

TUESDAY, 28 FEBRUARY 2023

TO: THE CABINET MEMBER FOR HOMES & DEPUTY LEADER

I HEREBY SUMMON YOU TO ATTEND A VIRTUAL MEETING OF THE **CABINET MEMBER FOR HOMES & DEPUTY LEADER** WHICH WILL BE HELD AT **10.00 AM, ON MONDAY, 6TH MARCH, 2023** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA.

Wendy Walters

CHIEF EXECUTIVE

Democratic Officer:	Martin S. Davies
Telephone (direct line):	01267 224059
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Wendy Walters Prif Weithredwr, *Chief Executive*,
Neuadd y Sir, Caerfyrddin. SA31 1JP
County Hall, Carmarthen. SA31 1JP

A G E N D A

- 1. DECLARATIONS OF PERSONAL INTEREST.**
- 2. DECISION RECORD 12TH JANUARY 2023.** 3 - 4
- 3. RENT SETTING FOR PENYBRYN GYPSY/TRAVELLER SITE
2023/24.** 5 - 10

Note:- The press and public are not entitled to attend the meeting. The decision record will be published normally within 3 working days.

THURSDAY, 12 JANUARY 2023

PRESENT: Councillor L.D. Evans (Cabinet Member) (Virtually)

Also Present (Virtually):

R. Edgecombe, Legal Services Manager

K. Thomas, Democratic Services Officer

Virtual Meeting - 10.00 - 10.25 am

1. DECLARATIONS OF PERSONAL INTEREST

There were no declarations of personal interest.

2. DECISION RECORD 1ST DECEMBER, 2022

RESOLVED that the decision record of the meeting held on 1st December, 2022 be signed as a correct record.

3. REGULATION OF INVESTIGATORY POWERS ACT

The Cabinet Member considered a report providing an update on the level of covert surveillance activity undertaken by the Authority for 2022 together with a review undertaken of procedures adopted by the Council for such activity

The Cabinet Member noted that the Regulation of Investigatory Powers Act (RIPA) provided a legal framework by which the Council could seek authorisation to undertake covert surveillance in certain limited circumstances, to report annually on its use of those powers, to keep its procedures under review and to ensure staff were suitable trained. It was noted that the Council had not undertaken any surveillance in 2022 nor, indeed had it done so since 2015

It was noted that the Investigatory Powers Commission Office had inspected the Council's procedures in 2022 and whilst being satisfied that what it had in place was appropriate to ensure compliance, it had recommended minor changes to the Council's written procedures to reflect the formal withdrawal of guidance issued by the Office of the Surveillance Commissioner, which had been incorporated into the Council's procedures

With regard to staff training, it was noted that 14 staff had received refresher training in 2022 but that any further widespread training was not considered necessary or proportionate at the present time given the position that no covert surveillance had been undertaken since 2015

RESOLVED:

- 3.1 that the covert surveillance activity undertaken by the authority in 2022 be noted;**

- 3.2 To note the outcome of the inspection by Investigatory Powers Commission Office;
- 3.3 To approve the Corporate Surveillance Procedure on the conduct of surveillance for 2023.

CHAIR

DATE

6th MARCH 2023

Cabinet Member:	Portfolio:
Cllr. Linda Evans	Homes & Deputy Leader

RENT SETTING FOR PENYBRYN GYPSY/TRAVELLER SITE 2023/24

Purpose:

The purpose of this report is to confirm the weekly rental increase for the Penybryn Gypsy and Traveller Caravan Site during the financial year 2023/24.

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

- The rent level for pitches at Penybryn Gypsy and Traveller Caravan Site be increased by 5.5% and therefore be set at £61.94 (plus service charges and water rates) for 2023/24.

REASONS:

- To increase the rent level at Penybryn Gypsy and Traveller Caravan Site by following the Welsh Government rent setting policy for social rents and to comply with the service charge policy.

