and kitchen items (plates, mugs, utensils, pans etc.). Also 20 YMCA re-use banks across the city which are in place all year round to collect clothes, shoes, bags, textiles, small electrical items, books, CDs/DVDs.

A number of charities benefit from scheme. Food collected for *FareShare Cymru* - supporting communities to relieve food poverty. Clothing, electrical items, media and bric-a-brac are being collected for the YMCA to directly reinvest in projects and services for homeless people at the Cardiff YMCA Housing Association. Kitchen items are stored over the summer and sold to students at the start of term at heavily discounted prices, with all proceeds going to charity.

The Scheme also aims to encourage and educate students to place waste out for collection on the correct day when moving out of their tenancy. The three week scheme in June each year focuses on ensuring the end of term waste is presented and removed in a controlled manner. The campaign also runs all year round to educate and raise awareness of social responsibility and correct waste presentation in the student and landlord community. Before the campaign was launched in 2004 the area suffered extended period of incorrect waste presentation over a several weeks as the student community departed the area, leading to increased pressure on collection and cleansing services. Plus the daily incorrect presentation of waste had a negative impact on the local environment and communities.

Run in partnership between Cardiff Council; Cardiff University; Students' Union; Cardiff Metropolitan University; University of South Wales; Cardiff Digs; Cardiff YMCA; FareShare Cymru; Cardiff Self Storage and Liberty Living, 18 tonnes of waste was re-used by students donating items to charity during 2014.

2.4 Partnership working

The Council firmly believes that securing sustained improvements to the private sector stock in Cardiff can only be achieved through a robust partnership approach involving tenants, landlords, local communities and the voluntary and private sectors and the various council services working collectively. To this end, the authority has a number of arrangements in place, namely:-

- **Licence conditions** - A primary purpose of the scheme is to tackle wider community issues such as waste and anti social behaviour and property security and this is achieved through the implementation of licence conditions that cover these areas. These conditions seek to complement the work carried out by other Council services by raising awareness and educating licence holders and working collectively to address the issues. The following examples demonstrate the scope of the conditions:-
 - All HMO conditions carry requirements relating to noise pollution and waste storage and disposal;
 - Landlords are required to inform their tenants about their responsibilities relating to waste management and recycling, reducing noise and other anti social behaviour. Landlords are issued with a “tenants undertaking” document which explains these responsibilities;
 - Landlords are required to work with waste management to provide suitable and sufficient bins for the size of the household. As well as promoting the retention and use of the kitchen caddies, green bags and food liners.
 - Whilst the first point of enforcement in relation to waste is Waste Management, landlords are requested to remove building waste, redundant furniture and to keep yards and gardens in good order.
 - Landlords are required to notify Pollution Control of alarm keyholders and take reasonable steps to control anti social behaviour.
 -
- Since 2011, Officers from the HMO Licensing Team have worked in conjunction with the Police on the **Cathays Burglary Project** which uses the Additional Licensing Scheme as a tool to minimise burglary primarily, but also wider community issues such as waste, anti social behaviour, energy efficiency and fire safety in HMOs.

Officers visit properties jointly with the Police and check the property against licence and security standards and offer crime prevention advice. Those properties failing to meet standards are served notices to carry out works.

The results evidence that the burglary project is working and improving burglary in the Cathays area and has evidenced an 80% decrease in burglaries during 3 years. (For further information, see Burglaries Section)

- Joint protocols have been established with both Waste Management and Pollution Control for effective joint working. An example of this joint approach is a pilot initiative with Waste Management, HMO Licensing and Pest Control officers who

make joint patrols on Colum Road to address street scene issues using the broader range of powers available to the 3 sections.

- A copy of the HMO Licence register, giving details of ownership and occupancy is circulated on a monthly basis to Pollution Control, Waste Management, The Anti-Social Behaviour Team, the Police, Trading Standards and Council Tax to assist them in carrying out their duties and to respond more quickly to problems and complaints.
- In 2011/12 a series of inspections by Trading Standards Officers were carried out in Cathays relating to the quality and safety of goods supplied with a tenancy including furniture, fire safety and electrical safety. During these inspections, 165 items of furniture, 30 electrical items, 9 gas safety checks, 10 products under general product safety laws and 21 under other safety laws were checked. Of the breaches discovered, 2 were for non-compliant mattresses; 4 sofas and one chair. All suspect non-compliances were due to furniture not being labelled with statutory labels. All landlords were written to and responded by either producing appropriate paperwork or replacing with furniture that is compliant.
- During 2012, the Consumer Services Team completed a working project/partnership with Cardiff University/ Students Union/Housing Enforcement in relation to tenancy agreements and students regarding legal (civil) contractual issues. This resulted in a group leaflet publication that was given to all Cardiff Students providing advice and information.
- Trading Standards also routinely provide officers at a stand at the freshers' fayre at Cardiff University to discuss Trading Standards issues and raise awareness of the department
- The Council has arrangements in place with landlords in which to educate and inform, namely:-
 - The Cardiff Landlord's Forum and ALMA, both supported by the Council but are landlord/agent led organisations providing valuable information to Cardiff landlords.
 - The Council has held a series of Landlord's Open Days, events that regularly attract over 200 delegates.
 - A Landlord's Newsletter is produced on a bi-annual basis providing valuable information and knowledge and is circulated electronically to landlords in Cardiff.
 -
- **Operation Saturn** is a police led operation held annually to coincide with the return of the university students in Cathays after the summer vacation. The initiative aims to deter crime and antisocial behaviour and ensure the safety and security of the community and student population. Increased police resources are provided and Council Noise Officers are available throughout the evenings to respond to noise complaints and improve community responsibilities relating to noise.
- **Cardiff Student Community Action Plan** is a collective strategy between Cardiff Council and the City's Universities for delivering improvements that address housing and lifestyle issues associated with high levels of students living in small geographical

areas of the City. The Plan sets out a number of key actions to address a range of issues that improve the quality and quantity of student accommodation, promote a clean, attractive and sustainable environment, reduce crime against students and encourages neighbourliness and respect.

- On 23 March 2015, Cardiff Council hosted a **student community partnership** stakeholder event to review the achievements of the last 3 years work of the Student Liaison Officer and to inform the action plan for the next 3 years. There were keynote speeches from the relevant cabinet members and presentations from the Police, Waste Management, Student Volunteering Cardiff and Housing Enforcement to raise awareness of all the good partnership working that has already taken place. There were workshops on the key themes of 1)accommodation, 2)neighbourliness and community respect, 3) Environment and 4)Health and Safety to refocus all partners and to generate new ideas for the 2015-18 plan.
- The Manager of the HMO Licensing team has been a member of a **Welsh Government Working Group** to study the impact of large HMO concentrations on 6 key towns across Wales with a view to producing a good practice toolkit and to generate proposals for legislative change in the fields of Housing and Planning Law.

2.5 Housing Enforcement - Enforcement Policy

Fair and effective enforcement is essential to protect the economic, environmental and social interests of the public and business. Decisions about enforcement action and in particular the decision to prosecute, has serious implications for all involved and for this reason, the Housing Enforcement Team has adopted an Enforcement Policy. The Policy outlines the Council's obligations to comply with legislation in order to improve housing standards in Cardiff ensuring that:-

- Anyone affected by enforcement action understand what principles are applied when such action is considered;
- Decisions about enforcement action are fair, proportionate and consistent;
- Officers apply current government guidance and codes of practice when considering any formal action;
- A proper scheme of accountability is in place.

Evaluation of the Scheme

3.1 Purpose of Evaluation of Scheme

The Additional Licensing Scheme for the Cathays Community Ward has been in place since July 2010 and must be re-declared at the end of the 5 year period. The expiry of the 5 year term occurs in 2015 and as a consequence it is necessary to undertake a thorough appraisal of the Scheme to establish its effectiveness and inform any possible extension of the Scheme for a further 5 years.

This document represents an Evaluation of the Scheme and builds upon previous evaluations undertaken during the course of the Scheme following its introduction.

To date, the scheme has resulted in extending the scope of HMO Licensing to capture an additional 1664 properties that otherwise would not have required licensing. When introduced it was estimated that only 1400 properties would require a Licence.

All licensable properties are inspected prior to a Licence being issued and this increase in licensed properties represents a vastly improved level of enforcement activity as a result of the Scheme. In order to establish the effectiveness of the Scheme however, we must explore other activities and measures to establish how well the Scheme has met its key objectives and secured the benefits it originally set out to do. Furthermore, if the Scheme is having a positive impact on the area, then consideration should be given to extending the Scheme for a further 5 years. The purpose therefore of this Evaluation Report is to highlight progress made so far and assess the impact the Scheme has made in a number of key areas.

3.2 Methodology and Scope

This evaluation aims to analyse activities and measures held by the Housing Enforcement Team and partners to establish how well the Scheme has met its key objectives and secured the desired improvements.

The primary data source analysed in the production of this assessment is data held on Cardiff's Housing Civica database which holds information relating to licence applications, inspections, compliance and service requests received. This information is supported by additional data provided from services such as Waste Management, South Wales Police and Noise Pollution Teams.

The reporting period used in this analysis is by financial year which enables the report to include recent data and be as up to date as possible.

Limitations

Due to the 5 year term of a Licence, properties can change hands, or no longer be licensable. As a consequence statistics on the Civica database can change during different reporting periods. For this reason, some results produced in this report for previous years may vary slightly from earlier evaluations.

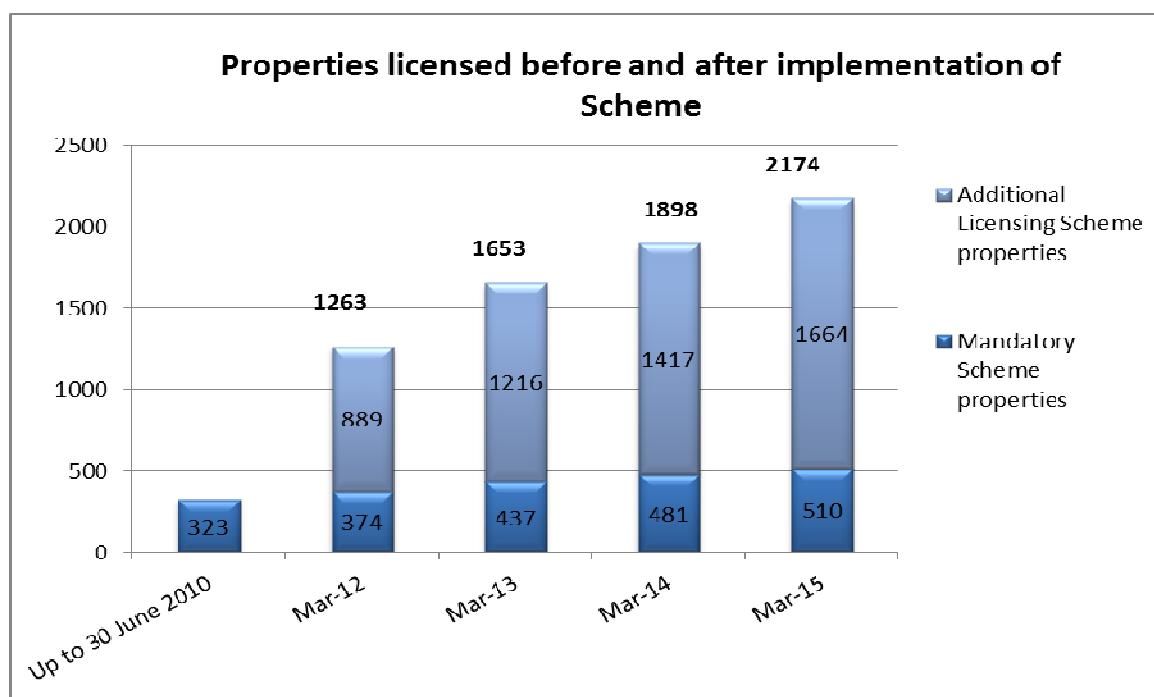
Similarly, at the point in time when reports are produced to inform this evaluation, records may not be 100% up to date, and are subsequently updated after the production of the reports. This too can result in changes to previous results reported in earlier evaluations.

3.3 Analysis of impact of Scheme

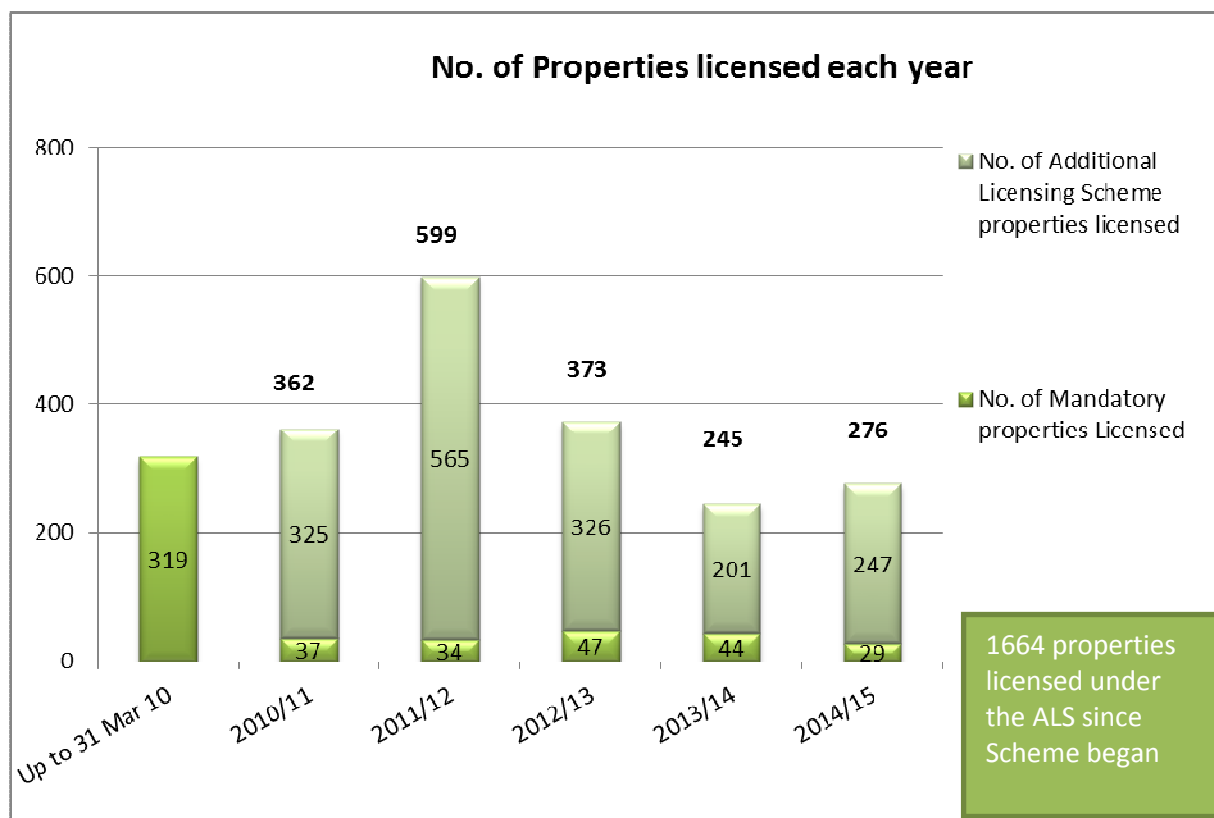
In order to understand and evaluate the impact of the Scheme following its implementation, it is necessary to look at the various statistics and performance measures available to the authority to provide a balanced picture of how the scheme has developed and the impact it has had on the Cathays area. The following measures are therefore presented to highlight the progress made with the scheme following 4 3/4 years of operation, to provide information to inform any future re-declaration of the area.

Number of properties licensed

The implementation of the Additional Licensing Scheme has ensured that the high proportion of properties otherwise excluded from licensing under the provisions of the Mandatory Scheme are now captured by the Additional Licensing Scheme. Currently, 2174 properties in Cathays have been licensed which is a dramatic increase from the 323 previously licensed prior to the scheme's implementation. This is by no means the final number of properties licensed in the Cathays area. There are presently a number of applications being processed, and a small number that have yet to make an application.



The process of identifying properties for licensing under the Scheme was very much the focus of enforcement activity following the Scheme’s implementation in July 2010 and through the following year. The graph below provides a breakdown of licensing activity prior to and since the Scheme’s implementation. It can be seen that the number of properties licensed peaked during 2011-12 following the implementation of the Scheme and we are now at a stage where the majority of relevant properties in Cathays are licensed and/or applications submitted.



Improvement of properties

The principle purpose of the Additional Licensing Scheme is to improve the standard of rented property within the Cathays Area whilst also addressing energy efficiency and property security by implementing licence conditions for each property and using the Housing Health and Safety Rating System. The following results therefore demonstrate the levels of improvement achieved since the Schemes implementation.

