



## **POLICY AND RESOURCES SCRUTINY COMMITTEE**

**MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON  
WEDNESDAY, 30TH SEPTEMBER 2015 AT 5.30 P.M.**

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**PRESENT:**

Councillor H.W. David - Chair  
Councillor S. Morgan - Vice Chair

**Councillors:**

Mrs P. Cook, C.J. Cuss, J.E. Fussell, C. Hawker, Ms J.G. Jones, G. Kirby, A. Lewis,  
C.P. Mann, R. Saralis, J. Simmonds

**Cabinet Members:**

Mrs C. Forehead (HR and Governance/Business Manager), D.T. Hardacre (Performance and  
Asset Management), Mrs B. Jones (Corporate Services)

**Together with:**

N. Scammell (Acting Director of Corporate Services and Section 151 Officer), S. Couzens  
(Chief Housing Officer), P. Davy (Head of Programmes), G. Williams (Interim Head of Legal  
Services/Monitoring Officer), J. Green (Housing Manager for Older Persons Services),  
K. Williams (Private Sector Housing Manager), M. Betts (Tenant and Community Involvement  
Manager), B. Manners (Solicitor) and R. Barrett (Committee Services Officer)

### **1. CHAIR'S ANNOUNCEMENT – MEMBERSHIP CHANGE**

It was noted that Councillor C.J. Gordon had recently stepped down from the Policy and  
Resources Scrutiny Committee. Members extended their thanks to Councillor Gordon for his  
valued contribution to the meetings.

Councillor J. Simmonds was welcomed to his first meeting of the Policy and Resources  
Scrutiny Committee.

### **2. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors L. Binding, Miss E. Forehead and  
J. Taylor, together with Cabinet Member D.V. Poole (Housing).

### **3. DECLARATIONS OF INTEREST**

Councillor J.E. Fussell declared a personal and prejudicial interest in Agenda Item 16 (Discretionary Rate Relief Applications), as he holds a volunteer role within the organisation referenced in this report. In that the report was an information item and it had not been brought forward for review, it was determined that there was no requirement for the Member to leave the meeting room, as the item would not be discussed.

### **4. MINUTES – 14TH JULY 2015**

RESOLVED that the minutes of the Policy and Resources Scrutiny Committee meeting held on 14th July 2015 (minute nos. 1 – 16) be approved as a correct record and signed by the Chair.

### **5. CALL-IN PROCEDURE**

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

### **6. REPORTS OF THE CABINET MEMBER**

The Scrutiny Committee received a verbal report from Cabinet Member Mrs B. Jones.

Councillor Mrs B. Jones, Cabinet Member for Corporate Services, advised the Scrutiny Committee that the 2014/15 Statement of Accounts had been presented to Council the previous evening, and thanked the Council's Finance Team for all their hard work in the preparation of this report. She also made reference to the next round of Medium Term Financial Plan Savings for 2016/17, which would be discussed at a special meeting of the Policy and Resources Scrutiny Committee on 7th December 2015.

The Scrutiny Committee were informed of a recent achievement by the Procurement Team, having reached the finals of the Social Enterprise Awards Wales 2015 within the "Buy Social" category. Members requested that their congratulations to all staff involved be placed on record.

Members were advised that the Welsh Purchasing Consortium (WPC) recently undertook a pan-Wales procurement process to acquire a new Public Protection System. Caerphilly Council was one of nineteen local authorities in Wales affiliated with the process. The system is designed to meet the needs of Environmental Health, Trading Standards, Licensing, Private Sector Housing, Waste Management, Community Safety, Outdoor Facilities and Bereavement service requests. This system will replace a number of ICT systems and offer enhanced functionality and mobility options for the services involved. It is to be implemented as a "Once for Wales" system, enhancing the opportunity for information sharing and collaborative working whilst delivering a return on investment pay-back period of approximately 3 years. The Council will begin live deployment of the system during February 2016.

