



County Hall
Cardiff
CF10 4UW
Tel: (029) 2087 2000

Neuadd y Sir
Caerdydd
CF10 4UW
Ffôn: (029) 2087 2000

AGENDA

Committee	COMMUNITY & ADULT SERVICES SCRUTINY COMMITTEE
Date and Time of Meeting	WEDNESDAY, 19 JULY 2017, 5.20 PM
Venue	COMMITTEE ROOM 4 - COUNTY HALL
Membership	Councillor McGarry (Chair) Councillors Ahmed, Asghar Ali, Carter, Goddard, Jenkins, Kelloway and Lent

Time approx.

1 Appointment of Chairperson and Committee Membership 5.20 pm

The Council at its meeting held on 25 May 2017 appointed Councillor Mary McGarry as Chair and the following Members to this Committee:

Councillor Ali Ahmed, Councillor Asghar Ali, Councillor Joe Carter, Councillor Susan Goddard, Councillor Shaun Jenkins, Councillor Kathryn Kelloway, Councillor Sue Lent.

2 Terms of Reference

To scrutinise, measure and actively promote improvement in the Council's performance in the provision of services and compliance with Council policies, aims and objectives in the area of community and adult services, including:

- Public and Private Housing
- Disabled Facilities Grants
- Community Safety
- Neighbourhood Renewal and Communities First
- Advice & Benefits
- Consumer Protection
- Older Persons Strategy
- Adult Social Care
- Community Care Services
- Mental Health & Physical Impairment
- Commissioning Strategy
- Health Partnership

To assess the impact of partnerships with and resources and services provided by external organisations including the Welsh Government, joint local government services, Welsh Government Sponsored Public Bodies and quasi-departmental non-governmental bodies on the effectiveness of Council service delivery.

To report to an appropriate Cabinet or Council meeting on its findings and to make recommendations on measures which may enhance Council performance and service delivery in this area.

To be the Council's Crime and Disorder Committee as required by the Police and Justice Act 2006 and any re-enactment or modification thereof; and as full delegate of the Council to exercise all the powers and functions permitted under that Act.

3 Apologies for Absence

To receive apologies for absence.

4 Declarations of Interest

To be made at the start of the agenda item in question, in accordance with the Members' Code of Conduct.

5 Minutes (Pages 1 - 14)

To approve as a correct record the minutes of the meetings held on 13 February 2017 and 8 March 2017.

6 Housing Revenue Account Business Plan 2017-18 (Pages 15 - 114) 5.20 pm

- a) Councillor Lynda Thorne, Cabinet Member Housing and Communities will be invited to make a brief statement;
- b) Sarah McGill, Director of Communities, Housing and Customer Services, Jane Thomas, Assistant Director Housing and Communities, Colin Blackmore, Building Improvement Manager, and Dave Jaques, Housing Development Manager, will be in attendance to give a presentation and answer Members' questions;
- c) Questions from the Committee

7 Single Licensing Authority Enforcement Policy (Pages 115 - 160) 6.05 pm

- a) Councillor Lynda Thorne, Cabinet Member Housing and Communities will be invited to make a brief statement;
- b) Sarah McGill, Director of Communities, Housing and Customer Services, Isabelle Bignall, Assistant Director Customer Services and

Angharad Thomas, Group Leader Rent Smart Wales, will be in attendance to give a presentation and answer Members' questions;

c) Questions from the Committee

8 Work Programming report (Pages 161 - 164) 6.50 pm

a) Nicola Newton, Principal Scrutiny Officer, will briefly introduce the report.

b) Questions from the Committee

9 Way Forward 7.00 pm

10 Date of next meeting

Wednesday 6 September 2017 at 4.30pm

Davina Fiore

Director Governance & Legal Services

Date: Thursday, 13 July 2017

Contact: Andrea Redmond, 029 2087 2434, a.redmond@cardiff.gov.uk

This document is available in Welsh / Mae'r ddogfen hon ar gael yn Gymraeg

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COMMUNITY & ADULT SERVICES SCRUTINY COMMITTEE

13 FEBRUARY 2017

Present: County Councillor McGarry(Chairperson)
County Councillors Ahmed, Magill and Sanders

57 : APOLOGIES FOR ABSENCE

Councillors Joseph Carter, Chris Davis and Ralph Cook

58 : DECLARATIONS OF INTEREST

Members were advised that they had a responsibility under Article 16 of the Members' Code of Conduct to notify at the start of the meeting in general terms whether they had an interest in any of the items listed:

COUNCILLOR	ITEM	REASON
Sanders	3	Family member in receipt of Direct payments. Chairperson of Trustees Cardiff Foodbank
Magil	3b	Contribute towards Rent of Labour Party Office in Llangranog Road.

59 : CORPORATE PLAN AND BUDGETARY PROPOSALS

This item provided Members with an opportunity to consider those items contained in the draft Corporate Plan and draft Budgetary Proposals that fell within the responsibility of this Committee. These would be considered by Cabinet on Thursday 16 February 2017, prior to being considered by the whole Council on 23 February 2017.

Overview

The Committee welcomed the following:

- Councillor Graham Hinchey, Cabinet Member Corporate Services and Performance.
- Christine Salter, Corporate Director Resources
- Allen Evens, Operational Manager Finance
- Joseph Reay, Head of Performance & Partnerships
- Gareth Newell, , Partnerships & Community Engagement.

The Committee received a presentation on the overview of the summarising report, which drew attention to the following:

- Final Settlement
- Consultation and Post Consultation Updates
- Draft Revenue Budget
- Medium Term Outlook
- Draft Capital Programme

Councillor Hinchey spoke of the in-detailed consultation process that had taken place and the feedback provided from the public. The improvements to frontline services was welcomed and the establishment of the digitalisation agenda to support online services to stakeholders.

Councillor Hinchey thanked the Officers for their time and effort to ensure the budget process ran smoothly with their credited work to mitigate the impact on front line services.

The Chairperson invited the Committee to ask questions.

Members of the Committee drew attention to the budget process of 2012, specifically the methods used for consultation. The current established consultation process was valuable and engaged all areas of the communities. The Corporate Plan included qualitative sounding information from communities however, it was crucial that this feedback be presented in a style that communities could relate to and that made it clear it was qualitative rather than statistically robust feedback. The measuring progress was vital for development to improve community engagement.

Councillor Hinchey drew attention to the consultation process. Engagement was increasing, this included the number of persons aware of how the Council process operated. It was recognised more work was required to involve harder to reach groups and raise the number of persons involved in the process for the future.

The Committee was informed of the further Performance Indicator contents outlined in the Appendix of the report. These PI's were key drivers for change and development with objectives set to ensure the respective targets were met. The Corporate Plan was developed alongside the hierarchy of plans to deliver the Council's vision.

The Committee was advised the Council was in the same position as last year in relation to the £1.5m reserves. The General Reserves of £14.5m was to remain with earmarked reserves of £36m being used for specific purposes.

Members of the Committee given detail on the structure of the Housing Revenue Account. This account stood in isolation and was ring fenced. Comparisons were made against next year's position including 18% increase in spend and the preparations in place to support the budget in future years. There was a duty on the Council to assure that borrowing was prudent and currently its position was affordable.

The Chairperson thanked Officers for their contribution.

Councillor Phil Bale, Leader of the Council's, Economic Development and Partnerships Portfolio

The Chairperson welcomed:

Councillor Phil Bale, Leader of the Council
Sarah McGill, Director Communities, Housing and Customer Services
Jane Thomas, Assistant Director Communities and Housing.

Councillor Bale declared a personal interest in relation to the Labour Party Office in Llangranog Road, Llanishen

The Leader outlined the budget position drawing attention to the Maelfa Centre, enabling works for the regeneration of Maelfa Centre and Council contribution towards the development of a viable local shopping centre scheme.

Members of the Committee were keen to establish if the current businesses welcomed the new proposals.

Councillor Bale assured the Committee that local shop keepers were keen to re-locate into the Maelfa Centre. This was an Invest to Save initiative and with returns and there was incentive for businesses re-establish in the centre.

Community Shopping Centre Regeneration were progressing across the city and in some areas it was recognised that some issues were being experienced. Butetown Business Enterprise was part of the programme and some technical issues were being addressed. The identified scheme had to have been identified as deliverable before the improvements took place. The Council was working alongside these shopping areas with assessment of future use and status being carried out to enhance local communities.

Councillor Peter Bradbury, Community Development, Co-operatives & Social Enterprise

Councillor Bradbury advised the Committee the Council would continue to deliver the Community Hubs development Programme. The re-profiling of Neighbourhood Partnerships would also continue to ensure the Council was working with citizens and partners to address need on a locality basis.

The Committee asked for further detail on the new approach to locality and neighbourhood service delivery.

Councillor Bradbury explained changes to bureaucracy had led to a defined new approach including fewer meeting. It was essential for the six cluster areas to work appropriately and addressing what works locally would ensure a sounder approach and re-energise.

The bureaucracy of the meeting structure had made the partnerships disengaged and possibly unpopular. Locality working should be at the partnerships forefront with the mechanism focused on community action, with annual local roadshows. All partners were committed to this approach and savings had been identified through staffing restructures and the reduction in neighbourhood spend from £60k to £40k. The reduction in the specific funding was reported to all partners and included in the

budget consultation process. Mechanisms were now in place to engage communities and move towards a more fluid locality working based approach.

Members were concerned that accountability could be lost in the new proposals, with targets and outcomes being missed. Members sought assurance that these measures would not be lost at neighbourhood level.

The Committee was assured that a commitment would be in place not to lose the good practice learnt to date and this item would be brought back to Community and Adult Services Committee for a future update. The new approach was being established to generate further interest and participation.

Committee Members acknowledged the success of the Hub's programme across the city and how this linked in and supported Neighbourhood provision. A broad consultation programme should be in place for the new approach to locality and neighbourhood service delivery and this should also be joined in with educational provisions.

Councillor Bradbury explained the model for libraries was linked into the hub strategy. This also included community based schools providing after school clubs and services to maximise its use on a local level.

The Committee drew attention to Commercialisation, additional income opportunities including income generated from the Hub's.

Councillor Susan Elsmore, Cabinet Member Health, Housing and Wellbeing.

The Chairperson advised the Committee that Housing would be taken first before the Adult Social Services item.

Councillor Elsmore drew attention to the commitments in place:

- To implement the Cardiff Housing Strategy 2016-2021 to ensure those in need have access to appropriate high quality services.
- Promote the increase of adults using the First Point of Contact service;
- Further develop the Alarm Receiving Centre
- Develop Locality Based Working

The Committee received a presentation which outlined the issues for Communities, Housing and Customer Services Directorate.

The Committee was invited to ask questions.

Members welcomed the information contained in the Corporate Plan with more outcome focused targets simplifying the information. Members raised concerns that measuring progress targets could be easily mis-interpreted, and that contextual information was needed e.g. the Corporate Plan currently states the exact figure in relation to rough sleepers who have been helped but there is no information to set this in context, for example the number of known rough sleepers.

Members were informed about the development of Locality Based Working to effectively integrate services for older people within a geographical location, taking a person centred approach, reducing duplication and improving citizen engagement.

Focus was being placed on the needs of the client, avoiding provider city travel to support and develop the locality based model.

Members referred to Housing Regeneration schemes taking place across the city and the quality of responses received by tenants. This was an informal opportunity for tenants to participate in the programme and were comfortable in doing so.

The Committee was assured that following the introduction of the new Homelessness Strategy, gaps in the measures had been identified and the key targets would be included in the Service Delivery Plans.

Councillor Elmore explained that a case management approach was being applied to support rough sleepers. Success stories were being identified and the Council's priority was to decrease the numbers of persons living rough on the streets.

Some Members felt the Corporate Plan had limited explanation of the direction of travel and could be seen as a stand-alone document, without being refreshed on a regular basis. It would be useful to have more contextual information.

Officers explained to the Committee that the Corporate Plan captured highlights, key themes and measures. The detail of direction of travel of specific objectives would be included in the annual review. The intention was to shorten the document and make it task focused rather than descriptive.

Officers drew attention to current funding position with Welsh Government in relation to Housing and Temporary Accommodation. From April 2017 onwards Cardiff would receive less monies from Welsh Government as the formula had changed. Additional monies had been provided to support the Homeless Programme but a £300k loss was still being realised.

The Committee drew attention to Savings Proposals.

Members asked for further detail on the Grants Review. In response Officers explained it is from Cardiff's Woman's Aid interim maternity cover and that no service provision was stopping as a result of this saving.

The Committee sought further information on the Recharging of utilities at Rover Way & Shirenewton.

Officers advised that at some sites utilities could not be currently allocated to actual pitches. Part of this would require the installation of individual water meters and electric meters, to enable usage to be charged directly to the users.

Members of the Committee asked why the 'providing budgeting and income maximisation services for the most vulnerable citizens' was marked as a red risk. Officers in response explained this was as a result of Welfare Reform benefit cap in relation to paying rent arrears.

Employee Implications of Budget

Members of the Committee asked what impact on staff the new approach to Locality and Neighbourhood Service Delivery would have. Officers, in response explained

the figures related to a proposed restructure, in order to meet the delivery of service going forward.

The Committee discussed the Spend Plan and the discussions in place with partners. Officers, in response explained the process was on-going with meetings in place with the new providers to address the services.

Fees & Charges

The Committee was pleased to see no increase directed towards Meals on Wheels charges.

The Committee welcomed Tony Young, Director of Social Services and Amanda Phillips Assistant Director to the meeting to address Adult Social Services.

Councillor Elsmore thanked the Officers for the work carried out on the budget process. Achievements were recognised in both service provision and improved effectiveness across the department.

The Committee received a presentation, which outlined the detail in the Social Services Budget for 2017/18.

Members of the Committee referred to the Commitment to make Cardiff a recognised Dementia Friendly City by March 2018, outlined in the Corporate Plan and asked how this would be taken forward now that Neighbourhood Partnerships were being restructured, given that they had led on this work to date.

Officers advised the Committee a new Dementia Friendly City Plan was being finalised and would sit above the existing 6 Neighbourhood Partnership plans, providing a picture of activities across the city.

The Committee welcomed the change to the plans and asked if a Dashboard sat underneath the 6 plans. Officers in response confirmed that Dashboards sat under the plans, which were currently at different stages on a city wide basis. These plans would bring together the proposed delivery from the 6 neighbourhoods on the Dementia Friendly City status.

Members were keen to hear about the implementation of the new Day Opportunities by March 2018. Councillor Elsmore in response explained that all day centres were evaluated 2-3 years ago. Fairwater Centre was completed in January 2017, which included an additional activity structure resulting in significant improvements for both staff and clients.

The Committee Members were concerned that no targets were set for the reduction to Delayed Transfers of Care. Officers, in response confirmed the figure would be reported back to the Committee.

Savings Proposals

The Committee asked why the Review of Emergency Accommodation Service for Learning Disability Service Users was RAG rated at Red/Amber. Officer in response

explained the RAG status was a result of the issues experienced when implemented. This had followed the Corporate Assessment of the EIA, resulting in certain challenges being identified.

The Committee discussed the Review of Social Work Resource in Hospitals and the impact the proposal of alternative models could have on the service.

Members of the Committee were advised of the potential restructure of social work assistants to support resources in hospitals. This would also be based on current resources in place and how they were utilised.

The Committee was informed of the review of the domiciliary model of delivery. A team was established to support these changes and a savings of 7% would be realised. Working alongside care providers was vital to look at the range of issues and service models which impacted on the delivery of care.

Councillor De'Ath, Cabinet Member for Safety, Engagement and Skills.

- Sarah McGill, Director of Communities, Housing and Customer Services
- Dave Holland, Head of Regional Regulatory Services

Councillor De'Ath provided a statement.

The recommissioning of Domestic Violence Services was in place, with a 1 Stop Shop established to support Domestic Abuse. The shared Regulatory Services Support was identifying and making savings. Additional capital was being made available for Alleygating to prevent anti-social behaviour.

The Committee was concerned there were no targets in place to measure progress in Domestic Violence Support Services. Officers in response confirmed the measures were in the Service Plans.

Members of the Committee were concerned that the Commitment to 'Ensure that Domestic Violence Support Services met the requirements of new legislation, including the recommissioning of the service' was not included in the Measures.

The Committee was informed that currently the recommissioning programme was in place to drive forward the Domestic Violence Partnership. Measures were established to measure awareness for staff and was outlined in the 2017/18 Service Plan.

Members sought re-assurance that the savings attributed to Shared Regulatory Services were deliverable, given the savings to date. Officers advised the savings were part of the 3 year plan and came from improvements in the use of ICT packages and a reduction in mileage costs.

RESOLVED: The Committee AGREED that the Chairperson on behalf of the Committee writes to the relevant Cabinet Members and Officers thanking them for attending the meeting and conveying their comments and observations on behalf of the Committee.

60 : DATE OF NEXT MEETING

8 March 2017

COMMUNITY & ADULT SERVICES SCRUTINY COMMITTEE

8 MARCH 2017

Present: County Councillor McGarry(Chairperson)
County Councillors Ahmed and Sanders

61 : APOLOGIES FOR ABSENCE

Apologies were received from Councillors Carters, Ralph Cook and Magill.

62 : DECLARATIONS OF INTEREST

A declaration of interest was received from Councillor Sanders who declared a personal interest in item 5 as one of the partners named is Cardiff Homelessness Alliance which she set up.

63 : MINUTES

The minutes of the meeting held on 18 January 2017 were agreed as a correct record and signed by the Chairperson.

64 : REGIONAL PARTNERSHIP BOARD : PROGRESS UPDATE

The Chairperson welcomed Councillor Susan Elsmore – Cabinet Member Health Housing and Wellbeing, Tony Young, (Director of Social Services), Amanda Phillips (Assistant Director of Adult Social Services), Rachel Jones (Assistant Director Integrating Health & Social Care) and Judith Hill (Cardiff & Vale UHB – Head of Integrated Health) to the meeting.

The Chairperson invited the Cabinet Member to make a statement in which she said that she had attended the panel process to interview for the new Chief Executive of the Cardiff & Vale UHB. She is an independent member of the board representing Local Authorities, she also Chairs the Regional Partnership Board; this shows the progress that has been made in the partnership working.

Members were provided with a presentation after which the Chairperson invited questions and comments from Members:

- Members sought clarification of the governance arrangements and the links between the individual organisations and their responsibilities alongside those of the Board. Officers explained that there were no formal delegated decision powers for the Board, all decisions go back to the individual authorities and Health Board. Scrutiny arrangements would also go to individual authorities. The Director added that the main focus for the RPB was part 9 of the Act, some areas remain firmly with individual authorities and their Directors of Social Services, however, over time, some of the lines may blur.
- Members asked how they could work eventually towards one aim, to integrate more to improve outcomes. The Director stated that there was a huge agenda for part 9 of the Act, if progress is made here then it can be elsewhere too. There had been lots of frustration regarding integration but it was starting to

feel different now and the partnership was working better, with the work of the Assistant Director assisting this greatly.

- Members referred to the Population Needs Assessment and asked how it reads across with the Well Being & Future Generation Act needs assessment work that Cardiff has done. Officers explained that the latter is quite high level, whereas this population needs assessment is more specific, they started together then differences became apparent. There were however common themes which came out of the assessments, such as loneliness. The next stage is to develop an area plan with the leads of the PSB's. Locality approach is well established in Cardiff and it could be applied here. With regards to engagement, officers agreed to look at what had been done with the Wellbeing Needs Assessment.
- Members were pleased to see that, with regards to DeToc, individual patient numbers have reduced. However, Members were concerned to see the number of bed days were increasing; Members asked what was being done to reduce the number of Bed Days and were advised that bed Days was the most worrying issue, with people staying in hospital for longer than needed. Members were advised that there are daily ward rounds, which look at discharge plans etc.; there are multi agency meetings each week to discuss every patient who is medically fit and work is done to avoid them staying longer than necessary. Complex case reviews are undertaken which look at issues, length of stay, work with mental health teams also happens now.

Capacity in care homes is also an issue, especially for Elderly Mentally Infirm patients and capacity work needs to be done in this area. Officers added there is likely to be an increase in DeToc this month as people get medically fit after the winter. With regards to the homecare market there was lots of work being done to increase capacity in the sector.

- Members asked what work was being done on support for carers and were advised that there was lots of work including innovative work with young carers, there was consultation with young carers about what support they need. With regard to Adult carers, the caring forum was an ongoing voice for carers and there is a carer representative on the Board, however it is recognised the forum needs more work to become a meaningful voice for carers and not just ad hoc views. Officers added that there was a dedicated carers team with a lead officer and there was also a joint piece of work on Young/Adult carers that was subject to an ICF bid.
- Members sought assurances that there were enough resources to continue with the excellent work being done. Officers stated there were pressures but the climate encourages more creative and innovative uses of resources to be efficient. There is a need to be better at understanding needs and demands across all partners; joint systems were needed alongside an understanding of the impact of the work being done.

The Cabinet Member added that there are concerns nationally on the budget impact on social services over the next few years; there was a need to work creatively but be aware of the funding gap that is not going to go away. The Director added that there was a growth bid in the budget for support for carers,

but there would never be enough resource to provide the level of support he would like to provide.

RESOLVED that the views of the Committee would be discussed during the way forward section of the meeting and a letter sent to the Cabinet Member in due course.

65 : ROUGH SLEEPERS STRATEGY PRE DECISION SCRUTINY

The Chairperson welcomed Councillor Susan Elsmore – Cabinet Member Health Housing and Wellbeing, Sarah McGill, (Director of Communities, Housing and Customer Services) and Jane Thomas (Assistant Director of Communities and Housing) to the meeting.

The Chairperson invited the Cabinet Member to make a statement in which she said that this was her last opportunity in the current electoral cycle to address the Committee and she was delighted to present this Strategy. The Cabinet Member added that she wished to commend the work undertaken by Jane Thomas, she considered it was one of the finest pieces of work that she has seen in relation to the engagement, detail and level of ambition it shows.

Members were provided with a presentation after which the Chairperson invited questions and comments from Members:

- Members wished to wholeheartedly commend Officers for their work on this Strategy, particularly with its sentiment and detail.
- Members noted that lots of partners are involved including volunteers and faith groups who work behind the scenes with no funding, and asked how can it be ensured that all those involved work towards the Strategy. Officers advised that there had been more communication with faith groups this year, it is important to go out and speak with the small volunteer groups such as those who do the soup runs, they do a wonderful job and they need to be provided with the information that they can give out to people about Pathways etc.
- Members were pleased to see that there were now two Mental Health nurses working with officers. Officers agreed and said that there were lots of issues that needed to be worked through such as making sure that accommodation is fit for purpose for their needs; it was also possible to work on support pathways in normal flats rather than supported accommodation. The Cabinet Member added that when she started in her role, Health often did not attend Hub Committee meetings but things have moved on from then. The Cabinet Member also highlighted that bereavement is often a trigger for rough sleeping, which has gone unspoken for a long time. The Director added that gathering evidence of what is working will help to develop pathways and garner support for these as has been the case in other changes such as the First Point of Contact changes.
- Members noted that Housing First is a very important issue and asked if help is provided when people are given their own accommodation. Officers advised that help is provided, this is already being done via Litchfield Court and it is hoped that it can be extended. Officers noted that sometimes people

can become entrenched in the homelessness lifestyle and can find their own accommodation very lonely as they miss the community of the streets. It is therefore important to create a community network for these people so they do not fall back into rough sleeping as a way of not feeling so lonely.

- Members asked what health conditions are experienced by rough sleepers and were advised that there are various conditions aside from substance misuse issues, such as Lung problems and trench foot.
- Members noted that 50% of rough sleepers in Cardiff are not from Cardiff. The Cabinet Member stated that 50% have no local connection and 20% are EEA Nationals. It was noted that up until last year Caerphilly advertised Cardiff's services on their website and in their Citizens Advice Bureaus. She added that Cardiff was a magnet as a capital city. Officers stated that they work with the Salvation Army and reconnection services to look for friends and relatives to try to reconnect people; the Salvation Army has links throughout the UK and Europe.
- Members asked if there were any successful Strategies in other Local Authorities that Cardiff could look at and were advised that officers have looked at work in London (No second night out) and work in America (Housing First); everyone was challenged and there was no real answer as yet. Cardiff is seen as an exemplar with its excellent services but change is needed as rough sleeping has been rising.
- Members asked how the different partners will be coordinated so there is no duplication in assessment and procedures. Officers stated that wherever people are picked up, they would engage through the Gateway and a case started; anyone who is involved though can give advice.
- Members asked if EEA Nationals are given a case worker and were advised that they do and that the Salvation Army does have a small house to house EEA Nationals that they think they can help get into work etc., which is paid for by charitable donations. If they go through the process and decide not to engage then they can be referred to immigration. It will be the role of Council officers to refer to immigration services; other organisations or volunteers would not be expected to take on this role.
- Members sought assurance that the service had enough resources to help people return to or engage with employment or education. Officers stated that part of the Strategy was to review funding to ensure that the reconnection process was sustainable. The Cabinet Member added that there needed to be clear protocols and boundaries within the overall context of being non-judgemental. The Director noted that the report needed to be amended slightly in relation to the supported people funding as they needed a recommendation for decision.

RESOLVED that the views of the Committee would be discussed during the way forward section of the meeting and a letter sent to the Cabinet Member in due course.

66 : PROGRESS RE DEMENTIA FRIENDLY COMMUNITIES - BRIEFING REPORT

Members were provided with an update on the development of 'Dementia Friendly Communities' action plans in the Neighbourhood Partnership areas.

The briefing report, which had been prepared by officers from Cardiff and Vale Public Health Team, stated:

- a. The Neighbourhood Partnership areas of Cardiff North, Cardiff South West and Cardiff City and South expressed an interest in beginning to work towards becoming Dementia Friendly Communities;
- b. A series of meetings were held to discuss how core local authority services could contribute to the creation of a dementia friendly city;
- c. During Quarter 3 2016/17, a number of planning meetings took place;
- d. In February 2017, a Cardiff city-wide plan was finalised to submit to Alzheimer's Society for the city to receive 'Working towards becoming Dementia Friendly' status;
- e. The Neighbourhood Partnership areas of Cardiff North, Cardiff South West, Cardiff City and South and Cardiff East are currently in the process of establishing local Dementia Friendly steering groups.

The Chairperson invited questions and comments from Members:

- Members were concerned that not all neighbourhood areas had developed local plans as they had been told that they would. The Scrutiny officer stated that this had been asked at Performance Panel meetings too and she said she would endeavour to get an update on this.
- Members asked what the difference was between the City Wide Plan and local delivery plans. The Scrutiny officer stated that she would endeavour to get an update on this.
- Members said they would be interested to see how the City Wide Approach would be implemented.

RESOLVED to note the briefing report.

67 : COMMITTEE BUSINESS

This report provided the Committee with the latest update on correspondence. The Committee received copies of correspondence sent and received in relation to matters previously scrutinised by this Committee.

Members were advised that the outstanding response in relation to Adult Safeguarding had now been received so the correspondence list would be updated.

Members were advised that the Performance and Budget Monitoring Panel had met on 6 February and 6 March to look at Quarters 2 and 3 performance.

The Scrutiny Officer advised Members that the Draft Annual Report was presented for their consideration; it outlined the work undertaken from June to March, captures the impact of that work and includes quotes from Cabinet Members. The report also included the impact of the work of the Committee from 2012-2017, which was evidenced with examples.

Further amendments were needed such as including the Night Time Economy work and IAA, and the outcome of the committee meeting.

RESOLVED to:

- I. Note the content of the correspondence schedule;
- II. Note the feedback from the Performance and Budget Monitoring Panel; and
- III. Approve that the draft Annual Report 2016/17, subject to any amendments the Committee wish to make, be laid before Council;

**CYNGOR CAERDYDD
CARDIFF COUNCIL**

COMMUNITY & ADULT SERVICES SCRUTINY COMMITTEE

19 July 2017

DRAFT HOUSING REVENUE ACCOUNT BUSINESS PLAN 2017-18

Purpose of Report

1. This report provides the Committee with background information to enable Members to scrutinise the draft Housing Revenue Account (HRA) Business Plan 2017-18 prior to its consideration by the Cabinet. A copy of the draft Cabinet Report, including the draft HRA Business Plan, is attached at **Appendix A**.
2. The scope of the scrutiny is twofold: first, to examine progress with maintaining the Welsh Housing Quality Standard (WHQS); and secondly, to examine the financial assumptions built into the Plan and the use of resources post WHQS. Members will then be able to decide what comments, observations or recommendations they wish to pass on to Cabinet for their consideration prior to making their decisions.

Background

3. The Housing Revenue Account (HRA) is a ring-fenced account that records income and expenditure in relation to council housing. The Local Government and Housing Act 1989 placed a statutory duty on local authorities to maintain a separate account for the costs associated with the management and maintenance of council housing. The ring-fencing of the account means that local authorities may not subsidise council housing from the general fund (i.e. from Council Tax or Revenue Support Grant) or use council housing monies to subsidise the general fund.
4. The main expenditure items within the HRA include management (rent collection, allocations and property & estate management), maintenance and repair costs

and capital financing charges on the HRA's outstanding loan debt. The major income items include council housing rents and income from service charges.

5. All Welsh Councils are required to submit 30 year HRA Business Plans annually on a rolling basis to the Welsh Government. These Plans detail the Council's arrangements for meeting and maintaining the requirements of the Welsh Housing Quality Standard (WHQS). Cardiff Council achieved the WHQS in 2012 and now has to plan how to maintain this standard.
6. Councils are required to demonstrate that they have the financial resources available to pay for the works required to maintain council housing stock to the WHQS. This requires:
 - i) a detailed and up-to-date knowledge of the condition of the housing stock and therefore of the works required to maintain WHQS;
 - ii) assumptions of the likely expenditure requirements e.g. costs of works required to maintain the WHQS;
 - iii) assumptions of the likely income e.g. revenue streams and capital receipts.

Financial Model & Assumptions

7. Members can see a summary of the resource planning underpinning the HRA Business Plan on **pages 52-59, Appendix 1 of Appendix A**. The quality of the financial model used to predict these resources and the appropriateness of the assumptions within this model are factors that will affect whether the WHQS can be maintained. Members will note that the Council uses the parameters set by the Welsh Government for the key assumptions used within the base line model for the business plan, as follows:
 - i) the rate of inflation, based on Consumer Price Index and Retail Price Index (*between 1% and 3% throughout the 30 years*);
 - ii) the level of voids that is deemed acceptable (*1.40% currently, increasing to 2.03% at Year 7 through to Year 30*);
 - iii) the level of bad debts that is deemed acceptable (*0.74% currently, increasing to 1.36% at Year 7 through to Year 30*);

- iv) the level of rent increases that is deemed acceptable (*from 2018, 2.35% - 3% per annum for rent; service charges mostly frozen, with a small number increased for full cost recovery*); and
 - v) the amount of Major Repairs Allowance for 2017/18, received from the Welsh Government (£9.6 million).
8. Given the current economic climate, no provision has been made for land receipts in the financial model used. This has been the case since 2009-10. In addition, no provision for council house sales (Right to Buy receipts) is included post 2017-18¹.
9. The Sensitivity Analysis on **Page 54, Appendix 1 of Appendix A** illustrates how changes to the various parameters assumed within the financial model could have an impact on financial outcomes, requiring the Council to borrow money to maintain the Welsh Housing Quality Standard.
10. The draft HRA Business Plan, on **page 56, Appendix 1 of Appendix A**, highlights the impact of Welfare Reforms and states that consideration has been given in the draft HRA Business Plan to the likely impact of Welfare Reforms.
11. In 2014, the Council decided to buy itself out of the UK Government Housing Revenue Account Subsidy (HRAS) system. The report on this was taken to Cabinet in July 2014 and is available at:
- <http://cardiff.moderngov.co.uk/CeListDocuments.aspx?Committeeld=151&MeetingId=482&DF=17%2f07%2f2014&Ver=2&LLL=0>
12. Prior to this, the Council was a net contributor to HM Treasury, with a £15.1 million subsidy payment made in 2013/14. Having bought itself out of the HRAS, the Council is circa £2 million per annum better off, once repayment of debt costs (incurred from 'buying out' from HM Treasury) are taken into account. To finance the 'buy out', the Council took out a basket of loans totaling circa £190 million from the Public Works Loan Board. This is included in the Council's treasury

¹ Following a public consultation, the Council has applied to Welsh Government to suspend Right to Buy/Acquire social housing across Cardiff for a period of 5 years. A decision is awaited.

management strategy. Having taken into account repayment costs, there is circa £31 million headroom for prudential borrowing.