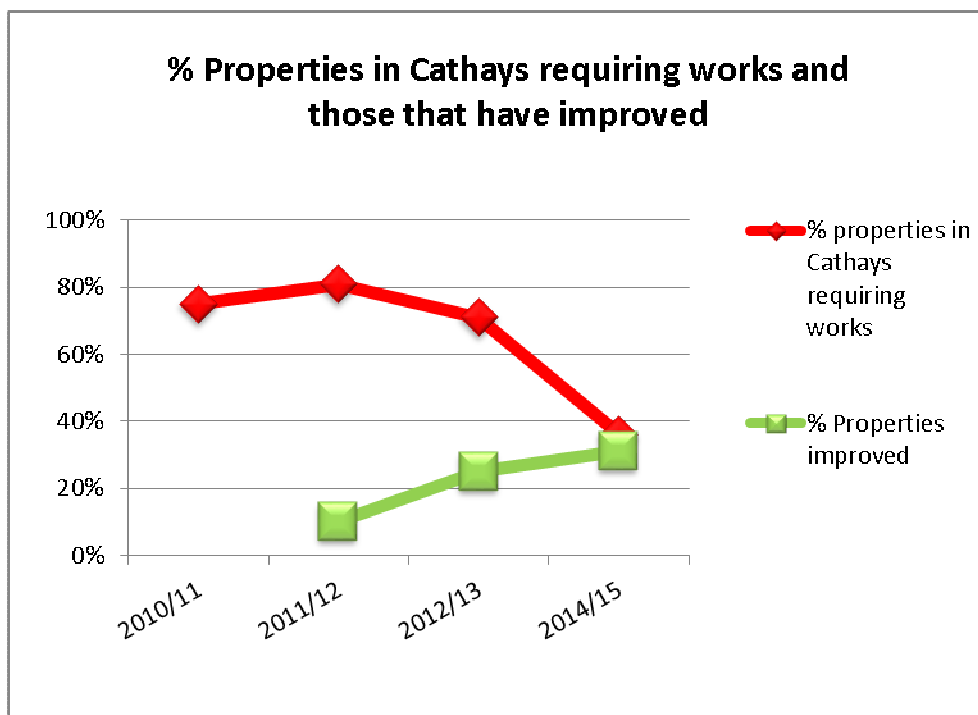
Prior to licensing a property, an inspection is undertaken in order to identify any improvements required to meet licensing standards. The following graph shows the percentage of properties requiring works. It can be seen that after an initial increase in the percentage of properties requiring works following the Scheme’s implementation, the percentage has fallen considerably over the period of the Scheme from 81% in 2011/12 to 36% over the last year.

Further examination of the property records of those licensed purely under the Additional Licensing Scheme show that 41% of licensed properties require improvement which is slightly higher than the overall total. Never the less, this is a positive improvement and demonstrates how the identification of required works and the subsequent remedial works

carried out by landlords as a result of licensing requirements has seen a reduction of the number of properties requiring improvement.

Currently 63% of licensed properties in Cathays meet the required standards. This is either through intervention by the Council, or because they were up to standard when first inspected.

The percentage of properties that have been improved through the licensing regime is 31% which shows a marked increase from 10% in 2011/12. The graph below shows that the gap between those that require improvement and those that have improved has significantly reduced as a result of the Additional Licensing Scheme.

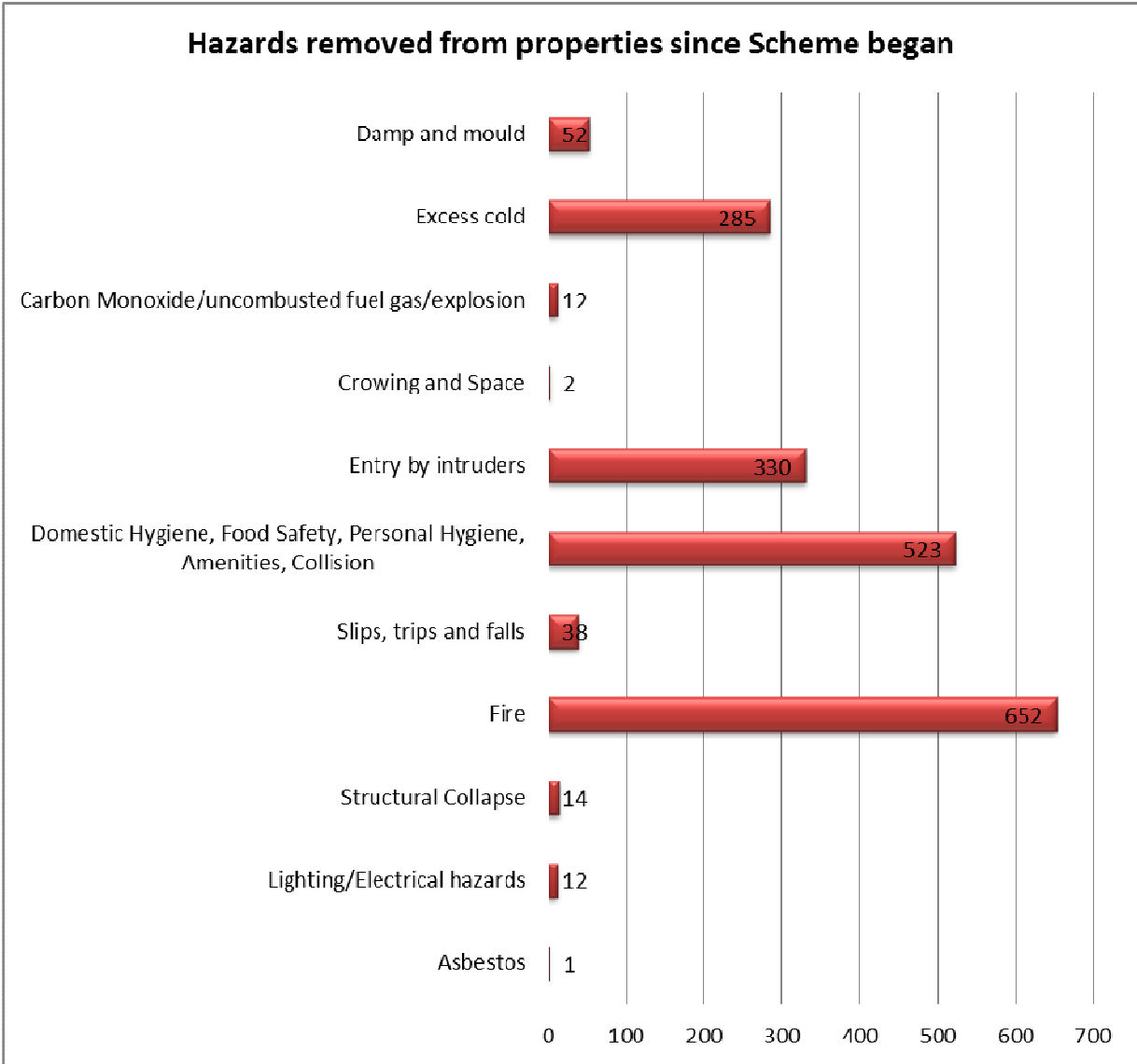


Housing Health and Safety Rating System

The Housing Health and Safety Rating System is a risk assessment tool used to assess potential risks to the health and safety of occupants in residential properties in England and Wales. The assessment method focuses on the hazards that are present in housing and tackling them to make housing healthier and safer to live in. This method of assessment is undertaken as part of the inspection process following receipt of a valid application. The likelihood and the severity of the outcome combine to generate a hazard score, with hazards falling into Category 1 and Category 2. Each hazard is assessed separately and if judged to be serious with a high score is deemed to be a Category 1 hazard. All other hazards are Category 2 hazards. Where Category 1 hazards are identified, the Council has a duty to take action to remove the risk and at least reduce the risk to a Category 2 and seek further improvements.

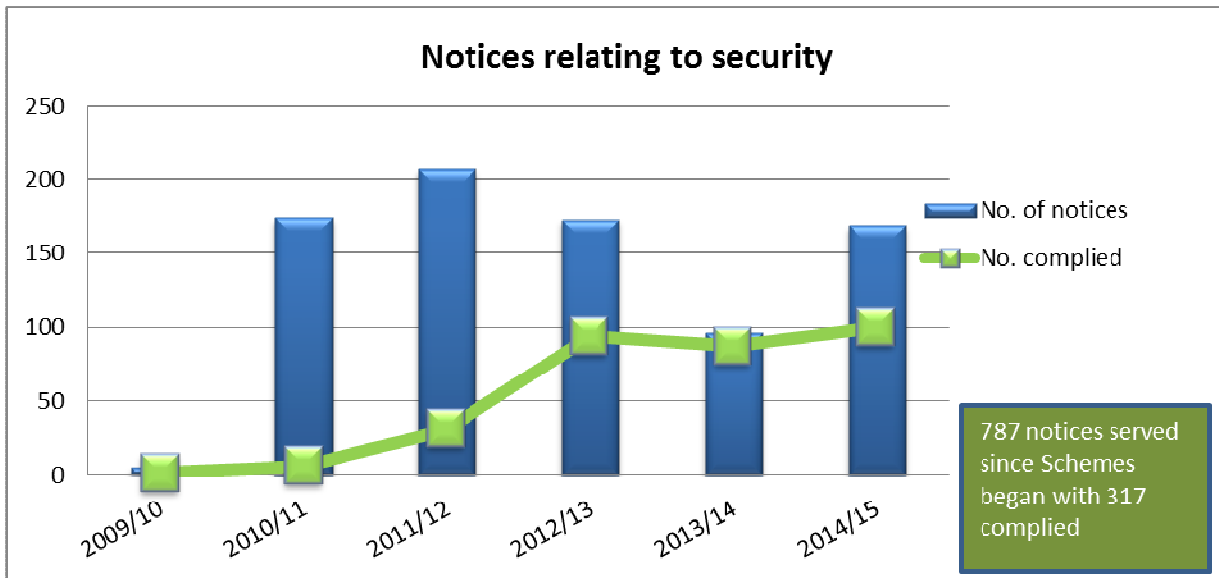
The following graph demonstrates the number of hazards removed from properties in the Cathays area following assessment. Since the Scheme began, 1921 hazards have been

removed consisting of 421 Category 1 hazards reduced to a Category 2, and 1500 Category 2 hazards have been improved.

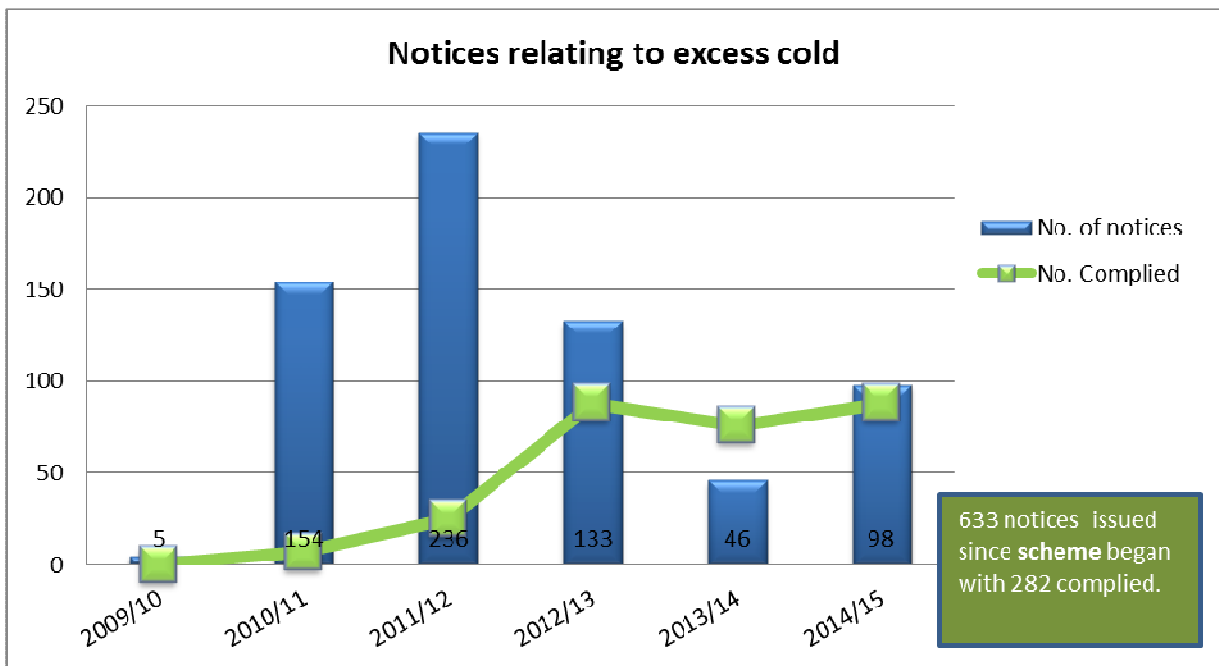


Security and Excess Cold

Since implementing the Scheme, greater emphasis has been placed on securing improvements to security and excess cold in properties during the inspection process and the following graphs demonstrate the number of notices served and complied with. 787 notices have been served in relation to security since the Scheme was implemented representing 47% of the 'additional' properties licensed. Typical requirements include the provision of window and door locks and improvements to rear gates. Currently 40% of notices have been complied with, which shows a marked improvement from 2012/13 when the figure stood at only 10%.



Similarly the number of notices served in relation to excess cold stands at 633 which represents 38% of the 'additional' properties licensed. Typical requirements in this area include the provision of loft insulation improvements to heating systems, eradicating damp and mold etc. Currently 44% of the notices served have so far complied with the Council's requirements. Again, this is a significant increase compared to the first evaluation where only 8% of notices served had been complied with.

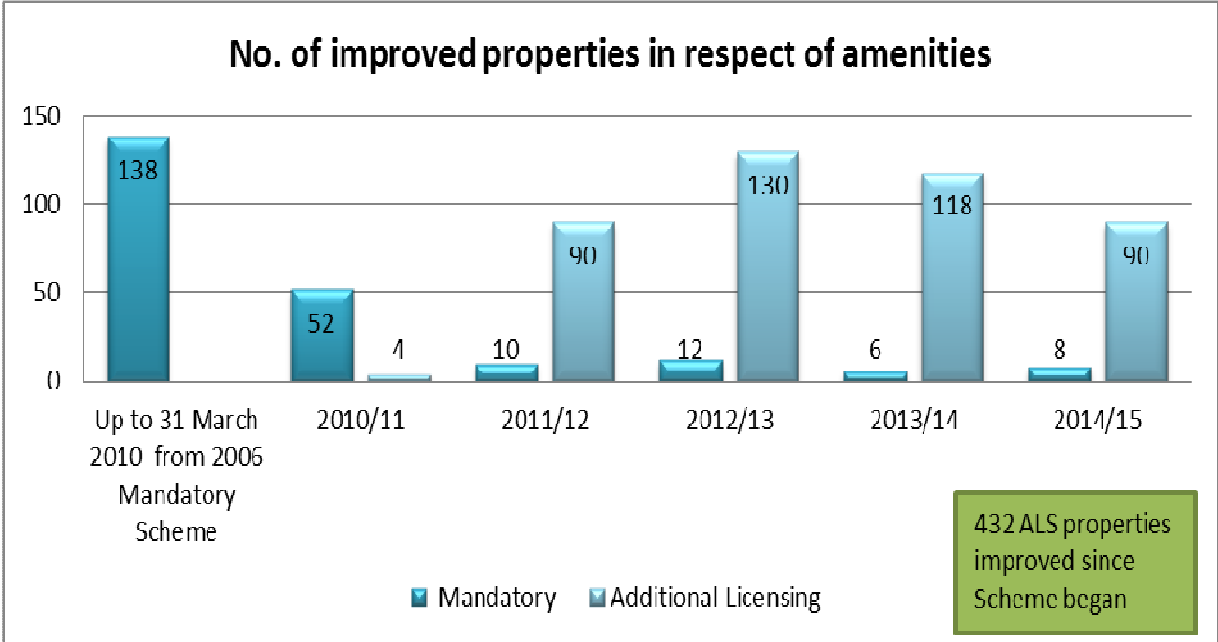
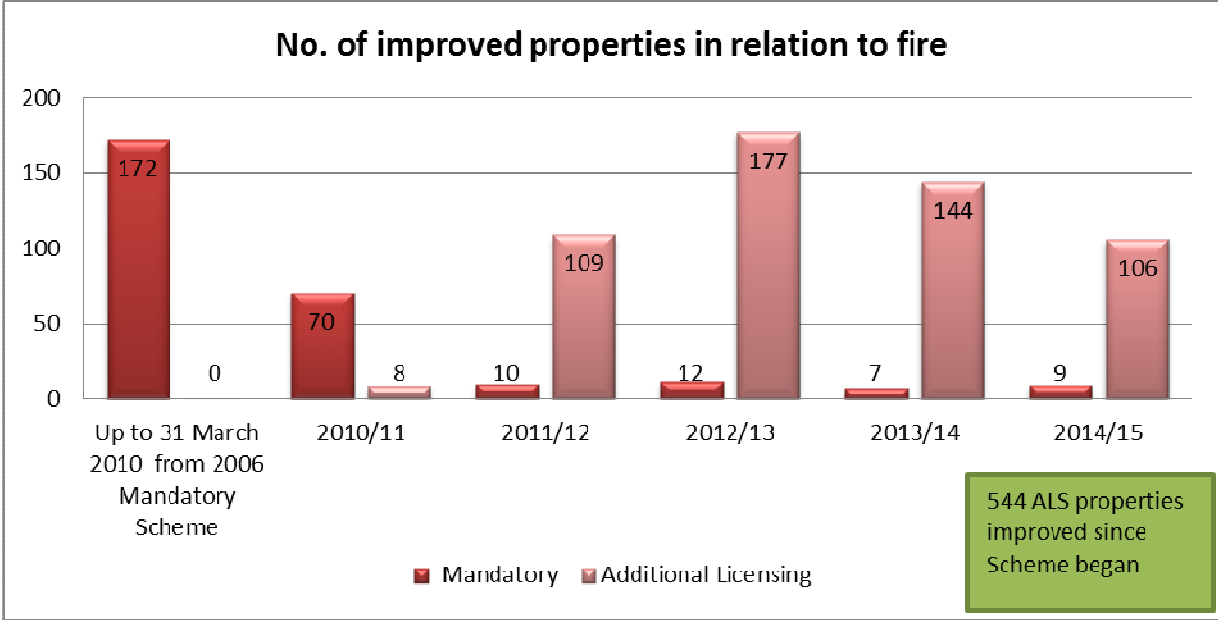


Fire and Amenities

The Council has, mainly through enforcement of licence conditions, secured improvement to 673 properties in terms of fire and amenities since the Scheme began. The following graphs show the number of properties improved for each category.

