

COMMUNITIES, HOMES & REGENERATION SCRUTINY COMMITTEE

THURSDAY 28TH SEPTEMBER 2023

PRESENT: Councillor D. Cundy (Chair)

Councillors (In Person):

B.W. Jones T. Davies M. Thomas

Councillors (Virtually):

K.V. Broom W.R.A. Davies R.E. Evans H.L. Davies
J.K. Howell D. Owen R. Sparks

Also in attendance (In Person):

Councillor LD. Evans – Deputy Leader and Cabinet Member for Homes

Councillor H. Evans – Cabinet Member for Regeneration, Leisure, Culture and Tourism

Councillor A. Lenny – Cabinet Member for Resources

Also in attendance (Virtually):

Councillor A. Davies - Cabinet Member for Rural Affairs and Planning Policy

Also Present (In Person):

J. Jones, Head of Regeneration, Policy & Digital

I. Jones, Head of Leisure

J. Morgan, Head of Housing and Public Protection

R. Parkinson, Team Leader - Housing Advice

A. Jones, Housing Management Lead (income)

K. Thomas, Democratic Services Officer

R. Morris, Members Support Officer

Also Present (Virtually):

A. Thomas, Group Accountant

E. Evans, Principal Democratic Services Officer

Chamber - County Hall, Carmarthen. SA31 1JP and remotely - 10.00 - 11.45 am

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors B. Davies, M. Palfreman and H. Shepardson.

2. DECLARATIONS OF PERSONAL INTEREST INCLUDING ANY PARTY WHIPS ISSUED IN RELATION TO ANY AGENDA ITEM

Councillor	Minute No (s)	Nature of Interest
R. Sparks	7 – Leisure, Culture and Outdoor Recreation Strategy	Has a swimming business and has dispensation from the

Note: These minutes are subject to confirmation at the next meeting.

	8 – Revenue and Capital Budget Monitoring Report 2023/24 9 – Revenue Budget Outturn Report 2022/23	Standards Committee to speak and make written representations but not vote except in relation to any matter relating to Carmarthen Leisure Centre
K. Broom	7 – Leisure Culture and Outdoor Recreation Strategy 8 – Revenue and Capital Budget Monitoring Report 2023/24	Personal – Chair and Trustee of Trimsaran Leisure Centre

There were no declarations of prohibited party whips.

3. PUBLIC QUESTIONS (NONE RECEIVED)

The Chair advised that no public questions had been received.

4. HOUSING SERVICE CHARGE POLICY REVIEW

The Committee considered a report outlining the following 3 options for the implementation of a future Service Charge Policy for payments made by Contract Holders (tenants or leaseholders) for additional services provided by the Council for shared communal areas or facilities within council owned blocks of flats, sheltered schemes or supported housing projects that were over and above the general rent, as detailed within the report:

- Option 1: Do Nothing - Keep the existing Service Charge Policy in place with a cap of any possible annual increase in its overall rental charge (including Service Charges) to a maximum rise of £3 per week.
- Option 2: Gradual incremental removal of the Cap - Review and amend the existing policy with a view to introducing incremental increases over a 3-year period to bring all service charges in line with full cost recovery. The cap will only come into effect where charges exceed the agreed weekly cap.
- Option 3: Remove the Cap - Remove the cap completely from the existing policy with contract holders meeting the full cost of usage from 2024/25.

The Committee noted that under the existing Service Charge Policy, the Council operated a 'cap' whereby any service charge increase was restricted to a maximum of £3 per week, with the cost increase per tenant varying depending on the type of accommodation and the level of service costs incurred. Any difference between the level of cost increase incurred by the Authority, and what contract holders paid as a result of the cap, was met from the Housing Revenue Account (HRA) and that based on 2021/22 actual expenditure of £903k set against £762k of recovered costs, the HRA met the £141k shortfall. However, following a significant increase in utility costs for 2022/23, future actual expenditure could be significantly higher, and should the existing cap be maintained the gap between

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costs incurred and recovered would increase, impacting further on the HRA Business Plan and its ability to invest in service provision.

The following questions/issues were raised on the report:-

- It was noted that currently approximately 40% of tenants benefitting from the cap were at the maximum cap of £3pw. Previously, that had been 25%.
- Concerns were expressed that removal of the cap could result in some tenants falling into arrears. The Head of Housing and Public Protection advised that in such circumstances the Council would work with the tenants to mitigate against that and to help prevent them going into arrears. Furthermore, Housing Benefit and Universal Credit payments could also cover part of any increase, and that part of officers' roles was to ensure tenants were receiving the correct benefit payments.
- Reference was made to Option 2 and the potential impact for tenants at the end of the 3year period when all service charges would be based in line with full cost recovery. It was suggested that, in view of the above concerns around the possibility of tenants falling into arrears following the removal of the cap, the position should be subject to regular review.

