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**Date: 4th November 2015**

Dear Sir/Madam,

A meeting of the **Cabinet** will be held in the **Sirhowy Room, Penallta House, Tredomen, Ystrad Mynach** on **Wednesday, 11th November, 2015** at **2.00 pm** to consider the matters contained in the following agenda.

Yours faithfully,

A handwritten signature in blue ink that reads 'Chris Burns'.

**Chris Burns**  
INTERIM CHIEF EXECUTIVE

## A G E N D A

	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 the agenda in accordance with the Local Government Act 2000, the Council's Constitution and the Code of Conduct for both Councillors and Officers.	
To approve and sign the following minutes: -	
3 Cabinet held on 28th October 2015.	1 - 4

To receive and consider the following reports on which executive decisions are required: -

A greener place Man gwyrddach



4	Social Services Performance Evaluation - Presentation by CSSIW.	
5	Flood Risk Management Plan.	5 - 42
6	Results of the 2015 Household Survey.	43 - 80
7	Adoption of the Common Allocation Policy.	81 - 186

To receive and consider the following report, which requires a recommendation to Council: -

8	Proposed Change to the Caerphilly County Borough Council CIL Regulation 123 List of Infrastructure.	187 - 206
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**Circulation:**

Councillors Mrs C. Forehead, N. George, D.T. Hardacre, K. James, Mrs B. A. Jones, R. Passmore, D.V. Poole, K.V. Reynolds, T.J. Williams and R. Woodyatt,

And Appropriate Officers.



## CABINET

### MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN ON WEDNESDAY 28TH OCTOBER 2015 AT 2.00 P.M.

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PRESENT:

Councillor K.V. Reynolds - Chair

Councillors:

Mrs C. Forehead (HR and Governance/Business Manager), N. George (Community and Leisure Services), D.T. Hardacre (Performance and Asset Management), K. James (Regeneration, Planning and Sustainable Development), D.V. Poole (Cabinet Member for Housing), T.J. Williams (Highways, Transportation and Engineering) and R. Woodyatt (Cabinet Member for Social Services).

Together with:

C. Burns (Interim Chief Executive), C. Harry (Corporate Director - Communities), D. Street (Corporate Director Social Services), N. Scammell (Acting Director of Corporate Services & S151).

Also in Attendance:

C. Jones (Head of Performance and Property), P. Elliot (Head of Regeneration and Planning), C. Evans (Committee Services Officer)

**1. APOLOGIES FOR ABSENCE**

Apologies for absence had been received from Councillors B. Jones and R. Passmore.

**2. DECLARATIONS OF INTEREST**

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

**3. CABINET – 14TH OCTOBER 2015**

RESOLVED that the minutes of the meeting held on 14th October 2015 (minute nos. 1 - 9) be approved and signed as a correct record.

## **MATTERS ON WHICH EXECUTIVE DECISIONS WERE REQUIRED**

### **4. IMPROVING GOVERNANCE PROGRAMME UPDATE**

The report provided Cabinet with an update on the progress of the Improving Governance Programme (IGP), which included the action plan resulting from the Wales Audit Office (WAO) Public Interest Report on the Chief Officers Pay published in March 2013 and the wider Improving Governance Programme (as presented to and approved by Council on 28th January 2014 and Cabinet on 19th February 2014) covering also the action plans resulting from the WAO Public Interest Report on Chief Officers Essential Car Users and Annual Leave Allowance published in December 2013 and the Special Inspection Report published in January 2014.

In addition, the report provided an update on the progress on the more recent action plan approved by Council on 27th January 2015 following the Wales Audit Office Report Follow up of special inspection and reports in the public interest (January 2015).

Cabinet noted that the actions for completion, however, it was recommended that the IGPB be formally concluded and the outstanding minor actions be taken forward by the Corporate Governance Panel (CGP).

- Item 2 – Review of Scrutiny arrangements is now completed.
- Item 4 – Raising awareness of whistleblowing policy amongst staff – is approaching completion.
- Item 5 – An updated and more relevant HR balance scorecard is now completed.
- Item 6 – Programme of ongoing risk management training for Members is now completed.
- Item 7 – Robust action plan to improve Internal Audit is now completed.
- Item 8 – Implementation of a HR strategy is approaching completion.
- Item 9 – Self evaluation is now completed.

Cabinet discussed the report and sought assurance that the outstanding items would be completed and addressed fully and reported back to Cabinet. Officers highlighted that Item 4 is reaching completion, and is pending formal consultation, following which, the HR Strategy would be brought back to Cabinet for consideration and approval. In addition, it was noted that the minutes of the CGP were presented to Audit Committee and Officers suggested that a formal report be presented to the relevant Committee confirming the conclusion of any outstanding items.

Cabinet thanked the Officer for the report and expressed their gratitude for the work undertaken by the IGPB, and staff throughout the Authority in addressing the concerns and recommendations raised by the WAO, which has further been acknowledged within the latest WAO Report.

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 contained in the Officers report:

- (i) the positive progress (as detailed in the report) in addressing recommendations and proposals for improvements by the Wales Audit Office included in the WAO Public Interest Report on the Chief Officers Pay published in March 2013, the Chief Officers Essential Car Users and Annual Leave Allowance published in December 2013, the Special Inspection Report published in January 2014 and the WAO Report Follow up of special inspection and report in the public interest (January 2015) be noted;

- (ii) the Improving Governance Programme Board be formally concluded and the small number of outstanding actions be transferred to the Corporate Governance Panel as per paragraph 4.6 of the report.

## **5. LAND AT EASTVIEW TERRACE, BARGOED**

The report sought the approval of Cabinet to the principle of disposing of land at Eastview Terrace, Bargoed to United Welsh Housing Association (UW) on terms to be negotiated.

The site was acquitted along with other parcels of land adjacent to the railway line at Eastview Terrace and Aeron Place and is described as wasteland; it has been let for a number of years for grazing purposes, but the tenancy has lapsed. The site has been declared surplus to requirements and is currently held by Property Services, pending disposal.

Members noted that an operational housing requirement for the provision of affordable housing has been identified; the housing waiting list data for the Bargoed area demonstrates that there is housing demand in this area. The 2015 Local Housing Market Assessment identifies a shortfall throughout the County Borough of 526 affordable homes per annum. It also identifies a significant need for affordable housing across the County Borough.

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

RESOLVED that for the reasons contained in the Officers report:

- (i) the land at Eastview Terrace be sold to United Welsh Housing Association for the development of affordable housing, on terms to be negotiated;
- (ii) approval of the detailed terms of the disposal be delegated to the Head of Performance and Property Services in conjunction with the Cabinet Member for Performance and Asset Management, for the purposes identified in the report.

## **6. RHYMNEY TOWN CENTRE LOANS SCHEME**

The report provided Cabinet with details of repayable funding secured from Welsh Government (WG) towards a long-term town centre loan scheme for Rhymney. The scheme will fund projects that complement the WG Vibrant and Viable Places Tackling Poverty Fund and that seek to reduce the number of empty, underused sites and premises in town centres.

In February 2015 Welsh Government (WG) launched a new initiative offering long term loans to Local Authorities to provide capital funding to towns located within WG's Tackling Poverty Fund areas for key regeneration projects. The loans are available to Local Authorities for a maximum period of 15 years.

Rhymney is the only area within the borough identified within WG's Tackling Poverty Fund. An application was made for funding under the Town Centre Loans Scheme and in July 2015 £500,000 was secured that could be used.

Cabinet noted that there are inherent risks with loan funding from the Welsh Government and also subsequently to the private sector. However these risks will be minimised with secure protocols set up to manage and govern the scheme. Members noted the risks associated with the Town Centre Loan Scheme and were made aware that that the need to operate strict criteria and manage risk may mean that we are unable to allocate all or some of the loan fund. Loans are unlikely to be attractive to Rhymney because most property owners would be unable to meet repayments. Indeed even grant schemes where a property owner has had to make a small contribution have proved problematic in this locality in the past.

Members thanked the Officer for the report and were disappointed to note that Welsh Government had allocated monies in the form of a loan and not a grant. In addition, concerns were raised around the viability of the scheme, which has previously been piloted in more affluent areas.

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

RESOLVED that for the reasons contained in the Officers report, the implementation of a Town Centre Loan Scheme in Rhymney be approved.

The meeting closed at 2.29pm

Approved and signed as a correct record subject to any corrections made at the meeting held on 11th November 2015.

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CHAIR



## CABINET – 11TH NOVEMBER 2015

**SUBJECT: FLOOD RISK MANAGEMENT PLAN**

**REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES AND SECTION 151 OFFICER**

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- 1.1 The attached report, which was presented to the Regeneration and Environment Scrutiny Committee on 27th October 2015, provided an update on the progress of the preparation of the Council's Flood Risk Management Plan (FRMP). The comments of Members were sought on the draft Plan, prior to its presentation to Cabinet for approval.
  - 1.2 Members were advised that under the Flood Risk Regulations 2009, the Council has been designated as a Lead Local Flood Authority (LLFA) and has responsibility to produce a FRMP. The draft FRMP, which has been published on the Council's website, must be submitted to Natural Resource Wales (NRW), who may approve it (with or without modification) or reject it.
  - 1.3 The FRMP provides an overview of the flood risk within the county borough and details flood risk management objectives, together with a series of mitigation measures to ensure that the flood risk to the local area is addressed and reduced. The FRMP, which has been the subject of public consultation in draft form, must be published by December 2015 in accordance with the Flood Risk Regulations 2009, and will be subject to review after a 6-year period.
  - 1.4 During the course of the ensuing debate, Members stressed the importance of continued community engagement in addressing flood risk and flooding incidents. Officers outlined the ways in which this is carried out by the Authority and referred Members to Appendix C of the report, which has identified a number of local wards as being within a flood risk area and which have subsequently been included in the FRMP. Officers also responded to queries in respect of funding implications to implement the measures set out in the FRMP, together with a number of technical queries relating to flood risk management infrastructure within the county borough.
  - 1.5 Following consideration and discussion of the report, the Regeneration and Environment Scrutiny Committee unanimously recommended to Cabinet that for the reasons contained therein:-
    - (i) the draft Flood Risk Management Plan be accepted as the mechanism for the reduction of flood risk within Caerphilly County Borough Council;
    - (ii) Natural Resources Wales be updated on Caerphilly's approach to the Flood Risk Management Plan.
  - 1.6 Members are asked to consider these recommendations.

Author: R. Barrett, Committee Services Officer, Ext. 4245







## REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE – 27TH OCTOBER 2015

**SUBJECT: FLOOD RISK MANAGEMENT PLAN**

**REPORT BY: CORPORATE DIRECTOR - COMMUNITIES**

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### **1. PURPOSE OF REPORT**

- 1.1 To update and seek comment from members regarding the progress of the preparation of the Council's Flood Risk Management Plan (FRMP) and to gain Cabinet approval for the draft FRMP.

### **2. SUMMARY**

- 2.1 Under the Flood Risk Regulations 2009 Caerphilly County Borough Council (CCBC) has been designated as a Lead Local Flood Authority (LLFA). As such CCBC has responsibility to produce a FRMP. The draft FRMP must be submitted to Natural Resource Wales (NRW) on the 28th Oct 2015. NRW may approve the draft plan, with or without modification, or reject it. However, it must be noted that as part of the statutory consultation process in developing the plan an informal draft was forwarded to NRW during the public consultation period and they responded back with positive feedback which has been taken into account. If any significant further comments are received from NRW a further report to Cabinet will be provided.

### **3. LINKS TO STRATEGY**

- 3.1 To make Caerphilly a safer place to live by increasing public confidence in the services we deliver as noted in the Single Integrated Plan – Safer Caerphilly - **A Safer Caerphilly** is one in which all residents: Are safe and feel safe inside their homes and out in the community.
- 3.2 To contribute to improving sustainability by utilising appropriate sustainable options within design and construction. As noted in the Single Integrated Plan - **A Greener Caerphilly** aims to: safeguard and, where necessary, enhance the living environment in the Caerphilly county borough for its own sake.
- 3.3 To manage, protect and enhance the quality and quantity of the water environment and reduce water consumption in line with objective 15 of the Caerphilly County Borough Local Development Plan up to 2021.

### **4. BACKGROUND**

- 4.1 Following the significant flooding in England and Wales in 2007, the UK government appointed Sir Michael Pitt to undertake an independent and detailed review of flood risk management in England. Pitt's recommendations (also accepted by the Welsh Government) were wide ranging and recognised that the public did not understand nor particularly care

what type of flooding they were suffering and which organisation would take the lead in dealing with this issue. There needed to be a co-ordinated response and surface water flooding, in particular, needed a lead agency.

4.2 Following the report and the need to transpose the EU Floods Directive, the UK Government published two key pieces of legislation - the Flood Risk Regulations 2009 (transposing the EU directive) and the Flood and Water Management Act 2010 (taking forward the Pitt's key recommendations).

4.3 The purpose of the regulations is to transpose the European Commission (EC) Floods Directive (2007/60/EC), on the assessment and management of local flood risk, into domestic law in England and Wales and to implement its provisions.

In particular, it places duties on the LLFA to prepare a number of documents including: -

1. Preliminary Flood Risk Assessment Report – Published June 2011.
2. Flood Hazard and Flood Risk Maps – Published in 2013
3. Local Flood Risk Management Strategy (LFRMS) – Approved April 2013

4.4 In addition the LLFA must prepare a FRMP. The FRMP gives an overview of the flood risk in CCBC and our high level objective for the 6 years which states that we will:

**“To Reduce Flood Risk in every area where significant flood risk has been identified”**

4.5 Detailed objectives are given within the FRMP together with a series of measures, which will ensure flood risk in the CCBC area will be addressed and reduced during the 6 year period before the plan is reviewed.

4.6 Flooding remains a key threat to communities across Wales, and managing this risk through careful planning is important to minimise the risk to communities. Flood risk management planning allows Lead Local Flood Authorities to develop a better understand of risk from all sources of flooding and agree priorities to manage that risk.

4.7 The FRMP has been developed with this in mind and sets out how CCBC will over the next 6 years, manage flooding so that the communities most at risk and the environment benefit the most. In doing so, this Flood Risk Management Plan takes forward the objectives and actions set out in our LFRMS.

The FRMP also aims to achieve some of the objectives set out in the National Flood and Coastal Erosion Risk Management Strategy, which provides the national framework for flood and coastal erosion risk management in Wales through four overarching objectives.

- **Reducing the consequences** for individual, communities, businesses and the environment from flooding and coastal erosion;
- **Raising awareness of and engaging people in the response** to flood and coastal erosion risk;
- **Providing an effective and sustained response** to flood and coastal erosion events;
- **Prioritising investment** in the most at risk communities.

4.8 The information contained in the FRMP includes the components set out in the Flood Risk Regulations 2009 (see Appendix A). Most of this information has been gathered and updated through this first cycle, and has been drawn from the findings of the Preliminary Flood Risk Assessment and the measures that have been identified and set out in our LFRMS.

4.9 The FRMP sets out appropriate objectives for the management of flood risk within areas covered by the plan. The objectives focus on reducing the adverse consequences of flooding for human health, the environment, cultural heritage and economic activity.

- 4.10 Consequently, the FRMP highlights the areas most at risk from surface water, groundwater and ordinary watercourses in the CCBC area. It draws on the conclusions from these risks and sets out measures that could be taken over the next 6 years to mitigate these risks and make communities more resilient. However, these actions are subject to appropriate funding from Welsh Government.
- 4.11 Due to the nature of flooding and current funding situation, we have also looked at measures to reduce the likelihood of flooding using non-physical measures including raising awareness of flooding and better understanding of local flooding issues.
- 4.12 The Council is currently in the first round of the regulations and the FRMP represents the final output of this cycle and must be published by December 2015.

## **5. THE REPORT**

- 5.1 The following consultations have taken place in order to develop the FRMP. A good practice approach was discussed with the South and East Wales Flood Risk Management Group and this is the method adopted by CCBC.

### **5.1.1 Public Consultation**

On the 13th July 2015 the draft FRMP was published on the CCBC website to allow members of the public and all Risk Partners e.g. NRW, Welsh Water, community and town councils, the emergency services and adjacent local authorities etc. to be consulted and to give their comments on the FRMP. The closing date for the consultation was 24th August 2015.

Articles were also printed in the Rhymney Valley Express on the 30th July 2015 with the heading "Residents' views sought as council prepare its new flood risk strategy" and the Caerphilly Observer on the 6th August 2015 with a heading "Have say on flood risk plan". It asked for people living in the county borough council area to get involved and have their say on the local Flood Risk Management Plan. Paper copies of the FRMP and questionnaires were also placed in the local libraries. Social media sites Twitter and Facebook were also used to inform the public of the flood risk consultation. In total 19 responses were received and a summary of their analysis is given in Appendix B.

The Council's Flood Risk Management Team has reviewed all the comments received and where considered appropriate the FRMP has been amended. A table has been prepared of all comments together with the response of the team in order to feedback to respondents. The table has recently been published on the Caerphilly County Borough Council's website.

## **6. EQUALITIES IMPLICATIONS**

- 6.1 An EqlA screening has been completed in accordance with the Council's Equalities Consultation and Monitoring Guidance and no potential for unlawful discrimination and/or low level or minor negative impact have been identified, therefore a full EqlA has not been carried out. Having effective measures in place to mitigate the risks previously outlined however, will of course have a greater benefit to those vulnerable individuals in communities at risk of flooding, as they would be least able to assist themselves in such an event (e.g. people with disabilities, mobility issues, elderly residents etc.)

## **7. FINANCIAL IMPLICATIONS**

- 7.1 In order for the FRMP to be successful it is essential that significant funding be made available to CCBC, on top of the normal funding arrangements from Welsh Government. Failure to receive this additional funding could result in measures identified in FMRP not being implemented either in part or in full.

- 7.1.1 Section 6 of the FRMP shows the measures and objectives to mitigate flood risk within the county borough council area. Please refer to Appendix C for estimated total costs for each community within and outside of the flood risk area.
- 7.2 The current situation regarding Welsh Government Flood Risk Management funding is summarised below:
- £22,727 of WG funding has already been received and used to prepare the Preliminary Flood Risk Assessment (PRFA) in the year 2010-2011.
  - Further sums of £90,000 per annum have been made available by the WG for the years 2011-2012 and 2012-2013 to fund the preparation of the LFRMS and the provision of an Asset Register for items that have a significant effect on flood risk.
  - £100,000 was received from WG 2013-2014, £50,000 for 2014-2015 for the continued implementation of the requirements of the Act including the preparation of the Flood Hazard and Flood Risk Maps and Flood Risk Management Plans
  - 2015-2016 £100,000 funding from the combined Environmental and Sustainable Development Directorate Revenue Grant.
- 7.3 Funding at a much more significant level will be required in order to implement the measures as set out in Appendix C, which have been identified as part of the Flood Risk Management Plans. Further discussion with WG will be required in the future to identify additional revenue/capital funding.

## **8. PERSONNEL IMPLICATIONS**

- 8.1 Two additional members of staff are currently being recruited on a fixed term contract from funding provided by WG to continue work on the Flood and Water Management Act.
- 8.2 Dependent upon the funding made available, appropriate staff resources may have to be considered.

## **9. CONSULTATIONS**

- 9.1 As identified at end of report.
- 9.2 External consultations were also undertaken as identified in section 5.

## **10. RECOMMENDATIONS**

- 10.1 That Scrutiny members comment on the document and its preparation so that this can be considered as a recommendation to Cabinet that the draft FRMP be accepted as the mechanism for the reduction of flood risk within Caerphilly County Borough Council.
- 10.2 Upon recommendation by Cabinet, officers will update NRW on Caerphilly's approach to the FRMP.

## **11. REASONS FOR THE RECOMMENDATIONS**

- 11.1 Caerphilly County Borough Council as a Lead Local Flood Authority has to approve the FRMP as a requirement of the Flood and Water Management Act 2010.

## 12. STATUTORY POWER

### 12.1 The Flood Risk Regulations 2009

### 12.2 Flood and Water Management Act 2010

Author:	Michelle Johnson	-	Senior Engineer
Consultees:	Cllr Tom Williams	-	Cabinet Member for Highways, Transport and Engineering
	Cllr T Davies	-	Chair of Regeneration and Education Scrutiny Committee
	Cllr E Aldworth	-	Vice Chair of Regeneration and Education Scrutiny Committee
	Cllr K James	-	Cabinet Member for Regeneration, Planning Sustainable Development
	Cllr N George	-	Cabinet Member for Community and Leisure services
	Chris Burns	-	Acting Chief Executive
	Nicole Scammell	-	Head of Corporate Finance
	Christina Harrhy	-	Corporate Director
	Terry Shaw	-	Head of Engineering Services
	Robert Hartshorn	-	Head of Public Protection
	Graham Parry	-	Highway Operations Group Manager
	Sheryl Andrews	-	Emergency Planning Manager
	Tim Stephens	-	Development Control Manager
	Gail Williams	-	Interim Head of Legal Services and Monitoring Officer
	Lynne Donovan	-	Acting Head of HR and Organisational Development
	David Thomas	-	Senior Policy Officer (Equalities and Welsh Language)
	Mike Eedy	-	Finance Manager

#### Background Papers:

Documents: The draft Flood Risk Management Plan

The FMRP can be located on the below link which will take you directly to the document:-

[www.caerphilly.gov.uk/involved/consultations/flood-risk-management-plan-consultation](http://www.caerphilly.gov.uk/involved/consultations/flood-risk-management-plan-consultation)

#### Appendices:

Appendix A	Components of the Flood Risk Management Plan as Detailed in the Flood Risk Regulations – Part 4
Appendix B	(Extract from Draft FRMP) Appendix 6 - Public Consultation - Survey Questions; Results and Comments Received
Appendix C	Financial Implications

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## Appendix A

### Components of the Flood Risk Management Plan as Detailed in the Flood Risk Regulations – Part 4

- Each Lead Local Flood Authority has a duty to prepare a Flood Risk Management Plan in relation to each relevant Flood Risk Area.
- Natural Resources Wales must review the Flood Risk Management Plan and may recommend Modifications.
- Each Flood Risk Management Plan must include the following:
  - Objectives for the purpose of managing flood risk.
  - Measures for achieving the objectives.
  - Objectives must be set to reduce the adverse consequences of flooding for;
    - Human health
    - Economic health or
    - The environmental (including cultural heritage) and reducing the likelihood of flooding, whether by exercising powers to carry out structural work or otherwise.
  - Measures must include measures for;
    - Prevention of flooding
    - Protection of individuals, communities and the environment against the consequences of flooding and
    - Arrangements for forecasting and warning.
  - Measures must have regard to;
    - the cost and benefits of different methods of managing flood risk
    - the information included in the flood hazard maps and the flood risk maps and the flood risk maps
    - the river basin management plan for the area
    - the effect of floodplains that retain flood water
    - the environmental objectives
    - the likely effect of a flood, and of different methods of managing a flood, on a local area and the environment.
  - The Flood Risk Management Plan must include;
    - a map showing the boundaries of the flood risk area
    - a summary of the conclusions drawn from the flood hazard and the flood risk maps
    - a description of the proposed timing and manner of implementing the measures, including details of the bodies responsible for implementation
    - a description of the way in which implementation of the measures will be monitored
    - a report of the consultation and
    - details of the co-ordination between the measures in the Flood Risk Management Plan and the river basin management plan.

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## Appendix B (Extract from Draft FRMP)

### Appendix 6 Public Consultation – Survey Questions; Results and Comments Received

Q1. The draft Flood Risk Management Plan sets out the most significant flood risk in the Caerphilly County Borough. Do you

- 63% Fully agree
- 31% Partially agree
- 6% Disagree

Q2. What do you consider to be the greatest cause of flood risk in the Caerphilly County Borough?

- 6% Ground water
- 50% Surface water run off
- 19% Blocked culvert inlet grids
- 6% Highway drainage
- 6% Ordinary water courses or streams (*not rivers*)
- 0% Drainage channels
- 6% Combined sewers (*Foul and surface water*)
- 7% Other

Q3. What do you consider to be the highest priorities for managing flood risk in the Caerphilly County Borough? (Please select 2 options)

- 47% Maintenance of culvert inlet grids, drainage channels and gullies
- 27% Improvement of existing drainage infrastructure
- 0% Construction / Improvement of flood defence systems
- 7% Sustainable drainage systems (SuDS) for new developments
- 20% Better land management (reducing run off at the source)
- 0% Other

Q4. Do you feel that this draft Flood Risk Management plan effectively targets and aims to achieve the objectives set out by Welsh Governments National Flood and Coastal Erosion Risk Management strategy (FCERM) of:

- 1. *Reducing consequences*
- 2. *Raising awareness and engaging people*
- 3. *Providing an effective and sustained response*
- 4. *Prioritising investment.*

60% Fully agree  
 27% Partially agree  
 13% Disagree

Q5. The draft Flood Risk Management plan describes four categories of measures

- 1. *Prevention*
- 2. *Protection*
- 3. *Preparedness*
- 4. *Recovery and Review*

Do you feel the measures contained within the draft Flood Risk Management plan satisfactorily address these categories?

56% Fully agree  
 25% Partially agree  
 19% Disagree

In which area of Caerphilly County Borough do you live?

31% Not applicable  
 19% Nelson  
 13% Caerphilly West  
 6% Bedwas  
 6% Caerphilly North  
 6% Caerphilly South  
 6% Cefn Fforest  
 6% Newbridge  
 7% Twyn Carno and Others

Which Organisation or Group do you represent?

56% As a resident of Caerphilly County Borough Council area  
 0% Representing a third sector organisation  
 0% As a business person  
 13% As an elected member  
 31% Other

Consultee:

Risca Town Council

Date comments made:

24<sup>th</sup> July 2015

Comment Number	Comment Made	Caerphilly County Borough Council Response
1.1	I have a few comments that are required to be immediately corrected in the Report: Fernlea area in your report is stated as in Risca East. In fact, according to CCBC, Fernlea is part of Risca West not East! Both at County and Community representation level.	Agreed: However the "Fernlea" mention on page 248 of the plan refers to a culvert intake structure known locally as the "Fernlea culvert" which is located in the East community area.
1.2	In the Report, you refer to Clyde Road; this is incorrect. As the Town Councillor for Lower Pontymister and resident of Clyde STREET, another correction required.	Agreed: The text has been amended on page 258 of the Flood Risk Management Plan.
1.3	In the appendices, you refer to Town and Community Councils, this is incorrect. CCBC's own website list 18; the two missing are Risca Town Council and Risca East Community Council. This is the second time you have omitted consultation with specifically with Risca Town (formerly Risca West) Council and therefore an action point.	Agreed: The missing Town Council and community council will be added to Appendices. However, Risca Town Council and Risca East Community Council were sent an email on the 13 <sup>th</sup> July informing them of the consultation.

Consultee:

Nelson Community Council

Date comments made:

12<sup>th</sup> August 2015

Comment Number	Comment Made	Caerphilly County Borough Council Response
2.1	<p>Having looked at the consultation on Caerphilly County Borough Councils draft flood risk management plan, and after reviewing the consultation and the questions set out by the consultation, my members feel that they are neither qualified to answer this document or have the time to review the document as a whole and can only make comment on areas of concern within Nelson.</p> <p>Therefore the main areas of concern have been outlined as follows:</p> <p>An area which has been brought the Council's attention on many occasions is Shingrig Road. During periods of heavy rain the combined drainage systems underneath the roads seem totally inadequate and brown water, considered by many to possibly be sewerage, runs down the road.</p>	<p>In accordance with the Flood Risk Regulations 2009, the Caerphilly County Borough Council Flood Risk Management Plan covers flooding from surface water, groundwater, ordinary watercourses and the interface with main river flooding. Therefore flooding from combined drainage systems has not been considered as part of this plan. Dŵr Cymru Welsh Water is the responsible authority for combined drainage systems that cause flooding within the County Borough Council area. However in our role as a Lead Local Flood Authority we will continue to meet with Dŵr Cymru Welsh Water to discuss and collaborate on all relevant issues. <b>(Please see item 7.2 and 7.6 of this schedule.)</b></p> <p>Noted:</p>
2.2	<p>The area by the Rowan Tree public house floods almost every year causing traffic chaos.</p>	<p>Agreed: Community Area Measures are included in pages 308 – 382 in the Flood Risk Management Plan to deal with these issues.</p>
2.3	<p>The area between the Co-op and the Railway Inn, on Mabon Road, floods almost every year causing traffic chaos.</p>	<p>Agreed: Community Area Measures are included in pages 308 – 382 in the Flood Risk Management Plan to deal with these issues.</p>
2.4	<p>The area at the bottom of the second rugby pitch at Maes yr Onen gets waterlogged and some gardens flood, this has occurred since the building of the housing site on the Bwl Road.</p>	<p>Noted: Community Area Measures are included in pages 308 – 382 in the Flood Risk Management Plan to deal with these issues.</p>
2.5	<p>The backs of the houses along Ashgrove get waterlogged and some gardens flood, this has occurred since the building of the housing site known as High Close.</p>	<p>Noted: Community Area Measures are included in pages 308 – 382 in the Flood Risk Management Plan to deal with these issues.</p>

Comment Number	Comment Made	Caerphilly County Borough Council Response
2.6	It must be understood by both the Council and the Water Company that Nelson is an 'old community'. The Nelson Main Sewer was built circa 1895 and is a combined rain water run-off and sewerage main. Consequently, the Housing Development, which has taken place in Nelson over the past 45 years or so, has outgrown its capacity.	<p>Noted:</p> <p>In accordance with the Flood Risk Regulations 2009, the Caerphilly County Borough Council Flood Risk Management Plan covers flooding from surface water, groundwater, ordinary watercourses and the interface with main river flooding. Therefore flooding from main sewers has not been considered as part of this plan. Dŵr Cymru Welsh Water is the responsible authority for main sewers that cause flooding within the County Borough Council area. However in our role as a Lead Local Flood Authority we will continue to meet with Dŵr Cymru Welsh Water to discuss and collaborate on all relevant issues. <b>(Please see item 7.2 and 7.6 of this schedule.)</b></p>
2.7	This Main Sewer apparently meets the Merthyr Trunk Sewer at Fiddler's Elbow. How big is this pipe and can it cope with any further development, without being upgraded by the Water Company?	<p>Noted:</p> <p>In accordance with the Flood Risk Regulations 2009, the Caerphilly County Borough Council Flood Risk Management Plan covers flooding from surface water, groundwater, ordinary watercourses and the interface with main river flooding. Therefore flooding from trunk sewers has not been considered as part of this plan. Dŵr Cymru Welsh Water is the responsible authority for trunk sewers that cause flooding within the County Borough Council area. However in our role as a Lead Local Flood Authority we will continue to meet with Dŵr Cymru Welsh Water to discuss and collaborate on all relevant issues. <b>(Please see item 7.2 and 7.6 of this schedule.)</b></p>

Consultee:

Natural Resources Wales (Head Office)

Date comments made:

21<sup>st</sup> August 2015

Comment Number	Comment Made	Caerphilly County Borough Council Response
3.1	<p>A map showing the boundaries of the Flood Risk Area. The FRMP contains the following maps showing the boundaries of the Flood Risk Area: Figure 2, study area map on page 5. Figure 3, map of Caerphilly flood risk area on page 15. Figure 4, the Borough map with wards on page 20. Further maps which also show the flood risk area and what is at risk on pages 60-62.</p> <p><b>Meets the requirements.</b></p>	Agreed: No response required.
3.2	<p>The conclusion drawn from the flood hazard and risk maps published under Regulations 22 of the Flood Risk Regulations 2009.</p> <p>The report contains stats tables on pages 18-19 and summary conclusions on page 45. Further stats are included in Table 5 on page 46.</p> <p>More detailed conclusions are included for each community area which summarises the main flood risk and what and where is most at risk of flooding.</p> <p><b>Meets the requirements.</b></p>	Agreed: No response required.
3.3	<p>Objectives for the purpose of managing the flood risk.</p> <p>Objectives are included in section 5.3, pages 39 and 40 and are linked to social, economic and environment on pages 42 and 43.</p> <p><b>Meet the requirements.</b></p>	Agreed: No response required.

Page 20

Comment Number	Comment Made	Caerphilly County Borough Council Response
3.4	<p>Proposed measures for achieving those objectives, and description of proposed timings and manner of implementing the measures including details of who is responsible for implementation.</p> <p>Proposed measures for achieving objectives start in section 6.1, page 47 until page 57 for Borough wide measures. More specific measures are included for each community at risk of flooding. Measures include all relevant information to meet the EU requirements.</p> <p><b>Meets the requirements.</b></p>	Agreed: No response required.
3.5	<p>A description of the way implementation of measures will be monitored is included within section 9.</p> <p>The FRMP will be reviewed formally after 6 years for Europe. In each December, current position regarding implementation of each measure will be monitoring.</p> <p><b>Meets the requirements.</b></p>	Agreed: No response required.
3.6	<p>Consultation This needs to be completed after completion of the consultation but current content in section 8 looks good.</p>	Agreed: Section 8 has been completed and a report on the consultation and outcomes included.
3.7	<p>Where the person preparing the report thinks it appropriate, information about how the implementation of measures under the flood risk management plan and the river basin management plan for the area will be co-ordinated at a river basin level.</p> <p>A summary is contained in section 4.3 with the Borough measures within section 6.1 linked to the appropriate River Basin Management Plan (RBMP) measures. This meets the requirements but as a suggestion, the link to the RBMP could be furthered strengthened through linking the objectives to the RBMP (for example, the sub-objective under overarching objective 1 and 3 will contribute towards WFD delivery).</p>	Noted: No action required

Comment Number	Comment Made	Caerphilly County Borough Council Response
3.8	<p>How were the SEA and HRA requirements considered and met?</p> <p>Pages 38 and 39 contain information from the current SEA on the approach to selecting measures for delivery.</p> <p>Page 57 contains a statement as follows:</p> <p>All the detailed objectives and measures contained in this Flood Risk Management Plan were included in the Strategy and therefore the Strategic Environmental Assessment and Habitat Regulations Assessments, which was prepared for the Strategy, is still valid. It has not been considered necessary to review the Strategic Environmental Assessment or Habitat Regulations Assessment. No physical work will be constructed on site as part of this Flood Risk Management Plan but investigative work may highlight works necessary. Should that be the case a review of the Strategic environmental Assessment will be carried out on a site by site basis. Therefore this meets the requirements but it is suggested that the existing SEA is referenced (insert link in the report).</p>	<p>Noted: A link to the Strategic Environmental Assessment to be inserted into page 57 of the Flood Risk Management Plan</p>



Consultee:

Natural Resources Wales (Framework Directive Team)

Date comments made:

21<sup>st</sup> August 2015

Comment Number	Comment Made	Caerphilly County Borough Council Response
4.1	<p>Good to see the document is linked to the Severn River Basin Management Plan under the following sections: Page 30 Section 4 Coordination with Severn RBMP. Page 32 links to RBMP (Note ½ page is duplicated). Page 33 has a list of linked measures in this flood plan and the RBMP. Page 34 Makes link with Welsh Government Objectives of this plan with WFD.</p>	<p>Noted: No response required.</p>
4.2	<p>With regards specific actions that could show WFD benefits: Page 8 talks about groundwater and potential mine water investigations and measures. We'd like to be informed of any such cases.</p> <p><i>The flood management plan will allow for investigations of the location of mine water flows and their likely volume, if there is evidence to indicate that such flows could present a flood risk.</i></p> <p><i>It is also common for mine water to be coloured red, which is usually a sign that the water is ferruginous meaning that it contains iron salts, which are detrimental to the quality of the watercourse below the discharge point. It is proposed that, if required, measures will be introduced what will remove the iron salts from the mine water and thus improve the quality of the water downstream of the discharge.</i></p>	<p>Agreed: No response required.</p>
4.3	<p>Limiting surface water runoff: <i>Runoff will be altered if an area is subject to new development such as housing. Although the total runoff is likely to increase, controls will be imposed to restrict the maximum rate runoff from these developments to a level no greater than greenfield runoff or existing discharge rates where appropriate.</i></p>	<p>Agreed: No response required.</p>

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Comment Number	Comment Made	Caerphilly County Borough Council Response
4.4	<p>And the measures to reduce potential impact from Highway drainage: <i>Highway drainage may also be a source of pollution from hydrocarbons. This is particularly acute when prolonged dry periods are followed by intense rainfall. This is particularly adverse for the first flush of runoff. The Flood Risk Management will look at the possibility of installing measures such as swales and red beds that will reduce velocities and improve water quality.</i></p>	Agreed: No response required.
4.5	<p>Page 9 talks about sensitive channel vegetation maintenance practices which can benefit water quality. <i>Flooding within channels is usually caused by lack of maintenance. Where channels are in the ownership of Caerphilly County Borough Council operational procedures are in place to ensure that the capacity of the channels is not impaired. Inspection of channels, where there is significant risk of flooding, is carried out on a regular basis and debris is removed. The grass is not usually cut as this is helpful in the reduction of pollution. Trees and shrubs are not usually removed as their root system often helps to stabilise the ditches. However, where flows are impeded trees and shrubs will be cut back as appropriate.</i></p>	Agreed: No response required.
4.6	<p>Page 10 talks about working with DCWW and ourselves with regards issues around combined sewers. Currently this working ok and we obviously like that to continue.</p>	Agreed: No response required.
4.7	<p>Note the Highlighted 'quality – presumably they mean 'quantity'. Caerphilly County Borough Council will work collaboratively with our partners Natural Resources Wales and DCWW to identify all combined sewer overflows and to establish their efficiency and the quality of water being discharged.</p> <p>Where necessary, Caerphilly County Borough Council will work with Natural Resource Wales and DCWW to introduce measures which will reduce the 'quality' of foul sewerage being discharged from the combined sewer system into surface water systems.</p>	Agreed: Text amended on page 10 of the Flood Risk Management Plan.

Comment Number	Comment Made	Caerphilly County Borough Council Response
4.8	<p>Page 40 talks about creating 'natural' channels and has a picture next to it of what they refer to as a matured drainage channel'</p> <p>This appears to be a concrete and stone channel with a bit of grass. This is not what we'd class as a 'natural channel' with minimal modifications.</p>	Agreed: Title of the photo on Page 40 to be changed.
4.9	Page 480 – Talks about SuDs, note difficulties ref SuDs due to adoption issues.	Agreed: No response required.
4.10	Page 488 Clause 6.15.1: Land Management – Talks about work with landowners and minimising potential negative impacts from forestry and agriculture.	Agreed: No response required.
4.11	<p>Page 500 Clause 6.17.1: Investigations – Again talks about minewater investigations, also tip leachate investigations, both of which we'd be interested in seeing the results from.</p> <p>A survey will be carried to identify where leachate is being discharged from refuse tips both current and historic and from cemeteries. The nature of the Leachate will be established and its effect on the quality of surface water; A survey will be carried out of all groundwater discharges from all mine workings to establish the location and quality of water;</p>	Agreed: No response required.

Consultee:

Natural Resources Wales (Planning Team)

Date comments made:

21<sup>st</sup> August 2015

Comment Number	Comment Made	Caerphilly County Borough Council Response
5.1	Minor errors in the document: Page 14 - should state water abstraction licences rather than water extraction.	Agreed: Text amended on page 14 of the Flood Risk Management Plan.
5.2	Page 44 - reservoirs are subject to discharge consents not discharge licences.	Agreed: Text amended on page 44 of the Flood Risk Management Plan.
5.3	<b>Nearby Licences</b> Is the licence data used in the 'counts' in the plan from NRW or Local Authority records? Local Authorities have records of unlicensed private domestic water supplies which NRW do not have access to. Need to ensure data has been used from both sets of data.	Noted: CCBC drainage officers to Liaise further with CCBC Environmental Health Officers on this issue.
5.4	<b>Deregulated Licence</b> Licences were deregulated in 31 <sup>st</sup> March 2005. Deregulated licences include any abstraction of less than 20 cubic metres per day from surface water source (e.g. stream or drain) or from underground strata (via borehole or well) for any particular purpose.  It is possible that there are other unlicensed abstractions present, particularly for domestic and / or agricultural use. Or that deregulated licences known before 31 <sup>st</sup> March 2005 are now no longer active.  Certain private water supplies do not require a licence; therefore Natural Resources Wales is not necessarily aware of existence. The locations of private domestic sources may be held by the local authority on a register required by the Private Water supplies Regulations 1992.	Noted: CCBC drainage officers to Liaise further with CCBC Environmental Health Officers on this issue.

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Comment Number	Comment Made	Caerphilly County Borough Council Response
5.5	<p><b>Licences affected by flooding</b></p> <p>Consideration should be given to abstraction licences identified as being subject to flood risk, surveys and reports should be carried out to identify the potential damaging effects of flooding and what measures could be implemented to reduce the flood risk and impact on the water. We would need to know if there are any licences likely to be affected by flooding or any of the measures outlined.</p>	Noted: No response required.
5.6	<p><b>New licences required for flood defence measures</b></p> <p>We would also need to know if there are flood defences activities or any new flood defence measures that might require an abstraction licence – temporary or full ie. Dust suppression for construction of new flood defences. The same would apply to the potential requirement for any impoundment licences. A licence from Natural Resources Wales may be required for these activities.</p>	Noted: No response required.
5.7	<p><b>Licence requirements – abstraction</b></p> <p>If more than 20 cubic metres of water is to be abstracted per day from a surface water source (e.g. stream or drain) or from underground strata (via borehole or well for any particular purpose, then an abstraction licence from Natural Resource Wales is likely to be required. There is no guarantee that a licence will be granted as this is dependent on available water resources and existing protected rights. Abstractions from these sources under 20 cubic metres per day not required an abstraction licence.</p> <p>Types of licences and how to apply – <a href="http://naturalresouces.wales/apply-and-buy/water-abstraction-licences-water-discharges/water-abstraction-and-impoundment-licensing/apply-for-a-water-abstraction-or-impoundment-licence/?land=en">http://naturalresouces.wales/apply-and-buy/water-abstraction-licences-water-discharges/water-abstraction-and-impoundment-licensing/apply-for-a-water-abstraction-or-impoundment-licence/?land=en</a></p>	Noted: No response required.
5.8	<p><b>Licence requirement – impoundments</b></p> <p>If a watercourse, ditch or stream is to be impounded then an impounding licence is likely to be required from Natural Resources Wales.</p>	Noted: No response required.

