

**REDECLARATION OF CATHAYS ADDITIONAL LICENSING
SCHEME**

HOUSING & COMMUNITIES (COUNCILLOR LYNDA THORNE)

AGENDA ITEM: 6

Reason for this Report

1. To report on the results of the consultation exercise approved by Cabinet on the 17th September 2020, 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 2016 – 2021 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. Since its implementation in 2006, the Council has undertaken a Mandatory Licensing Scheme for all HMOs across the City and since 2010, and subsequently 2016, the Council has operated an Additional Licensing Scheme in the Cathays ward. The Council has also operated an additional licensing scheme in the Plasnewydd ward which was first declared in 2014 and successively redeclared in 2019. The Additional Licensing Scheme extends the scope of the legislation to cover a wider range of property types.
4. In 2010 the Council introduced an Additional Licensing Scheme covering all HMOs in the Cathays ward; this scheme was renewed in 2016 for a further 5 years. The second Cathays scheme expired on 1st January 2021. The Council consulted once again to demonstrate an ongoing need for the scheme and to propose a further redesignation.
5. The Additional Licensing Scheme provides extra powers to the Council to deliver more effective improvements to property standards in privately rented properties. The Scheme extended the scope of licensing to cover most rented properties with 3 or more occupiers who form 2 or more households.

6. The introduction of the Scheme resulted from a motion put to Council on 20th 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. The implementation of both mandatory and additional licensing schemes over the last decade has allowed approximately half of the city's HMOs to be thoroughly inspected and an agreed set of standards to be enforced as they fall under licensing control.
7. 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 17th September 2015. The Scheme became effective on 1st January 2016 and operated for 5 years.
8. Upon expiry of the 5-year term of the Scheme, the Council can re-declare Cathays as an Additional Licensing area provided that it is satisfied that specific criteria are met.
9. On 17th September 2020, Cabinet approved a consultation exercise with tenants, residents, local businesses, landlords and agents on the proposal to renew the Additional Licensing Scheme in Cathays.

Legislative Context

10. The Housing Act 2004 contains a number of provisions for regulating the private rented sector:
 - 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 licenses 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 housing 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 criterion for the general approval is satisfied.
15. Before using these discretionary powers, the Council must carry out a thorough appraisal and a consultation exercise with stakeholders and must be assured that the requirements listed below 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 a questionnaire was made available online. Letters and/or emails were sent to 2,209 tenants, 1,200 individual landlords and 238 letting agents inviting them to complete the survey. The questionnaire was also made available in paper format for those that requested it. The consultation ran from 7th February 2022 to 22nd March 2022 and remained open after the closing date to allow for late submissions.
17. A report summarising the results of the consultation can be found at Appendix 2a. Stakeholders also submitted their views in writing and Appendix 2b lists the comments received along with the response by officers. Appendix 2c includes additional comments received as part of the public consultation but the Council are not making specific responses because general themes have already been explored in Appendix 2b.
18. Outcomes of the consultation show that while nearly all tenants received a copy of a tenancy agreement, only 61% 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 40% tenants received this). A copy of the gas safety certificate was provided in only 30% of cases and energy performance certificates provided (24%), waste collection data (26%) and general information about responsibilities as a tenant (35%). In terms of the property conditions, over half of the private tenants responding had reported concerns about their home to their landlord (61%) with less than half of those landlords taking steps to put things right (35%). The highest reported concerns were damp and mould (30%), energy efficiency (22%), general property condition (20%), heating systems (17%) and security (12%). Over half (55%) of the private tenants who responded to the survey believed the Scheme should be re-declared.
19. Landlord and agent responses show that 78.6% of HMOs licensed by respondents were licensed under the Additional Licensing Scheme. The majority (46%) 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 34.3% citing negative aspects of the scheme, 35.3% stating positive experiences and 30.4% 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 and additional works required.

When asked whether the Scheme should be re-declared for a further 5 years, 47.6% of landlords/agents answered 'No', 37.9% answered 'Yes' and 14.6% responded 'Don't know'.

