



HOUSING AND REGENERATION SCRUTINY COMMITTEE

**MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON
TUESDAY, 26TH NOVEMBER 2019 AT 5.30 P.M.**

PRESENT:

Councillor J. Ridgewell - Chair
Councillor Mrs C. Forehead - Vice-Chair

Councillors:

C. Elsbury, R.W. Gough, G. Kirby, B. Owen, Mrs M.E. Sargent, W. Williams, B. Zaplatynski

Cabinet Members:

Mrs L. Phipps (Homes and Places)

Together with:

M.S. Williams (Interim Corporate Director, Communities), S. Couzens (Chief Housing Officer), F. Wilkins (Housing Services Manager), J. Roberts-Waite (Strategic Coordination Manager), P. Smythe (Housing Technical Manager), C. Forbes-Thompson (Scrutiny Manager), R. Barrett (Committee Services Officer)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J. Bevan, D. Cushing, L. Harding, A.G. Higgs, Ms P. Leonard, Mrs G.D. Oliver and Mrs D. Price, together with Cabinet Members S. Morgan (Economy, Infrastructure and Sustainability & Wellbeing of Future Generations Champion) and Mrs E. Stenner (Environment and Public Protection).

2. DECLARATIONS OF INTEREST

There were no declarations of interest received at the commencement or during the course of the meeting.

3. MINUTES – 15TH OCTOBER 2019

RESOLVED that the minutes of the Housing and Regeneration Scrutiny Committee meeting held on 15th October 2019 (minute nos. 1 - 9) be approved as a correct record and signed by the Chair.

4. CALL-IN PROCEDURE

There had been no matters referred to the Scrutiny Committee in accordance with the call-in procedure.

5. HOUSING AND REGENERATION SCRUTINY COMMITTEE FORWARD WORK PROGRAMME

Cath Forbes-Thompson (Scrutiny Manager) presented the report, which outlined details of the Housing and Regeneration Scrutiny Committee Forward Work Programme (FWP) for the period November 2019 to July 2020, and included all reports that were identified at the Scrutiny Committee meeting on 15th October 2019.

Members were reminded of the Special meeting that had been arranged for 5th December 2019 to consider the draft Medium Term Financial Plan budget proposals for 2020/21. The Scrutiny Committee were also advised that the Conservation Strategy report being prepared for Cabinet consideration remains on the Scrutiny FWP under date to be confirmed as it is currently being consulted upon. Once this has been completed, a Scrutiny date will be allocated to the report.

Members noted the details of the reports scheduled for forthcoming meetings and unanimously agreed that the Forward Work Programme as appended to the meeting papers be published on the Council's website.

6. CABINET REPORTS

It was noted that the Cabinet report listed on the agenda had not been called forward for discussion at the meeting.

REPORTS OF OFFICERS

Consideration was given to the following reports.

7. TASK & FINISH GROUP ON THE OPERATION AND MANAGEMENT OF HIGHWAY OWNED COUNCIL CAR PARKS

The Scrutiny Manager presented the item and explained that an update report on Civil Parking Enforcement had been presented to the Environment and Sustainability Scrutiny Committee at their meeting on 29th October 2019. One of the report recommendations was for the Committee to consider if it wished to reconvene the Task and Finish Group on Council-owned car parks (with revised terms of reference) and this was unanimously supported by the Committee. At that meeting, Members also agreed that the Housing and Regeneration Scrutiny Committee be asked if they wished to establish a joint Task and Finish Group, as any review of Council owned car parks may wish to consider the impact upon town centres, which is under that Committee's remit.

The Committee discussed the report and welcomed the decision to reconvene the Task and Finish Group. They discussed membership of the Group and the Scrutiny Manager confirmed that she would write out to the Members of both Scrutiny Committees following the meeting to seek expressions of interest. During the discussion, Councillors C. Elsbury, R.W. Gough and J. Ridgewell expressed interest in being members of a joint task and finish group. It was explained that Task and Finish Groups have a maximum of ten Members and that every effort will be made to equally balance representation from the two Committees,

although this will depend on the level of interest received.

Following consideration of the report it was moved and seconded that the following recommendation be supported. By a show of hands, this was unanimously agreed.

RESOLVED that a joint Task and Finish Group on the operation and management of highway-owned Council parks be established, to comprise of Members of both the Environment and Sustainability and Housing and Regeneration Scrutiny Committees.