Comment Number	Comment Made	Caerphilly County Borough Council Response
5.9	<p><b>Small impounding structures policy</b></p> <p>There may be opportunity for any works to come under our low-risk impounding policy, guidance note is available on our website here: <a href="http://naturalresources.wales/apply-and-buy/water-abstraction-licences-and-impoundment-licences/water-abstraction-and-impoundment-licensing/apply-for-a-water-abstraction-or-impoundment-licence/?lang=en">http://naturalresources.wales/apply-and-buy/water-abstraction-licences-and-impoundment-licences/water-abstraction-and-impoundment-licensing/apply-for-a-water-abstraction-or-impoundment-licence/?lang=en</a></p> <p>However in addition to the statutory exceptions, there may be occasions when an impounding licence is not necessary. Taking a risk based approach, it was established through interpretation and practice that it is not necessary to require a licence for works, provided that they:</p> <ul style="list-style-type: none"> <li>• Do not raise the upstream water level outside the normal (that is under non-flood conditions) wetted perimeter of the stream ; and</li> <li>• Do not temporarily or permanently modify the flow regime in a way that is potentially detrimental to other interests or the environment.</li> </ul>	Noted: No response required.

Consultee:

Natural Resources Wales (Flood Risk Analysis)

Date comments made:

21<sup>st</sup> August 2015

Comment Number	Comment Made	Caerphilly County Borough Council Response
6.1	<p><b>Question 1. Do you agree or disagree that the Draft Flood Risk Management Plan sets out the most significant flood risk in Caerphilly County Borough? Please select one option.</b></p> <p>Fully Agree</p> <p><u>Please give reasons for your answer</u></p> <p>The FRMP overall is well structured and presented throughout, which for the reader does help clearly establish those sites which are at significant risk. The summaries which provide the total cost of measures for each community area especially the summary on page 58 "Total Cost of Measures for the Caerphilly County Borough Council Flood Risk Area is a very useful indicator on those specific areas which have the greatest risk and corresponding costs to remedy flood risk within these locations.</p>	Agreed: No response required.
6.2	<p><b>Question 2. What do you consider to be the greatest cause of flood risk in Caerphilly County Borough? Please select one option.</b></p> <p>Blocked culvert inlet grids</p>	Noted: No response required.
6.3	<p><b>Question 3. What do you consider to be the highest priority for managing flood risk in Caerphilly County Borough? Please select one option.</b></p> <p>Maintenance of culvert inlet grids, drainage channels and gullies.</p>	Noted: No response required.
6.4	<p><b>Question 4. Do you agree or disagree that this draft Flood Risk Management plan effectively targets and aims to achieve the objectives set out by Welsh Government National Flood and Coastal Erosion Risk Management Strategy (FCERM).</b></p> <p>Fully agree</p> <p><u>Please give reasons for your answer</u></p> <p>These targets have been developed by Welsh Government in consultation with the Risk Management Authorities (RMAs) to deliver a structured approach to Flood Risk Management for the future.</p>	Agreed: No response required.

Comment Number	Comment Made	Caerphilly County Borough Council Response
6.5	<p><b>Question 5. Do you agree or disagree that the measures contained within the Draft Risk Management Plan satisfactorily address these categories? <i>Please select one option.</i></b></p> <p>Fully agree</p> <p><u>Please give reasons for your answer</u></p> <p>The measures have previously been further developed from the Local Flood Risk Management Strategy which was a requirement of the National Strategy above. These measures provide a good steer to LLFAs on which ones are appropriate to use in delivering the desired outcomes of the FRMP to manage flood risk in their specific catchment areas.</p>	Agreed: No response required.
6.6	<p><b>Question 6. How do you think, as an individual/organisation can support the work set out in the Draft Flood Risk Management Plan to reduce flood risk?</b></p> <p>By working in partnership with other RMAs in delivering schemes which in some instances will deliver benefits from various sources of flooding. This is a better use of resources and funding can result in scheme being more cost beneficial and deliverable.</p>	Agreed: No response required.



Consultee:

Dŵr Cymru Welsh Water

Date comments made:

24<sup>th</sup> August 2015

Comment Number	Comment Made	Caerphilly County Borough Council Response
7.1	We generally support the contents of the draft FRMP and the objectives that are set out. We are keen to continue to work closely with you as the objectives in the plan are delivered and work in partnership where appropriate.	Agreed: No response required.
7.2	We are pleased that the FRMPs acknowledge the need to protect key infrastructure. As a statutory water and sewerage undertaker, we are very mindful that our customers – domestic and commercial – are reliant on the essential water and sewerage services that our sector provides.	Noted: No response required.
7.3	Article 7 of the Floods Directive requires that flood risk management plans take the Water Framework Directive's (WFD) environmental objectives into account and requires co-ordination in the application of the two directives. We are pleased to see that the objectives in your FRMP have clear links to those of WFD.	Agreed: No response required.
7.4	From Dŵr Cymru's perspective, it would be an inefficient use of our customer's money if we reduced our impact on particular waterbodies while other pressures, such as inappropriate flood defences, continued to prevent those waterbodies from reaching the good status that the WFD requires.	Noted: No response required.
7.5	We are pleased to note the inclusion of information on how you maintain your assets, particularly culverts and the highway network. It would be useful if we could receive information on your assets as part of the data sharing responsibilities in order for us to better understand the interaction between all drainage infrastructures in the county.	Agree: However, in accordance with the Flood Risk Regulations 2009, any data sharing protocols would need to be reciprocal
7.6	We are keen to continue to develop the good working relationship we have and work with you to keep customers informed of responsibilities for flood risk in the county and also when responding to flood incidents.	Agree: No response required.

Consultee:

Date comments made:

Online Questionnaire

25<sup>th</sup> August 2015

Comment Number	Comment Made	Caerphilly County Borough Council Response
<b>Q) Do you agree or disagree that the Draft Flood Risk Management Plan sets out the most significant flood risk in Caerphilly County Borough?</b>		
8.1	With respect to Nelson you have not taken into account the Review of the CCBC's Local Dev Plan, which is to increase housing, which will affect the situation for the residents of Nelson, unless there is major investment into the Nelson Main sewer capacity.	<p>Measures have been included in the Flood Risk Management Plan to deal with Sustainable and Strategic Development Planning issues.</p> <p>In accordance with the Flood Risk Regulations 2009, the Caerphilly County Borough Council Flood Risk Management Plan covers flooding from surface water, groundwater, ordinary watercourses and the interface with main river flooding. Therefore flooding from main sewers has not been considered as part of this plan. Dŵr Cymru Welsh Water is the responsible authority for main sewers that cause flooding within the County Borough Council area. However in our role as a Lead Local Flood Authority we will continue to meet with Dŵr Cymru Welsh Water to discuss and collaborate on all relevant issues. <b>(Please see item 7.2 and 7.6 of this schedule.)</b></p>
8.2	The risk plan over complicates water runoff plans, many local people know which drains and culverts are blocked and waterways diverted.	<p>Caerphilly County Borough Council acknowledges the importance of local community engagement with regards to flood risk. Therefore, measures have been included in the Flood Risk Management Plan to encourage engagement with communities so we can better understand local flooding issues causes and impacts.</p>

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Comment Number	Comment Made	Caerphilly County Borough Council Response
8.3	The draft management plan fails to acknowledge the lack of modern sewerage infrastructure upgrade by the appropriate water authority is having a detrimental effect upon residential amenity of older homes whose rainwater run-off, goes into a combined sewer and, there appears to be no plan within the Draft plan to address this problem.	Noted: In accordance with the Flood Risk Regulations 2009, the Caerphilly County Borough Council Flood Risk Management Plan covers flooding from surface water, groundwater, ordinary watercourses and the interface with main river flooding. Therefore issues concerning sewer infrastructure have not been considered as part of this plan. Dŵr Cymru Welsh Water is the responsible authority for sewers within the County Borough Council area. However in our role as a Lead Local Flood Authority we will continue to meet with Dŵr Cymru Welsh Water to discuss and collaborate on all relevant issues. <b>(Please see item 7.2 and 7.6 of this schedule.)</b>
8.4	Far too detailed, is it all manageable? I don't think so! Apply Pareto Principles and tackle the 20% that causes 80% of the problem.	Noted: The Flood Risk Regulations 2009 state that 'A lead local flood authority must prepare a flood risk management plan in relation to <b>each relevant flood risk area.</b> ' Therefore in order to satisfy the regulations, the Caerphilly County Borough Council Flood Risk Management Plan details objectives and measures for all areas where significant flood risk has been identified. Some measures have already been implemented through funding made available by Welsh Government, but in order for this Flood Risk Management Plan to be successful it is essential that significant further funding be made available to Caerphilly County Borough Council from Welsh Government. Failure to receive funding could result in measures identified in this report not being implemented either in part or in full.
<b>Q) What do you consider to be the greatest cause of flood risk in Caerphilly County Borough?</b>		
8.5	It depends on the area. Different problems in different areas.	Agreed: No response required.

Comment Number	Comment Made	Caerphilly County Borough Council Response
<b>Q) What do you consider to be the highest priority for managing flood risk in Caerphilly County Borough?</b>		
8.6	<p>Nelson Main Sewer was built over a hundred years ago. Since then number of people living in the area increased significantly but, there has been little improvement in the capacity of the Nelson main sewer.</p> <p>As before. Depends on the area</p>	<p>Noted: In accordance with the Flood Risk Regulations 2009, the Caerphilly County Borough Council Flood Risk Management Plan covers flooding from surface water, groundwater, ordinary watercourses and the interface with main river flooding. Therefore flooding from main sewers has not been considered as part of this plan. Dŵr Cymru Welsh Water is the responsible authority for main sewers that cause flooding within the County Borough Council area. However in our role as a Lead Local Flood Authority we will continue to meet with Dŵr Cymru Welsh Water to discuss and collaborate on all relevant issues. <b>(Please see item 7.2 and 7.6 of this schedule.)</b></p> <p>Agreed: No response required</p>
<b>Q) Do you agree or disagree that this draft Flood Risk Management plan effectively targets and aims to achieve the objectives set out by Welsh Government National Flood and Coastal Erosion Risk Management Strategy (FCERM).</b>		
8.7	There is lack of financial investment to address the issues.	<p>Agreed: Some measures have already been implemented through funding made available by Welsh Government, but in order for this Flood Risk Management Plan to be successful it is essential that significant further funding be made available to Caerphilly County Borough Council from Welsh Government. Failure to receive funding could result in measures identified in this report not being implemented either in part or in full.</p>
8.8	Lack of consultation.	<p>Strongly Disagree: Caerphilly County Borough Council acknowledges the importance of public engagement. Therefore, it has undertaken three extensive public consultations throughout the process of creating the Local Flood Risk Management Strategy and the Flood Risk Management Plan seeking the public's views regarding flooding issues.</p>

Comment Number	Comment Made	Caerphilly County Borough Council Response
8.9	With the number of new houses the Welsh Government wants to build it needs to be more proactive in making the water authorities provide the infrastructure required. It cannot all be left to developers.	<p>Noted: In our role as a Lead Local Flood Authority we will continue to meet with Dŵr Cymru Welsh Water to discuss and collaborate on all relevant issues. <b>(Please see item 7.2 and 7.6 of this schedule.)</b></p>
8.10	It's a document to satisfy a request. It is NOT implementable. Far too detailed. The simplest things have not even been done. A 500 page document does nothing unless action follows. Will it? No! You will say there is no money to implement it yet you found money to write it!	<p>Disagree: Some measures have already being implemented from the Local Flood Risk Management Strategy and Flood Risk Management Plan.</p> <p>Ring fenced funding has been received from Welsh Government for the financial years April 2010 to March 2015 to produce statutory documents. This funding has been used to prepare the Preliminary Flood Risk Assessment, Flood Hazard and Flood Risk Maps, the Local Flood Risk Management Strategy and the Flood Risk Management Plan.</p> <p>However, in order for the Flood Risk Management Plan to be successful it is essential that significant further funding be made available to Caerphilly County Borough Council on top of the normal funding arrangements from Welsh Government. Failure to receive this additional funding could result in measures identified in this report not being implemented either in part or in full.</p>

Comment Number	Comment Made	Caerphilly County Borough Council Response
<b>Q) Do you agree or disagree that the measures contained within the Draft Risk Management Plan satisfactorily address these categories?</b>		
8.11	Not sufficient finance provided to achieve best outcomes for the people affected	<p>Some measures have already being implemented from the Local Flood Risk Management Strategy and Flood Risk Management Plan.</p> <p>However, in order for the Flood Risk Management Plan to be successful it is essential that significant further funding be made available to Caerphilly County Borough Council on top of the normal funding arrangements from Welsh Government. Failure to receive this additional funding could result in measures identified in this report not being implemented either in part or in full.</p> <p>Noted:</p>
8.12	There are no specific detailed plans within the Draft Plan to assist water companies to increase the capacity of their combined sewers. They will need financial help to do this.	<p>Caerphilly County Borough Council Flood Risk Management Plan covers flooding from surface water, groundwater, ordinary watercourses and the interface with main river flooding. Therefore flooding from combined sewers has not been considered as part of this plan. Dŵr Cymru Welsh Water is the responsible authority for combined sewers that cause flooding within the County Borough Council area. However in our role as a Lead Local Flood Authority we will continue to meet with Dŵr Cymru Welsh Water to discuss and collaborate on all relevant issues. <b>(Please see item 7.2 and 7.6 of this schedule.)</b></p> <p>Noted:</p>

Comment Number	Comment Made	Caerphilly County Borough Council Response
8.13	As before – too complicated – NOT IMPLEMENTABLE.	<p>Some measures have already being implemented from the Local Flood Risk Management Strategy and Flood Risk Management Plan.</p> <p>Ring fenced funding has been received from Welsh Government for the financial years April 2010 to March 2015 to produce statutory documents. This funding has been used to prepare the Preliminary Flood Risk Assessment, Flood Hazard and Flood Risk Maps, the Local Flood Risk Management Strategy and the Flood Risk Management Plan.</p> <p>Disagree: However, in order for the Flood Risk Management Plan to be successful it is essential that significant further funding be made available to Caerphilly County Borough Council on top of the normal funding arrangements from Welsh Government. Failure to receive this additional funding could result in measures identified in this report not being implemented either in part or in full.</p>
<b>Q) How do you think you, as an individual/organisation can support the work set out in the Draft Flood Risk Management plan to reduce flood risk?</b>		
8.14	Getting involved in any consultation.	Agreed: No response required.
8.15	Reporting of issues when known.	Agreed: No response required.

Comment Number	Comment Made	Caerphilly County Borough Council Response
8.16	WG needs to more proactive in putting information about flooding and sewerage capacity of the drainage and sewer systems into the public domain. WG should ask each of the 735 Town and Community Council across Wales to respond to this consultation and it should be more widely known about by the general public, particularly young people should be actively involved.	<p>As part of the Flood Risk Management Plan consultation process, all 18 Town and Community Councils within Caerphilly County Borough Council area have been consulted.</p> <p>Engagement with members of the public was also made via the Council website; social media; various local press releases and the local libraries.</p> <p>Noted: Caerphilly County Borough Council acknowledges the importance of local community engagement with regards to flood risk. Therefore, measures have been included in the Flood Risk Management Plan to encourage engagement with communities so we can better understand local flooding issues causes and impacts.</p>
8.17	Informing the local council of blockages in watercourses, drains, etc, in found in our normal travels, also a Floodline phone number to report a blockage could be advantage.	<p>Agreed: Caerphilly County Borough Council has in place a Highways Customer Care telephone line (01495 235323) for reporting blockages or highway issues.</p>
8.18	Providing feedback to relevant department during flood incidents and undertake monitoring of local environment. Active participation in planning application processes.	<p>Agreed: Caerphilly County Borough Council has the systems in place for reporting flooding incidents; monitoring the environment and providing comments on planning applications.</p>



Comment Number	Comment Made	Caerphilly County Borough Council Response
8.19	By making known to the county Borough the inadequacy of combined main sewers. To make the Authority aware that in heavy rain these sewers overflow onto roads and into people's homes and gardens. The authority must recognise that, the water table too is often high at the bottom of the valleys throughout the Borough. To expect developers to rely on soakaways in new properties and to foot the bill for the necessary sewerage infrastructure needed will not be enough. More and more the Authority is allowing new housing developments.	<p>Measures have been included in the Flood Risk Management Plan to deal with Sustainable and Strategic Development Planning issues.</p> <p>In accordance with the Flood Risk Regulations 2009, the Caerphilly County Borough Council Flood Risk Management Plan covers flooding from surface water, groundwater, ordinary watercourses and the interface with main river flooding. Therefore flooding from combined sewers has not been considered as part of this plan. Dŵr Cymru Welsh Water is the responsible authority for combined sewers that cause flooding within the County Borough Council area. However in our role as a Lead Local Flood Authority we will continue to meet with Dŵr Cymru Welsh Water to discuss and collaborate on all relevant issues. <b>(Please see item 7.2 and 7.6 of this schedule.)</b></p> <p>Noted:</p>
8.20	By being proactive as possible in developing understanding and sharing awareness. By warning of potential flooding incidents and raising the alarm to actual flood events. By actively participating in Highway Team's response to flooding events.	<p>Caerphilly County Borough Council has the systems in place for reporting flooding incidents; monitoring the environment and providing comments on planning applications.</p> <p>Caerphilly County Borough Council acknowledges the importance of local community engagement with regards to flood risk. Therefore, measures have been included in the Flood Risk Management Plan to encourage engagement with communities so we can better understand local flooding issues causes and impacts.</p> <p>Agreed:</p>
8.21	I regularly report problems. NOTHING gets done!	<p>Caerphilly County Borough Council has in place an excellent customer care system for receiving; logging and monitoring progress of reports of flooding incidents.</p> <p>Noted:</p>
8.22	Continue to oppose opens spaces being covered in tarmac, concrete and housing.	<p>Measures have been included in the Flood Risk Management Plan to deal with Sustainable and Strategic Development Planning issues.</p> <p>Noted:</p>

**Consultee:**

**Caerphilly County Borough Council (Emergency Planning)**

**Date comments made:**

**3<sup>rd</sup> August 2015**

<b>Comment Number</b>	<b>Comment Made</b>	<b>Caerphilly County Borough Council Response</b>
9.1	The Caerphilly County Borough Council Flood Risk Management Plan is a wide ranging and a well set out document, which clearly satisfies the Councils High Level Objective in relation to flood risk within the County Borough Council area. The Plan comprehensively outlines the Council's objectives and measures for the management of flood risk in the identified areas.	Noted No response required
9.2	Incorrect title on Figure 09 – Should read 'Risk to Natural and Historic Environment'	Agreed: Map title to altered on page 62

## Appendix C - Financial Implications

### TOTAL COST OF MEASURES FOR THE CAERPHILLY COUNTY BOROUGH COUNCIL FLOOD RISK AREA

COMMUNITY AREA	COST
Aberbargoed	£74,500
Abercarn	£107,000
Bargoed	£61,000
Bedwas	£262,500
Blackwood	£101,500
Caerphilly East	£84,500
Caerphilly North	£96,500
Caerphilly South	£137,500
Caerphilly West	£229,500
Cefn Fforest	£60,500
Crosskeys	£96,000
Crumlin	£148,000
Llanbradach	£65,500
Maesycwmmmer	£174,500
Markham	£47,000
Newbridge	£197,000
Pengam	£50,500
Penmaen	£117,000
Pontllanfraith	£152,000
Pontymister East	£56,000
Pontymister West	£62,000
Trethomas	£85,500
Ystrad Mynach	£177,500
<b>ESTIMATED TOTAL COST:</b>	<b>£2,644,000</b>

### TOTAL COST OF MEASURES FOR OUTSIDE THE CCBC FLOOD RISK AREA

COMMUNITY AREA	COST
Abertridwr	£80,500
Abertysswg	£84,500
Argoed	£50,000
Brithdir	£32,500
Deri	£35,000
Fochriw	£35,000
Gelligaer	£64,500
Hengoed	£34,500
Machen	£130,500
Manmoel	£500
Nelson	£110,500
New Tredegar	£34,000
Penpedairheol	£59,000
Pontlottyn	£60,000
Rhymney	£89,500
Rudry	£24,000
Senghenydd	£45,500
Tirphil	£5,500
Tir-y-berth	£60,500
Twyn Carno	£65,000
Ynysddu	£61,500
<b>ESTIMATED TOTAL COST:</b>	<b>£1,162,500</b>

Total financial requirement of £3,806,500 to implement all the measures within the CCBC area.

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## CABINET – 11TH NOVEMBER 2015

**SUBJECT: RESULTS OF THE 2015 HOUSEHOLD SURVEY**

**REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES AND SECTION 151 OFFICER**

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### **1. PURPOSE OF REPORT**

1.1 To inform Cabinet Members of the findings of the 2015 Household Survey. This report seeks to draw out the key results in relation to satisfaction with Council services.

### **2. SUMMARY**

2.1 The attached Summary Report outlines the key findings of the Household Survey.

2.2 The survey was conducted from the 1<sup>st</sup> June 2015 with a closing date of 17<sup>th</sup> July 2015. The total number of responses to the survey was **1258**. Results from this survey are overall very positive. They show that residents, in general, are satisfied with the services provided by the council.

2.3 As in previous years, services generating high levels of satisfaction include refuse and recycling, libraries, aspects of the leisure service, bus services, street lighting and Newslines.

### **3. LINKS TO STRATEGY**

3.1 The Household Survey and its findings have a direct link with a number of council and partnership policies and strategies:

- Single Integrated Plan
- Improvement Plan and Annual Performance Report
- Citizen Engagement Strategy
- Customer Services Strategy

3.2 The results of the Household Survey will provide a range of useful data for key performance indicators which are then fed into individual Service Improvement Plans.

### **4. THE REPORT**

4.1 This report seeks to draw out the key results in relation to satisfaction with Council services.

4.2 As with previous Household Surveys completed biennially since 2001, the main topics covered were:

- Neighbourhoods and Town Centres
- Crime and Disorder
- Litter and Refuse
- Transport Services
- Leisure, Learning and Cultural Activities
- School Services
- Social Services
- Quality of Council Services Overall
- Personal Details
- Involvement with Community Activities and Invitation to join the Council's Viewpoint Panel.

#### 4.3 Key findings include:

- Taking everything into account, 78% of respondents were satisfied with the overall service provided by the Council. This compares to 82% in 2013 however, the proportion of those who were very satisfied has increased from 14% in 2013 to 18% in 2015.
- There has been a shift towards digital means of communicating with the Council in the last 2 years and an increase in preference expressed to receive "Newslines" electronically.
- Levels of satisfaction with different aspects of contacting the Council were high. In particular, 88% were satisfied with the helpfulness of front desk staff.
- 63% of respondents agreed that the Police and Caerphilly County Borough Council are dealing with anti-social behaviour and crime issues that matter in this area. 71% felt that levels of crime and 65% felt that anti-social behaviour have got better or stayed the same in the last two years.
- Satisfaction with local town centres for entertainment has increased by 10% to 38% since 2013.
- Whilst still at a very high level, satisfaction with civic amenity/household waste recycling sites has declined from 92% in 2013 to 86% in 2015.
- Dog fouling has consistently been considered the biggest problem affecting the appearance of streets in neighbourhoods since 2011.
- Levels of satisfaction with country parks are high at 88% but have significantly declined since 2013 when 96% of respondents indicated that they were satisfied.
- There has been an increase in satisfaction with winter maintenance with 72% of respondents indicating that they were satisfied in 2015 compared to 46% in 2011.

#### 4.4 As with previous Household Surveys completed biennially since 2001, the main topics covered were:

- Neighbourhoods and Town Centres
- Crime and Disorder
- Litter and Refuse
- Transport Services
- Leisure, Learning and Cultural Activities
- School Services
- Social Services
- Quality of Council Services Overall
- Personal Details
- Involvement with Community Activities and Invitation to join the Council's Viewpoint Panel.

## 5. EQUALITIES IMPLICATIONS

- 5.1 The results of the Household Survey will be further analysed by Equalities category to demonstrate that as wide a range of views as possible from different communities are represented. This also ensures that any specific trends that may become apparent from various groups are identified and noted. This ensures compliance with the Council's Strategic Equalities Objective 5 Engagement and Participation.

## **6. FINANCIAL IMPLICATIONS**

- 6.1 Dependent of the impact of the findings, in relation to future service provision within individual Directorates/service areas.

## **7. PERSONNEL IMPLICATIONS**

- 7.1 Dependent of the impact of the findings, in relation to future service provision within individual Directorates/service areas.

## **8. CONSULTATIONS**

- 8.1 In relation to the content of the Household Survey, CMT and the Head of Information Communications and Technology were consulted and only minor changes were made to the questionnaire from 2013. The Communications Unit were consulted in relation to the proposed dissemination of the results.

## **9. RECOMMENDATIONS**

- 9.1 Cabinet note the findings of the 2015 Household Survey.
- 9.2 Key findings are shared:
- with Service Managers for dissemination with their teams. More detailed analysis will be available on request.
  - via the Council's Website and Newslines
- 9.3 The Household survey will feed into the Corporate Improvement Plan of the council by helping to:
- identify perceived areas of strength and weakness in the provision of Council services
  - highlight areas of change in the level of service provision over the last two years
  - provide data for further comparison in future years and
  - help determine future priorities.

## **10. REASONS FOR THE RECOMMENDATIONS**

- 10.1 To ensure that the data from the Household Survey is fully publicised amongst Officers, members and the public and that the data is fully utilised in determining future priorities.

## **11. STATUTORY POWER**

- 11.1 Local Government Act 1972/2000.

Author: Steve Pugh, Communications Manager  
Consultees: Head of Information Communications and Technology  
Citizen Engagement Working Group  
Corporate Management Team

Appendices:  
Appendix 1: Household Survey 2015 – Key Findings report attached

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# APPENDIX 1

## HOUSEHOLD SURVEY 2015 – INITIAL ANALYSIS REPORT

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# APPENDIX 1

## KEY FINDINGS

- In total, 1258 residents responded to the survey. A high proportion of respondents were female compared to the resident population.
- Taking everything into account, 78% of respondents were satisfied with the overall service provided by the Council. This compares to 82% in 2013 however, the proportion of those who were very satisfied has increased from 14% in 2013 to 18% in 2015.
- There has been a shift towards digital means of communicating with the Council in the last 2 years and an increase in preference expressed to receive “Newsline” electronically.
- Levels of satisfaction with different aspects of contacting the Council were high. In particular, 88% were satisfied with the helpfulness of front desk staff.
- 63% of respondents agreed that the Police and Caerphilly County Borough Council are dealing with anti-social behaviour and crime issues that matter in this area. 71% felt that levels of crime and 65% felt that anti-social behaviour have got better or stayed the same in the last two years.
- Satisfaction with local town centres for entertainment has increased by 10% to 38% since 2013.
- Whilst still at a very high level, satisfaction with civic amenity/household waste recycling sites has declined from 92% in 2013 to 86% in 2015.
- Dog fouling has consistently been considered the biggest problem affecting the appearance of streets in neighbourhoods since 2011.
- Levels of satisfaction with country parks are high at 88% but have significantly declined since 2013 when 96% of respondents indicated that they were satisfied.
- There has been an increase in satisfaction with winter maintenance with 72% of respondents indicating that they were satisfied in 2015 compared to 46% in 2011.

# APPENDIX 1

## BACKGROUND

In June and July 2015, a detailed household survey was carried out across the Caerphilly County Borough area to determine levels of satisfaction with Council services as well as establishing current perceptions on crime and antisocial behaviour and how the Council and Police deal with these issues across the area. Previous household surveys have completed biennially since 2001.

## METHODOLOGY

The survey was conducted from the 1<sup>st</sup> June 2015 with a closing date of 17<sup>th</sup> July 2015. Those who returned a completed survey by 30<sup>th</sup> June 2015 were entered into a free prize draw.

In previous years, the survey had been sent to 10,000 households across Caerphilly County Borough. The response to these surveys has, year on year, been skewed towards the older age groups. In an attempt to illicit a more representative response since 2009, this has been accompanied by an online survey.

In 2015, in an attempt to further broaden the respondent profile, the survey was distributed in three ways. An additional benefit of this methodology was to significantly reduce the cost of undertaking the survey.

### Newsline Survey

Every household in Caerphilly county borough receives the council's newspaper, Newsline on a quarterly basis. The full survey Household Survey was included as a centre fold supplement to the June 2015 edition of Newsline and respondents were given the option of returning the completed form in the post or via any council office, library or customer first centre. Readers were also made aware that an online version of the survey was available if preferred.

### Web Survey

The survey was displayed on the Council's Website for the duration of the consultation period. A paper version was also available on the Website that could be printed if needed.

### Targetted distribution

To further encourage completion of the survey from a cross section of residents, the survey was promoted via Town and Community Councils, the 50+ forum, Menter Iaith, the Caerphilly Parent Network, Community Safety Volunteer Network, Families First, Gwent Association of Voluntary Organisations, Community Partnerships, the Caerphilly Business Forum and the Caerphilly Viewpoint Panel. Youth workers also visited a number of schools and youth clubs to encourage young people to complete the survey.

The survey was also promoted via the councils social media channels.

The total number of responses to the survey overall in 2015 was **1258**. This compares to 2280 in 2013. Of the 1258 completed questionnaires, 706 were completed online. This is higher than the online response for 2013 when 473 questionnaires were completed electronically. The remaining 552 surveys were returned in paper or Newsline formats and manually entered onto the system.

# APPENDIX 1

Responses to the survey were combined and the analysis that follows in this report relates to **all** the responses received, regardless of source.

## APPENDIX 1

### ANALYSIS

The questionnaire remained largely unchanged since 2011 with a rewording of the open ended question to “What could the council do to increase your satisfaction with council services overall?”

In analysing the data, it was therefore possible to compare responses to most of the questions in the 2015 survey with those from the previous two survey.

Throughout this report, the results are presented as percentage (%) responses based on the total number of responses to individual questions (which will vary due to respondents not answering all the questions).

For ease of reporting, categories “very satisfied” and “fairly satisfied” may be combined together and presented as “**satisfied**” with “fairly dissatisfied” and “very dissatisfied” presented as “**dissatisfied**”.

A full summary of percentage responses to each question can be found in **Appendix 1**.

The analysis provided within this report presents overall responses to each question. In addition, where responses between groups *are significantly different*, these differences are highlighted.

# APPENDIX 1

## RESPONDENT PROFILE

Of those who provided a response 61% were female. For the county borough as a whole, the 2011 Census indicated that females accounted for 49% of the population aged 18 or over and males 51%.

Overall, 98.3% of respondents to the survey identified themselves as White, a figure which is in line with the resident population as measured in the 2011 Census. 81% of respondents had no skills in Welsh which is a little lower than the 2011 census figure of 84% for the Caerphilly County Borough area.

Of those who completed the question, 15% of respondents indicated that they had a disability and 21% had a long term illness or health problem.

A high proportion of survey respondents (83%) were owner occupiers (i.e. said that they owned their property outright/with a mortgage) compared to the resident population as measured in the 2011 Census where 70% were owner occupiers.

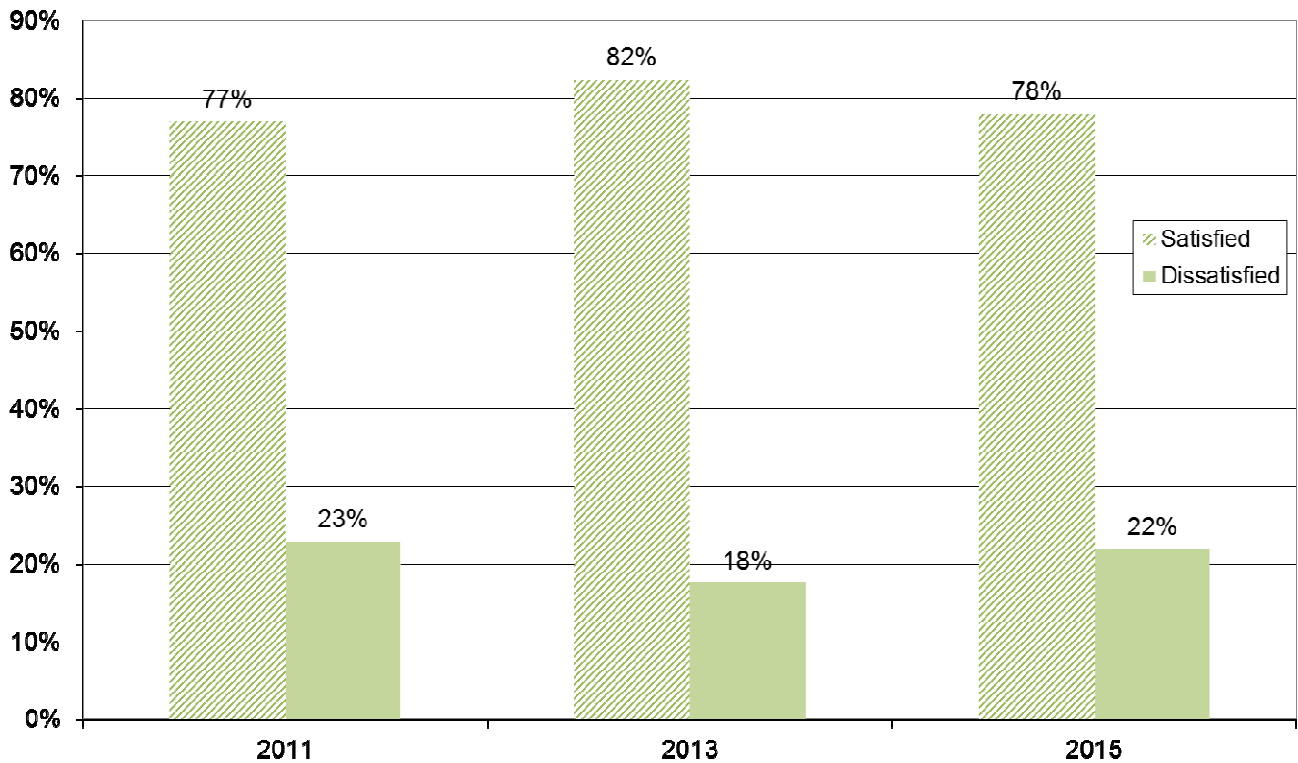
In the 2015 survey, 28% of respondents were 65+. This is lower than the 2013 survey where 34% were 65+. For the first time, the 2015 survey elicited responses from the under 18's, with 5% of respondents indicating that they were under 18 years of age. The largest proportion of responses (40%) came from the 45-64 age group.

# APPENDIX 1

## WHAT THE PUBLIC THINK ABOUT US

Taking everything into account, 78% of respondents were satisfied overall with the services provided by Caerphilly County Borough Council. **Graph 1** highlights the percentage of respondents who were satisfied or dissatisfied with the overall services provided by the Council since 2011. Whilst this is a decline since 2013, the proportion of those who were *very* satisfied has increased from 14% in 2013 to 18% in 2015.

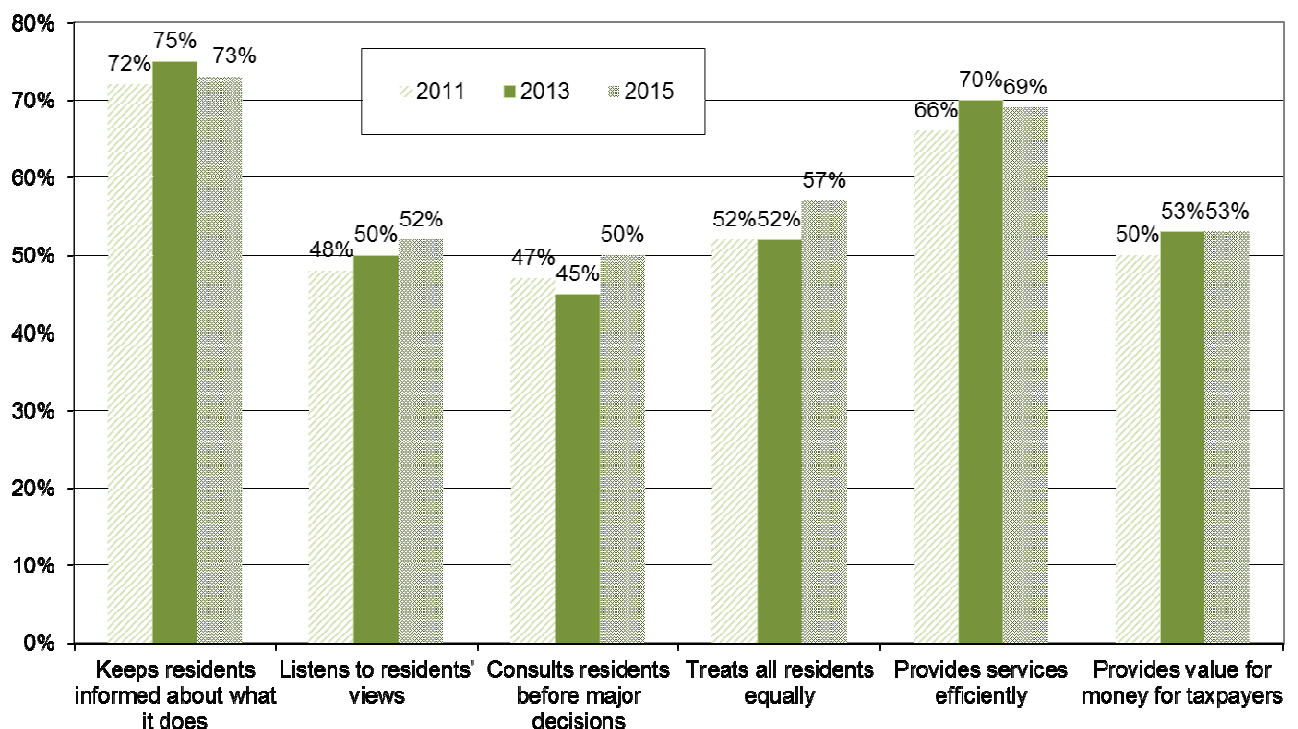
**Graph 1: Percentage of respondents who were satisfied or dissatisfied with the overall services provided by the Council (2011 - 2015)**



Respondents were also asked whether they agreed with a number of statements regarding *how* the Council provides its services. As can be seen from **Graph 2**, most respondents agreed that the Council keeps residents informed about what it does (73%) and provides services efficiently (69%). There has been an increase from 45% in 2013 to 50% in 2015 in the percentage who agreed that the Council *consults* residents before major decisions. There has also been an increase in the percentage who felt that the Council *treats all residents equally* from 52% in 2013 to 57% in 2015.

## APPENDIX 1

**Graph 2: Satisfaction with how the Council provides its services (2011 – 2015). Percentage of respondents who agreed that the Council...**



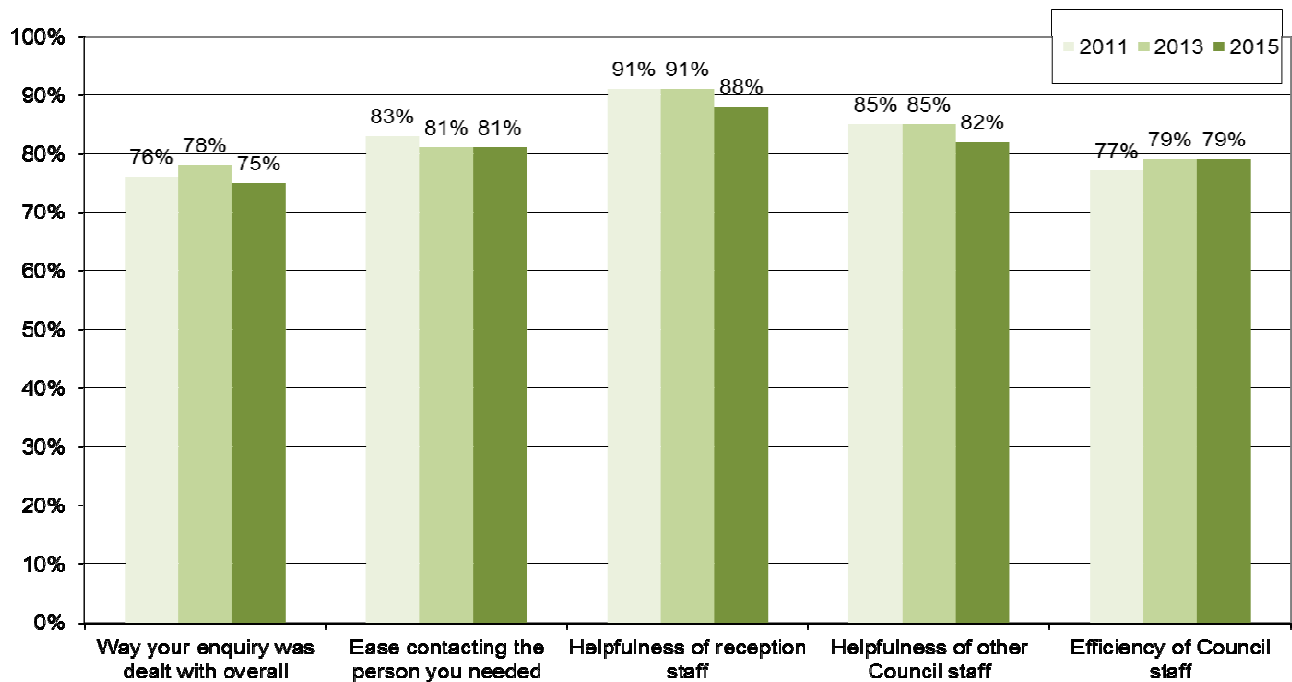
In the 2015 survey, 68% of respondents had, apart from paying routine bills, contacted the Council during the past 12 months. There has been a shift in the main method used to contact the Council with the percentage of respondents who had telephoned the Council declining from 64% in 2013 to 59% in 2015. The percentage who had visited Council offices was also a little lower at 11% (13% in 2015). The proportion of respondents who had used digital methods of contact in the past 12 months had increased, with 12% using e-mail (10% in 2013), 9% using the Council website (5% in 2013) and Social Media use increased from 1% in 2013 to 3% in the current survey..

