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## GOHEBIAETH YN DILYN CYFARFOD Y PWYLLGOR

**Pwyllgor** PWYLLGOR CRAFFU GWASANAETHAU OEDOLION A CHYMUNEDOL

**Dyddiad ac amser y cyfarfod** DYDD MERCHER, 7 RHAGFYR 2016, 5.00 PM

Gweler isod gohebiaeth anfon gan Gadeirydd y Pwyllgor ar ôl y cyfarfod , ynghyd ag unrhyw ymatebion a gafwyd

Am unrhyw fanylion pellach, cysylltwch â [scrutinyviewpoints@cardiff.gov.uk](mailto:scrutinyviewpoints@cardiff.gov.uk)

9 **Bydd gohebiaeth yn dilyn cyfarfod pwyllgor** (*Tudalennau 1 - 6*)

Mae'r dudalen hon yn wag yn fwriadol



Fy Nghyf / My Ref: CM36462  
Dyddiad / Date: 14th December 2016

Councillor Mary McGarry  
Cardiff County Council  
County Hall  
Atlantic Wharf  
Butetown  
Cardiff  
CF10 4UW

Annwyl/Dear Mary

### Community And Adult Services Scrutiny Committee 7 December 2016 Rent Smart Wales

Thank you for the opportunity to attend scrutiny to discuss the implementation of Rent Smart Wales. I value input into the development of the initiative as we strive to improve the service and continue to ensure that any risk to Cardiff Council is mitigated. I have set out the responses to the Rent Smart Wales questions raised by Councillor Clark below:

#### Is the list of Rent Smart Letting Agents in the public domain? If so what information does this contain?

Yes the public register is available on the Rent Smart Wales register at [www.rentsmart.gov.wales](http://www.rentsmart.gov.wales).

You will see that a member of the public can search by property address, name of the landlord or agent and reference number. The information available has been specified in legislation and the website complies with these pre-set requirements. For agents this includes the name of the agent and whether he/she is licensed.

#### How many properties in each of Cathays, Plasnewydd and Gabalfa wards have been registered under the Rent Smart Wales Scheme?

We are currently not able to provide the properties included as part of a registration on a Ward level, although we will work towards achieving this in due course.

#### ATEBWCH I / PLEASE REPLY TO :

Swyddfa Cymorth Y Cabinet / Cabinet Support Office, Ystafell / Room 518, Neuadd y Sir / County Hall  
Glanfa'r Iwerydd / Atlantic Wharf, Caerdydd/Cardiff, CF10 4UW  
Ffon / Tel: (029) 2087 2631

*Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg a Saesneg a byddwn yn sicrhau ein bod yn cyfathrebu â chi yn eich dewis iaith boed yn Gymraeg, yn Saesneg neu'n ddwyieithog dim ond i chi roi gwybod i ni pa un sydd well gennych. Ni fydd gohebu yn Gymraeg yn creu unrhyw oedi.*

*The Council welcomes correspondence in English and Welsh and we will ensure that we communicate with you in the language of your choice, whether that's English, Welsh or bilingual as long as you let us know which you prefer. Corresponding in Welsh will not lead to any delay.*

course. I am able to advise that there were 22,786 properties registered as part of a completed registration in Cardiff on the 30<sup>th</sup> November 2016.

**What is the Rent Smart enforcement process. What penalties will be applied?**

Marketing activity will continue to make sure that the Rent Smart Wales obligations are well understood across the sector. However, arrangements to implement enforcement measures are in hand. Rent Smart Wales's enforcement team is working with local authority partners across Wales. These teams will be working on 'seek and find' projects to identify landlords and agents who are not complying with the legislation. This proactive activity will initially target high risk parts of the sector. The legislation gives Rent Smart Wales the power to access various data sources to help tackle non compliance.

There are consequences of committing offences under the Act. These include:

- Fixed Penalty Notices (of either £150/£250)
- Rent Repayment Orders
- Rent Stopping Orders
- Criminal Prosecutions and Fines

Also, landlords will not be able to serve valid section 21 notices for possession of their property unless the property is registered and either the landlord is licensed or the landlord uses a licensed agent to let and manage the property.

To avoid these actions landlords are being advised currently to "comply now". These messages will get tougher as the compliance level increases over the coming months.

Our enforcement powers will be used in a sensible and proportionate manner and our priority will be to take action where people have not made any steps to comply.

If you have any further queries, please do not hesitate to contact me.

Yn gywir  
Yours sincerely



**Y Cynghorydd/Councillor Bob Derbyshire**  
**Aelod Cabinet Dros Yr Amgylchedd**  
**Cabinet Member for Environment**

My Ref: Scrutiny/Correspondence/Cllr McGarry

9 December 2016

Councillor Bob Derbyshire  
Cabinet Member  
c/o Room 520  
County Hall  
Cardiff  
CF10 4UW



Dear Bob

### **Community & Adult Services Scrutiny Committee – 7 December 2016**

On behalf of the Members of the Community & Adult Services Scrutiny Committee, I would like to thank you and officers for attending for Agenda Item 5 - Private Rented Sector Housing.

Members explored progress in meeting the Council's commitments in relation to private rented sector housing. Members note the role of Shared Regulatory Services with regard to these commitments, as set out below.

Concerning housing enforcement, Members note that officers are finding properties that require work to bring them up to an acceptable standard. Members note that, in Cathays, some properties licensed 5 years ago have declined since then.