Use of resources

13. The HRA Business Plan sets out how resources will be used to maintain properties to WHQS. It also sets out how resources will be used to deliver new affordable housing, via Cardiff Living and other projects.
14. Cardiff Living aims to deliver 600 affordable housing units, in partnership with Wates Residential, over three phases of development. **Pages 48 – 51 of Appendix 1 of Appendix A** provide more details of this scheme along with a map showing the sites in Phase One.
15. The other projects to deliver affordable housing are listed at **points 13 – 16** of the report to Cabinet, **Appendix A**, and include using HRA resources to buy suitable council owned land or property for council housing development, at market value.

Pre-decision scrutiny

16. Pre-decision scrutiny aims to inform the Cabinet's decisions by making evidence based recommendations. Scrutiny Members are advised to:
 - i) Check the financial implications section of the Cabinet report to be aware of the advice given;
 - ii) Check the legal implications sections of the Cabinet report to be aware of the advice given;
 - iii) Look at the recommendations to Cabinet to see if these are appropriate and based on the evidence provided in the report and its appendix.
17. The recommendations to Cabinet are:
 - i) The Cabinet approve the HRA Business Plan 2017-2018
 - ii) The Cabinet note that the approved Plan will be submitted to the Welsh Government.

- iii) To agree the principle of appropriating General Fund land or property deemed suitable for the development of new council housing from the general fund into the HRA for an agreed value representing market value.

Previous Scrutiny

18. The previous Committee considered the draft HRA Business Plan 2016-17 at their meeting on 6 January 2016, prior to consideration by the Cabinet. The outcome of this scrutiny was a letter to Councillor Elsmore, Cabinet Member Health, Housing and Well Being², attached at **Appendix B**. At this meeting, Members noted the following:

- i) Officers explained that proposed rent increases will not have an impact on the majority of tenants as the increase will be covered by housing benefit. Those households covered by the 'benefit cap' will be affected by the rent increase. Those households affected by the 'Bedroom Tax' will have an increased cost of approximately 14% of the overall increase.
- ii) Officers provided assurances that the debt repayment relating to the Housing Revenue Account Subsidy exit is prudent, sustainable and affordable in the longer term.

Way Forward

19. At this meeting, the following witnesses will be in attendance to give a presentation and to answer Members' questions:

- i) Councillor Lynda Thorne (Cabinet Member for Housing and Communities)
- ii) Sarah McGill (Director, Communities, Housing and Customer Services)
- iii) Jane Thomas (Assistant Director, Communities and Housing),
- iv) Colin Blackmore, (Estates Improvement Manager) and
- v) Dave Jaques (Housing Development Manager).

Legal Implications

20. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal implications.

² Letter from Chair, Cllr McGarry, to Cllr Elsmore, Cabinet Member, dated 8 January 2016

However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

Financial Implications

21. There are no direct financial implications arising from this report. However, financial implications may arise if and when the matters under review are implemented with or without any modifications.

RECOMMENDATIONS

It is recommended that Members:

- i) note the scope and content of the draft Housing Revenue Account Business Plan 2017-18 and appendices provided to this cover report;
- ii) note the content of the presentation provided at the committee meeting;
- iii) agree comments, observations and any recommendations for consideration by the Cabinet at their forthcoming meeting; and
- iv) decide the way forward with regard to any further scrutiny of this issue.

DAVINA FIORE

Director of Governance and Legal Services and Monitoring Officer

13 July 2017

CITY OF CARDIFF COUNCIL CYNGOR DINAS CAERDYDD

CABINET MEETING:

27th July 2017

HOUSING REVENUE ACCOUNT (HRA) BUSINESS PLAN

REPORT OF CORPORATE DIRECTOR

AGENDA ITEM:

PORTFOLIO: HOUSING AND COMMUNITIES (Councillor Lynda Thorne)

Reason for this Report

1. To present the Housing Revenue Account (HRA) Business Plan 2017-2018 for Cabinet approval.
2. To agree the principle of appropriating General Fund land or property deemed suitable for the development of new council housing from the general fund into the HRA for an agreed value representing market value.

Background

3. All Local Authorities in Wales have the responsibility to plan for the housing needs of their population in their role as Strategic Housing Authority. However only 11 of the of the 22 authorities in Wales have retained their council housing stock and consequently a role in the direct delivery of affordable, good quality homes as a social housing landlord.
4. The Council's landlord functions are managed within a ring-fenced Housing Revenue Account. Since 2015 stock retaining authorities have operated on a self-financing basis following a "buy-out" from the previous HRA subsidy system. A borrowing cap was imposed by UK Treasury as part of the buy-out arrangements but Cardiff was successful in obtaining borrowing capacity for new build homes having already achieved the Welsh Quality Housing Standard (WHQS) for its existing properties.
5. The 11 stock remaining authorities in Wales are required to present an "acceptable" Housing Revenue Account (HRA) Business Plan (including a 30 year financial model) to the Welsh Government each year in order that the Welsh Government can assess the progress of local authorities towards meeting and/or maintaining the WHQS and be eligible for the Major Repairs Allowance (MRA) Grant (currently £9.6m).
6. The Plan must conform to a structure and include business plan parameters set out by the Welsh Government.

7. This plan also provides the link with the Corporate Plan, and the Communities, Housing and Customer Services Delivery Plan.

Issues

Housing Revenue Account Business Plan

8. The HRA Business Plan attached in appendix 1 aims to;
 - set out Cardiff's purpose and vision as a social housing landlord;
 - set out it's objectives and standards for the service;
 - plan how the service aims to achieve the objectives and standards set out (the strategies);
 - plan resource and financial requirements;
 - provide a framework for monitoring and evaluating the progress of the housing 'business';
 - communicate Cardiff's plans to its tenants, members, the Welsh Government, other key stakeholders, partners and the wider community.
9. The Business Plan ensures;
 - efficient use of housing assets;
 - increased transparency of the HRA;
 - precise planning of our housing management strategy;
10. The Welsh Government set a recommended rent increase for 2017/18 of 2.5%, with the option to add an additional £2 per week to raise further rental income to invest in upgrading the existing housing stock and its environment or to build new properties. Cardiff has applied the increase of 2.5% + £2 per week to all tenants for 2017/18 and this was agreed at Budget Council on 23rd February 2017.
11. Cardiff Council was the first authority in Wales to declare achievement of the Welsh Housing Quality Standard, almost two months ahead of the Welsh Government deadline date of December 2012.
12. Following the completion of the WHQS for existing Council Housing, the Business Plan ensures the maintenance of the WHQS and sets out the Council's objective to deliver high quality and sustainable housing. A **new build housing** programme (Cardiff Living) is being undertaken which will deliver approximately 1,500 new housing units, with a minimum of 40% being affordable housing. These homes will be built over 40 sites across Cardiff split into 3 phases of development. Phase 1 of this programme, a partnership with Wates Residential, is currently underway.

13. Other **new build housing projects** outside of Cardiff Living are being delivered in order to achieve an overall target of building 1,000 new council homes within the next 5 years. At least 150 of these will be from 'innovative solutions'. A number of delivery options are being implemented including:
 - Buying property from the open market.
 - Conversion of buildings for housing – (both general needs and supported housing schemes).
 - Innovative housing solutions such off-site modular systems.
 - Package deals (where we agree to buy new properties straight from a developer).
14. The first phase of the Cardiff Living has commenced at Willowbrook West with 192 units of which 58 are affordable housing units. The full details phase 1 of the "Cardiff Living" programme is included in the HRA Business Plan. Outside of the 600 new homes that comprise the affordable housing element of "Cardiff Living" additional sites are being brought on stream with a new development at Thornhill recently completed and land acquired for a development of 16 new homes in Careau. Close monitoring will take place to ensure that 1,000 new Council homes are delivered as part of the Capital Ambition objective.
15. As part of the overall strategy to build new homes the Authority working to identify suitable council owned land or property for council house development. In the case where General Fund land or property is identified as being suitable for development the appropriation of this land/property from the General Fund into the HRA will take place. In these cases a value representing a market value will be agreed.
16. The councils buy-back policy sets out the criteria attached to the purchase of properties (both flats and Houses) from the market. Usually these properties will be ex-council properties, although this will not always be the case. In determining which properties to purchase there is a focus on those in high demand and where the new build programme is unlikely to meet the need, targeting larger 3 or 4 bedroomed family homes, which would be costly to build, as well as adapted properties and ground floor flats suitable for tenants who are less mobile. It is planned that approximately 20 properties will be bought in 2017/18 and will be subject to affordability. An earmarked revenue reserve was set up during 2016/17 for this purpose. Properties will also be purchased where necessary to deliver redevelopment or improvement schemes and to meet social care needs. The properties are all surveyed and valued by an independent surveyor before purchase to ensure value for money. The application to suspend the Right to Buy has passed the first stage and been accepted by Welsh Government, this means that new applications will be held and no further council homes will be sold until the final decision is made. This means that any properties purchased or built will remain available for those in housing need in Cardiff. The delegations, if approved, will enable a wider range of properties to meet critical housing need.

17. Under the Welsh Government's rent policy an annual target rent band is set for each social landlord. The responsibility for setting the rents for individual dwellings still rests with the Council. The Welsh Government guidance on rent levels provides a target rent level incorporates a quality factor by the inclusion of energy efficiency ratings. Those LA's where average SAP (Standard Assessment Procedure) are above the Welsh Housing Quality Standard threshold of 65 benefit from a higher target rent level. The average SAP rating for Cardiff Council's housing stock is 68.8.
18. Other key objectives included in the Business Plan are:
- The **Remodelling and Restructure** of existing homes over the life of the plan. There has been a review as to the suitability of the Council's sheltered housing accommodation and one sheltered block (Minton Court) has already been modernised to keep pace with tenant needs. A second block (Sandown Court) was also completed this year having undergone significant remodelling to make the building fit for purpose. Similar works are programmed in three further sheltered blocks; Brentwood Court, Nelson House and Clos Y Nant. These works are due to commence early 2018.
 - Major **Estate Regeneration** works at Trowbridge Mawr have recently been completed and new regeneration schemes will commence in Anderson Place, Belmont Walk & Alice Street. Other smaller scale projects are planned throughout the city and include garage sites, courtyard improvements, gullies and alley gating schemes.
 - Large scale **Capital Improvement Works** include upgrading communal heating systems in sheltered accommodation and high-rise blocks, continuation of the 'A' rated boiler upgrade programme, roofing replacements and new front doors for flats.
 - The continued delivery of **Community Benefits** in partnership with our external building contractors, delivery apprenticeships for people living in Cardiff communities and the volunteering of staff time.
 - The scrutiny of **Performance Indicators** and **Tenant Satisfaction Surveys** against targets to measure Housing Management Services.
 - Focus on improving **Tenant Participation and Consultation** including examples of community projects and information on grants available and advice on how to make a difference in a community.
 - The current and future investment in **Neighbourhood Regeneration and Area Improvement Strategies**.
 - Significant budgets have been set aside over the next three financial years (2017/18 £2m, 2018/19 £5.7m & 2019/20 £4.3m) for **High-rise Upgrades**. These budgets will also cover any fire safety recommendations following the recent tragic events in London.

- Spotlight on the financial commitments and resource implications via the 5 Year **Capital & Revenue Budgets**.
19. **Community Hubs** are designed to bring together services, share resources and invest in better quality facilities, in a way which is responsive to the needs and priorities of individual neighbourhoods, housing services are a key component of all our Hubs and during 2016/17 we delivered:
- **Fairwater Hub**
 - **Splott/STAR Hub** with onsite leisure facilities
 - **Llanedeyrn Hub** and
 - **Llandaff North/Gabalfa Hub**

Building on this success, during 2017 we will further rollout the Hub Programme through the development of:

- **Llanishen Hub** and
 - **St Mellons Phase 2 Hub**.
20. The impact of Welfare Reform has been taken into account in developing the business plan. Financial modelling has been carried out to account for potential increases in rent arrears and the additional costs of collection. The service has put in place various measures to minimise this impact: tenants have been provided with detailed information about the changes that may affect them and their options have been set out including home swapping and property transfers for those tenants who need to downsize. Assistance has been made available to tenants who transfer to Universal Credit and there has been an increase in staffing to assist and advise tenants with debt management and budgeting, minimising impact of the change as far as possible.

Scrutiny

21. The draft HRA Business Plan was presented at Communities and Adult Services Scrutiny Committee on 19th July 2017. The letter from the Scrutiny Chair following this meeting and response are attached at appendix 2.

Reasons for Recommendations

22. To comply with the requirement to forward the HRA Business Plan to the Welsh Government.

Legal Implications

23. There are no direct legal implications but the requirement for a plan is set out in the body of the report. The approval of the business plan is an executive function which does not have to be referred to Council.

Financial Implications

24. The Housing Revenue Account Business Plan must be supported by a 30 year financial model. This financial model assesses the viability of the HRA over a 30 year time period. The model is also used to estimate the planned investment and the related capital and revenue implications over the period.
25. The financial model must by definition include many assumptions, particularly in respect of expenditure levels, capital financing, projected income levels and inflation rates. Obviously, this is further complicated by the uncertainty of the economic climate, the potential impact of Welfare Reform and the transfer to Universal credit, the demands on the housing environment generally and the long term nature of the forecasts within the Business Plan. As a result, all of these assumptions are extremely sensitive to change.
26. A number of crucial assumptions are built into the model, as follows:
 - From 2018/19 onwards, the model assumes that rent increases will be within a range of 2.35% to 3% per annum. With respect to service charges those charges which are normally increased in line with inflation have been frozen and a small number of charges have been increased for full cost recovery. There are some standstill charges where cost recovery is being achieved and some charges are decreased in line with reduced costs. Void rent loss projections vary within a range of 1.4% to 2.1% and bad debts vary with a range of 0.74% and 1.36% over the life of the plan. This forecast takes into account the potential impact of Welfare Reform on rent arrears and void properties, particularly as a result of the continuing reductions in Housing Benefit due to property rent/size restrictions. Any increase above this level is likely to impact on available revenue resources and may necessitate further offsetting operational savings.
 - Consumer and retail price indexes are estimated to be within a range of 1% and 3% throughout the model.
27. In line with the current financial year, the projected receipts from future council house sales are kept at a very low level and no new receipts are assumed from 2018/19 onwards.
28. The assumption in the model is that the Welsh Government Major Repairs Allowance remains at its current level of £9.6m p.a. over the course of the plan. Any allowance less than this will have an impact on the sustainability of the plan and the ability to maintain investment already incurred in the housing stock. The final allocation of Major Repairs Allowance to Cardiff in 2017/18 has been approved.
29. Consideration will be given to bringing budgets forward for direct land purchase to prepare for further phases of dwellings construction as well as appropriation of other suitable Council owned sites where opportunities arise and affordability allows. Any increase in costs of

capital schemes must be managed within the HRA Capital Programme approved by Council in February 2017.

30. Any financial deficit and liabilities of the HRA are ultimately liabilities of the Council. As part of the agreement to exit from the subsidy system, the Council must adhere to a debt cap of £316 million. The Business Plan details the capital and revenue funding implications of the proposed Capital Programme. The Programme assumes additional borrowing to be undertaken in order to build new housing and support investment in the existing stock. This will result in additional revenue implications in terms of interest payments and provision of repayment for borrowing. Accordingly any new expenditure to be paid for by borrowing should be prioritised to ensure that improvements are either essential or have an element of pay back, to ensure that there are no long term issues of affordability and sustainability in respect of borrowing. The position will be reviewed and may result in a requirement for offsetting revenue savings in future years which will be identified and reported through the financial monitoring process. Any plans for additional borrowing should also consider the impact of future regulation changes on income levels. Viability or payback assessments should be undertaken before investment in new build, open market acquisition or redevelopment proposals. This should be against set benchmarks to ensure value for money for rent payers and that investment is undertaken over a prudent period.

RECOMMENDATIONS

It is recommended that:-

- (1) The Cabinet approve the HRA Business Plan 2017-2018.
- (2) The Cabinet note that the approved Plan will be submitted to the Welsh Government.
- (3) To agree the principle of appropriating General Fund land or property deemed suitable for the development of new council housing from the general fund into the HRA for an agreed value representing market value.

SARAH McGill

Director of Communities, Housing & Customer Services
26th July 2017

The following Appendix is attached:-

Appendix 1 - HRA Business Plan 2017-2018

Appendix 2 – Scrutiny Letter and Cabinet Member response from Community & Adult Services Scrutiny Committee dated xxth July 2017.

The following Background Papers have been taken into account:-

- *Communities, Housing and Customer Services Directorate Delivery Plan 2017-2018*
- *Cardiff Corporate Plan 2017-2020*
- *30 Year Business Plan for Welsh Housing Revenue Accounts - Financial Model*

Housing Revenue Account (HRA) Business Plan 2017-18



Llywodraeth Cymru
Welsh Government

Communities, Housing
& Customer Services

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CARDIFF
CAERDYDD

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Foreword

A good quality home is at the heart of individual and community well-being and Cardiff Council has committed to enabling the provision of accessible, sustainable and affordable homes, particularly for those in the greatest need.

As Cabinet Member for Housing and Communities I have given a commitment to deliver good quality housing for the residents of Cardiff & I am delighted that work has commenced on two of our “Cardiff Living” sites. The whole new build scheme will deliver 1,500 new homes in the city, of which approximately 600 will be affordable and our development programme provides new jobs and training opportunities for local communities.

ensure that Cardiff remains at the forefront of housing provision

I am now working on our next challenge which is to increase our original new build target. Additional funding has been set aside as part of our investment strategy to provide an additional 1,000 new council homes on sites across the city over the next 5 years. My aim is to ensure that Cardiff remains at the forefront of housing provision and people in Cardiff increase their opportunity to access good quality housing to meet their housing need.

Building new homes is, of course, only part of the picture. We are also developing an acquisitions strategy to supplement our building programme and have also submitted an application to the Welsh Government to withdraw the Right to Buy in Cardiff which I hope will safeguard our much needed housing provision for current and future generations.



Councillor Lynda Thorne
Cabinet Member for Housing and Communities

Supporting people in vulnerable situations is one of the Council's key priorities. The development of appropriate housing options, that meet need at every stage of our lives, is vital if we are going to create more resilient and connected communities.

Supporting people in vulnerable situations

One of our objectives this year will be to ensure an increase in the range and quality of housing available for people who need some support to live independently at home. A key focus in this plan is on proposals for new and regenerated older persons housing as part of a more integrated approach to locality based care and support provision. The new approach to preventative service delivery is designed to ensure people in Cardiff are supported to live independently for longer with good quality and appropriate housing at the core.



Sarah McGill
Director of Communities, Housing & Customer Services

Housing & Communities Notice Board



Applying for housing

The Cardiff Housing website www.cardiffhousing.co.uk has been developed to help you look at all the options available to you.

Telephone: 029 2053 7111

Choose Option 1



Tenant Participation Team

You can contact the team through our website www.cardifftenants.co.uk or ring us on 029 2053 7511. You'll find lots of information about events happening in your area as well as surveys and opinion polls.

As at November 2016
the **Council**
housing stock
consisted of 13,462
properties.



Central Library Tel: 029 2087 1000

The Hub at Butetown Tel: 029 2053 7060

The Hub at St Mellons Tel: 029 2078 0992

The Hub at Llanrumney Tel: 029 2078 0994

Rumney Partnership Hub Tel: 029 2233 0661

Ely and Caerau Hub Tel: 029 2087 3800

Grangetown Hub Tel: 029 2078 0966

The Powerhouse Tel: 029 2054 9650

Fairwater Hub Tel: 029 2078 5583

STAR Hub Tel: 029 2078 8505



Llandaff North & Gabalfa Hub Tel: 029 2078 5588

The **Caretaking**

Services Team have removed almost 950 pieces of graffiti, 96% of offensive graffiti is removed within 24 hours



Into Work

Advice Services

have given work related advice to over 40,000 people.



The **Antisocial Behaviour Team**

received over 2600 referrals. To report anti social behaviour phone 101, council tenants can report it directly to 029 2053 7111 or call into any one of the Hubs.



The **Allocations Team**

manages the common waiting list of over 8,000 households for both the Council and its partner Housing Associations.



Responsive Repairs Unit

received 100,000 repairs requests through the Repairs Reporting Hotline: 029 2087 2087.



Tenancy Management

officers completed over 13,000 processes to assist tenants in 2015/16.





The Welsh Housing Quality Standard & Beyond

Introduction to the Welsh Housing Quality Standard (WHQS)

The WHQS arose from the National Housing Strategy for Wales ‘Better Homes for People in Wales’. The Standard was developed by the Welsh Government to provide a common target standard for the condition of all housing in Wales.

The Welsh Housing Quality Standard states that all households should have the opportunity to live in good quality homes that are:

- In a good state of repair.
- Safe and secure.
- Adequately heated, fuel efficient and well insulated.
- Contain up-to-date kitchens and bathrooms.
- Well managed.
- Located in attractive and safe environments.
- As far as possible suit the specific requirements of the household, (e.g. specific disabilities).

In September 2012 we were the first Council in Wales to achieve full 100% WHQS accreditation.

The Welsh Government has recognised that the standard cannot always be reached because of issues outside of the control of the Council. It has therefore introduced the concept of “Acceptable Fails” into the Welsh Housing Quality Standard revised guidance in order to recognise legitimate areas which would restrict a Council from reaching the required standard. There are four elements:

• Cost of remedy	• Timing of remedy
• Resident’s choice	• Physical constraint


































































We have a number of acceptable fails, (largely due to Resident’s Choice) and have implemented measures in order to re-visit and maximise achievement of the Standard.

Where tenants have refused works e.g. kitchen and bathroom replacement we have asked tenants to sign waiver forms.

We review the standard when properties become vacant and are working closely with the Tenants Participation Team to enable tenants that have not received WHQS works or have changed their minds to contact us.

In December 2015 208 properties were independently WHQS surveyed by EC Harris Cardiff, 98.7% of all elements were found to be compliant at that point in time.

Welsh Housing Quality Standard Attainment Tracker

WHQS Standard achieved	2008	2009	2010	2011	2012	2013	2014	2015	2016
Roofs									
Windows	97%	99%	99%	100%					
External Doors	93%	98%	100%						
Door Entry Systems	99%	100%							
Kitchens	23%	26%	43%	71%					
Bathrooms	24%	28%	44%	72%					
Energy Efficiency Pass	0%	0%	48%	52%					
Central Heating	100%								
Electrical Systems	0%	0%	50%	73%					
Smoke Detectors	99%	99%	98%	100%					
Environmental Works	51%	52%	67%	79%					

Cardiff Local Development Plan 2006-2026

Cardiff experiences some significant social needs, with particularly high housing demand projected to continue over the Local Development Plan period 2006-2026.

The Cardiff Context—Key issues:

- Largest urban area in Wales with a population of 345,400.
- Key driver of city-region economy in South East Wales.
- 1.4 million live within a 45 minute drive time of the city.
- Capital city of Wales, seat of Welsh Government.
- Cardiff's population has risen steadily over past 20 years - over 3,500 each year since 2001.
- Official projections indicate continued population growth over the Plan period.
- Significant need for affordable housing— over 8,000 people currently on combined housing waiting list.
- A need for 108 permanent Gypsy and Traveller pitches and a regional need for a 10 pitch transit site have been identified over the Plan period to 2026.
- Cardiff Council commissioned DCA in January 2015 to carry out a Local Housing Market Assessment (LHMA) including a Housing Needs Survey.
- The Local Housing Market Assessment (2015) indicates a need for 5,637 affordable dwellings over the next 3 years to address need.
- The table shows that 52.8% of existing movers sought to do so within a year, 30.5% required affordable housing in one to two years.
- 54.3% of households needing affordable housing require a 1 bed flat /maisonette property, 77.2% required a 4 bed semi-detached. Requirement for bungalows is mainly for 2 beds.

When required	Affordable Housing %	N ^{os.} implied	% All Tenures
Within 1 year	52.8	2,977	47.5
1 - 2 years	30.5	1,719	28.9
2 - 3 years	16.7	941	23.6
Total	100.0	5,637	100.0

* Source Local Housing Market Assessment (2015)

Type	One bedroom		Two bedrooms		Three bedrooms		Four bedrooms		Total
	%	N ^{os.}	%	N ^{os.}	%	N ^{os.}	%	N ^{os.}	
Detached house	0.0	0	8.0	109	18.5	326	0.0	0	435
Semi-detached	0.0	0	17.1	232	31.0	547	77.2	561	1,340
Terraced house	0.0	0	18.6	253	29.8	526	13.8	100	879
Bungalow	25.1	449	35.1	477	10.9	192	9.0	66	1,184
Flat/Maisonette	54.3	970	18.7	254	5.4	95	0.0	0	1,319
Bedsit	11.5	205	0.0	0	0.0	0	0.0	0	205
Supported housing	9.1	163	2.5	34	4.4	78	0.0	0	275
	100.0	1,787	100.0	1,359	100.0	1,764	100.0	727	5,637

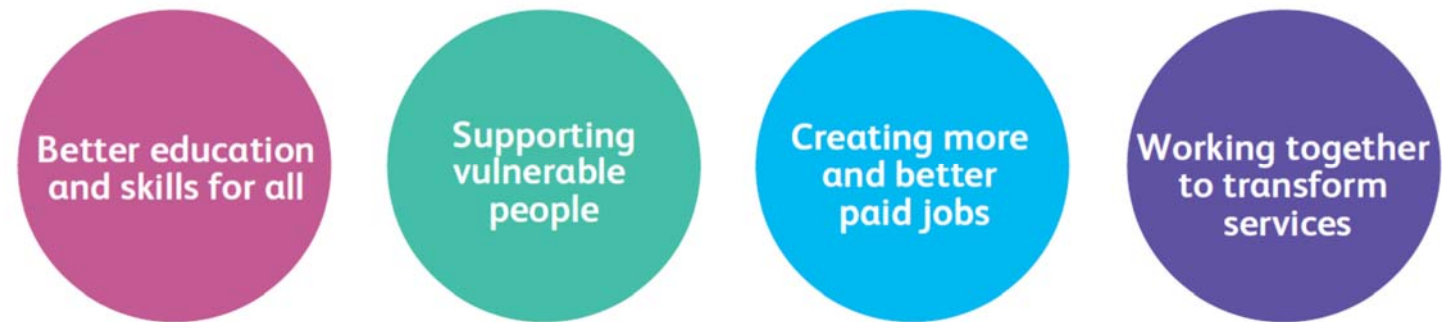
* Source Local Housing Market Assessment (2015)

Council Values

The Council's vision is to be Europe's most liveable capital city. Cardiff Council will create a culture that supports and enables a flexible, skilled, engaged and diverse workforce.



Priorities



Supporting vulnerable people









- 2.1 People at risk in Cardiff are safeguarded
- 2.2 People in Cardiff have access to good quality housing
- 2.3 People in Cardiff are supported to live independently

Performance Indicators

The performance of the Housing Management Service is monitored through a range of performance indicators. Results for September 2016 (Quarter 2) in a range of key areas are shown below:

Indicator	Target	Result
% of Into Work Service users who complete an accredited course who gain a qualification.	85%	92%
Percentage of general clean & clears completed within 10 working days.	95%	99%
The percentage of emergency repairs completed within target time (24 hrs).	90%	99%
Vacant Council stock as a percentage of overall stock.	1.5%	1.3%

Typology of the Housing Stock

Building Type	1900-1944 (3,149)	1945-1964 (4,945)
Detached House (20)		
Semi-Detached House (3,340)		
Terraced (4,525)		
Flats & Maisonettes (5,577)		

**1965-1989
(5,241)**

**1990-Date
(127)**

**Date-2020
(600)**



Community Matters

Mrs Amber lives in Llanishen with her husband and two young children, *“The area is great and the community are very friendly”*. Mrs Amber has the local school, parks, bus stops within 5 minutes walk.

The area is great and the community are very friendly

Mrs Amber often travels to town to use the Central Library Hub, *“I have attended training courses at the Central Hub: Food Safety, Health & Safety Working with Children. I also attended CPR training at the Senydd”*, all courses were free.

To give back to the community Mrs Amber volunteers at a nearby Mosque, their motto for the community is, *“Love for all and hatred for none”*. The mosque puts on various events such as health & fitness and social wellbeing.

“We recently held a Macmillan coffee morning. We also collect food for the local food bank. We are currently sponsoring 4 homeless people, we buy all their food and groceries and take it to Trinity Church for them”.





Hub Development Programme

Community Hubs are being rolled-out in priority neighbourhoods, in accordance with the Hubs strategy approved by Cabinet. The aim is to deliver more joined-up customer services from better quality community buildings.

Fairwater Hub opened to the public in May, following a £300,000 refurbishment of the former library. Additional community, training and interview rooms allow a greater range of services to be offered.

The STAR Hub was completed in September, a £6 million new-build facility which brings leisure and community services together under one-roof. A 25 metre swimming pool and 'state of the art' gym are complemented by a library and advice hub, training rooms, multi-use community spaces and community café.

Llandaff North & Gabalfa Hub involved the conversion and re-modelling of the former library and day centre in Gabalfa Avenue and opened January 2017.

The Llanedeyrn Hub is being created through a 600m² extension to the Powerhouse Community Centre and forms part of the wider Maelfa regeneration scheme. The Llanishen Hub is due for completion in 2017.

