

CARDIFF COUNCIL

**Equality Impact Assessment
Corporate Assessment Template**



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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 2022 | |

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 2016 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 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 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 renew Additional Licensing into Cathays, it must first carry out a thorough appraisal and a consultation exercise with all stakeholders, prior to the re-introduction of any additional discretionary powers.

Background information on Cathays shows that it has approximately 20,121 residents (Census Data 2011 – 2021 census data not yet available) - 5.81% of the population of the city. This is an area with a lower proportion of families than the city 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 with 53% of residents in the 20-24 age group - almost 5 times higher than for the city. 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
- 238 Letting Agents
- 2,209 tenants and residents in Cathays
- 1,200 individual landlords
- South Wales Police
- South Wales Fire Service
- Shelter Cymru
- Tai Pawb
- Representative bodies: CLF/RLA/NLA/ARLA

Consultation was undertaken over a 6-week period using an online survey which remained open after the closing date to allow for late submissions. Options for a paper version or other assistance for those requiring it was available upon request. Additionally written submissions were accepted from respondents.

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Outcomes of the consultation show that nearly all tenants 94% received a copy of a tenancy agreement and 60.8% of private tenants state that they believe their landlord/agent manages their property well. The reasons given for concerns about the management of accommodation related mainly to the condition of property, time taken to make repairs and poor communication.

In terms of the property conditions, 60.8% of the private tenants responding had informed their landlords about their concerns, with only 35.4% of those landlords then taking steps to put things right. The highest reported concerns were regarding issues with damp and mould, energy efficiency, general property condition and fire safety.

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

Landlords and agents were asked if they have had to make changes to their HMOs to meet licensing conditions following an inspection from Housing Enforcement. Responses indicated that 46% have been required to make changes to their HMO to satisfy minimum standards. Of those landlords who had to make changes, the most common were largely relation to fire safety with other measures including security, insulation, and the provision of additional amenities.

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

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

| | Yes | No | N/A |
|---|-----|----|-----|
| 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.

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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 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 | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Civil Partnership | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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 | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Maternity | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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

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they have an issue with their accommodation or their landlord.

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 | | ✓ | |

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

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| 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 | | ✓ | |

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| 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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|--|
| 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 |

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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]

| Groups | Actions |
|------------------------------|--|
| Age | 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. |
| Disability | |
| Gender Reassignment | |
| Marriage & Civil Partnership | |
| Pregnancy & Maternity | |

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|---|--|
| Race | All tenants who have an issue with their accommodation or their landlord will continue to be able to access advice and assistance. |
| 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: Kelly Pardon | Date: 14/07/2022 |
| Designation: SRS Housing Policy Officer | |
| Approved By: Will Lane | Date: 8 Sept 2022 |
| Designation: Operational Manager | |
| Service Area: SRS – Neighbourhood Services | |

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