20. Councillor Sarah Merry, ward member for Cathays, responding on behalf of Councillors Ahmed, Mackie and Weaver strongly supports the retention of the Additional Licensing Scheme. They believe the scheme will have benefits for tenants, responsible landlords and residents by ensuring good standards of housing and addressing quality of life issues for tenants and their neighbours across the ward. Ward 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. Census figures show that Cathays has a population of approximately 20,100 and has a predominately younger age profile with an average age of 21 compared to the Cardiff average of 37. This is because Cathays is an attractive area of the city for students because of its proximity to campuses and the city centre. Census figures show that 13,000 students approximately reside in Cathays. As a result, the area contains a high proportion of private rented housing, the 2011 Census shows 64% of households in Cathays live in privately rented housing (increasing from 46% recorded in the 2001 Census). This high demand for properties allows some landlords and agents to advertise and let poor quality properties in Cathays.
22. When the Cathays Additional Scheme was declared in 2010, the area presented the highest rate of complaints to the Housing Enforcement section regarding housing standards. Since then, Cathays has consistently reported one of the highest numbers of private sector housing condition complaints across the whole of the City.
23. While this remains the case, the number of complaints in the Cathays area has seen a decline during the term of the scheme, representing approximately 14% of complaints received across the City. However, 2020 was the exception to this, there was a significant increase in complaints received rising from 142 in 2019 (lowest level of complaints for 5 years) to 219 in 2020. It should be recognised that the Coronavirus pandemic clearly attributed to this increase due to its impact on tenants and landlords as well as the ability of Enforcement Officers to investigate complaints.
24. The Housing Enforcement Team has been carrying out inspections under the Housing Health and Safety Rating system in all cases where it has processed an HMO licence in Cathays. There is a focus on improving fire safety, warmth and security whilst also enforcing HMO licensing standards in relation to space standards and amenities.
25. The Housing Health and Safety Rating System defines the most serious hazards as Category 1, and under these circumstances the Council has

a duty to take action. These hazards present the most serious risks to the health and safety of the tenants. Category 2 hazards are those less urgent hazards which nonetheless have the potential to affect the health and safety of tenants and where the Council has a power rather than a duty to take action.

26. During the last Cathays declaration, the Council discovered 396 Category 1 Hazards in Cathays, and so far, the Housing Enforcement Team can confirm that landlords have addressed only 112 of these hazards. Further auditing work is required to ensure that landlords have eliminated all of these hazards, and this is a key consideration in whether the Council should re-declare the scheme for a further 5 years.
27. HMO additional licensed properties are subject to requirements to comply with minimum standards. While most have been inspected and many are now up to standard or in the process of becoming up to standard, 85% (1156) of Licences issued contained specific works as a condition of the Licence requiring improvements to be made to the property.
28. Whilst positive improvements have been evidenced during the term of the last scheme, 54% of properties licensed under the Additional Licensing Scheme in Cathays remain in need of improvement. Officers have noted during the two additional licensing schemes in Cathays, that upon inspection standards can fluctuate over the course of the scheme and properties that were once improved tend to deteriorate without local authority intervention. In order to maintain the physical standards and the hard work the scheme has achieved constant inspections are required. Especially when properties that were improved during the first term of the scheme may have changed ownership since, or further works may be required as time and legislation has progressed.
29. 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.
30. 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. This peaked during the pandemic in 2020 with some 19.5% of complaints in the Cathays area.

Criteria 3 – Codes of Practice

31. 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

32. Cardiff Council's Local Housing Strategy 2016-2021 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

33. 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.
34. 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.
35. Within the inner-city areas of Cathays and Plasnewydd there are approximately 4,000 private rented student houses. Both areas report some of the highest level of complaints to the Waste Management Service and experience the highest level of waste enforcement activity. Every year the Waste Management Service provide instructional messages and equipment needs to ensure the transient student population are aware of how and why they should recycle in Cardiff. This is resource intensive, and needs to be repeated twice a year, both at the start of term and the end of term. The HMO licensing approach in Cathays has and will continue to compliment the work of Waste Management in tackling waste storage and disposal issues. There is now 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 an increased responsibility on licence holders to manage their HMOs and remove waste where tenants fail to do so.