Community Hub Development Programme



Llanishen



Llandaff North



Fairwater



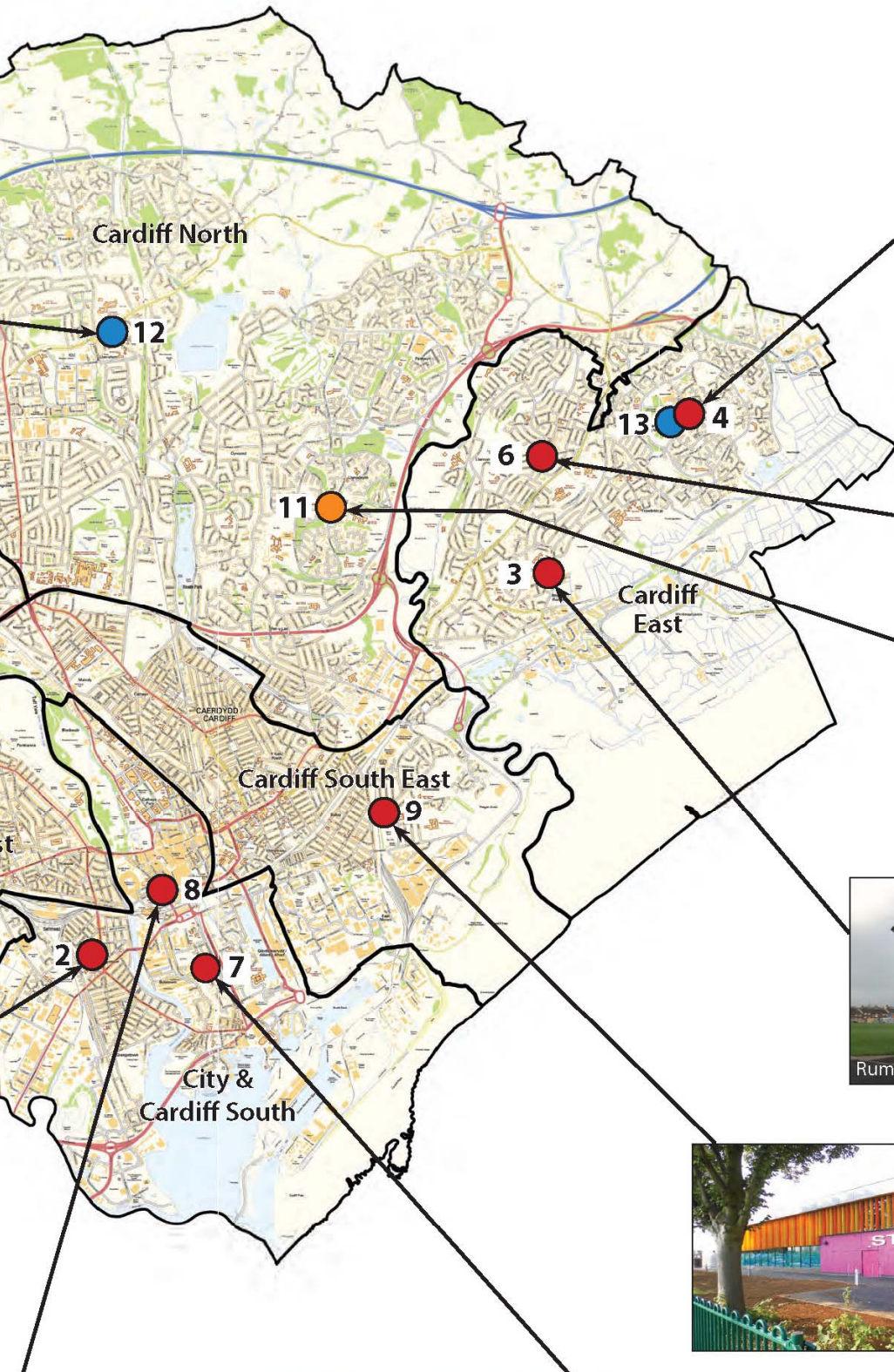
Ely/Caerau



Grangetown



- **Completed**
 - 1 Ely/Caerau
 - 2 Grangetown
 - 3 Rumney
 - 4 St Mellons - Phase 1
 - 5 Fairwater
 - 6 Llanrumney
 - 7 Butetown
 - 8 Central Library
 - 9 STAR
 - 10 Llandaff North
- **Under Construction**
 - 11 Llanedeyrn
- **Planning Stage**
 - 12 Llanishen
 - 13 St Mellons - Phase 2
 - 14 Ely/Caerau - Phase 2



St Mellons



Llanrumney



Llanedeyrn



Rumney



STAR



Butetown



Bynfa
reception
ral Library

Date : September 2016

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Community Hubs

The Star Hub opened its doors in September 2016, over 1000 visitors passed through the front doors on the first day alone.

Hub manager Naima Abdi covers the Star Hub, Grangetown and Butetown Hubs with 12 staff members. All Hub staff are highly trained, enabling them to help members of the public with a wide range of issues from applying for council housing, housing benefits information, council tax enquiries, school admission and free bus pass applications. The staff also run a full library service.

between the staff we can translate over six languages

“We also run loads of activities arranged in the Hubs, so for example Grangetown Hub runs Bollywood dancing classes, we managed to give the organiser a discount if they offered free classes to children, Saturday Film Club is very popular, we try to encourage community groups to run courses and events from the Hubs.

Over autumn half term we are running a number of activities from the Hubs for local children.”





Facilities in Star Hub include:

- | | | |
|---|---|--|
| <ul style="list-style-type: none"> • State of the art 25 metre (5 lane) swimming pool • Wheelchair pool access • Modern and fully equipped gym, and dedicated spin area • Functional fitness frame provision • Group Fitness Classes • A new junior leisure programme | <ul style="list-style-type: none"> • A range of fitness and martial arts classes • Air conditioning throughout • IT Training Suite / Private interview rooms • Partner organisations providing specialist help and advice • Rooms for community meetings and events • Wi-Fi & internet access | <ul style="list-style-type: none"> • Full library service, including children's area and public access PC's • Housing, benefit and advice services • Free phones to contact Council and other services • Into Work advice and training courses • Community Café |
|---|---|--|

“We run classes tailored for each community so for example ESOL Classes and Basic English skills to help non English speakers, between the staff in Star, Grangetown and Butetown Hubs we can translate over six languages including Urdu, Somali and Polish.”

“Money advice is popular in the Grangetown Hub, benefits advice in Butetown, the Citizens Advice Bureau and Credit Unions both hold drop in sessions throughout the cities Hubs.”

All the Hubs activities are on their Facebook pages—[@StarcommHub](#), [@GrangetownHub](#), [@RumneyHub](#), [@StMellonsHub](#), [@LlanrumneyHub](#), [@CentralLibraryHub](#), [@ElyandCaerauHub](#), [@LlanedeyrnHubPowerhouse](#), [@FairwaterHub](#), [@LlandaffNorthHub](#)

Money Advice Team

The Money Advice Team are based in the Advice Hub at Central Library Hub and also provide services from outreach Hubs across the city. The team can help with budgeting and debt, completing welfare benefit forms and can help clients to claim all the grants and discounts they are entitled to. They can also assist clients to open a basic bank account.

The Money Advice Team are experts in giving advice to those who have been affected by the Welfare Reform Changes. Including helping those who have been affected by the Benefit Cap and need support as they are now claiming Universal Credit. For clients that have had a negative decision about their benefit claims, the team can also help with mandatory reconsiderations, which is the first stage in the appeal process.

The Money Advice Team assisted over 6,500 clients in 2015 / 2016, a 49% increase in footfall on 2014 / 2015 and helped clients to claim £9.7 million in previously unclaimed benefits, a £4 million increase from 2014 / 2015.

Since the Money Advice Team opened in April 2013 they have assisted over 20,000 customers and helped claim over £26 million in unclaimed weekly benefits and £1.2 million in one off payments.

The Advice Hub at Central Library Hub also offers services from partner organisations including, Cardiff Advice Service (made up of Citizens Advice and the Speakeasy Advice Centre), Cardiff and Vale Credit Union, Shelter, and NEST.





Into Work Advice Service

The Into Work Advice Service can help anyone living in Cardiff who is unemployed or looking to upskill from their current job. Job Club & digital sessions are held at 14 different locations across the city with a 5 day presence in Central Library Hub, Ely / Caerau Community Hub, St Mellons Hub & Grangetown Hub.

The job club is a drop in service where an advisor is available to help the individual with CV's, job applications, job searching, Universal Job Match, helping to claim Universal Credit, and also helping to write cover letters. An advisor will provide a detailed bespoke action plan to return to work, ensuring they are tailored to meet the individual needs of the client.

The Digital Inclusion officers can also support people to get on-line, create social media accounts, use the internet and setting up e-mails. On average the job clubs see over 3,500 clients a month.

The Into Work Advice scheme also delivers a range of accredited and non accredited training courses. A range of 1 or 2 day training courses including Emergency First Aid, Food Safety, Manual Handling & Health & Safety training courses can be accessed across the city in various Hubs. On average over 260 individuals complete work skills training with Into Work Advice Service and the service helps to support over 350 clients into employment.

Last year the Into Work Service assisted over 400 people into employment, with training given to 3,722 job seekers.

Volunteering Scheme

Working with Into Work Advice Services, the Volunteer Coordinator with the support of the Volunteer Mentor have grown the volunteering opportunities in the Hubs throughout the city. There are approximately 65 volunteers at any one time.

There are many volunteering roles– these include;

- Digital Champion volunteers
- Money Advice volunteers
- Administration volunteers
- Reception volunteers
- Library volunteers

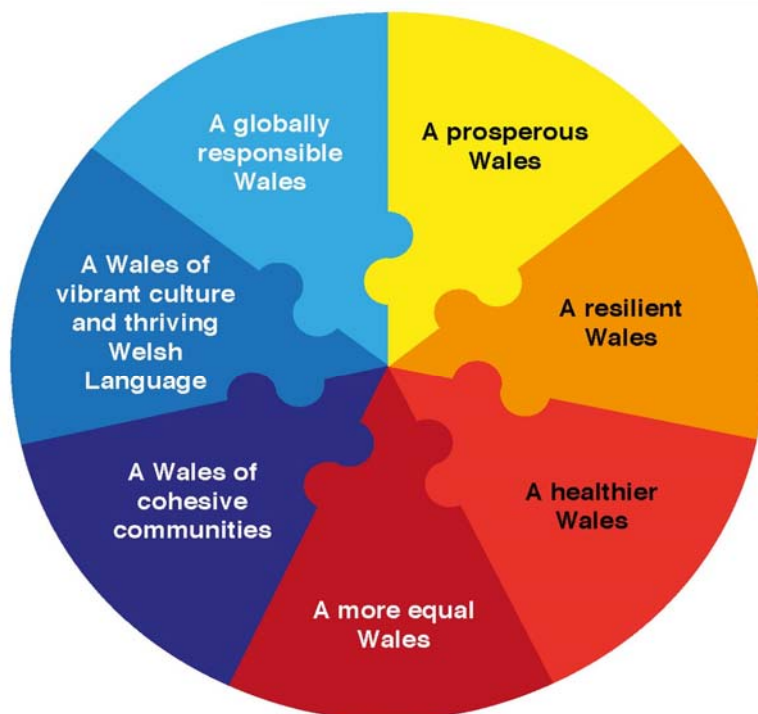
People volunteer for a variety of reasons but the main reason is that they are looking to return to work and volunteering significantly improves the chances of getting a job. The Council will provide the volunteers with job references too – which sometimes is the biggest barrier to finding work for inexperienced job seekers. In fact 5 former volunteers are now paid members of staff working in various teams in the Council.

Last year 32 volunteers who left volunteering did so because they returned to work.



Well being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act is about improving the social, economic, environmental and cultural well-being of Wales. It will make the public bodies listed in the Act think more about the long-term, work better with people and communities and each other, look to prevent problems and take a more joined-up approach, the Act puts in place seven well-being goals.



Goal	Description of the goal
A prosperous Wales	An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.
A resilient Wales	A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).
A healthier Wales	A society in which people's physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.
A more equal Wales	A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio economic background and circumstances).
A Wales of cohesive communities	Attractive, viable, safe and well-connected communities.
A Wales of vibrant culture and thriving Welsh language	A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.
A globally responsible Wales	A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.



Effective Consultation and Communication

Tenant Participation - 2016 has been a busy, productive and successful year for Tenant Participation. The team now has five members of staff dedicated to engaging with the tenants and leaseholders of Cardiff Council, on all the issues affecting them.

The Council's Tenant Participation Team won 3rd place in the "Staff Team of the Year" category of the Tenant Participation Advisory Service (TPAS) Cymru Awards on 14th July. They were competing with nominees from across Wales and were the only tenant participation team to reach the final three for this award.

Bus Tour - Tenant Participation organised the annual Tenants' Bus Tour during which tenants were taken around the city to be shown examples of capital investment projects.

Digital Inclusion - Officers from the Tenant Participation Team have been attending sheltered housing complexes across Cardiff in order to teach residents about getting online and how they can use the internet.





Tenants Conference - The Tenant Participation Team organised a very successful Tenants Conference in October 2016.

The theme of this year's conference was New Horizons, and focused on working with tenants and leaseholders to find ways to improve communities across Cardiff. Sessions included : Passport to Work, Volunteering, Best Deal Energy workshop and Getting Involved.

Tenants' Voice - The Tenant Participation Team have organised a series of Tenants' Voice meetings, which allow tenants and leaseholders the opportunity to meet with cabinet members, senior officers and managers from the Housing Service.

Tenants are kept up to date with the work being carried out by the Housing Service, and also ask questions and put forward their own concerns. At the latest meeting, a brief presentation was given on the major housing improvements planned in the city over this next financial year.

Tenant Participation - Helping Tenants Take Control

Estate Action Days

The Tenant Participation Team have organised several Community Action Days in 2016, and more are planned for 2017. With lots of fun events for families and children, an opportunity to speak with Council officers and external partner organisations, these events have been a big success.

A Community Action Day was held in St Mellons at the Meadowland Primary School in July. It was an opportunity for residents to address any issues with Council officers.

In addition to council staff, members of Credit Union and Communities First were present. The South Police Service had fun speaking to the children and Sport Cardiff set up football nets and held a football challenge.

Tenants who attended were treated to free food, courtesy of the Community Centre, entertainment from Simon Sparkles, a gardening demonstration from Green City and made their own pedal-powered smoothies on the smoothie bike. There was excellent feedback during and after the event, with many tenants commenting that they enjoyed meeting other residents and appreciated being able to speak with council officers in an informal setting.





Growing Together and Blooming Marvellous

The Tenant Participation Team has started a city-wide gardening project called Growing Together. Tenants and residents are encouraged to start community gardens and are given expert advice and access to tools and equipment. As part of the Growing Together theme Tenant Participation also launched Blooming Marvellous, a new gardening competition open to all tenants and leaseholders of Cardiff Council. This competition has proved very popular and has encouraged our tenants to look after their gardens. The team are looking forward to even more people entering in 2017.

Let Us Know

'Let us Know' events have been run throughout the year, June saw one event at the Pentyrch Village Hall. The events are an opportunity for tenants and leaseholders to meet our specialist teams and discuss what they would like to see in their neighbourhoods.

Special Project Grants

The Tenant Participation Team are now able to offer grants for community projects to improve local neighbourhoods involving Cardiff council tenants and leaseholders. The process has been designed to be as easy as possible for applicants and Tenant Participation Officers are always available to help.

Green Fingers

Ray & Katie have lived in sheltered accommodation for over 5 years, with some of the other residents they have set up a Green Fingers Club that meets up on Fridays. They are very proud of the gardens and doing gardening helps keep them fit and active. The community garden has potted plants, water features and lights, they even grow their own vegetables and share these amongst the other residents.

Help us, so we can help ourselves

The residents are working closely with the Tenant Participation Team to improve the gardens.

“We are working to get our gardens back to their former glory, we have asked for access to unused part for the gardens so we can plant more fruit and vegetables”.

The tenants have also been liaising with Tenant participation to ensure the grass is cut regularly, green bins are collected and the local gulley is cleared. *“We want the Council to help us so we can help ourselves, the important thing is communication”.*



Managing Anti-Social Behaviour (ASB)



Community officers meets local children at the St Mellons Fun day

Anti-social behaviour (ASB) was identified as a priority for our tenants in this year's Tenant Satisfaction Survey and it's a priority for us too!

As a landlord we will take firm action to eliminate ASB. We have a dedicated Antisocial Behaviour Team, our response will be:

- To provide support to victims.
- To offer and provide support to vulnerable victims and perpetrators.
- To be proportionate.
- To work with perpetrators to help them change their behaviour.
- To act against perpetrators who continue to be anti-social.
- To work with the police to share and gather evidence.
- To take legal advice about the most appropriate action to solve the problem.

Council action to October 2016:

- 28 injunctions for abusive behaviour, domestic violence and threats to life.
- 43 target hardening actions for ASB victims.
- 10 tenants evicted.

Indicator	Target	Result
Percentage of urgent cases contacted within 24 hours.	85%	93%
Percentage of new non-urgent cases contacted in less than 5 working days.	85%	96%



Keeping in Touch

We aim to keep our customers informed of all issues and campaigns that may affect them by making use of different methods of communication in the most effective way possible.

Tenants' Times is produced and delivered to all council tenants on a quarterly basis. It is used to provide tenants with information about communities services, campaigns and initiatives. Tenants' Times is also the main way that we inform our tenants about major works and general improvements to housing stock. A reading group made up of tenants and council officers makes sure that the articles are relevant to our customers.

The Cardiff Tenants website, (www.cardifftenants.co.uk) and Facebook pages, (www.facebook.com/TPCardiff) are continually evolving and developing to reflect information that is up-to-date and relevant. They are aimed at all communities within Cardiff. Residents provide information on recent incentives and there is up to date information about capital works and other news.



City of Cardiff Council • Communities

Tenants' Times

Issue 43 | Winter 2016



Developing the Workforce

Following feedback from tenants, the Responsive Repairs Unit, (RRU) has increased its workforce, expanded work day hours, increased the number of jobs completed by council tradesmen and improved the service to residents.

To develop talent RRU recruited six apprentices last year, Jason has recently finished his apprenticeship and is now working as a fulltime tradesman. *“Its brilliant working for the Council, I’m provided with my own van, power tools and a mobile phone. The managers are really supportive, if I’m unsure of what to do on a job they will either send a nearby operative to lend a hand or my line manager will come out to have a look.”*

I get a different job every day, and gain more experience all the time

Jason spent the first year of his apprenticeship being mentored by experienced trades people. He also finished his training at college, passing his exams and gaining an NVQ in Carpentry & Joinery. *“I was the first apprentice to get my own van and when they offered me a permanent post I was over the moon”.*

19 year old Jason covers half the city working as a carpenter, *“I get a different job every day, and gain more experience all the time, the Council has a great reputation, the pay is good and I now have a pension in place”.*



Garage Sites & Courtyard Improvements

WHQS Environmental Toolkit

The WHQS Environmental Toolkit provides a method of collating and scoring data on the local and wider environment of Cardiff and its homes. This data contains information to give an environmental score e.g. distance to nearest bus stop, walking time to nearest leisure centre. Measured at the postcode level, this provides approximately 1400 unique HomeAreas across the city. This data is combined with a BRE EcoHomes XB sustainability score calculated for each council property, based on the environmental performance of each dwelling and its surrounding neighbourhood.

Tenant consultation determines the weighting applied to the data recorded for each HomeArea. This ensures that tenants choose their environmental priorities. Each HomeArea will get a weighted score allowing the Council to coordinate strategies and schemes to meet the environmental requirements of the WHQS based on tenant aspirations and targeted to those areas most in need of environmental improvements.

Garage Improvements

The Garage Improvement Programme for 2016/2017 is making great progress. The programme will enhance site security, give improved access and better surface conditions, remove hazards such as asbestos and overgrowth. Structural improvements will be completed to the roofs with new doors and over-cladding.

The following sites will be completed within the financial year:

Chard Avenue , Blue House Road, Cannington Avenue , Aberteifi A , Heol Syr Lewis, Aberteifi B, Green Meadow Drive x 3, Heol Berry, Glen View, Lydstep.





Courtyard Improvements

The Courtyard Improvement Strategy has been developed to deliver a sustainable improvement to all courtyards of blocks of flats across the City.

The programme seeks to tackle long standing issues such as anti-social behaviour, inadequate bin storage and poor courtyard surfaces. In addition there have been a number of issues raised by residents surrounding lack of light, poor accessibility and overgrowth.

The improvements in Redhouse Crescent undertaken were:

- Removal of all trees and overgrowth along the access path to allow light.
- Erect secure fencing alongside the access path.
- Create a new secure bin store one at a more suitable location.
- Replacement sheds located in the courtyard away from the boundary to Spinney Close.
- Secure the courtyard area to ensure it is only accessible for residents through the block.
- Provide defensible space to the front of the block.
- Remove the existing fencing on top of the walls that has elements of barbed wire and replace with secure and more sufficient railings.
- Resurface the paths and courtyard to ensure a sound surface.
- Install new rotary washing lines.

The improvements have been completed and feedback from the residents has been very positive.

Equalities

Sandown Court is the first 10 sheltered housing schemes to be refurbished under the Council's older person sheltered housing refurbishment programme. The Community Living schemes ensures that our residents are provided with a flexible home that enables them to live independently in their own home for as long as possible. The flats have been redesigned to provide open-plan living spaces, adjustable kitchens and larger, more accessible shower rooms.

All the properties will comply with the RNIB standards ensuring that new properties take into account the needs of visually impaired residents and are designed to include dementia friendly features such as wayfinding painting & colours and easier access throughout the communal spaces. The two communal spaces within the blocks have being upgraded and re-designed to provide a variety of flexible rooms so that services can be run from these blocks, including services to help residents suffering from low-level dementia.

The Housing Development Team have also started a Level Access Assessment programme on older persons housing stock to enable independent living within the community. The programme will survey and identify suitable properties and fit ramps to make them more accessible.





Central Library Hub Translations Jan - Sept 2016

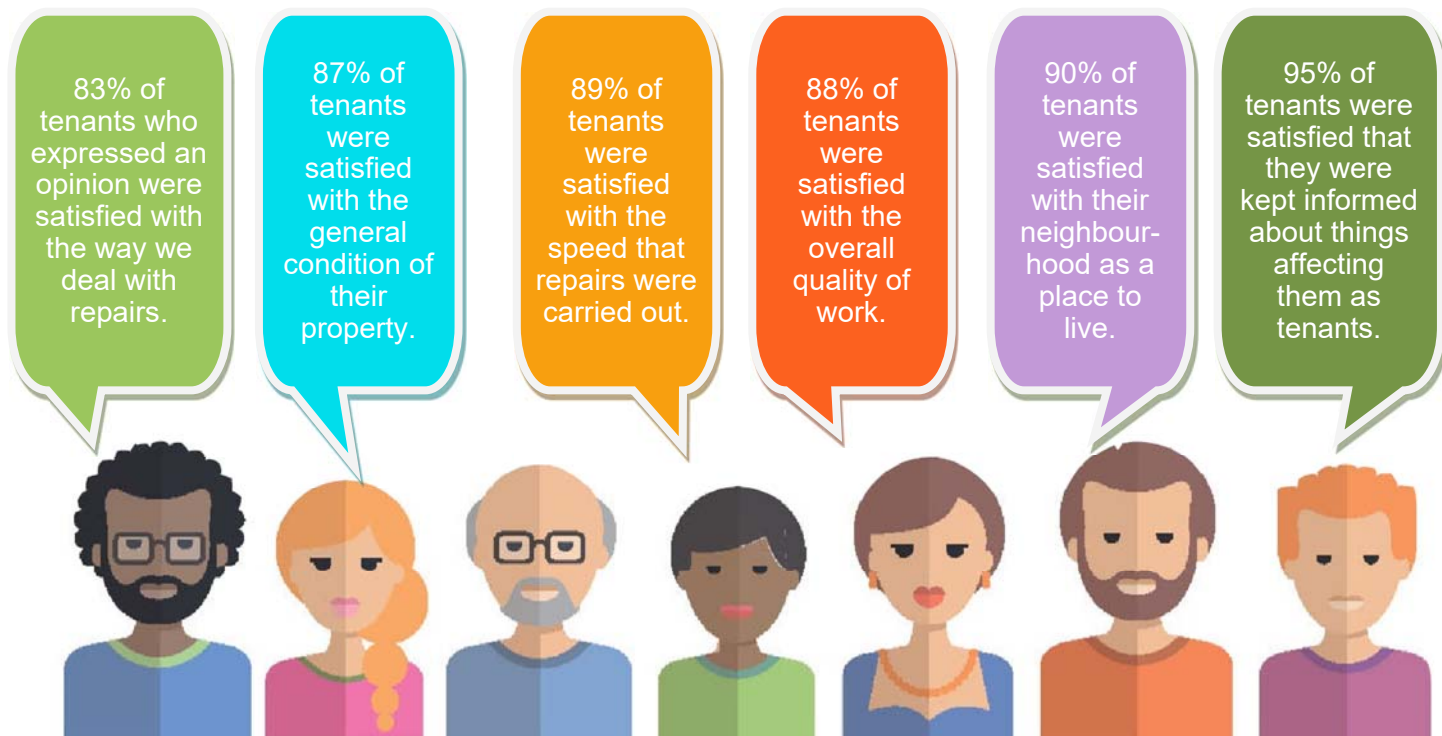
Officers working with the Hubs can speak a wide range of languages, ensuring all customers get the help they need.

Language for translation	Number of translations
Arabic	4,466
Polish	1,814
Czech	1,267
Somali	936
Spanish	637
Other	238
Urdu	212
Portuguese	195
Italian	136
French	110
Farsi	110
Chinese Mandarin	107
Welsh	62



Out of 87,137 customers over the period Jan—Sept 2016, 10,290 (11.8%) required translation services.

Summary of the Tenant Satisfaction Survey



The majority of comments received were positive, however there were also negative comments and we have taken these on-board.

22.1% of tenants who expressed an opinion were dissatisfied with how we deal with anti-social behaviour, and 20.6% of respondents were dissatisfied with how the Council deals with complaints.

23% of tenants were dissatisfied with security issues concerning fences & hedges.

What we have already done

Two more specialised Housing Complaint Officers were appointed in January and they have already made a significant impact on how quickly we can reply to complaints and the quality of our responses. Initially dealing with complaints regarding housing waiting list, they have recently started dealing with complaints regarding anti-social behaviour.

What we will do now

- Work to improve customer satisfaction.
- Contact tenants who have not had their kitchen or bathroom upgraded
- Work with local residents to help improve neighbourhoods.
- Carry out a full customer satisfaction exercise about anti-social behaviour and develop an action plan.

For the full results, visit www.cardifftenants.co.uk and click on Annual Tenants Satisfaction Survey 2015 or contact the Tenant Participation Team.

A customer sent a card to thank Finance Officer, Tracy. She wrote, "thank you very much for your care and concern... your time is precious and you are very helpful."

Laura, a Visiting Officer with the Independent Living Service, "the people who have visited us have been so good, you would love to have them as part of the family."

Following his visit to the Central Library Hub, the customer wrote "Thank you for the safe receipt of my bus pass. Your understanding of and attention given to my problem was outstanding. "

A customer approached Senior Into Work Adviser, Khalid, was sitting outside on Mill Lane to say thank you. The customer said that he wouldn't have the job he is currently doing with Khalid's help. He added that Khalid was fantastic and thanked him for all his help and support in helping him to find the job.

A member of staff at the BBC commented that Ron, the Caretaker at Lydstep Flats, had been "brilliant as usual" in assisting with arrangements for filming.

A customer complimented CMS on the "excellent service" the team always provides. She added that the CMS Operatives who recently carried out work at her home were very polite and efficient.

The customer emailed to thank Tenancy Officer, Daniel, for his "efficient service", adding that she was "very grateful".

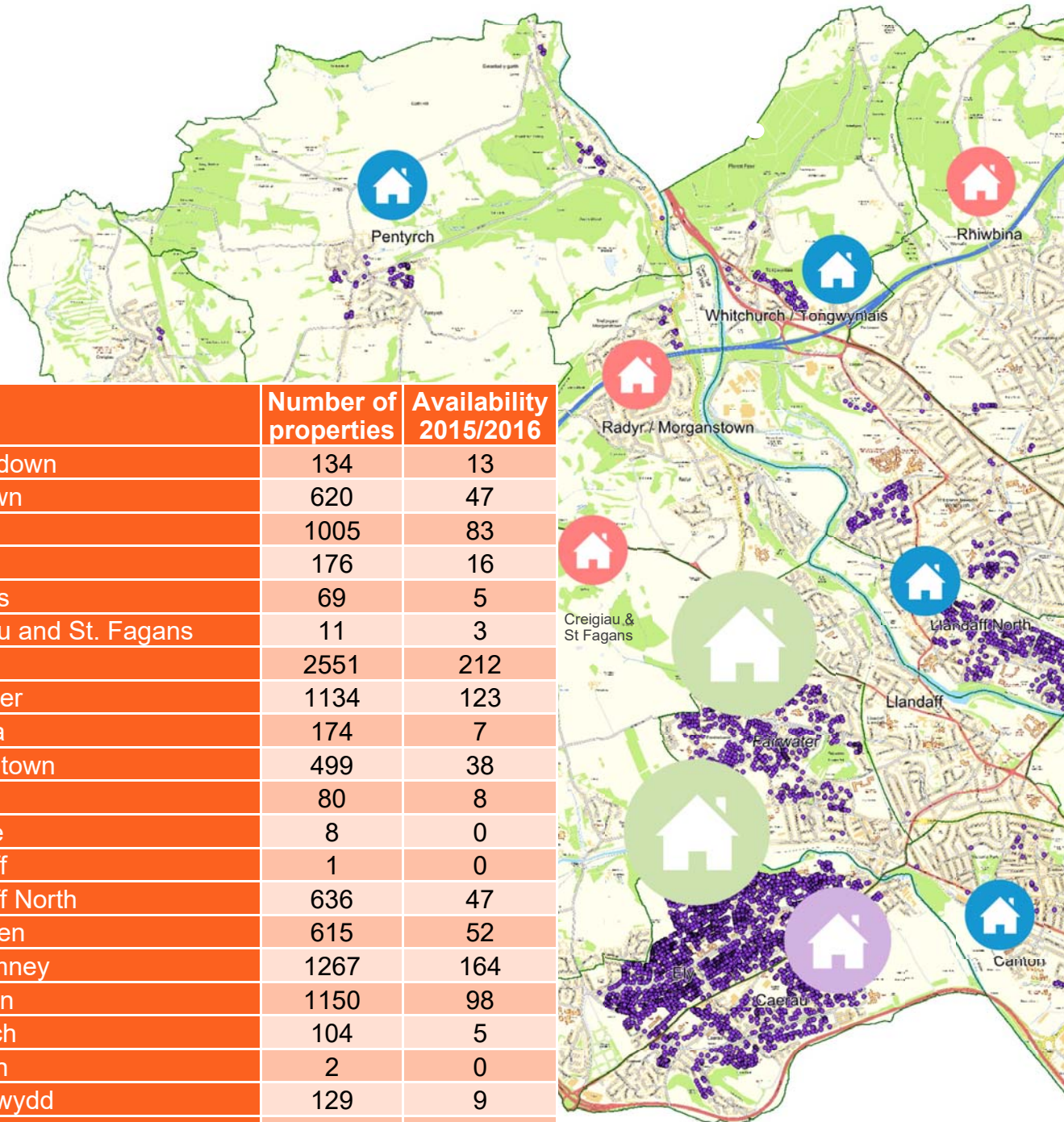
Complaints and Compliments

Customer feedback is important to us, it helps provide valuable information about how we are performing and what our customers, Cardiff citizens and communities think about our services. We use this information to improve our services, strengthen our relationships with other customers and make better use of our resources.

We are pleased to report that our complaints and compliment figures are showing a healthy improvement. We deliver a number of different services and during the period of April 2015 to the end of March this year, the Housing and Communities section received a total of 477 complaints, which is a decrease of 5% on the previous year. Housing and Communities also received 312 compliments for staff and services provided.

