

COMMUNITY SCRUTINY COMMITTEE

Thursday, 3 November 2016

PRESENT: Councillor D.M. Cundy (Chair)

Councillors:

S.M. Allen (In place of H.I. Jones), J.M. Charles, J.K. Howell, G.B. Thomas, S.L. Davies, T. Devichand, W.R.A. Davies, J.D. James (In place of S. Matthews), D. Tomos and E.G. Thomas

Also Present:

Councillor L.D. Evans – Executive Board Member for Housing

The following Officers were in attendance:

R. Staines, Head of Housing and Public Protection
I. Jones, Head of Leisure
H. Morgan, Economic Development Manager
L. Quelch, Head of Planning
J. Edwards, Development Management Manager
I.R. Llewelyn, Forward Planning Manager
D. Eldred, Group Accountant
J. Willis, Housing Services Manager (Advice & Options)
J. Owen, TIC Programme Manager
A. Maynard, Community and Safeguarding Manager
R. Davies, Development Management Officer (South)
S Willis, Development Management Officer
R Parkinson, Team Leader - Housing Advice
A Ludwig, Team Leader
K. Thomas, Democratic Services Officer

Chamber, 3 Spilman Street, Carmarthen - 10.00 am - 1.05 pm

1. APOLOGIES AND OTHER MATTERS

Apologies for absence were received from Councillors H.I. Jones, S. Matthews and H.B. Shepardson together with Councillor L.M. Stephens – Executive Board Member for Human Resources, Efficiencies and Collaboration.

The Chair welcomed Councillor D.O. Thomas to his first meeting following his recent appointment as a member of the Committee.

The Chair referred to Councillor H.I. Jones' recent ill-health and extended his wishes for a speedy recovery.

2. DECLARATIONS OF PERSONAL INTERESTS

There were no declarations of personal interests.

3. DECLARATION OF PROHIBITED PARTY WHIPS

There were no declarations of prohibited party whips.

4. PUBLIC QUESTIONS (NONE RECEIVED)

No public questions had been received.

5. FORTHCOMING ITEMS

The Committee received a list of forthcoming items to be considered at its meeting to be held on the 5th December, 2016.

6. TRANSFORM, INNOVATE & CHANGE (TIC) - PROGRAMME UPDATE

The Committee received a presentation on the 'Transform, Innovate and Change' (TIC) Programme and noted that since its establishment in 2012, in response to the significant financial challenges being faced by the Local Authority, it had assisted in identifying, or was helping to deliver, over £7m of efficiency savings. The Committee also received an overview of a review undertaken by the Planning Division on the operation of the Development Management System.

The following issues were discussed during consideration of the update:

- Reference was made to the £7m savings achieved since 2012, and clarification sought on the approximate breakdown thereof and to whether the majority of savings achieved related to staffing reductions which could have implications for the retention of expertise within departments.

The TIC Programme Manager advised that approximately 60% of the savings were non staff related and covered a diversity of council functions that included savings of £165k (since 2013) on external mail by reducing the number of letters sent first class, £45k by reducing the number of franking machines from 17 to 5, over £400k on reducing printing costs together with £2m on vehicle costs. With regard to staffing reductions, those related to staff who had expressed a preference to leave the authority's employment under its severance scheme, which had only been progressed following the submission and approval of detailed business cases. In some instances, staff numbers had increased in order to achieve additional savings/ income/ debt recovery.

With specific regard to the Planning Department, £65k of savings had been achieved via three members of staff leaving under the severance scheme following the introduction of new working practices.

- An area of complaint frequently received by elected members related to the length of time taken to process planning applications. Information was sought on how the Planning Department had addressed that issue.

The Development Management Manager advised that previously, the processing of applications was target driven with the majority being processed within 52-55 days. The department had now introduced a system whereby applications were pre-validated prior to registration, resulting in the average processing time having reduced to between 28-33 days. Opportunities for further reducing that time frame were, however, limited by legislation that required a 21 day consultation period on planning applications.

- In response to a question on the prioritisation of projects for inclusion within the TIC Programme, the Committee was advised they were submitted via a number of sources e.g. requests from service departments, Corporate Management Team and Member Seminars. Those requests were placed before the TIC Programme Board for assessment on their inclusion and prioritisation within the Programme.
- With regard to the £7m of savings already achieved, the TIC Programme Manager confirmed those were utilised by departments as contributions towards the annual efficiency savings they were required to identify as part of the budgetary process.

