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## AGENDA

<b>Committee</b>	COMMUNITY & ADULT SERVICES SCRUTINY COMMITTEE
<b>Date and Time of Meeting</b>	WEDNESDAY, 8 DECEMBER 2021, 4.30 PM
<b>Venue</b>	REMOTE VIA MS TEAMS
<b>Membership</b>	Councillor Jenkins (Chair) Councillors Ahmed, Carter, Gibson, Philippa Hill-John, Lent, Lister, Mackie and McGarry

*Time  
approx.*

**1 Apologies for Absence**

To receive apologies for absence.

**2 Declarations of Interest**

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

**3 Minutes (Pages 1 - 6)**

To approve as a correct record the minutes of the meeting held on 10 November 2021.

**4 Ageing Well Strategy (Pages 7 - 42)**

4.35 pm

Policy Development.

**5 Empty Homes Policy 2021-24 (Pages 43 - 96)**

5.20 pm

Pre-Decision.

**6 Committee Business (Pages 97 - 102)**

6.00 pm

**7 Urgent Items (if any)**

**8 Way Forward**

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

9      **Date of next meeting - Wednesday 12th January 2022**

**Davina Fiore**

**Director Governance & Legal Services**

Date: Thursday, 2 December 2021

Contact: Andrea Redmond, 02920 872434, a.redmond@cardiff.gov.uk

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COMMUNITY & ADULT SERVICES SCRUTINY COMMITTEE

10 NOVEMBER 2021

Present: Councillor Jenkins(Chairperson)  
Councillors Ahmed, Carter, Gibson, Philippa Hill-John, Lent,  
Lister, Mackie and McGarry

29 : APOLOGIES FOR ABSENCE

None received.

30 : DECLARATIONS OF INTEREST

A Declaration of Interest was received from Cllr Lent who declared a personal interest in Item 5 as her son is in receipt of Adult Services.

31 : MINUTES

The minutes of the meeting held on 13 October 2021 were agreed as a correct record.

32 : UPDATED GYPSY & TRAVELLER ACCOMMODATION ASSESSMENT -  
TO FOLLOW

The Chairperson advised Members that this item enabled them to consider the updated Assessment, prior to its consideration by Cabinet.

The Chairperson welcomed Cllr Lynda Thorne, Cabinet Member for Housing & Communities; Sarah McGill and Jane Thomas from the People & Communities directorate and Andrew Gregory and Stuart Williams from the Planning, Transport & Environment directorate to the meeting.

The Chairperson invited Cllr Thorne to make a statement after which Officers provided Committee with a presentation and Members were invited to ask questions and make comments/observations;

Members made reference to the number of responses received to the survey and considered that it was a low number upon which to base a 15-year projection. Officers explained that the engagement is with a specific community who are generally difficult to engage with, so they considered the response was good. Officers added that people generally respond to surveys if they have a need, 122 responses were received. Members noted that the Council have to use forms and a process that are prescribed by Welsh Government. The report will go to Cabinet, then to Welsh Government Officials where it will be scrutinised, and feedback will be received.

Members noted that a number of Gypsy Travellers are living in bricks and mortar and asked why Housing Associations were not included in the Steering Group. Officers explained that they had tried to widen the group as much as possible, there were officers from Council Housing on the group. Officers added that many respondents

had indicated they were unhappy in bricks and mortar as this can lead to Culture aversion so it was important to provide pitches for them.

Members asked about capacity at the Rover Way site and were told there are around 20 pitches and the site is overcrowded.

Members asked about cost projections for delivering the additional housing need. Officers advised that there is a grant from Welsh Government to deliver the additional pitches but not for purchasing the land, they added it was difficult to estimate costs at the moment, however rent would be raised from the pitches when they are in place.

Members queried whether, based on the size of the Rover Way site, there would be a need for a number of additional sites across the City. Officers explained that the Shire Newton site is larger at around 60 pitches and a new site would be more in keeping with that rather than Rover Way. Officers added that the Council has already purchased some land next to the Shire Newton site.

Members noted that from the last assessment, it was determined that 48 new pitches would be required from 2016-2021, Members asked if these had been delivered and taken up. Officers explained that they had not been delivered as yet and the short term need has now increased. A discussion took place around the implications if needs are not met and whether the Authority is compelled to provide pitches to those living in bricks and mortar at present. Officers explained that the Authority has to meet the need in the LDP, the strategy has to be there or the LDP would be classed as unsound. With reference to providing pitches to those currently living in bricks and mortar, Officers explained that it is Welsh Government regulations that cultural needs are met as part of the Equality Legislation.

Members asked if there was scope to have a site out of county in partnership with a neighbouring Authority. It was explained that transit sites are provided on a regional basis with neighbouring Authorities but a permanent site needed to be in Cardiff.

Members asked why the 48 pitches had not been delivered between 2016 and 2021 and Officers explained that they had taken this time to look at sites, explore various options and undertake assessments. They added that they were close to identifying a site but it was a complex process. Members asked if there was a risk of not delivering again and Officers reiterated that it had to be included in the LDP, there was now 5 years of work behind them and they would bring a report to Cabinet in September 2022 with a strategy to deliver the full 115 pitches.

With reference to Gypsy Travellers survey responses, Members noted that over a third indicated they were not happy, Members asked the reasons for this. Officers explained it was a combination of having to live in bricks and mortar, sites being overcrowded and the facilities on sites.

Members discussed the impact on other communities and whether this is considered when identifying a site. Officers explained that at this stage in the process they are only looking at the numbers, the next stage would be the proposed options, then wider consultation on any site proposed, including community consultation, proximity to schools, access, flood risk etc. Officers reiterated that they have to follow a very rigorous Welsh Government process that is about the numbers.

Members asked if there was any statutory reason why potential community impact couldn't be made a live consideration now. Officers stated that they do not have a site identified as yet, when a site is presented, then all implications will be considered and there would be a full planning process where objections can be made.

Members asked why the Police were included in the Steering Group and officers explained that they wanted to increase the survey responses so they included the Police Liaison Officer for Gypsy Travellers to spread the word in the community.

Members asked if Officers were confident that this was a robust and resilient assessment with accurate numbers. Officers confirmed they were confident and would await feedback from Welsh Government when it is submitted and scrutinised.

RESOLVED: That the Chairperson writes to the Cabinet Member on behalf of the Committee expressing their comments and observations during the Way Forward.

### 33 : CABINET RESPONSE TO THE 'CLOSER TO HOME: OUT OF COUNTY PLACEMENTS FOR ADULTS WITH A LEARNING DISABILITY' INQUIRY REPORT

The Chairperson advised Committee that this item provided Members with the opportunity to explore the Cabinet's response to the report, and to receive an update on some of the key areas of work.

Members were reminded that the focus of the inquiry's work, was the decision-making process for adults with a learning disability, who require a transition back into county.

During the course of the inquiry, it was confirmed that the majority of individuals who transition from out of county, are those who have attended specialist, further education provision.

Welsh Government have previously been responsible for determining access to these provisions, however under the ALN & Education Tribunal Wales Act, this responsibility will move to the local authority.

The Chairperson welcomed Cllr Susan Elsmore, Cabinet Member for Social Care, Health & Wellbeing; Cllr Sarah Merry, Cabinet Member for Education, Employment and Skills; Sarah McGill and Jane Thomas from the People & Communities directorate; Melanie Godfrey, Richard Portas & Jenny Hughes from the Education department and Emma Mulinder from Adult Services.

The Chairperson invited Cllr Elsmore and Cllr Merry to make statements after which Officers provided Committee with a presentation and Members were invited to ask questions and make comments/observations;

Members made reference to Recommendation 5 which had been partially accepted and sought clarity on what part had not been accepted. Members were advised that the Complaints Procedure was currently being updated and would include how disagreements and assessments would be managed. Officers also stated that there

would be times when Professional Assessment would come into play. Members clarified that this recommendation was in relation to a review of supported living and Officers agreed that families should be involved in reviews and assessments.

Members were disappointed that Recommendation 10 had been rejected as a whole and considered they could have separated out Intentional Communities from Education. Officers stated that they have a responsibility under the Code to provide information on different settings, what is available, what is being delivered locally etc. to families so they can make informed decisions. There is also a duty on the Authority to provide locally, have sufficient provision and meet all needs.

A discussion took place around moving away to go to college and the invaluable holistic experience that can be. Officers agreed but stated that in relation to Further Education, this is usually a local provision and the Code is focussed on Further Education. Officers added that in Cardiff learners can stay in school until they are ready to access FE or until the age of 19. It was stressed that if a learner's needs cannot be met locally then they can choose a setting out of county.

In relation to Intentional Communities Officers explained that the communities are already there; the focus was on developing support services locally.

Members referred to Recommendation 14 and felt that a Handbook would be useful particularly for older parents although they accepted it would need to be updated. Officers explained that they are developing a transition pack that can be downloaded and updated easily – this would include leaflets and signposting etc.

Members sought to clarify in relation to the Assessment Centre in Recommendation 19, that this was only put forward as an option for learners who maybe did not want to move back home with parents or felt they may regress if they did. Officers apologised for the misunderstanding the recommendation and agreed this could be a good option.

Members asked how much has changed as a result of the report; Officers stated that they are always happy to have an outside focus and they enjoyed the opportunity to show Members the services and gain a different perspective. There were a lot of recommendations, some of them prompted a review of the way they do things and fast-tracked things that were in the pipeline such as the website.

Members referred to the change in the law whereby Authorities would be responsible for assessment, commissioning and funding etc and asked what work is being done to ensure the Authority is not compromised. Officers explained that it is the same scenario with Schools SEN provision; the Authority is bound to work on the basis that they carry out professional assessments, take independent advice, work with parents and young people etc, there are lots of checks and balances, the right of appeal and tribunal.

Members referred to recommendation 10 and asked what happens if a parent or young person did not want a local setting but wanted an out of county setting. Officers explained that if an education need could be met locally but they chose out of county then they would have the right of appeal whereby currently there is no recourse.



RESOLVED: That the Chairperson writes to the Cabinet Member on behalf of the Committee expressing their comments and observations during the Way Forward.

34 : COMMITTEE BUSINESS

Members were advised that the Membership and Terms of Reference for the Replacement Local Development Plan Task and Finish Group had been agreed. The report with the findings of the Task and Finish Group would be reported to Cabinet in March 2022.

35 : URGENT ITEMS (IF ANY)

None received.

36 : DATE OF NEXT MEETING - WEDNESDAY 8TH DECEMBER 2021

The meeting terminated at 6.25 pm

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**CYNGOR CAERDYDD  
CARDIFF COUNCIL**

**COMMUNITY & ADULT SERVICES  
SCRUTINY COMMITTEE**

**8 December 2021**

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**AGEING WELL STRATEGY**

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**Reason for the Report**

1. To provide the Committee with an opportunity to feed into the development of the service area's Ageing Well Strategy.
2. Members are to note the Ageing Well Strategy is currently being drafted and is intended for Cabinet consideration during 2022.
3. Committee Members are requested to reflect on the information attached to this report, the information presented at the meeting, and to feedback their comments to the Council's Executive to aid the Strategy's development.

**Structure of the Papers**

4. To assist Members' preparation for the scrutiny described above, the following papers are attached to this report:

**Appendix A:** Briefing Note - Ageing Well Strategy

**Appendix B:** Presentation - Ageing Well Strategy

## Background

5. Committee Members have previously been made aware of the service area's intention to deliver an '*Adult Services Strategy*', which began formulation when the previous Director for Social Services was in post. It was intended the Strategy would be implemented by 2023<sup>1</sup>, and would set an overarching framework surrounding service provision.
6. Committee Members have previously been advised the aims for the Adult Services Strategy would be:
  - Developing a whole-system approach for improving and monitoring performance.
  - Embedding a rights-based approach into everything we do.
  - Ensuring that the systems in place are suitable to meet the outcomes identified and provide a platform for change where they are not<sup>2</sup>.
7. During Committee's previous consideration of the Local Authority Social Services Annual Report, 2019/20 & 2020/21, Members were briefed on the intention to develop an Adult Services Strategy and of the strategy's aims as detailed in paragraph 6 of this report.
8. As part of the discussions, Members were informed the Strategy would be underpinned by the services area's '*Quality Assurance Framework*'.
9. Members are reminded a Quality Assurance Framework is being progressed by the service area to ensure a whole system approach toward improving and monitoring service performance.
10. The Quality Assurance Framework will monitor service performance provided directly by the council, and services that are commissioned such as care homes and domiciliary care.

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<sup>1</sup> [Director of Social Services \(moderngov.co.uk\)](https://www.moderngov.co.uk) pg 46. Accessed Wednesday 1 Dec 2021.

<sup>2</sup> [Microsoft Word - Adults Housing and Communities - Directorate Delivery Plan 2021-22 \(moderngov.co.uk\)](https://www.moderngov.co.uk) pg 68. Accessed Wednesday 1 Dec 2021.

11. It is intended the Quality Assurance Framework will drive improvement of service delivery across Adult Services. Ensuring person-centred care and support, and support the strengths-based practice previously introduced by the service area.
12. During the July 2021 meeting of CASSC, Members were informed the Quality Assurance Framework is intended to be in place by the end of 2021.

### **Adult Service Strategy – Ageing Well Strategy**

13. In September 2020, within the context of the Covid-19 pandemic, and following the resignation of the Director for Social Services, Cabinet agreed a review and consultation on the Council's senior management structure. It was subsequently agreed to support further integration of Social Care, Health, Housing & Community Services, a Director of Adults, Housing & Communities post be established; enabling a joint service that is integrated in both planning and delivery.
14. Following the unification of Adults, Housing & Communities into a single directorate, the proposed Adult Services Strategy was reviewed, with the decision to refocus the strategy onto citizens needs as set out in **Appendix A**. Following its refined focus, the strategy was renamed the 'Ageing Well' strategy.

### **Previous Scrutiny**

15. Through membership of this Committee, Committee Members will be aware of how the directorate is delivering the Well-being objective, '**Cardiff is a Great Place to Grow Older**'. With the following offered as examples of such work:
  - Development of Independent Living and Aging Well Services  
*E.g., Developing Local Community Well-being teams, working with partners to prevent hospital admission, or where required ensuring integrated hospital discharge.*
  - Ensuring effective use of reablement services.

*E.g., increasing use of assistive technology to promote different ways of supporting people at home.*

- Development of the Older Persons Housing Strategy to support independent living  
*E.g., Developing ‘well-being village’ and ‘community living’ projects to support independent living.*
- Working towards Age Friendly City status and developing Cardiff as a Dementia Friendly City.

*N.B Members are to note the above list is not exhaustive and is intended as a snapshot of some of the work in meeting this objective.*

16. During its October 2021 meeting, Cabinet approved Cardiff’s application to the World Health Organisation to join the global network for Age Friendly Cities and Communities. In addition, it also committed to an Age Friendly promise to the people of Cardiff. As part of this process, a combined ‘Working Towards an Age Friendly City’ Action Plan was drawn. The Action Plan sets out the Council’s vision towards an Age Friendly city and how the vision will be achieved. The Action Plan is available [here](#).

### **Scope of the Scrutiny**

17. Members are requested to reflect on the information attached, and information provided at the meeting and to provide their feedback and input into the strategy’s development.

18. The final strategy is intended for Cabinet consideration in 2022. As such this scrutiny constitutes a policy development discussion that will feed into the final report to Cabinet.

