

Council

You are hereby summoned to attend a Meeting of the **Council of the City and County of Swansea** to be held in the Multi-Location Meeting - Council Chamber, Guildhall / MS Teams on Thursday, 3 November 2022 at 5.00 pm.

Watch Online: <https://bit.ly/3yMJvid>

The following business is proposed to be transacted:

1. **Apologies for Absence.**
2. **Disclosures of Personal and Prejudicial Interests.**
www.swansea.gov.uk/disclosuresofinterests
3. **Minutes.** 1 - 10
To approve & sign the Minutes of the previous meeting(s) as a correct record.
4. **Written Responses to Questions asked at the Last Ordinary Meeting of Council.** 11 - 16
5. **Announcements of the Presiding Member.**
6. **Announcements of the Leader of the Council.**
7. **Public Questions.**
Questions can be submitted in writing to Democratic Services democracy@swansea.gov.uk up until noon on the working day prior to the meeting. Written questions take precedence. Public may attend and ask questions in person if time allows. Questions must relate to items on the open part of the agenda and will be dealt within a 10 minute period.
8. **Estyn Inspection Outcomes for Local Government Education Services in Swansea.** 17 - 23
9. **Implementation of the Renting Homes (Wales) Act 2016.** 24 - 47
10. **HMO Licensing Policy.** 48 - 59
11. **Honorary Freedom of the City & County of Swansea - Kevin Johns MBE.** 60 - 65

12. **Councillors' Questions.** 66 - 74
13. **Notice of Motion - Adopting a Definition of Islamophobia.** 75 - 76

Webcasting: This meeting may be filmed for live or subsequent broadcast via the Council's Internet Site. By participating you are consenting to be filmed and the possible use of those images and sound recordings for webcasting and / or training purposes.

You are welcome to speak Welsh in the meeting.

Please inform us by noon, two working days before the meeting.

Next Meeting: Thursday, 1 December 2022 at 5.00 pm



Huw Evans
Head of Democratic Services
Guildhall,
Swansea.

Monday, 24 October 2022

To: All Members of the Council

Agenda Item 3.



City and County of Swansea

Minutes of the **Council**

Multi-Location Meeting - Council Chamber, Guildhall / MS

Teams

Thursday, 6 October 2022 at 5.00 pm

Present: Councillor J P Curtice (Chair) Presided

Councillor(s)

C Anderson
M Bailey
S Bennett
P N Bentu
P M Black
A Davis
P Downing
C R Doyle
M Durke
V M Evans
E W Fitzgerald
R Fogarty
R Francis-Davies
N Furlong
L S Gibbard
F M Gordon
K M Griffiths
H J Gwilliam
J A Hale
V A Holland
C A Holley

Councillor(s)

P R Hood-Williams
B Hopkins
D H Hopkins
O G James
L James
Y V Jardine
A J Jeffery
D H Jenkins
M Jones
S M Jones
L R Jones
J W Jones
S Joy
S E Keeton
H Lawson
M B Lewis
W G Lewis
A S Lewis
P Lloyd
M W Locke
N L Matthews

Councillor(s)

J D McGettrick
A J O'Connor
D Phillips
C L Philpott
J E Pritchard
S Pritchard
A Pugh
S J Rice
K M Roberts
B J Rowlands
R V Smith
A H Stevens
R C Stewart
L G Thomas
W G Thomas
M S Tribe
G D Walker
L V Walton
T M White
R A Williams

Officer(s)

Gareth Borsden	Democratic Services Officer
Huw Evans	Head of Democratic Services
David Howes	Director of Social Services
Tracey Meredith	Chief Legal Officer / Monitoring Officer
Martin Nicholls	Interim Chief Executive
Ben Smith	Director of Finance / Section 151 Officer

Apologies for Absence

Councillor(s): A M Day, C R Evans, T J Hennegan, M H Jones, E J King, E T Kirchner, R D Lewis, P N May and F D O'Brien

48. Disclosures of Personal and Prejudicial Interests.

The Chief Legal Officer gave advice regarding the potential personal and prejudicial interests that Councillors and / Officers may have on the agenda.

The Head of Democratic Services reminded Councillors and Officers that the "Disclosures of Personal and Prejudicial Interests" sheet should only be completed if the Councillor / Officer actually had an interest to declare. Nil returns were not required. Councillors and Officers were also informed that any declarable interest must be made orally and in writing on the sheet.

In accordance with the provisions of the Code of Conduct adopted by the City and County of Swansea the following interests were declared:

- 1) Councillor D H Jenkins declared a Personal Interest in Minute 61 "Recruitment of a Community / Town Councillor to the Standards Committee".
- 2) Councillors J P Curtice, N L Matthews, K M Roberts & A H Stevens declared a Personal & Prejudicial Interest in Minute 61 "Recruitment of a Community / Town Councillor to the Standards Committee" and withdrew from the Meeting prior to the item being considered.
- 3) Councillor C A Holley declared a Personal & Prejudicial Interest in Minute 63 "Councillors' Questions – Question 3" and withdrew from the Meeting prior to the item being considered.
- 4) Councillor A Pugh declared a Personal Interest in Minute 64 "Notice of Motion - Nuclear Free Wales".

49. Minutes.

Resolved that the following Minutes be approved and signed as a correct record:

- 1) Ordinary Meeting of Council held on 1 September 2022 subject to Councillors C Anderson & P M Black being shown as being present.

50. Written Responses to Questions asked at the Last Ordinary Meeting of Council.

The Chief Legal Officer submitted an information report setting out the written responses to questions asked at the last Ordinary Meeting of Council.

51. Announcements of the Presiding Member.

- a) **Best Commercialisation & Entrepreneurship Initiative in the Association for Public Service Excellence (APSE) Annual Service Awards 2022**

The Presiding Member congratulated the Council for winning the Best Commercialisation and Entrepreneurship Initiative at the APSE Awards 2022

with the “Swansea Market: At the heart of the city centre and the local economy” initiative.

52. Announcements of the Leader of the Council.

a) Wales Women World Cup Play-off 2022

The Leader of the Council stated that the Wales Women’s Football Team were just 90 minutes away from making it to the World Cup Play-off Final. They would be hosting Bosnia-Herzegovina in the Semi Final Play-off in Cardiff that evening. On behalf of the Council, he wished them every success.

b) Fiscal Adjustment / Mini Budget

The Leader of the Council referred to the recent Fiscal Adjustment / Mini Budget stating that it had significantly impacted on the value of the Pound (£) against the US Dollar (\$). This in turn has raised pressure on the Council’s energy bill.

He called on those with influence to lobby the UK Government to extend the extend the Energy cap beyond 1 March 2023.

c) Restart a Heart

The Leader of the Council stated that Restart a Heart Day raises awareness about cardiac arrest and helps people to learn CPR, giving them lifesaving skills and the confidence to use them. The next Restart a Heart day takes place on 16 October 2022.

Approximately 30,000 out-of-hospital cardiac arrests happen every year in the UK. Sadly, less than 1 in 10 people survive these cardiac arrests. Performing CPR can more than double the chances of survival in some cases.

As previously stated, we are keen to make Swansea the first defib-friendly city in the UK and as part of that journey and linking it to Restart a Heart, I have arranged CPR & Defibrillation training to be provided by Heartbeat Trust UK, free of charge for all Councillors. Training will take approximately an hour and the Democratic Services Team will be sending out the dates soon.

53. Public Questions.

Mary Jones of Swansea CND / CND Cymru asked a question in relation to Minute 64 “Notice of Motion – Nuclear Free Wales”.

Councillor L S Gibbard responded.

54. Mid & West Wales Fire & Rescue Service - presentation by Chief Fire Officer.

The item was withdrawn at the request of the Chief Fire Officer.

55. Governance & Audit Committee Annual Report 2021/22.

The Chair of the Governance & Audit Committee presented the Governance & Audit Committee Annual Report 2021-2022 for information.

56. Annual Report 2021-2022 - Director of Social Services.

The Director of Social Services submitted a report providing his account of the Council's improvement journey to 2021-2022, and how well the Council is meeting statutory requirements under the Social Services and Wellbeing Act 2014. The report reviewed last year's areas for improvement and set out new priorities for 2017-2018. The report set out the changes that have taken place within Social Services to achieve progress towards national wellbeing outcomes.

Resolved that:

- 1) The Director of Social Services Annual Report 2021-2022 be received.

57. Review of Revenue Reserves.

The Section 151 Officer submitted a report that undertook a mid-year review of the Revenue Reserves position and sought agreement of any suggested reclassification of reserves based on current requirements.

Resolved that:

- 1) The recommendations made in Paragraphs 3.10 & 3.10 of the report be approved.

58. West Glamorgan Regional Market Stability Report 2022.

The Cabinet Member for Care Services submitted a report that sought to approve the regional market stability report, which is a tool to assist the regional Partnership Board in planning and commissioning quality care and support for their populations.

Resolved that:

- 1) The fact that the Regional Partnership Board approved the regional market stability report on 7 July 2022 be noted.
- 2) The regional market stability report attached at Appendix A to the report be approved.

Note: Councillor S J Rice referred to Page 212 of the report specifically 7.9 "Domiciliary Care – Older Adults" and outlined his surprise that the number of commissioned hours had decreased by 37% in Swansea. He asked for an explanation."

The Care Services Cabinet Member stated that a written response would be provided.

59. Councillors ICT Allowances Policy – May 2022 & Beyond.

The Head of Democratic Services & Head of Digital & Customer Services jointly submitted a report that sought to amend the Councillors ICT Allowances Policy to better align the ICT payments to the Statutory Co-opted Members to enable them to carry out their duties. The report proposed to pay the Statutory Co-opted Members 50% of what a Councillor receives in respect of the ICT payment. The Data & telephone Allowance to remain unchanged at 20%.

Resolved that:

- 1) The amendments to Paragraphs 3.2 & 4.3 and the consequential changes to Paragraph 6.8 and Appendix 1 of the Councillors ICT Allowances Policy - May 2022 & Beyond together with any other consequential changes be approved.
- 2) The amended version be published on the Council's website and shared with all Councillors & Statutory Co-opted Members.

60. Election of Chair Pro-Tem

The Head of Democratic Services stated that in the absence of the Presiding Member & Deputy Presiding Member, a Chair Pro Tem would need to be elected for this item.

Resolved that Councillor P Lloyd be elected Chair Pro Tem.

Councillor P Lloyd Presiding

61. Recruitment of a Community / Town Councillor to the Standards Committee.

The Head of Democratic Services stated that the Standards Committee had met on 5 October 2022 and had interviewed the applicant to be the Community / Town Councillor representative on the Standards Committee. The Committee had recommended that Council appoint the applicant.

Resolved that:

- 1) Town Councillor Carlo Rabaiotti of Gorseinon Town Council be appointed as the Community / Town Councillor representative on the Standards Committee.
- 2) His Term of Office end at the Local Government Elections in 2027; however, Council may re-appoint this for one further Term of Office.

Councillor J P Curtice (Presiding Member (Presiding))

62. Membership of Committees.

The Cabinet Member for Corporate Services & Performance submitted a report that sought approval of the nominations / amendments to various Council Bodies.

The report also listed a change to the Outside Bodies that the Leader of the Council had made.

Poverty Truth Commission

Add Councillors A S Lewis & A Pugh.

Resolved that the membership of the Council Bodies listed below be amended:

- 1) **Climate Change Corporate Development Committee**
Remove Councillor E T Kirchner.
Add Councillor H Lawson.
- 2) **Corporate Parenting Board**
Remove Councillor E J King.
Add Councillor H J Gwilliam.
- 3) **General / Statutory Licensing Committees & Sub-Committees**
Remove Councillor S Bennett.
Add Councillor M W Locke.

63. Councillors' Questions.

1) Part A 'Supplementary Questions'

Eight (8) Part A 'Supplementary Questions' were submitted. The relevant Cabinet Member(s) responded by way of written answers contained in the Council Summons.

Those supplementary questions required a written response are listed below.

Question 7

Councillor E W Fitzgerald asked for locations of the 12 pilot schemes where solar panels were to be installed and an indicative cost of each scheme.

The Service Transformation Cabinet Member stated a written response would be provided.

Question 8

Councillor C A Holley stated that the list of all sites and buildings transferred through asset management to community groups had not been circulated.

The Corporate Services & Performance Cabinet Member stated a written response would be provided.

2) Part B 'Questions not requiring Supplementary Questions'

Two (2) Part B 'Questions not requiring Supplementary Questions' were submitted.

64. Notice of Motion - Nuclear Free Wales.

Proposed by Councillor L S Gibbard and Seconded by Councillor R C Stewart.

“Swansea Council notes 2022 marks 40 years since Wales was declared ‘nuclear free’ when all the then County Councils, including West Glamorgan, passed resolutions declaring themselves “nuclear free zones”.

Swansea Council declares its support for the United Nations Treaty on the Prohibition of Nuclear Weapons (TPNW), a historic treaty which prohibits its signatories from developing, testing, and using nuclear weapons.

Swansea Council recognises the necessity of creating a nuclear weapons-free world and as such denounces the United Kingdom government’s refusal to sign or ratify this landmark treaty.

Swansea Council calls on the United Kingdom government to work for global denuclearisation by:

- Signing and ratifying the TPNW, thereby joining the global majority of countries opposed to nuclear weapons, and
- Utilising all diplomatic avenues possible to work towards a nuclear-free world.”

Councillor C A Holley proposed an amendment to the Notice of Motion. The amendment to amend the title to specifically include the word “weapons”. The title would therefore be “Notice of Motion - Nuclear Weapons Free Wales”.

Councillor L S Gibbard indicated her support to the amendment. The amended Notice of Motion now being:

“Notice of Motion – Nuclear Weapons Free Wales.

Swansea Council notes 2022 marks 40 years since Wales was declared ‘nuclear free’ when all the then County Councils, including West Glamorgan, passed resolutions declaring themselves “nuclear free zones”.

Swansea Council declares its support for the United Nations Treaty on the Prohibition of Nuclear Weapons (TPNW), a historic treaty which prohibits its signatories from developing, testing, and using nuclear weapons.

Swansea Council recognises the necessity of creating a nuclear weapons-free world and as such denounces the United Kingdom government’s refusal to sign or ratify this landmark treaty.

Swansea Council calls on the United Kingdom government to work for global denuclearisation by:

- Signing and ratifying the TPNW, thereby joining the global majority of countries opposed to nuclear weapons, and
- Utilising all diplomatic avenues possible to work towards a nuclear-free world.”

In accordance with Council Procedure Rule 30 “Voting” a recorded vote was requested. The voting on the amendment was recorded as follows:

Minutes of the Council (06.10.2022)
Cont'd

For (56 Councillors)		
Councillor(s)	Councillor(s)	Councillor(s)
C Anderson	J A Hale	P Lloyd
M Bailey	V A Holland	M W Locke
S Bennett	C A Holley	N L Matthews
P N Bentu	B Hopkins	J D McGettrick
P M Black	D H Hopkins	C L Philpott
J P Curtice	L James	J E Pritchard
A Davis	O G James	S Pritchard
P Downing	Y V Jardine	A Pugh
C R Doyle	A J Jeffery	S J Rice
M Durke	D H Jenkins	K M Roberts
V M Evans	J W Jones	R V Smith
E W Fitzgerald	M Jones	A H Stevens
R A Fogarty	S M Jones	R C Stewart
R Francis-Davies	S A Joy	L G Thomas
N Furlong	S E Keeton	G D Walker
L S Gibbard	H Lawson	L V Walton
F M Gordon	A S Lewis	T M White
K M Griffiths	M B Lewis	R Andrew Williams
H J Gwilliam	W G Lewis	-

Against (4 Councillor(s))		
Councillor(s)	Councillor(s)	Councillor(s)
L R Jones	B J Rowlands	W G Thomas
A J O'Connor	-	-

Abstain (0 Councillors)		
Councillor(s)	Councillor(s)	Councillor(s)
-	-	-

Withdrawn from meeting due to declarable interest (0 Councillors)		
Councillor	Councillor	Councillor
-	-	-

Resolved that the Notice of Motion outlined above be adopted.

Note: Councillor D Phillips did not vote as he had not been present for the whole discussion.