Of the 673 improved properties, 652 have been improved in relation to fire hazards since the Scheme began together with 520 being improved in relation to amenities. Typical fire

hazards include the absence of or defective fire alarm systems, absence of structural fire protection, fire doors, upgrading of walls and ceilings where required. Typical improvements to amenities is ensuring kitchen, bathroom and toilet facilities are suitable and provided in sufficient number for the number of occupants.



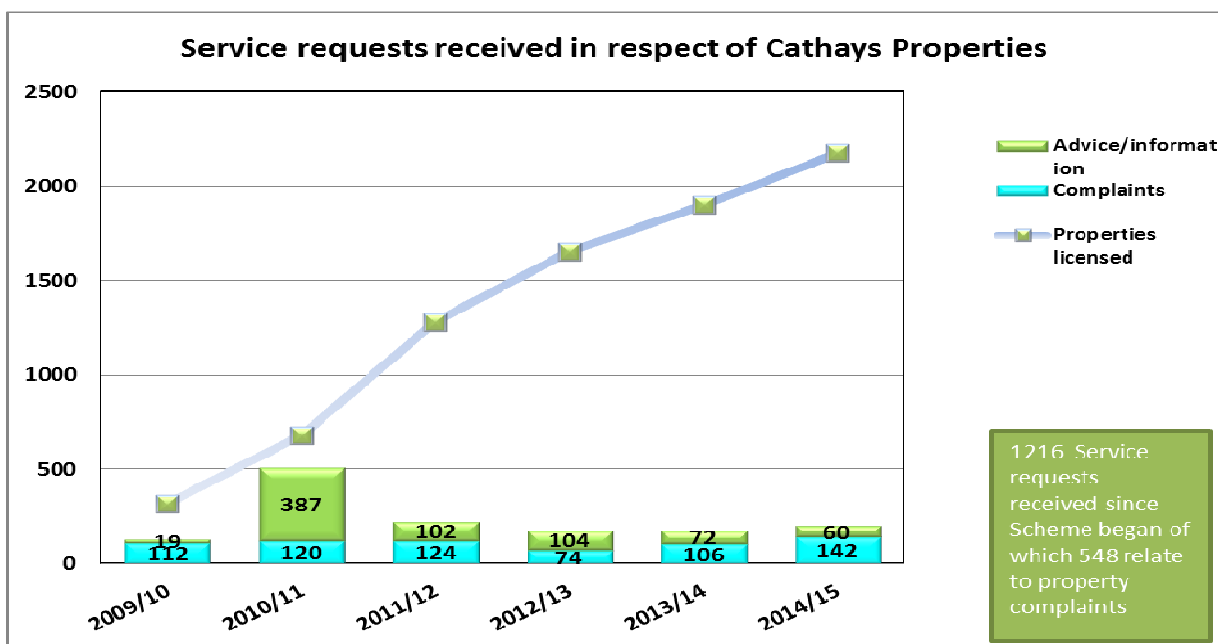
Service Requests

As well as securing improvements to houses in multiple occupation through the licensing regime, the Housing Enforcement Team also receive requests for service. This covers a wide range of issues but principally these are complaints about properties or requests for information or application forms. The following graph demonstrate the number of service requests received prior to and since the implementation of the Additional Licensing Scheme.

Prior to the Cathays Scheme being introduced, Cathays had the highest rate of complaints in the City with just under 15% of complaints relating to Cathays properties. Examining complaints that have been received during the period of the Scheme this situation has improved slightly. During the 4³/₄ year period, Cathays had the second highest rate of complaints next to Plasnewydd representing just under 13% of the whole City.

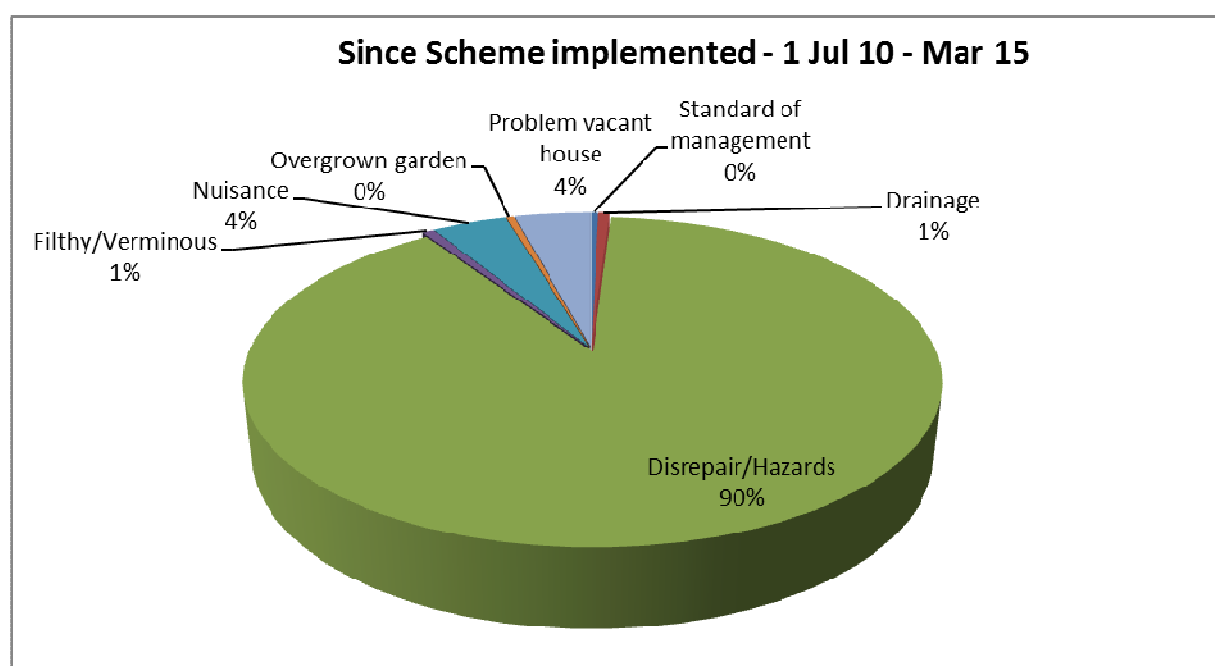
Looking at those complaints relating to Cathays, it can be seen from the graph that the majority of service requests relate to requests for information/ and that these type of requests peaked during 2010/11. This is likely due to the initial promotion of the new scheme when it was first introduced and the concentration of applications we received during the first 6 months. Inevitably the number has reduced as more and more properties have become licensed.

Interestingly, the number of complaints received about property condition has stayed fairly static prior to and through the duration of the Scheme despite the number of licensed properties increasing significantly. One might expect the number of complaints to increase due to such high volumes of licensed properties and greater awareness of the Scheme by tenants and concerned parties but this does not appear to be the case. There are currently 2174 licensed properties in the Cathays area and the number of property complaints during the last year (142) represents 6.53% of those properties licensed. Prior to the Scheme's implementation the number of complaints received represented 35% of those properties licensed. Such a percentage decrease in complaints appears to be a positive indication that the pro-active work undertaken as part of the Additional Licensing Scheme has generated an improvement in properties captured by the Scheme, reducing the need for complaint.



Complaints made about properties fall into several categories, and the graph below demonstrates the main types of complaint received. Prior to and since the Scheme's implementation, the greatest number of complaints received relate to disrepair which can cover a variety of issues that relate to the deterioration in the fabric of a building or lack of attention or investment by a landlord. It also captures all hazards reportable under the Hazard Rating Scheme.

Since the Scheme began in 2010, we have received 1216 Service Requests, 548 of which relate to complaints about property. The following chart summarises the mains types of complaints received during this period. As reflected in the graph above, disrepair which covers a wide variety of issues is clearly identified as the main area of concern.



Problem Vacant Houses

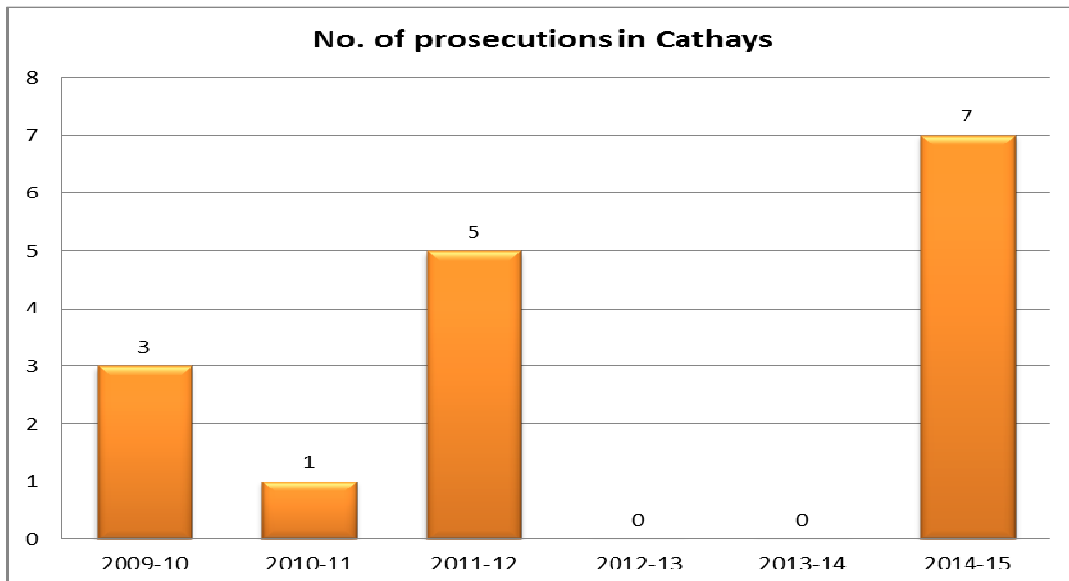
The Council's Empty Property Policy deals with problematic vacant properties that are in poor or deteriorating physical condition causing nuisance to neighbouring properties attracting anti social behaviour or vermin, fly tipping etc, or are subject to unauthorised entry. This active approach has led to over 380 (90 in the last year) vacant houses being returned to use across Cardiff since the Cathays Scheme was introduced, 18 (4 in the last year) of which were in Cathays. Furthermore 20 complaints were received about problem vacant houses in Cathays since the Scheme was implemented.

Refusals

Prior to the Scheme's implementation, 2 applications for Mandatory licences were refused, however none have been refused since Scheme began.

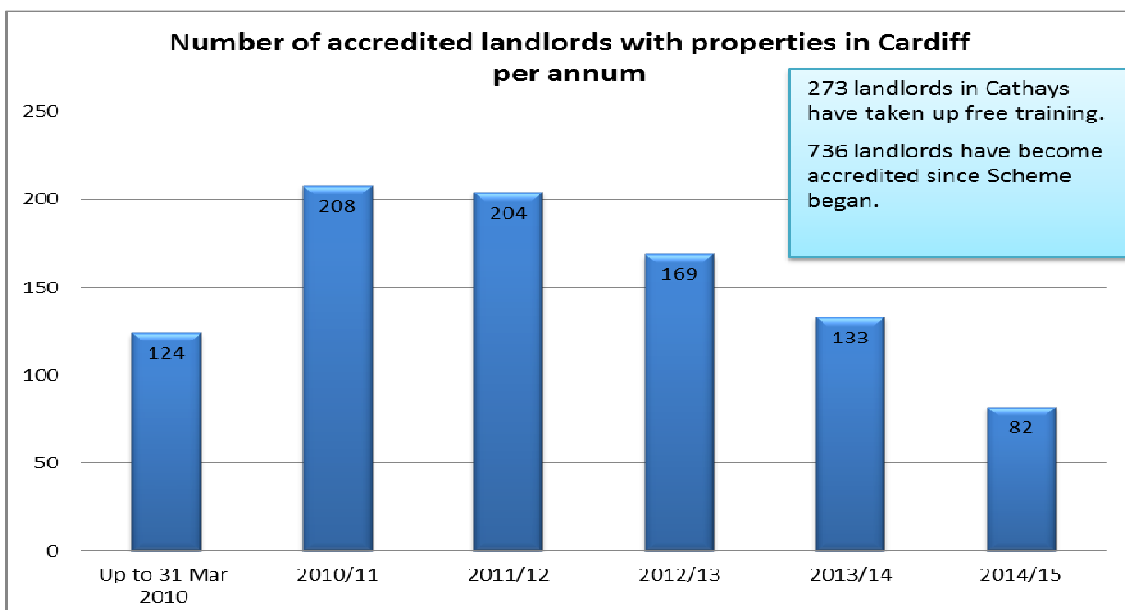
Prosecutions

13 prosecutions have been carried out in relation to properties in Cathays since the Scheme began for either failure to license a property or breach of conditions of licence.

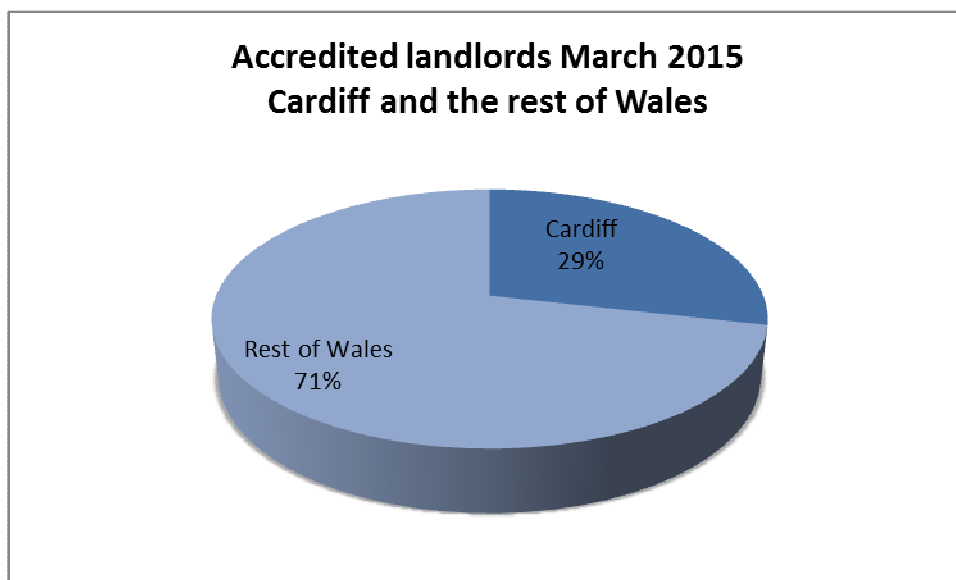


Accredited Landlords

Attendance on a suitable and accredited training course on tenancy management and legal standards in private renting is a condition of the mandatory and additional licensing schemes. During the term of the Additional Licensing Scheme, incentives have been available to encourage attendance. This has been in the form of an initial reduction of £175 in the licence fee for each property if a landlord is accredited at the time of application which was reduced to £100 in 2013/14, or free training for those landlords who become accredited after completing the licensing process. The free training stopped on the 31 March 2015, however since the Additional Licensing Scheme was implemented in Cathays, 273 landlords have taken up free Landlord Accreditation Wales training.



Cardiff has been leading the way with Landlord Training and has trained over 900 landlords with properties in Cardiff (736 since the Additional Licensing Scheme began). This is a significant proportion of the total of Welsh landlords who have undertaken training and represents a massive 29% of the total of accredited landlords in the whole of Wales.



Waste Education & Enforcement

As well as improving private rented properties, the Additional Licensing Scheme aims to support the wider community issues such as waste accumulations and ‘street scene’ improvements by attaching licensing conditions to increase waste control and awareness.

Waste management has complemented their existing student communication plan and activities with the information that the HMO licensing database provides to reach a wider community.

Waste management have a range of legal powers available to them to address incorrectly presented waste and accumulations of waste in frontages. Close working with waste management has complemented the licensing scheme to tackle key issues around waste storage that can easily contribute to incorrectly presented waste and accumulations in frontages if insufficient facilities are provided by landlords.

The waste enforcement officers have increased their focus in the student areas of the city over the last four years. Since the introduction of the licensing scheme greater focus has been on working with landlords to ensure the correct waste storage capacity and equally monitoring and report illegal HMOs that are introduced. Furthermore every year from September onwards Waste Management participate in a number of events and campaigns designed to educate students on how to handle and present their waste.