### **Way Forward**

19. Councillor Susan Elsmore, Cabinet Member for Social Care, Health & Wellbeing, will be in attendance to answer Members’ questions, supported by officers from the Adults, Housing & Communities directorate.

## **Legal Implications**

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**

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.

## **RECOMMENDATION**

- i. The Committee is recommended to consider the information presented at the meeting.
- ii. Agree whether it wishes to make any comments, observations or recommendations to inform the Ageing Well Strategy.
- iii. Agree whether further pre-decision scrutiny of the Strategy will be required.

**Davina Fiore**

**Director of Governance & Legal Services**

**2 December 2021**



## APPENDIX A

### Aging Well Strategy

#### Community and Adults Services Scrutiny Committee- December 2021

#### Background

1. Adult Social Services is now part of a wider directorate including housing and community services, the purpose of the new directorate is to increase the join up between the different services to better meet the needs of our citizens.
2. The original intention to deliver an Adult Services Strategy was reviewed in the light of this new approach and a decision made not to deliver one strategy focused on an individual service but to refocus the strategy on the needs and aspirations of citizens, taking a wider view of meeting those need than could be achieved through a single service.
3. It is proposed to deliver an Ageing Well strategy during 2021/2 and to follow this with additional strategies as required.

#### Ageing Well Strategy

4. The Ageing Well Strategy will focus on meeting the needs of older people in Cardiff, it will set out:
  - **Our Vision** for older persons services
  - The **Key Principles** underpinning the strategy
  - The **Key Aims** that the strategy is seeking to achieve -each of the Key Aims will form the heading for a section of the strategy
  - A series of **“We Will” commitments** to support each Key Aim
  - The Strategy once finalised will be supported by a full **delivery plan**
5. The draft vision, key principles and key aims are set out at appendix 1. A presentation on the proposed content of the strategy will be made at the Committees December meeting.
6. Committee are invited to take part in policy development while the strategy is still in development. It is proposed that the draft strategy will be considered by Cabinet in January.

Jane Thomas

Director Adults Housing and Communities

30 Nov 2021

Appendix 1 – Draft Vision, Principles and Key Aims

Our Vision		
Supporting older people to live well in their homes and communities		
<p><b>Key Principles</b></p> <p>Older people will have Voice and Control</p> <p>We will take a strengths based approach</p> <p>We will support and enable independence</p> <p>We will provide the right help at the right time</p>	<p>Supporting this vision are a number of principles and key aims</p> <p><b>Key Aims:</b></p> <p><b>Supporting older people to stay active and connected in an age friendly city</b></p> <p><b>Supporting older people to live independently at home through strengths based preventative services</b></p> <p><b>Working in partnership to deliver high quality sustainable care and support</b></p> <p><b>Supporting informal carers and valuing their role</b></p> <p><b>Ensuring our services meet the needs of the most vulnerable</b></p> <p><b>Proactively modernising our Services</b></p>	<p><b>Key Principles</b></p> <p>We will deliver outcome focused services</p> <p>We will work collaboratively with partners, third sector and citizens</p> <p>We will value diversity and promote equality</p> <p>We will ensure that our social care workforce is well trained and feel valued</p>



Draft - No Status

# Ageing Well Strategy



Gweithio dros Gaerdydd, gweithio gyda'n gilydd  
Working for Cardiff, working together



## Background – An Ageing Population

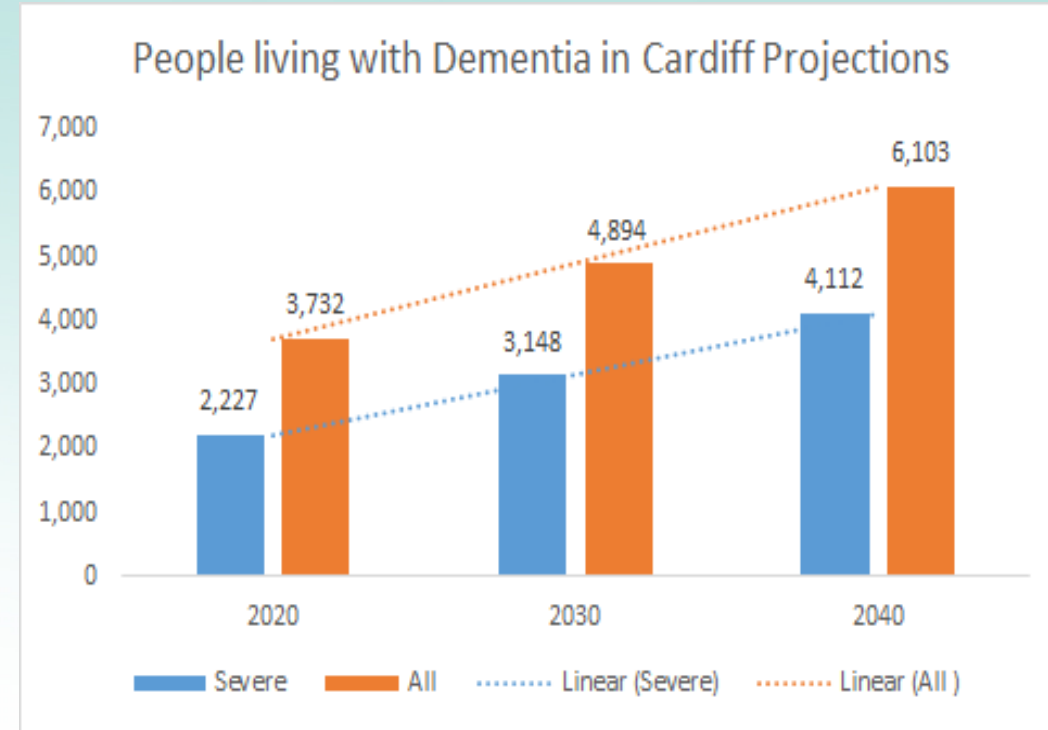
The population of Cardiff is ageing, by 2031 the number of people

- Aged 65+ will increase by **17.8%**
- Aged 85+ will increase by **9.2%**
- Aged 90+ will increase by **5.9%**

The **number that struggle with activities of daily living** will increase by **17%** to 2030 – 1 in 4 older people (over 65).

The **number of people living with dementia** will increase by **30.1%** by 2030 and **41.1%** for severe dementia

**Cardiff Council will spend more than £50 million on care and support services for older people in 2021/2**



**However** this will not necessarily translate into increased demand for residential care\*

Policy decisions and action that we take now to help people to remain independent at home can prevent an unsustainable demand for services and improve outcomes for older people

This strategy sets out our **5 year plan** for supporting older people to age well

We cannot do this alone – the strategy sets out how we will work together with partners in the Health Board, Third Sector and Independent Sector to support older people

This strategy is aligned with **key themes** in a number of **National** and **Local** legislative and policy documents.

Maintaining Independence

Prevention & Early Intervention

Community Support

Individual Choice & Control

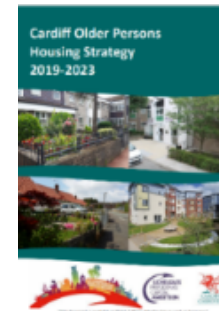
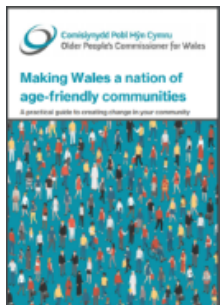
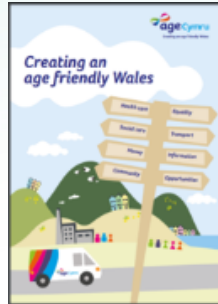
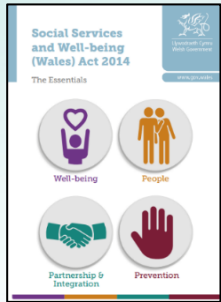
Home First

Partnerships & Relationships

### National Context

### Local Context

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# Consultation & Engagement

- Engagement sessions were held with both **internal** and **external partners**.
- Attendees from ten different **third sector organisations** were provided with a **questionnaire** to gain feedback from the individuals they supported.

Engagement sessions outlined several overarching key priorities to be considered in the drafting of the strategy.

Collaboration



Community



Person Centred



Technology enabled care



Prevention



Views from individuals currently receiving support as part of an Adult Services Care and Support Plan.

“Use plain language not workplace language to make sure I understand what support is on offer and how you will help me.”

“My individual voice is important”

“Provide a preventative service not a reactive service”

“I have concerns around technology enabled care. It must not replace human contact.”

“Work with a smile, be friendly make people feel safe, valued and trusted.”

# Our Vision

## Supporting older people to live well in their homes and communities

### Key Principles

Older people will have Voice and Control

We will take a strengths based approach

We will support and enable independence

We will provide the right help at the right time

Supporting this vision are a number of principles and key aims

### Key Aims:

**Supporting older people to stay active and connected in an age friendly city**

**Supporting older people to live independently at home through strengths based preventative services**

**Working in partnership to deliver high quality sustainable care and support**

**Supporting informal carers and valuing their role**

**Ensuring our services meet the needs of the most vulnerable**

**Proactively modernising our Services**

### Key Principles

We will deliver outcome focused services

We will work collaboratively with partners, third sector and citizens

We will value diversity and promote equality

We will ensure that our social care workforce is well trained and feel valued

We want to ensure that all older people in Cardiff have access to the right advice and support to help them stay healthy and independent.



Hubs with a focus on Wellbeing

- The Hubs support the Healthy Living agenda by providing venues for partners to deliver a wide range of sports activities for older people within a relaxed community setting.
- Our Libraries in the North of the city are being transformed into Hubs – with a focus on wellbeing.



DWI'N GWIRFODDOLI  
I VOLUNTEER

Cardiff Council's **volunteering portal** enables community organisations to advertise their opportunities all in one place.

The successful **"Together for Cardiff"** is to be relaunched to encourage volunteers to support older people in the city

We will support people to stay active and connected and to prepare for the future by:

- Reviewing and strengthening the **independent living & wellbeing advice** provided in the Hubs for older people and their carers.
- Working to become a World Health Organisation **Age-Friendly City** - by delivering the Age-Friendly City Action Plan.
- Continuing our work towards a **Dementia Friendly City** .
- Supporting **community groups and volunteers** to support older people and carers.



# Supporting older people to stay active and connected in an age friendly city

Our **Community Engagement & Wellbeing Team** work with older people to identify their interests and to find suitable community activities, including intergenerational events, to reduce social isolation.

There is a strong focus on enablement and removing barriers to community participation, by finding solutions with the service user.

## Staying Virtual – the Hybrid Model

During the pandemic, virtual activities and events were developed by the Council and partners to ensure that older people and the most vulnerable were supported by using digital solutions as a way to reduce social isolation.

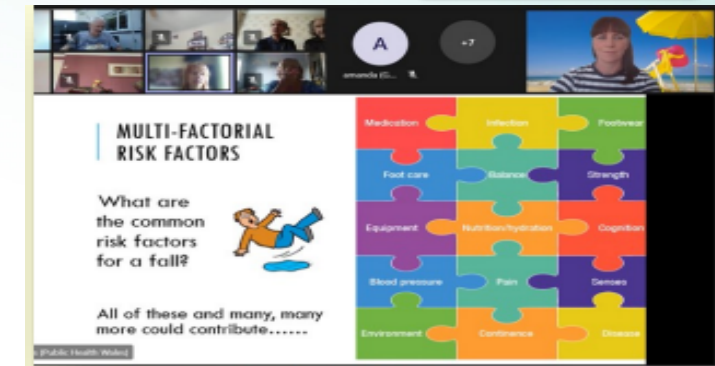
## Independent Living Services – Virtual Festivals

These festivals have brought together Council services and third sector partners to support older and more vulnerable residents in Cardiff to remain healthy, well and independent as well becoming digitally included.

While face to face activities are important to many older people, digital events also proved popular, allowing many to attend who could not do so in person.



*Tablet gifting scheme*



We will support people to stay active and connected and to prepare for the future by: (Continued)

- Providing both virtual activities and events and face to face activities through a **hybrid model of community engagement**
- Continuing to support older people to **get online**.

# Supporting older people to stay active and connected in an age friendly city

## Joined up working between Day Centres and Hubs

- Cardiff Council operates **three** day centres.
- Over recent years refurbishment work has been undertaken with the aim of providing a high quality day care environment for older people with **high care** and support needs and a low or stable level of **dementia**.



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We will extend opportunities for older people with care and support needs to stay connected by:

- **Bringing together Community Hub and Day Centre Services** – increasing the range of activities provided in the **day centres**, encouraging partners to deliver services and further encourage volunteering.
- Developing a **Hubs for All** approach – this could include:
  - Using the **specialist knowledge of the** Day Centre team to assist the hubs make their activities are accessible to people with higher care and support needs.
  - Dedicated sessions for those with care and support needs with support / care staff available
  - Make use of the days that some Hubs are closed and weekends in the Day Centres – to extend the services available and provide additional respite for carers
- Work with the Health Board to further develop our hubs to deliver integrated Health and Wellbeing Centres

# Supporting older people to live independently at home through strengths based preventative services

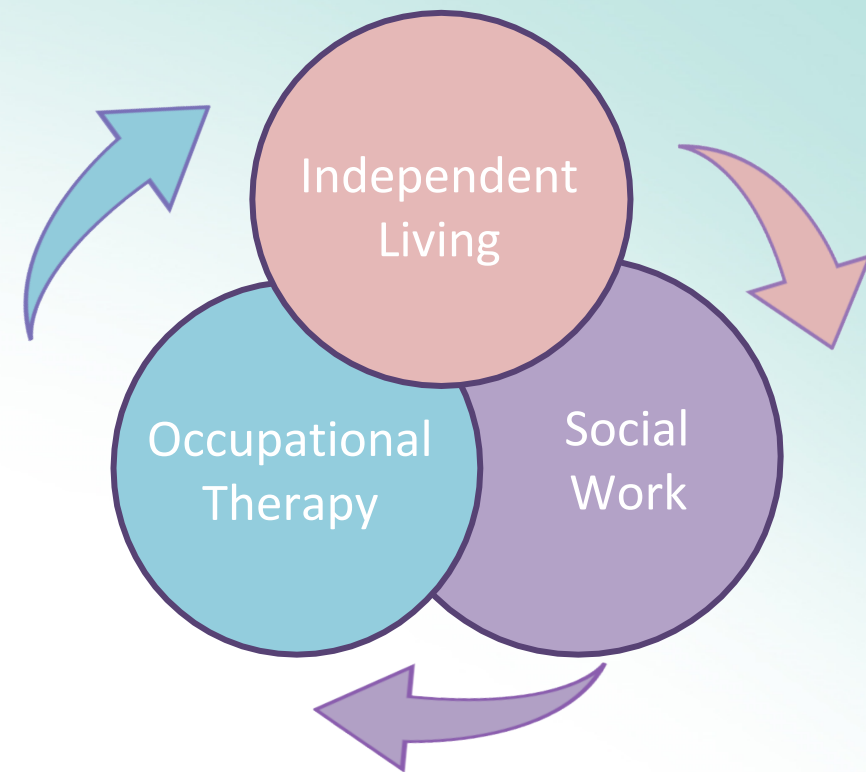
We already have very successful services with a focus on independence, our core services are:

**Our Community Occupational Therapy Team** offers practical support to enable people to live as independently in their own homes for as long as possible. Through use of equipment aids and adaptations, they help people remain independent at home and that care packages are “right sized”.

