

# Public Document Pack

**Gareth Owens LL.B Barrister/Bargyfreithiwr**  
Chief Officer (Governance)  
Prif Swyddog (Llywodraethu)



To: Cllr Ron Hampson (Chair)

CS/NG

Councillors: Amanda Bragg, David Cox,  
Paul Cunningham, Peter Curtis, Ron Davies,  
Rosetta Dolphin, Jim Falshaw,  
George Hardcastle, Ray Hughes,  
Hilary Isherwood, Brian Lloyd, Mike Reece,  
Gareth Roberts and Sharon Williams

18 February 2015

Sharon Thomas 01352 702324  
sharon.b.thomas@flintshire.gov.uk

Dear Sir / Madam

A meeting of the **HOUSING OVERVIEW & SCRUTINY COMMITTEE** will be held in the **DELYN COMMITTEE ROOM, COUNTY HALL, MOLD CH7 6NA** on **TUESDAY, 24TH FEBRUARY, 2015** at **10.00 AM** to consider the following items.

Yours faithfully

Democracy & Governance Manager

## **AGENDA**

- 1 **APOLOGIES**
- 2 **MINUTES** (Pages 3 - 18)  
To confirm as a correct record the minutes of the meetings held on 14 and 23 January 2015 (copies enclosed).
- 3 **DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)**
- 4 **WORK OF WALES AND WEST HOUSING ASSOCIATION**  
To enable the Committee to meet with representatives of the Wales and West Housing Association operating in Flintshire.
- 5 **HOUSING ACT 2014 (WALES) - HOMELESSNESS AND POWER TO DISREGARD THE TEST OF INTENTIONALITY** (Pages 19 - 26)  
Report of Chief Officer (Community and Enterprise) enclosed.

- 6 **SUPPORTING PEOPLE COMMISSIONING PLAN** (Pages 27 - 32)  
Report of Chief Officer (Community and Enterprise) enclosed.
- 7 **UPDATE ON THE HOUSING REVENUE ACCOUNT (HRA) SUBSIDY**  
To receive a verbal update on proposed changes to the HRA Subsidy.
- 8 **FORWARD WORK PROGRAMME** (Pages 33 - 38)  
Report of Housing and Learning Overview and Scrutiny Facilitator enclosed.

## **HOUSING OVERVIEW & SCRUTINY COMMITTEE** **14 JANUARY 2015**

Minutes of the meeting of the Housing Overview & Scrutiny Committee of Flintshire County Council held in the Delyn Committee Room, County Hall, Mold on Wednesday, 14 January 2015

### **PRESENT: Councillor Ron Hampson (Chairman)**

Councillors: Paul Cunningham, Ron Davies, Rosetta Dolphin, Jim Falshaw, George Hardcastle, Hilary Isherwood, Brian Lloyd, and Gareth Roberts

**SUBSTITUTES:** Councillors Ian Dunbar (for Peter Curtis), Nancy Matthews (for Amanda Bragg) and Paul Shotton (for Sharon Williams)

**APOLOGIES:** Councillor Mike Reece

**ALSO PRESENT:** Senior Officer (Allocations and Homelessness)

**CONTRIBUTORS:** Cabinet Member for Housing, Chief Officer (Community & Enterprise), Senior Manager Council Housing Services, Housing Regeneration and Strategy Manager, Team Leader Neighbourhood Housing Management, and Acting Community Support Services Manager

**IN ATTENDANCE:** Housing & Learning Overview & Scrutiny Facilitator and Committee Officer

### **44. DECLARATIONS OF INTEREST**

None were received.

### **45. MINUTES**

The minutes of the meeting held on 26 November 2014 had been circulated with the agenda.

### **RESOLVED:**

That the minutes be approved as a correct record and signed by the Chairman.

### **46. QUARTER 2 IMPROVEMETN PLAN MONITORING REPORT**

The Chief Officer (Community and Enterprise) introduced a report on the 2014/15 Improvement Plan Monitoring Report relevant to the Committee. The report covered the period July – September 2014.

The Chief Officer advised that the following Improvement Plan sub-priority reports were attached to the report for the Committee's consideration:

- Extra Care Housing
- Modern, Efficient and Adapted Homes
- Achieve the Wales Housing Quality Standard (WQHS)
- Welfare Reform
- Fuel Poverty

The Chief Officer reported on progress and risks concerning the Extra Care Housing, Modern, Efficient and Adapted Homes, and Welfare Reform. She invited the Senior Manager Council Housing Services, and Housing Regeneration and Strategy Manager, to report on the sub priorities to achieve the WQHS, and Fuel Poverty.

The Chairman invited members to raise questions.

Councillor Paul Shotton referred to the 'van stock' trial and asked if it was working well. He also commented on the introduction of Universal Credit forms which had to be completed online and asked if staff at the Connects Centres would be able to assist individuals with this task. The Senior Manager Council Housing Services advised that the phased roll out of van stock by trade type would be completed by the end of January. The impact of this had been monitored and early indications were showing reduced visits to the trade store at Greenfield. The Chief Officer gave an assurance that training would be provided at the Connects Centres to enable staff to assist claimants complete forms online.

Councillor Hilary Isherwood asked how the Authority was supporting tenants who found themselves in debt as a result of mental health issues. The Acting Community Support Services Manager advised that the Supporting People Team were providing assistance to tenants with low level mental health problems as part of a pilot scheme which was being launched by HAFAL for two years which would assist people to move on from accessing statutory services.

