



**CYNGOR BWRDEISTREF SIROL
RHONDDA CYNON TAF
COUNTY BOROUGH COUNCIL**

COMMITTEE SUMMONS

C.Hanagan
Service Director of Democratic Services & Communication
Rhondda Cynon Taf County Borough Council
The Pavilions
Cambrian Park
Clydach Vale CF40 2XX

Meeting Contact: Jess Daniel - Democratic Services Officer (07385401877)

YOU ARE SUMMONED to a virtual meeting of the **COMMUNITY SERVICES SCRUTINY COMMITTEE** to be held on **TUESDAY, 21ST NOVEMBER, 2023** at **5.00 PM.**

Non Committee Members and Members of the public may request the facility to address the Committee at their meetings on the business listed although facilitation of this request is at the discretion of the Chair. It is kindly asked that such notification is made to Democratic Services by Friday, 17 November 2023 on the contact details listed above, including stipulating whether the address will be in Welsh or English.

It is the intention to live stream this meeting, details of which can be accessed [here](#)

AGENDA

**Page
No's**

SCRUTINY RESEARCH

A scrutiny research facility is available within the Council Business Unit to support Members' scrutiny responsibilities and their roles as Elected Members. Such research strengthens Scrutiny Committee work programmes to ensure outcome-based topics are identified. For any scrutiny research requirements please contact scrutiny@rctcbc.gov.uk

1. DECLARATION OF INTEREST

To receive disclosures of personal interest from Members in accordance with the Code of Conduct

Note:

1. Members are requested to identify the item number and subject matter that their interest relates to and signify the nature of the personal interest: and

2. Where Members withdraw from a meeting as a consequence of the disclosure of a prejudicial interest they must notify the Chairman when they leave.

2. CONSULTATION LINKS

Information is provided in respect of relevant [consultations](#) for consideration by the Committee.

INFORMATION REPORTS

The following reports are provided for the information of Members:

[RCT Corporate Parenting Board Annual Report 2022/23](#)

(For Members to acknowledge the information contained within these reports but any queries relating to the item can be directed to Scrutiny@rctcbc.gov.uk)

3. MINUTES 25.09.23

To approve as an accurate record the minutes of the virtual meeting of the Community Services Scrutiny Committee held on the 25th September 2023.

5 - 12

4. PRE-SCRUTINY - HMO LICENSING REPORT

Pre-Scrutiny of Policy for Future Regulation of House in Multiple Occupation (HMOs) in Rhondda Cynon Taf.

13 - 94

5. PRE-SCRUTINY - DAY SERVICES FOR OLDER PEOPLE

To pre-scrutinise proposals for the future delivery of the Council's Day Services for older people in Rhondda Cynon Taf.

95 - 146

6. CHAIR'S REVIEW AND CLOSE

To reflect on the meeting and actions to be taken forward.

7. URGENT BUSINESS

To consider any items, which the Chairman, by reason of special circumstances, is of the opinion should be considered at the meeting as a matter of urgency.

Service Director of Democratic Services & Communication

Circulation:-

The Chair and Vice-Chair of the Community Services Scrutiny Committee
(County Borough Councillor J Bonetto and County Borough Councillor R Davis
respectively)

County Borough Councillors:

Councillor S Bradwick, Councillor A J Ellis, Councillor D Evans, Councillor A Fox,
Councillor H Gronow, Councillor N H Morgan, Councillor G Jones,
Councillor D Owen-Jones, Councillor D Parkin, Councillor A Roberts,
Councillor G Stacey and Councillor T Williams

Mae'r ddogfen hon ar gael yn Gymraeg / This document is also available in Welsh

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RHONDDA CYNON TAF COUNCIL COMMUNITY SERVICES SCRUTINY COMMITTEE

Minutes of the Virtual meeting of the Community Services Scrutiny Committee held on Monday, 25 September 2023 at 5.00 pm

This meeting was recorded, details of which can be accessed [here](#)

County Borough Councillors – The following Community Services Scrutiny Committee Councillors were present:-

Councillor J Bonetto (Chair)

| | |
|-------------------------|-----------------------|
| Councillor R Davis | Councillor A J Ellis |
| Councillor D Evans | Councillor A Fox |
| Councillor D Owen-Jones | Councillor D Parkin |
| Councillor A Roberts | Councillor T Williams |

Officers in attendance:-

Mr N Elliott, Director of Social Services
Ms A Lloyd, Director, Children's Services
Ms S Nowell, Interim Service Director, Care and Support Delivery, Transformation and Integration
Mrs C Tyler, Service Development Officer, Children's Services
Ms C Limbrick, Head of Early Help - Interim

County Borough Councillors in attendance:-

Councillor G Caple

9 APOLOGIES FOR ABSENCE

Apologies for absence were received from the following County Borough Councillors S Bradwick, H Gronow, G Jones, G Stacey and N Morgan.

10 DECLARATION OF INTEREST

In accordance with the Council's Code of Conduct, the following declarations of interest were made:

Item 6 'CHILDREN'S SERVICES STRATEGY' County Borough Councillor R Davis declared a personal interest:

"I work for the Open University but have no involvement in student recruitment or in the delivery, design or administration of the social work course."

Item 6 'CHILDREN'S SERVICES STRATEGY' County Borough Councillor D Parkin declared a personal interest:

"I work for Children's Services as a foster carer in Rhondda Cynon Taf."

11 MINUTES

It was **RESOLVED** to approve the minutes of the 10th July 2023 as an accurate reflection of the meeting.

12 CONSULTATION LINKS

Members acknowledged the information provided through the consultation links in respect of open consultations, Welsh Government consultations and those matters being consulted upon by the local authority.

13 DIRECTOR OF SOCIAL SERVICES ANNUAL REPORT 2022/23

The Director of Social Services presented the report to Members outlining the purpose of the report to present the Community Services Scrutiny Committee with a draft copy of the Director of Social Services Annual Report for 2022/23 in accordance with Part 8 of the Code of Practice of the Social Services and Wellbeing (Wales) Act 2014.

The Director outlined the detail of the report which summarised the assessment of the key developments and challenges in Children's and Adults services, how this links to the Council's Corporate plan and provides examples of how the service area has worked to promote and improve the wellbeing of those in need of support.

The Director highlighted the impact the Covid-19 pandemic continues to have on the Service areas and acknowledged the contribution staff, commissioned providers and foster carers make to the service areas in being able to continue to provide support to service users given the challenges faced.

Members acknowledged the detail of information contained in the report covering all key areas and thanked all staff for their efforts.

One Member recognised the improvement in the ACE waiting list but also stated that people are waiting over 12 months for aids and adaptations to enable independent living and asked if data was available to show performance. The Director explained that this information wasn't to hand but explained that ACE assessments were based on assessed need and risk and outlined the process in place to categorise individuals. The Interim Service Director also confirmed that the waiting list for aids and adaptations had gone down significantly over past year, but demand was still high. Additional information regarding waiting times would be provided to the Committee when available.

Another Member asked about the support available for Carers across the borough referencing financial pressures faced by many following changes to carers allowance payments. The Director of Social Services advised that any changes to carers allowance related to Central Government decisions not Social Services but confirmed to Members that there are a range of support services available through Social Services for carers. The Interim Service Director highlighted to Members the detail in the report regarding the Carer's Support Project which provides advice and information.

A Member referenced the Children's Services Participation Strategy detailed in the report and noted the response rate in relation to the 'Get Involved' survey and asked whether there were plans in place to look to increase this to empower young people through utilising different survey methods. The Director of Children's Services acknowledged there is work to be done to ensure the important voices of young people are heard and to understand their experiences of the service. The Director of Children's Services informed Members this is a

service priority and a steering group, led by the head of participation, has been set up and work has been undertaken with care experienced young people to ensure a variety of methods are used to ensure opportunities to provide their voice. Whilst this is a service priority, Members were informed that there is still work to be done which will take time.

A Member noted that there are still challenges faced by vulnerable people in need of support and referenced the role of elected Members in advocating on their behalf. The Director of Social Services confirmed to Members that where there are concerns for individuals these should be raised and assured Members that advice and information is available from Officers when required.

Following consideration by the Committee it was **RESOLVED** to note the draft Rhondda Cynon Taf Director of Social Services Annual Report 2022/23.

14 SOCIAL SERVICES REPRESENTATIONS, COMPLIMENTS AND COMPLAINTS PROCEDURES ANNUAL REPORT

The Director of Social Services presented the report to Members which provides an overview of the operation and effectiveness of the Council's statutory Social Services complaints procedure between 1st April 2022 and 31st March 2023. The Director summarised the content of the report including information on the background of the Social Services statutory complaints procedure, information on lessons learnt from complaints and performance data for Adults and Children's Social Services, together with achievements for 2022/23 and future developments.

The Director of Social Services took Members through the high-level detail of stage 1 and 2 complaints as set out in the report and highlighted to Members that although an important process, the number of complaints received in relation to the number of individuals supported by the service remain relatively low. The Director also pointed out for Members that during the period there were no Ombudsman investigations with all complaints being closed or directed back to the council for resolution.

The Director highlighted to Members how valuable the complaints process is in providing the service areas with information to further shape and deliver services as referenced in section 7 of the report.

The Director also took Members through the high-level detail of the compliments received and recognised these are important to demonstrate the high-quality work and level of service provided by staff within the Council despite the challenges faced.

The Director thanked the Customer Feedback, Engagement and Complaints Manager, and her team, for maintaining robust procedures and ensuring that the voice of service users was heard.

A Member noted the increase in the number of complaints received for Children's Services and asked whether there have been opportunities to learn as a result of these whilst also noting that people feeling empowered to make a complaint can be a positive action. The Service Director Children's Services acknowledged the rise but shared it was partly anticipated and the service area is actively aiming to improve regarding the complaints process. The Service

Director Children's Services outlined how the service area is working with the Customer Feedback, Engagement and Complaints Manager as part of their quality assurance process and identified 3 areas for improvement around communication, working with fathers and families with neurodiverse needs.

A Member requested further detail be provided in relation to the nature of the complaints that are submitted directly to the Ombudsman to allow understanding and to identify any trends in this data. The Director Social Services acknowledged the request and outlined how some complaints are made directly to the Ombudsman and are referred back to the Local Authority procedure and therefore are captured in the content of the report.

Following consideration by the Committee it was **RESOLVED** to note the work undertaken by the Social Services Complaints Team, contained within the annual report and to request a further report providing information of the process and resolution of complaints submitted to the Ombudsman and how these fit within the wider complaints process in Rhondda Cynon Taf.

15 CHILDREN'S SERVICES STRATEGY

The Director of Children's Services outlined the purpose of the report to provide Scrutiny Committee with an update on information and current progress regarding Rhondda Cynon Taf's Children's Services Strategy.

The Director of Children's Services highlighted that the background to the strategy and emphasised that the Rhondda Cynon Taf Children's Services Strategy is rooted in the service's values, purpose and vision and referenced the infographic attached as Appendix 1 to the report which sets out these values. Members were directed to section 4 of the report which provides an update on each of the 5 transformation areas of the strategy.

A Member referenced the data set out in the report in 4.3 and 4.8 and commented that the presentation of this can be relatively confusing given the document is also available to members of the public. The Director of Children's Services welcomed the feedback and confirmed the data demonstrates a reducing trajectory in terms of the numbers of looked after Children. The Director of Children's Services acknowledged this will be considered for future reports and presentation of data to ensure it is easily accessible and clear to understand for all.

Another Member queried comments made during the presentation relating to a short supply of staff experience and asked the Director of Children's Services whether the service is fully staffed or working under pressure with insufficient staff numbers citing safeguarding as a concern in this area.

The Director of Children's Services confirmed there is a 21% vacancy rate across the service although in some teams individually this is higher. They highlighted a national shortage of experienced social workers but emphasised to Members that as part of the Workforce strategy the Service has identified a number of strands of work that are being looked into around recruitment and retention. The Director of Children's Services referenced lessons learnt from the first year of the workforce strategy which pointed the area to focus greatly on these areas as well as looking at increasing capacity to make sure social workers are supported well. They also commented on staff wellbeing and the

importance of the surveys that are being carried out to ensure there are sufficient practitioner voices being heard and shared with Members details of the development of psychology led reflective spaces which have received extremely positive feedback and will be used as a unique selling point in upcoming attraction campaigns. The Director of Children's Services acknowledged that the process will be mid-long term but of particular importance is the scheme to 'Grow our own' and detailed how this year there have been 11 newly qualified social workers appointed. The Director of Children's Services assured Members that to date there are no unallocated child protection or looked after cases and highlighted how managers are doing a great job at supporting workforce.

Following on from this, a Member referenced the detail in the report relating to the expansion of the number of Children's Services staff able to be sponsored to access the Open University Social Work Degree programme with a guaranteed Social Work role on completion of registration and asked what support is provided to ensure successful completion of the course whilst undertaking challenging work roles. The Organisational Change and Transformation manager confirmed that whilst on placement staff are not working full time and are supported as much as possible regarding the demanding requirements of course and training. Team managers are responsible for managing and facilitating this. The Organisational Change and Transformation manager acknowledged the work is demanding but recognise this is important to prepare staff in readiness for the role.

Following discussion Members **RESOLVED** to note the information contained within the report.

16 PATHWAYS TO CARE DELAYS

The Interim Service Director outlined to Members the purpose of the report to provide Scrutiny with an update on the regional hospital discharge arrangements. Members were reminded that in November 2022, Scrutiny were updated on the pressures across health and social care and the continued efforts to support safe and timely discharges for residents with eligible needs in Rhondda Cynon Taf. At that time Members asked that a further report be prepared in the autumn of 2023 to provide an update on developments. Members were advised that there is anticipation of a winter of similar demand challenges this year and whilst there has been some improvement in capacity through the year this remains fragile.

The Interim Service Director outlined the detail in section 5 of the report highlighting the growing area of focus for Welsh Government, Health Board and Local Authority is preventing the need for people to attend at a hospital. The Cwm Taf Morgannwg Regional Partnership Board had identified this shift in emphasis previously and have agreed a model of integrated community services for implementation. The Interim Service Director outlined the details of the model to Members.

The Interim Service Director also pointed Members to section 6 of the report and the video links contained detailing the pathways associated with Discharge to Recover and then Assess (D2RA) which supports effective and timely discharge from hospital for people who no longer require an acute hospital bed underpinned by a 'home first' principle of moving assessment for ongoing care, rehabilitation and support needs.

The Interim Service Director referenced how Social Care staff work closely with colleagues in Health throughout the year to facilitate D2RA and provided an overview of development activity including the use of electronic white boards. Members were provided with information around the purpose of the white boards and set out the future position of Rhondda Cynon Taf (RCT) staff having remote access to the white board data so that RCT staff can track patient details and progress directly and share social care information seamlessly with the ward. Members were informed the use of this data is intended to have a big impact on delays to pathways to care.

The Interim Service Director outline the next developments in relation to hospital discharge is the introduction of Pathway of Care Delays (PoCD) performance reporting. Members were informed that the Cwm Taf Morgannwg region engaged with the pilot project from Welsh Government and have been submitting data since November 2022 and a new process was developed to collate and validate data. From April 2023 the pilot has become the formal reporting process for PoCDs and is reported to Welsh Government to illustrate the regional performance on a monthly basis. Data is taken one day a month, each month by hospital staff and the Local Authority validates this. Members were provided with an overview of the data provided in the report relating to the Pathway of care delay reports.

The Interim Service Director finished the presentation of the report by emphasising to Members this is an area of concern for health and social care and where efforts are focused to work together and find solutions together to facilitate.

A Member queried the process of assessing patients prior to discharge and whether the responsibility remains with the health board or social services.

The Interim Service Director outlined the process for Members acknowledging the challenges faced by individuals who have life changing experiences resulting in hospital admissions and the impact this has on their housing and daily life going forward. They also acknowledged the difficulty in assessing patients in a hospital ward noting that recovery often takes place at home but also highlighted to Members that often-temporary measures have to be put in place whilst ascertaining what long term their needs will be.

A Member also discussed pressures on Home Care staff and requested clarification on working hours.

The Interim Service Director reassured Members that it is not common practice to ask staff to work 10-12 hours recognising that the job role is physically and emotionally challenging. They outlined some exceptions, such as adverse weather and extreme pressures, where staff are required to undertake additional hours but reiterated this is not a regular shift pattern.

Another Member highlighted the presentation of data and felt this was unclear in the report and requested comparative data in the future in relation to other LA's to support scrutinising data.

The Interim Service Director acknowledged this request and confirmed Members this would be taken on board for future reports.

A Member referenced the Integrated discharge board and the priorities listed in the report and requested more information relating to disputes.

The Interim Service Director detailed for Members the number of areas where disputes can occur in individual cases. Members were informed that disputes do not create a number of delays but that it is an area that could streamline more simply which is the reason it is included as a priority.

Members raised questions regarding the data sharing aspect in relation to the use of white board information in hospital and with Rhondda Cynon Taf staff and queried the level of consent required by patients for data to be shared.

The Interim Service Director confirmed for Members there is an element of consent but also legitimate interest continuing to explain that Rhondda Cynon Taf staff would only access data of individuals requiring social care. They assured Members that full information governance has been completed by Health colleagues requiring privacy statement and clear guidance of information sharing. The Interim Service Director acknowledged Members concerns and the Director of Social Services confirmed to Members that additional information will be provided to Scrutiny Committee in respect of this area following discussions with Health.

A Member also requested further information on the urgent pathway of care final recommendation of design and implementation as expected in the Autumn. The Director Social Services acknowledged this request and confirmed to Members information will be provided to the Scrutiny Committee at a future meeting.

A Member requested clarification on the timeline for the implementation of data sharing with Rhondda Cynon Taf staff as referenced in the report.

The Interim Service Director informed Members that the access is imminent but IT issues have meant there has been a delay. Members were informed that access will be available to a limited number of staff in Social Care related to hospital discharge and single point of access teams and this is hoped to be introduced prior to November.

Following consideration, it was **RESOLVED** to acknowledge the content of the report and to receive additional information for scrutiny in relation to the data sharing and consent of patient information in hospitals with Rhondda Cynon Taf staff and the urgent pathway of care final recommendation of design and implementation.

17 CHAIR'S REVIEW AND CLOSE

The Chair thanked Members and Officers for attending the meeting and engaging with in depth debate regarding the reports provided and welcomed further discussions on key issues raised in the meeting.

This meeting closed at 7.00 pm

**Councillor J Bonetto
Chair.**

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RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2023-24

COMMUNITY SERVICES SCRUTINY COMMITTEE

21ST NOVEMBER 2023

PRE SCRUTINY - REVIEW OF THE 2019 ADDITIONAL LICENSING SCHEME FOR HOUSES IN MULTIPLE OCCUPATION AND THE PROPOSAL TO DECLARE A NEW SCHEME IN 2024

REPORT OF THE SERVICE DIRECTOR DEMOCRATIC SERVICES & COMMUNICATIONS

1. PURPOSE OF THE REPORT

- 1.1. To allow members the opportunity to scrutinise the effectiveness of the 2019 Additional Licensing Scheme (ALS) for Houses in Multiple Occupation (HMOs) and, subject to those findings, to pre-scrutinise the proposal to declare a new ALS for HMOs from April 2024, in accordance with the provisions of the Housing Act 2004 to enable the Cabinet to make informed decisions.

2. RECOMMENDATIONS

It is recommended that Members:

- 1.2. Undertake pre scrutiny on the report (attached at **Appendix A**), thus providing Scrutiny with an opportunity to contribute to this matter; and
- 2.2 To Authorise the Service Director Democratic Services and Communications to provide the comments and observations of the Committee to Cabinet, prior to their consideration of the matter on the 18th December 2023.

3. REASONS FOR RECOMMENDATIONS

- 1.3. The need for Cabinet to be aware of the comments and observations of the Community Services Scrutiny Committee prior to their consideration of the review of the 2019 Additional licensing scheme for HMO's and the proposal to declare a new scheme in 2024.

4. BACKGROUND

- 4.1 As of May 2023, there were an estimated 18,180 private rented properties across Rhondda Cynon Taf, accounting for approximately 17.6% of the housing stock. Of these 549 were licensed as houses in multiple occupation, which represents 3% of the private rented sector (PRS) and most of these properties are in the Treforest Ward.
- 4.2 Historically, HMOs in RCT have been the domain of students and they continue to provide a key housing option for students particularly in Treforest. As detailed in the ALS evaluation, student numbers have declined in Treforest in recent years and landlords have needed to diversify in order to ensure their properties are occupied. In addition, the impact of welfare reform and changes to Housing Benefit made the scale and nature of the PRS in RCT difficult to predict. Trends have shown an increased reliance on the PRS as people's housing choices are limited by availability of housing benefit and the demand for smaller accommodation continues to rise. For those people who are priced out of owning their own home and are unlikely to be able to access social housing, the PRS is often the only viable housing option available. HMOs are also seen as a housing choice by young professionals, new to the employment market.
- 4.3 HMOs have been subject to proactive regulation in RCT since 2002. Between 2002 and 2006 the Council operated a successful Borough wide Special Control Registration Scheme for HMOs. The Housing Act 2004 ('the Act') came into force in Wales in June 2006 and introduced powers for Local Authorities to regulate standards in the private rented housing sector. In particular, the Act introduced the requirement for Local Authorities to licence certain types of HMO, namely those of 3 storeys or above with 5 or more tenants that comprise 2 or more households; this is termed Mandatory HMO Licensing. The Act also allowed Local Authorities to introduce other types of licensing scheme for different types of HMO (Additional Licensing) and to licence the single occupation rented sector (Selective Licensing). Both schemes are discretionary.
- 4.4 The 2014 Additional Licensing Scheme (ALS) was reviewed in 2018 whereby a decision was made to implement a further ALS which came into effect on 1st April 2019. The 2019 scheme maintained the same key focus introduced in the 2014 scheme which introduced particular requirements to protect the safety of tenants living in HMOs and also to minimise the impact of shared housing on the character and amenity of the surrounding area. Thereby conditions are included to require that landlords maintain boundaries, gardens and walls, as well as taking reasonable steps to reduce anti-social behaviour by persons living in HMOs. The current ALS is due to lapse on 31st March 2024.

EVALUATION OF THE 2019 ADDITIONAL LICENSING SCHEME

- 4.5 A full evaluation of the HMO Licensing Schemes (Additional and Mandatory), since 2019, has been undertaken by the Housing Strategy Team and the full report is included as Appendix A including full details of the consultation undertaken to date.

2. PRE SCRUTINY

- 5.1 Members are reminded that the purpose of pre scrutiny activity is to contribute and inform decisions of the Cabinet before they are determined. The Community Services Scrutiny Committee continues to have the opportunity to explore and

comment on a number of reports in advance of Cabinet's consideration to bring a different perspective to the decisions made and enabling Cabinet decisions to be more informed.

5.2 A report summarising the discussion and any recommendations made by Community Services Scrutiny Committee will be put forward and considered by Cabinet at their meeting on 18th December 2023.

5.3 Members are referred to section 5 of Appendix A which details the effectiveness of the 2019 Additional Licensing Scheme (ALS) for Houses in Multiple Occupation (HMOs) and the proposal to declare a new scheme in 2024.

6 EQUALITY AND DIVERSITY IMPLICATIONS

6.1 An Equality Impact Assessment is not needed because the contents of this report are for information purposes only.

7 CONSULTATION

7.1 The involvement of the Community Services Scrutiny Committee in the pre-scrutiny exercise will contribute to the quality and robustness of Cabinet decision-making.

8 FINANCIAL IMPLICATIONS

8.1 There are no financial implications aligned to this report.

9 LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

9.1 The report has been prepared in accordance with paragraph Part 4 of the Constitution (Overview & Scrutiny Procedure)

10 CONCLUSION

10.1 The undertaking of pre scrutiny by the Community Services Scrutiny Committee in respect of the review of the effectiveness of the 2019 Additional Licensing Scheme (ALS) for Houses in Multiple Occupation (HMOs) and the proposal to declare a new ALS for HMOs from April 2024, in accordance with the provisions of the Housing Act 2004, will ensure that the Community Services Scrutiny Committee fully evaluates the effectiveness of its overview and scrutiny function.

LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

COMMUNITY SERVICES SCRUTINY COMMITTEE

21st November 2023

**REVIEW OF THE 2019 ADDITIONAL LICENSING SCHEME FOR HOUSES IN
MULTIPLE OCCUPATION AND THE PROPOSAL TO DECLARE A NEW SCHEME IN
2024**

**REPORT OF THE SERVICE DIRECTOR DEMOCRATIC SERVICES &
COMMUNICATIONS**



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2023-24

**COMMUNITY SERVICES SCRUTINY
COMMITTEE**

21st NOVEMBER 2023

**REPORT OF THE DIRECTOR, PUBLIC
HEALTH, PROTECTION & COMMUNITY
SERVICES**

Agenda Item No. 4

**REVIEW OF THE 2019 ADDITIONAL
LICENSING SCHEME FOR HOUSES
IN MULTIPLE OCCUPATION AND
THE PROPOSAL TO DECLARE A
NEW SCHEME IN 2024**

Author(s): Neil Pilliner, Environmental Protection & Housing Standards Manager

1. PURPOSE OF THE REPORT

- 1.1 To allow members to scrutinise the effectiveness of the 2019 Additional Licensing Scheme (ALS) for Houses in Multiple Occupation (HMOs) and, subject to those findings, to scrutinise the proposal to declare a new ALS for HMOs from April 2024, in accordance with the provisions of the Housing Act 2004.

2. RECOMMENDATIONS

It is recommended that the Committee:

- 2.1 Scrutinise the findings of the evaluation of the 2019 Additional HMO Licensing Scheme in Rhondda Cynon Taf.

- 2.2 Subject to the review of the evaluation of the 2019 scheme, scrutinise the evidence for the proposal to declare a new ALS for HMOs in Rhondda Cynon Taf, in accordance with the provisions of the Housing Act 2004.
- 2.3 Subject to the outcome of 2.2 above, make recommendations in respect of the new licensing conditions to be placed on all HMO licenses granted by the Council under both the Mandatory Licensing Scheme and the proposed ALS from April 2024.
- 2.4 Make recommendations to the Cabinet in respect of future additional licensing requirements for HMOs in Rhondda Cynon Taf from April 2024.