Members were updated on the relocation of a number of departments from Pontllanfraith House to Penallta House. This is currently underway and progressing well, with the IT department assisting in the move in order to make the transition for staff as seamless as possible.

The Cabinet Member was thanked for her report and a query was raised regarding the availability of public transport for those staff relocating to Penallta House. Cabinet Member D.T. Hardacre responded to this query and outlined the location of the nearest bus stops to Penallta House. He explained that the Council were unaware of any staffing transport issues to date or any requirement for additional bus services, but that the situation would be closely monitored.

## **7. CABINET REPORTS**

None of the Cabinet reports listed on the agenda had been called forward for discussion at the meeting.

## **REPORTS OF OFFICERS**

Consideration was given to the following reports.

## **8. REMODELLING OF SHELTERED HOUSING SCHEMES**

Shaun Couzens (Chief Housing Officer) and Joanne Green (Housing Manager for Older Persons Services) presented the report, which had previously been considered by the Caerphilly Homes Task Group on 17th September 2015. The report sought the views of Members on proposals for an in-principle agreement for feasibility studies to be undertaken for six sheltered housing schemes (Castle Court, Waunfawr House, Ty Melin, Ynyswen, Britannia Court and St. Mary's Court) for remodelling, prior to its presentation to Cabinet.

The report also sought views on proposals for the six schemes to be omitted from the Welsh Housing Quality Standard (WHQS) works programme, unless funding is available within the business plan to undertake work to one or two schemes depending on the detailed costs being within this budget.

Officers explained that a review of all housing stock identified that some schemes include properties and amenities that are inadequate and do not meet acceptable space standards. This information was considered alongside void levels and the ability to remodel, and six sheltered housing schemes were selected for feasibility studies. Full reasons for the identification of these particular schemes were outlined in the appendices to the report.

Discussion of the report ensued and a query was raised as to why other schemes identified as having long-term voids (outlined within Appendix A of the report) were not selected for omission from the WHQS programme. Officers explained that some of these properties were low in demand due to other factors such as location/environment and not because of the standard of these particular schemes.

Officers added that despite the small size of the identified schemes, they were generally in a very good state of repair and refurbishments had recently been carried out to a number of these properties. Members were also advised that it was proposed to postpone remodelling of these particular schemes until after 2020 (with completion of all properties to the Welsh Quality Housing Standard by 2025), but that works to some of these schemes could be completed prior to 2020, subject to feasibility and funding considerations.

Following consideration of the report, and in taking into account the views of the Caerphilly Homes Task Group (as detailed in the covering report), it was moved and seconded that the following recommendations be referred to Cabinet for approval. By a show of hands, this was unanimously agreed.

RECOMMENDED to Cabinet that:-

- (i) the views of the Caerphilly Homes Task Group be noted;
- (ii) a full and comprehensive feasibility study be commissioned for the six sheltered housing schemes identified in the report (Castle Court, Waunfawr House, Ty Melin, Ynyswen, Britannia Court and St. Mary's Court);

- (iii) following a positive outcome of the feasibility study, the schemes be removed from the Welsh Quality Housing Standard programme with the intent of remodelling them post-2020 (with one or two before this time if financially viable), with completion of all properties by the end of 2025.

## **9. COMPLAINTS AND REPRESENTATIONS – CAERPHILLY HOMES**

This report was considered in conjunction with the preceding report on the agenda (that of the Caerphilly Homes Communications Strategy and Implementation Plan).

Phil Davy (Head of Programmes), together with Mandy Betts (Tenant and Community Involvement Manager) presented the report, which provided information on contacts in relation to complaints and representations received by the Authority's Housing Customer Services Section, from 1st April 2014 to 31st March 2015. The report was previously presented to the Caerphilly Homes Task Group on 17th September 2015 as an information item, where its contents were received and noted.

Officers explained that the monitoring of complaints and representations is carried out to provide information on the level of satisfaction with the service provided by Caerphilly Homes. The results enable Managers to focus on areas of concern to improve service and monitor performance and ensure that similar problems are avoided in the future. Last year saw a corporate change in the complaints procedure with more emphasis on learning from complaints. There have been examples of complaints which have led to changes in policies and procedures and these were detailed in the report.

