



HOUSING AND ENVIRONMENT SCRUTINY COMMITTEE

MINUTES OF THE MULTI-LOCATIONAL MEETING HELD IN PENALLTA HOUSE AND VIA MICROSOFT TEAMS ON TUESDAY, 18TH JUNE 2024 AT 5.30 P.M.

PRESENT:

Councillor A. Whitcombe – Chair
Councillor S. Williams – Vice Chair

Councillors:

M. Chacon-Dawson, R. Chapman, C. Cuss, D.T. Davies (MBE), T. Heron, A. Hussey, A. McConnell, H. Pritchard, J. A. Pritchard

Cabinet Members:

Councillors, S. Cook (Housing) and P. Leonard (Planning and Public Protection).

Together with:

Officers: C. Edwards (Environmental Health Manager), K. Denman (Housing Solutions Manager), R. Hartshorn (Head of Public Protection, Community and Leisure Services), N. Taylor Williams (Head of Housing), L. Roberts (Homeless Prevention Support Worker), C. Forbes-Thompson (Scrutiny Manager), E. Sullivan (Senior Committee Services Officer), J. Thomas (Committee Services Officer).

RECORDING, FILMING AND VOTING ARRANGEMENTS

The Chair reminded those present that the meeting was being live-streamed and recorded and would be made available following the meeting via the Council's website – [Click Here to View](#) Members were advised that voting on decisions would be taken via Microsoft Forms.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors C. Bishop, D. Ingram Jones, B. Owen, L. Phipps, M. James, D. Cushing and J. Rao.

2. DECLARATIONS OF INTEREST

There were no declarations of interest received at the commencement or during the course of the meeting.

3. HOUSING AND ENVIRONMENT SCRUTINY COMMITTEE HELD ON 30TH APRIL 2024

It was moved and seconded that the minutes be approved as a correct record. By way of

Microsoft Forms (and in noting there were 10 for, 0 against and 1 Abstention) this was agreed by the majority present.

RESOLVED that the minutes of the Housing and Environment Scrutiny Committee held on 30th April 2024 (minute nos. 1 – 8) be approved as a correct record.

4. CALL-IN PROCEDURE

There had been no matters referred to the Scrutiny Committee in accordance with the call-in procedure.

5. HOUSING AND ENVIRONMENT SCRUTINY COMMITTEE FORWARD WORK PROGRAMME

Cath Forbes-Thompson (Scrutiny Manager) presented the report, which outlined details of the Housing and Environment Scrutiny Committee Forward Work Programme (FWP) for the period June 2024 to March 2025.

Members were asked to consider the FWP alongside the Cabinet work programme and suggest any changes prior to publication on the Council's website. The Scrutiny Manager confirmed that subject to the Scrutiny Committee's approval, the following additional reports had been requested for inclusion on the 17th September 2024 - Universal Credit Report, 11th February 2025 – HRA Business Plan and 25th March 2025 – Common Housing Allocation Policy.

Councillor Adrian Hussey requested that consideration be given to adding a further report to the forward work programme for 'a date to be confirmed' on 'What Support is the Council Providing to Aid Residents with EV Charging Cabling on Residential Streets'. It was then moved and seconded that subject to the inclusion of the additional reports detailed by the Scrutiny Manager and the report requested by Councillor Hussey, the Forward Work Programme be approved and published to the Council's website. By way of Microsoft Forms and in noting there were 10 For and 1 Against this was approved by the majority present.

RESOLVED that subject to the inclusion of the aforementioned additional reports the Housing and Environment Scrutiny Committee Forward Work Programme be approved and published on the Council's website.

6. CABINET REPORTS

It was confirmed that there had been no requests for any of the Cabinet reports listed on the agenda to be brought forward for discussion at the meeting.

REPORTS OF OFFICERS

Consideration was given to the following reports which were taken in the following order.

7. PUBLIC PROTECTION ENFORCEMENT ANNUAL REPORT 2023/24

Consideration was given to the report which detailed the annual review of the Public Protection Division and provided information on the diverse range of enforcement

activities delivered by Environmental Health, Community Safety and Trading Standards Teams.

Members noted that the Public Protection Division consisted of a wide range of protective and regulatory functions, which sought to protect, promote, and improve the health, safety and economic wellbeing of communities, as well as regulate trade, commerce and the environment. In compliance with the Public Protection Enforcement Policy the report provided an overview of the formal enforcement activity and included the outcomes of investigations undertaken under the Regulation of Investigatory Powers Act during 2023/24. The report also considered the Public Open Space CCTV system to ensure that its use remained necessary, proportionate, and effective.

The Scrutiny Committee noted the nature and number of complaints received concerning under-age sales of alcohol, tobacco and e-cigarettes over the previous financial year and an overview of test purchasing activity was provided. The report also provided information to Members on the number and nature of complaints dealt with by the Consumer Advice function of Trading Standards in 2023/24.