RESOLVED that the presentation be received.

7. ANNUAL PERFORMANCE REPORT 2016 (PLANNING)

The Chair referred to the limited time available to the Committee to debate all of the agenda items before it for consideration that day, and suggested that consideration of the Annual Performance Report 2016 (Planning) be deferred to a future date.

UNANIMOUSLY RESOLVED that consideration of the Annual Performance Report 2016 (Planning) be deferred to a future meeting of the Committee.

8. ANNUAL MONITORING REPORT 2015/16 - CARMARTHENSHIRE LOCAL DEVELOPMENT PLAN

The Committee received for consideration the 2015/16 Annual Monitoring Report (AMR) on the operation of the Carmarthenshire Local Development Plan. It was noted that the plan had been produced in accordance with the requirements of the Planning and Compulsory Purchase Act 2004 that required its submission to the Welsh Government by the 31st October 2016. The report represented a base line on which the department could monitor the Plan's implementation and identify any long term trends that may require consideration to be given to possible future amendments. The AMR was also available as part of an informal consultation, outside of statutory requirements affording an opportunity for views to be submitted which, where appropriate, may inform the content of subsequent AMR's.

The following issues were raised on the report:-

- Reference was made to the 17% retail vacancy rate within Llanelli Town Centre and clarification sought on how the adoption of a Local Development Order (LDO) could influence that rate.

The Forward Planning Manager confirmed that the Authority had recognised the high vacancy rate, which to some extent had been skewed by the success of the Elli Shopping Centre. A Task Force has been established to address ongoing issues within Llanelli town centre bringing together a co-ordinated approach to its regeneration including, tackling vacancy and vitality. The adoption of a LDO could be used as a tool to influence the operation of Permitted Development Rights by adopting a flexible approach to facilitate an easier passage for the potential change of use of retail units. That could include changing the planning use for upper floors of retail units from storage to residential, and to allow a wide range

of commercial usage for ground floor units rather than limiting their use to retail.

He further advised that another influencing factor on Llanelli Town Centre was the success of the out of town shopping centre at Trostre, and Pemberton, and one of the aims of the Task Force was to assist the Town Centre in responding to such pressures. The introduction of the LDO could assist that process by allowing the suggested changes of use referred to above to be undertaken via the notification process, as opposed to the submission of a formal planning application. In essence, the LDO could be tailored to meet an area's specific requirements. However, its operation would need to be monitored and reviewed to ensure desired outcomes were being achieved.

- In response to a question on the provision of sites for travellers, the Head of Planning confirmed that Welsh Government placed a statutory duty on all local authorities to assess the need, and make provision for such sites within their areas. The LDP had identified the need for further information to be gathered in that regard.
- Arising from the above, clarification was sought on the position whereby a person could acquire a plot of land for the purpose of providing a site for travellers. The Head of Planning advised that, as with all developments, any person undertaking such an enterprise would need to apply for planning consent for its permanent provision.
- Reference was made to the potential impact developments within adjoining local authority areas could have on communities within Carmarthenshire abutting those areas. Clarification was sought on whether there were any arrangements in place to facilitate cross border discussion on that impact.

The Forward Planning Manager confirmed that arrangements were in place to discuss such issues and to enable officers to comment upon an adjoining Local Authority's LDP. However, those arrangements were consultative, and whilst officers could endeavour to influence a Plan's development, the ultimate decision lay with the respective local authority. However, at the examination of an LDP, a local planning authority would need to demonstrate to the Planning Inspector the level of cross border consultation undertaken.

- A view was expressed that the current LDP made provision for over development to occur within some areas to the detriment of others. Information was sought on whether the plan could be amended to allow for more development to take place in areas where little or no development was occurring.

The Forward Planning Manager advised that the LDP had been formulated in light of population changes and market fluctuations and had identified growth areas and sustainable development as key development opportunities, which were attracting investment. Other areas of the county however, e.g. market towns were not attracting the same level of development and the Authority was endeavouring to understand and facilitate opportunities in those areas via direct negotiations with developers etc. Additionally, the Authority had significant land holdings which could be used to promote future development.