Officers provided an overview of the contacts received between 1st April 2014 and 31st March 2015. Full details were contained in the report and included the contact type and the relevant service category. Officers also outlined the Stage 1 and Stage 2 complaints received for 2014/15, together with details of those complaints referred to the Ombudsman. A number of recommendations were made by the Ombudsman during 2014/15 in relation to improvements required by the Housing division as a result of these complaints and these were also outlined within the report.

During the course of the ensuing debate, reference was made to the communication of the Council's Recharge Policy to Caerphilly Homes tenants (including that of the appeals process). Officers explained that matters relating to the Recharge Policy were not included in the list of complaints and representations, but that full details of the appeals process are communicated to tenants by letter, outlined in the Tenant Agreement and available on the Council's website. Tenants are also able to approach their tenant representative who will direct them to the appropriate officer in the event of any issues. Officers advised that such information could also be included in the tenant newsletter.

Members suggested that consideration be given as to how the Council's Recharge Policy will be communicated to Caerphilly Homes tenants as part of the new Caerphilly Homes Communications Strategy and Implementation Plan. Further details of this are minuted with the respective item.

Discussion took place in respect of the Stage 1 and Stage 2 complaints outlined in the report and the processes involved in the progression of these complaints. Officers explained that the 'Progressed' column referred to the number of complaints that were escalated from a Stage 1 to Stage 2 complaint (and not the number of complaints that were resolved). Members were also advised that complainants can request their complaint be escalated straight to a Stage 2 investigation.

A Member queried the sole complaint progressed from Stage 1 to Stage 2 in respect of response repairs, explaining that a number of issues had been reported to them by tenants within their ward. Officers emphasised that this list only referred to formal complaints, and

that complaints are continually monitored and used as a means of analysing the service provided by Caerphilly Homes. Wherever possible, Officers will attempt to resolve issues informally before they reach the complaints stage. Members were also advised that details of all complaints received are regularly reported to the Audit Committee. The Member agreed to meet with relevant Officers following the meeting to receive further explanation on the recording of service requests and their progression to a Stage 1 or Stage 2 complaint.

A Member asked if a process could be put in place for Members to be kept informed of complaint outcomes, explaining that they often had to contact tenants to determine if an issue had been resolved. Officers advised that such a process would be difficult to administer in that many issues reported are treated as service requests, and as such it would depend on the nature of the complaint.

Officers also confirmed that an Independent Recharge Review Panel (comprising of officers, councillors and tenant representatives) had been established and would begin their work in the near future.

The Scrutiny Committee thanked Officers for their presentation and noted the contents of the report.

## **10. CAERPHILLY HOMES COMMUNICATIONS STRATEGY AND IMPLEMENTATION PLAN**

Phil Davy (Head of Programmes), together with Mandy Betts (Tenant and Community Involvement Manager) presented the report, which had previously been considered by the Caerphilly Homes Task Group on 2nd July 2015. The report sought the views of Members on a new Caerphilly Homes Communications Strategy and Action Plan for implementation, prior to its presentation to Cabinet.

Officers explained that the new Communications Strategy had arisen from a communications review with stakeholders, comprising of a working group of tenants and staff. The review process asked a number of key questions, gave recognition to work undertaken to raise the Caerphilly Homes profile since the stock transfer ballot, and highlighted a number of areas where improvement is needed. Full details of the review were contained within the report.

The review determined that effective communications are essential to ensuring all stakeholders have an awareness of the Caerphilly Homes brand and are kept up to date on progress across the housing service. This includes the delivery of timely messages and using a range of methods appropriate for specific target methods (such as the use of social media). Effective communication also relies upon creating opportunities for open and transparent two-way dialogue with stakeholders.