Councillor Rosetta Dolphin raised concerns over the proposed location of the Extra Care facility in Holywell and asked whether alternative sites could be considered. She also asked whether the Extra Care facility would provide support for specialist dementia care. Referring to the sub priority to achieve the WQHS, she commented on the need for inspections to be carried out after contractors had completed property renovations. She also asked how many tenants had agreed to the full 'whole house approach'. The Chief Officer advised that a full evaluation of all the potential sites was undertaken and if local Members had any objections they could feed these to the Council as appropriate. She gave an assurance that specialist support for dementia patients would be provided at the Extra Care facility in Holywell. The Senior Manager Council Housing Services explained that as part of the new WQHS delivery programme a Project Manager, Tenant Liaison Officer, and Clerk of Works, would be appointed. The role of the Clerk of Works would be specifically to monitor and inspect the work of the contractors. He agreed to provide information to Councillor Dolphin on the number of tenants who were in support of the 'whole house approach' following the meeting.

Councillor Ian Dunbar referred to the issue of rent arrears and asked what actions were being taken to reduce the level of rent arrears. The Acting Community Support Services Manager outlined the action taken to support tenants to remain in their homes and the work undertaken with them to develop a payment plan which would assist them to reduce the debt.

Councillor Nancy Matthews sought clarification on the legislation on the Right to Buy scheme. The Chief Officer explained that tenants could currently purchase their property under the Right to Buy scheme if they had lived in the property for more than 5 years. As part of the new council house development programme the Council was looking to request that the Welsh Government suspended the Right to Buy scheme for any new council houses built in Flintshire for initially 5 years with a view to seeking a further suspension at the end of the 5 years. This suspension would not effect current housing tenants.

Councillor George Hardcastle welcomed the increase in the number of council houses that were to be built and asked whether there was likely to be a further increase in the future. The Chief Officer explained that £15m of funding had been allocated to build 150 new homes with a view to the remaining 50 homes being funded from further efficiencies in the Housing Service.

Councillor Hilary Isherwood expressed the view that local Members should have an input into the council house allocation process due to their knowledge of the local community. The Chief Officer explained that it was helpful for Members to be proactive in contacting the Housing Officer when they became aware of a vacant property if sensitive issues needed to be considered, however, Members could not be consulted regarding council house allocation.

Councillor Rosetta Dolphin requested that an update report be provided to the Committee on the proposed suspension of the Right to Buy scheme for new council houses. The Committee agreed that this would be added to the Forward Work Programme.

**RESOLVED:**

- (a) That the report be noted;
- (b) That the comments/observations of the Committee are fed back to the Corporate Resources Overview & Scrutiny Committee who are responsible for the overview and monitoring of performance.

**47. MID YEAR CHIEF OFFICER PERFORMANCE REPORT**

The Committee received a report on the 2014/15 Mid Year Service Performance Report produced at Chief Officer level for the respective portfolio. The report covered the period April to September 2014.

The Chief Officer (Community and Enterprise) presented the Mid Year Chief Officer Performance Report for Community and Enterprise and reported on the positive performance and concerns for the following business plan areas:

- Housing Revenue Account
- Regeneration
- Customer Services
- Economic Development

Referring to the Housing Revenue Account (HRA), the Chief Officer agreed to provide feedback following a meeting she was attending in Cardiff on the proposed changes to the HRA Subsidy, to the meeting of the Committee to be held on 24 February 2015.

**RESOLVED:**

- (a) That the report be noted;
- (b) That the comments/observations of the Committee are fed back to the Corporate Resources Overview & Scrutiny Committee who are responsible for the overview and monitoring of performance.

**48. UPDATE ON THE IMPLEMENTATION OF SARTH**

The Acting Community Support Services Manager introduced a report to update the committee on the development of the Single Access Route to Housing Project (SARTH) across the North East Wales sub region and the development of a Common Housing Register in Flintshire.

The Acting Community Support Services Manager provided background information and explained that the SARTH policy would be simpler than the current points based system. Applicants would be given reasonable preference determined by a banding scheme which listed people in date order of their application within each band. Reasonable preference would be given to those who fell within the statutory categories such as homelessness, overcrowding, living in unsanitary conditions, medical grounds or hardship. She advised that the SARTH policy included a revised allocation policy and changes to the way that the register was currently managed to move away from a focus on accessing social housing towards providing advice on realistic housing options.

The Acting Community Support Services Manager referred to the key considerations which were detailed in the report and advised that all current applicants for social housing would receive a letter at the beginning of January 2015 requesting that they complete and return a reply slip if they wish to remain

on the housing register and still require social housing. Once the applicant had confirmed that they wished to remain on the Register they would be contacted by a member of staff from the Housing Solutions Team so that they could discuss the changes to the allocation policy, their circumstances, and assess which band, if any, they could be placed into. The new system would place people in date order in their priority band group. For existing applicants their original application date would transfer.

The Acting Community Support Services Manager explained that only those people with an identified housing need would be placed on the new housing register, although the Council had made a commitment that if a current applicant did not meet the criteria for any of the new Banding priorities they would be able to remain on the old register and may be considered for a housing allocation if there were no suitable applicants for a vacancy on the new common housing register. Applicants would be informed that if no suitable allocation was identified within a 12-month period then they would be assisted with other options and removed from the register. During discussion it was agreed that a copy of the letter being sent to applicants and the FAQ booklets, which were also to be sent to tenants, would be circulated to Members beforehand.

Members considered the draft Common Allocation Policy which was appended to the report. In response to the comments raised on the quality of the Policy and the text which was missing in section 13.3, the Acting Community Support Services Manager agreed to amend the Policy and provide an updated version to Members.

**RESOLVED:**

- (a) That the Committee note the progress made to implement a new allocation policy and common housing register;
- (b) That the phased transfer of applicants to the new register including Housing Association applicants, be supported; and
- (c) That the proposals to set a 12 month timescale for those with no identified housing need to be able to remain on the original register be supported.