3. BACKGROUND

- 3.1 As of May 2023, there were an estimated 18,180 private rented properties across Rhondda Cynon Taf, accounting for approximately 17.6% of the housing stock. Of these 549 were licensed as houses in multiple occupation, which represents 3% of the private rented sector (PRS) and most of these properties are in the Treforest Ward.
- 3.2 Historically, HMOs in RCT have been the domain of students and they continue to provide a key housing option for students particularly in Treforest. As detailed in the ALS evaluation, student numbers have declined in Treforest in recent years and landlords have needed to diversify in order to ensure their properties are occupied. In addition, the impact of welfare reform and changes to Housing Benefit made the scale and nature of the PRS in RCT difficult to predict. Trends have shown an increased reliance on the PRS as people's housing choices are limited by availability of housing benefit and the demand for smaller accommodation continues to rise. For those people who are priced out of owning their own home and are unlikely to be able to access social housing, the PRS is often the only viable housing option available. HMOs are also seen as a housing choice by young professionals, new to the employment market.
- 3.3 HMOs have been subject to proactive regulation in RCT since 2002. Between 2002 and 2006 the Council operated a successful Borough wide Special Control Registration Scheme for HMOs. The Housing Act 2004 ('the Act') came into force in Wales in June 2006 and introduced powers for Local Authorities to regulate standards in the private rented housing sector. In particular, the Act introduced the requirement for Local Authorities to licence certain types of HMO, namely those of 3 storeys or above with 5 or more tenants that comprise 2 or more households; this is termed Mandatory HMO Licensing. The Act also allowed Local Authorities to introduce other types of licensing scheme for different types of HMO (Additional Licensing) and to licence the single occupation rented sector (Selective Licensing). Both schemes are discretionary.
- 3.4 Any ALS for HMOs declared by a Local Authority must only last for 5 years. Any decision on whether a further ALS is required must be based on evidence of the need for such a scheme. In April 2007, the Welsh Assembly Government issued guidance to Local Authorities, indicating that they may implement ALS without obtaining approval, providing they can satisfy the requirements of the legislation regarding evidence of need, consultation with interested parties and implementation.
- 3.5 Since 2006, the Council has operated successive Additional Licensing Schemes. The 2014 ALS introduced the regulation of all types of HMO including small 2 storey properties with three people living as two households and certain buildings converted to flats to pre

1991 Building Regulations standards. Large HMOs i.e. those that are 3 storeys or above with 5 or more tenants and comprise of 2 or more households, have continually been regulated through the Mandatory Licensing Scheme.

3.6 The 2014 Additional Licensing Scheme (ALS) was reviewed in 2018 whereby a decision was made to implement a further ALS which came into effect on 1st April 2019. The 2019 scheme maintained the same key focus introduced in the 2014 scheme which introduced particular requirements to protect the safety of tenants living in HMOs and also to minimise the impact of shared housing on the character and amenity of the surrounding area. Thereby conditions are included to require that landlords maintain boundaries, gardens and walls, as well as taking reasonable steps to reduce anti-social behaviour by persons living in HMOs. The current ALS is due to lapse on 31st March 2024.

3.7 Online applications were introduced in 2019 and this has led to an improved processing time for licenses. Applications are now complete at the point of submission, including payments and supplementary information. Furthermore in 2019 changes were made to how the fees were processed and a two-part payment was introduced to cover costs of implementing the ALS as follows:

Part 1 - covers the reasonable costs of administering and determining the licence application.

Part 2 - is payable upon grant of the licence and will cover the reasonable costs to the Council of the ongoing regulation and enforcement.

4. EVALUATION OF THE 2019 ADDITIONAL LICENSING SCHEME

4.1 A full evaluation of the HMO Licensing Schemes (Additional and Mandatory), since 2019, has been undertaken by the Housing Strategy Team and the full report is included as Appendix 1.

4.2 The key findings of that evaluation are as follows:

- At the time of writing there are 549 licensed HMOs in RCT. The transient nature of occupation of HMOs requires ongoing enforcement and investigation to maintain compliance with the Scheme.
- 87% of properties subject to an application for a HMO licence were found to be non-compliant with the legal requirements. This is in spite of a significant number of the applications being in respect of properties previously subject to licensing.
- Inspections undertaken after a licence have been granted show that only 24% maintained those legal standards, resulting in enforcement action to improve ongoing maintenance and condition of properties was necessary. Deficiencies were predominantly identified in relation to substandard fire precautions, poor external appearance, damp and disrepair.
- 1050 significant hazards have been removed from 360 licensed HMOs as a direct result of the licensing regime. This demonstrates that without continued regulation of smaller HMOs and converted buildings, there is a high risk they could quickly deteriorate in standard and present hazards for occupants over time if the requirement for licensing ceased.

- Proactive occupancy checks, carried out from 2019 to date, have led to one landlord being prosecuted for exceeding the number of persons permitted to occupy an HMO contrary to the conditions imposed within the license and there are a further two cases pending for the same offence. The Council's Housing Standards Team are also preparing two cases in respect of the failure of a HMO licence holder to comply with HMO licensing conditions and a failure to comply with the requirements of a statutory improvement notice. In addition, a prosecution case is being processed in respect of the failure to licence a licensable HMO.
- The data shows the number of reported Anti-social behaviour (ASB) incidents have reduced in the Treforest Ward when comparing 2017-19 period with 2020-22. However, it is noted that changes in ASB reporting methods between the two periods and the impact of the Covid pandemic could have influenced the data.
- The Property Accreditation Scheme launched in the Treforest Ward of RCT has had a positive impact on how tenants make informed choices about the property they want to live in. The Accreditation Scheme is however voluntary and is not a substitute for regulation of the HMO sector.

4.3 The period of the Covid pandemic proved to be detrimental in terms of the administration and enforcement of HMO licensing. During this time, HMO licence application visits and annual inspections could not be carried out. However, Officers processed applications based on confidence in the management of the specific HMO, while also attaching specific conditions to the licence when required. It was also recognised that the Covid pandemic imposed huge difficulties on landlords being able to carry out repairs and maintenance because it was problematic to obtain building services, materials and access to internal elements of properties. Material costs associated with repairs and maintenance also increased significantly.

4.4 The existing licence conditions have been reviewed and are deemed to be suitable for any future scheme. If approval is granted for a new ALS from April 2024, it is recommended that an additional fire safety related condition is also included in line with recent changes (1st Oct 2023) to the Building Safety Act 2022, Section 156 provisions. Whilst enforced by the Fire Service, the condition will ensure that the Licence holder takes steps to ensure the "responsible person" carries out their new fire safety risk assessment obligations. The proposed licence conditions for the 2024 ALS are attached in Appendix 2 including the new condition (5.6).

5. CONSULTATION

5.1 In accordance with the legal requirement, a public consultation was undertaken between 5th September 2023 and 17th October 2023, a period of 6 weeks. The consultation was as follows:

- Online via the Council website.
- Social Media using Facebook and Twitter.
- Door to door survey in Treforest.
- Targeted e-mailings to landlords, students, letting agents and other stakeholders.
- Targeted engagement with Local members, Treforest Residents Association Treforest PACT Forum, and Officer attendance at the University Campus during Student Freshers week.

5.2 The full Consultation feedback report is produced as Appendix 3. The key findings were as follows:

- 163 responses were received to the consultation. The majority of these identified Treforest as their place of residence.
- 66% of respondents were owner occupiers, 11% were landlords and 14% were tenants.
- 76% of respondents had concerns about HMOs in their area, litter was the highest topic causing concern, followed by appearance.
- 53% of respondents believed HMO licensing can improve the quality and appearance of HMOs, with 17% disagreeing and 30% being unsure.
- 57% of respondents believed HMO licensing can improve the safety and security of HMOs, with 16% disagreeing and 27% being unsure.
- 51% of respondents believed HMO licensing can be an effective way of preventing anti-social behaviour, with 22% disagreeing and 27% being unsure.
- 63% of respondents consider it can improve the management of HMOs, with 16% disagreeing and 20% being unsure.
- 63% of respondents said they want to see the ALS continue, only 17% of respondents said they did not want it to continue.

5.3 Many respondents provided comments to illustrate their opinion, and these are reproduced in full, from Page 22 of the Report in Appendix 2. Key comments by respondent type can be summarised as follows:

- **Landlords**: The main theme of comment from landlords related to the cost of the scheme being too expensive, which was seen as an inhibiting factor in preventing more landlords licencing their properties as HMO's. Some landlords believed the ALS focused too much on compliant landlords and detracted from the ability to enforce standards, particularly the non-compliant properties or landlords.
- **Tenants**: The emphasis was on the need and responsibility to raise the quality of rented accommodation to maintain a viable rental market and social cohesion. Parking issues were also mentioned a number of times.
- **Owner Occupiers**: There was a high proportion of comment in regards to litter, poor appearance, anti-social behaviour and a lack of enforcement in the Treforest area and the negative impact this is having on the community. The general theme was the perception that there were too many HMOs in Treforest and there was a need to monitor and ameliorate the negative impacts on the community through tighter enforcement of the ALS. Many owner occupiers also complained about parking being a significant issue in the Treforest area. In general, Owner Occupiers were in agreement with the aims, objectives and continuation of the ALS so long as it was fully enforced.

6. **WELSH LANGUAGE IMPLICATIONS**

6.1 All correspondence associated with the public consultation were compliant with the Welsh Language (Wales) Measure 2011, whereby the Welsh language is treated no less favourably than English.

6.2 A Welsh Language Impact Assessment (WLIS) was also undertaken as part of the review of the Additional Licensing Scheme 2019, to ensure compliance with the Welsh Language (Wales) Measure 2011.

7. FINANCIAL IMPLICATION(S)

7.1 The Housing Act 2004 allows Local Authorities to recover the cost of administering licensing scheme from application and other associated fees. The basis of the fees charged includes the administration of the application, inspection of the property and associated enforcement actions and wider enforcement and regulation during the period of the licence. If a new scheme is approved, the fees to be associated with the Additional HMO Licensing Scheme will be fully reviewed prior to any formal declaration for the Scheme to ensure they are appropriate and proportionate.

8. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

8.1 The Housing Act 2004 gave local Housing Authorities discretion to specify that landlords of some or all type of Houses in Multiple Occupation (HMOs) must apply for a licence if they want to let to tenants. This is called Additional Licensing. Each Local Authority can decide to implement an Additional Licensing Scheme to bring more HMOs within the scope of the licensing regime.

9. LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT.

9.1 The private rented sector, including HMOs, has an important part in the housing market in RCT and makes a valuable contribution to maintaining the affordable housing supply chain, offering a viable choice of housing for many people. A safe and secure HMO sector is important to the Place priority of the 2020-24 Corporate Plan which aims to ensure that in RCT we create places “where people are proud to live, work and play”. It also supports the People priority, whereby for many people, particularly young adults, residing at an HMO enables them to maintain “independent, healthy and successful” lives.

9.2 The aim of a further ALS in 2024 is made in full consideration of the sustainable development principles. The proposals will also support the Council to contribute to three of the seven well-being goals, namely:

1. A healthier Wales.
2. A prosperous Wales.
3. A Wales of cohesive communities.

10. STRATEGIC OR RELEVANT TO ELECTORAL WARDS (please specify)

10.1 The proposed consultation will have specific relevance to the Treforest ward, due to the presence of a high number of HMO's being used as student accommodation associated with attendance at the University of South Wales in Treforest.

11. CONCLUSION

11.1 HMOs are a necessary housing option and form an important part of the housing market in RCT. The evaluation of the 2019 Additional Licensing Scheme shows the positive

impact that the licensing regime has had on HMO standards, however there is clear evidence of the need for ongoing regulation of the sector to protect tenants from poor housing standards and to protect communities from the adverse impact of poorly managed HMOs. The feedback from the public consultation provides additional evidence of the impact of HMOs on our communities, particularly in Treforest.

- 11.2 Should the recommendation to declare a new 2024 Additional Licensing Scheme with proposed conditions be supported, making the designation will significantly assist the Council to deal with problems relating to HMOs in conjunction with other courses of action and will ensure that the risks associated with shared housing continue to be appropriately managed.

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RHONDDA CYNON TAF

**Houses in Multiple Occupation
Additional Licensing Scheme
Review 2023**



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1. Background:

- 1.1 In October 2013 Cabinet deliberated the report “Licensing of Houses in Multiple Occupation in Rhondda Cynon Taf”. This was considered in conjunction with the recommendations from the Environmental Services Committee from the 1st July 2013. Following this, the Council adopted an HMO Additional Licensing Scheme to “improve safety and management standards”.
- 1.2 The Additional Licensing Scheme (ALS) came into effect on 1 April 2014. The ALS extended the scope of HMO licensing to cover rented property with 3 or more occupiers who form 2 or more households regardless of how many storeys the property had. It also included converted buildings
- 1.3 The 2014 Scheme was reviewed in 2018 whereby a decision was made to implement a further Additional Licensing Scheme which was came into effect on the 1st April 2019. The current scheme is due to lapse in 2024.

2. Purpose of Review:

- 2.1 The Scheme was approved to run for a period of 5 years, and at the end of the period, the Council are obliged to undertake a review of the Scheme. The review should focus on determining whether the scheme is achieving its objectives within its current framework. The review should also evaluate its impact and recommend whether an Additional Licensing scheme is still required; and if so, whether any changes are required in line with good practice, legislation and the findings of the evaluation. In summary, the review will:
 - Evaluate the existing scheme to determine the extent to which it has achieved the outcomes and impact intended when the scheme was introduced in 2014.
 - Evaluate the possible effect on the housing market and housing standards in shared housing in RCT if the scheme is not continued after 2024.
 - Make recommendations on any changes or improvements that could be made to the existing scheme if it were to be continued.

3. The Private Rented Sector in Rhondda Cynon Taf:

- 3.1 Between the 2011 and the 2021 National Census, the percentage of privately rented properties within Rhondda Cynon Taf rose from 13.7% to 17.6%. This represented the second highest percentage rise in Wales. There is now an estimated 18,180 private rented properties in the Borough which is an increase from 14,353 as on April 2018; of these 3.02% (549) are Houses in Multiple Occupation. The last review reported that 3.86% of rental properties were HMOs and this reduction is due in large part to the combined effects of an increase in rental properties overall and a decrease in the number of licensed HMOs.
- 3.2 These statistics confirm that the private rented sector is increasingly relied upon to provide a wide range of housing options within RCT not readily available through the owner-occupier and social housing sectors. According to the most recent Local Housing Market Assessment (July 2022) this trend is set to continue. The LHMA projection indicates that the population of Rhondda Cynon Taf will grow to over 250,000 by 2035 and that the biggest rise will be amongst people aged between 20-29. This age group will be predominately single and will be effected exponentially by the lack of affordable housing. Traditionally, this is the age group most associated with HMOs.
- 3.3 Enabling and fostering a functional and balanced local housing market is fundamental to nurturing social inclusion, health and wellbeing and ensuring robust and prosperous communities within Rhondda Cynon Taf.
- 3.4 Historically HMOs in RCT have been the domain of students and this associated demand has seen the highest concentrations developed in areas adjacent to the University of South Wales, predominantly in the Treforest ward.
- 3.5 Since 2009 and the phased implementation of welfare benefit reforms, there has been a growing demand for affordable accommodation options for single person households restricted to the cost of a room in a shared house. Conversely, reductions in student numbers has been instrumental in a significant change in the use of HMOs in the Treforest ward and HMO landlords have had to adapt to this change in the market to negate the inability to let their properties. Therefore, they are turning to the non-student single person demand and this trend is likely

to continue going forward.

- 3.6 The above is evidenced by the RCT Local Housing Market Assessment (LHMA) 2022 and via empirical knowledge, gained through interaction with landlords via the Landlord Forum. The University has also built 1,200 dedicated purpose built units of accommodation that has had an obvious effect on demand for student private rentals.

4. Legislative Context:

- 4.1 Under the UK wide Mandatory Licensing Scheme (Housing Act 2004), HMOs that are 3 storeys or more and occupied by 5 or more persons living in 2 or more households are required to be licensed. The legislation provided a detailed definition of what constitutes a HMO, whilst also setting out standards of management for these types of properties. The UK Mandatory Licensing Scheme came into force on 1st June 2006.
- 4.2 The Housing Act 2004 also gave local housing authorities discretion to specify that landlords of some other, or all Houses in Multiple Occupation (HMOs) must apply for a licence if they want to let to tenants. This is called Additional Licensing. Each local authority can decide to implement an Additional Licensing Scheme to bring more HMOs within the scope of the licensing regime.
- 4.3 HMOs have been subject to proactive regulation in Rhondda Cynon Taf for the last 17 years. Between 2002 and 2006 the Council operated a Borough-wide Special Control Registration Scheme for HMOs that were 2 storey or above with 4 or more tenants, comprising of three or more households. Since 2006, there has been some form of Additional Licensing scheme in operation in RCT in addition to the Mandatory Licensing Scheme.
- 4.4 Currently, the RCT Additional Licensing scheme covers the following HMOs:
- Entire houses or flats which are let to 3 or more tenants who form 2 or more households and who share a kitchen, bathroom or toilet.
 - Houses, which have 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.

- Converted houses, which contain one or more flats which are not wholly self-contained (i.e. 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.
- Buildings that are 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 a HMO the property must be used as the tenants' only or main residence and it should be used solely or mainly to house tenants.
- It is important to note that large HMOs i.e. those of 3 storeys or above with 5 or more tenants that comprise 2 or more households continue to be regulated through the Mandatory Licensing Scheme.

4.5 The RCT Additional licensing scheme serves a dual purpose, both to protect the safety of tenants living in HMOs and also to minimise the impact of shared housing on the character and amenity of the surrounding area. Changes in the market, as currently in operation in Treforest, present a prime example of how the RCT HMO licensing Scheme can be utilised in tandem with other council initiatives to govern, monitor and ensure the quality and standard of both the property and its management. The ALS also serves to mitigate the negative impacts associated with high densities of HMOs and effectively manages the changes in the dynamics of the housing market that, if left un-checked, could have an adverse impact on the desirability of an area, a rise in anti-social behaviour and a breakdown of social cohesion.

4.6 Whilst there are currently 549 licensed HMOs in RCT (Mandatory and Additional), the potential number of HMOs is higher than this at 654. This is because at any one time there are always some properties that the Council has under review, either because it suspects they are being used as HMOs but are not licensed, or because they have previously been used as HMOs and whilst not currently, could potentially be again in the future.

4.7 Currently, there are 71 premises classed as "query licensable HMOs" and 34 classed as vacant HMOs. These properties are described as 'potentially' licensable and are the focus of the Council's enforcement and investigation on an ongoing basis. Once it is established that properties are licensable; then

appropriate steps are taken to bring the properties into the licensing regime; which could then potentially encompass enforcement action.

4.8 Online applications were introduced in 2019 and this has led to an improved processing time for licenses. Applications are now complete at the point of submission, including payments and supplementary information. Improved processing time can be shown, in so far that:

- Part 1 payment must be made prior to application submission.
- No delays in application being made via postal service
- No excuses in terms of late submissions, or arguments that discount should apply because application was posted prior to expiry but delayed due to postal delivery
- No submission of incomplete forms (as was sometimes the case with paper forms which then necessitated the case officer having to return paper applications to applicants to be fully completed / signed etc.)
- In time of the Covid pandemic there was a reduced risk of spread of disease due to no paper handling of applications and certificates
- Furthermore, in time of the Covid pandemic the electronic application system proved invaluable in terms of continued service delivery; it supported hybrid-working arrangements and reduced filing requirements.

4.9 The number and location of HMOs currently licensed under both the Mandatory and Additional Licensing Schemes in RCT is shown in Appendix 1.

5.0 Licence Conditions:

5.1 Licensing of Houses in Multiple Occupation is dealt with under Part 2 of the Housing Act 2004. The Act also allows local Licensing Authorities to include discretionary conditions, which it considers appropriate for regulating the management, use and occupation of the HMO, its condition and contents. The current Licensing conditions applicable to HMOs in Rhondda Cynon Taf are presented in Appendix 4.

5.2 The main purpose of licensing conditions is to protect the safety and well-being of tenants living in HMOs in relation to hazards such as fire safety or overcrowding and ensure persons assessed as being fit and proper effectively manage the properties.

People who hold a license to operate a HMO must comply with the Council's HMO Licensing conditions; some of these are Mandatory and are imposed on all HMO Licenses in the UK, in accordance with the Housing Act (2004). Others are local conditions that will be imposed on HMOs in Rhondda Cynon Taf.

- 5.3 Further licensing conditions applicable in Rhondda Cynon Taf also aim to minimise the impact of shared housing on the character and amenity of the surrounding area by imposing social and environmental conditions that cover the external appearance together with the maintenance of properties, gardens and the prevention of anti-social behaviour by tenants. The licence conditions have allowed the Council to intervene early and work more intensively with landlords to help and support them to meet their responsibilities.
- 5.4 For the small minority of landlords who wilfully fail to meet the conditions, the Council can use its enforcement powers, including prosecution through the courts, to remedy breaches and address the negative impact caused to both tenants and the community.

6.0 Other Regulations that effect HMOs:

- 6.1 In addition to the requirements of Part 2 of the Housing Act (2004) there are two other sets of management regulations, which govern the management of HMOs. The Licensing and Management of Houses in Multiple Occupation (Additional Provision) (Wales) Regulations 2007 regulates self-contained flats (Section 257 HMOs) and The Management of Houses in Multiple Occupation (Wales) Regulations 2006 regulates all other types of HMO (Section 254 HMOs). Both sets of regulations contain broadly similar requirements in respect of keeping the accommodation clean, safe and in a good state of repair.
- 6.2 Moreover Schedule 3 of The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) Wales Regulations 2006 prescribe standards for deciding the suitability for occupation of an HMO by a particular maximum number of household or persons.

6.3 Housing Health & Safety Rating System

Additional to the requirements of the Management Regulations, HMOs must also comply with the Housing Health and Safety Rating System (HHSRS). HHSRS applies to all housing including HMOs regardless of type or tenure. It involves a risk assessment of the effect of housing conditions on the health of occupiers and an assessment of 29 potential hazards. If Category 1 hazards (i.e. the more serious hazards) are found, the Council has a duty to require the owner to take appropriate action. If Category 2 hazards (i.e. less serious hazards) are found, the Council may take appropriate action as provided for within its enforcement policies. Councils are required to assess licensable HMOs to ensure that there are no functions under Part 1 of the Act (HHSRS) that ought to be exercised by them. This has to be done within five years of a licence being issued and in practice requires an inspection to be carried out.

6.4 Summary of New Regulations

Since the last review, the following new legislation either has come into force or has continued to affect the way that HMOs are managed:

- **BS5839 (Part 6)** – A new code of practice for enforcing Authorities and others responsible for implementing fire precautions in non-domestic buildings including HMOs.
- **Fire Safety Act (2021)** – amends the Regulatory Reform (Fire Safety) Order 2005 (the FSO) with the intention of improving fire safety in multi-occupancy domestic premises. Crucially, the external walls of a building and the fire doors to individual flats must now be assessed as part of the requirement for a fire risk assessment. This can be seen as a reaction to the Grenfell Tower disaster of 2017.
- **Renting Homes (Wales) Act 2016** – this came into effect on 1st December 2022. For landlords, this should mean a simpler system, with two types of contracts: “secure” for the social rented sector and “standard” for the private rented sector. Landlords will need to ensure homes are fit for human habitation and this will include, electrical safety testing and ensuring that smoke alarms and carbon monoxide detectors are fitted.
- **Proposed implementation of the Building Safety Regime** – Welsh government is proposing to introduce new regulation to improve the safety of multi occupied

residential buildings at the design, construction and occupational phase of a building's lifecycle. It is proposed that Local Authorities will take the lead role as the Regulator and collaborate with residents and responsible persons to ensure compliance with the proposed new legal duties. It is currently proposed that the new regime will cover two categories of multi occupied residential buildings –

Category 1: Buildings that are 18 metres or more and comprising of (a) 2 or more residential units or (b) one residential unit if that unit is occupied by more than one household as their only or main residence

Category 2: Buildings less than 18m in height comprising of (a) 2 or more residential units or (b) one residential unit if that unit is occupied by more than one household as their only or main residence.

7.0 Covid19 - Impact and Implications for HMOs:

- 7.1 The Covid19 pandemic has fundamentally changed the way that people are choosing to live and work. There has been concern that the impact of Covid19 will or has, disproportionately affected private rented housing standards. Houses in multiple occupation form a vital part of this sector, often providing cheaper accommodation for people whose housing options are more limited.
- 7.2 The period of the Covid pandemic also proved to be detrimental in terms of the administration and enforcement of HMO licensing. During this time, HMO licence application visits and HMO annual inspections could not be carried out. Where there was a high degree of confidence in management, licenses were issued with standard conditions. Equally, where HMO application visits had been carried out prior to Covid restrictions and works were required to be completed by the property owner but could not be visually checked because of the Covid restrictions, such applications were processed by the issue of licenses with time limited property specific conditions attached.
- 7.3 The Covid pandemic also imposed huge difficulties on landlords being able to carry out repairs and maintenance because it was problematic to obtain building services, materials, and access to internal elements of properties. Material costs associated with repairs and maintenance also increased significantly.

8.0 Benefits of the Additional Licence Scheme since 2018:

8.1 Between April 1st 2018 and March 31st 2022, 549 HMO licenses were issued within RCT. This compares with 622 for the period of the last review, April 1st 2014 and March 31st 2018. In addition, there are currently a further 33 premises classed as “licensable HMO/under review”, ten of which are pending approval. Once approved, classification will change to HMO. There are also 71 premises classed as “Query Licensable” HMO and 34 premises classed as Vacant HMO. Normally, upon completion, these premises would be re-classed as normal or domestic/owner-occupied and not HMO’s. Appendix 2 shows the type and size of HMOs in RCT that have received a licence under the Additional Licensing Scheme.

8.2 Of the total number of applications received under the current Additional Licensing Scheme, 350 were renewal applications, meaning that they had been licensed under the 2014 Additional Licensing Scheme. Of these 87% were non-compliant at the point of application, which demonstrates the benefits of having an ALS for HMO’s. In addition, the Council has received 20 licensing applications for converted buildings (Section 257 HMOs). These were brought into licensing for the first time in 2018 and 100% of these HMOs were non-compliant at the point of application.

8.3 Outcome of inspections and enforcement of the Additional Licensing Scheme

HMOs are inspected by Environmental Health Officers before licenses are issued to ensure that they meet licensing standards and conditions, during the licence period and on renewal. If a property is not at the required standard, landlords are advised of the work required and given a timescale for the work to be completed. It should be noted that during the pandemic this activity was severely curtailed and it is not relevant to compare inspections for this review to the last review.

8.4 However, the percentages of properties that meet licensing standards at the point of application remains quite low and the data also indicates that there is still a drop in standards in terms of property conditions and management arrangement for new applications being presented to the Council for licensing.