Those who had contacted the Council in the previous 12 months were also asked how satisfied or dissatisfied they were with different aspects of contacting the Council. Overall, satisfaction levels were high. As can be seen from **Graph 3**, in 2015, the highest level of satisfaction was with front desk staff (88%), followed by the helpfulness of other staff (82%) and the ease of contacting the person you needed (81%). These high levels of satisfaction have shown a small decline since 2011 with the exception of "efficiency of Council staff".



## APPENDIX 1

Graph 3: Percentage of respondents who were satisfied with aspects of contacting the Council (2011 - 2015)



Levels of satisfaction with the Councils publication “Newsline” have not changed significantly since 2011. The vast majority of respondents agreed that “Newsline” was a useful source of news and information (86%) and that a copy of “Newsline” is delivered on a regular basis. There has been a significant increase in the proportion of respondents who indicated that they would like a copy of “Newsline” delivered electronically. This has increased from 21% in 2013 to 36% in 2015.

Both the increase in preference for an electronic version of “Newsline” and the shift to more electronic means of contacting the Council can be attributed to the fact that in the 2015 survey, 91% of respondents had access to the internet at home and significantly, the proportion of respondents with access to an internet enabled mobile phone has increased from 58% in 2013 to 71% in 2015.

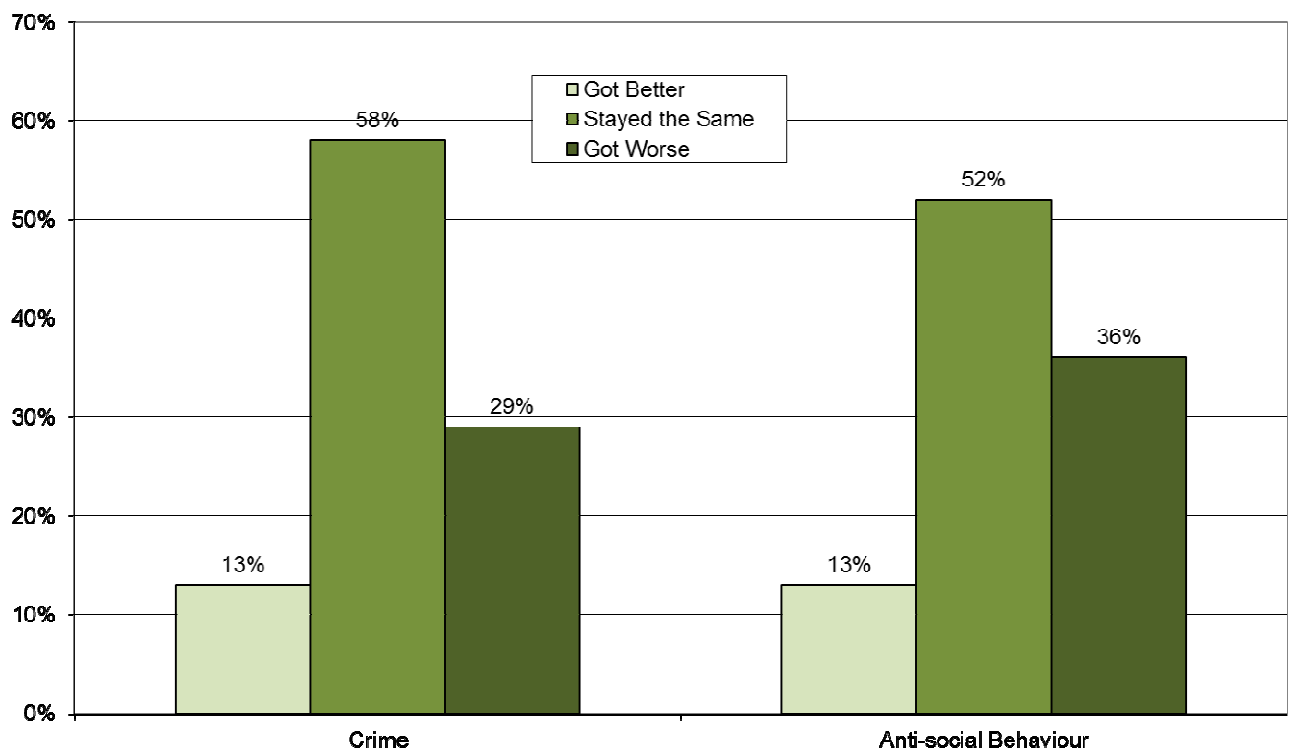
# APPENDIX 1

## SAFER CAERPHILLY

In the 2015 survey, 63% of respondents agreed that the Police and Caerphilly County Borough Council are dealing with anti-social behaviour and crime issues that matter in this area. This is slightly lower than the survey in 2013 where 64% agreed.

A new question was added to the survey in 2013 asking residents whether they felt that levels of crime and anti-social behaviour in their community has got better, stayed the same or got worse in the last 2 years. **Graph 4** shows that 71% felt that levels of crime and 65% felt that anti-social behaviour have got better or stayed the same in the last two years. These figures are lower when compared to survey responses in the 2013 survey where 76% felt that levels of crime and 69% felt that anti-social behaviour have got better or stayed the same in the last two years.

**Graph 4: Do you feel the levels of crime and anti-social behaviour in your community have got better, stayed the same or got worse in the last 2 years? (2015 responses)**

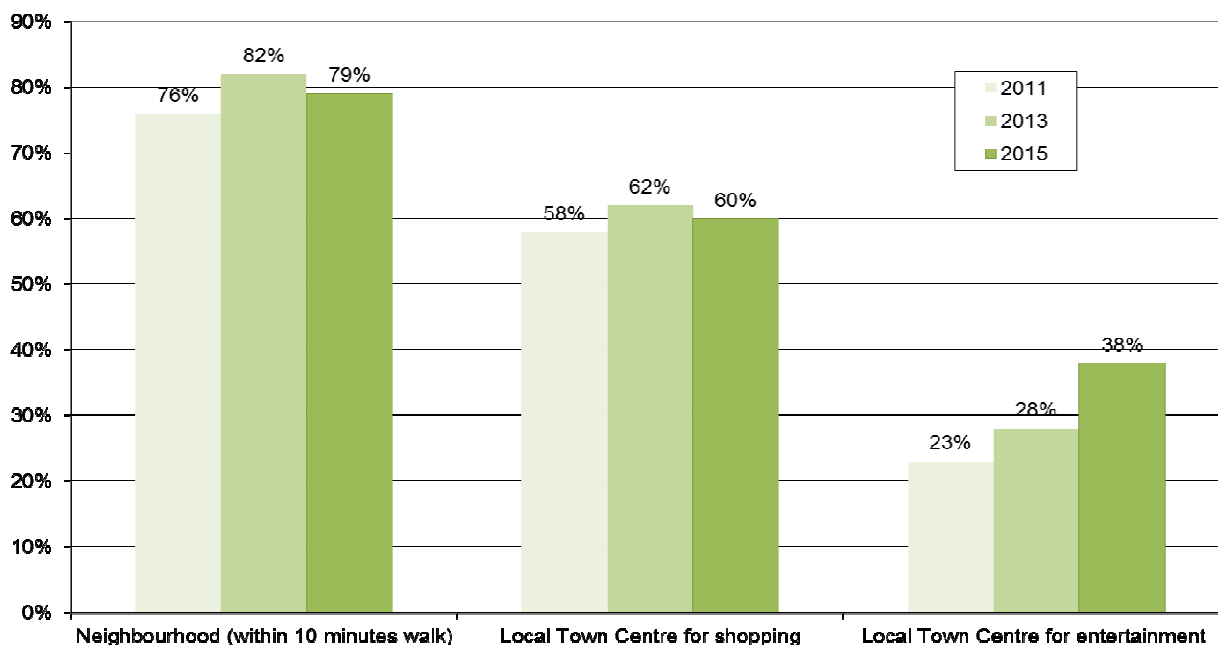


# APPENDIX 1

## GREENER CAERPHILLY

Respondents were asked about their satisfaction with their neighbourhood and local town centre. **Graph 5** shows levels of satisfaction with various aspects of these localities.

**Graph 5: Percentage of respondents who were satisfied with local neighbourhoods and town centres (2011 - 2015)**

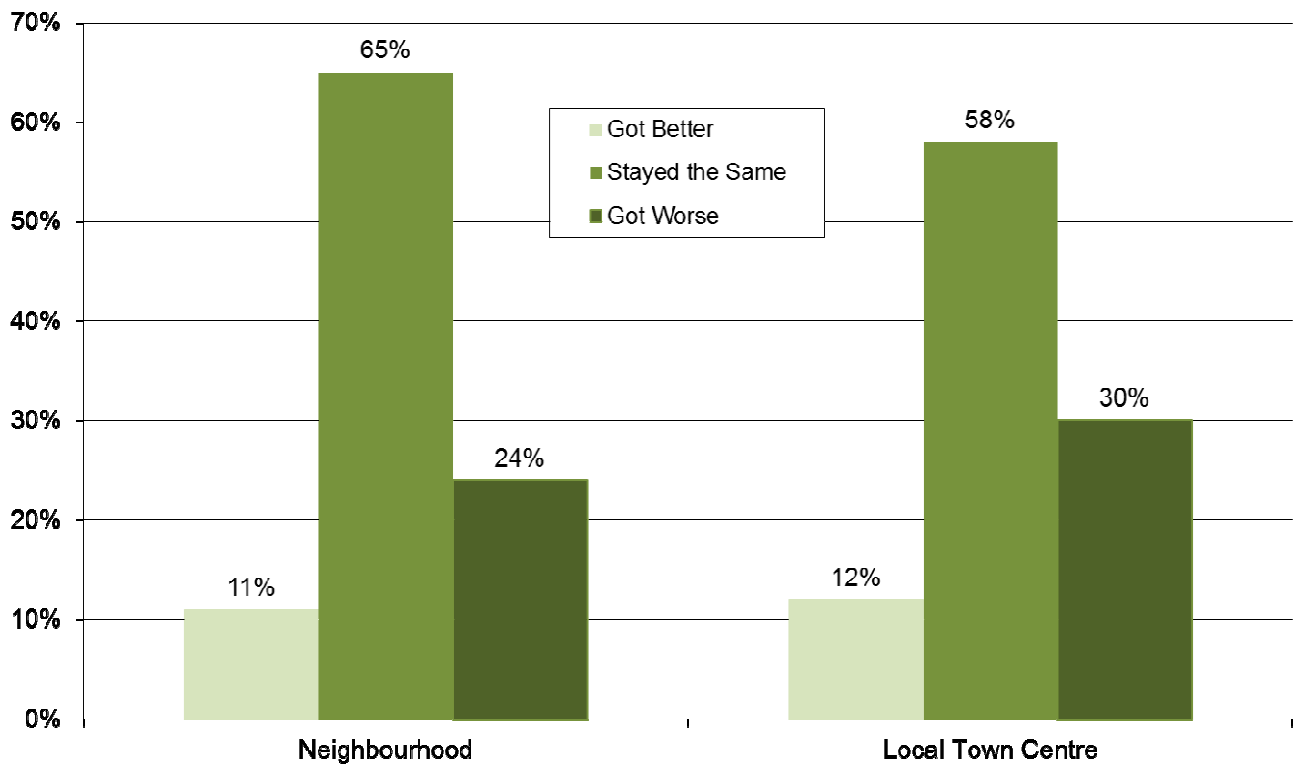


**Graph 5** evidences that satisfaction with respondents' neighbourhood, local town centre for entertainment has increased significantly from 23% to 38% between 2011 and 2015.

As highlighted in **Graph 6**, 76% of respondents felt that the quality of life in their *neighbourhoods* had got better or stayed the same and 70% perceived that the quality of life in their *local town centre* had stayed the same or got better over the past twelve months. Both of these figures show an decline in perception since the 2013 survey (78% for neighbourhoods and and 71% for local town centres) but are still higher than the figures for 2011 (73% for neighbourhoods and 64% for local town centres).

# APPENDIX 1

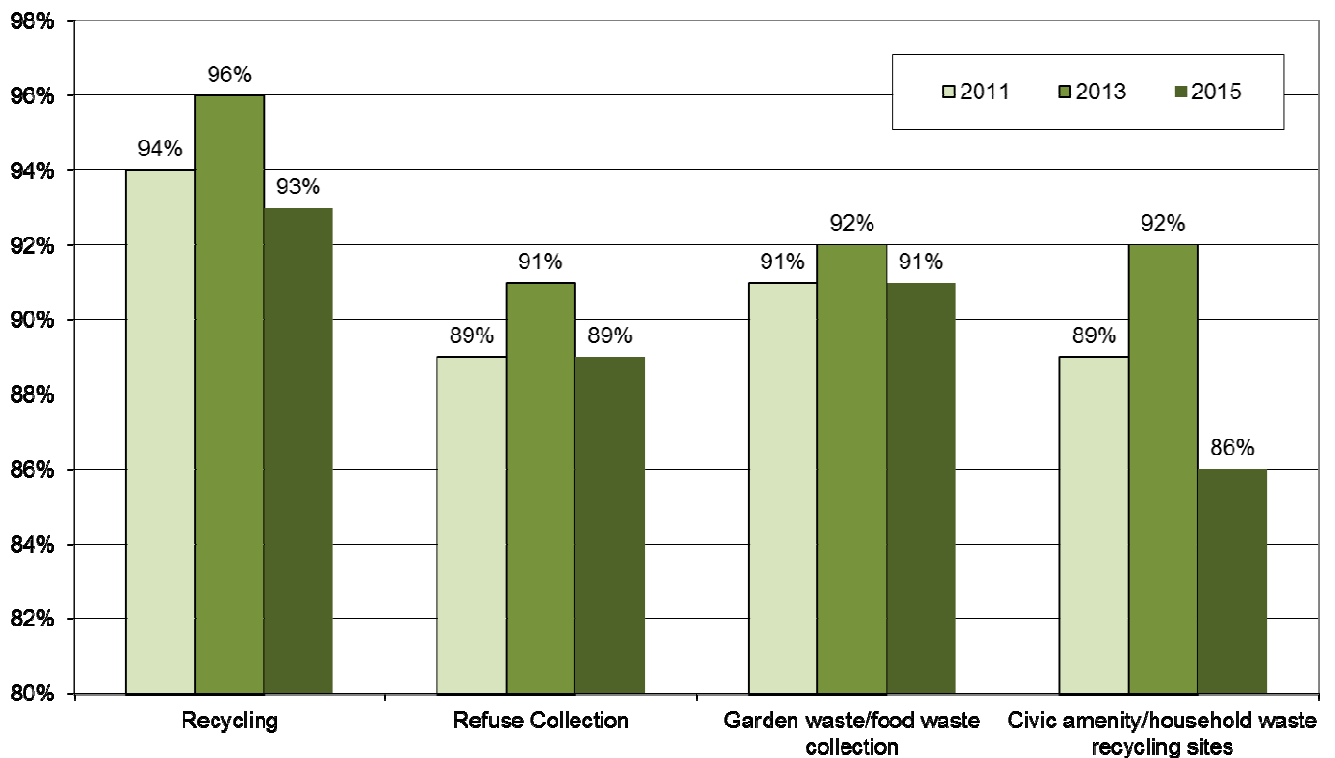
**Graph 6: Percentage of respondents who felt the quality of life in their local neighbourhood or town centre has got better, stayed the same or got worse over the past 12 months**



## APPENDIX 1

Respondents were asked about satisfaction with recycling and refuse services. The results are summarised in **Graph 7**. The graph highlights that there are very high levels of satisfaction with all aspects of recycling and refuse services provided by the Council. Satisfaction with civic amenity and household waste recycling sites have declined from 92% in 2013 to 86% in the most recent survey.

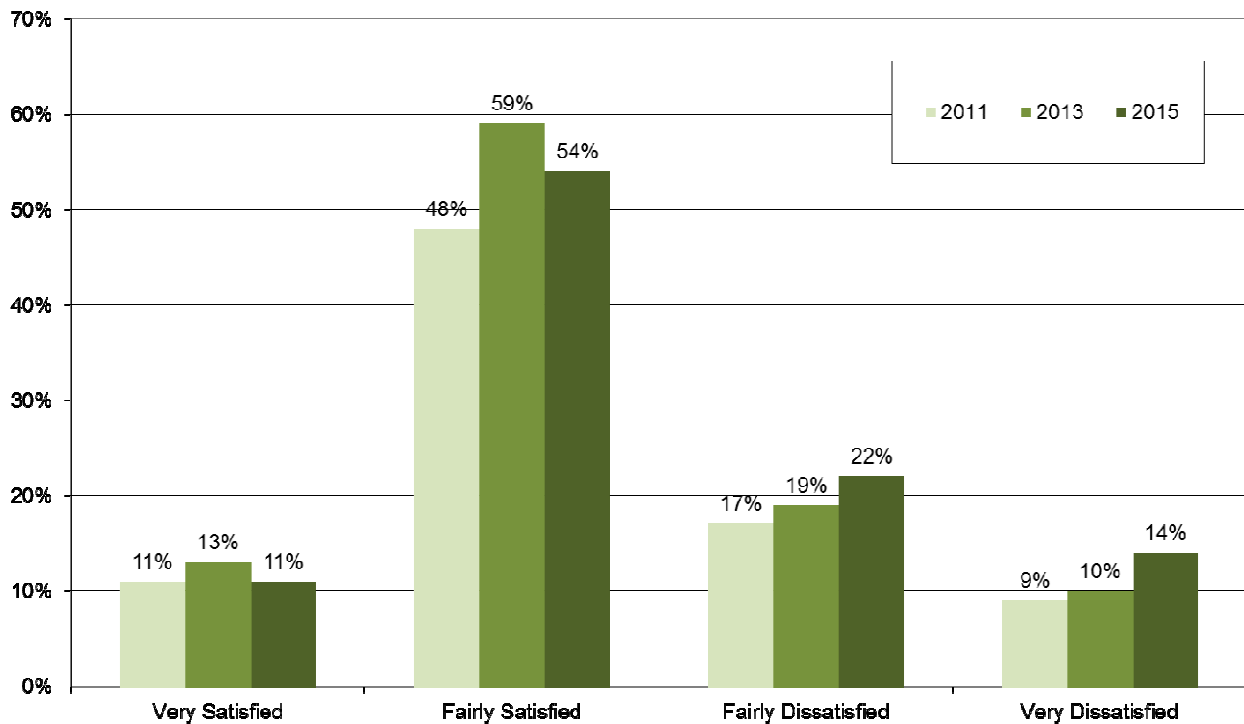
**Graph 7: Percentage of respondents who were satisfied with recycling and refuse collection services (2011 - 2015)**



## APPENDIX 1

A further question related to satisfaction with the appearance of the streets in respondents' neighbourhood and local town centre and 65% of respondents overall were satisfied with this aspect. As evidenced in **Graph 8**, this figure has increased significantly from 57% in 2011 but is lower than the figure for 2013 when 72% were satisfied with the appearance of the streets in their neighbourhood and local Town Centre.

**Graph 8: Percentage of respondents who were satisfied or dissatisfied with the appearance of the streets in their neighbourhood and local Town Centre (2011 - 2015)**



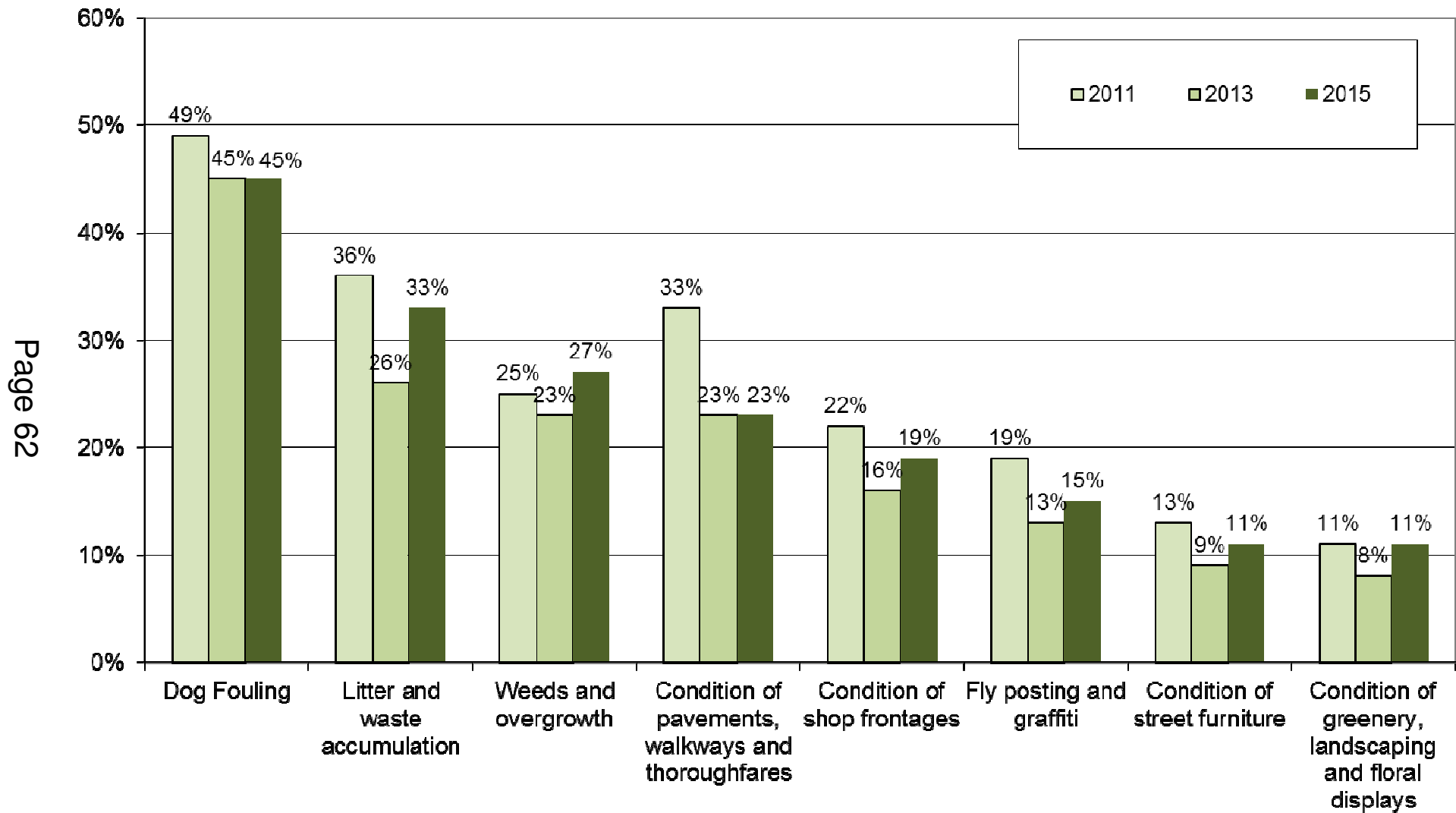
## APPENDIX 1

A series of questions were then asked relating to respondents' views on the main issues affecting the appearance of streets in their neighbourhood and local town centre. A summary of the responses to these questions is shown in **Graph 9**.

**Graph 9** demonstrates that the main issue respondents felt was a '*big problem*' in their neighbourhood and local town centre was dog fouling (45% of respondents), followed by litter and waste accumulation (33%) and weeds and overgrowth (27%). The graph also highlights that the percentage of respondents who considered these issues were a big problem has been maintained since 2013, in relation to dog fouling and the condition of pavements, walkways and thoroughfares. All areas have shown an overall improvement on the figures for 2011.

## APPENDIX 1

Graph 9: Percentage of respondents who felt that certain issues were a big problem affecting the appearance of streets in their neighbourhood and local town centre (2011-2013)





# APPENDIX 1

## LEARNING CAERPHILLY, HEALTHIER CAERPHILLY

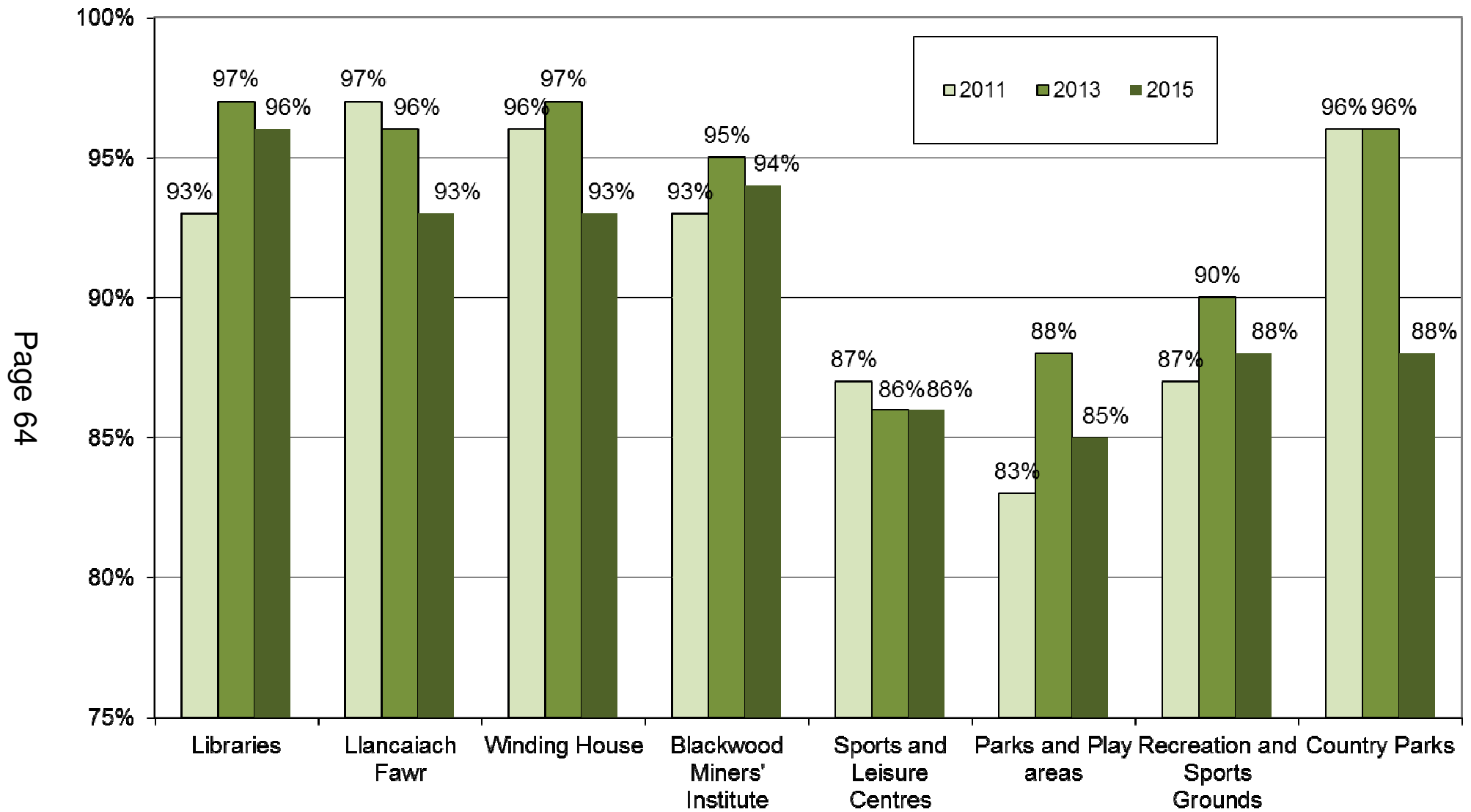
Since, 2011 the Household Survey has not included questions relating to schools as previously response levels to these questions had been low and it was therefore felt that targeted consultation around specific aspects of schools services would be more appropriate. The survey instead focused on leisure, learning and cultural activities. Respondents were asked to indicate whether they used particular facilities, with the responses available ranging from 'almost every day' to 'never used'. Where respondents indicated that they had used a particular facility at some point, they were included in the analysis that follows. 83% of respondents had used libraries and parks and play areas. 81% had used country parks and 78% had used sports and leisure facilities at some time whilst only 40% had ever used the museum at the Winding House.

As can be seen from **Graph 10**, there have been high levels of satisfaction with all leisure, learning and cultural activities provided by the Council since 2011.

Satisfaction levels with sports and leisure centres have been maintained since 2013 however, levels of satisfaction with other services have declined, most significantly, in relation to country parks from 96% indicating that they were satisfied in 2013 compared to 88% in 2015.

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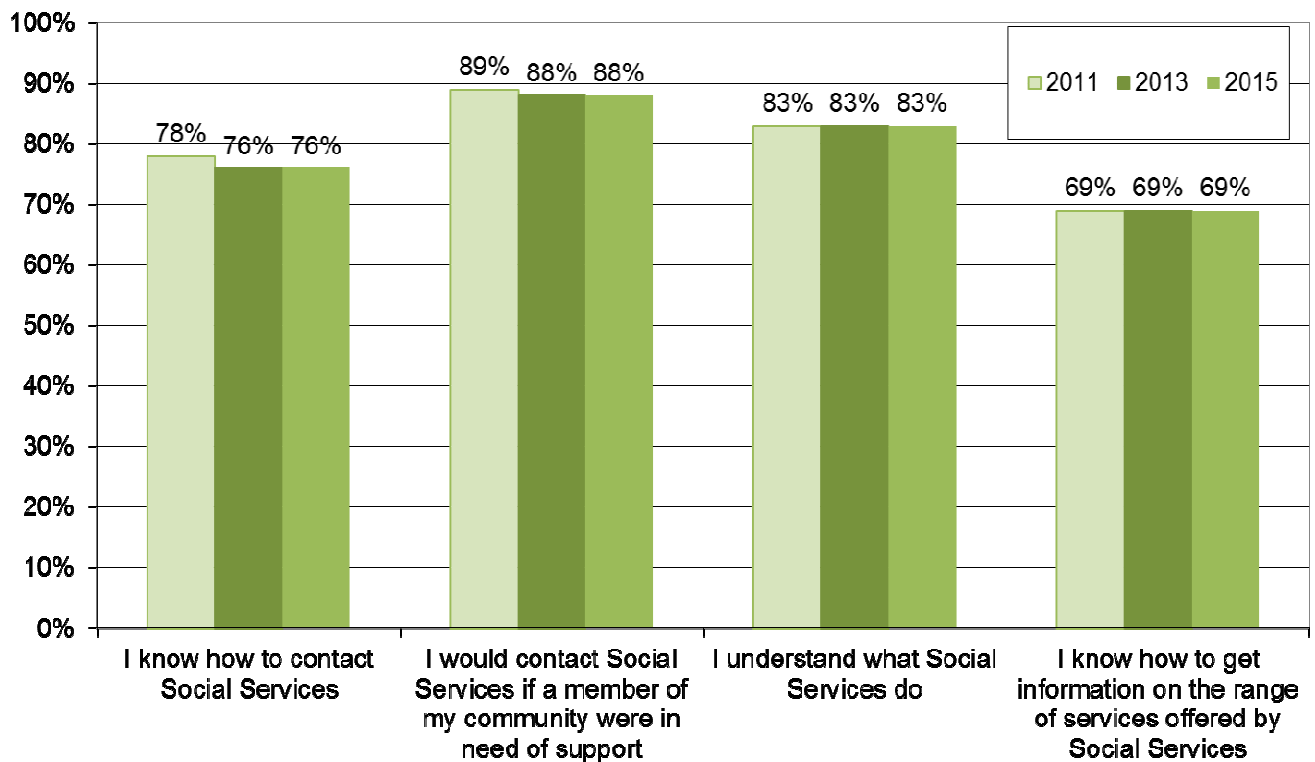
Graph 10: Satisfaction with leisure, learning and cultural activities provided by the Council: Percentage of respondents satisfied (2011 - 2015)



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**Graph 11** shows the percentage of respondents who strongly agreed or tended to agree with the statements made in relation to Social Services in the questionnaire. The responses have been consistent since 2011 with a high percentage of respondents agreed that they would contact Social Services if a member of their community were in need of support (88%), understand what Social Services do (83%) and know how to contact Social Services (76%). A lower proportion of respondents (69%) agreed that they know how to get information about the range of services offered by Social Services.

**Graph 11: Percentage of respondents who agreed with the statements ... (2011 – 2015)**



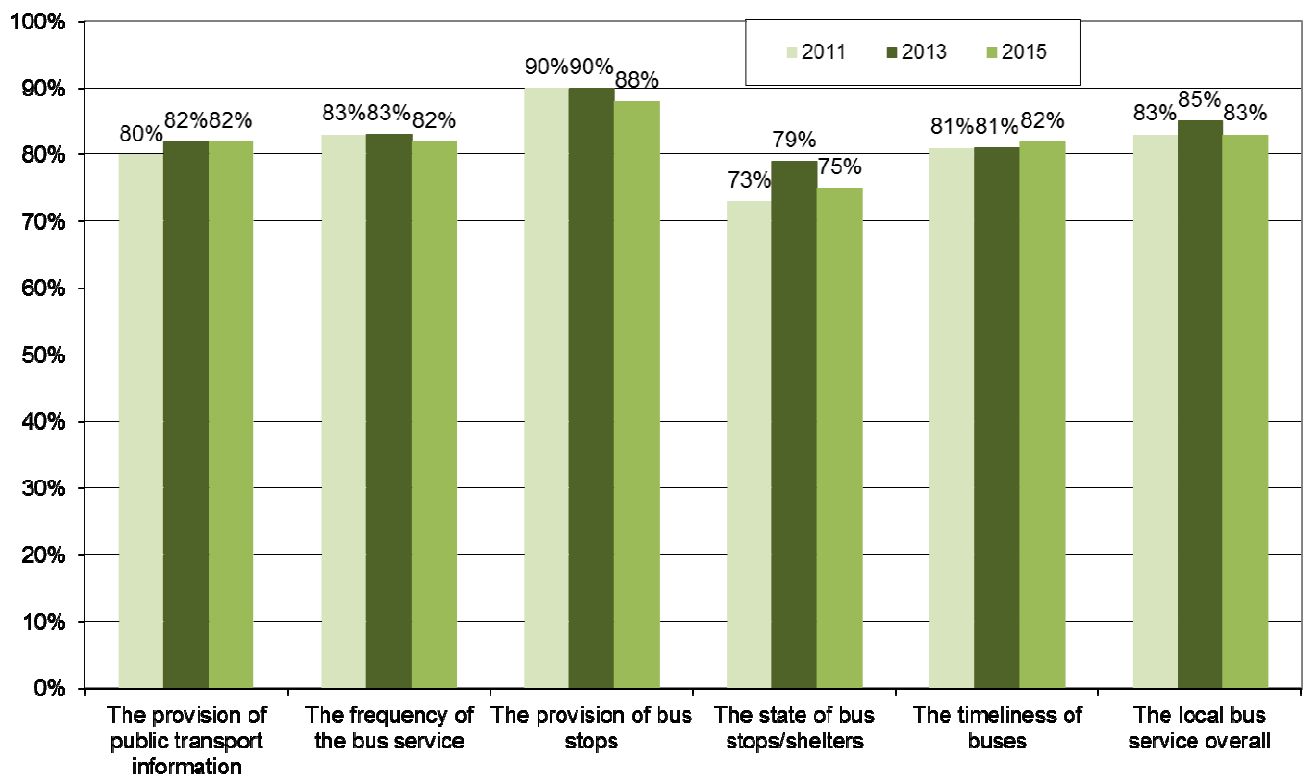
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## PROSPEROUS CAERPHILLY

Respondents were asked whether they were satisfied with various aspects of their local bus service, whether they normally use them or not. **Graph 12** evidences that there are high levels of satisfaction with all aspects of the local bus service in 2015.

Respondents were most satisfied with the provision of bus stops (88% satisfied) and least satisfied with the state of bus stops/shelters (75% satisfied). The graph also shows whilst satisfaction with the state of bus stops/shelters has declined since 2013, that there has been little change in levels of satisfaction since 2011 for other aspects of the local service.

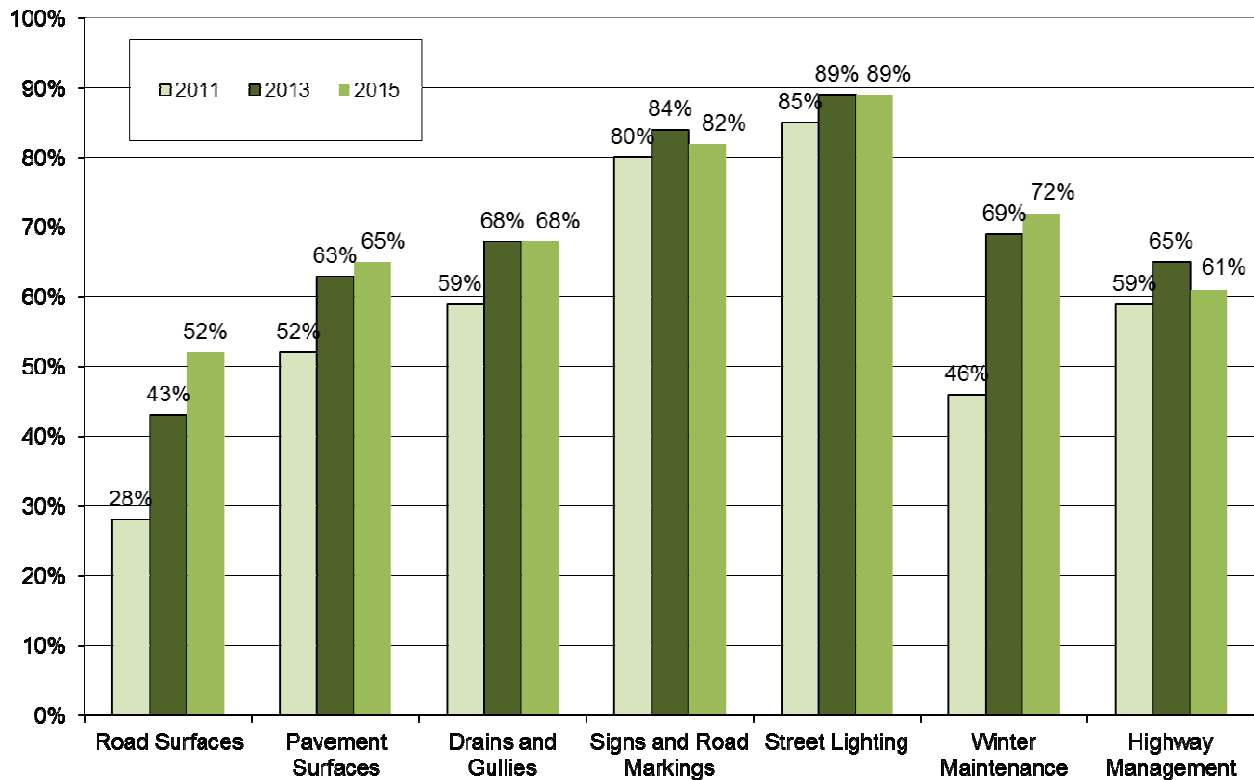
**Graph 12: Percentage of respondents who are satisfied with different aspects of their local bus service (2011 - 2015)**



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A number of questions were asked in relation to the standard of maintenance of certain elements of the road network and the percentage of respondents who were satisfied is shown in **Graph 13**.

**Graph 13: Satisfaction with standard of maintenance of neighbourhood road network: Percentage of respondents who were satisfied (2011 to 2015)**



As in the previous two surveys, satisfaction levels were highest in relation to the maintenance of street lighting (89%), followed by signs and road markings (82%). Respondents were least satisfied with road surfaces, however, this area has shown a significant increase since 2011 with satisfaction levels having increased from 28% (2011) to 52% in 2015.

**Graph 13** also highlights that there has been an increase in satisfaction with winter maintenance with 72% of respondents indicating that they were satisfied in 2015 compared to 46% in 2011. Whilst signs and road markings and highway management have shown a small decline since 2013, satisfaction with all aspects of the neighbourhood road network are improved since 2011.

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## APPENDIX 1: SUMMARY OF SURVEY RESULTS 2015 (2013 RESULTS) (2011 RESULTS)

### NOTE

- The percentage response indicated for each question (i.e. the valid percentage) is based on the total number of responses to that question and not the overall number of questionnaires returned
- Percentages do not always add to exactly 100% because of the effects of rounding to the nearest per cent

Method of Response	Frequency	Percentage Response
Paper returns inc Newslite	552	44%
Web Survey	706	56%

Method of Response	Frequency	Percentage Response
Postal Survey	1807	79%
Web Survey	473	21%

Method of Response	Frequency	Percentage Response
Viewpoint Panel	644	22%
Postal Survey	2017	69%
Web Survey	276	9%

### 1 How satisfied or dissatisfied are you with the following?

	Very Satisfied	Fairly Satisfied	Fairly Dissatisfied	Very Dissatisfied
Neighbourhood (within 10 minutes walk) (n=1226)	24%	55%	12%	8%
(n=2188)	26%	56%	12%	6%
(n=2812)	21%	55%	14%	10%
Local Town Centre for shopping (n=1172)	15%	45%	21%	19%
(n=2170)	14%	48%	20%	18%
(n=2799)	13%	45%	22%	21%
Local Town Centre for entertainment (n=1112)	8%	30%	30%	32%
(n=1918)	5%	23%	30%	43%
(n=2500)	4%	19%	30%	46%

### 2 Over the last year, do you feel the quality of life in your neighbourhood and local town centre has got better, stayed the same or got worse?