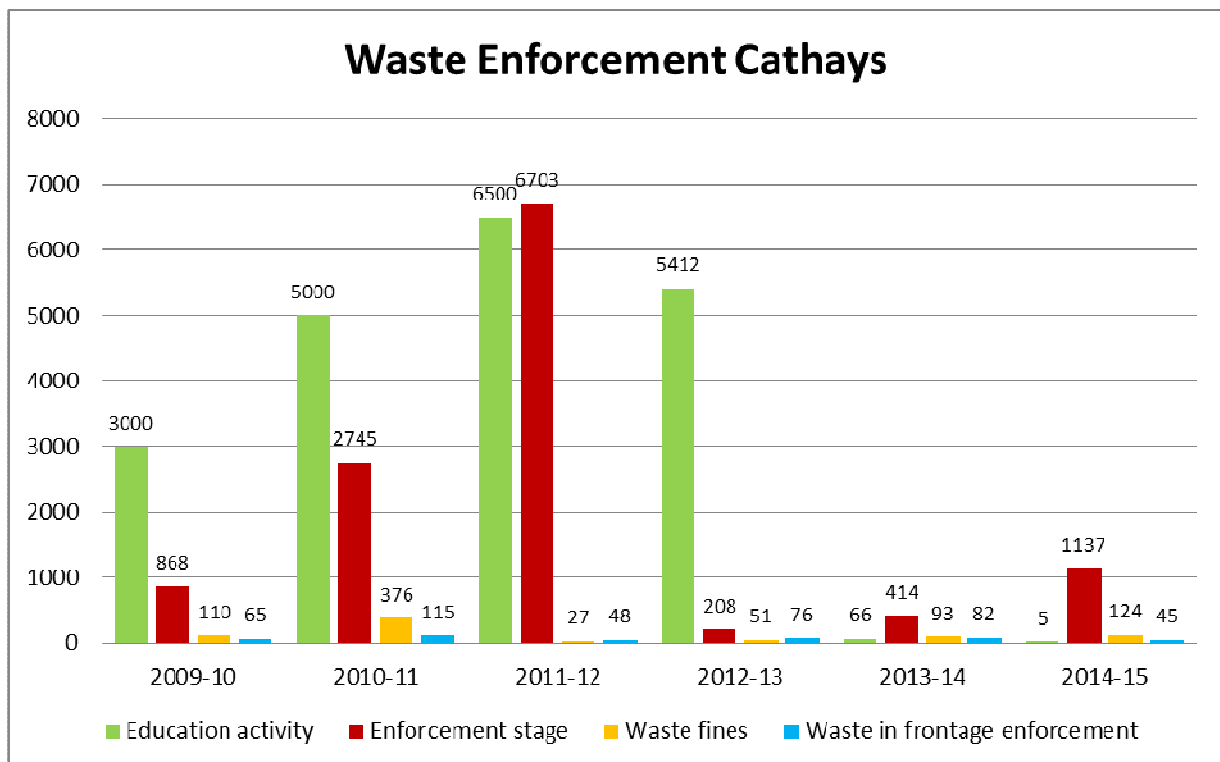
Two Waste Enforcement Officers work within the Cathays ward 5 days a week dealing with all aspects of waste issues both reactively and proactively. They respond to complaints as well as provide on-going education to residents on a daily basis. Education involves face to face contact with residents advising on issues such as frequency of collections, what can and can’t be recycled and also promoting recycling. They also do literature drops to properties where residents are not available through door knocking campaigns.

Enforcement action involves, issuing fixed penalty notices for offences such as littering or breach of section 46 notices. They are also involved in issuing section 215 notices for issues such as waste accumulation within property boundaries.

Waste Management indicate this work has seen a reduction in complaints (though no results were available for this evaluation report) and that a big improvement on previous issues such as bins being left on the highway after collection and wrong waste type out on the wrong week is evident from walking around the area. Recorded Enforcement activity has also dropped as the officers deal with numerous issues proactively before they become logged as official complaints.

The following graph demonstrates the levels of waste enforcement activity in Cathays since 2009 for incorrectly presented waste and waste in frontage issues. The waste enforcement progress shows a funnelling effect as the level of enforcement builds towards the issuing of a fixed penalty notice. The legally required three pre-stages help provide residents opportunity to correct their behaviour before any fine is issued. Education is always the priority, with enforcement a last resort.

In 2010 there was significant focus on ensuring that properties had the correct number of bins for the property in conjunction with the HMO licensing, although the waste enforcement work covered all properties not just those under the scheme. The teams focus was also on ensuring bins were returned to properties after collection and not stored on the adopted highway. This focus was then shifted to support residents through the collection changes in 2011.



The above graph shows a significant drop in enforcement during 2012/13 which is largely due to the greater focus on education within the area. Such activities have contributed to a raising of standards and a reduction in enforcement activity. More recently during the last year, the level of enforcement increased significantly from the year before, but this is largely

due to a Section 46 pilot on problem areas of the ward as a result of concern expressed by enforcement officers and ward members. (See problem areas below).

With the introduction of the new weekly recycling and fortnightly residual collections in September 2011, all enforcement activity was ceased during August to December, whilst the team focused all their resources in supporting residents on the major collection changes. The number of visits and contacts with properties was not recorded in this period. During this period additional monitoring was undertaken to ensure HMO's had the correct waste provision.

During 2012/13 additional information was collated in terms of education and enforcement however it should be noted that during 2014/15 education activities ceased to be recorded which would account for the low numbers shown in the graph.

Problem areas

On Monday 26th January 2015, the Cardiff Council's Waste Management department began a Section 46 pilot on 11 streets in Cathays that had been identified as having persistent problems with waste in the past. The pilot involved delivering Section 46 notices to occupiers on the 11 streets identified. The notice set out the requirements of the waste disposal service that occupiers are required to adhere to. Following receipt of the notice, if occupiers failed to adhere to the service they were presented with a £100 fixed penalty notice.

The number of properties and individuals that have been presented with section 46 notices and warnings is shown in the following table. 770 Section 46 notices were served in total.

Street	No. of Sec 46 notices	Street	No. of Sec 46 notices
Harriett Street	124	Richard Street	131
Wyeverne Road	124	Miskin Street	119
Cogan Terrace	17	Llandough Street	30
Llanbleddian Gardens	74	Glynrhondda Street	80
Llantwit Street	27	Senghenydd Place	5
Ruthin Gardens	39		

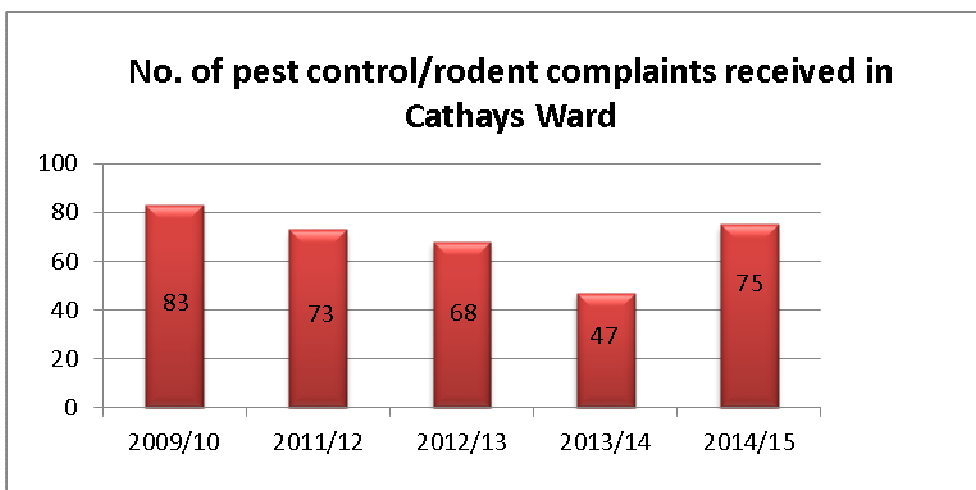
This step of intervention follows continued and focused efforts by the Waste Education and Enforcement teams to educate tenants on the specified streets, and despite these efforts, and the efforts by the Universities and Student Unions to educate students, the problem was apparent. The Universities and Student Unions assisted the Council by ensuring students were aware of the enforcement activity by encouraging students to know their bin days.

In addition to education and enforcement work, the team also undertake complementary initiatives such as improved communication with students via social media and the constant promotion of the free Tidy Text service that sends a reminder text to subscribers the night before their waste collection day to remind them when and what waste should be put out. Furthermore Cardiff Council has won national recognition for its student engagement campaign by being highly commended in the Zero Waste Awards 2012. The campaign aimed to provide students with as much information regarding recycling and waste presentation to help improve the look and feel of the area and increase recycling rates.

Pest Control

There is an association between multi occupied dwellings and pest infestations, particularly rodent pests. Generally this is caused by inadequately stored or accumulated refuse allowing access to pests and infestation. Using the Housing Health and Safety Rating System to improve properties ensures that issues such as domestic hygiene, pests and refuse are addressed.

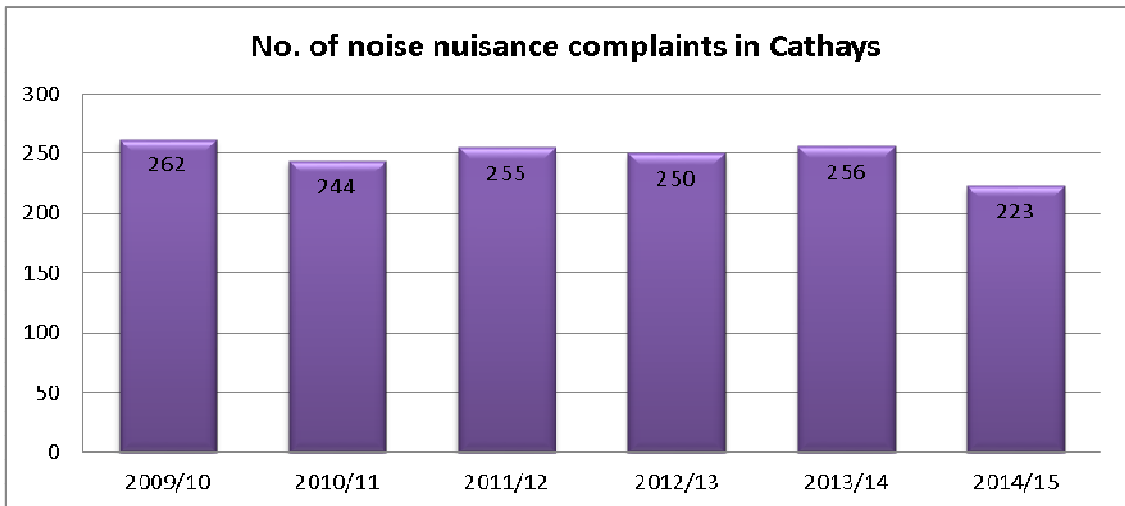
An analysis of the number of rodent/infestation complaints made in the Cathays Ward to the Council's Pest Control Service indicates a downward trend up to April 2014 where the number of complaints was almost halved compared to the number received in 2009/10. The positive trend however appears to have reversed during 2014/15 where complaints rose by 59% in a year. This sharp increase appears to be consistent with the picture across Cardiff where the number of complaints rose significantly from 2013/14, but by only 33%. A possible reason for this increase may be attributable to an advertising campaign that was launched which included bus shelter posters, radio adverts, article in Capital Times and distribution of leaflets. Furthermore a leaflet and poster drop was made to a number of letting agents in the Cathays area. Such publicity may have been successful in raising awareness of the Service which is significantly cheaper than other companies.



Noise Nuisance

The Scheme aims to tackle a number of community issues such as anti social behaviour and noise nuisance through both its licence conditions and participation in a number of initiatives. Cardiff Digs website provides comprehensive information for students on being good neighbours and joint exercises between the Police and Noise Pollution Officers have been undertaken to pro-actively tackle these issues.

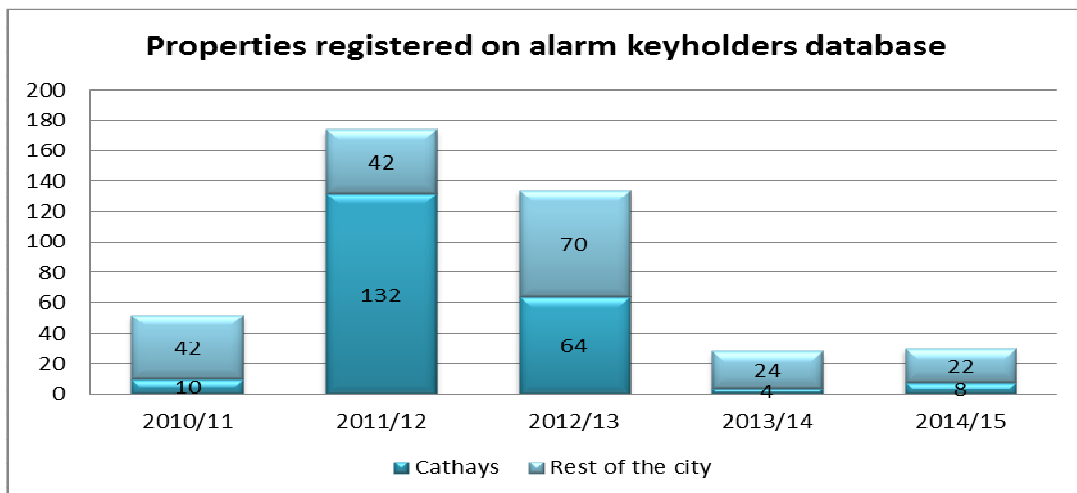
The following graph depicts the number of noise nuisance complaints received by the Council's Noise Pollution Service in respect of the Cathays area. Cathays has the highest proportion of complaints in the City and this can be attributable to lifestyle issues, such as a high proportion of students, younger people and the density of housing stock, e.g. number of flats, proportion of terraced properties. The playing of amplified music is the major cause of noise complaints in the Cathays area and across the City.



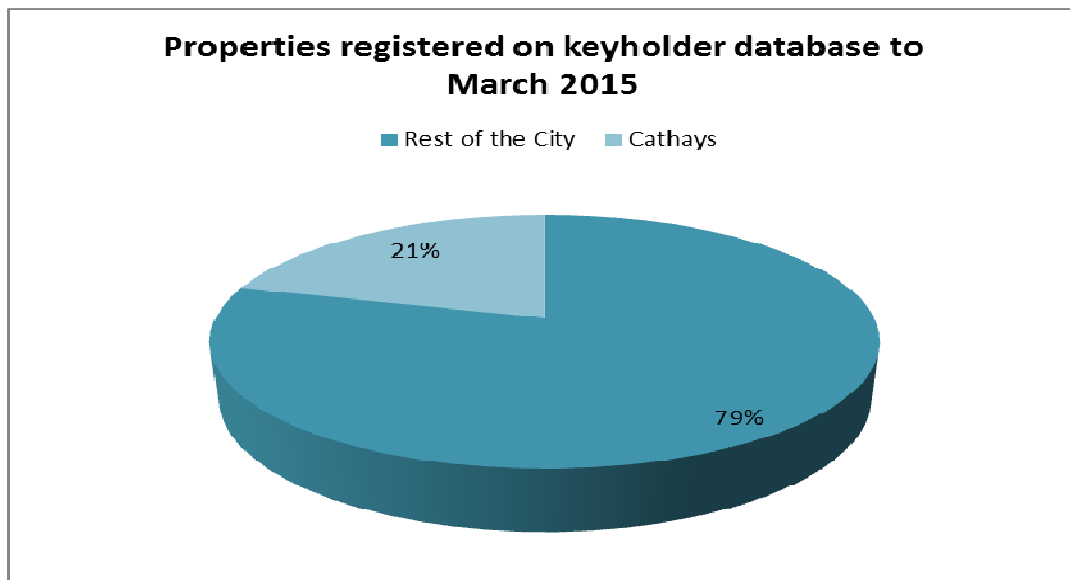
Alarm Holders

It is a requirement of the Licence that arrangements are in place for an appropriate person, having connection with a property, being available to attend the property at any time in the event of a false alarm to ensure that the fire alarm system is properly re-set and that the contact details for this person will be registered with Cardiff Council's Pollution Control Service.

The following graph depicts the number of properties in Cathays and the rest of the City that have registered on the Keyholders Database since April 2010. The graph shows that a large proportion of those registered are properties within the Cathays area, particularly during 2011/12 where there was a significant increase in Cathays properties. This period is particularly relevant when considering the impact of the Additional Licensing Scheme as this is the same period that the Council licensed the largest number of properties under the Scheme.



Similarly when looking at the overall numbers of properties registered on the Keyholders Database, the number of Cathays properties registered makes up more than a fifth of the total registered across the City indicating a positive response from this area.



Customer Engagement

Since 2012 a customer satisfaction questionnaire has been sent to HMO licensees in order to gauge customer satisfaction with the HMO Licensing process. Questionnaires are sent out in the post with Licences for both Mandatory and Additional Licensing Schemes. In total 81 responses have been received. Initially it was hoped that results could be separated between Mandatory and Additional Licensing, however in practice this has not been possible. The following information therefore is presented as results for HMO Licensing as a whole.

Results from the survey were very positive and a snapshot of results relevant to this evaluation are presented below.

Information/Advice

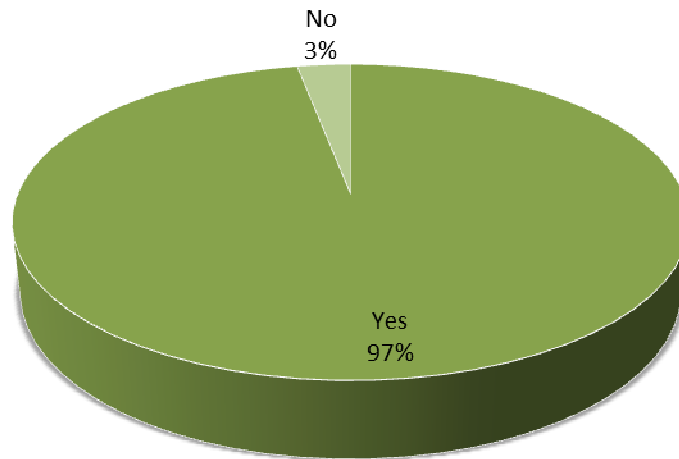
Customers were asked how easy it was to understand the information/advice provided in a number of different circumstances? Of those that responded:-

- 90% found it very easy or easy to understand information prior to making application.
- 89% found information very easy or easy to understand at time of inspection.
- 91% found it very easy or easy to understand in correspondence sent out.
- 70% found information on Cardiff Council's website very easy or easy to understand.