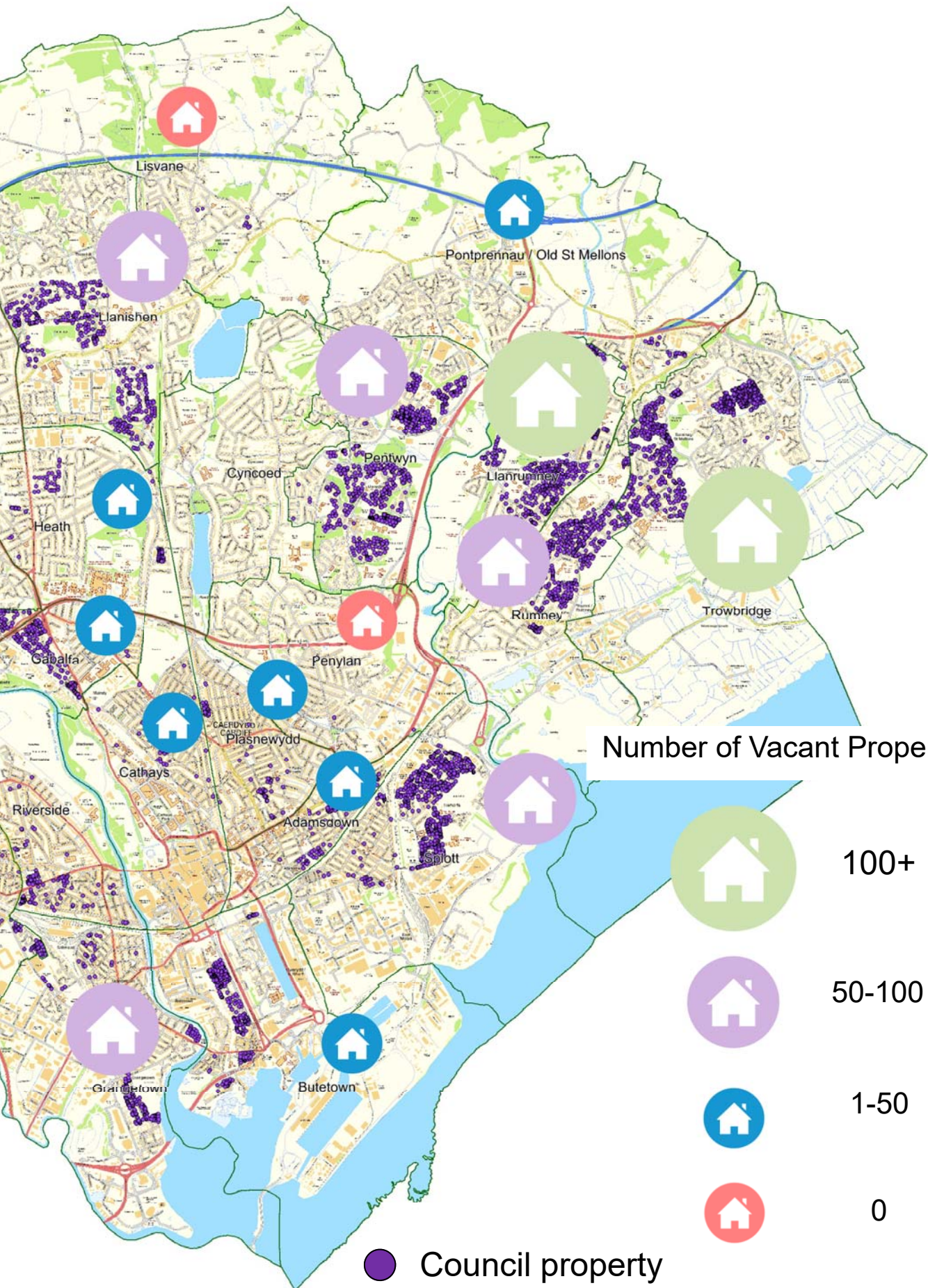
All the feedback received does make a difference, helping us improve our services. Any lessons that can be learned from a complaint are used to deliver service improvements.

Number of Properties and Availability During 2015 - 2016

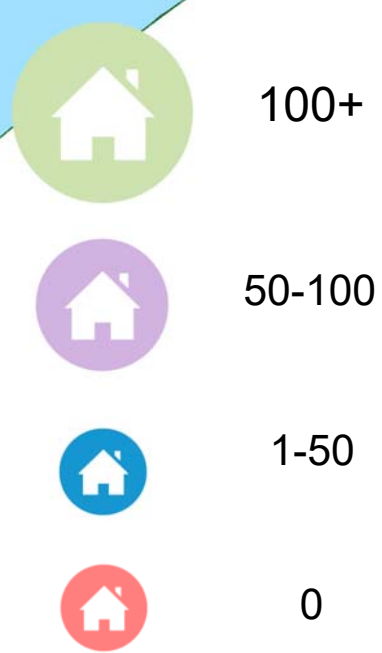


Ward	Number of properties	Availability 2015/2016
Adamsdown	134	13
Butetown	620	47
Caerau	1005	83
Canton	176	16
Cathays	69	5
Creigiau and St. Fagans	11	3
Ely	2551	212
Fairwater	1134	123
Gabalfa	174	7
Grangetown	499	38
Heath	80	8
Lisvane	8	0
Llandaff	1	0
Llandaff North	636	47
Llanishen	615	52
Llanrumney	1267	164
Pentwyn	1150	98
Pentyrch	104	5
Penylan	2	0
Plasnewydd	129	9
Pontprenau	26	0
Radyr and Morganstown	20	2
Rhiwbina	20	0
Riverside	321	43
Rumney	470	60
Sploft	687	57
Trowbridge	1038	120
Whitchurch and Tongwynlais	515	42
Grand Total	13462	1254

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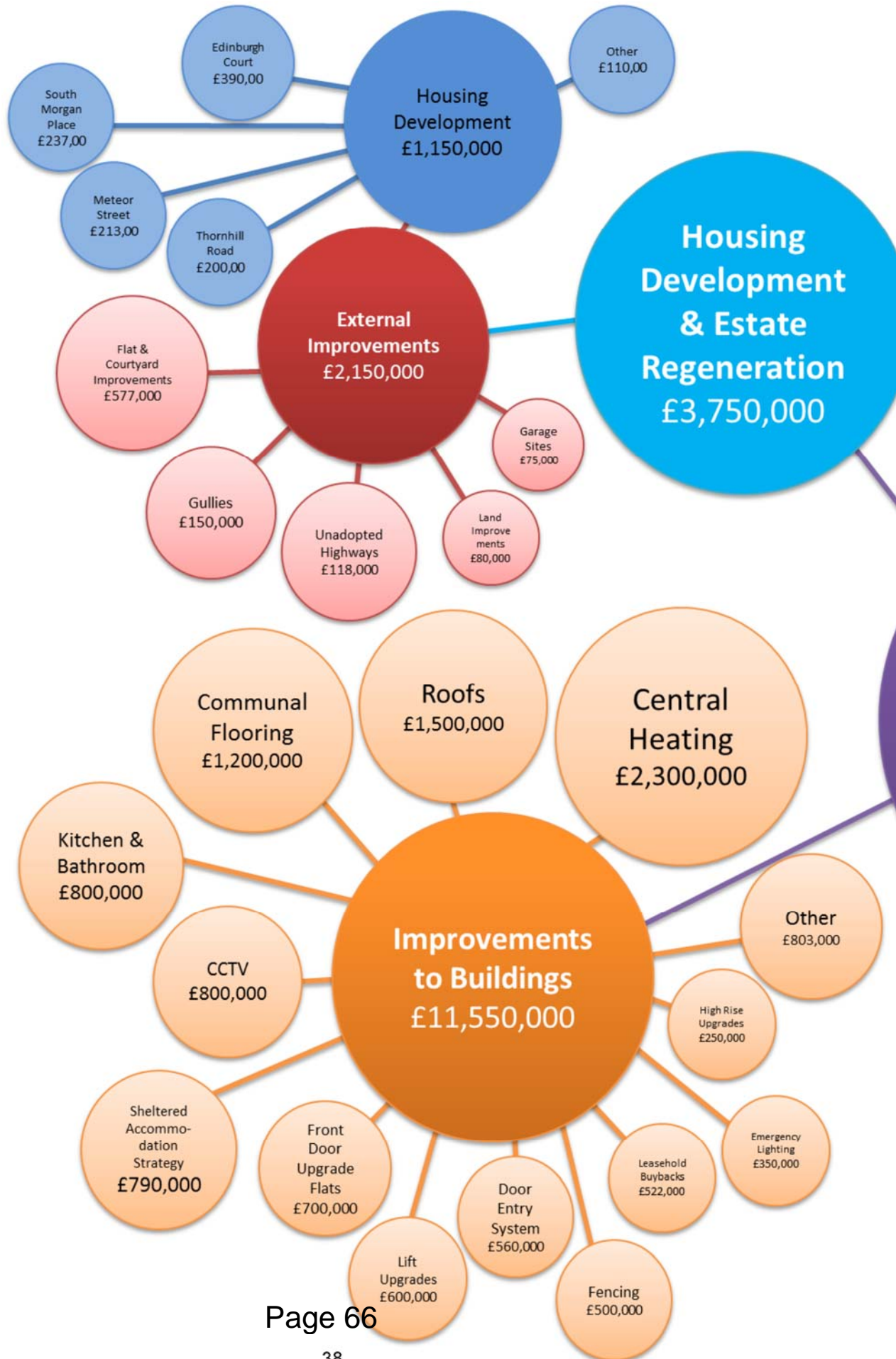


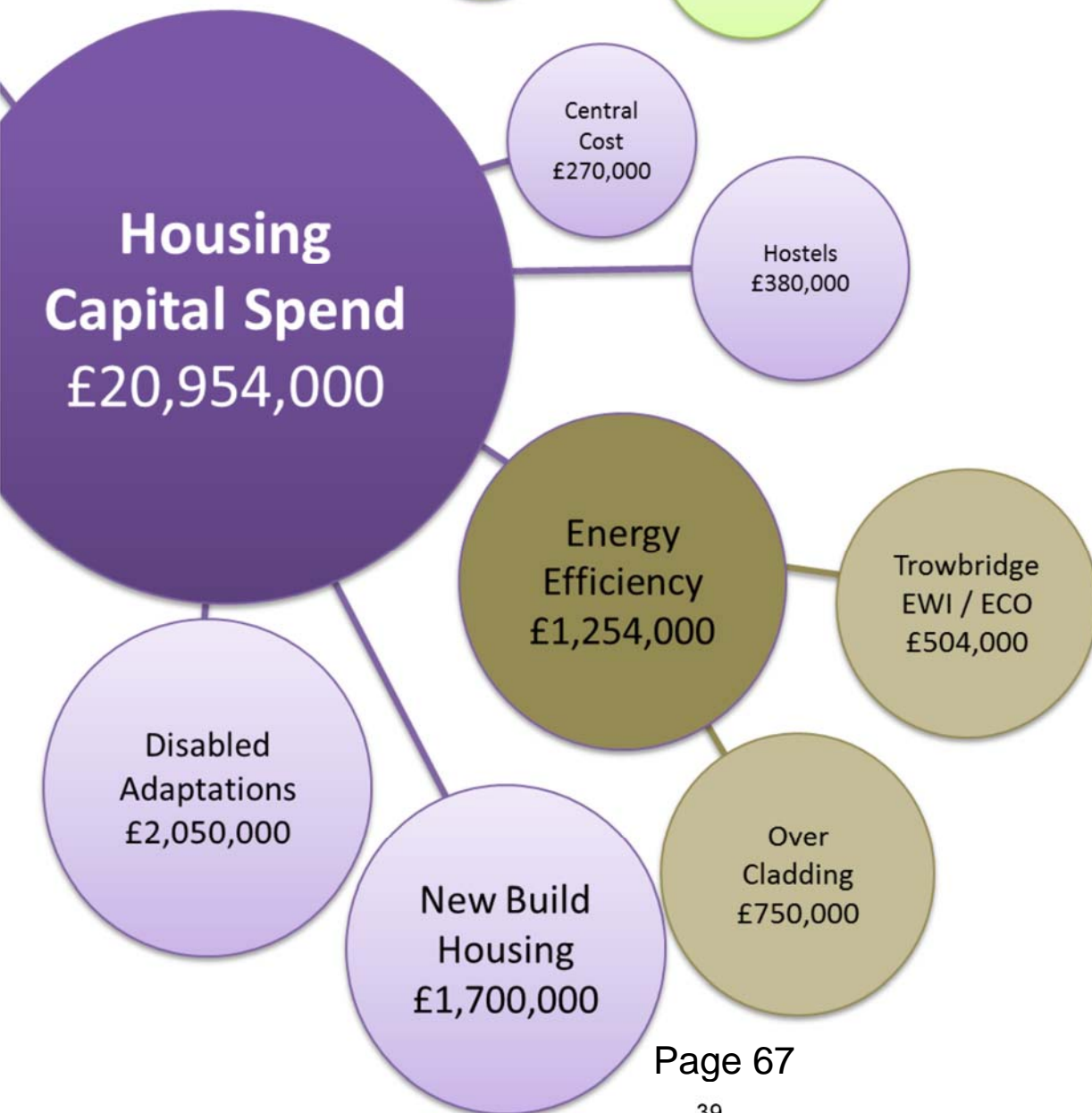
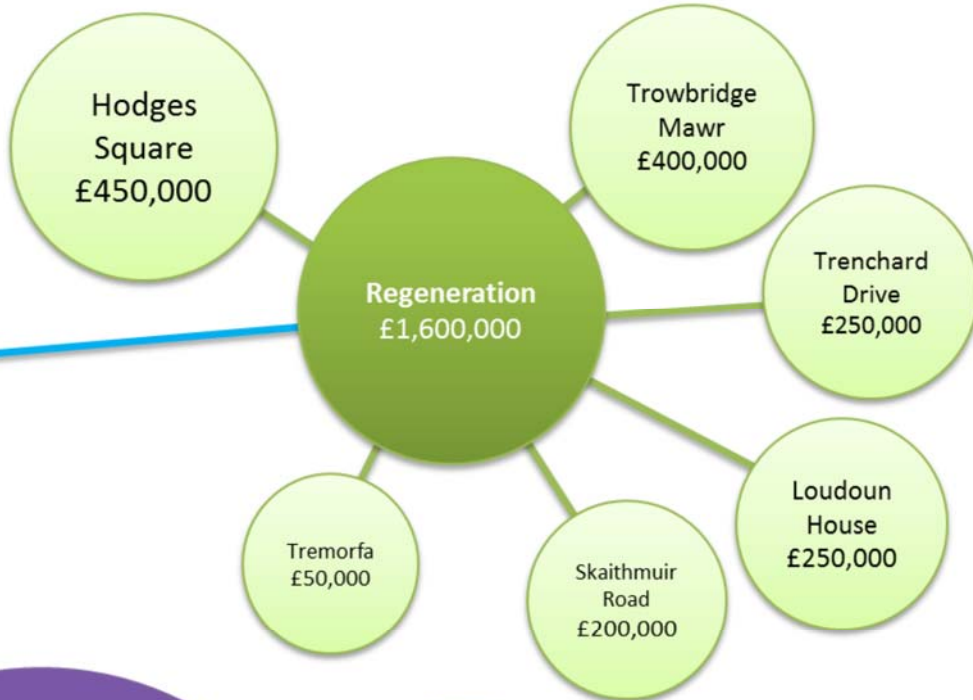
Number of Vacant Properties



Council property
Page 65

Programmes of Work Spend 2016/17







Programmes of Work - Current & Future

The Maelfa Regeneration

The redevelopment of the Maelfa Centre is a key regeneration priority for the Council. It will deliver a new mixed-use block with 9 new retail units on the ground floor and 38 1&2 bedroom apartments above along with 16 affordable town houses, 58 new private houses, new streets, parking and public spaces.

As part of the project significant refurbishment works to improve the Maelfa Flats will be carried out. This will include the re-design of the ground floor of the block to provide an improved entrance lobby, new stairs and ramps to improve access to the building for all. There will also be space for community use.



Painting programme

We are continuing our painting programme works.

The next phase will see over 3,000 flats and houses painted, this will cover all external areas on properties including gates and fences.

- Butetown
- Canton
- Cathays
- Creigiau and St. Fagans
- Ely
- Fairwater
- Grangetown
- Heath
- Lisvane
- Llandaff North
- Llanishen
- Llanrumney
- Pentwyn
- Pentyrch
- Radyr and Morganstown
- Rhiwbina
- Riverside
- Rumney
- Trowbridge
- Whitchurch and Tongwynlais



Fire Door upgrades

We currently in the middle of programme of works to upgrade all front doors in low-rise flats across the city to Secure by Design Fire Doors. This will greatly improve security, fire safety and the aesthetics of the communal areas.



Roofing works

As roof coverings come to the end of their lifespan we will renew them and where necessary, we will also provide new fascias, soffits and rain water goods. We intend to commence a roofing scheme on selected dwellings in the spring of 2017.



Energy efficiency works

To increase thermal efficiency and bring down energy costs we are continuing to upgrade the insulation in our properties. Lofts will be topped up with insulation to a depth of 300mm. All eligible properties will also have cavity wall insulation.

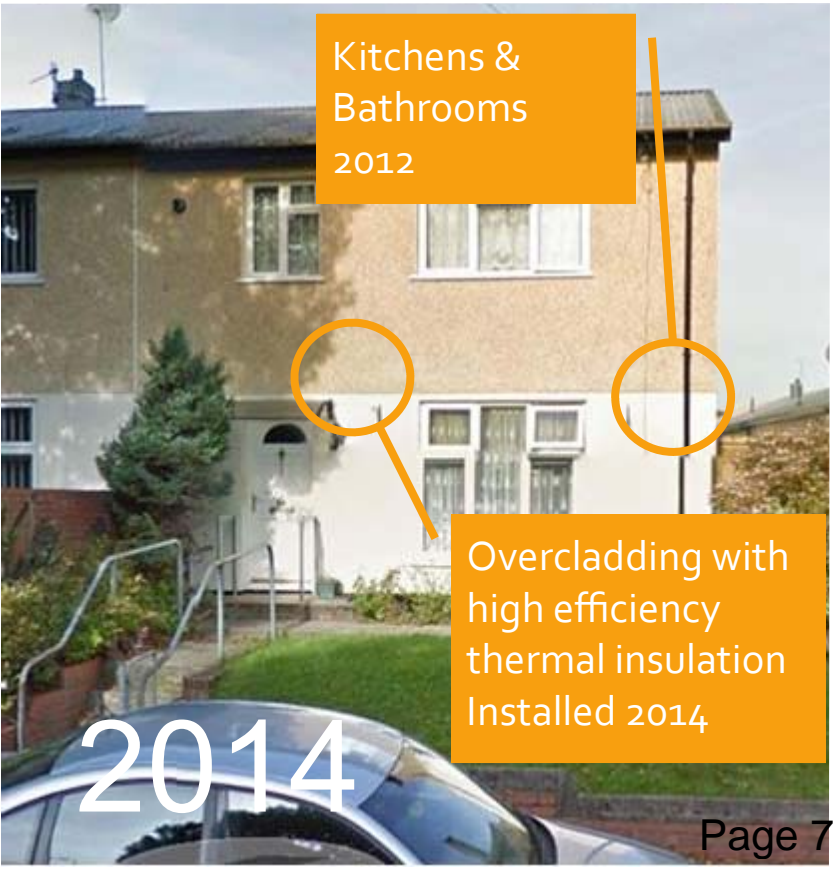
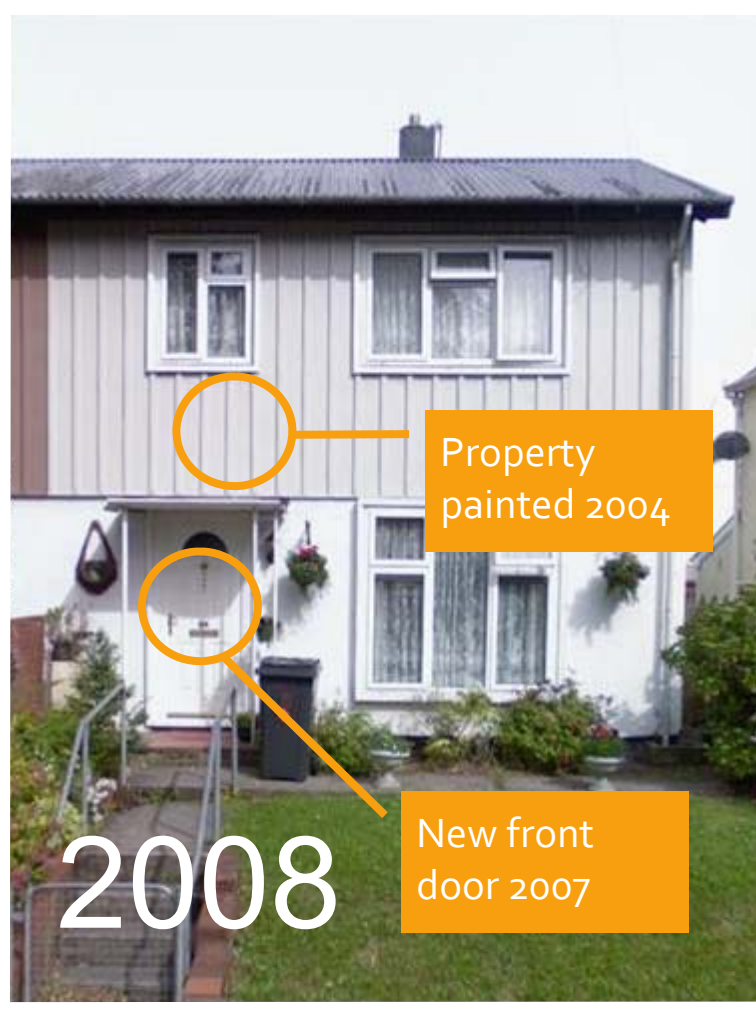
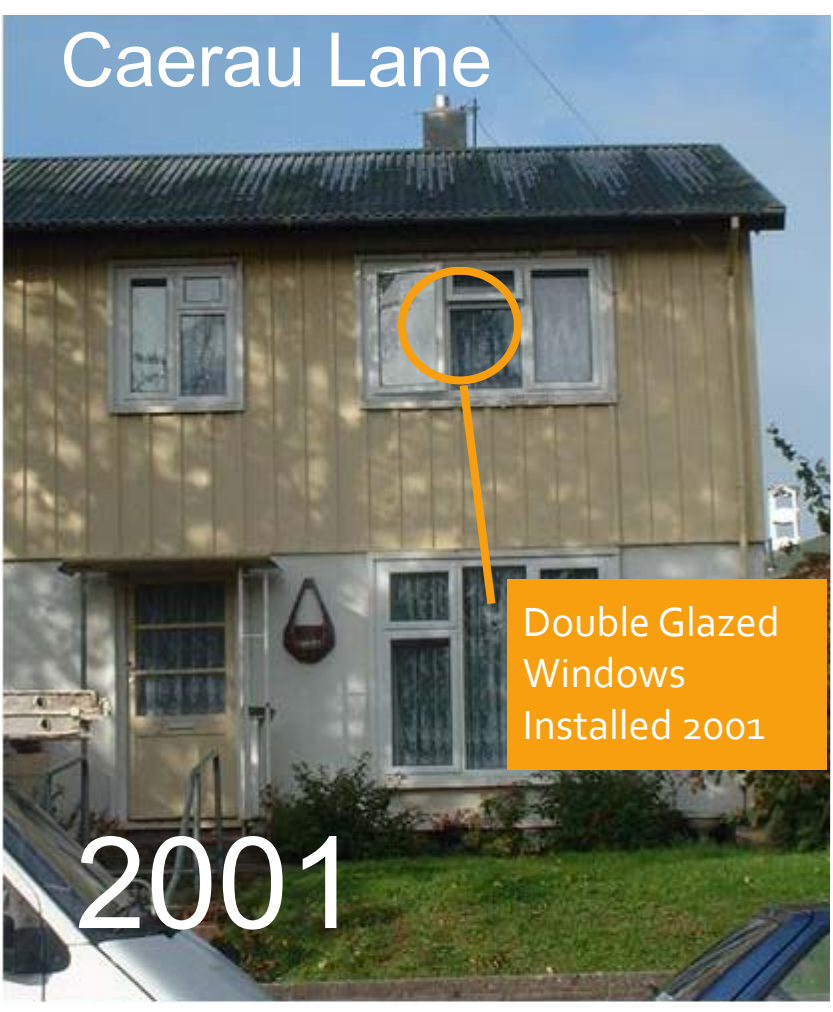


Communal lighting upgrade

To improve safety we are currently upgrading our communal areas with new communal lighting & incorporating emergency lighting.



Evolution of non traditional buildings







Community Benefits

All external contractors working for the Council are required to put benefits back into the community through a mixture of employment, training, and community support. This is measured annually by the Welsh Government's Value Wales Community Benefits Toolkit.

The Council's commitment to deliver 'community benefits' outcomes from our procurement activity is designed to ensure that wider social and economic issues are taken into account when spending public money. The intention is to achieve the very best value for money in the widest sense.

Wates Construction Community Week is an annual event that gives Wates employees the opportunity to support a local cause. In June 2016 staff from Wates Construction visited Minton Court Sheltered accommodation as part of their Lend a Hand Community Week. The team tended and tidied up the gardens, planted new plants and added hanging baskets.

Under difficult weather conditions they gave the gardens some much needed love and attention. The tenants commented on how nice it looks and how they will enjoy the garden as soon as the weather cleared up.





Value Wales Community Investment

Ian Williams is committed to putting benefits back into the community through employment, training and community projects that relate closely to the Value Wales Community Benefits Toolkit.

Key facts & figures since the start of our contract...

For every £1 spent on our contract with City of Cardiff Council, £1.99 has been re-invested back into the Welsh economy

The total number of apprentice weeks created equates to 10 years

£1 million contribution to social enterprise businesses

We've invested over **£53 million** with SME businesses operating in Wales and contributed £24 million to income of people living in Wales

The total number of graduate placement weeks and work experience / intern weeks completed as part of this contract is 1,383

The overall headline investment is over **£162 million** into the Welsh and UK economies

Our specific community investments through sponsorship, cash donations and in-kind donations of labour, goods and services totals **£133,000**

ian williams
Looking after Buildings

Securing our Properties for Future Generations

Following a public consultation the Council has applied to the Welsh Government to suspend the Right to Buy /Acquire social housing across Cardiff for a period of 5 years. The need for affordable rented homes is very high and we need to return all our properties for those in need.

Over 15,000 council houses have been sold and whilst the Council and housing associations are building over 200 new homes a year across Cardiff that is not enough to meet the demand.

There are currently over 8,000 applicants waiting for affordable rented housing but only 867 council and 570 housing association properties became available to let last year.

The Cabinet Secretary for Communities and Children, Carl Sargeant said it was important to retain existing social housing stock and that legislation to abolish the Right to Buy and the Right to Acquire was already underway.

“This will enable us to retain safe, secure and affordable social housing all over Wales and will enable housing associations and councils to invest with confidence in building new homes.”

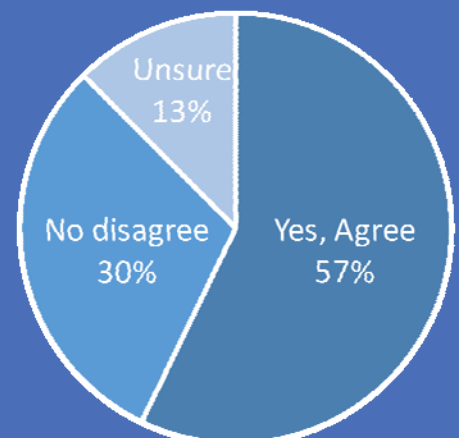
An application to suspend the RTB across Cardiff has been submitted to Welsh Government. We await their decision.

The council sent an information leaflet and consultation survey form to all council and housing association tenants as well as all applicants on the housing waiting list. In total approximately 30,000 survey forms were distributed. Additionally the consultation survey was available to the wider public via the council website www.cardiff.gov.uk.

A total of 2,785 responses were received to the consultation which ran from 28th November to 31st December 2016.

Do you agree that the right to buy council and housing association properties should be suspended?

Yes, Agree	1584	57.20%
No disagree	841	30.40%
Unsure	345	12.50%
Total	2770	100%



Building New Homes



Welsh Government Support for Affordable Houses

The Cabinet Secretary for Communities and Children Carl Sargeant said:

"Building homes delivers important benefits beyond simply putting a roof over people's heads. Alongside the well-documented health and education benefits that good quality housing provides for children and families, building homes of all tenures has a significant positive impact on the Welsh economy and on our communities."

Cardiff Council aims to play a full role in helping to deliver this commitment by actively delivering new build schemes through a range of innovative projects.

We have already implemented the 'Cardiff Living Programme' however, this is not the only approach we are taking to increase the number of Council homes. In this year we have delivered a new 6-bed supported housing scheme, converting a former day centre at Meteor Street into much needed specialist housing provision and we will shortly complete the remodelling of a former children's home at Thornhill Road providing 8 self-contained older person flats. We are also actively buying suitable property from the market. This way we are able to purchase new housing units quickly and match property with need.

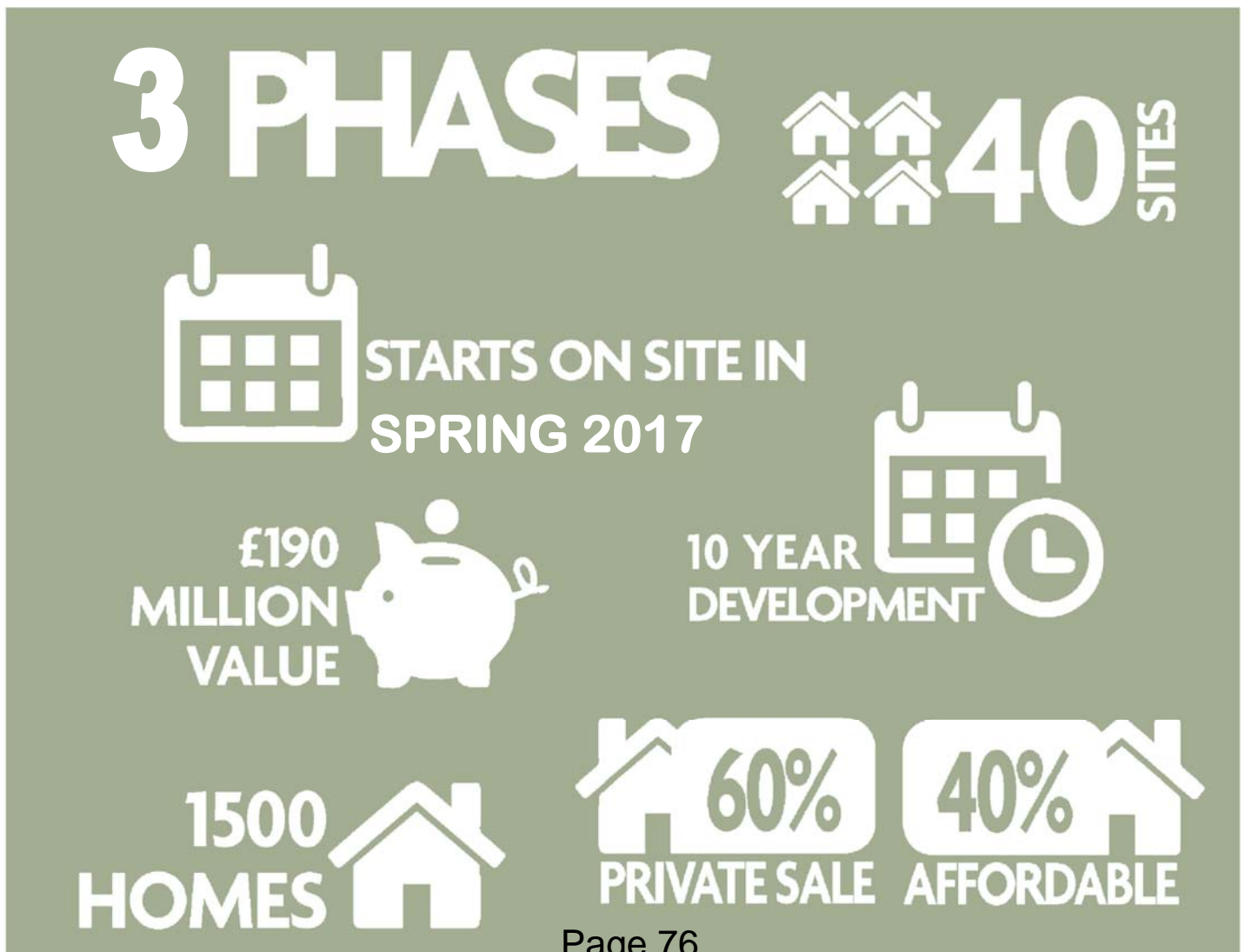
Furthermore, a second programme of council housing development is being created— we have already identified a further 8 development sites which have the potential to deliver at least 150 new homes and some of which will be delivered through innovation solutions such as modular construction. In order to move these schemes forward Officers will seek permission from Cabinet to continue to appropriate land, buy land and property from the market and investigate procurement routes or the use of existing frameworks.