8. WHQS FINAL STAGE PROGRESS REPORT/POST 2020 ASSET MANAGEMENT PROGRAMME PROPOSALS

The Cabinet Member for Homes and Places presented the report, which provided an overview of the performance of the Welsh Housing Quality Standard (WHQS) Team to date and set out the anticipated projected performance up to December 2020. The report also included details of the current financial outturn to date for the 2019/20 WHQS works, and an overview of the many achievements that have been made as part of the wider commitments and benefits delivered by the WHQS programme. In addition, the report gave an overview of the Post 2020 Asset Management proposals which will commence following the successful completion of the WHQS programme.

The Committee were advised that current and projected performance has demonstrated that full WHQS compliance is achievable prior to the December 2020 deadline. Due to recent concerns regarding the performance and quality of work by some contractors within the final stages of the programme, the remaining contracts have been allocated to the In-House workforce, which has resulted in a revised target completion date from March 2020 to June 2020 to allow for these additional 150 properties to be absorbed, but which is still ahead of the December 2020 deadline.

Members noted the details of the energy efficiency schemes and environmental projects delivered as part of the programme, together with the community benefits being achieved via the provision of training opportunities, placements and permanent jobs created through the in-house service and its partners. The Scrutiny Committee were advised that customer satisfaction levels in respect of WHQS works are generally high, although it is accepted that levels of customer satisfaction for external works continues to be less than those received for internal works. As a result the WHQS Team have reviewed current practice and have now introduced telephone surveys in the first instance. The report also provided an analysis of the reasons for dissatisfaction for both internal and external works.

The Scrutiny Committee noted the current and projected financial position of the programme as set out within the report, and it was explained that borrowing will be required for the second time since the programme commencement. In addition, it has also been confirmed that the housing business plan remains financially viable throughout the programme and to deliver the post-2020 strategy.

Discussion took place on the contents of the report and Officers responded to a query regarding houses of non-traditional construction. A Member asked if there had been a knock-on effect on workloads as a result of the remaining contracts being taken on in-house. Officers explained that originally the WHQS programme of works had been anticipated to finish by 31st March 2020, but that this completion date has now been revised to June 2020 to allow the in-house team to programme the additional properties into their existing workloads.

Having considered the report, the Scrutiny Committee were pleased to note the progress made in respect of the WHQS programme to date and asked that their thanks to the Caerphilly Homes Team be placed on record.

9. UPDATE ON THE ROLE OF THE TENANCY ENFORCEMENT SECTION

The Cabinet Member for Homes and Places presented the report, which provided an update on the role of the Tenancy Enforcement Section and the obligations of tenants, and which had been requested by the Policy and Resources Scrutiny Committee at their meeting on 12th March 2019.

Members were advised that the update report outlined the relevant legislative provisions and associated guidance, and included information on the role and workload of the Tenancy Enforcement Section (TES) with some comparison with that of local Registered Social landlords, and the obligations of tenants to manage their tenancies in accordance with their tenancy agreement.

It was explained that the work of the Tenancy Enforcement Section is underpinned by the Caerphilly Homes' anti-social behaviour policy and procedure, which provides a framework to ensure that it responds to all incidents of anti-social behaviour in a manner which is consistent and appropriate. This policy seeks to support related strategies and plans, in order to create safe and cohesive communities and improve the quality of life for Council tenants, leaseholders, and residents within the County Borough. It also endeavours to complement and support the work of partnership agencies in order to provide a collaborative response to anti-social behaviour. Members noted that the ASB Policy and Procedure (which is available to view on the intranet and Council's website) was intended to be referenced as a background paper, and not included as an appendix as stated in the report.

The Scrutiny Committee were referred to a number of key sections set out in the report, which included detail on the most frequent types of referral to the TES, complainant and perpetrator issues, legal actions undertaken by the TES, and comparative data with RSLs on types of data reported and legal actions taken. Members were advised that the TES seeks to provide complainants with a victim-centred approach and a consistent, reactive and responsive service. In accordance with WG guidance and Caerphilly Homes policy, TES provides support and assistance to both perpetrators and complainants. The report also set out the obligations of tenants, with it noted that all tenants have a secure tenancy agreement which they sign when accepting the offer of a tenancy. This document lists their rights and responsibilities in the form of terms and conditions of the tenancy and failure to adhere to these may constitute a breach of their tenancy agreement.

Discussion took place on the contents of the report, and a Member asked if the TES had enough resources to deal with the increasing number of referrals year on year. Assurances were given that the workload situation is being kept under review and it was explained that in order to mitigate the increase and deal with more serious/persistent incidents, the TES have taken a tougher position on low-level complaints and are encouraging tenants to take some responsibility for dealing with these. Members were also advised that the TES are preparing to take part in a project led by ABUHB which will allow Officers to meet a psychologist on a monthly basis to discuss cases involving children. Staff will be able to discuss behavioural issues of concern and receive advice about how to best approach the situation. It was also noted that Caerphilly Homes are planning to recruit a Mental Health Assessment Officer, which will include the provision of specialist support and guidance to TES support in relation to complex cases.