The meeting ended at 7.00 pm

Chair



City and County of Swansea

Minutes of the Council

Multi-Location Meeting - Council Chamber, Guildhall / MS

Teams

Tuesday, 18 October 2022 at 2.30 pm

Present: Councillor J P Curtice (Chair) Presided

Councillor(s)

C Anderson
P M Black
A M Day
P Downing
C R Doyle
E W Fitzgerald
R Francis-Davies
L S Gibbard
C A Holley
P R Hood-Williams
B Hopkins
D H Hopkins
Y V Jardine
J W Jones
L R Jones
M H Jones

Councillor(s)

M Jones
S M Jones
E J King
A S Lewis
M B Lewis
W G Lewis
P Lloyd
H M Morris
S Pritchard
B J Rowlands
R V Smith
A H Stevens
R C Stewart
L G Thomas
W G Thomas
L V Walton

Councillor(s)

T M White
R Fogarty
P N Bentu
C M J Evans
H J Gwilliam
V A Holland
D H Jenkins
S Joy
S E Keeton
N L Matthews
A J O'Connor
J E Pritchard
M S Tribe
R A Williams
A J Jeffery

Officer(s)

Huw Evans	Head of Democratic Services
Martin Nicholls	Interim Chief Executive
Debbie Smith	Deputy Chief Legal Officer

Apologies for Absence

Councillor(s): S Bennett, A Davis, M Durke, C R Evans, K M Griffiths, L James, E T Kirchner, R D Lewis, D Phillips, C L Philpott, A Pugh and K M Roberts

65. Disclosures of Personal and Prejudicial Interests.

In accordance with the provisions of the Code of Conduct adopted by the City and County of Swansea, no interests were declared.

66. Exclusion of the Public.

Council was requested to exclude the public from the meeting during the consideration of the item(s) of business identified in the recommendation to the report on the grounds that it involved the likely disclosure of exempt information as set out in the exemption paragraph of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, relevant to the item(s) of business set out in the report.

Council considered the Public Interest Test in deciding whether to exclude the public from the meeting for the item(s) of business where the Public Interest Test was relevant as set out in the report.

Resolved that the public be excluded for the following items of business.

(Closed Session)

67. Appointment of Director of Corporate Services.

The Chief Executive stated that the Appointments Committee held on 17 & 18 October 2022 didn't recommend any candidates for interview for the Director of Corporate Services post.

Resolved that:

- 1) The decision of the Appointments Committee be noted.
- 2) The Chief Executive bring a report to Council outlining options for the post.

The meeting ended at 2.35 pm

Chair

Agenda Item 4.



Report of the Chief Legal Officer

Council – 3 November 2022

Written Responses to Questions asked at the Last Ordinary Meeting of Council

The report provides an update on the responses to Questions asked during the Meeting of Council held on 6 October 2022.

For Information

1. Introduction

- 1.1 It was agreed at Council on 8 April 2010 that a standing item be added to the Council Summons entitled “Written Responses to Questions Asked at the Last Ordinary Meeting of Council”.
- 1.2 A “For Information” report will be compiled by the Democratic Services Team collating all written responses from the last Ordinary Meeting of Council and placed in the Agenda Pack;
- 1.3 Any consequential amendments be made to the Council Constitution.

2. Responses

- 2.1 Responses to questions asked during the last ordinary meeting of Council are included as Appendix A.

Background Papers: None

Appendices: Appendix A (Questions & Responses)

**Providing Council with Written Responses to Questions asked at Council
6 October 2022**

<p>1.</p>	<p>Councillor S J Rice</p> <p>In relation to Minute 58 - West Glamorgan Regional Market Stability Report 2022</p> <p>He referred to Page 212 of the report specifically 7.9 “Domiciliary Care – Older Adults” and outlined his surprise that the number of commissioned hours had decreased by 37% in Swansea. He asked for an explanation.</p> <p>Response of the Cabinet Member for Care Services</p> <p>When presenting his review of the performance of Social Services 2021/22, the Director of Social Services updated Council on the ongoing national challenge presented by the deficits in capacity of the domiciliary care workforce. There is a direct correlation between the available domiciliary care workforce and the amount of domiciliary care that the Council can either directly deliver or commission from independent providers.</p> <p>The Council continues to work with Welsh Government and local and regional partners to grow domiciliary care capacity within local authority, third sector and independent providers.</p>															
<p>2.</p>	<p>Councillor E W Fitzgerald</p> <p>In relation to Minute 63 – Councillors Questions – Q7</p> <p>She asked for locations of the 12 pilot schemes where solar panels were to be installed and an indicative cost of each scheme.</p> <p>Response of the Cabinet Member for Service Transformation</p> <p>You asked for locations of the 12 pilot schemes where solar panels were to be installed and an indicative cost of each scheme.</p> <p>The response is outlined in the table and text below.</p> <p>Selection of Enveloping Sites – Renewables Integrated</p> <table border="1" data-bbox="316 1637 1391 2121"> <thead> <tr> <th>Site/Location</th> <th>Programme Delivery Dates</th> <th>No. of Properties</th> <th>Renewables</th> <th>Budget Allowance (PV & Battery only)</th> </tr> </thead> <tbody> <tr> <td>Garnswllt</td> <td>2023/23</td> <td>12</td> <td>PV panels, battery storage, heat pump</td> <td>180,000</td> </tr> <tr> <td>Craig Cefn Parc</td> <td>2023/24</td> <td>12</td> <td>PV panels, battery storage, heat pump</td> <td>180,000</td> </tr> </tbody> </table>	Site/Location	Programme Delivery Dates	No. of Properties	Renewables	Budget Allowance (PV & Battery only)	Garnswllt	2023/23	12	PV panels, battery storage, heat pump	180,000	Craig Cefn Parc	2023/24	12	PV panels, battery storage, heat pump	180,000
Site/Location	Programme Delivery Dates	No. of Properties	Renewables	Budget Allowance (PV & Battery only)												
Garnswllt	2023/23	12	PV panels, battery storage, heat pump	180,000												
Craig Cefn Parc	2023/24	12	PV panels, battery storage, heat pump	180,000												

Felindre	2023/24	9	PV panels, battery storage, heat pump	135,000
Boarspit, West Cross	2023/24 - 2030/31	232	PV panels, battery storage	3,480,000
Sketty Park	2023/24 – 2030/31	334	PV panels, battery storage	5,010,000
Penyrheol	2023/24 - 2025/26	102	PV panels, battery storage	1,530,000
Garden City, Fforestfach	2023/24 – 2025/26	75	PV panels, battery storage	1,125,000
Trallwn	2023/24 – 2024/25	33	PV panels, battery storage	495,000
Waunarlwydd	2023/24 – 2028/29	214	PV panels, battery storage	3,210,000
Cwmrhydyceiw	2023/24 - 2025/26	67	PV panels, battery storage	1,005,000
Morrison	2023/24 – 2025/26	74	PV panels, battery storage	1,110,000
Woodside, Clydach	2023/24 – 2025/26	69	PV panels, battery storage	1,035,000

Sites where heat pumps are included are in rural locations where properties are off grid and energy costs greater than urban areas served by the gas grid.

Selection of sites – this is based strictly on the existing planned programme of external enveloping to renew finishes and upgrade thermal performance of all elements. Renewable technologies will be integrated into programmes on this basis to ensure the most cost effective and efficient method of programme delivery. The approach and strategy Swansea has adopted is being adopted as best practice by Welsh Government in its draft guidance to social housing providers.

PV & Battery Budget Allowance – an allowance of £15,000/property based upon previous pilot schemes have been allowed. It is hoped that budget savings may be achieved in larger schemes with benefits of economy of scale.

3.

Councillor C A Holley

In relation to Minute 63 – Councillors Questions – Q8

He stated that the list of all sites and buildings transferred through asset management to community groups had not been circulated.

Response of the Cabinet Member for Corporate Services & Performance

Further to Council on the 6 October 2022, please see attached document, as requested, the list of sites and buildings transferred through asset management.

Swansea Council

Community Assets October 2022

Baywood Community Centre, Kenilworth Road, West Cross, Swansea SA3 4PE
Birchgrove Community Centre, Lon Gwesyn, Birchgrove, Swansea, SA7 9LD
Blaenymaes Community Centre, Broughton Avenue, Blaenymaes, Swansea, SA5 5LN
Bonymaen Community Centre, Bonymaen Rd, Bonymaen, Swansea, SA1 7AW
Brynmelyn Community Centre, Park Terrace, Brynmelyn, Swansea, SA1 2BY
Brynmill Community Centre, St Albans Road, Brynmill, Swansea, SA2 0BP
Brynmill Park Community Centre, Brynmill Park, Brynmill, SA2 OJQ
Clase Community Centre, Longview Road, Clase, Swansea, SA6 7HH
The Poppy Lounge, De La Beche Pavilion, Park View Terrace, Sketty, Swansea, SA2 9AR
Dyfatty Community Centre, Chapel Street, Dyfatty, Swansea, SA1 1QG
Dyfatty Pavilion, Croft Street, Swansea, SA2 9AR
Fforestfach Pavilion, Carmarthen Road, Fforestfach, Swansea, SA5 8HR
Gendros Community Centre, Gendros Ave East, Gendros, Swansea, SA5 8DE
Glais Community Centre, Birchgrove Road, Swansea, SA7 9EN
Gors Avenue Community Centre, Heol y Gors, Gors, Swansea, SA1 6SA
Gorseinon Institute, 44 Lime Street, Gorseinon, Swansea, SA4 4AD
Hafod Community Centre, Odo Street, Hafod, Sw. SA1 2LT
Llansamlet Community Centre, Church Road, Llansamlet, Swansea, SA7 9RH
Manselton Cheery Boys, St Johns Road, Manselton, Swansea, SA5 8PS
Manselton Community Centre, Elgin Street, Manselton, Swansea, SA5 8QE
Mayhill Community Centre, Mayhill Road, Mayhill, Swansea, SA1 6TD
Montana Park Community Centre, Montana Park, Landore, Swansea, SA1 2QB
Morrison Community Centre, School Road, Morrison, Swansea, SA6 6AA
Morrison Memorial Hall, Heol Gwernen, Morrison, Swansea, SA6 6JR
North Penlan Community Centre, Heol Penar, Penlan, Swansea, SA5 9AL
Parc Llewellyn Community Centre, Trewyddfa Terrace, Morrison, Swansea, SA6 8NY
Parc Y Werin. Parc Y Werin, Gorseinon, Swansea SA4 4UX
Penclawdd Community Centre, Banc Bach, Penclawdd, Swansea, SA4 3FJ
Plasmarl Community Centre, Dinas Street, Plasmarl, Swansea, SA6 8LQ
Port Tennant Community Centre, Wern Fawr Road, Port Tennant, Swansea, SA1 8LQ
Rechabite Hall, Church Street, Gowerton, Swansea, SA4 3EA
Sketty Park Community Centre, Heather Crescent, Sketty, Swansea, SA2 8HE
St Phillips Community Centre, Bathurst Street, Swansea, SA1 3SA
South Penlan Community Centre, Heol Frank, Penlan, Swansea, SA5 7AH
Townhill Community Centre, Powys Avenue, Townhill, Swansea, SA1 6PG
Trallwn Community Centre, Bethel Road, Trallwn, Swansea SA7 9QP
Treboeth Community Centre, Llangyfelach Road, Treboeth, Swansea, SA5 9EL
Waunarlwydd Community Centre, Victoria Road, Waunarlwydd, Swansea, SA5 4SY
West Cross Community Centre, Linden Avenue, West Cross, Swansea, SA3 5LE
Brynmill Park Bowling Green
Coed Bach Park Bowling Green
Coed Gwilym Park Bowling Green
Cwmdonkin Park Bowling Green
De La Beche Bowling Green

Dunvant Park Bowling Green
Dyfatty Park Bowling Green
Hafod Park Bowling Green
Jersey Park Bowling Green
Manselton Park Bowling Green
Morrison Park Bowling Green
Mumbles Bowling Green
Parc Llewelyn Bowling Green
Parc Williams Bowling Green
Parc Y Werin Bowling Green
Primrose Park Bowling Green
Ravenhill Park Bowling Green
Victoria Park Bowling Green
Ynystawe Park Bowling Green
Forge Fach, Clydach
Graig Felen Hall, Clydach
Swansea Indoor Bowls Centre
Southgate WC
Langland Tennis Courts
Waunarlwdd Park
Killay Scout Hall
Graig Y coed Nature Reserve
Coed Gwilym - Bowls Green and Surround
Land at Clyne Gardens
Football Pitches at the Ganges
Castle Road Allotment Site
Cwmgelli Allotment Site
Frederick Place Allotment Site
Grange Allotment Site
Heol Y Gors Allotment Site
Lon Mafon Allotment Site
Lower Norton Allotment Site
Seaview Terrace Allotment Site
Singleton Allotment Site
Acre Field Allotment Site
Castle Acre Allotment Site
Upper Norton Allotment Site
Plunch Lane Allotment Site
Eynon Street Allotment Site
Eastside Allotment Site
Fairfield Allotment Site

Agenda Item 8.



Report of the Cabinet Member for Education & Learning

Council – 3 November 2022

Estyn Inspection Outcomes for Local Government Education Services in Swansea

Purpose:	For Council to receive the outcomes from the 2022 Estyn inspection of Local Government Education Services in Swansea.
Policy Framework:	Estyn Common Inspection Framework
Consultation:	Access to Services, Finance and Legal.
Recommendation(s):	It is recommended that: 1) Council notes the findings from the 2022 Estyn Inspection.
Report Author:	Sarah Hughes
Finance Officer:	Peter Keys
Legal Officer:	Stephanie Williams
Access to Services Officer:	Rhian Millar

1. Introduction

- 1.1 All local authorities' local government education services in Wales are inspected by Estyn, carried out under Section 38 of the Education Act 1997. Other aspects of local authority provision are subject to inspection under a range of legislation, including the Learning and Skills Act 2000 and the Children Act 2004. Swansea last received an inspection on its education services in 2013.
- 1.2 Estyn inspected Swansea's local government education services in June 2022 and published its findings on 1 September 2022.
- 1.3 A preliminary visit took place prior to the core inspection and consisted of interviews with a range of stakeholders, including representatives for primary, secondary and special school headteachers; representatives of chairs of governors across primary, secondary and special schools; the

regional education partnership, Partneriaeth; Gower College Swansea; trade union representatives; diocese; Swansea Bay University Health Board; Swansea Parent Carer Forum; and officers from other Directorates of the Local Authority.

- 1.4 The core inspection consisted of data analysis from learner outcomes, school inspections and stakeholder questionnaires; scrutiny of evidence provided by the local authority including a self-evaluation report; and interviews with a range of Members and officers.
- 1.5 The inspection covered the three inspection framework areas of Outcomes; Education Services; and Leadership and Management. For Education Services, four local inspection questions were identified for Swansea, which were: Supporting the implementation of the Additional Learning Needs and Education Tribunal Act 2018; Supporting schools to improve; Supporting the Public Services Board; and Support for learners at risk of disengaging and provision for pupils in EOTAS. Audit Wales inspected the Local Authority's use of resources under the inspection area of Leadership and Management.

2. Outcome of the 2022 inspection

- 2.1 Estyn no longer provide overall judgements to their findings within each inspection area of the inspection framework. However, Estyn provide a single judgement on whether a local authority's education services should be placed into a category of 'causing significant concern'. Estyn judged that education services in Swansea does not fall into this category.
- 2.2 The report noted many strengths and notable features of Swansea's Local Government Education Services. The report states that the local authority will be invited to submit two case studies on its work in relation to its strong support for school improvement and the quality of support in mainstream schools for pupils at risk of disengagement.
- 2.3 Estyn made two recommendations that the local authority should address through its future plans. The first is to 'review post-16 provision to ensure that it meets the needs of all learners. Strategies for post-16 provision and vocational provision are in development, which include mapping of current provision and an assessment of need. Stakeholders, including children and young people, sixth forms, further education institutions and work-based learning providers will be involved in the development of the strategies to ensure local learning pathways are fully utilised within the context of local curriculum drivers and consideration of opportunities for employment within the Swansea Bay City Deal region.
- 2.4 The second recommendation is to 'strengthen Welsh-medium provision across all ages and areas of the local authority'. The Cabinet approved Swansea's Welsh in Education Strategic Plan in July 2022 and this has subsequently been approved by Welsh Government. The plan outlines a ten-year vision for increasing and improving the planning of the provision

of Welsh-medium education in Swansea. An action plan will be produced to deliver this vision, alongside stakeholders from Partneriaeth Addysg Gymraeg Abertawe (Swansea Welsh Education Partnership).