Members referred to section 5.12.1 of the Officers' report and the table contained therein and were pleased to note that 100% of higher risk businesses had received Food Hygiene inspections. Clarification was then sought as to the progress being made to reduce the back log of lower risk interventions, due to the realignment of duties during the Pandemic. The Head of Public Protection, Community and Leisure Services outlined the good work that had been done to reduce the backlog and although there was still some catching up to do, the fact that 100% of higher risk businesses had been inspected reflected the excellent work being done in this regard. The Environmental Health Manager highlighted the remarkable work of the Teams in Environmental Health and Trading Standards and confirmed that whilst Officers had concentrated their efforts on a risk based approach the service was well on the road to recovery and making good progress with lower risk businesses.

Clarification was sought in relation to Appendix 1 and the reference to significant breaches identified during inspections, as to the nature of and what constituted a significant breach and how evidence of breaches were established.

The Officer explained that breaches could be identified as part of Trading Standards planned inspections, however they could also come to light because of unusual activity being reported at the business or in response to complaints from residents and a spectrum of issues might be raised not all of which would be significant. In response Officers might provide the business in question with advice or guidance on best practice, but anything significant would be followed up on. Although the Officer did not have details to hand, he confirmed that he would gather some examples of significant breaches and circulate to Members following the meeting.

The Member queried whether the names of business in breach were in the public domain. It was noted that breaches dealt with outside of court proceedings by Officers would not be made public, however those where court action was taken would be in the public domain and were listed on the Council's website. Further clarification was then sought on what evidence was required for a prosecution. The Officer advised that this depended on what was present on the day of inspection, the businesses documentation, witness statements and the type of offence. Members were advised that people coming forward with evidence would always be useful but there was always a need to take a balanced approach for example securing a secondary corroborating source of evidence as part of the process.

The Officer advised that underage sales provided a good example of the evidence gathering process. Here when complaints about a premises were received from a variety

of sources, the complaint data would be used to target enforcement activities and provide a fuller picture of the problem, it might then initiate test purchasing using a young volunteer and if a sale was recorded then formal enforcement action could be taken.

Reference was made to noise complaints from off-road bikes and whether Environmental Health could take complaints of this nature forward. The Environmental Health Manager advised that this would be matter for the Police, however Environmental Health did work in close partnership with the Police and would provide as much assistance as possible to look for a solution or to aid in enforcement action if necessary.

Following consideration of the report the Housing and Environment Scrutiny Committee considered and reviewed Public Protection enforcement and other activities, CCTV provision, and noted the activity in relation to Consumer Advice.

8. WELSH GOVERNMENT LEASING SCHEME WALES

Consideration was given to the report which sought to inform the Housing and Environment Scrutiny Committee of a change of approach in relation to Leasing Scheme Wales (LSW) and outlined how it can now help to support CCBC in meeting the homeless duty under Part 2 of the Housing Wales Act 2014.

Members noted that if CCBC were to agree and deliver the Scheme then the Housing Solutions Service would run it alongside the existing Private Rental Scheme that the service provided via Caerphilly Keys.

The Housing and Environment Scrutiny Committee were advised that the Caerphilly Keys scheme had been in operation since August 2018 however in 2019 Welsh Government asked Local Authorities to express an interest in adopting a pilot WG lease scheme. At this time the Council made the decision not to express an interest as it already had Caerphilly Keys. However, since that time several factors had changed and there was now an appetite from some private landlords within the borough for the leased arrangement that LSW provided, and this would in turn allow the Council to expand its access to the private rental sector (PRS) market.

Members were advised that the launch of the Empty Homes Strategy and Empty Homes Team would mean that the grant aspect of the LSW model could be utilised there and support bringing some empty properties back into use. Furthermore, the implementation of Renting Homes (Wales) Act had caused smaller landlords not wanting to pay Estate Agent fees to look at other options for lease/management functions. Given those changes the LSW model would allow CCBC to provide private landlords another route to let their properties, whilst providing the Housing Solutions Team greater access to affordable housing to support the discharging of the homeless duty.

Clarification was sought as to what statistics on homelessness were available, for example the location of families who become homeless, the reasons why people become homeless, if there was a particular geographical trend and what percentage of people were homeless due to Landlords selling properties. The Member also raised a query regarding rentals, who understood that Landlords would only be paid the Local Housing Allowance level and whether the payment at this level could be relaxed.

The Housing and Environment Scrutiny Committee were advised that although Officers did not have the homeless statistics to hand, they were available that had already been collated and reported to Welsh Government and agreed that these would be circulated to Members following the meeting.

The Member queried if consideration had been given to including people who were in work and were financial able to pay but were unable to find a suitable property to rent at an affordable price.