#### **49. ANTI-SOCIAL BEHAVIOUR POLICY**

The Senior Manager Council Housing Services introduced a report on the changes made by the Anti-Social Behaviour Crime and Policing Act 2014 as they effected housing management. He explained that to utilise the new tools and powers made available by the new legislation it had been necessary to revise the Council's Anti-Social Behaviour Policy. The revised Anti-Social Behaviour Policy was appended to the report for Members' consideration.

The Senior Manager Council Housing Services provided background information and referred to the new powers introduced by the above Act which were available to social landlords such as the Council's Housing Team.

Councillor Paul Shotton commented on the use of 48 hour Dispersal Notices and asked how often it had been used. The Team Leader, Neighbourhood Housing Management, explained that this Notice was issued by the Police and agreed to provide information about the Notice to the Committee following the meeting.

Councillor Ron Davies commented on his experience as a Magistrate and said that in the consideration of cases of tenants who had vandalised their properties the values of compensation were not being provided by the Council. The Senior Manager Council Housing Services explained that the re-charge value was based on the labour and material rate but would seek further information on this to ensure the amounts were being presented to the Courts.

Councillor Paul Cunningham suggested that the number of Anti Social Behaviour (ASB) cases addressed should be better publicised in the media. He also suggested that the Committee received quarterly update reports on the number of ASB cases dealt with. The Chief Officer (Community and Enterprise) agreed that this information would be included in future quarterly performance reports.

Councillor Paul Shotton asked what support was provided to witnesses of incidents of ASB. The Team Leader, Neighbourhood Housing Management explained that witnesses were supported by Officers throughout the process and that the Authority had signed up to PROTEC.

#### **RESOLVED:**

- (a) That the new tools and powers available to social landlords and amendments to the Anti-Social Behaviour Policy be supported; and
- (b) That the Council's continued approach of dealing with each complaint of Anti-Social Behaviour on a case by case basis, and only taking legal enforcement action when it is reasonable and proportionate to do so be supported.



**50. FORWARD WORK PROGRAMME**

The Housing & Learning Overview & Scrutiny Facilitator introduced a report to enable the Committee to consider the Forward Work Programme.

The Committee agreed with the suggestion that Officers from Wales and West be invited to the meeting of the Committee to be held on 24 February 2015, and that the other two Registered Social Landlord's be invited to attend the meetings of the Committee to be held on 24 April, and 1 June 2015.

The Chief Officer (Community and Enterprise) suggested that the Supporting People Commissioning Plan also be presented to the meeting of the Committee to be held on 24 February 2015. The Committee supported the suggestion. It was further agreed that a report on Homelessness – Intentionality be presented at the meeting on 24 February.

The Committee agreed that a report on the Allocation Policy for Sheltered Accommodation be presented to the meeting of the Committee to be held on 1 June 2015.

**RESOLVED:**

That the Forward Work Programme be updated accordingly.

**51. MEMBERS OF THE PUBLIC AND PRESS IN ATTENDANCE**

There was one member of the press in attendance.

(The meeting started at 2.00pm and ended at 3.50pm)

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**Chairman**

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**HOUSING OVERVIEW & SCRUTINY COMMITTEE**  
**23 JANUARY 2015**

Minutes of the meeting of the Housing Overview & Scrutiny Committee of Flintshire County Council held at County Hall, Mold on Friday 23 January 2015

**PRESENT: Councillor Ron Hampson (Chair)**

Councillors: Amanda Bragg, Paul Cunningham, Ron Davies, Rosetta Dolphin, George Hardcastle, Ray Hughes, Mike Reece and Gareth Roberts

**APOLOGIES:**

Councillors: Peter Curtis, Jim Falshaw, Hilary Isherwood and Brian Lloyd

**ALSO PRESENT:**

Councillors: Haydn Bateman and Richard Jones

**CONTRIBUTORS:**

Leader and Cabinet Member for Finance, Chief Executive, Cabinet Member for Housing, Chief Officer (Community & Enterprise), Corporate Finance Manager, Housing Asset Manager, Supporting People Manager, Acting Finance and Accountancy Manager, Capital Works Team Manager

**IN ATTENDANCE:**

Housing & Learning Overview & Scrutiny Facilitator and Overview & Scrutiny Support Officer

**52. DECLARATIONS OF INTEREST**

No declarations of interest were made.

**53. BUDGET CONSULTATION FOR 2015/16**

The Chairman welcomed the contributors to the meeting.

The Leader outlined the budget consultation process to date, which included briefing meetings with Group Leaders and Chairs of Overview & Scrutiny Committees, culminating with the Overview & Scrutiny mop-up session scheduled to be held on Friday, 30<sup>th</sup> January, 2015, prior to the final budget proposals being presented to County Council on the 17<sup>th</sup> February, 2015. Regular updates had been given to Members over recent months and the Leader commented on the unprecedented financial challenges facing all Councils across Wales. The draft budget report, presented to Cabinet on 16<sup>th</sup> December, 2015 highlighted a £16.4m budget gap for 2015/16. Following intensive work a balanced budget had been achieved. The risk to frontline services was a unique challenge with no magic formula and no additional money available.

The Leader commented on the consequential revenue provision and briefed Members on his lobbying of Ministers and the Welsh Government (WG). He expressed his disappointment following the Autumn Statement that no additional funding for service protection was being allocated to Local Government.