Our **Independent Living Service** has already developed a range of successful preventative services – working closely with other council services, the third Sector, health services and community groups co-producing outcomes that matter to citizens and supporting independence.

84% of new cases were dealt with by the Independent Living Service with no onward referral to social care (20/21)

Our **Social Work Teams** have been trained in Strength-based practice through the delivery of Collaborative Communication training. This has supported a change in model of social work throughout the service. Strength-based practice is now more evident in all the work that we do, with a renewed focus on delivering person-centred services that build on an individual’s own assets and strengths.



**We will continue to develop and join up our services to better support older people**

# Supporting older people to live independently at home through strengths based preventative services



We will embed a strengths based and preventative approaches across the services to help people stay independent at home:

- We will increase the involvement of **Occupational Therapists**:
  - Making full use of their expertise in equipment and adaptations throughout our services
  - Providing a strengths based triage, enabling prevention and rightsizing of care packages.
  - Providing tailored support for informal carers.
- We will ensure that our social workers and other key staff have the training they need to deliver **Outcome Focused, Strength Based assessments** - our assessments will take an asset based approach, focused on enabling people to live independently, in their homes and communities.

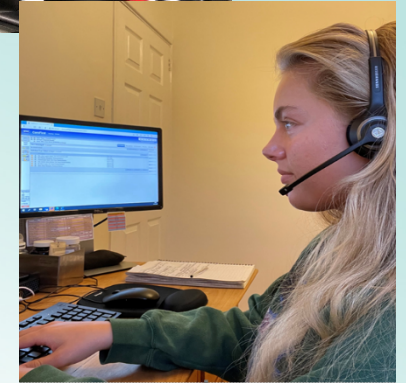


## Supporting older people to live independently at home through strengths based preventative services

**The First Point of Contact Team** is a multi disciplinary team providing Information Advice and Assistance for older people and those with physical disabilities.

They avoid people getting into crisis by signposting and referring into a range of preventative and community services.

The **First Point of Contact Social Work Team** ensure that there is always professional help available to support the contact officers and to review and assist more complex cases.



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## We will strengthen and streamline services at our front door to support prevention and reablement by

- Building on our First Point of Contact Service and consolidate this as the single route into all our services for older people, reducing duplication and ensuring a consistent approach to prevention and reablement.
- Empowering our, Social Workers, and Independent Living Contact & Wellbeing Officers to prescribe low level adaptations and equipment.

We will work towards a single front door approach for both social care and community health services

# Supporting older people to live independently at home through strengths based preventative services

## Locality working supporting and “At Home” Approach

Locality working delivers place-based, joined-up care and support across Health, council, third sector services and local community networks.

The model of support is designed around the person and their family/support network with targeted actions to meet local needs.

Page 6 of 6

The localities will mirror those of the **six** GP clusters within Cardiff, but the service will be split into two locality settings, **North West** and **South East**. These will cover three clusters per locality.



We will work together with health colleagues through the @ home project to **develop integrated Local Multi Disciplinary Teams**, including a wide range of council and health services

- Establishing easily accessible locations within the community for our joined up teams enabling them to deliver shared priorities.
- Providing the right help at the right time in the community, focused on staying home and healthy and facilitating hospital discharge.
- Ensuring help is available locally - when it is needed to support independence and prevent crisis.
- Continue to work with GP clusters to meet the holistic needs of citizens

## Homecare Service

- The Community Resource Team (CRT) Homecare service is a joint service provided by Cardiff and Vale University Health Board and Cardiff Council.
- CRT Supports people to stay at home or return home from hospital through health and care services and through reablement support.



- *We will work in partnership with our health colleagues to move towards a more integrated approach to community resource services*
- *We will modernise our homecare services to :*
  - Provide a full **Reablement Service** – upskilling our current care staff to be reablement officers.
  - Provide a **Bridging Service** for short periods to achieve rapid discharge from hospital or to support continued independence.
  - **Create a career pathway** for our inhouse carer workers to help recruitment and retention
- We will work with our health partners to develop a **rapid response 24/7 service** to keep people at home

# Supporting older people to live independently at home through strengths based preventative services

## Supporting Hospital Discharge:

**Hospital Social workers** are based in hospitals across Cardiff and the Vale. They aim to facilitate safe and timely discharge for those who have eligible needs for care and support. Assisting those who will be moving into a care home placement, moving to a health setting or returning to their own home with a care service.



The “**Pink Army**” is part of our Independent Living service, it works in the hospital wards to support the transition from hospital to home in partnership with Health, Social Care and the 3<sup>rd</sup> Sector. They are on hand to provide tailored support that meets the needs of the individual, providing **preventative** interventions, supporting **independent** living and **reducing the risk of readmission**.

A recent pilot of a **Community Occupational Therapist** working along social work in the hospital reduced the home care individuals needed and **prevented admission to residential care**

## We will support timely and safe hospital discharge by:

- Having a single point of contact in the hospital which is fully aligned to our community, strengths based model. To ensure safe & timely discharge, following Home First principles and empowering independence.
- Incorporating the skills of our Community Occupational Therapists in the hospital, developing an enhanced triage process, to support independence.
- Refining and simplify the Discharge to Recover and Assess model – assessing care needs in a persons home and not the hospital



## Supporting older people to live independently at home through strengths based preventative services

- Telecare or **Technology Enabled Care (TEC)** uses a combination of alarms, sensors and other equipment to help people live independently.

***Research from across the world shows independent living can be extended when older people (aged 75+) are encouraged to take up telecare.***

- **4,419** people over the age of **75** currently use our Telecare services. Although this equates to **71%** of all Telecare users, it equates to just **18%** of the 75+ population in the city.

***Mainstream tech such as Alexa provide new opportunities to help older people to stay independent for longer***



In 2020/21, **230,763** calls were taken

Telecare mobile wardens attended **3,614 fallers**, resulting in cost avoidance for the Welsh Ambulance Service of **£703,154** for the year.



Service delivery was maintained throughout the whole of the pandemic.

**We will improve the use of technology, aids and adaptations to support independence by:**

- Developing a cutting edge Cardiff Tech Strategy based on the best practice from across the world and providing tech support to embed this, ensuring all our staff are trained to make appropriate referrals.
- Introducing a “tech finder tool” for staff and citizens alike, which will empower our citizens to make their own choices and self purchases as well as being a support tool for assessments by our staff.

# Supporting older people to live independently at home through strengths based preventative services

**Home Adaptations** play an important role in keeping older people independent for longer, including hand rails, stairlifts and installation of showers.

**The Disabled Facilities Team** delivers a range of adaptations to the home to improve movement and access around the house.

In **2020/21** – **984** home adaptations were delivered to help older people to continue to live independently.

**The Joint Equipment Service (JES)** is an integrated service providing an efficient community equipment loan service.

In **2020/21** – JES completed **572** same or next working day deliveries – a **97%** increase on 2019/20



**We will improve the use of technology, equipment and adaptations to support independence by (continued):**

- Developing a new Independent Living Wellbeing Centre, rationalising our existing joint equipment stores and developing a public facing facility focused on practical solutions to support independent living
- Removing the means test from all eligible disabled adaptations

## Supporting older people to live independently at home through strengths based preventative services

The findings from a range of research shows the benefits of suitable older persons' housing in **supporting independence** and **reducing the need for residential care**.

Our **Rehousing Solutions Team** provides specialist housing advice for older people to help them understand their housing options and support them towards tailored solutions.

Our Housing Association partners provide **Extra Care Housing** which can help people remain independent and avoid residential care.

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We will **promote the move to more appropriate housing** where this will support independence by:

- Encouraging people to think about their **long term housing needs** at the earliest opportunity by providing effective information and advice.
- Finding **tailored housing solutions** to help people remain independent.
- Reviewing our use of **extra care / community living housing**, as an alternative to residential homes for both respite and permanent care.

## Supporting older people to live independently at home through strengths based preventative services

- The Council and partner RSLs are committed to continuing to deliver new affordable housing specifically for older people - accessible/flexible accommodation that allows for 'ageing in place'.
- Approximately **700** units of affordable older persons' accommodation are planned over the period **2020 to 2030**.

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*Proposed Canton/Riverside Community Living project*



*Proposed Community Living in Butetown*



*Proposed redevelopment at Channel View*

**We will ensure our new housing developments support people to remain independent by:**

- Building care ready, adapted, and adaptable homes.
- Building community living schemes for older people that can meet Cardiff's changing need.

## Working in partnership to deliver high quality sustainable care

### Domiciliary care

- We currently work with 54 domiciliary care agencies across Cardiff to support c. 2,000 people who need additional help to remain living independently. Agencies deliver c 27,000 hours of care a week.
- An Independent Living “At Home” approach is likely to **increase the need for domiciliary care** while reducing the need for general residential



Care providers have worked throughout the pandemic to deliver quality care in both home and residential settings

### The issues with the current care market are clear:

- A surge in demand following the pandemic has revealed systemic weaknesses in domiciliary care provision
- Problems in recruiting and retaining staff & issues with rates of pay

### We will work in partnership with our commissioned domiciliary care agencies to deliver flexible person centred care by:

- Increasing our understanding of the issues faced by the domiciliary care agencies and providing support
- Putting in place a **Trusted Partnership** agreement with our care providers so they are able to adapt an individual's care in an appropriate and timely manner.
- Our care providers will have **Local Care Co-ordinators** who will become part of our multi agency locality teams.

We will ensure a seamless transition from a council homecare / reablement service to long term Domiciliary Care.

# Working in partnership to deliver high quality sustainable care

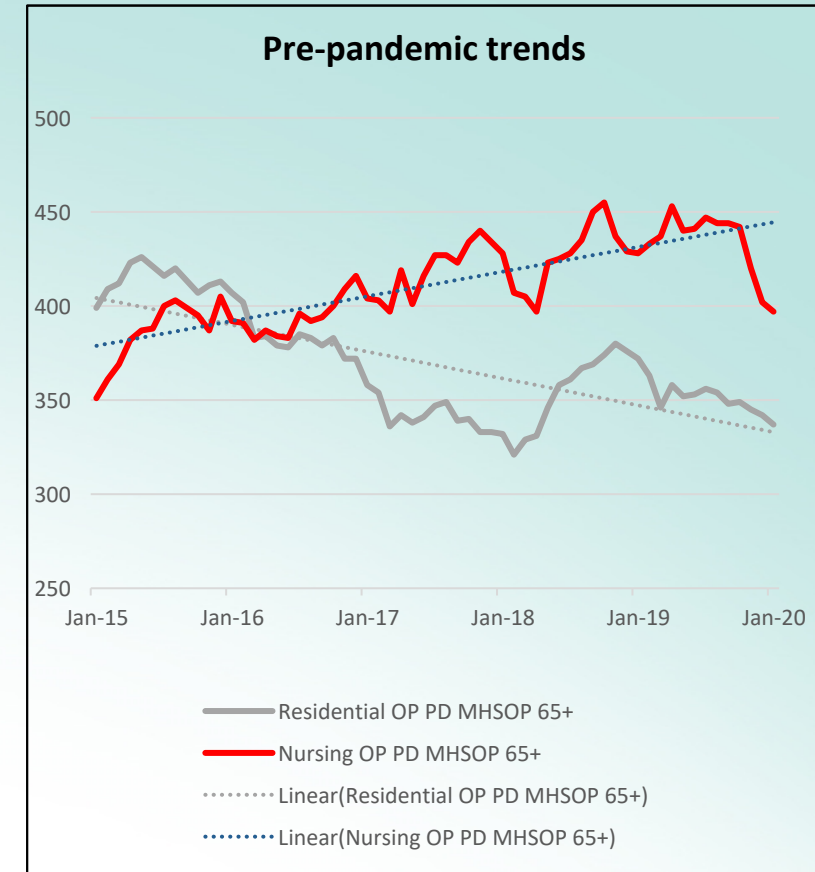
## Trends in Residential Care

- Before the pandemic use of council funded residential care was reducing while nursing care was increasing. During the pandemic both fell
- The need for general residential should not rise but **need for dementia residential / nursing will increase** (increasing complexity / multiple needs)

Page 34 **Level of Residential Care in Cardiff (Estimated)**

	Homes without nursing	Homes with Nursing	Places without nursing	Places with nursing	Total Places
2021	41	21	781	1,370	2,226

*The Council purchases less than half of these places*



## We will seek to inform, manage and reshape the care market by:

- Understanding future care and support requirements in the light of Regional Market Sustainability Report (due June 2022) / Population Needs Assessment and communicating this to the care sector
- Working with the care sector to move away from general residential towards home based care
- Promoting the development of additional high quality dementia residential and dementia nursing care

# Working in partnership to deliver high quality sustainable care

## Supporting Voice and Control in the provision of care

- **Listening to our citizens** and tailoring the care and support towards their chosen outcomes will be at the heart of all our services - this is particularly important in the commissioning of care, ensuring there is sufficient flexibility to meet individual need
- **Direct Payments** are one of the fastest growing methods of meeting the outcomes of people in Wales, and it is our aim to ensure that as many people as possible are able to benefit from them.
- Direct Payments enable people to arrange care and services themselves – to have more choice and control over the services they receive, and care is provided in a more convenient and flexible way.
- Our partner Dewis Centre for Independent Living supports people through the process.



***650 people in Cardiff already employ their own Personal Assistant to meet this social care needs***

## We will increase the voice and control of citizens in our commissioning of care and support services:

- Supporting individual voice and control by focusing on wellbeing outcomes
- Reviewing how we consult and co-produce services with older people
- Reviewing our support for direct payments and increasing the supply of well trained personal assistants
- Exploring the provision of care through local micro-enterprises
- Moving away from “task and finish” approach to care to focus on wellbeing outcomes

## What does good care look like?

Using ICF funding, our team of professionals is visiting care homes in Cardiff to understand “what good looks like” – identifying and promoting local best practice

Meanwhile we have commissioned research to look across the UK and the world to identify best practice in social care provision for our citizens with the highest needs



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## We will improve the quality of care provided through commissioned services by:

- Developing a clear view of “what good looks like” in dementia residential and nursing homes to inform future commissioning
- Ensuring that effective quality monitoring is in place that focuses on the care provided and the views of the individuals, their family, and care network.
- Co-producing a Regional Quality Framework for care homes underpinned by local quality assurance arrangements
- Review Quality Ratings for both domiciliary and residential care
- Relaunching the Escalating Concerns process to support providers to improve when things go wrong and to ensure immediate action / intervention where there are safeguarding concerns



## Supporting the Social Care Workforce

The recent IPC review showed **distinctive features of the workforce in Cardiff**

### Turnover is High

We have the highest proportion of social care staff who joined within the last 12 months (37%) and the lowest proportion on permanent contracts (72%).

### Qualification levels are low in Cardiff

The proportion of managers and care staff with the required or recommended qualifications is lower in Cardiff than other areas:

- **73%** of managers compared to **83%** for Wales
- **71%** of senior care workers compared with **82%** for Wales
- **45%** of care workers compared with **61%** for Wales



## We will value and develop the Social Care Workforce by:

- Further developing Cardiff Cares Academy to provide training, mentoring and employer support
- Providing proactive support to help care workers to achieve registration
- Working in partnership with providers to grow the workforce – including through our Care Development Contracts
- Offering to pilot Real Living Wage in Cardiff
- Working collaboratively with all key stakeholders across the region as part of the Social Care Regional Workforce Partnership

## Supporting informal carers and valuing their role

Informal care is a very important factor in determining whether a person can stay independent at home

*The cost of replacing informal or unpaid care with formal care is estimated at £8 billion for Wales*

- We recognise the vital contribution that informal or unpaid carers make to communities and the people they care for.
- We are committed to ensuring that carers are recognised, and that every step is taken to ensure we support the highest quality of life both for those providing and in receipt of care.