UNANIMOUSLY RESOLVED

3.1 to recommend to the Cabinet that Option 2 be adopted as the Councils future Service Charge Policy but that it be subject to regular review

3.2 That the Committee's concerns on the potential impact the current economic climate, cost of living crisis and the new policy could have on tenants ability to pay/fall into arrears be conveyed to Cabinet and that officers provide assistance /support to tenants to manage their budgets where necessary.

5. APPLYING INTENTIONALITY TO PRIORITY NEED (HOMELESSNESS ORDER)

The Committee considered a report on the Council retaining intentionality for all 10 priority need categories listed under the Housing (Wales) Act 2014 (as detailed within the report and adopted by the Council in July 2015) and to also apply intentionality to a 11th category of Street Homeless, as introduced by the Welsh Government in October 2022

The following questions/issues were raised on the report:-

- Reference was made to point 5.1 of the report whereby homelessness decisions made in 2019-20 had concluded that 3% of applicants were intentionally homeless. Clarification was sought on the current position and numbers of appellants classified as being intentionally homeless.

The Committee was advised that of the 2,738 people having presented as homeless to the Council in 2022/23, 18 had been identified as having been intentionally homeless.

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- The Committee noted that when a person had presented as being homeless, the Council had a legal duty to provide temporary accommodation for a period of 56 days to enable appropriate checks to be undertaken to confirm if genuine homelessness had occurred. If during that period, evidence concluded a person was intentionally homeless, the Council no longer had a legal duty to provide them with accommodation following expiration of the 56 day period and the person would be advised accordingly.
- It was confirmed 'sofa surfers' fell within the 10 priority need categories within the Housing Act
- With regard to a question on the type of evidence / criteria required to prove intentionality, the Head of Housing and Public Protection advised investigations would be undertaken with relevant agencies and family members etc to ascertain if intentionality had occurred. If intentionality had been proven, a person had a right of appeal against that determination.
- It was confirmed a person previously determined as being intentionally homeless could re-present as homeless but that each re-presentation would be determined on a case-by-case basis with the person having to evidence a change in their circumstances, for example, they would have to prove attempts made to find their own accommodation had not been successful.
- The Head of Housing and Public Protection advised that with regard to repeat cases of intentionality, he would arrange for an item thereon to be included within the next monitoring report submitted to Committee on the Emergency Social Housing Allocation Policy

UNANIMOUSLY RESOLVED to recommend to Cabinet that it approves the retention of intentionality for all 10 priority need categories listed under the Housing (Wales) Act 2014 and that the Council also applied intentionality to the 11th category of Street Homeless.

6. EMERGENCY SOCIAL HOUSING ALLOCATION UPDATE REPORT ON THE OPERATION OF THE NEW ALLOCATION POLICY (MONITORING)

The Committee, in accordance with the decision made at its meeting on the 26th January 2023, received a monitoring report on the effectiveness of the new Emergency Social Housing Allocation Policy developed by its Task and Finish Group. It was noted the content of the report included data for the previous period relating to:-

1. Proportion of properties directly matched and those advertised,
2. Band if clients directly matched,
3. Number of properties directly matched and advertised by each community area, type of property and landlord,
4. Proportion of direct matches that were successful,
5. Number of direct matches where the client requested a review of the allocation and the outcome of those reviews,
6. Number of direct matches where the client refused the allocation but didn't request a review.

Note: These minutes are subject to confirmation at the next meeting.

The following questions/ issues were raised on the report:-

- Reference was made to the Committee's previous consideration on the temporary nature of the Social Housing Allocation Policy and the need for the Council to adopt a permanent policy. Its attention was drawn to the time-line within the report for the adoption of a formal policy commencing in November 2023 with a view to formal adoption by December 2024. It was also confirmed the Committee would be consulted on the policy.
- In response to a question on a decline in the number of directly matched properties, that was partly attributed to the demand for sheltered accommodation in certain areas. The Head of Housing and Public Protection advised that the Council currently had 21 sheltered housing schemes providing accommodation for 6-700 people with some schemes being harder to rent than other. He suggested it may be opportune to review that provision and its purpose moving forward.

UNANIMOUSLY RESOLVED that the monitoring report be received.

7. LEISURE, CULTURE AND OUTDOOR RECREATION STRATEGY

(NOTE: Councillors K. Broom and R. Sparks having earlier declared an interest in this item re-declared that interest)

The Committee, further to its meeting held on the 16th November 2022, considered the final Leisure, Culture and Outdoor Recreation Strategy post consultation prior to its consideration be the Cabinet.