- Reference was made to the Welsh Government's recent decision to defer Local Government reorganisation and to require local authorities to work

more collaboratively. The Forward Planning Manager confirmed that, pending Welsh Government Direction, the Authority may, in the future, be required to link in regionally with adjacent local authorities on matters such as housing and economic development. That could be particularly important having regard to the rural/urban nature of Carmarthenshire

- Reference was made to development proposals within the Llwynhendy Ward, that included the construction of some 280 properties, and concern was expressed at the ability of the area's infrastructure to cater for those developments, especially with regard to existing flooding difficulties.

The Forward Planning Manager confirmed that in preparing the LDP, the Authority was required to consult with a wide range of statutory and other consultees on proposed development opportunities. The Annual Monitoring Report on the operation of the LDP allowed the Authority the opportunity to consider the implementation of the LDP and, where appropriate, to reflect on the impact of developments. This, as a result of future AMR's may, if appropriate, result in proposed amendments to the Plan. Additionally, the Authority was currently exploring the merits of adopting a Community Infrastructure Levy which, if adopted, would enable the Council to utilise planning levies to fund strategic infrastructure works countywide which could otherwise not be funded through section 106 contributions.

- It was confirmed that whilst local members had not been consulted on the preparation of the current AMR, comments from members and the wider community were welcome and would, where appropriate, inform future AMR's.
- In response to a question, the Head of Planning confirmed that the targets detailed within the AMR, which had been set by the Welsh Government, were bench marked and represented a matter of fact. She advised that how the Authority reacted to those targets and moved forward may be an area in which the committee would like to examine as it prepared for the production of the next AMR

In considering the above, a suggestion was made that having regard to the fact the Committee had earlier deferred consideration of the Annual Performance Report (Planning) it could be opportune to receive the current AMR, but further debate the issues therein when it considered the Annual Performance Report.

UNANIMOUSLY RESOLVED

- 8.1 THAT IT BE RECOMMENDED TO THE EXECUTIVE BOARD / COUNCIL that the Annual Monitoring report 2015/16 – Carmarthenshire Local Development Plan be received**
- 8.2 That further debate be undertaken on the Annual Monitoring report 2015/16 – Carmarthenshire Local Development Plan as part of the Committee's consideration on the Annual Performance Report (Planning).**

9. REVIEW OF ACCESS TO SOCIAL HOUSING POLICY

The Committee received for consideration the report on the review of Access to the Council's Social Housing Policy following widespread consultation which had included the Council's political groups, Registered Social Landlord Partners,

Shelter, Wallace, 50+ Forum, tenant network and via e-mailing some 6,000 tenants on the Council's Social Housing Register. It was noted that the main changes to the policy were:

- to make the policy simpler,
- Priority was to be afforded to people from within Carmarthenshire and to those who had a connection with the County;
- Reducing the number of qualifying bands from four to two
- Removal of the points system.

The following issues were raised during consideration of the report:

- Reference was made to bands A and B and to the provision therein for the housing of homeless persons. Concern was expressed that regardless of within which band homeless persons were categorised, they were still homeless.

The Committee was advised that the reason for the inclusion of a homeless category within both bands was to simplify the process. Band A dealt with applicants assessed under Part 2 of the Housing (Wales) Act 2014 and a Section 75 duty had been accepted. Those included applicants with children, pregnant women, those suffering domestic abuse, armed forces personnel and for those ex-offenders who, whilst no longer being classified as having a priority, were deemed as being vulnerable and suffering from mental health or medical conditions. Band B dealt with applicants who were homeless or threatened with homelessness but were not in priority need.

- Reference was made to the U.K. Government's £20k cap on benefits and to the potential impact that could have on people becoming homeless. The Committee was advised that officers were currently working on the cap's potential impact via a holistic Housing advice service which would utilise all means at its disposal to help and advise persons who may be affected by the cap. That could include downsizing tenants to a smaller property thereby, releasing their home for allocation to a larger family.

Additionally, officers within the Council's Revenue and Benefit's Division were undertaking a modelling exercise on how many families may be affected by the cap, and the outcome thereof could be shared with members of the Committee. Nationally, Shelter Cymru had estimated approximately 400 families could become homeless as a consequence of the cap's introduction.

- Reference was made to the policy's emphasis on housing persons currently living within the county, or those wishing to re-locate to the county who had a connection with the area. Clarification was sought on whether the policy would exclude all other persons not falling within those categories from applying for social housing with the council, which may be detrimental to economic sustainability.