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**The Cardiff and Vale Carers Gateway** provides help and support for informal carers. 10 carers Expert Panels were held in 2020/21 consulting carers on a wide variety of issues



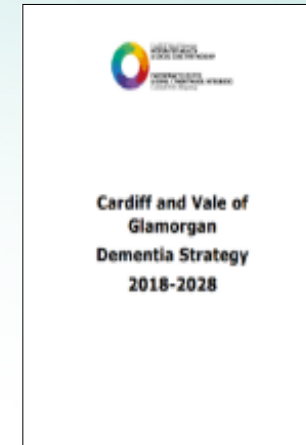
We will support and value informal carers by:

- Reviewing our **advice services for carers** to ensure they meet current needs
- Evaluating the current **carer's assessment process** and explore how take up of these these can improved.
- Offering **Occupational Therapy** support to enable carers to safely support their loved ones
- Reviewing the range of respite provided
- Consulting and co-producing any changes with carers.

## Mental Health Services for Older People (MHSOP), a regional partnership, provides secondary mental health services to adults over the age of 65. This multi-disciplinary team is integral to the holistic delivery of services.

Mental Health Services for Older People (MHSOP), a regional partnership, provides secondary mental health services to adults over the age of 65. This multi-disciplinary team is integral to the holistic delivery of services.

- Our ambition for Cardiff is to be a Dementia Friendly City and work in the best way for those diagnosed with Dementia.
- We want to embed research based practice into our approach and to use learning and research to influence the way in which we approach commissioning services in social care.



We will ensure we support people with dementia to stay at home wherever possible by:

- **Reviewing best practice** from across the world to understand how we can best support people with dementia to live in the community.
- Providing **Dementia training** to all staff to enable them to tailor the correct support to the person and their family in their home.
- Using all the **latest technology** to support client care.

# Ensuring our services meeting the needs of the most vulnerable

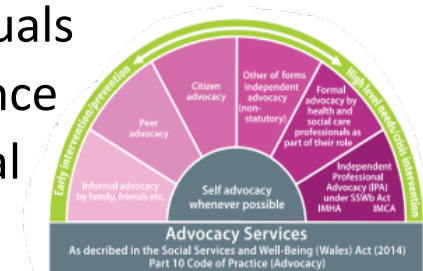
- We will take a **strengths-based approach** which places the individual and their needs at the **centre of their care and support** & support individuals to achieve well-being in **every part** of their lives.
- Ensuring that the citizens voice is still heard when their mental capacity is compromised is particularly important

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- **Liberty Protection Safeguards legislation** will be introduced in **2022**, this new legislation supports the rights of those whose capacity is impaired. Fully training our staff to apply this legislation in a person centred way will be key to the success of the approach

**The Cardiff and Vale Advocacy Gateway** is a single point of access for adults looking for support in the planning and delivery of their care and support.

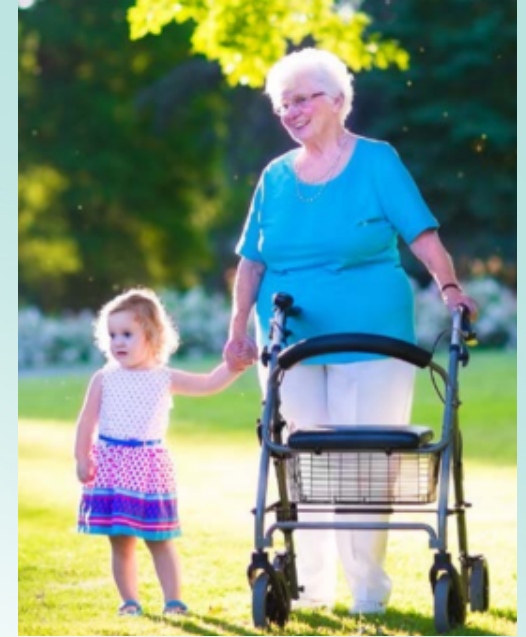
Advocacy is independent of Social Services, and is there to help individuals get the best experience of working with social care services.



**We will ensure older people, however vulnerable, retain a voice in their care by**

- Ensuring our social workers take a strengths based approach to mental capacity and ensure that as far as possible older people retain voice and control
- Mainstreaming the new Liberty Protection Safeguards within older persons services
- Recommissioning our **Advocacy Services** in line with the commitments set out in the Cardiff and Vale Advocacy

# Proactively Modernising our Services



## We will review and modernise our services to be strengths based and independence focused by:

- Restructuring services around our customers needs, in a way that values our professionals and delivers multidisciplinary locality working.
- Reviewing and streamlining services – taking a trusted assessor approach, stripping out duplication and costly bureaucracy, ensuring our professionals have the time to support the most vulnerable older people effectively.
- Reviewing training to ensure that all staff are able to work in a strengths based, trusted assessor basis, taking a holistic view, “prescribing” tech, aids, adaptations as well as care.
- Ensure our quality assurance framework delivers high quality strengths based social work and care



**CYNGOR CAERDYDD  
CARDIFF COUNCIL**

**COMMUNITY & ADULT SERVICES SCRUTINY COMMITTEE**

**8 DECEMBER 2021**

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**PRIVATE SECTOR EMPTY HOMES POLICY 2021-2024**

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**Reason for the Report**

1. To provide background information to assist Members in their consideration of the draft '*Private Sector Empty Homes Policy 2021-2024*', which is to be considered by Cabinet on the 16<sup>th</sup> of December 2021.
2. Members are advised the focus of this policy, and the meetings discussion, is the issue of empty homes in the private sector.

**Structure of Papers**

3. A briefing report is attached at **Appendix A**, which in turn contains, the following Appendices:
  - **Appendix B** Private Sector Empty Homes Policy 2021-24
    - Appendix 1 Empty Property Procedure
    - Appendix 2 Empty Property Risk Assessment
    - Appendix 3 Enforcement Options
  - **Appendix C** Empty Property Enforcement Action Plan (*submitted to Welsh Government*).

## Background

4. As of 1 April 2018, there were around 27,000 long-term empty private sector residential properties in Wales<sup>1</sup>. The briefing note attached at **Appendix A**, notes that this year, there are 1,355 long term empty private sector dwellings in Cardiff (down from 1,568 in 2018/19).
5. The Shared Regulatory Services 2021/22 Business Plan states that of the previous year (2020/21), 45 empty homes in Cardiff were returned to use through direct action by the local authority<sup>2</sup>.
6. As set out in **Appendix B**, there are a range of actions local authorities can take to address the issue of empty private sector properties such as:
  - Persuasion and agreement with the owner.
  - Utilising grants and loans.<sup>3</sup>
  - Working with Register Social Landlords.
  - Enforcement

*Members are to note the above list is not exhaustive and further information can be found in Appendix B.*

## Measuring Performance

7. The national Performance Measurement Framework for Local Government in Wales identifies a set of 31 national performance measures against which the delivery of local public service is measured. These are known as Public Accountability Measures (PAMs).
8. As part of this framework, the number of private sector empty homes is reported annually “PAM/013 / ‘Empty Private Properties Brought Back into Us’”. This measure (PAM/013) represents the number of long-term empty homes i.e., empty for more than 6 months. The data used for this performance measure is derived from Council Tax records.

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<sup>1</sup> [Empty properties \(senedd.wales\)](https://www.senedd.wales) Accessed Friday 26 Nov 2021.

<sup>2</sup> [SRS Business Plan \(valeofglamorgan.gov.uk\)](https://www.valeofglamorgan.gov.uk) pg 48. Accessed Friday 26 Nov 2021.

<sup>3</sup> [Apply for an empty homes loan | GOV.WALES](https://gov.wales) Accessed Friday 26 Nov 2021



9. As noted in point 6 of **Appendix A**, an additional performance measure “*PAM/045 / ‘Number of New Homes Created as a Result of Bringing Empty Properties Back into Use’*” is also reported annually as part of the performance framework.

### **Welsh Government ‘Empty Homes Good Practice Guidance’**

10. Welsh Government’s, ‘Empty Home Good Practice Guidance’ has been designed to help Local Authorities develop effective empty home strategies. The Guidance stresses it is essential Local Authorities have effective, comprehensive empty homes strategies which contribute towards local strategic planning<sup>4</sup>.

11. The guidance states Local Authorities strategies must:

- Consider the broad spectrum of empty homes issues.
- Identify the problem and opportunities that exists in its local area.
- Clearly set out the policy’s objectives / aims.
- Explain how the Local Authority plans to tackle the problem of empty homes using its own financial resource, and the contribution that others in the private and public sector can make.
- Recognise the need for targeted action through careful analysis.  
*(i.e., not target the transitional properties that are empty for good reason, but properties which are empty for a prolonged period, in a bad state of disrepair, nuisance to the community etc.)*
- Apply careful consideration toward the way action is approached.  
*(i.e., persuasion and agreement before enforcement)*
- Include realistic timescales as part of its Action Plan.
- Adequately publicise the strategy to ensure widespread knowledge of the Council’s strategy.
- Ensure ongoing monitoring and evaluation of the strategy<sup>5</sup>.

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<sup>4</sup> [empty-homes-good-practice-guidance.pdf \(gov.wales\)](#) Accessed Friday 26 Nov 2021

<sup>5</sup> [empty-homes-good-practice-guidance.pdf \(gov.wales\)](#) Accessed Friday 26 Nov, 2021.

## **Cardiff Council's Private Sector Empty Homes Policy 2021-2024**

12. The Shared Regulatory Service has developed an Empty Homes Policy which will seek adoption by Cabinet in its December meeting. The Policy builds upon and replaces the Council's Empty Property Policy published in 2014 and outlines the tools the Council will use to bring empty homes in the private sector back into use.
13. In line with Welsh Government guidance, the policy has been designed to identify the cause and scale of empty properties in Cardiff and recognises the impact they have on communities. The policy also outlines the assistance that can be offered to owners to encourage them to bring properties back into use. In addition, it also advises on the enforcement tools that are available if required.
14. To address the issue, the policy identifies the need for the following:
  - Identify and prioritise empty properties.
  - Provide advice and assistance to owners.
  - Publicise the policy.
  - Enhance partnership working.
  - Effective use of enforcement.
15. As stated in point 5 of **Appendix A**, the successful working of this policy requires coordinated working across the Council along with prioritisation of resources toward this area of work.
16. As detailed in point 10 of **Appendix A**, to develop effective inter-departmental working across the Council and outside bodies, an Empty Homes Working Group, chaired by the Assistant Cabinet Member Cllr Peter Wong has been established. The group meets on a quarterly basis, to ensure a corporate approach to empty properties.
17. Members are to note point 8 of **Appendix A** provides information on a premium rate Council Tax revenue stream which can be applied to empty properties. This stream is ring fenced to help address the issue of private empty properties.

## **Previous Scrutiny**

18. Members have previously been informed there are just under 8,000 people on the housing waiting list and a Local Housing Market Assessment, indicated that 2,024 new affordable homes are required each year to meet the demand.
19. As reported in the Community & Adult Services Scrutiny Committee Oct 2021 meeting, in recent months there has been a notable spike in demand on services, with housing applications increasing by 50% and 126% increase in housing waiting list applications<sup>6</sup>.
20. Further, and as detailed in Councillor Thorne's September Full Council statement, *'Homelessness Prevention Services are currently under immense pressure due in part to a lack of suitable private rented accommodation in the city.'* As advised in the statement, this pressure is in part due to landlords selling their properties due to increased house prices. In addition, there has also been an increase in the cost of private rents<sup>7</sup>. This combined, has resulted in a notable lack of available, and affordable, private rented sector properties in the city.
21. During the October 2021 Committee meeting, Committee Members were advised the Council's housing directorate are looking to address the lack of available private properties in the city, by promoting incentives and encouraging take up with private landlords to the Council's leasing schemes.

## **Scope of Scrutiny**

22. At the meeting, Committee Members will receive a presentation from Shared Regulatory Service officers, providing an overview of the issue in Cardiff and how this Policy aims to address it.
23. Members are required to reflect on the content of the proposed Policy and the information provided at the meeting. Members will then be able to decide what

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<sup>6</sup> [Agenda for Community & Adult Services Scrutiny Committee on Wednesday, 13th October, 2021, 4.30 pm : City of Cardiff Council \(moderngov.co.uk\)](#) Accessed Friday 26 Nov 2021

<sup>7</sup> [8 - Cllr Thorne Statement September 2021.pdf \(moderngov.co.uk\)](#) Accessed Friday 26 Nov, 2021.

comments, observations or recommendations they wish to pass on to the Cabinet for their consideration prior to making their decision.

### **Way Forward**

24. Councillor Lynda Thorne Cabinet Member for Housing & Communities and Cllr Peter Wong, Assistant Cabinet Member will be in attendance to answer Members questions. They will be supported by officers from the Shared Regulatory Service.

### **Legal Implications**

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**

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**

It is recommended that the Committee:

- i. Consider the draft report and its subsequent appendices and decide whether it wishes to relay any comments or observations to the Cabinet at its meeting on the 16 Dec 2021; and
- ii. Decide the way forward with regard to any further scrutiny of this issue.

**DAVINA FIORE**

**Director of Governance and Legal Services**

**2 Dec 2021**

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## APPENDIX A

### Briefing Report for Scrutiny

## CARDIFF COUNCIL CYNGOR CAERDYDD

**Director name**            Neil Hanratty  
**Director title**            Director of Economic Development

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### PRIVATE SECTOR EMPTY HOMES POLICY 2021-2024

#### AGENDA ITEM:

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#### Reason for this Report

1. To seek adoption of an Empty Homes Policy for properties within the Private Rented Sector.

#### Background

2. It is commonly accepted that long term empty homes are a wasted resource. This is a matter which has been thrown into sharper focus by the Coronavirus pandemic and the resulting housing crisis. If properties remain empty, the inevitable deterioration has an impact on neighbours and blights communities.
3. This year there are 1,355 long term empty private sector dwellings in Cardiff which shows a decrease from 1,568 during 2018/19.
4. This area of work remains a priority for Welsh Government with Public Accountability Measures in place to measure the performance of all Councils in Wales. Welsh Government has recently contacted Councils requesting that they submit empty property enforcement action plans and is making available town centre regeneration funding to indemnify Councils against losses reasonably incurred in doing so. Cardiff Council has submitted an action plan and will bid for funding on a case-by-case basis.
5. This Empty Homes Policy outlines the assistance that can be offered to owners to encourage them to bring properties back into use as well as the enforcement tools that are available where advice and assistance fails. If the Policy is to be truly effective, it will require effective corporate working across several service areas and the prioritisation of resources towards this area of work.