	Got Better	Stayed the Same	Got Worse
Your Neighbourhood (within 10 minutes walk) (n=1231)	11%	65%	24%
(n=2214)	10%	68%	22%
(n=2859)	6%	67%	27%
Your local Town Centre (n=1117)	12%	58%	30%
(n=2128)	11%	60%	29%
(n=2747)	6%	58%	36%

### 3 Do you feel the levels of crime and anti-social behaviour in your community have got better, stayed the same or got worse in the last 2 years? (new question in 2013)

	Got Better	Stayed the Same	Got Worse
Crime (n=1103)	13%	58%	29%
(n=1884)	17%	59%	23%
Anti-social Behaviour (n=979)	13%	52%	36%
(n=1760)	17%	52%	31%

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4 How much do you agree or disagree that the Police and Caerphilly CBC are dealing with anti-social behaviour and crime issues that matter in this area? (n= 1086) (n=1951) (n=2453)

Strongly Agree	Tend to Agree	Tend to Disagree	Disagree Strongly
12%	51%	25%	12%
10%	54%	26%	10%
8%	50%	28%	15%

5 How satisfied or dissatisfied are you with the following aspects of the services the Council provides?

	Very Satisfied	Fairly Satisfied	Fairly Dissatisfied	Very Dissatisfied
<b>Recycling (n=1231)</b>	59%	34%	5%	2%
(n=2250)	64%	32%	3%	2%
(n=2885)	58%	36%	5%	2%
<b>Refuse collection (n=1225)</b>	55%	34%	6%	4%
(n=2240)	61%	30%	5%	4%
(n=2885)	51%	38%	7%	5%
<b>Garden waste/food waste collection (n=1160)</b>	59%	32%	6%	3%
(n=2142)	63%	29%	4%	3%
(n=2722)	56%	35%	6%	3%
<b>Civic amenity/household waste recycling sites (n=1142)</b>	44%	42%	9%	5%
(n=2109)	53%	39%	5%	3%
(n=2690)	48%	41%	7%	4%

6 How satisfied or dissatisfied are you with the appearance of the streets in your Neighbourhood and local Town Centre?

	Very Satisfied	Fairly Satisfied	Fairly Dissatisfied	Very Dissatisfied
(n=1183)	11%	54%	22%	14%
(n=2172)	13%	59%	19%	10%
(n=2886)	11%	48%	17%	9%

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### 7 What do you think are the main issues affecting the appearance of streets in your Neighbourhood and local Town Centre?

	A Big Problem	A Small Problem	Not a Problem
Condition of shop frontages (n=1189)	19%	45%	36%
(n=2132)	16%	42%	42%
(n=2629)	22%	43%	35%
Condition of pavements, walkways and thoroughfares (n=1221)	23%	45%	32%
(n=2190)	23%	45%	32%
(n=2716)	33%	46%	21%
Condition of street furniture (n=1202)	11%	35%	55%
(n=2160)	9%	36%	55%
(n=2669)	13%	40%	48%
Condition of greenery, landscaping and floral displays (n=1194)	11%	27%	62%
(n=2145)	8%	24%	68%
(n=2636)	11%	26%	63%
Fly posting and graffiti (n=1193)	15%	46%	40%
(n=2097)	13%	46%	42%
(n=2632)	19%	49%	33%
Litter and waste accumulation (n=1215)	33%	44%	23%
(n=2129)	26%	46%	28%
(n=2678)	36%	43%	21%
Dog fouling (n=1220)	45%	41%	14%
(n=2187)	45%	40%	16%
(n=2728)	49%	37%	14%
Weeds and overgrowth (n=1197)	27%	43%	30%
(n=2165)	23%	45%	32%
(n=2647)	25%	44%	32%
Other (n=244)			
(n=499)			
(n=358)			

### 8 How satisfied or dissatisfied are you with each of the following elements of the local bus service, whether you normally use it or not?

	Very Satisfied	Fairly Satisfied	Fairly Dissatisfied	Very Dissatisfied
Provision of public transport information (n=952)	30%	52%	12%	6%
(n=1742)	29%	53%	12%	7%
(n=2205)	28%	52%	13%	8%
The frequency of the bus service (n=959)	36%	46%	11%	8%
(n=1774)	39%	44%	9%	8%
(n=2216)	39%	44%	10%	8%
The provision of bus stops (n=982)	38%	50%	8%	4%
(n=1824)	42%	48%	7%	4%
(n=2287)	41%	49%	6%	4%
The state of bus stops/shelters (n=1004)	18%	57%	18%	7%
(n=1857)	21%	58%	14%	7%
(n=2303)	18%	55%	19%	8%
The timeliness of the buses (n=936)	29%	53%	12%	7%
(n=1714)	29%	52%	12%	7%
(n=2139)	28%	53%	12%	7%
The local bus service overall (n=957)	31%	52%	11%	6%
(n=1761)	32%	53%	8%	7%
(n=2228)	30%	53%	9%	7%



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## 9 How satisfied or dissatisfied are you with the Council's standard of maintenance of the following elements of your NEIGHBOURHOOD ROAD NETWORK?

	Very Satisfied	Fairly Satisfied	Fairly Dissatisfied	Very Dissatisfied
Road surfaces (n=1218)	9%	43%	29%	20%
(n=2223)	6%	37%	29%	28%
(n=2753)	3%	25%	29%	43%
Pavement surfaces (n=1225)	10%	55%	24%	12%
(n=2201)	9%	54%	24%	13%
(n=2748)	6%	46%	28%	21%
Drains and Gullies (n=1195)	13%	55%	21%	12%
(n=2141)	12%	56%	19%	14%
(n=2664)	9%	50%	23%	18%
Signs and Road Markings (n=1212)	20%	62%	12%	7%
(n=2166)	20%	64%	11%	5%
(n=2713)	17%	63%	14%	7%
Street Lighting (n=1223)	31%	58%	7%	4%
(n=2206)	30%	59%	7%	4%
(n=2763)	28%	57%	10%	5%
Winter Maintenance (n=1208)	23%	49%	16%	12%
(n=2219)	23%	46%	15%	16%
(n=2769)	10%	36%	22%	32%
Highway Management (n=1179)	11%	50%	22%	16%
(n=2077)	11%	54%	20%	15%
(n=2601)	9%	50%	23%	19%

## 10a The Council provides a number of SPORTS and LEISURE facilities. How often, if at all, do you or your household use any of these Sports and Leisure Centres?

	Almost Everyday	At Least Once a Week	About Once a Month	Within the Last 6 Months	Within the Last Year	Longer Ago	Never Used
(n=1195)	7%	22%	10%	12%	8%	21%	22%
(n=2209)	4%	19%	10%	9%	8%	20%	30%
(n=2763)	3%	19%	9%	9%	8%	19%	33%

## 10b The Council provides a number of LIBRARIES. How often, if at all, do you or your household use them?

	Almost Everyday	At Least Once a Week	About Once a Month	Within the Last 6 Months	Within the Last Year	Longer Ago	Never Used
(n=1199)	3%	19%	20%	15%	8%	18%	17%
(n=2236)	1%	11%	18%	13%	10%	23%	25%
(n=2792)	1%	11%	18%	13%	11%	21%	26%

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**10c The Council provides a MUSEUM at LLANCAIACH FAWR. How often, if at all, do you or your household visit?**

	Almost Everyday	At Least Once a Week	About Once a Month	Within the Last 6 Months	Within the Last Year	Longer Ago	Never Used
(n=1165)	1%	1%	2%	15%	13%	31%	36%
(n=2238)	0%	0%	1%	7%	12%	31%	49%
(n=2798)	0%	1%	2%	8%	14%	29%	47%

**10d The Council provides a MUSEUM at THE WINDING HOUSE, New Tredegar. How often, if at all, do you or your household visit?**

	Almost Everyday	At Least Once a Week	About Once a Month	Within the Last 6 Months	Within the Last Year	Longer Ago	Never Used
(n=1168)	1%	1%	3%	11%	8%	17%	60%
(n=2233)	0%	0%	1%	6%	7%	11%	76%
(n=2794)	0%	0%	1%	5%	8%	10%	76%

**10e The Council provides BLACKWOOD MINERS' INSTITUTE as an entertainment venue. How often, if at all, do you or your household use this entertainment venue?**

	Almost Everyday	At Least Once a Week	About Once a Month	Within the Last 6 Months	Within the Last Year	Longer Ago	Never Used
(n=1183)	1%	2%	3%	15%	14%	27%	37%
(n=2242)	0%	1%	1%	9%	15%	30%	45%
(n=2807)	0%	1%	3%	13%	14%	24%	44%

**10f Caerphilly Council provides numerous PARKS and PLAY AREAS. How often, if at all, do you or your household use them?**

	Almost Everyday	At Least Once a Week	About Once a Month	Within the Last 6 Months	Within the Last Year	Longer Ago	Never Used
(n=1196)	10%	24%	15%	15%	7%	13%	17%
(n=2223)	7%	21%	16%	11%	10%	15%	20%
(n=2803)	6%	16%	13%	13%	13%	14%	25%

**10g Caerphilly Council provides numerous RECREATION and SPORTS GROUNDS. How often, if at all, do you or your household use them?**

	Almost Everyday	At Least Once a Week	About Once a Month	Within the Last 6 Months	Within the Last Year	Longer Ago	Never Used
(n=1166)	6%	17%	10%	12%	6%	18%	30%
(n=2221)	3%	13%	8%	7%	8%	19%	42%
(n=2771)	2%	13%	7%	8%	9%	19%	43%

**10h The Council provides 6 COUNTRY PARKS. How often, if at all, do you or your household use them?**

**(Note: this was 5 country parks in previous surveys)**

	Almost Everyday	At Least Once a Week	About Once a Month	Within the Last 6 Months	Within the Last Year	Longer Ago	Never Used
(n=1183)	5%	14%	19%	19%	10%	14%	19%
(n=2236)	2%	11%	15%	15%	14%	16%	26%
(n=2809)	3%	9%	14%	16%	16%	15%	28%

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11 If you have used any of these facilities and services, how satisfied or dissatisfied are you with the following facilities and services the Council provides?

(Note: Figures for each facility/service are where respondents have used them at some point)

	Very Satisfied	Fairly Satisfied	Fairly Dissatisfied	Very Dissatisfied
Sports and Leisure Centres (n=807)	28%	58%	10%	4%
(n=1237)	24%	62%	10%	4%
(n=1477)	24%	63%	10%	4%
Libraries (n=880)	58%	38%	3%	1%
(n=1371)	53%	44%	2%	1%
(n=1679)	48%	45%	4%	2%
Llancaiach Fawr (582)	47%	46%	6%	2%
(n=830)	49%	47%	3%	1%
(n=1051)	51%	46%	2%	1%
Winding House (n=374)	52%	41%	5%	2%
(n=425)	58%	39%	2%	1%
(n=490)	53%	43%	3%	1%
Blackwood Miners' Institute (n=580)	41%	53%	4%	1%
(n=945)	42%	53%	4%	1%
(n=1223)	41%	52%	6%	7%
Parks and Play areas (n=896)	26%	59%	10%	5%
(n=1433)	27%	61%	8%	4%
(n=1690)	23%	60%	12%	5%
Recreation and Sports Grounds (n=671)	26%	62%	9%	3%
(n=975)	23%	67%	7%	2%
(n=1169)	20%	67%	10%	3%
Country Parks (n=859)	37%	51%	7%	6%
(n=1370)	45%	51%	3%	1%
(n=1691)	43%	53%	3%	1%

12 To what extent do you agree or disagree with the following statements about CCB Social Services?

	Strongly agree	Tend to agree	Tend to disagree	Disagree strongly
I know how to contact Social Services (n=1092)	30%	48%	13%	9%
(n=1845)	30%	46%	15%	10%
(n=2366)	30%	48%	14%	8%
I would contact SS if a member of my community were in need of support (n=1104)	36%	51%	8%	4%
(n=1903)	40%	48%	8%	4%
(n=2441)	39%	50%	8%	4%
I understand what SS do (n=1142)	34%	50%	11%	5%
(n=2032)	36%	47%	12%	5%
(n=2589)	35%	48%	13%	5%
I know how to get information on the range of services offered by SS (n=1111)	29%	45%	18%	9%
(n=1882)	29%	40%	20%	11%
(n=2589)	28%	41%	20%	11%

13 Taking everything into account, how satisfied or dissatisfied are you with the overall services provided by Caerphilly County Borough Council?

	Very Satisfied	Fairly Satisfied	Fairly Dissatisfied	Very Dissatisfied
(n=1205)	18%	60%	16%	6%
(n=2193)	14%	68%	12%	5%
(n=2801)	13%	65%	16%	7%

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## 14 Do you agree or disagree with the following statements about the Council? The Council....

	Strongly Agree	Tend to Agree	Tend to disagree	Strongly Disagree
Keeps residents informed about what it does (n=1211)	21%	52%	19%	8%
	(n=2183) 20%	55%	19%	7%
	(n=2787) 17%	55%	21%	6%
Listens to residents' views (n=1093)	13%	39%	33%	16%
	(n=1847) 11%	39%	36%	15%
	(n=2415) 10%	38%	37%	15%
Consults residents before major decisions (n=1122)	14%	36%	33%	18%
	(n=1916) 10%	35%	37%	18%
	(n=2482) 10%	37%	36%	17%
Treats all residents equally (n=1037)	17%	40%	25%	19%
	(n=1777) 13%	39%	30%	19%
	(n=2320) 12%	40%	30%	19%
Provides services efficiently (n=1148)	16%	53%	21%	10%
	(n=2030) 13%	57%	21%	9%
	(n=2614) 11%	55%	25%	10%
Provides value for money for taxpayers (n=1093)	13%	43%	28%	17%
	(n=1979) 10%	43%	29%	18%
	(n=2527) 10%	40%	31%	20%

## 15 Apart from paying routine bills, have you contacted the Council during the last 12 months?

(n=1239)	845 (68%)
(n=2193) Yes	1192 (54%)
(n=2937) Yes	1671 (57%)

## 16 IF YOU CONTACTED THE COUNCIL during the last 12 months, what was the main method you used? (Note: Includes only respondents who have contacted the Council in past 12 months. Question changed in 2011 so no earlier data for direct comparison)

	Visit	Telephone	Letter	E-mail	Approach to Councillor	CCBC Website	Social Media
(n=834)	11%	59%	3%	12%	4%	9%	3%
(n=1171)	13%	64%	3%	10%	4%	5%	1%

## 17 IF YOU CONTACTED the COUNCIL during the last 12 months, how satisfied or dissatisfied were you with the following? (Note: Includes only respondents who have contacted the Council in past 12 months).

	Very Satisfied	Fairly Satisfied	Fairly Dissatisfied	Very Dissatisfied
Way your enquiry was dealt with overall (n=822)	39%	36%	11%	14%
	(n=1167) 40%	38%	10%	13%
	(n=1637) 40%	36%	12%	11%
Ease contacting the person you needed (n=808)	39%	42%	11%	9%
	(n=1119) 40%	41%	11%	8%
	(n=1587) 40%	43%	11%	6%
Helpfulness of front desk staff (n=666)	50%	38%	7%	5%
	(n=956) 53%	38%	5%	4%
	(n=1407) 51%	40%	5%	5%
Helpfulness of other Council staff (n=710)	40%	42%	10%	8%
	(n=990) 43%	42%	8%	7%
	(n=1416) 39%	46%	9%	6%
Efficiency of Council staff (n=761)	35%	44%	11%	11%
	(n=1053) 37%	42%	11%	10%

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(n=1512)

35%

42%

14%

10%

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## 18 Which of the following, if any, does your household have?

	2011	2013	2015
Personal Computer (PC) at home	(n=2928) 74%	(n=2184) 82%	(n=1205) 88%
Access to the Internet at home	(n=2925) 72%	(n=2178) 81%	(n=1208) 91%
Email address	(n=2928) 71%	(n=2159) 81%	(n=1201) 90%
SKY TV	(n=2922) 71%	(n=2150) 69%	(n=1182) 69%
Internet enabled Mobile Phone	(n=2923) 39%	(n=2120) 58%	(n=1179) 71%

## 19 Views on Newsline

	Strongly Agree	Tend to Agree	Tend to disagree	Strongly Disagree
Newsline is a useful source of news and information (n=1153)	39%	47%	8%	6%
(n=2106)	38%	50%	8%	4%
(n=2759)	39%	50%	8%	4%
A copy of Newsline is delivered on a regular basis (n=1162)	43%	41%	9%	7%
(n=2114)	42%	44%	8%	5%
(n=2759)	42%	46%	8%	4%
I would prefer to receive my Newsline electronically (n=1082)	19%	17%	25%	39%
(n=1819)	11%	10%	29%	49%
(n=2759)	12%	13%	29%	46%

## Are you ...

	Male	Female	Transgender
(n=1210)	39%	61%	<1%
(n=2220)	53%	47%	<1%
(n=2881)	57%	43%	<1%

## Age group?

	<18	18-29 years	30-44 years	45-64 years	65+ years
(n=1131)	5%	6%	23%	38%	28%
(n=2090)		7%	22%	37%	34%
(n=2738)		5%	18%	41%	36%

## What is your ethnicity?

	2015 (n=1198)	2013 (n=2193)	2011(2867)
White	98.3%	99.1%	99.1%
Asian	0.4%	0.4%	0.3%
Black/African/Caribbean	0.0%	0.0%	0.1%
Mixed/Multiple	0.4%	0.0%	0.2%
Other	0.8%	0.5%	0.3%

## What is your religion

	2015 (n=1176)	2013 (n=2160)	2011 (2832)
No religion	42.3%	33.4%	28.1%
Buddhist	0.1%	0.1%	0.1%
Christian (all denominations)	54.5%	65.1%	66.1%
Hindu	0.2%	0.2%	0.0%
Jewish	0.2%	0.2%	4.5%
Muslim	0.3%	0.2%	0.0%
Sikh	0.0%	0.1%	0.0%
Other	2.5%	0.7%	1.0%

# APPENDIX 1

**Can you understand, speak, read or write Welsh?** (Total percentages equate to more than 100% as respondents were able to tick *all that apply*)

	Understand spoken Welsh	Speak Welsh	Read Welsh	Write Welsh	None of the above
(n=1171)	15%	11%	11%	9%	19%
(n=2246)	9%	7%	9%	5%	85%
(n=2936)	10%	7%	8%	5%	85%

**What is your main language?**

	English	Welsh	Other
(n=1188)	98%	1%	1%
(n=2217)	99%	1%	<1%
	98%	1%	1%

**Do you have a disability, long-term illness or health problem?** Total percentages equate to more than 100% as respondents were able to tick *both disability and long term health problem responses*)

	2015	2013 (n=2280)
Yes, I have a disability (n=1177)	15%	20%
Yes, I have a long term illness or health problem (n=1174)	21%	27%
No (n=1174)	68%	62%

**Are your day to day activities limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months?** (Include problems related to old age)

	2015 (n=1129)	2013 (n=2164)
Yes, limited a lot	17%	19%
Yes, limited a little	9%	16%
No	74%	65%

**Household type**

	2015 (n=1160)	2013 (n=2137)
One Person (pensioner or other)	19%	26%
Single parent with dependent children	6%	6%
Married/cohabiting couple/civil partnership	46%	38%
Married/cohabiting couple/civil partnership with dependent children	23%	26%
Other	7%	4%

**Does your household own or rent this accommodation?**

	2015 (n=1168)	2013 (n=2185)
Owns outright	46%	46%
Owns with a mortgage or loan	37%	35%
Rents (with or without Housing Benefit)	17%	19%
Other	<1%	1%



## APPENDIX 1

**Employment status** (Total percentages equate to more than 100% as respondents were able to tick *both disability and long term health problem responses*)

	2015 (1184)	2013 (n=2280)
Employed full time (30 hours or more per week)	39%	36%
Employed part time (less than 30 hours per week)	10%	12%
Self employed or freelance	4%	5%
Long term sick or disabled	6%	13%
Retired	31%	44%
A student	4%	2%
Looking after the home or family	4%	6%
Other	3%	3%

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## CABINET – 11TH NOVEMBER 2015

**SUBJECT: ADOPTION OF THE COMMON ALLOCATION POLICY**

**REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES AND SECTION 151 OFFICER**

- 
- 1.1 The attached report was considered by the Policy and Resources Scrutiny Committee on 10th November 2015, prior to its referral to Cabinet.
  - 1.2 The views expressed at the Scrutiny Committee meeting will be reported verbally to Cabinet.

Author: R. Barrett, Committee Services Officer, Ext. 4245

Appendices:

Appendix 1 Report to Policy and Resources Scrutiny Committee on 10th November 2015 – Agenda Item 9

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## **POLICY AND RESOURCES SCRUTINY COMMITTEE – 10TH NOVEMBER 2015**

**SUBJECT: ADOPTION OF THE COMMON ALLOCATION POLICY**

**REPORT BY: CORPORATE DIRECTOR - COMMUNITIES**

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### **1. PURPOSE OF REPORT**

- 1.1 The purpose of this report is to provide members with an overview of the process undertaken to develop a common allocation policy and to seek Committee's approval to recommend to Cabinet that the existing allocations policy maintained by the Council be replaced with this new policy.

### **2. SUMMARY**

- 2.1 The policy has been developed in partnership with local housing associations and will be introduced alongside the common housing register.
- 2.2 The policy has been subjected to an extensive consultation process during its development and a full equality impact assessment has been undertaken.
- 2.3 This policy will replace the Council's existing allocations policy and will also apply to our housing association partners, who, upon request of the Council, will sign up to the new policy. This will provide a standardised and consistent way of allocating properties to all those on the common housing register who are seeking social housing within the borough.

### **3. LINKS TO STRATEGY**

- 3.1 The development of a common allocation policy links to the following strategies:
- the national housing strategy for Wales – '*Improving Lives and Communities*' (Welsh Government, 2010);
  - Caerphilly Delivers: The Single Integrated Plan (2013-17);
  - *People, Property & Place: A Housing Strategy for Caerphilly County Borough*; and
  - Strategy Equalities Plan 2012 (CCBC).

### **4. THE REPORT**

#### Background

- 4.1 A common housing register can be defined as a group of landlords devising a single application form by which anyone seeking housing in their area can register their need and specify their housing preferences. Participating landlords then select their potential tenants from the single pool of applicants. Whereas, a common allocation policy can be described as a common set of rules that participating landlords will use to prioritise and select applicants for an offer of accommodation.

- 4.2 The common allocation policy is being developed jointly with the common housing register. Permission to develop the policy and register was established in October 2012:
- A report titled, 'Allocations Policy – Proposals For The Adoption Of A Banding System & A Common Housing Waiting List' was presented to Cabinet in December 2010. The report proposed substantial amendments to the way the Council assessed and prioritised applications for housing. The proposal contained within the report was agreed in principle but Cabinet delayed progression of the policy pending the outcome of the stock transfer ballot.
  - In October 2012, Caerphilly Homes Task Group endorsed the principle of jointly establishing a common housing register and common allocation policy and was ratified by the Cabinet Sub-Committee.
- 4.3 Between early and mid 2013, some exploratory meetings were held with housing association partners. At these meetings agreement in principle was secured to develop a common housing register and common allocation policy. It wasn't until late 2013 that the common allocation policy working group was formed. The group consisted of officers from both the Council and the housing associations. There was also representation on the group from two Caerphilly Homes tenant representatives.
- 4.4 The following organisations have all contributed to the development of the policy, either through attendance at working group meetings and/or via email:
- Aelwyd Housing Association
  - Cadwyn Housing Association
  - Caerphilly Homes
  - Linc Cymru Housing Association
  - Seren (incorporating Charter Housing Association and Derwen Cymru)
  - United Welsh Housing Association
  - Wales & West Housing Association
- 4.5 Each of the above organisations has given in principle support for the development of the common housing register and the common allocation policy. As it currently stands, each of these landlords maintain their own list of applicants and allocates to its properties using its own policy, with the exception of those housing associations who currently receive 100% nominations from the Council's waiting list. The implementation of the register and policy will create a single list of applicants and a single policy. The benefits of this approach are considered in the following paragraph.

#### Benefits of the approach

- 4.6 In addition to supporting the Council's wider strategic objective of creating balanced and sustainable communities the implementation of the common allocation policy will:
- Better reflect local pressures and priorities than the existing policy maintained by the Council and those of its housing association partners, and will provide a greater degree of flexibility to respond to changing pressures and priorities;
  - Improve the customer experience by requiring applicants to only register once to be considered for housing with more than one landlord and provides a more transparent system in terms of the way the priority an applicant is awarded is assessed;
  - Improve the way the social housing stock is currently utilised by creating a single list of applicants with a single point of contact for registration and advice; and
  - Ensure that all applicants for social housing are assessed in a consistent way.

#### Policy Development

- 4.7 As mentioned previously, the policy was developed through a working group approach. The benefits of this approach were the utilisation of the skills and experience housing associations had developed working with other local authorities in the region. In developing the policy the group looked at the following areas:

- Housing and other related legislation and the Welsh Government statutory *Code of Guidance for Local Authorities on the Allocation of Accommodation and Homelessness (2012 & 2015)*.
- Common allocation policies that the housing associations were partner to in other local authority areas and other identified examples of good practice throughout the UK.
- A review of performance data, held by partners, on the application and allocations processes.

- 4.8 In the early stages of the project the group received two awareness raising sessions from Andy Gale, housing consultant, who has been commissioned by the UK Government, Welsh Government and the Welsh Local Government Association to lead on allocations and homelessness related projects (and also acted as a critical friend to the Council throughout the project). The purpose of the two sessions was to discuss and formulate the underlying principles of the policy, including the banding system, preference categories and criteria in relation to offers of accommodation, unacceptable behaviour etc.
- 4.9 Two seminars were arranged for members, one at the beginning of the project and the second on completion of the draft policy. Both of the seminars were facilitated by Andy Gale. At the first session members were provided with an overview of the project and provided with an explanation of main areas to be covered by the common allocation policy. The second session provided members with the chance to discuss the content of the draft policy prior to the public consultation exercise taking place.
- 4.10 Project progress reports on the development of the common allocation policy and common housing register were presented to the Caerphilly Homes Task Group in May 2014 and September 2015.
- 4.11 In order to assist both the development of the common housing register and common allocation policy, landlords undertook a survey of applicants currently on the waiting list and of those people who had recently been rehoused. Information on the project have been regularly disseminated to the public via Newline, the Council's and landlords' website and through the use of social media. A briefing paper was also produced for members and staff. A second briefing paper is planned for later this year.

#### Consultation Process

- 4.12 The development of the policy has been underpinned by an extensive consultation process that involved applicants, members, partner landlords and other stakeholders. The consultation process was undertaken in two stages:
- 4.13 Stage 1 – internal consultation: Once the working group had concluded its deliberations a first draft of the policy was produced. This draft was then circulated to partners for their initial comments. All comments received were reviewed by the Council and the policy updated accordingly. In light of the nature and level of changes made, the policy was recirculated to partners for any additional comments. The policy was updated in light of further comments received then finalised in preparation for the public consultation exercise.
- 4.14 Stage 2 – external consultation: It was agreed by the working group that the policy would be subject to a 12 weeks public consultation exercise, in-line with Welsh Government recommendations for policy consultations. The exercise started in November 2014 and concluded in February 2015. As part of the exercise the Council wrote to all applicants who might be potentially affected by the change in policy (approximately 8,000 people), i.e. those people currently on a waiting list maintained by either the Council or the housing associations. Applicants were asked to let us know their thoughts on the changes using an on-line survey. Paper copies were made available to those who were unable to use the on-line form. In total, 115 responses were received from applicants.
- 4.15 The Council also wrote to a number of housing and equality related organisations in the statutory, non-statutory and third sectors. This included Aneurin Bevan University Health Board, Welsh Government, Gwent Police, Tai Pawb and Shelter Cymru. Only small number of responses was received.

- 4.16 Similarly to the internal consultation, all responses received via the public consultation were reviewed. Some of the responses required clarification and advice was sought from the Council's legal department and/or Andy Gale. A small number of responses from the consultation exercise were considered under the equality impact assessment process, which will be discussed in the next paragraph. All consultation responses have been recorded, along with the Council's response and whether any amendment was required to policy. Where applicable the policy was amended.

#### Equality Impact Assessment

- 4.17 The Equality Act 2010 places a statutory requirement on the Council to assess the impact of the development or review of services and policies. A small working group with a housing association representative was formed to lead on the equality impact assessment. The Council was assisted in this process by Tai Pawb, a third sector organisation promoting equality and social justice in housing. The equality impact assessment was carried out between March and July 2015 and consisted of an initial scoping exercise followed by a full assessment. Some minor amendments were made to the policy as a result of the equality impact assessment. In addition, a plan was devised containing actions that need to be carried out as part of the introduction of the common housing register. These actions centre mainly on monitoring of applications to identify whether in operation the policy discriminates against any groups with a protected characteristic, as defined by the *Equality Act 2010*. A copy of the equality impact assessment will be placed on the Council's website along with a copy of the policy.

#### Final Revision

- 4.18 The introduction of new legislation, brought about by the *Housing (Wales) Act 2014*, and the issuing of a revised *Code of Guidance for Local Authorities on the Allocation of Accommodation and Homelessness* (April 2015) required further changes to be made to the policy. On the advice of Tai Pawb, these changes were not made until the equality impact assessment process had been completed. The changes were minor in detail and did not require further public consultation or the equality impact assessment to be updated. The policy and draft equality impact assessment was sent to partners one last time prior to the policy being finalised. This resulted in a few very minor amendments being made to the policy. As a final check, Andy Gale was asked to carry out a review of the policy. As a result of this review some minor amendments were made to the policy including strengthening the wording of the by-passing criteria.

#### Differences between old and new policies

- 4.19 There are some significant differences between the new policy and the Council's existing policy and the policies that the partner housing associations currently maintain. Below is a list of some of the changes that have been made:
- All applicants will only need to complete one application form to register with more than one landlord;
  - All applicants will be assessed by one organisation only (the Council), using one policy;
  - Replacement of the points system the Council currently uses with a 3 tier, banding system. Some landlords operate a choice based system in the borough and these will be closed;
  - A limit on the number of offers of accommodation. On the third unreasonable refusal the applicant will have their application suspended for 12 months;
  - A reduction in the number of categories awarded preference and a reclassification of the entitlement criteria for entry into these categories;
  - Incorporating good practice criteria in relation to British Armed Forces and Reserve Forces personnel and, if applicable, bereaved spouses and civil partners;
  - Adoption by all landlords of the Council's best match process for allocating accessible housing to disabled people;



- Introducing criteria which could delay consideration for an offer of accommodation until such a time as an applicant has moderated their behaviour; and
- Allows for the introduction of local lettings policies to address local issues, e.g. anti-social behaviour, reducing child densities, prioritising applicants who work etc.

### IT Development

- 4.20 A separate piece of work has been undertaken to assess the information technology (IT) requirements of the project. It was established by the IT working group that a new system was required to maintain the common housing register. The procurement of the new system was undertaken using UK Government's G-Cloud framework. The contract to provide the system was awarded by the Council in August 2015 to Abritas, a market leader in web-based housing IT systems.
- 4.21 The Council will pay for the capital costs of the new system and the first year's service and maintenance charge using funding received from Welsh Government. To comply with the criteria, it is imperative that the funding is drawn down and spent by the end of this financial year. To enable this to happen it was essential to commence work on the implementation of the new system as soon as possible, as any delays could result in the Council incurring additional costs. It is anticipated that the system will be ready to be implemented alongside the policy by July 2016, providing no delays in its development are experienced.

### Implementation of Policy

- 4.22 As discussed in the previous paragraph the policy will be jointly implemented alongside the common housing register. Prior to its implementation all housing association partners will be requested to voluntarily sign up to the policy. When the policy is implemented it will replace all existing policies currently in place. Given the in principle support provided at the beginning of the project and the level of on-going support to develop the policy, officers anticipate that all partner housing associations will voluntarily sign up to the policy.
- 4.23 A single list of applicants will be created from those people currently on the lists of all partners, although, this list will not come into force until the introduction of the policy and register. The Council will carry out an assessment of all applicants on the single list in accordance with the new policy. Applicants will be notified in writing of this assessment and given an opportunity to request a review of the result of their assessment. It is likely that as a result of the assessment, some applicants will gain priority, some may lose priority and some will retain the same level of priority. Until the assessment is completed, we are unable to quantify this.
- 4.24 To ensure compliance with the requirements of s.168 of the *Housing Act 1996*, a copy of the policy along with any associated procedures will be placed on the Council's website. A hard copy of the policy will be made available for inspection by members of the public to view on request at Penallta House, the area housing offices and customer service centres. Copies of the policy will be provided on payment of a reasonable fee, as yet to be decided. The Council will also publish a summary of the policy and provide a copy free of charge to any person who requests one.

### Monitoring & Review

- 4.25 The Council will work proactively with the landlords post implementation to ensure that the policy continues to meet its statutory obligations and determine whether it continues to meet its obligations to promote equality of opportunity. The Council will meet with landlords usually on a quarterly basis to review information on people applying for and being allocated social housing. The first large-scale review of the policy will be carried out with landlords 12 months after the date of the implementation of the policy to ensure that it remains compliant with legislation and good practice. Further reviews will then be carried out on a cyclical basis.

- 4.26 There is a statutory requirement to consult those people affected by a major change to the policy. A major change is regarded as a change which affects the relative priority of a large number people or significant changes to the associated procedures. Similarly to the public consultation exercise discussed above, the Council would need to write to everyone likely to be affected by proposed change and any organisations representing these groups of people. Less significant changes are not subject to the same level of consultation. Officers will seek the advice of the Council's legal department before deciding whether or not a change is major. Officers propose that all major amendments are reported to Cabinet along with details of any consultation undertaken and the outcome of any equality impact assessment undertaken. All other changes would be agreed between all partners, discussed with the Cabinet Member for Housing then signed off by the Chief Housing Officer.

## **5. EQUALITIES IMPLICATIONS**

- 5.1 The common allocation policy has been subject to an equality impact assessment (see paragraph 4.16). Some minor amendments were made to the policy as a result of the assessment and there are some actions around equality monitoring that will need to be addressed once the policy and register have been implemented.
- 5.2 The implementation of the common housing register will facilitate the collection of equalities monitoring data across all protected characteristics. This data will be reviewed on a quarterly basis to ensure to ensure that the common allocation policy complies with the Council's statutory obligations as defined by the *Equality Act 2010*.

## **6. FINANCIAL IMPLICATIONS**

- 6.1 Transitional homelessness funding received from Welsh Government will be used to pay for the capital costs of the purchase of the new IT system and the first year's service and maintenance charge, which combined is estimated to be £107,000.
- 6.2 Discussions are at an advanced stage with partners over the on-going funding of a revised staffing structure to manage the common housing register and the annually recurring service and maintenance cost for the new IT system. The cost of the structure in year 1 will increase by about £100,000, which is offset by using nearly £50,000 of transitional homelessness funding. The staffing costs will be apportioned between the General Fund, the Housing Revenue Account and through contributions from our housing association partners. The costs to the Housing Revenue Account and housing associations will be apportioned on the basis of stock size.

## **7. PERSONNEL IMPLICATIONS**

- 7.1 It has been identified by officers that the existing staff structure is insufficient to manage the increase in workload expected with the introduction of the common housing register and common allocation policy. A business case for an enhanced staffing structure to manage the common housing register was approved by CMT in July 2015. The recruitment and selection process has now been completed and the new positions are beginning to be filled. All of the new positions will be recruited on a fixed term basis and will be reviewed with partners after 12 months to see whether they should be extended and the options for funding the continuation of these posts.

## **8. CONSULTATIONS**

- 8.1 Any views received as part of consultation have been incorporated into this report.

## **9. RECOMMENDATIONS**

- 9.1 That Policy & Resources Scrutiny Committee recommends to Cabinet that the common allocation policy is formally adopted and that upon its implementation the Council's existing allocations policy is rescinded.
- 9.2 That Policy & Resources Scrutiny Committee recommends to Cabinet that once the first review of the policy has been completed, as outlined in paragraph 4.25, the results are reported to Cabinet.

## **10. REASONS FOR THE RECOMMENDATIONS**

- 10.1 To ensure that the allocations policy continues to comply with legislation and good practice, and is able to respond to the changing housing needs that present themselves throughout the borough.
- 10.2 To ensure that best use is made of the social housing stock and the resources of the Council and its housing association partners.
- 10.3 To improve the customer experience by providing a transparent and simpler allocations system for people to use and understand.

## **11. STATUTORY POWER**

- 11.1 *Housing Act 1996 as amended by the Homelessness Act 2002 and the Housing (Wales) Act 2014.*
- 11.2 *Code of Guidance for Local Authorities on the Allocation of Accommodation and Homelessness (Welsh Government, 2015).*
- 11.3 *Equality Act 2010.*

Author: Mark Jennings, Housing Strategy Officer

Consultees: Cllr. David Poole, Deputy Leader & Cabinet Member for Housing  
Cllr Hefin David, Chair of Policy & Resources Scrutiny Committee  
Cllr. Sean Morgan, Vice-Chair of Policy & Resources Scrutiny Committee  
Nicole Scammell, Acting Director of Corporate Service & s151 Officer  
Christina Harray, Corporate Director – Community  
Gail Williams, Interim Head of Legal Services & Monitoring Officer  
Shaun Couzens, Chief Housing Officer  
Fiona Wilkins, Public Sector Housing Manager  
Kenyon Williams, Private Sector Housing Manager  
Sue Cousins, Principal Officer, (Housing Portfolio)  
Claire Davies, Principal Officer, (Strategy & Standards)  
Lesley Allen, Principal Accountant, Housing Finance  
Zoe Powles, Solicitor, Legal Services  
Craig Singler, Senior Allocation Officer  
Martin Hughes, Housing Manager, Aelwyd Housing Association  
John Briggs, Housing Manager, Cadwyn Housing Association  
Andrew Frame, Head of Home & Communities, Charter Housing  
Naomi Mitcheson, Housing Manager, Derwen Cymru  
Carol Price, Housing Manager, Linc Cymru Housing Association  
Karen Thomas, Head of Neighbourhoods, United Welsh Housing Association  
Craig Davis, Housing Options Officer, Wales & West Housing  
Emma Reeves-M<sup>c</sup>All, Policy and External Affairs Officer, Tai Pawb

Background Papers:

Equality Impact Assessment

Code of Guidance for Local Authorities on the Allocation of Accommodation and Homelessness  
(Welsh Government, 2015)

Appendices:

Appendix 1 Common Allocation Policy for Caerphilly County Borough - October 2015

Appendix 2 Appendices to Common Allocation Policy for Caerphilly County Borough

**Caerphilly County Borough Council**

**Common Allocation Policy for Caerphilly  
County Borough**

**November 2015**

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## 1. Introduction

- 1.1 This section outlines the legal context in relation to the allocation of social housing, those organisations signed up to the policy, the key objectives that underline this policy and other relevant information on how this policy is maintained.
- 1.2 Unless stated otherwise, all references in this policy to 'local authority' or 'Council' means Caerphilly county borough council. All references to either 'landlords' or 'partners' mean those housing associations listed in paragraph 1.7, plus Caerphilly Homes, the section which carries out the management of the Council's own housing stock.

### Legal Context

- 1.3 This policy sets out in detail who is and who is not eligible for social housing in the county borough and how the Council will make this assessment. It also sets out how applicants can apply for and access this housing, and the order in which they will be rehoused.
- 1.4 This policy has been developed in accordance with the [Code of Guidance for Local Authorities: Allocation of Accommodation and Homelessness \(Welsh Government, 2015\)](#), associated legislation and the [Regulatory Framework for Housing Associations Registered in Wales](#) (Welsh Government, 2011).
- 1.5 Part 1 of the guidance provides information about the allocation of social housing under [Pt VI of the Housing Act 1996](#) by local authorities. It sets out the flexibility local authorities have in regard to meeting housing needs. Part 2 provides guidance on [Part 2 \(homelessness\) of the Housing \(Wales\) Act 2014](#). It provides information about how local authorities can meet their strategic responsibilities to tackle homelessness and to assist individual homeless people.
- 1.6 The following legislation and regulation applies only to the housing associations listed in paragraph 1.9:
  - (i) Section 170 of the Housing Act 1996 places a requirement on housing associations to 'co-operate to such an extent as is reasonable in the circumstances in offering accommodation to people with priority under the authority's allocations scheme.'
  - (ii) The Regulatory Framework for Housing Associations Registered in Wales places a requirement on housing associations to ensure that their work supports the local authority in its delivery of the strategic housing function.
  - (iii) Section 95 of the Housing (Wales) Act 2014 places a duty on housing associations to cooperate with local housing authorities in pursuance of their homelessness functions.

- 1.7 The policy has also been written in accordance with the requirements of [s.149 of the Equality Act 2010](#) and The Human Rights Act 1998.

#### Single Integrated Plan

- 1.8 This policy contributes towards the Council's wider strategic objectives of transforming homes, lives and communities, as outlined in [Caerphilly Delivers: The Single Integrated Plan \(2013-2017\)](#).

#### Participating Organisations

- 1.9 The policy has been developed by the Council in partnership with the following organisations:

- Aelwyd Housing Association;
- Cadwyn Housing Association;
- Linc Cymru;
- Seren Group (including Charter Housing & Derwen Cymru);
- United Welsh Housing Association; and
- Wales & West Housing.

- 1.10 Each of the housing associations listed in paragraph 1.9 have voluntarily signed up to this policy to ensure that all applicants applying for social housing in the county borough are provided with a single route of access and assessed using a single policy.

- 1.11 The contact details of each organisation can be found in Appendix 10.

#### Policy Objectives

- 1.12 The key objectives of this policy are underpinned by the fact that levels of housing need in the county borough are greater than the number of homes currently available to meet this need. Therefore, the objectives of this policy are to:

- (i) provide a fair and transparent system by which applicants can apply for and are assessed for social housing;
- (ii) provide good quality advice and support to enable applicants to make informed choices about their housing preferences;
- (iii) make the best use of all available social housing stock in the county borough, which includes reducing the number of void properties and void turnaround times;
- (iv) assist in the creation and maintenance of balanced and sustainable communities; and

- (v) make efficient use of the resources of the Council and those of the participating organisations.
- 1.13 The policy is based on a simplified banding system where applicants are placed into one of three bands depending on an assessment of their circumstances. Those assessed with the greatest need will be afforded the highest priority.
- 1.14 The Council and participating organisations will undertake periodic reviews of this policy both to ensure compliance with statutory requirements and that it continues to address identified housing needs in the county borough.