- 2.5 The recommendations made will also feature in key plans to be delivered by the Education Directorate.

3. Integrated Assessment Implications

- 3.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
 - Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - Foster good relations between people who share a protected characteristic and those who do not.
 - Deliver better outcomes for those people who experience socio-economic disadvantage
 - Consider opportunities for people to use the Welsh language
 - Treat the Welsh language no less favourably than English.
 - Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 3.1.1 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.
- 3.1.2 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.
- 3.2 An IIA Screening Form has been completed with the agreed outcome that a full IIA report was not required for the following reasons:
- New policies or plans are not included as part of this report
 - Any policies or plans to be taken forward by the Education Directorate, including those that respond to the recommendations within the Estyn inspection report, would be subject to their own IIA.

4. Financial Implications

- 4.1 There are no financial implications associated with this report.

5. Legal Implications

5.1 There are no legal implications associated with this report.

Background Papers: [Estyn Inspection Report of Local Government Education Services, City and County of Swansea, 2022](#)

Appendices:

Appendix A – IIA Screening Form

Appendix A - Integrated Impact Assessment Screening Form

Service Area: Achievement and Partnership
 Directorate: Education

Q1 (a) What are you screening for relevance?

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services

(b) Please name and fully describe initiative here:

Estyn Inspection Outcomes for Local Government Education Services in Swansea

This is a report to provide the Council with an overview of the outcomes from the Estyn inspection of Local Government Education Services in Swansea. Any policies or plans be taken forward by the Education Directorate, including those that respond to the recommendations within the inspection report, would be subject to their own IIA.

Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)

	High Impact		Medium Impact		Low Impact		Needs further investigation
	+	-	+	-	+	-	
Children/young people (0-18)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Appendix A - Integrated Impact Assessment Screening Form

- Q3** What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches?
Please provide details below – either of your activities or your reasons for not undertaking involvement

Engagement with schools, learners and other key stakeholders will continue to inform and develop policies taken forward.

- Q4** Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:

- a) Overall does the initiative support our Corporate Plan's Well-being Objectives when considered together?
Yes No
- b) Does the initiative consider maximising contribution to each of the seven national well-being goals?
Yes No
- c) Does the initiative apply each of the five ways of working?
Yes No
- d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?
Yes No

-
- Q5** What is the potential risk of the initiative? (*Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...*)

High risk

Medium risk

Low risk

-
- Q6** Will this initiative have an impact (however minor) on any other Council service?

Yes

No

If yes, please provide details below

There is no direct impact from this report, however findings in some areas also cover work delivered through the Social Services Directorate. Any future plans or policies developed will require the Education Directorate to work closely with other Directorates to enable delivery.

- Q7** What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?

There is no impact from this report. Plans and policies developed by the Directorate aim to have a positive impact for all learners and schools in Swansea.

Appendix A - Integrated Impact Assessment Screening Form

Outcome of Screening

Q8 Please describe the outcome of your screening below:

- **Summary of impacts identified and mitigation needed (Q2)**
- **Summary of involvement (Q3)**
- **WFG considerations (Q4)**
- **Any risks identified (Q5)**
- **Cumulative impact (Q7)**

This is a report to provide Council with an overview of the findings from the Estyn inspection of Local Government Education Services in Swansea and new policies or plans are not included as part of this report.

Any policies or plans be taken forward by the Education Directorate, including those that respond to the recommendations within the inspection report, would be subject to their own IIA.

Full IIA to be completed

Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

Screening completed by:
Name: Sarah Hughes
Job title: Team Manager for Education Strategy
Date: 12/09/22

Approval by Head of Service:
Name: Rhodri Jones
Position: Head of Achievement and Partnership Service
Date: 14/09/22

Agenda Item 9.



Report of the Cabinet Member for Service Transformation

Council – 3 November 2022

Implementation of the Renting Homes (Wales) Act 2016

Purpose:	<ul style="list-style-type: none">• To raise awareness of the Act and its implications• To consider the recommendation to end the use of Introductory tenancies
Policy Framework:	Renting Homes (Wales) Act 2016
Consultation:	Access to Services, Finance, Legal.
Recommendation(s):	It is recommended that: 1) Council notes the implications of the Renting Homes (Wales) Act 2016. 2) Council agrees to end the use of Introductory Tenancies and allows all existing Introductory Tenants to be issued with Secure Occupation contracts on implementation of the Renting Homes Act. 3) All new Swansea Council tenants to be issued with Secure Occupation Contracts from 1st December 2022.
Report Author:	Rosie Jackson
Finance Officer:	Aimee Dyer
Legal Officer:	Adrian Jeremiah
Access to Services Officer:	Rhian Millar

1. Introduction

- 1.1 The Renting Homes (Wales) Act 2016 (the Act) is the biggest change to housing law in Wales for decades. From 1st December 2022, the Act will transform the way all landlords (social and private) in Wales rent their properties and it is intended to improve how rented homes in Wales are managed and lived in. The Act replaces the various and complex pieces of existing housing legislation with one legal framework.

- 1.2 The Act sets out the rights and responsibilities of both tenants and landlords and ensures greater clarity through the requirement to provide written Occupation Contracts. These are currently known as Tenancy Agreements and the Act aims to standardise these for all renters. This improvement is of particular importance for tenants in the private rented sector, where there is a much wider variety of agreements issued, as opposed to the social rented sector where tenants already receive clear and fair written agreements.
- 1.3 The Act requires the Council to comply with statutory obligations, including making changes to terminology, converting the existing Tenancy Agreement to a new Converted Occupation Contract for current tenants, the introduction of a new Occupation Contract for new tenants and revision of all relevant policies and procedures.

2. Main changes brought about by the Act

- 2.1 The main changes brought about by the Act are set out in the following paragraphs.

2.2 Changes to Terminology

There will be two types of landlords:

- Community Landlords - Local Authorities and Registered Social Landlords.
- Private Landlords - all other Landlords.

- 2.3 Tenancy Agreements will be known as 'Occupation Contracts' and there will be two main types:

- **Secure Occupation Contract:** for use by Community Landlords, which replace the current Secure Tenancy Agreements currently used by Councils and Assured tenancies used by RSLs and maintain the same level of security of tenure.
- **Standard Occupation Contract:** which will be the default contract for the private rented sector, replacing Assured Shorthold Tenancies, but can be used by Community Landlords in certain circumstances, for example in supported accommodation or temporary homelessness accommodation.

- 2.4 Tenants will now be known as 'Contract-Holders' for legal purposes, however it is acknowledged that use of the term 'tenant' is likely to remain commonplace in informal settings.

2.5 Occupation contracts

Welsh Government have provided model contracts for community and private landlords to use. The model contracts help to ensure that landlords comply with the requirements of the Act. Landlords will be required to issue a 'written statement' of the relevant Occupation Contract to all Contract

Holders (this will replace the current Tenancy or Licence Agreement). The written statement must contain all the terms of the contract, setting out the rights and responsibilities of the landlord and the contract-holder, as contained within the Act. For new rentals after the 1st December 2022, the written statement must be issued within 14 days of occupation.

2.6 Existing Tenancy Agreements will ‘convert’ to the relevant Occupation Contract on the 1st December 2022, and all landlords have a maximum of six months to issue their contract-holders a written statement of the converted Occupation Contract. The new terms will apply from 1st December regardless of whether the new Occupation Contract has been issued. All updated contracts must be issued to current tenants by 1st June 2023, however the Council will aim to issue them as soon as possible following 1st December.

2.7 **Ending Occupation Contracts – secure contracts**

Within the social housing sector, as is the case with secure tenancies now, Secure Contracts can only be ended where there is a breach of contract or under Estate Management Grounds. Where the contract-holder has breached the Occupation Contract the minimum notice period that must be given is one month. This notice period can be shorter where it relates to a breach of the prohibited conduct (anti-social behaviour) term of the contract.

2.8 **Ending occupation contracts – standard contracts**

The Act provides greater security for people who live in the private rented sector.

- Where a ‘no fault’ notice is issued, the minimum notice period that must be given is six months and a landlord will not be able to give such a notice until six months after the contract starts. In effect providing contract-holders in the private rented sector with the security of a minimum of 12 months occupation.
- It is important to note that the longer notice period currently only applies to occupation contracts issued post 1st December; for converted contracts in the private rented sector issued prior to this date, the notice period remains at two months. However Welsh Government launched a formal consultation on 20/9/22 with a proposal to extend the notice period for converted contracts to 6 months. The consultation will run until 24/10/22 and therefore a change to this is expected.
- A Landlord will not be able to serve notice unless they have complied with certain obligations, including registration and licensing with Rent Smart Wales, meeting the Fitness for Human Habitation requirements and deposit protection rules.

2.9 **Repairs and Fitness for Human Habitation**

The Act will ensure that homes are in repair and are fit for human habitation (FFHH) for the duration of the contract. FFHH is defined within the Act and associated regulations, which sets out 29 matters and circumstances to which regard must be had when determining whether a property is fit for

habitation. These are based on the current Housing Health and Safety Rating System. This also includes requirements for an increased frequency of periodic electrical safety testing (from every 10 years to 5 years), working carbon monoxide detectors and hard-wired smoke alarms. In addition, rent will not be payable for any period during which the dwelling is agreed or found by a Court to not be fit for human habitation.

Landlords will have a continuing obligation to keep the structure and exterior of the property in repair and keep installations for the supply of water, gas or electricity, for sanitation, for heating, and hot water in repair and proper working order.

If a private sector Landlord issues a 'no fault' possession notice in response to a request for repair (commonly known as retaliatory eviction), the court can refuse to make a possession order and it will not be possible for the Landlord to issue a further 'no fault' notice until 6 months later.

2.10 Joint Contracts

Contract-holders will be able to request landlord's consent to add another person(s) to the Occupation Contract without the need to end one contract and start another. A joint contract-holder may remove themselves from an Occupation Contract without the landlord's consent by giving a notice. The contract will not end on expiry of the notice but will continue in the remaining contract-holders name.

2.11 Enhanced Succession Rights

Improved succession rights will, in certain circumstances, enable both a 'priority' and 'reserve' successor to succeed to the Occupation Contract. This allows for up to two successions to the contract to take place, for example a spouse followed by another family member. In addition, a new 'reserve' succession right for carers is created.

2.12 Rent increases

The minimum notice period required to be provided to contract-holders to increase rent has been amended from one month to two months and rents can only be increased once within a calendar year. Community Landlords will still only increase rent in line with the Social Rent Policy, as set by Welsh Government.

2.13 Homelessness Services

The Act will have an impact on how the Council via its Statutory Homelessness functions provides emergency temporary accommodation to those households who are threatened with/or who are Homeless and without suitable accommodation to occupy, by requiring Council's to provide a more secure form of tenure via a standard occupation contract once a full homelessness duty has been accepted.

An increase in demand for housing advice and support is also anticipated from tenants and landlords in the private rented sector as they adapt to the new requirements of the Act.

2.14 Supported Accommodation

The Act creates a new tenure type of supported housing which can be used in accommodation that meets the definition of supported housing set out in the Act. Supported Accommodation is provided by a community landlord or a charity, where there is a connection between the provision of accommodation and the support services provided there. The relevant support services include:

- Support in controlling or overcoming addiction
- Support in finding employment or alternative accommodation
- Supporting someone who finds it difficult to live independently because of age, illness, disability or any other reason

A landlord of supported accommodation can choose initially to provide a licence agreement that is not an occupation contract and therefore sits outside the requirements of the Act. However, if a person occupies supported accommodation for a period of six months or more, they will normally become entitled to a 'Supported Standard Occupation Contract', although a landlord can apply to the Council to consider a request to extend a licence under certain circumstances. The terms of a supported standard contract also allow a landlord to temporarily exclude the contract-holder from the dwelling for up to 48 hours, to ensure the safety of residents and staff or to prevent an eviction.

3. Communication with tenants

3.1 Information has been provided to tenants to advise them of the changes and to reassure them that their legal rights are protected and enhanced and that their right to remain in their home remains unaffected. This includes:

- Information on the Council's Housing and Public Health webpages
- Articles in the tenant and leaseholder newsletter Open House – Issue 1 2021 (July/August 2021) and Issue 1 2022 (March 2022)
- Special edition of Open House newsletter due to be issued November 2022
- Welsh Government's advertising campaign is currently underway advising tenants and landlords of the changes, including radio adverts, social media, external advertising, for example bus shelters.
- A plain English guide to the occupation contract is currently being developed.

3.2 Queries from tenants have so far been limited, however an increase is expected following the delivery of the newsletter in November and when existing tenants receive their new occupation contracts within six months of the implementation of the Act. Resources are in place to answer any individual questions via Landlord Services staff.

- 3.3 A letter will also be issued to the Council's 640 leaseholders to advise them of the Act and implications for them. These are:
- Leaseholders who reside in their property as their only or principle home – the Act does not apply and there is no impact.
 - Leaseholders who rent out their properties will be obligated to comply with the requirements of the Act and issue their tenants with standard occupation contracts. They have been advised that they can receive information and advice from Rent Smart Wales. Due to the complexity of the changes, it is also advisable for private landlords to seek independent legal advice to ensure they comply with the requirements of the Act.
- 3.4 Members have been informed via emails sent on 10th March 2022 and 29th June 2022 and will be sent copies of the newsletters issued to tenants and leaseholder letters.

4. Staff training

- 4.1 An extensive training programme is currently underway to ensure that staff across the Housing and Public Health Service are prepared for the implementation of the Act. There are a significant number of changes to current housing management procedures. There are also important changes for Homelessness staff and Public Health staff to ensure that they can continue to effectively prevent homelessness and illegal evictions post 1st December. In house training has been developed and supplemented by training from external organisations included Shelter, Community Housing Cymru and the external legal experts.

5. Impact on other departments

In addition to the impact of the Act on the Housing Service, there are also impacts on other Council departments including:

5.1 Social Services

- A new role for the Council is the requirement to respond to supported housing providers' requests to extend licences in supported housing settings (as referred to in 2.12). This is a new requirement created by the Act. Procedures are being developed and resources identified to ensure the Council fulfils this requirement
- The Council will also be required to participate, where possible, in temporary exclusion reviews, which is a new requirement for supported housing providers to undertake each time they exercise the temporary exclusion power. Procedures are being developed and resources identified to ensure the Council fulfils this requirement
- Welsh Government have also stated that the Council should collect and report monitoring information to them on licence extensions and temporary exclusions the supported housing sector.

- Llanfair House. The Council runs a mental health supported housing project and will be required under the Act to provide its residents with new occupation contracts (supported standard).

5.2 *Public Health*

- Anticipated service demand from private sector landlords requesting inspections of their properties either before a new occupation contract or before a new written statement is issued to existing contract-holders to confirm fitness for human habitation
- Increased number of complaints from contract-holders about disrepair where they consider their property is not fit for human habitation
- Increased demands for advice from both contract-holders and landlords for general advice regarding changes in contracts, terminology, possession procedures, rights and responsibilities, particularly regarding new requirements about property condition and disputes where some repair items will more clearly fall to contract-holders in future
- A likely increase in complaints about illegal evictions and harassment due to changes in notice periods and access procedures

5.3 *Other departments*

Where other local authority services provide accommodation tied to employment for example education, cemeteries, or otherwise rent out properties as accommodation they will be required to issue new occupation contracts. These are very small in number but will be impacted by the Act in the same way as any other landlord. The Legal Department is working with the affected departments to ensure they issue the correct occupation contracts, forms and documentation.

6. Introductory tenancies

- 6.1 The Act requires new tenancy agreements, known as ‘occupation contracts’ to be issued to all new and existing tenants. It is therefore an opportune time to make the transition away from Introductory tenancies and issue all new and existing tenants with Secure Occupation Contracts. A summary of the reasons is included below for Council’s consideration.
- 6.2 Under the Housing Act 1996, Local Authorities were given the option of being able to operate an Introductory Tenancy policy. The decision to make use of Introductory Tenancies was made by Council in March 2012 and the policy came into effect for all new Council tenants from November 2012.
- 6.3 Introductory tenancies provide tenants with fewer tenancy rights than a Secure tenancy and less security of tenure as it is considered to be ‘easier’ for a landlord to evict an introductory tenant since it is mandatory for a court to grant possession if due process has been followed. Introductory tenancies are granted to all new Swansea Council tenants (except where

the tenant was a secure tenant or an assured tenant of a registered social landlord immediately before).