# APPENDIX A

## Issues

6. Public Accountability Measures PAM013 and PAM45 look at the number of private sector houses returned to use, and the number of new housing units created respectively. The Council reports performance annually against the total number of long-term empty homes, with the total number of empties being derived from Council Tax records. The total number of empty homes varies from year to year but is usually in the range 1300 to 1400 properties which have been empty for more than 6 months.
7. The work sits with the Housing Enforcement Team within the Shared Regulatory Service. Base funding provides for one Neighbourhood Services Technical Officer to lead exclusively on this work.
8. In Cardiff, owners of unfurnished properties which have been empty for more than 12 months are charged a premium rate of Council Tax at 150% of the assessed rate. The money generated is ring fenced to Housing and bringing empty properties back into beneficial use. That money is currently being used to fund two additional officers, one of which will focus on routine advice, assistance and enforcement while the other will drive forward the more challenging enforcement cases on the worst properties, possibly through compulsory purchase or enforced sale. Those officers have been employed on 1-year temporary contracts while it is assessed whether the Council Tax premium funding is sustainable, but the complex enforcement cases being identified will require a longer-term revenue commitment. Dealing with the most complex cases can be time consuming. For example, it may take 2 to 3 years to progress a Compulsory Purchase Order from initial inspection to conclusion. It would be important to ensure that any officer resource employed to drive forward these long and complex cases is not lost during the course of that project.
9. A commitment has therefore been made by Cardiff Council to continue to fund the additional SRS Officer resource into 2024 to ensure that the key objectives of the Empty Homes Policy can be delivered. The current projections for income from the Council tax premium are such that the funding is seen as sustainable and will sit as an authority specific resource for the SRS. The Officers employed will only be utilised by the SRS for empty homes work in Cardiff and the funding stream sits outside the core funding regime agreed as part of the Joint Agreement between Bridgend, Cardiff and the Vale of Glamorgan.
10. The Council has established an Empty Homes Working Group chaired by Assistant Cabinet Member Cllr Peter Wong. The Working Group will ensure effective inter-departmental working and the development of best practice.



## APPENDIX A

11. The policy examines the scale of the problem, the reasons why properties lie empty and the impacts that they have on neighbours and communities.
12. The routine empty homes work, described in the policy, includes:
  - a. An annual mailshot to all owners providing advice and opening a positive dialogue with tailored advice
  - b. Directing owners to developers, housing associations or the Council's own leasing scheme
  - c. Promoting the Council's own Houses into Homes Loans Scheme
  - d. Dealing with complaints about the condition of the property from neighbours, Councillors and Senedd Members
  - e. Carrying out enforcement action to deal with insecure properties or issues of dilapidation which are causing nuisances to neighbouring properties
13. In some extremely complex cases, properties may lie empty for decades without resolution. In these cases, the solutions may be more time consuming and resource intensive, requiring the input of several officers from various relevant disciplines
  - a. The Council may use powers of Compulsory Purchase in order to bring the property into the Council's own portfolio or for sale to a developer. It is important to note that dispossessed owners are entitled to compensation from the Council in the form of market value, home loss, disturbance and legal costs. Progressing this work may mean that the Council incurs a financial loss. The Town Centre empty homes fund aims to ensure that the Council can progress these cases on a cost neutral basis on certain qualifying properties.
  - b. The Council may serve notice on the owner, under a variety of pieces of legislation, requiring the carrying out of improvement works and where the owner does not comply, the Council may complete the works in the owner's default. The resulting financial charge may be used to enforce the sale of the property in order to recover the debt, but the process has the additional benefit that the property is sold to a person willing and able to renovate and ensure its reoccupation.
14. The policy itself does not create any new obligations or any additional resourcing demands, and the policy allows flexibility to operate within the resources available. However, if the Council wishes to operate an effective policy and to compare favourably with other Councils in Wales there will need to be a commitment across the Council to dedicate existing resources to this area of work and to secure the longer-term employment of temporary staff currently funded through Council Tax premium funding.

### **Local Member consultation (where appropriate)**

15. The adoption of the Empty Homes Policy does not involve a local issue. No local Member consultation has been undertaken.

## **APPENDIX A**

### **Reason for Recommendations**

16. Empty Homes work is important, complex and of value to neighbourhoods and local Members. The adoption of an Empty Homes Policy commits the Council to effective, joined up corporate working and will ensure good performance against Public Accountability Measures moving forward.

### **Financial Implications**

17. Implementation and development of the policy for Cardiff Council will be undertaken by dedicated officers within the Shared Regulatory Service. The costs of these will be funded from Council Tax premium income receivable, which is deemed sustainable based on current projections. The level of income receivable should be monitored closely to ensure these costs can continue to be met and where this is not the case, this will need to be met from within directorate revenue budgets. Where income in a year is in excess of expenditure, opportunities should be considered to create mitigating solutions, via an Earmarked Reserve where approved to do so and no other commitments exist for such income.
18. The policy sets out a number of interventions for addressing empty homes. The report highlights the compensation costs payable under CPO type arrangements, which may not be recoverable and for which no specific budgets currently exist within the Council. Any proposals brought for consideration in terms of addressing empty homes will need to consider the likely costs and to determine the approach to paying for such costs including the Council Tax premium. Where enforcement or other action is taken within Cardiff, with the intention that such costs will be recoverable from any owner, processes should be set in place to ensure regular monitoring of such sums due to ensure all such sums remain recoverable.

### **Legal Implications (including Equality Impact Assessment where appropriate)**

19. 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 eg. 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.
20. The Well-Being of Future Generations (Wales) Act 2015 ('the Act') is about improving the social, economic, environmental and cultural well-

## APPENDIX A

being of Wales. The Act places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language and is globally responsible. This means that Cabinet must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, Cabinet must:

- look to the long term;
- focus on prevention by understanding the root causes of problems;
- deliver an integrated approach to achieving the 7 national well-being goals;
- work in collaboration with others to find shared sustainable solutions;
- involve people from all sections of the community in the decisions which affect them.

21. The Council has to satisfy its public sector duties under the Equalities Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties Councils must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. As such a decision to implement the proposal has to be made in the context of the Council's equality act public sector duties.'

### HR Implications

22. The report has no Human Resources implications.

### Property Implications

23. The report has no Property implications.

Report to Cabinet

A report will be taken to Cabinet seeking that Cabinet adopt the Private Sector Empty Homes Policy 2021-2024.

Senior Responsible Officer	Neil Hanratty
	Director of Economic Development

*The following appendices are attached: **Private Sector Empty Homes Policy 2021-2024***

*The following background papers have been taken into account - **None***

# APPENDIX A



**The County Council of the City and  
County of Cardiff**

**Shared Regulatory Services**

**Private Sector Empty Homes  
Policy 2021-2024**





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## **APPENDIX B**

# **Shared Regulatory Services for The County Council of the City and County of Cardiff**

## **Private Sector Empty Homes Policy**

### **Scene Setting / Introduction**

At any one time in Cardiff, there are a number of empty residential properties. This variable figure will be made up of both transitional and non-transitional empty properties and it is the latter type with which this policy is concerned. Transitional empty properties are properties which are empty typically less than 6 months and are actively involved in the local housing market, whereas non-transitional empty properties are considered to be those empty for more than 6 months.

Although transitional empty properties form an essential part of a healthy housing market, non-transitional properties in comparison represent stagnation and a wasted housing resource, in addition to potentially causing nuisance to neighbouring properties and blighting local communities.

The purpose, therefore, of this policy is to tackle the issue of long-term or 'non-transitional' private sector empty properties. Although the primary focus of this policy is residential properties, the Council may consider the impact of long-term empty commercial properties where they could feasibly be returned to use as new residential accommodation.

The Welsh Assembly Government is committed to supporting local authorities in dealing with long-term empty properties and has considered several recommendations made by the Equality, Local Government and Communities Committee within their document Empty Properties; October 2019. The Council intends to review and update this policy in line with any changes as appropriate as this is particularly important with increasing demand for affordable housing.



The Council intends to tackle the issue of empty properties by taking a corporate strategic approach, which involves working proactively across the various sections of the Council for which housing and community issues are integral to their respective policies and strategies. In addition to using a corporate approach, the Council will work with other partners, detailed later.

## Definition of an 'empty property'

For the purpose of this policy and in terms of how the Council reports performance to the Welsh Assembly Government, an empty property is defined as follows within the Welsh Local Government Association 'Public Accountability Measures 2019-20:

*'An empty property is a property liable for Council Tax, which has been unoccupied for a period of 6 months or more'*

This definition excludes:

- A second or holiday home
- A property owned by any of the following:
  - Registered Social Landlords (RSLs)
  - Police and Armed forces
  - National Health Service
  - Universities and colleges
  - Local authorities and government
  - Crown estate
  - Churches and other religious bodies
- A property that is purpose built for use as student accommodation
- A property that is in use but for non-residential purposes
- Properties that have been unbanded by the Valuation Office Agency

## Reasons properties become empty

Residential properties can become empty long-term for a wide variety of reasons. The more common reasons can include the following type of situations however, this list is not exhaustive:

- **Unresolved ownership** – the legal process to resolve ownership can be lengthy and the property may be left unoccupied during this time. This is often seen when an owner dies intestate.

- **Abandonment** – owners abandon a property for various reasons, but typically due to construction, location or condition, mortgage debt, lack of funds.
- **Dilapidation** – the condition of the property prevents it from being occupied before renovation work is undertaken.
- **Inheritance** – incidental ownership following death of previous owner. The new owner may financially and/or practicably be unable to deal with the property or may be unwilling to deal with it, particularly if they are living away or abroad.
- **Property Holding** – owners keep the property empty for a speculative or inheritance reasons rather than sell or let it, including homeowners who begin co-habiting but do not sell or let the other property.
- **Care Holding** – owner moves into other accommodation for care or support on a permanent/long-term basis and do not sell or let their property.
- **Lack of knowledge/options** – owners are unsure of how to deal with their property and lack awareness of help available.

# Effects of empty properties on local communities, housing markets and the Council

## Effects on communities:

Very often, properties left empty long-term deteriorate in condition as a result of neglect and lack of maintenance which often results in overgrown gardens in addition to poor property condition, which can advertise that a property is likely empty. There is also the potential for dangerous structures.

Aside from deterioration in property condition, neglected empty properties can blight a community by becoming a target for:

- Anti-social behaviour – vandalism, fly-tipping, unauthorised entry and/or arson, pest issues
- Cover for criminal activity
- Squatting and/or drug use

This is particularly problematic in areas of lower housing demand as it can be made difficult to improve an area and attract development due to the negative perception of an area. This in turn can contribute to increased crime rates and further economic decline. In more affluent parts of Cardiff, such issues can contribute to a lack of security and fear of crime.

## Effects on local housing markets:

Long-term empty properties present a wasted housing resource and in some cases, this may be the only effect if the exterior is maintained however, neglected empty properties can result in serious issues for neighbouring residents, described above and can cause depreciation of property values. Research by the Royal Institute of Chartered Surveyors estimate that properties adjoining poorly maintained empty properties can be devalued by up to 18% and can also make it difficult to sell a property.

## Effects on the Council:

Although there are a number of enforcement options available to the Council to deal with problematic long-term empty properties, there is significant demand for input both in terms of time and cost. This is true of both the reactive and proactive work (discussed later) necessary to make a visible impact on the number of empty properties.

Additionally, whether or not the property is maintained, the lack of inclusion in the local property market is significantly problematic given the disparity between available housing and the high level of housing need in Cardiff and the Council continues to be under pressure to provide assistance to address homelessness issues. Additionally, there is ever-increasing demand for housing developments on 'greenfield sites' with Cardiff's Local Development Plan agreeing 35% non-strategic earmarked land for greenfield development. If housing cannot be found within the existing housing stock, further housing will be sought elsewhere, leading to further edge of City pressure.

Although a 50% reduction in Council Tax charges can be awarded for a maximum of 6 months, in April 2019 a premium of 150% was introduced on Council Tax charges for empty properties following any discount in order to discourage owners from leaving properties empty long-term. This has been carried out in response to recognition of the seriousness of the impact both environmentally and economically, that long-term empty properties present.

## Local Context for Cardiff

### Local housing market:

There are approximately 152,374 residential properties in the Cardiff County Borough made up of:

- 63% Owner occupied
- 21% Privately rented
- 8% Rented from an RSL
- 8% Rented from Local Authority

Cardiff is made up of concentrated urban areas immediately surrounding a vibrant economic centre, in addition to central parkland with further diverse outlying suburbs. 10.8% of the Cardiff population is made up of students and 15.5% is made up of ethnic minorities. There is an unsurprising trend of increased population over the years which is projected to increase further, year on year. The Council's Local Development Plan outlines the issues faced within the county and includes evidence-based objectives relating to housing and economic development needs.

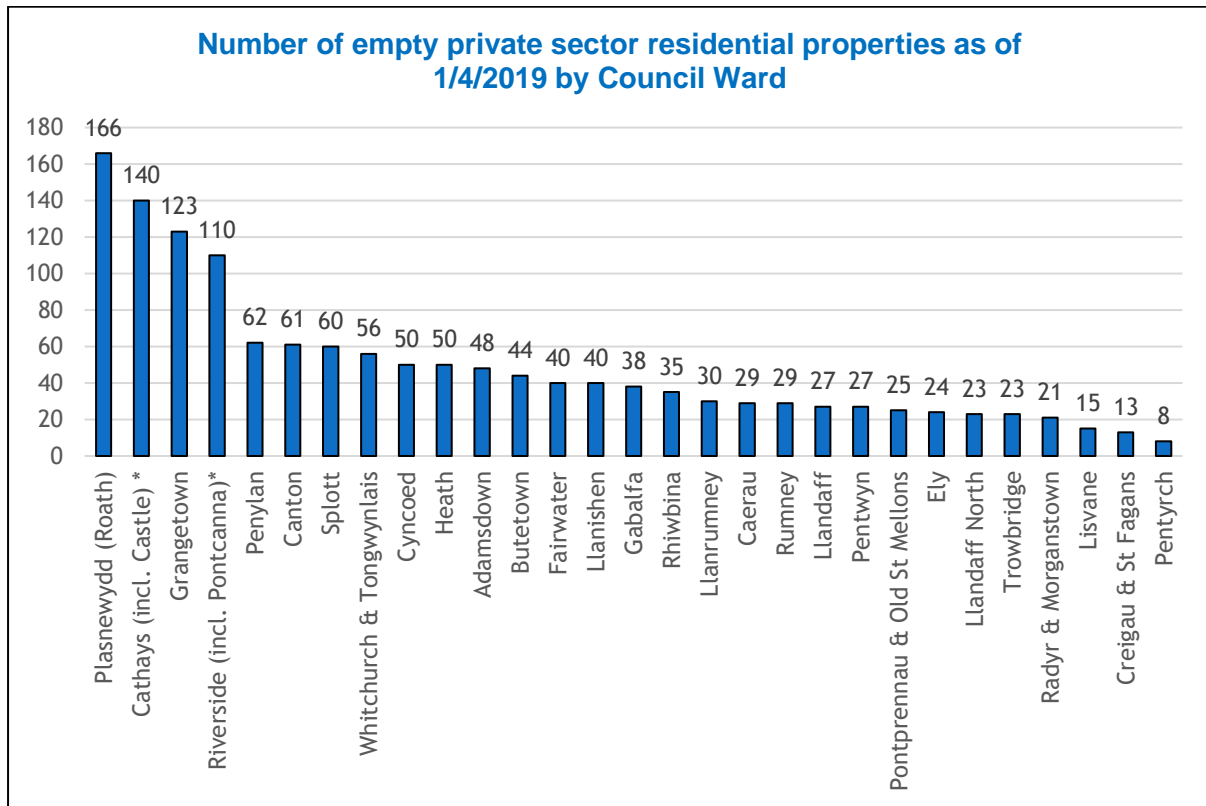
Additionally, the Plan recognises significant health inequalities experienced by the Cardiff population and although Cardiff possesses generally a high quality of life, there are areas of deprivation geographically concentrated in the 'southern arc'.