The Chief Executive and Chief Officer (Community and Enterprise) gave a brief presentation which covered the following areas:-

- National Position
- Revised Local Position
- Impacts of 14-15 on 15-16
- Strategy to close the extended gap
- Up to date Strategy position
- Remaining Strategy Actions
- Big Budget Conversation
- Member Involvement
- Overview & Scrutiny
- Final Steps in the Budget
- Medium Term Financial Plan Review
- Context for efficiencies 2015/16
- Housing Council Fund Efficiency Proposals 2015/16
- Housing Revenue Account 30 Year Business Plan
  - HRA 1015/18
  - Self Financing
  - 30 Year Business Plan
  - Other income
  - Principles underpinning Efficiencies
  - HRA Efficiency Proposals
- HRA Capital Programme 2015/16
  - Funding for HRA Capital Programme
  - Council Housing Building Programme

The Chief Officer (Community and Enterprise) and Housing Asset Manager gave a detailed presentation on budget proposals within the Community and Enterprise portfolio.

**The comments and questions which were raised by Members of the Committee on the presentations, together with the responses given, are detailed in Appendix 1 (attached).**

During discussion, the Chair thanked Officers for the openness in which the workshops and verbal updates had been delivered to Members and felt members of the public were better prepared for the year ahead.

**RESOLVED:**

That the presentation be noted.

54. **MEMBERS OF THE PUBLIC AND PRESS IN ATTENDANCE**

There were no member of the public and one member of the press in attendance.

(The meeting started at 10.00 am and ended at 12.15 pm)

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**Chairman**

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**Overview & Scrutiny Budget Consultation 2015/16****Housing Overview & Scrutiny Committee – 23 January, 2015**

<b>Section</b>	<b>Issue/Question</b>	<b>Response</b>
<b>HOUSING COUNCIL FUND</b>		
<b>4. Community Centres</b>	What are the areas or types of centres affected	Most of the community centres will be those attached to sheltered accommodation schemes. The proposals ensure that they are used and properly maintained.
	Do the proposals mean that the community centres would be better used and generate income.	They do. The purpose was that community centres were used for lunch clubs, exercise clubs etc. and to include 3 <sup>rd</sup> party organisations to rent and use them to generate income.
<b>7. Response Service for Older People</b>	How small a charge would this be?	The proposed cost would be £5.00 per week for non emergency assistance.
	Could residents opt out of the scheme?	The £5.00 charge is for the out of hour's service.
	Could a breakdown of the number of residents accessing the out of hour's service be provided?	This information would be provided to Members.
	It was suggested that this proposal be accepted as a pressure of £20k.	It was agreed that this proposal be re-visited and re-modelled for the final budget proposals.
<b>8. Telecare Charging</b>	What are the costs?	The Telecare charge would be £2.20 per week, which included hire and maintenance. These

		costs would be met by residents receiving benefits through the Supporting People Grant.
<b>HOUSING REVENUE ACCOUNT</b>		
<b>Rent Policy</b>	Concerns were raised around the varying rent levels across the County.	This was acknowledged. There were currently 900 different types of rent levels across the County and it would be difficult to collate this into meaningful information for Members.
	Could a simple briefing note be provided to Members in order for them to respond to any queries from residents on changes to the rent policy?	It was agreed that a briefing note be provided to Members.
<b>Service Charges</b>	Concerns were raised around the introduction of service charges.	The Housing Overview & Scrutiny Committee had recently considered a report on the introduction of service charges. Consultation with residents was required.
<b>Fire Alarm Testing in-house</b>	Would staff be trained for fire alarm testing and smoke alarm testing?	Yes. The maintenance of the fire alarms and smoke detectors would not be carried out in-house.
<b>Reduce Inspection Team</b>	Concern raised around the proposal to reduce the number of inspectors.	It was clarified that the reduction was to inspections carried out before non-urgent and urgent repairs were carried out.
<b>Increase insurance excess</b>	Would tenants be consulted on this proposal?	There would be no impact to tenants.



<b>HRA CAPITAL PROGRAMME</b>	Have sites for the council house building programme been identified.	Sites were included in a report submitted to Cabinet in 2014. The Housing Overview & Scrutiny Committee will be receiving a report on Council House building in April, 2015.
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## FLINTSHIRE COUNTY COUNCIL

**REPORT TO:** **HOUSING OVERVIEW & SCRUTINY COMMITTEE**

**DATE:** **TUESDAY, 24 FEBRUARY 2015**

**REPORT BY:** **CHIEF OFFICER (COMMUNITY AND ENTERPRISE)**

**SUBJECT:** **HOUSING ACT 2014 (WALES) - HOMELESSNESS AND POWER TO DISREGARD THE TEST OF INTENTIONALITY**

### **1.00 PURPOSE OF REPORT**

1.01 This report provides a summary of the new power, which a local authority has under the Housing (Wales) Act 2014, to decide whether or not it applies the intentionality test to requests for housing assistance from homeless applicants. The report also seeks Members' support for the position that Flintshire County Council, within its duties as a local housing authority, implements with regard to disregarding the homelessness intentionality test from April 2015.

### **2.00 BACKGROUND**

2.01 The Housing (Wales) Act 2014 is introducing the most fundamental changes to homelessness legislation since the introduction of the Housing (Homeless Persons) Act 1977. Key features of the new homelessness legislation within the Act include:

- a new duty to help anyone threatened with homelessness within the next 56 days;
- a duty to provide help to any homeless person to help them secure a home;
- a power rather than a duty to apply the homelessness intentionality test;
- new powers for local authorities to discharge their homelessness duties through finding accommodation in the private rented sector.

2.02 The focus of this report is the power that a local housing authority will have from April 2015 to disregard the assessment of whether an applicant, approaching the authority as homeless, has been responsible for the actions that resulted in the loss of their previous accommodation, i.e., if they are deemed to be intentionally homeless.