Improving standards

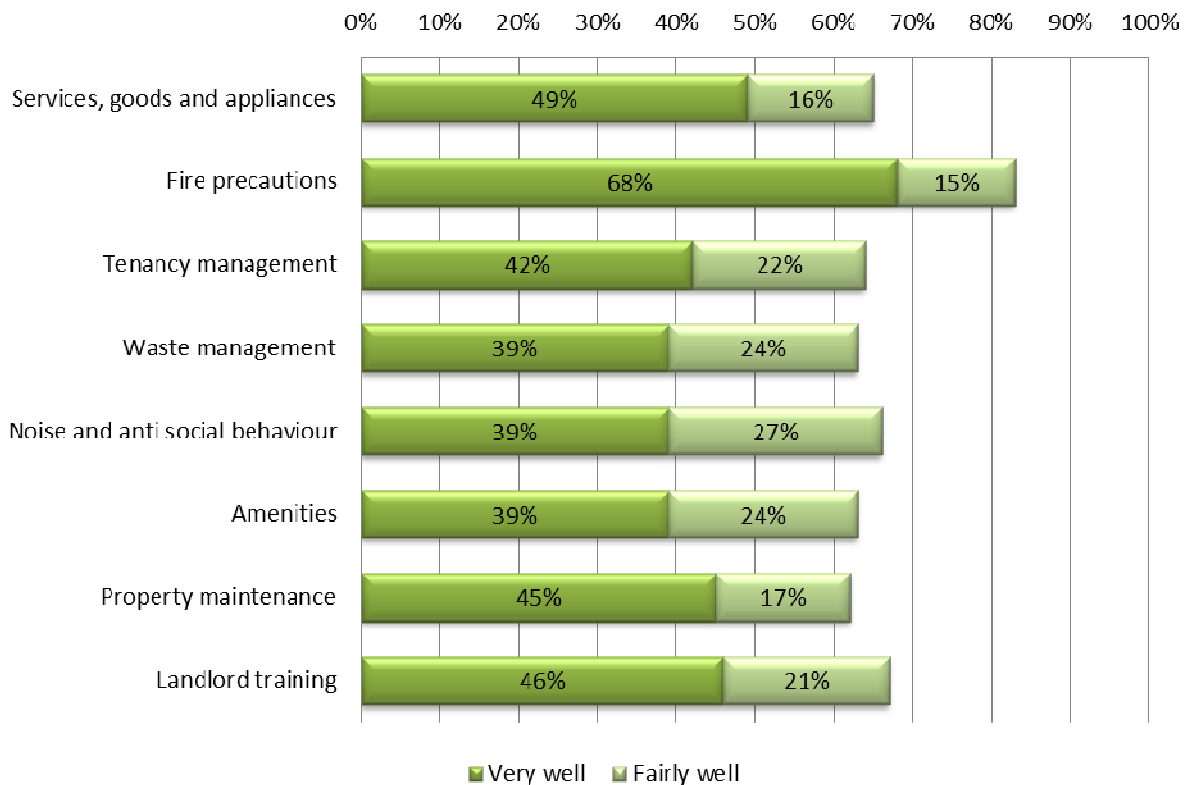
Customers were asked if they thought the Licensing Scheme improved standards in the private rental sector? A positive response was received with 97% saying they thought it did.

Does the Licensing Scheme improve standards in the private rented sector?



Those customers that were required to complete works, were asked how well the process helped them improve standards in relation to a number of areas. When combining the results for very well and fairly well, the following graph shows that customers clearly felt that the process had helped them improve standards in a number of areas. The largest number however felt that the process helped them improve fire precaution standards above other issues with 83% (68% very good) of customers responding favourably in this area.

% respondents who felt requirements to carry out work helped improve standards in property

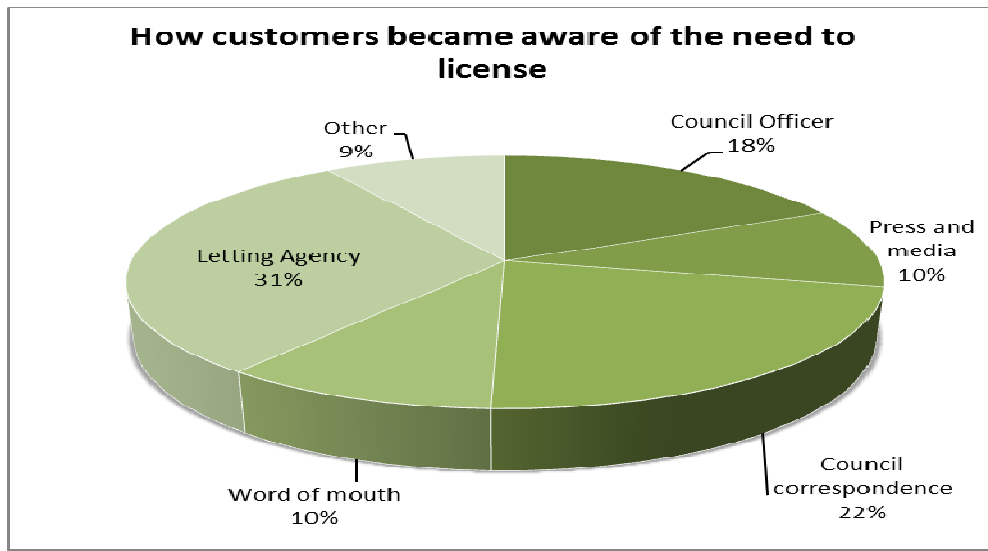


Quality of service and support to customers

Customers were asked if there was anything more the Officer could have done to improve the quality of service provided? Again a favourable response was received with 93% saying nothing needed to be improved.

Awareness of Scheme and understanding of Scheme

Awareness of the Scheme is an important factor in ensuring properties are licensed. Customers were asked how they became aware of the need to license their property? In some cases, respondents ticked more than one box, however it is clear from results that the majority of customers became aware of the need to license through letting agencies.



Landlord Accreditation

Attendance on a suitable and accredited training course on tenancy management and legal standards in private renting is a condition of the mandatory and additional licensing schemes and prior to April 2015, incentives were available to encourage attendance. Customers were asked if they were an Accredited Landlord? Of those that responded, 75% confirmed they were accredited.

Satisfaction with overall level of service

Customers were asked to state how satisfied they were with the overall level of service received from the Licensing Team. An excellent result was received with 96% of customers saying that they felt either very satisfied or satisfied with the overall level of service.

Customer Journey Mapping

Customer Journey Mapping is the process of tracking and describing all the experiences that customers have as they encounter a service or set of services, taking into account not only what happens to them, but also their responses to their experiences. The information is captured qualitatively and quantitatively.

During 2011, a Customer Journey Mapping exercise was carried out with customers who in this case were the licensees of properties licensed under the Additional Licensing Scheme in Cathays. Customers were personally contacted and taken through the process of obtaining a

licence identifying their good and bad experiences. The results were then documented and a report produced on the key issues and recommendations.

It was evident from the report that customers felt that officers were polite, friendly, helpful and accommodating and there was a general feeling of support for the Council in issuing these licences as it would “pick up on the bad landlords” and “the Council and landlords should be working together”. Furthermore, it was felt that it relatively easy to request forms, and the licence pack sent out at the end of the process was helpful. Despite these positive remarks, however, a small number of issues were identified that did not provide such a positive experience. Principally these related to following:-

- The Council’s website and the information contained within it which it was felt had not been helpful, with one customer feeling it was “confusing and contradictory”;
- The application form for a Licence under the Additional Licensing Scheme was criticised for being too lengthy, “over the top” and “very difficult to complete”. Furthermore, landlords who owned more than one property, are required to complete a full form for each individual property which they felt was “very time consuming”.
- The process was too long and drawn out. (At that time applications were taking an average of 90 days from start to finish).
- Supporting documentation was difficult and expensive to acquire.

Housing Enforcement began working to address these issues and as a first step reviewed the application form resulting in a more streamlined and user friendly form with accompanying guidance on completing the form and the information required.

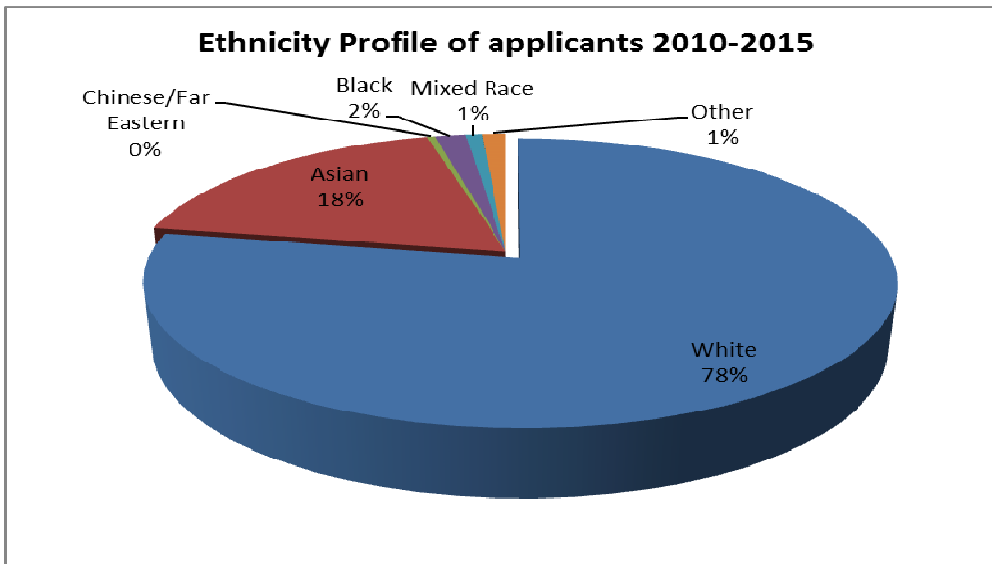
During 2012/13 there was an emphasis on reducing the licensing process and as a result the average time taken to process an application was brought down from 90 days to 56 days (8 weeks).

Opportunities to improve the web pages and guidance contained within it were taken where possible but a full revamp of the web page was not made possible until 2014 when Cardiff Council’s website was reviewed.

Ethnicity Profile of Licensing applicants

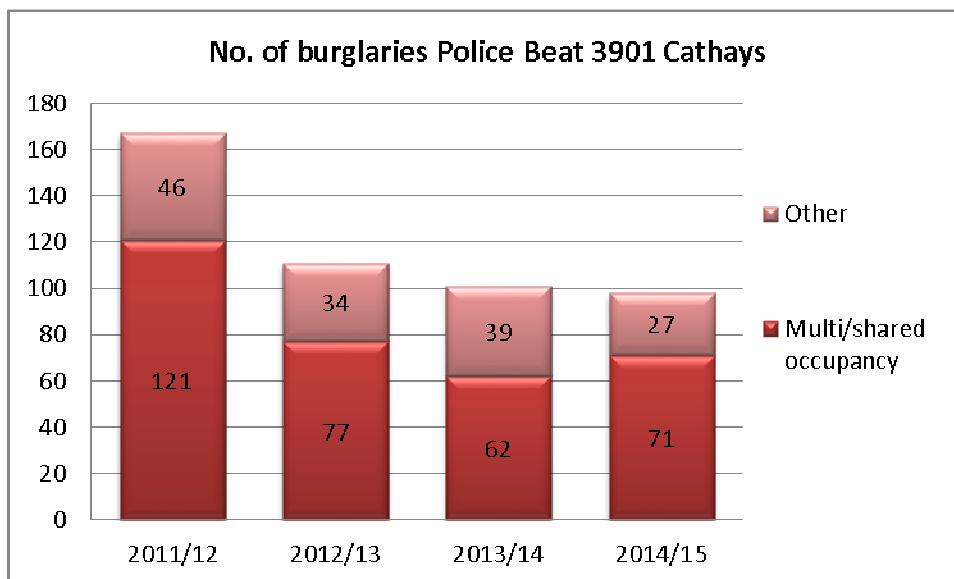
As part of the application process, applicants are requested to complete an Equalities Form. Completion of the form is not compulsory but the following graphs shows a representation of those forms returned since the implementation of the Scheme.

The graph shows a high level of property ownership by the Asian population (18%) compared to Cardiff’s ethnicity make up which according to the 2011 Census is 8% Asian. These results should be viewed with some caution however, as several landlords of Cardiff properties do not reside within the Cardiff area.



Burglaries

Analysis has been carried out on all incidents of Domestic Burglaries which have been committed between 1st April 2011 & 31st March 2015 within police beat number 3901. The graph below shows how the number of burglaries has dropped significantly during that period from 167 in 2011/12 to 98 in 2014/15. This represents a 48% drop in burglaries in the area.



When burglaries are reported, the counting rules used by the police interpret that if the rooms within the shared property are lockable then they are classed as separate burglaries, if the rooms are not then it is recorded as one burglary. However, the results above reflect more in depth analysis based on the examination of each record where it stated that there was shared occupancy, eg. Flat mate or more than one occupant at the premises who were not co-habiting.

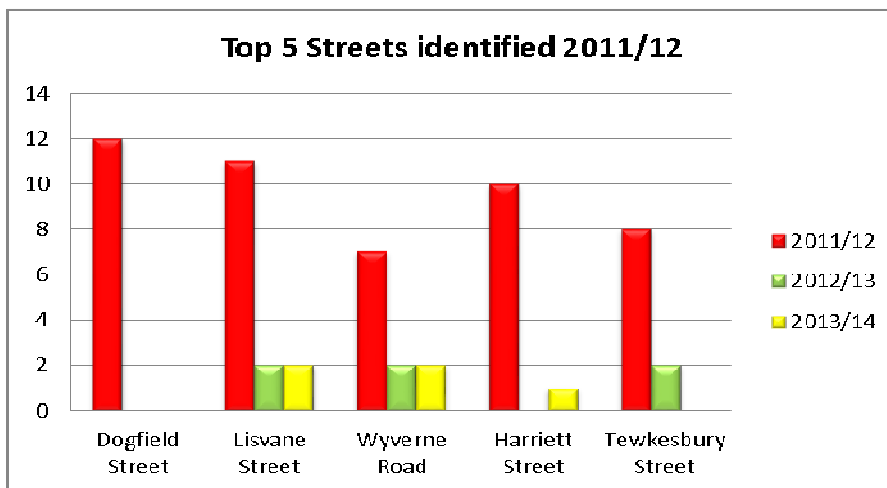
Cathays Burglary Project

Since 2011, Officers from the HMO Licensing Team have worked in conjunction with the Police on the Cathays Burglary Project which uses the Additional Licensing Scheme as a tool

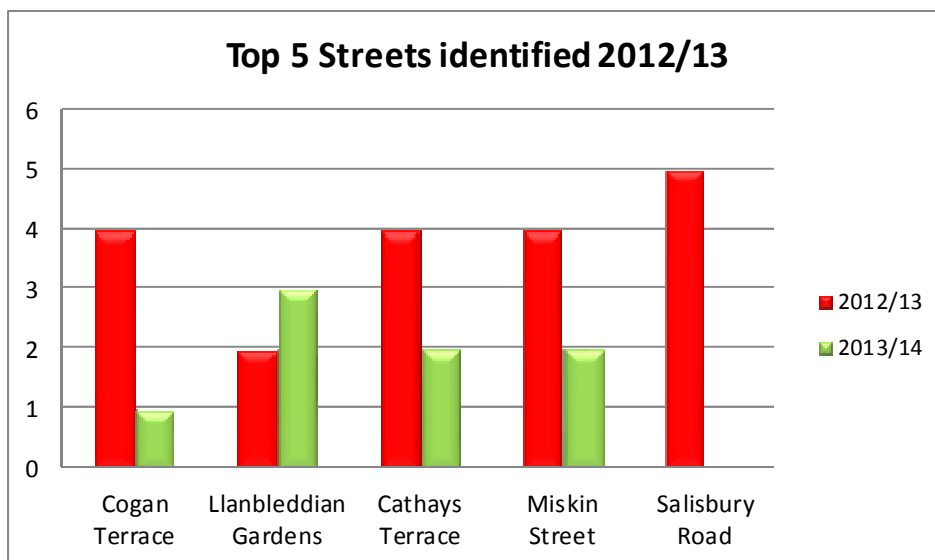
to minimise burglary primarily, but also wider community issues such as waste, anti social behaviour, energy efficiency and fire safety in HMOs.

Officers visit properties jointly with the Police and check the property against licence and security standards and offer crime prevention advice. Those properties failing to meet standards are served notices to carry out works.

Initially the burglary project targeted the top 5 streets for burglary in Cathays which were identified via intelligence analysis. This work has since successfully reduced the number of burglaries in those streets by **89%** decreasing from 48 in 2011/12 to 5 in 2013/14.