8.5 Environmental Health Officers continue to undertake proactive inspections of licensed HMOs, usually at around year 2 after licensing and then on an annual basis. This provides assurance to residents and tenants that HMO standards are maintained for

the life of the 5-year license and enables the Council to intervene earlier when issues are identified, rather than waiting for a complaint from tenants or other residents.

Table 1 below provides a breakdown of all inspections carried out between 2018-2022 and property compliance figures at the point of inspection. The table also includes the number of inspections with undetermined compliance due to incomplete record keeping regarding compliance. The data clearly shows the effect that the Covid restrictions had on the inspection regime during the years 2020-2021 and 2021-2022. It is therefore difficult to draw evaluations with the previous review period when concluding on the data.

Table 1: HMO Inspection figures 2018-2022:

| Type of Inspection | Year 2018- 2019 | Year 2019- 2020 | Year 2020- 2021 | Year 2021- 2022 | Total |
|--|-----------------------|-----------------------|-----------------------|-----------------------|-------------|
| HMO Annual Inspection/Compliant | 120 | 121 | 33 | 51 | 325 |
| HMO Annual Inspection/Non-compliant | 288 | 364 | 53 | 164 | 869 |
| Compliance undetermined | 60 | 81 | 18 | 21 | 180 |
| Total | 468 | 566 | 104 | 236 | 1374 |

8.6 Since the commencement of the 2018 scheme 39 licenses have received reduced license terms (less than maximum 5-year license term) in response to failures by the license holders to carry out works in a reasonable time scale to meet licensing conditions. Proactive occupancy checks, which have also been carried out from 2019 to date, have led to one landlord being prosecuted for exceeding the number of persons permitted to occupy a HMO contrary to the conditions imposed within the license. In addition, there is one further case pending for the same offence.

8.7 Non-compliance issues related predominantly to deterioration in property appearance

and environmental conditions, deficiencies in fire safety provisions, damp and mould and disrepair of property internals due to general wear and tear.

8.8 All hazards or non-compliance issues identified through the proactive inspections have been reduced to an acceptable standard because of Council intervention to ensure these properties were again compliant with licensing conditions. Hazards identified and removed from HMOs are detailed in Appendix 3. There were 1050 Category 1 and 2 Hazards removed from within 360 Licensed HMOs since the commencement of the 2018 Additional License scheme. This demonstrates that without continued regulation of smaller HMOs and converted buildings, there is a high risk that they would either be let in a low standard or would quickly deteriorate in standard and present hazards for occupants over time once the requirement for licensing ceased.

9.0 Anti-Social Behaviour:

9.1 Areas in which high densities of HMOs are located can be susceptible to increases in crime and anti-social behaviour and act as a barrier to social cohesion within the community.

9.2 Anti-social behaviour is a broad term used to describe day-to-day incidents of crime, nuisance and disorder that can have a dramatically negative impact on the lives of people in the community. It covers such things as:

- Dog fouling, uncontrolled and noisy pets, inconsiderate or dangerous parking and abandoned cars.
- Noise nuisance and alcohol related nuisance.
- Environmental health issues such as fly tipping or general rubbish dumping.
- Vandalism and graffiti.
- Drug misuse.
- Acts of violence.
- Harassment, including verbal or physical abuse and threats.
- Hate crime, including incidents motivated by someone's age, disability, faith, sexuality or race.

- 9.3 Such a wide range of behaviour means that responsibility for dealing with anti-social behaviour is shared between a number of agencies, particularly the Police, local authorities and social landlords.
- 9.4 The Treforest Ward has by far the highest number of both Mandatory and Additional licensed HMOs in RCT. Table 2 below provides a breakdown of the reported annual incidents of anti-social behaviour in the ward and offers a comparison between the last set of three year periods. It shows a reduction in reported ASB incidents but it is difficult to gauge any meaningful trends from the data because of a number of factors; firstly, the methods of reporting have changed during this period and the range of anti-social behaviour has been extended in regards to what is reported under the category of ASB. Effectively, the overall incidences of anti-social behaviour have been reduced in comparison to the smaller range of ASB that was originally reported prior to the introduction of the 2019 ALS. The impact of the Covid pandemic could have also influenced the number/types of complaints received.

Table 2: ASB Incidents in Treforest Ward 2017-2022.

NB: Figures are from 1st January and 31st December each year and 2022 does not include November and December data. The second reporting period covers the Covid pandemic and may have contributed to a reduction in the number/types of complaints received.

| Number of reported ASB Incidents | | |
|----------------------------------|-------------|------------|
| | 2017-2019 | 2020-2022 |
| Environmental Calls | 1234 | 230 |
| Nuisance Calls | 659 | 160 |
| Personal | 112 | 72 |
| Totals | 2005 | 462 |

10.0 Planning:

- 10.1 Prior to 2016, the use of a building as a dwelling house was defined by Class C3 of the Town and Country Planning Use Classes Order 1987, as follows:

Use as a dwelling House (Whether or not as a sole of main residence) –

By a single person or be people living together as a family, or

By not more than 6 residents living together as a single household (including a household where care is provided for residents).

10.2 The effect of this was that planning permission was not required to use a family house as a HMO as long as there were no more than 6 residents. Therefore, in the example of Treforest since most houses are terraced houses of modest size, historically few needed planning permissions for use as a multiple occupancy dwelling.

10.3 New legislation was introduced in Wales in February 2016 which included the division of class C3 into new use classes; C3 and C4:

Class C3 Dwelling Houses

Use as a dwelling house (whether or not as a sole or main residence) by –

A single person or by people to be regarded as forming a single household:

Not more than 6 residents living together as a single household where care is provided for residents; or

Not more than 6 residents living together as a single household where no care is provided to residents (other than to a Use within class C4).

Class C4. Houses in Multiple Occupation

Use of a dwelling house by not more than 6 residents as a house in multiple occupation

10.4 The change means that planning permission is now required to change from a house in single occupation to a HMO for up to 6 residents. These are now referred to as either 'small HMO' or 'Class C4 HMO'.

10.5 Since the licensing and planning systems operate on different criteria under separate legislation, it is possible to gain a licence and not planning permission for the same property, or planning permission and not a licence. The granting of one is no indication that the other will be granted. Since March 2016, Environmental Health Officers have carried out regular planning permission checks. Properties that are assumed to require planning permission in accordance with a change of Class use from C3 to C4 are referred to the Planning Department for their investigation.

10.6 HMO Supplementary Planning Guidance

In May 2018 the Council introduced Supplementary Planning Guidance (SPG) in

relation to Houses in Multiple Occupation. The SPG serves to provide detailed guidance on how the Council assesses and decides applications to create new HMOs within the County. In order to manage the concentration levels of HMOs a 20% on threshold has been introduced within the Treforest area. If an application will increase the concentration of HMOs within a 50 metre radius of the planning application address, the application would be deemed unacceptable in principle. For all other areas, provided the application is unlikely to increase the concentration of HMO within a 50 metre radius of the application address, the application would be considered acceptable in principle. The implementation of the SPG has lowered the creation of new HMOs within the Treforest ward. Also, where existing HMOs have transitioned to C3 class use and are located in streets with high concentrations of HMOs, such properties would likely not receive permission to operate as C4 HMOs in the future.

11.0 Treforest Property Accreditation Scheme:

- 11.1 In April 2016, the Council considered a report, which identified that Treforest required some interventions to improve the sustainability of the housing market, and to ensure that the condition of the housing stock and street scene is of a good standard overall. Whilst the Additional HMO Licensing scheme in Treforest is one of the most comprehensive in Wales, it was recognised that an increase in proactive work would bolster this further. The type of interventions recommended included implementing a Property Accreditation Scheme to complement the existing HMO Licensing scheme and encourage the driving up of standards in the private sector generally. This involved an increase in housing enforcement activity and regular street surveys, to proactively identify issues that were having a negative impact on the community or appearance of the area.
- 11.2 The Treforest Property Accreditation Scheme (TPAS) was implemented in November 2016 and is a voluntary scheme that is open to landlords and letting agents of all types of private rented property, including HMOs. There is no charge for joining the scheme. Properties are assessed in accordance with agreed standards and the information is available to prospective tenants seeking rented accommodation in the Treforest area. There are 4 levels of accreditation to reflect the quality of the property and its compliance with legislative requirements, together with the quality of housing management and the administrative processes utilised.

12.0 The Domestic Private Rented Property Minimum Standard of Energy Efficiency:

- 12.1 Guidance for landlords and local authorities on the minimum level of energy efficiency required to let domestic property under the *Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015*. From the 1st April 2018, landlords of relevant domestic private rented properties may not grant a tenancy to new or existing tenants if their property has an EPC rating of band F or G (as shown on a valid Energy Performance Certificate for the property).
- 12.2 From the 1st April 2020, landlords could not continue letting a relevant domestic property which is already let, if that property has an EPC rating of band F or G (as shown on a valid Energy Performance Certificate for the property). The Council revised its HMO standard conditions in 2019 to require all License Holders to provide the Council with an EPC certificate to demonstrate that the licensed HMO attains a minimum EPC rating of E or better. To drive up Energy Efficiency Standards consideration should be given to revising this condition to a higher EPC rating.

13.0 Conclusion:

- 13.1 The main aim of the Additional Licensing Scheme was to improve the standard of shared housing, paying particular attention to fire safety, amenity and space standards whilst also addressing issues of disrepair and Gas and Electrical safety. The Licence conditions also apply to external conditions such as boundary walls, outbuildings and gardens and the external decorative condition of the property.
- 13.2 HMOs provide an invaluable source of affordable accommodation in a time of high demand and cater to a diverse range of tenants. Well-managed and maintained HMOs provide a valuable asset and form an essential part of RCT's housing stock. However, without the means to monitor, govern and enforce acceptable standards there is a risk that the sector will deteriorate, and in-turn present a blight on the communities in which they are located and a risk to the safety and well-being of the residents who depend on them most.
- 13.3 The 2019 Additional Licensing scheme has enabled RCTCBC to:
- Improve the condition and management of HMOs in the Borough.
 - Identify and inspect HMOs we would not otherwise have known about.

- Allocate resources to enable inspections and monitoring of HMOs that we would otherwise not be effectively regulated.

13.4 Currently, there are 460 HMO properties, which are under the authority of the ALS regulations, in addition to the 89 HMOs that are subject to Mandatory Licensing requirements. The Additional Licensing Scheme has enabled the removal of 1050 Category 1 and 2 hazards from properties designated as HMOs during the period since the last review. Landlords have been supported to raise the standards of management within the sector and robust monitoring, an annual inspection regime and enforcement where necessary, has served to identify and prosecute wilfully non-compliant landlords.

13.5 Whilst this report has identified other methods of helping to raise standards such as the TPAS and Rent Smart Wales legislation; TPAS is voluntary and not borough wide and Rent Smart Wales does not visually check the standard and safety of the actual property. Whereas the Rent Smart Wales registration and licensing process is able to provide tangible benefits to tenants and landlords in regard to the status of “*Fit and Proper*” landlords, it does not proactively audit the quality and amenity of the properties they manage. These arrangements do not therefore control the risk of poor quality accommodation being let and the associated risk to both tenants and the community.

13.6 The 2019- 2024 Additional Licensing Scheme has been unique because of the measures and restrictions which were necessary to protect public health during the Covid Pandemic. Despite this, the Council has been able to offer continued regulation of the HMO sector through its Additional Licensing Scheme and prescriptive licensing conditions. If the additional Licensing Scheme was not in place, HMO regulation during this difficult period would not have been possible.

14.0 Recommendations:

14.1 It is clear the 2019 Additional Licensing Scheme has continued to have a positive impact on improving property and management standards within RCT. Selective licensing Schemes lead to a more proactive approach to housing inspections and often, to a better understanding of the Local Housing Market. It is therefore recommended that the Council continues to operate an Additional Licensing Scheme for a further 5 year period from 1st April 2024 and that the new Scheme should continue to license all types of HMO throughout the County Borough.

14.2 The ALS needs to continue to evolve and with this in mind, the following recommendations should be considered and or implemented, to make sure that the ALS continues to meet its stated aims and objectives:

- To assist owners of HMOs to focus on energy efficiency measures consideration could be given to revising the current EPC rating imposed within HMO licensing conditions to a higher standard. A referral system could be established, whereby Officers, after completion of inspections, could signpost owners to the Heat & Save Team to see if there are any grants or loans available and/or, to offer help and advice with energy efficiency measures and upgrades to the properties.
- We should develop a more robust monitoring scheme to ascertain the beneficial outcomes of the schemes. This should include collection of data on how housing conditions have been improved and what improvements have been made in management practices. This should be gathered to demonstrate what benefit this might have on the health and wellbeing of tenants.
- Commit to undertaking further research in our communities, to evaluate the effect that the Additional Licensing Scheme is having on residents with protected characteristics, who may need additional help and support to maintain their tenancies.
- Review the service to make sure that our service delivery is in accordance with the Welsh Language requirements, and to ensure that at all times the Welsh Language is promoted and that service users have the opportunity to receive information in their chosen Language. This should mean that the option to correspond in the Welsh Language is promoted first.
- Conduct a review of the license fees in accordance with best practice requirements and “benchmark” with other Local Authorities.
- Conduct a review of the Treforest Property Accreditation Scheme, to make sure that it is fit for purpose and that it underlines our aims of improving managerial and service standards.
- When HMOs are inspected, allow the opportunity for all residents to be involved in the process by notifying them of the visit. This will permit all interested parties the chance to make comments before a final license is issued.
- Develop an action plan to help monitor the effectiveness of the Additional Licensing Scheme, with regards to its strategic aims of improving management standards in the sector.

14.3 It should be further noted, that since the last review, the following two recommendations have been successfully implemented:

- It was recommended that the administration of the Scheme should be reviewed. This included a review of the fee structure to ensure that it was fit for purpose and that it continued to cover the costs of administering the Scheme. This was completed in 2019.
- The application process was reviewed, and the opportunity taken to move from a paper based system to an on line application process. The aim of this was to speed up the process and encourage a more business-focused approach.

Appendix 1 - Mandatory & Additional Licence Applications by Location.

| Location | Mandatory Licence Application & Type | Additional Licence Applications & Type | Total Number of Applications |
|-----------------|--------------------------------------|--|------------------------------|
| Coed-y-Cwm | | 1 Renewal | 1 |
| Cwmparc | 1 Renewal | | 1 |
| Gadlys | | 1 Renewal | 1 |
| Glyntaff | | 1 Renewal | 1 |
| Graig | 1 New 3 Renewal | 1 Renewal | 5 |
| Llantwit Fardre | | 1 New | 1 |
| Llantrisant | 1 New | | 1 |
| Mountain Ash | | 1 New | 1 |
| Pentre | | 1 Renewal | 1 |
| Pontyclun | | 1 Renewal | 1 |
| Pontypridd | 1 New 1 Renewal | 1 New | 3 |
| Pwllgwaun | | 1 Renewal | 1 |
| Rhydyfelin | | 1 Renewal | 1 |
| Taffs Well | | 1 Renewal | 1 |
| Talbot Green | | 1 New | 1 |
| Trallwn | 1 Renewal | 1 Renewal | 2 |

| | | | |
|-------------------|----------------------|---------------------------------------|-----|
| Trecynon | 1 Renewal | 1 Renewal | 2 |
| Treforest | 55 Renewal 24 New | 336 Renewal 105 New 1 Variation | 521 |
| Tylorstown | | 1 Renewal | 1 |
| Upper Boat | | 1 Renewal | 1 |
| Wattstown | | 1 Renewal | 1 |
| | MANDATORY | ADDITIONAL | |
| Total | 89 | 460 | 549 |
| New Applications | 27 | 109 | 136 |
| Licence Renewal | 62 | 350 | 412 |
| Licence Variation | | 1 | 1 |

Appendix 2

| Additional Licensed HMOs by Number of Bedrooms | |
|---|-----------------------------|
| 2018 - 2022 | |
| Number of Bedrooms | Number of Properties |
| 2 Bedroom | 2 |
| 3 Bedroom | 69 |
| 4 Bedroom | 231 |
| 5 Bedroom | 112 |
| 6 Bedroom | 29 |
| 7 Bedroom | 2 |
| 8 Bedroom | 1 |
| 9 Bedroom | 2 |
| 10 Bedroom | 2 |
| 12 Bedroom | 1 |
| 14 Bedroom | 1 |
| 16 Bedroom | 1 |
| 17 Bedroom | 1 |

| | |
|-------------------|------------|
| 20 Bedroom | 1 |
| 29 Bedroom | 1 |
| Total | 460 |

Appendix 3

| Hazards removed from Licensed HMOs | | |
|---|-------|-----|
| Damp and Mould | Cat 1 | 19 |
| Excess Cold | Cat 1 | 10 |
| Entry By Intruder | Cat 1 | 2 |
| Electrical Hazards | Cat 1 | 2 |
| Fire | Cat 1 | 13 |
| Falling on Stairs | Cat 1 | 16 |
| Falling between Levels | Cat 1 | 14 |
| Total Number of Category 1 removed/Made Fit | | 76 |
| Damp and Mould | Cat 2 | 129 |
| Excess Cold | Cat 2 | 10 |
| Excess Heat | Cat 2 | 1 |
| Entry by Intruders | Cat 2 | 9 |
| Lighting | Cat 2 | 3 |
| Domestic Hygiene / Pest & Refuse | Cat 2 | 20 |
| Food Safety | Cat 2 | 36 |
| Personal Hygiene / Sanitation/Drainage | Cat 2 | 61 |
| Falling /Level Surface | Cat 2 | 54 |
| Falling on Stairs | Cat 2 | 125 |
| Falling between levels | Cat 2 | 263 |
| Electrical Hazard | Cat 2 | 52 |

| | | |
|---|-------|-------------|
| Fire | Cat 2 | 281 |
| Flames Hot Surfaces | Cat 2 | 1 |
| Collision / Entrapment | Cat 2 | 2 |
| Structural Collapse and Falling Elements | Cat 2 | 13 |
| Total Number of Hazards Removed/Made Fit | | 1050 |

Appendix 4 - EXISTING LICENCE CONDITIONS:

Rhondda Cynon Taff County Borough Council

Licensing Conditions for a House in Multiple Occupation

(Housing Act 2004 Section 67)

These conditions are mandatory and will be imposed by Rhondda Cynon Taf County Borough Council in all Houses of Multiple Occupation (HMOs) that are subject to a licensing scheme within the scope of Part 2 of the Housing Act 2004. The Council may apply others with discretion in appropriate circumstances and the list below should therefore not be regarded as exhaustive.

1. Number of persons/households permitted to occupy the property

- 1.1 The licence holder must not permit the HMO to be occupied by more than the number of persons specified in the licence.
- 1.2 The use and level of occupancy of each room shall not be changed without the prior written approval of the Licensing Authority.

2.Changes to the licensed property, licence holder or management arrangements

- 2.1 No alteration that may impact on the licence conditions will be made to the property without prior notification to the Licensing Authority
- 2.2 Any material change of circumstances in respect of the licence holder, manager or anyone else involved with the property itself or its management must be notified

to the Licensing Authority within seven days of such a change occurring. This will include any change of contact details.

3. Letting Arrangements

3.1 The licence holder shall supply all occupiers of the house with a written statement of the terms on which they occupy it.

3.2 The licence holder will provide each new occupier at the start of their occupancy with:

- (a) Written information on recycling and refuse storage, collection and disposal arrangements;
- (b) Written information on procedures for the escape from the building in case of fire, including, but not limited to, understanding the alarm, the importance of fire doors and protecting the escape, keeping the escape route free from obstruction and proper use of fire-fighting equipment provided. The licence holder shall ensure that all occupiers are fully aware of procedures for dealing with false fire alarms;
- (c) Written details of the arrangements that are in place for dealing with repairs and emergency situations at or in connection with the property. This should include names, telephone numbers and email addresses where available;
- (d) Written information about anti-social behaviours detailed in **condition 7** of this licence
- (e) Information is provided regarding the operation of the heating system and advice given in respect of minimising condensation dampness and mould growth
- (f)

3.3 The Licence Holder or Manager shall ensure that all reasonable requests by an authorised Officer of the Council's HMO licensing Team to examine or survey the property are fulfilled and access is gained without unnecessary delay.

4. The condition of the property and associated facilities

4.1 The licence holder must ensure that the HMO has adequate means of escape and other fire precautions in case of fire in line with the Council's adopted standards and the requirements of the Fire and Rescue Service, and or the requirements of the Approved Document B of the Building Regulations currently in force, as applicable.

4.2 The licence holder must ensure that the HMO is maintained free from serious disrepair.

4.3 The licence holder must ensure that the HMO complies with the Council's adopted space and amenity standards.

4.4 The licence holder must ensure that adequate space heating is provide and maintained in each unit of living accommodation.

4.5 A working carbon monoxide alarm must be fitted to any room that is used partly or wholly as living accommodation, and also contains any appliance which burns, or is capable of burning, solid fuel, mains gas or liquid petroleum gas fuel.

4.6 The licence holder must ensure that adequate amenities, facilities, and equipment are provided and maintained in good order in the HMO for the use of the occupants at all times. This shall include satisfactory facilities for the storage, preparation and cooking of food including an adequate number of sinks with a suitable and sufficient supply of hot and cold water, in line with the Council's adopted amenity standards. It shall also include the provision of an adequate number of suitably located water closets, an adequate number of suitably located fixed baths or showers and wash hand basins, each of which is provided with a suitable and sufficient supply of hot and cold water and properly connected to the drainage system.

4.7 The licence holder must ensure that the internal common parts, staircases and other communal areas are maintained on good order and that they are so far as practicable in a clean and tidy condition.

4.8 All licensable properties must attain a minimum "E" rating energy performance unless the premises is exempt in accordance with criteria specified with The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015

4.9 The Licence holder shall ensure that all portable electrical appliances provided by the landlord for use by the tenants occupying the property shall be kept in a safe condition. Upon request by the Council, an up to date annual Portable Appliance Testing (PAT) certificate shall be provided as evidence to satisfy this condition.

4.10 The Licence Holder shall ensure, as far as reasonably practicable, any waste arising from building work or improvements to the house is not stored or does not accumulate within the curtilage of the property. All accumulations shall be removed without delay to a licensed waste disposal facility.

5. Fire precautions

5.1 The licence holder must ensure that there are appropriate means of escape, fire precautions and equipment provided at the property in line with the Council's adopted standard. The licence holder will provide the Council with a declaration, on demand, as to the design, installation and conditions of the system

5.2 The licence holder shall ensure that the fire alarm and detection system and fire extinguishers provided at the property are maintained in good working order; that the alarm system, including sounders and smoke detectors, are tested at appropriate intervals in accordance with the installer's/ manufacturer's instructions and that any defects are remedied immediately.

As a minimum, the alarm system should be tested by operating all alarm sounders in the dwelling at least once every month, annually testing each smoke detector for response to smoke, cleaning of the smoke detectors periodically in accordance with the manufacturer's instruction, or such other measures as may be deemed appropriate to the circumstances. Fire extinguishers should be visually checked monthly and annually serviced.

Keep a written record of testing and maintenance of the alarm system, for example in the form of a log book. This record must be made available for inspection upon demand of the licensing authority.

5.3 The licence holder shall ensure that arrangements are in place for an appropriate person 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. Contact details for this person shall be registered with the Council's Housing Standards Team, Ty Elai, Dinas Isaf East, Williamstown, Tonypanyd CF40 1NY. Email publichealthhousing@rctcbc.gov.uk

5.4 The Licence holder shall ensure that the fire alarm is tested by a suitable and competent contractor following all false alarms and fire occurrences to ensure the system is properly re-set. The licence holder shall ensure that the Council is informed of a fire occurrence at the property within 24 hours of the fire occurrence being notified to the licence holder or their nominated representative.

5.5 Maintenance of Fire Sprinkler Systems (where installed)

Written evidence should be provided to the Licensing Authority annually that any sprinkler system installed within a licensed property is maintained in accordance Section 7 of BS 9251:2014 : *Fire sprinkler system for domestic and residential occupancies - Code of practice*

The sprinkler system should be subject to an annual inspection and test by a competent person, as follows.

- a) The system should be inspected to determine whether all components are functioning as designed.
- b) The system should be inspected for leaks.
- c) The system should be inspected to determine whether any or all modifications have been carried out in accordance with this standard.
- d) Where there has been a material alteration to the building, an increase in fire loading or a change to include vulnerable occupants, an assessment should be made as to whether the category of system is still appropriate.
- e) The sprinklers and cover plates should be inspected to determine whether

they have been tampered with or whether their spray pattern has been impeded.

f) Valves should be exercised to ensure free movement and any locking mechanism should be checked and reinstated.

g) The test valve should be operated to determine whether the system's design flow rate and pressure, as hydraulically calculated, is achieved.

h) Alarms should be tested to determine whether they function as designed.

i) Backflow prevention devices should be maintained in accordance with the manufacturer's recommendations or BS EN 806-5.

j) Any remote monitoring arrangements should be tested to determine whether they are being transmitted and received correctly.

NOTE 2 It is essential that any alarm receiving centre to which alarm signals are relayed is notified before, and immediately after completion of, any tests that could result in an alarm signal.

k) Where trace heating is installed, its operation should be checked.

6. Gas, Electrics and Furniture

6.1 If gas is provided to the house, with reference to the gas appliance, boilers and flues (the 'gas appliances etc.'): -

- I. The licence holder must ensure that at all times the gas appliances etc. provided as part of the tenancy are in a safe condition.
- II. A certificate from a Gas Safe registered engineer concerning the condition of the gas appliances etc. shall be provided to the Council with each application for a licence. A copy of this certificate must also be provided to each tenant upon the start of a tenancy agreement and annually thereafter.
- III. On each occasion that the gas appliances etc. are altered in any way, the licence holder must produce to the Council a further certificate from a Gas Safe registered engineer concerning the condition of the gas appliances etc.
- IV. The licence holder must produce to the Council annually for their inspection a gas safety certificate obtained in respect of the house within the last 12 months.

6.2 The licence holder must keep electrical appliances and furniture made available by him in the house in a safe condition. In particular, the licence holder must ensure that all upholstered furniture and furnishing provided as part of the tenancy comply with the standards required in the Furniture and Furnishings (Fire Safety) Regulations 1988 as amended and any other statutory instrument or other enactment which may, after the date of licensing, directly or indirectly

replace them, with or without amendment. On demand, the licence holder must supply the council with a declaration by him as to the safety of these appliances and furniture.