- 2.03 The purpose of the homelessness intentionality test is threefold. Firstly, it is used as a means by which people can be discouraged from simply giving up suitable accommodation and it also underpins the reasonable societal expectation that, wherever practical, people should take responsibility for their own actions, including, not behaving in such a way which could cause them to lose their accommodation. For example, having the financial means to pay their housing costs but, without good reason, choosing to spend money in non-essential areas of their life, accruing arrears on their mortgage/rent and facing legal action by their lender/landlord.
- 2.04 Secondly, a local housing authority uses the intentionality test to determine the 'statutory duty' which it owes to a homeless applicant. For example, a housing authority will not be under a legal duty to provide an applicant, who is intentionally homeless, with secure, long term accommodation; they only have to provide such an applicant with temporary accommodation for a limited period of time.
- 2.05 Thirdly, if a homeless applicant approaches a local housing authority to which they do not have a local connection, they can, if specified conditions are met, be referred to another local authority to which they do have a local connection. However, in order for an authority to make such a referral the applicant must be in priority need and have been assessed as 'unintentionally' homeless. Therefore, if a local housing authority wants to exercise the legal right to refer a homeless applicant to another local housing authority, it must make the decision as to whether the applicant is intentionally homeless.

### **3.00 CONSIDERATIONS**

- 3.01 As a local housing authority, Flintshire County Council is, currently, under a legal duty to make a decision as to whether an individual, who has made a statutory homelessness application, is intentionally homeless. However, from April 2015, under regulation 78, of the Housing (Wales) Act, 2014, rather than be under a legal duty to do such an assessment, the Council will have the power to decide whether it applies the intentionality test for any category of homeless applicant specified by the Welsh Ministers. (The categories of applicants are attached for Members information at appendix 1.)
- 3.02 The intent of the new power to disregard the intentionality test is broadly consistent with the intent of the other changes to homeless legislation contained with the Housing (Wales) Act 2014, which aim to encourage local housing authorities to deliver person centred services that focus upon identifying solutions to a person's housing problems, rather than services focusing upon the assessment of people through legislative processes to determine the particular statutory duty that a person is entitled to receive.

- 3.03 However, the Welsh Government has recognised that disregarding the homelessness intentionality test is a significant decision for a local housing authority to take and may have financial implications, particularly if people with no local connection to Flintshire cannot be legally referred to another local authority. Therefore, while the default position within the Housing Act is that a housing authority 'shall not' apply the test of intentionality when assessing a homeless application, a local housing authority can choose to 'opt back' in to the assessment of intentionality.
- 3.04 To continue to have regard to intentionality from April 2015, a local housing authority has to follow a series of steps outlined in the Housing Act. These include, advising the Welsh Minister of the categories of applicants who will be assessed as to the cause of their homelessness and the reasons why it has chosen to have regard to intentionality for each of the categories it has specified. The local housing authority must also publish a formal notice of its decision on its website and in any other manner that the authority deems appropriate, e.g. in housing offices, contact centres, etc.
- 3.05 Flintshire's County Council recognises the positive outcomes for people in housing need that are attained from effective, person centred homeless prevention services and in recent times the authority's Housing Options Service has been viewed as a model of best practice. In November 2014, Members received a progress report on an enhanced homelessness prevention being piloted by the Housing Options Service, ahead of the new statutory duty coming in to force in April 2015 to provide reasonable steps to assist anyone at risk of homelessness in the next 56 days.
- 3.06 However, whilst the pilot is progressing positively and the outcomes will, from April 2015, assist the authority to fulfil its new statutory homelessness prevention duties as cost effectively as possible, it would be prudent for the authority to maintain the use of the homelessness intentionality test.
- 3.07 The use of the intentionality test only becomes appropriate once the authority is satisfied that it has taken all 'reasonable steps' with the applicant to help prevent their homelessness and/or help them to secure accommodation. Therefore, deciding to continue to use the intentionality test is not a reflection that Flintshire County Council is not wholly committed to preventing homelessness. It is purely a pragmatic decision that to be confident all the new statutory homelessness duties within the Housing (Wales) Act 2014 can be undertaken as cost effectively as possible, it is sensible for the authority to embrace the new duties in a phased approach.
- 3.08 The Welsh Government will allow a local housing authority to amend its notice to either add, or remove, categories of applicants twice in a rolling twelve-month period. Thus, in the autumn of 2015, the authority

could reassess its position with regard to the use of the homelessness intentionality test and, if the Housing Solutions Service is demonstrating appropriate levels of success in the delivery of the enhanced homelessness prevention service, it may then take the decision to disregard the homelessness intentionality test, perhaps beginning with certain groups, such as, young people, pregnant woman, families, etc.

- 3.09 Following conversations with colleagues within all North Wales local authorities, it is understood that they will be recommending to their respective Cabinets to 'opt in' to the use of the intentionality test with all categories of homeless applicant. Conwy and Denbighshire are proposing to follow a similar pathway to Flintshire and will review, at a later date in 2015/16, whether to disregard the homelessness intentionality test with certain groups of applicants.

#### **4.00 RECOMMENDATIONS**

- 4.01 That Members' note the report and provide their support to the proposal that, until it is confident that it is cost effectively undertaking its new homelessness prevention statutory duty, the authority should still have regard to the homelessness intentionality test and take the appropriate steps to inform the Welsh Minister of this decision.

#### **5.00 FINANCIAL IMPLICATIONS**

- 5.01 Welsh Government funding has been provided for 2015/16 to cover additional financial burdens related to the provision of the enhanced homelessness prevention service.

#### **6.00 ANTI POVERTY IMPACT**

- 6.01 Having access to quality, affordable, and suitable housing plays a critical role in supporting people to achieve better outcomes and has a particular positive impact on the life chances of children and young people.
- 6.02 The new statutory duties upon local housing authorities to prevent homelessness will result in more people to being helped to avoid the negative impacts homelessness has upon a person's health, education, employment and social well-being.

#### **7.00 ENVIRONMENTAL IMPACT**

- 7.01 None arising directly from this report.

