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Date: 21st March 2018

Dear Sir/Madam,

A meeting of the **Caerphilly Homes Task Group** will be held in the **Sirhowy Room, Penallta House, Tredomen, Ystrad Mynach** on **Thursday, 29th March, 2018** at **5.00 pm** to consider the matters contained in the following agenda. You are welcome to use Welsh at the meeting, a minimum notice period of 3 working days is required should you wish to do so. A simultaneous translation will be provided if requested.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Christina Harrhy'.

Christina Harrhy
INTERIM CHIEF EXECUTIVE

AGENDA

	Pages
1 To receive apologies for absence.	
2 Declarations of Interest.	

Councillors and Officers are reminded of their personal responsibility to declare any personal and/or prejudicial interest(s) in respect of any item of business on this agenda in accordance with the Local Government Act 2000, the Council's Constitution and the Code of Conduct for both Councillors and Officers.

A greener place Man gwyrddach



To approve and sign the following minutes: -

- | | | |
|---|---|-------|
| 3 | Caerphilly Homes Task Group held on 15th February 2018. | 1 - 6 |
| 4 | Wales Audit Office Review Update (Verbal). | |

To receive and consider the following reports and make recommendations to the Policy and Resources Scrutiny Committee: -

- | | | |
|---|---|--------|
| 5 | Review of the Rechargeable Repairs and Appeals Panel. | 7 - 28 |
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To receive and note the following information item(s): -

- | | | |
|---|--|---------|
| 6 | Abolition of the Right to Buy and Associated Rights. | 29 - 32 |
|---|--|---------|

If a member of the Caerphilly Homes Task Group wishes for the above information report(s) to be brought forward for discussion at the meeting, please contact Emma Sullivan on 01443 864420, by 10 a.m. on Wednesday 28th March 2018.

- | | | |
|---|--|--|
| 7 | To receive any requests for an item to be included on the next available agenda. | |
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Circulation:

Task Group Members: Ms L. Pewtner, Mrs D. Moore, Ms M. James, Ms R. Thompson, Mrs Y. Bryant, M. Davies, Miss E. Forehead, L. Harding, A. Hussey, Ms S. Jones, L. Phipps, Mrs D. Price, L.G. Whittle and Mr C. Davies,

And Appropriate Officers



CAERPHILLY HOMES TASK GROUP (WELSH HOUSING QUALITY STANDARD)

**MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH
(SIRHOWY ROOM) ON THURSDAY, 15TH FEBRUARY 2018 AT 5.30 P.M.**

PRESENT:

C. Davies - Chair

Task Group Members:

Mrs Y. Bryant, M. Davies, L. Harding, A. Hussey, Mrs S. Jones, Mrs D. Moore, Mrs L. Phipps, Mrs R. Thompson and L. Whittle.

Officers:

S. Couzens (Chief Housing Officer), M. Betts (Tenant and Community Involvement Manager), M. Lloyd (Acting Head of Engineering Services) and C. Evans (Committee Services Officer).

1. APOLOGIES

Apologies for absence were received from E. Forehead, Ms M. James, Ms L. Pewtner, and Mrs D. Price.

2. DECLARATIONS OF INTEREST

Tenant Representatives Y. Bryant, C. Davies, Mrs S. Jones, Mrs D. Moore and R. Thompson declared a personal but not prejudicial interest in all agenda items as Council Tenants.

3. MINUTES – 14TH DECEMBER 2017

RESOLVED that the minutes of the meeting held on 14th December 2017 be approved as a correct record and signed by the Chair.

4. RE-PROFILING OF WHQS PROGRAMME AND HRA CAPITAL PROGRAMME 2018/19

The report provided the Caerphilly Homes Task Group with proposals for re-profiling the WHQS Programme with the aim of ensuring full compliance by 2020, prior to its consideration by Policy and Resources Scrutiny Committee and Cabinet.

The report outlined that there has continued to be good progress with the WHQS delivery programme during 2017/18. However, it has been necessary to review the programme and take account of changing circumstances to ensure full compliance by 2020. The report sets out the reviewed programme.

Following the Wales Audit Office Review conducted in April 2017, a commitment has been made to complete 40% of the external works and 75% of the internal works by March 2018. At the end of December 2017, 33% of the external works have been completed and 70% of the internal works have been completed. A further commitment has been made to Welsh Government that 80% of external works and 94% internal works would be completed by March 2019.

A separate programme of works was established for the sheltered housing schemes with agreement that both internal and external works would be undertaken by the in-house workforce. This work is on programme for completion by 2020 and is therefore not required to be re-profiled at this time.

The HRA Capital Programme budget has been revised based on accurate recent actual costs projected forward to the end of the programme. This data now replaces the previous Savill's estimates and demonstrates that the housing business plan and the WHQS Programme remains financially viable.

The Caerphilly Homes Task Group discussed the report at length and raised concerns in relation to the external works and assurances were sought that the programme of works would be completed by the 2020 deadline. Officers confirmed that there has been a need to re-profile due to slippage, however, these issues have now been resolved and the Task Group were assured that the works would be completed within the Welsh Government timescale.

Members raised concerns for consistency of works across housing estates, with particular reference made to cladding being provided for newer build houses and not on older properties, many of which are presenting issues of damp. Officers thanked Members for drawing to their attention and it was resolved that a meeting be conducted to consider these issues raised.

The Caerphilly Homes Task Group were also asked to consider rolling forward the properties that were planned to be undertaken by an external contractor during 2018/19 to 2019/20, whereby the in-house workforce would have capacity to undertake the work. With a marginal number of properties programmed for the final year there can be confidence that the internal works can be completed by March 2020. In addition, Welsh Government has confirmed that the deadline for achievement of WHQS is December 2020 which provides additional flexibility.

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

RESOLVED that for the reasons outlined in the Officers report and as discussed at the meeting, the Caerphilly Homes Task Group support the option in 4.17 of the report to roll forward the properties planned to be undertaken in 2018/19, in order that the works can be conducted by the in-house workforce, and recommend to Policy and Resources Scrutiny Committee and thereafter Cabinet.

5. WHQS ENVIRONMENTAL PROGRAMME

The report provided the Caerphilly Homes Task Group with a high level overview of the WHQS Programme for information.

It was noted that, following the ballot in February 2012, the Council agreed that it would deliver the promises made in its Offer Document to tenants and deliver the Welsh Housing Quality Standard by March 2020. The Council also agreed that its capital investment in homes would deliver social outcomes to 'transform lives and communities'.