The following year the next top 5 burgled Streets were selected and during this 2 year period burglary has decreased by 58% dropping from 19 to 8.



During 2014, it was identified that there was no longer a ‘top 5 streets’ with a higher number of burglaries than other streets as the burglary rates had dropped so much. A new ‘top 5 streets’ could therefore not be chosen to work on for this period. Therefore during 2014 joint inspections were carried out on any properties where a risk was identified and follow up visits were done on any houses which had been burgled. In addition PCSOs complete check sheets when they visit HMOs which are passed to officers in Housing Enforcement. These

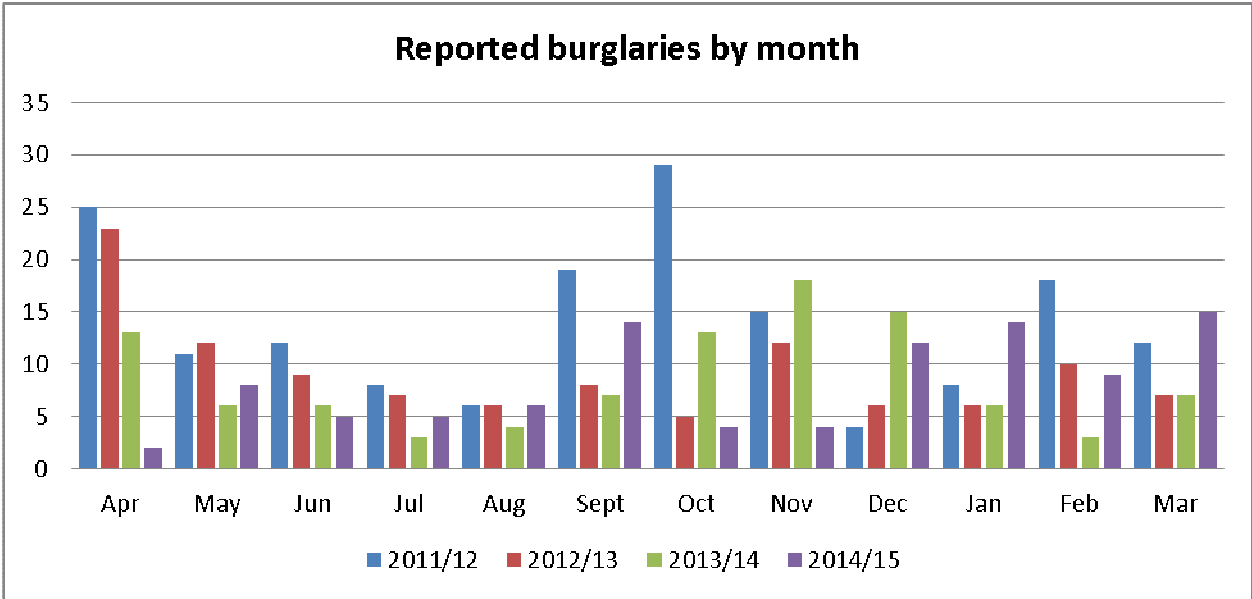
sheets identify any security works required in the house so that officers can then enforce these works. From 2015 onwards a new report will be run covering both Plasnewydd and Cathays and a new top 5 will be chosen covering both areas. This is possible now as Cardiff Council has designated Plasnewydd as an Additional licensing area effective from the 3rd November 2014.

The results evidence that the burglary project is working and improving burglary in the Cathays area, by large extents, an 80% decrease in 3 years is a huge diminution.

The Project is now being held up as an example of good practice and joint working between the Police, Council, Universities and Students in other police force areas and also assists the ongoing Operation Saturn (see below) by reducing burglaries in the Cathays area which runs annually.

Reported burglaries by month

Temporal analysis has been carried out and the following chart shows the number of offences reported each month.



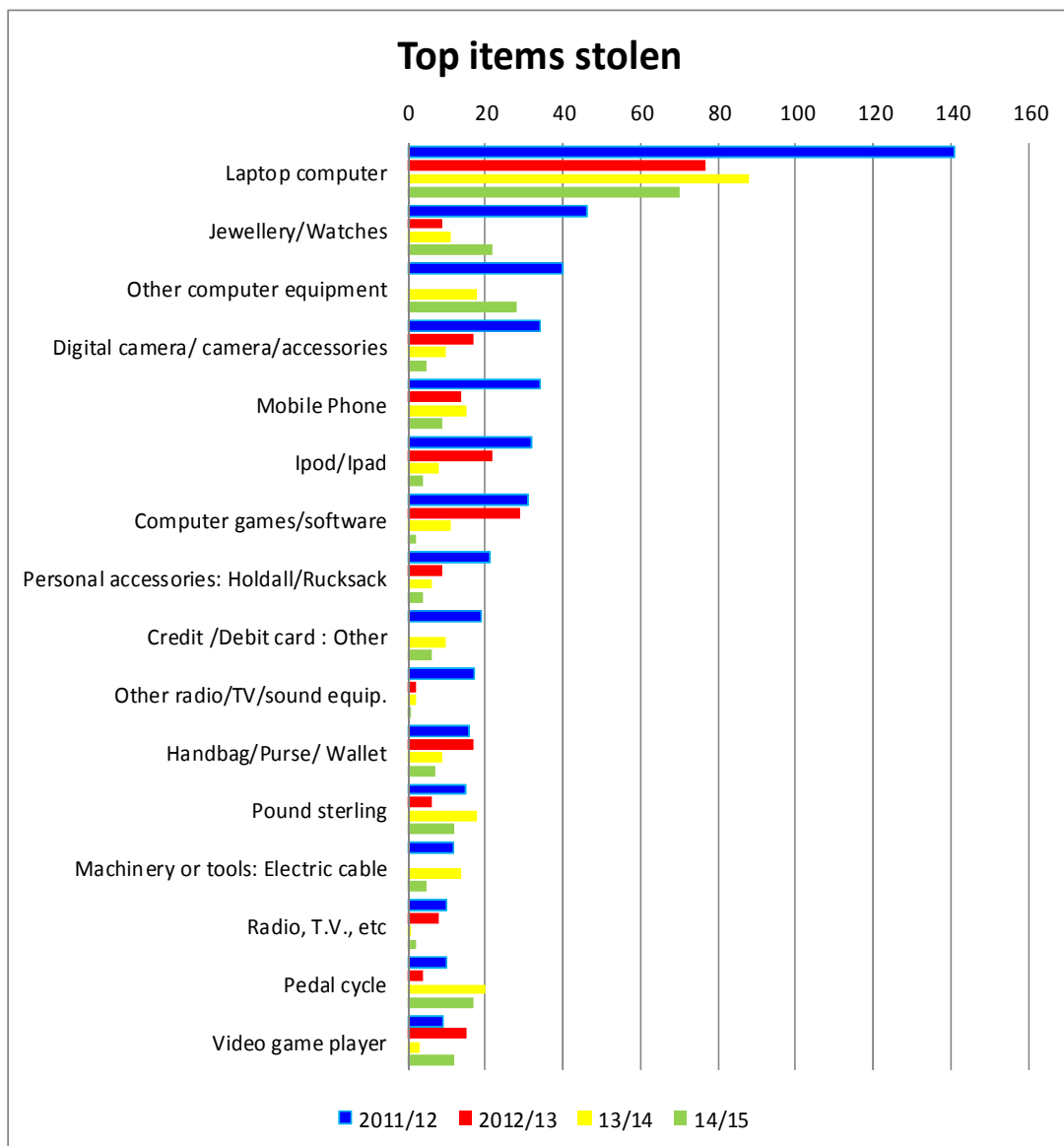
Property Stolen

A search made on the police recording system (Niche) identified the number of items of property which were stolen during burglaries between 2011 and 2015. The graph below shows shows a huge decline in items stolen, reducing from 604 In 2011/12 to 258 in 2014/15. A reduction of approximately 57%. This reduction is to be expected in line with the reduction in the number of burglaries recorded for the area.



An analysis of the top 10 items stolen in each year, identified a total of 16 different items that feature during the 4 years period. The graph below identifies these items of property.

Whilst certain items feature in the top 10 some years and not in others, laptops have consistently been the number one item stolen across all the 4 years. Despite this, the number of laptops stolen has halved since 2011/12.



3.4 Improvements

Previous evaluations of the Additional Licensing Scheme and customer feedback received have, over the term of the Scheme provided opportunities to review and improve service delivery and the way the licensing scheme is operated. The following list therefore highlights those improvements that have been made during the term of the Scheme.

- **Licence application form** reviewed and new more streamlined, user friendly form with guidance produced. This was in response to customer feedback and the number of forms that were being submitted incorrectly.
- **Customer engagement activities** have been extended via a **customer satisfaction questionnaire** sent to all licensees following the licensing process to obtain feedback on their experience and how the Service could improve.
- **Application process** has been greatly improved by transferring the administration of HMO Licence applications to the Council's Licensing Service who deal with various licensing activities across the Council. This change provided an opportunity to review and simplify the administrative process to deliver a more efficient service. Applications are no longer progressed until application and required documentation are received correctly and validated. This enables housing enforcement officers to focus on inspections rather than chasing up missing elements of the application and provides a clearer more streamlined process for landlords.
- The **turnover time for receipt and verification of an application** has reduced significantly to within 2 days of receipt meaning applications are being processed straight away and if invalid, landlords are made aware of requirements without delay.
- **Guidance documentation** has been reviewed and re-written.
- The **HMO licensing website** has been thoroughly re-written and the information leaflets contained on the website have been reviewed and rationalised.
- The number of **application documents** required to be submitted with an application have been reduced so criminal checks are no longer required. This was found to be delaying the processing of applications and creating an additional financial burden on landlords.
- **Additional payment methods** have been made available to landlords who can now pay via BACS or via debit card machine where payment can be made in person or over the phone. Previously only cheques or cash were permitted.
- Steps taken midway through the term of the Scheme to **recruit additional staff** have addressed low level improvement activity that was evident following the first evaluation in 2012. This has facilitated re-inspection of properties to ensure compliance with conditions and notices.. Furthermore, more recently, the HMO Licensing Team has been strengthened with the recruitment of 3 further technical officers, 2 administrators and are in the process of recruiting a Licensing Support Officer to chase up landlords who fail to submit applications in a timely fashion.
- Significant progress has been made in **reducing the number of outstanding applications** that were evident in 2012. This has in part been achieved through joint

initiatives with Police and Police volunteers, independent street surveys undertaken by housing enforcement officers and the transfer of the administration process to a specialist team freeing up more time for officers to undertake proactive work.

- The positive results that emerged from previous evaluations of the Cathays Scheme has led to a new Additional Licensing Scheme being declared in the Plasnewydd Ward which commenced on 3 November 2014. This Scheme will run for 5 years and will ensure that a further 1500 HMOs are brought within licensing control.

4.1 Key points and Conclusions

The Additional Licensing Scheme for the Cathays Ward has been in place for 4 ³/₄ years since 1 July 2010 and the purpose of this report is to evaluate the progress made during that period. Following the first evaluation in 2011/12, it was not anticipated that significant improvements would be observed at such an early stage, however now the Scheme is near to the end of its 5 year term, much clearer evidence of improvement has emerged. Having scrutinised and examined the various results presented in this report the following key points and conclusions are presented.

- The Scheme has been successful in capturing an additional 1664 properties that otherwise would not have been licensed and inspected.
- A range of improvements have been secured to accommodation through the provision of the licensing conditions and the issue of notices.
- The licensing of these additional properties has ensured landlords provide up to date gas and electrical installation certificates as part of the licensing process ensuring gas and electrical appliances are in a satisfactory condition.
- The number of properties requiring improvement works has improved dropping from 81% in 2011/12 when the Scheme was first evaluated to 36% during the last year.
- The number of properties that have improved as a result of intervention has risen from 10% to 31% resulting in 63% of licensed properties being up to standard.
- The gap between those properties requiring improvement and those that have improved through intervention has reduced significantly during the period of the Scheme. This is a positive indication that the Scheme has been influential in identifying issues and improving accommodation.
- Despite positive trends indicating significant improvement in properties, there still remains a large percentage that require improvement.
- Positive trends are evident in respect of the number of complied notices served in relation to security increasing from 10% to 40%.
- Positive trends are evident in respect of the number of complied notices served in relation to excess cold increasing from 8% to 44%.
- A significant number of hazards have been improved under the Housing Health and Safety Rating System. The most common hazard improved being fire safety.
- No licences have been refused since the Scheme was implemented.

- Prosecutions in relation to properties in Cathays for either failure to license a property or comply with a notice/improvement works are very low.
- Despite a significant increase in the number of licensed properties since the Scheme's implementation together with greater awareness by tenants, the number of complaints made to the Housing Enforcement Team about properties in the Cathays area has stayed at a fairly static level. There are currently 2174 licensed properties in Cathays and the number of property complaints during the last year represents only 6.53% of those properties licensed. Prior to the Scheme's implementation this was 35%. This would suggest that such a percentage decrease in complaints is a positive indication that the pro-active work undertaken as part of the Scheme has generated an improvement in properties, reducing the need for complaint.
- Since the Scheme's implementation the greatest number of complaints by far relate to disrepair.
- Partnership working between HMO Licensing Officers and Police undertaking joint visits to the 'top 5 burgled streets' with a view to target harden properties and educate tenants on crime prevention has had considerable success and seen a decrease of 80% of burglaries on targeted streets.
- A positive downward trend is evidenced in relation to incidents of domestic burglaries committed in Cathays with only 98 burglaries recorded during 2014/15. This compares positively to 2011/12 total which stood at 167, a reduction of 48%.
- 258 items of property were stolen in 2014/15 which shows a significant drop from 2011/12 when 604 items were stolen. The highest number of items stolen continues to be laptop computers, however this number has halved since 2011/12.
- Cardiff has been leading the way with Landlord Training and has trained over 900 landlords with properties in Cardiff (736 since the Additional Licensing Scheme began). This is a significant proportion of the total of Welsh landlords who have undertaken training and represents a massive 29% of the total of accredited landlords across Wales. The Additional Licensing Scheme has contributed to this number by way of licensing conditions that require landlords to be accredited and the incentives offered for landlords to participate.
- The requirement of the Licence to register alarm key holders with the Council's Pollution Control Service appears to have had a positive reaction with the number of Cathays properties registered representing more than a fifth of the total registered across the whole of Cardiff.
- Customer engagement with licensees/landlords via Customer Satisfaction Survey has received very favourable responses in all areas. Of particular relevance to this evaluation is the excellent result received in relation to respondent's views on the Licensing Scheme where the majority (97%) believed the Scheme improved standards in the private rented sector.

Quality of service and support, scored highly, with 96% of respondents confirming they were satisfied with the overall service.

- Previous customer engagement with landlords via the Customer Journey Mapping process identified a number of key areas requiring improvement which the Council has taken steps to address by way of reviewing the application form and reducing the time taken to process an application.
- The HMO Licensing Team has been receptive to customer feedback and flexible in their approach to the Scheme making improvements where necessary that benefit both landlord and the Council.
- The transfer of the HMO Licensing administration to the specialist licensing team has had positive effects in simplifying the administrative process and reducing the burden on enforcement officers enabling them to focus on enforcement. Furthermore, the reduction in time taken to process an application has sped up the licensing process and provided a clearer more consistent process for landlords.
- Whilst customer engagement has taken place with landlords via surveys and the Customer Journey Mapping methodology, limited engagement has been undertaken with tenants and as a consequence it has been impossible to establish their perceptions of the effectiveness of the scheme.
- Licences issued under the Additional Licensing Scheme will begin to expire in 2015 and require renewal with many properties (31%) requiring improvement. If the Scheme was to expire, these properties would be exempt from the licensing regime and therefore not be improved. Similarly during the 5 year term of a licence, properties can deteriorate and if a Licence was not renewed and inspected, further opportunities to improve accommodation would be lost.

Summary

The purpose of the Additional Licensing Scheme is to improve the standard of rented property within the Cathays Area together with wider community issues such as waste, anti social behaviour, energy efficiency and property security. In preparing this evaluation, analysis has been undertaken into the various elements of the Scheme and it is clear from all results that evidence of the Scheme's positive impact has emerged. High volumes of properties have required improvement and have been improved which demonstrates clearly that not only is intervention by the Council warranted but that this intervention is having an impact on the area. Prior to the implementation of the Scheme, these properties would have been exempt from the Licensing regime and such improvement works would have remained unidentified.

It is clear from this evaluation, that the Additional Licensing Scheme has been a valuable tool in applying standards and improvements to a large number of properties that otherwise would have been exempt. It is therefore imperative that this good work continues. The imminent expiry of the Additional Licensing Scheme in June 2015 provides an opportunity for the Council to continue this good work. It is therefore recommended that the Cathays area be re-declared as an Additional Licensing area for a further 5 years.

4.2 Recommendations

Recommendations

- That Council re-declare the Additional Licensing Scheme in Cathays for a further 5 years to build on the good work that is evident within this evaluation.
- Deter prolonged non compliance of licensing requirements by strengthening the enforcement process to be applied to landlords failing to comply with licensing requirements in terms of submitting applications and undertaking improvements.
- Extend customer engagement activities with tenants in Cathays to establish their perceptions of the overall effectiveness of Additional Licensing Scheme. NB. Should a decision be made to re-declare the area, a public consultation will be undertaken which would address this issue.
- Evaluate the Cardiff Student Community Plan to ensure it's effectiveness and implement improvements where necessary.
- Continue to undertake joint activities between Police and HMO Licensing Officers to improve security in licensed properties.
- Undertake routine evaluations of the Scheme to ensure it continues to deliver the required benefits and implement improvements where identified.