### Empty homes in Cardiff:

Data from Council Tax shows that 2.14% of the total chargeable dwellings for the whole of Cardiff were empty as at April 2019, which equates to 3363 dwellings. Of that figure 1% or 1451 had been empty for more than 6 months.

The chart below shows the spread of empty private sector residential across the County. Although there appears to be a concentration of empty properties in Plasnewydd (Roath), Cathays, Grangetown and Riverside, it is worth noting that these areas are heavily populated and contain many sub-divided properties. The overall percentage of empty properties in Plasnewydd (Roath) is 2% compared to,

for example Lisvane, the figures for which, represent 1% of all properties in that area.



### Housing need:

A solid indicator of the need for housing in Cardiff is demonstrated by the number of applications for housing on the social housing register. This can be through applications for social housing or through those seeking assistance under homelessness legislation.

### Social housing demand:

Since April 2014, a Common Waiting List has operated in Cardiff, providing a single point of access for all social housing across the city. As at June 2021, 7544 households are registered on the Common Waiting List for Council and Housing Association properties. In 2020/2021, only 1504 social housing lets were made demonstrating how significantly demand exceeds supply.

## **Homelessness and temporary accommodation:**

During 2020/21 3,875 applications for assistance were received which resulted in a homeless assessment being made. Of these 3,739 were eligible for assistance. As at 31/3/21, 1,480 households were in temporary or supported accommodation across the family, young persons and single persons gateways.

## **Affordable Housing:**

The Council recognises the need for more affordable housing. Cardiff's Local Development Plan (2006-2026) indicates it will seek 30% affordable housing provision on green field sites and 20% affordable housing provision on brownfield site residential developments. The Cardiff Housing Strategy (2016-2021) anticipates that 4,220 units of affordable housing would be delivered via various routes, including 2,770 anticipated units delivered as a result of planning obligations. In addition, the Council has its own target of completing 1,000 new council homes by 2022.

The Cardiff Local Housing Market Assessment (2015) also recognises the contribution that bringing empty properties back into use can make and encouraging the return to use of long-term empty properties helps to relieve pressure on housing need and the push to develop green field sites. It can be appreciated that the number of long-term empty properties in Cardiff has the potential to impact significantly on the need for affordable housing.



## The Council's approach

This policy builds upon and replaces the Council's Empty Property Policy published in 2014 and expands by placing greater focus on the need to deal with private sector empty properties in order to support the corporate objectives of the Council to provide much needed housing.

In general, the Council's approach to empty property work is to use informal methods to encourage owners to return properties to use, to foster positive engagement and to be a source of advice and assistance. The work comprises a combination of proactive and reactive work:

### Proactive work:

The Council carries out an annual targeted mailshot of properties from Council Tax data which have been empty for more than 6 months however, the definition of an empty property in terms of length of time empty is currently subject to review by the Welsh Assembly Government. The mailshot includes a questionnaire in addition to helpful literature offering advice and invites recipients to respond.

### Reactive work:

Alongside cases generated by proactive work, the Council also deals with complaints regarding empty properties not already being monitored. These may be properties for which no response was received from a mailshot exercise or properties that do not appear on Council Tax data because they have either not been reported by their owner as an empty property or have been unbanded by the Valuation Office Agency.

### Prioritising action:

The Council is generally dealing with approximately 200 active cases at any given time and whilst there is a procedure (see **Appendix 1**), the way cases progress following initial investigation is bespoke depending on a number of factors such as whether the owner engages with the Council, the extent of the issues caused by the property and whether the Council needs to consider using enforcement action. In

order to deal effectively with the significant number of properties the Council deals with, it is necessary to prioritise the work. This is done by risk assessing, or 'categorising' each property against a set of criteria for example the length of time empty, whether or not it is causing nuisance or whether the Council has had to carry out works in default to remedy any nuisance. The score is then banded into categories A, B or C, with A being the worst. A copy of the categorisation form and associated guidance notes can be seen in **Appendix 2**.

Although higher category empty properties will generally be prioritised for targeted action, a category C property for example could also be considered a priority if it is in an area of higher housing need and of a type in higher demand. This reflects the need to not only deal with visibly problematic properties, but to address housing need as described earlier.

### **Engagement, Advice and Assistance:**

The first stage to resolving long-term empty property issues is to establish a dialogue with owners. Once the Council is in a positive dialogue with empty property owners, there is a range of advice and assistance that can be offered to encourage and enable them to bring their property back into use. Advice can range from providing information and signposting to partners for the Houses into Homes loan scheme; Registered Social Landlord lease and repair schemes; advice on letting a property; advice on selling a property via estate agents or auction; access to a list of private developers; advice on the Council's 'Buy Back' scheme; and other bespoke advice depending on the individual circumstances.

### **Enforcement:**

Whilst informal action will help to resolve a significant number of cases, it is necessary in some instances to resort to formal enforcement action. There are a number of legislative provisions which the Council can use legally require owners to carry out works where properties are causing a nuisance, are dangerous and/or are contributing to wider community issues such as anti-social behaviour. Legislation also exists to enable the Council to compulsorily purchase empty properties or carry

out Enforced Sale in certain circumstances. The enforcement options available to the Council are outlined in Appendix 3

## Aims and objectives

The Council sets out to meet the aims and objectives below by the various methods described in this policy, building on previous work in order to raise the profile of the issue of empty properties to maximise the number brought back into use.

<b>Aims</b>	<b>Objectives</b>
<b>Identify and prioritise empty properties</b>	In line with the proactive and reactive work summarised earlier, the Council will maintain a database of empty properties and continue to monitor and prioritise work.
<b>Provide advice and assistance to owners</b>	<p>Proactively provide advice and invite owners to engage via periodic mailshot.</p> <p>Periodically review the help available and update advice as appropriate.</p> <p>Maximise the possibility of owners effecting their aspirations for their property by providing sound, practical advice and signposting.</p>
<b>Publicity of policy</b>	<p>Ensure this policy is available on the Council and Shared Regulatory Services websites.</p> <p>Ensure maintenance of the online reporting facility for empty properties.</p>
<b>Develop partnership working</b>	<p>Further develop links with internal and external partners to promote effective communication and information sharing.</p> <p>Take a lead in collating with internal partners by developing a Working Group to meet on a quarterly basis, to ensure a corporate approach to empty properties.</p>
<b>Effective use of enforcement</b>	<p>Consider use of the various legislative powers available to limit the impact of empty properties on communities.</p> <p>Consider the use of Compulsory Purchase Orders and Enforced Sale where appropriate and in the public interest.</p>

## Monitoring

Within the Council itself, this policy will be monitored and updated on an annual basis in order that it is based on the most up to date information and recognises any legislative changes in addition to newly identified aims and objectives.

The Council also reports on the numbers of properties brought back into use by following the Welsh Local Government Association (WLGA) Public Accountability Measures (PAMs), specifically:

- **PAM/013** – The percentage of empty private sector properties brought back into use during the financial year through direct action by the local authority.
- **PAM/045** – The number of new dwellings created as a result of bringing empty properties back into use.

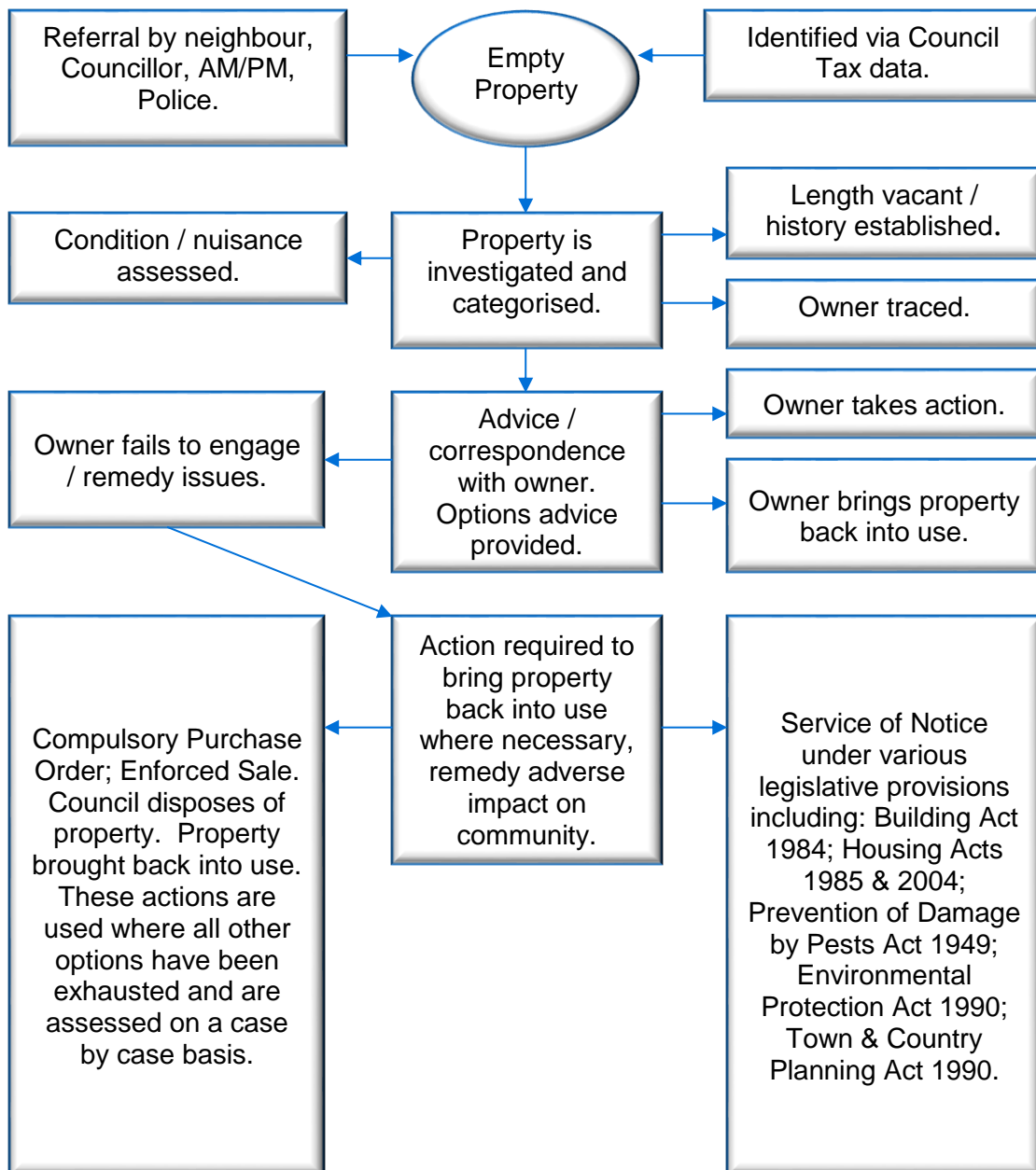
Results from empty property work is recorded by the Empty Property Officer and is published on a quarterly basis, with performance being reported to Welsh Government on an annual basis. The local authority is required to evidence engagement and enforcement which has led to the return to use of empty properties.

# Appendix 1

## Empty Property procedure

Although the Council will have a significant number of empty properties on record from Council Tax data, which are subject to an annual mailshot, additional empty properties will come to the Council's attention as a result of empty property complaints.

Properties for which complaints are received and which do not already appear on the database are generally properties that have been taken out of rating by the Valuation Office or have not been reported to Council Tax as being an empty property. In all cases however, the procedure is the same:



## Appendix 2

### Empty Property Risk Assessment

Properties are categorised into bands A – C; with A being the worst. The criteria for categorisation of an empty property are as follows:-

			Score
<b><u>Length of time vacant</u></b>			
6 months – 1 year			1
1 – 2 years			3
3 – 5 years			5
5 – 10 years			10
Over 10 years			20
<b><u>Property condition</u></b>			
No disrepair			0
Minor disrepair			2
Major disrepair			5
<b><u>Social impact</u></b>			
Front and/or rear garden overgrown			3
Vandalism to property			3
Incidents of arson/fire at property			5
Fly tipping occurring/occurred at property			5
Property provides cover for criminal activity			5
<b><u>No. of complaints received</u></b>			
Low number (1 – 3)			1
Medium number (4 – 8)			3
Substantial number (9 and over)			5
<b><u>Notices served/to be served</u></b>			
	<b>No.</b>	<b>Weighting</b>	
EPA Section 80 (nuisance)		x5	
TCPA Section 215 (detrimental to amenities/gardens)		x5	
PDPA Section 4 (rubbish and pests)		x3	
BA Section 59 (drainage)		x3	
BA Section 78/79 (dangerous structure)		x5	
MPA Section 29 (securing property)		x3	
<b><u>Works in default undertaken</u></b>			
Yes		x5	
No			0
<b><u>Debt history</u></b>			
None			0
Up to £500			2
£500 - £1000			3
£1000 - £5000			4
Over £5000			5
<b>Total</b>			
<b>TOTAL</b>	0 - 10	11 - 25	OVER 25
<b>CATEGORY</b>	<b>C</b>	<b>B</b>	<b>A</b>

## **Guidance Note to assist with completing Risk Assessment**

### **Length of time vacant:**

To be assessed on the best information available i.e case history, information from neighbours.

### **Property condition:**

**No disrepair** – no work required to property;

**Minor disrepair** – repair work to roof, windows, brickwork and rainwater goods;

**Major disrepair** – renewal of roof, windows, rainwater goods.

### **Social Impact:**

**Front/rear garden overgrown** – garden is overgrown i.e passage through garden is impacted;

**Vandalism** – smashed windows, graffiti etc;

**Arson/fire** – score if incident has occurred;

**Fly tipping** – evidence of rubbish left in property/garden, inert or domestic;

**Provides cover for criminal activity** – overgrowth, property open to access etc to allow people cover to take drugs, deal drugs, prostitution etc.

### **No. of complaints**

Total number of complaints received relating to its vacant status.

### **Notices served:**

Multiply the number of notices served by its weighting i.e:

2 Section 80 notices served: -  $2 \times 5 = 10$  Score = 10

### **Works in default:**

IF WID is undertaken, multiply the number of times by its weighting i.e:

WID has occurred 3 times: -  $3 \times 5 = 15$  Score = 15

### **Debt history:**

The amount of debt outstanding against the property i.e debt resulting from notices served by the Council / cost of WID unpaid / Council Tax charges.



## Appendix 3

### Enforcement Options

There are various legislative provision available to the Council in order to deal with issues caused by empty properties and also to secure their return to use. The most commonly used are detailed below:

#### Statutory Notices

##### **Building Act 1984 – Section 76**

Section 76 of the Act provides the Council with the power to serve notice where: -

- Premises are in a defective state as to be prejudicial to health or a nuisance; and
- There would be an unreasonable delay in remedying the defective state by following the procedure set out in Section 80 of the Environmental Protection Act 1990.

The notice is served on the person on whom would be appropriate to serve an abatement notice under the Environmental Protection Act 1990 and will state that the Council intends to remedy the defective state and specify the defects it intends to remedy.