Overview

Cardiff Living (formerly known as the Housing Partnership Project) is an exciting development partnership between Cardiff Council and national developer Wates Residential.

The programme will deliver 1500 new homes over a 10-year period. These homes will be built over 40 sites across Cardiff split into 3 phases of development, with the first phase commencing in Spring 2017. At least 40% (around 600) of these homes will be council homes available for rent through the council's existing allocations process, with a small number being made available to first time buyers through the council's low cost home ownership scheme. The remaining 60% (around 900) homes will be available for purchase on the open market through Wates Residential under the brand 'Cardiff Living'.

All of the properties built through this project will meet high levels of sustainability and energy efficiency, ensuring that we help tackle fuel poverty.



Community Benefits For New Build

Community benefits will be delivered throughout the 10 year build programme: the creation of new jobs and training with opportunities for local groups and businesses.



SUPPORT THE EMPLOYMENT OF OVER 6400 PEOPLE

DEVELOPMENT OF LOCAL SUPPLY CHAIN



GRADUATES



APPRENTICESHIPS



CREATE OVER 9,000 TRAINING WEEKS FOR CARDIFF RESIDENTS



INNOVATIVE EDUCATION INITIATIVES



SUPPORT FOR VETERANS



WORK PLACEMENTS

ECONOMIC GROWTH THROUGH LOCALLY PROCURED SUPPLY CHAINS



Sites	Marketing names	Planning submission dates	Start on site	Est. Construction Period
Braunton & Clevedon	Captain's View & Captain's Walk	Spring 2016	Spring 2017	110 weeks
Willowbrook	Silverbale Park	Spring 2016	Spring 2017	160 weeks
Llanrumney Depot	Mount Pleasant Lane	Summer 2016	Summer 2017	69 weeks
Walker House	Walker Mews	Summer 2016	Summer 2017	61 weeks
Ty To Maen	Hortensia Place	Summer 2016	Summer 2017	47 weeks
Snowden and Wilson	n/a	Spring 2017	Autumn/Winter 2018	59 weeks
Ty Newydd	n/a	Spring 2017	Autumn 2018	51 weeks
Briardene	Briardene Walk	Summer 2017	Summer 2018	72 weeks
Llandudno Road	Cartwright Place	Summer 2017	Winter 2019	46 weeks
Highfields	Aspect Place	Summer 2017	Autumn 2018	110 weeks

Sustainability

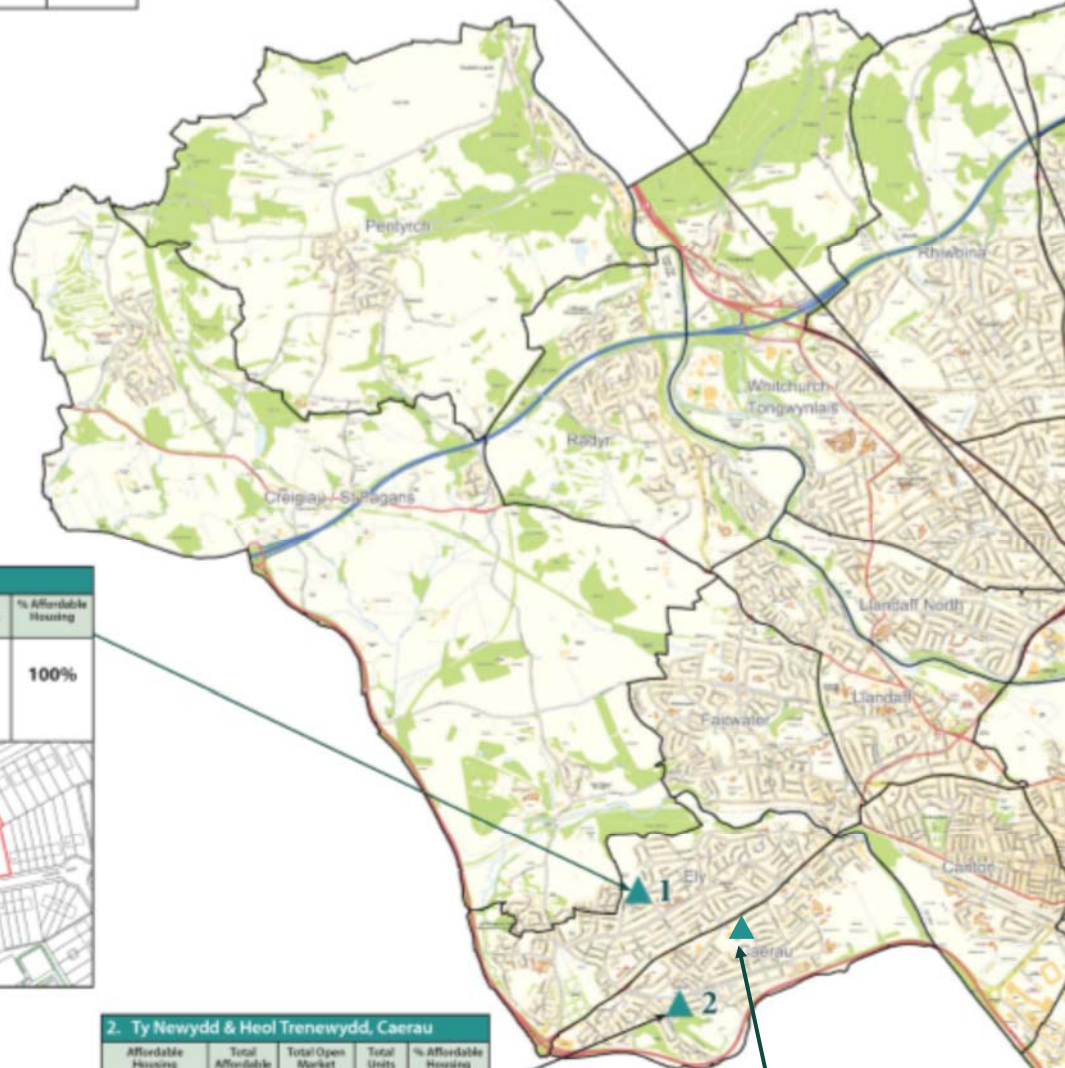
- All homes will be built to high energy efficiency standards.
- All homes will be more sustainable, resulting in lower energy bills for residents.
- All homes will be more efficient because of physical fabric
- All homes will have reduced demand for energy.

Cardiff Living - Phase 1 List of Sites

Total				
Affordable Housing unit mix	Total Affordable	Total Open Market	Total Units	% Affordable Housing
2 bed	34			
3 bed	142			
4 bed	0			
1 bed flat	9			
2 bed flat	80			
	195	291	486	40.12%

3. Briardene, Gabalfa				
Affordable Housing unit mix	Total Affordable	Total Open Market	Total Units	% Affordable Housing
2 bed	-			
3 bed	-			
4 bed	-			
1 bed flat	6			
2 bed flat	3			
	9	30	39	23%

4. Highfields, Heath				
Affordable Housing unit mix	Total Affordable	Total Open Market	Total Units	% Affordable Housing
2 bed	-			
3 bed	-			
4 bed	-			
1 bed flat	5			
2 bed flat	5			
	10	32	42	24%



1. Snowden and Wilson Road, Ely				
Affordable Housing unit mix	Total Affordable	Total Open Market	Total Units	% Affordable Housing
2 bed	6			
3 bed	2			
4 bed	-			
1 bed flat	12			
2 bed flat	-			
	20	0	20	100%

2. Ty Newydd & Heol Trenewydd, Caerau				
Affordable Housing unit mix	Total Affordable	Total Open Market	Total Units	% Affordable Housing
2 bed	2			
3 bed	-			
4 bed	-			
1 bed flat	9			
2 bed flat	5			
	16	0	16	100%

Additional development properties:
Caldicott Road - 16 units



5. Walker House, Llanishen

Affordable Housing unit mix	Total Affordable	Total Open Market	Total Units	% Affordable Housing
2 bed	2			
3 bed	2			
4 bed	-			
1 bed flat	-			
2 bed flat	-			
Total	4	12	16	25%



10. 11-22 Ty To Maen, Old St. Mellons

Affordable Housing unit mix	Total Affordable	Total Open Market	Total Units	% Affordable Housing
2 bed	2			
3 bed	-			
4 bed	-			
1 bed flat	-			
2 bed flat	-			
Total	2	6	8	25%



9. Willowbrook West, St Mellons

Affordable Housing unit mix	Total Affordable	Total Open Market	Total Units	% Affordable Housing
2 bed	14			
3 bed	11			
4 bed	-			
1 bed flat	18			
2 bed flat	15			
Total	58	143	192	30%



7. Llanrumney Depot, Mount Pleasant Lane

Affordable Housing unit mix	Total Affordable	Total Open Market	Total Units	% Affordable Housing
2 bed	21			
3 bed	-			
4 bed	-			
1 bed flat	4			
2 bed flat	6			
Total	31	0	31	100%



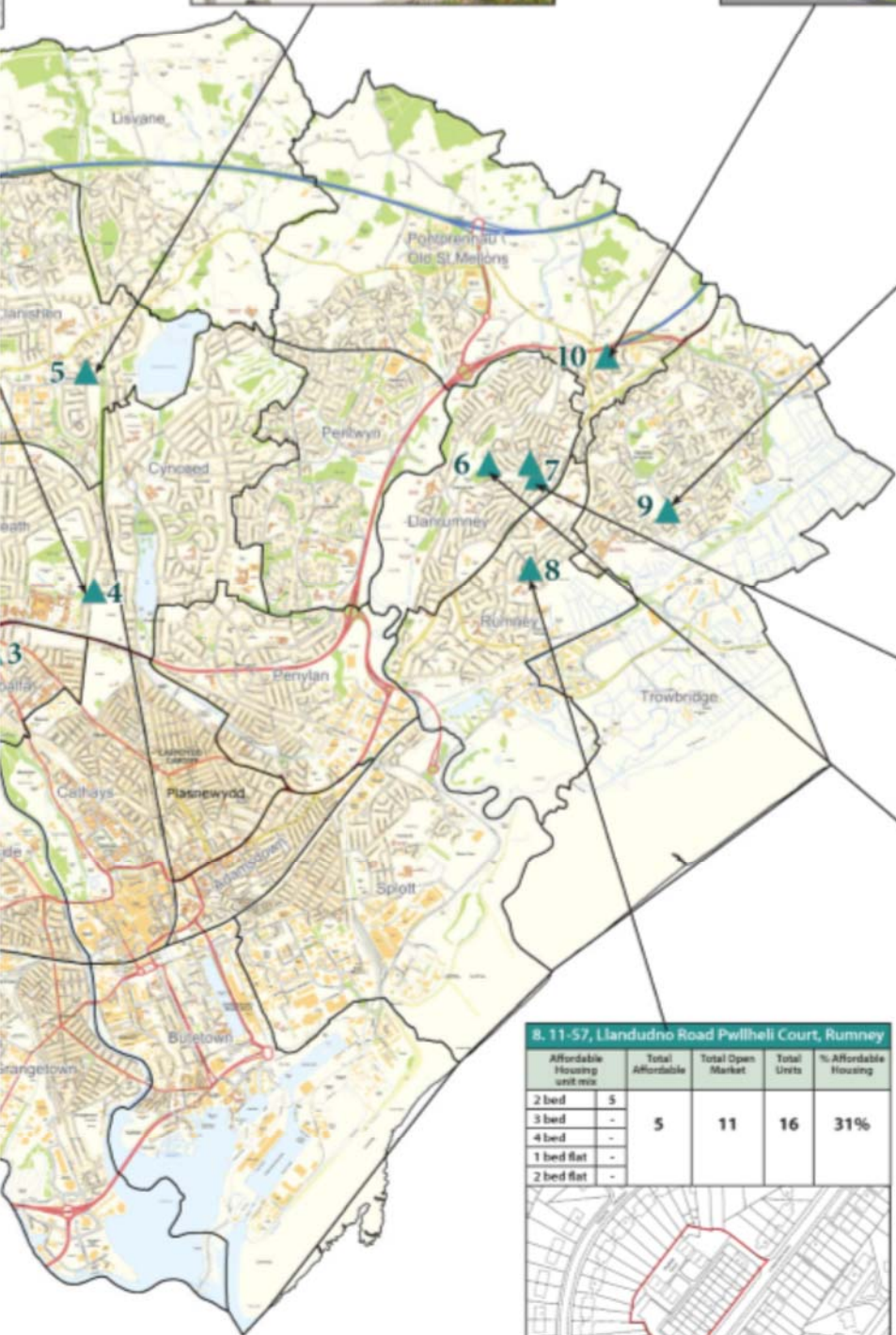
6. Braunton Crescent and Clevedon Road, Llanrumney

Affordable Housing unit mix	Total Affordable	Total Open Market	Total Units	% Affordable Housing
2 bed	16			
3 bed	6			
4 bed	9			
1 bed flat	9			
2 bed flat	-			
Total	40	66	106	38%



8. 11-57, Llandudno Road Pwllheli Court, Rumney

Affordable Housing unit mix	Total Affordable	Total Open Market	Total Units	% Affordable Housing
2 bed	5			
3 bed	-			
4 bed	-			
1 bed flat	-			
2 bed flat	-			
Total	5	11	16	31%



Date : February 2017



Resource Planning

Financial Resources

Now that Cardiff has met the Welsh Housing Quality Standard it is important to ensure the standard is maintained and investment is planned accordingly. The level of actual investment required will vary year on year and consequently detailed programmes of work require adjustment on a yearly basis. A detailed draft programme of works for the next five financial years is included on the Five Year Capital & Revenue Budgets pages.

The Business Plan includes a provision for kitchens and bathrooms that are deemed as acceptable fails, e.g. tenant refusal. These will be improved as properties become vacant or tenants change their minds. Despite publishing articles in the local press there has been limited take up in respect of acceptable fails.

A 30-year financial Business Plan model has been produced for the Housing Revenue Account. Most of the day-to-day income and expenditure estimates within the Business Plan model are based on historic trends and/or reflect current HRA budgets.

Estimated data has been incorporated from 2018/19 onwards. The key assumptions used within the base model from 2018/19 onwards are as set out in the Housing Revenue Account Business Plan parameters as advised by the Welsh Government.

Therefore, from 2018/19 onwards, the model assumes that rent increases will be within a range of 2.35% to 3% per annum. With respect to service charges, those charges which are normally increased in line with inflation have been frozen and a small number of charges have been increased for full cost recovery. There are some standstill charges where cost recovery is being achieved and some charges are decreased in line with reduced costs. Voids and bad debts are currently 1.40% and 0.74% respectively. These have been increased to 2.03% and 1.36% by year 7 of the plan, and are fixed at this level over the remainder 30 year period. Consumer and retail price indexes are estimated to be within a range of 1% and 3% throughout the model.

The Council's stock condition database provides details of the improvements carried out to each individual property, block of flats or maisonette within the Council. This will provide more accurate forecasts and will allow for the programmed works to be planned and costed accordingly. The Council will seek to achieve value for money in all respects by the most efficient, effective and economic use of resources.

People

The Council recognises that its employees are the single most important part of the Council's capability to successfully deliver its aims and aspirations, and to deliver the best services possible for the citizens and communities of Cardiff. The Personal Performance and Development Reviews (PPDR) are a crucial aspect in developing, maintaining and motivating the workforce. As such the Directorate is committed to ensuring that, where possible, all employees receive a PPDR and know exactly how they are doing in their jobs and how their role relates to the overall objectives and vision of the Council.

Capital Resources

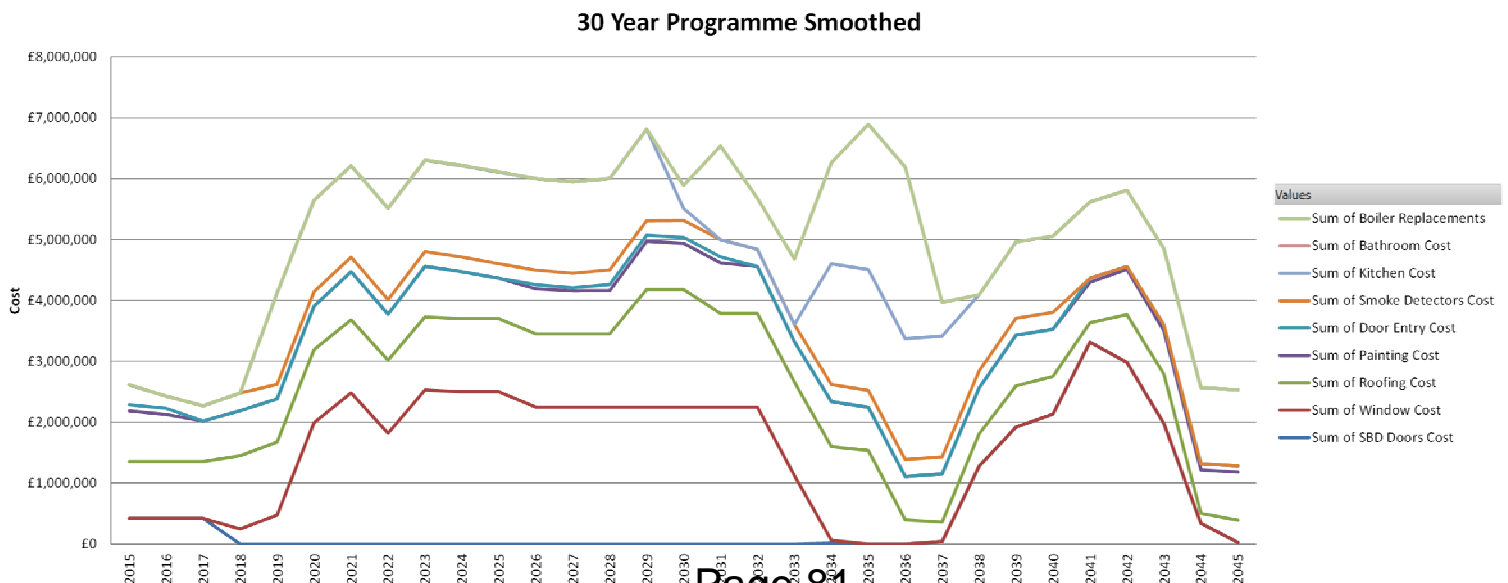
The capital resources assumed for future years and the planned expenditure using those resources are identified in this section. The Business Plan assumes that the Council continues to receive the Major Repairs Allowance (MRA) Grant from the Welsh Government at existing levels of £9.6m per year for the term of the Plan. Any reductions to this will have an impact on affordability and the level of borrowing required if the improvements made in achieving WHQS are to be maintained. No provision for council house sales has been included in the financial plan post 2017/18. In addition, no provision has been made for land receipts within the financial model but if received, these would be used to reduce any borrowing requirement in the year. This shows a prudent worst case scenario and thus any subsequent land receipt income will have a positive impact on the Business Plan.

Component Lifespan

Typical Components	Roof	Wiring systems	Bathroom	Windows	Boiler	Doors	Door entry systems	Kitchen	Smoke alarms	Painting
Average Lifespan (Years)	40	30	25	25	20	20	15	15	10	8
Average cost of replacement	£5,000	£1,300	£1,000	£2,500	£3,187	£1,500	£4,000	£1,500	£250	£400

30 Year Plan

The 30 year plan incorporates life cycles of property elements and budgetary commitments. Due to the high amount of work completed on properties in the run up becoming WHQS compliance a large number of elements become due for renewal in a short space of time. To ease budget constraints and improve efficiency of renewal the 30 year plan goes through a smoothing process.



Sustainability

We work in partnership with suppliers and contractors to acquire the best quality materials for the best value. We ensure that environmental criteria are used in the award of contracts, when assessing value we consider the whole life cycle of a material, including installation, maintenance and final disposal. The council will source green energy wherever possible and consider suppliers environmental credentials. This means that the cheapest product does not necessary deliver the best value.

HRA Limit of Indebtedness

The Housing Revenue Account Capital Finance Requirement, (£276.6m at 31 March 2016) remains within the Councils borrowing cap, (£316.5m set by Welsh Government) over the period of the business plan and is compliant with the minimum annual interest payments

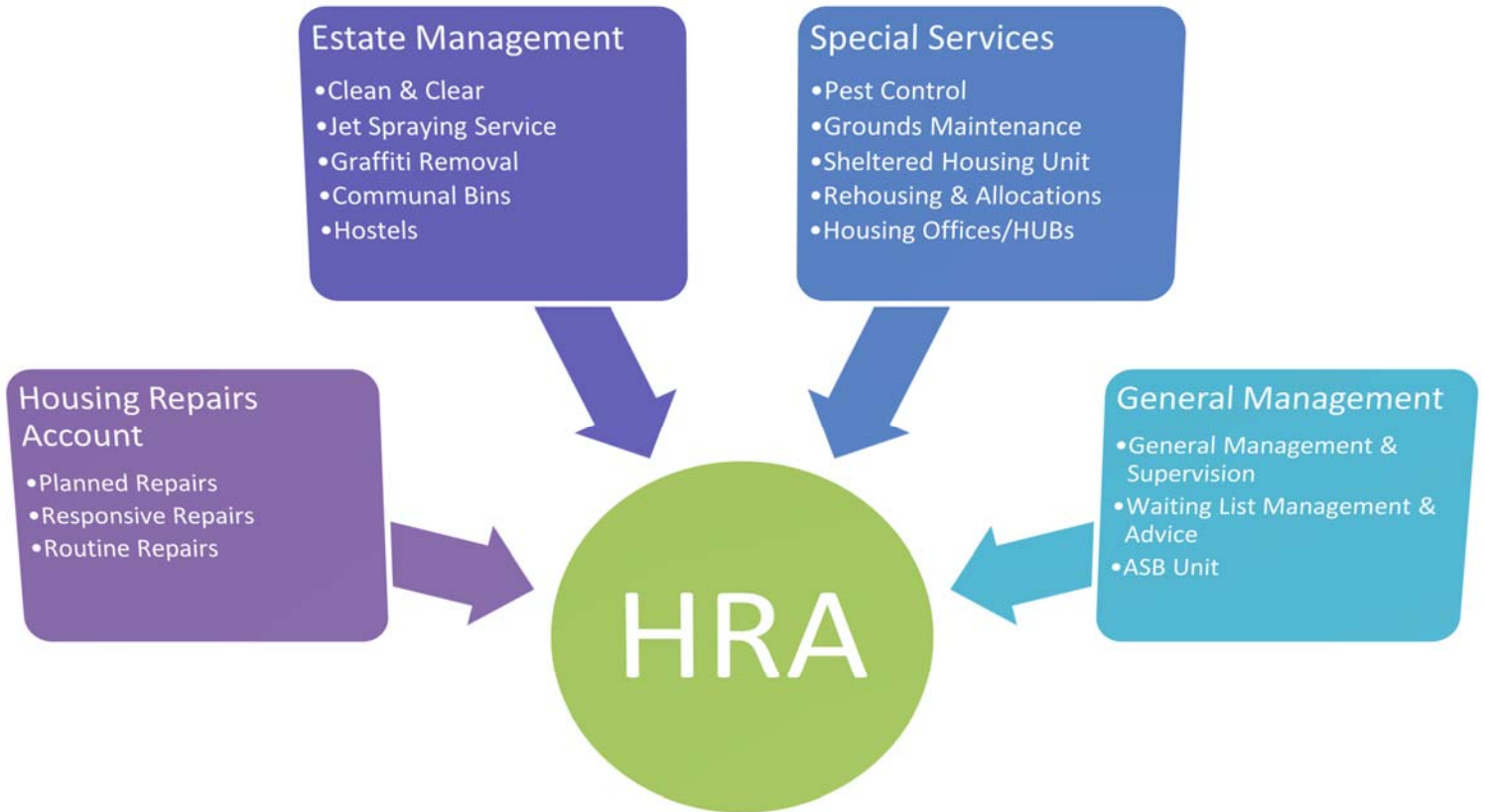
Sensitivity Analysis

The projections within the financial model are extremely sensitive to changes in forecast expenditure levels, capital financing assumptions, and the projected income levels and inflation rate changes.

Sensitivity Analysis of the Business Plan 2017-18

	Operating Account / HRA Balance		Change to 30 yr model compared to base model
	Year 10	Year 30	
	£m	£m	£m
Base Model	10.624	51.365	-
Additional 1% on repairs inflation from year 3	8.955	43.183	(8.182)
Additional 1% capital expenditure from year 3	10.221	45.193	(6.172)
Additional 1% management expenditure from year 3	9.874	47.125	(4.240)
Additional 1% void rent loss from year 3	(2.354)	(16.113)	(67.478)
Rental increase by CPI only from year 5	(0.066)	(311.893)	(363.258)
CPI 1% from year 3	(15.248)	(673.168)	(724.533)
Additional 1% bad debts from year 3	4.189	18.571	(32.794)

Analysis of Items Included in the HRA



The items above are in accordance with relevant legislation and other guidance including the Welsh Office Circular 33/95.



Impact of Welfare Reform

Welfare Reform -The Business Plan has given consideration to the impact of Welfare Reform. Financial modelling was carried out in an attempt to consider likely scenarios, particularly in respect of potential increases to rent arrears as a result of the reductions in Housing Benefit due to property rent/size restrictions. In addition, the modelling considered the potential additional costs of collection and arrears recovery.

The Council is putting in place various measures to minimise this impact. Tenants have been provided with detailed information about the changes, setting out available options including home swapping and property transfers. The waiting list process has been simplified and affected cases will be prioritised within this process.

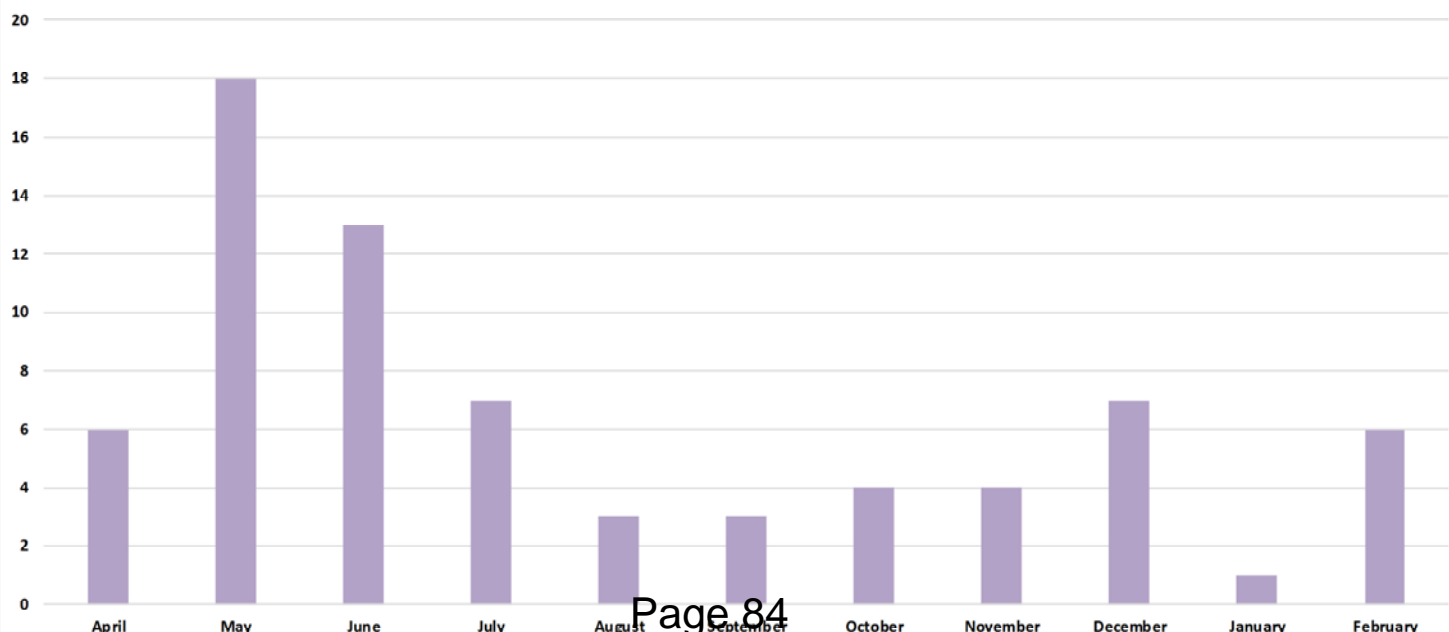
Universal Credit started to be rolled out gradually in Cardiff from November 2015. It replaces 6 benefits (including Housing Benefit) and is paid monthly in arrears directly into the claimant's bank account. Many tenants would have their Housing Benefit paid directly to their rent account, under Universal Credit this is not generally the case. This means that tenants are required to budget effectively and pay their rent from the Universal Credit Payments that they receive.

The Benefit Cap is a limit placed on the total amount of benefits a working age household can receive. Benefits in Cardiff will be capped at £384.62 per week for couples and families and £257.69 per week for single adults. Although these limits apply from 7th November 2016, not all households will be affected by the change straight away.

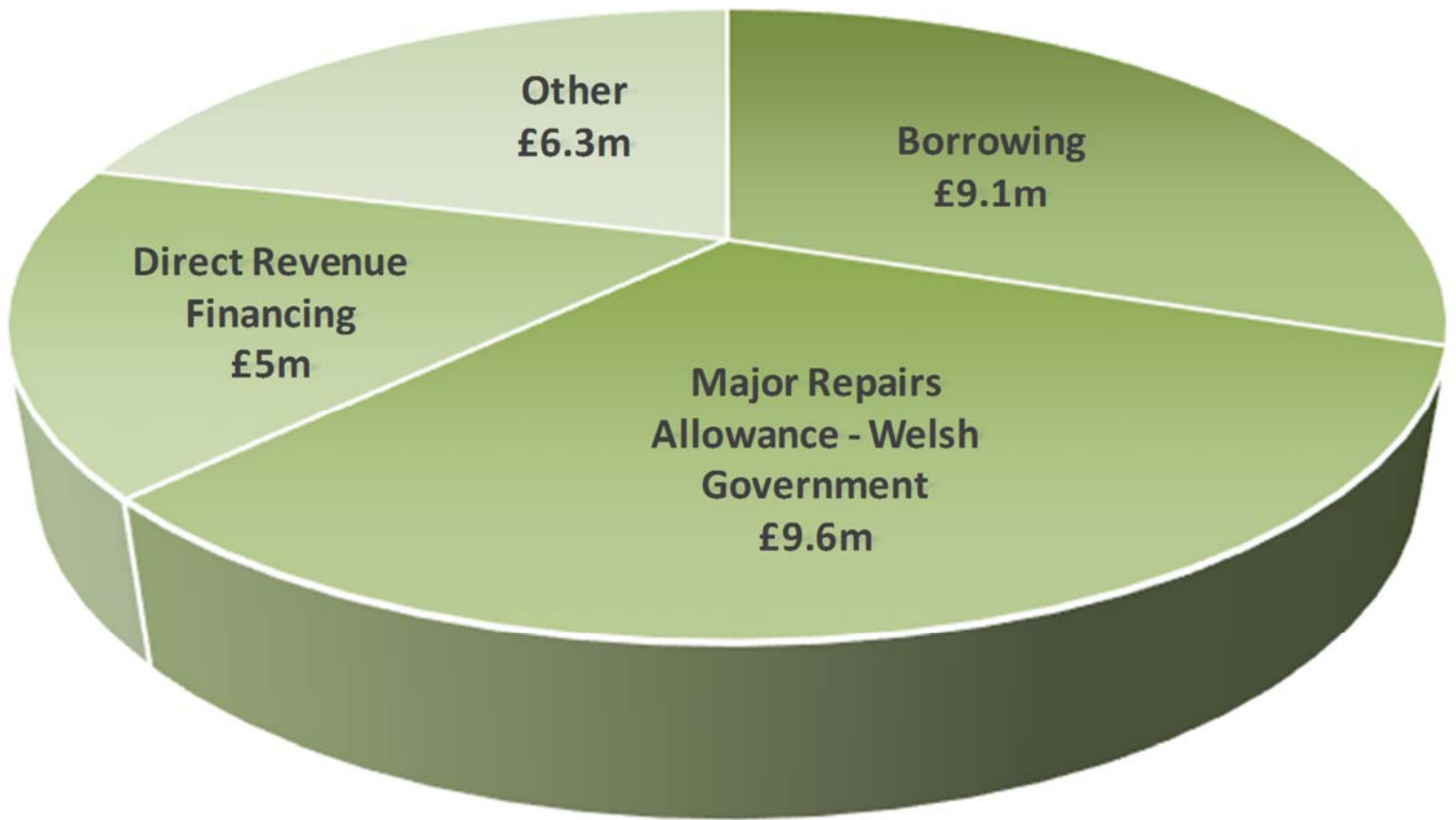
If you are single and under the age of 35, you will normally be entitled to the shared accommodation rate only, whatever type of accommodation you live in.