6.3 With reference to the electrical installations in the house: -

- I. The licence holder must ensure that all lighting to the common parts is kept in good working order.
- II. The licence holder must ensure that at all times the electrical wiring to the lighting and power circuits, and the circuits to the fire alarm and emergency lighting systems and all electrical appliances (the ‘circuits and/or appliances’) provided as part of the tenancy arrangements are in a safe condition.
- III. Prior to licensing, the proposed licence holder must produce to the Licensing Authority, an electrical certificate issued from a qualified electrician confirming the satisfactory condition of the circuits and/or installation. The electrical certificate must not be more than 5 years old.
- IV. On each occasion that the circuits and/or installation are altered in any way, the licence holder must produce to the Council, a further certificate from a qualified electrician confirming the satisfactory condition of the circuits and/or installation.
- V. For the purposes of this condition, a “qualified electrician” means a member of the Electrical Contractors Association (ECA), the National Inspection Council for Electrical Installation and Contracting (NICEIC), the Institute of Electrical Engineers (MIEE), or person qualified to the current IEE Wiring Regulations / British Standard (BS 7671:2008(2015) 2382-15). The licence holder must ensure that the electrician is suitably qualified to provide an Electrical Installation Condition Report (EICR)

7. Community and Environmental Matters

7.1 The licence holder must ensure that all reasonably practicable means are used to ensure that the occupants of (and their visitors to) the property;

a) refrain from engaging in conduct causing or likely to cause nuisance or annoyance to a person residing, visiting or otherwise engaged in lawful activity in the locality, particularly in the following ways:-

- the playing of amplified (or other) music which is audible in the neighbouring properties or the streets;

- behaviour constituting breach of the peace or contravening the Public Order Act 1986, the Criminal Justice Act 1994 or other relevant enactment;

b) refrain from using the property or allowing it to be used for illegal purposes or for an arrestable offence committed in the property or the locality;

and to this effect, the licence holder must take steps to ensure the occupants of the property are aware of the conditions imposed by the Council relating to their behaviour and this must be done at the commencement of any tenancy, as a minimum.

7.2 The licence holder must take all reasonable steps to co-operate with the Council over any action or investigation they may undertake in respect of anti-social behaviour arising in connection with the occupiers of (or visitors to) the licensed HMO.

7.3 The licence holder must ensure that the external structures, gardens and yards of the house are maintained in satisfactory repair (including decorative repair), clean condition and good order so as not to be detrimental to the amenity of the occupying tenants, neighbours, surrounding community or neighbourhood. The terms 'structures' includes windows, doors, roof, fascia and soffit boards, rainwater goods and boundary walls, gates and fences.

7.4 The licence holder must ensure that adequate and suitable refuse storage receptacles are provided for the exclusive use of the occupiers of the property.

7.5 The licence holder shall ensure that the occupiers of the house have written notification of the relevant collection and disposal arrangements for refuse arising from the property. The written notification shall include a statement that it is an offence to place refuse for collection on the public highway, public footpath or other designated collection point earlier than 12 hours before the scheduled time of collection. The licence holder must notify the occupiers of the HMO that they shall not permit litter or refuse to spread from the house onto the street or other land outside the curtilage of the house.

7. Waste storage and disposal arrangements.

7.1 The licence holder shall ensure that suitable and sufficient storage facilities are provided for household waste and recycling to prevent animals and birds from access to the waste pending its disposal.

7.2 The licence holder must ensure so far as practicable that the external areas within the curtilage of the property are kept clean, are free of accumulations of waste and are free from rodent infestations.

8. Provision of satisfactory management arrangements

8.1 The licence holder must ensure that the HMO is properly managed at all times. In particular the licence holder must ensure compliance with the Management of Houses in Multiple Occupation (Wales) Regulations 2006 and/ or The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (Wales) Regulations 2007 and ensure that the property is appropriately managed or supervised for the purpose of ascertaining whether there are contraventions of the management regulations.

8.2 The licence holder must provide all tenants with a written statement of the terms on which they occupy the premises.

8.3 The licence holder must ensure that any persons involved with the management of the HMO are to the best of their knowledge “fit and proper persons” for the purposes of the Housing Act 2004.

8.4 The licence holder must ensure that there are adequate arrangements in place for dealing with emergency occurrences at or in connection with the property and must take suitable steps to ensure that all occupiers of the property are aware of the arrangements.

8.5 The licence holder must display in a prominent position in the house the following information: -

- I. A copy of the licence currently in force in respect of the property.
- II. The name, address and contact number of the licence holder and manager if different, and nominated agent if applicable.
- III. Details of contact arrangements in case of an emergency in respect of the property.
- IV. A copy of a valid test certificate for the fire detection, warning and emergency lighting system.
- V. A copy of a valid test certificate for all gas appliances etc (if any).

Reference and Further Information:

- Welsh Government: HOUSES IN MULTIPLE OCCUPATION; Practice Guidance, March 2020
- Rent Smart Wales:
- RCTCBC Local Housing Market Assessment 2022
- Treforest Property Accreditation Scheme
- Licensing of Houses in Multiple Occupation (HMO) Landlord Handbook April 2019
- Department for Business, Energy & Industrial Strategy—the Domestic PRS Property Minimum Standard
- Fee Policy for Licensing of Houses in Multiple Occupation – RCTCBC 2019

PROPOSED 2024 LICENCE CONDITIONS

Rhondda Cynon Taff County Borough Council

Licensing Conditions for a House in Multiple Occupation (Housing Act 2004 Section 67)

Premises:

Licence reference:

These conditions are mandatory and will be imposed by Rhondda Cynon Taf County Borough Council in all Houses of Multiple Occupation (HMOs) that are subject to a licensing scheme within the scope of Part 2 of the Housing Act 2004. The Council may apply others with discretion in appropriate circumstances and the list below should therefore not be regarded as exhaustive.

1. Number of persons/households permitted to occupy the property

- 1.1 The licence holder must not permit the HMO to be occupied by more than the number of persons specified in the licence.
- 1.2 The use and level of occupancy of each room shall not be changed without the prior written approval of the Licensing Authority.

2.Changes to the licensed property, licence holder or management arrangements

- 2.1 No alteration that may impact on the licence conditions will be made to the property without prior notification to the Licensing Authority
- 2.2 Any material change of circumstances in respect of the licence holder, manager or anyone else involved with the property itself or its management must be notified to the Licensing Authority within seven days of such a change occurring. This will include any change of contact details.

3. Letting Arrangements

- 3.1 The licence holder shall supply all occupiers of the house with a written statement of the terms on which they occupy it.
- 3.2 The licence holder will provide each new occupier at the start of their occupancy with:
 - (a) Written information on recycling and refuse storage, collection and disposal arrangements;
 - (b) Written information on procedures for the escape from the building in case of fire, including, but not limited to, understanding the alarm, the

- importance of fire doors and protecting the escape, keeping the escape route free from obstruction and proper use of fire-fighting equipment provided. The licence holder shall ensure that all occupiers are fully aware of procedures for dealing with false fire alarms;
- (c) Written details of the arrangements that are in place for dealing with repairs and emergency situations at or in connection with the property. This should include names, telephone numbers and email addresses where available;
 - (d) Written information about anti-social behaviours detailed in **condition 7** of this licence
 - (e) Information is provided regarding the operation of the heating system and advice given in respect of minimising condensation dampness and mould growth

3.3 The Licence Holder or Manager shall ensure that all reasonable requests by an authorised Officer of the Council's HMO licensing Team to examine or survey the property are fulfilled and access is gained without unnecessary delay.

4. The condition of the property and associated facilities

4.1 The licence holder must ensure that the HMO has adequate means of escape and other fire precautions in case of fire in line with the Council's adopted standards and the requirements of the Fire and Rescue Service, and or the requirements of the Approved Document B of the Building Regulations currently in force, as applicable.

4.2 The licence holder must ensure that the HMO is maintained free from serious disrepair.

4.3 The licence holder must ensure that the HMO complies with the Council's adopted space and amenity standards.

4.3 The licence holder must ensure that adequate space heating is provided and maintained in each unit of living accommodation.

4.4 A working carbon monoxide alarm must be fitted to any room that is used partly or wholly as living accommodation and also contains any appliance which burns, or is capable of burning, solid fuel, mains gas or liquid petroleum gas fuel.

4.5 The licence holder must ensure that adequate amenities, facilities and equipment are provided and maintained in good order in the HMO for the use of the occupants at all times. This shall include satisfactory facilities for the storage, preparation and cooking of food including an adequate number of sinks with a suitable and sufficient supply of hot and cold water, in line with the Council's adopted amenity standards. It shall also include the provision of an adequate number of suitably located water closets, an adequate number of suitably located fixed baths or showers and wash hand basins, each of which

is provided with a suitable and sufficient supply of hot and cold water and properly connected to the drainage system.

4.6 The licence holder must ensure that the internal common parts, staircases and other communal areas are maintained on good order and that they are so far as practicable in a clean and tidy condition.

4.7 All licensable properties must attain a minimum “E” rating energy performance unless the premises is exempt in accordance with criteria specified with The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015

4.8 The Licence holder shall ensure that all portable electrical appliances provided by the landlord for use by the tenants occupying the property shall be kept in a safe condition. Upon request by the Council, an up to date annual Portable Appliance Testing (PAT) certificate shall be provided as evidence to satisfy this condition.

4.9 The Licence Holder shall ensure, as far as reasonably practicable, any waste arising from building work or improvements to the house is not stored or does not accumulate within the curtilage of the property. All accumulations shall be removed without delay to a licensed waste disposal facility.

5. Fire precautions

5.1 The licence holder must ensure that there are appropriate means of escape, fire precautions and equipment provided at the property in line with the Council’s adopted standard. The licence holder will provide the Council with a declaration, on demand, as to the design, installation and conditions of the system

5.2 The licence holder shall ensure that the fire alarm and detection system and fire extinguishers provided at the property are maintained in good working order; that the alarm system, including sounders and smoke detectors, are tested at appropriate intervals in accordance with the installer’s/ manufacturer’s instructions and that any defects are remedied immediately.

As a minimum, the alarm system should be tested by operating all alarm sounders in the dwelling at least once every month, annually testing each smoke detector for response to smoke, cleaning of the smoke detectors periodically in accordance with the manufacturer’s instruction, or such other measures as may be deemed appropriate to the circumstances. Fire extinguishers should be visually checked monthly and annually serviced. Keep a written record of testing and maintenance of the alarm system, for example in the form of a log book. This record must be made available for inspection upon demand of the licensing authority.

5.3 The licence holder shall ensure that arrangements are in place for an appropriate person 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. Contact details for this person shall be registered with the Council's Housing Standards Team, Ty Elai, Dinas Isaf East, Williamstown, Tonypanyd CF40 1NY. Email publichealthhousing@rctcbc.gov.uk

5.4 The Licence holder shall ensure that the fire alarm is tested by a suitable and competent contractor following all false alarms and fire occurrences to ensure the system is properly re-set. The licence holder shall ensure that the Council is informed of a fire occurrence at the property within 24 hours of the fire occurrence being notified to the licence holder or their nominated representative.

5.5 Maintenance of Fire Sprinkler Systems (where installed)

Written evidence should be provided to the Licensing Authority annually that any sprinkler system installed within a licensed property is maintained in accordance Section 7 of BS 9251:2014 : *Fire sprinkler system for domestic and residential occupancies - Code of practice*

The sprinkler system should be subject to an annual inspection and test by a competent person, as follows.

- a) The system should be inspected to determine whether all components are functioning as designed.
- b) The system should be inspected for leaks.
- c) The system should be inspected to determine whether any or all modifications have been carried out in accordance with this standard.
- d) Where there has been a material alteration to the building, an increase in fire loading or a change to include vulnerable occupants, an assessment should be made as to whether the category of system is still appropriate.
- e) The sprinklers and cover plates should be inspected to determine whether they have been tampered with or whether their spray pattern has been impeded.
- f) Valves should be exercised to ensure free movement and any locking mechanism should be checked and reinstated.
- g) The test valve should be operated to determine whether the system's design flow rate and pressure, as hydraulically calculated, is achieved.
- h) Alarms should be tested to determine whether they function as designed.
- i) Backflow prevention devices should be maintained in accordance with the manufacturer's recommendations or BS EN 806-5.
- j) Any remote monitoring arrangements should be tested to determine whether they are being transmitted and received correctly.
NOTE 2 It is essential that any alarm receiving centre to which alarm signals are relayed is notified before, and immediately after completion of, any tests that could result in an alarm signal.
- k) Where trace heating is installed, its operation should be checked.

5.6 Fire Risk Assessments

Licence Holders are required to ensure that Responsible Persons for all relevant buildings, as defined in section 156 of the Building Safety Act 2022, undertake and record in full, a Fire Risk Assessment (including all findings). The Assessment should be carried out by a competent person.

It should be ensured that the Responsible Person provides residents with the following information:

- any risks to residents identified in the fire risk assessment.
- the fire safety measures provided for the safety of any or all occupants (such as the means of escape, the measures to restrict the spread of fire and what people should do in the event of a fire).
- the name and UK address of the Responsible Person.
- the identity of any person appointed to assist with making or reviewing the fire risk assessment Duties of Responsible Persons for buildings which contain two or more sets of domestic premises.
- the identity of any competent person nominated by the Responsible Person to implement firefighting measures
- any risks to relevant persons throughout the building that have been identified by other Responsible Persons in the building.

6. Gas, Electrics and Furniture

6.1 If gas is provided to the house, with reference to the gas appliance, boilers and flues (the 'gas appliances etc.'): -

- I. The licence holder must ensure that at all times the gas appliances etc. provided as part of the tenancy are in a safe condition.
- II. A certificate from a Gas Safe registered engineer concerning the condition of the gas appliances etc. shall be provided to the Council with each application for a licence. A copy of this certificate must also be provided to each tenant upon the start of a tenancy agreement and annually thereafter.
- III. On each occasion that the gas appliances etc. are altered in any way, the licence holder must produce to the Council a further certificate from a Gas Safe registered engineer concerning the condition of the gas appliances etc.
- IV. The licence holder must produce to the Council annually for their inspection a gas safety certificate obtained in respect of the house within the last 12 months.

6.2 The licence holder must keep electrical appliances and furniture made available by him in the house in a safe condition. In particular, the

licence holder must ensure that all upholstered furniture and furnishing provided as part of the tenancy comply with the standards required in the Furniture and Furnishings (Fire Safety) Regulations 1988 as amended and any other statutory instrument or other enactment which may, after the date of licensing, directly or indirectly replace them, with or without amendment. On demand, the licence holder must supply the council with a declaration by him as to the safety of these appliances and furniture.

6.3 With reference to the electrical installations in the house: -

- I. The licence holder must ensure that all lighting to the common parts is kept in good working order.
- II. The licence holder must ensure that at all times the electrical wiring to the lighting and power circuits, and the circuits to the fire alarm and emergency lighting systems and all electrical appliances (the 'circuits and/or appliances') provided as part of the tenancy arrangements are in a safe condition.
- III. Prior to licensing, the proposed licence holder must produce to the Licensing Authority, an electrical certificate issued from a qualified electrician confirming the satisfactory condition of the circuits and/or installation. The electrical certificate must not be more than 5 years old.
- IV. On each occasion that the circuits and/or installation are altered in any way, the licence holder must produce to the Council, a further certificate from a qualified electrician confirming the satisfactory condition of the circuits and/or installation.
- V. For the purposes of this condition, a "qualified electrician" means a member of the Electrical Contractors Association (ECA), the National Inspection Council for Electrical Installation and Contracting (NICEIC), the Institute of Electrical Engineers (MIEE), or person qualified to the current IEE Wiring Regulations / British Standard (BS 7671:2008(2015) 2382-15). The licence holder must ensure that the electrician is suitably qualified to provide an Electrical Installation Condition Report (EICR)

7. Community and Environmental Matters

7.1 The licence holder must ensure that all reasonably practicable means are used to ensure that the occupants of (and their visitors to) the property;

- a) refrain from engaging in conduct causing or likely to cause nuisance or annoyance to a person residing, visiting or otherwise engaged in lawful activity in the locality, particularly in the following ways:-
 - the playing of amplified (or other) music which is audible in the neighbouring properties or the streets;

- behaviour constituting breach of the peace or contravening the Public Order Act 1986, the Criminal Justice Act 1994 or other relevant enactment;
- b) refrain from using the property or allowing it to be used for illegal purposes or for an arrestable offence committed in the property or the locality;

and to this effect, the licence holder must take steps to ensure the occupants of the property are aware of the conditions imposed by the Council relating to their behaviour and this must be done at the commencement of any tenancy, as a minimum.

7.2 The licence holder must take all reasonable steps to co-operate with the Council over any action or investigation they may undertake in respect of anti-social behaviour arising in connection with the occupiers of (or visitors to) the licensed HMO.

7.3 The licence holder must ensure that the external structures, gardens and yards of the house are maintained in satisfactory repair (including decorative repair), clean condition and good order so as not to be detrimental to the amenity of the occupying tenants, neighbours, surrounding community or neighbourhood. The terms 'structures' includes windows, doors, roof, fascia and soffit boards, rainwater goods and boundary walls, gates and fences.

7.4 The licence holder must ensure that adequate and suitable refuse storage receptacles are provided for the exclusive use of the occupiers of the property.

7.5 The licence holder shall ensure that the occupiers of the house have written notification of the relevant collection and disposal arrangements for refuse arising from the property. The written notification shall include a statement that it is an offence to place refuse for collection on the public highway, public footpath or other designated collection point earlier than 12 hours before the scheduled time of collection. The licence holder must notify the occupiers of the HMO that they shall not permit litter or refuse to spread from the house onto the street or other land outside the curtilage of the house.

7. Waste storage and disposal arrangements

7.1 The licence holder shall ensure that suitable and sufficient storage facilities are provided for household waste and recycling to prevent animals and birds from access to the waste pending its disposal.

7.2 The licence holder must ensure so far as practicable that the external areas within the curtilage of the property are kept clean, are free of accumulations of waste and are free from rodent infestations.

8. Provision of satisfactory management arrangements

- 3.1 The licence holder must ensure that the HMO is properly managed at all times. In particular the licence holder must ensure compliance with the Management of Houses in Multiple Occupation (Wales) Regulations 2006 and/ or The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (Wales) Regulations 2007 and ensure that the property is appropriately managed or supervised for the purpose of ascertaining whether there are contraventions of the management regulations.
- 3.2 The licence holder must provide all tenants with a written statement of the terms on which they occupy the premises.
- 3.3 The licence holder must ensure that any persons involved with the management of the HMO are to the best of their knowledge “fit and proper persons” for the purposes of the Housing Act 2004.
- 3.4 The licence holder must ensure that there are adequate arrangements in place for dealing with emergency occurrences at or in connection with the property and must take suitable steps to ensure that all occupiers of the property are aware of the arrangements.
- 3.5 The licence holder must display in a prominent position in the house the following information: -
- I. A copy of the licence currently in force in respect of the property.
 - II. The name, address and contact number of the licence holder and manager if different, and nominated agent if applicable.
 - III. Details of contact arrangements in case of an emergency in respect of the property.
 - IV. A copy of a valid test certificate for the fire detection, warning and emergency lighting system.
 - V. A copy of a valid test certificate for all gas appliances etc (if any).

**Houses of Multiple Occupation (HMO)
Additional Licence Scheme Review
Consultation Report
October 2023**

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1. Summary

The current Rhondda Cynon Taff County Borough Council Additional Licensing (Houses in Multiple Occupation) Scheme came into force on the 1st of April 2019 and it continued to extend the scope of Mandatory 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 has been running for a period of 5 years and, the Council were required to undertake a review as to whether it has achieved its objectives, it is still fit for purpose and whether it should be extended for a further 5 years.

As part of the review process there is a requirement for the Council to undertake a consultation with key stake-holders to ascertain as to whether there is support for the scheme to be extended.

2. Purpose of this Report

The purpose of this report is to provide a record of the HMO Additional Licensing Scheme consultation process in respect of the methods and mechanisms of consultation, the numbers of stake-holders consulted and the content of the representations received.

3. Introduction

Between the 2011 and the 2021 Census, the percentage of privately rented properties within RCT rose from 13.7% to 17.6%. This represents the second highest rise in Wales. There is now an estimated 18,180 private rented properties in the Borough, which is an increase from 14,353 in April 2018.

Historically HMO's in RCT have been the domain of students and this associated demand have seen the highest concentrations developed in areas adjacent to the university, predominantly the Treforest ward.

Since 2009 and the phased implementation of Welfare Benefit reforms, there has been a growing demand for affordable accommodation options for single person households restricted to the cost of a room in a shared house. Conversely, reductions in student numbers has been instrumental in a significant change in the use of HMO's in the Treforest ward and HMO landlords have had to adapt to this change in the market to negate the inability to let their properties and in-turn cater to the non-student single person demand accordingly.

The RCT Additional licensing scheme serves a dual purpose, both to protect the safety of tenants living in HMOs and also to minimise the impact of shared housing on the

character and amenity of the surrounding area. Changes in the market, as currently in operation in Treforest, present a prime example of how the RCT HMO licensing Scheme can be utilised in tandem with additional Council initiatives to govern, monitor and enhance the quality of both the property and its management. The ALS ultimately serves to mitigate the negative impacts associated with high densities of HMO's and effectively manages the changes in the dynamics of the housing market, that, if left un-checked, could have an adverse impact on the desirability of an area, a rise in anti-social behaviour and a breakdown of social cohesion.

4. Record of Consultation

The consultation process was opened to stake-holders as of the 5th of September 2023 and ran up until the 17th of October 2023 a period of 6-weeks.

Key Stakeholders identified for engagement were:

- ✓ University of South Wales & Students Union
- ✓ Students
- ✓ Tenants
- ✓ Landlords
- ✓ Letting Agents
- ✓ Local Residents

The primary mechanism for recording representations was by means of an on line Survey.

4.1 Online Survey

The survey was created using Microsoft Forms, providing a digital mechanism for the collation of consultation responses. Interested parties were able to access the survey via hyperlinks and a QR code, set within a range of media designed to enable a fast and efficient means of engagement.

4.2 Means of Delivery

- An email database of 883 landlord's agents and associated services were emailed and provided with details of the consultation and hyperlinks to the online survey.
- Attendees at the RCT Landlord Forum were made aware of the upcoming consultation and encouraged to take part.
- The University of South Wales and Students Union notified students via their internal emailing system and provided the link to the online Survey.
- The RCTCBC website provided details of the consultation via the Current Consultation pages.
- Door to door surveys were conducted in the Treforest area, with approximately 500 properties knocked.

- The Treforest Resident Association and PACT Forum were provided with hard copies of the survey and individual collection arrangements agreed.

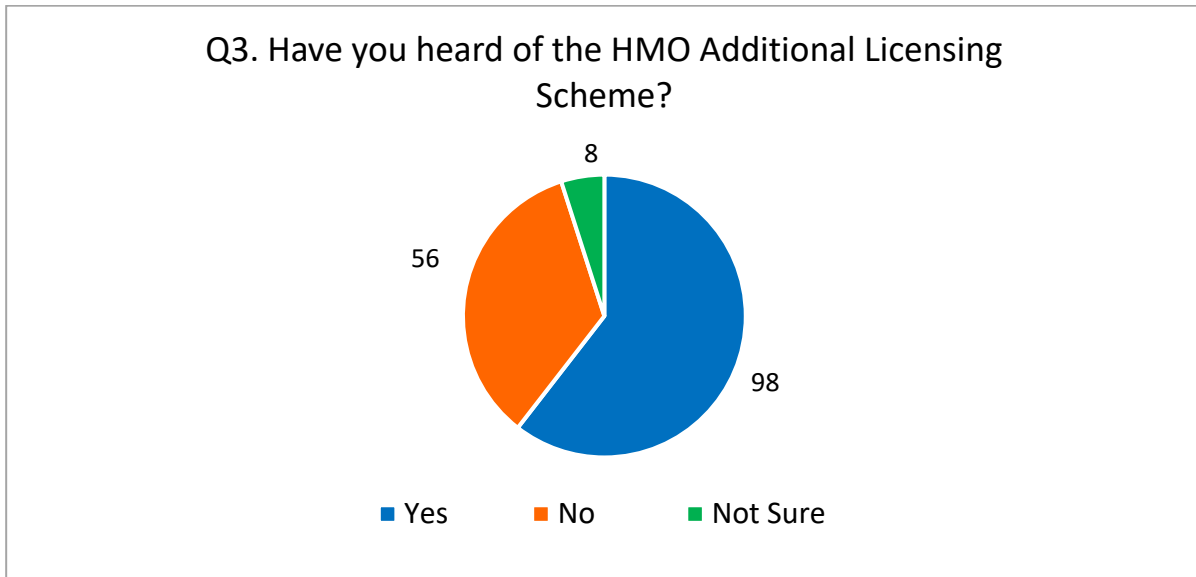
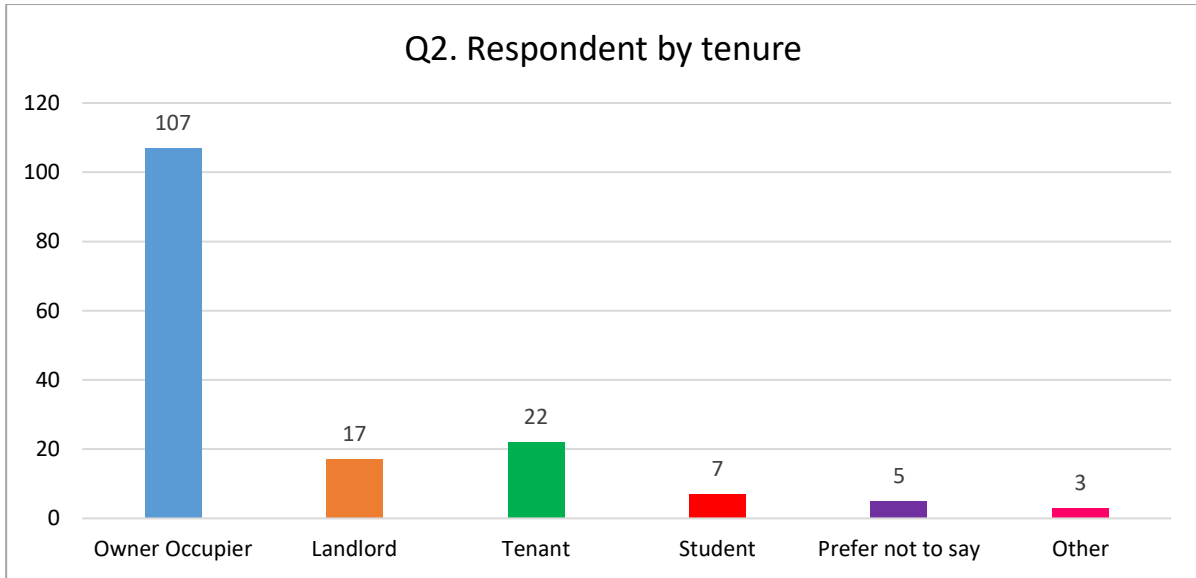
5. Survey Responses.