In relation to fees, the Officer confirmed that one of the strong conditions of the LSW set by Welsh Government was that they stipulate the rent and that it must be set at Local Housing Allowance levels, this differs from the Caerphilly Keys arrangement where rates were set slightly above the LHA rate and, was one of the reason why the Local Authority declined to sign up to this scheme in its first iteration. Although CCBC can't vary from that LHA rate under this scheme, it did have the additional benefit of the Renovation Package which wasn't available under Caerphilly Keys and the further added benefit in terms empty properties and bringing them back into use.

A Member queried if there was more rental interest in a specific geographic area and was advised that the leasing scheme hadn't launched yet, however some landlords engaging with Caerphilly Keys were aware and were interested, and this interest was dispersed across the county borough. The Officer emphasised that this would still be reliant on landlords wanting to work under the scheme and the Council would need to be confident that it would be able to discharge its statutory duty suitably, this would mean building a data base specifically around area preference. The Officer stressed that what they did not want to see happen was placement based purely on property availability that could result in people being housed far away from their support networks.

A Member asked if Caerphilly would inspect properties before providing grants and how would the Council guarantee that the landlord/homeowner would use the grant appropriately. The Committee was assured that all properties would be inspected by in-house staff and as the grant was in essence awarded retrospectively, no funding would be awarded until the works had been completed and inspected. Officers confirmed that they had been in communication with other Local Authorities where the scheme had been taken up to gain an insight into its operation and provided reassurance that CCBC was able to walk away at point during the process if it was not completely satisfied that the properties in question met its requirements.

A Member asked how a tenant with complex needs would be supported during their tenancy under the scheme. Members were advised that part of the scheme required support to be provided for all leaseholders, and it was intended that the Caerphilly Keys Team would initially take on those responsibilities, this provision would be reviewed to ensure support was tailored to the individual needs of the tenant and to gauge whether additional roles needed to be drawn down from the £36k allocated for staffing.

Clarification was then sought as to how the £36k for staffing costs would be utilised. The Head of Housing explained the intention was to keep the Team's workload under review while the scheme was in its infancy and assess whether additional roles were needed once the scheme was more established. Members noted that initially there would be no new staff.

The Chair placed on record his and the Vice Chairs thanks to Nick Taylor-Williams and Kerry Denman for their efforts and for making time to take them both through the report. The Head of Housing thanked the Chair for his kind words of appreciation and emphasised that this was very much a Team effort.

Following consideration of the report it was moved and seconded that the recommendations contained therein be approved. By way of Microsoft Forms (and in noting there were 11 for, 0 against and 0 abstentions) this was unanimously agreed.

RECOMMENDED to Cabinet that: -

1. The views of the Housing and Environment Scrutiny Committee be noted.
2. The Housing and Environment Scrutiny Committee considered and agreed to adopt the Leasing Scheme Wales as part of the overall offer to the private rented sector, under the Caerphilly Keys Brand, to support the Local Authority in the discharge of Homelessness duties.
3. The Licensing Scheme Wales (LSW) be adopted and taken forward in accordance with WG LSG guidance.
4. The LSW scheme that would run alongside the existing Caerphilly Keys Scheme which offers a landlord/tenant matching service with tenant/landlord support be endorsed.
5. The LSW model be adopted under the following terms: -
 - 5-year lease arrangement.
 - £5,000 renovation grant (funded by WG) to bring a property up to standard or EPC rating "C".
 - A grant of up to £9,999 for Empty Homes being bought onto the scheme.
 - Financial support for staffing costs of £36,000 per year of the 5-year leasing scheme period to help deliver the scheme.
 - 10% of the LHA rate will be used as a Management fee per property to support with costs toward the maintenance of the property.
 - Plus, an additional revenue of £58 per property claimed from Welsh Government.
 - Existing Caerphilly Keys team will run the scheme in the initial phases, and this will be reviewed as and when the scheme develops with additional staffing being considered when required. Funding for this would be drawn from the staffing costs allocation under the scheme and additional support can be drawn from Housing Support Grant contributions.
 - Caerphilly Homes Private Sector Housing team and the Assets, Maintenance and Repairs team will support with initial surveys/schedule of works and confirmation of satisfactory completion of grant aided work.
 - The maintenance and any out of hours maintenance of the properties will be undertaken by Caerphilly Homes with a view of then billing the Housing Solutions team for said works/maintenance, and this will be paid from the management fees claimed.
 - It is considered that the level of repairs and property maintenance within the first year or so should be minimal given the properties will be new to scheme and would have to been bought up to relevant standard.
 - Therefore, the management fee claimed will be held and used across the property portfolio as and when associated costs accrue over the term of the leasing scheme cycle of five years.

The meeting closed at 18:10 p.m.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 17th September 2024, they were signed by the Chair.

CHAIR