#### Publicising the Policy

- 1.15 To comply with s.168(1) of the Housing Act 1996, the Council will publish a summary of this policy and will provide a copy of the summary, free of charge, to any member of the public who requests one.
- 1.16 In addition, a full copy of the policy will be published on the Council's website. If requested the Council will provide full copies of the policy on payment of a reasonable fee. Links to the policy will be provided on the websites of participating organisations.

#### Policy Review

- 1.17 The Council will undertake a joint review of this policy at least every two years, with participating organisations, to ensure compliance with the current legislation and good practice, and more frequently in relation to the publication of significant case law.
- 1.18 Under s.167(7) of the Housing Act 1996, before adopting or altering this policy, the Council will:
- (i) send a copy of the draft, or proposed alteration, to every housing association in the county borough; and
  - (ii) ensure that those housing associations have a reasonable opportunity to comment on the proposals.
- 1.19 Under s.168(3) of the Housing Act 1996, the Council will notify by letter, within a reasonable period, and consult with those affected by a major change to this policy. The Council will communicate with people in their preferred form, where this information is known (see paragraph 9.3). As part of the consultation, the Council will, in general terms, explain the effects of the change. This rule, however, will not be applied for minor changes.

### Equality Monitoring

- 1.20 In order to ensure the effectiveness of this policy and compliance with the relevant equality duties, the Council, in association with each landlord, will monitor information about who is applying for and being allocated social housing.
- 1.21 This information will be used as a basis for policy review and development, and to help establish whether identified outcomes are in-line with this policy's objectives. The monitoring will provide the Council with robust data to carry out equality impact assessments to identify whether this policy or updates to it directly or indirectly discriminate against anybody with a protected characteristic.

### Other Information

- 1.22 This publication is available in Welsh, and in other languages and formats on request. Mae'r cyhoeddiad hwn ar gael yn Gymraeg, ac mewn ieithoedd a fformatau eraill ar gais.

## 2. How Eligibility is Checked

- 2.1 Anyone over the age of 16 years old may apply to be rehoused regardless of their housing need, subject to them meeting the eligibility criteria. This section outlines the eligibility criteria for an allocation of accommodation. It also sets out the criteria for allocations to existing tenants and other exemptions.

### Definition of an Allocation

- 2.2 For the purposes of Pt VI of the Housing Act 1996, a local authority allocates housing accommodation when it:
- (i) selects a person to be a secure or introductory tenant of housing accommodation held by them;
  - (ii) nominates a person to be a secure or introductory tenant of housing accommodation held by another person; or,
  - (iii) nominates a person to be an assured tenant (including an assured shorthold tenant) of housing accommodation held by a private registered provider of social housing or registered social landlord.

### Allocations to Existing Tenants & Other Exemptions From Part VI

- 2.3 Section 159(5) of the Housing Act 1996 provides that Pt VI of the same Act does not apply to allocations to existing secure tenants, unless the allocation is a transfer for which the tenant has applied. For example, Pt VI does not apply to transfers for management purposes (see paragraphs 8.2-8.4).
- 2.4 Section 160 of the Housing Act 1996 sets out other exemptions from the provisions of Pt VI. In summary, these include succession; assignment; transfers as a result of family proceedings; conversion of an introductory tenancy to a secure tenancy; and those rehoused as a result of a compulsory purchase, or from a defective dwelling.

### Eligibility Categories

- 2.5 Section 166(3) of the Housing Act 1996 obligates the Council to consider all applications for social housing that are made in accordance with the procedural requirements of this policy. It must, however, when considering applications, ascertain if an applicant is eligible for accommodation or whether they are excluded from allocation under s.160A of the same Act.
- 2.6 The following is a summary of the main categories of eligible applicants to whom the Council may allocate accommodation under Pt VI of the Housing Act 1996, taking account of nationality and immigration status. For the full criteria please refer to Chapter 2 of the Code of Guidance

for Local Authorities on the Allocation of Accommodation & Homelessness (2015):

- (i) Existing tenants;
- (ii) A person from abroad other than a person subject to immigration; and
- (iii) Persons subject to immigration control prescribed as eligible.

2.7 Welsh Ministers have prescribed classes of person who are to be considered eligible Allocation of Housing & Homelessness (Eligibility) (Wales) Regulations 2014. These are:

- (i) Refugees;
- (ii) Exceptional leave;
- (iii) A person with current leave to enter or remain in the UK with no condition or limitation, and who is habitually resident in the UK, Channel Islands, the Isle of Man and the Republic of Ireland;
- (iv) Persons who have been granted Humanitarian Protection; and
- (v) An Afghan citizen who, as a result of serving in the UK Government, has been granted permission to relocate to the UK, Channel Islands, the Isle of Man and the Republic of Ireland, and who is habitually resident in one of those areas will be eligible.

#### The Habitual Residence Test

2.8 The Code of Guidance for Local Authorities on the Allocation of Accommodation & Homelessness (2015) details the factors that the Council should consider in determining whether an applicant is habitually resident in the Common Travel Area.

2.9 The criteria that determine whether a person from abroad is eligible for an allocation of accommodation or homelessness assistance are complex and the task of screening applicants extends beyond the normal requirements of evaluating applicants' housing circumstances. Where uncertainty arises about an applicant's immigration status, the Council may contact the UK Border Agency, using the procedures set out in Annex 5 of the Code of Guidance for Local Authorities on the Allocation of Accommodation & Homelessness (2015), to confirm status. Before doing so, the Council will advise the applicant that an inquiry will be made. If at this stage the applicant prefers to withdraw their application, no further action will be required.

2.10 In instances where the Council is required to determine habitual residence, the applicant will not be actively considered for housing until

such time that it is satisfied that the applicant is habitually resident in the Common Travel Area and is, therefore, eligible for an allocation of accommodation.

- 2.11 The Council will monitor its performance in screening the immigration status of housing applicants to ensure that minority ethnic people, who are eligible for an allocation, are not denied housing and do not experience unreasonably long delays while their application is being determined.
- 2.12 As part of the assessment process, the Council will determine whether it may treat an applicant as ineligible under this test. Applicants will be notified in writing of the Council's decision and the grounds for the decision. Applicants will have the right to request a review of any decision made by the Council regarding their eligibility within 21 calendar days of receiving their notification letter (see paragraphs 9.12-9.16). The Housing Review Panel will consider all requests for a review (see paragraphs 7.41-7.45).

#### Asylum Seekers & Refugees

- 2.13 Asylum seekers are not eligible for an allocation of accommodation under Pt VI of the Housing Act 1996. Once a positive decision on their claim for asylum is received and they are awarded refugee status, humanitarian protection or discretionary leave to remain, and, therefore, are no longer subject to immigration control, then they may be entitled to an allocation of accommodation.
- 2.14 Applications received from asylum seekers will not be eligible to be admitted onto the common housing register until a positive decision on their claim for asylum is received and they are awarded refugee status, humanitarian protection or discretionary leave to remain.

#### Unacceptable Behaviour

- 2.15 Under s.160A(7) of the Housing Act 1996, the Council, where it is satisfied that an applicant, or a member their prospective household, is guilty of unacceptable behaviour serious enough to make them unsuitable to be its tenant, may treat the applicant as ineligible for an allocation. These same provisions will apply where the applicant elects to become a tenant of a housing association.
- 2.16 Section 160A(8) of the Housing Act 1996 provides that the only behaviour which can be regarded as unacceptable for these purposes is behaviour by the applicant or by a member of their household that would, if they had been a secure tenant of the Council at the time, have entitled the local authority to a possession order under s.84 of the [Housing Act 1985](#) in relation to any of the discretionary grounds in Pt I of Schedule 2, other than Ground 8. These are fault grounds and include behaviour such as:

- (i) non-payment of rent;
  - (ii) breach of tenancy conditions;
  - (iii) conduct likely to cause nuisance or annoyance; and
  - (iv) use of the property for immoral or illegal purposes.
- 2.17 It is not necessary for the applicant to have actually been a tenant of the Council when the unacceptable behaviour occurred. The test is whether the behaviour would have entitled the Council to a possession order if, whether actually or notionally, the applicant had been a secure tenant.
- 2.18 The Housing Assessment Panel will consider all cases where the Council considers it may treat an applicant or members of their prospective household as ineligible due to unacceptable behaviour (see paragraphs 7.33-7.40). Applicants will be notified in writing of the Panel's decision and the grounds for their decision. Applicants will have the right to request a review of any decision made by the Panel regarding their eligibility within 21 calendar days of receiving their notification letter. The Housing Review Panel will consider all requests for a review (see paragraphs 7.41-7.45).
- 2.19 This policy allows for applicants or members of their prospective household to be registered on the common housing register but suspended until such time as they have addressed current or past behavioural issues. The following criteria will apply where it is determined by either the Housing Assessment Panel (for applicants who are not social housing tenants of a partner landlord) or a partner landlord (for their own tenants) that the applicant or a member of their prospective household has:
- (i) failed to maintain their current or any previous social rented or private sector rented property within the terms of their tenancy agreement; or
  - (ii) committed acts causing or likely to cause nuisance or annoyance to their neighbours or others in the locality of where they live or where they previously have lived.
- 2.20 In such instances as described in paragraph 2.19 above, the applicant or members of their prospective household will be informed, by either the Council or a partner landlord, of the action(s) that they will need to demonstrate before the suspension will be lifted. This may include co-operation over a period of time with support agencies, social services or other organisations where the express outcome is that there is a significant improvement in their conduct. Any action required to be



undertaken must be reasonable and proportionate, and take into account the protected characteristics of the individual.

- 2.21 Cases determined by the Council will be submitted to the monthly Housing Assessment Panel meetings to decide whether sufficient action has been taken by the applicant to address the issue so that an offer of accommodation can be made. Partner landlords will determine cases for their own tenants.
- 2.22 The status of the application will be reconsidered when there is clear evidence that:
- (i) the applicant (or a member of their prospective household) has addressed their behaviour to the satisfaction of the Housing Assessment Panel (for applicants who are not social housing tenants of a partner landlord) or a partner landlord (for their own tenants); and
  - (ii) there has been no cause for complaint against the applicant (or members of their prospective household) for a continuous period of 6 months from the point where action has been agreed with the applicant to address their or a member of their prospective household's behaviour or other identified problems.
- 2.23 All applicants can request a review of the decision to suspend their application. The review for applicants who are not social housing tenants of a partner landlord will be considered by the Housing Review Panel (see paragraphs 7.41-7.45). Tenants determined by partner landlord can request a review using the organisation's existing complaints procedure.
- 2.24 The Council will monitor all applications that are suspended to ensure that the criteria set out in paragraphs 2.19-2.23 is being applied fairly and consistently.

#### Property Related Debt

- 2.25 For the purpose of this policy the Council, when carrying out an assessment, will take into consideration all property related debts, associated with either a current or former tenancy with any social housing provider in the UK. Only debts that are both recoverable and not statute barred will be taken into consideration. These include any:
- (i) current or former tenancy rent arrears;
  - (ii) outstanding re-chargeable repairs;
  - (iii) current and former housing related service charge arrears;
  - (iv) bed and breakfast charge arrears;

- (v) housing benefit overpayments; and
  - (vi) associated court costs.
- 2.26 Property related debts apply to both the applicant and members of their prospective household.
- 2.27 Where the property related debt is over £500 the application for housing would be automatically suspended. The applicant would not be actively considered for housing until such time as the Council is satisfied that the following criteria has been met:
- (i) entered into a repayment plan with the former landlord;
  - (ii) made a minimum of 13 consecutive weekly payments, at an agreed level; and
  - (iii) repaid a minimum of 25% of the debt.
- 2.28 This process can only be circumvented where the debt is repaid in full or in accordance with the criteria set out in paragraph 2.27. In order to encourage good financial management and discourage applicants from using doorstep lenders, who may charge high interest rate loans, lump sums of 25% or over but below 100% would not apply unless the 13-week minimum period has been satisfied.
- 2.29 Applicants with a housing related debt up to £500 could be considered for housing immediately providing that they had agreed and were actively following a repayment plan. Adherence with the plan must be checked by the landlord concerned prior to an offer of accommodation being made.
- 2.30 Where the applicant or a member of their prospective household has entered into a repayment plan to clear a property related debt before the application for housing was made, the criteria set out in paragraphs 2.25-2.29 would still apply.
- 2.31 The process set out in paragraph 2.27 may be circumvented where the Council believes that highly exceptional and significant circumstances exist, and the need to move is considered urgent. Although, this does not mean recovery of the debt will not be pursued by the relevant landlord. In such circumstances, a report will be submitted to the Housing Assessment Panel for consideration. Should the Panel decide to waive the criteria in paragraph 2.27, the applicant or a member of their perspective household must have entered into and be following a repayment plan before an offer of accommodation is made.

## Residential Criteria

- 2.32 Section 167 (2A) of the Housing Act 1996 provides that this policy may contain provision for determining priorities for reasonable/additional preference categories. The factors that the Council may take into account in determining priorities include any local connection (within the meaning of s.81 of the Housing (Wales) Act 2014) that exists between a person and the local authority area.
- 2.33 For the purpose of this policy, residential criteria will exist where the Council is satisfied that an applicant or a member of their prospective household:
- (i) is clearly settled in the area, e.g. having lived in the county borough, by choice, for either six months out of the last 12 months or for three years out of the last five years;
  - (ii) has family living in county borough, e.g. parent(s), children, brother(s) or sister(s), grandparent(s) or grandchildren and foster carer(s) or legal guardian(s);
  - (iii) has employment in the county borough;
  - (iv) has special circumstances:
    - a. to be near specialist medical or support services that are only available in the county borough;
    - b. to provide medium or high level support, as defined by the Council, to a family member as outlined in point (ii);
  - (v) is a serving member of the British Armed Forces or who was serving in the British Armed Forces at any time in the five years preceding their application for housing, and has previously lived in the county borough;
  - (vi) who is a bereaved spouse or civil partner of someone who has served in the British Armed Forces, where:
    - (i) the bereaved spouse or civil partner has recently ceased, or will cease to be entitled, to reside in Ministry of Defence accommodation following the death of their service spouse or civil partner;
    - (ii) the death was wholly or partly attributable to their service; and
    - (iii) either the bereaved spouse or civil partner of the deceased service person was a former resident of the county borough.

- (vii) is a serving member or former member of the British Reserve Forces who has been affected by a serious injury, medical condition, or disability which is wholly or partly attributable to their service, and has previously lived in the county borough.
- (viii) has been provided with accommodation in the county borough under [s.95 of the Immigration and Asylum Act 1999](#), unless paragraphs (v) a or b apply of Annex 7 of the Code of Guidance for Local Authorities on the Allocation of Accommodation and Homelessness.

2.34 For the purposes of determining residential criteria, living in county borough will not include the following:

- (i) occupation of a mobile caravan, other than on a residential caravan site, as determined by the Council;
- (ii) occupation of a motor caravan that is not permanently sited on a residential caravan site;
- (iii) occupation of a holiday let which includes a hotel;
- (iv) living in bed and breakfast accommodation, unless placed there by the Council in pursuance of its homelessness duties ; or
- (v) occupation of a permanent building whilst on holiday.

2.35 Applicants currently living outside of the county borough who satisfy the criteria in paragraph 2.33 (ii) will be placed in band 3 irrespective of an award of preference unless exceptional circumstances exist, e.g. a person needs to live in a specific area to provide or receive support from family, and that accommodation is not realistically obtainable in that area with family, friends or in the private rented sector.

2.36 Applicants currently living outside of the county borough who satisfy the criteria in paragraph 2.33 (iii) will be placed in band 3 irrespective of an award of preference unless exceptional circumstances exist, e.g. a person's employment cannot be sustained without living in the area. Factors to be taken into consideration include nature and type of employment, the person's current address, availability and accessibility of public or private transport.

2.37 Those applicants who do not satisfy the residential criteria but are currently living in the borough by virtue of the fact that they are fleeing domestic abuse, hate crime, anti-social behaviour etc. will be referred to the homelessness team for assessment before a decision to award any preference is made.

- 2.38 The Council may choose to waive the residential criteria where the applicant or member of their prospective household is unable to establish a local connection with any area in the United Kingdom.
- 2.39 All applicants where residential criteria cannot be established to the satisfaction of the Council, irrespective of whether or not they would be awarded reasonable preference or additional preference, will be placed in Band 3, subject to the criteria set out in paragraph 3.41.

#### Applications from Owner-Occupiers

- 2.40 All applications received from owner-occupiers will be assessed in accordance with the following criteria, taking into consideration any financial resources (see paragraphs 2.46-2.52):
- (i) Applicants with no reasonable or additional preference, who are adequately housed and/or with the financial resources to meet their own housing needs will be admitted to the common housing register but will not be considered for housing until such a time as they have sold their home. Such applicants will be placed in Band 3. The effective date of registration will be from when the home is sold.
  - (ii) Applicants with a reasonable or additional preference but who are adequately housed and/or with financial resources to meet their needs will be placed in the band that matches their need. However, they will not be considered for housing until such a time as they have sold their home. The effective date of registration will be from when the home is sold.
  - (iii) Applicants with a reasonable or additional preference who are not adequately housed and do not have the financial resources to meet their own needs will be placed the band relevant to their reasonable preference. Applicants with no reasonable or additional preference will be placed in Band 3.
- 2.41 In relation to paragraph 2.40 (i) and (ii), sold means contracts have been exchanged between all concerned parties.
- 2.42 The Council may choose not to apply this criteria where the applicant or a member of their prospective household:
- (i) requires retirement housing and satisfies the age criteria of the preferred landlord;
  - (ii) is disabled (as defined by the Equality Act 2010) and has an assessed need for accessible housing. In addition, their current property will need to have been assessed by the Council as being unsuitable for their needs and cannot be made suitable due to cost (of the adaptation and/or to the individual to meet the

means test for Disabled Facilities Grants), structural difficulties or the property cannot be adapted within a reasonable amount of time; or

- (iii) has a severe mental health problem and their property is deemed likely by the Council to give rise to an imminent risk of harm and they do not have the financial means to carry out essential repairs.

2.43 All instances listed in points (i)-(iii) above, an assessment will be carried out to verify the circumstances in accordance with the criteria set out in section 7 of this policy.

2.44 The Council may also choose not to apply the criteria set out in paragraph 2.40 (i) and (ii) where a landlord has a property in a low demand area that has been classified as hard to let. In all other instances the criteria in 2.40 will stand.

2.45 Where the Council chooses not to apply the criteria and the applicant is actively considered for housing by a housing association before their property is sold, the landlord will only grant an assured shorthold tenancy until the property is sold. Upon confirmation of sale, the landlord will grant an assured tenancy. Those actively being considered by the Caerphilly Homes will be required to sign an addendum to their tenancy agreement.

#### Financial Resources

2.46 When assessing an application due regard will be given by the Council to the level of financial resources available to the applicant or a member of their prospective household, which would enable them to meet their own needs either through homeownership or renting privately. For the purpose of this policy, financial resources are defined as all household income, capital assets and savings, irrespective of where in the world they may be situated/held.

2.47 Households whose gross income, from all sources, exceeds £50,000 per annum and/or whose capital assets or savings exceed £50,000 may be admitted onto the common housing register. However, they will not actively be considered for housing until their financial resources no longer exceed the stated limits, irrespective of whether or not the applicant has been awarded reasonable or additional preference. The effective date of registration will commence from when the level of financial resources drops below the permitted limit.

2.48 The policy in relation to financial resources will be disregarded where the applicant requires retirement housing, in accordance with paragraphs 5.28-5.31. The policy will not be applied to those people applying for an intermediate product (low cost home ownership or intermediate renting), where separate criteria apply.

- 2.49 The following payments will be disregarded from the financial assessment:
- (i) lump sums, on-going pensionable awards and/or Guaranteed Income Payments received by a member of the British Armed or Reserve Forces as compensation for an injury, medical condition or disability whilst sustained on active service. This includes sums received from the War Pensions Scheme and the Armed Forces Compensation Scheme.
  - (ii) compensation payments received by victims of crime or through personal injury claims.
- 2.50 The criteria set out in paragraph 2.47 may be waived for disabled people who require adapted accommodation classified as A1 or A2 (see Appendix 7). This will be subject to a recommendation from the occupational therapist (housing).
- 2.51 The criteria set out in paragraph 2.47 may be waived where paragraphs 4.7-4.11 apply (management discretion).
- 2.52 The Housing Assessment Panel will consider all cases where the criteria in paragraph 2.47 needs to be waived,

#### No Fixed Address

- 2.53 Applicants who are of no fixed address (NFA) can apply for housing. However, before the Council can complete an assessment of their circumstances, they will be required to provide relevant proof to verify their status:
- (i) where unemployed the applicant will be required to provide confirmation from Job Centre Plus, either a 'NFA 1 document' or the equivalent;
  - (ii) where employed the applicant will be required to provide confirmation from their employer; or
  - (iii) where self employed the applicant will be required to provide confirmation from the HM Revenue & Customs or a chartered accountant.

Where required, advice and support will be provided by the Council to assist the applicant to confirm their address status.

- 2.54 In addition, as part the Council's homelessness prevention work, all applicants registering for housing who are NFA will be referred to the Council's homelessness team, if they have not previously been referred.

2.55 Where an applicant is homeless and unable to provide relevant proof or is not willing to be referred to the homelessness team, an assessment of their circumstances will be carried out on the basis of the accommodation where they are known to frequent the most or their last known accommodation.



### 3. How Priority is Determined

- 3.1 This section sets out in detail the Council's priorities for rehousing applicants and the qualifying criteria used to award priority to applicants with a defined housing need.

#### Reasonable Preference

- 3.2 The allocation scheme has been designed to ensure that reasonable preference is given to all of the following categories of people, as set out in s.167(2ZA) of the Housing Act 1996:
- (i) people who are homeless (within the meaning of Pt II of the Housing (Wales) Act 2014);
  - (ii) people who are owed a duty by the local authority under section 66, 73 or 75 of the Housing (Wales) Act 2014;
  - (iii) people occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions;
  - (iv) people who need to move on medical or welfare grounds including grounds relating to disability, and
  - (v) people who need to move to a particular locality in the district of the Council, where failure to meet that need would cause hardship (to themselves or to others).

#### Additional Preference

- 3.3 This policy has been framed in accordance with s.167(2) of the Housing Act 1996, thereby giving additional preference to particular descriptions of people who fall within the reasonable preference categories and who have urgent housing needs. Examples of people to whom the Council will consider giving additional preference within the policy include:

- (i) those owed a homelessness duty as a result of violence or threats of violence likely to be carried out and who as a result require urgent rehousing, including:
  - victims of domestic or other abuse;
  - victims of hate incidents; and
  - witnesses of crime, or victims of crime, who would be at risk of intimidation amounting to violence or threats of violence if they remained in their current homes.
- (ii) those who need to move because of urgent medical reasons. Including where an applicant's (or a member of their household's):

- Condition is expected to be terminal and re-housing is required due to unsuitable accommodation or to provide a basis for the provision of suitable care.
  - Condition is life threatening and the applicant's existing accommodation is a major contributory factor.
  - Planned discharge from hospital is imminent and there is no accommodation available to them that it is reasonable for them to occupy.
- (iii) an applicant with a reasonable prospect of an accommodation offer within a relatively short period who suddenly loses their existing home as a result of a disaster;
- (iv) any applicant who needs to move to suitable adapted accommodation because of a serious injury, medical condition or disability which he or she, or a member of their household, has sustained as a result of service in the British Armed Forces;
- (v) people needing accommodation as a result of leaving the British Armed Forces and the loss of military accommodation; and
- (vi) people under-occupying social housing and wanting to transfer to a smaller property, particularly in light of welfare benefit changes and the under-occupancy charge.

#### The Priority Banding Scheme – Criteria

- 3.4 This policy operates a needs-based, time and date ordered, banding system as described below. A summary of the bands and criteria can be found in Appendix 1. The bands have been devised to reflect a range housing needs in the county borough, from high to low. Therefore, those being assessed as eligible and in greatest need of housing will be placed in the highest band, subject to satisfying residential criteria (see paragraphs 2.32-2.39).

#### Band 1: Urgent Need to Move – Reasonable Preference PLUS Additional Preference

##### *Medical & Welfare Grounds: hospital discharge*

- 3.5 Additional preference may be awarded by the Council to those people who have:
- (i) somewhere to live on leaving hospital but it is unsuitable for their needs and cannot be made suitable through adaptations due to cost, structural difficulties or the property cannot be adapted within a reasonable amount of time.

- (ii) nowhere at all to live when they leave hospital may qualify for Band 1 if the need to move is urgent, as assessed by the Council, and all other reasonable housing options have been explored.

For points (i) and (ii) above, the occupational therapist (Housing) and/or Gofal will carry out an assessment of the need to move and, where applicable, make a recommendation on the type and size of accommodation required.

*Medical & Welfare Grounds: emergency medical or disability*

- 3.6 Additional preference will be awarded where, upon assessment, the Council is satisfied that either the applicant or member of their prospective household:
- (i) is currently receiving palliative care and urgently requires rehousing to facilitate the on-going provision of this care;
  - (ii) has a life limiting condition and their current accommodation is affecting their ability to retain independence or enable adequate care;
  - (iii) health is so severely affected by the accommodation that it is likely to become life threatening, e.g. applicant has severe mental health problems that are significantly exacerbated by their accommodation;
  - (iv) is disabled and, as a direct result of the limitations posed by the current property, are unable to carry out day-to-day activities or have difficulty in accessing facilities inside or outside their home. The award of additional preference will not be made where it has been assessed by the Council that rehousing would not facilitate a reduction in the limitations identified; or
  - (v) overcrowding in their current property leaves them at risk of infection, e.g. is suffering from late-stage or advanced HIV infection.

- 3.7 For points (i)-(v) above, the Council will undertake an assessment of an applicant's or a member of their prospective household's need to move and the type of accommodation required. Such assessments will take into consideration all supporting information and will be carried out in accordance with paragraphs 7.6-7.13.

*Medical & Welfare Grounds: release of adapted property*

- 3.8 Additional preference may be awarded where:

- (i) a social housing tenant living in the county borough no longer requires the adaptations in their current home and by moving will free up an adapted property which is capable of meeting the needs of a disabled person waiting for accommodation or, without significant expense, could be adapted to meet the needs of a disabled person.

This award may still be valid if the applicant requires adaptations, provided that the adaptations required are substantially different from those in their current home, as assessed by the Council.

*Medical & Welfare Grounds: domestic abuse, violence or harassment*

3.9 Additional preference will be awarded by the Council, where upon consultation with the relevant agencies, it is satisfied that the applicant or member of their prospective household is:

- (i) a high-risk victim of domestic abuse, who is subject to a MARAC (Multi Agency Risk Assessment Conference), as part of an agreed safety plan for high-risk victims; or
- (ii) suffering extreme violence, harassment or discrimination, whether a hate crime or otherwise, and that it is not safe for them to remain in their present home/locality.

Prior to the award being made, the Council will liaise with the relevant agencies to ensure that the threat of domestic abuse, violence or harassment would be significantly reduced via rehousing.

*British Armed Forces: former member, serious injury or loss of military accommodation*

3.10 An award of additional preference will be made to the following categories of people who:

- (i) left the British Armed Forces or British Reserve Forces within the last 5 years. In extenuating circumstance the Council may consider extending the 5 year period. In such instances a report would be presented to the Housing Assessment Panel for consideration;
- (ii) are serving members of the British Armed Forces or British Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result of service; or
- (iii) are bereaved spouses and civil partners of members of the British Armed Forces leaving services family accommodation following the death of their spouse or partner.

*Insanitary Housing Conditions: unsatisfactory housing conditions in the private sector*

3.11 Additional preference will be awarded to applicants:

- (i) that currently occupy a property where there is a statutory requirement to vacate due to a Demolition Order, Prohibition Order or clearance area (either by agreement or via compulsory purchase).
- (ii) whose living conditions pose an immediate threat to life or serious injury, as determined by an environmental health officer of the Council, and where there is no prospect of the issues being remedied in a period of time that the Council considers reasonable. However, if the issues are remedied before the applicant is re-housed, and the environmental health officer determines that no threats remain, the award will be rescinded.

*Medical & Welfare Grounds: serious threat to a child*

3.12 Additional preference will be awarded to an applicant where:

- (i) it has been established by the Council that a serious threat to the well-being of a child exists and that their accommodation is a contributory factor to the risk. These are cases where the Council can confirm that there is an urgent need to move to mitigate the risk to the child.

The award will only be made upon production of a satisfactory report from child's social worker supporting the requirement to move. The report will need to be countersigned by relevant the Social Services service manager.

*Homeless with a duty to secure or owed a duty as a result of violence or threats of violence*

3.13 Additional preference will be awarded to an applicant who is deemed by the Council to be:

- (i) in priority need and are owed a s.75 duty under the Housing (Wales) Act 2014.
- (ii) owed a homelessness duty as a result of violence or threats of violence likely to be carried out and who as a result require urgent rehousing, including:
  - victims of domestic or other abuse;
  - victims of hate incidents; and

- witnesses of crime, or victims of crime, who would be at risk of intimidation amounting to violence or threats of violence if they remained in their current homes.
- 3.14 Applicants awarded additional preference under the criteria set out in paragraph 3.13 will be given one suitable offer of accommodation, as defined by s.59 of the Housing (Wales) Act 2014. If the offer is refused the homelessness duty will be ended and the reasonable preference award will be removed (s.84 of the Housing (Wales) Act 2014).
- 3.15 Where the award of additional preference is removed the application will be reassessed by the Council and placed in the band that reflects the newly assessed needs of the applicant. The applicant may receive up to two further offers of accommodation, under the criteria set out in paragraphs 5.2-5.9, providing the 3 offer limit has not been exceeded, before their application is suspended for 12 months.
- 3.16 Applicants have the right to request a review of the decision to discharge the duty owed by the local authority under s.85 of the Housing (Wales) Act 2014. Reviews must be submitted in writing to the Council within 21 calendar days of the applicant receiving notification (see paragraphs 7.41-7.45). Applicants who accept an offer of accommodation made to them retain the right to request a review of the suitability of the accommodation.

*Medical or Welfare Grounds: move on from supported accommodation*

- 3.17 Additional preference will be awarded to an applicant who is determined by the Council to be ready for independent living:
- (i) on the recommendation of a support worker, is ready to move on from supported living in the county borough to independent housing and due to the nature and extent of their vulnerability, accommodation in the private rented sector would, through its short-term nature, have a detrimental effect on their well-being.

Before the award is made, ongoing support needs will need to have been assessed and, where appropriate, a support plan put in place to increase the chances of the tenancy succeeding.

- 3.18 If an application for housing is made before it has been determined by the Council that the individual is ready for independent living, taking into account information from the applicant's support worker and other agencies, the application will be placed in Band 1 and immediately suspended. The applicant will be able to request a review of the suspension via the criteria set out in paragraphs 7.41-7.45.

*Exceptional Circumstances – Management Discretion*

- 3.19 An award of additional preference will be made where:

- (i) due to highly exceptional and significant circumstances, an applicant needs to move urgently and the only way to expedite a move is through the use of management discretion (paragraphs. 4.7-4.11).

3.20 In such circumstances, the Council will prepare a report for consideration by the Housing Assessment Panel. Should the Panel be satisfied that highly exceptional and significant circumstances exist and the need to move is urgent and could not be facilitated through normal means, then the applicant will be awarded reasonable preference with additional preference and placed at the top of Band 1, irrespective of waiting time.

*Extreme Financial Hardship – Welfare Reform*

3.21 An award of additional preference will be made where the applicant is:

- (i) under-occupying a social rented property in the county borough and is suffering extreme financial hardship, as a direct result of welfare reform, and is prepared to downsize to a more suitable property with fewer bedrooms.

3.22 The responsibility for undertaking a financial assessment lies with the relevant landlord, who will liaise directly with the Council. The decision to award additional preference lies solely with the Council and will be considered on a case-by-case basis. The award will only be made where the applicant is prepared to move to a more suitable property with fewer bedrooms, which thereby contributes to the alleviation of the financial hardship.

Band 2: Need to Move – Reasonable Preference

*Homeless or Threatened With Homelessness*

3.23 Reasonable preference will be awarded to an applicant who is deemed by the Council to be:

- (i) homeless within the meaning of Part 7 of the Housing Act 1996 or Part 2 of the Housing (Wales) Act 2014;
- (ii) owed a duty by a local authority under sections 66 and 73 of the Housing (Wales) Act 2014 or
- (iii) owed a duty by a local authority under section 190(2), 193 (2) or 195(2) of Part VII of the Housing Act 1996 or who are occupying accommodation secured by any local authority under section 192(3).

- 3.24 Applicants awarded reasonable preference under the criteria set out in paragraph 3.23 will be given one suitable offer of accommodation, as defined by s.59 of the Housing (Wales) Act 2014. If the offer is refused the homelessness duty will be ended and the reasonable preference award will be removed (s.84 of the Housing (Wales) Act 2014).
- 3.25 Where the award of reasonable preference is removed the application will be reassessed by the Council and placed in the band that reflects the newly assessed needs of the applicant. The applicant may receive up to two further offers of accommodation, under the criteria set out in paragraphs 5.2-5.8, providing the 3 offer limit has not been exceeded, before their application is suspended for 12 months.
- 3.26 Applicants have the right to request a review of the decision to discharge the duty owed by the Council under s.85 of the Housing (Wales) Act 2014. Reviews must be submitted in writing to the Council within 21 calendar days of the applicant receiving notification (see paragraphs 7.41-7.45). Applicants who accept an offer of accommodation made to them retain the right to request a review of the suitability of the accommodation.

*Insanitary Housing Conditions: unsatisfactory housing conditions in the private sector where there is one or more Category 1 hazards (excluding overcrowding).*

- 3.27 Reasonable preference is awarded to an applicant:
- (i) where an environmental health officer from the Council has determined that a private sector property (owner-occupied or tenanted) contains one or more serious Category 1 hazards, as defined by the [Housing Health & Safety Rating System](#). The award is made in respect of a significant risk to the health and well-being of the occupant(s), and where there is no prospect of the issues being remedied in a period of time that the Council considers reasonable for that situation; or
  - (ii) who lives in a House in Multiple Occupation, where a Suspended Prohibition Order is operative due to the lack of facilities and amenities for the number of occupants.
- 3.28 With regards to points (i)-(ii) above, if the Council is subsequently satisfied that all serious Category 1 hazards have been remedied the reasonable preference award will be rescinded.

*Under-Occupancy Grounds: under-occupying a social rented property*

- 3.29 Reasonable preference will be awarded to an applicant:
- (i) where they are under-occupying a social rented property in the county borough, are suffering financial hardship, as a direct



result of welfare reform, and are prepared to downsize to a more suitable property with fewer bedrooms.

In cases of extreme financial hardship, following assessment, an applicant may be awarded additional preference (band 1). The responsibility for undertaking a financial assessment lies with the relevant landlord, who will liaise directly with the Council. The decision to award additional preference lies solely with the Council and will be considered on a case-by-case basis.

- (ii) who is regarded by the Council as an older person who is living in a social rented property in the county borough and wishes to downsize from 2, 3, 4 or 5 bed family accommodation to retirement housing, where there is an identified need for the accommodation they will be vacating.

By older person we mean 60 years plus for those applicants requesting Caerphilly Homes or Wales & West housing association accommodation only, and 55 years plus for those people requesting accommodation with the other landlords, unless age dispensation is applied (see paragraphs 5.25-5.27). Applicants requesting rehousing with both types of landlord will need to meet the specific age criteria with the relevant landlord to be eligible for the award.

*Acute Overcrowding: as defined by the bedroom standard.*

3.30 Reasonable preference will be awarded to an applicant who:

- (i) the Council is satisfied is overcrowding their current accommodation by 2 or more bedrooms. For the purpose of this policy, overcrowding is defined by Department for Work & Pensions 'bedroom standard' (see Appendix 3). The assessment of overcrowding will be undertaken by the Council.

Reasonable preference will not be awarded to facilitate a move on a like for like basis.

3.31 Applicants who are determined by the Council to have either caused or exacerbated overcrowding by allowing family member(s) or other(s) to move into their property, after taking into consideration any cultural requirements, will not be awarded reasonable preference under this category – see paragraphs 6.34-6.37.

*Medical Grounds: where housing conditions exacerbates a serious medical condition or disability.*

3.32 Reasonable preference will be awarded for an applicant or member of their prospective household requiring accessible or adapted housing where upon assessment by the Council is it identified that:

- (i) the current accommodation directly exacerbates a recognised medical condition, is the direct cause of a medical condition or impacts on the ease of use of the facilities within their home for a disabled person. The award of reasonable preference will only be made where it has been assessed by the Council that rehousing would facilitate an improvement in wellbeing, taking into consideration all relevant supporting information.

*Medical & Welfare Grounds: child protection*

3.33 Reasonable preference will be awarded where:

- (i) there are children that are part of the application, who need to move and their accommodation has been assessed by the Council as being a contributory factor to the risk to the child.

3.34 The award will only be made where:

- (i) there is a child protection plan in place; and
- (ii) a report from the child's social worker supports the need to move, with rehousing being an important factor to the ongoing welfare of the child. The report will need to be countersigned by the relevant Social Services team manager.

*Medical & Welfare Grounds: domestic abuse, violence or harassment.*

3.35 Reasonable preference will be awarded to an applicant who:

- (i) needs to move due to domestic abuse, violence or harassment, where it has been assessed by the relevant agencies they are not in any immediate danger.

3.36 An assessment of an applicant's need to move will be made by the Council, who will liaise with the relevant organisations.

*Medical & Welfare Grounds: hardship grounds*

3.37 Reasonable preference will be awarded where an applicant:

- (i) needs to move to a particular locality within the county borough, where failure to meet that need would cause hardship (to themselves or to others). The Council will only award priority on hardship grounds in exceptional circumstances. It will be for the applicant to reasonably demonstrate to the Council's satisfaction that hardship would occur if they were not to be awarded priority.

3.38 For the purpose of this award, hardship relates to the need to move:

- (i) to take up or continue an employment opportunity not available elsewhere in the borough. Applicants will only be considered for this award where they do not live within a reasonable commuting distance of their place of current or prospective employment, taking into consideration their ability to use and the availability of public/private transport. The applicant will be required to provide the Council with confirmation of employment details from their employer;
- (ii) to be near relatives to give or receive support. The level and nature of the support will need to be substantial and ongoing, and must be related to a disability, severe mental health or medical condition or welfare issue. Additionally, it will need to be proven why the support cannot be provided using either public or private transport; or
- (iii) to gain access to healthcare and/or social services care. An award will be made where the applicant is able to demonstrate that they need to move to access healthcare and/or social services care, and cannot be reasonably be expected to use or there is no access to public or private transport, including provision put in place by the healthcare facility or social services.

*Medical or Welfare Grounds: move on from a residential care setting*

3.39 Reasonable preference will be awarded to an applicant who have been assessed by the Council as:

- (i) needing to move on from a residential care setting in the county borough and is regarded by social services as being vulnerable with a high level of housing need. To be eligible for this award they must be an “Eligible Child”, as defined by the [Children \(Leaving Care\) Act 2000](#), and be a young person at risk.

3.40 If an application for housing is made before it has been determined by the Council that the individual is ready for independent living, taking into account information from the applicant’s support worker and/or other agencies, the application will be placed in Band 2 and immediately suspended. The applicant will be able to request a review of the suspension via the criteria set out in paragraphs 7.41-7.45.

Band 3: Wants to Move – No Reasonable or Additional Preference, or Reasonable or Additional Preference & No Local Connection

3.41 All other categories of applicant not covered in Bands 1 or 2 will be placed in Band 3, this will include:

- (i) applicants who do not qualify for Reasonable Preference or Additional Preference but who would like to move to alternative

accommodation, irrespective of whether or not they have a local connection;

- (ii) applicants who qualify for Reasonable Preference or Additional Preference but are regarded by the Council as not having a local connection (see paragraphs 2.35-2.36); and
- (iii) all other applicants as specified by this policy.

#### Administration Of The Priority Banding Scheme

- 3.42 Entry into the bands is upon assessment only, which will be undertaken by the Council. Applicants will be placed in a band that matches their assessed needs. Applicants are then ranked in bands by time and date order.
- 3.43 Where an applicant with an award of reasonable or additional preference fails to satisfy the residential criteria the application will be placed in Band 3 (see paragraph 2.32-2.39).
- 3.44 Applicants may move up or down bands to reflect a change in their circumstances. Applicants moving up a band will have the effective date of registration reset to the date when the change in circumstances occurred. Applicants moving down a band will retain their original, effective date of registration (see paragraphs 6.13-6.17).
- 3.45 When a property becomes available to let, landlords will normally allocate the property to the person at the top of the list, who best matches the property and/or household size criteria. However, in certain circumstances, which are outlined in this policy, landlords may be required to bypass an applicant (see Appendix 2). Reasons for bypassing must be recorded and the Council will monitor these to ensure compliance with the policy.
- 3.46 The Council reserves the right to suspend an application on the common housing register where the applicant, or a member of their prospective household, has deliberately worsened their circumstances in order to increase their priority for housing (see paragraphs 6.34-6.37). In such circumstances, a referral will be made to the Housing Assessment Panel for consideration and determination of the action that may be taken (see paragraphs 7.33-7.40).

## 4. How Accommodation is Allocated

- 4.1 This section outlines the choices and preference applicants may express when registering for housing, discretion that the Council may use when prioritising applicants for housing and additional rules that the Council may implement to promote balanced and sustainable communities.