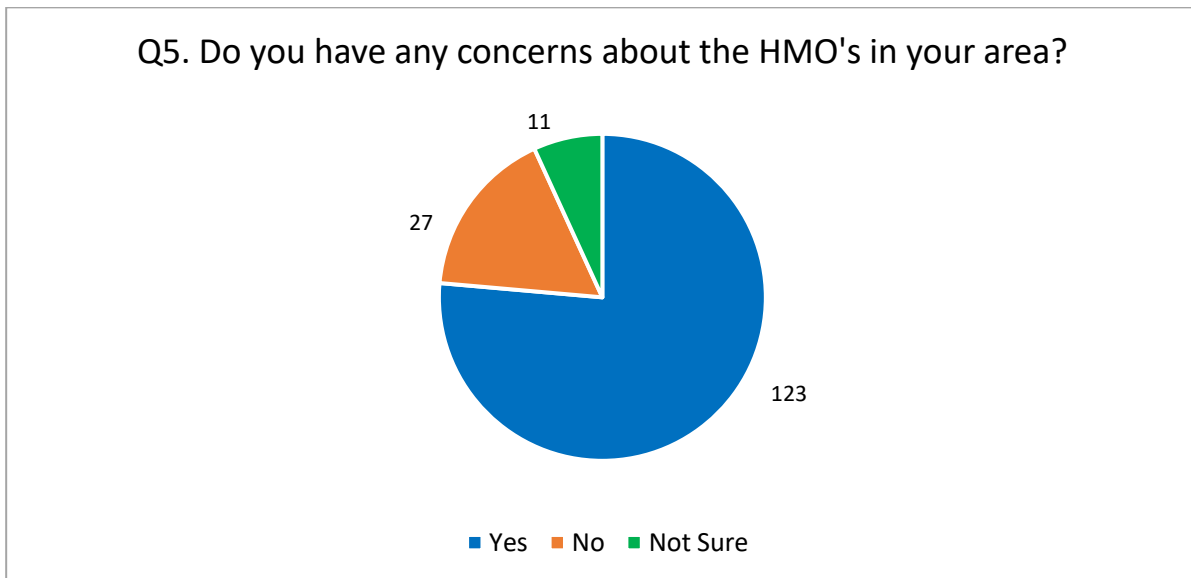
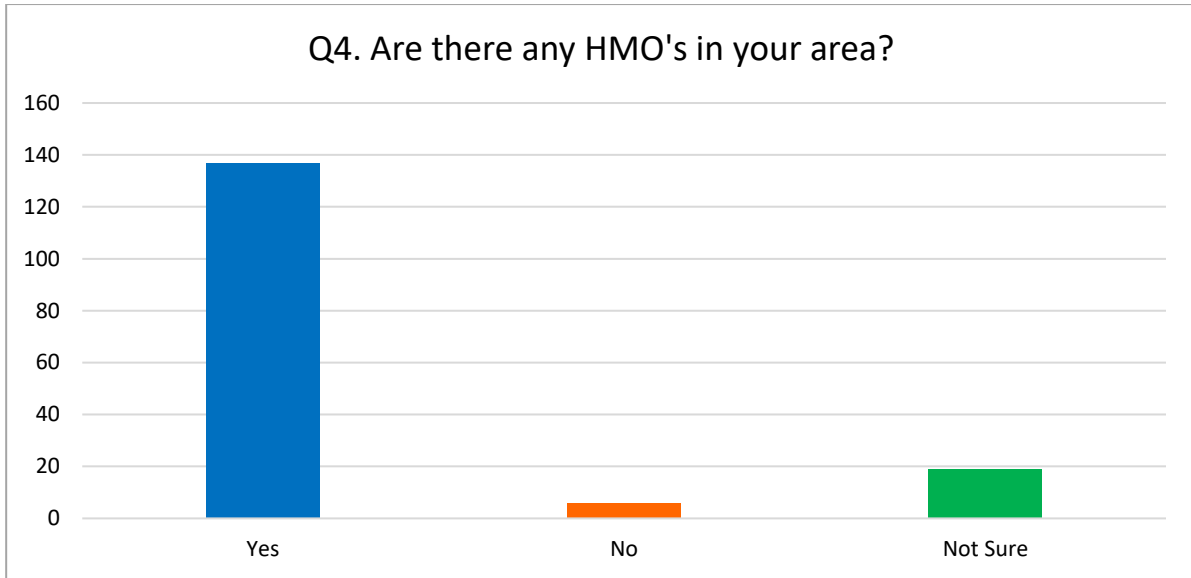
During the period of the consultation there were a total of **163 respondents**.

Q1. Respondents Identified Place of Residence

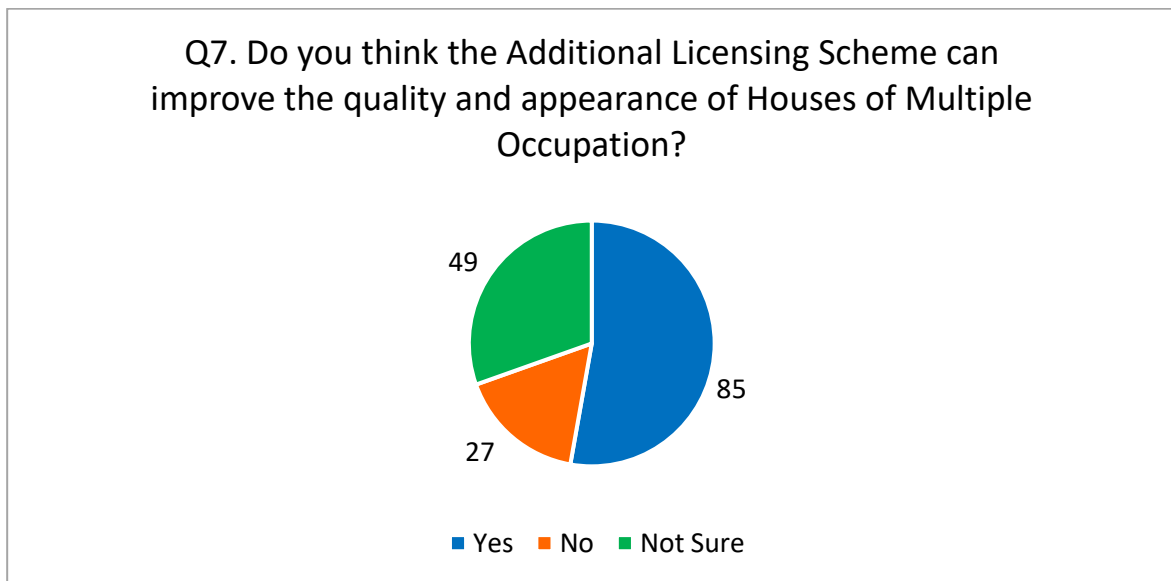
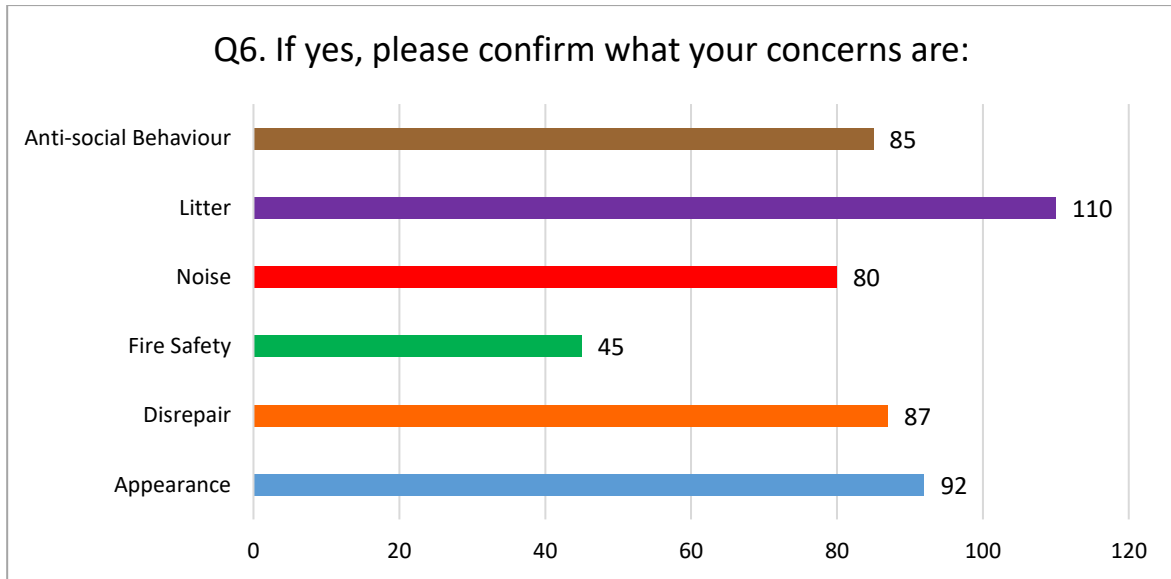
| | |
|-------------|-----|
| Beddau | 1 |
| Caerphilly | 1 |
| Cardiff | 1 |
| Cilfynydd | 1 |
| Cynon | 1 |
| Ferndale | 1 |
| Glyntaff | 1 |
| Graig | 1 |
| Hopkinstown | 1 |
| Pontypridd | 6 |
| Reading | 1 |
| Rhondda | 3 |
| Rhydyfelin | 4 |
| Spain | 1 |
| Swansea | 1 |
| Taf | 3 |
| Tonteg | 1 |
| Tonyrefail | 1 |
| Treforest | 116 |
| Tylorstown | 1 |
| Total | 148 |

Of the 163 respondents to the survey, 148 completed their place of residence with 15 choosing not to answer this question.





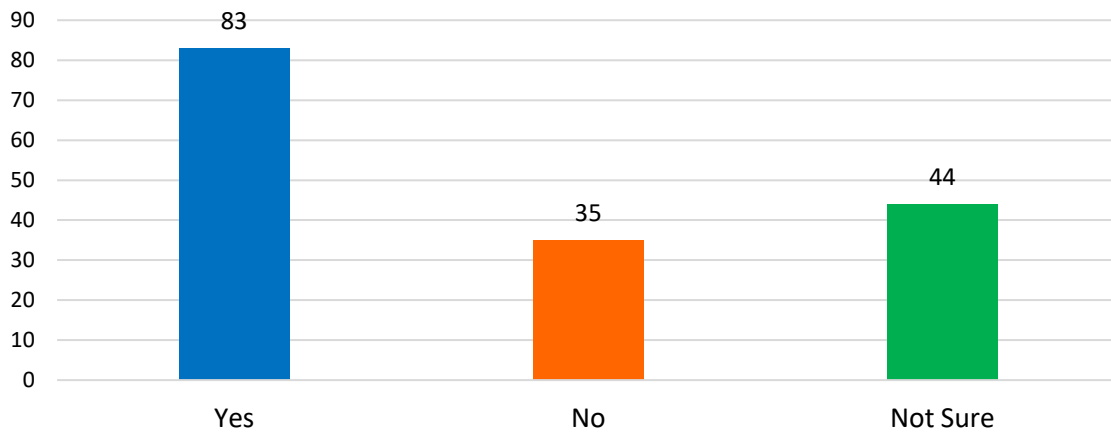
Q.6 Where a concern was raised regarding HMO the respondent was able to choose multiple reasons from a list of 6 examples:

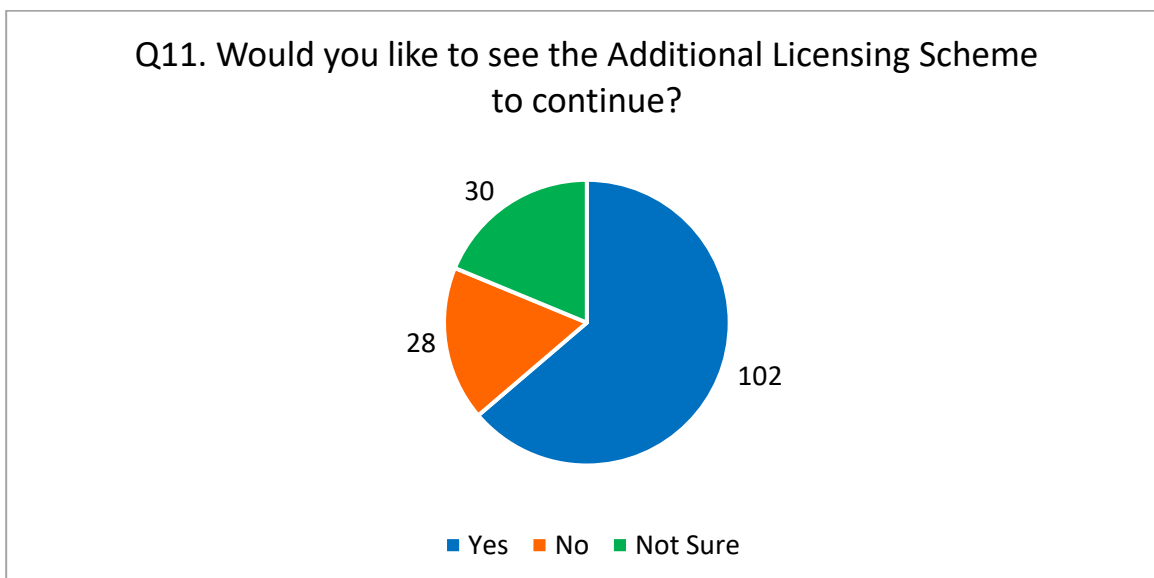
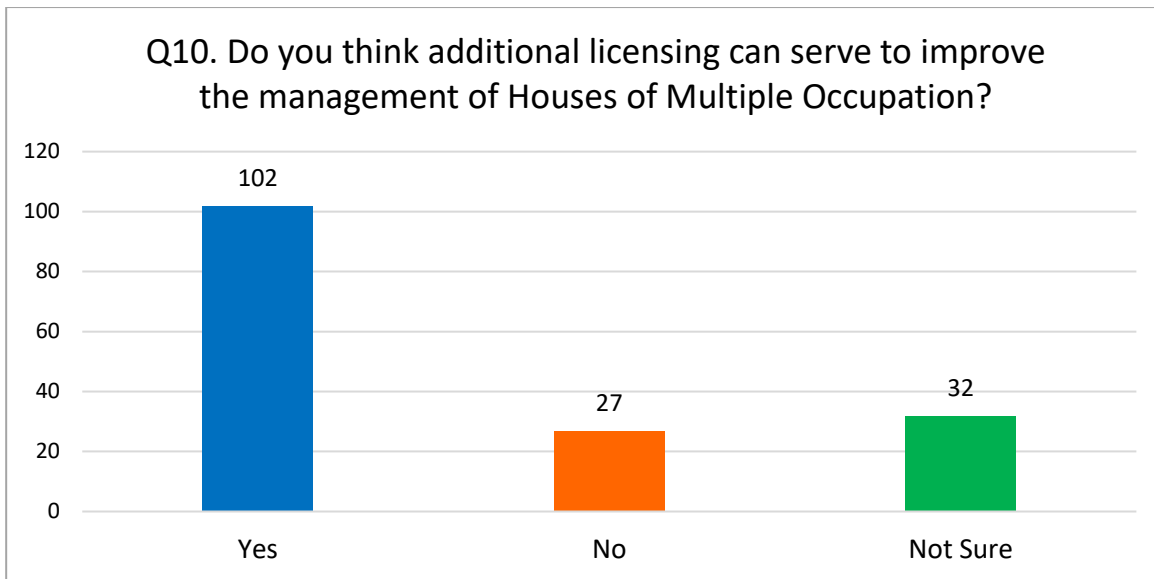


Q8. Do you think the Additional Licensing Scheme can improve the safety and security of Houses of Multiple Occupation?



Q9. Do you think additional licensing can provide an effective way of preventing anti-social behaviour?





6.

Survey Analysis

Q1 Place of Residence?

There were a total of 163 Respondents to the consultation held between the 5th of September and the 17th of October 2023.

Of the 163 respondents 148 confirmed their place of residence. 78% of respondents that confirmed their place of residence were from the Treforest area.

Q2 Are you? (owner occupier, landlord, tenant, student, other, prefer not to say)

161 responded to question 2

- 66% owner occupiers
- 14% Tenant
- 11% Landlord
- 4% Student
- 2% Other
- 3% Prefer Not to Say

Q3 Have You Heard of the HMO Additional Licence Scheme?

162 responded to question 3

- 61% of respondents confirmed that they had heard of the ALS
- 35% had not heard of the ALS
- 4% were unsure

Q4 Are There Any HMOs in Your Area?

162 responded to question 4

- 85% stated there were HMOs in their area
- 11% were unsure
- 4% stated there were no HMOs in their area

Q5 Do You Have Any Concerns About The HMOs in Your Area?

161 responded to question 5

- 76% confirmed they had concerns about the HMOs in their area
- 17% had no concerns
- 7% were unsure whether there were concerns regarding HMOs in their area

Q6 What are your concerns regarding the HMOs in Your Area?

130 responded to question 6 and they were able to choose multiple concerns.

85 raised concerns in regards to anti-social behaviour in general

87 raised concerns in regards to Disrepair of properties

92 raised concerns in regards to the appearance of the properties

110 raised concerns regarding litter

80 raised concerns in regards to Noise Nuisance

45 raised concerns in regards to fire safety.

Q7 Do You Think The HMO Licence Scheme Can Improve the Quality and Appearance of Houses of Multiple Occupation?

161 responded to question 7

53% confirmed Yes

17% said No

30% were not sure

Q8 Do You Think the Additional Licensing Scheme Can Serve to Improve the Safety and Security of HMOs?

162 responded to question 8

57% thought the ALS could serve to improve Safety and security of HMOs

27% were unsure

16% Did not think the ALS could serve to improve Safety and security of HMOs

Q9 Do You Think Additional Licensing Can Provide an Effective Way of Preventing Anti-Social Behaviour?

162 responded to question 9

51% agreed that ALS was an effective way of preventing ASB

27% Were unsure

22% did not think ALS did not provide a means for preventing ASB

Q10 Do You Think Additional Licensing Can Improve the Management of HMOs?

161 responded to question 10

63% stated an ALS could serve to improve the management of HMOs

20% were unsure

17% felt that an ALS did not serve to improve the management of HMOs

Q11 Would You Like to See the Additional Licensing Scheme Continued?

160 responded to question 11

64% of respondents confirmed they would like the Additional Licensing Scheme to continue

19% where unsure

17% did not want the Additional Licence Scheme to continue.

Over 60% of respondents confirmed their support for the objectives of the HMO Additional Licensing Scheme as a means of monitoring and raising the standards of HMO accommodation and its effective management.

A key benefit of the ALS was as a means of reducing incidents of anti-social behaviour in all its forms.

64% of all respondents were in agreement with continuing with the HMO Additional Licensing Scheme as opposed to just 17% of respondents who did not want the scheme to continue.

7. Survey Comments:

All respondents were provided with the opportunity to comment on the HMO Additional Licence Scheme.

A total of 79 respondents provided a comment (See Appendix 2)

Of the 79 respondent comments there were:

| | |
|----|-----------------------------|
| 11 | Landlords |
| 58 | Owner Occupiers |
| 6 | Tenants |
| 1 | Living at home with parents |
| 2 | Prefer not to say |
| 1 | Other |

Landlord Comments.

The main theme of comment from landlords was that the ALS was far too expensive and this may be a reason for landlords not registering, the feeling is that if the cost was lowered, it may encourage more landlords to come forward and register. Others felt that it is another way for the Council to generate an income and that the ALS has not proved successful in improving the appearance of properties. There was a feeling that the ALS focused on compliant landlords and detracted from the ability to enforce standards and did not effectively address non-compliant properties and or landlords.

Tenant Comment.

The emphasis was on the need and responsibility to raise the quality of rented accommodation to maintain a viable rental market and social cohesion. Parking issues was also mentioned numerous times.

Owner Occupier Comment

Although identifying as owner occupiers there were several comments that related specifically to the development, rental and management of HMO properties and the effects the ALS had on their rental business and future investment options.

There was a high proportion of comment in regards to litter, poor appearance, anti-social behaviour and a lack of enforcement in the Treforest area and the negative impact this is having on the community. The general theme was the perception that there were too many HMOs in Treforest and there was a need to monitor and ameliorate the negative impacts on the community through tighter enforcement of the HMO Additional Licensing Scheme. Many owner occupiers have complained about parking in the area, although this wasn't an option in any of the questions, it has been highlighted as a significant issue in the Treforest area.

Owner Occupiers were in agreement with the aims, objectives and continuation of the ALS so long as it was fully enforced.

This scheme has helped the community enormously, I hope it continues and is strengthened in the future.

Comment Summary

Respondent comments identified the potentially negative impact HMOs could have on a community if left unchecked. There was support for the concept of additional licensing so long as it was fully enforced and provided a means to target and address non-compliant landlords and raise the quality of property and tenant management.

Landlords presented a negative perception of Additional licensing as a means of taxation and an additional burden on the effective management of their property and their business. Concerns were raised that good landlords were being targeted and a

lack of enforcement overlooked non-compliant 'rogue' landlords and poor quality properties.

Owner Occupiers and tenants presented the ALS in a positive light and supported the aims and objectives of the scheme so long as it was fully enforced and due action was taken to address breaches quickly and effectively.

Treforest featured significantly in the responses and there was a recognition of the problems that could be derived from an over-supply and deterioration in the quality of HMOs.

Appendix 1

Copies of Media Utilised for Consultation

- **Email Sent to 883 Landlords, Agents and Associated Services**

Hello Landlord,

We would be very grateful if you could take the time to complete the short survey to provide feedback regarding the HMO Additional Licensing Scheme which is currently under review.

Please use the link below to access the survey or you can scan the QR code below:

Link to survey: <https://forms.office.com/e/XMCSYnfFgv>



Hello Landlord,

Just a quick reminder that there is still time to complete the short survey to provide feedback regarding the HMO Additional Licensing Scheme which is currently under review.

Please use the link below to access the survey or you can scan the QR code below:

Link to survey: <https://forms.office.com/e/XMCSYnfFgv>



Online Survey Content



Cynllun Trwyddedu Tai Amlfeddiannaeth / HMO Licensing Scheme

Mae Cyngor Bwrdeistref Sirol Rhondda Cynon Taf yn adolygu ei Gynllun Trwyddedu Ychwanegol Tai Amlfeddiannaeth. Cafodd y cynllun ei gyflwyno fel ffordd o wella ansawdd llety rhent yn Rhondda Cynon Taf a'r ffordd y mae'r llety'n cael ei reoli.

Mae Tai Amlfeddiannaeth yn cynnig dewis llety hanfodol ar gyfer nifer cynyddol o drigolion RhCT. Felly, bydden ni'n ddiolchgar pe gallech chi helpu i adolygu'r cynllun drwy ateb y cwestiynau canlynol.

Rhondda Cynon Taf County Borough Council are carrying out a review of their HMO Additional Licensing Scheme. The scheme was introduced as a means of improving the quality and management of rented accommodation in Rhondda Cynon Taf.

Houses of multiple occupation provide an essential accommodation option for an increasing number of RCT residents. We would be very grateful if you could assist in reviewing the scheme by answering the following questions:

Section 1

1. Ym mha ardal rydych chi'n byw?

In which area do you live? Single line text.

Enter your answer

2. Ydych chi'n?

Are you.....?

Single choice.

Perchennog Meddiannydd / Owner Occupier

Landlord / Landlord

Tenant / Tenant

Myfyriwr / Student

Mae'n well gen i beidio â dweud / Prefer not to say

Arall / Other

3.Ydych chi wedi clywed am y Cynllun Trwyddedu Ychwanegol Tai Amlfeddiannaeth?

Have you heard of the HMO Additional Licensing Scheme?Single choice.

Ydw / Yes

Nac ydw / No

Ddim yn siŵr / Not Sure

4.A oes unrhyw Dai Amlfeddiannaeth yn eich ardal chi?

Are there any HMO's in your area?Single choice.

Ydw / Yes

Nac ydw / No

Ddim yn siŵr / Not Sure

5.A oes gennych unrhyw bryderon ynglŷn â Thai Amlfeddiannaeth yn eich ardal chi?

Do you have any concerns about the HMO's in your area?Single choice.

Ydw / Yes

Nac ydw / No

Ddim yn siŵr / Not Sure

6.Os oes, beth ydy'ch pryderon?

If yes, please confirm what your concerns are:

Multiple choice.

Sut maen nhw'n edrych / Appearance

Angen eu hatgyweirio / Disrepair

Diogelwch tân / Fire Safety

Sŵn / Noise

Ysbwriel / Litter

Ymddygiad gwrthgymdeithasol / Anti-social Behaviour

7.Ydych chi'n meddwl bod modd i'r Cynllun Trwyddedu Ychwanegol wella ansawdd a golwg Tai Amlfeddiannaeth?

Do you think the Additional Licensing Scheme can improve the quality and appearance of Houses of Multiple Occupation?

Single choice.

Ydw / Yes

Nac ydw / No

Ddim yn siŵr / Not Sure

8.Ydych chi'n meddwl bod modd i'r Cynllun Trwyddedu Ychwanegol wella diogelwch Tai Amlfeddiannaeth?

Do you think the Additional Licensing Scheme can serve to improve the safety and security of Houses of Multiple Occupation?

Single choice.

Ydw / Yes

Nac ydw / No

Ddim yn siŵr / Not Sure

9.Ydych chi'n meddwl bod modd i Drwyddedu Ychwanegol helpu i atal ymddygiad gwrthgymdeithasol mewn ffordd effeithiol?

Do you think additional licensing can provide an effective way of preventing anti-social behaviour?

Single choice.

Ydw / Yes

Nac ydw / No

Ddim yn siŵr / Not Sure

10.Ydych chi'n meddwl bod modd i Drwyddedu Ychwanegol wella'r ffordd y mae Tai Amlfeddiannaeth yn cael eu rheoli?

Do you think additional licensing can serve to improve the management of Houses of Multiple Occupation?

Single choice.

Ydw / Yes

Nac ydw / No

Ddim yn siŵr / Not Sure

11.Hoffech chi weld y Cynllun Trwyddedu Ychwanegol yn parhau?

Would you like to see the Additional Licensing Scheme to continue?

Single choice.

Hoffwn / Yes

Na hoffwn / No

Ddim yn siŵr / Not Sure

12.Oes gyda chi ragor o sylwadau?

Do you have any further comments?Multi Line Text.

Section 2

Hoffen ni ddiolch i chi am eich amser a'ch adborth.