The person on whom notice is served, is entitled to serve a counter-notice on the Council stating they intend to remedy the defects specified in the notice. If the person serving that notice fails to take the action in a reasonable time, the Council may then complete the works.

Costs incurred by the Council in serving notice and carrying out the work are recoverable by applying to the Court. The Court must be satisfied that the action was justified and that the notice was served correctly.

##### **Building Act 1984 – Section 79**

This section of the Act can be served on the owner of a building or structure which the Council considers to be seriously detrimental to the local amenity because of its ruinous or dilapidated condition. The notice can require the owner to execute repair or restoration works or the owner may choose to demolish and remove any rubbish or other materials resulting from or exposed by the demolition as necessary in the interests of the local amenity.

Section 99 of the Act provides the Council with power to carry out the works itself and recover reasonably incurred expenses. The owner may also be prosecuted.

### **Prevention of Damage by Pests Act 1949 – Section 4**

This section of the Act provides the Council with the power to serve notice on an owner or occupier requiring them to carry out such works which may include applying a treatment to the specified land or premises to remove and keep free of vermin. The notice may also require structural repairs to be carried out for the same purpose.

If the person on whom the notice is served fails to carry out the specified works, the Council may carry out those works in default and charge the notice recipient. If the person on whom the notice is served, fails to pay the charge, the Council can force the sale of the property under the power of The Law of Property Act 1925, Section 103 provided the Council gives notice of its intention to do so, should the charge not be paid.

### **Environmental Protection Act 1990 – Section 80**

If the Council is satisfied of the existence, recurrence or likely occurrence of a statutory nuisance, it can serve an abatement notice requiring: -

- Abatement of the nuisance and / or prohibit or restrict its occurrence or recurrence;
- Execute works and take other necessary steps for any of those purposes.

The notice is served on the person responsible for the nuisance unless it relates to a structural defect, in which case it is served on the owner of the premises. The person on whom the notice was served may appeal the notice at the Magistrate's Court. Failure to comply with the notice may lead to prosecution.

### **Housing Act 2004**

Under the Housing Act 2004, the Council must take the appropriate enforcement action in accordance with enforcement guidance where it considers that either a Category 1 or 2 Hazard exists on residential premises. Such action can include: -

- Service of an improvement notice;
- Making of a prohibition order;
- Service of a hazard awareness notice;
- Emergency remedial action.

#### **Enforced Sale**

Where costs have been incurred by the Council following inspection, service of notice/s and carrying out works in default as a result of a failure of the notice recipient to comply with the requirement, certain legislative provisions allow the Council to place a charge on the property in order that it may recover its costs.

Once charges are registered against the property. The local authority can force the sale in order to recover the debts owed to it. This power is used when all other attempts to address the empty property have been exhausted.

### **Compulsory Purchase Orders (CPO)**

Section 17 of the Housing Act 1985 gives the Council the power for the purposes of Part II of that Act to acquire: -

- Land to build houses;
- Houses or buildings which may be made suitable as houses together with any occupied land;
- Land proposed to be used for any purpose authorised by legislation (facilities to be provided in connection with housing accommodation; and
- Land to carry out works on it for the purpose of or in connection with the alteration, enlarging, repair or improvement of an adjoining house.

The Council may acquire land either by agreement or compulsorily by way of authorisation from the Welsh Government. The Council must justify the making of a compulsory purchase order by assembling a compelling case in the public interest for the acquisition. This will take into account many factors including the length of time the property has remained vacant; history of engagement / lack of with the owner; impact of the property on the local amenity; and the level of housing need in the local area.

As with enforced sale, the making of a compulsory purchase order is reserved as a last resort enforcement option in appropriate cases where all other attempts to return the property to use have been exhausted.

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## APPENDIX C

### **ACTION PLAN - Cardiff Housing Enforcement ( Shared Regulatory Services)**

#### **1. Overall Aim of Plan**

To help bring long term empty properties back into use and help mitigate the Covid related housing crisis by providing advice and assistance to all owners, whilst targeting enforcement at those properties that are having a detrimental effect on local community.

#### **2. Objectives of Plan and associated actions**

**Objective 1: Provide advice and assistance to owners**

	<b>ACTION</b> What are we going to do?	<b>WHAT WE WILL DO</b> How are we going to do it?	<b>BY WHOM?</b>	<b>BY WHEN?</b>	<b>MONITORING / MEASURE / TARGET</b>
1.	Proactively provide advice to all owners of long-term empty homes	Carry out periodic mailshot of all owners on Council Tax list of empty homes providing advice and assistance, while inviting them to engage.	Housing Enforcement, SRS	Annually	
2.	As above	Periodically review the help available and update advice as appropriate.	Housing Enforcement, SRS	Annually	
3.	As above	Carry out survey of empty property owners exploring the reasons why properties are empty and exploring options for assistance	Housing Enforcement, SRS	Annually	
4.	As above	Review website content including new Cardiff Council landing page	Housing Enforcement, SRS	April 2022	

## **APPENDIX C**

		and more detailed assistance on SRS web page.			
<b>Objective 2: Develop partnership working</b>					

	<b>ACTION</b> What are we going to do?	<b>WHAT WE WILL DO</b> How are we going to do it?	<b>BY WHOM?</b>	<b>BY WHEN?</b>	<b>MONITORING / MEASURE / TARGET</b>
1.	Further develop links with internal and external partners to promote effective communication and information sharing.	Review enforcement procedures with relevant departments on for example Compulsory Purchase, Enforced Sale, Debt Recovery	Housing Enforcement, SRS	April 2022	
2.	Develop more effective corporate working on empty homes	Develop a Working Group to meet on a quarterly basis, to ensure a corporate approach to empty properties.	Housing Enforcement, SRS	Quarterly	
3.	Further develop links with internal and external partners to promote effective communication and information sharing	Adopt a corporate empty homes policy	Housing Enforcement, SRS	April 2022	

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### Objective 3: Ensure the effective use of enforcement powers

	<b>ACTION</b> What are we going to do?	<b>WHAT WE WILL DO</b> How are we going to do it?	<b>BY WHOM?</b>	<b>BY WHEN?</b>	<b>MONITORING / MEASURE / TARGET</b>
1.	Consider use of the various legislative powers available to limit the impact of empty properties on communities.	Consider the use of Compulsory Purchase Orders, Enforced Sale and Empty Dwelling Management Order where appropriate and in the public interest.	Housing Enforcement, SRS Empty Homes Working Group	Ongoing	
2.	Consider use of the various legislative powers available to limit the impact of empty properties on communities.	Ensure full discussion of available powers on a case-by-case basis with other corporate partners through empty homes working group	Housing Enforcement, SRS Empty Homes Working Group	Quarterly	
3.	Gain a greater understanding corporately of the powers available to deal with empty homes	Ensure training of officers across relevant service areas and lead Portfolio Member	Housing Enforcement, SRS Welsh Government	April 2022	
4.	Making empty properties a strategic priority and provide a dedicated resource to deal with empty residential properties.	Ensure ring-fencing of funding from application of the Empty Homes premium to support this area of work.	Housing Enforcement, SRS	Jan 2022	

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## **APPENDIX C**

### **3. Priority list of properties for action**



Local Authorities should identify key commercial and residential properties that will be prioritised for action. The priority list should be reflective of the level of resources available and focus on properties where action is likely to result in a positive outcome by bringing the property back into use, improving the visual amenity or other tangible benefit to the local community.

Suggested minimum of 8 properties (commercial and residential) with no less than 4 properties located in the town centres as part of the Transforming Towns agenda.



#### **Example:**

Address	Thumbnail Photograph	Ownership Structure	Condition or Issues Associated with Property	Options Considered	Approach to be taken / Proposal	Lead Person	Key Dates	WG Town Centre Management Fund Eligibility
			<p>The property is located in a residential area close to amenities.</p> <p>The condition of the property has an impact of affecting the neighbouring properties and is attracting anti-social behaviour. The owner has not engaged with the Council.</p>	<p>Section 215 Town and Country Planning Act 1990</p> <p>Section 4 The Prevention of Damage by Pests Act 1949</p> <p>Section 11/12 Housing Act 2004</p> <p>Compulsory Purchase Order procedure</p> <p>Enforced Sale procedure</p> <p>Empty Dwelling Management Order</p>	<p>Section 11/12 Housing Act 2004</p> <p>Serve suspended notices and</p> <p>EDMO with Housing Option Service</p>	<p>Legal Services</p> <p>EHO</p> <p>Housing Options Service</p>	<p>Consultation with owner, inter-departments within the Council, mortgagee and leasing schemes with housing options</p> <p>Serve notice</p> <p>Consult with Housing Options</p> <p>Apply empty dwelling management order</p>	<p>Urban location</p> <p>Estimation funding: £15 to £20k</p>



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			<p>The property is located in an affluent area of the City.</p> <p>The condition of the property is in disrepair and very overgrown having a detrimental to the local amenity.</p>	<p>Section 215 Town and Country Planning Act 1990</p> <p>Section 11/12 Housing Act 2004</p> <p>Section 4 The Prevention of Damage by Pests Act 1949</p> <p>Compulsory Purchase Order procedure</p> <p>Enforced Sale procedure</p>	<p>Section 11/12 Housing Act 2004</p> <p>Section 4 The Prevention of Damage by Pests Act 1949</p> <p>Undertake works in default and proceed in enforced sale</p>	<p>Planning Department</p> <p>Legal Services</p> <p>EHO</p>	<p>Consult with relevant departments within the Council and the owner</p> <p>Serve Notices</p> <p>Notices expires</p> <p>Undertake works in default</p> <p>Proceed with debt recovery for enforce sale</p>	<p>Exclusive location</p> <p>Estimation funding: £30,000</p>
			<p>The property is located in an urban area.</p> <p>The property is uninhabitable, interior and exterior is in disrepair, rear garden very overgrown and is affecting the amenity of the neighbourhood.</p> <p>Attracting unauthorised entries</p>	<p>Section 215 Town and Country Planning Act 1990</p> <p>Section 20 &amp; 21 Housing Act 2004</p> <p>Section 4 The Prevention of Damage by Pests Act 1949</p> <p>Compulsory Purchase Order procedure</p> <p>Enforced Sale procedure</p>	<p>Section 20 &amp; 21 Housing Act 2004</p> <p>Section 215 Town and Country Planning Act 1990</p> <p>Undertake works in default and proceed in enforced sale</p>	<p>Legal Services</p> <p>EHO</p>	<p>Consult with relevant departments within the Council and the owner</p> <p>Section 20 &amp; 21 served 26<sup>th</sup> July 2017</p> <p>Section 215 served 15<sup>th</sup> August 2018</p> <p>Section 215 expired 7<sup>th</sup> November 2018</p> <p>Undertook works in default January 2019</p>	<p>Urban location</p> <p>Estimation funding: £50,000</p>



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							Proceed debt recovery for enforce sale  Or Consider CPO	
			<p>The property is located in a residential area close to retail parks, local amenities and minutes away from a busy commuter road connecting to M4.</p> <p>The appearance and the overgrown garden of the property is impacting the neighbours.</p>	<p>Section 215 Town and Country Planning Act 1990</p> <p>Section 4 The Prevention of Damage by Pests Act 1949</p> <p>Section 11/12 Housing Act 2004</p> <p>Compulsory Purchase Order procedure</p> <p>Enforced Sale procedure</p> <p>Empty Dwelling Management Order</p>	<p>Section 11/12 Housing Act 2004</p> <p>Serve suspended notices and EDMO with Housing Option Service</p>	<p>Legal Services</p> <p>EHO</p> <p>Housing Options Service</p>	<p>Consult with the owner, mortgagee, relevant departments within the Council and leasing schemes with housing options</p> <p>Serve Improvement Notices</p> <p>Consult with Housing Options</p> <p>Apply for EDMO</p>	<p>Urban location</p> <p>Estimation funding: £25,000</p>
			<p>The property is located in a residential area and close to local amenities.</p> <p>The appearance of the property is attracting anti-social behaviour,</p>	<p>Section 4 The Prevention of Damage by Pests Act 1949</p> <p>Section 11/12 Housing Act 2004</p> <p>Section 29 Local</p>	<p>Section 4 The Prevention of Damage by Pests Act 1949</p> <p>Section 11/12 Housing Act 2004</p> <p>Undertake works in</p>	<p>Legal Services</p> <p>EHO</p>	<p>Consult with the owner, mortgagee, and relevant departments within the Council</p> <p>Serve Notices</p>	<p>Urban location</p> <p>Estimation funding: £15,000</p>

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			<p>unauthorised entries and having an impact in the neighbourhood.</p>	<p>Government Miscellaneous Provisions Act 1982</p> <p>Compulsory Purchase Order procedure</p> <p>Enforced Sale procedure</p>	<p>default and proceed in enforced sale</p>		<p>Notice expires</p> <p>Undertake works in default and proceed debt recovery for enforce sale</p>	
			<p>The property is located in a popular residential area close to a village and local amenities.</p> <p>The appearance of the property and the severe overgrown vegetation is having a negative impact of the amenity of neighbourhood.</p>	<p>Section 215 Town and Country Planning Act 1990</p> <p>Section 4 The Prevention of Damage by Pests Act 1949</p> <p>Compulsory Purchase Order procedure</p> <p>Enforced Sale procedure</p>	<p>Section 4 The Prevention of Damage by Pests Act 1949</p> <p>Undertake works in default and proceed in enforced sale</p>	<p>Planning Department</p> <p>Legal Services</p> <p>EHO</p>	<p>Consult with the owner and relevant departments within the Council</p> <p>Serve Notice</p> <p>Notice expires</p> <p>Undertake works in default and proceed debt recovery for enforce sale</p>	<p>Affluent location</p> <p>Estimation funding: £2,000</p>
			<p>The property is located minutes' walk away from City Centre and has local amenities and easy access corridor to M4 and A48.</p> <p>The property suffers from anti-social behaviour and unauthorised entries. The</p>	<p>Section 215 Town and Country Planning Act 1990</p> <p>Section 11/12 Housing Act 2004</p> <p>Compulsory Purchase Order procedure</p> <p>Enforced Sale procedure</p>	<p>Section 215 Town and Country Planning Act 1990</p> <p>Undertake works in default and proceed in enforced sale</p>	<p>Legal Services</p> <p>EHO</p>	<p>Consult with the owners and relevant departments within the Council</p> <p>Serve Notice</p> <p>Notice expires</p> <p>Undertake works in default and proceed debt</p>	<p>Urban location</p> <p>Estimation funding: £18,000</p>

# APPENDIX C

			property also has an adverse effect on the neighbourhood.				recovery for enforce sale	
			<p>The property is located in an urban area close to amenities.</p> <p>The property attracts vandalism and suffers from severe disrepair internally and externally.</p>	<p>Section 80 of Environmental Protection Act 1990</p> <p>Section 11/12 Housing Act 2004</p> <p>Section 215 Town and Country Planning Act 1990</p> <p>Compulsory Purchase Order procedure</p> <p>Enforced Sale procedure</p>	<p>Section 11 /12 Housing Act 2004</p> <p>Undertake works in default and proceed in enforced sale</p>	<p>Legal Services EHO</p>	<p>Consult with relevant departments within the Council</p> <p>Serve Notices October 2021</p> <p>Notices expires December 2021</p> <p>Undertake works in default January 2022</p> <p>Proceed to debt recovery for enforce sale</p>	<p>Urban location</p> <p>Estimation funding: £55,000</p>
			<p>The property is located in an affluent area, walking distance to the village and local amenities and close to M4.</p> <p>As the property have been emptied for over 10 years there are concerns with the conditions internally.</p>	<p>Section 11/12 Housing Act 2004</p> <p>Compulsory Purchase Order procedure</p> <p>Enforced Sale procedure</p> <p>Empty Dwelling Management Order</p>	<p>Section 11 /12 Housing Act 2004</p> <p>Serve suspended notices and</p> <p>EDMO with Housing Option Service</p>	<p>Legal Services EHO</p> <p>Housing Options Service</p>	<p>Consult owner and relevant departments within the Council</p> <p>Serve notice</p> <p>Serve Improvement Notices</p> <p>Consult with Housing Options</p> <p>Apply for EDMO</p>	<p>Affluent area</p> <p>Estimation funding: £25,000</p>