To help with these challenges we are rolling out online access across the city, giving budget advice in all the Hubs and we have set up a new Welfare Liaison Team.

Number of tenants moved due to welfare reform 2016-17



How do we fund our Capital improvements programme 2017/18?



Capital & Revenue Budgets

Capital Spend

Scheme Title	2017/18	2018/19	2019/20	2020/21	2021/22
	Budget	Budget	Budget	Budget	Budget
	£,000	£,000	£,000	£,000	£,000
PUBLIC SECTOR HOUSING -					
Regeneration and Area Improvement Strategies	4,500	3,502	3,607	3,442	2,701
External and Internal Improvements to Buildings					
Central Heating Boilers	1,000	1,030	1,061	1,093	1,126
Communal Heating Systems - High Rise/Sheltered	1,600	0	0	0	0
Roofs	2,200	721	1,591	1,639	1,688
Rewiring & Emergency Lighting	1,300	515	530	546	563
Fencing & Defensible Space	500	515	530	546	563
Door Entry Systems	450	515	530	546	225
Front Door Upgrades to Flats	1,200	258	0	0	0
Lift Upgrades & Renewals	600	515	0	0	563
Windows & Door Upgrades	1,000	1,030	1,061	2,185	2,251
Highrise Upgrades	2,000	5,665	4,297	0	0
Kitchens & Bathrooms	1,000	1,030	1,061	3,278	3,377
B.I.S.F. Refurbishments	500	618	679	0	0
C.C.T.V.	250	0	0	273	0
Structured Works Underpinning	250	258	106	109	0
Sheltered Accommodation Improvement Strategy	400	824	1,591	1,038	1,069
HUBs	355	300	0	0	0
Housing Partnering Project / Development	8,500	12,515	6,790	2,623	7,991
Disabled Facility Service	2,300	2,369	2,440	2,513	2,589
Central Costs	100	103	106	109	113
Total Programme	30,005	32,282	25,981	19,942	24,817
Funded					
Prudential Borrowing - HPP / Development	(6,200)	(12,065)	(6,790)	(2,623)	(7,991)
Prudential Borrowing - to balance programme	(2,905)	(5,117)	(4,542)	(2,620)	(2,076)
Major Repairs Allowance	(9,600)	(9,600)	(9,600)	(9,600)	(9,600)
Direct Revenue Financing Existing	(1,600)	(1,650)	(1,650)	(1,700)	(1,750)
Direct Revenue Financing - Additional Post HRAS Reform	(3,400)	(3,400)	(3,400)	(3,400)	(3,400)
S106 and other Concs	(2,300)	(450)	0	0	
Capital Receipts	(4,000)	0	0	0	0
Total Funding	(30,005)	(32,282)	(25,981)	(19,942)	(24,817)

2018/19 - 2021/22—Increased for assumptions RE Inflation

Revenue Spend

Housing Revenue Account	2017/18	2018/19	2019/20	2020/21
	Budget	Budget	Budget	Budget
	£000	£000	£000	£000
Employees	13,501	13,719	14,005	14,559
Premises - Council House Repairs	18,600	19,158	19,733	20,325
Premises - Other Repairs and Maintenance	1,089	1,122	1,156	1,191
Premises - Other Premises Costs	2,663	2,743	2,825	2,938
Transport	137	141	145	151
Supplies & Services	2,858	2,933	3,021	3,142
Support Services	5,997	6,177	6,362	6,616
Interest of Borrowing & Other Capital Charges	23,730	24,687	25,552	25,712
Funding for Capital Schemes	5,000	5,050	5,050	5,100
Contribution to Reserves	0	0	100	500
Gross Expenditure	73,575	75,730	77,949	80,234
Rents	(70,966)	(73,095)	(75,288)	(77,547)
Interest	(51)	(51)	(51)	(51)
Other Income	(2,558)	(2,584)	(2,610)	(2,636)
Total Income	(73,575)	(75,730)	(77,949)	(80,234)
Revenue (Surplus)/Deficit	0	0	0	0
Balance Brought Forward	(8,438)	(8,438)	(8,438)	(8,438)
Balance Carried Forward	(8,438)	(8,438)	(8,438)	(8,438)

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My Ref: Scrutiny/Correspondence/Cllr McGarry

8 January 2016

Councillor Susan Elsmore
Cabinet Member
c/o Room 520
County Hall
Cardiff
CF10 4UW



Dear Susan

Community & Adult Services Scrutiny Committee – 6 January 2016

On behalf of the Members of the Community & Adult Services Scrutiny Committee, I would like to thank you and the officers for attending our Committee on 6 January 2016. I have sent a separate letter to you and Councillor Patel regarding our scrutiny of the Gypsy and Traveller Accommodation Assessment and Site Assessment Criteria. This letter covers our pre-decision scrutiny of the Housing Revenue Account Business Plan 2016-17 and our deep dive into council housing voids management.

Housing Revenue Account Business Plan 2016-17

Members thank officers for preparing the report and presentation, which we found both interesting and useful. With regard to the robustness of the Business Plan, Members are unable to comment on this given that the levels of several key parameters are still awaited from Welsh Government.

With regard to the proposed rent increase of 1.4% plus £2 per week, leading to an average increase of £3.30 per week, Members were reassured to hear that this will not impact on the majority of tenants as the increase will be covered by housing benefit. Members were concerned about the impact on those tenants most affected by recent Welfare Reforms, notably the benefit cap and 'Bedroom Tax'. Members note that there are approximately 200 households covered by the benefit cap, who will be affected by the rent increase. Members note that, for those tenants affected by the 'Bedroom Tax', the consequent impact will be approximately 14% of the overall increase, and therefore more manageable than may first appear to be the case.

Members asked several questions regarding the level of debt repayment, both overall and specifically to do with debts relating to the Housing Revenue Account Subsidy exit. Members note officers' assurances that the debt repayment is prudent, sustainable and affordable in the longer term. Members also note that finance officers keep a close eye on the situation with a view to enabling earlier repayment were this proven to be viable. However, Members think that it would be useful to undertake comparison with other local authorities to see how our ratio of debt and repayment measure up, if only to provide reassurance that our ratio is appropriate.

With regard to the Building Maintenance Framework Agreement, Members are aware of the main issues with this, particularly following our deep dive into council housing void management, which included examining the Constructing Excellence Wales reports taken to Audit Committee recently and discussing issues with officers involved in the day to day management of this Agreement. Members recommend that the shortfalls in this Agreement be addressed in the new agreement being developed; this will improve the experience of tenants when contractors are undertaking planned, programmed and reactive repairs, as set out in the Housing Revenue Account Business Plan 2016-17. More details on this are provided in our report on the deep dive into council housing void management, attached to this letter.

I mentioned at the meeting that the signage at Marland House requires improvement to clearly signpost that services are now provided at Central Library. I note that Sarah McGill agreed to improve the notices in the ground floor windows of Marland House, to make them larger and clearer, and I look forward to this being undertaken.

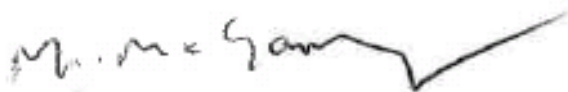
Deep dive into council housing voids management

As mentioned above, our Performance Panel has recently undertaken a deep dive into council housing void management, with the subsequent report being approved at Committee. The report is attached to this letter and contains sixteen recommendations, aimed at improving our performance in the short and medium term. I very much hope that this is of use to you and officers.

To summarise, I look forward to hearing back from you on the following:

- Recommendation – to undertake comparator work with other local authorities regarding Housing Revenue Account debt and repayment ratios
- Recommendation – that the shortfalls in the Buildings Maintenance Framework Agreement be addressed in the new agreement being developed
- Recommendations from the deep dive into council housing void management – whether these are accepted and, for those that are accepted, details of how and when they will be implemented.

Yours sincerely,



COUNTY COUNCILLOR MARY M^CGARRY

Chairperson - Community & Adult Services Scrutiny Committee

Cc: Sarah McGill Jane Thomas Colin Blackmore Anil Hirani
Liz Patterson
Claire Deguara Matt Swindell

Housing Revenue Account (HRA) Business Plan 2017-18



Housing Revenue Account (HRA) Business Plan 2017-18

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difference | gwnewch
wahaniaeth

What's it all about?

- Requirement to present HRA Business Plan to Welsh Government annually.
- Must be “acceptable” in order to be eligible for the Major Repairs Allowance (MRA) grant, (currently £9.6m).
- Sets out Cardiff's purpose & vision as a social landlord including its objectives and standards for the service.
- Puts Cardiff's housing accounts into a more business like basis – including a 30 year financial model.
- Communicates Cardiff's plans to its tenants, members, the Welsh Government, other key stakeholders, partners and the wider community.

Continuing to deliver on key objectives

- Improving existing council housing and neighbourhoods.
- Investing in new build council housing.
- Improving housing service.



Improving existing council housing & neighbourhoods

- Estate Regeneration
- Garages & Gullies
- Housing Development
- Energy Efficiency
- Upgrading emergency lighting & fire doors to our flats
- High-rise upgrades – including fire safety
- Roofing schemes
- Other schemes

Estate regeneration

Hodges Square - Re-cladding and Courtyard Improvement Work

The first phase of the improvement work has been completed, and has improved the general appearance, waste storage and security of the maisonettes.



Other major regeneration schemes include:

- Maelfa Centre
- Trowbridge Mawr.
- Trenchard Drive.
- Loudoun House.
- Skaithmuir Road.

Courtyard development, garages & gullies

- Garage and courtyard improvement.
- Alley gating.



Housing Development

- Sheltered Housing remodelling – ‘Community Living’ schemes.
- Flexible & sustainable, promoting independent living



Housing Development

- Asset remodelling – 150 Thornhill Road
- Conversion of a former Children’s Home into 8 older person flats for ‘independent Living’
- Flexible & accessible



Energy efficiency schemes

- Cardiff Council recently passed an average energy efficiency rating value of 70, the Welsh Government guidelines require a minimum of 65.
- Loft insulation top up and cavity wall insulation is also being rolled out on stock throughout the city.



Upgrading of our internal communal areas to our flats

- Fire Door Upgrades to SBD standards.
- Floor covering to modern standards.
- Upgrading of Communal and Emergency lighting.
- Upgrading Door Entry Systems to higher security with video entry where appropriate and remote entry management.
- Painting communal areas.



BISF roofing

64 BISF roofs in Caerau have been fully upgraded, there are 72 roofs currently being upgraded in Rumney. The final roof upgrades in Llandaff will complete the programme.



Other schemes

- We have started our scheme to upgrade all the communal and emergency lighting within our low and high rise blocks of flats to ensure improved compliance and energy efficiency.
- Painting to flats has started to be rolled out across the city.
- Door entry systems upgrades are being continued to blocks of flats.
- Improving defensible space.

Defensible space schemes



Defensible space

Before



After



Cardiff Living – Delivering new council homes



- The programme will build approximately 1,500 homes across 40 sites over next 8-9 years.
- 40%, (at least 600) will be affordable.
- Work has started on the first 2 sites
- First completions due April 2018
- Tenure blind, energy efficient & sustainable
- Phase 1 = 486 homes 291 OMS & 195 AH



CARDIFF LIVING - Phase 1 Sites



Total				
Affordable Housing unit mix	Total Affordable	Total Open Market	Total Units	% Affordable Housing
2 bed	34			
3 bed	142			
4 bed	0			
1 bed flat	9	291	486	40.12%
2 bed flat	80			

3. Birtwells, Gabalfa				
Affordable Housing unit mix	Total Affordable	Total Open Market	Total Units	% Affordable Housing
2 bed	-			
3 bed	-			
4 bed	-			
1 bed flat	9	30	39	23%
2 bed flat	3			

4. Highfields, Heath				
Affordable Housing unit mix	Total Affordable	Total Open Market	Total Units	% Affordable Housing
2 bed	-			
3 bed	-			
4 bed	-			
1 bed flat	10	32	42	24%
2 bed flat	5			

5. Walker House, Llanishen				
Affordable Housing unit mix	Total Affordable	Total Open Market	Total Units	% Affordable Housing
2 bed	2			
3 bed	2			
4 bed	-			
1 bed flat	4	12	16	25%
2 bed flat	5			

10. 11-22 Ty To Maen, Old St. Mellons				
Affordable Housing unit mix	Total Affordable	Total Open Market	Total Units	% Affordable Housing
2 bed	2			
3 bed	-			
4 bed	-			
1 bed flat	2	6	8	25%
2 bed flat	3			

9. Willowbrook West, St Mellons				
Affordable Housing unit mix	Total Affordable	Total Open Market	Total Units	% Affordable Housing
2 bed	14			
3 bed	13			
4 bed	-			
1 bed flat	58	143	192	30%
2 bed flat	18			
2 bed flat	15			

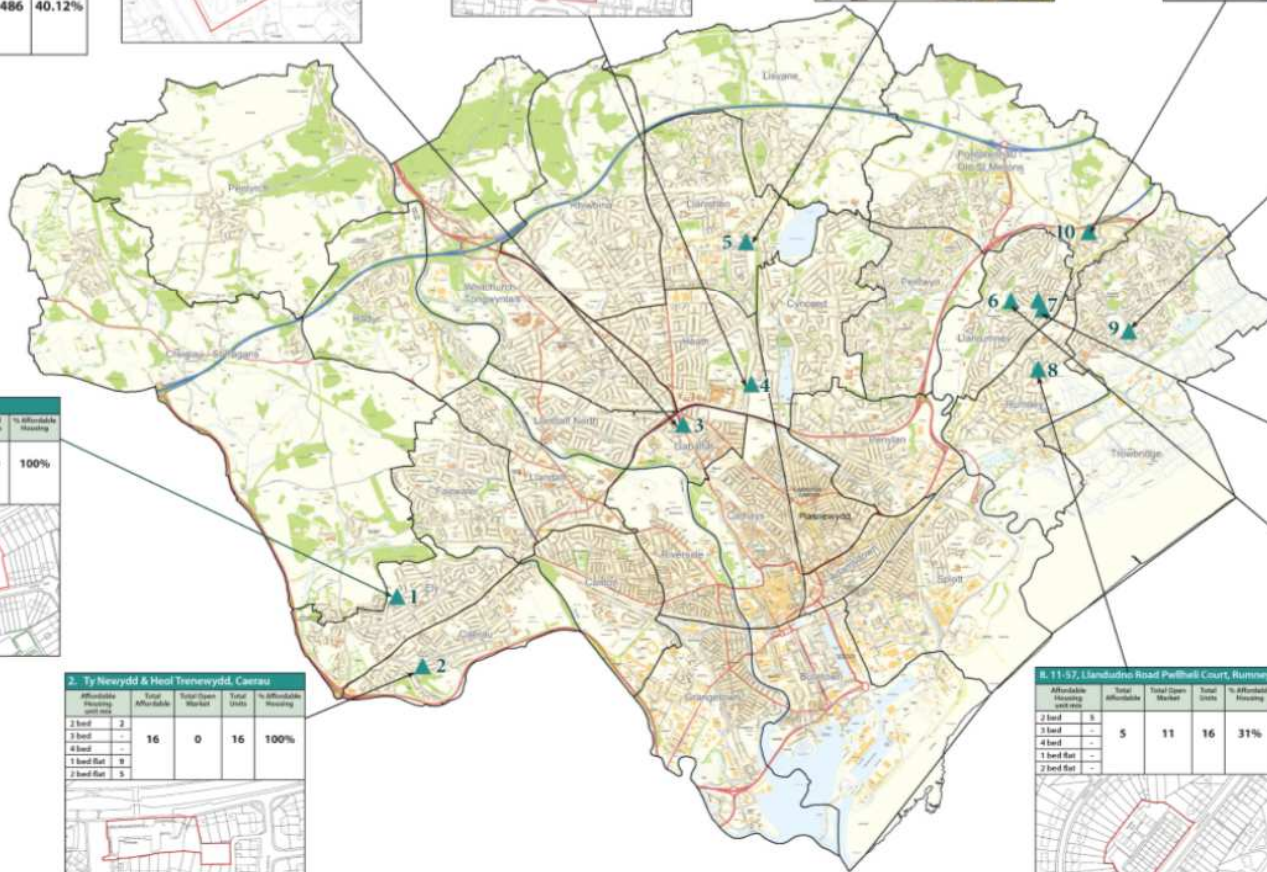
7. Llansymony Depot, Mount Pleasant Lane				
Affordable Housing unit mix	Total Affordable	Total Open Market	Total Units	% Affordable Housing
2 bed	21			
3 bed	-			
4 bed	-			
1 bed flat	31	0	31	100%
2 bed flat	4			
2 bed flat	8			

6. Brunton Crescent and Cleveon Road, Llanrumney				
Affordable Housing unit mix	Total Affordable	Total Open Market	Total Units	% Affordable Housing
2 bed	18			
3 bed	8			
4 bed	0			
1 bed flat	40	66	106	38%
2 bed flat	8			

8. 11-17, Llanallan Road Penllan Court, Rumney				
Affordable Housing unit mix	Total Affordable	Total Open Market	Total Units	% Affordable Housing
2 bed	5			
3 bed	-			
4 bed	-			
1 bed flat	5	11	16	31%
2 bed flat	5			

2. Ty Newydd & Herd Trefnewydd, Caeriss				
Affordable Housing unit mix	Total Affordable	Total Open Market	Total Units	% Affordable Housing
2 bed	2			
3 bed	-			
4 bed	-			
1 bed flat	16	0	16	100%
2 bed flat	0			
2 bed flat	5			

1. Snowden and Wilson Road, Ely				
Affordable Housing unit mix	Total Affordable	Total Open Market	Total Units	% Affordable Housing
2 bed	8			
3 bed	2			
4 bed	-			
1 bed flat	20	0	20	100%
2 bed flat	12			
2 bed flat	-			



Date : February 2017

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Council New Build & Innovative Solutions

- Target to deliver 1,000 new council homes within next 5 years
- At least 150 of these will be from 'Innovative Solutions'
- Delivery routes:
 - Cardiff Living
 - Additional Development Programme
 - Appropriation of GF land
 - Buying property from open Market
 - Conversions of buildings for Housing (GF)
 - Meanwhile use of land
 - Package Deals
 - 'Volumetric solutions'



Council New Build – Delivery

- Purchase of property underway – target of 25 homes this year
- New development sites identified – 10 sites capable of delivering up to 350 properties
- First site in for planning – Caldicot Road in Caerau
- Viability tool has been bought:
 - ProVal
 - Input financial assumptions (rent, voids, maintenance, management).
 - Total scheme costs
 - Provides pay-back period – aiming

Improving housing services

- Tenant participation & consultation.
- Hubs.
- Practical implementation of consultation. E.g. Tackling ASB



Advice Hubs

Expansion of the Community Hubs has continued to make housing & benefit advice more accessible.



Central Library Tel: 029 2087 1000

The Hub at Butetown Tel: 029 2053 7060

The Hub at St Mellons Tel: 029 2078 0992

The Hub at Llanrumney Tel: 029 2078 0994

Rumney Partnership Hub Tel: 029 2233 0661

Ely and Caerau Hub Tel: 029 2087 3800

Grangetown Hub Tel: 029 2078 0966

The Powerhouse Tel: 029 2054 9650

Fairwater Hub Tel: 029 2078 5583

STAR Hub Tel: 029 2078 8505

Llandaff North & Gabalfa Hub Tel: 029 2078 5588

The logo for 'The Yr hyb' features the text 'The Yr hyb' in a stylized font, with 'Yr' in a smaller font size. The text is surrounded by a circular arrangement of white dots of varying sizes, creating a bubble-like effect.

The Llanedeyrn HUB is due to open in August. Work has started on Llanishen and St Mellons extensions. Ely/Caerau phase 2 is currently in the planning stage.

Tenant participation & consultation

- Help tenants take control.
- Working with tenants to approve communication across Cardiff.
 - Anti social behaviour.
 - Repairs.
 - Advice on budgeting.
 - Training.



Comparison of council rents with the private sector (2017/18)

Council rents remain good value. Rents charged by private landlords are about 50% higher than council rents.

No. of Bedrooms	Market Rent	Local Housing Allowance Rate*	Current Average Council Rent (incl. service charges)
1	£126.00	£103.56	£80.61
2	£161.00	£126.92	£93.78
3	£201.00	£150.00	£108.21
4	£253.00	£190.38	£120.27

* The Local Housing Allowance Rate is the amount that private sector tenants can claim in housing benefit.

Any Questions?

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**CYNGOR CAERDYDD
CARDIFF COUNCIL****COMMUNITY & ADULT SERVICES SCRUTINY COMMITTEE**

19 July 2017

SINGLE LICENSING ENFORCEMENT POLICY – RENT SMART WALES

Purpose of Report

1. This report provides the Committee with background information to enable Members to carry out pre-decision scrutiny of the proposed Single Licensing Enforcement Policy prior to its consideration by the Cabinet at its meeting on 27 July 2017. A copy of the draft Cabinet Report is attached at **Appendix A**; this contains the following appendices:
 - i) Appendix 1- Draft Rent Smart Wales Enforcement Policy 2017
 - ii) Appendix 2 – Summary of Stakeholder Consultation Responses
 - iii) Appendix 4 – Equality Impact Assessment¹.

Scope of scrutiny

2. During this scrutiny, Members have the opportunity to explore:
 - i) Proposed single enforcement policy;
 - ii) Whether there are any risks to the Council;
 - iii) The recommendations to Cabinet.
3. Members will then be able to decide what comments, observations or recommendations they wish to pass on to the Cabinet for their consideration prior to making their decisions.

Background

4. The Housing (Wales) Act 2014 aims to secure better protection for private tenants. The Act introduced new obligations on private landlords and/ or agents

¹ Appendix 3 will be the letter from this Committee following this scrutiny

to register themselves and the addresses of their rental properties and to obtain a licence. A single licensing authority was established for the whole of Wales, known as Rent Smart Wales. Cardiff Council successfully bid to run this, with funding from the Welsh Government; there are no financial implications for Cardiff Council in being the host authority.

5. Rent Smart Wales commenced on 23rd November 2015 and enforcement provisions commenced a year later. Whilst there has been a high level of compliance, the draft Cabinet report highlights that *'it is estimated that 20% of landlords/ agents remain non-compliant'*².
6. Rent Smart Wales is responsible for the licensing of landlords and agents and enforcing compliance with this, as set out in the Housing Act 2014. Each local authority in Wales is responsible for other housing enforcement duties, for example Health and Safety conditions, as set out under separate legislation. In Cardiff, the housing enforcement role sits with Shared Regulatory Services.

Issues

7. Rent Smart Wales is required³ to have an Enforcement Policy in place to promote efficient and effective approaches to its' regulatory activities. The proposed Rent Smart Wales Enforcement Policy is attached at **Appendix 1 of Appendix A**. It aims to promote clarity and consistency across Wales on the standards to be applied. The Policy states that it wishes to do this *'without placing too heavy a burden on landlords, managing agents and tenants'*⁴.
8. The Policy has undergone consultation and has been amended as a result of feedback received; a schedule of consultation responses and resultant action is attached at **Appendix 2 of Appendix A**. An Equality Impact Assessment has been completed for the proposed Policy; this is attached at **Appendix 4 of Appendix A**.

Pre-decision scrutiny

² Point 5, draft Cabinet Report - attached at Appendix A

³ Regulators Code 2014 and Legislative and Regulatory Reform Act 2006

⁴ Introduction, page 3, Appendix1 of Appendix A

9. Pre-decision scrutiny aims to inform the Cabinet's decisions by making evidence based recommendations. Scrutiny Members are advised to:
- i) look at the information provided in the report to Cabinet to see if this is sufficient to enable the Cabinet to make an informed decision;
 - ii) check the financial implications section of the Cabinet report to be aware of the advice given;
 - iii) check the legal implications section of the Cabinet report to be aware of the advice given;
 - iv) check the recommendations to Cabinet to see if these are appropriate.

Previous Scrutiny

10. The previous Committee undertook several scrutinies covering the implementation of Rent Smart Wales. At the committee meeting on 2 March 2016, Members noted that case law meant that the Rent Smart Wales fees could be used to cover enforcement costs, including administration costs, borne by individual local authorities. Members heard that the business model for Rent Smart Wales assigned £5,459,552 to local authority enforcement over the five years from 2016/17 – 2021/22, which represented 21.15% of the total fees planned to be received.

Way Forward

11. At this meeting, the following witnesses will be in attendance to answer Members' questions:
- i) Councillor Lynda Thorne (Cabinet Member for Housing and Communities)
 - ii) Sarah McGill (Director, Communities, Housing and Customer Services)
 - iii) Isabelle Bignall (Assistant Director, Customer Services) and
 - iv) Angharad Thomas, (Group Leader, Rent Smart Wales).

Legal Implications

12. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal implications. However, legal implications may arise if and when the matters under review are

implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

Financial Implications

13. There are no direct financial implications arising from this report. However, financial implications may arise if and when the matters under review are implemented with or without any modifications.

RECOMMENDATIONS

It is recommended that Members:

- i) note the scope and content of the draft Single Licensing Authority Enforcement Policy and appendices provided to this cover report;
- ii) agree observations and comments for consideration by the Cabinet at their forthcoming Meeting; and
- iii) decide the way forward with regard to any further scrutiny of this issue.

DAVINA FIORE

Director of Governance and Legal Services and Monitoring Officer

13 July 2017

CARDIFF COUNCIL CYNGOR CAERDYDD

CABINET MEETING: 27 JULY 2017

SINGLE LICENSING AUTHORITY ENFORCEMENT POLICY FOR POWERS CONTAINED UNDER PART 1 OF THE HOUSING (WALES) ACT 2014

REPORT OF DIRECTOR OF COMMUNITIES, HOUSING & CUSTOMER SERVICES

AGENDA ITEM: 9

**PORTFOLIO: HOUSING AND COMMUNITIES (COUNCILLOR LYNDA
THORNE)**

Reason for this Report

1. Pursuant to the Council's designation as Single Licensing Authority for Wales this report provides an update on Rent Smart Wales to date and seeks the Council's adoption of an Enforcement Policy which will ensure that Rent Smart Wales enforcement activities are delivered consistently and responsibly across Wales.

Background

2. A report presented to Cardiff Council Cabinet in March 2015 outlined new provisions contained within the Housing (Wales) Act 2014 and the implications it would have for local authorities in Wales and specifically Cardiff Council as the designated Single Licensing Authority (SLA). The brand name for the scheme is Rent Smart Wales (RSW).
3. Rent Smart Wales' role is to ensure that all landlords and agents involved in the management of privately rented property comply with the legislation in order to improve the standards and management of the sector and to better protect the interests of tenants.
4. Since the implementation of the legislation on the 23rd November 2015 and introduction of the enforcement provisions a year later, substantial progress has been made to secure compliance. This has been achieved in the main through a joined up approach with partners including Welsh Government, local authorities and stakeholders to implement the marketing strategy. Compliance and activity levels at the end of May 2017 are summarised below :
 - i. User accounts established on the RSW database: 101,235

- ii. Landlord Registrations completed: 76,680. This represents 161,564 rented properties as part of a completed registration.
- iii. Total licence applications submitted: 23,146.
- iv. Call and email volumes fluctuate greatly with November 2016 experiencing 23,924 incoming calls and 6955 emails respectively.

Issues

- 5. Despite significant progress to date, it is estimated that 20% of landlords / agents remain non-compliant; it is important that full compliance is secured as early as possible. This can only be achieved by having the right balance of marketing and enforcement activity. Whilst we will continue to focus on ensuring that appropriate marketing messages are distributed through social media, press, radio and stakeholder engagement; Fixed Penalty Notices and prosecution activity is now being taken forward. 35 FPNs have been served to date and Newport Council has secured a successful prosecution.
- 6. The officers involved in RSW enforcement are employed both by Cardiff Council, as the Single Licencing Authority, and all 22 local authorities. One enforcement policy to capture the approach to be taken by all partners is therefore required to ensure a consistent approach across Wales.
- 7. Attached at Appendix 1 is a copy of the draft Rent Smart Wales Enforcement Policy. Its purpose is to set out the standards that will be applied by RSW and its partners in respect of its compliance and enforcement activities, and to give guidance to those affected by it, in particular landlords, managing agents and tenants.
- 8. During the development of this policy, consultation has been undertaken with the stakeholders and the 22 Welsh local authorities. The comments led to a review and simplification of the final document. A summary of the comments received and RSW response is attached at Appendix 2. The Welsh Heads of Environmental Health Group and the Rent Smart Wales Strategic Implementation Group have subsequently endorsed the revised policy.
- 9. An Enforcement Policy helps to promote efficient and effective approaches to regulatory activity and the need to have an Enforcement Policy in place is required in the Regulators Code of 2014.
- 10. Enforcement Policies must reflect the Regulators Code and the regulatory principles under the Legislative and Regulatory Reform Act 2006. Consequently, underlying the document content is a commitment to the principles of good regulation as promoted in The Legislative and Regulatory Reform Act 2006. The key features are that we will exercise our regulatory activities in a way which is:

- **Proportionate** – our activities will reflect the level of risk and enforcement action taken will relate to the seriousness of the offence
- **Accountable** – our activities will be open to public scrutiny, with clear and accessible policies, and fair and efficient complaints procedures
- **Consistent** – our advice to those we regulate will be robust and reliable and we will respect advice provided by others.
- **Transparent** – we will ensure that those we regulate are able to understand what is expected of them and what they can anticipate in return, and
- **Targeted** – we will focus our resources on higher risk activities

11. The policy sets out:

- The aims of the policy
- What the policy is for
- What status the Enforcement Policy has
- Our approach to compliance and enforcement
- It provides advice on the Rules
- How we intend to ensure Compliance
- How we respond to Breaches of the Rules
- How we work with Stakeholders
- How we deal with comments and complaints
- When the policy will be reviewed and what monitoring we will undertake.

Local Member consultation

12. The proposal does not involve a local issue. The proposal does not require the carrying out of consultation under statute or at law or by reason of some promise or undertaking previously given by or on behalf of the Authority.