The Committee was advised that the policy would not preclude any person from applying for inclusion onto the Council's social housing register, but their application would be assessed against the criteria detailed therein. Persons seeking to move to Carmarthenshire and having secured employment within the county were catered for within band B with priority being afforded to working families on low income.

- In response to a question on the allocation of properties to persons who subjected their neighbours to or, had a history of Anti-Social Behaviour (ASB), the Committee was advised that the Council currently had arrangements in place for addressing those issues which, complied with statutory guidance and legislation. The new policy also included provision to preclude any person with a history of such behaviour from inclusion onto the Social Housing Register.
- Reference was made to the process of applying for social housing via completion of an application form or, by phone. Clarification was sought on what measures were in place to ensure information provided by an applicant was validated, and whether any supporting documentation would need to be provided.

It was confirmed that the Council had strong and robust vetting processes in place to ensure applicants for social housing were fully investigated and assessed prior to rehousing. Applicants for social housing under 'priority need' would require a face to face interview, with requests being made for their medical records, if applicable. Photographic I.D, together with national insurance number would also be required for verification of a person's identity prior to validation of their application. For persons making an initial telephone application, home visits could be undertaken to validate the information. In 2015/16, some 3,000 applications for housing were received many of which received a home visit or were interviewed at the council's contact centres.

- In response to a question on the adoption of local lettings policies, the Head of Housing and Public Protection confirmed that the new policy made provision for their adoption.
- In response to a question on the legal processes required to be undertaken to facilitate the adoption of the policy, the Head of Housing and Public Protection confirmed that it had been subject to legal advice from independent external barristers, and consultations undertaken with both the Welsh Government and the Council's Social Housing Partners. He confirmed that with regard to the Social Housing Partners, their Chief Executives would, in recommending the policy to their governing bodies, need to be assured of its legality.
- Reference was made to situations whereby an applicant refused the offer of a property and to what options were available to the applicant should they find themselves in that position.

The Housing Services Manager advised that in making an offer of accommodation, the department needed to ensure the offer was reasonable based on the information provided. If an offer was subsequently refused, there was an appeals process in place.

**RESOLVED THAT IT BE RECOMMENDED TO THE EXECUTIVE BAORD/
COUNCIL:**

- 9.1 That the results of the consultation exercise on the review of the Council's Access to Social Housing Policy be accepted
- 9.2 That the Draft Amended Access to Social Housing Policy be approved.

10. REVENUE & CAPITAL BUDGET MONITORING REPORT 2016/17

The Chair referred to the limited time available to the Committee to debate all of the agenda items before it for consideration that day, and suggested that consideration of the Revenue and Capital Budget Monitoring Report 2016/17 be deferred to a future date.

UNANIMOUSLY RESOLVED that consideration of the Revenue and Capital Budget Monitoring Report 2016/17 be deferred to a future meeting of the Committee.

11. HALF-YEARLY COMPLAINTS AND COMPLIMENTS REPORT - 1ST APRIL TO 30TH SEPTEMBER 2016

The Committee received for consideration the Authority's Half yearly Complaints and Compliments Report for the period 1st April to 30th September, 2016 and paid particular regard to the issues relative to its remit i.e. Section 9.4 Leisure and Housing and Section 9.5 Planning and Property Services

UNANIMOUSLY RESOLVED that the report be received.

12. DURATION OF MEETING

At 1.00 p.m. during consideration of Minute 11 above the Committee's attention was drawn to Corporate Procedure Rule 9.1 "Duration of Meeting" and CPR 23.1 "Suspension". As the meeting had been underway for three hours it was,

UNANIMOUSLY RESOLVED to suspend the Council Procedure Rules to enable the remaining business on the agenda to be considered.

13. COMMUNITY SCRUTINY COMMITTEE ACTIONS AND REFERRALS UPDATE

The Committee received a report detailing the progress achieved in relation to actions, requests or referrals emerging from previous meetings.

UNANIMOUSLY RESOLVED that the report be received.

14. EXPLANATION FOR NON SUBMISSION REPORT OF SCRUTINY REPORT

The Committee considered the explanation provided for the non-submission of a report.

UNANIMOUSLY RESOLVED that the non-submission report be noted.

15. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON THE 29TH SEPTEMBER, 2016

UNANIMOUSLY RESOLVED that the minutes of the meeting of the Committee held on the 29th September, 2016 be signed as a correct record.

CHAIR

DATE