We would like to thank you for your time and the feedback you have provided.

Section 3

Bydd Cyngor Bwrdeistref Sirol Rhondda Cynon Taf yn prosesu'r wybodaeth rydych chi wedi ei darparu yn unol â'r Rheoliadau Diogelu Data Cyffredinol (GDPR). Efallai y caiff yr wybodaeth ei defnyddio at ddibenion ystadegol, ond fe fydd yr holl fanylion personol yn ddiennw. Am ragor o wybodaeth, darllenwch ein Hysbysiad Preifatrwydd Ymgynghoriadau sydd ar gael yma:

www.rctcbc.gov.uk/hysbysiadpreifatrwyddgwasanaeth

Rhondda Cynon Taf County Borough Council will process the information you have provided in accordance with General Data Protection Regulation (GDPR). The information may be used for statistical purposes but all personal details will be anonymous. For further information please view our consultation privacy notice, which is available at www.rctcbc.gov.uk/serviceprivacynotices

RCTCBC Current Consultations (Web Page)

[Current Consultations | Rhondda Cynon Taf County Borough Council \(rctcbc.gov.uk\)](http://www.rctcbc.gov.uk/current-consultations)

RCTCBC Houses of Multiple Occupation.

[Houses in multiple occupation | Rhondda Cynon Taf County Borough Council \(rctcbc.gov.uk\)](http://www.rctcbc.gov.uk/houses-in-multiple-occupation)

Frequently Asked Questions

Houses of Multiple Occupation Additional Licensing scheme

Q. What is a House of Multiple Occupation?

A. A building, or part of a building, will be an HMO if:

- ✓ it is occupied by persons who do not form a single household; and
- ✓ it is occupied by those persons as their only or main residence and their occupation of the living accommodation constitutes the only use of that accommodation; and
- ✓ rent is payable by at least one of the occupiers; and
- ✓ two or more of the households who occupy the living accommodation share one or more basic amenities or the living accommodation is lacking in one or more basic amenities

Purpose built blocks of self-contained flats are not HMOs, but houses or buildings which have been converted into a block of flats may be a HMO if:

- the standard of conversion does not comply with the 1991 Building Regulations; and
- less than two thirds of the flats are owner occupied.

Q. What is HMO Additional Licensing?

A. The Housing Act 2004 allows local Authorities to specify that landlords of some or all Houses in Multiple Occupation (HMOs) must apply for a license if they want to let to tenants. A scheme can cover the whole of the Authority's area and all types of HMOs, or can be designed for a specific area and specific HMOs. An additional licensing scheme can last for a maximum of 5 years at which point it is reviewed to confirm it has achieved the desired outcomes and whether it should be extended or withdrawn.

Licensing gives the Council the power to require all landlords of HMOs (included in the scheme) to apply for a license and provide details of the management arrangements for the property. This will enable Officers to know where these properties are and place conditions on the license holder to ensure minimum standards of safety, welfare and management are maintained.

License holders will have to be fit and proper persons and satisfactory management arrangements will have to be in place.

Landlords will have to pay a fee for each license application to cover the Council's costs of running the scheme.

The Council will compile a register of licensed properties with landlords contact details and maximum occupancy and property details. The register of HMOs will be available

to the public so they can find out who manages HMOs near them and are able to more quickly and easily report problems.

The Council will be able to proactively inspect licensed properties to deal with any significant health and safety hazards and ensure they meet minimum management requirements.

Where landlords are unable to meet the licensing requirements the Council can pursue the necessary sanctions against the landlord which could include prosecution and forcing a change of management of the property.

Operating a property covered by the designation without a license is an offence punishable by a fine up to £20,000.

Q. How many HMOs are there in RCT?

A. As of April 2023 there were 549 Licensed HMOs

Appendix 2

Survey Comments

Respondents were able to comment on aspects of the Additional licensing scheme and its objectives in regards to the curtailment of Anti-social behaviour and the accountability of landlords and their management practice.

| Landlord Comments |
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| <p>I own two HMO's in the Treforest area. On the whole, I agree with the licencing system, however there are a number of unlicensed HMO operating with no repercussions. The cost of the Licencing scheme is astronomical and therefore believe landlords do not register due to this cost. Every 5 years I'm advised of 'new rules' which I have to implement. Having spent £5000 on new first floor fire escape windows, I was then told to retrospectively fit window security devices to stop them being opened? The next one I've been made aware of is the need to fit a 300mm extract fan to the kitchen because opening a window is too much trouble?? Each year our agent conducts an inspection and we budget for around £1000-1500 of improvement or maintenance work. I was told both our properties meet the 5 star rating for RCT and when applied received no correspondence. In general, I agree with the licensing but very frustrated how it's implemented in RCT.</p> |
| <p>The licence is extremely expensive - the high cost may encourage HMO landlords to stay under the radar. If it was reduced to e.g. £100, the scheme may have more of an impact on housing standards.</p> |
| <p>From the HMO's I have come across, there aren't any problems, I don't thing additional licensing will make any difference.</p> |
| <p>HMO's are increasingly being used to house illegal immigrants and so-called asylum seekers, whilst our own people are denied housing options and benefits.</p> |
| <p>Licensing schemes are just ways for Councils to generate income, then the voa reband in a pole tax fashion which generates a lot more remember for Councils</p> |
| <p>Don't know what your talking about. I understand HMOs are licenced, but have not heard about additional licencing scheme.</p> |

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| <p>With reference to Treforest which has a large number of HMO. Licensing has failed to deliver any improvement in the general appearance of properties and the streetscape in general. In fact the area has been going downhill steadily in recent years. This is probably due to the poor standard of many of the non HMO properties and the failure of the local Council to enforce the licensing conditions on the HMO. Issues with regard to safety and management are now covered by the requirements of Landlord Registration and Licensing and the requirements of the Renting Homes Wales Act. HMO licensing places an unnecessary financial burden on Landlords and Tenants with little benefit in return.</p> |
| <p>I think owners of student HMOs should pay business rates</p> |
| <p>As I live near USW campus, and I have seen struggling for the accommodation near campus so it would be beneficial for the students and should make more opportunities for them. Some policy of house share with families should be considered, not only HMO'S.</p> |
| <p>Tenants</p> |
| <p>I feel that information about the owner of the property should be easier to obtain from the Council if or when you have a problem with their property, I tried for three years to get contact through the Council to get a roof and intrusion to the property fixed, but to no avail. A person or department should be made available to set whatever problem is being had can be solved far easier</p> |
| <p>There's enough HMO's in Treforest the area has got worse instead of better</p> |
| <p>Parking is another issue with HMOs taking up so many spots and not leaving any for other residents</p> |
| <p>The landlords themselves also need more vetting. Rent smart Wales is great but it has no teeth. I've had numerous landlords (in HMO's) that lied, gaslit, refused repairs and tried to charge illegal fees.</p> |
| <p>Parking is not practical with so many multi car households.</p> |
| <p>Owner Occupier</p> |
| <p>Answers a bit one sided as am landlord of HMO's with Additional Licences. I'm still sceptical that ALL "should be" HMO's are identified and rogue landlords taken to task. Seems that responsible landlords are on Council radar and always targeted first</p> |

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| <p>Additional Licensing only ever puts more of a burden on those who are compliant anyway. The "bad" landlords will continue to be bad. It is window dressing to appease owner-occupiers and reduces the availability of badly needed affordable accommodation.</p> |
| <p>This scheme has helped the community enormously, I hope it continues and is strengthened in the future.</p> |
| <p>Far too many HMO,s in this area to the detriment of local, sadly Treforest is beginning to look and feel like a ghetto</p> |
| <p>HMOs in large numbers and in the wrong hands can literally tear the fabric of a community apart. Treforest has enough. Everything becomes degraded around these houses. The bins, the parking, the gardens, the pavements, the friendly neighbourhood. The high turnover of tenants means social cohesion is difficult to establish. I don't know a landlord that cares for their HMO as much as they care for their own home. Just ask yourself.. would you prefer to live next to a family home or a 5 bed HMO???</p> |
| <p>We have had a lot of support from the HMO licensing dept regarding drug taking and anti social behaviour in HMOs. Without this licensing scheme, the landlords and occupiers would cause absolute misery to the permanent residents here as there would be no comeback on their behaviour. Between the team and our local PCSO, we have managed to minimise the constant cannabis smoke smell flooding into our house. I do think there should be a little more input on the litter issues as there is a lot of fly tip and general rubbish from the HMOs. On a personal level, I'd be absolutely devastated if the additional licensing didn't continue.</p> |
| <p>"The licensing scheme currently provides some benefit to residents in an area dominated by HMOs, but significantly lacks the enforcement action needed to be truly effective. Greater partnership working between HMO Landlords/Operators, the Council, and importantly other public bodies who benefit from the HMO provision (in Treforest this is notably University of South Wales) is key to making the scheme effective - only joint information, enforcement, and remediation campaigns will be effective in ensuring that HMO issues don't dominate the local area. A whole place-based approach is needed to reduce issues such as litter, anti-social behaviour, or visible drug-use/dealing that impacts on communities - and importantly there is a role for the Council to recover costs of the necessary enforcement resources to keep HMO heavy areas well controlled from the beneficiaries of the scheme, most notably the landlords letting properties. In areas with high populations of non Council tax paying residents (Treforest is a good example with students), the relevant costs must be recovered from this profiting from the HMOs - as often other Council services are poorly provided in the area.</p> |
| <p>Far too many in Treforest</p> |

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| <p>Treforest is an absolute eyesore thanks to all the hmo's and students in the area. The community is being absolutely destroyed by the litter drugs and antisocial behaviour. University of south wales treforest SW need to be controlled in how they bring the huge amounts of students from UK and overseas. Treforest is a small village not a city it needs to be addressed ASAP.</p> |
| <p>Landlords need to do more than bare minimum. They need to ensure their gardens, back walls, gates etc are safe and in good order.</p> |
| <p>Some of the problems belong to the owners.Making money with disregard to local people in the areas.</p> |
| <p>No more HMO licenses issued</p> |
| <p>The anti social behaviour in Treforest eventually got too much and we moved. These tenants were NOT students.</p> |
| <p>We need a dedicated officer for the area to tackle all the ongoing problems</p> |
| <p>Stop more HMOs we already have more than our fair share</p> |
| <p>Landlords and agents do not care about the house, state of repair, safety or its occupants. They care about the income and cheapest way to get it only Treforest has surplus accommodation and several empty properties</p> |
| <p>It wasn't an option but my main concern with HMOs is the lack of parking in the area. The Council already needs to look into additional parking options for residents in the area, particularly if they want residents to transition to electric cars as there is no infrastructure here. HMOs and student housing increase the number of cars competing for spaces on the street, and it makes it difficult for residents, particularly if there are couples who require two cars for work.</p> |
| <p>Treforest has been blighted by HMOs with loss of community. Try putting them in more affluent areas. Why should villages such as Treforest become dumping grounds?</p> |
| <p>Concerned about lack of pedestrian crossings in Treforest</p> |
| <p>Litter is definitely a problem for HMOs (not enough bins provided etc). Also recently we had incidents on my street of an electrical fault which caused a blackout for other properties in the street together with the discovery of a cannabis farm (I'm unsure if these were related). If these issues took place in HMOs something isn't being regulated properly (regular inspections taking place for example) so I appreciate anything that's put in place to mitigate against problems such as these.</p> |
| <p>In the houses on LLANTWIT Road from 49- 20 there is a lot of Cannabis that is smoked by residents living in these houses and it absolutely stinks ! Some of the house down near the bridge that goes over to the cycle path are scruffy and in need</p> |

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| <p>of repair and updating . I have lived in this same house since 1996 and have seen a stark deterioration of some of the rented properties along LLANTWIT Rd !</p> |
| <p>My concern is the effect HMO's have on the area I live in. The HMO's in my area are in a state of disrepair, unsightly and bring down the appearance of the local area. This has an effect on the way the area is perceived. Often, bins are left out, disregarded and rubbish strewn on the streets. I understand we need HMO's but would like to see positive action being taken to take responsibility for their upkeep.</p> |
| <p>More needs to be done in relation to anti social behaviour and litter/waste</p> |
| <p>Treforest is an absolute mess the university is killing and destroying Treforest due to the increasing number of students every year. The university car park is not fit for purpose with thousands of students descending upon Treforest they all park illegally around Treforest. The 6million investment by the Uni was solely for cosmetic and to encourage even more students of which Treforest us already at bursting point it should of been spent in and for Treforest.</p> |
| <p>I think you need to look at encouraging landlords to rent to families as I know lots of people are struggling to stay in the area.</p> |
| <p>Parking is a major issue when 4-5 adults live in one house, each with their own vehicle. There should be a limit on how many HMOs are allowed in one street. Parking permits shouldn't be permitted and parking wardens should be out EVERY day checking cars. Multiple vehicles park on my road without permits for days on end and nothing ever gets done about it!</p> |
| <p>Treforest is being overrun by HMO's, landlords don't care about their property, so long as they get the their money they are happy</p> |
| <p>Too many HMO's in the area already. No need for any more so stop granting them</p> |
| <p>Litter and parking are huge issues in Treforest. Unlimited permits being handed to HMO properties needs to end</p> |
| <p>I live in Treforest, I am really concerned with the amount of HMO properties in the area and that its just a place for a transient student population and not for families</p> |
| <p>I can rarely park anywhere near my house as some houses have 4 or 5 cars</p> |
| <p>This is an important service for occupants safety and for residents in the community to have a voice.</p> |
| <p>The Additional licensing scheme should definitely continue as its important to the residents of an area to make sure landlords are keeping property's up to standard</p> |
| <p>there are far to many HMO in our area. we need the Council to refuse any new HMO applications. and get this area back to housing families</p> |

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| I would definitely like this scheme to continue as in Treforest we have a huge amount of HMO properties hopefully no more licences will be issued |
| I between two HMO properties both of which are in a bad state of repair. They give the area a run down feel and look. Parking is also an issue particularly now the access roads can not be used for parking. |
| I would like landlords to be required to do more maintenance on HMO properties. Currently some of them look almost ready to fall down. I think the important thing here is safety. Also HMOs often serve our poorest residents, they should not be forced to live somewhere that looks half abandoned just because of their budget |
| Really think it's important for landlords to be held accountable for their properties and their tenants. Our street has multiple HMO where litter is a constant issue due to tenants not disposing of waste correctly and has brought a rat problem. Would welcome any support to deal with this issue. |
| Large numbers in some 'family' houses |
| Yes. Parking is a big one. Houses in disrepair. Treforest looks like a dumping ground. |
| HMO were for students. Now students are going to halls or day students. HMO are now either let to unsavoury people and set up as cannabis dens or left empty and in a dreadful state of disrepair. We don't want anymore in Treforest and be nice to go back to families. |
| Treforest has become bad enough but with additional licensing there is some help. Without this it would be pure hell for decent people who want to work and bring up families. Please renew the additional license scheme |
| HMO properties in Treforest need restricting. Far too many unoccupied and poorly kept properties already. Without a licensing scheme it could be even worse. |
| Other / Prefer not to say / Living at home with parents |
| There's enough HMO's in Treforest we don't need student housing we need housing for working people |
| Too many HMO's in the area already. No more granted. |
| Parking huge issue and bin collections. |
| Not sure what the additional licensing scheme is but if it means stricter licensing then yes I agree |



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2023-24

COMMUNITY SERVICES SCRUTINY COMMITTEE

21st November 2023

PRE SCRUTINY - DAY SERVICES FOR OLDER PEOPLE

REPORT OF THE SERVICE DIRECTOR DEMOCRATIC SERVICES & COMMUNICATIONS

1. PURPOSE OF THE REPORT

- 1.1. To pre-scrutinise the proposals in relation to Day Services for older people to enable the Cabinet to make informed decisions with regards to the future delivery of the Council's Day Services for older people.

2. RECOMMENDATIONS

It is recommended that Members:

- 1.2. Undertake pre scrutiny on the report (attached at **Appendix A**), thus providing Scrutiny with an opportunity to contribute to this matter; and
- 2.2 To Authorise the Service Director Democratic Services and Communications to provide the comments and observations of the Committee to Cabinet, prior to their consideration of the matter on the 18th December 2023.

3. REASONS FOR RECOMMENDATIONS

- 1.3. The need for Cabinet to be aware of the comments and observations of the Community Services Scrutiny Committee prior to their consideration of the Older Peoples Services Offer.

4. BACKGROUND

- 4.1 At its meeting on [11th September 2019](#), Cabinet, following a period of formal consultation and pre-scrutiny by Overview and Scrutiny Committee on [22nd July 2019](#), agreed a new day services model for older people that would change the current emphasis away from building based services, where the person is required to fit in with the services available, towards a more personalised service that better responds to individual needs and outcomes.

- 4.2 As Members will be aware, from previous reports to Cabinet, the Council's Strategy to modernise accommodation options for older people and deliver extra care housing would provide more opportunity to provide new provision suitable for the delivery of day services for older people than currently is the case in traditional day centres. Opportunities to reduce the need for traditional segregated day centres are being created as part of the extra care development programme.
- 4.3 As part of this strategic approach, Cwrt yr Orsaf Extra Care in Pontypridd and the new extra care development at Danymynydd in Porth, include integrated day care provision that has been designed to seamlessly integrate into shared communal spaces so that scheme residents and the day service attendees are part of one community and support network and will take part in activities and have meals together from the extra care restaurant.

Current offer for older people

- 4.4 The Council's Day Services offer for older people is predominantly building based and follows a traditional separated day centre model. In Adult Services, they currently operate three day centres for older people assessed as eligible for the service across Rhondda Cynon Taf; all of which provide a mid-day meal, a range of social activities and transport to and from the centre. These day centres are:
- Tonyrefail day centre (Tonyrefail) provides a 5 day per week service for up to 25 older people per day. There are 64 older people currently registered at the centre - average daily attendance is 17 people or 68% of daily capacity.
 - Trecynon day centre (Trecynon) provides a 5 day per week service for up to 25 older people per day. There are 34 older people currently registered at the centre - average daily attendance is 9 people or 36% of daily capacity.
 - Cwmni Dda day centre (Trecynon) provides a 5 day per week service for up to 12 older people living with dementia per day. There are 21 older people currently registered at the centre - average daily attendance is 6 people or 50% of daily capacity.
- 4.5 Over a prolonged period, demand for day service provision for older people in this sort of traditional setting has been declining across Rhondda Cynon Taf. Increasingly, people are choosing other models of care to meet their individual needs, including outreach support work. This way of working is far less dependent on building based routines and is supportive of people accessing universal services reconnecting people to their community.

Revised Service Proposals

Proposal 1: Trecynon and Cwmni Dda Day Centres

- 4.6 Both these centres are located on the same site on Llewellyn Street, Trecynon and continue to be underutilised. It is therefore proposed that both centres are combined by March 2024, and future provision is provided from Cwmni Dda, thereby increasing opportunities for socialisation and activities between individuals accessing services while achieving more efficient service delivery. Trecynon Day Centre will be decommissioned from 1st April 2024.

Proposal 2: Tonyrefail and Cwrt yr Orsaf Day Centres

- 4.7 Cwrt yr Orsaf Extra Care in Pontypridd includes a new integrated day care provision, with daily capacity for up to 25 older people – the same as Tonyrefail Day Centre. This new provision, not yet opened, offers state of the art facilities, as part of the wider extra care facility, to support people with a range of care and support needs and provide them with a better more suitable and social environment to increase opportunities for socialisation through joint activities with residents, accessing the cinema room, hairdressing services, gardening opportunities. Cwrt yr Orsaf provides a much better location to access the community outreach opportunities, providing a more flexible base service to further opportunities to increase individual outreach work in line the Council's new day service model approved by Cabinet in September 2019.
- 4.8 It is therefore proposed that the day service provision currently provided from Tonyrefail is transferred on a phased basis to Cwrt yr Orsaf in Pontypridd by March 2024, enabling people to experience an enhanced range of day care support opportunities based in a modern fit for purpose building that will enhance their wellbeing and independence, and promote an outcome focused based service. Tonyrefail Day Centre will be decommissioned from 1st April 2024.

2. PRE SCRUTINY

- 5.1 Members are reminded that the purpose of pre scrutiny activity is to contribute and inform decisions of the Cabinet before they are determined. The Community Services Scrutiny Committee continues to have the opportunity to explore and comment on a number of reports in advance of Cabinet's consideration to bring a different perspective to the decisions made and enabling Cabinet decisions to be more informed.
- 5.2 A report summarising the discussion and any recommendations made by Community Services Scrutiny Committee will be put forward and considered by Cabinet at their meeting on 18th December 2023.
- 5.3 Scrutiny has been engaged at a number of important points in the council's considerations and has been afforded the opportunity to further comment on the future service delivery model for the Council's Residential Care Homes and day care for older people throughout the process.
- 5.4 Members are referred to section 5 of Appendix A which details the revised service proposals.

6 EQUALITY AND DIVERSITY IMPLICATIONS

- 6.1 An Equality Impact Assessment is not needed because the contents of this report are for information purposes only.

7 CONSULTATION

- 7.1 The involvement of the Community Services Scrutiny Committee in the pre-scrutiny exercise will contribute to the quality and robustness of Cabinet decision-making.

8 FINANCIAL IMPLICATIONS

8.1 There are no financial implications aligned to this report.

9 LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

9.1 The report has been prepared in accordance with paragraph Part 4 of the Constitution (Overview & Scrutiny Procedure)

10 CONCLUSION

10.1 The undertaking of pre scrutiny by the Community Services Scrutiny Committee in respect of the Day Services for older people, will ensure that the Community Services Scrutiny Committee fully evaluates the effectiveness of its overview and scrutiny function.

LOCAL GOVERNMENT ACT 1972
AS AMENDED BY
THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985
RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL
COMMUNITY SERVICES SCRUTINY COMMITTEE

21st November 2023

DAY SERVICES FOR OLDER PEOPLE

**REPORT OF THE SERVICE DIRECTOR DEMOCRATIC SERVICES &
COMMUNICATIONS**

Background Papers:

[Cabinet – 11th September 2019](#)

[Overview & Scrutiny Committee – 22nd July 2019](#)

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RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2023/24

CABINET

18TH DECEMBER 2023

DAY SERVICES FOR OLDER PEOPLE

REPORT OF THE DIRECTOR OF SOCIAL SERVICES

Author: Neil Elliott, Director of Social Services

1 PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to make recommendations with regards to the future delivery of the Council's day services for older people.

2. RECOMMENDATIONS

It is recommended that Members:

- 2.1 Consider the information provided in this report, the Equality Impact Assessment (including Socio-Economic Duty) and Welsh Language Impact Assessment.
- 2.2 Subject to 2.1 above, approves that Trecynon Day Centre and Cwmni Dda Day Centre are combined by March 2024, and future provision is provided from Cwmni Dda as set out in paragraph 5.2 of this report.
- 2.3 Subject to 2.1 above, approves that the day service provision provided from Tonyrefail Day Centre is transferred on a phased basis to Cwrt yr Orsaf Extra Care in Pontypridd by March 2024 as set out in paragraph 5.6 of this report.

3. REASONS FOR RECOMMENDATIONS

- 3.1 Reviewing and redesigning the Council's day service offer for older people will ensure services continue to be delivered in a way that promote individual wellbeing and independence while supporting more efficient service delivery and making best use of Council resources.

- 3.2 The proposals ensure that there will be no loss of service provision for current and future older people assessed as needing day service support. Care staff will also be relocated with day service attendees to promote a seamless transition and to provide continuity of care.

4. BACKGROUND

Context

- 4.1 At its meeting on 11th September 2019, Cabinet, following a period of formal consultation, agreed a new day service model for older people that would change the current emphasis away from building based services, where the person is required to fit in with the services available, towards a more personalised service that better responds to individual needs and outcomes.
- 4.2 Implementing the new service model would enable the transformation of the service to provide enhanced day service opportunities and contribute to the development of a day service better able to meet the changing needs and aspirations of the people of Rhondda Cynon Taf. Older people with high level needs would, as now, be able to access Council run day centres to meet their assessed needs and achieve their agreed outcomes. For others, Adult Services would work with them on an individual basis to identify alternative choices that would make for a stimulating and enjoyable day. Helping older people to remain independent and become involved in social activities in their own communities are key factors in improving a person's wellbeing and avoiding social isolation.
- 4.3 As Members will be aware, from previous reports to Cabinet, the Council's Strategy to modernise accommodation options for older people and deliver extra care housing would provide more opportunity to provide new provision suitable for the delivery of day services for older people than currently is the case in traditional day centres. Opportunities to reduce the need for traditional segregated day centres are being created as part of the extra care development programme.
- 4.4 As part of this strategic approach, Cwrt yr Orsaf Extra Care in Pontypridd and the new extra care development at Danymynydd in Porth, include integrated day care provision that has been designed to seamlessly integrate into shared communal spaces so that the extra care residents and day service attendees are part of one community and support network and will take part in activities and have meals together at the extra care restaurant.

4.5 Implementation of the new day service model for older people has not progressed as expected due to the Covid-19 pandemic. However, there is now a need to review day service provision for older people.

Current offer for older people

4.6 The Council's day service offer for older people is predominantly building based and follows a traditional separated day centre model. In Adult Services, we currently operate three day centres for older people assessed as eligible for the service across Rhondda Cynon Taf; all of which provide a mid-day meal, social activities and transport to and from the centre. These day centres are:

- Tonyrefail Day Centre (Tonyrefail) provides a 5 day per week service for up to 25 older people per day. There are 64 older people currently registered at the Centre - average daily attendance is 17 people or 68% of daily capacity.
- Trecynon Day Centre (Trecynon) provides a 5 day per week service for up to 25 older people per day. There are 34 older people currently registered at the Centre - average daily attendance is 9 people or 36% of daily capacity.
- Cwmni Dda Day Centre (Trecynon) provides a 5 day per week service for up to 12 older people living with dementia per day. There are 21 older people currently registered at the Centre - average daily attendance is 6 people or 50% of daily capacity.

4.7 Tonyrefail Day Centre is a standalone day centre. Trecynon Day Centre and Cwmni Dda Day Centre operate from dedicated spaces at Cynon Principal Office and Tegfan Care Home respectively at the same site on Llewellyn Street in Aberdare.

4.8 In addition, as already mentioned above, we also have day centre provision at Cwrt yr Orsaf Extra Care in Pontypridd, which has yet to open.

4.9 While the Council's day centres remain popular among the people that use them and provide respite for carers, attendance at them has shown a decline over recent years, reflecting people's choice to have their wellbeing and care needs met by alternative means available within their own communities.