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Policy/Strategy/Project/Procedure/Service/Function Title: Re-declaration of Additional Licensing Scheme into Cathays Community Ward
New/Existing/Updating/Amending: New

Who is responsible for developing and implementing the Policy?	
Name: Will Lane	Job Title: Operational Manager
Service Team: Neighbourhood Services – Shared Regulatory Services	Service Area: Environment
Assessment Date: July 2015	

1. What are the objectives of the Policy?

The Council is keen to ensure that all tenants in the city live in properties that are well-managed, dry, safe, warm and secure. Within the private rented sector, the Council has powers to ensure that shared houses meet certain standards and can make the landlords / agents comply with specific requirements.

The Council has powers to licence certain types of properties across the city, these are known as HMOs (Houses in Multiple Occupancy). The Council has used its powers to extend the types of dwelling that can be licensed specifically in the Cathays ward of Cardiff under an **Additional Licensing Scheme** which was introduced in 2010 for a 5 year period. Upon expiry of the 5 year term of the Scheme, the Council can re-declare the Cathays area as an Additional Licensing area provided that it is satisfied that specific criteria are met. The Council is now considering whether to re-declare this Scheme for a further 5 year term.

The objectives of re-declaring the Scheme include:

- **Improvements to the quality of the accommodation** including means of escape from fire, additional security measures and improved energy efficiency.
- **Improvements to Health & Safety** by ensuring gas and electrical installations are safe and that there are no serious hazards in the property.
- **Improvements to the management** of HMO's by ensuring that landlords are aware of their responsibilities through training and that ongoing management standards are maintained.
- **Sustainable improvements to the "street scene"** by requiring suitable waste storage facilities.
- **Targeted localised action** by increasing presence and regularly visiting HMOs, it is likely that a more long term sustained improvement to overall property conditions and neighbourhood environments will occur.
- **Consistent approach to Tenancy Management & Property Conditions** for tenants living within the area. Licensed properties will abide by a common set of conditions controlling property maintenance and tenancy management.
- **Eradication of bad landlords** who are not "fit and proper", e.g. with a criminal record or poor track record of managing properties cannot hold a licence.

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2. Please provide background information on the Policy / Strategy / Project / Procedure / Service / Function and any research done [e.g. service users data against demographic statistics, similar EIAs done etc.]

In order to explore whether the Council wishes to extend Additional Licensing into Plasnewydd, it must first carry out a thorough appraisal and a consultation exercise with all stakeholders, prior to the introduction of any additional discretionary powers.

Background information on Cathays shows that it has approximately 20,121 residents (2011 census) - 5.81% of the population of the city. This is an area with a lower proportion of families than the city as a whole with only 9% of households including dependant children compared to almost 28% of households in Cardiff. The population age profile is younger than for the city as a whole with 53% of residents in the 20-24 age group - almost 5 times higher than for the city as a whole. Less than 6% of residents are aged 60 and over (compared with 18% for the city). There is also a high proportion of single people in Cathays with approximately 85% of the local population aged 16+ being single compared with 45% in the city as a whole.

Approximately 30% of Cathays households are made up entirely of full time students (more than 12 times higher than the city profile) and one person households (aged under 65) make up an additional 27% of the local population (compared with 22% for the city as a whole). The student population together with the fact that 16% of the Cathays population have only been resident in the UK during the last 5 years (compared with 5% for whole city) suggests that there is a high level of movement in the area.

The ethnic mix of Cathays broadly reflects that of the whole city, although proportionately the Arab population is almost double that of the city as a whole and the Asian Population a third higher than the rest of the city. There is a higher than average percentage of people who follow the Muslim faith (8% compared with 7%) and who have no religion (44% compared with 32%).

As part of the required process to make any new additional licensing designations, the Council has undertaken a consultation exercise with a variety of interested parties, namely:

- Councillors for Cathays
- Relevant MP and AM
- Council service areas including Planning, Homelessness/Housing Advice, Anti-social Behaviour (Housing), Waste Management, Sustainability and Regeneration
- 7 Registered Social Landlords
- 3 Universities and the Students Union
- 220 Letting Agents
- 2,450 tenants and residents in Cathays*
- 1,210 individual landlords
- South Wales Police
- South Wales Fire Service
- Shelter Cymru
- Tai Pawb
- Representativebodies: CLF/RLA/NLA/ARLA

Consultation was undertaken over a 4 week period using an online survey, with an option for a paper version or other assistance for those requiring it. Additionally written submissions were accepted from respondents.

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**made up of 2,233 letters 'to the occupiers' of known HMO addresses and 217 emails to Citizens Panel members identified as living in Cathays*

Outcomes of the consultation show that while nearly all tenants received a copy of a tenancy agreement, only 31% of private tenants state that they believe their landlord/agent manages their property well. Responses show that landlords are failing to provide information on how the bond is protected (only 56% tenants received this), a copy of the gas safety and energy performance certificates (both 19%), waste collection data (19%) and general information about responsibilities as a tenant (44%). In terms of the property conditions, over half of the private tenants responding had reported concerns about their home to their landlord with only a quarter of those landlords taking steps to put things right. The highest reported concerns were damp and mould (50%), energy efficiency (44%), general property condition (44%) and storage areas for waste (44%).

The top concern amongst tenants and residents (85%) is litter, rubbish and waste in gardens/forecourts in the Cathays area.

3 Assess Impact on the Protected Characteristics

3.1 Age

Will this Policy / Strategy / Project / Procedure / Service / Function have a **differential impact [positive / negative]** on younger / older people?

	Yes	No	N/A
Up to 18 years		✓	
18 - 65 years		✓	
Over 65 years		✓	

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

People under 18 are not able to own or manage any properties in the UK and would therefore not be eligible to operate as landlords under this Scheme.

What action(s) can you take to address the differential impact?

The re-declaration of the Additional Licensing Scheme is targeted predominantly at the standards of the accommodation and the management practices of the landlord. Landlords directly are subject to the requirements of the Licence which is tenant blind. Tenants of any age will not necessarily be aware of Additional Licensing, but will continue to have access to advice and support through a number of existing services should they have an issue with their accommodation or their landlord.

3.2 Disability

Will this Policy / Strategy / Project / Procedure / Service / Function have a **differential impact [negative]** on disabled people?

	Yes	No	N/A

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Hearing Impairment		✓	
Physical Impairment		✓	
Visual Impairment		✓	
Learning Disability		✓	
Long-Standing Illness or Health Condition		✓	
Mental Health		✓	
Substance Misuse		✓	
Other		✓	

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

Landlords are required to ensure their HMOs meet certain standards. The Council's Housing Enforcement Team will work sensitively with any landlord experiencing difficulties and be fully supported throughout the process. In some cases this may be through a Power of Attorney or other representative.

What action(s) can you take to address the differential impact?

The re-declaration of the Additional Licensing Scheme is targeted predominantly at the standards of the accommodation and the management practices of the landlord. Landlords directly are subject to the requirements of the Licence which is tenant blind. Tenants who have a disability will not necessarily be aware of Additional Licensing, but will continue to have access to advice and support through a number of existing services should they have an issue with their accommodation or their landlord.

3.3 Gender Reassignment

Will this Policy / Strategy / Project / Procedure / Service / Function have a **differential impact [positive]** on transgender people?

	Yes	No	N/A
Transgender People (People who are proposing to undergo, are undergoing, or have undergone a process [or part of a process] to reassign their sex by changing physiological or other attributes of sex)		✓	

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

Although this information is not considered relevant to the Additional Licensing Scheme, access to advice and dealing with the Council can often be more difficult because individuals may have to face real or perceived discrimination.

What action(s) can you take to address the differential impact?

Much of the arrangements for applying for a Licence are undertaken over the telephone rather than face-to-face; this will reduce the opportunity for any perceived discrimination.

The re-declaration of the Additional Licensing Scheme is targeted predominantly at the standards of the accommodation and the management practices of the landlord. Landlords

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directly are subject to the requirements of the Licence which is tenant blind. Tenants who are transgender will not necessarily be aware of Additional Licensing, but will continue to have access to advice and support through a number of existing services should they have an issue with their accommodation or their landlord.

3.4. Marriage and Civil Partnership

Will this Policy / Strategy / Project / Procedure / Service / Function have a **differential impact [positive / negative]** on marriage and civil partnership?

	Yes	No	N/A
Marriage		✓	
Civil Partnership		✓	

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

Obtaining the status of marriage or civil partnership is only required when determining the ownership status of the property.

What action(s) can you take to address the differential impact?

Any Licence is given for each property, not the status of the landlord(s), agents or their relationship to each other. The re-declaration of the Additional Licensing Scheme is targeted predominantly at the standards of the accommodation and the management practices of the landlord. Landlords directly are subject to the requirements of the Licence which is tenant blind. Married tenants will not necessarily be aware of Additional Licensing, but will continue to have access to advice and support through a number of existing services should they have an issue with their accommodation or their landlord.

3.5 Pregnancy and Maternity

Will this Policy / Strategy / Project / Procedure / Service / Function have a **differential impact [positive / negative]** on pregnancy and maternity?

	Yes	No	N/A
Pregnancy		✓	
Maternity		✓	

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

This information is not considered relevant to the Additional Licensing Scheme.

What action(s) can you take to address the differential impact?

The re-declaration of the Additional Licensing Scheme is targeted predominantly at the standards of the accommodation and the management practices of the landlord. Landlords directly are subject to the requirements of the Licence which is tenant blind. Expectant or nursing mothers who are tenants will not necessarily be aware of Additional Licensing, but will continue to have access to advice and support through a number of existing services should they have an issue with their accommodation or their landlord.

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3.6 Race

Will this Policy / Strategy / Project / Procedure / Service / Function have a **differential impact [positive / negative]** on the following groups?

	Yes	No	N/A
White		✓	
Mixed / Multiple Ethnic Groups		✓	
Asian / Asian British		✓	
Black / African / Caribbean / Black British		✓	
Other Ethnic Groups		✓	

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

Although this information is not considered relevant to the Additional Licensing Scheme, access to advice and dealing with the Council can often be more difficult because English may not be the landlord's first language.

What action(s) can you take to address the differential impact?

Translation and interpretation will be arranged as necessary for any landlord requiring these services. Information about the Licensing Scheme will be available in other languages and to specialist agencies offering advice and support to BME people. The re-declaration of the Additional Licensing Scheme is targeted predominantly at the standards of the accommodation and the management practices of the landlord. Landlords directly are subject to the requirements of the Licence which is tenant blind. BME tenants will not necessarily be aware of Additional Licensing, but will continue to have access to advice and support through a number of existing services should they have an issue with their accommodation or their landlord.

3.7 Religion, Belief or Non-Belief

Will this Policy / Strategy / Project / Procedure / Service / Function have a **differential impact [negative]** on people with different religions, beliefs or non-beliefs?

	Yes	No	N/A
Buddhist		✓	
Christian		✓	
Hindu		✓	
Humanist		✓	
Jewish		✓	
Muslim		✓	
Sikh		✓	
Other		✓	

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Please give details/consequences of the differential impact, and provide supporting evidence, if any.

Obtaining the status of religion is not considered relevant to this Scheme.

What action(s) can you take to address the differential impact?

The re-declaration of the Additional Licensing Scheme is targeted predominantly at the standards of the accommodation and the management practices of the landlord. Landlords directly are subject to the requirements of the Licence which is tenant blind. Tenants of any religious faith will not necessarily be aware of Additional Licensing, but will continue to have access to advice and support through a number of existing services should they have an issue with their accommodation or their landlord.

3.8 Sex

Will this Policy / Strategy / Project / Procedure / Service / Function have a **differential impact [positive / negative]** on men and/or women?

	Yes	No	N/A
Men		✓	
Women		✓	

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

Licensees are treated on the basis of their landlord status, regardless of gender.

What action(s) can you take to address the differential impact?

The re-declaration of the Additional Licensing Scheme is targeted predominantly at the standards of the accommodation and the management practices of the landlord. Landlords directly are subject to the requirements of the Licence which is tenant blind. Tenants of any gender will not necessarily be aware of Additional Licensing, but will continue to have access to advice and support through a number of existing services should they have an issue with their accommodation or their landlord.

3.9 Sexual Orientation

Will this Policy / Strategy / Project / Procedure / Service / Function have a **differential impact [positive]** on the following groups?

	Yes	No	N/A
Bisexual		✓	
Gay Men		✓	
Gay Women/Lesbians		✓	
Heterosexual/Straight		✓	

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Equality Impact Assessment Corporate Assessment Template

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Please give details/consequences of the differential impact, and provide supporting evidence, if any.

Obtaining the status of sexual orientation is not considered relevant to this Scheme.

What action(s) can you take to address the differential impact?

Any Licence is given for each property, not the status of the landlord(s), agents or their relationship to each other. The re-declaration of the Additional Licensing Scheme is targeted predominantly at the standards of the accommodation and the management practices of the landlord. Landlords directly are subject to the requirements of the Licence which is tenant blind. Married tenants will not necessarily be aware of Additional Licensing, but will continue to have access to advice and support through a number of existing services should they have an issue with their accommodation or their landlord.

3.10 Welsh Language

Will this Policy / Strategy / Project / Procedure / Service / Function have a **differential impact [positive / negative]** on Welsh Language?

	Yes	No	N/A
Welsh Language		✓	

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

Although this information is not considered relevant to the Additional Licensing Scheme, access to advice and dealing with the Council can often be more difficult because English may not be the landlord's first language.

What action(s) can you take to address the differential impact?

Translation and interpretation will be arranged as necessary for any landlord requiring these services. Information about the Licensing Scheme will be available in Welsh and other languages. The re-declaration of the Additional Licensing Scheme is targeted predominantly at the standards of the accommodation and the management practices of the landlord. Landlords directly are subject to the requirements of the Licence which is tenant blind. Welsh speaking tenants will not necessarily be aware of Additional Licensing, but will continue to have access to advice and support through a number of existing services should they have an issue with their accommodation or their landlord.

4. Consultation and Engagement

What arrangements have been made to consult/engage with the various Equalities Groups?

The EqIA will continue to be updated as responses to the public consultation are received which will indicate whether there are any differential impacts on tenants or landlords of such a Scheme. Tai Pawb has been included as one of the consultees.

No specific issues were raised by any consultees regarding any of the protected characteristics.

5. Summary of Actions [Listed in the Sections above]

4.C.400	Issue 1	Nov 11	Process Owner: Rachel Jones	Authorised: Rachel Jones	Page 8
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Groups	Actions
Age	<p>The Council’s Housing Enforcement team will ensure that the new Scheme is publicised widely and that information is available in other languages as necessary. Advice and assistance is always offered to landlords to help them through the process of applying for a Licence and, where necessary, additional sensitivity will be applied based on the needs of the landlord.</p> <p>All tenants who have an issue with their accommodation or their landlord will continue to be able to access advice and assistance.</p>
Disability	
Gender Reassignment	
Marriage & Civil Partnership	
Pregnancy & Maternity	
Race	
Religion/Belief	
Sex	
Sexual Orientation	
Welsh Language	
Generic Over-Arching [applicable to all the above groups]	

6. Further Action

Any recommendations for action that you plan to take as a result of this Equality Impact Assessment (listed in Summary of Actions) should be included as part of your Service Area’s Business Plan to be monitored on a regular basis.

7. Authorisation

The Template should be completed by the Lead Officer of the identified Policy/Strategy/Project/Function and approved by the appropriate Manager in each Service Area.

Completed By :	Date: 2/6//14
Designation:	
Approved By: Will Lane	2/6/14
Designation: Operational Manager, Public Protection	
Service Area: Environment	

7.1 On completion of this Assessment, please ensure that the Form is posted on your Directorate’s Page on CIS - *Council Wide/Management Systems/Equality Impact Assessments* - so that there is a record of all assessments undertaken in the Council.

