



COUNCIL - 8TH OCTOBER 2013

SUBJECT: NOTICE OF MOTION - 'BEDROOM TAX'

REPORT BY: INTERIM CHIEF EXECUTIVE

1.1 The attached Notice of Motion - 'Bedroom Tax' was considered by the Policy and Resources Scrutiny Committee on 24th July 2013.

1.2 The Scrutiny Committee considered the Notice of Motion submitted by Councillors Cllrs C Mann, J.A. Pritchard, K. Lloyd, L. Ackerman, P.J. Bevan, C. Elsbury, J. Taylor and A. Angel, requesting: -

"That this Council wishes to express its serious concern regarding the impact of Welfare Reform measures on people of the Caerffili County Borough.

Specifically the Council is concerned that measures to reduce housing benefit for tenants of local authorities introduced last April have not taken into account the acute shortage of one-bedroom homes. The fact that down-sizing will not be a realistic option for most tenants will mean significant hardship for tenants and increase the risk of homelessness.

The Council is further concerned that these measures may have an adverse impact on council and housing association landlords' rental income and their ability to invest in improving their own stock and in building new, affordable homes."

1.3 The Councillors asked in their Notice of Motion that Council agree:

- (A) "That where the appropriate officers are satisfied that tenants who are subject to the under-occupancy charge have done all they reasonably could to avoid falling into arrears, then all legitimate means to collect rent arrears should be utilised except eviction and the use of bailiffs"
- (B) "To establish a joint working group that will include elected members, officers from Housing and Revenues and Benefits, Registered Social Landlords and tenants representatives. The role of the working group shall be to monitor the implementation and impact of various benefits changes and to contribute to consideration of further measure to support tenants, including examples as mentioned below"
- (C) "To support calls by local campaign groups to scrap the bedroom tax"
- (D) "To support appeals – extend the deadline for appeals and give clear information on how to appeal"
- (E) "Not to prevent tenants moving to smaller properties because of bedroom tax arrears"
- (F) "Not to force people to move from homes and out of communities where they have lived for many years"
- (G) "To increase provision of smaller units of housing, especially in areas most affected by the bedroom tax, by reclassifying properties or other means".

- 1.4 The Scrutiny Committee having fully discussed the issues involved and having paid particular attention to the financial, equality and legal implications voted that paragraphs (A) to (G) be deleted and then replaced with the following recommendation to full Council:
- ‘To write to the Secretary of State for Work and Pensions and Communities and Local Government setting out this Council’s opposition to the Bedroom Tax and highlighting the negative impact of their Government’s Welfare Reform Measures on many residents of Caerphilly County Borough Council’.
- 1.5 Members should be aware that the Council’s constitution does not provide for a scrutiny committee to change a Notice of Motion without the consent of the signatories, therefore, Council must consider the Notice of Motion as outlined in paragraph 1.3. That said, Members should also note that Policy and Resources Scrutiny Committee did not support the Notice of Motion but wanted to explore what the Council could do to mitigate the impact of the Government’s welfare reforms.
- 1.6 At the request of the Policy and resources Scrutiny Committee, a special meeting of the Caerphilly Homes Task Group was held in order to consider the issues of no-eviction and the re-classification of properties. The Task Group met on 28th of August 2013 in order to fully discuss the legal, financial and equality implications associated with no-eviction and re-classification. Representatives from other Registered Social Landlords were invited to attend and a representative from Charter Housing was present at the meeting. The Task Group received updates on the position of other Local Authorities (including Cardiff Council) and Registered Social Landlords in this regard.
- 1.7 Having fully discussed the issues and considered all the implications of no-eviction and reclassification the Caerphilly Homes Task Group made the following recommendations to the Policy and Resources Scrutiny Committee: -
1. The Caerphilly Homes Task Group could not support the introduction of a no-eviction policy.
 2. The Caerphilly Homes Task Group could not support a full re-designation policy, however, under a specific criteria there might be a limited number of properties where re-classification would be suitable and if appropriate this option should be actively pursued.
 3. The Caerphilly Homes Task Group fully supported the following initiatives:-
 - Waive limited breaches of tenancy to assist with transfers e.g. certain levels of arrears and property condition
 - Award tenants affected by the under-occupancy rules additional points to assist their transfer to more suitable accommodation.
 - Pursue opportunities to increase the use of the private sector for suitable alternative properties.
 - Continue to provide practical/financial support to those tenants who wish to downsize e.g. signposting, debt and financial management advice, assist applications for DHP, energy advice, referral to voluntary sector for assistance, assistance to move home, fast-track referral to Job Centre Plus.
 - Increase the provision of 1 and 2 bed properties on future new developments in conjunction with RSL partners
 - In limited circumstances convert vacant properties into smaller units of accommodation where appropriate to do so e.g. houses into flats

- Introduce the requirement for tenants who are in arrears to attend compulsory money management workshops/one to one sessions
- Consider reclassifying some properties where appropriate and review rooms, which are classified as bedrooms but are unable to accommodate the size of a standard single bed.
- Develop step-by-step procedures for dealing with arrears so that the processes being followed are open and transparent to all.
- Introduce a Tenancy Review Panel to scrutinise proposed evictions prior to progressing cases to court and make recommendations to the Chief Housing Officer.
- Regular updates on the Welfare Reform impacts to be presented to CHTG and Policy and Resources scrutiny meetings

1.8 The above recommendations of the Caerphilly Homes Task Group were reported to the Policy and Resources Scrutiny Committee on 1st October 2013. The Policy and Resources Scrutiny Committee wished to record their thanks to the Caerphilly Homes Task Group for their work in considering the Notice of Motion. The Scrutiny Committee discussed the Caerphilly Homes Task Group recommendations and endorsed their recommendations subject to the following amendments: The following amendments were moved and seconded and unanimously agreed by the Policy and Resources Scrutiny Committee:

- (i) Paragraph 1.7 (3) 7th bullet point – “Introduce the requirement for tenants who are in arrears to attend compulsory money management workshops/one to one sessions” be amended as follows “Introduce support for tenants who are in arrears to attend money management workshops/one to one sessions”
- (ii) Paragraph 1.7 (3) 8th bullet point – The sentence be extended to read “Consider reclassifying some properties where appropriate and review rooms, which are classified as bedrooms but are unable to accommodate the size of a standard single bed or used to store large pieces of medical equipment (such as lifting hoists etc)”.

RECOMMENDATIONS

1.9 Members are invited to determine the Notice of Motion.

1.10 Members agree to receive a further report to be presented at the next meeting of full Council advising on the financial and legal implications of the Caerphilly Homes Task Group recommendations as amended by Policy and Resources Scrutiny Committee.

Author: E. Sullivan, Democratic Services Officer, Ext 4420.

Appendices:

Appendix 1 Report to the Policy and Resources Scrutiny Committee - 24th July 2013 - Agenda Item 7(1)

Appendix 2 Minutes Special Caerphilly Homes Task Group Meeting - 28th August 2013.