The following questions/issues were raised on the report:-

- Reference was made to the energy efficiency of the Council's leisure centres and to whether consideration had been given to acquiring batteries to store any excess energy generated by the solar panels installed on the buildings for use within the leisure centres instead of being returned to the electricity grid network.
The Head of Leisure Services confirmed that whilst work was being undertaken to make the centres energy efficient, more was required, and discussions in that regard were undertaken with the Council's Corporate Property Division and external agencies such as the Carbon Trust. He would however raise the issue of battery packs with Corporate Property and respond directly to the member who raised the question.
- In response to a question on the Economic Outcomes within the report (pages 74-76) and the additional £20m investment into the service over the Strategy's period, the Head of Leisure Services advised that this related to the level of investment the service would look to draw down to invest in the areas detailed within the report. That investment could come from a variety of sources such as the Council's Capital Programme, Invest to Save initiatives, grants and other external funding.
- With regard to income generation within the Leisure Division, the Head of Leisure confirmed this had now returned to pre-covid levels in most areas. However, the future remained challenging for the service in terms of

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increased energy costs and the cost of living adversely impacting on income levels and costs. The Division was endeavouring to increase patronage and was exploring new opportunities to increase patronage / income as they presented for example working jointly with the Health Board to encourage people to be more active.

- Reference was made to one of the Strategy's aims of promoting Carmarthenshire's Cultural Activity and clarification sought on what measures the Council was taking to encourage staff to speak Welsh in the workplace.
The Head of Leisure Services confirmed the Division was working with the Council's Policy Section together with other organisations such as the Urdd, Sports Council etc to promote and encourage the use of the Welsh Language by staff. However, more could be done and that was intertwined with staff development and a new corporate workforce strategy.
- The Head of Leisure Services in response to a question on fishing within the County confirmed its inclusion within the Strategy with the aim of improving the level of provision within the 10year timeframe. Whilst it was hoped improved provision could be achieved within a shorter time scale, he stressed the Council was governed by Natural Resources Wales and other external agencies in that regard. However, it would be working with those bodies to increase fishing opportunities within the County at the earliest opportunity.

UNANIMOUSLY RESOLVED to recommend to Cabinet that the Leisure, Culture and Outdoor Recreation Strategy be adopted.

8. REVENUE & CAPITAL BUDGET MONITORING REPORT 2023/24

(NOTE: Councillors K. Broom and R. Sparks having earlier declared an interest in this item re-declared that interest)

The Committee considered the 2023/24 Revenue and Capital Budget Monitoring reports for the Housing, Regeneration and Property, Place and Sustainability and Leisure and Recreation Services for the period up to the 30th June, 2023. It was noted that the revenue budget was forecasting a £10k overspend, the capital budget a £52,709k underspend, whilst the Housing Revenue Account was forecasting a £94k underspend.

The following questions/issues were raised on the report:-

- In response to a question on slippages within the Capital programme, the Committee was advised whilst there were numerous reasons for the slippages, there was no concern with the projects' funding and provision.

UNANIMOUSLY RESOLVED that the Revenue and Capital Budget Monitoring Report be received.

9. REVENUE BUDGET OUTTURN REPORT 2022/23

(NOTE: Councillor R. Sparks having earlier declared an interest in this item re-declared that interest)

Note: These minutes are subject to confirmation at the next meeting.

The Committee considered the Revenue Budget Outturn Report 2022/23 in respect of the Housing, Regeneration & Property, Place and Sustainability and Lesiure & Recreation services falling within its remit. It noted that, overall, the services reported a £236k overspend, with the HRA recording a £1,496k overspend.

UNANIMOUSLY RESOLVED that the report be received.

10. EXPLANATION FOR NON-SUBMISSION OF SCRUTINY REPORTS.

The Committee received an explanation for the non-submission of the following scrutiny reports:-

- Incentive Scheme for Tenants
- Alternative Town Centre Usage

RESOLVED that the explanation for the non-submissions be noted.

11. FORTHCOMING ITEMS

The Committee received a list of forthcoming items to be considered at its next meeting to be held on the 15 November, 2023.

Reference was made to the fact the Committee had yet to determine whether to undertake a Task and Finish Group for 2023/24 and a suggestion was made that one be established on the operation of the Council's Adaptations Service within the Housing Property and Strategic Projects Division to examine both the current backlog of work and processes with a view to improving service delivery

UNANIMOUSLY RESOLVED that:

- 11.1 the list of forthcoming items to be considered at the next scheduled meeting on the 15th November, 2023 be noted.**
- 11.2 A Task and Finish Group be established to examine the operation of the Council's Adaptations Service**

12. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE COMMITTEE HELD ON THE 29TH JUNE 2023

RESOLVED that the minutes of the meeting of the Committee held on the 29 June, 2023 be signed as a correct record.

CHAIR

DATE

Note: These minutes are subject to confirmation at the next meeting.