Part of the commitment to deliver the WHQS across all 10,865 homes also included a requirement to comply with Part 6 which aims to ensure that 'all dwellings should be located in an environment to which residents can relate and in which they can be proud to live'.

£10.6m has been set aside in the business plan agreed with Welsh Government specifically for this purpose.

It was noted that three Environmental Health Officers were recruited to work with the Area Housing Teams and local members in order to initially identify environmental maintenance/repair issues. The issues were identified and collated into a single spreadsheet with each project being detailed using a proforma.

Over 200 minor projects have been identified across the county borough to date and colleagues across the directorate have become involved in offering specialist support and advice. Many have required specialist input from Highways and Engineering, Waste and Grounds Maintenance in order to assess feasibility and determine options.

Having identified a number of minor projects, the environmental officers have now focussed their efforts on undertaking an extensive engagement programme throughout the County Borough which is intended to 1) engage local communities in discussions regarding the quality and safety of their local environment 2) identify solutions to some of the challenges and constraints within communities that could be overcome via the WHQS environmental programme and 3) to work with partners to help develop more cohesive and resilient communities through joint working and the pooling of resources.

The Task Group noted the packages of projects, which have been identified across the borough, which include additional fencing and play facilities in Fochriw, extending the current skate park, parking and fencing in Penyrheol and new parking facilities in Gellideg and Penybryn. The work has been undertaken in consultation with partnership agencies including Keep Wales Tidy, Natural Resource Wales and the Council's Community Regeneration Team.

In addition, the Task Group noted that future maintenance of projects has also been a key consideration as there is no budget from which to fund future additional maintenance costs that may arise from new proposals. This has therefore meant that any ongoing maintenance implications have had to be considered within the wider context of reducing Council budgets.

The Task Group were also provided with a selection of photographs of some of the works and projects undertaken across the borough.

The Task Group thanked the Officer for the report and discussion ensued.

Discussions ensued around the communications across Communities in relation to the works planned. Officers explained that there are a number of communication methods, one of which is the production of leaflets, which are provided to the local residents and consultation undertaken with local ward members.

In noting that leaflets are provided, a Task Group Member requested that more detail of the works to be undertaken be provided within the correspondence in order to make tenants aware of all of the environmental changes planned.

Concern was also raised over the apparent delays in agreed works actually commencing within some communities. It was explained that agreement had been reached to utilise the services of in-house teams in the delivery of projects and therefore this needed to be incorporated into their existing core services. As larger projects were also now being identified, many of these require designing, planning and highway approval prior to proceeding which added to the delays.

The Caerphilly Homes Task Group thanked the Officer for the report and noted its content.

6. WHQS – ACCEPTABLE FAILS/PREVIOUSLY ACHIEVED UPDATE

The report provided Members with information on the application and volume of Welsh Housing Quality Standard (WHQS) elements classified as “Acceptable Fails” or “Previously Achieved”.

The WHQS intended to ensure that all local authority and housing association homes are improved and maintained to achieve specified standards.

The WHQS guidance document also recognises that it may not be possible to bring all elements within a property up to the required standard. Such elements can be recorded as “acceptable fails”.

Whilst the Council’s main WHQS programme commenced following the ballot on housing stock transfer in 2012, a number of properties benefitted from improvements prior to this date which met the standard. In addition, elements have also been renewed outside of the main WHQS programme by the Housing Repairs Operations team, either as a response repair or when a property became void. Any elements which met the standard separately to the main programme, therefore, are classed as “previously achieved”, and recorded as being completed.

The report provided members with clarification on the Council’s application of previously achieved and acceptable fail elements and the impact they are having on the programme.

The Task Group noted the criteria for an acceptable fail, which is applicable on individual elements, not the dwelling as a whole and includes cost of remedy, timing of remedy, residents choice and physical constraint. In addition, the Task Group were asked to note Appendix 2 of the report, which provided information on the numbers and types of work items which have been classed as “previously achieved”, which is based on properties surveyed to date and information currently recorded within the asset management database.

The Task Group thanked the Officer for the report and discussion ensued.

A Task Group Member raised concern that some tenants had not been provided with the kitchens they were originally promised, which was not outlined within the addendum document. Officers explained that not every property would be provided with new bathrooms and kitchens etc, these would depend on the surveys undertaken at the properties and in line with the guidance provided by W.G. for the delivery of the WHQS programme. The Task Group were asked to note that where possible Caerphilly have gone above and beyond to meet expectations of tenants, where this has been possible.

Discussions took place around acceptable fails, with particular reference to tenants refusing work who have serious health issues. Officers clarified that, where ever possible every effort has been made to accommodate tenants, with additional support provisions put in place in order to support tenants through the works. However, where works have been refused, for example replacement windows offered during winter months or where a tenant had poor health at the original time of the works and later their health improved the Task Group were assured that revisits are being undertaken across the borough, with the aim of undertaking the work and reducing the number of refusals.

A Task Group Member sought further information on the works undertaken within the Complexes and the timescales for completion. Officers explained that this is currently under a feasibility study and a further report will be provided to the Task Group in May.

The Caerphilly Homes Task Group thanked the Officer for the report and noted its content.

7. TO RECEIVE ANY REQUESTS FOR AN ITEM TO BE INCLUDED ON THE NEXT AVAILABLE AGENDA

The Task Group requested that the following reports be presented to the next meeting:

1. Community Fund
2. Programme House Building in Borough (Affordable)
3. Valleys Taskforce – Regional- Political

The meeting closed at 6:16 p.m.

Approved as a correct record subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 29th March 2018.

CHAIR

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CAERPHILLY HOMES TASK GROUP - 29TH MARCH 2018

SUBJECT: REVIEW OF THE RECHARGEABLE REPAIRS AND APPEALS PANEL

REPORT BY: DIRECTOR – SOCIAL SERVICES AND HOUSING

1. PURPOSE OF REPORT

- 1.1 To obtain the views of the Caerphilly Homes Task Group on the review of the operation of the Rechargeable Repairs and Appeals Panel and the need to consider revising the way in which second stage reviews are considered, prior to its presentation to the Policy and Resources Scrutiny Committee and Cabinet.