#### **8.00 EQUALITIES IMPACT**

- 8.01 The Housing (Wales) Act 2014 contains legislation which, when fully implemented, will ensure enhanced homelessness prevention

services are accessible to all members of Flintshire's diverse communities and therefore will increased the level of help and advice that is available for those households who are only eligible for limited assistance under the current legislation.

**9.00 PERSONNEL IMPLICATIONS**

9.01 None arising directly from this report.

**10.00 CONSULTATION REQUIRED**

10.01 None arising directly from this report.

**11.00 CONSULTATION UNDERTAKEN**

11.01 None arising directly from this report.

**12.00 APPENDICES**

12.01 Appendix 1 - Categories of applicants that need not be assessed under homelessness intentionality test.

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985  
BACKGROUND DOCUMENTS**

None

**Contact Officer: Paul Neave**  
**Telephone: 01352 703802**  
**Email: paul.neave@flintshire.gov.uk**

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## Housing (Wales) Act 2104

### **Sec 78: Deciding to have regard to intentionality**

(1) The Welsh Ministers must, by regulations, specify a category or categories of applicant for the purpose of this section.

#### Category of homeless applicant specified by the Welsh Ministers

- a pregnant woman;
- a person with whom a dependent child resides;
- a person who is vulnerable as a result of some special reason (for example: old age, physical or mental illness or physical or mental disability);
- a person who is homeless or threatened with homelessness as a result of an emergency such as flood, fire or other disaster
- a person who is homeless as a result of being subject to domestic abuse;
- a person who is aged 16 or 17;
- a person who has attained the age of 18, but not the age of 21, who is at particular risk of sexual or financial exploitation;
- a person who has attained the age of 18, but not the age of 21, who was looked after, accommodation or fostered at any time while under the age of 18;
- a person who has served in the regular armed forces of the Crown who has been homeless since leaving those forces;
- a person who has a local connection with the area of the local housing authority and who is vulnerable as a result of one of the following reasons:
  - ◇ having served a custodial sentence within the meaning of section 76 of the Powers of Criminal Courts (Sentencing) act 2000,
  - ◇ having been remanded in or committed to custody by an order of a court, or
  - ◇ having been remanded to youth detention accommodation under section 91(4) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

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## FLINTSHIRE COUNTY COUNCIL

**REPORT TO:** **HOUSING OVERVIEW & SCRUTINY COMMITTEE**  
**DATE:** **TUESDAY, 24 FEBRUARY 2015**  
**REPORT BY:** **CHIEF OFFICER (COMMUNITY AND ENTERPRISE)**  
**SUBJECT:** **SUPPORTING PEOPLE COMMISSIONING PLAN**

### **1.00 PURPOSE OF REPORT**

1.01 To update Members on the work being undertaken to put appropriate measures in place to manage the reduction within the 2015 – 2016 Flintshire Supporting People Programme Grant in order that service delivery is protected as much as possible.

### **2.00 BACKGROUND**

2.01 In 2012, the Welsh Government merged together the Supporting People Grant and Supporting People Revenue Grant and created the Supporting People Programme Grant. This grant funds the provision of services that enable vulnerable people to gain and retain independence by remaining in their own home and prevents people from needing to access health, social, and homelessness services, etc.

2.02 Members will be aware that the Flintshire Supporting People Programme Grant has suffered significant reductions as a result of the austerity measures that have seen some of the deepest public sector cuts for a generation being implemented by the government to reduce the budget deficit. Table 1 below, shows the year on year reduction in the grant since April 2013 from a Flintshire perspective. Further cuts are anticipated for 2016/17.

**Table 1**

<b>Financial Year</b>	<b>Total SPRG</b>	<b>Reduction in SPRG (compared to previous years' SPRG)</b>	<b>% Reduction</b>
2013/14	£6,824,035	£296,221	4.1%
2014/15	£6,468,843	£356,092	5.2%
2015/16	£5,809,813	£659,026	10.4%

This represents a total budget cut of 18.4% over 3 years.

2.03 The continued reduction to the Supporting People Programme Grant is a significant and growing concern for the authority. The services funded by the grant prevent some residents from accessing more costly social and health care and homelessness services and positively support the authority in its attempts to mitigate the extreme financial pressures that are being generated by other reductions in public expenditure, such as the welfare reforms. Therefore, it has been essential for the Flintshire Supporting People Team to adopt a proactive and strategic approach in their management of the year on year reduction in the Supporting People Programme Grant and, in doing so, lessen the negative impacts upon front line service delivery.

### **3.00 CONSIDERATIONS**

3.01 In June 2014 Cabinet approved the 2014 – 16 Supporting People Commissioning Plan. The proposals to reduce expenditure contained within this report will meet the council's strategic priorities. Though with less funding will reduce the council's ability to meet local need; with potential impact on vulnerable people and service provider businesses.

3.02 Managing the reduction in the 2015 -16 Supporting People Programme Grant is by far the most significant challenge that the Flintshire Supporting People Team has had to resolve. The cut of £659,026 represents a need to reduce current Supporting People Programme Grant expenditure by 10.4%. To achieve this level of efficiencies the Supporting People Team has to propose measures that shall reduce service provision. The Supporting People Team is also committed to making efficiencies through ensuring service providers are delivering their support services as efficiently and effectively as possible.

3.03 When identifying where efficiencies within the Supporting People Programme Grant may be found, the Supporting People Team have applied an objective and transparent process using the same framework of key questions (set out below) with all service providers.

- i. Is the service eligible for Supporting People funding?
- ii. Has the service been subject to value for money assessment?
- iii. Does the service contribute to key strategic priorities of the Supporting People programme?
- iv. Is there clear evidence of demand for the service?
- v. Could the same outcomes be achieved by delivering services in a different way?
- vi. Are there other services/funding streams in the County that could deliver the outcomes?
- vii. Is there opportunity for partner or regional collaboration?
- viii. What is the service user impact, if the service is ceased or reduced?