Scrutiny

13. The draft Rent Smart Wales - Enforcement Policy was presented to the Communities and Adult Services Scrutiny Committee on 19th July 2017 for pre decision scrutiny. The letter from the Scrutiny Chair following this meeting and response are attached at appendix 3.

Reason for Recommendations

14. An Enforcement Policy will ensure that Rent Smart Wales enforcement activities are delivered consistently and responsibly across Wales and is in accordance with the requirements set out by Legislative and Regulatory Reform Act 2006 and Regulators Code of 2014.

Financial Implications

15. There are no additional resource requirements arising from this report and all costs associated with the proposed enforcement activity will be met by either fees generated within the RSW service, fixed penalty notice income or costs awarded through the courts.

Legal Implications

16. An Equality Impact Assessment has been undertaken during the policy development stage. This is attached at Appendix 4.
17. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. standing orders and financial regulations; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.
18. The Housing (Wales) Act 2014 specifically designates Cardiff Council as the Single Licensing Authority (SLA) for the enforcement of breaches of the Act. This power is in turn granted to the respective 22 Local Authorities in Wales through a joint Memorandum of Understanding for the enforcement of the act by Rent Smart Wales. The power to act to each Local Authority was delegated through a letter of authorisation dated 2nd February 2017. This grants a general power for each individual Local Authority to enforce the act and ultimately prosecute breaches of the act in their area through the criminal courts.
19. In turn each officer either employed through Rent Smart Wales or specifically acting on their behalf through their own home Local Authority, is individually authorised to act on behalf of Rent Smart Wales in investigating and enforcing any breaches of the Housing (Wales) Act 2014.
20. It is intended that the Enforcement Policy will be utilised by all of the officers of the 22 Local Authorities investigating landlords and agents in their area on behalf of Rent Smart Wales. The Enforcement Policy will provide a uniform mechanism for the issuing of Fixed Penalty Notices and the instigation of prosecution proceedings within the criminal courts in Wales. This is facilitated through a defined and consistent approach amongst the Local Authorities and in line with the enforcement powers of the single licensing authority (SLA) throughout Wales. The enforcement policy will avoid any local exceptions becoming established and provide a defined consistency of approach for referral throughout Wales. It is further confirmed that where a conflict arises with the Enforcement Policy of Rent Smart Wales and that of the host Local Authority for enforcement, the host Local Authority's policy will take precedence over the enforcement policy of Rent Smart Wales.

21. If a challenge is made to the validity Enforcement Policy of Rent Smart Wales, any refinement or amendment brought about by that decision will act uniformly across Wales.

HR Implications

22. There are no additional HR resource requirements arising from this report.

RECOMMENDATIONS

Cabinet is recommended to:

1. note the progress made by Rent Smart Wales in delivery of the Housing (Wales) Act 2014
2. approve the draft Rent Smart Wales Enforcement Policy as set out at appendix 1 and
3. delegate authority to the Director with responsibility for Rent Smart Wales to approve amendments to the policy that may be required periodically.

SARAH McGill
Director
7 July 2017

The following appendices are attached:

Appendix 1: Draft Rent Smart Wales Enforcement Policy 2017
Appendix 2: Summary of Stakeholder Consultation Responses
Appendix 3: Scrutiny Letter and Cabinet Member response from Community & Adult Services Scrutiny Committee dated 19th July 2017.
Appendix 4: Equality Impact Assessment

Rhentu Doeth Cymru Rent Smart Wales



RENT SMART WALES ENFORCEMENT POLICY 2017



CONTENTS

Section Number	Section Name
1	Introduction
2	Aims of the policy
3	What is this policy for?
4	What is the status of this Enforcement Policy?
5	Our approach to compliance and enforcement
6	Advising on the Rules
7	Ensuring Compliance
8	Responding to Breaches of the Rules
9	Working with Stakeholders
10	Comments and complaints
11	Review and Monitoring
	Appendix 1 – Tables of Offences
	Appendix 2 – Additional Information; Rent Stopping Orders & Rent Repayment Orders

1. Introduction

This Policy covers the enforcement work undertaken by Cardiff Council as the Single Licensing Authority (SLA) and 22 Local Authorities to deliver Part 1 of the [Housing \(Wales\) Act 2014](#). Collectively the partnership and service is known as Rent Smart Wales (RSW).

This policy sets out the approach taken by RSW to compliance and enforcement activities, and is intended to establish a consistent approach to enforcement across its various functions, without placing too heavy a burden on landlords, managing agents and tenants. It excludes matters which specifically relate to the determination and revocation of licence applications and securing compliance with licence conditions.

This policy has been subject to consultation across a range of stakeholders. However, further feedback is always welcomed using the contact details provided below. We will give consideration to the inclusion of any suggested improvements in future revisions.

In adopting this policy RSW intends to apply legal powers consistently and fairly, whatever the circumstances. Decisions will not be influenced by the gender, disability, language, ethnicity, religion, political beliefs or sexual preference of the subject, victims or witnesses.

RSW wants to make it easy for you to receive our information. This policy is published in English and Welsh on our [website](#) and in hard copy. We are also able to provide the document in alternative formats including audio tape, large print and in community languages. We have access to interpreter services where required. Requests for copies in other formats or other languages should be addressed to:

Rent Smart Wales,
PO Box 1106,
Cardiff.
CF11 1UA

Revision date 2017

2. Aims of the Policy

Rent Smart Wales (RSW) strives to ensure that all landlords and agents involved in the management of privately rented property comply with the legislation in order to improve the standards and management of the sector and to better protect the interests of tenants.

RSW's responsibility is to ensure compliance with Part 1 of the Housing (Wales) Act 2014 ensuring that landlords of rented property in Wales are registered and self-managing landlords and agents are licensed. In seeking compliance RSW enforces the law, including taking enforcement action where appropriate. These areas of responsibility are summarised in the table below.

Registration of landlords and properties	Undertake appropriate interventions to ensure compliance with legislation at local and national level, in accordance with the Memorandum of Understanding (MOU) in place between the SLA and 22 local authorities
Licensing of self-managing landlords and agents	Undertake appropriate interventions to ensure compliance with legislation at local and national level, in accordance with the MOU in place between the SLA and 22 local authorities
To investigate complaints and undertake proactive activity to ensure compliance	To undertake proactive activity and investigate complaints about landlords / agents / premises brought to the attention of RSW and to determine the most appropriate course of action to be taken.
To determine licence applications and where necessary refuse or revoke licences	To determine all applications having regard to provisions in the Act and in accordance with Welsh Government Guidance on the "fit and proper person test". To work collaboratively across 22 local authority areas to ensure that complete and accurate information is available when considering the fitness and propriety of all applicants.
Education and Advice	To provide advice to all in respect of matters relating to Part 1 of the Housing (Wales) Act 2014 and other associated legislation. To provide RSW approved training to facilitate compliance with the licence requirements, both in a classroom environment and online.
RSW Enforcement	To take the appropriate enforcement action in line with this policy to remedy contraventions of Part 1 of the Housing (Wales) Act 2014.

Compliance with the law is proactively encouraged and to this end we want to work with landlords, managing agents and tenants to promote this goal through the provision of advice and education, intelligence led checks on compliance and proportionate responses to regulatory breaches.

Our ultimate purpose is to ensure that the private rented sector functions effectively providing a safe and secure place for tenants to live. When that purpose is undermined, we will use our legal powers to take action to resolve any unsatisfactory situations and ensure that any wrongdoers are held to account. This is what is meant by the term “enforcement action”.

We are committed to taking firm action in the following situations: -

- Against those who flout the law, or who deliberately or persistently fail to comply
- Where there is a risk to health and safety; and
- Where it is necessary to protect the vulnerable from harm

RSW publishes an annual service delivery plan which sets out RSW’s service standards and our main areas of work for the year ahead.

3. What is this policy for?

The purpose of this document is to set out the RSW policy in respect of its compliance and enforcement activities, and to give guidance to those affected by it, in particular landlords, managing agents and tenants. It does not however, affect the discretion to take legal proceedings when this is considered to be in the public interest.

The staff of RSW will adhere to this policy, and this will be subject to regular monitoring / review periodically.

4. What is the status of this Enforcement Policy?

This policy has been adopted in accordance with the Cardiff Council constitutional arrangements and has been endorsed by the RSW Strategic Implementation Group on 13th April 2017 and Welsh Heads of Environmental Health on 21st April 2017.

RSW is delivered by the SLA and 22 local authorities (LAs) in partnership. This arrangement is captured in a memorandum of understanding (MOU) signed by each party which outlines the roles and responsibilities of each party in relation to the promotion and delivery of the legislation and responsibility of each for enforcement activities. It also outlines arrangements for information sharing.

To facilitate this partnership ***Cardiff Council as Single Licencing Authority has provided its general consent to each Council:***

Pursuant to Section 28 (2) and (3) of the Housing (Wales) Act 2014, to bring criminal proceedings in respect of any offence under Sections 4(2), 6(4), 7(5), 9(2), 11(3) or 13(3) of the Act, if the alleged offence arises in respect of a dwelling in their respective area.

Pursuant to Section 30 (2) of the Housing (Wales) Act 2014, to make an application for a Rent Stopping Order to the Residential Property Tribunal in respect of an offence under Sections 7(5), or 13(3) of the Act, if the alleged offence arises in respect of a dwelling in their respective area.

Pursuant to Section 31 (3) of the Housing (Wales) Act 2014, to make an application to revoke a Rent Stopping Order to the Residential Property Tribunal in respect of an offence under Sections 7(5), or 13(3) of the Act, if the offence arose in respect of a dwelling in their respective area, and is no longer being committed.

Pursuant to Section 32 (2) of the Housing (Wales) Act 2014, to make an application for a Rent Repayment Order to the Residential Property Tribunal in respect of an offence under Sections 7(5), or 13(3) of the Act, if the alleged offence arises in respect of a dwelling in their respective area.

In addition, individuals within each local authority have been authorised under section 29 (Fixed Penalty Notices) and Section 37 (Power to require documents to be produced or information given) of the Act.

It is expected that local authorities will apply this policy in their delivery of Rent Smart Wales activities, however, there may on occasion, be a conflict with their own local enforcement policy. Where this is the case, the local authority policy will take precedence.

5. Our approach to compliance and enforcement

We aim to use our enforcement powers sensibly and in a proportionate manner. Our overall goal is to promote a fair, safe environment where citizens, tenants, property owners, investors and managing agents in Wales are treated fairly and not exposed to any hazards or unscrupulous practices. From the outset, it is important to state that we want to work with landlords, managing agents and their representative bodies to achieve that goal. Each transaction we undertake, each complaint we investigate, will be conducted fairly and in a proportionate manner.

[The Legislative and Regulatory Reform Act 2006](#), as amended, requires RSW to have regard to the Principles of Good Regulation. We will exercise our regulatory activities in a way which is:

- **Proportionate** – our activities will reflect the level of risk and enforcement action taken will relate to the seriousness of the offence
- **Accountable** – our activities will be open to public scrutiny, with clear and accessible policies, and fair and efficient complaints procedures
- **Consistent** – our advice to those we regulate will be robust and reliable and we will respect advice provided by others.
- **Transparent** – we will ensure that those we regulate are able to understand what is expected of them and what they can anticipate in return, and
- **Targeted** – we will focus our resources on higher risk activities

RSW embraces the principles of good enforcement established in the [Regulators' Code \(April 2014\)](#), as amended, i.e.

- Regulators should carry out their activities in a way that supports those they regulate to comply and grow;
- Regulators should provide straightforward ways to engage with those they regulate and hear their views;
- Regulators should base their regulatory activities on risk;
- Regulators should share information about compliance and risk;
- Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply
- Regulators should ensure that their approach to their regulatory activities is transparent

However, in certain instances we may conclude that a provision in the Regulators' Code is either not relevant or is outweighed by another provision. We will ensure that any decision to depart from the Code will be properly reasoned, based on the available evidence.

RSW is committed in all aspects of its work to the promotion of equality in accordance with the participant authorities' Equality statements and policies. The Service will seek to adopt best practice in pursuit of that commitment, including in relation to the provision of assistance, information and advice.

This policy will contribute to the fairness of decision making and will seek to ensure that decisions will not be influenced by the gender, disability, language, ethnicity, religion, political beliefs or sexual preference of the subject, victims or witnesses. During the monitoring and review of our practices under this policy we will make sure that our enforcement activity reflects this commitment.

In some areas of our work we have a shared enforcement role with other agencies. When we exchange information on enforcement activities with our partner agencies, we will do so in accordance with any established methods of information sharing and legal requirements, including the [Data Protection](#)

[Act 1998](#), the [Crime and Disorder Act 1998](#) and the Housing (Wales) Act 2014.

We will work with other service areas within Cardiff Council and Council's across Wales, and the appropriate external regulators to ensure that our 'own house is in order' to promote regulatory compliance.

6. Advising on the Rules

Advice to business will be provided proactively and also in response to specific requests for guidance. Such advice will be given clearly and in plain language and will be confirmed in writing on request. Legal requirements will be clearly distinguished from best practice, codes of practice, guidance and other advice.

We will promote compliance with legal requirements, by raising awareness of relevant standards, through media releases and marketing, distributing leaflets, face-to-face contact and through stakeholder engagement and community partnerships.

RSW supports the Government's 'golden rules' for guidance on regulation set out in the Code of Practice on Guidance Regulation

http://www.fwr.org/WQreg/Appendices/CoP_on_Guidance_on_Regulation.pdf (BIS, 2009), in that it should be:

- Based on a good understanding of users
- Designed with input from users and their representatives
- Organised around the user's way of working
- Easy for the intended users to understand
- Designed to provide users with confidence in how to comply with the law (i.e. no use of legal disclaimers of liability)
- Issued in good time
- Easy to access
- Reviewed and improved

Landlords and businesses approaching the Service for advice on any non-compliance can in the main do so without fear of automatically triggering an enforcement action. Nevertheless there will be some circumstances e.g. where there is a history of noncompliance, where after due consideration, enforcement action is unavoidable.

7. Ensuring Compliance

RSW adopts an intelligence-led / risk based approach to ensure that its resources are most effectively targeted.

Complaints received about alleged non-compliance will be assessed on an individual, case by case basis and allocated to an appropriate officer / local authority for investigation / action as necessary.

8. Responding to Breaches of the Rules

Overview

In responding to breaches of the law, a range of actions is available to RSW, and these are set out below. The appropriate action will be determined following careful consideration of the particular facts of each individual case, and taking into account the approach of the offender and any comments they wish to be taken into consideration.

RSW will normally take a stepped approach within the hierarchy of enforcement available.

There may be circumstances where it is suspected that an offender has committed offences across a number of local authority areas. In such circumstances we may enter into a legal agreement for one authority to take the lead role, as appropriate, making use of the provisions of [section 19 of the Local Government Act 2000](#), [section 222 of the Local Government Act 1972](#) or any other enabling provisions and/or the Single Licensing Authority will take the lead.

Conduct of Investigations

All investigations will be carried out with due regard to the following legislation and any associated guidance or codes of practice, in so far as they relate to the RSW:

- the [Criminal Procedure and Investigations Act 1996](#)
- the [Police and Criminal Evidence Act 1984](#)
- the [Regulation of Investigatory Powers Act 2000](#)
- the [Criminal Justice and Police Act 2001](#)
- the [Human Rights Act 1998](#)
- the [Protection of Freedoms Act 2012](#)

These Acts and associated guidance control how evidence is collected and used and give a range of protections to citizens and potential defendants.

Our procedures for interviewing alleged defendants follow the principles set out in the Police and Criminal Evidence Act 1984, and the relevant associated Codes of Practice.

Enforcement powers are provided by the legislation under which our officers are authorised, and staff will use these powers when necessary, but always in a proportionate manner. Officers will reasonably expect co-operation during

the investigation of alleged contraventions.

All investigations will be completed in a timely fashion and having regard to any time limits for bringing formal action prescribed by the legislation.

Communication

Our staff will always work collaboratively with partners, where appropriate.

Those affected by enforcement action (including witnesses and defendants) will be kept informed of the progress of investigations. This will be done in a clear, appropriate and timely manner. As decisions are made regarding the direction in which an investigation will be concluded, the defendant(s) will receive written confirmation of the intended course of action. This will be provided as soon as practicable, together with information on rights to representation

RSW will publish the results of its prosecution cases on its website. Such results may also be drawn to the attention of interested parties.

Decisions on Enforcement Action

The appropriate action will be determined following careful consideration of the circumstances of each individual case.

A range of enforcement outcomes is available to RSW, as detailed below. In general the more serious the matter the more likely it is that court proceedings will follow.

Our choices of enforcement actions aim to:

- Change the behaviour of the offender to secure compliance.
- Eliminate any financial gain or benefit from non-compliance.
- Be responsive and appropriate for the particular offender and regulatory issues which can include punishment and the public stigma that should be associated with a criminal conviction.
- Be proportionate to the nature of the offence and the harm caused.
- Restore the harm, or make safe any situation, caused by regulatory non-compliance where appropriate; and
- Deter future non-compliance.

The main types of legal sanctions available and the factors to be taken into account when deciding on the most appropriate course of action are outlined below. Any decision to take formal action will take account of the criteria contained in the [Code for Crown Prosecutors](#), The Regulators Compliance Code and guidance issued by Welsh Government.

Fixed Penalty Notices

RSW has the power to issue fixed penalty notices in respect of certain breaches under the Act. These notices give the offender the opportunity to avoid prosecution by payment of the prescribed sum (£150 or £250) in recognition of the offence. Fixed Penalty payable is specified in the legislation (Section 29 (4)). The decision to offer an offender a Fixed Penalty Notice is at the discretion of the investigating officer. They will only be issued where the evidence would have been sufficient to support a prosecution.

Payment of a fixed penalty does not provide an individual immunity from prosecution in respect of similar or recurrent breaches. In some circumstances, in particular where breaches are serious or recurrent, it may be that prosecution is more appropriate than the issuing of a fixed penalty notice. A FPN will only be offered to discharge liability for an offence once. A recurrence of the offence will result in the case being considered for prosecution.

Upon expiry of an unpaid FPN, payment will not be accepted. The case will be assessed for alternative enforcement action possibly leading to prosecution.

Prosecution

RSW may prosecute breaches of the Act, particularly in respect of those who flout the law or who act irresponsibly, or where there is a risk to health and safety. Where Fixed Penalty Notices have failed to secure compliance previously, then prosecution is likely.

As with the preceding enforcement options, a number of factors will be taken into consideration including

- The seriousness of the offence
- The previous history of the offender
- Any statutory defence available
- Action taken to avoid recurrence
- Any explanation offered, and if the law allows the circumstances and attitude of the offender
- What course of action will best serve the public interest
- Whether there is a realistic prospect of conviction

The decision as to whether prosecution is the most appropriate course of action in a particular case will be made

- In accordance with this Policy;
- In accordance with the Code for Crown Prosecutors; and
- In accordance with statutory requirements, taking into consideration all relevant codes of practice, and without any unnecessary delay.

In following the Code for Crown Prosecutors, a prosecution will only be

commenced where RSW / Council is satisfied that there is **sufficient evidence** to provide a realistic prospect of conviction against the defendant(s). In addition RSW / Council must be satisfied that having considered all the relevant facts and circumstances of the case, and having regard to the criteria established by the Code for Crown Prosecutors, a prosecution would be **in the public interest** for each case and its merits.

A successful prosecution will result in a criminal record. There is a range of punishments available to the court depending on the charge, and the particular circumstances of a case and the offender

Prosecution cases will be issued in Cardiff if instigated by the single licensing authority (SLA). Where local authorities instigate proceedings the cases will be issued in their local courts. At this point a compensation order for the tenants affected may be applied for.

The court may be asked to compensate the tenants for the period that a breach was in force. As part of the investigation, the prosecuting authority may where appropriate investigate the financial means of the Defendant to ensure that the Court has all factual information available to them to decide on fines and possible compensation.

Section 35 of The Housing (Wales) Act 2014 provides the ability to prosecute the directors of a limited liability company as well as the body corporate. As a general rule we will use this provision where the director has consented or connived in the offence, or can be shown to have been negligent, or where a series of companies are used to limit liability for breaches and / or responsibility etc. A similar approach will be taken when considering offences undertaken by partnerships and charities / trusts.

Additional Considerations

During the decision process on the appropriate enforcement action, consideration will be given to whether a Rent Stopping Order or Rent Repayment Order should also be pursued. Additional factors considered for these purposes will include:

- Type and number of complaints about property portfolio
- Evidence of non-compliance with the [Code of Practice for Licensed landlords and Agents](#)
- Impact of non-compliance on tenants
- Period of non-compliance

Landlords will be informed at appropriate intervals that we have powers to instigate Rent Stopping Order and Rent Repayment Order proceedings. Appendix 2 provides additional information on these sanctions.

9. Working with Stakeholders

RSW has established a Stakeholder Consultation structure. We will endeavour to undertake consultation with stakeholders through this and other fora and welcome suggestions to improve the way we manage our service.

10. Comments and complaints

We strive to provide a high standard of service. However, for anyone wishing to make a complaint about the service they have received from us, there is a formal complaints procedure, to ensure that concerns are dealt with quickly and consistently. Complaints can be made in person, in writing, by email or by using the online enquiry form. You will find more information about our Complaints Policy at: <https://www.rentsmart.gov.wales/en/resource-library/>

Any comments or complaints about the application of this policy should be addressed to Rent Smart Wales at the address given in the introduction to this policy.

On occasion, one of our 22 local authority partners may be more appropriate to investigate, under their own Complaint Policy. If this is the case we will advise the customer and refer the matter to the local authority in question to provide an appropriate response.

Sometimes your concern or complaint will not be dealt with via the Complaints Policy, examples include:

- an appeal against a 'properly made' decision made by the Council
- a means to seek change to legislation or 'properly made' policy decision
- decisions in respect of which there is a separate right of appeal or review, e.g. via a Residential Property Tribunal

11. Review and Monitoring

This Policy is reviewed periodically. This includes consultation with Directors of Public Protection across Wales

Details of formal action are reported to appropriate bodies.

APPENDIX 1: TABLE OF OFFENCES

Offences and Enforcement:

Please read in consultation with Part 1 of the Housing (Wales) Act 2014

Key: Information in **green** is relevant to Licensing Authority. Information in **blue** is relevant to Local Housing Authority

Offence:	Enforcement
<p>Section 4(2)</p> <p>4 Requirement for a landlord to be registered (1) The landlord of a dwelling subject to, or marketed or offered for let under, a domestic tenancy must be registered under this Part in respect of the dwelling (see sections 14 to 17), unless an exception in section 5 applies. (2) A landlord who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine not exceeding level 3 on the standard scale.</p>	<p>Prosecutions: By Licensing Authority - s. 28(1) General or specific consent of LiA, LHAs where dwelling in their area – s.28(2) Fixed Penalty Notices: Can be issued by Licensing Authority for where dwelling to which offence relates covers - 29(10a) By consent from LiA, LHA where dwelling in their area – 29(11)</p>
<p>Section 6(4)</p> <p>6 Requirement for landlords to be licensed to carry out lettings activities (1) The landlord of a dwelling marketed or offered for let under a domestic tenancy must not do any of the things described in subsection (2) in respect of the dwelling unless— (a) the landlord is licensed to do so under this Part for the area in which the dwelling is located, (b) the thing done is arranging for an authorised agent to do something on the landlord’s behalf, or (c) An exception in section 8 applies. (4) A landlord who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine.</p>	<p>Prosecutions: By Licensing Authority - s. 28(1) General or specific consent of LiA, LHAs where dwelling in their area – s.28(2) Fixed Penalty Notices: Can be issued by Licensing Authority for where dwelling to which offence relates covers - 29(10a) By consent from LiA, LHA where dwelling in their area – 29(11)</p>
<p>Section 7(5)</p> <p>7 Requirement for landlords to be licensed to carry out property management activities (1) The landlord of a dwelling subject to a domestic tenancy must not do any of the things described in subsection (2) in respect of the dwelling unless— (a) the landlord is licensed to do so under this</p>	<p>Prosecutions: By Licensing Authority - s. 28(1) General or specific consent of LiA, LHAs where dwelling in their area – s.28(2) Fixed Penalty Notices: Can be issued by Licensing Authority for</p>

<p>Part for the area in which the dwelling is located, (b) the thing done is arranging for an authorised agent to do something on the landlord’s behalf, or (c) An exception in section 8 applies. (5) A landlord who contravenes subsection (1) or (3) commits an offence and is liable on summary conviction to a fine.</p>	<p>where dwelling to which offence relates covers - 29(10a) By consent from LiA, LHA where dwelling in their area – 29(11) Rent Stopping Order – Application to RPT can be made by: 30(1a) - Licensing Authority for area where dwelling located 30 (1b) LHA for area where dwelling located [but only on either general or specific consent from LiA 30(2)] Rent Repayment Order – Application to RPT can be made by: 32(1a) - Licensing Authority for area where dwelling located 32 (1b) LHA for area where dwelling located [but only on either general or specific consent from LiA 32(2)]</p>
<p>Section 9(2)</p> <p>9 Requirement for agents to be licensed to carry out lettings work (1) A person acting on behalf of the landlord of a dwelling marketed or offered for let under a domestic tenancy must not carry out lettings work in respect of the dwelling unless the person is licensed to do so under this Part for the area in which the dwelling is located. (2) A person who contravenes this section commits an offence and is liable on summary conviction to a fine.</p>	<p>Prosecutions: By Licensing Authority - s. 28(1) General or specific consent of LiA, LHAs where dwelling in their area – s.28(2) Fixed Penalty Notices: Can be issued by Licensing Authority for where dwelling to which offence relates covers - 29(10a) By consent from LiA, LHA where dwelling in their area – 29(11)</p>
<p>Section 11(3)</p> <p>11 Requirement for agents to be licensed to carry out property management work (1) A person acting on behalf of the landlord of a</p>	<p>Prosecutions: By Licensing Authority - s. 28(1) General or specific consent of LiA, LHAs where dwelling in their</p>

<p>dwelling subject to a domestic tenancy must not carry out property management work in respect of the dwelling unless the person is licensed to do so under this Part for the area in which the dwelling is located.</p> <p>(2) Where a dwelling was subject to a domestic tenancy, but is no longer subject to that domestic tenancy, a person acting on behalf of the landlord of the dwelling must not check the contents or condition of the dwelling, or arrange for them to be checked, for any purpose connected with that tenancy unless—</p> <p>(a) the person is licensed to do so under this Part for the area in which the dwelling is located,</p> <p>(b) the person does no other thing in respect of the dwelling falling within—</p> <p>(i) section 10(1), except preparing, or arranging the preparation of, any inventory or schedule of condition, or (ii) section 12(1), or</p> <p>(c) The activity would not, by virtue of section 12(3), be property management work.</p> <p>(3) A person who contravenes subsection (1) or (2) commits an offence and is liable on summary conviction to a fine.</p>	<p>area – s.28(2)</p> <p>Fixed Penalty Notices: Can be issued by Licensing Authority for where dwelling to which offence relates covers - 29(10a) By consent from LiA, LHA where dwelling in their area – 29(11)</p>
<p>Section 13(3)</p> <p>13 Offence of appointing an unlicensed agent</p> <p>(1) The landlord of a dwelling marketed or offered for let under a domestic tenancy must not appoint or continue to allow a person to undertake lettings work on behalf of the landlord in relation to that dwelling, if—</p> <p>(a) the person does not hold a licence to do so under this Part for the area in which the dwelling is located, and</p> <p>(b) The landlord knows or should know that the person does not hold such a licence.</p> <p>(2) The landlord of a dwelling subject to a domestic tenancy must not appoint or continue to allow a person to undertake property management work on behalf of the landlord in relation to that dwelling, if—</p> <p>(a) the person does not hold a licence to do so under this Part for the area in which the dwelling is located, and</p> <p>(b) The landlord knows or should know that the person does not hold such a licence.</p> <p>(3) A landlord who contravenes subsection (1)</p>	<p>Prosecutions: By Licensing Authority - s. 28(1) General or specific consent of LiA, LHAs where dwelling in their area – s.28(2)</p> <p>NO FPN</p> <p>Rent Stopping Order – Application to RPT can be made by: 30(1a) - Licensing Authority for area where dwelling located 30 (1b) LHA for area where dwelling located [but only on either general or specific consent from LiA 30(2)]</p> <p>Rent Repayment Order – Application to RPT can be made by:</p>

<p>or (2) commits an offence and is liable on summary conviction to a fine not exceeding level 4 on the standard scale.</p>	<p>32(1a) - Licensing Authority for area where dwelling located 32 (1b) LHA for area where dwelling located [but only on either general or specific consent from LiA 32(2)]</p>
<p>Section 16(3)</p> <p>16 Duty to update information (1) A landlord who is registered under section 15 in relation to a rental property must notify the licensing authority in writing of the following changes— (a) any change in the name under which the landlord is registered; (b) the appointment of a person to carry out lettings work or property management work on behalf of the landlord in respect of the rental property; (c) that a person who the landlord has previously appointed to carry out lettings work or property management work on behalf of the landlord in respect of the rental property has ceased to do so; (d) any assignment of the landlord’s interest in the rental property; (e) Any prescribed changes. (2) A landlord must comply with the duty in subsection (1) within 28 days beginning with the first day on which the landlord knew, or should have known, of the change. (3) A person who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine not exceeding level 1 on the standard scale.</p>	<p>Prosecutions: By Licensing Authority only - s. 28(1) Fixed Penalty Notices: Can be issued by Licensing Authority to which the information to which the offence related was provided to - 29(10b)</p>
<p>Section 23(3)</p> <p>23 Duty to update information (1) A licence holder must notify the licensing authority in writing of the following changes— (a) any change in the name under which the licence holder is licensed; (b) Any prescribed changes. (2) A licence holder must comply with the duty in</p>	<p>Prosecutions: By Licensing Authority only - s. 28(1) Fixed Penalty Notices: Can be issued by Licensing Authority to which the information to which the offence related was provided to - 29(10b)</p>

<p>subsection (1) within 28 days beginning with the first day on which the licence holder knew, or should have known, of the change.</p> <p>(3) A person who contravenes this section commits an offence and is liable on summary conviction to a fine not exceeding level 4 on the standard scale.</p>	
<p>Section 38(1)(4)</p> <p>38 Enforcement of powers to obtain information</p> <p>(1) A person who fails to do anything required of that person by a notice under section 37 commits an offence.</p> <p>A person who commits an offence under subsection (1) is liable on summary conviction to a fine not exceeding level 4 on the standard scale.</p> <p>(4) A person who intentionally alters, suppresses or destroys any document which the person has been required to produce by a notice under section 37 commits an offence.</p> <p>A person who commits an offence under subsection (4) is liable on summary conviction to a fine.</p>	<p>Prosecutions: By Licensing Authority only - s. 28(1)</p> <p>Fixed Penalty Notices – 38(1) Only: Can be issued by Licensing Authority which authorised the person who gave the notice - 29(10c)</p>
<p>Section 39(1)(2)</p> <p>39 False or misleading information</p> <p>(1) A person who—</p> <p>(a) Supplies any information to a licensing authority in connection with any of its functions under this Part which is false or misleading, and</p> <p>(b) Knows that it is false or misleading or is reckless as to whether it is false or misleading, commits an offence.</p> <p>(2) A person who—</p> <p>(a) supplies any information to another person which is false or misleading,</p> <p>(b) knows that it is false or misleading or is reckless as to whether it is false or misleading, and</p> <p>(c) Knows that the information is to be used for the purpose of supplying information to a licensing authority in connection with any of its functions under this Part, commits an offence.</p> <p>(3) A person who commits an offence under subsection (1) or (2) is liable on summary conviction to a fine.</p>	<p>Prosecutions: By Licensing Authority only - s. 28(1)</p> <p>Fixed Penalty Notices : Can be issued by Licensing Authority to which the information was supplied - 29(10d)</p>

APPENDIX 2: Additional Information: Rent Stopping Orders & Rent Repayment Orders.