2. SUMMARY

- 2.1 The Rechargeable Repairs Policy was approved at Cabinet on the 18th March 2015. The Policy included a revised review process that allows tenants to request an independent review of their recharge if they have good reason to disagree with a previous decision made by officers/managers.
- 2.2 There are currently three stages to the process:
- An informal review by officers
 - A first stage formal review by a manager
 - A second stage formal review, undertaken by the Rechargeable Repairs and Appeals Panel. The Panel makes a recommendation to the Chief Housing Officer on whether the recharge should be upheld. The Chief Housing Officer's decision is final.
- 2.3 This second stage review by a panel replaced the second stage of the Corporate Complaints Procedure with regards to recharges only. The Panel was suggested by the Repairs and Improvements Group in August 2014 when consulted on the introduction of the Rechargeable Repairs Policy and was considered an opportunity to involve tenants and Members in reviews.
- 2.4 This report provides information on the second stage reviews considered by the Panel to date, including outcomes and recommends that, due to the extensive additional resources required in facilitating the panel, cost implications, consequential delays in decision making and the limited number of cases being brought forward, the use of a panel for second stage reviews be replaced with a procedure that would mirror the second stage of the Corporate Complaints Procedure.
- 2.5 It is further proposed that alternative arrangements be put in place to ensure that the quality and consistency of decision making in relation to reviews is maintained, and to keep tenants informed about decision making in respect of rechargeable repairs.

3. LINKS TO STRATEGY

- 3.1 The Single Integrated Plan 2013-2017 has a priority ‘to improve standards of housing and communities, giving appropriate access to services across the County Borough’.
- 3.2 Caerphilly County Borough Council 2013/17 Corporate Priorities include: CP7 - Invest in our Council homes and their communities to transform lives.
- 3.3 Caerphilly County Borough Council’s Well-being Objectives in 2017/18 include: WBO5 – Investment in Council homes to transform lives and communities.
- 3.4 The Wellbeing of Future Generations Act 2015 sets out the following wellbeing goals which link with the aims of this report:-
- A resilient Wales
 - A prosperous Wales
 - A healthier Wales
 - A more equal Wales
 - A Wales of cohesive communities
 - A globally responsible Wales

4. THE REPORT

- 4.1 The Council as a Landlord has an obligation to keep its housing stock in a good state of repair. When repairs are reported they are completed at no cost to the tenant, providing the repair is a Landlord responsibility and is required as a result of fair wear and tear. This usually means where the fixture or fitting has worn out or has come to the end of its natural life. Tenants have a responsibility to act responsibly and maintain their homes to a satisfactory standard and when a repair has been identified as not being caused through fair wear and tear, the Council may recharge the cost of the repair to the tenant or former tenant in the case of a void property.
- 4.2 The majority of tenants and former tenants are unlikely to be recharged for undertaking repairs, however, the Rechargeable Repairs Policy is in place to deal with situations where tenants may fail to act responsibly or maintain their homes to a satisfactory standard.
- 4.3 The Rechargeable Repairs Review Procedure allows tenants to request a review against their recharge if they have good reason to disagree with a decision. This may be because they consider:
- The reason for the recharge is incorrect.
 - The cost is incorrect.
 - They have special circumstances which have not been properly assessed or taken into consideration.
- 4.4 There are currently three stages to the review process:
- 4.4.1 An informal review where the recharge is considered by the officer who was originally responsible for identifying the recharge who takes into account any new information that has been provided by the tenant. If there is no new information or where it is considered that the additional information is insufficient to justify a revised decision, the recharge will be upheld.
- 4.4.2 A first stage formal review is considered by a Housing manager where the tenant has provided further new information. A decision is made on whether there is evidence that the recharge is inappropriate or where it is felt that discretion should be applied.

- 4.4.3 Where the tenant remains dissatisfied with the decision a second stage formal review is undertaken by the Rechargeable Repairs and Appeals Panel. The Panel's role is to examine the earlier reviews and to make a recommendation to the Chief Housing Officer for consideration on whether or not the recharge should be upheld. The Chief Housing Officer's decision is final and no further internal review can be undertaken.
- 4.5 The Rechargeable Repairs and Appeals Panel replaced an arrangement whereby the second stage of the Corporate Complaints Procedure was utilised to consider second stage requests for review of a recharge. The Panel was introduced following a consultation process carried out in 2014 with the Repairs and Improvements Group on the proposed introduction of the Rechargeable Repairs Policy. The Group suggested that tenant representatives should be involved in the recharge review process. The Rechargeable Repairs and Appeals Panel was considered an opportunity to involve tenants and local Members in considering requests for reviews.
- 4.6 The Terms of Reference of the Panel are to monitor the number of recharges raised, discretions applied and outcome of reviews at both the informal stage and Stage 1 of the review process in order to identify any particular trends and evaluate previous decisions. This enables outcomes of the policy to be measured for consistency.
- 4.7 The membership of the panel comprises:
- Tenancy Enforcement Manager/Older Persons Housing Manager (Chair)
 - An Area Housing Manager
 - A Council Member representative
 - One tenant representative
 - Public Sector Housing Manager (advisory capacity if required, no vote)
- The quorum for the meeting is 3 members, one of whom must be a Council Member representative or tenant representative. Additional officers are also required to attend Panel meetings to present cases for review when required and to benefit from learning outcomes in relation to consistency of decision making.
- 4.8 The Panel is programmed to meet on a monthly basis, and monitor the number of recharges raised, number and nature of cases where discretion is applied and the outcome of reviews at the informal stage and Stage 1 of the review process, in order to identify any particular trends and evaluate previous decisions. This enables outcomes of the policy to be measured for consistency.
- 4.9 Two Local Councillors and two tenants have been appointed to the Panel. It was agreed that, if available, all four panel members could attend each meeting as a learning exercise, but before the start of each meeting a decision would be taken as to who would be the voting representatives.
- 4.10 The introduction of the Panel took longer than anticipated to establish, during which time reviews continued to be considered in accordance with the Corporate Complaints Procedure, however following selection of panel members and completion of training the Panel first met in August 2016.
- 4.11 An internal audit undertaken on the former recharge procedure in 2014 identified inconsistency in the number of recharges being raised from each decentralised Housing office so during this interim period operational processes were reviewed and amended in an effort to improve consistency in the approach to recharge decisions, reviews and the use of discretion, which has led to a reduction in the number of requests for second stage reviews being received.
- 4.12 In total, to date, the Panel has been asked to consider only 9 second stage reviews and in each case the Panel's recommendation to the Chief Housing Officer was the recharge should remain. One case was subsequently overturned by the Chief Housing Officer and the recharge was withdrawn.