- 6.4 The Introductory tenancy is adopted for a period of 12 months and automatically becomes a Secure tenancy on the anniversary of the date the tenancy started. However, if there are breaches of the tenancy conditions during the introductory period, the Council can decide to end the tenancy by pursuing possession or extend the introductory period by up to 6 months
- 6.5 The primary objective of the Renting Homes (Wales) Act 2016 is to provide greater security for tenants. Therefore, whilst the Act makes provision for Introductory Tenancies (known as Introductory Standard Contracts under the Act), it makes the process of gaining possession under the Introductory Standard Contracts longer. To provide protection for tenants in respect of mandatory possession, the Act prohibits the service of a notice to end an introductory tenancy in the first six months of the tenancy and extends the notice period to six months. As a result, no mandatory possession action can be taken in the first 12 months, aside from serious rent arrears
- 6.6 For the minority of Council tenants who do not meet their obligations in respect of their tenancy conditions the Act still provides possession routes for Secure Occupation Contracts, which can be pursued at any time. In addition, the Act makes provision for a possession case in respect of anti-social behaviour (referred as Prohibited Conduct under the Act) to be pursued the same day a Notice is served or for a Prohibited Conduct Standard Contract to be put in place, which replaces current demoted tenancies and gives a lower level of security of tenure to the contract-holder and provides mandatory grounds for possession.
- 6.7 Introductory Tenancies have been less effective and used far less by the Council than was initially envisaged when they were introduced in 2012. For example, in the case of anti-social behaviour, the mandatory possession route for Introductory Tenancies has only been used twice over the last decade with the last time being in 2018.
- 6.8 Whilst more frequently used for rent arrears, the mandatory possession element of Introductory Tenancies is a blunt instrument which is far from ideal in that it removes opportunities for tenants to comply with suspended possession orders which can contain agreements to pay rent and arrears in compliance with the court order. Since early 2020 no rent arrears possession proceedings have been pursued in respect of Introductory tenants. The provision to extend an Introductory tenancy has never been used.
- 6.9 In addition, over the last decade there have been many socio-economic and legislative changes and challenges nationally. These include the impact of Welfare Reform, a rise in homelessness, an increase in people with complex needs, the impact of the Covid pandemic and more recently the effect of the cost-of-living crisis. All these changes have meant that

Introductory Tenancies can no longer be considered an appropriate and effective policy tool given the prevailing socio-economic conditions and the change of approach needed by Local Authorities given these changes. Over the last few years, new ways of working with tenants who cause anti-social behaviour or who have rent arrears have been introduced by the Authority which are at odds with the blunter tool of Introductory Tenancies. These include:

- Developing ways the Authority can work with prospective tenants to prepare and equip them to manage and sustain a tenancy.
- Ensuring tenants receive advice and support about welfare benefits, financial inclusion and income maximisation at an early stage of their tenancy.
- Working in a more sustainable way; including increasing resources in the Anti-social Behaviour support Team.
- Focusing on proactive early interventions to increase engagement at a much earlier stage.
- Exploring trauma and psychologically informed approaches to Housing Management.
- Working towards eliminating cycles of repeat homelessness; including the rapid rehousing approach.
- Ensuring that eviction is an action of last resort where all other methods have failed.

6.10 Therefore it is recommended that Council agree to end use of Introductory Tenancies as part of the implementation of the Act.

7. Integrated Assessment Implications

7.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

7.2 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic,

social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

- 7.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.
- 7.4 An IIA screening form has been completed for the implementation of the Renting Homes (Wales) Act 2016 and a separate IIA has been completed for the recommendation to end use of Introductory Tenancies.
- 7.5 The findings from the Renting Homes (Wales) Act Implementation IIA screening form was that a full IIA was not required. This is because no negative impacts have been identified in relation to any group of individuals with protected characteristics. The legislation is designed to improve the position and security of tenure of tenants across Wales including all those with protected characteristics.
- 7.6 A wide range of consultation and engagement has been undertaken by Welsh Government in the preparation of this legislation. The Council has ensured that information about the changes is communicated to tenants, and this will continue as the Welsh Government commences its national communications campaign. The Council will support tenants with their queries through the implementation process.
- 7.7 The legislation is consistent with Wellbeing of Future Generations objectives as outlined in the Welsh Government's Integrated Impact Assessment. Welsh Government intend to monitor the impact of the new legislation following its implementation and the Council will ensure that it participates in this.
- 7.8 A separate screening has been completed for the decision to end the use of Introductory Tenancies. The findings from the Renting Homes (Wales) Act 2016 Implementation IIA screening form (see appendix 2) was that a full IIA was not required. This is because no negative impacts been identified in relation to any group of individuals with protected characteristics. The removal of Introductory tenancies is designed to improve the position and security of tenure of tenants in Swansea, in line with the ethos of the Act.

8. Financial Implications

- 8.1 A budget has been established to cover the costs of implementation the Act, including (estimated):
- Staff training costs - £3.5k to date although the final figure will be higher
 - Legal fees - £10k
 - Production and delivery of 13.5k new occupation contracts - £27k

- 8.2 The new requirements to ensure homes are Fit for Human Habitation will have an impact on the HRA budget in the following ways:
- Battery operated Carbon Monoxide detectors - £73,000
 - Electrical testing to bring the Council towards a 5-year cycle – £1.65m
 - Extra annual budget of around £500k per year to maintain a 5 yearly electrical safety testing cycle
- 8.3 In addition, the Fitness for Human Habitation Requirements increase the scope of repairs and places additional administrative duties on the Council to deliver repairs and improvements in future. Whilst the Council's housing repair service captures the majority of these requirements already, FFHH will place greater financial pressure to resource and deliver repairs under the Act. There is also a risk that the new requirements could also increase the number and complexity of disrepair claims. The Act also allows for contract-holders to withhold rent if a home is considered either by agreement with the landlord or a court to be unfit for human habitation. Financial expenditure will be monitored closely over the months following implementation of the Act to assess the impact on the HRA business plan.
- 8.4 The Act changes the requirements for annual rent increases. Tenants must now receive a two month notice of any rent increase (changing from one month) and the increase can only take place once a year. Therefore, any proposed increase in rents for 2023/24 will need to be taken through the approvals process as a separate report from the main HRA Revenue Budget report with the final approval required before the end of January 2023. Early consideration will be given to what level of rent increase for 2023/24 would be acceptable. Any proposals would still be subject to the decision of the Minister on the overall maximum increase in line with the Welsh Government Rent Setting Policy. Dialogue is continuing with Welsh Government to stress the urgency of an announcement of policy, given the implications of the Renting Homes Act on the rent setting cycle.
- 8.5 The Act sets out a number of financial penalties for landlords who fail to comply with the requirements of the Act and who provide incorrect occupation contracts. This is a significant risk which has been mitigated by the use of external legal experts to prepare the required occupation contracts.

9. Legal Implications

- 9.1 The requirement to introduce the Renting Homes Act and convert all council tenants to a secure occupation contract is a statutory duty. The Act sets out the specific terms that must be contained within the contract and Welsh Government has produced model contracts for landlords to use. The Act requires that any terms from the Council's current tenancy agreement that are not incompatible with the Act are transferred over to the new occupation contract. Any landlord who fails to provide a written statement of the occupation contract in the required time, or provides an incomplete or incorrect statement, will be in breach of the Act and can face

financial penalties. This is a complex and specialised piece of legal work, therefore the Council has engaged external legal experts (Hugh James Solicitors) to ensure that the Council is fully compliant with the Act and that the converted occupation contracts are complete and correct.

- 9.2 There are no legal implications associated with the decision to end use of Introductory Tenancies. The Council retains the right to reinstate them in the future, as Introductory Standard Contracts under the new Act

Background Papers: None

Appendices:

Appendix A – IIA screening form – Renting Homes Act Implementation

Appendix B – IIA Screening form – Rationale to end use of Introductory Tenancies.

Appendix A - Integrated Impact Assessment Screening Form

Please ensure that you refer to the Screening Form Guidance while completing this form.

Which service area and directorate are you from?

Service Area: Housing and Public Health

Directorate: Place

Q1 (a) What are you screening for relevance?

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services
- Other

(b) Please name and fully describe initiative here:

Implementation of the Renting Homes (Wales) Act 2016

The Welsh Government has enacted legislation which is transforming housing law in Wales. The Renting Homes (Wales) Act 2016 is reforming the legal basis for renting a home from a private landlord or community landlord, which includes local authorities and registered social landlords (RSLs).

The Act aims to ensure that the legal relationship for renting a home is based on two types of contract: a secure contract (which replaces current secure tenancies used by local authorities and assured tenancies used by RSLs) and a standard contract (which replaces assured shorthold tenancies). Both will set out the rights and responsibilities of both the landlord and contract-holder (the term used for “tenant” and “licensee” in the Act).

The Act increases security of tenure for tenants in the private rented sector by increasing the notice period required for landlords to gain possession and it also aims to increase the quality of homes in Wales by introducing new Fitness for Human Habitation requirements for all landlords.

The Council is required to implement the statutory requirements of the Renting Homes Act on 1st December 2022. Following this, requirements include issuing new secure occupation contracts to in the region of 13.5k existing council tenants within 6 months of the implementation date.

Private sector landlords will also be required to provide their tenants with new standard occupation contracts in order to comply with the Act. Welsh Government are utilising Rent Smart Wales to ensure that landlords in the private rented sector are provided with support, training and guidance to implement the Act correctly. It is also planning a major publicity campaign in the lead up to implementation to ensure that the general public are fully aware of the changes.

Appendix A - Integrated Impact Assessment Screening Form

The Housing Service is impacted by this in the following ways:

- Landlord Services – Council housing management.** The Act has significantly changed the basis on which homes are let resulting in the replacement of the Council’s current Tenancy Agreement with a new secure occupation contract. This is based on the WG model contract they have provided to ensure landlords comply with the rights and obligations set out under the Act. This means that a complete review of housing management procedures has been undertaken and they are in the process of being re-written in order to ensure compliance with the Act. A substantial staff training programme is to take place during the autumn/Winter 2022.
- Homelessness Services** – there are 2 main impacts on the Homelessness service. Firstly, staff will be required to understand the new contracts in the PRS and advise tenants on the validity of notices and work with landlords under new legislation to continue to prevent homelessness. Secondly, the Act requires that occupants of homeless accommodation provided by the local authority are provided with a standard occupation contract once they have been assessed as requiring a full homelessness duty. This provides them with increased security of tenure in temporary accommodation than under previous legislation.

Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)

	High Impact		Medium Impact		Low Impact		Needs further Investigation	No Impact
	+	-	+	-	+	-		
Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Human Rights	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches? Please provide details below – either of your activities or your reasons for not undertaking involvement

The Council is introducing changes as a result of the implementation of national legislation – the Renting Homes (Wales) Act 2016. Therefore, the consultation on the impact of the changes and legislative proposals has been undertaken by Welsh Government. Details can be found in the

Appendix A - Integrated Impact Assessment Screening Form

WG's Integrated Impact Assessment for the Renting Homes Act Bill

<https://gov.wales/sites/default/files/publications/2020-02/renting-homes-amendment-wales-bill-impact-assessments.pdf>

And the Regulatory Assessment for the Renting Homes Act Bill

<https://senedd.wales/media/2utnjm01/pri-ld10098-em-r-e.pdf>

Engagement has taken place at a local level with council tenants to inform them of the changes in the following ways:

- Information on the council's website <https://www.swansea.gov.uk/rentinghomesact>
- Consultation with the Tenant's Consultative Panel on the content of the newsletter and information to be distributed to tenants
- Information on the Act has been included in recent editions of in the Council's tenant and leaseholder newsletter, including a special edition of Open House due to be sent to tenants and leaseholders at the end of October/early November.
- The Welsh Government is undertaking a national communications campaign through Nov/Dec and Jan to raise awareness of the changes.
- Social media – twitter and Facebook. Updates have been added to the Council's housing Facebook page. As the WG comms campaign gets underway the corporate twitter account will be used to amplify the messages from WG.
- A letter will be sent to all leaseholders who have purchased ex-local authority flats, advising them that the changes only affect them if they rent out their property. If that is the case, then they are subject to the requirements of the Act in the same way any other private landlord is, and will be signposted to appropriate sources of advice.
- Information is in the process of being prepared to explain the changes and Swansea's new occupation contract to tenants in plain English.
- WG has produced an Easy Read Guide to the Act which has been included on the Council website.
- WG has also produced a guide to the Act in the top 10 most frequently spoken languages which is also on the Council's Housing webpage.
- Information has also been placed on the Council's webpages directing private tenants and landlords to sources of further information and advice including the Welsh Government's Renting Homes Act information pages and Rent Smart Wales.
- Members have been notified of the upcoming changes via email (add dates) and a further email will be sent to them when the Open House Special is sent to tenants.

The number of queries received from tenants has so far been very low however it is expected that this will increase once the new occupation contracts are issued. Resources will be put in place to ensure that any queries are answered efficiently.

Engagement is on-going with support and accommodation providers to ensure that the new requirements the Act has placed on the local authority in relation to supported housing are fully undertaken by providers and that they engage in our new process set up to monitor the following;

- Licence extension requests from supported housing providers
- Temporary exclusions from supported housing

WG have stated that they will commission an independent evaluation project for a minimum two-year period to monitor and understand the impacts of the new legislation. The Housing Service will ensure that the Council participates in this through provision of information and monitoring data to WG including;

- Qualitative feedback received from council tenants and PRS tenants and landlords and other services involved in the implementation of the Act such as Public Health, Social Services etc.
- Levels of homeless applications from the private rented sector

Appendix A - Integrated Impact Assessment Screening Form

- Numbers of licence extensions required from supported housing providers
- Number of temporary exclusions from supported housing, including a demographic breakdown of cases
- Number of illegal evictions

Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:

- a) Overall does the initiative support our Corporate Plan's Well-being Objectives when considered together?
Yes No
- b) Does the initiative consider maximising contribution to each of the seven national well-being goals?
Yes No
- c) Does the initiative apply each of the five ways of working?
Yes No
- d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?
Yes No

Q5 What is the potential risk of the initiative? (*Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...*)

High risk

Medium risk

Low risk

Risks identified

- **Equality** – no risks identified
- **Socio-economic** – no risks identified
- **Environment** – no risks identified
- **Cultural**- no risks identified
- **Legal** – The implementation of the Act is a statutory responsibility for the Council. The Act is a complex piece of legislation requiring specialist legal support for officers to be able to implement it. External legal experts have been engaged in order to provide advice, produce the occupation contracts and ensure that the Council is compliant with the Act. The Public Health Service anticipates a likely increase in complaints about illegal evictions from private rented housing and harassment due to changes in notice periods and access procedures.
- **Financial** – There are financial penalties set out within the Act for landlords who fail to issue contract-holders with the correct contracts and who fail to meet their obligations under the Fitness for Human Habitation regulations
- **Political** – no risks identified
- **Media** – no risks identified
- **Public** – there is a risk that there will be a lack of understanding about the changes from the general public, however WG are instigating a national communications campaign to raise awareness. This could result in increased enquiries to the Council's Homeless and Public Health Teams resulting in higher workloads and pressure on services.

Appendix A - Integrated Impact Assessment Screening Form

Q6 Will this initiative have an impact (however minor) on any other Council service?

Yes No **If yes, please provide details below**

This will impact on the following services in addition to the Housing Service:

- **Social Services Commissioning Services** – The Act creates a new duty for LAs to put processes in place to deal with requests from accommodation and support providers to extend licenses in supported accommodation and to monitor the number of such requests made. The Council will also be required to participate in reviews of Temporary Exclusions from supported accommodation and provide monitoring information on the numbers to Welsh Government
- **Social Services - Supported Housing** – Llanfair house to issue new licences and supported standard contracts in line with the requirements of the Act.
- **Corporate properties owned by the general fund.** The council will also be required to issue new occupation contracts for non HRA properties where they are rented out as accommodation, for example tied accommodation. The legal department is working with the relevant services to ensure the small number of properties affected are dealt with accordingly.
- **Public Health** – anticipated increase in service demand from private sector landlords and tenants requiring advice and inspections relating to Fitness for Human Habitation; increased demands for advice from both tenants and landlords for general advice regarding changes in contracts, terminology, possession procedures, rights and responsibilities.

Q7 Will this initiative result in any changes needed to the external or internal website?