Criteria 6 – Other Courses of Action

36. Rent Smart Wales places 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. Landlords must register and successfully complete approved training before they are licensed and are 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. There is effective liaison between Rentsmart Wales and the Housing Enforcement service on issues of fitness and propriety with housing enforcement officers compiling evidence for Rentsmart on property conditions and giving evidence at the Residential Property Tribunal in support of Rentsmart Wales standards. Complaints about property conditions received by Rentsmart Wales in the course of their duties are referred to Housing Enforcement for action and as the Rentsmart scheme grows in profile and coverage those referrals continue to form a greater part of the Housing Enforcement caseload.
37. The Cardiff Digs website (www.cardiffdigs.co.uk) was launched in 2008, has developed into a trusted brand delivering student specific information and impartial advice covering all aspects of living in the community. The website aims to empower students, with knowledge of their rights and responsibilities as a tenant in the Private Rented Sector, hosting content on behalf of partners including the Police, Fire Service, NHS, Waste Management, University Institutions and Third Sector/ Community Organisations.
38. The brand has expanded to deliver a number of campaigns across the academic calendar, inviting partner organisations to connect with their student audience by offering a holistic package of advice and consultation opportunities. Students are also invited to volunteer directly with Cardiff Digs partners to make positive contributions within their community, empowering students and improving engagement through peer led delivery of community advice. This in turn has made positive contributions towards local recycling rates, improvements in street scene and measured increases in property safety and security.
39. This activity is coordinated by the Student Liaison officer, who works to bridge the gap between the resident and transient populations in Cathays. The officer consults with residents and Councillors to understand the needs of the ward in addition to pastoral care services at the Universities and Students Unions. This enables understanding of a broad perspective before mediating a holistic sustainable response to be delivered by Cardiff Digs partner organisations.
40. Additionally, the Council, working in conjunction with the three Cardiff Universities, the larger private halls of residence and the Students Unions, have successfully run an annual campaign since 2005 called "Get it Out for Cardiff", this campaign was rebranded in 2018 to 'Love

When You Leave'. This campaign focuses on students to advise them how to donate reusable items, promote recycling, bulky waste collections, Highways Waste Recycling Centres and put bags and bins 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 36% of tenants and 55% of residents remain concerned about litter, rubbish and waste in the Cathays area throughout the academic year.

41. Furthermore, this year has seen the implementation of three new innovative pilot schemes coordinated by the Student Liaison Officer. This includes a pop-up recycling centre at Cardiff University, a roaming street van visiting key locations within Cathays 5 days a week and a blue bag scheme enabling students and landlords to purchase bags which are collected every day of the week during the move out period.
42. The Council's Neighbourhood Services Education and Enforcement Team also works proactively in Cathays. The team has been tackling waste presentation issues in the inner-city areas for many years. Due to a high student population living in the area, a tailored education plan is required to ensure full understanding of waste presentation and storage requirements. It should be noted that education is not required to secure a successful prosecution for littering and waste offences. However, educational campaigns play an important role in raising awareness around these importance issues and changing behaviour about how to manage waste. Enforcement ensures that individuals and businesses are held accountable for their actions.

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

43. 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. The Additional Licensing Scheme is able to compliment other initiatives to help achieve 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 1362 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 have 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.

- *At the close of the scheme there were a further 366 applications in progress awaiting inspection, issue of licence or were invalid or under investigation. This was largely as a result of the pandemic which prevented officers undertaking inspections.*
 - *Of the 1362 Licences issued, 907 were renewals by the existing landlord and 455 were new applications. With over a third of applications being new rather than renewals, the scheme ensured new owners were aware of HMO standards and their management responsibilities.*
 - *1702 HHSRS hazards have been removed or improved from properties.*
 - *944 notices have been served in relation to security since the scheme was implemented, 37% of which have been complied.*
 - *498 notices have been served in relation to excess cold since the Scheme was implemented, 35% of which have been complied.*
 - *404 properties have been improved in relation to fire since Scheme began.*
 - *139 properties have been improved in relation to amenities since Scheme began.*
- **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.*
 - *There has been an increased focus on hazards relating to falls (on the level, on stairs and between levels) and the risks from collision, entrapment or poor ergonomics injuries. This scheme has identified 722 hazards of which 40% have now been improved.*
- **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.*
- *Specific works to remove waste or improve the storage and management of waste have been included in 37% of licence conditions. Follow up visits and checks have confirmed 41% have completed the works.*

- *Joint initiatives between the Council and the Students Unions such as “Love when you leave” helps 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 do not 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 longer term sustained improvement to overall property conditions and neighbourhood environments will occur.*