- 4.13 A number of changes have been made to procedures as a direct result of the Panel's discussions:
- September 2016 – Recharge letters amended to include information on the Council's insurance policy.
 - July 2017 – Housing Repair Operatives to take timed and dated photographs of front doors when they fail to get access as proof of their visit.
 - October 2017 – Wording of appointment letter amended (for glazing measurement) to make it clear that tenant or representative needs to be available to allow access inside the property.
- 4.14 Statistics have been presented to the Panel so that consideration could be given to the consistency of relative numbers of recharges raised across the two Area and two Neighbourhood Housing Offices and that discretion has been applied appropriately. A number of Stage 1 review cases have also been presented to evidence consistency.
- 4.15 Following Local Government elections in 2017 new Members and tenant representatives were appointed to the Panel.
- 4.16 It is evident that the number of second stage reviews being requested has reduced and been less than anticipated, leading to a number of Panel meetings being cancelled. Between August 2016 and 31st March 2017 four cases with a total value of £5,746.35 were presented to the Panel, with five cases in 2017/18, totalling £380.83, all of which were upheld. This compares with 17 cases in 2014/15, of which 8 were upheld and 14 cases in 2015/16, again 8 were upheld.
- 4.17 The average value of recharges being considered by the Panel in 2017/18 has been £76.16 with several less than £30 and, whilst the Rechargeable Repairs Policy is considered to have a significant impact in ensuring that tenants keep their property in a good state of repair, the costs involved in implementing the Recharge Review and Appeals Panel process are considered by officers to be disproportionate to the benefits achieved.
- 4.18 The staff resources associated with the Panel are considerable when compared with the use of the Corporate Complaints Procedure for second stage reviews. It has been established that the preparatory and investigative work involved in facilitating the Panel mirrors almost exactly that of the Corporate Complaints process previously utilised so that all costs associated with the Panel in carrying out second stage reviews, including attendance by Officers, Members and tenants are additional. There are also significant additional printing, redaction and postage costs necessitated by the Panel process.
- 4.19 It has been identified that the Panel process delays decision making in relation to second stage reviews as cases cannot be referred to the Panel until investigations have been fully completed. This necessitates a delay of up to one month to coincide with Panel meetings but this has on occasion been extended due to an initial Panel not being quorate.
- 4.20 Were the Panel to be discontinued it would be necessary to implement an alternative procedure for decision making . It is recognised that an officer panel would also need to meet regularly to ensure that the progress made to date in improving consistency in the application of the Rechargeable Repairs Procedure is sustained. A reporting mechanism would also be required to inform tenant representatives on decisions taken by officers in relation to informal, first and second stage reviews of rechargeable repairs.
- 4.21 It is considered that the introduction of a procedure that mirrors stage 2 of the Corporate Complaints Procedure for the investigation of second stage reviews of rechargeable repairs would be an appropriate replacement for the Panel. The investigative process, which has been proven to be effective, would remain unchanged, but the additional time and resources necessitated by the Panel process would be avoided. Final decisions in respect of these reviews would be made by the Public Sector Housing Manager or Chief Housing Officer.

5. WELL-BEING OF FUTURE GENERATIONS

- 5.1 This report contributes to the Well-being Goals as set out in Links to Strategy above. It is consistent with the five ways of working as defined within the sustainable development principle in the Act in that:

Long Term – improving and future proofing our properties; providing affordable housing for tenants; providing a fair and transparent service to tenants.

Prevention – providing well maintained, safe, warm and secure homes; preventing disrepair and promoting low maintenance for the future.

Integration – improved standards of housing and community environments.

Collaboration – joined up working arrangements within in-house teams and cost effective procurement arrangements.

Involvement – tenant meetings, consultation and information updates to obtain the views of the residents.

6. EQUALITIES IMPLICATIONS

- 6.1 An Equalities Impact Assessment is not needed as this report is recommending changes to the manner in which existing recharges are reviewed, therefore the Authority's full EIA process does not need to be applied.
- 6.2 Any Equalities issues that become apparent from conducting the review of the operation of the Rechargeable Repairs and Appeals Panel will be taken on-board and the policy amended.

7. FINANCIAL IMPLICATIONS

- 7.1 Were the Panel to be discontinued costs associated with the investigation of recharges by officers and associated decision notifications would remain unchanged as these processes are fully replicated in the Corporate Complaints Procedure however, there would be a saving to the Housing Revenue Account:
- Costs associated with producing and distributing documentation, reports, redacted information and copies of all paperwork for all Panel members.
 - Costs incurred in ensuring attendance at meetings e.g. taxi fares for tenants at approximately £40 per meeting, mileage expenses for Officers, hourly rate of Officers preparation for and attendance at meetings.
- 7.2 To date, these costs have outweighed the actual cost of the recharges being reviewed. Whilst the nine recharges being reviewed totalled £6127.18 (of which 1 recharge accounted for £5,634.95, the remaining 8 recharges combined totalled £492.23) preliminary data analysis has shown that the average cost of convening each Panel meeting is £660 excluding printing, redaction, postage and staff mileage costs. These costs are additional to the charges incurred when utilising the former process.

8. PERSONNEL IMPLICATIONS

- 8.1 Should the Rechargeable Repairs and Appeals Panel be discontinued this would free up Housing Officer and Housing Manager time associated with preparation for and attendance at Panel meetings.
- 8.2 There would be a saving in Officer time in the Tenant and Communication and Involvement Team in facilitating, preparing for and presenting at meetings, however this team would continue to undertake the investigative work associated with second stage reviews. Final decisions on second stage reviews would be taken by the Public Sector Housing Manager or Chief Housing Officer.

- 8.3 An Officer panel would be required to meet regularly to ensure that the progress made to date in improving the quality and consistency of decision making in relation to the rechargeable repairs review process continues.

9. CONSULTATIONS

- 9.1 The report reflects the views of the consultees.

10. RECOMMENDATIONS

It is recommended that:

- 10.1 The Rechargeable Repairs and Appeals Panel be discontinued.
- 10.2 All second stage reviews of rechargeable repairs be investigated using a process that mirrors the second stage of the Corporate Complaints Procedure.
- 10.3 Monitoring of consistency of implementation of the Rechargeable Repairs Procedure in relation to requests for review and the application of discretion be undertaken by a Housing Manager Panel on a quarterly basis.
- 10.4 An annual report is provided to the Repairs and Improvement Group on the number, nature and outcome of second stage reviews of rechargeable repairs considered under the revised procedure, together with decisions taken in respect of informal and stage 1 formal reviews.

11. REASONS FOR THE RECOMMENDATIONS

- 11.1 Due to the reduction in the number of recharge reviews being requested by tenants and the progress made in evidencing consistency of decision making, it is not considered to be cost effective to continue with the Rechargeable Repairs and Appeals Panel.