Yes No **If yes, please provide details below**

Information to advise council tenants of the forthcoming changes is on the Council's webpages. Information has also been added to the Public Health webpages to signpost private rented tenants and private sector landlords to sources of information and advice namely Welsh Government information and Rent Smart Wales.

Q8 What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?

(You may need to discuss this with your Service Head or Cabinet Member to consider more widely if this proposal will affect certain groups/ communities more adversely because of other decisions the organisation is making. For example, financial impact/poverty, withdrawal of multiple services and whether this is disadvantaging the same groups, e.g., disabled people, older people, single parents (who are mainly women), etc.)

Overall, the Renting Homes Act will provide a positive impact to individuals and communities, particularly to those residing in the private rented sector through the extension of notice periods and increased statutory obligations in relation to ensuring homes are fit for human habitation.

In terms of Council tenants, the impact is less as they already enjoy a very high level of security of tenure, which remains more secure than the private rented sector and this is maintained by the Act. Repair responsibilities and standards in Council accommodation are also already at a high level due to the statutory requirements of the Welsh Housing Quality Standard.

The local implementation of the Act has led to a reassessment of the use of Introductory Tenancies, as set out in the Council report. These are currently provided to all new Council tenants for the first 12 months of occupancy, which provides a lower level of security of tenure. These are still available to the Council to use under the new Act however the notice period has been extended from 1 to 6 months, rendering them less effective. The report contains a

Appendix A - Integrated Impact Assessment Screening Form

proposal to end the use of Introductory Tenancies which will improve the position of tenants who are in their first year of occupancy. The rationale for this is set out in more detail in the report.

Due regard has been taken of the findings from WG assessments which overall found that the impact of the new legislation would support Prosperity for All, the Welsh Government's national strategy, which emphasises the role that secure and affordable homes play in forming the basis for individuals and families to flourish in all aspects of their lives. It also stresses the importance of good quality housing as a bedrock for improved health outcomes.

Greater security of tenure will support these objectives, and also help achieve a more prosperous Wales: removing the threat of eviction at short notice, and allowing more time for renters to find alternative, suitable accommodation when they are required to leave a property will promote conditions in which people feel more settled and secure in their home and more connected to their local community. This can provide a springboard from which individuals can maximise their wellbeing through improved access to employment, education or training, whilst reduced levels of tenancy turnover are also likely to benefit communities more widely by fostering conditions which support less transient and more cohesive populations in which participative citizenship can flourish.

Outcome of Screening

Q9 Please describe the outcome of your screening using the headings below:

- **Summary of impacts identified and mitigation needed (Q2)**
- **Summary of involvement (Q3)**
- **WFG considerations (Q4)**
- **Any risks identified (Q5)**
- **Cumulative impact (Q7)**

(NB: This summary paragraph should be used in the 'Integrated Assessment Implications' section of corporate report)

No negative impacts are foreseen in relation to any group of individuals referred to at Q2. The legislation is designed to improve the position and security of tenure of tenants across Wales including all those with protected characteristics.

A wide range of consultation and engagement has been undertaken by WG in the preparation of this legislation. The Council has ensured that information about the changes is communicated to tenants, and this will continue as the Welsh Government commences its national communications campaign. The Council will support tenants with their queries through the implementation process.

The legislation is consistent with WFG objectives as outlined in the Welsh Government's Integrated Impact Assessment

Welsh Government intend to monitor the impact of the new legislation following its implementation and the Council will ensure that it participates in this.

Full IIA to be completed

Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

A full IIA is not considered to be necessary given that the Welsh Government has published a detailed and comprehensive Integrated Impact Assessment which incorporates an Equality Impact Assessment which can be found here: [Renting Homes \(Amendment\) \(Wales\) Bill: impact assessments \(gov.wales\)](#). And a Regulatory Impact Assessment which can be found here [pri-ld10098-em-r-e.pdf \(senedd.wales\)](#)

Appendix A - Integrated Impact Assessment Screening Form

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email.

Screening completed by:
Name: Rosie Jackson
Job title: Housing Strategy and Development Manager
Date: 21/09/22
Approval by Head of Service:
Name: Carol Morgan
Position: Head of Housing and Public Health
Date: 21/9/22

Please return the completed form to accesstoservices@swansea.gov.uk

Appendix B - Integrated Impact Assessment Screening Form

Please ensure that you refer to the Screening Form Guidance while completing this form.

Which service area and directorate are you from?

Service Area:

Directorate:

Q1 (a) What are you screening for relevance?

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services
- Other

(b) Please name and fully describe initiative here:

As part of the Council report – Implementing the Renting Homes Act, a recommendation to end the use of Introductory Tenancies in Swansea is being made. The decision is one to be made by Council as it was a Council decision to use them in March 2012.

The Act requires new tenancy agreements, known as ‘occupation contracts’ to be issued to all new and existing tenants. It is therefore an opportune time to make the transition away from Introductory tenancies and issue all new and existing tenants with Secure Occupation Contracts. A summary of the reasons is included below.

Under the Housing Act 1996, Local Authorities were given the option of being able to operate an Introductory Tenancy policy. The decision to make use of Introductory Tenancies was made by Council in March 2012 and the policy came into effect for all new Council tenants from November 2012.

Introductory tenancies provide tenants with fewer tenancy rights than a Secure tenancy and less security of tenure as it is considered to be ‘easier’ for a landlord to evict an introductory tenant since it is mandatory for a court to grant possession if due process has been followed. Introductory tenancies are granted to all new Swansea Council tenants (except where the tenant was a secure tenant or an assured tenant of a registered social landlord immediately before).

The Introductory tenancy is adopted for a period of 12 months and automatically becomes a Secure tenancy on the anniversary of the date the tenancy started. However, if there are breaches of the tenancy conditions during the introductory period, the Council can decide to end the tenancy by pursuing possession or extend the introductory period by up to 6 months

Appendix B - Integrated Impact Assessment Screening Form

The primary objective of the Renting Homes (Wales) Act 2016 is to provide greater security for tenants. Therefore, whilst the Act makes provision for Introductory Tenancies (known as Introductory Standard Contracts under the Act), it makes the process of gaining possession under the Introductory Standard Contracts longer. To provide protection for tenants in respect of mandatory possession, the Act prohibits the service of a notice to end an introductory tenancy in the first six months of the tenancy and extends the notice period to six months. As a result, no mandatory possession action can be taken in the first 12 months, aside from serious rent arrears

For the minority of Council tenants who do not meet their obligations in respect of their tenancy conditions the Act still provides possession routes for Secure Occupation Contracts, which can be pursued at any time. In addition, the Act makes provision for a possession case in respect of anti-social behaviour (referred as Prohibited Conduct under the Act) to be pursued the same day a Notice is served or for a Prohibited Conduct Standard Contract to be put in place, which replaces current demoted tenancies and gives a lower level of security of tenure to the contract-holder and provides mandatory grounds for possession.

Introductory Tenancies have been less effective and used far less by the Council than was initially envisaged when they were introduced in 2012. For example, in the case of anti-social behaviour, the mandatory possession route for Introductory Tenancies has only been used twice over the last decade with the last time being in 2018.

Whilst more frequently used for rent arrears, the mandatory possession element of Introductory Tenancies is a blunt instrument which is far from ideal in that it removes opportunities for tenants to comply with suspended possession orders which can contain agreements to pay rent and arrears in compliance with the court order. Since early 2020 no rent arrears possession proceedings have been pursued in respect of Introductory tenants. The provision to extend an Introductory tenancy has never been used.

Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)

	High Impact		Medium Impact		Low Impact		Needs further Investigation	No Impact
	+	-	+	-	+	-		
Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Human Rights	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Appendix B - Integrated Impact Assessment Screening Form

**Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches?
Please provide details below – either of your activities or your reasons for not undertaking involvement**

No consultation activities have been undertaken regarding this recommendation as it is considered to be wholly positive move which will enhance tenancy rights in line with the ethos of the new legislation.

If Council agree the recommendation to end use of Introductory Tenancies then all affected tenants will be written to in order to advise them of the outcome and impact on them, which will be that the Council will provide them with a new secure occupation contract from 1st December, in line with the Act. This will include an explanation of their enhanced security of tenure.

Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:

- a) Overall does the initiative support our Corporate Plan's Well-being Objectives when considered together?
Yes No
- b) Does the initiative consider maximising contribution to each of the seven national well-being goals?
Yes No
- c) Does the initiative apply each of the five ways of working?
Yes No
- d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?
Yes No

Q5 What is the potential risk of the initiative? (Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...)

High risk

Medium risk

Low risk

This is a low risk initiative for the council to undertake across all the impact areas.

Q6 Will this initiative have an impact (however minor) on any other Council service?

Yes No **If yes, please provide details below**

Q7 Will this initiative result in any changes needed to the external or internal website?

Yes No **If yes, please provide details below**

Appendix B - Integrated Impact Assessment Screening Form

Q8 What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?

(You may need to discuss this with your Service Head or Cabinet Member to consider more widely if this proposal will affect certain groups/ communities more adversely because of other decisions the organisation is making. For example, financial impact/poverty, withdrawal of multiple services and whether this is disadvantaging the same groups, e.g., disabled people, older people, single parents (who are mainly women), etc.)

Removal of introductory tenancies will allow the council to continue and enhance the person centred approach it takes to dealing with breaches of tenancy, which is a positive outcome for all groups including those with protected characteristics.

Over the last decade there have been many socio-economic and legislative changes and challenges nationally. These include the impact of Welfare Reform, a rise in homelessness, an increase in people with complex needs, the impact of the Covid pandemic and more recently the effect of the cost-of-living crisis. All these changes have meant that Introductory Tenancies can no longer be considered an appropriate and effective policy tool given the prevailing socio-economic conditions and the change of approach needed by Local Authorities given these changes. Over the last few years, new ways of working with tenants who cause anti-social behaviour or who have rent arrears have been introduced by the Authority which are at odds with the blunter tool of Introductory Tenancies. These include:

- Developing ways the Authority can work with prospective tenants to prepare and equip them to manage and sustain a tenancy.
- Ensuring tenants receive advice and support about welfare benefits, financial inclusion and income maximisation at an early stage of their tenancy.
- Working in a more sustainable way; including increasing resources in the Anti-social Behaviour support Team.
- Focusing on proactive early interventions to increase engagement at a much earlier stage.
- Exploring trauma and psychologically informed approaches to Housing Management.
- Working towards eliminating cycles of repeat homelessness; including the rapid rehousing approach.
- Ensuring that eviction is an action of last resort where all other methods have failed.

Outcome of Screening

Q9 Please describe the outcome of your screening using the headings below:

- **Summary of impacts identified and mitigation needed (Q2)**
- **Summary of involvement (Q3)**
- **WFG considerations (Q4)**
- **Any risks identified (Q5)**
- **Cumulative impact (Q7)**

No negative impacts are foreseen in relation to any group of individuals referred to at Q2. The removal of Introductory tenancies in Swansea is designed to improve the position and security of tenure of tenants across Swansea including all those with protected characteristics.

Appendix B - Integrated Impact Assessment Screening Form

(NB: This summary paragraph should be used in the 'Integrated Assessment Implications' section of corporate report)

- Full IIA to be completed
- Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email.

Screening completed by:
Name: Rosie Jackson
Job title: Housing Strategy and Development Manager
Date: 21/9/22
Approval by Head of Service:
Name:
Position: Head of Housing and Public Health
Date: 21/9/22

Please return the completed form to accesstoservices@swansea.gov.uk

Agenda Item 10.



Report of the Cabinet Member for Corporate Service and Performance

Council – 3 November 2022

HMO Licensing Policy

Purpose:	This report presents the requirement to include an addendum to the HMO Licensing Policy 2020 with regards to the Waterfront Ward.
Policy Framework:	HMO Licensing Policy
Consultation:	Access to Services, Finance, Legal.
Recommendation(s):	It is recommended that: 1) The Council is asked to approve an addendum to the existing HMO Licensing Policy to change the ward names in the Policy to Uplands, Castle, St Thomas and Waterfront as set out in Appendices B, C, D and E and that these appendices are added to the HMO Licensing Policy.
Report Author:	Paula Livingstone
Finance Officer:	Aimee Dyer
Legal Officer:	Aled Gruffydd
Access to Services Officer:	Rhian Millar

1. Background

- 1.1 Council approved the most recent Houses in Multiple Occupation (HMO) Licensing Policy 2020 on 4th November 2020 and designated a new Additional HMO licensing scheme covering the Castle, Uplands and St Thomas wards. This replaced the previous designation of a scheme for just Castle and Uplands wards. Following approval by Council, the scheme came into force on 15th February 2021.
- 1.2 On 24th June 2021, Welsh Government approved the reforms to Swansea Council's ward boundaries. One of the proposals was to create a new

Waterfront ward from within the existing Castle and St Thomas ward boundaries.

- 1.3 This report outlines the legal framework for including an addendum to the existing HMO Licensing Policy 2020 to take account of these ward boundary changes.

2. Legal Framework

- 2.1 The Local Authority has power under the Housing Act 2004, to designate either the area of their district or an area within their district as subject to Additional licensing in relation to HMOs and in accordance with requirements under the Act.
- 2.2 To designate an area, general approval from the appropriate national authority has to have been granted. The then Welsh Assembly Government gave this general approval in 2007. Council subsequently approved the most recent HMO Licensing Policy and designated a new Additional HMO licensing scheme covering Castle, Uplands and St Thomas wards on 4th November 2020. A link to the Policy, including ward maps, is included at Appendix A.
- 2.3 The new Waterfront ward comprises the Marina and SA1, with the Marina previously being part of the Castle ward and SA1 previously being part of the St Thomas ward. Maps of the new Castle, St Thomas and Waterfront wards are included at Appendices B, C, and D. A map of the Uplands ward is included at Appendix E.
- 2.4 The boundaries of the Waterfront ward are therefore already designated into the current scheme. All existing HMOs in the Waterfront ward are subject to the scheme under either Castle or St Thomas.
- 2.5 The existing scheme had been drawn up subject to the necessary consultation and points raised in the consultation and addressed in the Policy are no different for the new ward. Any new properties within the Waterfront ward that meet the definition of an HMO will need to be licensed under the terms of the existing scheme in exactly the same way as if the new ward had not been created. Any HMO licences created under the Additional licensing scheme for properties that were previously in the Castle or St Thomas wards and are now part of the Waterfront ward, automatically continue to be in force with their existing conditions.
- 2.6 Whilst there is a new ward there is not a new designated area for Additional HMO licensing.
- 2.7 A report to Council requiring approval of an addendum to the existing HMO Licensing Policy to change the ward names is appropriate as opposed to a report revoking the existing Additional HMO licensing scheme and designating a new scheme. There is no conflicting requirement in either Housing Act 2004 or the Local Authority's HMO Licensing Policy.

3. Integrated Assessment Implications

3.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Deliver better outcomes for those people who experience socio-economic disadvantage.
- Consider opportunities for people to use the Welsh language.
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

3.1.1 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

3.1.2 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

3.2 At the time Council adopted the HMO Licensing Policy 2020, the Equality Impact Assessment (EIA) process was the procedure by which we assessed the application and implementation of the policy with regards to equality of opportunity, avoidance of unlawful discrimination and related obligations in place at that time. Although there are no changes to the Policy proposed now, an Integrated Impact Assessment screening form has been completed with regards to the application of the policy, and is attached at Appendix F.

3.3 The impacts of the Policy have not altered and no further consultation is needed. The main objective of HMO legislation is to protect the health and safety (physiological and psychological) of occupiers and so the impact of the Policy is therefore a positive rather than a negative impact. This reflects the considerations of the Council's Corporate Plan and national well-being objectives, and ways of working. The fact that property conditions and amenities as well as property management are dealt with under the Policy and housing legislation, looks to ensure living conditions are improved,

where necessary, for current occupiers and then maintained for future occupiers of HMOs. The Housing Act 2004 places statutory duties on local authorities and provides legal powers, which are all considered in the Policy.

4. Legal Implications

- 4.1 The proposals in this report are in line with the Housing Act 2004 and subordinate regulations, Welsh Government guidance on Additional HMO Licensing Schemes.
- 4.2 The legal framework is set out in Part 2 of this report.

5. Financial Implications

- 5.1 There are no additional financial implications in including an addendum to the existing Policy.