The Committee discussed the number of referrals for mental health issues arising from anti-

social behaviour and asked if these were effective in resolving problems and supporting the perpetrator with a view to changing their behaviour. Officers explained that this is very much on a case by case basis and such behaviours can be very complex and entrenched. They added that sometimes it can be the complainant rather than the perpetrator who is experiencing problems with their mental health, and the TES will equally work with these individuals to arrange the appropriate support. In response to a Member's query, Officers also outlined how the TES work with the police to take forward criminal incidents, including those that involve people with mental health issues. In addition, it was explained that successful intervention in relation to anti-social behaviour requires effective engagement by the complainant, and if they are not willing to engage or assist in the collection of evidence, then this will seriously impact on the evidence gathered and may prevent action being taken.

A Member referred to evictions arising from breach of tenancy and asked if this could lead to increased instances of homelessness across the borough. It was explained that if an individual is found to be intentionally homeless arising from their behaviour, then the Council is under no obligation to rehouse them in their stock. Members were advised that WG have announced a review of housing legislation, with proposals to remove 'no fault' evictions, which will have implications for the eviction process and make the procedure more difficult for landlords. It was emphasised to Members that eviction is used as a last resort for the Authority and that eviction rates have not increased in a number of years. However, eviction levels will continue to be carefully monitored by the Council.

Officers made reference to the WG proposals and explained that the aim of these is to create more sustainable tenancies, as landlords can serve notice to quit after 6 months, which is not conducive to creating a family environment and can have an impact on community life and school attainment. A Member referred to starter tenancies and asked why proposals for the Council to introduce these across their properties had previously been rejected by Members. It was explained that this decision took place a number of years ago and there were concerns around secure tenancies at that time. In response to a Member's query, Officers also provided an overview of the tenant obligations surrounding starter tenancies across the private sector and explained that this type of tenancy can act as a stepping stone to a secure tenancy if the tenant meets the criteria following this introductory period.

Having discussed the report, the Scrutiny Committee expressed their thanks to the Tenancy Enforcement Section for their exemplary work, and noted the contents of the report.

10. CAERPHILLY HOMES - #BUILDING TOGETHER

Consideration was given to the report, which outlined a vision to build new homes and increase housing supply in the county borough following the completion of the Welsh Housing Quality Standard in 2020. The Scrutiny Committee were invited to comment on the contents of the report prior to its presentation to Cabinet.

By way of a slideshow presentation, Jane Roberts-Waite (Strategic Coordination Manager) provided a detailed overview of the context behind the *#Building Together* strategy and the challenges ahead for the Authority. Members were advised that the Caerphilly Local Housing Market Assessment has identified a requirement of 282 units per annum over a period of 5 years in order to meet local demand. This is made up of 169 social housing rented units and 113 intermediate units and there is a particular need for one-bedroom accommodation.

The Scrutiny Committee noted that although there is currently a surplus of older person's accommodation throughout the county borough, the current provision does not meet the

needs in terms of size, facilities and surrounding environment. This would need to be taken into account with any planned programme of development in order to ensure suitable accommodation is available for the anticipated growth in demand from older persons.

Members were informed of the research already undertaken in terms of the way forward by looking at what has already been done in other areas, discussions with industry experts on good quality and precision engineered homes and an ambition to produce zero carbon homes, in line with Welsh Government expectations. The report outlines plans for 400 new homes in the first instance which is considered a realistic target as these proposals will take time to develop.

The Scrutiny Committee thanked the Officer for the comprehensive presentation and level of detail in the report, and discussion took place on its contents.

Members highlighted the target for affordable housing targets for the county borough areas in the LDP and questioned whether the targets for the north of the county borough should be higher. They were advised that demand is higher in the south and this is reflected nationally, with population growth surrounding larger urban areas, because of employment and shorter transport links. Members stated that the Council has a responsibility to consider the needs of the north of the county borough. Officers stated that each site would be looked at and individual solutions applied.

Assurances were sought that brown field sites would be given priority for development, and Members stated the benefit of protecting green field sites as they are able to absorb carbon. They also highlighted the environmental impact of the use of cement in construction. Officers confirmed that brown field sites would be given priority, as well as consideration to planting schemes to offset any impact on the environment and the use of modern methods of construction. Members asked if these modern methods have long-term resilience, and were given reassurances that these methods have been utilised for a considerable time and include timber frame construction. The need to support communities in the wider sense was also discussed, together with the benefits that these developments could have in terms of employment and training for residents.