4.10 In October 2016, 215 older people were registered at the Council's day centres and average daily attendance was 56 people. In October 2023, just 119 older people are now registered, and average daily attendance as reduced to 32 people, a reduction of 43%. All day centre sites continue to be underutilised.

- 4.11 Over a prolonged period, demand for day centre provision for older people in this sort of traditional setting has been declining across Rhondda Cynon Taf. Increasingly, people are choosing other models of care to meet their individual needs, including outreach support work. This way of working is far less dependent on building based routines and is supportive of people accessing universal services reconnecting people to their community.

5. REVISED SERVICE PROPOSAL

- 5.1 Based on the information in Section 4 above, there is a need for Adult Services to redesign its day services provision for older people, ensuring it continues to meet assessed and changing need, in more cost effective and efficient ways, in line the overall requirements of the Council's day service model for older people.

Proposal 1: Trecynon and Cwmni Dda Day Centres

- 5.2 Both these centres are located on the same site on Llewellyn Street, Trecynon and continue to be underutilised. It is therefore proposed that both centres are combined by March 2024, and future provision is provided from Cwmni Dda Day Centre, thereby increasing opportunities for socialisation and activities between individuals accessing services while achieving more efficient service delivery. Trecynon Day Centre will be decommissioned from 1st April 2024.
- 5.3 Cwmni Dda Day Centre is favoured over Trecynon Day Centre as it has a large unused room that is not currently utilised and therefore has capacity for more day centre attendees each day. At Cwmni Dda Day Centre, individuals will also have access to sensory gardens, horticultural opportunities, more accessible spaces, and enhanced use of outdoor space.
- 5.4 If Proposal 1 is agreed:
- it will involve no change to an individual's level of care and support they receive. Care staff will also be relocated with them to promote a seamless transition and to provide continuity of care.
 - it could cause some disruption to the day time support of the current attendees at both day centres during transfer. Any such move would require careful management by staff from both centres.
 - officers will contact all current people registered at both day centres and their families to discuss the proposal with those directly affected and provide additional support and, if necessary, a reassessment to ensure their needs will be appropriately met.

- staff structures will need to be reviewed and any potential employment implications for staff will need to be consulted upon prior to any change in service.

Proposal 2: Tonyrefail and Cwrt yr Orsaf Day Centres

- 5.5 Cwrt yr Orsaf Extra Care in Pontypridd includes a new integrated day care provision, with daily capacity for up to 25 older people – the same as Tonyrefail Day Centre. This new provision, not yet opened, offers state of the art facilities, as part of the wider extra care facility, to support people with a range of care and support needs and provide them with a more suitable and social environment to increase opportunities for socialisation through joint activities with residents, accessing the cinema room, hair and beauty services, gardening opportunities. Cwrt yr Orsaf provides a much better location to access the community outreach opportunities, providing a more flexible base to further opportunities to increase individual outreach work in line the Council's new day service model approved by Cabinet in September 2019.
- 5.6 It is therefore proposed that the day service provision currently provided from Tonyrefail is transferred on a phased basis to Cwrt yr Orsaf in Pontypridd by March 2024, enabling people to experience an enhanced range of day care support opportunities based in a modern fit for purpose building that will enhance their wellbeing and independence, and promote an outcome focused based service. Tonyrefail Day Centre will be decommissioned from 1st April 2024.
- 5.7 If Proposal 2 is agreed:
- all people registered at Tonyrefail Day Centre will be offered to transfer to Cwrt yr Orsaf or be supported to utilise different methods of achieving what matters to them, including access to outreach provision and/or direct payments to provide outreach home based support, where safe to do so in line with assessed needs.
 - each individual and their family will be offered the support of a social care worker or advocate to provide support and facilitate the move. Care staff will also be relocated with day centre to promote a seamless transition and to provide continuity of care.
 - the transfer of services from Tonyrefail Day Centre to Cwrt yr Orsaf and the decommissioning of the Centre may cause anxiety for individuals who currently access the service and their families. Officers will contact all current people registered at Tonyrefail Day Centre, and their families to discuss the proposal with those directly affected and provide additional support, if necessary.

- staff structures will need to be reviewed and any potential employment implications for staff will need to be consulted upon prior to any change in service.

5.8 Transport to and from a day centre is an important component of the day services offer and will continue to be provided to all assessed individuals registered at Tonyrefail Day Centre. As part of the move, transport journeys will be reviewed to ensure travel times are kept to a minimum.

6. EQUALITY AND DIVERSITY IMPLICATIONS / SOCIO-ECONOMIC DUTY

6.1 An Equality Impact Assessment has been completed (attached at Appendix 1) reviewing the impact of the proposed future delivery of the Council's day service provision for older people, as recommended in Section 2 above.

6.2 The recommended proposals have some disproportionate impacts on people who are older, have disabilities, are carers, and are staff. Adult Services will take account of the challenges which affected individuals, their families and staff may face, both in terms of participation in engagement activity and in ensuring that the impact of any changes are mitigated as detailed in the impact assessment, if they are to be implemented.

7. WELSH LANGUAGE IMPLICATIONS

7.1 A Welsh Language Impact Assessment has been prepared (attached at Appendix 2) and confirms there are no negative or adverse Welsh Language implications associated with implementing the recommendations set out in Section 2 above.

8. CONSULTATION / INVOLVEMENT

8.1 Subject to the agreement of the recommendation in Section 2 above, Officers will contact all people registered at the Council's three day centres and their families to discuss the proposals with those directed affected and provide support and arrange, where necessary, a re-assessment to ensure their needs will be appropriately met.

8.2 In addition, appropriate consultation will also be undertaken with all staff (and their trade union representatives) potentially impacted by the proposal.

9. FINANCIAL IMPLICATION(S)

- 9.1 Subject to the agreement of the recommendations in Section 2 above, this proposal could generate an estimated revenue saving in a full year of around £140,000 and this would be ring-fenced and reinvested back into the Adult Services budget enabling the Council to maintain these essential care and support services.

10. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

- 10.1 The Council's day service for older people is provided as part of the Council's service offer to meet assessed needs under the Social Services and Wellbeing (Wales) Act 2014, but it is not a specific statutory provision.
- 10.2 Subject to the agreement of the recommendations in Section 2 above, all individuals affected by the proposal will continue to be offered support on an individual basis ensuring their assessed needs continue to be met in line with our statutory obligations.

11. LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELLBING OF FUTURE GENERATIONS ACT

- 11.1 This report supports two of the Council's corporate priorities, namely:
- People - promoting independence and positive lives for everyone.
 - Living within our means - where services are delivered efficiently to achieve value for money for the taxpayer.
- 11.2 In addition, the report considers the following Well-Being of Future Generations (Wales) Act 2015 wellbeing goals of: A Healthier Wales and more equal Wales.

12. ELECTORAL WARDS AFFECTED

- 12.1 This applies to all electoral wards.

13. CONCLUSION

- 13.1 It is important that the Council reviews its adult social care provision to ensure its current care and support offer continues to meet assessed need while addressing ongoing challenges resulting from changing demand and budget pressures. Through the implementation of recommended proposal in Section 2 above, Adult Services will continue to meet assessed need through alternative care and support arrangements, whilst providing more efficient and effective service and contributing to the Council's budget strategy.

LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CABINET

DECEMBER 2023

DAY SERVICES FOR OLDER PEOPLE

REPORT OF THE DIRECTOR OF SOCIAL SERVICES

Background Papers

Cabinet – 11th September 2019

Officer to contact: Neil Elliott

EQUALITY IMPACT ASSESSMENT FORM INCLUDING SOCIO-ECONOMIC DUTY

(Revised March 2021)

Please refer to the current Equality Impact Assessment guidance when completing this document. If you would like further guidance please contact the Diversity and Inclusion Team on 01443 444529.

An equality impact assessment **must** be undertaken at the outset of any proposal to ensure robust evidence is considered in decision making. This documentation will support the Council in making informed, effective and fair decisions whilst ensuring compliance with a range of relevant legislation, including:

- Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011
- Socio-economic Duty – Sections 1 to 3 of the Equality Act 2010.

This document will also contribute towards our duties to create a More Equal Wales within the

- Well-being of Future Generation (Wales) Act 2015.

The [‘A More Equal Wales – Mapping Duties’](#) guide highlights the alignment of our duties in respect of the above-mentioned legislation.

SECTION 1 – PROPOSAL DETAILS

Lead Officer: **Jill Bow**
 Service Area: **Adult Services**
 Date: **22th October 2023**

1.a) What are you assessing for impact?

| Strategy/Plan | Service Re-Model/Discontinuation of Service | Policy/Procedure | Practice | Information/Position Statement |
|--------------------------|---|--------------------------|--------------------------|--------------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

1.b) What is the name of the proposal?

Future Delivery of Day Services for Older people.

1.c) Please provide an overview of the proposal providing any supporting links to reports or documents.

The outcome of previous consultations and Cabinet decisions, and the further supporting information included in the report, have informed the proposals for the revised future service delivery model for the Council's Day Services for Older People. These proposals, which are in line with current policy direction and current and future need, are summarised below:

The integration of Trecynon Day Centre and Cwmni Dda into one day service provision. This would include relocation of service users and staff to be based within Cwmni Dda day centre in Trecynon.

The relocation of Tonyrefail service users and staff to the Day Centre to be based within Cwrt Yr Osaf, Extra Care facility in Pontypridd. This would also include the relocation of service users and staff.

Rhondda Cynon Taf County Borough Council Commissioned Practice Solutions Ltd. to undertake an independent review into residential care homes and day services for older people. The review was undertaken between January and March 2018

The review involved an initial stage of research, followed by field work, which involved visiting all the Care Homes and Day Services managed by the Council. The findings, information and evidence gathered from data collected was then analysed to develop the report for presentation to the Council.

The review identified that Day Service provide vital support for those assessed as needing this care, as well as providing respite to carers.

The review also identified that the average number of people registered at day services has fallen significantly over the past 10 years. All day centres are underutilised and therefore not an efficient spend on the Council's pressured budget.

Combining two of our day centre services for a wider client group will enable a varied programme to be delivered for all service users; Basing the new combined services at Cwmni Dda and relocation to Cwrt Yr Orsaf will provide users with access to facilities and services that are not currently available in Trecynon and Tonyrefail day centres.

- 1.d) Please outline where delivery of this proposal is affected by legislation or other drivers such as code of practice.

In considering this proposal, the Council will need to meet its requirements under the Social Services and Wellbeing (Wales) Act 2014 and accompanying Part 4 code of practice.

- 1.e) Please outline who this proposal affects:

- Service users
- Employees
- Wider community

SECTION 2 – SCREENING TEST – IS A FULL EQUALITY IMPACT ASSESSMENT REQUIRED?

Screening is used to determine whether the initiative has positive, negative or neutral impacts upon protected groups. Where negative impacts are identified for protected groups then a full Equality Impact Assessment is required. Please provide as much detail as possible of how the proposal will impact on the following groups, this may not necessarily be negative, but may impact on a group with a particular characteristic in a specific way.

Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 - All social care staff undertake Equality and Diversity training as part of the Social Care Wales Induction Framework.

The Public Sector Equality Duty requires the Council to have “due regard” to the need to eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity between different groups; and foster good relations between different groups. Please take an intersectional approach in recognising an individual may have more than one protected characteristic.

| <u>Protected Characteristics</u> | Does the proposal have any positive, negative or neutral impacts | Provide detail of the impact | What evidence has been used to support this view? |
|--|---|---|--|
| Age (Specific age groups i.e. young people or older people) | <p>Negative (in respect of immediate residents through the potential of being relocated to another day centre)</p> <p>Positive – Future provision – state of the art facilities, better services/provision, more choice for older people, will effectively meet complexity of individual’s needs.</p> | <p>The proposal will impact on older people as the day centres provides a day service for older people, including several people who have dementia.</p> <p>Service users and their families during previous consultations have raised some concerns over the impact of moving to an alternative environment.</p> <p>Adult Social Care will need to take the individual health and wellbeing of each service user, as well as the needs of families and carers, into account as part of its arrangements for supporting service users to relocate, should the proposals be agreed by Cabinet.</p> <p>We will assist in ensuring that the risks which can be associated with a move are</p> | <p>We have successfully relocated service users from Bronllwyn day centre to other Council run day centres with no detrimental effect. We will draw on previous experience and utilise best practice to support this process.</p> <p>We will ensure all service users in day care services will have a personal support plan review to ensure we are providing the service needed, so that there are no negative impacts for this client group.</p> <p>55 service users will be affected by the proposal to amalgamate Trecynon and Cwmni Dda.</p> |

| <u>Protected Characteristics</u> | Does the proposal have any positive, negative or neutral impacts | Provide detail of the impact | What evidence has been used to support this view? |
|----------------------------------|--|--|--|
| | | <p>kept to a minimum. This is based on thorough assessments, including risk to health and wellbeing, and ensuring that all factors are fully considered in the process of identifying where a service user moves to and ensuring the move itself is properly handled.</p> <p>Follow best practice guidance.</p> <p>Involvement and engagement with service users, their families / carers.</p> <p>Development of transitional plans.</p> <p>Staff from current day centres will relocate with the service users to support a seamless transition and provide continuity of care.</p> <p>However, the proposed reconfiguration of day services will ensure, if agreed, that older people, including those with disabilities will have better quality care in a more appropriate environment that is more suited to their individual needs and</p> | <p>64 service users will be affected by the proposal to relocate Tonyrefail day centre to Cwrt Yr Orsaf, extra care facility, should the decision be agreed by cabinet a further EIA will be undertaken to reflect the decision.</p> <p>Our service records indicate that a proportion of service users have some significant age-related needs. – Age profile of residents is 50 -99 years of age</p> <p>Previous consultations</p> <p>New models of day services have been developed over recent years in the county borough and they have delivered positive outcomes for older people, including those with dementia and their carers and families, (an Outreach</p> |

| <u>Protected Characteristics</u> | Does the proposal have any positive, negative or neutral impacts | Provide detail of the impact | What evidence has been used to support this view? |
|----------------------------------|--|---|---|
| | | <p>wishes; thereby improving the lives of adults that utilise day care service.</p> <p><u>Council's Day Services Staff:</u></p> <p>Age and gender demographics of staff as follows:</p> <p>Total – 38 staff</p> <p>Male: 5 staff = 13%</p> <p>Female: 33 = 87%</p> <p>Age range of staff:</p> <p>16 – 25: 4 (10%)</p> <p>26 – 35: 1 (3%)</p> <p>36 – 45: 3 (8%)</p> <p>46 – 55: 13 (34%)</p> <p>56 – 65: 17 (45%)</p> <p>The age profile of staff ranges from 21 to 63.</p> <p>45% of staff are over 56 years of age.</p> | <p>support day service has been developed).</p> <p>Day centre service users are regularly assessed so that changing needs can be identified - Social Workers would be involved in any change of service required.</p> <p>Provision of day services is aimed at enabling vulnerable people to maintain their independence and provides respite for families and carers and helps to sustain family networks.</p> <p>Investment and modernisation will support changes in the demographics of the elderly population and will meet the needs of both frail and more active older people and provide a day service provision that meets the aspirations of the</p> |

| <u>Protected Characteristics</u> | Does the proposal have any positive, negative or neutral impacts | Provide detail of the impact | What evidence has been used to support this view? |
|--|--|--|---|
| | | <p>To mitigate any changes to the operation of day services at Trecynon and Tonyrefail may impact on staff directly employed within the day centres. Should any proposals be developed, that would impact upon staff, consultation and engagement with staff and the recognised Trade Unions would be undertaken in line with the Council's well-established policies relating to the management of change.</p> | <p>current elderly community and of future generations.</p> <p>38 staff will be potentially affected by the proposal.</p> <p>Staffing profile from ITrent</p> <p>All staff affected by the proposal will be supported via the Management of Change protocol.</p> |
| <p>Disability (people with visible and non-visible disabilities or lo-term health conditions)</p> | <p>Immediate Negative – as above</p> <p>Future Positive – as above</p> | <p>The frail nature of some of the service users and the fact that a number also have dementia means that in terms of disability, the proposals could result in a negative impact for people affected who might be deemed to be disabled as well as elderly.</p> <p>Dementia can impact upon on a persons' capacity to make an informed decision, and those who lack capacity to make this decision would need to be supported by relatives, people with power of attorney</p> | <p>Previous consultations.</p> <p>An <u>Easy Read</u>, accessible format of the information booklet and questionnaire was created and supplied during the meetings. This will enable individuals' to fully engage in the process.</p> <p>Full assessments will be completed, and relatives / advocates will be consulted to</p> |

| <u>Protected Characteristics</u> | Does the proposal have any positive, negative or neutral impacts | Provide detail of the impact | What evidence has been used to support this view? |
|---|---|--|---|
| | | <p>or independent advocates where required/appropriate in accordance with mental capacity law.</p> <p>A number of service users require support with their mobility and/or have sensory impairments.</p> <p>Adult Social Care will need to take the individual health and wellbeing of each resident, as well as the needs of families and carers, into account as part of its arrangements for supporting individuals 'to relocate, should the proposals be agreed by Cabinet.</p> <p>We will assist in ensuring that the risks which can be associated with a move are kept to a minimum. This is based on thorough assessments, including risk to health and wellbeing, and ensuring that all factors are fully considered in the process and ensuring the move itself is properly handled.</p> <p>However, proceeding with the proposal would have a positive impact on existing</p> | <p>ensure location and facilities of their choice fully meets the service users' needs.</p> |

| <u>Protected Characteristics</u> | Does the proposal have any positive, negative or neutral impacts | Provide detail of the impact | What evidence has been used to support this view? |
|--|--|---|---|
| | | and future day service individuals, as the proposal indicates that existing and future service users will have increased opportunities of socialisation, horticultural activities, and enhanced use of outdoor space. | |
| Gender Reassignment (anybody who's gender identity or gender expression is different to the sex they were assigned at birth including non-binary identities) | Immediate Neutral Future - Positive | It is considered that the proposal will have no direct impact on people who share this characteristic. | There is no evidence to suggest that the proposal will have an impact on people that share this characteristic. |
| Marriage / Civil Partnership (people who are married or in a civil partnership) | Neutral | It is considered that the proposal will have no direct impact on people who share this characteristic. | There is no evidence to suggest that the proposal will have an impact on people that share this characteristic. |
| Pregnancy and Maternity (women who are pregnant/on maternity leave) | Neutral | It is considered that the proposal will have no direct impact on people who share this characteristic. | There is no evidence to suggest that the proposal will have an impact on people that share this characteristic. |
| Race (ethnic and racial groups i.e. minority ethnic groups, Gypsy, Roma and Travellers) | Future – positive | It is considered that the proposal will have no direct impact on people who share this characteristic. | The service employs staff from ethnic minority groups and will continue to support employment and admissions |

| <u>Protected Characteristics</u> | Does the proposal have any positive, negative or neutral impacts | Provide detail of the impact | What evidence has been used to support this view? |
|--|--|--|--|
| | | | for individuals that share this characteristic. |
| Religion or Belief (people with different religions and philosophical beliefs including people with no beliefs) | Neutral | It is considered that the proposal will have no direct impact on people who share this characteristic. | There is no evidence to suggest that the proposal will have an impact on people that share this characteristic. Services will be able to cater for specific dietary requirements including those required for religious observations. |
| Sex (women and men, girls and boys) | Negative – staffing perspective. Workforce is predominately female. | It is considered that the proposal will have no direct impact on people who share this characteristic. | Women are more prominent within care sector workforce. Female service users are more significant than men. |
| Sexual Orientation (bisexual, gay, lesbian, straight) | Future - Positive | It is considered that the proposal will have no direct impact on people who share this characteristic. Should officers be made aware of any potential impacts related to this protected characteristic, this EIA will be updated accordingly. | There will be a requirement on all services to demonstrate robust policy and training arrangements for Equality and Diversity to support inclusive practice. |

| <u>Protected Characteristics</u> | Does the proposal have any positive, negative or neutral impacts | Provide detail of the impact | What evidence has been used to support this view? |
|---|--|---|---|
| <p>Armed Forces Community (anyone who is serving, has served, family members and the bereaved)</p> | <p>Negative</p> <p>Future – positive</p> | <p>Veterans could be indirectly impacted through the proposed changes to day services.</p> <p>Evidence suggests that veterans in RCT are older and likely to have disabilities or long-term health or mobility conditions. There may therefore be veterans that use day services.</p> | <ul style="list-style-type: none"> • 3.2% of people in RCT have previously served in the UK regular armed forces • 0.7% of people in RCT have previously served in the UK reserve armed forces • 0.2% of people in RCT have previously served in both regular and reserve UK armed forces <p>(Census 2021, Population Maps)</p> <p>Adult services will link in with the Regional Armed Forces Covenant Liaison Officer to assist with the identification of any veterans using our services to gain advice specifically for the communication and support to veterans</p> <p>Armed Forces Veterans are supported within our day service provision and the service will continue to support individuals that share this characteristic</p> |

| <u>Protected Characteristics</u> | Does the proposal have any positive, negative or neutral impacts | Provide detail of the impact | What evidence has been used to support this view? |
|---|--|---|---|
| <p>Carers (anyone of any age who provides unpaid care)</p> | <p>Neutral</p> | <p>The proposal would have a neutral impact on carers, as the Council is continuing to provide a day service provision with care to people with an assessed need. However, proposals may have an impact on carers in terms of ease of access to support their family members to a day centre.</p> <p>Transport links to any alternative day centre and the ability of carers to continue to transport them will be important in any planning process.</p> <p>Service users attended days will not change due to the proposal and those assessed as requiring/ receiving transport in line with their care and assessed need would continue as normal.</p> | <p>Previous consultations</p> <p>New models of day service provision with care developed over recent years in the county borough have delivered positive outcomes for older people, and their carers and families.</p> <p>There will be assessment of impact on carers during and following consultation stage.</p> |

If the initial screening test has identified negative impacts, then a full equality impact assessment (section 4) **must** be undertaken. However, if after undertaking the above screening test you determine a full equality impact assessment is not relevant, please provide an adequate explanation below:

Not applicable

Are you happy you have sufficient evidence to justify your decision?

Yes

No

Name: Jill Bow

Position: Head of Accommodation Services

Date: 22th October 2023

SECTION 3 – SOCIO-ECONOMIC DUTY (STRATEGIC DECISIONS ONLY)

The Socio-economic Duty gives us an opportunity to do things differently and put tackling inequality genuinely at the heart of key decision making. Socio-economic disadvantage means living on a low income compared to others in Wales, with little or no accumulated wealth, leading to greater material deprivation, restricting the ability to access basic goods and services. Please consider these additional vulnerable groups and the impact your proposal may or may not have on them:

- Single parents and vulnerable families
- Pensioners
- Looked after children.
- Homeless people
- Students
- Single adult households

- People living in the most deprived areas in Wales.
- People with low literacy and numeracy
- People who have experienced the asylum system.
- People misusing substances.
- People of all ages leaving a care setting
- People involved in the criminal justice system

All individuals are means tested prior to admission. Most of our current day centre service users care costs are funded via this method.

| <u>Socio-economic disadvantage</u> | Does the proposal have any positive, negative or neutral impacts | Provide detail of the impact | What evidence has been used to support this view? |
|--|--|--|--|
| <p>Low Income/Income Poverty <i>(cannot afford to maintain regular payments such as bills, food, clothing, transport etc.)</i></p> | Neutral | <p>It is not envisaged that there would be any financially adverse impact on affected residents as a result of any decision(s) made in respect of the proposals.</p> <p>Transport links to any alternative day centre and the ability (including cost implications) of family and friends to continue to family member will be important in any planning process.</p> | <p>All current service users' will have been financially assessed to determine any contribution required.</p> <p>There will be assessment of impact during and following consultation stage.</p> |
| <p>Low and / or No Wealth <i>(enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provisions for the future)</i></p> | Neutral | <p>It is not envisaged that there would be any financially adverse impact on affected service users as a result of any decision(s) made in respect of the proposals.</p> <p>Transport links to any alternative day centre and the ability (including cost implications) of family and friends to continue to transport them will be important in any planning process.</p> | <p>All current service users will have been financially assessed to determine any contribution required.</p> <p>There will be assessment of impact during and following consultation stage.</p> |
| <p>Material Deprivation <i>(unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, hobbies etc.)</i></p> | Neutral | <p>It is not envisaged that there would be any financially adverse impact on affected residents as a result of any decision(s) made in respect of the proposals.</p> | <p>All current service users will have been financially assessed to determine any contribution required.</p> |

| <u>Socio-economic disadvantage</u> | Does the proposal have any positive, negative or neutral impacts | Provide detail of the impact | What evidence has been used to support this view? |
|--|--|--|---|
| | | | There will be assessment of impact during and following consultation stage. |
| <u>Area Deprivation</u> (where you live (rural areas), where you work (accessibility of public transport)) | Negative | <p>It is not envisaged that there would be any financially adverse impact on affected residents as a result of any decision(s) made in respect of the proposals.</p> <p>Transport links to any alternative day centre and the ability (including cost implications) of family and friends to continue to transport their family member will be important in any planning process.</p> <p>There will be implication for some employee's who may not be able to continue walking to work. The new geographical location may benefit other employees who live nearer the new centre.</p> <p>Accessibility to public transport will be much improved for some staff as the new centre is in a town centre location with a bus & train station.</p> | <p>All current service users will have been financially assessed to determine any contribution required in line with fairer charging protocol.</p> <p>There will be assessment of impact during and following consultation stage.</p> |

| <u>Socio-economic disadvantage</u> | Does the proposal have any positive, negative or neutral impacts | Provide detail of the impact | What evidence has been used to support this view? |
|--|---|--|--|
| Socio-economic background <i>(social class i.e. parents education, employment and income)</i> | Neutral | It is not envisaged that there would be any financially adverse impact on affected residents as a result of any decision(s) made in respect of the proposals. | All current service users will have been financially assessed to determine any contribution required. There will be assessment of impact during and following consultation stage. |
| Socio-economic disadvantage <i>(What cumulative impact will the proposal have on people or groups because of their protected characteristic(s) or vulnerability or because they are already disadvantaged)</i> | Neutral | It is not envisaged that there would be any financially adverse impact on affected service users as a result of any decision(s) made in respect of the proposals. Transport links to any alternative day centre and the ability (including cost implications) of family and friends to continue to transport their family member will be important in any planning process. There may be a negative impact on some individuals as their journey time to day centre will increase. If transport is provided by family, this will have a negative impact in terms of journey times and increased fuel costs. | All current service users will have been financially assessed to determine any contribution required. There will be assessment of impact during and following consultation stage. |

| <u>Socio-economic disadvantage</u> | Does the proposal have any positive, negative or neutral impacts | Provide detail of the impact | What evidence has been used to support this view? |
|------------------------------------|--|---|---|
| | | However, there is some individuals who will benefit from reduced journey times. | |

SECTION 4 – FULL EQUALITY IMPACT ASSESSMENT

You should use the information gathered at the screening stage to assist you in identifying possible negative/adverse impacts and clearly identify which groups are affected.