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Consultees: Christina Harrhy, Interim Chief Executive
Dave Street, Director, Social Services and Housing
Councillor Lisa Phipps, Cabinet Member for Homes and Places
Shaun Couzens, Chief Housing Officer
Mandy Betts, Tenant and Community Involvement Manager
Debbie Bishop, Area Housing Manager
Julie Reynolds, Area Housing Manager
Karen James, Neighbourhood Housing Manager
Tracy Lundy, Neighbourhood Housing Manager
Rachel Thornett, Tenancy Enforcement Manager
Angela Hiscox, Older Persons Housing Manager
Todd Rawson, Solicitor
Paul Smythe, Housing Repair Operations Manager
Lesley Allen, Principal Accountant
Anwen Cullinane, Senior Policy Officer, Equalities and Welsh Language
Jane Pitman, Assistant Area Housing Manager
Huw Jordan, Assistant Area Housing Manager

Appendices:
Appendix 1 Rechargeable Repairs Policy

CAERPHILLY HOMES
HOUSING SERVICES
RECHARGEABLE REPAIRS POLICY

JUNE 17

Rechargeable Repairs Policy

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1. Introduction

Caerphilly Homes is committed to providing a responsive and effective housing repairs and maintenance service. This is to ensure high levels of tenant satisfaction and to protect the value of its housing stock.

The council as Landlord has an obligation to keep its housing stock in good repair. We will do this when repairs are reported, with no cost to the tenant, providing the repair is a Landlord responsibility and is required as a result of fair, wear and tear. This normally means where the fixture or fitting has worn out or has come to the end of its natural life.

The majority of tenants keep their homes in good condition but there are some who do cause damage deliberately or through neglect. Where such jobs are required, we call these rechargeable repairs. We do not want the tenants who look after their homes to share the costs of repairs for those who do not.

Caerphilly Homes will ensure that no individual is discriminated against on grounds of their ethnic origin, sex, age, marital status, sexual orientation, disability, gender reassignment, religious beliefs or non-belief, use of Welsh language, BSL or other languages, nationality, responsibility for any dependents or any other reason which cannot be shown to be justified.

Caerphilly Homes will ensure the promotion of equal opportunities by publishing information and documentation in different languages and other formats such as large print, tape and Braille as required. An Equality Impact Assessment was undertaken on this Policy prior to its implementation

Where a repair is found to be the tenant's responsibility, the tenant, in some circumstances may have the option to undertake the repair themselves. However, in order to ensure the repair is completed to the required standard this will be monitored. Where ever possible the tenant will be advised prior to the work being undertaken.

Repairs that require a qualified tradesman to undertake the repair or where the repair may lead to health and safety concerns will be completed by Caerphilly Homes, and the tenant recharged for the full costs.

The council offers all tenants of Caerphilly Homes an insurance policy which will cover certain repairs for which the council is not responsible. Tenants also have the option of paying an additional premium to cover accidental damage.

A Recharge Procedure is in place for staff guidance to ensure consistency is applied across the borough. The Policy and Procedure will be reviewed annually unless legislative changes require that it be reviewed earlier.

Tenants Representatives have been consulted and contributed to the development of this policy.

2. Objectives of the Policy

- To give guidance on the circumstances where repairs will be recharged
- To give guidance on the circumstances where discretion will be exercised – see Appendix 1 for Exceptional Circumstances
- To outline the recharge process for repairs
- To inform tenants how to request a review or dispute the recharge – see Appendix 3
- To show how rechargeable repairs will be monitored in order to maintain equality and to seek continuous improvement.

3. Policy Statement

The Tenancy Agreement states that the tenant is responsible for paying the Council on demand any costs it incurs as a result of:

- willful damage
- neglect or negligence by the tenant or any person residing in or visiting the property
- the removal of any unauthorised alterations or improvements to the property and any necessary reinstatement work
- failure by the tenant to carry out, within a reasonable time, any repair to the property which is their responsibility.

4. Principles of the Policy

The overall aim of the Recharge Policy is to contribute to the efficient maintenance of the Council's housing stock and to ensure that properties and expenditure are managed effectively. The principles which inform this aim are as follows:-

- 4.1 To efficiently and cost effectively manage tenancies by emphasising both the rights and responsibilities of tenants. Not raising rechargeable bills would deprive the Council of much needed income and increase the costs of the service and rental levels to all of our tenants.
- 4.2 To promote the provision of homes at affordable rents and in return expect our tenants to act responsibly and look after their homes.

- 4.3 To always consider the needs of vulnerable tenants. Exceptional circumstances will be taken into consideration and criteria will be used to assess exceptional circumstances. See Appendix 1.
- 4.4 To negotiate sustainable and affordable repayment plans with tenants/former tenants for rechargeable repairs.
- 4.5 To provide a repairs and maintenance service which is fair to all tenants, open, transparent and with recharges being consistently applied.

5. Rechargeable Repairs Definitions

Repairs that have been completed by Caerphilly Homes or it's appointed Contractors which are the tenants/former tenants responsibility are as follows:

- Neglect – preventable damage caused by the tenant failing to take the appropriate action or through carelessness.
- Property Clearance – During a tenancy or when a tenancy ends there will be a recharge raised for works identified as a tenant's responsibility. This includes clearance of any rubbish and personal belongings that have been left in the attic, garden, garage, out buildings and communal areas.
- Damage – caused by actions of the tenant, former tenant, tenants family, invited guests or a contractor employed by the tenant.
- Accidental Damage – where damage has occurred unexpectedly and without malice
- Criminal Damage – Where the tenant has reported that the damage to the property occurred as a result of either criminal or anti-social behaviour. A 'Declaration of Truth' form is sent to the tenant which should be returned within 14 days. If the Declaration of Truth form is not returned or the incident is not reported to the Police a recharge will normally be applied.
- Domestic Abuse – Damage to the property where the tenant has reported an incident to the Police, which is subject to a Domestic Abuse Conference Call (DACC). If the perpetrator remains living at the property or the tenant remains in the relationship and does not take action against that person the damage will normally be recharged.
- No Access – The tenant is recharged for the cost of a failed appointment when prior arrangements have been made to carry out a repair and no access is available at the agreed time. However if the Council fail to attend an appointment at the agreed time compensation to the tenant based on the standard charge will be considered, providing loss of income is evidenced. This includes no

accesses for annual services to gas/solid fuel central heating appliances.