Members asked if the use of consultants and the associated costs could be avoided and the work carried out by the newly proposed Caerphilly Homes *#BuildingTogether* Development Team. The Scrutiny Committee were advised that at the present time there is no one with the commercial experience working within the Council who could carry out this role. However the aim going forward is to develop those skills within the team. In addition it was noted that the costs for the use of consultants would be met by the Housing Revenue Account and not the Council's General Fund.

The Scrutiny Committee asked how the Council can ensure mixed tenure on the developments, and were advised that it will depend on the site and the needs at the time. However, the Common Allocations Policy, as well as working with RSL's using the policy framework, would be the basis for any decisions. Therefore allocation of property will be if potential tenants meet the criteria. Members were advised that this has already been carried out in other areas and that mixed tenure is seen as the way forward.

Members were advised of the work already underway in some areas, and they sought reassurance that discussion with ABUHB was not delaying the development of the Ty Darren site in Risca. Members were advised that an informal response has been received and the Council is actively seeking a formal statement of intent.

The Scrutiny Committee noted that this is a 5-year plan and enquired as to further plans following this period. Members were advised that this is anticipated to be the start of a rolling

programme which will be reviewed periodically to ensure that any changing needs are incorporated into plans.

Following discussion of the report, it was moved and seconded that the following recommendations be forwarded to Cabinet for approval. By a show of hands, this was unanimously agreed.

RECOMMENDED to Cabinet that:-

- (i) Cabinet agree to the development, subject to planning approval, of the HRA site in Nelson in order to access AHG (Affordable Housing Grant) prior to the end of March 2020 via a direct award to a partner Registered Social Landlord;
- (ii) Cabinet agree to the development of the HRA sites in Bedwas and Trecenydd subject to viability testing and planning approval as set out in the report;
- (iii) Cabinet agree the principle of Caerphilly Homes acquiring new build affordable homes, via Section 106 Agreements in areas of housing need, subject to financial viability in terms of the Housing Business Plan;
- (iv) the purchase via Section 106 Agreements of up to 10 affordable units per development be delegated to the Head of Service in conjunction with the Cabinet Member for Homes and Places. Section 106 Agreements involving more than 10 affordable units will be the subject of a report to Cabinet;
- (v) Cabinet agree to proposals for General Fund land to be considered and appropriated to Caerphilly Homes for the development of affordable housing, subject to suitability and affordability. Further reports will be submitted as and when required on specific site proposals requesting appropriation from the General Fund to Caerphilly Homes for housing purposes;
- (vi) Cabinet approve that where HRA land is sold for new development, 100% of the capital receipt is kept within the HRA and recycled to finance the Council's new build programme. Where there is no commitment to develop the land, there is an option to retain 25% of the receipt within the HRA and 75% utilised to repay debt (as in previous years with regards to Right to Buy sales);
- (vii) Cabinet support the exploration of innovative and commercial opportunities to facilitate the delivery of new affordable homes including the possibility of market sales, which on some sites may be necessary to ensure viability;
- (viii) Cabinet approve the engagement and commissioning of consultants and a development partner via recognised and compliant public sector procurement instruments i.e. via the SCAPE and Welsh Procurement Alliance framework agreements (further explained in 5.5/6). Each separate procurement arrangement will be undertaken with support and advice from the Council's Procurement Team and will be subject to separate reports being brought forward as appropriate;
- (ix) Cabinet approve the use of Modern Methods of Construction (MMC) including modular or partially modular homes together with a 'fabric first' approach to deliver the most energy efficient homes possible and respond to the zero carbon agenda;
- (x) Cabinet approve the commissioning of an independent consultancy via a compliant framework agreement to undertake viability assessments of all suitable HRA land in order to develop a catalogue of commercially viable sites that can be developed over

a 5 year period and form the basis of the Council's new build strategy. This information will be used as the basis to develop 'shelf ready' schemes in preparation for the announcement of new Welsh Government funding in 2021;

- (xi) Cabinet approve the creation of a Caerphilly Homes Development Team to develop and drive forward the new #BuildingTogether programme as noted in 5.32 and 5.33;
- (xii) Cabinet approve the submission of a report to Council which includes a request to borrow a further £14M to kick start the new build programme and other proposals contained in this report. Further details are contained in section 10;
- (xiii) Cabinet approve that any unused borrowing from the £61m originally earmarked for WHQS be transferred to support the delivery of the new build programme. Further details are contained in section 10;
- (xiv) it be noted that further reports will be submitted as and when required and details of specific schemes are known in order to advise members and where necessary seek Cabinet approval.

The meeting closed at 7.15 p.m.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 28th January 2020, they were signed by the Chair.

CHAIR