For further information or assistance, please contact the Citizen Focus Team on 029 2087 3059 or email citizenfocus@cardiff.gov.uk

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**Equality Impact Assessment
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Appendix 4



HMO Licensing Fire Safety and Amenity Standards

For

Mandatory HMO Licensing

Cathays Additional HMO Licensing

(From 1 January 2016)

Plasnewydd Additional HMO Licensing

(From 3 November 2014)

Updated 12 August 2015

Cardiff Council Amenity Space Standard Table: Licensable properties

Required Amenities	Shared HMO	Bedsits / flats
<u>Personal Hygiene</u>		
Bathrooms (This means a room containing a bath or shower, but not necessarily a toilet or wash hand basin).	1 bathroom for every 5 occupants. 1 to 5 occupants = 1 bathroom. 6 to 10 occupants = 2 bathrooms. 11 to 15 occupants = 3 bathrooms.	1 bathroom for every 5 occupants. 1 to 5 occupants = 1 bathroom. 6 to 10 occupants = 2 bathrooms. 11 to 15 occupants = 3 bathrooms.
Water Closets (WC) (Toilets)	1 WC for up to 4 occupants (may be in bathroom/shower room) 1 WC per 5 occupants (in a separate compartment to the bath/shower) 2 WCs per 6 Occupants (may be in bathroom/shower room) 2 WCs per 7 occupants (with 1WC to be in a separate compartment) 3 WCs per 11-15 occupants (with 1WC to be in a separate compartment to the rooms containing baths/showers). * All W.C's must contain a WHB with hot and cold water	1 WC for up to 4 occupants (may be in bathroom/shower room) 1 WC per 5 occupants (in a separate compartment to the bath/shower) 2 WCs per 6 Occupants (may be in bathroom/shower room) 2 WCs per 7 occupants (with 1WC to be in a separate compartment) 3 WCs per 11-15 occupants (with 1WC to be in a separate compartment to the rooms containing baths/showers). * All W.C's must contain a WHB with hot and cold water
<u>Kitchens</u>		
Cooker	1 cooker (oven, grill, 4 hobs) per 5 occupants Option for up to 7 occupants, rather than providing a second full cooker, is to provide one full cooker and one <u>convector</u> microwave combination oven of capacity (min) 27 litres. This option is not available where there are 8 or more occupants. For 8 - 10 persons : 2 cookers (oven, grill, 4 hobs) 11-15 persons: 3 cookers (oven, grill, 4 hobs)	Minimum 2 hobs, oven & grill (May be a worktop appliance) per single person unit. Minimum 4 hobs, oven & grill per double person unit. (For flats with more than 2 occupiers, apply standard for Shared HMOs)
Sinks With permanent supply of hot & cold water and draining board.	1 sink per 5 occupants Option for up to 7 is to provide one sink and a dishwasher (or 2 sinks). For 8 - 10 persons : 2 sinks 11-15 persons: 3 sinks	1 per unit (For flats with more than 2 occupiers, apply standard for Shared HMOs)
Electrical sockets	3 double sockets in addition to any serving major appliances (major appliances being fridges, freezers, dishwashers, washing machines, etc.)	Minimum requirement of 3 double sockets specifically for the kitchen area (may accept 2 double sockets in 1 person units). Additional sockets needed for cooker and refrigerator.
Worktop (Usually 600 mm deep)	2.0 linear metres per 5 occupants with an additional 0.5 linear metres for each extra person.	2.0 linear metres per 5 occupants with an additional 0.5 linear metres for each extra person..
Food Storage	0.4 cubic metres dry goods per person (1 average cupboard). 0.1 cubic metres (100 litres) (3.5 cubic feet) combination of refrigerated and frozen food storage per person (this would normally mean one shelf in a fridge and one shelf in the freezer, per person).	0.4 cubic metres dry goods per person (1 average cupboard). 0.1 cubic metres (100 litres) (3.5 cubic feet) combination of refrigerated and frozen food storage per person (this would normally mean one shelf in a fridge and one shelf in the freezer, per person).
Ventilation	Extractor fan (to outside air) to be provided with a minimum extraction rate of 30 litres/second if located near to the cooker or 60 litres/second if located elsewhere.	Extractor fan (to outside air) to be provided with a minimum extraction rate of 30 litres/second if located near to the cooker or 60 litres/second if located elsewhere.

Space Standards

Example 1: Shared house of 3 or more occupants.

Kitchen:

7m² for up to 6 persons with 2.5m² per additional user. Not to be more than 1 floor away from any bedroom unless the property has a dining room or other eating area.

Bedroom:

Where a separate living room is provided:

Minimum 6.5m² for a single room

Minimum 11m² for a double room

Where no separate living room is provided:

Minimum 10.0m² for a single room

Minimum 15m² for a double room

Living room:

11.5m² for up to 6 persons with 2.5m² per additional person.

Example 4: Flat/bedsit with combined lounge kitchen and bedroom
(Total of 1 room excluding bathroom)

1 person unit = 13m²

2 person unit = 15m²

Example 2: Flat with combined lounge kitchen and a separate bedroom (Total of 2 rooms excluding bathroom)

Lounge – Kitchen:

10m² for 1 person or 13m² for 2 people

Bedroom: 6.5² for 1 person or 11m² for 2 people.

Example 3: Flat with combined lounge bedroom and a separate kitchen. (Total of 2 rooms excluding bathroom)

Lounge – bedroom: 10m² for one person 15m² for 2 people.

Kitchen: 5.5m² For up to 2 people.

Example 5: Flat with separate lounge, separate bedroom/s , and separate kitchen.

Bedroom: 6.5m² for 1 person 11m² for 2 people

Lounge: 8.5m² For 1 person. 10m² for 2 persons and 11m² for up to 6people with an additional 2.5m² per person after this.

Kitchen: 5.5m² For up to 2 people. 7m² For up to 6 people with 2.5m² per additional person.

Additional Notes

These space standards are the minimum that will be accepted for the purpose of HMO licensing. However, if carrying out a HMO conversion there may be additional Planning Development Control or Building Control standards and requirements. In particular, there may be minimum space standards for flats and it is the owner's responsibility to satisfy all necessary criteria.

Bathrooms: There is not minimum size requirement for bathrooms and shower rooms, however there should be enough space to allow a person to easily change and dry in the room where the bath or shower is located.

The examples provided are a guide only and Cardiff Council accepts that alternative combinations or sizes of rooms etc may be acceptable in some situations for the purposes of HMO licensing.

Housing Technical Panel

Housing Fire Safety - Quick Reference Guide (Wales)

Version 1.0 27 February 2009

(Locally amended by Cardiff Council 12 Aug 2015)

This Quick Reference Guide provides a summary of the fire safety measures outlined in “Housing – Fire Safety: Guidance on fire safety provisions for certain types of existing housing” published by LACORS in August 2008.

The guide provides enforcement officers and landlords with a brief summary of appropriate fire safety measures that may be applied to a number of property types and aims to ensure consistency in the application of fire safety measures. However, officers and landlords should familiarise themselves with the provisions of the National Guidance - available at www.lacors.gov.uk.

The Housing Act 2004 introduced the Housing Health and Safety Rating System which is a method by which housing conditions can be assessed. It uses a risk based approach and its aim is to provide a system to enable risks from hazards to health and safety in dwellings to be removed or minimised. Some houses must also achieve an acceptable standard of fire safety under HMO Licensing provisions. These provisions are enforced by local councils.

In some premises, landlords must carry out a fire risk assessment under the provisions of the Regulatory Reform (Fire Safety) Order 2005. These provisions are enforced by fire and rescue authorities.

The National Lacors Guidance recommends that individual risk based solutions to fire safety are applied to each individual property, and this document must not therefore be viewed as a prescriptive standard.

Please note that the works described in this document are a guide only. Alternative fire safety measures may be carried out in order to achieve an equivalent level of fire safety.

However, if the recommendations in this Quick Reference Guide are followed it should be possible to achieve an acceptable level of fire safety in premises of normal risk. Additional measures may be required in higher risk premises.

Housing Technical Panel

Housing Fire Safety – A Quick Reference Guide

Note – for the purposes of this guide the following definitions apply:

Single household occupancy – a house occupied by a single person, a co-habiting couple or a family and where the property is not a house in multiple occupation.

Shared House HMO – A House in Multiple Occupation where the whole property has been rented out by an identifiable group of sharers such as students, work colleagues or friends as joint tenants. Each occupant normally has their own bedroom but they share the kitchen, dining facilities, bathroom, WC, living room and all other parts of the house. There is a single tenancy agreement. The group shares the characteristics of a single family household but is still technically an HMO because the occupants are not related.

Bedsit HMO with Shared Cooking Facilities – a building which has been divided into separate letting units (usually of one room only) and let to unconnected individuals. Kitchens, bathrooms and WCs are usually shared.

Bedsit HMO with Individual Cooking Facilities - a building which has been divided into separate letting units (usually of one room only) and let to unconnected individuals. Each unit may contain cooking facilities but bathrooms and WCs are shared.

<u>Single Household Occupancy</u>	
<u>2 STOREY</u>	<u>3/4 STOREY</u>
(EXAMPLE D1)	(EXAMPLE D2)
<ul style="list-style-type: none"> • No requirement for protected route, but escape route should be sound, conventional construction and should not pass through risk rooms. • Where means of escape is through a risk room, the option of escape windows to habitable rooms may be considered. • Where construction standards are poor, travel distances are long, or other high risk factors are present, a 30 mins protected route may be required. • 30 mins separation to cellar/basement (including door) OR accept sound traditional construction in good repair. • Fire blanket in kitchen. • Grade D LD3 Alarm system (i.e. interlinked smoke alarms to escape route plus cellar/basement). 	<ul style="list-style-type: none"> • No requirement for protected route, but escape route should be sound, conventional construction and should not pass through risk rooms. • Where construction standards are poor, travel distances are long, or other high risk factors are present, a 30 mins protected route may be required. • 30 mins separation to cellar/basement (including door) OR accept sound traditional construction in good repair. • Fire blanket in kitchen. • Grade D LD3 Alarm system (i.e. interlinked smoke alarms to escape route plus cellar/basement).
Fire Safety Order does not apply to this type of property.	

<u>2 STOREY (SHARED HMO)</u>	<u>2 STOREY (BED-SIT)</u> (WITH SHARED COOKING FACILITIES)
(EXAMPLE D4)	(EXAMPLE D7)
<p>1. <u>Ideal standard</u> (for normal risk property)</p> <ul style="list-style-type: none"> (a) 30 minute protected route with FD30 Fire Doors (no smoke seals) (b) Walls/ceilings between units of accommodation to be of sound, traditional construction. (c) 30 mins separation to cellar/basement (including door) <u>OR</u> accept sound traditional construction in good repair. 2 Storey + habitable basement/attic – treat property as 3 storey shared house. (d) <i>Multi-purpose AFFF 6 litre foam extinguisher on each floor in escape route recommended.</i> (e) Fire blanket in kitchen. (f) Grade D LD3 Alarm system (i.e. interlinked smoke alarms to escape route plus lounge and cellar/basement, and interlinked heat alarm to kitchen. <p><u>OR</u></p> <p>2. <u>In low risk shared houses</u> (see below)</p> <ul style="list-style-type: none"> • Solid, close fitting doors, <u>AND/OR</u> escape windows to rooms leading on to escape route. Walls/ceilings on escape route to be of sound, traditional construction. • Additional fire door (FD30) on last door from kitchen to escape route. • Plus specifications as (b) to (f) above. <p><u>NB.</u> ‘Low’ risk properties are those having the following characteristics:</p> <ul style="list-style-type: none"> • low occupancy level - all able-bodied; • little chance of fire occurring and few combustible/flammable materials; • little chance of fire spreading throughout property. Quick detection to allow occupants to escape • more than one <u>acceptable</u> escape route. 	<p><u>‘Bed-sit type’ houses</u> - individual rooms with shared cooking facilities. (e.g. where property is not occupied by a single group, there are individual contracts, locks on doors etc).</p> <ul style="list-style-type: none"> (a) Either - 30 minute protected route with FD30S Fire Doors <u>or</u> - in low risk properties, close fitting, solid doors <u>and</u> escape windows. (b) 30 mins separation to walls/ceilings between units of accommodation. (c) 30 mins separation to cellar/basement (including door) (d) Multi-purpose AFFF 6 litre foam extinguisher required on each floor in escape route (subject to risk assessment under Fire Safety Order). (e) Fire blanket in kitchen. (f) <u>Grade D LD2 Alarm</u> – interlinked smoke alarms to escape route plus lounge and cellar/basement <u>and</u> heat alarm in each shared kitchen <u>PLUS</u> Interlinked Grade D smoke alarms in each bedroom.
	Fire Safety Order MAY apply in these property types.
	<u>2 STOREY (BED-SIT)</u> (COOKING FACILITIES IN BEDROOMS)
	(EXAMPLE D7)
	<p><u>Traditional Bedsits</u> – those with cooking facilities in each bedroom/unit of accommodation.</p> <ul style="list-style-type: none"> (a) 30 minute protected route with FD30S Fire Doors. (b) 30 mins separation to walls/ceilings between units of accommodation. (c) 30 mins separation to cellar/basement (including door) (d) Multi-purpose AFFF 6 litre foam extinguisher required on each floor in escape route (subject to risk assessment under Fire Safety Order). (e) Fire blanket in kitchen. (f) Mixed Alarm System. Grade D, LD2 system with interlinked smoke alarms to escape route and basement/cellar with interlinked heat alarms to each bedsit PLUS additional non-interlinked mains wired smoke alarm to each bedsit.
Fire Safety Order does not apply to this type of property.	Fire Safety Order applies to these property types.

<u>3/4 STOREY (SHARED HMO)</u>	<u>3 STOREY (BED-SIT)</u> (WITH SHARED COOKING FACILITIES)
(EXAMPLE D5)	(EXAMPLE D8)
<ul style="list-style-type: none"> a) 30 minute protected route with FD30 Fire Doors (no smoke seals) b) 30 mins separation to walls/ceilings between units of accommodation. c) 30 mins separation to cellar/basement (including door). d) <i>Multi-purpose AFFF 6 litre foam extinguisher on each floor in escape route recommended.</i> e) Fire blanket in kitchen. f) Grade D LD3 Alarm system (i.e. interlinked smoke alarms to escape route plus lounge and cellar/basement, <u>and</u> heat alarm to kitchen. g) No requirement for emergency lighting or signage, unless complex escape route. 	<ul style="list-style-type: none"> a) 30 minute protected route with FD30S Fire Doors b) 30 mins separation to walls/ceilings between units of accommodation. c) 30 mins separation to cellar/basement (including door) d) Multi-purpose AFFF 6 litre foam extinguisher required on each floor in escape route (subject to risk assessment under Fire Safety Order). e) Fire blanket in kitchen. f) Grade A LD2 Alarm system –interlinked smoke detectors to escape route plus each bedsit, lounge and cellar/basement, <u>and</u> heat detector to shared kitchen. To include control panel, call points and min 75db at bedhead. g) No requirement for emergency lighting or signage, unless complex escape route.
	Fire Safety Order MAY apply in these property types.
	<u>3 STOREY (BED-SIT)</u> (COOKING FACILITIES IN BEDROOMS)
	(EXAMPLE D8)
	<ul style="list-style-type: none"> a) 30 minute protected route with FD30S Fire Doors b) 30 mins separation to walls/ceilings between units of accommodation. c) 30 mins separation to cellar/basement (including door) d) Multi-purpose AFFF 6 litre foam extinguisher required on each floor in escape route (subject to risk assessment under Fire Safety Order). e) Fire blanket in kitchen. f) Grade A LD2 Alarm system –interlinked smoke detectors to escape route plus lounge and cellar/basement, <u>and</u> interlinked heat detector to each bedsit with cooking facilities. To include control panel, call points and min 75db at bedhead <p><u>PLUS</u></p> <ul style="list-style-type: none"> g) Non interlinked Grade D smoke detectors in EACH bed-sit.
Fire Safety Order does not apply to this type of property.	Fire Safety Order applies to these property types.

Houses Converted to Self-Contained Flats

<u>2 STOREY</u>	<u>3/4 STOREY</u>
<u>(EXAMPLE D10)</u>	<u>(EXAMPLE D11)</u>
<p>a) 30 minute protected common escape route with FD30S Fire Doors (with smoke seals) i.e. flat entrance doors</p> <p>b) Within individual flats – sound, well constructed and close fitting doors.</p> <p>c) 30 mins separation to walls/ceilings between each flat.</p> <p>d) 30 mins separation to cellar/basement (including door)</p> <p>e) Multi-purpose AFFF 6 litre foam extinguisher required on each floor in <u>common escape route</u> (subject to risk assessment under Fire Safety Order).</p> <p>f) Fire blanket in kitchen.</p> <p>g) Grade D LD2 Alarm system –interlinked smoke detectors to common escape route plus heat detector in entrance hall of each flat</p> <p><u>PLUS</u></p> <p>h) Non-interlinked Grade D smoke detectors in hallway of each flat.</p> <p>i) No requirement for emergency lighting or signage, unless complex escape route.</p>	<p>a) 30 minute protected common escape route with FD30S Fire Doors (with smoke seals) i.e. flat entrance doors</p> <p>b) Within individual flats – sound, well constructed and close fitting doors.</p> <p>c) 30 mins separation to walls/ceilings between each flat.</p> <p>d) 30 mins separation to cellar/basement (including door)</p> <p>e) Multi-purpose AFFF 6 litre foam extinguisher required on each floor in <u>common escape route</u> (subject to risk assessment under Fire Safety Order).</p> <p>f) Fire blanket in kitchen.</p> <p>g) Grade A LD2 Alarm system –interlinked smoke detectors to common escape route plus heat detector in entrance hall of each flat. To include control panel, call points and min 75db at bed head</p> <p><u>PLUS</u></p> <p>h) Non-interlinked Grade D smoke detectors in hallway of each flat.</p> <p>i) No requirement for emergency lighting or signage, unless complex escape route.</p>
<p>Fire Safety Order applies to these property types.</p>	

A Note on Fire Extinguishers and Alarm Systems:

In shared houses, a multi-purpose fire extinguisher (6 litre AFFF Foam) is **recommended** on each floor within the escape route.

In all HMOs where the Fire Safety Order applies, including houses converted to self contained flats and bedsits, multi-purpose extinguishers (type as above) are **required** unless the landlord can demonstrate through risk assessment that an acceptable level of safety can be achieved without the provision of extinguishers.

LD3 – A system incorporating detectors in circulation spaces that form part of the escape route from the dwelling only.

LD2 – A system incorporating detectors in circulation spaces that form part of the escape route, and in all rooms that present a high fire risk to occupants.

Grade D – A system of one or more mains powered smoke / heat alarms each with battery standby supply. There is no control panel.

Grade A – A system of mains powered smoke / heat detectors, which are linked to a control panel to give information on the location of the fire or any fault. In general the system must incorporate manual call points, which should be located on each floor level and at final points of exit.