Members note that Shared Regulatory Services is responsible for returning empty properties to use. Members note the target is to return 20 empty properties to use in 2016/17. Members accept that this is a realistic target, given that work has taken place for part of the year only. However, Members would expect there to be a more stretching target for 2017/18, given the need to boost available housing. Members look forward to receiving the 'empty properties roadmap for Councillors', which will assist us in our role.

Members note that establishing Shared Regulatory Services resulted in 23% decrease in resources over the three local authorities. Members are therefore concerned that there may be pressure on existing staff, particularly with the addition of empty properties work. Members would appreciate your views on this.

Members note officers' comments that Cardiff Council is an exemplar concerning student engagement. Members wish to understand the percentage of private rented sector properties occupied by students. The papers for this item cited the Census 2011 result for households solely occupied by students (point 7). However, Members would appreciate further information on this.

Members thank Bethan Jones for providing up to date statistics for Rent Smart Wales. Members were interested that demand is now at pre-deadline levels and is manageable. Members note that regular reviews and refinements are made of the financial model for Rent Smart Wales, with flexibility to realign resources to meet emerging needs.

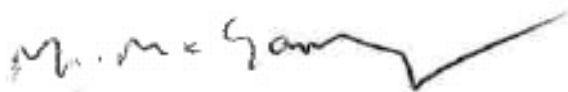
Members are aware that part of the Rent Smart Wales fee income goes to meet enforcement costs. Members were interested that Council records will be interrogated to identify landlords that have not complied with Rent Smart Wales.

Members would be glad to see mechanisms in place to capture the benefits of Rent Smart Wales. Members note the independent evaluation will be repeated in 2 or 3 years time and compared against the baseline. Members also note that house condition surveys should demonstrate improvements in the private rented sector. In the meantime, Members agree that Shared Regulatory Services should report the number of Category 1 hazards addressed by their actions. Members accept that using tenant complaints as a measure is not straightforward as there may be an increase due to awareness raising.

Members thank officers for agreeing to provide answers to the questions posed by Councillor Clark in her submission. Members agree that it would be useful to provide comparator information to place Cardiff's performance in context.

Once again, thank you to you and officers for attending our meeting, which we appreciate.

Yours sincerely,



**COUNTY COUNCILLOR MARY M<sup>C</sup>GARRY**

**Chairperson - Community & Adult Services Scrutiny Committee**

Cc:	Cllr De'Ath	Cabinet Member
	Dave Holland	Head of Shared Regulatory Services
	Will Lane	Operational Manager – Neighbourhood Services
	Bethan Jones	Operational Manager – Rent Smart Wales
	Alison Taylor	Cabinet Office

My Ref: Scrutiny/Correspondence/Cllr McGarry

9 December 2016

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



Dear Susan

### **Community & Adult Services Scrutiny Committee – 7 December 2016**

On behalf of the Members of the Community & Adult Services Scrutiny Committee, I would like to thank you and officers for attending for Agenda Item 4, Direct Payments.

Members were interested to learn more about the work to review arrangements and develop options for the future. Members note the objectives of improving arrangements for those using Direct Payments by simplifying the referral pathway and increasing choices. Members also note the aim of achieving value for money for the Council whilst ensuring quality of provision. Underpinning these is the need to increase the numbers of personal assistants available to provide care and support. Members support these goals, which will help us to meet our legal duties.

Members have re-arranged our work programme to accommodate pre-decision scrutiny of the Cabinet report on Direct Payments. The 18<sup>th</sup> January 2017 committee meeting will include this and an item on Adult Safeguarding. Our 8<sup>th</sup> March 2017 committee meeting will include scrutiny of the draft Housing Revenue Account Business Plan and Regional Partnership Board.

As part of our pre-decision scrutiny of Direct Payments, Members would like to receive more information about what the arrangements will look like in practice. In particular, Members would like more information on:

- The respective roles of Social Services and Preventative Services in the new pathway;
- The monitoring requirements built into the specification;
- The evaluation criteria and weighting;
- The transition arrangements, to ensure continuity and no detriment to service users.

Members accept the offer to receive comparator information on Direct Payments rates. Please send this to Scrutiny Services for inclusion in our committee papers in January 2017.

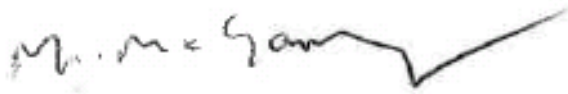
Members recognise that there is a real opportunity to make a difference for service users and carers by ensuring the direct payment system works for them. Members also

recognise the need to ensure value for money for the Council. However, Members are concerned about the tight timescales outlined at the meeting. Members recognise that officers are working hard to deliver to these timescales. However, Members would like assurance that more time will be taken if it is needed to ensure that the best possible scheme is developed.

Finally, Members noted the consultation finding that *'93% of respondents felt that their social worker was helpful during the process.'* Members ask that you pass on our commendations and thanks to social workers for their hard work assisting clients positively. Their efforts are recognised and appreciated.

Once again, thank you for bringing progress in this area to our attention. This letter has requested information be supplied in time to go out with our committee papers for 18 January 2017 meeting. However, other than that information, it does not require a response.

Yours sincerely,



**COUNTY COUNCILLOR MARY M<sup>c</sup>GARRY**

**Chairperson - Community & Adult Services Scrutiny Committee**

Cc:	Sarah McGill	Director of Communities, Housing and Customer Services		
	Tony Young	Director of Social Services		
	Amanda Phillips	Assistant Director of Social Services - Adults		
	Denise Moriarty	Strategic Lead Planning Officer – Learning Disabilities		
	Liz Patterson	Personal Assistant	Matt Swindell	Cabinet Office