Background Papers: None

Appendices:

Appendix A - HMO Licensing Policy 2020 [Licensing of houses in multiple occupation - Swansea](#)

Appendix B – Map of Castle Ward 2022

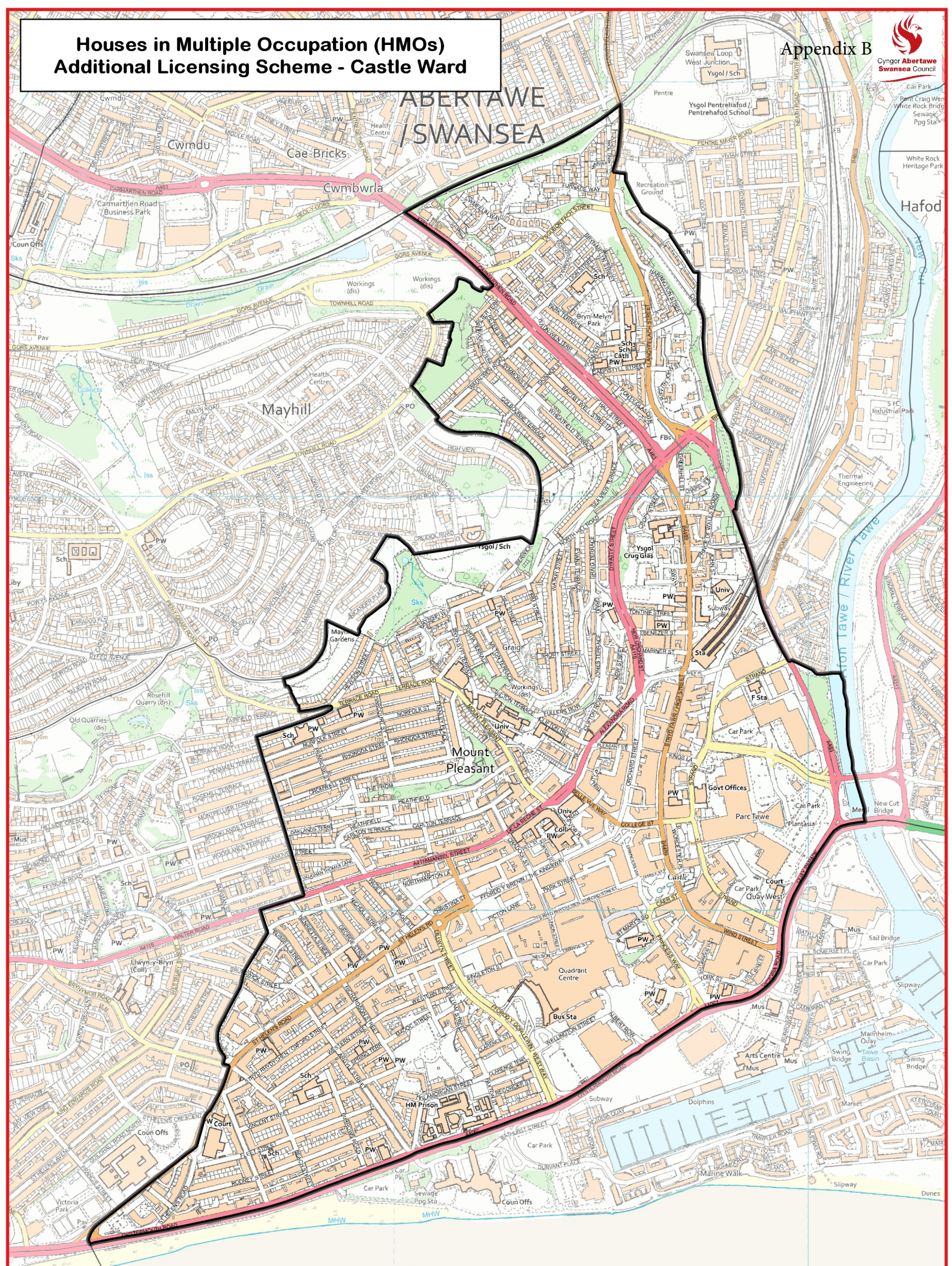
Appendix C – Map of St Thomas Ward 2022

Appendix D – Map of Waterfront Ward 2022

Appendix E – Map of Uplands Ward 2022

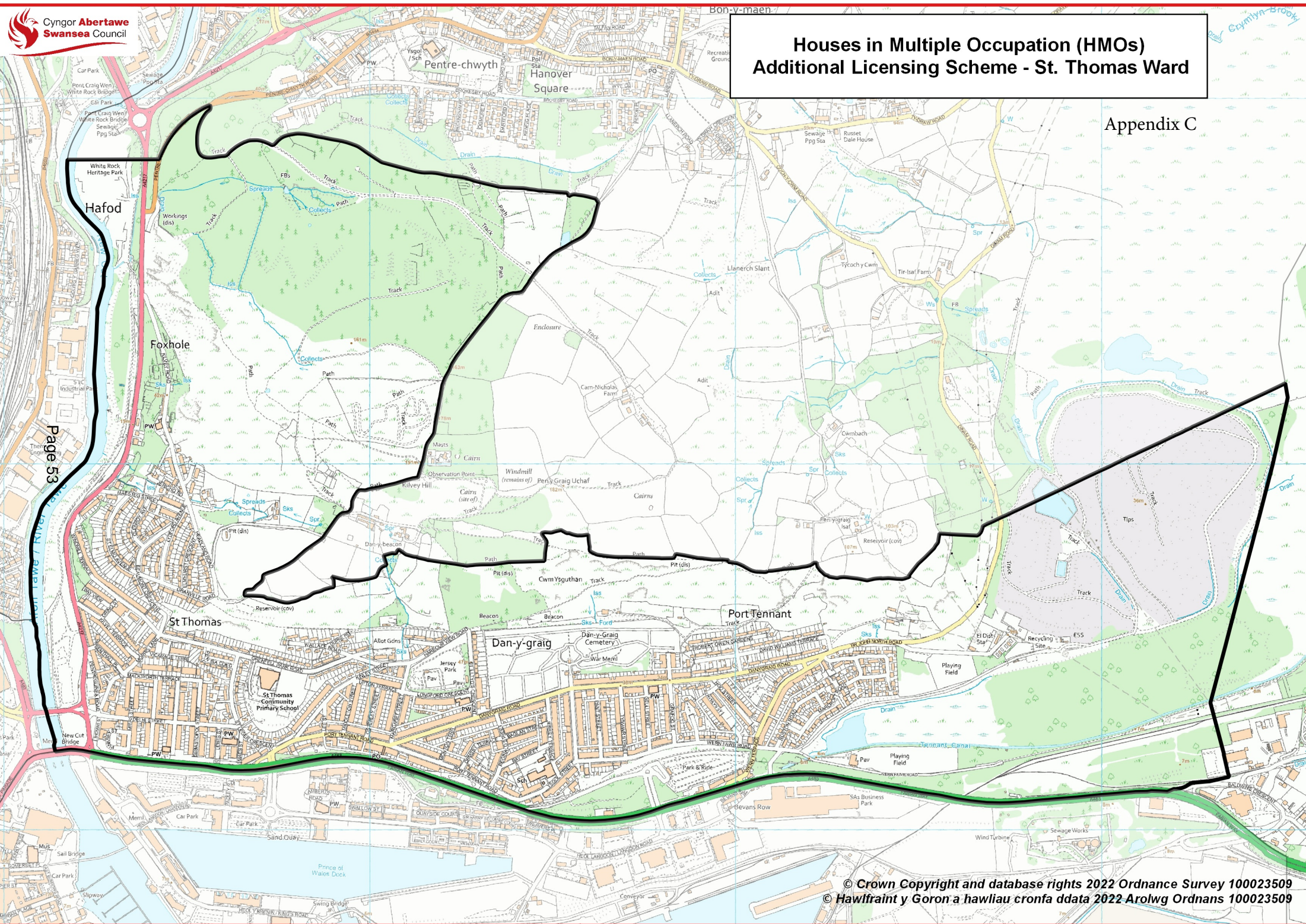
Appendix F – Integrated Impact Assessment Screening

Houses in Multiple Occupation (HMOs) Additional Licensing Scheme - Castle Ward



Houses in Multiple Occupation (HMOs) Additional Licensing Scheme - St. Thomas Ward

Appendix C

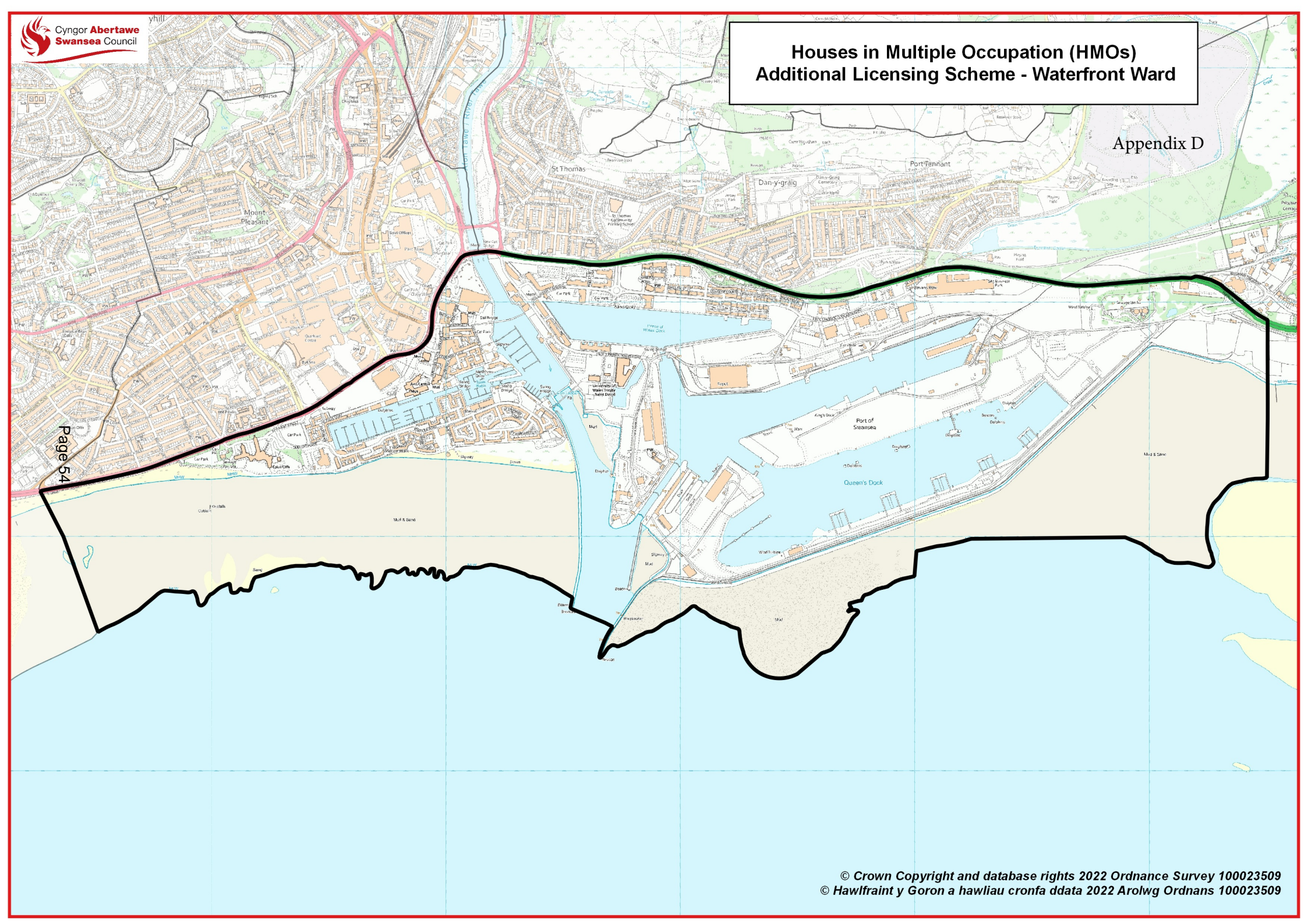


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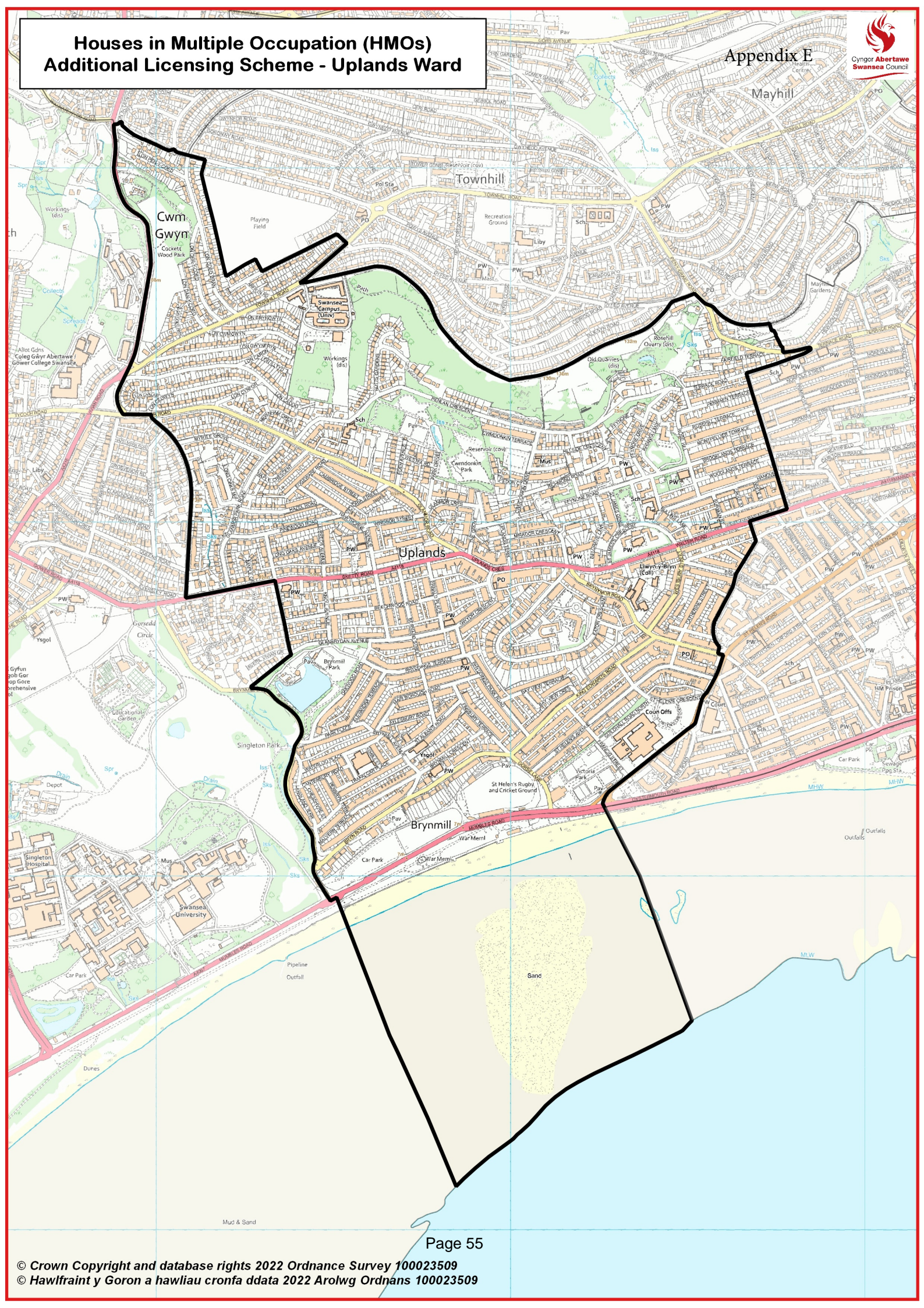
**Houses in Multiple Occupation (HMOs)
Additional Licensing Scheme - Waterfront Ward**

Appendix D

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Houses in Multiple Occupation (HMOs) Additional Licensing Scheme - Uplands Ward



Please ensure that you refer to the Screening Form Guidance while completing this form.

Which service area and directorate are you from?

Service Area: Housing and Public Health

Directorate: Place

Q1 (a) What are you screening for relevance?

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services
- Other

(b) Please name and fully describe initiative here:

Council’s policy for houses in multiple occupation (HMOs) requires an addendum confirming changes to existing ward boundaries and creation of new Waterfront ward. There are no other changes to the existing policy.

Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)

	High Impact		Medium Impact		Low Impact		Needs further Investigation	No Impact
	+	-	+	-	+	-		
Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Pregnancy and maternity	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Human Rights	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches? Please provide details below – either of your activities or your reasons for not undertaking involvement

No specific engagement or consultation is required at this stage as the geographical area is already covered by the policy, for which extensive consultation was carried out in local areas and with owners and agents of private rented properties. The only change now is the implementation of the new ward from parts of Castle and St Thomas wards. Information relating to the addendum to the policy will be placed on the Council’s HMO pages on the website. There are no additional requirements for property owners in these areas, which are already dealt with by the policy.

Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:

- a) Overall does the initiative support our Corporate Plan’s Well-being Objectives when considered together?
 Yes No
- b) Does the initiative consider maximising contribution to each of the seven national well-being goals?
 Yes No
- c) Does the initiative apply each of the five ways of working?
 Yes No
- d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?
 Yes No

Q5 What is the potential risk of the initiative? (Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...)

High risk

Medium risk

Low risk

Q6 Will this initiative have an impact (however minor) on any other Council service?

Yes No **If yes, please provide details below**

The policy already provides regulation on the private rented sector to improve housing conditions for occupiers and which is enforced by our own Service, but it also assists planning policy and determination of planning applications for new HMOs, particularly with regards to density considerations. It can also assist Waste Enforcement, Cleansing and Street Scene teams in introduction and application of the proactive student engagement strategy

and with regulatory controls over possible problematic properties/areas.
Good working arrangements are already in place with these Services.

Q7 Will this initiative result in any changes needed to the external or internal website?

Yes No **If yes, please provide details below**

As explained in response to Q3, a copy of the addendum to the policy and confirmation of the details will be included on the HMO pages on the Council's website www.swansea.gov.uk/hmolicensing This will be available in both English and Welsh. Maps confirming the ward boundaries will also be included as updates to the existing ward maps.

Q8 What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?

(You may need to discuss this with your Service Head or Cabinet Member to consider more widely if this proposal will affect certain groups/ communities more adversely because of other decisions the organisation is making. For example, financial impact/poverty, withdrawal of multiple services and whether this is disadvantaging the same groups, e.g., disabled people, older people, single parents (who are mainly women), etc.)

It is considered that the policy has a low impact on the majority of groups/characteristics in Q2. Whilst there are a small number for which there is medium impact, this is due to the typical groups of people who occupy HMOs in Swansea. Existing knowledge of this type of shared housing is there is a limited number of older people, children or people with disabilities living in HMOs.

Information is already available on our website bilingually and updates and amendments will continue to be available in this way. Electronic methods of communication have increased since 2020 as a result of the Coronavirus pandemic and it is intended to pursue ICT developments so that applicants for HMO licences will be able to submit their applications online.

There is a statutory process for applications and the granting of licences. There is a cost involved for landlords as the Council levies a licence fee set on a cost-recovery basis as controlled by the legislation. In normal circumstances this is for a licence, which is granted for five years. There is a possibility that landlords will pass this cost on to their tenants, but this is the same for any costs they incur in letting a property.

Outcome of Screening

Q9 Please describe the outcome of your screening using the headings below:

- **Summary of impacts identified and mitigation needed (Q2)**
- **Summary of involvement (Q3)**
- **WFG considerations (Q4)**
- **Any risks identified (Q5)**
- **Cumulative impact (Q7)**

No changes to the policy are proposed at this stage other than an addendum reflecting the introduction of the Waterfront ward from within the previous Castle and St Thomas ward boundaries. The external boundaries of the wards are unchanged. The impacts of the policy have not altered and no further consultation is needed. The main objective of HMO legislation is to protect the health and safety (physiological and psychological) of occupiers and so the impact of the policy is therefore a positive rather than a negative impact. This reflects the

considerations of the Council’s Corporate Plan and national well-being objectives and ways of working. The fact that property conditions and amenities as well as property management are dealt with under the policy and housing legislation, looks to ensure living conditions are improved, where necessary, for current occupiers and then maintained for future occupiers of HMOs. The Housing Act 2004 places statutory duties on local authorities and provides legal powers, which are all considered in the policy.

(NB: This summary paragraph should be used in the ‘Integrated Assessment Implications’ section of corporate report)

- Full IIA to be completed
- Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email.

Screening completed by:
Name: Paula Livingstone
Job title: Divisional EHO – Pollution Control and Private Sector Housing
Date: 20 September 2022
Approval by Head of Service:
Name: Carol Morgan
Position: Interim Head of Housing & Public Health
Date: 21.9.22

Please return the completed form to accesstoservices@swansea.gov.uk

Agenda Item 11.



Report of the Leader of the Council

Council – 3 November 2022

Honorary Freedom of the City & County of Swansea to Kevin Johns MBE

Purpose:	To consider conferring Honorary Freedom of the City & County of Swansea to Kevin Johns MBE
Policy Framework:	None
Consultation:	Access to Services, Finance, Legal.
Recommendation(s):	It is recommended that: 1) Honorary Freedom of the City & County of Swansea is granted to Kevin Johns MBE 2) A ceremonial council meeting be held on 8 December 2022 at 2.00 pm to confer the title of Honorary Freedom.
Report Author:	Jo-anne Jones
Finance Officer:	Ben Smith
Legal Officer:	Tracey Meredith
Access to Services Officer:	Rhian Millar

1. Biography

Kevin Johns MBE career has been varied – drama, musicals, stand-up, presenting and pantomime.

He has starred in productions with The Wales Theatre Company, toured with Fleullen Theatre Company performing many leading roles. He also appeared in the National Theatre of Wales Show, The Passion, directed by Michael Sheen, appearing as the MC of The Last Supper and the film version, The Gospel of Us.

He is considered to be one of the best pantomime's top dames and appeared in Snow White and the Seven Dwarfs in 2021, spending over two decades in pantomime.

On stage, Kevin is one of Wales' most sought after comperes and is very much in demand as a conference and after dinner speaker. He has regularly appeared with the National Chamber Orchestra and has compared with singers such as Russell Watson, Hayley Westenra, Paul Potts and Rebecca Evans.

On the football field, Kevin is also one of Swansea City's well known personalities as a match day announcer and is an ambassador for Swansea wherever he goes.

Kevin was honoured to receive the MBE from Her Majesty The Queen Elizabeth II for his services to charity. He supports numerous charities appearing at events, fetes and fayres and President and Patron of many Swansea based charities including the Rising Stars Theatre Company, Swansea Male Choir, Friends of Stepping Stones, Cwm Musical Youth and Swansea Theatre History.

Subject to the agreement and support of council, a ceremonial council to confer Honorary Freedom be convened to recognise Kevin Johns MBE ambassadorial role for Swansea, his services to broadcasting, theatre and charity.

2. Section 249 of the Local Government Act 1972.

Under section 249 of the Local Government Act the Council may by a resolution passed by not less than two thirds of the members voting thereon, admit to be an Honorary Freeman person of distinction and persons who have, in the opinion of the Council rendered eminent service to the County.

In the past similar honours have been bestowed by the Council and its predecessors on HMS Cambria, HMS Scott, The Welsh Guards, The Royal Welsh Regiment (Royal Welch Fusiliers) and its antecedent regiments, HM Coastguard, RNLI, former President Jimmy Carter, the late Lord Callaghan, the late John Charles, The Archbishop of Canterbury, 1st The Queen's Dragoon Guards, 215 (City of Swansea) Squadron, Mel Nurse, Chris Coleman, Sir Karl Jenkins MBE, Alun Wyn Jones, Catherine Zeta Jones and most recently, the Swansea Branch of the Merchant Navy Association.

3. Ceremony Arrangements

A Ceremonial Council meeting will be convened on 8 December 2022 at 2.00 p.m.

4. Integrated Assessment Implication

4.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
 - Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - Foster good relations between people who share a protected characteristic and those who do not.
 - Deliver better outcomes for those people who experience socio-economic disadvantage
 - Consider opportunities for people to use the Welsh language
 - Treat the Welsh language no less favourably than English.
 - Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 4.2 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the ‘well-being goals’.
- 4.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.
- 4.4 An IIA screening has been undertaken (Appendix A). The screening has identified that the proposal has no implications.

5. Financial Implications

The cost of the proceedings, including a Freedom Scroll, will be met from within existing budgets.

6. Legal Implications

The power to grant Honorary Freedom of the City and County of Swansea is contained in Section 249 [5] of the Local Government Act 1972.

Background Papers: None

Appendices: IIA Screening Report

Integrated Impact Assessment Screening Form – Appendix A

Please ensure that you refer to the Screening Form Guidance while completing this form.

Which service area and directorate are you from?

Service Area: Lord Mayor’s Office

Directorate: Corporate Services

Q1 (a) What are you screening for relevance?

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services
- x Other

(b) Please name and fully describe initiative here:

Honorary Freedom of the City & County of Swansea to Kevin Johns MBE

Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)

	High Impact		Medium Impact		Low Impact		Needs further Investigation	No Impact
	+	-	+	-	+	-		
Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> x
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> x
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> x
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> x
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> x
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> x
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> x
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> x
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> x
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> x
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> x
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> x
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> x
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> x
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> x
Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> x
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> x
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> x
Human Rights	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> x

Integrated Impact Assessment Screening Form – Appendix A

Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches?
Please provide details below – either of your activities or your reasons for not undertaking involvement

Consultation has taken place with the recipient.

Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:

- a) Overall does the initiative support our Corporate Plan's Well-being Objectives when considered together?
Yes No n/a
- b) Does the initiative consider maximising contribution to each of the seven national well-being goals?
Yes No n/a
- c) Does the initiative apply each of the five ways of working?
Yes No n/a
- d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?
Yes x No
-

Q5 What is the potential risk of the initiative? (*Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...*)

High risk

Medium risk

Low risk
 x

Q6 Will this initiative have an impact (however minor) on any other Council service?
 Yes No x If yes, please provide details below

Q7 Will this initiative result in any changes needed to the external or internal website?
 Yes No x If yes, please provide details below

Q8 What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?
Conferring an honorary title will have no cumulative impact on people or communities.

Outcome of Screening

Q9 Please describe the outcome of your screening using the headings below:

- Summary of impacts identified and mitigation needed (Q2)
- Summary of involvement (Q3)
- WFG considerations (Q4)

Integrated Impact Assessment Screening Form – Appendix A

- Any risks identified (Q5)
- Cumulative impact (Q7)

Conferring an honorary title has no identified impact.

(NB: This summary paragraph should be used in the **‘Integrated Assessment Implications’** section of corporate report)

Full IIA to be completed

Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email.

Screening completed by:
Name: J Jones
Job title: Corporate Marketing Manager
Date: 14/10/22
Approval by Head of Service:
Name:
Position:
Date:

Please return the completed form to accesstoservices@swansea.gov.uk

Agenda Item 12.



Council – 3 November 2022

Councillors' Questions

Part A – Supplementaries

1	<p>Councillors Rebecca Fogarty, Sara Keeton, Mike Lewis, Wendy Lewis & Lesley Walton</p> <p>In light of recent decisions by the UK government, we are having to prepare for major pressures on local authority spending, and with it major impacts on the well-being of our population. In light of the benefits to physical and mental well-being of people, young and old, can the Cabinet Member reassure us that the £1 million previously pledged for skate and other wheeled sports sites in Swansea remains committed to these valuable facilities.</p> <p>Response of the Cabinet Member for Investment, Regeneration and Tourism</p> <p>Cabinet agreed on 20/01/22 an allocation of £2.05m of the Economic Recovery Fund (ERF) for the purpose of enhanced play and skate park facilities.</p> <p>Within this, £500k was earmarked to be allocated to enhance skate facilities. To formalise this allocation and ensure its use fulfils the intentions, a proposal has been put to the ERF board for a strategic approach. This approach has been informed by a review of existing facilities and an options appraisal to ensure the greatest impact possible within the available finances.</p> <p>The proposal and options will be considered and shared in coming weeks.</p>
2	<p>Councillors Mike Lewis, Wendy Lewis Lesley Walton, Sara Keeton & Rebecca Fogarty</p> <p>What play areas will be upgraded in the next 4 months and how many have been upgraded to date since the programme started.</p> <p>Response of the Cabinet Member for Investment, Regeneration and Tourism Councillors Mike Lewis, Wendy Lewis Lesley Walton, Sara Keeton & Rebecca Fogarty</p> <p>What play areas will be upgraded in the next 4 months and how many have been upgraded to date since the programme started.</p> <p>Response of the Cabinet Member for Investment, Regeneration and Tourism</p> <p>The initial programme upgraded 42 playgrounds, detail of which can be found on the Council website here: https://swansea.gov.uk/newplaygrounds</p> <p>The following playgrounds will either have been upgraded or will be in the process of being upgraded in the next 4 months, as part of the second stage programme.</p>

	<ul style="list-style-type: none"> • Hafod Park • Heol Tir Du • Denver Road • Brooksby Road • Ynystawe Park • Dunvant Park • Dunvant Meadow • Swansea Point • Bonymaen Park (safety surfacing) • Maesteg Park • Ynysnewydd playground • Garnswllt <p>This programme is addressing the remainder of the Council's playgrounds that are considered as a red/amber status in accordance with the RAG Condition list. The RAG list has been collated in accordance with inspection reports, to ensure the facilities remain safe for use, with consideration given to planned and preventive maintenance.</p>
3	<p>Councillors Peter Black, Chris Holley & Mary Jones</p> <p>Can the Cabinet Member provide an update on the future of the NEAT Teams.</p> <p>Responses of the Cabinet Members for Care Services & Community (Services)</p> <p>The NEAT Teams continue to be one of the Day Opportunity options for individuals with a Care and Support plan via Social Services to achieve their identified outcomes.</p> <p>The NEAT teams now work alongside the Cleansing Ward Operative Teams as extra resource so Member requests via the CWOT route already publicised by Cleansing also involves the NEAT teams, therefore a single point of contact for ward requests.</p>
4	<p>Councillors Will Thomas, Francesca O'Brien & Angela O'Connor</p> <p>Has the council ever considered a designated social worker in each school. I'm concerned about the resources of school staff who are primarily educators to sufficiently be able to address the issues. Also, there is a need for the correct skills and expertise in identifying signs of abuse.</p> <p>Response of the Cabinet Member for Care Services</p> <p>The approach we have taken in Swansea is for our early help staff to spend time in schools on a regular basis offering consultations and advice. This builds on our vision to prevent the need for statutory intervention by discussing with school staff any worries or concerns they may have about individual children. Our continuum of need is felt to be very helpful, particularly by schools, in helping to understand when a referral may be needed to Social Services or when it may be more appropriate for early help services to support children, young people and their families. In addition to this, we hold multi-agency locality meetings involving schools and other local partners offering advice and assistance on specific themes, for example how to support parents to understand neurodiversity and what this may mean for their child.</p>

5	<p>Councillors Chris Holley, Jeff Jones & Lynda James</p> <p>Can the Cabinet Member/ Leader confirm that the management of the Grand Theatre is viable and working well under the current management system and what are the plans for its future.</p> <p>Response of the Cabinet Member for Culture & Equalities</p> <p>The commercial landscape for arts and culture has been significantly affected by events over recent years and whilst some signs of recovery are evident nationally, it is clear that this is not happening in across all sectors nor at the same rates. Swansea Grand Theatre has shown agility in assessing the market and securing product best placed to satisfy the current demand. Together with its partners it is delivering a high-quality service and a full programme of events in challenging economic times. The past few months have seen audience confidence in public gatherings increase, but the pressures on our customer's own finances remain a concern for the leisure industry. Despite the national pressures, the current management structure is working very well, energy levels and morale within the organisation are high and the intention is to build on this and current partnerships to maintain our viability for the future.</p>
6	<p>Councillors Sam Pritchard, Jess Pritchard, Mike Lewis, Wendy Lewis & Lesley Walton</p> <p>Can the Cabinet Member give an update on the roll out of local ward operatives.</p> <p>Response of the Cabinet Member for Community (Services)</p> <p>The Cleansing Ward Operative Programme has been running since mid-September. Enhanced cleansing works are over and above routine operations to deal with more intensive works such as but not limited to:</p> <ul style="list-style-type: none"> • Remove detritus (soil/leaves) built up at build outs, pedestrian islands, crossing points, bus shelters etc. • Remove excessive weed growth which won't blow away after spraying • Clearance of trapped litter • Cut back where ownership of land cannot be established or is not part of the Parks work programmes. • Deep clean in areas of leaf fall • Clear fly tipping from land in unknown ownership if visible from public areas <p>The way in which you direct these works is via an online form that can be found at this link: https://forms.office.com/r/sj6qrw0vQY</p> <p>Any queries relating to the programme detail and appropriate works can be put to the Operational Area Manager on cwot@swansea.gov.uk</p>
7	<p>Councillors Jess Pritchard, Lesley Walton, Wendy Lewis, Sam Pritchard, Mike White & Beverley Hopkins</p> <p>Can the Leader give an update on progress with the delivery of the river corridor master plan, specifically, progress with the delivery of the skyline development and Penderyn distillery and visitor centre.</p>

Response of the Leader

Wider Site Masterplan

Round 2 Levelling Up Fund Bid submitted, and outcome awaited, expected later this year. The council is waiting for formal notification of the delay from UK Government as it was originally expected to be announced in the Autumn.