- Abuse of the Emergency Service – Tenants are recharged for misuse of the Out of Hours Emergency Service when it is clear that the repair could have waited until the following working day. Callers are advised of this on the emergency service recorded message and are then reminded when questioned by the Standby Operators who follow a standard script.
- Tenant Responsibility – Tenants who use the Repairs Service including the Out Of Hours Emergency Service for reporting a repair that is later found to be the tenant's responsibility will be recharged for all costs incurred by the authority.
- Tenants Alterations – If a tenant has undertaken unauthorised alterations to the property, which are not to the Councils required standards and the tenant fails or refuses to undertake the remedial works, then the Council will undertake the works in default, and the tenant recharged the full cost.
- Owner Occupiers – shared maintenance responsibility. This involves any part of the structure or a fixture that is shared with an adjoining council property such as chimney stacks, paths and fences. The private owner will be liable for costs incurred by the Council on their behalf.
- Leaseholders – these are costs for repairs undertaken to the structure of the building and are charged annually. The leaseholder would not be recharged for the full cost of the work; they would pay a share, in accordance with the terms of their lease, which depends on the number of flats in the block.

6. Rechargeable Repairs Criteria (the list is not exhaustive)

End Of Tenancy Works

1. Any work carried out after vacating the premises to repair damage caused to the property or to replace missing or broken fixtures and fittings. This also includes cleaning and decoration.
2. Broken floor tiles following removal of tenant installed floor covering
3. Forced entry and associated damage where no keys returned to include house, garage, shed.

4. Clearance of property, garden and outbuildings
5. Fumigation or extermination costs
6. Removal and making good tenants unauthorised or substandard alterations, including garden.

Response Repairs

1. Any damage identified as being caused by the neglect or carelessness of the tenant, members of the tenant's household, or his/her visitors, lodgers or pets. This also includes unacceptable hygiene conditions, decorative standards and conditions of garden (and accumulation of rubbish).
2. Replacement of all door locks including garages and sheds.
3. Forced entry and associated damage (to include following loss of keys, Police entry, emergency service etc.)
4. All glazing internal and external including board up
5. Broken/damaged sanitary fittings
6. Electric works where loss has been caused by the tenant's appliance i.e. cooker or by accidental damage to the wiring in the property.
7. Electric safety checks following tenants alterations including light fittings.
8. Damage to the heating and hot water system or associated fittings i.e radiators.
9. Cost of Contractors wasted visit for inspection/repair of gas or electrical fittings due to lack of supply caused by tenant not crediting card/key
10. No access call on appointment (01 - OOH, 02, 03)
11. Blocked sinks, wash hand basins, baths and toilets unless a structural defect i.e. cracked drain causes blockage.
12. Replacement of bulbs, fuses and fluorescent tubes except in communal areas.
13. Abuse of Out Of Hours Emergency Service when repair does not fall within emergency criteria.

14. Use of Out of Hours Emergency Service when repair is tenant's responsibility.
15. Removal and making good tenants unauthorised or substandard alterations or any work carried out to fixtures, fittings or appliances installed by or belonging to the tenant, or to alterations the tenant may carry out during the tenancy, in order to make them safe.
16. Damaged caused to another property through tenant misuse or neglect. i.e. bath overflowing into ground floor flat.
17. Re-fixing radiators following redecoration
18. Renewing fire fronts if damaged or painted
19. Owner/Occupier joint responsibility e.g. chimney stacks, fencing

7. Cost of Repairs

- 7.1 The cost of the repair will be recharged as shown in Appendix 2.
- 7.2 No charge will be made for any additional administration or 'handling' fees.
- 7.3 A minimum job cost will apply on all repairs carried out and this will be forwarded onto the tenant/former tenant. There is no set maximum price limit. An exception to this is the cost of any repairs undertaken by Contractors employed by Caerphilly Homes where the actual cost charged to Caerphilly Homes will be forwarded onto the tenant.
- 7.4 Where the tenant uses the Council's out of hours emergency service due to accidental or criminal damage (not fair wear and tear), the recharge will depend on the damage that has been caused and where it relates to criminal damage, consideration will be given to a recharge subject to the receipt of a declaration of truth form. Where a recharge applies this will be for the cost of the call out in addition to the cost of any repair undertaken.
- 7.5 Where a tenant uses the Council's emergency service for non-emergency repairs such as calls which could wait until the next working day, the tenant will be recharged for the cost of the call-out but not for the cost of the repair.
- 7.6 Where a prior appointment has been made with the tenant to carry out a repair and access is not available the tenant will be recharged for the cost of the no access call at the standard rate. (no minimum charge applies). Where the Council fail to attend an appointment at the agreed time and subject to financial loss being evidenced, compensation to the tenant based on the standard no access rate will be considered.

8. Monitoring

- 8.1 The Policy will be reviewed in consultation with Tenants Representatives, staff and other stakeholders.
- 8.2 The Policy will be reviewed annually unless there are any reasons, such as legislative changes, requiring that it be reviewed earlier.
- 8.3 In order to comply with its service commitments, it is important that we monitor the effects of the rechargeable repairs procedure. Areas to be monitored are as follows:
 - Amount recharged and income collected
 - Number of rechargeable repairs raised at each housing office divided between void and response recharges
 - Consistency in relation to the reason for recharging and the type of repairs recharged
 - Target times for recharges being raised

9. Review Process

See Appendix 3 for the Reviews Procedure

- 9.1 The Council Housing Repairs System allows tenants to request a review against their recharge if they have good reason to disagree with a decision. This could be because: -
 - The reason for the recharge is incorrect
 - They think the cost is incorrect
 - They think they have special circumstances which have not been properly assessed or taken into consideration
- 9.2 Current and former tenants have the right to a review by contacting their local housing office.
- 9.3 Throughout this process tenants may wish to take advice from an independent source such as the Citizens Advice Bureau, Law Centre or Solicitor.

10. Links to other relevant Policies/Documents

- Tenancy Agreement
- Tenants Handbook
- Rechargeable Repairs Policy
- Empty Property Management Procedure
- Complaints Policy
- No Access Procedure
- No Access for Annual/bi annual Servicing of Gas/Solid Fuel Central Heating Appliances
- Rechargeable Repairs Leaflet
- Tenants Maintenance Responsibilities
- Response Repairs Joint Responsibility Procedure
- Landlords Consents Procedure
- Termination of Tenancy Procedure
- Leaseholders Handbook

APPENDIX 1

EXCEPTIONAL CIRCUMSTANCES

Each case must be assessed and discretion not to recharge may be exercised by Council staff, depending on the circumstances affecting the individual case. In considering when discretion should be exercised and a recharge waived in full or in part, account will be taken of:

- Tenants Age
- Tenants Health
- Disability issues (physical, mental or learning)
- Domestic Abuse
- Harassment or victimisation (including issues of hate crime against any of the protected characteristics listed on page 3 of the policy)
- Reasons for the repair
- Tenants ability to carry out repair
- History of previous rechargeable repairs and
- Legal (criminal) action being taken. Confirmation must be provided by either the Police, a Legal Representative or directly from the Court. A crime incident number or log/reference number alone is not normally sufficient.