### Choice & Preferences

- 4.2 Under s.167 (1A) of the Housing Act 1996, this policy must include a statement on the Council's policy of offering eligible applicants a choice of accommodation or the opportunity to express preferences about housing accommodation to be allocated to them.
- 4.3 Against a backdrop of high levels of housing need, insufficient availability of accommodation to meet this the Council wishes to provide applicants with a wide range of choice over the preferences they can make over their housing. All applicants will, therefore, subject to criteria applied by each individual landlord (see Appendix 4), be able to express a choice of:
- landlord;
  - property type;
  - bedroom count, and
  - location.
- 4.4 Although, in the interests of community safety, the level of choice an applicant can express, as outlined in paragraph 4.3, may be restricted by the Council (see paragraphs 7.17-7.22).
- 4.5 The landlords provide housing in most parts of the county borough, although, the landlord, type and size of housing may vary from area to area. Applicants will be able to specify their locational preferences into the predefined housing areas. They will not normally, unless extenuating circumstances apply, for example a disability, medical condition or welfare requirement to be near to family or support networks to receive or provide support, be able to restrict their choices to street or property level. The Council will consider such requests.
- 4.6 Information on the social housing stock, including location, type and availability, will be provided to applicants as part of the application process and can also be found on the landlords' websites.

### Management Discretion

- 4.7 From time-to-time, there may be occasions where, due to highly exceptional and significant circumstances, an applicant needs to move urgently and the only way to expedite a move is through the use of

management discretion. Separate criteria apply to existing tenants of landlords party to this policy requiring a transfer of tenancy – see Management Transfers (paragraphs. 8.2-8.4).

- 4.8 In such circumstances, the Council will prepare a report for consideration by the Housing Assessment Panel. Should the Panel be satisfied that highly exceptional and significant circumstances exist and the need to move is urgent and could not be facilitated through normal means, then the applicant will be awarded with additional preference and placed at the top of Band 1, irrespective of time and date order.
- 4.9 Instances where the Panel may apply its discretion include:
- (i) threat to life;
  - (ii) emergency cases where the applicant's home is damaged by fire, flood or other disaster where it is not possible to repair the existing home, or if any work to repair is to take such a long period of time that there will be serious disruption to family life;
  - (iii) where on the advice of the police, the applicant requires rehousing immediately due to serious threats to one or more members of their household, or whose continuing occupation would pose a threat to the community;
  - (iv) where an applicant has an exceptional need that is not covered by this policy; and
  - (v) other exceptional circumstances as approved by the Panel.
- 4.10 Applicants awarded priority through management discretion will be made one reasonable offer of accommodation only, taking into consideration the needs of the applicant and members of their prospective household. In order to facilitate the move the Council may choose to disregard any of the preferences expressed by the applicant in paragraph 4.3. An unreasonable refusal of the offer will result in the award of preference being removed and the applicant being returned to their original place on the common housing register, subject to the criteria relating to refusal of offers.
- 4.11 All instances where management discretion is invoked and removed will be recorded and monitored by the Council to ensure that they do not disproportionately discriminate against particular groups of people.

#### Quota systems

- 4.12 The Code of Guidance for Local Authorities on the Allocation of Accommodation & Homelessness (2015) allows the Council to introduce quota systems for particular groups of people to meet its wider strategic objectives of creating sustainable and balanced

communities. The local authority and participating organisations have decided against the use of quotas during the first year of operation of this policy. However, it reserves the right to introduce a quota system to ensure that the policy continues to meet its statutory obligations. Any future quota system will be agreed and reviewed by the Council in partnership with participating organisation. An equality impact assessment will be undertaken prior to introducing a quota system and, where applicable, upon the review of an existing quota system.

#### Local Letting Policies

- 4.13 Section 167(2E) of the Housing Act 1996 provides the statutory basis for local lettings policies. This section of the Act allows the Council to allocate accommodation to people of a particular description, whether or not they fall within the reasonable preference categories, provided that overall it is able to demonstrate compliance with its statutory requirements.
- 4.14 The following are examples of local letting policies that may be deployed under the common allocation policy. The list is for illustrative purposes and is not exhaustive:
- (i) Age restrictions;
  - (ii) Prioritising applicants seeking a transfer who have a positive tenancy history with no rent arrears and exemplary behaviour;
  - (iii) Policies that are geared towards encouraging applicants who work or volunteer to live in an area where for example there may be an area, or street with high numbers of working age households not in work;
  - (iv) Prioritising applicants who are key workers as defined by the Council;
  - (v) Restrictions on lettings to vulnerable households where there are already a concentration of supported tenants/residents in a street or block;
  - (vi) Lettings to childless households where there are high concentrations of children and young people living on a specific estate, street or block;
  - (vii) Disregarding household type or property matching rules to allow for example under-occupation to reduce child density or to account for future family growth; and
  - (viii) Ensuring that there is a balance of working and non-working households allocated to a new build scheme.

- 4.15 All local lettings policies will be monitored by the Council to ensure that overall this policy operates to give reasonable preference for allocations to applicants in the reasonable preference categories (s.167(2) of the Housing Act 1996). This means that the policy may include other priorities, as determined by the Council, such as promoting job related mobility etc., providing that they do not dominate the allocations and overall, the policy operates to give reasonable preference to those in the statutory reasonable preference categories over those who are not.
- 4.16 The Council and the landlords will agree the areas, estates, blocks or streets where a local letting policy may be appropriate and why.
- 4.17 There must be a clear evidence base for adopting a local lettings policy. A panel of at least 3 partners to the common allocation policy will agree each local lettings policy. One member of the panel must be the Council and one must be the landlord wishing to deploy a local lettings policy.
- 4.18 The panel will agree whether a local letting policy is appropriate based on the following test:
- (i) That there is a clear definition of the objective to be achieved by that particular local lettings policy;
  - (ii) That there is a clear evidence base to back up the need for a local lettings policy;
  - (iii) That any potential equality impact has been considered (see paragraph 4.20);
  - (iv) How long the local lettings policy is intended to operate; and
  - (v) When the policy should be reviewed (see paragraph 4.21).
- 4.19 The Council will keep a written record of each adopted or rejected local lettings policy. All current policies will be listed as an appendix to the online version of the common allocation policy so that the public can see which policies are in operation at any point in time.
- 4.20 Prior to being implemented and upon review, all local lettings policies will need to be equality impact assessed to ensure they do not discriminate against any of the protected characteristics listed in the [Equality Act 2010](#).
- 4.21 The Council and the relevant landlord, will monitor each local lettings policy to ensure that they are effective and are meeting their intended outcomes. They must be reviewed regularly, at predefined timescales, so that they can be revised or revoked where they are no longer



appropriate or necessary. A decision to extend a local lettings policy can only be made by the panel.

#### Annual Lettings Plans

- 4.22 The Council will periodically monitor all allocations made under this policy to ensure that it continues to meet its statutory obligations and its wider strategic objective of creating sustainable and balanced communities. It has agreed with participating organisations against using an annual lettings plan in the first year of operation of this policy. However, it reserves the right to introduce an annual lettings plan where it is found that the policy may not be meeting its statutory obligations or strategic objective.
- 4.23 Annual lettings plans will utilise the monitoring information to establish the percentage of lettings to be made to applicants within each band in the following year. Where applicable, the Council may choose to prepare them annually and will closely monitor all lettings made against the targets. Landlords will be expected to allocate their properties in-line with the plan to ensure that targets are achieved. The Council and participating organisations will publish all lettings plans on their websites.

## 5. How Offers Of Accommodation Are Made

- 5.1 This section outlines how offers of accommodation will be made and an applicant's right to refuse an offer. It also sets out the criteria used to determine household property requirements and accessible housing.

### Offers & Refusals

- 5.2 The Council has a statutory duty to determine the policy on offers and refusals, taking into account choice and preference options. Accordingly, it will closely monitor all offers made by the landlords and, where applicable, the reasons for refusals.
- 5.3 All applicants are entitled to receive 3 offers of accommodation based on the preferences they express on their application, e.g. landlord, property size and type, and area.
- 5.4 All offers of accommodation that are made in accordance with the stated preferences which are subsequently refused by the applicant, without justification, will be regarded by the Council as an unreasonable refusal. Upon the third unreasonable refusal, the application will be suspended for 12 months, effective from the date of the third refusal. In order to minimize the number of applicants being suspended, after each refusal, the Council will provide the applicant with advice and assistance to help them refine their preferences.
- 5.5 Applicants owed a homelessness duty by the Council under section 66, 73 or 75 of the of the Housing (Wales) Act 2014 will be given one suitable offer under this legislation. If the offer is refused, and the homelessness duty is ended (s.193(2) of the Housing Act 1996 or the relevant section of the Housing (Wales) Act 2014), the applicant may receive up to two further offers under Pt VI of the Housing Act 1996, in accordance with the criteria set out in paragraphs 5.2-5.9, providing the 3 offer limit has not been exceeded, before their application is suspended. Where the homelessness duty is ended, the Council will automatically remove the preference awarded for homelessness. The application will be reassessed and the applicant placed in a band that reflects their newly assessed need.
- 5.6 All offers of accommodation will be made formally and will be subject to the necessary pre-tenancy checks, which will be carried out at or before the point of offer, to verify that the applicant's circumstances have not changed as to affect their eligibility and/or priority to receive the offer. For social housing tenants living in the county borough, a property inspection will be undertaken and a tenancy reference provided prior to an offer of accommodation being made. For social housing tenants living outside of the county borough and all private rented sector tenants, a tenancy reference will be requested.

- 5.7 In addition, some landlords will undertake an affordability assessment with the applicant(s) prior to them making an offer of accommodation. However, for applicants wanting to be rehoused by a housing association only, where the assessment identifies an affordability issue the housing association may choose to withdraw the offer (see paragraphs 5.13-5.16). In such instances, the offer will not be counted as an unreasonable refusal.
- 5.8 Applicants who refuse 3 offers of accommodation and are consequently suspended, have the right to request a review of this decision. A request for a review should be made in writing to the Council within 21 calendar days of receiving the notification letter, setting out the applicant's reason(s) for making the request. The Housing Assessment Panel will undertake the review.
- 5.9 Where the applicant is suspended for 12 months and there is a significant change in circumstances that materially affects the application, requiring the applicant(s) to be rehoused urgently, the Council will carry out a review of the application and send a report to the Housing Assessment Panel. Should the Panel decide to lift the suspension before the 12 month period expires the effective date of registration will be amended to the date the suspension was lifted. Any review of the Panel's decision will be carried out in accordance with the criteria set out in paragraphs 7.41-7.45.

#### Period for Considering an Offer

- 5.10 All offers of accommodation will be made in writing, using the applicants' preferred language and/or method of communication. Offers may be sent in the post or via email, depending on the personal choices specified at the point of application. Applicants will be allowed 3 working days from the receipt of the letter to make a decision about the offer of accommodation (see paragraph 5.11). When adhering to this timescale, landlords will need to take into consideration the personal circumstances of the applicant, which may include:
- (i) difficulty for an applicant who is working or has a child or other care commitments to make arrangements to view the property;
  - (ii) the property's distance from the applicant's current accommodation;
  - (iii) where acceptance of the offer would involve a child changing schools or create difficulties for members of the household maintaining work or training;
  - (iv) need for advocate / support worker / health professional to be present at the viewing;

- (v) the availability / timings of essential furniture or public funding to enable the applicant to move; or
- (vi) the individual's circumstances, with consideration for individuals with protected characteristics as defined by the Equality Act 2010.

5.11 The deemed day of delivery is as follows:

- (i) 1<sup>st</sup> class post is the second day after it was posted;
- (ii) For electronic methods, it is the second day after the day on which it was transmitted; and
- (iii) For hand delivery, it is the day after it was delivered.

5.12 Applicants not responding to an offer of accommodation within timescales set out within the offer letter, no less than 3 working days, will be deemed by the Council to have refused the offer, unless extenuating circumstance apply.

#### Withdrawal of Offers

5.13 In exceptional circumstances, a landlord may choose to withdraw an offer of an accommodation. This may be done at any stage before the tenancy agreement has been signed. Reasons for withdrawing an offer include but are not limited to:

- (i) where the property fails to become vacant;
- (ii) where the property is found to be unsuitable for the applicant's or a member of their perspective household's needs;
- (iii) where it comes to light that the applicant or a member of their perspective household has a property related debt (see paragraphs 2.25-2.31);
- (iv) in the interest of community safety or the safety of the applicant or a member of their perspective household (see paragraphs 7.17-7.22);
- (v) in relation to offences related to information given or withheld by either the applicant or a member of their perspective household (see paragraphs 6.18-6.23);
- (vi) where the applicant's or a member of their perspective household's circumstances change or new information comes to light, which either changes their priority, makes them ineligible for the property or makes them ineligible to appear on the common housing register;

- (vii) where the landlord requires the property for an emergency reason;
  - (viii) where it is found that the landlord has made an offer in error;
  - (ix) where the applicant has been asked to provide supporting documentation by either the Council or the landlord and fails to do so;
  - (x) where it is found that a prospective tenant of a housing association is going to under occupy their property, using the social size criteria (see Appendix 3), and, therefore, cannot satisfy their prospective landlord that they can afford the rent; or
  - (xi) The applicant is a tenant of the social landlord making an offer and their property has failed the required tenancy inspection.
- 5.14 A decision by the landlord to withdraw an offer of accommodation will be made by a housing manager or equivalent.
- 5.15 Where an offer of accommodation is withdrawn, the landlord will write to the applicant explaining reasons for the withdrawal. The landlord will also notify the Council of all instances where an offer of accommodation is withdrawn so that reasons for withdrawal can be recorded and monitored.
- 5.16 A withdrawn offer will not be counted as an offer of accommodation for the purposes of the three offer rule. In instances where the applicant cannot satisfy the affordability criteria set down by the housing association and an offer of accommodation is withdrawn the applicant(s) will be contacted by the Council and provided with advice on alternative housing options.

#### Property Related Criteria

- 5.17 Unless a restriction is placed on an application (see paragraphs 7.17-7.22), applicants are able to express a preference for landlord, bedroom count and property type in accordance with the criteria set out by each landlord (see Appendix 4 and 5). In order to make the best use of the housing stock, the landlords may apply restrictions on who is eligible to be accommodated in certain property types and sizes.
- 5.18 Family designated accommodation (2, 3, 4 & 5 bedroom housing) is allocated by the landlords in accordance with the criteria set out in Appendix 4.
- 5.19 Household members who are temporarily living away from home, for example in Further Education or the British Armed Forces (Regular or Reserves), may be included as part of the application. However, the

individual will need to confirm in writing to the Council that they wish to be re-housed with the household. Until such a time as the Council receives the written confirmation the application will be assessed as the individual not being part of the household.

- 5.20 Priority for accommodation designated by landlords as accessible, including bungalows, will be allocated to applicants who have been assessed by the Council as requiring such accommodation (see paragraph 5.28-5.31).
- 5.21 Expectant mothers who would be entitled to an additional bedroom on the birth of their child or children must provide a copy of their Maternity Certificate (MAT B1) to verify a pregnancy and confirm the expected week of confinement. Where proof is provided the application may be amended to reflect an increase in household size and the need for a larger property, subject to the household criteria applied by each landlord.
- 5.22 If the applicant or a member of their household is an approved foster carer with Caerphilly county borough council, one extra bedroom will be allowed under the household size criteria (see Appendix 4) for use by a foster child or children. If the applicant or a member of their prospective household ceases to be an approved foster carer or their approval is revoked at any stage before an offer of accommodation is made, the additional room entitlement will cease to apply.
- 5.23 In exceptional circumstances landlords may also choose to overlook the property related criteria so that they may take account of the specific needs of the household:
- (i) Where because of a disability or medical condition an applicant or member of their prospective household requires a specific size and type of accommodation. In such instances the requirement will need to have been recommended by either the Council's occupational therapist (Housing) or Gofal;
  - (ii) Where the applicant or a member of their household requires support from a carer who needs to sleep in the home and they cannot reasonably be expected to share a bedroom with another member of the household; and
  - (iii) For hard to let properties where no suitable applicants can be found who satisfy the relevant criteria.

For points (i) and (ii) above, a report will need to be submitted by the Council to the Housing Assessment Panel.

- 5.24 Many of the landlords party to this policy allocate their properties in strict accordance with the social size criteria. Therefore, an applicant who has overnight access to a child may not necessarily be allocated a

property with an additional bedroom with one of these landlords. Although, for their low demand properties, these landlords reserve the right to overlook this criteria.

#### Age Related Criteria

- 5.25 All landlords apply minimum age related criteria to social housing designated as retirement housing (see Appendix 6). Applicants can only apply for this type of housing if they meet the criteria or are given special dispensation as outlined in paragraphs 5.26 and 5.27 below.
- 5.26 Age dispensation may be granted by the Council where:
- (i) an applicant or a member of their prospective household has a disability or medical condition and has been assessed by either the Council's occupational therapist (Housing) or Gofal as requiring retirement housing; or
  - (ii) the property has been deemed hard to let by the landlord and there are no suitable applicants on the common housing register in the required age range.
- 5.27 Requests for age dispensation for people aged 50 years old and over will be considered by the Council. The Housing Assessment Panel will consider requests from people aged less than 50 years old.

#### Accessible Housing

- 5.28 Accessible housing is a term given to properties which enable disabled people to live independently. These may be properties that have already had major adaptations carried out, are suitable for adaptation or through design are suitable with no additional adaptation works necessary, e.g. some properties built to [Design Quality Requirements](#). In order to address the severe shortage of such accommodation in the county borough, and thereby make best use of the social housing stock, priority for such accommodation will be given to people, who have been assessed by the Council as requiring accessible accommodation.
- 5.29 In order to establish the requirement for accessible housing the Council may need to undertake an assessment of the housing needs of the applicant and prospective members of their household (see paragraphs 7.6-7.11). Following assessment a recommendation will be made by the occupational therapist (Housing) on the level of accessibility a property should have. The landlords must adhere to the recommendation when matching applicants to available properties.

Coding is used by the landlords as a means of identifying the degree of accessibility a property offers. This is primarily in relation to the access

to and circulation within the property but also to the potential for the property to be adapted, e.g. stair lifts (see Appendix 8).

- 5.30 All properties owned and managed by the landlords should be coded to indicate the level of accessibility, either before becoming vacant or at the point it becomes vacant. When allocating accommodation, landlords will be required to ensure that disabled applicants or those with a medical condition requiring accessible or adapted accommodation are matched with a property that most closely meets their needs, taking into consideration the 'best match shortlisting criteria' (see Appendix 9).
- 5.31 Where a property has been coded as accessible or adapted, it may be necessary, in some instances, to overlook an applicant with a lesser requirement for such housing, irrespective of time and date order, to ensure a best match. This criterion will also apply to new build properties, which have been specifically designed to meet the needs of an individual applicant.



## 6. How to Make an Application

- 6.1 The common housing register provides applicants with a single point of access to all social housing in the borough. This section sets out how applicants can apply for this housing.

### Who can Apply

- 6.2 Anyone aged 16 and over can apply if their current address is their only home, or sole residence, and they are not already registered on the common housing register on someone else's housing application.
- 6.3 In law, a minor cannot hold a legal estate in land. Therefore, if the applicant is aged between 16 and 17 years old, they may be required by their prospective landlord to provide details of a trustee and/or a guarantor before they can actively be considered for housing. The trustee/guarantor maybe an appropriate adult or a social worker. The Council will be able to provide advice to 16 and 17 year olds on trustees and guarantors to ensure that they are not prevented from accessing housing.
- 6.4 Applications from ineligible applicants will not be registered.

### Making an Application

- 6.5 Applications can be made either on-line, over the telephone or in person at designated locations across the county borough.
- 6.6 A home visit service will be provided:
- (i) in exceptional circumstances only, where the person is unable to use one of the methods listed in paragraph 6.5 due to infirmity, disability or vulnerability (see paragraphs 6.32-6.33); or
  - (ii) where a home visit is deemed necessary to clarify the circumstances of the applicant or a prospective member of their household.
- 6.7 All applications for housing must be made in accordance with this policy, using the standard form.
- 6.8 All applications for housing will be assessed by the Council in accordance with this policy and underlying procedures. The Council carries out this assessment to ensure that the applicant and members of the prospective household are eligible to be admitted to the common housing register, ascertain the level of preference they might receive and to take into consideration any other grounds that might materially affect their application.

### Housing Solutions Interview

- 6.9 Where an applicant has been initially assessed as having a housing need which places them in a reasonable preference category and, as a result, is placed in either Band 1 or 2, before their application is made active, they will be required to complete a housing solutions interview. The purpose of the interview is to ensure that those applicants, with either an urgent or fairly urgent need to move, are provided with good quality housing advice to enable them to make informed choices about their housing preferences. Once the interview has been undertaken, and providing there are no outstanding pieces of information required to enable the Council to complete its assessment, the application will be made active.
- 6.10 Those applicants assessed as being in Band 3 will not be required to complete a housing solutions interview at this stage, unless otherwise requested. Their applications will be made active immediately, providing the Council is in receipt of all the information it requires to complete its assessment.
- 6.11 All housing solutions interviews will be completed within 14 days of the application being submitted, unless there are circumstances beyond the control of the Council which prevents the interview from taking place. The date of the interview will have no bearing on the effective date of registration (see paragraphs 6.13-6.17).

### Notification of Registration

- 6.12 The Council will inform the applicant in writing of the following information when they are accepted onto the common housing register:
- (i) effective time/date of registration;
  - (ii) application reference number;
  - (iii) address details;
  - (iv) all people named in the application;
  - (v) the areas, property types and size that the applicant has selected and is entitled to;
  - (vi) the priority band and how it has been calculated; and
  - (vii) the landlord(s) they wish to be rehoused with.

### Time & Date of Registration

- 6.13 Priority within bands is determined by the length of time the applicant has been placed in that band. This may either be the time and date of registration or the time and date of entry into a priority band.
- 6.14 Where an applicant drops out of a priority band (Band 1 or 2) and into Band 3 their effective date will return to their original date of registration.
- 6.15 Where a new but incomplete application is made active (see paragraphs 6.24-6.27) and placed in Band 3 pending further information to verify an award of reasonable preference, the effective date will remain as the date of registration, irrespective of whether the award is subsequently made. Paragraphs 6.13-6.14 will apply for subsequent changes in priority.
- 6.16 Where a suspension on an application is lifted, then the effective date of registration will change to the date of when the suspension was lifted, except in the case of self-suspension (see paragraphs 6.38-6.40).
- 6.17 See paragraphs 2.40 (points i & ii) for the additional criteria applied to owner-occupiers.

### Criminal Records

- 6.18 In the interests of community safety, all applicants and members of their prospective household will be required to disclose any pending court cases or unspent criminal convictions. Where the information is disclosed the Council may seek further information to ascertain whether they are likely to be regarded as ineligible due to unacceptable behaviour (see paragraphs 2.15-2.31) and/or pose a serious risk to a community where they might be rehoused (see paragraphs 7.17-7.22). The Council may also seek this information where it believes that the applicant or a member of their prospective household failed to disclose the required information.
- 6.19 Such requests for information will be carried out in accordance with paragraphs 9.8-9.11 and 7.5.

### Offences Related to Information Given or Withheld by Applicants

- 6.20 Under Pt VI of the Housing Act 1996, the applicant or a member of their prospective household may commit a criminal offence if they:
- (i) knowingly or recklessly give false information; or
  - (ii) knowingly withhold information which the Council have reasonably required the applicant to give.

The offence is punishable on summary conviction of a fine not exceeding level 5 of the standard scale of fines for summary offences.

- 6.21 Circumstances where the Council may choose to initiate criminal proceedings include:
- (i) any false information given in application for social housing;
  - (ii) any false information given in response to subsequent review letters or other updating mechanisms; or
  - (iii) any false information given or submitted by applicants during the proceedings of a review.
- 6.22 Where it comes to light that an applicant or a member of their prospective household may have committed a criminal offence in relation to paragraph 6.20, the application will be suspended whilst the Council carries out a full investigation of the circumstances. Where necessary a report surrounding the circumstances will be presented to the Housing Assessment Panel for consideration. Providing the applicant or member of their prospective household has not been deemed ineligible (see paragraphs 2.15-2.18), the Panel may choose to suspend the application for a period of up to but not exceeding 12 months, depending on the severity of the offence.
- 6.23 Where the applicant has been made either a full or provisional offer of accommodation, the landlord may choose to withdraw the offer and make a referral to the Council (see paragraphs 5.13-5.16). In such instances, the applicant will not actively be considered for housing, as per paragraph 6.22.

#### Incomplete Applications

- 6.24 Incomplete applications may not be made active until such time as the Council is satisfied that it has in its possession all of the information it requires to complete its assessment. A checklist of the required information will be attached to the application form to assist applicants complete their applications quickly, without any undue delays.
- 6.25 Although, there may be occasions where an incomplete application can be made active. This will generally apply where an application is complete except for evidence to substantiate an award of preference. In such instances, at the applicant's request, the application may be made active and placed in Band 3 and considered for housing immediately.
- 6.26 An award of preference will not be made until such time as the Council is in possession of the information it requires to make the award. When the Council is satisfied that the information is complete, the

award of reasonable preference can be made and, providing the applicant satisfies the residential criteria, the application will be placed in either Band 1 or 2, depending on their assessed level of need.

- 6.27 All incomplete applications will be cancelled after a period of 28 calendar days of inactivity from the applicant where information has been requested and not been provided. This cancellation does not prevent the applicant making a subsequent application at a later date. Although, the effective date of registration will not be backdated to an early application.

#### Change of Circumstances

- 6.28 As the circumstances of applicants change, so may their eligibility, priority and housing requirements. It is the responsibility of the applicant to inform the Council of a change of circumstances and, where requested, provide proof of the change. Notification of a change in circumstances should be done without undue delay and within a reasonable period of time, taking into consideration the needs of the applicant.
- 6.29 Examples of a change in circumstances include but are not limited to:
- (i) a change of address or contact details, for either themselves or members of their prospective household;
  - (ii) a change in their medical condition or disability (either existing or newly acquired);
  - (iii) additional family members or other people they wish to add to their application (It will be for the Council to decide whether they will allow additional people to join the application);
  - (iv) any family member or any other person on the application who has left the accommodation; and
  - (v) any significant changes in income, savings or assets, which is likely to have a material effect on the application.
- 6.30 It does not follow that every change in circumstance will result in a change in priority. The Council will verify and assess the extent of the change to ascertain whether this will result in a change in priority. However, given the nature of the banding system, only significant changes in circumstance are likely to result in a change in prioritisation. Applicants will not actively be considered for housing whilst the change of circumstance is being verified, where this is found likely to have a material affect to their application.
- 6.31 Applicants who are promoted into a higher band because of a change in circumstances will have their effective date of registration changed to

the date the circumstances changed. Applicants remaining in the same band will keep their current date. Applicants demoted to a lower band will retain their original date of registration.

### Home Visits

- 6.32 In order to complete its assessment of the application, or to update a completed assessment, the Council may need to undertake a home visit. Such visits may be carried out in the following circumstances where the applicant or a member of their prospective household:
- (i) is unable to attend the Council's office due to a physical or mental health condition which prevents them from attending a Council office or would cause a significant delay in completing their application due to support needs;
  - (ii) states that they have a disability or medical condition that is significantly affected by their current housing circumstances or their accommodation no longer meets due to the disability or medical condition;
  - (iii) may be living in insanitary housing conditions; and
  - (iv) in other exceptional circumstances where a home visit is required to verify any aspect of the application.
- 6.33 As far as is reasonably practicable, all applicants will be visited in their current home by their prospective landlord prior to an offer of accommodation being made. The purpose of the visit is to verify the applicants' circumstances to ensure an offer of accommodation can be made.

### Worsening Own Circumstances

- 6.34 Worsening own circumstances is regarded by the Council as either a deliberate act or failure to do something that resulted in a change of circumstances in order to gain priority. Examples of worsening own circumstances include but are not limited to:
- (i) moving from suitable accommodation to less settled or overcrowded accommodation;
  - (ii) giving up affordable and suitable private rented accommodation which they are able to maintain, to move in with other relatives, creating a situation of overcrowding and/or sharing of bathroom/kitchen and/or a split household;
  - (iii) requesting or colluding with a landlord or family member to issue them with a Notice to Quit;

- (iv) where a homeless applicant is deemed intentionally homeless by the Council due to unacceptable behaviour; or
  - (v) deliberately overcrowds their property by moving in friends and/or other family members who have never lived together previously and/or have not lived together for a long time, and subsequently requests rehousing to larger accommodation.
- 6.35 Where an applicant or a member of their prospective household has been found to worsened their own circumstances then the application may be suspended for up to 12 months. The length of suspension will depend on the severity of the case. Therefore, only the most severe cases are likely to be suspended for the full 12 months.
- 6.36 In such instances, a report produced by the Council will be referred to the Housing Assessment Panel for consideration and determination (see paragraphs 7.33-7.40). The applicant will be informed in writing of the Panel's decision and, where appropriate, their right to a review of the decision.
- 6.37 When the suspension is lifted and the application is made active, the effective date of registration will be reset to the date the suspension ended.

#### Self-Suspensions

- 6.38 This policy has been designed to give priority to those people requiring rehousing either urgently or fairly urgently. Applicants will not, therefore, be permitted to suspend their own application for housing, unless extenuating circumstances exist which mean they are not currently ready to be considered for rehousing. These include but are not limited to:
- (i) family bereavement;
  - (ii) hospitalisation;
  - (iii) holiday; and
  - (iv) work commitments.
- 6.39 In such circumstances the applicant will be permitted to self-suspend their application for up to 28 calendar days. Applicants will not be permitted to self-suspend more than twice in a 12 month period. The date of suspension will be valid from the day the applicant notifies the Council. The effective date of registration will remain unchanged by a self-suspension.

- 6.40 In extenuating circumstances, upon request from the applicant, the Council may grant the applicant permission to extend the period from 28 days.

#### Right to Buy / Acquire Applications

- 6.41 Applicants who make a right to buy or right to acquire application will have their housing application suspended pending the outcome of their application. Where the right to buy or right to acquire application is subsequently withdrawn, the suspension will be lifted and the applicant will actively be considered for housing. The effective date of registration will remain unchanged.
- 6.42 Where an applicant completes the purchase of their council or housing association home and wishes to remain on the common housing register, the applicant will be required to notify the Council of the change in circumstances. In such instances, the application will be reassessed in relation to the new circumstances.

#### Annual Review of Applications

- 6.43 In order to ensure that the information held on the common housing register is accurate and up-to-date, thereby ensuring that the applicant is ready to receive an offer of accommodation, the Council will carry out a review of all applications on or around the anniversary of their original date of registration, or more frequently if operational requirements dictate.
- 6.44 To remain on the common housing register, all applicants will be required to respond to the review within 14 calendar days. Applicants failing to respond within 14 calendar days will be sent a reminder. If there is no response within 14 calendar days of the reminder, the application will be cancelled and removed from the common housing register. A response after this time will be considered as a new application, unless the criterion in paragraph 6.47 applies.

#### Cancelled Applications

- 6.45 The Council reserves the right to remove applications from the common housing register in the following instances:
- (i) at the applicant's own request;
  - (ii) once the applicant has been rehoused;
  - (iii) upon a change in circumstance which now renders the applicant ineligible to remain on the common housing register;
  - (iv) following failure to respond to an annual review of their application;



- (v) following failure to respond to correspondence in connection with their housing application; and
  - (vi) where an applicant has knowingly and wilfully given false or misleading information, or has not disclosed relevant information, in connection with their application, which now renders them ineligible (under the direction of the Housing Assessment Panel).
- 6.46 The Council will notify applicants whose applications are cancelled and removed from the common housing register in writing. If the applicant's current address is unknown, the Council will retain a copy of the letter for the applicant to collect.
- 6.47 Unless extenuating circumstances apply, cancelled applications will not be reinstated. Applicants wanting to rejoin the common housing register will, therefore, be required to make a new application. Where extenuating circumstances exist, which meant that the applicant could not have reasonably prevented their application from being cancelled, the Council may choose to reinstate the application with their original date of application.

## 7. How Applications are Assessed

- 7.1 This section sets out the different types of assessment the Council may undertake to assess an application.

### General Assessment

- 7.2 All applications for housing will be assessed on a case-by-case basis, in accordance with this policy. The Council will have responsibility for carrying out the primary assessment of the application and may, where necessary, contract out part of the assessment to a specialist organisation, e.g. Gofal for mental health assessments.
- 7.3 The reason the Council assesses each application is to ensure that the applicant or a member of their prospective household:
- (i) is eligible to be admitted on to the common housing register (see section 2);
  - (ii) to ascertain the level of priority they might receive (see section 3);
  - (iii) to ensure a match to the most suitable type of accommodation that meets the household's needs (see section 4).
  - (iv) to verify the accuracy of the information provided (see section 6); and
  - (v) to take into consideration any other grounds that might affect their application (see section 7).
- 7.4 The application and any award of priority made by the Council will be based on the information provided by the applicant. Incomplete applications will not be made live. Where the information is not forthcoming, the Council will delete all incomplete applications after 28 calendar days (see paragraphs 6.24-6.27).
- 7.5 The Council may require additional information to establish eligibility and/or priority, or to substantiate the accuracy of the information supplied. Organisations that the Council may contact and share information with include but is not limited to:
- UK Border Agency;
  - other departments within the local authority;
  - other local authorities or housing associations;
  - the police;
  - the probation and/or prison services;
  - health professionals including GP's;

- Department for Work & Pensions;
- Driver & Vehicle Licensing Agency;
- a former landlord(s);
- a solicitor(s);
- mortgage provider;
- Land Registry; and
- voluntary sector support agencies.

### Medical Assessments

- 7.6 This policy seeks to promote the social model of disability. Therefore, medical assessments are carried out by the Council to ensure that applicants or members of their prospective household are matched with accommodation which meets their needs and actively promotes their independence and wellbeing.
- 7.7 As part of the application process all applicants are asked a series of questions to establish if they or a member of their prospective household has a medical condition and/or disability and whether their existing accommodation affects their independence and wellbeing. Where a medical condition or disability is disclosed by the applicant, their application will be referred to the occupational therapist (Housing) for assessment. An application may also be referred to the occupational therapist (Housing) when the applicant notifies the Council of a change in an existing or newly acquired medical condition or disability.
- 7.8 The role of the occupational therapist (Housing) is to establish the extent to which the current housing situation effects the individual's ability to live independently and their overall wellbeing. The occupational therapist (Housing) will recommend the preferred type of accommodation needed together with an indication of the level of urgency and, where applicable, whether an award of reasonable or additional preference should be made.
- 7.9 Not all applicants, with a recognised medical condition, who are referred to the occupational therapist (Housing) will receive an award of reasonable or additional preference (see paragraphs 3.2-3.3). This will be because the Council has concluded that rehousing would not necessarily improve the independence and wellbeing of the applicant or a member of their prospective household. In such instances, the occupational therapist (Housing) will recommend the type of accommodation required, taking into consideration long-term needs of that applicant.
- 7.10 Where an applicant or a member of their prospective household has a recognised medical condition or disability but the occupational therapist (Housing) determines that a highly accessible or adapted property is not a determining factor in the promotion of independence and wellbeing, a code is attached to the application as an indicator as to the

type of accommodation required (see paragraph 5.28-5.31), taking into consideration the accessibility and long-term needs of the applicant.

- 7.11 In the absence of the occupational therapist (Housing) the Council may choose to use a trusted assessor / occupational therapist to undertake medical assessments and/or associated tasks.

#### Mental Health Assessments

- 7.12 Where the applicant or a member of their prospective household indicates on their application that their current housing situation is significantly detrimental to their mental health and well-being the Council will refer the application to Gofal for assessment. Similarly to the medical assessment procedure, Gofal will establish the extent to which the current housing situation is impacting on the individual, due to the mental health problem, and will make a recommendation to the Council on the type of accommodation required, together with an indication of the level of priority required.

- 7.13 Not all mental health conditions initially identified and referred to Gofal will necessitate the need for rehousing or greater priority. In such instances, the applicant will be permitted to apply for housing but will not receive an award of preference.

#### Environmental Health Assessments

- 7.14 At the point of application, all applicants will be asked about their current housing situation by the Council to establish whether there is any disrepair in their property. Where an applicant, living in the private sector, indicates that their property is in serious disrepair, a referral will be made to an environmental health officer (housing) from the Council.

- 7.15 The purpose of the environmental health assessment is to:

- (i) determine whether there are any serious category 1 hazards in existence, using the Housing Health & Safety Rating System;
- (ii) determine whether a recommendation for reasonable or additional preference should be made in respect of the application; and
- (iii) where applicable, work with the landlord to remedy the problem(s).

- 7.16 The process in paragraphs 7.14 and 7.15 will also apply where the Council is notified of the disrepair via a change in circumstances.

## Risk Management

- 7.17 In the interests of community safety, where there is good reason to believe that either the applicant or a member of their prospective household poses a risk to an individual or community, the Council will work closely with the relevant agencies to assess the level of risk prior to an offer of accommodation being made. The purpose of the assessment will be to establish the nature and level of risk, whether the applicant is ineligible due to unacceptable behaviour, and to ensure that if the applicant is re-housed, the risk is minimised and managed.
- 7.18 A risk assessment may be required irrespective of whether an applicant or a member of their prospective household has satisfied the test of unacceptable behaviour (see paragraphs 2.15-2.31).
- 7.19 These provisions may apply but are not limited to people:
- (i) who have been charged with or convicted of a serious sexual offence or violent crime who are seeking rehousing for themselves or their family because of the fear of retaliatory violence;
  - (ii) released from custody having served a sentence for a serious sexual offence or crime of violence;
  - (iii) being discharged from institutional care whose history includes offences of a violent and/or sexual nature; or
  - (iv) with a history of drug, alcohol or other substance misuse who have been convicted of related offences.
- 7.20 In order for the assessment to be completed, the Council will liaise with agencies such as the police, the probation service, social services or health care professionals. As a result of the assessment, the Council may choose to place restrictions on the landlord, location and property type for which the applicant is eligible. Such restrictions placed on the application will be agreed jointly between the various agencies.
- 7.21 The Council will notify applicants or prospective members of their household who are subjected to a risk assessment in writing. The application will not actively be considered for housing until such a time as the Council is satisfied that the assessment has been completed.
- 7.22 Any person whose entitlement to rehousing is restricted under the provision of paragraphs 7.16-7.21 will be notified, in writing, of the grounds and their right to review the decision.

### Financial Assessments

- 7.23 At the point of application the Council will undertake a financial assessment to verify whether the applicant or a member of their prospective household has sufficient resources that would enable them to meet their own needs either through homeownership or renting privately (see paragraphs 2.40-2.45 and 2.46-2.52). Financial resources assessed include all household income, capital assets and savings, irrespective of where in the world they may be situated/held.
- 7.24 The landlords may also undertake financial assessments as part of their tenancy sustainability checks (see paragraphs 7.25-7.27). Where applicable, the landlord criteria is shown in Appendix

### Tenancy Sustainability

- 7.25 In order to promote sustainable and cohesive communities, all tenants will be provided with practical support from their landlord to help them manage their home and abide by the terms of their tenancy agreement. Prospective tenants may be required to complete a financial assessment to assess their ability to pay their rent and other housing related costs, prior to them being made an offer of accommodation.
- 7.26 Where it is found that a prospective tenant of a housing association is going to under occupy their property, using the social size criteria (see Appendix 3) and cannot satisfy their prospective landlord that they can afford the rent, the landlord will not actively consider them for housing. If the circumstances change and it is found that the applicant can now satisfy the affordability criteria, the restriction on their rehousing will be removed.
- 7.27 Where it comes to light, after an offer of accommodation has been made, that a prospective tenant of a housing association cannot satisfy the affordability criteria set down by the housing association, the offer of accommodation may be withdrawn (see paragraphs 5.13-5.16). In such instances, the applicant will be contacted by the Council and provided with advice on alternative housing options.

### Extra Care Housing

- 7.28 There are currently 3 extra care schemes in the county borough, which provide housing and support to enable people to maintain their independence. The schemes are designed to meet the needs of older people who require some care and support. Care staff are based at these schemes to support the needs of people who live there whilst giving them the security and privacy of their own home.
- 7.29 The 3 extra care schemes are:

- (i) Cefn Glas, Blackwood, managed by Charter Housing Association;
- (ii) Tredegar Court, Crosskeys, managed by the Council; and
- (iii) Plas Hyfryd, Caerphilly, managed by United Welsh Housing Association.

7.30 The landlords listed in paragraph 7.29 will be responsible for assessing the suitability of applicants applying for extra care housing in their respective scheme before an offer of accommodation is made.

7.31 To satisfy the suitability criteria for extra care housing the applicant must:

- (i) be 50+ years of age, unless exceptional circumstances exist, and be unable (or likely to become unable) to continue living independently in their current home; eligibility for the scheme will be considered on the basis of the applicants assessed need.

7.32 Applicants assessed by the landlord as being unsuitable for extra care housing will be informed in writing by the landlord, setting out the grounds for their decision. Applicants have the right to request a review of the decision within 21 calendar days of receiving their notification letter in accordance with the criteria set out in paragraphs 9.12-9.16.

7.33 Applicants failing the suitability test will be provided with information from the Council on the other housing options available to them.

#### Housing Assessment Panel

7.34 The Housing Assessment Panel will meet on a monthly basis or more frequently if required. The role of the Panel will be to consider and make decisions on applications that have been forwarded to it by the Council.

7.35 The Panel will be responsible for considering the circumstances where an applicant or a member of their prospective household:

- (i) may be ineligible due to unacceptable behaviour;
- (ii) may be suspended due to unacceptable behaviour;
- (iii) worsens their own circumstances to increase priority;
- (iv) knowingly or recklessly makes a statement which is false, or knowingly withholds information;
- (v) requires a risk assessment before being rehoused;

- (vi) is aged under 50 years old and requires age dispensation to move into retirement housing;
  - (vii) requires rehousing via the management discretion criteria; and
  - (viii) consider cases where the circumstances are such that they may lead to an applicant being bypassed for an offer of accommodation other than in accordance with the bypassing criteria set out in paragraph 2.5 of Appendix 2.
- 7.36 When exercising its discretion the Panel may choose to call on the expertise of another organisation for assistance when dealing with a particularly difficult and/or complex case. In addition, the Panel will also have the discretion to waive the criteria in relation to current or former rent arrears in extenuating circumstances.
- 7.37 The Panel will consist of senior representatives from the following organisations:
- Private Sector Housing – Caerphilly CBC (principal housing officer – housing portfolio, chair);
  - Private Sector Housing – Caerphilly CBC (occupation therapist – Housing);
  - Social Services – Caerphilly CBC (service manager or equivalent);
  - Partner landlords (housing manager or equivalent); and
  - Additional members may be co-opted on as and when required.
- 7.38 To be considered quorate, at least five people will need to be present at the meeting, from at least two different organisations.
- 7.39 The Panel will base their decision on all available information. Therefore, applicants or their representatives will not be required to attend Panel meetings. To allow time for consideration, any supporting information should be submitted by the applicant to the Council at least 7 calendar days before the date of the meeting, although, depending on the type and detail of the information, this timescale can be waived at the discretion of the Council.
- 7.40 Applicants will not actively be considered for housing whilst the Panel is reviewing their application. Applicants will be notified in writing of any Panel decision and, where applicable, the grounds. Applicants will also be notified of their right to review a decision made by the Panel.