Current Scheme Improvements

- *The Scheme has secured the licensing of 1779 properties. Prior to the Scheme’s implementation this was estimated to be 1400 properties.*
- *The number of higher risk category 1 hazards identified under HHSRS has improved declining from 26% in the original scheme to only 8%.*
- *The proportion of licensed HMO properties which are up to standard has risen to 46%.*
- *The additional licensing scheme has also contributed to the increase of mandatory licences issued (rising from 323 to 522). While some of these mandatory properties were previously additional licensed properties (24), the focus on Cathays for additional licensing has ensured any licensable properties under the mandatory scheme have been identified and licensed and are required to address standards through the licensing regime. This is an important benefit of the scheme that should not be overlooked because properties subject to mandatory licensing are at a higher fire risk and without the additional licensing scheme these properties may well not have been identified.*
- *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 declined to 98 and more recently this figure has decreased again reporting 45 burglaries during 2020/21.*
- **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.*
 - *The Housing (Wales) Act 2014 requires certain landlords and agents to be trained as part of the licensing process administered by Rent Smart Wales. This has ensured the continuation of training on management and legal requirements relating to private renting.*
 - *Applications checks for an HMO Licence are made to establish if applicants are appropriately licensed or Rent Smart Wales registered to ensure compliance.*
- **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 2 prosecutions in relation to 4 different HMO properties have been carried out on landlords for either failure to license a property or breach of conditions of licence.
 - 3 properties have been served Prohibition Orders to close unsafe accommodation in relation to unsuitable flat conversions which have since been addressed and the orders revoked.
 - 17 HMOs received follow up formal improvement notice action where works included in licensing inspections has not been completed. Of the notices served 13 have been complied with.
 - Other enforcement actions include breach of HMO management regulations in 12 HMO properties, 8 of which have currently been complied with.
 - 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.
 - The licence conditions also include HMO Tenant declarations that landlords are requested to ask tenants to sign to ensure they are aware of their obligations and acceptable behaviour.

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

- **Support of Planning Controls**
 - *Since the re-declaration of the Cathays Additional scheme the introduction of the C4 use class for smaller HMO (3 to 6 occupiers) and Supplementary Planning Guidance on HMO put in place greater planning control since February 2016. The additional HMO licensing requirement helps to monitor and support use of the control.*

Cathays Re-designation

44. 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, but there is a long way to go to ensure these improvements are fully realised. In order for this good work to continue, it is proposed that the new Scheme will go live from 1 February 2023. 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.
45. 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.
46. If a further designation of Cathays is made, the re-licensing process of identifying each licensable HMO will be less resource intensive, with all HMOs already inspected. There will be a need to target greater resource at the enforcement of licence conditions where landlords have not yet complied with conditions requiring them to carry out works.

Reasons for Recommendations

47. The existing Additional Licensing Scheme has provided significant benefits in Cathays by securing improved housing accommodation together with a contribution towards wider community issues such as waste, anti social behaviour, energy efficiency and property security.
48. 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.

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

Financial Implications

50. The work required to operate the Additional Licensing scheme in Cathays will be undertaken by officers employed by the Shared Regulatory Service (SRS). The specific costs incurred by the SRS 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. As the scheme will run for 5 years regular monitoring of costs and income associated with the scheme will be required and if necessary action taken to ensure the scheme continues to be fully funded.

Legal Implications

51. The legal implications appear in paragraphs 10-15 of this Report. A full Equality Impact Assessment has been undertaken (attached at Appendix 3) and has not identified any major differential impacts on the protected characteristics.
52. In considering this report, regard should be had to the Well Being of Future Generations (Wales) Act 2015. The Well-Being of Future Generations (Wales) Act 2015 ('the Act') is about improving the social, economic, environmental, and cultural well-being of Wales. The Act places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language and is globally responsible. In discharging their respective duties under the Act, each public body listed in the Act must set and publish wellbeing objectives. These objectives will show how each public body will work to achieve the vision for Wales set out in the national wellbeing goals. When exercising its functions, Cabinet should consider how the proposed decision will contribute towards meeting the wellbeing objectives set by the Council and in so doing achieve the national wellbeing goals. The wellbeing duty also requires the Council to act in accordance with a 'sustainable development principle'. This principle requires the Council to act in a way which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. Put simply, this means that Cabinet must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, Cabinet must:
- look to the long term.
 - focus on prevention by understanding the root causes of problems.
 - deliver an integrated approach to achieving the 7 national well-being goals.
 - work in collaboration with others to find shared sustainable solutions.

- involve people from all sections of the community in the decisions which affect them.

Human Resources Implications

53. 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 and the appropriate re-charges made to Cardiff.

Property Implications

54. The implications for residential property are set out in the report. No recommendations are made in regards to immediate property transactions. Where property transactions do arise as a result of the proposals, professional property advice should be obtained and all transactions undertaken in line with the Council's constitution and agreed asset management processes.

RECOMMENDATIONS

Cabinet is recommended to re-declare the Cathays Community Ward as an Additional Licensing area with effect from 1 February 2023 to run for a period of 5 years.

SENIOR RESPONSIBLE OFFICER	MATTHEW WAKELAM Assistant Director – Street Scene
	14 October 2022

The following appendices are attached: -

- Appendix 1 – Public Consultation Document
- Appendix 2a – Consultation Report
- Appendix 2b – Schedule of Consultation Responses
- Appendix 2c – Additional Consultation Responses
- Appendix 3 – Equality Impact Assessment
- Appendix 4 – Licensing Standards for HMOs under the Scheme