Rent Stopping Orders

A Rent Stopping Order has the effect of stopping the rent payable by a tenant to a landlord while it is in force.

In some circumstances, if a landlord is carrying out certain property management activities without a licence or uses an unlicensed agent to carry out letting or property management work on his or her behalf, the single licensing authority or a local authority *may* consider applying to the Residential Property Tribunal (RPT) for a rent stopping order.

The RPT in considering an application for a rent stopping order, must be satisfied that an offence under sections 7(5) or 13(3) of the Housing (Wales) Act 2014 is being committed.

Where the RPT makes a rent stopping order, the periodic rent payments in connection with that particular property are stopped for the period falling between the “stopping date” specified in the order, and a date specified by the tribunal when the order is revoked.

A licensing authority or local authority will need to be able to provide evidence to the RPT that these offences are being committed, although it is not necessary for the person to have been convicted or charged for the offence.

A landlord would not be considered to be committing an offence if they have applied to be licensed, from the date of the licence application until it is determined or if refused, the appeals process has been exhausted and the decision upheld.

However, if a landlord continues to undertake such activities without a licence, or use an unlicensed agent to undertake such activities, and makes no effort to comply with their duties despite requests, there would likely be clear evidence to present to the RPT.

If a tenant is concerned that their landlord is committing such an offence, they should notify the licensing authority or their local authority. They will be given appropriate advice by RSW.

Rent Repayment Orders

A rent repayment order has the effect of requiring the landlord to repay rent that has been paid for a specific period of time stated in the order during which the landlord has been found to have committed an offence under section 7(5) or 13(3).

If a landlord has been carrying out certain property management activities without a licence or using an unlicensed agent to carry out lettings or property management work, the licensing authority or a local housing authority or a tenant may consider applying to the Residential Property Tribunal (RPT) for a rent repayment order.

For an application from a licensing authority or local authority, the RPT in considering an application, must be satisfied that an offence under sections 7(5) or 13(3) of the Housing (Wales) Act 2014 has been committed. The licensing authority or local authority must give the landlord a “notice of intended proceedings” and the offence must have been committed within 12 months of the date of that notice.

For an application from a tenant, the RPT in considering an application must be satisfied that the landlord has been convicted of an offence or that a rent repayment order has already been made in respect of housing benefit or universal credit. The application by a tenant must be made within 12 months of the date of the conviction or the date of any rent repayment order made.

Where the RPT makes a rent repayment order, the landlord will be required to repay the rent amount specified in the order to the relevant applicant. This allows the tenants of a property to recover rent they have paid, or the relevant local authority or licensing authority, to recover rent, housing benefit or universal credit paid, to an unlicensed landlord.

Appendix 2

Rent Smart Wales Enforcement Policy Stakeholder Consultation Summary Responses and Consideration

<u>Organisation</u>	<u>Comment summary</u>	<u>Rent Smart Wales response</u>
Bridgend, Cardiff and Vale of Glamorgan AND Merthyr Council (point 1 raised only)	Does enforcement policy determine SLA decisions only and allow LA to use their own	LAs acting under Housing (Wales) Act 2014 are acting as "RSW" and should use this guidance in decision-making and progression to ensure consistency. However, LA policies are not restricted.
	The policy style and content should be simpler and shorter.	Document reviewed and significant alterations made to reflect the comment made.
	Was Regulators Code considered when preparing doc, it's not mentioned	Yes, document also amended to be clearer.
Peter Alan	What are an agents responsibilities re. Landlords being registered?	Agents have requirement in licence conditions to notify client landlords of requirement to register and must report landlord to RSW within 12 weeks if they have failed to do so. Landlord has legal responsibility to register. Clarification request, no change required to policy.
	What are an agents responsibilities re. Landlords providing and updating correct info?	Landlords are legally required to provide correct info and update any changes. Agent must provide up to date details of houses they represent at least once a year or on request from RSW. Clarification request, no change required to policy.
	When does a licence holder need to update their name?	When there is any change in who licence is issued to. Clarification request, no change required to policy
Torfaen	Wording amendment - Clarity on wording to be changed to "Registration of Landlords and properties" and typographical corrections	Document has been re-worded.
Powys	What are the implications for Trading Standards responsible for EPC elements of rented properties?	Breaches of EPC, Tenancy deposit, fees etc are a breach of RSW COP which should be assessed during any visits. Recommendations are being prepared for additions to inspection forms to cover these issues and to include cross-authorisation of enforcement officers. Enforcement of matters contained within COP is a LA issue. This level of detail is covered in the policy, no amendment required.
Newport	Query whether RSW or LAs would investigate complaints about the service	Policy amended to simplify and clarify. Investigations will be undertaken by either Rent Smart Wales or Local Authorities, depending upon the nature of the complaint. Where the matter is specifically related to a Local Authority issue their complaints policy will be followed.
RCT	How will consistency in decision making be ensured?	Through use of prosecution guidelines, standard documentation and all-Wales training. Clarification request, no change to policy required.
	Will there be operational guidelines to be followed?	Flowcharts and procedures will continue to be developed and tested as cases are dealt with. Clarification request, no change to policy required.

Appendix 2

Rent Smart Wales Enforcement Policy Stakeholder Consultation Summary Responses and Consideration

	How will referrals, timescales, info sharing and case conferences work in practice?	Use of common IT system, 'How To' guides. Case conferences can either be telephone calls, e-mail exchanges or meetings where required. All notes will be stored in common IT system against the case. Clarification request, no change to policy required.
National Landlords Association	No comments, "policy looks fine to us"	n/a
Neath Port Talbot	Would the LA require authorisation from RSW in order to take formal action?	General consent is granted to LA under MoU. Specific consent would have to be sought if LA were looking to take action with regard to a dwelling not in their area or for offence that was not in the remit of LA. There would be an expectation to discuss cases and keep all parties informed either through IT system updates and/or discussion and case conferences. Clarification request, no change to policy required.
	Who would generate the FPN?	LA has access to RSW database and ability to generate and process FPNs. Clarification request, no change to policy required.
	How is the LA reimbursed for the FPN activity?	Payments initially made to RSW, but returned to the LA through financial transaction. Clarification request, no change to policy required.
	Will every non-compliant landlord/agent be prosecuted	No. The policy explains that FPNs will be used where appropriate in most cases, prior to prosecutions. Level of action required will be assessed against circs and guidelines. Policy amended to simplify and clarify options.
Caerphilly	Will prosecutions only be taken against landlords/agents with large portfolios	No, but prosecutions against those with larger portfolios will have greater effect and protect interests of more tenants. Enforcement action can be taken where appropriate against anyone not complying. Policy amended to simplify and clarify options.
	What message should the Council give to landlords/agents they use in PSH	That they MUST comply with all requirements. If info is given to them in writing then they have no Defence of not being aware of requirements. Any breach can be considered for immediate action. Clarification request, no change to policy required.
	What consent does a LA have to take action?	General consent is given to the LA through the MoU as the LA undertaking duties in relation to the Housing (Wales) Act 2014 are acting as part of Rent Smart Wales. Specific consent is needed if LA wanting to take action outside of their area or powers. Content of the policy amended to make this clearer.
	Who is Rent Smart Wales in relation to LA?	Policy amended to make this clearer. LAs acting under Housing (Wales) Act 2014 are acting as "RSW" and should use this guidance in decision-making and progression to ensure consistency. However, LA policies are not restricted.

Appendix 2

Rent Smart Wales Enforcement Policy Stakeholder Consultation Summary Responses and Consideration

	Query whether RSW or LAs would investigate complaints about the service	Policy amended to simplify and clarify. Either Rent Smart Wales or Local Authorities, depending upon the nature of the complaint, will undertake investigations. Where the matter is specifically related to a Local Authority issue their complaints policy will be followed.
	Why is there no mention of refusal/revocation of licences?	Policy excludes this aspect and states this clearly. In addition, any activities that may also indicate that a licence holder is no longer a "fit and proper" person should be reported, to be dealt with under separate procedure. No amendment required.
	Who takes the lead in relation to offences where either SLA or LA could?	This is covered in detailed procedures guidelines, which form part of the MOU and subsequent and ongoing training. No amendment to policy required, as not intended to include this level of detail.
Wrexham	Who is Rent Smart Wales in relation to LA, SLA, LiA?	This policy covers the enforcement work undertaken by Cardiff Council as the Single Licensing Authority (SLA) and 22 Local Authorities to deliver Part 1 of the Housing (Wales) Act 2014. Collectively the partnership and service is known as "Rent Smart Wales". Each LA has access to the database, branding and documentation. Policy now makes this clearer.
Flintshire	Query whether RSW or LAs would investigate complaints about the service	Policy amended to simplify and clarify. Either Rent Smart Wales or Local Authorities, depending upon the nature of the complaint, will undertake investigations. Where the matter is specifically related to a Local Authority issue their complaints policy will be followed.
	Why is there no mention of refusal/revocation of licences?	Policy excludes this aspect and states this clearly. In addition, any activities that may also indicate that a licence holder is no longer a "fit and proper" person should be reported, to be dealt with under separate procedure. No amendment required.
	Is it fair for Defendants to have to travel to Cardiff for trial when SLA initiates proceedings?	Prosecution cases will be issued in Cardiff if instigated by SLA as this is home authority. If LA instigates proceedings, cases will be issued in local Court. There is precedent where a national body operates schemes of this nature but this will be reviewed with the benefit of experience. Equality impact assessment also covers this matter.
RICS	Happy with doc, requests periodic review	No amendments required

Appendix 2

Rent Smart Wales Enforcement Policy Stakeholder Consultation Summary Responses and Consideration

RLA	What will be the enforcement approach to landlords/agents ignorant of, or misunderstanding requirements?	Approach will be proportionate. It is currently recognised that there is still a need for marketing, and that this will continue in order to inform new persons entering the market. No amendment made to the policy.
	How much grace allowed to unregistered/unlicensed landlords? Will non-compliant landlords/agents be allowed time to register/licence without action as long as they comply with the steps that would normally be taken?	Unregistered/unlicensed landlords or agents have had over a year already. Proportionate response will be taken. Marketing will continue. No amendment required to policy
	Will other factors (i.e. Property condition, agent vs landlord) be considered in deciding what action to take	Yes, each case will be considered on merit, before deciding on what action is appropriate.
	What are an agent's responsibilities re. Landlords being registered?	Agents have a requirement in licence conditions to notify client landlords of requirement to register and must report landlord to RSW within 12 weeks if they have failed to do so. Landlord has legal responsibility to register. Clarification request, no change to policy required.
	If officers approach businesses/individuals and require them to provide info about investigation, should they be cautioned first and dealt with under PACE if suspected of criminal offence?	Documentation will make clear to Caution where appropriate and conduct investigations in accordance with PACE. Policy makes it clear that the relevant regulatory codes of practice / legislation should be followed.
	Why are there guidelines for decision making only under prosecution section. What are the guideline and timescale considerations for other disposals? How can consistent decisions be reached without this?	Policy re-written to clarify and simplify. Guidelines referred to removed from doc, referenced instead via Policy, Crown Prosecutors code etc rather than prescribed in policy itself.
	Is policy going to be restructured to show a more transparent and graduated decision-making process?	Decisions will be appropriate to the case and decision-making will be made in line with the guidelines and policy. Amendments made to simplify and remove options unlikely to be used.
	What guidance is there as to when Rent Stopping/Rent Repayment Orders will be considered	Templates will be drawn up to ensure that at the decision making point re: formal action, the relative merits of RSO/RRO will be considered. This will be done using the same criteria as any other formal decision making option. This section has been re-worded to provide additional clarity.

Appendix 2

Rent Smart Wales Enforcement Policy Stakeholder Consultation Summary Responses and Consideration

	Wording amendment - bullet point "public opinion" to "public interest"	Removed on edit
	Wording amendment - reword "matter of judgement and officers must exercise their discretion...."	Removed on edit
	Wording amendment – “a decision may need to be made ...	Removed on edit
	Wording amendment - Contradictory re: discretion and the enforcement officer	Removed on edit
	Wording amendment - Should there be a qualification against the "aim of eliminating financial gain" or clarification of when Rent Stopping/Rent Repayment orders will be applied for?	No change as believed to be a misunderstanding. In consideration of action we are going to take we should take account of the financial gain that the offender has had from non-compliance
	Wording amendment – “remuneration” to “reparation”.	Removed on edit
	Who makes decisions on enforcement/NFA and who takes prosecution (Who is Rent Smart Wales in relation to LA?)	This policy covers the enforcement work undertaken by Cardiff Council as the Single Licensing Authority (SLA) and 22 Local Authorities to deliver Part 1 of the Housing (Wales) Act 2014. Decisions about enforcement action will be taken either at LA level or SLA level, depending on the agreements set out in the MOU.
Denbighshire	Will prosecution templates be provided for consistency?	Yes. No amendment required to the policy.
	If businesses ask for a meeting with RSW who would attend this? Would SLA officers travel or would complainants have to travel to Cardiff?	This will vary depending on the case locality and complexity. Operational matter, no policy amendment required.
	Clarification on the "complaints" section. Who is this section suggesting would be penalised after complaint?	Refers to complaints made about RSW service (not about landlords or tenants) and that there is system of accountability for RSW actions. Complaints to be learned from rather than used to penalise staff. Section re-written to make simpler / clearer.
Training for Professionals	Informal cautions are not indefinitely unspent	Section deleted

Appendix 2

Rent Smart Wales Enforcement Policy Stakeholder Consultation Summary Responses and Consideration

National Trading Standards Estate Agency Team	Policy is too wordy and should be slimmed down as the more there is in there, the more there is to challenge at Court.	Policy substantially reviewed to provide clarity and simpler framework.
	PACE Interviews - Interviews should be offered before enforcement decisions are made.	Incorporated during edit.
NALS	FPN - is there a FPN appeals process? Is the representation/complaints section the process that should be used.	No legal appeal process but can contact RSW via representation/complaints options to challenge. Otherwise would need to make argument in Court once escalated to prosecution. No amendment.
	Simple Cautions - who is authorised to issue caution. Will it be Senior Officer? In Police officer requests, Insp authorises, Sgt administers.	Provision deleted, as following legal advice, considered inappropriate for use in this circumstance.
	Simple cautions - query re: fact that cautions never become spent.	Section deleted.
	Prosecution - standard wording required to identify decision makers for cautions (unrelated to investigation) and prosecutions (not normally had any significant involvement)	Simple Caution removed from policy. Unrelated officer to review evidence for decision to prosecute. This officer will not normally have been involved in the preparation of the case. Template prosecution forms will cover this item, reference to process not required in the policy.
	Prosecution - Senior Officer authorisation should be sought for FPNs	No, FPNs are issued in response to offences before progression to prosecution in order for offender to discharge liability. Authorisation devolved to officers, decision making to be reviewed by Senior Officers at relevant times. No amendment to policy, operational matter.
	Prosecution - Senior Officer authorisation should be sought for RSO, RRO	Templates will be drawn up to ensure that at the decision making point re: formal action the relative merits of RSO/RRO will be considered. This will be done using the same criteria as any other formal decision making option.
	Who takes the lead on enforcement, SLA, LA?	This policy covers the enforcement work undertaken by Cardiff Council as the Single Licensing Authority (SLA) and 22 Local Authorities to deliver Part 1 of the Housing (Wales) Act 2014. Collectively the partnership and service is known as "Rent Smart Wales". Each LA has access to the database, branding and documentation. Policy now makes this clearer. There is a MOU in place, which describes the detail of how responsibilities are shared between the SLA and LA partners.

Equality Impact Assessment
Corporate Assessment Template

Service Title: Rent Smart Wales: Enforcement Policy
New

Who is responsible for developing and implementing the Policy/Strategy/Project/Procedure/Service/Function? OM, Rent Smart Wales	
Name: Angharad Thomas	Job Title: Group Leader Enforcement and Training
Service Team: Rent Smart Wales	Service Area: Communities
Assessment Date: 07/02/2017	

1. What are the objectives of the Policy/Strategy/Project/ Procedure/ Service/Function?

To set out the arrangements for enforcing the requirements of the Housing (Wales) Act 2014, through the use of appropriate enforcement action against landlords / agents who own or manage rented properties in Wales.
The purpose of the legislation is to ensure that:

- Landlords register their eligible private rented properties located in Wales
- Persons managing these properties are licenced

2. Please provide background information on the Policy/Strategy/Project/ Procedure/Service/Function and any research done [e.g. service users data against demographic statistics, similar EIAs done etc.]

Cardiff Council has been designated the Single Licensing Authority for Wales by the Welsh Government. Cardiff Council has created a service, branded “Rent Smart Wales” (“RSW”) which administers the requirements of the Housing (Wales) Act 2014 (“the Act”) on behalf of all Welsh Local Authorities. The Service provides a telephone advice contact centre, application processing service and an internet-based website and database which can be updated by the Service User.

The service is bi-lingual for both English and Welsh speakers. All documentation, information on the RSW website and training courses are available in both English and Welsh. The telephone advice service also offers Welsh and English options, with both English & Welsh speakers employed by RSW across all areas of the Service. Access to language line is available when required.

Cardiff Council delivers this service across all of Wales from a single point.

To secure full compliance with the legislation, enforcement provisions are available which include Fixed Penalty Notices, Prosecutions, Rent Stopping Orders and Rent

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Repayment Orders.

A Memorandum of Understanding has been signed by all 22 Local Authorities to ensure marketing and promotional work required as part of the Act will be delivered in partnership and consistently across Wales. Relevant information is shared with Local Authorities, to discharge RSW duties effectively.

Rent Smart Wales has identified that customers and stakeholders will come from a multitude of backgrounds, including but not limited to landlords, tenants, agents, professional/academic bodies, other Local Authorities, Welsh Government, etc.

The property owners and agents involved in property management are known to live across Wales, UK and abroad.

3 Assess Impact on the Protected Characteristics

3.1 Age

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative/]** on younger/older people?

	Yes	No	N/A
Up to 18 years		x	
18 - 65 years		x	
Over 65 years	x		

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

Negative Impact:

It is recognised that the way in which the service is delivered (i.e. High dependence on use of IT equipment) will have a negative impact on this characteristic, this is addressed by the EIA completed for the service itself. This EIA does not address these matters addressed in the EIA about the service as a whole.

Proceedings for failure to comply with the provisions of the Act will be issued in the Cardiff Magistrates' Court, where Cardiff Council leads on the case. This could present difficulties for travel to Cardiff which may more significantly impact older people.

The following actions have been taken to address the negative differential impact:

- The telephone service is available to provide help and support for offenders to comply at an early stage.
- An application can be made to the court to re-locate the hearing in exceptional circumstances. Information will be made available when proceedings are issued, about the court process, disability measures and how to contact the court.

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<ul style="list-style-type: none"> Courts have their own legal obligations to comply with EA requirements. These can be met by methods such as video link The policy itself requires that each case is considered on merit to ensure that decisions made are appropriate to the circumstances. If additional assistance is identified, through the assessment process, it will be taken into account. (Decision documentation to record these additional needs). The policy itself can be made available in any format e.g. braille upon request <p>Positive Impact:</p> <ul style="list-style-type: none"> Tenants and their families (regardless of age) will benefit from ensuring that their landlords / agents comply with the legislation, as it aims to improve the quality of private rented properties across all of Wales.
What action(s) can you take to address the differential impact?
No further actions identified at this time

3.2 Disability

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on disabled people?

	Yes	No	N/A
Hearing Impairment	x		
Physical Impairment	x		
Visual Impairment	x		
Learning Disability	x		
Long-Standing Illness or Health Condition	x		
Mental Health	x		
Substance Misuse	x		
Other	x		

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

Negative Impact:
It is recognised that the way in which the service is delivered (i.e. High dependence on use of IT equipment) will have a negative impact on this characteristic, this is addressed by the EIA completed for the service itself. This EIA does not address these matters specifically.

Proceedings for failure to comply with the provisions of the Act will be issued in the Cardiff Magistrates' Court, where Cardiff Council leads on the case. This may present difficulties for travel to Cardiff which possibly will impact people with a physical disability / illness.

In addition:

- Persons with sight impairments may find it difficult to read the legal documentation
- Persons with hearing impairment may find it difficult to talk by phone to the contact centre for early advice on compliance

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The following actions have been taken to address the negative differential impact:

- The telephone service is available to provide help and support to offenders to help them comply at an early stage.
- An application can be made to the court to re-locate the hearing in exceptional circumstances. This information will be made available when proceedings are issued i.e. when the summons is issued. An application for this purpose can be made on form EX104 - Details of how to contact the court.
- Courts have their own legal obligations to comply with EA requirements. These can be met by methods such as video link
- The policy itself requires that each case is considered on merit to ensure that decisions made are appropriate to the circumstances. If additional assistance is identified, through the assessment process, it will be taken into account. (Decision documentation to record these additional needs).
- The policy itself can be made available in any format e.g. braille upon request

Positive Impact:

Tenants with and without disabilities will benefit from this Service, as it aims to improve the quality of private rented properties across all of Wales.

What action(s) can you take to address the differential impact?

No further actions identified at this time

3.3 Gender Reassignment

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on transgender people?

	Yes	No	N/A
Transgender People (People who are proposing to undergo, are undergoing, or have undergone a process [or part of a process] to reassign their sex by changing physiological or other attributes of sex)		x	

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

No differential impact has been identified at this time

What action(s) can you take to address the differential impact?

No actions identified at this time

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3.4. Marriage and Civil Partnership

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on marriage and civil partnership?

	Yes	No	N/A
Marriage		x	
Civil Partnership		x	

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

No differential impact has been identified at this time

What action(s) can you take to address the differential impact?

No actions identified at this time

3.5 Pregnancy and Maternity

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on pregnancy and maternity?

	Yes	No	N/A
Pregnancy	x		
Maternity	x		

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

Negative Impact:

It is recognised that this service may have a negative impact on this characteristic.

Persons with this characteristic may find it difficult to travel to court venues. Proceedings for failure to comply with the provisions of the Act will be issued in the Cardiff Magistrates' Court, where Cardiff Council leads on the case. This will present difficulties for travel to Cardiff which may more significantly impact on those who are pregnant.

The following actions have been taken to address the negative differential impact:

- The telephone service is available to provide help and support to offenders to help them comply at an early stage.
- An application can be made to the court to re-locate the hearing in exceptional circumstances. Contact information will be made available when proceedings are issued i.e. when the summons is issued. Form EX104 - Details of how to contact the court.

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- Courts have their own legal obligations to comply with EA requirements. These can be met by methods such as video link
- The policy itself requires that each case is considered on merit to ensure that decisions made are appropriate to the circumstances. If additional assistance is identified, through the assessment process, it will be taken into account. (Decision documentation to record these additional needs).

Positive Impact:

Tenants with and without this characteristic will benefit from this Service, as it aims to improve the quality of private rented properties across all of Wales.

What action(s) can you take to address the differential impact?

No further actions identified at this time

3.6 Race

Will this Policy/Strategy/Project//Procedure/Service/Function have a **differential impact [positive/negative]** on the following groups?

	Yes	No	N/A
White	x		
Mixed / Multiple Ethnic Groups	x		
Asian / Asian British	x		
Black / African / Caribbean / Black British	x		
Other Ethnic Groups	x		

Please give details/consequences of the differential impact, and provide supporting evidence, if any.

Negative Impact:

It is recognised that this service may have a negative impact on this characteristic.

- Persons with this characteristic may not use English or Welsh, and therefore struggle to understand legislative requirements.

The following actions have been taken to address the negative differential impact:

- Many search engines provide translation services to help web Users translate words or phrases into their chosen language (e.g. Google Translate)
- The telephone service is available to provide help and support to Offenders, which includes providing advice on how to complete comply with the law. Similarly, Offenders can choose to contact us by Email, log a call through the website enquiries page, or contact us via Twitter. Users will be advised that if they do not have translation support, they can contact their Local Authority, which can provide information about local translation services and support

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groups. In addition, the RSW service itself has access to Language Line
What action(s) can you take to address the differential impact?
Landlord Associations / Agents will be encouraged to provide feedback with regard to any language barriers. RSW will evaluate the numbers and demographics to ascertain whether document translations are required. Ethnicity monitoring is undertaken as part of the RSW application processes. This will be analysed to determine whether there is a need for information in additional languages.

3.7 Religion, Belief or Non-Belief

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on people with different religions, beliefs or non-beliefs?

	Yes	No	N/A
Buddhist		X	
Christian		X	
Hindu		X	
Humanist		X	
Jewish		X	
Muslim		X	
Sikh		X	
Other		X	

Please give details/consequences of the differential impact, and provide supporting evidence, if any.
No differential impact has been identified at this time
What action(s) can you take to address the differential impact?
No actions identified at this time

3.8 Sex

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on men and/or women?

	Yes	No	N/A
Men		X	
Women		X	

Please give details/consequences of the differential impact, and provide supporting
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evidence, if any.
No differential impact has been identified at this time
What action(s) can you take to address the differential impact?
No actions identified at this time

3.9 Sexual Orientation

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on the following groups?

	Yes	No	N/A
Bisexual		X	
Gay Men		X	
Gay Women/Lesbians		X	
Heterosexual/Straight		X	

Please give details/consequences of the differential impact, and provide supporting evidence, if any.
No differential impact has been identified at this time
What action(s) can you take to address the differential impact?
No actions identified at this time

3.10 Welsh Language

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on Welsh Language?

	Yes	No	N/A
Welsh Language		X	

Please give details/consequences of the differential impact, and provide supporting evidence, if any.
The Service is fully bi-lingual for both English and Welsh speakers. All documentation, information on the RSW website and training courses are available in both English and Welsh. The telephone advice service also offers Welsh and English options, with both English & Welsh speakers employed by RSW across all areas of the Service.
What action(s) can you take to address the differential impact?
No actions identified at this time

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Equality Impact Assessment Corporate Assessment Template

4. Consultation and Engagement

What arrangements have been made to consult/engage with the various Equalities Groups?

Consultation has been undertaken with stakeholders in the development of the policy. Tai Pawb, Shelter, CAB and landlord / agent organisations were included. No specific equality comments were received. However, this document will be revisited with the benefit of operating the enforcement provisions as and when further impacts are identified to ensure consideration is given to the individual Protected Characteristics.

5. Summary of Actions [Listed in the Sections above]

Groups	Actions
Age, Disability, Pregnancy and Maternity	<ul style="list-style-type: none">• The telephone service is available to provide help and support to offenders to help them comply at an early stage.• An application can be made to the court to re-locate the hearing in exceptional circumstances. Form EX104 - Details of how to contact the court.• Courts have their own legal obligations to comply with EA requirements. These can be met by methods such as video link• The policy itself requires that each case is considered on merit to ensure that decisions made are appropriate to the circumstances. If additional assistance is identified, through the assessment process, it will be taken into account. (Decision documentation to record these additional needs).• The policy itself can be made available in any format e.g. braille upon request
Gender Reassignment	
Marriage & Civil Partnership	
Race	Landlord Associations / Agents will be encouraged to provide feedback with regard to any language barriers. RSW will evaluate the numbers and demographics to ascertain whether document translations are required. Ethnicity monitoring is undertaken as part of the RSW

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Equality Impact Assessment Corporate Assessment Template

	application processes. This will be analysed to determine whether there is a need for information in additional languages.
Religion/Belief	
Sex	
Sexual Orientation	
Welsh Language	
Generic Over-Arching [applicable to all the above groups]	

6. Further Action

Any recommendations for action that you plan to take as a result of this Equality Impact Assessment (listed in Summary of Actions) should be included as part of your Service Area's Business Plan to be monitored on a regular basis.

7. Authorisation

The Template should be completed by the Lead Officer of the identified Policy/Strategy/Project/Function and approved by the appropriate Manager in each Service Area.

Completed By : Angharad Thomas	Date: 07.02.17
Designation: Group Leader; Enforcement and Training	
Approved By: Bethan Jones	
Designation: Operational Manager, Rent Smart Wales	Date: 07.02.17
Service Area: Rent Smart Wales	

- 7.1 On completion of this Assessment, please ensure that the Form is posted on your Directorate's Page on CIS - *Council Wide/Management Systems/Equality Impact Assessments* - so that there is a record of all assessments undertaken in the Council.

For further information or assistance, please contact the Citizen Focus Team on 029 2087 3059 or email citizenfocus@cardiff.gov.uk

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**CYNGOR CAERDYDD
CARDIFF COUNCIL**

COMMUNITY AND ADULT SERVICES SCRUTINY COMMITTEE

19 July 2017

WORK PROGRAMMING

Purpose of the Report

1. To present information that will enable Members to discuss and agree the way forward for constructing and agreeing the work programme for 2017/18.

Background

2. The Constitution states that each Scrutiny Committee will set its own work programme for the forthcoming year (Scrutiny Procedure Rule 7). The Committee is tasked with constructing a work programme for the year ahead that ensures the time available to the Committee is used most effectively, by considering items that maximise the impact of scrutiny in a timely fashion.
3. This Committee's terms of reference give the Committee responsibility for scrutinising, measuring and actively promoting improvement in the Council's performance in the provision of services and compliance with Council policies, aims and objectives in the area of community and adult services, including:
 - Public and Private Housing
 - Disabled Facilities Grants
 - Community Safety
 - Neighbourhood Renewal and Communities First
 - Advice and Benefits
 - Consumer Protection
 - Older Persons Strategy
 - Adult Social Care
 - Community Care Services
 - Mental Health and Physical Impairment
 - Commissioning Strategy
 - Health Partnership

4. In addition, this Committee is the designated Crime & Disorder Scrutiny Committee for the Council and as such has responsibility for scrutinising the Community Safety Partnership.

Developing a work programme

5. The Committee constructs the work programme at the beginning of the municipal year and it is updated periodically during the year. Over the years, Scrutiny Services has developed various tools that Members can use to assist them to develop and prioritise a work programme.
6. The first stage is to identify potential work programme items for consideration and prioritisation by Committee Members by:
 - i. seeking suggestions from Members and officers;
 - ii. reviewing the items recommended by the previous Committee;
 - iii. reviewing corporate documents, forthcoming legislation, the work programmes of relevant auditors, inspectors and regulators and partnership, consortia and regional documents; and
 - iv. checking other relevant documentation to identify areas within the terms of reference for the Committee.
7. Following the preparation of a list of potential items, Committee Members will need to prioritise the items, given the range of subject areas covered by the Committee and the limited resources available. Normally, Members prioritise items where scrutiny can have most impact, that are of importance to the public, that will help to deliver improved performance and that are not being investigated by other routes. This ensures that the time and resources available to the Committee are most effectively used.
8. In previous years, Members have held a work-programming forum to consider and prioritise items. The forum's proposals are presented to Committee for formal approval of the work programme. Following consultation with Committee Members, it is proposed that this approach be taken this year.

Way Forward

9. During their meeting, Members may wish to discuss and agree the approach to developing the Committee's work programme for 2017-18, so that a final version of the programme is brought back to the Committee in September 2017 for formal approval. Members may also wish to raise particular issues of interest for inclusion in the Committee's work programming forum discussions.

Legal Implications

10. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

Financial Implications

11. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any financial implications arising from those recommendations.

RECOMMENDATIONS

The Committee is recommended to:

- I. Discuss and agree the approach to developing the Committee's work programme for 2017-18, so that a final version of the programme can be brought back to the Committee in September 2017 for formal approval.

Davina Fiore

Director of Governance & Legal Services and Monitoring Officer

13 July 2017