Directorate: Communities	Designation	Telephone/Email Address:
Name of Head of Service: Jonathan Morgan	Head of Housing & Public Protection	JMorgan@carmarthenshire.gov.uk
Report Author: Gareth Williams	Housing Services Manager	gajwilliams@carmarthenshire.gov.uk

Declaration of Personal Interest (if any):

Dispensation Granted to Make Decision (if any):

DECISION MADE:

Signed _____ **DATE:** _____
CABINET MEMBER

The following section will be completed by the Democratic Services Officer in attendance at the meeting

Recommendation of Officer adopted	
Recommendation of the Officer was adopted subject to the amendment(s) and reason(s) specified:	
Reason(s) why the Officer's recommendation was not adopted:	

**EXECUTIVE SUMMARY
CABINET MEMBER DECISION MEETING FOR
HOMES & DEPUTY LEADER
6th MARCH 2023**

RENT SETTING FOR PENYBRYN GYPSY/TRAVELLER SITE 2023/24

Context

The Gypsy and Travellers' site at Penybryn is a Council funded service. There are currently 15 plots on the Penybryn site.

All Local Authorities and Housing Associations in Wales have aligned themselves to the social housing rents policy in relation to rent levels for social housing.

Although the Penybryn site does not form part of the Housing Revenue Account, and so rent levels charged are not governed by the Welsh Government's rents policy, it is considered fair and equitable for rents to the site to follow this policy, as well as having been approved by full Council on 25th January 2023. It is therefore proposed that rents for the Penybryn site be increased by the same formula applied to council tenants using the Welsh Government rent setting policy.

For the financial year 2023/24 this would be a 5.5% increase.

As a result, it is recommended that the weekly rent levels for 2023/24 (financial year) for the Penybryn site be set at £61.94 (net of service charges and water rates). This rent level will provide an annual income of £44,596 for 2023/24, if all 15 pitches were occupied throughout the year.

	<u>Weekly Rate</u>
	£
Rent paid to Landlord	<u>£61.94</u>
Service charges	
Communal repairs	£18.02
Communal Lighting / Electricity	£0.31
Grounds maintenance	£0.00
Play area service charge inspection	£1.89
Communal Pest control	£0.00
Communal Refuse Removal/Street Cleansing	£9.72
Furniture & White Goods	£0.00
Admin Fee 10%	£2.99
Total Services	<u>£32.93</u>
Net Rents & Service Charge	<u>£94.87</u>
Eligible Rent	<u>£94.87</u>
Note: Non Eligible Services	
Welsh Water Charge	<u>£40.13</u>
Total Non Eligible Charge	<u>£40.13</u>
Total Inclusive Rent	<u>£135.00</u>

Table1: Total rent payable for Penybryn Gypsy and Traveller Caravan Site for 2023/24

Please note that rent is calculated over a 48-week period and takes into account four non-collection weeks, which also apply to council tenants.

Recommendations

1. The rent level for pitches at Penybryn Gypsy and Traveller Caravan Site is set at £61.94 collected over 48 weeks.
2. Apply the service charge policy to ensure tenants of the site pay for those additional services.
3. The charge for water usage is set at £40.13 collected over 48-weeks
4. Authorise Officers to consult with the residents of Penybryn and set the overall charges stated in table 1.

DETAILED REPORT ATTACHED?

NO

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: **Jonathan Morgan**

Head of Housing & Public Protection

Policy and Crime & Disorder NONE	Legal YES	Finance YES	ICT NONE	Risk Management Issues NONE	Organisational Development NONE	Physical Assets NONE
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2. Legal

The rent increases follows the Mobile Homes (Wales) Act 2013.

(1) The pitch fee can only be changed in accordance with this paragraph, either—

(a) with the agreement of the occupier, or

(b) if a tribunal, on the application of the owner or the occupier, considers it reasonable for the pitch fee to be changed and makes an order determining the amount of the new pitch fee.

(2) The pitch fee must be reviewed annually as at the review date.

(3) At least 28 clear days before the review date the owner must serve on the occupier a written notice setting out proposals in respect of the new pitch fee.

An Equality Impact Assessment has been carried out which concludes that no adverse impact will occur to this particular characteristic group.

3. Finance

Increasing the weekly rent levels at Penybryn will provide an annual income which covers expenditure incurred by the Council Fund in the running and upkeep of the caravan site.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below:

Signed: **Jonathan Morgan** Head of Housing & Public Protection

1. Scrutiny Committee - N/A

2. Local Member(s) Cllr. Derrick Cundy has been consulted and confirmed that he would like to follow with precedent and raise the rent in line with other Council tenants.

3. Community / Town Council - N/A

4. Relevant Partners - N/A

5. Staff Side Representatives and other Organisations - N/A

**Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:**

THERE ARE NONE

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