#### Housing Review Panel

- 7.41 The role of the Housing Review Panel is to consider reviews from applicants relating to decisions made by the Housing Assessment Panel regarding:



- (i) a decision to make an applicant or a member of their prospective household ineligible from being considered for an offer of accommodation;
  - (ii) the removal of reasonable preference;
  - (iii) the non award of additional or reasonable preference for medical, mental health, social, welfare or hardship reasons; and
  - (iv) other unforeseen cases, at the discretion of the Panel.
- 7.42 All reviews will need to be submitted in writing to the Council by the applicant, or a representative acting on their behalf, within 21 calendar days of being notified of a decision. The Panel will consider and determine the review within 56 calendar days of the request and will notify the applicant in writing of the outcome of their review including the reasons if the original decision is confirmed.
- 7.43 The Panel will consist of three people, all of whom must not have been involved in the original decision. It will include:
- (i) Private Sector Housing Manager (Caerphilly CBC); and
  - (ii) two senior representatives from participating organisations (one per organisation).
- 7.44 The applicant is permitted to attend the Panel meeting in person or to be represented by a support worker or advocate. The applicant must notify the Council of their decision to attend the meeting so that adequate provision can be made for their attendance. To allow time for consideration, any supporting information should be submitted by the applicant to the Council at least 7 calendar days before the date of the meeting, although, depending on the type and detail of the information, this timescale can be waived at the discretion of the Council.
- 7.45 The Panel's decision is final and any challenge of that decision can only be made through the Public Sector Ombudsman for Wales (see paragraph 7.47) or a judicial review.

### Complaints

- 7.46 The Council and all participating landlords signed up to this policy are committed to dealing effectively with any complaints you might have about the application process. All complaints must be made to the Council in accordance with the [corporate complaints policy](#), which can be found on its website.

### Public Services Ombudsman for Wales

- 7.47 Where the applicant considers that their application has not been dealt with fairly and/or are dissatisfied with the outcome of a review, they have the right to make a complaint to the Public Service Ombudsman for Wales. For further information please contact:

[Public Services Ombudsman for Wales](#)

1 Ffordd yr Hen Gae  
Pencoed  
CF35 5LJ

Tel: 0300 790 0203

Fax: (01656) 641199

Email: [ask@ombudsman-wales.org.uk](mailto:ask@ombudsman-wales.org.uk)

## 8. Tenancy Management

- 8.1 This section sets out those aspects of the allocations process that relate specifically to the management of the tenancy.

### Management Transfers

- 8.2 There may be occasions where the Council requires a tenant to move for good management reasons. Such transfers, which must be initiated by the Council, are considered an exempt allocation for the purposes of this policy under s.159(5) and s.160 of the Housing Act 1996.
- 8.3 For the purpose of this policy, landlords may initiate management transfers. Examples of management transfers include:
- a temporary decant to allow repairs to a property to be carried out;
  - succession;
  - assignment;
  - transfers as a result of family proceedings;
  - conversion of an introductory tenancy to a secure/assured tenancy; and
  - those rehoused as a result of a compulsory purchase order.
- 8.4 Although management transfers are exempt allocations under this policy, the landlords have agreed that all transfers will be recorded on the common housing register. This is to ensure that the Council has accurate information about housing needs in the county borough for strategic planning purposes.

### Joint Tenancies

- 8.5 Under s.160A (1)(c) of the Housing Act 1996, the Council shall not allocate housing accommodation to two or more people jointly if any one of them is a person from abroad who is ineligible, or is a person who is being treated as ineligible because of unacceptable behaviour (see paragraphs 2.15-2.31).
- 8.6 Taking into consideration the circumstances of each application, a joint tenancy will normally be granted where household members can demonstrate, to the satisfaction of the landlord, a long-term commitment to the home, e.g. adults sharing accommodation as family, partners, friends or unpaid live-in carers.
- 8.7 When making an offer of accommodation, landlords should ensure that applicants are made aware of the option of creating a joint tenancy including the legal and financial implications and obligations. Where the landlord refuses to create a joint tenancy, they will need to provide the applicants with clear, written reasons for the refusal.

### Joint to Sole Tenancy

- 8.8 In the event of relationship breakdown, resulting in one partner terminating a joint tenancy, landlords may, at their discretion, grant a new tenancy to the partner remaining in occupation only. In such instances a new tenancy will be created but only after the 28-day notice period has elapsed. However, in the following circumstances, landlords may refuse to grant a new tenancy:
- (i) due to a property related debt (see paragraphs 2.25-2.31);
  - (ii) where the tenant is now ineligible on the grounds of his/her behaviour (see paragraphs 2.15-2.24);
  - (iii) where the size/type of accommodation no longer matches the requirements of the households (see paragraphs 5.17-5.24); or
  - (iv) where the applicant currently resides in but no longer requires accessible housing (this criterion may be overlooked by the landlord where it is found that no demand for the property exists).

### Mutual Exchanges

- 8.9 All of the social landlords operating in the borough subscribe to organisations such as [Homeswapper](#), which match social housing tenants wanting to swap their homes – defined in law as a mutual exchange. If you are a social housing tenant, you have the right to swap your home with another social housing tenant. To be able to do this you must first get your landlord's written consent, which can only be refused in certain circumstances. Your landlord will be able to provide you with further information on mutual exchanges, as these fall outside of the scope of this specific policy – for their contact details please see Appendix 10.

### Domestic Household Pets

- 8.10 Each landlord will maintain their own policy in relation to applicants keeping domestic household pets upon being rehoused. Applicants will, therefore, be required when completing their application to declare whether they require rehousing with their pet(s).
- 8.11 Applicants will be allowed to keep domestic household pets when rehoused, except in the circumstances defined by the policies of each individual landlord. Applicants with pets may not, therefore, be eligible to be rehoused in certain types of properties, i.e. those with shared common hallways and/or access points.
- 8.12 These policies will not generally be applied to assistance dogs that are trained to assist a disabled person.

## **9. Other Information**

- 9.1 This section sets out information on equalities, support, data protection and information sharing, the review process and intermediate products.

### Equalities Duty

- 9.2 The Council will regularly monitor the application process to ensure that people with a protected characteristic, as defined in the Equality Act 2010, are not discriminated against. All applications will be assessed on their individual merits, taking into consideration the circumstances of the household and the information provided to the Council at the point of application.

### Language, Interpretation & Other Support

- 9.3 It is the intention of the Council to communicate with all applicants in their preferred format. Applicants will be asked to specify their preferred format when applying for housing.
- 9.4 In order to assist applicants applying for housing, the Council will make available language and interpretation support to those who have difficulty speaking or reading English, or who are visually and/or hearing impaired.
- 9.5 Where requested, the Council will provide assistance to support applicants during all aspects of the application process including, but not limited to, filling out an application form, completing an annual review, requesting a review of their application.
- 9.6 The Council will ensure that any information and advice it publishes in relation to this policy is available in Welsh, and in other languages and formats on request.
- 9.7 Landlords will need to ensure that similar levels of support are made available to their prospective tenants.

### Confidentiality & Data Protection

- 9.8 The Council will ensure that all information provided to it by applicants, and by third parties in relation to an application, is treated in strictest confidence. In doing so, the Council will ensure that it complies fully with the requirements of the [Data Protection Act 1998](#), in relation to the way it stores and processes the information it holds on applicants, and with s.166(4) of the Housing Act 1996. This undertaking is also extended to all participating landlords that are signed up to this policy.

### Information Sharing

- 9.9 The local authority and participating organisations are signed up to a protocol, which governs the way information is shared for the purpose of maintaining the common housing register. The information sharing protocol has been developed in-line with the framework produced by [The Wales Accord on the Sharing of Personal Information](#). The protocol ensures that information is shared between organisations safely and securely. This and, where applicable, other protocols will be utilised by the Council to verify any aspect of the application to ensure that it fulfils all statutory requirements.
- 9.10 As part of the application process, applicants will be required to consent to their personal information being shared for the purpose of being rehoused. Those applicants unwilling to consent to their information being shared will be considered by the Council not to have completed their application and, consequently, will not be admitted onto the common housing register (see paragraphs 6.24 & 6.27). Paragraphs 6.26-6.27 will not apply in this instance.
- 9.11 An applicant may request at any time that the information held on their application by the Council is, where applicable, shared with a support worker or advocate. The Council will not share this information until such a time as the applicant has provided it with disclosure authorisation, usually in the form of signed or informed consent.

### The Right to be Notified of a Decision & to Request a Review

- 9.12 In accordance with s.167(4A) of the Housing Act 1996, the Council will notify applicants in writing of any decision it makes to render either the applicant, or a prospective member of their household, ineligible on the grounds of unacceptable behaviour.
- 9.13 The applicant also has the right, on request, to be informed of any decision relating to the application, which has been, or is likely to be, taken into account, by either the Council or participating landlord, when considering whether or not to make them an offer of an allocation.
- 9.14 Applicants may request a review of a decision mentioned in either of the two paragraphs above or in respect of s.160A(9) of the Housing Act 1996 regarding those who are ineligible or who may be treated as such on the grounds of unacceptable behaviour.
- 9.15 A request for a review should be made in writing to the Council within 21 calendar days of receiving notification of a decision. Either the applicant or their representative, acting on their behalf, can make the request for a review. The review will be considered by the Housing Review Panel and will be completed within 56 calendar days from the date of request. The Council will inform the applicant in writing of the outcome of the review.

- 9.16 Where the review is regarding eligibility, relating either to a person from abroad, unacceptable behaviour, or financial resources, the applicant will not be actively considered for housing until the outcome of the review is known.

Low Cost Home Ownership & Intermediate Rent

- 9.17 All applications for intermediate products, such as low cost home ownership & intermediate renting, will be made through the common housing register to ensure that applicants have access to a wide range of housing options to meet their needs. Assessment of their suitability for intermediate products, however, is governed by a separate, stand-alone policy.

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**Caerphilly County Borough Council**

**Appendices to Common Allocation Policy for  
Caerphilly County Borough**

**November 2015**

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## Appendix 1: Summary of the Banding Scheme

<b>Band 1: Urgent need to move due to reasonable preference PLUS additional preference</b>	<b>Examples of Qualifying Circumstances / Summary of Criteria</b>
<p>Medical &amp; Welfare Grounds: hospital discharge.</p> <p>Reasonable Preference category s167(2)(iv)</p>	<p>Additional preference may be awarded to those people who have:</p> <ul style="list-style-type: none"> <li>(i) somewhere to live on leaving hospital but it is unsuitable for their needs and cannot be made suitable through adaptations due to cost, structural difficulties or the property cannot be adapted within a reasonable amount of time.</li> <li>(ii) nowhere at all to live when they leave hospital may qualify for Band 1 if the need to move is urgent, as assessed by the Council, and all other reasonable housing options have been explored.</li> </ul> <p>For points (i) and (ii) above, the occupational therapist (Housing) and/or Gofal will carry out an assessment of the need to move and, where applicable, make a recommendation on the type and size of accommodation required.</p>
<p>Medical &amp; Welfare Grounds: emergency medical or disability.</p> <p>Reasonable Preference category s167(2)(iv)</p>	<p>Additional preference will be awarded where, upon assessment, the Council is satisfied that either the applicant or member of their prospective household:</p> <ul style="list-style-type: none"> <li>(i) is currently receiving palliative care and urgently requires rehousing to facilitate the on-going provision of this care;</li> <li>(ii) has a life limiting condition and their current accommodation is affecting their ability to retain independence or enable adequate care;</li> <li>(iii) health is so severely affected by the accommodation that it is likely to become life threatening, e.g. applicant has severe mental health problems that are significantly exacerbated by their accommodation;</li> <li>(iv) is disabled and, as a direct result of the limitations posed by the current property, are unable to carry out day-to-day activities or have difficulty in accessing facilities inside or outside their home. The award of additional preference will not be</li> </ul>

	<p>made where it has been assessed by the Council that rehousing would not facilitate a reduction in the limitations identified; or</p> <p>(v) overcrowding in their current property leaves them at risk of infection, e.g. is suffering from late-stage or advanced HIV infection.</p> <p>For points (i)-(v) above, the Council will undertake an assessment of an applicant's or a member of their prospective household's need to move and the type of accommodation required. Such assessments will take into consideration all supporting information and will be carried out in accordance with paragraphs 7.6-7.13.</p>
<p>Medical &amp; Welfare Grounds: release of adapted property.</p> <p>Reasonable Preference category s167(2)(iv)</p>	<p>Additional preference may be awarded where:</p> <p>(i) a social housing tenant living in the county borough no longer requires the adaptations in their current home and by moving will free up an adapted property which is capable of meeting the needs of a disabled person waiting for accommodation or, without significant expense, could be adapted to meet the needs of a disabled person.</p> <p>This award may still be valid if the applicant requires adaptations, provided that the adaptations required are substantially different from those in their current home, as assessed by the Council.</p>
<p>Medical &amp; Welfare Grounds: domestic abuse, violence or harassment.</p> <p>Reasonable Preference category s167(2)(iv)</p>	<p>Additional preference will be awarded by the Council, where upon consultation with the relevant agencies, it is satisfied that the applicant or member of their prospective household is:</p> <p>(i) a high-risk victim of domestic abuse, who is subject to a MARAC (Multi Agency Risk Assessment Conference), as part of an agreed safety plan for high-risk victims; or</p> <p>(ii) suffering extreme violence, harassment or discrimination, whether a hate crime or otherwise, and that it is not safe for them to remain in their present home/locality.</p> <p>Prior to the award being made, the Council will liaise with the relevant agencies to ensure that the threat of domestic abuse, violence or harassment would be</p>

	significantly reduced via rehousing.
Armed Forces: former members, serious injury or loss of military accommodation	<p>An award of additional preference will be made to the following categories of people who:</p> <ul style="list-style-type: none"> <li>(i) left the British Armed Forces or British Reserve Forces within the last 5 years. In extenuating circumstance the Council may consider extending the 5 year period. In such instances a report would be presented to the Housing Assessment Panel for consideration;</li> <li>(ii) are serving members of the British Armed Forces or British Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result of service; or</li> <li>(iii) are bereaved spouses and civil partners of members of the British Armed Forces leaving services family accommodation following the death of their spouse or partner.</li> </ul>
<p>Insanitary Housing Conditions: unsatisfactory housing conditions in the private sector</p> <p>Reasonable Preference category s167(2)(iii)</p>	<p>Additional preference will be awarded to applicants:</p> <ul style="list-style-type: none"> <li>(i) that currently occupy a property where there is a statutory requirement to vacate due to a Demolition Order, Prohibition Order or clearance area (either by agreement or via compulsory purchase).</li> <li>(ii) whose living conditions pose an immediate threat to life or serious injury, as determined by an environmental health officer of the Council, and where there is no prospect of the issues being remedied in a period of time that the Council considers reasonable. However, if the issues are remedied before the applicant is re-housed, and the environmental health officer determines that no threats remain, the award will be rescinded.</li> </ul>
<p>Medical &amp; Welfare Grounds: serious threat to a child.</p> <p>Reasonable Preference category s167(2)(iv)</p>	<p>Additional preference will be awarded to an applicant where:</p> <ul style="list-style-type: none"> <li>(i) it has been established by the Council that a serious threat to the well-being of a child exists and that their accommodation is a contributory factor to the risk. These are cases where the Council can confirm that there is an urgent need to move to mitigate the risk to the child.</li> </ul>

	<p>The award will only be made upon production of a satisfactory report from child's social worker supporting the requirement to move. The report will need to be countersigned by relevant the Social Services service manager.</p>
<p>Statutory Homeless Grounds: Homeless with a duty to secure or owed a duty as a result of violence.</p>	<p>Additional preference will be awarded to an applicant who is deemed by the Council to be:</p> <p>(i) in priority need and are owed a s.75 duty under the Housing (Wales) Act 2014.</p> <p>(ii) owed a homelessness duty as a result of violence or threats of violence likely to be carried out and who as a result require urgent rehousing, including:</p> <ul style="list-style-type: none"> <li>• victims of domestic or other abuse;</li> <li>• victims of hate incidents; and</li> <li>• witnesses of crime, or victims of crime, who would be at risk of intimidation amounting to violence or threats of violence if they remained in their current homes.</li> </ul> <p>Applicants awarded additional preference under the criteria set out in paragraph 3.13 will be given one suitable offer of accommodation, as defined by s.59 of the Housing (Wales) Act 2014. If the offer is refused the homelessness duty will be ended and the reasonable preference award will be removed (s.84 of the Housing (Wales) Act 2014).</p>
<p>Medical or Welfare Grounds: move on from supported accommodation.</p> <p>Reasonable Preference category s167(2)(iv)</p>	<p>Additional preference will be awarded to an applicant who is determined by the Council to be ready for independent living:</p> <p>(i) on the recommendation of a support worker, is ready to move on from supported living in the county borough to independent housing and due to the nature and extent of their vulnerability, accommodation in the private rented sector would, through its short-term nature, have a detrimental effect on their well-being. Before the award is made, ongoing support needs will need to have been assessed and, where appropriate, a support plan put in place to increase the chances of the tenancy succeeding.</p> <p>If an application for housing is made before it has been determined by the Council that the individual is</p>

	<p>ready for independent living, taking into account information from the applicant's support worker and other agencies, the application will be placed in Band 1 and immediately suspended. The applicant will be able to request a review of the suspension via the criteria set out in paragraphs 7.41-7.44.</p>
<p>Exceptional Circumstances – Management Discretion</p>	<p>An award of additional preference will be made where:</p> <p>(i) due to highly exceptional and significant circumstances, an applicant needs to move urgently and the only way to expedite a move is through the use of management discretion (paragraphs. 4.7-4.11).</p> <p>In such circumstances, the Council will prepare a report for consideration by the Housing Assessment Panel. Should the Panel be satisfied that highly exceptional and significant circumstances exist and the need to move is urgent and could not be facilitated through normal means, then the applicant will be awarded reasonable preference with additional preference and placed at the top of Band 1, irrespective of waiting time.</p>
<p>Extreme Financial Hardship – Welfare Reform</p>	<p>An award of additional preference will be made where the applicant is:</p> <p>(i) under-occupying a social rented property and is suffering extreme financial hardship, as a direct result of welfare reform, and is prepared to downsize to a more suitable property with fewer bedrooms.</p> <p>The responsibility for undertaking a financial assessment lies with the relevant landlord, who will liaise directly with the Council. The decision to award additional preference lies solely with the Council and will be considered on a case-by-case basis. The award will only be made where the applicant is prepared to move to a more suitable property with fewer bedrooms, which thereby contributes to the alleviation of the financial hardship.</p>

<p><b>Band 2: Need to Move – Reasonable Preference</b></p>	<p><b>Examples of Qualifying Circumstances / Summary of Criteria</b></p>
<p>Homeless or Threatened With Homelessness</p>	<p>Reasonable preference will be awarded to an applicant who is deemed by the Council to be:</p>

	<p>(i) homeless within the meaning of Part 7 of the Housing Act 1996 or Part 2 of the Housing (Wales) Act 2014;</p> <p>(ii) owed a duty by a local authority under sections 66 and 73 of the Housing (Wales) Act 2014 or</p> <p>(iii) owed a duty by a local authority under section 190(2), 193 (2) or 195(2) of Part VII of the Housing Act 1996 or who are occupying accommodation secured by any local authority under section 192(3).</p> <p>Applicants awarded reasonable preference under the criteria set out in paragraph 3.23 will be given one suitable offer of accommodation, as defined by s.59 of the Housing (Wales) Act 2014. If the offer is refused the homelessness duty will be ended and the reasonable preference award will be removed (s.84 of the Housing (Wales) Act 2014).</p>
<p>Insanitary Housing Conditions: unsatisfactory housing conditions in the private sector where there is one or more Category 1 hazards (excluding overcrowding).</p> <p>Reasonable Preference category s167(2)(iii)</p>	<p>Reasonable preference is awarded to an applicant:</p> <p>(i) where an environmental health officer from the Council has determined that a private sector property (owner-occupied or tenanted) contains one or more serious Category 1 hazards, as defined by the <a href="#">Housing Health &amp; Safety Rating System</a>. The awarded is made in respect of a significant risk to the health and well-being of the occupant(s), and where there is no prospect of the issues being remedied in a period of time that the Council considers reasonable for that situation; or</p> <p>(ii) who lives in a House in Multiple Occupation, where a Suspended Prohibition Order is operative due to the lack of facilities and amenities for the number of occupants.</p> <p>With regards to points (i)-(ii) above, if the Council is subsequently satisfied that all serious Category 1 hazards have been remedied the reasonable preference award will be rescinded.</p>
<p>Under-Occupancy Grounds: under-occupying a social rented property</p>	<p>Reasonable preference will be awarded to an applicant:</p> <p>(i) where they are under-occupying a social rented</p>



<p>Reasonable Preference category s167(2)(iii)</p>	<p>property in the county borough, are suffering financial hardship, as a direct result of welfare reform, and are prepared to downsize to a more suitable property with fewer bedrooms.</p> <p>In cases of extreme financial hardship, following assessment, an applicant may be awarded additional preference (band 1). The responsibility for undertaking a financial assessment lies with the relevant landlord, who will liaise directly with the Council. The decision to award additional preference lies solely with the Council and will be considered on a case-by-case basis.</p> <p>(ii) who is regarded by the Council as an older person who is living in a social rented property in the county borough and wishes to downsize from 2, 3, 4 or 5 bed family accommodation to retirement housing, where there is an identified need for the accommodation they will be vacating.</p> <p>By older person we mean 60 years plus for those applicants requesting Caerphilly Homes or Wales &amp; West housing association accommodation only, and 55 years plus for those people requesting accommodation with the other landlords, unless age dispensation is applied (see paragraphs 5.25-5.27). Applicants requesting rehousing with both types of landlord will need to meet the specific age criteria with the relevant landlord to be eligible for the award.</p>
<p>Acute Overcrowding: as defined by the bedroom standard.</p> <p>Reasonable Preference category s167(2)(iii)</p>	<p>Reasonable preference will be awarded to an applicant who:</p> <p>(i) the Council is satisfied is overcrowding their current accommodation by 2 or more bedrooms. For the purpose of this policy, overcrowding is defined by Department for Work &amp; Pensions 'bedroom standard' (see Appendix 3). The assessment of overcrowding will be undertaken by the Council.</p> <p>Reasonable preference will not be awarded to facilitate a move on a like for like basis.</p> <p>Applicants who are determined by the Council to have either caused or exacerbated overcrowding by allowing family member(s) or other(s) to move into their property, after taking into consideration any cultural requirements, will not be awarded reasonable</p>

	preference under this category – see paragraphs 6.34-6.37.
<p>Medical Grounds: where housing conditions exacerbates a serious medical condition or disability.</p> <p>Reasonable Preference category s167(2)(iv)</p>	<p>Reasonable preference will be awarded for an applicant or member of their prospective household requiring accessible or adapted housing where upon assessment by the Council is it identified that:</p> <p>(i) the current accommodation directly exacerbates a recognised medical condition, is the direct cause of a medical condition or impacts on the ease of use of the facilities within their home for a disabled person. The award of reasonable preference will only be made where it has been assessed by the Council that rehousing would facilitate an improvement in wellbeing, taking into consideration all relevant supporting information.</p>
<p>Medical &amp; Welfare Grounds: child protection.</p> <p>Reasonable Preference category s167(2)(iv)</p>	<p>Reasonable preference will be awarded where:</p> <p>(i) there are children that are part of the application, who need to move and their accommodation has been assessed by the Council as being a contributory factor to the risk to the child.</p> <p>The award will only be made where:</p> <p>(i) there is a child protection plan in place; and</p> <p>(ii) a report from the child’s social worker supports the need to move, with rehousing being an important factor to the ongoing welfare of the child. The report will need to be countersigned by the relevant Social Services team manager.</p>
<p>Medical &amp; Welfare Grounds: domestic abuse, violence or harassment.</p> <p>Reasonable Preference category s167(2)(iv)</p>	<p>Reasonable preference will be awarded to an applicant who:</p> <p>(i) needs to move due to domestic abuse, violence or harassment, where it has been assessed by the relevant agencies they are not in any immediate danger.</p> <p>An assessment of an applicant’s need to move will be made by the Council, who will liaise with the relevant organisations.</p>
<p>Medical &amp; Welfare Grounds: hardship grounds.</p>	<p>Reasonable preference will be awarded where an applicant:</p>

<p>Reasonable Preference category s167(2)(iv)</p>	<p>(i) needs to move to a particular locality within the county borough, where failure to meet that need would cause hardship (to themselves or to others). The Council will only award priority on hardship grounds in exceptional circumstances. It will be for the applicant to reasonably demonstrate to the Council's satisfaction that hardship would occur if they were not to be awarded priority.</p> <p>For the purpose of this award, hardship relates to the need to move:</p> <p>(i) to take up or continue an employment opportunity not available elsewhere in the borough. Applicants will only be considered for this award where they do not live within a reasonable commuting distance of their place of current or prospective employment, taking into consideration their ability to use and the availability of public/private transport. The applicant will be required to provide the Council with confirmation of employment details from their employer;</p> <p>(ii) to be near relatives to give or receive support. The level and nature of the support will need to be substantial and ongoing, and must be related to a disability, severe mental health or medical condition or welfare issue. Additionally, it will need to be proven why the support cannot be provided using either public or private transport; or</p> <p>(iii) to gain access to healthcare and/or social services care. An award will be made where the applicant is able to demonstrate that they need to move to access healthcare and/or social services care, and cannot be reasonably be expected to use or there is no access to public or private transport, including provision put in place by the healthcare facility or social services.</p>
<p>Medical or Welfare Grounds: move on from a residential care setting.</p> <p>Reasonable Preference category s167(2)(iv)</p>	<p>Reasonable preference will be awarded to an applicant:</p> <p>(i) needing to move on from a residential care setting in the county borough and is regarded by social services as being vulnerable with a high level of housing need. To be eligible for this award they must be a former "Relevant Child", as defined by the <a href="#">Children (Leaving Care) Act 2000</a>, and be a young person at risk.</p>

	<p>If an application for housing is made before it has been determined by the Council that the individual is ready for independent living, taking into account information from the applicant's support worker and/or other agencies, the application will be placed in Band 3, unless they satisfy any of the other additional or reasonable preference criteria. When it has been determined that the individual is ready to move on, an awarded of Band 2 will be made by the Council.</p>
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<p><b>Band 3: Wants to Move – No Reasonable or Additional Preference, or Reasonable or Additional Preference &amp; No Local Connection</b></p>	<p><b>Examples of Qualifying Circumstances / Summary of Criteria</b></p>
<p>All other categories of applicant not covered in Bands 1 or 2.</p>	<p>All other categories of applicant not covered in Bands 1 or 2 will be placed in Band 3, this will include:</p> <ul style="list-style-type: none"> <li>(i) applicants who do not qualify for Reasonable Preference or Additional Preference but who would like to move to alternative accommodation, irrespective of whether or not they have a local connection;</li> <li>(ii) applicants who qualify for Reasonable Preference or Additional Preference but are regarded by the Council as not having a local connection (see paragraphs 2.35-2.36); and</li> <li>(iii) all other applicants as specified by this policy.</li> </ul>

## Appendix 2: Bypassing Criteria

- 2.1 This appendix to the common allocation policy sets out the circumstances where any of the landlords party to this policy may bypass an applicant who is next in line to be made an offer of accommodation.
- 2.2 All landlords agree that:
- (i) blanket bans should not be used; and
  - (ii) bypassing an applicant who would be next in line for an offer of accommodation will only be taken according to the criteria agreed and set out in this policy.
- 2.3 Although landlords may wish to retain:
- (i) exception rules that do not form part of the common allocation policy, e.g. rules relating to the size of accommodation to be offered; and
  - (ii) exemption rules in relation to domestic household pets.
- 2.3 All parties have agreed, as far as possible, to abide by a common set of rules and to keep exceptions to a minimum but all recognise the need for each organisation to manage their dwellings appropriately.
- 2.4 To support the efficient operation of this policy, the Housing Assessment Panel will meet monthly, or more frequently if parties agree, to review cases due an offer of housing, where their circumstances may lead to the applicant being bypassed or where there are exceptional circumstances that do not fit the examples listed in paragraph 2.5 but may still lead to the possibility of an applicant being bypassed. The Panel is therefore able to anticipate problem cases and agree an action plan under which an offer may or may not proceed.
- 2.5 The following is a list of examples that landlords may use of bypass an applicant due an offer of accommodation. They include but are not limited to:
- (i) Incomplete information;
  - (ii) Not eligible for property type
  - (iii) No response to offer within predefined timescales;
  - (iv) A sensitive letting; and
  - (v) A restriction placed on rehousing.
- 2.6 Other instances where a landlord may need to bypass an applicant due an offer of accommodation include where:

- (i) the applicant may be vulnerable and considered not yet ready to sustain a tenancy; or
  - (ii) it is considered there may be a risk to the applicant or others and a sensitive let may need to be planned.
- 2.7 It is not possible to describe every situation where an applicant may be bypassed. Individual cases that fall outside the criteria will need to be discussed by the Housing Assessment Panel. However, it is important that vulnerable applicants do not end up being bypassed because of a lack of pre offer planning resulting in an offer not being made because of a lack of information or of an appropriate support package.
- 2.8 Where there are applicants who are extremely vulnerable or considered to pose a risk to themselves or others the case should be submitted to the Housing Assessment Panel meeting to decide whether they are ready to sustain a tenancy and what support package is required so that an offer of accommodation can be made.
- 2.9 The type of information to be considered by the Housing Assessment Panel may include:
- (i) details of any long-term illness, health problem, or disability that requires specific or specialist housing, care or support;
  - (ii) details of other care and support needs, for example because of vulnerability due to learning difficulties;
  - (iii) details of proposed, existing and previous packages of care provision provided by statutory or other bodies where known;
  - (iv) relevant and reasonable information with regard to previous history of anti-social behaviour that might impact on the safety of the community; or
  - (v) type of accommodation moving from and any additional available accommodation history.
- 2.10 The reasons that applicants are bypassed will be recorded on the common housing register IT system and monitored to ensure compliance with the by-passing criteria.
- 2.11 Unless paragraph 2.12 applies, the landlord will be required to inform an applicant by telephone, email or letter of the reasons why they have been by-passed. This is to allow the applicant to address the reasons why they have been by-passed and to prevent this from happening again in the future, e.g. non-compliance with a debt repayment plan. The landlord will refer the applicant to the common housing register

team to receive advice and assistance on preventing them from being by-passed.

- 2.12 The landlord will not be required to inform the applicant when the by-pass is undertaken because the applicant does not meet the required property related criteria, i.e. for sensitive lets, non pet access etc.
- 2.13 Any dispute arising from the refusal by a landlord to make an offer of accommodation to an applicant where any partner believes this is contrary to the agreed policy shall be resolved in accordance with the following procedure:
- (i) Within 2 days of a concern being raised, the Council's nominated officer shall meet with a nominated officer from the landlord where the claim is that an offer has not been made for a reason not covered in the policy and all parties shall use all reasonable endeavours to settle the dispute amicably, in good faith.
  - (ii) If the dispute cannot be resolved through (i) above it will be referred to the Council's senior officer with overall responsibility for the common housing register and, depending on the organisations involved, the Council's Chief Housing Officer or Chief Executive of the housing association, who shall use best endeavours to discuss the matter within 2 days of the dispute being referred to them and shall use all reasonable endeavours to settle the dispute amicably and in good faith.

### Appendix 3: Social Size Criteria – Bedroom Count

The rules allow 1 bedroom for:

- every adult couple (married or unmarried);
- any other adult aged 16 or over;
- any 2 children of the same sex aged under 16;
- any 2 children aged under 10;
- any other child (other than a foster child or child whose main home is elsewhere);
- children who can't share because of a disability or medical condition; and
- a carer (or team of carers) providing overnight care.

One spare bedroom is allowed for:

- an approved foster carer who is between placements, but only for up to 52 weeks from the end of the last placement; and
- a newly approved foster carer for up to 52 weeks from the date of approval if no child is placed with them during that time.

Category	Social Size Criteria Bedroom Size
Adult aged 16 or over	1 bed
Adult aged 16 or over plus 1 child	2 bed
Adult aged 16 or over plus 2 children aged under 10	2 bed
Adult aged 16 or over plus 2 children of the same sex aged under 16	2 bed
Adult aged 16 or over plus 3 children	3 bed
Adult aged 16 or over plus 4 children (4 children aged under 10)	3 bed
Adult aged 16 or over plus 4 children (2 children of the same sex aged under 16 plus 2 other children of the same sex aged under 16)	3 bed
Adult aged 16 or over plus 4 children (2 children aged under 10 plus 2 children of the same sex aged under 16)	3 bed
Adult aged 16 or over plus 4 children (with a configuration other than listed above)	4 bed
Adult couple (married or unmarried)	1 bed
Adult couple plus 1 child (married or unmarried)	2 bed
Adult couple (married or unmarried) plus 2 children aged under 10	2 bed
Adult couple (married or unmarried) plus 2 children of the same sex aged under 16	2 bed
Adult couple (married or unmarried) plus 3 children	3 bed
Adult couple (married or unmarried) plus 4 children (4 children aged under 10)	3 bed
Adult couple (married or unmarried) plus 4 children (2	3 bed



children of the same sex aged under 16 plus 2 other children of the same sex aged under 16)	
Adult couple (married or unmarried) plus 4 children (2 children aged under 10 plus 2 children of the same sex aged under 16)	3 bed
Adult couple (married or unmarried) plus 4 children (with a configuration other than listed above)	4 bed

### Appendix 4: Household Size Criteria

Category	Aelwyd	Cadwyn	Caerphilly CBC	Charter	Derwen Cymru	Linc Cymru	United Welsh	Wales & West
Adult aged 16 or over	1 bedroom flat/bedsit, 2 bedroom flat – 55+ years only	1 bedroom flat	1 bedroom flat/bedsit, 2 bedroom flat	1 bed flat/bedsit		1 bed flat/bedsit	1 bed flat/bedsit	1 bedroom flat/studio
Adult aged 16 or over plus 1 child	N/a	2 bedroom flat	2/3 bedroom house/flat/maisonette	2 bedroom flat or house		2 bedroom flat/house	2 bedroom flat/house	2 bedroom
Adult aged 16 or over plus 2 children aged under 10	N/a	2 bedroom flat	2/3/4 bedroom house/flat/maisonette	2/3 bedroom house		2 bedroom flat/house	2 bedroom flat/house or 3 Bed house	2 bedroom
Adult aged 16 or over plus 2 children of the same sex aged under 16	N/a	2 bedroom flat	2/3/4 bedroom house/flat/maisonette dependent on local lettings	2/3 bedroom flat or house		2 bedroom flat/house	2 bedroom flat/house or 3 bedroom house	2 bedroom
Adult aged 16 or over plus 3 children	N/a	N/a	3/4 bedroom house/flat/maisonette	3/4 bedroom house		3/4 bedroom house	3/4 bedroom house	3 bedroom
Adult aged 16 or over	N/a	N/a	3/4	3/4		3/4	3/4/5	3 bedroom

plus 4 children (4 children aged under 10)			bedroom house/flat	bedroom house		bedroom house	bedroom house	
Adult aged 16 or over plus 4 children (2 children of the same sex aged under 16 plus 2 other children of the same sex aged under 16)	N/a	N/a	3/4 bedroom house/flat	3/4 bedroom house		3/4 bedroom house	3/4/5 bedroom house	3 bedroom
Adult aged 16 or over plus 4 children (2 children aged under 10 plus 2 children of the same sex aged under 16)	N/a	N/a	3/4 bedroom house/flat/maisonette	3/4 bedroom house		3/4 bedroom house	3/4/5 bedroom house	3 bedroom
Adult aged 16 or over plus 4 children (with a configuration other than listed above)	N/a	N/a	3/4 bedroom house/flat/maisonette	4 bedroom house		4 bedroom house	3/4/5 bedroom house	4 bedroom
Adult couple (married or unmarried)	N/a	1 bedroom flat	1/2 bedroom flat/house/maisonette	1/2 bedroom flat		1 bedroom flat/house	1 bed flat (2 bed house or flat if downsizing from a 3/4/5 bedroom house)	1 bedroom
Adult couple plus 1 child (married or unmarried)	N/a	2 bedroom flat	2/3 bedroom	2 bedroom flat or		2 bedroom flat or	2 bed flat or house	2 bedroom

			house/flat/ maisonette	house		house		
Adult couple (married or unmarried) plus 2 children aged under 10	N/a	2 bedroom flat	2/3 bedroom house/flat/maisonette	2/3 bedroom house		2 bedroom house	2/3 bedroom flat/house	2 bedroom
Adult couple (married or unmarried) plus 2 children of the same sex aged under 16	N/a	2 bedroom flat	2, 3, 4 bedroom house/flat/maisonette	2/3 bedroom house		2 bedroom house	2/3 bedroom flat/house	2 bedroom
Adult couple (married or unmarried) plus 3 children	N/a	N/a	3/4 bedroom house/flat	3/4 bedroom house		3 bedroom house	3/4 bedroom house	3 bedroom
Adult couple (married or unmarried) plus 4 children (4 children aged under 10)	N/a	N/a	3/4 bedroom house/flat	3/4 bedroom house		3/4 bedroom house	3/4/5 bedroom house	3 bedroom
Adult couple (married or unmarried) plus 4 children (2 children of the same sex aged under 16 plus 2 other children of the same sex aged under 16)	N/a	N/a	3/4 bedroom house/flat	3/4 bedroom house		3/4 bedroom house	3/4/5 bedroom house	3 bedroom
Adult couple (married or unmarried) plus 4 children (2 children aged under 10 plus 2 children of the same sex aged	N/a	N/a	3/4 bedroom house/flat	3/4 bedroom house		3/4 bedroom house	3/4/5 bedroom house	3 bedroom

under 16)								
Adult couple (married or unmarried) plus 4 children (with a configuration other than listed above)	N/a	N/a	4 bedroom house	4 bedroom house		4 bedroom house	4/ 5 bedroom house	4 bedroom

## **Appendix 5: Affordability Assessment Criteria**

[Include here copies of the landlords' individual affordability criteria.]

## Appendix 6: Minimum Age Related Criteria For Retirement Housing

	<b>Older People's Housing</b>	<b>Sheltered Housing</b>
<b>Aelwyd</b>	55+	N/a
<b>Cadwyn</b>	N/a	N/a
<b>Caerphilly CBC</b>	60+	60+
<b>Charter</b>	N/a	N/a
<b>Derwen Cymru</b>	55+ (50+ with disability)	N/a
<b>Linc Cymru</b>	55+	55+
<b>United Welsh</b>	55+	55+
<b>Wales &amp; West</b>	60+ (55+ with medical)	60+ (55+ with medical)

## Appendix 7: Categories of Disability

The Council uses the criteria below to match disabled people to suitable housing which closely suits their needs:

Property Classification	Criteria
A1	Independent wheelchair user. Will require ground floor accommodation or vertical lift access to alternative floors. Access to property must be level or ramped to a maximum of 1:12. The accommodation will need to be entirely wheelchair accessible i.e. door widths to a minimum of 780mm.
A2	Dependant wheelchair user. Will require ground floor accommodation or vertical lift access to alternate floors. Access to the property must be level or ramped to a maximum of 1:12. Internally full access to the property may not be necessary but essential rooms will need to have minimum door widths of 780mm.
B1	Semi ambulant person who is unable to negotiate steps or stairs, or who is dependent on a wheelchair out of doors. The property will need to be ground floor or have either stair lift or vertical lift access to alternate floors. Access to the property will need to be level or ramped to a minimum of 1:12.
B 2	Semi ambulant person who is able to negotiate a limited number of steps. The property may be ground floor or have either stair lift or vertical lift access to alternate floors. Access to the property does not need to be level but should have a limited number of steps with handrail provision.
C	An ambulant person who is able to negotiate steps and stairs on a limited basis.



## Appendix 8: Accessible Housing Classifications

The Council uses the criteria below to identify accessible housing and match disabled applicants with suitable accommodation based on their specific requirements:

Property Classification	Criteria
A1	A highly adapted or purpose built property, providing wheel chair access throughout. Access to alternative levels will need to be achieved by a stair lift or vertical lift and access to the property would need to be level or ramped to a maximum of 1:12 gradient. All doorways to be a minimum of 780mm clear opening.
A2	A property allowing wheelchair access to main facilities, i.e. bathing, living and sleeping facilities. Access to alternative floors will need to be achieved by a stair lift or vertical lift Access to the property will need to be level or ramped to a maximum gradient of 1:12.
B1	A ground floor property, first floor property with lift access or a two-storied property allowing either a stair lift or vertical lift access to the first floor. Access to the property should be level or ramped to a maximum gradient of 1:12.
B2	A ground floor property, first floor property with lift access or a two-storied property allowing stair lift access to the first floor. Access to the property should have a maximum of three steps.
C1	A first floor property so facilities are on one level. Lift access to first floor not essential. Access to the property should have a maximum of six steps.
C2	A two storied property with WC facilities on both levels. Lift access to first floor not essential. Access to the property should have a maximum of six steps.
C3	Ground floor property with maximum 6 steps.
D	A property not suitable for adaptation.