APPENDIX 2

RECHARGEABLE REPAIR RATES

The following rechargeable rates will apply when staff raise the following works orders: -

Rates will be revised annually from the 1st April.

No Access = £28.81

A no access charge is payable for failed appointments, this charge is based on covering a percentage of the operatives time, transport and administration for processing the work.

Out of Hour calls (Stand-by) = £95.42

A call out charge is payable for reports of accidental or criminal damage (not fair wear and tear). This charge is based on covering the costs for employing the operative for this service, plus transport and administration for processing the work. Material costs are not included in the call out charge and will be calculated separately.

Small Repairs = £44.71

Examples of a small repair include the replacing of door locks or the repairing of a leaking tap or leaking toilet.

The cost will include travel to the property, all materials and labour costs and up to 1 hour of the operative's time to complete the job.

Medium Repairs = £89.41

Examples of a medium repair include the replacing of toilet pans or one internal door

The cost will include travel to the property, all materials and labour costs and up to 2 hours of the operative's time to complete the job.

Large Repairs = £178.82

Extra Large Repairs + £388.30

Examples of a large and extra large repairs include the replacing of a wash hand basin or kitchen unit.

The cost will include travel to the property, all materials and labour costs and up to 4 hours of the operative's time to complete the job.

The following repairs will attract additional material costs due to them being high value items:

Small Repair - electric showers and gas or electric meter doors

Medium Repair - kitchen and bathroom extractor fans

Larger type repair works over 4 hours will be calculated either using the authorities agreed Schedule of Rates which are used for the specification and pricing of repair works including materials and labour, or by means of a quotation if the work is required to be completed by an external contractor

With the exception of No Access calls or calls where no work was undertaken i.e. tenant refused work, all repair costs will be subject to VAT.

APPENDIX 3

REVIEW PROCEDURE

Non-Statutory Review

The Council Housing Repairs Policy allows tenants to ask for a review against their recharge if they have good reason to disagree with a decision. This could be because: -

- The reason for the recharge is incorrect
- The tenant thinks the cost is incorrect
- The tenant thinks there are special circumstances, which have not been properly assessed or taken into consideration

THE PROCEDURE

We will do our best to help tenants without them having to use this procedure but if it does become necessary then this is what will happen: -

1. There are two stages to this procedure as follows:
 - Informal Review

Tenants will be written to as soon as it has been identified that a recharge will be made giving an estimated cost. If the recharge is disputed for any of the reasons listed above, they should contact the Housing office within 21 days of the Council's notification, giving reasons. If this review is unsuccessful and the work is completed, they will be written to again with an actual cost.

If they have already requested a review against the reason for the recharge we can only consider a further request at this informal stage if they disagree with any additional cost or where there may be special circumstances to be considered.

If they disagree with the recharge they must contact the housing office within 21 days giving their reasons. The Officer responsible for the original decision will carry out the review and will write to them inform them of their decision.

- Formal Review

If they are not satisfied with the decision of the informal review then a formal review can be undertaken. They must again contact the housing office within 21 days of the

date of the informal review letter, providing clear reasons as to why they consider that the decision is unfair or unreasonable.

A Housing Manager will carry out this review who will inform them of their decision.

It is essential that they provide clear reasons or additional information that they believe was not taken into account on the informal review to allow this review to be undertaken. No formal review can be undertaken if they fail to do this. They will be advised if this is the case.

If the tenant/former tenant remains dissatisfied following receipt of this decision then a second stage formal review can be undertaken. The tenant/former tenant should again contact the housing office within 21 days providing clear reasons as to why they consider that the decision was unfair or unreasonable.

At this stage the review will be considered by the Recharge Review Panel whose role will be to examine the earlier reviews and make a recommendation to the Chief Housing Officer for his consideration on whether or not the recharge should be upheld. The Chief Housing Officer's decision is final and no further review can be undertaken. The Chief Housing Officer will write to you to inform you of the decision.

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CAERPHILLY HOMES TASK GROUP - 29TH MARCH 2018

SUBJECT: ABOLITION OF THE RIGHT TO BUY AND ASSOCIATED RIGHTS (WALES) ACT

REPORT BY: INTERIM CHIEF EXECUTIVE

1. PURPOSE OF REPORT

- 1.1 To provide members of the Caerphilly Homes Task Group with information about Welsh Government's intention to introduce legislation on the abolition in Wales of the Right to Buy and Associated Rights.

2. SUMMARY

- 2.1 The *Right to Buy* was introduced by the UK Government through the Housing Act 1980 with the aim of extending levels of home ownership throughout the UK. Since the introduction of the *Right to Buy* and *Right to Acquire*, around 139,000 social rented dwellings have been sold across Wales.
- 2.2 Against a backdrop of considerable housing pressure in Wales, Welsh Government intends to introduce legislation, which abolishes the *Right to Buy* and *Right to Acquire*. The *Abolition of the Right to Buy and Associated Rights (Wales) Bill* has passed its final stage in the National Assembly for Wales on 5th December 2017. The Bill became an Act in January 2018, following receipt of Royal Assent.
- 2.3 Social landlords are required to ensure that all affected tenants are provided with relevant information issued by Welsh Government that landlords consider to be relevant to their tenants by 17th March 2018.

3. LINKS TO STRATEGY

- 3.1 By ensuring social housing is available to meet the range of housing needs in Wales the introduction of the legislation links to the following strategies:
- *Improving Lives and Communities: Homes in Wales* (Welsh Government, 2010), which sets out the national context on meeting housing need.
 - Priority 2 of *Caerphilly Delivers: The Single Integrated Plan 2013-2017* (CCBC), governing the improvement of housing and communities in the borough.
- 3.2 This legislation also links to the following goals within the *Well-being of Future Generations Act (Wales) 2015*:
- A prosperous Wales
 - A resilient Wales
 - A more equal Wales

- A Wales of cohesive communities
- A globally responsible Wales.

4. THE REPORT

- 4.1 Welsh Government recently introduced legislation which affects all social housing tenants interested in exercising the right to purchase their home. The legislation is entitled, '*Abolition of the Right to Buy and Associated Rights (Wales) Act 2018*' and applies to all social housing in Wales, irrespective of whether it is provided by a council or a housing association.