The report therefore proposed that the draft Strategy and Action Plan replace the former 'Housing and Welsh Quality Housing Standard Communications Strategy' which elapsed earlier in 2015. The new draft Strategy strongly advocates a 'one housing service' approach to communications in order to more effectively embed the Caerphilly Homes ethos throughout the division.

Arising from discussion during the course of the meeting, Members expressed a need for the Council's Recharge Policy to be clearly communicated to Caerphilly Homes tenants. As such, it was moved and seconded that subject to consideration being given as to how this Policy will be communicated to tenants, and in taking into account the views of the Caerphilly Homes Task Group (as detailed in the covering report), the Caerphilly Homes Communication Strategy and Action Plan be adopted. By a show of hands this was unanimously agreed.

RECOMMENDED to Cabinet that:-

- (i) the Caerphilly Homes Communications Strategy and Action Plan as appended to the report be adopted;

- (ii) consideration be given as to how the Council's Recharge Policy will be communicated to Caerphilly Homes tenants.

## **11. EMPTY HOMES IN THE PRIVATE SECTOR**

Kenyon Williams (Private Sector Housing Manager) presented the report, which provided information in respect of the Authority's activities and opportunities for dealing with empty homes in the private sector within the county borough.

The report was prepared following a Member's request at the Policy and Resources Scrutiny Committee meeting of 30th September 2015. The original request made reference to initiatives undertaken by other Local Authorities in respect of empty properties. Officers explained that there had been a delay in bringing this report to the Scrutiny Committee, as it had taken some time to establish the requirements of the report and also because the report involved two separate focuses.

The report detailed the extent of the problem of long-term empty homes in the private sector, the Authority's activities and performance in respect of any direct action taken to assist in bringing empty homes back into beneficial use, and the potential partnership opportunities that exist to assist in tackling the problem. Included in the report was the Authority's target year-on-year in respect of returning empty dwellings to occupation, together with the actual outcome achieved. Also included was a comparison with the All-Wales performance between 2012-2015 in respect of the number of empty dwellings within each local authority, and the number and percentage brought back into use. Members were advised that the success level in respect of bringing long-term empty homes back into use is very much dependent on staffing and financial resources.

Officers outlined the range of options available to local authorities when dealing with long-term empty homes. By far the most successful option is to provide advice and education to owners to bring about reoccupation of their properties by way of persuasion and agreement. Direct action is undertaken wherever possible, which can include financial assistance, various means of advice, referral to partner agencies, enforcement action (including statutory notices), and other enquiry methods. In cases where advice and education fails, there are a range of legislative options available to the Authority, including Empty Dwelling Management Orders (EDMO), increased Council Tax, enforced sales and compulsory purchase.

Officers explained that given the relatively low level of resources available to tackle empty homes, there is a need for partnership opportunities to be undertaken wherever possible. However, Officers are unable to explore the opportunities presented when landlords and potential homeowners request details in respect of empty homes within the county borough, as due to Data Protection legislation, the Authority is unable to disclose even basic information as to the location of empty properties. To be able to do so would greatly assist Officers in raising the numbers of empty homes brought back into beneficial use.

It has therefore been proposed that the Authority writes to the owners of empty homes to outline the numerous benefits of bringing their property back into use. The letter would also ask interested owners if they would be prepared to allow the Authority to pass their contact details to interested partners, which would hopefully lead to successful partnership opportunities and greater numbers of long term empty homes being brought back into use. Officers added that the proposed Social Lettings Agency would also be promoted as a further opportunity when carrying out engagement with homeowners.

During the course of the ensuing debate, reference was made to the All-Wales performance comparison table for 2012-2015 included in the report, which detailed the number of empty dwellings within each local authority, and the number and percentage brought back into use. In comparing Caerphilly's performance against that of other local authorities, Members

queried the reasons why a number of other authorities were displaying better results. Officers explained that this could be due to a difference in the interpretation of what is considered to be “direct action” as outlined in the Performance Indicator guidance. It was emphasised that Caerphilly consider personal engagement with homeowners to be the means of meeting this criteria, which may be a contributing factor as to why they are performing lower than some other authorities. Officers confirmed that they would make further enquiries as to how their counterparts in other authorities interpret these indicators.