- 3.04 The outcomes of the assessment of service providers has enabled the Supporting People Team to identify potential efficiency savings of £649,000 (See Table 2 below). The efficiencies will be achieved through the remodeling of existing services; ceasing services that are not deemed to be strategically relevant to the aims of the Supporting People programme; and, by promoting greater levels of collaboration amongst service providers.
- 3.05 Within a service area, where efficiencies have been identified, the Supporting People Team has closely appraised the implications for service users and, importantly, they have identified alternative options where service users may access appropriate support to lessen any negative impacts generated by a reduction in service provision.

**Table 2**

<u>Service Area</u>	<u>Efficiency Savings Identified</u> <u>2015/16</u>
Domestic Abuse	£ 20,000
Families	£103,000
Housing Support (Generic)	£ 31,000
Housing Support (Aged over 55)	£204,000
Learning Disabilities	£282,000
<b>Total</b>	<b>£649,000</b>

- 3.06 The Supporting People Team are currently working with individual service providers, agreeing the measures that will need to be taken in order to achieve the efficiency savings during the next financial year and to ensure service users are supported through any changes in how their particular support services are to be delivered.
- 3.07 To ensure that the provision of a comprehensive range of quality assured housing related support services within Flintshire will be sustainable over the longer-term, the Supporting People Team are continuing their proactive engagement with all service providers, challenging and redefining the traditional models of how housing related support is delivered. The Supporting People Team is also considering their options around the commissioning of services such as, can specific programmes be retendered to achieve lower delivery costs, etc.

#### **4.00 RECOMMENDATIONS**

- 4.01 That Members note the report and the actions that are being taken by Flintshire's Supporting Team to manage the reduction in the 2015/16 Supporting People Programme Grant to protect, as much as possible, housing support services for vulnerable residents.

## **5.00 FINANCIAL IMPLICATIONS**

- 5.01 A growing body of research has demonstrated the financial benefits to the public purse that are attained due to the positive outcomes from interventions delivered through the Supporting People programme. The key research in Wales indicates that for every £1 spent on the provision of housing related support, £1.68 is saved across other budgets, with the health, social care, and homelessness budgets seeing the most significant savings, primarily due to the preventative nature of Supporting People services.
- 5.02 Thus, the year on year reduction in the Supporting People Programme Grant is a concern as it may result in the authority incurring additional expenditure in the delivery of crisis intervention services and in the fulfilment of its social care and homelessness statutory duties.

## **6.00 ANTI POVERTY IMPACT**

- 6.01 The services provided through the Supporting People programme aim to improve the quality of life of vulnerable people by supporting them to live independently in the community. These include the provision of services that help people to maximise their household income and manage their financial commitments. The successful outcomes from such services play an important role in helping to tackle poverty and prevent homelessness within the County.
- 6.02 Whilst the Flintshire Supporting People Team has attempted to identify efficiencies that will generate the least impact upon service users, it has to be recognised that any reduction in service provision may result in some vulnerable people not having ease of access to the support services that they require in order to avoid their household from falling into poverty and/or becoming at risk of homelessness.

## **7.00 ENVIRONMENTAL IMPACT**

- 7.01 None arising directly from this report.

## **8.00 EQUALITIES IMPACT**

- 8.01 An Equality Impact Assessment of the 2014 – 2106 Flintshire Local Commissioning Plan is being undertaken and this will include how the 2015/16 reductions in the Supporting People Programme Grant will impact upon vulnerable members of Flintshire's diverse communities.

## **9.00 PERSONNEL IMPLICATIONS**

- 9.01 None arising directly from this report.

**10.00 CONSULTATION REQUIRED**

10.01 None arising directly from this report.

**11.00 CONSULTATION UNDERTAKEN**

11.01 Service providers have been consulted upon how the support services that they are currently delivering will be impacted by the efficiencies being made within the 2015/16 Supporting People Programme Grant.

**12.00 APPENDICES**

12.01 None.

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985  
BACKGROUND DOCUMENTS**

None.

**Contact Officer: Paul Neave**  
**Telephone: 01352 703802**  
**Email: paul.neave@flintshire.gov.uk**

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## FLINTSHIRE COUNTY COUNCIL

**REPORT TO:** **HOUSING OVERVIEW & SCRUTINY COMMITTEE**

**DATE:** **TUESDAY, 24 FEBRUARY 2015**

**REPORT BY:** **HOUSING AND LEARNING OVERVIEW & SCRUTINY FACILITATOR**

**SUBJECT:** **FORWARD WORK PROGRAMME**

### **1.00 PURPOSE OF REPORT**

1.01 To consider the Forward Work Programme of the Housing Overview & Scrutiny Committee.

### **2.00 BACKGROUND**

2.01 Items feed into a Committee's Forward Work Programme from a number of sources. Members can suggest topics for review by Overview & Scrutiny Committees, members of the public can suggest topics, items can be referred by the Cabinet for consultation purposes, or by County Council or Chief Officers. Other possible items are identified from the Cabinet Work Programme and the Strategic Assessment of Risks & Challenges.

2.02 In identifying topics for future consideration, it is useful for a 'test of significance' to be applied. This can be achieved by asking a range of questions as follows:

1. Will the review contribute to the Council's priorities and/or objectives?
2. Are there issues of weak or poor performance?
3. How, where and why were the issues identified?
4. Do local communities think the issues are important and is there any evidence of this? Is there evidence of public dissatisfaction?
5. Is there new Government guidance or legislation?
6. Have inspections been carried out?
7. Is this area already the subject of an ongoing review?