Legal Context

- 4.2 The *Right to Buy* scheme was introduced by the UK Government through the Housing Act 1980 and came into effect in October 1980. The Act allows tenants of local authorities and housing associations to purchase the home they rent from their landlord at a discounted price, should they meet the qualifying criteria. The *Right to Buy* does not apply to certain types of property (e.g. sheltered housing) and there are some restrictions to sales in rural areas.
- 4.3 The *Right to Acquire* was introduced by the Housing Act 1996 and came into effect on 1 April 1997. It only applies to the tenants of Housing Associations. The Act gives qualifying tenants a right to purchase their home if the property was built with support from public funding or where the ownership of the property was transferred from a local authority, on or after 1 April 1997, to a large scale voluntary transfer organisation.
- 4.4 Historically, *Right to Buy* and *Right to Acquire* discounts ranged from 32 per cent to 70 per cent of the market value of the property. The level of discount was dependant on the type of property, the residential area and how long an individual had been a tenant in social housing. However, since housing powers concerning the *Right to Buy* and *Right to Acquire* were devolved to Wales in 1999, there has been a clear divergence in policy. In England, the UK has made discounts more generous to incentivise tenants, whereas in Wales the Welsh Government has reduced the maximum discount. In July 2015, Welsh Government reduced the maximum discount from £16,000 to £8,000.
- 4.5 The aim of the *Right to Buy* and *Right to Acquire* was to extend levels of home ownership throughout the UK, a key feature of UK Government housing policy at the time. Since their introduction, around 139,000 social rented dwellings have been sold across Wales (the equivalent of 43% of the housing stock in 1981). As a result, there has been a significant reduction in the availability of social rented accommodation for those people who cannot afford to buy a home or rent privately. Although, *Right to Buy* and *Right to Acquire* sales have slowed in recent years, social housing stock is still being lost at a time of considerable housing supply pressure in Wales. This has resulted in people in housing need, many of whom may be vulnerable, waiting longer to be rehoused.
- 4.6 Following consultation in 2015, in March 2016 Welsh Government introduced a Bill, which set out its intentions to abolish all variations of the *Right to Buy*, including the *Preserved Right to Buy* and the *Right to Acquire*. Abolition for existing properties is to commence one year after Royal Assent and for new social housing stock (in the Caerphilly context, this will only apply to our housing association partners currently developing new homes) it will commence two months after Royal Assent. The shorter period for new stock is to encourage much needed investment in new homes. The Bill passed its final stage in the National Assembly for Wales on 5th December 2017 became an Act following receipt of Royal Assent on 24th January 2018.
- 4.7 Further information on the Bill process can be found at:
<http://www.senedd.assembly.wales/mgJIssueHistoryHome.aspx?IId=17260&Opt=0>

Information for Tenants of Social Landlords

- 4.8 To ensure all tenants are aware of the abolition of the *Right to Buy* and *Associated Rights*, the Act requires the Welsh Government to publish information, which will assist tenants and prospective tenants to understand the effect of the legislation. The information includes the date on which the *Right to Buy* and *Right to Acquire* will end and other information which the Welsh Government considers would assist tenants and prospective tenants to understand the changes.
- 4.9 Every social landlord must ensure that all affected tenants are provided with information issued by Welsh Government and any information they consider to be relevant to their tenants by 17th March 2018.
- 4.10 From an equalities perspective it is important that the information published by Welsh Government, and any additional information published by the council, is produced in a range of accessible, easy to read formats. To date the information has been produced in easy read and large print versions and in Polish, Arabic, Portuguese, Spanish and Somalian.
- 4.11 Individual letters have already been sent to all Caerphilly Homes tenants ahead of the deadline with relevant information also placed on websites and social media. There are a number of tried and tested methods that the council use to ensure that all tenants are aware of the abolition of the Right to Buy and Associated Rights and how this may affect them including a tenants newsletter, e-bulletin, posters/pamphlets, releases to local media and presenting the information at a meeting with the Caerphilly Tenant Information Exchange, although not all such methods are achievable by 17th March 2018. Legal is sending out a copy of the booklet with every Right to Buy application request. We have also sent booklets to be displayed in all libraries, Customer First offices and Area Housing Offices. The WG Easy Read guides will also be available shortly.

5. WELL-BEING OF FUTURE GENERATIONS

- 5.1 The proposal is Welsh Government policy. The abolition of the Right to Buy and Associated Rights contributes to the *Wellbeing of Future Generations (Wales) Act 2015* by:

Long Term – ensuring that social housing is available in the long-term to meet the needs of future generations.

Prevention – to protect the supply of social housing to ensure it is available in the long-term to meet the needs of future generations.

Integration – provides for balanced and sustainable communities where people want to live.

Collaboration – the legislation has been developed in partnership with key stakeholders.

Involvement – Engaging with tenants to ensure they are aware of the changes that may affect them.

6. EQUALITIES IMPLICATIONS

- 6.1 This report is for information only, as a result no equalities implications have been identified.
- 6.2 Welsh Government have carried out a full equality impact assessment as part of the legislative development process.

7. FINANCIAL IMPLICATIONS

- 7.1 The abolition of the Right To Buy will result in an initial loss of income to the Housing Revenue Account; however this has reduced significantly in recent years due to the reduction in applications possibly linked to the maximum level of discount also being reduced. Over the

last three years, the number of houses sold under Right To Buy has been on average 26 generating a sales receipt on average of £1.4m pa, however only 25% of this receipt (average £365k pa) is retained by the HRA which is used to supplement the capital programme. The remaining 75% (average £1.1m pa) is used to offset the HRA debt charges. This would mean the HRA having a reduction in capital funding of some £365k pa and also identifying savings within the HRA to repay the debt charge, or not replacing the funding and paying off the debt over a longer period, which would attract increased interest charges.

- 7.2 The current business plan makes an assumption that stock will reduce by 20 per annum from Right To Buys therefore there is no cost allowance for maintaining this stock to Welsh Housing Quality Standard or potential future repairs. Abolishing Right to Buy would therefore mean an additional cost for the stock that would otherwise be sold. This loss of income should be offset to some extent by ongoing rental income and more importantly, the fact that the social housing will be retained and will assist those that cannot afford market rents or lack the finances to purchase a property.

8. PERSONNEL IMPLICATIONS

- 8.1 This report is for information only, as a result no personnel implications have been identified.

9. CONSULTATIONS

- 9.1 All responses from consultations have been incorporated in the report

10. RECOMMENDATIONS

- 10.1 It is recommended that members of the Caerphilly Homes Task Group note the contents of the report.

11. REASONS FOR THE RECOMMENDATIONS

- 11.1 The purpose of the report is for information only.

12. STATUTORY POWER

- 12.1 Housing Acts 1985, 1996, 2004, Local Government Measures 2009 and the Well-being of Future Generations (Wales) Act 2015.

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