The Bid targets regeneration the River Tawe corridor, consolidating heritage structures to complement the works done to date. The bid will target regeneration of the laboratory building, canal bridges on the Morfa distribution road elevation, the V&S locomotive shed, further development to the already secured Musgrave Engine House and Vivian Engine House, all listed structures and the Musgrave Engine House a Scheduled Ancient Monument for future generations. The laboratory building has been secured for safety and to prevent loss of original fabric (fully shrouded in scaffolding), awaiting funding to progress to redevelopment. Our strategic development partner, Urban Splash, have been working up a scheme at St Thomas and are currently reviewing the wider Hafod Copperworks site, as part of the Tawe Riverside Corridor redevelopment.

Skyline

The Council have a provisional agreement with Skyline to enable the development of a luge and cable car leisure destination at Kilvey Hill, and are in the process of site assembly.

Skyline have an ambitious programme, site investigations and geotechnical studies are planned for next month. Subject to approvals they are targeting a 2025 opening

Pontoons

Full planning and LBC consent has been approved. Tender evaluation for the supply and installation of the pontoon is currently live. Lease discussions progressing with the Badminton Estate between legal representatives. Method statement for the trial excavations of the quayside are being prepared by DLO for submission to planning for discharge consideration. Delivery expected Jan-Mar 203. This will provide the potential to run river taxis and other transport on the river

Powerhouse Redevelopment (Penderyn Distillery)

The Council is responsible to provide a redeveloped Powerhouse building, a new build visitor centre, walkway and 25% separation of the museum store to a shell and core standard which will be leased to Penderyn Whisky funded by National Lottery Heritage Fund and Welsh Government, and council match funding. The main contractors are due to complete in November 2022. Penderyn will undertake their fit out and are targeting a 1st March 2023 opening (St David’s Day). Penderyn Whisky lead and manage their own fit out works but will work closely with Swansea Council to assist in progressing their project.

In turn, Welsh Government funding has supported the shell and core redevelopment of the Porters Lodge and Weighbridge Office under the same build contract, further consolidating heritage structures. End tenants are to be sought.

8 Councillors Will Thomas, Francesca O’Brien & Angela O’Connor

What is the council's strategy to address placement shortages for looked-after children and to ensure appropriateness of support for carers and placements.

	<p>Response of the Cabinet Member for Care Services</p> <p>We remain committed to our vision to support children and young people to remain living with their family, or wider family, where it is safe to do so. When children need to be looked after by the local authority (for a short time or for a longer period) we recognise that it is important for them to live in Swansea. Our ambitions are to recruit more foster carers in support of national approach to local authority fostering through Foster Wales. We have strengthened our fostering team and the support available to foster carers by creating a therapeutic fostering hub to help with placement stability and being able to better understand and meet the needs of children and young people who may have more complex needs. We are expanding our in-house residential children’s homes and hope to have more local homes run by the local authority over the next 12-18 months. We have also reshaped our internal therapy service so that they can offer a wider range of interventions and help to all of the people who care for our looked after children. We feel this is key to creating the right offer of support for our carers, and more importantly to ensuring children and young people are living in the right place from the first point that they become looked after.</p>
9	<p>Councillors Wendy Lewis, Mike White, Beverley Hopkins, Paul Lloyd & Mike Lewis</p> <p>Can the Cabinet Member give an update on plans to light the bay from Mumbles to the Civic Centre.</p> <p>Response of the Cabinet Member for Environment & Infrastructure</p> <p>In light of the significant financial pressures facing the Council, all ERF (Economic Recovery Fund) projects have been reviewed by Officers and Cabinet Members. The lighting of the promenade will proceed and Officers have been instructed accordingly.</p> <p>The lead in time for delivery of the lighting bollards is approximately 10 weeks and work will commence as soon as possible after their receipt.</p>
10	<p>Councillors Will Thomas, Francesca O’Brien & Angela O’Connor</p> <p>What are the councils plans to support local businesses in Mumbles during the work which will be carried out on the wall sea defence.</p> <p>Response of the Cabinet Members for Environment & Infrastructure and Investment, Regeneration & Tourism</p> <p>The significant works are required to safeguard the community from coastal flooding, but have been designed in a manner that limits disruption through considered phasing and construction, including the provision of offsite fabrication of key elements. It is proposed that works to provide alternative parking provision along Mumbles Road are implemented at the outset of the scheme, so as to free up construction space for ease of delivery, but also afford alternative provision that will limit the impact to local businesses. Alternative boat storage has also been identified for the duration of the works, with permanent slipway access maintained. A community liaison officer is to be employed by the contractor to help link up with local business operators to ensure that opportunities to support traders throughout this disruptive period are managed appropriately. Whilst sections of the promenade will have to be closed for periods of the work, the Contraction methodology will ensure</p>

	<p>that alternative provision is maintain. Regular briefings and updates to the community will be provided to help mitigate disruption.</p>
11	<p>Councillors Will Thomas, Francesca O'Brien & Angela O'Connor</p> <p>Would the council consider doing short term let's on the Langland Bay huts, which seem to have been under used this season and many unsuccessful on their bids.</p> <p>Response of the Cabinet Member for Investment, Regeneration & Tourism</p> <p>2022/23 saw significant demand for beach huts with over 1,000 applications against 80 beach huts available to let under a licence agreement, for periods of 10; 3 and 4 months. We have also introduced winter lets, again achieving 100% occupancy. Allocation is made via a 'ballot', and demand is such that applications continue year-round, outside of the published period. 122 licences have now been issued, through this fair and equitable process, which also enables a regular 'turnover' of keyholders.</p> <p>Whilst some unsuccessful applicants may perceive the huts as underused or empty, the process is fair and open to all on the same terms and we cannot dictate how often and when the facilities are used once the licenses are issued and fees have been collected. Staff regularly attend the site for maintenance and supervision of the foreshore, and feedback suggest that different times do show considerable and widespread use of all huts at varying times of day/ season.</p> <p>It may be possible to explore short term rentals i.e. week or day, but evidence suggests that the offer suits customer demands/preferences. Shorter periods would require greater intervention and resources by staff in terms of processing payments; key handovers; cleaning; regulatory checks etc. which wouldn't be offset by higher usage/ fees, and may also be affected by day to day customer choice based on uncontrollable factors such as holidays/ weather/ other events in the city. At present the model is working well and allows financial forecasting that enables planned maintenance and improvements on a rolling programme.</p>
12	<p>Councillors Mike Lewis, Andrew Williams, Beverley Hopkins, Mike White & Wendy Lewis</p> <p>Can the Leader highlight the impacts of the U.K. government mini budget on borrow rates. Can he also confirm if the current energy help provides any assistance to this council with energy costs.</p> <p>Response of the Leader</p> <p>The impact on interest rates has been chaotic for the whole country and disastrous for anyone borrowing money, for the Chancellor of the Exchequer, for the devolved administrations, for councils, to business, to homeowners, to residents. It is likely to get worse and unusually I have to place caveat on my answer, in that much could have changed between the time it was written and the date of the meeting, such is the chaos caused by the Conservative U.K. Government</p> <p>I think the Bank of England letter to the Treasury Select Committee says it all (see attached letter). It's a technical letter but the first diagram shows the clear chaos that ensued in immediately after the mini budget - which is now - nano budget, with most of it dismantled, reversed or swept away by the 4th Tory chancellor in 4 months, but</p>

	<p>still leaving a £30 billion black hole to be dealt with in the forthcoming ultra scary Halloween budget on the 31st October.</p> <p>For this Council, long term borrowing rates still remain significantly higher than before the disastrous Tory mini budget.</p> <p>I would remind members that we locked in fixed borrowing at below 2% for up 50 years on the clear advice of the S151 officer. Rates are even now, after all the stabilisation taken by the Bank of England to date, around 5%. Some 2.5 times the level we were able to borrow at! Whilst the Council is protected on borrowing already done, new and sometimes unavoidable borrowing will now be very much more expensive directly because of disastrous decisions made by the Tories in London.</p> <p>The current energy cap on wholesale energy costs far exceeds the cost of already pre purchased energy by this Council. The current cap is worth absolutely nothing! Our forward purchasing come <u>1 April</u> looks truly dreadful, just at the point in time when the currently already worthless cap is now due to be scrapped with a new review announced - despite promises made by the PM (assuming she is the PM). No wonder the UK government chose April Fools day!</p>
13	<p>Councillors Wendy Fitzgerald, Lynda James & Graham Thomas</p> <p>Could the Cabinet Member explain to Members why comments from the public on planning applications are no longer shown on the Council’s Planning Portal.</p> <p>Response of the Cabinet Member for Corporate Service & Performance</p> <p>The Town & Country Planning (Development Management Procedure) Wales Order 2012 requires the Local Planning Authority to keep a register of planning applications and sets out the requirements of the register, which may be kept electronically and available for inspection on a website. The register has to include the planning application, submitted plans and supporting documents and the decision notices together with any associated legal agreements. There is no legal requirement for responses to consultations to be part of the register.</p> <p>Whilst comments from the public have been published, it is evident that by publishing these comment the Council is at risk of breaching the Data Protection Act. Following investigation of a suspected breach, legal advice was given to officers that they should cease from publishing responses from the public as a breach of the Data Protection Act could see the Council face substantial fines.</p>
14	<p>Councillors Lyndon Jones & Brigitte Rowlands</p> <p>Could the Cabinet Member confirm how many Ash Trees have been felled on land owned by the Council and are there any plans to plant new trees to replace them.</p> <p>Response of the Cabinet Member for Investment, Regeneration & Tourism</p> <p>The Tree Services Unit of the Parks Service area have felled 1395 ash trees on Council land since 2019, over the same period they have planted 1164 large trees.</p> <p>It is not the intention of the service to replant in woodlands, wooded swathes or copses where natural regeneration will outgrow and out-compete with any replanting carried out. Where larger numbers have been removed from parks such as Morriston</p>

	<p>or Singleton (as well as others), the Parks service has planted several trees to each ash lost but the emphasis is not on the numbers rather planting the right species in the right place with the best chance of survival to maturity.</p>
	<p>Part B – No Supplementaries</p>
15	<p>Councillors Michael Locke, Kevin Griffiths & Susan Jones</p> <p>The coin change machines at the Public Toilets at the Swansea Bus Station have been out of action for several months. Is it the council's intention to repair or replace these machines. Also has the council considered contactless payments at these toilets.</p> <p>Response of the Cabinet Member for Community (Services)</p> <p>The change machines at the public toilets in Swansea Bus Station are working correctly. Both machines are filled on a Monday and Friday morning but are emptied that day by people using the machines. They are replenished each day through the week from change taken in the toilets. However there is not enough collected each day to fill the machine as they are not only used by customers using the toilets but also by bus and taxi drivers who require change.</p> <p>The Council has previously explored installing contactless card readers on the toilet barriers, however, at the time the equipment cost was not covered by the income from usage so decided not to proceed. Officers will market test options available to see if it is now more financially viable.</p>
16	<p>Councillors Michael Locke, Cheryl Philpott & Mark Tribe</p> <p>The new Swansea Bus Shelters do not have timetables or any indication of when the next bus is due. Is it the Council's intention to display bus timetables at these new bus shelters.</p> <p>Response of the Cabinet Member for Environment & Infrastructure</p> <p>I can advise that bus operators, themselves, are obliged to provide roadside information for passengers. Officers have alerted First Cymru, South Wales Transport and Adventure Travel who each have publicity teams handling timetable installation. As and when required, the transport team relays passenger feedback to the operators that raises issues regarding missing timetables, visibility (such as advertising clutter), or inaccuracy (outdated information).</p> <p>The installation of the new advertising shelters is in its final stage during which seating, flags and display cases are checked and added if required. Once officers receive confirmation that all snagging issues have been resolved we will be asking Operators to ensure that timetables are in place.</p>
17	<p>Councillors Michael Locke, Kevin Griffiths & Nicola Furlong</p> <p>Now that Swansea's local land charges department has been transferred to the Land Registry, what has happened to the staff who previously worked in this section.</p>

Response of the leader/Cabinet Member for Corporate Service & Performance

The Local Land Charges department has not been transferred to the Land Registry and staff are still employed in their positions.

A local search consists of two parts – a LLC1 and a CON29. The LLC1 provides information from the Local Land Charges Register and includes information such as financial charges, planning agreements, conditional planning permissions, and enforcement notices. The Con29 contains 2 parts and answers a set of standard enquiries that potential buyer may want to know about a property. The first includes questions such as who maintains the highway, full planning history, building control history and TPOs. The second part contains optional questions and may include searches on issues such as road proposals, pollution notices, common land and villages greens.

The information on the LLC1 search is now available from the Land Registry rather than the Council. However, it is the Council’s Land Charges team, rather than the Land Registry that is responsible for updating the register.

The Council still processes the CON29 part of the search, responds to queries associated with both parts of the search and provides copies of all documents requested following the search. None of these activities are undertaken by the Land Registry.

Agenda Item 13.



Council – 3 November 2022

Notice of Motion – Adopting a Definition of Islamophobia

Notice of Motion from Councillors Elliott King, Rob Stewart, Andrea Lewis, David Hopkins, Louise Gibbard, Robert Francis-Davies, Hayley Gwilliam, Cyril Anderson, Andrew Stevens, Robert Smith, Alyson Pugh & Lesley Walton

Swansea is proud of its diversity and has a strong history of promoting cohesion and welcoming people from all over the world. Its residents have always united and supported each other in the fight against racism and discrimination in all its forms.

This Council therefore welcomes, endorses and adopts the working APPG (All-Party Parliamentary Group) definition of Islamophobia[1], including all of its examples in full cited as follows:

"ISLAMOPHOBIA IS ROOTED IN RACISM AND IS A TYPE OF RACISM THAT TARGETS EXPRESSIONS OF MUSLIMNESS OR PERCEIVED MUSLIMNESS."

Contemporary examples of Islamophobia in public life, the media, schools, the workplace, and in encounters between religions and non-religions in the public sphere could, considering the overall context, include, but are not limited to:

- Calling for, aiding, instigating or justifying the killing or harming of Muslims in the name of a racist/fascist ideology, or an extremist view of religion.
- Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Muslims as such, or of Muslims as a collective group, such as, especially but not exclusively, conspiracies about Muslim entryism in politics, government or other societal institutions; the myth of Muslim identity having a unique propensity for terrorism and claims of a demographic 'threat' posed by Muslims or of a 'Muslim takeover'.
- Accusing Muslims as a group of being responsible for real or imagined wrongdoing committed by a single Muslim person or group of Muslim individuals, or even for acts committed by non-Muslims.
- Accusing Muslims as a group, or Muslim majority states, of inventing or exaggerating Islamophobia, ethnic cleansing or genocide perpetrated against Muslims.
- Accusing Muslim citizens of being more loyal to the 'Ummah' (transnational Muslim community) or to their countries of origin, or to the alleged priorities of Muslims worldwide, than to the interests of their own nations.
- Denying Muslim populations, the right to self-determination e.g., by claiming that the existence of an independent Palestine or Kashmir is a terrorist endeavour.
- Applying double standards by requiring of Muslims behaviours that are not expected or demanded of any other groups in society, eg loyalty tests.
- Using the symbols and images associated with classic Islamophobia.

- Holding Muslims collectively responsible for the actions of any Muslim majority state, whether secular or constitutionally Islamic.

Therefore, we call on:

1. The Leader of Council to write to the UK government asking them to listen to Muslim communities and the cross-party group of MPs and peers.
2. The Council to formally adopt this definition of Islamophobia which classifies discrimination against Muslims as a form of racism.