### **3.00 CONSIDERATIONS**

3.01 Overview & Scrutiny presents a unique opportunity for Members to determine the Forward Work Programme of the Committees of which they are Members. By reviewing and prioritising the Forward Work Programme Members are able to ensure it is Member-led and includes the right issues. A copy of the Forward Work Programme is attached at Appendix 1 for Members' consideration which has been updated following the last meeting.

**4.00 RECOMMENDATIONS**

4.01 That the Committee considers the draft Forward Work Programme attached as Appendix 1 and approve/amend as necessary.

**5.00 FINANCIAL IMPLICATIONS**

5.01 None as a result of this report.

**6.00 ANTI POVERTY IMPACT**

6.01 None as a result of this report.

**7.00 ENVIRONMENTAL IMPACT**

7.01 None as a result of this report.

**8.00 EQUALITIES IMPACT**

8.01 None as a result of this report.

**9.00 PERSONNEL IMPLICATIONS**

9.01 None as a result of this report.

**10.00 CONSULTATION REQUIRED**

10.01 N/A.

**11.00 CONSULTATION UNDERTAKEN**

11.01 Publication of this report constitutes consultation.

**12.00 APPENDICES**

12.01 Appendix 1 – Forward Work Programme

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985  
BACKGROUND DOCUMENTS**

None.

**Contact Officer:** Ceri Owen  
**Telephone:** 01352 702305  
**Email:** [ceri.owen@flintshire.gov.uk](mailto:ceri.owen@flintshire.gov.uk)

**CURRENT FWP**

<b>Date of meeting</b>	<b>Subject</b>	<b>Purpose of Report</b>	<b>Scrutiny Focus</b>	<b>Responsible / Contact Officer</b>	<b>Submission Deadline</b>
<b>24 March 2015</b>	<b>Quarterly Performance Reporting</b>	To consider Q3 performance outturns for improvement targets.	Performance Reporting	Chief Officer (Community and Enterprise)	<b>16 March 2015</b>
	<b>Review of Strategic Housing Partnership</b>	To review the Strategic Housing Partnership.	Service Delivery	Chief Officer (Community and Enterprise)	
	<b>Private Sector Housing Renewal</b>	To consider progress on the delivery of Flintshire's first Renewal Area, general service development and county wide projects.	Performance Monitoring	Chief Officer (Community and Enterprise)	
	<b>Vibrant and Viable Places</b>	To review progress made following the allocation of funding as part of the Vibrant and Viable Places Bid.	Performance Monitoring	Chief Officer (Community and Enterprise)	
<b>Members of the Environment OSC invited for this item</b>					
<b>24 April 2015</b>	<b>Work of Pennaf Housing Association</b>	To enable the Committee to meet with representatives of Pennaf Housing Association.	Service Improvement	Chief Officer (Community and Enterprise)	<b>16 April 2015</b>

	<b>Council House Development</b>	To consult the Committee on the outcome of the procurement programme and delivery of new homes	Service Delivery	Chief Officer (Community and Enterprise)	
	<b>Community Infrastructure Levy (CIL)</b>	To enable the Committee to further review this Policy.	Service Delivery	Chief Officer (Community and Enterprise)	
	<b>Update on Tenant Involvement</b>	To consider tenants satisfaction results and the involvement of tenants in service improvements.	Performance Monitoring	Chief Officer (Community and Enterprise)	
<b>1 June 2015</b>	<b>Work of Grwp Cynefin Housing Association</b>	To enable the Committee to meet with representatives of Grwp Cynefin Housing Association.	Service Improvement	Chief Officer (Community and Enterprise)	<b>21 May 2015</b>
	<b>Update on North East Wales Homes &amp; Property Management</b>	To update Members on the work of the North East Wales Homes & Property Management	Performance Monitoring	Chief Officer (Community and Enterprise)	
	<b>Allocation of Sheltered Accommodation</b>	To review the Allocation Policy for Sheltered Accommodation	Service Improvement	Chief Officer (Community and Enterprise)	

<b>8 July, 2015</b>	<b>Quarterly Performance Reporting</b>	To consider Q4/Year End performance outturns for improvement targets.	Performance Reporting	Chief Officer (Community and Enterprise)	<b>30 June 2015</b>
	<b>Improvement Plan 2015/16</b>	To consider the draft Improvement Plan 2015/16	Performance Reporting	Chief Officer (Community and Enterprise)	

**Items to be scheduled**

- Update report on the suspension of the Right to Buy Scheme

**REGULAR ITEMS**

<b>Month</b>	<b>Item</b>	<b>Purpose of Report</b>	<b>Responsible / Contact Officer</b>
<b>Quarterly / Annual</b>	<b>Performance Reporting</b>	To consider performance outturns for improvement targets against directorate indicators.	Chief Officer (Community and Enterprise)
<b>Six monthly</b>	<b>Private Sector Housing Renewal</b>	To consider progress on the delivery of Flintshire's first Renewal Area, general service development and county wide projects.	Chief Officer (Community and Enterprise)
<b>Annually</b>	<b>Update on Delivery of Choices Document</b>	To receive an update report on the delivery of the Choices Document.	Chief Officer (Community and Enterprise)
<b>Six monthly</b>	<b>Welfare Reform Update – including Universal Credit</b>	To update Members on the impact of Welfare Reform and the cost to the Council.	Chief Officer (Community and Enterprise)
<b>Six monthly</b>	<b>Update on North East Wales Homes &amp; Property Management</b>	To update Members on the work of the North East Wales Homes & Property Management	Chief Officer (Community and Enterprise)
<b>Annually</b>	<b>Vibrant and Viable Places</b>	To review progress made following the allocation of funding as part of the Vibrant and Viable Places Bid.	Chief Officer (Community and Enterprise)