## Appendix 9: Best Match Shortlisting Criteria

If an A1 property becomes void then the process will be:

Stage	Action
1.	Shortlist category A1 applicants in band 1. If no suitable applicants found then go to next stage.
2.	Shortlist A1 applicants in band 2. If no suitable applicants found then go to next stage.
3.	Shortlist A2 applicants in band 1. If no suitable applicants found then go to next stage.
4.	Shortlist A2 applicants in band 2. If no suitable applicants found then go to next stage.
5.	Consider A1 applicants in band 3. If no suitable applicants found then go to next stage.
6.	Consider A2 applicants in band 3. If no suitable applicants found then allocate from main list.

If an A2 property becomes void then the process will be:

Stage	Action
1.	Shortlist A2 applicants in band 1. If no suitable applicants found then go to next stage.
2.	Shortlist A2 applicants in band 2. If no suitable applicants found then go to next stage.
3.	Consider A2 applicants in band 3. If no suitable applicants found then allocate from main list.

If a B1 property becomes void then the process will be:

Stage	Action
1.	Shortlist category B1 applicants in band 1. If no suitable applicants found then go to next stage.
2.	Shortlist B1 applicants in band 2. If no suitable applicants found then go to next stage.
3.	Consider B1 applicants in band 3. If no suitable applicants found then allocate from main list.

If a property becomes void with usable adaptations (major) in situ, the process would be:

Stage	Action
1.	Shortlist category B1 applicants in band 1. If no suitable applicants found then go to next stage.
2.	Shortlist B1 applicants in band 2. If no suitable applicants found then go to next stage.
3.	Consider B1 applicants in band 3. If no suitable applicants found then allocate from main list.

## Appendix 10: Contact Details

Copies of this policy will be made available to the public to view at the following locations:

Organisation	Contact Details			
	Address	Telephone	Email	Web Site
Aelwyd Housing Association	56-58 Richmond Road Cardiff CF24 3ET	02920 481203	<a href="mailto:enquiries@aelwyd.co.uk">enquiries@aelwyd.co.uk</a>	<a href="http://www.aelwyd.co.uk">www.aelwyd.co.uk</a>
Cadwyn	197 Newport Road Cardiff CF24 1AJ	029 2049 8898	<a href="mailto:info@cadwyn.co.uk">info@cadwyn.co.uk</a>	<a href="http://www.cadwyn.co.uk">www.cadwyn.co.uk</a>
Caerphilly CBC	Penallta House Tredomen Park Ystrad Mynach Hengoed CF82 7PG	01443 815588	<a href="mailto:housing@caerphilly.gov.uk">housing@caerphilly.gov.uk</a>	<a href="http://www.caerphilly.gov.uk">www.caerphilly.gov.uk</a>
	Housing Advice Section Gilfach Bargoed CF81 8ND	01443 873552		
Charter Housing	The Old Post Office Exchange House High Street NP20 1AA	01633 212375	<a href="mailto:lettings@charterhousing.co.uk">lettings@charterhousing.co.uk</a>	<a href="http://www.charterhousing.co.uk">www.charterhousing.co.uk</a>
Derwen Cymru	6 <sup>th</sup> Floor Clarence House Clarence Place Newport NP19 7AA	01633 261990	<a href="mailto:info@derwencymru.co.uk">info@derwencymru.co.uk</a>	<a href="http://www.derwencymru.co.uk/">http://www.derwencymru.co.uk/</a>
Linc Cymru Housing Association	387 Newport Road Cardiff CF24 1GG	0800 072 0966 or 02920 473767	<a href="mailto:contactcentre@linc-cymru.co.uk">contactcentre@linc-cymru.co.uk</a>	<a href="http://www.linc-cymru.co.uk">www.linc-cymru.co.uk</a>
United Welsh Group	Y Borth 13 Beddau Way Caerphilly CF83 2AX	0800 294 0195 029 2085 8100	<a href="mailto:tellmemore@unitedwelsh.com">tellmemore@unitedwelsh.com</a>	<a href="http://www.unitedwelsh.com">www.unitedwelsh.com</a>
Wales & West	3 Alexandra	0800 052	<a href="mailto:contactus@wwha.co">contactus@wwha.co</a>	<a href="http://www.wwha.co">www.wwha.co</a>

Housing	Gate Ffordd Pengam Tremorfa Cardiff CF24 2UD	2526 029 2041 5300 Minicom: 0800 052 2505	<a href="http://wha.co.uk">wha.co.uk</a>	<a href="http://.uk">.uk</a>
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## CABINET – 11TH NOVEMBER 2015

**SUBJECT: PROPOSED CHANGE TO THE CAERPHILLY COUNTY BOROUGH COUNCIL CIL REGULATION 123 LIST OF INFRASTRUCTURE**

**REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES AND SECTION 151 OFFICER**

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- 1.1 The attached report was considered by the Regeneration and Environment Scrutiny Committee on 27th October 2015, prior to its presentation to Cabinet and thereafter Council. The report, which presented the findings of the public consultation exercise undertaken in respect of the proposed changes to the Regulation 123 List, sought Members' approval on the publication of the Replacement Regulation 123 List in accordance with the implementation of Community Infrastructure Levy (CIL).
  - 1.2 Members were advised that Regulation 123 of the Community Infrastructure Levy Regulations 2010 (as amended) sets out the requirement for the CIL Charging Authority to publish a list of the infrastructure that can be funded through CIL. It is proposed to make some changes to this list which will enable school provision to be sought on-site in line with the aspirations of the adopted LDP. The proposed changes to the Regulation 123 List (as appended to the report) will have a minimal impact on the viability evidence that was considered by the CIL Examiner in that it will only impact on two specific sites (namely Waterloo Works and Bedwas Colliery).
  - 1.3 It was noted that two representations had been received in response to consultation on the Replacement Regulation 123 List, and a summary of these, together with an officer response to each of the points raised, were contained within the report appendices.
  - 1.4 Discussion took place regarding the impact of the proposed changes on the use of Section 106 agreements, and Officers also responded to a number of queries in respect of the CIL Charging Schedule.
  - 1.5 Following consideration and discussion of the report, the Regeneration and Environment Scrutiny Committee unanimously recommended to Cabinet (and thereafter Council) that for the reasons contained therein:-
    - (i) the findings of the public consultation exercise undertaken in August/September 2015 in respect of the proposed changes to the Regulation 123 List be considered and noted;
    - (ii) the Replacement Regulation 123 List be approved for publication in accordance with the implementation of Community Infrastructure Levy.
  - 1.6 Members are asked to consider the recommendations.

Author: R. Barrett, Committee Services Officer, Ext. 4245

Appendices:

Appendix 1 Report to Regeneration and Environment Scrutiny Committee on 27th October 2015 – Agenda Item 7

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## REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE 27TH OCTOBER 2015

**SUBJECT: PROPOSED CHANGE TO THE CAERPHILLY COUNTY BOROUGH  
COUNCIL CIL REGULATION 123 LIST OF INFRASTRUCTURE**

**REPORT BY: CORPORATE DIRECTOR - COMMUNITIES**

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### **1. PURPOSE OF REPORT**

- 1.1 To consider and note the findings of the of the public consultation exercise undertaken in August/September 2015 in respect of the proposed changes to the Regulation 123 List.
- 1.2 To recommend that the Replacement Regulation 123 List be referred to Cabinet and Council for consideration.
- 1.3 To recommend to Cabinet and thereafter Council that the Replacement Regulation 123 List be approved for publication in accordance with the implementation of CIL.

### **2. SUMMARY**

- 2.1 The Community Infrastructure Levy (CIL) is a system of charges that local authorities can choose to levy against new development in their areas. Different rates of charge are identified for different types of development, dependent upon how viable each type of development is. The revenue generated from CIL is then used to fund infrastructure that will support future planned development in the county borough. Once introduced it is a mandatory charge that is levied against all new qualifying development.
- 2.2 Regulation 123 of the Community Infrastructure Levy Regulations 2010 (as amended) sets out the requirement for the CIL Charging Authority to publish a list of the infrastructure that can be funded through CIL.
- 2.3 It is proposed that the approved Regulation 123 list be modified to amend the first social infrastructure item i.e. "Education Provision (Schools)" to read "off-site education provision (schools)". With a subsequent change to paragraph 5.5 to refer to "on-site education provision (schools)" The proposed change to the Regulation 123 list would enable school provision to be sought on-site in line with the aspirations of the adopted LDP.
- 2.4 It is considered that the proposed change to the Regulation 123 List will have a minimal impact on the viability evidence that was considered by the Examiner as it will only impact on two specific sites, namely HG1.57 Waterloo and HG1.60 Bedwas Colliery.
- 2.5 The Replacement Regulation 123 List was subject of appropriate consultation from 5 August 2015 to 9 September 2015 in line with guidance contained in Planning Practice Guidance (as amended June 2015) at which time the reasoned justification for the change to the list was outlined.

- 2.6 Two representations have been submitted for consideration, one from the Home Builders Federation and one from Savills (UK) Ltd, Chartered Surveyors, representing Machen Land Limited (MLL) i.e. the land-owner and promoter of the Waterloo Works site. Appendix 1 outlines a summary of the representations received together with an officer response to each of the points raised.
- 2.7 This Report invites elected members to: 1) consider and note the findings of the of the public consultation exercise undertaken in August/September 2015 in respect of the proposed changes to the Regulation 123 List; 2) recommend that the Replacement Regulation 123 List be referred to Cabinet and Council for consideration; and 3) recommend to Cabinet and thereafter Council that the Replacement Regulation 123 List be approved for publication in accordance with the implementation of CIL.

## **GLOSSARY OF ACRONYMS, ABBREVIATIONS AND TERMS**

<b>CIL</b> .....	Community Infrastructure Levy
<b>LDP</b> .....	Caerphilly County Borough Local Development Plan up to 2021
<b>s.106</b> .....	Section 106 of the Town and Country Planning Act 1990
<b>IAR</b> .....	Infrastructure Assessment Report
<b>Charging Schedule</b> .....	Caerphilly Community Infrastructure Levy Charging Schedule
<b>Regulation 123 List</b> ...	Regulation 123 List of Infrastructure, which sets out the infrastructure that CIL can be used to fund.

## **3. LINKS TO STRATEGY**

- 3.1 The CIL will directly assist in the delivery of the Council's land use objectives as set out in the Caerphilly County Borough Local Development Plan up to 2021 (LDP). CIL will expand upon LDP Policy SP7 Planning Obligations, which sets out the strategic policy basis for securing Planning Obligations (s.106 Obligations) where they are necessary to remove obstacles to planned development.
- 3.2 CIL will be one of the mechanisms for making direct contributions toward the provision of many of the allocations set out in the Adopted LDP. Overall CIL will be a significant tool for the delivery of the Council's aspirations in terms of infrastructure that cannot be funded through other means and for which no alternative funding mechanisms are available.
- 3.3 As such, CIL will also support the Council in achieving the aims of Caerphilly Delivers, the LSB Single Integrated Plan, particularly the Prosperous, Greener and Safer themes.

## **4. THE REPORT**

- 4.1 The Community Infrastructure Levy (CIL) is a system of charges that local authorities can choose to levy against new development in their areas. Different rates of charge are identified for different types of development, dependent upon how viable each type of development is. The revenue generated from CIL is then used to fund infrastructure that will support future planned development in the county borough. It is a mandatory charge that is levied against all new qualifying development.
- 4.2 Caerphilly County Borough Council resolved to approve the CIL Charging Schedule at a meeting of the Full Council held on 10 June 2014, with an implementation date of 1 July 2014.
- 4.3 Regulation 123 of the Community Infrastructure Levy Regulations 2010 (as amended) sets out the requirement for the CIL Charging Authority to publish a list of the infrastructure that can be funded through CIL. To this end, the Caerphilly County Borough Council Regulation 123 List of Infrastructure (the Regulation 123 List), was approved by Council in tandem with



the CIL Charging Schedule on the 10 June 2014.

4.4 Further to the implementation and monitoring of the CIL, officers are of the view that there is a need to amend the approved Regulation 123 List in respect of on-site education provision to allow s.106 funding to be sought. Where a site is sufficiently large to generate the need for on-site provision and this is identified in the adopted LDP, it is within the spirit of the legislation that such provision should properly be made through a s.106 obligation. In such cases the provision of this critical infrastructure clearly meets the statutory tests laid down for s.106 obligations in that it is:

- Necessary to make the development acceptable in planning terms;
- Directly related to the proposed development; and
- Fairly and reasonably related in scale and kind to the development in question.

#### **Relationship between s.106 Obligations and CIL**

4.5 There is a need therefore to amend the Regulation 123 List in order to ensure that planning obligations and the CIL can operate in a complementary way in this regard. Moreover it is important to ensure that the local use of the CIL and planning obligations do not overlap; and that there is no potential for a developer to pay twice for the same piece of infrastructure.

4.6 It is therefore proposed that the approved Regulation 123 List be modified to remove on-site education from the list so that this essential infrastructure can be funded via s.106 obligation where the provision can meet the statutory tests above. It is further proposed that off-site education provision continues to be funded through CIL in line with the approved Regulation 123 List. To this end it is proposed that the Regulation 123 list be modified to amend the first social infrastructure item i.e. "Education Provision (Schools)" to read "off-site education provision (schools)". With a subsequent change to paragraph 5.5 to refer to "on-site education provision (schools)"

#### **Site Specific Impact of Proposed Change**

4.7 Only three housing sites within the adopted LDP are required to make on-site provision for education, namely:

- HG1.33 Penallta Colliery (Cwm Calon) Ystrad Mynach - provision has been made via s.106 and the school is now developed.
- HG1.57 Waterloo Works, Waterloo - planning permission has been granted subject to the signing of a s.106, which includes the provision of a school. The s.106 was not signed prior to the introduction of CIL and is therefore no longer capable of implementation. A report outlining the current position is likely to be considered by Planning Committee later this year.
- HG1.60 Bedwas Colliery, Bedwas.- the site has not progressed to planning application stage.

#### **CIL Examination and Viability**

4.8 The proposed change to the Regulation 123 list would enable school provision to be sought on-site in line with the aspirations of the adopted LDP.

4.9 This approach would also be consistent with the evidence that was considered at the CIL Examination where the Infrastructure Assessment Report (IAR) assumed that in all of the above cases the on-site education provision would be delivered through a combination of the Council's Capital Budget and via s.106 obligations. The IAR assumed a developer contribution of circa £5m for on site-education provision for each of the sites in question.

- 4.10 The Economic Viability Study that was considered by the Examiner made no specific allowance for residual s.106 obligations relating to site-specific infrastructure; however he concluded that the CIL had been set appropriately to accommodate the variable s.106 element of development costs.
- 4.11 When charging authorities wish to revise their regulation 123 list, they should ensure that these changes are clearly explained and subject to appropriate consultation. However, where a change to the regulation 123 list would have a very significant impact on the viability evidence that supported examination of the charging schedule, this should be made as part of a review of the charging schedule.
- 4.12 It is considered that the proposed change to the Regulation 123 List will have a minimal impact on the viability evidence that was considered by the Examiner as it will only impact on two specific sites, namely HG1.57 Waterloo and HG1.60 Bedwas Colliery.
- 4.13 It is important to note in this context that site viability is very scheme and site specific. Further, viability is a material consideration in the determination of planning applications and detailed viability assessments are routinely submitted for consideration as part of the planning application process. If viability is shown to be marginal on a specific scheme, the Council has the ability to be flexible and negotiate with the applicant in terms of those contributions that are to be sought through s.106 obligations. Conversely, the CIL rates for a proposal are set and are non-negotiable.
- 4.14 The Replacement Regulation 123 List was subject of appropriate consultation from 5 August 2015 to 9 September 2015 in line with guidance contained in Planning Practice Guidance (as amended June 2015) at which time the reasoned justification for the change to the list was outlined. The consultation was targeted at: respondents that have previously expressed an interest in CIL, the development industry, County Borough Councillors, Community Councils, and neighbouring Local Planning Authorities. In addition, a notice was placed in the Caerphilly Observer on the 31 July and the 6 August 2015 and information was placed on the Council's web page in order to alert any other interested people of the consultation exercise.
- 4.15 Two representations have been submitted for consideration, one from the Home Builders Federation ( HBF ) and one from Savills (UK) Ltd, Chartered Surveyors, representing Machen Land Limited (MLL) i.e. the land-owner and promoter of the Waterloo Works site. Appendix 1 outlines a summary of the representations received together with an officer response to each of the points raised.
- 4.16 Officers consider that there is an immediate need to amend the Regulation 123 List to ensure that the provision of critical on-site education infrastructure that is necessary to make development acceptable in planning terms at both Waterloo and Bedwas Colliery can be sought through s.106 obligations.
- 4.17 Finally, members should be aware that as an integral part of the preparation of the Replacement Deposit Local Development Plan up to 2031, the viability evidence underpinning the CIL Charging Schedule and the affordable housing policy will need to be reviewed in full. This work is presently underway and the HBF and other key stakeholders are involved in the viability testing associated with this work. A new Charging Schedule and Regulation 123 List will be prepared in tandem with the Replacement Deposit LDP and will be subject to Council consideration and full public consultation in due course. On completion of this work all of the current CIL documentation will be superseded.

## **5. EQUALITIES IMPLICATIONS**

- 5.1 There are no direct implications associated with this report, however the consultation with the public was undertaken in line with the Council's Public Engagement Strategy and the Equalities Consultation and Monitoring Guidance, ensuring that all minority groups in the community had the opportunity to take part in the consultation exercise.

## **6. FINANCIAL IMPLICATIONS**

- 6.1 The proposed change to the Regulation 123 List will enable the Local Planning Authority to seek to negotiate s.106 obligations for the provision of on-site education, negating the need for the Education Authority to bear the cost of that total provision. Clearly this is subject to the Council prioritising on-site school provision over other types of development such as affordable housing.

## **7. PERSONNEL IMPLICATIONS**

- 7.1 There are no direct personnel implications as a consequence of this report

## **8. CONSULTATIONS**

- 8.1 All comments have been incorporated into the report

## **9. RECOMMENDATIONS**

- 9.1 To consider and note the findings of the of the public consultation exercise undertaken in August/September 2015 in respect of the proposed changes to the Regulation 123 List.
- 9.2 To recommend that the Replacement Regulation 123 List be referred to Cabinet and Council for consideration.
- 9.3 To recommend to Cabinet and thereafter Council that the Replacement Regulation 123 List be approved for publication in accordance with the implementation of CIL.

## **10. REASONS FOR THE RECOMMENDATIONS**

- 10.1 In order to consider the representations made to the public consultation exercise undertaken in August/September 2015 in respect of the proposed changes to the Regulation 123 List.
- 10.2 In order to assist in the implementation and understanding of the CIL charge.
- 10.3 In order to secure s106 obligations for on-site education provision to make planned development acceptable in planning terms.

## **11. STATUTORY POWER**

- 11.1 The council, as local planning authority, is empowered under the provisions of Part 11 of the Planning Act 2008 to undertake preparation and implementation of CIL

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Consultees:	Cllr K James	Cabinet Member for Regeneration, Planning and Sustainable Development
	Cllr D T Davies	Chair of Regeneration and Environment Scrutiny Committee
	Chris Burns	Interim Chief Executive
	Nicole Scammell	Acting Director of Corporate Services & S151
	Christina HARRY	Corporate Director
	Bleddyn Hopkins	Assistant Director, Education
	Pauline Elliott	Head of Regeneration and Planning
	Tim Stephens	Development Manager

Gail Williams  
David Thomas  
Mike Eedy

Interim Head of Legal Services/Monitoring Officer  
Senior Policy Officer (Equalities and Welsh Language)  
Finance Manager

Background Papers: Community Infrastructure Levy (CIL) - Approval and Implementation of  
Caerphilly County Borough CIL Charging Schedule – Council Report 10 June 2014.

Appendices:

- Appendix 1 Comments received in respect of the Proposed Change to the Caerphilly County  
Borough Council CIL Regulation 123 List of Infrastructure
- Appendix 2 Caerphilly County Borough Council Community Infrastructure Levy Replacement  
Regulation 123 List of Infrastructure

**COMMENTS RECEIVED IN RESPECT OF THE PROPOSED CHANGE TO THE CAERPHILLY COUNTY BOROUGH COUNCIL CIL REGULATION 123 LIST OF INFRASTRUCTURE**

**Home Builders Federation - Representation 1**

The Council notes in their consultation document that:

“Regulation 123 Lists are not subject to the same procedural requirements that have been set out for the CIL Charging Schedule. Currently Regulation 123 only requires that the Regulation 123 Lists be published. It does not convey any requirement for consultation or set out any formal procedures. Consequently the council may change its Regulation 123 List as it sees fit.”

The HBF would advise that guidance on changes to the Regulation 123 list was incorporated within the Planning Practice Guidance (PPG) on 12th June 2015. It states that:

“When charging authorities wish to revise their regulation 123 list, they should ensure that these changes are clearly explained and subject to appropriate consultation. Charging authorities should not remove an item from the regulation 123 list just so that they can fund this item through a new section 106 agreement. Authorities may amend the regulation 123 list without revising their charging schedule, subject to appropriate consultation. However, where a change to the regulation 123 list would have a very significant impact on the viability evidence that supported examination of the charging schedule, this should be made as part of a review of the charging schedule”

The HBF note that the Council have consulted on the changes, however we are concerned (see comments below) about whether the Council have met the other criteria in the statement above. Accordingly the HBF would suggest that the Council need to evidence whether or not the proposed change does or doesn't have a 'significant impact on the viability evidence'.

**Officer Response**

The Council acknowledges and is aware of the changes to the Planning Practice Guidance introduced in June 2015 and has undertaken the appropriate consultation as required. Paragraph 2 of the Replacement Regulation 123 List will be amended accordingly.

The proposed change to the Regulation 123 List will have a minimal impact on the viability evidence that was considered by the Examiner as it will only impact on two specific sites, namely HG1.57 Waterloo and HG1.60 Bedwas Colliery and will not effect the wider viability evidence that was considered.

Viability is a material consideration in the determination of planning applications and detailed viability assessments are routinely submitted for consideration as part of the planning application process. If viability is shown to be marginal on either of these specific schemes effected by the proposed change, the Council has the ability to be

flexible and negotiate with the applicant in terms of those contributions that are to be sought through s.106 obligations.

Where a developer considers that the level of obligation sought may affect the viability of a development to an unacceptable degree the Council will require the developer to provide sufficient evidence to support this position as part of the planning obligation negotiation process in line with Policy SP7 of the adopted LDP.

## **Home Builders Federation - Representation 2**

The Consultation document states the following:

“Planning Officers remain of the view that off-site education provision should be retained on the 123 List and thus funded through CIL. However the Assistant Director for Education remains of the view that education provision should be removed from the 123 List entirely and should be funded through s106 Obligations.”

The HBF suggest that further evidence is required to explain, based on this internal disagreement, why the decision has been made to amend the 123 List, and any such evidence should demonstrate why this is a good idea and what impact it has on viability.

## **Officer Response**

There is a need to amend the approved Regulation 123 List in respect of on-site education provision to make the proposed development of Waterloo and Bedwas Colliery acceptable in planning terms. This change only effects two undeveloped housing sites both of which are sufficiently large to generate the need for on-site education provision and this is identified in the adopted LDP. It is within the spirit of the legislation that such provision should properly be made through a s.106 obligation and that provision must meet the statutory tests laid down for a s.106 obligation in that it is:

- Necessary to make the development acceptable in planning terms;
- Directly related to the proposed development; and
- Fairly and reasonably related in scale and kind to the development in question.

In both cases the provision can meet the statutory tests.

It is also important to ensure that the local use of the CIL and planning obligations do not overlap; and that there is no potential for a developer to pay twice for the same piece of infrastructure.

Off-site education provision is likely to be in the form of incremental extensions to existing schools (due to development increasing school place requirements over existing school capacities), whilst new on-site school provision is required to make the development acceptable in planning terms. Off-site education infrastructure requirements will have to vie for funding against other infrastructure in the Reg. 123 List, i.e. the CIL finance is not ring fenced for a specific use or a specific piece of infrastructure. Conversely the on-site s.106 contribution will be ring fenced for the reason they are sought, i.e. the s.106 revenue will be dedicated to providing the education infrastructure on site at Waterloo and Bedwas.

There is merit in continuing to include off-site education provision within CIL as its inclusion improves the predictability and certainty for developers as to what they will be asked to contribute towards in terms of planning obligations. It will also increase fairness by broadening the range of developments asked to contribute, allowing the cumulative impact of small developments, which can be significant in terms of local school provision, to be accounted for.

### **Home Builders Federation - Representation 3**

The Consultation document further states the following:

The proposed change to the regulation 123 list is consistent with the evidence that was considered at the CIL Examination in that:

- the Infrastructure Assessment Report assumed on-site education provision to be made via s.106 obligations;
- the Economic Viability Study that was considered by the Examiner made no specific allowance for residual S.106 obligations relating to site specific infrastructure
- the Examiner concluded that there was sufficient headroom in the CIL rate setting to accommodate the variable s.106 element of development costs.

The HBF believe that this is misleading:

Firstly the Infrastructure Assessment Report was prepared in June 2012, prior to consultation on the Preliminary Draft Charging Schedule. At that stage only the following education provisions were due to be funded through CIL: Welsh Medium Secondary Education Provision.

As part of Savills representations, this was amended in the Draft Charging Schedule so that all Education was to be funded through CIL. The Examiner was aware of this as a result of the Draft Charging Schedule.

Secondly, whilst the second and third bullet points are correct, it was anticipated that on site provision of education would be funded through CIL, not S106 in accordance with the Draft Charging Schedule. The position therefore proposed in the Draft Regulation 123 list has now been changed to a significant extent in respect of sites requiring on-site education provision that it is unclear how CIL and Section 106 obligations will be operated in tandem and avoid the potential that developers will pay twice for education as part of the current CIL charge and as part of the proposed S106 charge. It also fundamentally undermines the viability evidence upon which the proposed CIL charging rates were established and tested at the Examination, which would suggest the need for a fuller review.

### **Officer Response**

On site education provision is only likely to be sought on two sites, namely Waterloo and Bedwas Colliery. The proposed change to the Regulation 123 List will therefore have a minimal impact on the viability evidence that was considered by the Examiner and will not effect the wider viability evidence that was considered at Examination.

It is also important to ensure that the local use of the CIL and planning obligations do not overlap; and that there is no potential for a developer to pay twice for the same piece of infrastructure.

Off-site education provision is likely to be in the form of incremental extensions to existing schools (due to development increasing school place requirements over existing school capacities), whilst new on-site school provision is required to make the development acceptable in planning terms. Off-site education infrastructure requirements will have to vie for funding against other infrastructure in the Reg. 123 List, i.e. the CIL finance is not ring fenced for a specific use or a specific piece of infrastructure. Conversely the on-site s.106 contribution will be ring fenced for the reason they are sought, i.e. the s.106 revenue will be dedicated to providing the education infrastructure on site at Waterloo and Bedwas.

#### **Home Builders Federation - Representation 4**

The HBF believe that for these larger or (strategic) sites where much greater provision of on-site or site specific mitigation is necessary (including the provision of schools), the Council should consider zero rating these specific sites (an approach generally supported by the HBF), as part of a full review of the charging schedule as set out in the guidance.

#### **Officer Response**

The Caerphilly County Borough Local Development Plan up to 2021 (LDP) does not identify strategic sites. However the Council is in the process of preparing a Replacement plan to supersede the LDP (the anticipated adoption date is 2017). As an integral part of the preparation of the Replacement Deposit Local Development Plan, the viability evidence underpinning the CIL Charging Schedule and the affordable housing policy will be reviewed in full. This work is presently underway and the HBF and other key stakeholders are involved in the viability testing associated with this work. Officers are presently of the view that the Strategic Sites identified within the Replacement LDP should be zero rated (subject to the viability assessment supporting this position). A new Charging Schedule and Regulation 123 List will be prepared in tandem with the Replacement Deposit LDP and this will be subject to Council consideration and full public consultation in due course.

#### **Savills (UK) Ltd, Chartered Surveyors (representing Machen Land Limited (MLL). MLL is the land owner and promoter of the Waterloo Works site**

##### **Savills- Representation 1**

The changes will have significant implications for the Waterloo Works site, as one of two allocated sites in the LDP which are expected to deliver schools on-site and do not have an extant planning permission (the other being Bedwas Colliery). Should the changes to the Regulation 123 List be adopted, the developers will still be required to pay CIL, in addition to the additional Section 106 payment to fund a primary school on site - and therefore significantly increasing the overall level of developer contributions required

For the Waterloo Works site, based on the scheme which benefits from a resolution to grant planning permission, the developer will be required to pay approximately **£2.6m more** in financial contributions as a result of the proposed changes to the Regulation 123 list. Given it is a brownfield site which requires considerable remediation (of which the land owner has already, and continues to, invest significant



money in such remediation works), and a site where viability is already recognised to be challenging, there is a concern that the ability to deliver a policy compliant Section 106 package will be jeopardised by the changes proposed

### **Officer Response**

Planning application P/06/0037: Planning Committee resolved in June 2007 to grant permission in outline for 545 residential units and for a primary school at former Waterloo Works, Machen subject to the applicant entering into a s.106 agreement that required the following:

- £2,953,335 as a contribution towards strategic highway improvements in the Caerphilly Basin area;
- £2,500,000 for a primary school building, and to provide an agreed site totalling 2.5 acres on which the school would be constructed; and
- 16 affordable housing units

The s106 has not been signed, the decision has not been issued, and so the application has not been formally determined. Further the s.106 was not signed prior to the introduction of CIL and is no longer capable of implementation. The s106 will therefore have to be renegotiated and reported back to planning committee in due course.

Viability is a material consideration in the determination of planning applications and detailed viability assessments are routinely submitted for consideration as part of the planning application process. Viability is extremely site and scheme specific and can vary considerably between greenfield and brownfield sites. If viability is shown to be marginal on Waterloo as a consequence of the proposed change, the Council has the ability to be flexible and negotiate with the applicant in terms of those contributions that are to be sought through s.106 obligations. However where necessary infrastructure is fundamental in terms of making a scheme acceptable in planning terms, its provision is essential to enable the development to proceed.

Where a developer considers that the level of obligation sought may affect the viability of a development to an unacceptable degree the Council will require the developer to provide sufficient evidence to support this position as part of the planning obligation negotiation process in line with Policy SP7 of the adopted LDP.

### **Savills - Representation 2**

It is surprising that the proposed amendments are not supported by any viability evidence demonstrating the impact on viability of increasing Section 106 obligations on sites in the County Borough required to now provide contributions to on-site education, in addition to CIL: either at a County Borough wide nor site specific level. The changes proposed to the Regulation 123 List could potentially have a very significant impact on development viability – and therefore require careful consideration as part of this consultation process. On the wider basis, there is a risk that any changes at this stage could undermine the Examination process and the credibility of the evidence base upon which the CIL charging rates were formulated

### **Officer Response**

The proposed change to the Regulation 123 List will have a minimal impact on the viability evidence that was considered by the Examiner as it will only impact on two specific sites, namely HG1.57 Waterloo and HG1.60 Bedwas Colliery and will not effect the wider viability evidence that was considered at Examination.

### **Savills - Representation 3**

Whilst we appreciate the Assistant Director for Education's view that all education should be removed from the Regulation 123 list entirely, it is concerning that the report to Committee, indicates that Planning Officers are at odds with this view, and are pursuing the changes anyway regardless of this uncertainty. For the Waterloo Works site, the changes essentially indicate the Council's corporate objective and priority to deliver a new primary school on this site, irrespective of what this could mean for the overall delivery of other requirements on the site, in particular the amount of affordable housing that the development can support (in light of the LDP's target for 40% affordable housing). We would therefore reiterate that any decision to make this change is carefully considered with a clear understanding of the impact this will have on the overall package of developer contributions the affected developments can deliver when various requirements, including CIL payments, are considered cumulatively.

### **Officer Response**

Viability is a material consideration in the determination of planning applications and detailed viability assessments are routinely submitted for consideration as part of the planning application process. Viability is extremely site and scheme specific and can vary considerably between greenfield and brownfield sites. If viability is shown to be marginal on Waterloo as a consequence of the proposed change, the Council has the ability to be flexible and negotiate with the applicant in terms of those contributions that are to be sought through s.106 obligations in order to meet the Council's corporate objectives. Notwithstanding this, where infrastructure is fundamental in terms of making a scheme acceptable in planning terms, its provision is essential to enable the development to proceed.

**Caerphilly County Borough Council  
Community Infrastructure Levy**

**Replacement Regulation 123 List of Infrastructure  
November 2015**

**Takes Effect From 18 November 2015**

### **1 Introduction**

- 1.1 Regulation 123 of the Community Infrastructure Levy Regulations 2010 (as amended) sets out the requirement for CIL Charging Authorities to publish a list of the infrastructure that can be funded through CIL. After 6 April 2015, or upon implementation of the council's CIL Charging Schedule (whichever is the earliest), all infrastructure not included within the council's published Regulation 123 List Of Infrastructure (Regulation 123 List) cannot be funded through CIL contributions, and can only be funded via Section 106 agreements, which will be subject to rigorous application of the statutory tests for obligations.

### **2 Preparation of The Replacement Regulation 123 List.**

- 2.1 When charging authorities wish to revise their regulation 123 list, they should ensure that these changes are clearly explained and subject to appropriate consultation. In this context the Replacement Regulation 123 List was subject of appropriate consultation from 5 August 2015 to 9 September 2015 at which time the reasoned justification for the change to the list was outlined. The representations made to the consultation were considered by a full meeting of Council on 17 November 2015 and the proposed amendment to the 123 List was approved.

### **3 What will the Regulation 123 List Include?**

- 3.1 The Replacement Regulation 123 List sets out the infrastructure that will be eligible to be funded through CIL. The Infrastructure can be generic types of infrastructure, e.g. strategic Highway improvements, or projects or specific infrastructure items, e.g. Park and Ride facility at Llanbradach. The Replacement Regulation 123 List draws heavily upon the infrastructure requirements set out in the Adopted Caerphilly Local Development Plan up to 2021 (LDP) and reflect the infrastructure requirements necessary to bring forward development identified in the LDP.
- 3.2 The Replacement Regulation 123 List also sets out those known, site-specific, matters where section 106 contributions are likely to be the funding mechanism. The principal purpose is to provide transparency on what the Council intends to fund through the levy, in whole or in part, and those matters where section 106 contributions will continue to be sought.

### **4 The Regulation 123 List**

- 4.1 The list of infrastructure set out below defines the infrastructure types that are eligible to be funded through CIL, which then cannot be funded via planning obligations. It should also be noted that it is highly unlikely that CIL could ever realise sufficient levels to provide the entire range of infrastructure included in the List. Consequently, the fact that a specific infrastructure scheme falls within the infrastructure on the List does not mean that the infrastructure will be funded by CIL. The List sets out what is eligible for CIL funding and decisions on what infrastructure will be delivered through CIL rests with the council and will be influenced by its own priorities and the amount of CIL available.
- 4.2 The infrastructure listed below will be eligible to be funded through the Community Infrastructure Levy.

## The Caerphilly County Borough Council Regulation 123 List of Infrastructure

### Physical Infrastructure

- *Policy TR5 Transport Improvement Schemes- Northern Connections Corridor.*
- *Policy TR6 Transport Improvement Schemes – Caerphilly Basin.*
- *Policy TR9 Highway Corridor Safeguarding – Caerphilly South East Bypass.*
- *Policy TR8.1 Regeneration Led Highway Improvements – Heads of the Valleys Area.*
- *Strategic public transport infrastructure (excluding site-specific links to the strategic network, for example a short length of cyclepath to link a site to a local or national route, a new bus stop within a new development to make it accessible).*
- *Waste transfer / recycling bulking infrastructure.*
- *Upgrade of existing Civic Amenity Sites.*
- *Strategic Drainage Network.*
- *Air Quality Action Plan Schemes (excluding air monitoring stations).*
- *Network Connections – Superfast Broadband.*

### Social Infrastructure

- *Off-Site Education Provision (Schools).*
- *Youth and Community Facility Provision & Upgrade to existing facilities.*
- *Cemetery Provision.*
- *Leisure Centre Provision & Upgrade to existing facilities.*

### Green Infrastructure

- *Off-Site Formal Leisure Facilities (Playing pitches and associated changing facilities, Multi-use games areas, Neighbourhood Equipped Areas for Play)*

## 5 Relationship with S106 Developer Contributions

- 5.1 In order to ensure that planning obligations and the CIL can operate in a complementary way, the CIL Regulations scale-back the way planning obligations operate. Limitations are therefore placed on the use of planning obligations in three respects:

- putting the policy tests on the use of planning obligations (set out in Wales in Circular 13/97, *Planning Obligations*) on a statutory basis for developments which are capable of being charged the CIL;
- ensuring the local use of the CIL and planning obligations do not overlap; and
- limiting pooled contributions from planning obligations towards infrastructure, which may be funded by the CIL.

5.2 The CIL regulations place into law the policy tests on the use of planning obligations. The statutory tests are intended to clarify the purpose of planning obligations in light of the CIL.

5.3 From 6 April 2010 Regulation 122 has made it unlawful for a planning obligation to be taken into account when determining a planning application for a development that is capable of being charged the levy, whether there is a local levy in operation or not, if the obligation does not meet all of the following tests:

- necessary to make the development acceptable in planning terms;
- directly related to the proposed development; and
- fairly and reasonably related in scale and kind to the development.

5.4 Conversely, the CIL is intended to provide infrastructure to support the development of an area, rather than to make individual planning applications acceptable in planning terms. As a result, there is likely to be site-specific impact mitigation requirements without which a development should not be granted planning permission. Some of these needs may be provided for through the CIL but others may not, particularly if they are very local in their impact. There is therefore still a legitimate role for development-specific planning obligations to enable the Council to be confident that the specific consequences of a development can be mitigated.

5.5 The Council will therefore continue to secure Planning Obligations where they are necessary to remove obstacles to planned development and are therefore critical to the delivery of the site, for example to provide direct site access, flood protection and wildlife protection measures and for on-site leisure provision such as open space, local areas for play (LAPs), local equipped areas for play (LEAPs) and on-site education provision (schools). Further, s106 contributions may still be sought for infrastructure, where:

- 1) it can meet the above tests; and
- 2) the Council has indicated that this type of infrastructure item will not be funded through CIL.

5.6 **Affordable housing** will continue to be funded through S106 Obligations. The Charging Schedule has set CIL at a level that has been assessed as viable with the provision of affordable housing and it is, therefore, expected that on-site provision of affordable housing will be achievable.

### **6 Implications on Development Plan Policy**

6.1 It is envisaged that as a consequence of the introduction of CIL, the following policies in the Adopted Local Development Plan will need revision at the first review of the plan:

#### **Planning Obligations**

**SP7 The Council will seek to secure Planning Obligations (S106 Agreements) where they are necessary to remove obstacles to planned development, meet local needs and make development more sustainable. Such obligations will include:**

- A Infrastructure for walking, cycling, public transport, parking**
- B Schools and ancillary facilities**
- C Community Facilities**
- D Strategic highway improvements in the Northern and Southern Connections Corridors**
- E Flood defence measures required to mitigate the risk of flooding**
- F Formal and informal open and leisure space**
- G Affordable housing and**
- H Other facilities and services considered necessary**

**(Key Components Met: 1, 3, 6 & 7)**

- 1.66 New development has the potential to increase pressure on existing community infrastructure and facilities such as transportation networks, schools, lifelong learning facilities, open space and other facilities. The provision of adequate infrastructure and services are a prerequisite of development taking place, as it is crucial for the environmental, social and economic sustainability of the County Borough. Where appropriate, the Council will seek obligations to mitigate against the effect of development. In line with national guidance the Council will negotiate obligations where these are necessary, relevant to planning, directly related to the proposed development, fairly and reasonably related in scale and kind to the proposed development and reasonable in all other respects.
- 1.67 In the case of previously used land, the Council will take into consideration abnormal costs associated with the redevelopment of a site when negotiating the level of planning obligation to be sought. Where a developer considers that the level of obligation sought may affect the viability of a development proposal to an unacceptable degree the Council will require the developer to provide sufficient evidence to support this position as part of the planning obligation negotiation process.

### Transport Improvement Schemes – Northern Connections Corridor

**TR5** The following strategic network improvements have been identified in respect of a Northern Connections Corridor Obligation:

**TR5.1** A467 Newbridge to Crosskeys

**TR5.2** A467 Newbridge to Crumlin

**TR5.3** A472 Ystrad Mynach to Nelson

**TR5.4** Newbridge Interchange

**TR5.5** A472 Crown Roundabout to Cwm Du Roundabout

3.107 The LDP will accommodate an increase in population during the Plan period and has allocated sites to cater for the housing, employment and other needs accordingly. This development will realise significant increases in traffic on the transport network of the County Borough, which will result in increased congestion. As a result general areas of improvement to the strategic network, which will seek to alleviate the cumulative impact of these developments, have been identified. Further work will be undertaken to consider the environmental, social and economic impacts of development in the area and appropriate schemes will be progressed as part of the development of a Northern Connections Corridor Obligation.

### Transport Improvement Schemes – Caerphilly Basin

**TR6** The following strategic network improvements have been identified in respect of the Caerphilly Basin Obligation:

**TR6.1** Tafwys Walk

**TR6.2** Trecenydd Roundabout

**TR6.3** Pwllypant Roundabout

**TR6.4** Bedwas Bridge Roundabout

**TR6.5** Piccadilly Gyrotory

**TR6.6** Penrhos to Pwllypant

**TR6.7** Pwllypant to Bedwas

3.195 The LDP will accommodate an increase in population during the Plan period and has allocated sites to cater for the housing need accordingly. This housing development will lead to significant increases in traffic on the transport network of the County Borough, which will result in increased congestion. As a result, specific improvements to the strategic network in the Southern Connections Corridor have been identified, which will alleviate the cumulative impact of the housing development. These schemes will be realised through a planning obligation levied against all residential developments.