# APPENDIX C

			<p>This property is located in an urban area minutes away from major road in western-central of the City and is close to amenities.</p> <p>The conditions of the property is deteriorating and is impacting on the neighbouring property with concerns of damp nuisance.</p>	<p>Section 80 of Environmental Protection Act 1990</p> <p>Section 11/12 Housing Act 2004</p> <p>Section 4 The Prevention of Damage by Pests Act 1949</p> <p>Section 215 Town and Country Planning Act 1990</p> <p>Compulsory Purchase Order procedure</p> <p>Enforced Sale procedure</p>	<p>Section 4 The Prevention of Damage by Pests Act 1949</p> <p>Section 11/12 Housing Act 2004</p> <p>Undertake works in default and proceed in enforced sale</p>	<p>Legal Services EHO</p>	<p>Consult with relevant department within the Council</p> <p>Serve Notices November 2021</p> <p>Notice expires February 2022</p> <p>Undertake works in default March 2022</p> <p>Proceed to debt recovery for enforce sale</p>	<p>Urban location</p> <p>Estimation funding: £55,000</p>
			<p>The property is close to City Centre and close to amenities.</p> <p>The property suffers from unauthorised entries, vandalism, anti-social behaviour and break ins. The property is deteriorating and is detrimental to the local amenity.</p>	<p>Section 11/12 Housing Act 2004</p> <p>Section 215 Town and Country Planning Act 1990</p> <p>Section 29 Local Government Miscellaneous Provisions Act 1982</p> <p>Compulsory Purchase Order procedure</p>	<p>Section 29 Local Government Miscellaneous Provisions Act 1982</p> <p>Undertake works in default and proceed in enforced sale</p>	<p>Legal Services EHO</p>	<p>Consult with relevant department within the Council</p> <p>Section 29 Notice served 13<sup>th</sup> August 2021</p> <p>Notice expired 16<sup>th</sup> August 2021</p>	<p>City Centre location</p> <p>Estimation funding: £2,500 - £5k</p>

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				Enforced Sale procedure Empty Dwelling Management Order				
			<p>The property is located in a quiet residential area and close to local amenities.</p> <p>The property is having adverse effect on the neighbourhood with issues of overgrown garden and pests. The property is uninhabitable due to disrepairs internally.</p>	<p>Section 4 The Prevention of Damage by Pests Act 1949</p> <p>Section 11/12 Housing Act 2004</p> <p>Compulsory Purchase Order procedure</p> <p>Enforced Sale procedure</p>	<p>Section 4 The Prevention of Damage by Pests Act 1949</p> <p>Section 11/12 Housing Act 2004</p> <p>Undertake works in default and proceed in enforced sale</p>	<p>Legal Services EHO</p>	<p>Consult with owner and relevant departments within the Council</p> <p>Serve notice</p> <p>Notice expires</p> <p>Proceed with debt recovery for enforce sale</p>	<p>Residential area</p> <p>Estimation funding: £30,000</p>
			<p>The property was extensively damaged by a fire in the attic leaving only outer walls in tact and the property was not insured. New roof with dormer has been partly completed, but work not inspected by building control and incomplete.</p>	<p>Section 80 of Environmental Protection Act 1990</p> <p>Dangerous Structures: S77/78 Building Act 1984</p> <p>Section 11/12 Housing Act 2004</p> <p>Section 4 The Prevention of Damage by Pests Act 1949</p>	<p>Section 80 of Environmental Protection Act 1990</p> <p>&amp;</p> <p>Section 11/12 Housing Act 2004</p> <p>Dangerous Structures: S77/78 Building Act 1984</p> <p>Undertake works in default and</p>	<p>Legal Services EHO &amp; Building Control</p>	<p>Consult with owner and relevant departments within the Council of loan application does not progress (within 2 months)</p> <p>Serve notice</p> <p>Notice expires</p> <p>Proceed with debt</p>	<p>Urban location close to city centre</p> <p>Estimation funding: £15 to £25k</p>

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			<p>Condition of the property causing damp to neighbour property and problems of youth anti-social behaviour and break ins.</p> <p>Owner advised applying to HH loan but not progressing and potential equity issues with loan application</p>	<p>Section 215 Town and Country Planning Act 1990</p> <p>Compulsory Purchase Order procedure</p> <p>Enforced Sale procedure</p>	<p>proceed in enforced sale</p>		<p>recovery for enforce sale</p>	
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## **APPENDIX C**

### **Examples - Aims and Objectives**

#### **Possible Aim**

To help bring empty properties back into use and improve the physical condition of the existing built environment by targeting those properties that are having a detrimental effect on the area or local community.

#### **Possible Objectives**

- Raise awareness of empty property issues with property owners, local community, businesses, local members and community councillors.
  
- Identify and implement effective intervention 'Toolkit' in dealing with empty properties from advice and guidance through to appropriate enforcement action (Solution Based Responses – Involvement / Long-Term / Collaboration).
  - Website development, production of up to date Information for empty property owners.
  - Advice on selling, renting, repairing, renovating or developing properties.
  - Providing details of local builders, trades people, local architects or home improvement agencies that may be able to assist with the works.
  - Developing relationships with local auction houses to offer reduced fees.
  - Social Lettings / Private Sector Leasing / Tenancy Deposit Schemes.
  - Advice on any financial assistance available i.e. Transforming Towns, Strategic or Place Making Grants, Houses into Homes, landlord or owner occupier grants / loans or equity release schemes.
  - Access to other sources of financial assistance such as commercial lenders i.e. Development Bank of Wales.
  - Provide guidance or information on tax / vat saving schemes including reduced rates of vat for certain types of development or works, capital allowances scheme and land remediation relief.
  - Maximising the potential for permitted development rights i.e. alternative class use or creation of accommodation above certain class of commercial properties.
  
- Improve Intelligence - identify the extent and location of long-term empty properties and / or properties that are having a negative or detrimental impact on the area or local community (commercial and residential).
  - Review current information available from Council Tax, Business Rates and any other internal or external sources of information available to the Local Authority.
  - Undertake a visual street survey of key town centres areas, identifying properties that are having a negative impact on the street scene or where there may be an opportunity for regeneration or development, such as Living over the Shops (LOTS) or Homes above Retail Premises (HARP) Schemes.
  
- Take early action or intervention to prevent properties from becoming empty or having a negative impact on the area or local community (Prevention)

## **APPENDIX C**

- Provide a greater level of information / support for empty property owners to highlight the issue and options available to return them to use or to improve them.
- Review any Council Tax discounts available to long-term empty properties and the application and level of the Empty Homes and Second Home Premium chargeable. Ensure early notification of the application of the Empty Homes Premium to encourage engagement by the owner.
- Prioritise enforcement action using the full range of legislative options to deal with empty, dilapidated or poor condition properties that are having a negative impact on our towns and local community.
- Better working or strengthening of existing practices and adoption of a corporate approach and development of new partnerships (Integration and Collaboration)
  - Making empty properties a strategic priority and provide a dedicated resource to deal with empty commercial and residential properties.
    - Consideration to be given to ring-fencing funding from application of the Empty Homes or Second Homes premium, to support this area of work.
  - Corporate approach - co-ordinate the activity of the Local Authority across all departments to ensure that there is a unified and effective approach to deal with the empty properties.
    - To identify potential improvements and alternative delivery models.
    - Establish an Empty Property Management Group consisting of elected members, officers from internal and external agencies who are able to make strategic decisions regarding empty properties.
    - Formalise current joint working arrangements with partners including Planning, Highways, Building Control, Public Health / Environmental Health, Street Scene, Legal Services, Revenue and Benefits.
    - Develop a 'case conference' approach to identify and implement the most appropriate type of intervention or enforcement action. A willingness to utilise the full range of legislation including Empty Dwelling Management Orders, Compulsory Purchase Orders, Enforced Sales and Prosecution.
    - Review and extend delegation of relevant legislation to appropriately qualified officers across the Local Authority to provide greater flexibility and resources to deal with the issue.
    - Priority of intervention given to return problematic empty properties back into beneficial use or will result in an improvement in the physical condition of the existing built environment or have been empty for the longest periods of time.
    - Prioritise effective debt recovery (council tax, business rates or statutory debt), where the debt relates to an empty property. Consideration, should be given to pursuing an enforced sale in appropriate cases.
  - Review land availability to ensure the best use is being made of council and privately owned land, to support the local economy, regeneration and community uplift.
  - Development of relevant partnerships and initiatives to enable sustainable solutions to be created, including external agencies such as Registered Social Landlords, Police, Fire Service, Developers / Third Sector.

## **APPENDIX C**

- To integrate and support wider town centre regeneration or other regeneration initiatives including the Transforming Towns programme.
  - Support Town Centre First principle to help increase footfall and vibrancy to town centres.
  - To maximise financial investment opportunities and utilisation of all funding sources to support regeneration work.
  - Make better use of spaces available and develop community or regeneration uplift (prosperity – Involvement / Long Term / Collaboration).
    - Support and promote Meanwhile Use / Pop Up Shops.
    - Development of market days or other town centre events.
  - Make use of Local Development Orders for town centres to encourage regeneration and diversification of town centres.
  
- Identify and develop community based approaches and solutions to help deal with empty properties and properly reflect the views of communities (collaboration and Involvement).
  - Identify community or third sector organisations that are or could operate in your area, that are potentially willing to work with the Local Authority.
  - Local Authorities to develop a common framework for reviewing and improving how opportunities for communities to take action in partnership to address empty homes are communicated locally.
  - Encourage community based businesses and groups to take up empty properties in Town Centres through engagement with owners, local authorities and Welsh Government.

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**CYNGOR CAERDYDD  
CARDIFF COUNCIL**

**COMMUNITY & ADULTS SERVICES  
SCRUTINY COMMITTEE**

**8 December 2021**

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**COMMITTEE BUSINESS**

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**Reasons for this Report**

1. To update Members on the Community & Adult Services Scrutiny Committee Forward Work Plan.

**Background**

2. Scrutiny plays an essential role in promoting accountability, efficiency and effectiveness in the Council's decision-making process and the way in which it delivers services. The main roles of the Scrutiny Committees are:
  - I. Holding to account the Cabinet and officers, as decision-makers.
  - II. Being a 'critical friend', questioning how decisions have been made, providing a 'check and balance' to decision makers and undertaking reviews of services and policy.
  - III. Providing a voice for citizens.
3. Good scrutiny practice and the Council's Constitution empowers each Scrutiny Committee to set its own work programme for the forthcoming year (Scrutiny Procedure Rule 7). Each Scrutiny Committee is tasked with constructing a work programme that ensures the time available to the Committee is used most effectively by considering items in a timely fashion that maximise the impact of scrutiny.

4. During July 2021, Committee Members held an informal work-programming forum to initiate work programming discussions. This informal forum took place on 27 July 2021 where Members considered known priorities and upcoming areas of work for the directorates to inform their deliberations.
5. Following this meeting, Committee considered and agreed the outline Work Programme during its September 2021 meeting.
6. Committee Members are aware the Committee's Work Programme is updated and amended during the year, and is required to respond to urgent priorities, policy developments, and unplanned pre-decision opportunities. The Work Programme has to remain flexible and responsive in order to cover any urgent issues occurring throughout the year.
7. The Work Programme is reviewed on a quarterly basis and subsequently published on the Council's website.
8. The Committee's Work Programme for January – March 2022 is attached to this report at **Appendix A**.
9. Committee Members are requested to note the attached Appendix and provide any comments or feedback they may have at the meeting.

## **Legal Implications**

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 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**

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**

Members are recommended to:

- a. Note or comment on the attached Committee Work Programme which is to be published on the Council's website.
- b. Consider the update provided at Committee.

**Davina Fiore**

**Director Governance & Legal**

**2 December 2021**

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## **APPENDIX A**

Community and Adult Services Scrutiny Committee - Forward Work Programme January 2022 – March 2022.

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

12 Jan 2022

### Preventing Serious Violent Crime in Cardiff

Deep dive into serious violent crime in Cardiff and the work of the Community Safety Partnership in preventing and addressing this issue.

To also provide Members with an opportunity to feed into and assist in the development of the Violence Prevention Strategy.

#### Invitees:

Community Safety Partnership Leadership Board Chair, PCC Alun Michael  
Community Safety Partnership Leadership Board Chair, Cllr Lynda Thorne  
Community Safety Partnership Delivery Board Chair, Sarah McGill  
Community Safety Partnership Delivery Board Chair, Chief Superintendent Wendy Gunney  
Relevant Representatives from the Community Safety Partnership Board  
Representatives from Violence Prevention Unit  
Relevant Representatives from South Wales Police  
Other external representatives' tbc

21 Feb 2022 – *date to be agreed*

### Corporate Plan 2022-2025 and Budgetary Proposals

To scrutinise sections of the Council's draft Corporate Plan and draft Budget Proposals that relate to the portfolios and service areas that fall within the remit of this Committee.

#### Invitees

Cabinet Member Finance, Modernisation and Performance  
Cabinet Member, Housing & Communities  
Cabinet Member, Social Care, Health and Well-being  
Corporate Director, People and Communities  
Corporate Director, Resources  
Director, Adults, Housing and Communities  
Assistant Director, Housing and Communities  
Head of Finance

## **APPENDIX A**

9 March 2022 - *date to be agreed.*

### Cardiff Council House Repair Process

Deep dive into the efficiency of the repair and maintenance process for council houses to understand how the council manages the quality of existing stock.

#### Invitees:

Cabinet Member, Housing and Communities  
Corporate Director, People and Communities  
Director, Adults, Housing and Communities  
Assistant Director, Housing and Communities  
Operational Manager, Housing Services  
Other representatives' tbc.

Quarter 2 and 3 Performance - Adult Social Services and Housing and Communities  
For Members to monitor Council Performance during Quarter 2 and 3 2021 -22  
within the areas of Adult Social Services and Housing and Communities.

#### Invitees:

Cabinet Member, Housing and Communities  
Cabinet Member, Social Care, Health and Well-being  
Corporate Director, People and Communities  
Director, Adults, Housing and Communities  
Assistant Director, Housing and Communities

### Housing Revenue Account Business Plan 2022/23

To carry out pre-decision scrutiny of the Housing Revenue Account (HRA)  
Business Plan 2022/23 prior to its consideration by the Cabinet.

#### Invitees:

Cabinet Member, Housing & Communities  
Corporate Director, People and Communities  
Director, Adults, Housing and Communities  
Assistant Director, Housing and Communities.

### Scrutiny Services Annual Report 2021-2022

For Members to receive, consider and possibly amend the Scrutiny Services Annual  
Report documenting its work.