Members were also reminded that there are insufficient staff resources to meet empty homes targets, with the Authority having no dedicated Empty Property Officers, and that the majority of activity and subsequent achievement in respect of this function has been undertaken by the three District Environmental Health Officers based within the Private Sector Housing Team.

Discussion took place in respect of the benefits available to empty property owners (such as the Houses into Homes and the National Home Improvement Loan Schemes), and Officers gave details of how such schemes are communicated to the public. Officers agreed that should progress be made in respect of reducing the number of empty homes within the private sector, they would bring a further report back to the Scrutiny Committee.

Members thanked the Officers for their presentation and noted the contents of the report.

## **12. REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA CORPORATE POLICY REVIEW)**

Gail Williams (Interim Head of Legal Services/Monitoring Officer) presented the report, which sought the views of Members on proposed changes to the Council’s Corporate Regulation of Investigatory Powers Act (RIPA) Policy, prior to its presentation to Cabinet.

Members were informed that the Council is under an obligation to comply with legislative requirements and is subject to the provisions of the Regulation of Investigatory Powers Act 2000, Protection of Freedom Act 2012, and the Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) (Amendment) Order 2012 (S1 2012/1500). The report recommended changes to the Council’s current Corporate RIPA policy to ensure that the policy remains fit for this purpose.

Following a further internal review undertaken by the Council’s Interim Monitoring Officer, it was proposed that the current Policy be reviewed in its entirety to strengthen the governance arrangements around the RIPA process, more adequately address the comments of the Inspector in 2012, address the changes made in relation to the Acquisition of Communications Data which is now dealt with via the National Anti-Fraud Network (NAFN), to reduce the number of Authorising Officers and to introduce a more formal training regime.

Members were asked to formally note that this Policy is not intended for use in connection with the surveillance of its employees and were reminded that the surveillance of employees is currently suspended pending the implementation of a specific policy and there are no current plans to progress this issue.

Discussion of the report ensued and in response to Members’ queries, Officers provided clarification on the legal wording contained within the report, and outlined the RIPA operations undertaken by Public Protection in relation to underage sales of alcohol and tobacco. Officers also gave assurances that the Policy had been thoroughly reviewed and that all associated procedures are and will continue to be stringently monitored.

Following consideration of the report and in noting its contents, it was moved and seconded that the following recommendations be referred to Cabinet for approval. By a show of hands, this was unanimously agreed.

RECOMMENDED to Cabinet that:-

- (i) the contents of the Officer's report be noted;
- (ii) the changes to the Council's Corporate Regulation of Investigatory Powers Act Policy be approved.

### **13. REQUESTS FOR REPORTS TO BE INCLUDED ON THE NEXT AVAILABLE AGENDA**

Councillor C.J. Cuss requested a report in respect of the Council's engagement process for contractors/leaseholders.

### **14. INFORMATION ITEMS**

The Committee noted the following items for information, full details of which were included within the Officers reports. There were no items brought forward for review.

- (1) Capital Outturn 2014/15;
- (2) Corporate Services and Miscellaneous Finance 2015/16 Budget Monitoring Report (Period 4);
- (3) Treasury Management and Capital Financing Prudential Indicators Outturn Report for 2014/15;
- (4) Discretionary Rate Relief Applications;
- (5) Pensions/Compensation Committee Minutes – 13th July 2015;
- (6) Pensions/Compensation Committee Minutes – 28th July 2015;
- (7) Caerphilly Homes Task Group Minutes – 2nd July 2015;
- (8) Summary of Members' Attendance – Quarter 1 – 15th May 2015 to 30th June 2015;
- (9) Policy and Resources Scrutiny Committee Forward Work Programme.

The meeting closed at 7.03 pm

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 10th November 2015, they were signed by the Chair.

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CHAIR