- 4.a) In terms of disproportionate/negative/adverse impacts that the proposal may have on a protected group, outline the steps that will be taken to reduce or mitigate the impact for each group identified.

An action plan to reduce/mitigate these impacts will be collated during and following the consultation process. Proposed mitigation, subject to public consultation, if agreed by Cabinet, includes:

- The welfare of service users would be the primary consideration in the event of any service change agreed by Cabinet. It would be approached in a planned and carefully managed way, in line with best practice guidance. This would include the involvement of residents, families, friends, advocates, and staff from the day centre services.
- Adult Social Care has experience of achieving this with previous day centre closure. It is acknowledged that there are risks with moving any person, including planned moves. Adult Social Care has a lot of experience of moving people to alternative services in line with their assessed needs as it is part of core business, for example, as care needs change,
- Where a resident could not make an informed choice or has no family, an independent advocate would be made available with decisions required in selecting and moving to a suitable alternative day service provision.

- 4.b) If ways of reducing the impact have been identified but are not possible, please explain why they are not possible.

Any changes to the operation of day services may impact on staff directly employed within the day centres. Should any proposals be developed, that would impact upon staff, consultation and engagement with staff and the recognised Trade Unions would be undertaken in line with the Council's well-established policies relating to the management of change.

- 4.c) Give sufficient detail of data or research that has led to your reasoning, in particular, the sources used for establishing the demographics of service users/staff.

The outcome of previous consultations and Cabinet reports, together with supporting information from local adult social care records and analysis of previous and current service provision have informed the proposals. Along with National policy and national and local strategy developments.

- 4.d) Give details of how you engaged with service users/staff on the proposals and the steps taken to avoid any disproportionate impact on a protected group. Explain how you have used feedback to influence your decision.

To be actioned following Cabinet's approval to consult on the service proposals.

- 4.e) Are you satisfied that the engagement process complies with the requirements of the Statutory Equality and Socio-economic Duties?

Yes

No

SECTION 5 – MONITORING, EVALUATING AND REVIEWING

- 5a) Please outline below how the implementation of the proposal will be monitored:

Following the consultation, the impact assessment will be updated, and Cabinet will receive a further report on the outcome of the consultation.

Implementation of a robust transition plan.

Service satisfaction will be monitored through the quality assurance framework and regular review of service users and staff.

EIAs to be continually updated in line with decision making and further consultation.

Individual service users will receive individual reviews which will support additional monitoring about the Day Care Provision amalgamation / relocation of services has taken place.

The service area will continue to work with all service users to monitor the continuity of day care provided.

5b) When is the evaluation of the proposal due to be reviewed?

To be determined following Cabinet's final decision.

5c) Who is responsible for the monitoring and review of the proposal?

Director of Adult Services.

5d) How will the results of the monitoring be used to develop future proposals?

To be determined following Cabinet's final decision.

SECTION 6 – REVIEW

For all policy proposals, whether it is a Significant Key Decision or not, you are required to forward this assessment to Diversity and Inclusion team – equality@rctcbc.gov.uk and the Consultation and Engagement team – consultation@rctcbc.gov.uk in the first instance for some initial guidance and feedback.

As part of the Welsh Language, Equalities and Socio Economic Duty Impact Assessment Process all proposals that fall within the definition of Significant Key Decision should present at the Officer Review Panel. This panel is made up of officers from across Council Services and acts as a critical friend before your report is finalised and published for SLT/Cabinet approval.

If this proposal is a Key Strategic Decision please forward your completed impact assessment, policy proposal/report and consultation report to CouncilBusiness@rctcbc.gov.uk for an Officer Review Panel to be organised to discuss your proposal. See our guidance document for more information on what a Significant Key Decision is.

It is important to keep a record of this process so that we can demonstrate how we have considered and built in equality/Socio economic considerations wherever possible. Please ensure you update the relevant sections below in collaboration with the relevant departments.

| Diversity and Inclusion team Comments | Date Considered | Brief description of any amendments made following Officer Review Panel considerations |
|--|------------------------|--|
| | November 2022 | The comments of the Diversity and Inclusion team have been incorporated into the EIA. |
| Consultation Comments | Date Considered | Brief description of any amendments made following consultation |
| N/A | | |
| Officer Review Panel Comments | Date Considered | Brief description of any amendments made following Officer Review Panel considerations |
| | | An officer Review Panel will take place during the week commencing 13th November 2023 and the feedback will be presented to Cabinet prior to its meeting |

SECTION 7 – SUMMARY OF IMPACTS FOR THE PROPOSAL

Provide below a summary of the impact assessment. This summary should be included in the equality and socio-economic impact section of the Cabinet report template. The impact assessment should be published alongside the report.

Proceeding with the proposals would have an impact on existing and future Care Home residents. There would be a disproportionate impact on older people and people with a range of disabilities.

The Council will take account of the challenges which the people affected by the proposals in this report face, both in terms of participation in the consultation and in ensuring that the impact of any changes is mitigated as detailed in the impact assessment, if they are to be implemented.

Subject to Cabinet agreeing to initiate a consultation on the proposed preferred options, the impact assessment will be reviewed and updated to include any further mitigated risks following the consultation process.

SECTION 8 – AUTHORISATIONS

Lead Officer:

Name: Jill Bow

Position: Head of Accommodation Services

Date: 13th November 2023

I recommend that the proposal:

- Is implemented with no amendments
- Is implemented taking into account the mitigating actions outlined
- Is rejected due to disproportionate negative impacts on protected groups or socio-economic disadvantage

Head of Service/Director Approval:

Name: **Neil Elliott**

Position: **Director of Social Services**

Date: **14th November 2023**

Please submit this impact assessment with any SLT/Cabinet Reports.

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WELSH LANGUAGE IMPACT ASSESSMENT TOOL

This Welsh Language Impact Assessment (WLIS) tool enables RCT Council to consider the principles and requirements of the [Welsh Language Standards \(No.1\) Regulations 2015](#) to ensure compliance with the [Welsh Language \(Wales\) Measure 2011](#).

Stage 1 – Information Gathering

NOTE: As you complete this tool you will be asked for **evidence to support your views**. Please see [Welsh Language Impact Assessment Guidance](#) for more information on data sources.

| | |
|------------------------------------|---|
| Proposal Name: | FUTURE DELIVERY OF DAY SERVICES FOR OLDER PEOPLE |
| Department | Adult Social Services |
| Service Director | Neil Elliott |
| Officer Completing the WLIA | Jill Bow |
| Email | Jill.bow@rctcbc.gov.uk |
| Phone | 07786523926 |
| Brief Description | <p>The outcome of previous consultations and Cabinet decisions, and the further supporting information included in the report, have informed the proposals for the revised future service delivery model for the Council's Day Services for Older People. These proposals, which are in line with current policy direction and current and future need, are summarised below:</p> <p>The integration of Trecynon Day Centre and Cwmni Dda into one day service provision. This would include relocation of service users and staff to be based within Cwmni Dda day centre in Trecynon.</p> |

| | |
|--|--|
| | <p>The relocation of Tonyrefail service users and staff to the Day Centre to be based within Cwrt Yr Osaf, Extra Care facility in Pontypridd. This would also include the relocation of service users and staff.</p> <p>Rhondda Cynon Taf County Borough Council Commissioned Practice Solutions Ltd. to undertake an independent review into residential care homes and day services for older people. The review was undertaken between January and March 2018</p> <p>The review involved an initial stage of research, followed by field work, which involved visiting all the Care Homes and Day Services managed by the Council. The findings, information and evidence gathered from data collected was then analysed to develop the report for presentation to the Council. During the consultation event, Welsh speaking officers attended the meetings and conducted some of the consultation bilingually as requested by residents.</p> <p>The review identified that Day Service provide vital support for those assessed as needing this care, as well as providing respite to carers.</p> <p>The review also identified that the average number of people registered at day services has fallen significantly over the past 10 years. All day centres are underutilised and therefore not an efficient spend on the Council's pressured budget.</p> <p>Combining two of our day centre services for a wider client group will enable a varied programme to be delivered for all service users; Basing the new combined services at Cwmni Dda and relocation to Cwrt Yr Osaf will provide users with access to facilities and services that are not currently available in Trecynon and Tonyrefil day centres.</p> |
| Date | 22/10/2023 |
| Please outline who this proposal affects? (Service Users, Employees, Wider Community) | <p>Current and future service users Service user family, carers and friends Employees Wider Community</p> |

| | |
|--|--|
| <p>What are the aims of the policy, and how do these relate to the Welsh Language?</p> | <p>The aim of the proposal is to consult with service users, staff and families around potential future changes to current service delivery of the Council's Day Services for Older People.</p> <p>The Consultation process will engage with residents, families, employees and the wider community, and will be undertaken in both Welsh and English and in accordance with the requirements of the Welsh Language (Wales) Measure 2011.</p> |
| <p>Who will benefit / Could the policy affect Welsh language groups? If so, list them here.</p> | <p>Welsh language groups such as service users, employees and the wider community will continue to be able to contact the Council in the Welsh language, if they choose to do so, as this will provide continuity of service delivery. All documentation relevant to the proposed service change will be available in bilingual formats.</p> |
| <p>Current linguistic profile of the geographical area(s) concerned</p> | <p>The 2021 Census figures regarding the Welsh language show a decrease in the percentage of Welsh speakers across Wales to 17.8%. There was, however, a small increase in RCT – the percentage of the population of the county borough who can speak Welsh increased from 12.3% to 12.4%. Numerically, RCT saw a 2.8% increase in the number of Welsh speakers in the county borough, from 27,779 speakers to 28,556 speakers. RCT was also one of only four LAs in Wales to see an increase in the percentage of Welsh speakers – the others were Cardiff, the Vale of Glamorgan and Merthyr Tudful. All of these are neighbouring county boroughs, which could demonstrate that our region is seeing some positive trends in terms of increases in Welsh speakers, and that there may be a resulting increase in demand for services through the medium of Welsh. As further, more detailed, data from the Census becomes available for RCT (e.g. LSOA data), we will need to consider what impact it may have on the services we provide.</p> <p>Mwy Na Geiriau 2022 -2027 ('More than Just Words') is the Welsh Government's strategic framework for improving and promoting Welsh language services in health, social services and social care. The aim of the framework is to ensure that organisations recognise that language is an intrinsic part of people's care and the pro-active offer of Welsh language services to people is so important. Ensuring positive well-being outcomes for individuals, is something which underpins the Social Services and Well Being (Wales) Act 2014. The Codes of Practice under the Act require local authorities to ensure Welsh language services are built into service planning and delivery and that services are offered in Welsh, to Welsh speakers, without them having to request it as required by the 'Active Offer'.</p> <p>Legislation and policy in Wales require that Welsh language services in social care are:</p> <ul style="list-style-type: none"> • Of the same standard and are as easily and promptly available as English medium services |

| | |
|---|---|
| | <ul style="list-style-type: none"> • As wide-ranging and thorough • Organisations shouldn't assume English as the default languages when providing their services. • Welsh speakers should not be required to ask for a service in Welsh. |
| <p>Other relevant data or research</p> | <p>There is currently one Welsh speaking service user utilising the Council's, Day Centre Service and there are three Welsh speaking members of staff working within the service.</p> <p>1 service user in Tonyrefail who can speak Welsh. 2 Staff Tonyrefail who can speak Welsh.</p> <p>Service users and staff will be relocated to Cwrt Yr Orsaf, this will ensure that service users and staff can continue to converse through the Welsh language</p> |

Stage 2 – Impact Assessment

In this section you need to consider the impact, the evidence and any action you are taking for improvement. This is to ensure that the opportunities for people who choose to live their lives and access services through the medium of Welsh are not inferior to what is afforded to those choosing to do so in English, in accordance with the requirement of the Welsh Language (Wales) Measure 2011.

Please note there is a separate impact assessment for Equality and Socio-Economic duty that must also be completed for policy proposals.

Remember that effects that are positive for some groups could be detrimental to others - even among Welsh language groups. Consider the effects on different groups. For example, a proposal may be beneficial to Welsh learners, but not to Welsh speakers.

Previous Welsh Language Impact Assessments can be found on Inform by [clicking here](#).

Will the proposed action affect any or all of the following?

| | Does the proposal have any positive, negative or neutral impacts? | Describe why it will have a positive/negative or neutral impact on the Welsh language. | What evidence do you have to support this view? | What action(s) can you take to mitigate any negative impacts or better contribute to positive impacts? |
|--|--|---|--|---|
| <p>Opportunities for persons to use the Welsh language</p> <p>e.g. staff, residents and visitors</p> <p>The rights of Welsh speakers and learners to use Welsh when dealing with the council and for staff to use Welsh at Work</p> | Positive | The proposal will have a positive impact on service users, staff and the wider community, to use the Welsh language, if Cabinet approve the proposal for the future delivery of the Council's Day Centre services for older people. | Welsh language Level 1 skills/ training forms part of the Social Care Wales Induction Framework and is also incorporated into the Social Care Wales registration process. Welsh Language Level 1 is also mandatory for all council staff, undertaken | To pro-actively offer Welsh language services to ensure that people's needs are understood and met, and those who access and work in Older People's Day services can rely on being treated with dignity and |

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| | | <p>Existing and new staff are being actively encouraged to begin Welsh language lessons and continue on their language journey.</p> <p>Staff would also be encouraged to progress on to level 2 training and beyond, as part of their continuous professional development being supported by our internal Welsh tutor. Staff will also be signposted towards Welsh Language courses/lessons in the community.</p> <p>Recruit Welsh speakers to increase face-to-face Welsh language service provision. All of our job descriptions and adverts are bilingual, to encourage Welsh speakers to apply for these roles. This is also compliant with the Welsh Language Standards.</p> | <p>through the induction programme.</p> | <p>respect they deserve. As outlined in Mwy Na Geiriau 2022 -2027 ('More than Just Words') is the Welsh Government's strategic framework for improving and promoting Welsh language services in health and social care.</p> <p>RCTCBC's training department lead on training for council and Welsh Language is part of our induction training for any new employees.</p> <p>A host of different activities are undertaken to promote and encourage the use of the Welsh Language. Activities include Bingo that is undertaken bilingually, St David's Day Welsh Activities (these include Welsh language songs), as well as promotion of the Welsh Language through local papers such as Y Gloran, Clochdar and Tafod-Elai.</p> |
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| | | | | |
| Stage 2 – Impact Assessment | | | | |
| Will the proposed action affect any or all of the following? | | | | |
| | Does the proposal have any positive, negative or neutral impacts? | Describe why it will have a positive/negative or neutral impact on the Welsh language. | What evidence do you have to support this view? | What action(s) can you take to mitigate any negative impacts or better contribute to positive impacts? |
| <p>Numbers and / or percentages of Welsh speakers e.g Welsh Medium Education / Study Opportunities. Links with the Welsh Government’s Cymraeg 2050 Strategy / RCTCBC Five Year Welsh Language Strategy</p> | Neutral | <p>The proposal would have a neutral impact on the numbers and/or percentages of Welsh speakers with service users, employees, and the wider community.</p> <p>Staff are encouraged to learn Welsh and speak Welsh in work.</p> <p>Service users’ reviews are available bilingually.</p> | <p>All new staff who don’t already meet Level 1 Welsh requirements undertake online Level 1 training, (2-hour online course). This process is incorporated into our Employee Induction Framework. We will work with the Council’s internal Welsh tutor to develop this process.</p> <p>RCTs 5-year strategy requires the Council to increase Welsh language skills of our workforce. In addition, the Welsh Government Cymraeg 2050 strategy wants a million Welsh Speakers by 2050.</p> | <p>Staff training to enhance learners’ bilingual skills.</p> <p>Provide online course for beginners that’s tailored to those working in care.</p> <p>Recruiting Welsh speakers will contribute to creating this environment and would increase opportunities to use the Welsh language.</p> |

| | | | | |
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| | | | The service currently has three staff and one service user who are able to communicate in Welsh. | |
| <p>Opportunities to promote the Welsh language e.g. status, use of Welsh language services, use of Welsh in everyday life in work and in the community</p> <p>Actively encourage and promote the use of our services in Welsh to see an increase in demand over time</p> | Positive | <p>The proposal will have a positive effect on opportunities for persons to use the Welsh language no less favourably than the English language.</p> <p>Legislation places a duty on Council's to consider the Welsh language in accessing, commissioning, and delivering care to individuals to ensure that they experience the best possible outcomes.</p> <p>If there were to be future service users that could speak Welsh or who expressed an interest in learning Welsh, we would look to expand our activities through the medium of Welsh. We have singing sessions where service users sing in Welsh and St David's Day activities that are undertaken through the medium of Welsh. These are led by our staff members who can speak Welsh.</p> | <p>Consultation documentation is published in hard copy and online in both Welsh and English and includes a response proforma to enable collection of the views of stakeholders.</p> <p>All communication is bilingual. Enquiries / comments/ complaints, emails /out of office notifications are bilingual and if someone communicates to us in Welsh, correspondence will also follow in the Welsh language.</p> | <p>Service Users, staff and the wider community will be able to use the Welsh language, when they are given the opportunity to express their views on the proposal during the consultation process.</p> <p>Supporting access to Welsh language for service users/staff via radio, television, and books. We would support service users to access S4C and BBC Radio Cymru to promote the Welsh Language and its use across our services.</p> <p>Review promotional materials when consulting with service users in order to ensure compliance with Welsh Language Standards.</p> |

| | | | | |
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| | | Within the admission and care plans, individuals' language preferences are highlighted to ensure we are aware of their language requirements. highlighted language preference. | | |
|--|--|--|--|--|

Stage 2 – Impact Assessment

Will the proposed action affect any or all of the following?

| | Does the proposal have any positive, negative or neutral impacts? | Describe why it will have a positive/negative or neutral impact on the Welsh language. | What evidence do you have to support this view? | What action(s) can you take to mitigate any negative impacts or better contribute to positive impacts? |
|---|---|--|--|--|
| <p>Compliance with the Council's Statutory Welsh Language Standards e.g increasing or reducing the Council's ability to deliver services through the Medium of Welsh.</p> <p>Consider the rights of Welsh speakers to use Welsh when dealing with the Council and for staff to use Welsh at Work</p> | <p>Positive</p> | <p>Continue to monitor and improve systems in place to ensure that the Welsh language is treated no less favourably than the English language.</p> <p>Welsh Language is embedded into the Social Care Wales Induction Framework – Any meetings with staff or service users that relates to their well-being will adhere to Standards 24, 24A, 26 and 26A to ensure an active offer of Welsh is made. These Standards form an integral part of the framework mentioned.</p> | <p>The consultation process will follow the Welsh Language standards as will all correspondence with service users and staff.</p> <p>Job descriptions / advertisements are presented in a bilingual format.</p> <p>Media / Press releases are presented in a bilingual format.</p> <p>Social care staff participate in the Welsh language training sessions in line with the SCW Induction Framework</p> | <p>The service supports Welsh speaking staff to communicate with Welsh speaking to service users and colleagues in their preferred language.</p> <p>Recruiting Welsh speakers will contribute to creating this environment and would increase opportunities to use the Welsh language.</p> <p>All new staff who don't already meet Level 1 Welsh requirements undertake online Level 1 training, (2-hour online course). This process is</p> |

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| | | | <p>Staff are encouraged to greet service users in Welsh and use the Welsh Language in work.</p> <p>Welsh speaking service users/families and staff will have the option of the resident's/staff consultation meeting being discussed with them in the medium of Welsh.</p> | <p>incorporated into our Employee Induction Framework.</p> |
| <p>Treating the Welsh language, no less favourably than the English language</p> | <p>Positive</p> | <p>All service communications, whether via letter, website or telephone is bilingual, with Welsh text first or to the left of English text - this will remove the risk of isolating individuals who communicate in Welsh by failing to provide services in their preferred language.</p> | <p>Promotional materials, website, and all subsequent correspondence are available bilingually.</p> <p>Signage throughout all our day services is displayed bilingually, with Welsh positioned so that it is likely to be read first.</p> <p>Signage throughout Cwrt Yr Orsaf extra care facility (proposed relocation for Tonyrefail day centre) is also displayed bilingually, with Welsh positioned so that it is likely to be read first.</p> <p>Welsh Community Care Information System (WCCIS)</p> <p>I Trent – employee profile data</p> | <p>Ensure greater consistency in terms of the Welsh language services on offer and improve their quality across the service.</p> <p>All day centres have been provided with laptops, the service will utilise this technology to promote and deliver Welsh language sessions to staff, this will enable them to access the training in a more flexible and convenient means.</p> |

Stage 3 - Strengthening the proposal

Having listed actions in section 2 which may mitigate any negative impacts or better contribute to positive impacts – please record below which ones you will imbed into the policy proposal and who will be responsible for them.

Also consider is the proposal necessary? Would it be possible to meet demand without any new developments? Could other existing provision be used? Where should the development be?

| What are you going to do? | When are you going to do it? | Who is responsible? |
|---|-------------------------------------|----------------------------|
| All day centre services have been provided with additional laptops, the service will utilise this technology to promote and deliver Welsh language sessions to staff, this will enable them to access the training in a more flexible and convenient means. | On-going | Head of Service |

If ways of reducing the impact have been identified but are not possible to implement, please explain why. Give sufficient detail of data or research that has led to your reasoning.

| What was identified? | Why is it not possible? |
|-----------------------------|--------------------------------|
| | |
| | |

Stage 4 – Review

For all policy proposals, whether it is a Significant Key Decision or not, you are required to forward this assessment to Welsh Language services – welshlanguageofficer@rctcbc.gov.uk and the Consultation and Engagement team – consultation@rctcbc.gov.uk in the first instance for some initial guidance and feedback.

As part of the Welsh Language, Equalities and Socio Economic Duty Impact Assessment Process all proposals that fall within the definition of Significant Key Decision should present at the Officer Review Panel. This panel is made up of officers from across Council Services and acts as a critical friend before your report is finalised and published for SLT/Cabinet approval.

If this proposal is a Key Strategic Decision please forward your completed (Stage 1>6) impact assessment, policy proposal/report and consultation report to CouncilBusiness@rctcbc.gov.uk for an Officer Review Panel to be organised to discuss your proposal. [See our guidance document](#) for more information on what a Significant Key Decision is.

It is important to keep a record of this process so that we can demonstrate how we have considered and built in sustainable Welsh language considerations wherever possible. Please ensure you update the relevant sections below in collaboration with the relevant departments.

| Welsh Language Services Comments | Date Considered | Brief description of any amendments made following Welsh Language Services feedback |
|--|------------------------|---|
| <p>Welsh Language Services welcome this impact assessment that considers the proposal's effect on the Welsh Language in detail. In order to strengthen the proposal further, there are some minor changes we advise.</p> <p>First of all, some further detail on the location and Welsh Language skill levels of staff who speak Welsh would be helpful in order to ensure that they are not negatively affected when these Day Services are relocated/altered. Most importantly, Welsh speaking service users should not be relocated to somewhere where there are no Welsh speaking staff.</p> | <p>November 2023</p> | <p>We have incorporated the Welsh language papers (Y Gloran for the Rhondda, Clochdar for Cynon and Tafod-Elai for Taf-Elai) to support and promote the use of Welsh language.</p> <p>We have also identified where Welsh speaking staff and service users would be relocated to the same service to ensure the ongoing continuity and promotion of the Welsh language.</p> <p>We also undertake a range of activities through the medium of Welsh to ensure we are promoting and sustaining the use of Welsh across our services. Activities such as bilingual bingo, distribution of Welsh language papers and St David's Day activities/singing Welsh songs.</p> |

| <p>We'd also like some further consideration given to any Welsh Language activities that could be conducted at these Day Centres. Furthermore, staff could be encouraged to greet service users in Welsh in order to create an environment that encourages the use and learning of Welsh.</p> <p>Lastly, it would be great if language choice could be incorporated into the application process if possible.</p> | | <p>Welsh language preferences are incorporated into our admissions process.</p> |
|---|------------------------|--|
| Officer Review Panel Comments | Date Considered | Brief description of any amendments made following Officer Review Panel considerations |
| | | <p>An officer Review Panel will take place during the week commencing 13th November 2023 and the feedback will be presented to Cabinet prior to its meeting.</p> |
| Consultation Comments | Date Considered | Brief description of any amendments made following consultation |
| N/A | | |

Stage 5 – Monitoring, Evaluating and Reviewing

How and who will you monitor the impact and effectiveness of the proposal?

Subject to the agreement of the recommendations outlined above, all people supported by the Council's Day Service and their families will be kept fully informed of the process and timescales for service reconfiguration. Should a person be unbefriended then an individual advocate will be offered to support. Similarly, staff would be kept fully informed of progress at each stage of the process and updated in relation to key milestones and timescales.

We will continue to monitor, evaluate, and review impact by ensuring EIAs are continually updated in line with decision making and further consultation.

Service satisfaction will be monitored through the quality assurance framework and regular review of service users and staff.

Individual service users will receive individual reviews which will support additional monitoring about the Day Care Provision amalgamation / relocation of services has taken place.

There will be on going project monitoring of overarching project plan to ensure project is delivered in line with objective and any adverse impacts mitigated.

Stage 6 – Summary of Impacts for the Proposal

Provide below a summary of the impact assessment, to include some of the main positive and negative impacts along with an overview of actions taken since the impact assessment to better contribute to more positive impacts. This summary must be included in the Welsh Language Considerations section of the SLT/Cabinet report template. It is not suitable to only write 'please see full report at Appendix x' in the body of the report. The impact assessment must be published alongside the report.

A Welsh Language Impact Assessment has been completed and the main findings are as follows –

The recommendation to Cabinet on the Future Delivery of Older People's Day Services does not have any direct impact on the Welsh Language. Opportunities for the service to continue to promote and upskill Welsh speaking staff will remain a high priority for the service.

Stage 7 – Sign Off

| | | | |
|--|--------------------------------|--|--|
| Name of Officer completing the WLIA | Jill Bow | Service Director Name: | Neil Elliott |
| Position | Head of Accommodation Services | I recommend that the proposal: (Highlight decision) | Is implemented with no amendments |

| | | | |
|------------------|--------------------------------|--|---|
| | | <p>Is implemented taking into account the mitigating actions outlined</p> | |
| | | <p>Is rejected due to disproportionate negative impacts on the Welsh language</p> | |
| Signature | <i>J Bow</i> | Service Director Signature |  |
| Date | 10 th November 2023 | Date | 10 th November 2023 |
| | | | |