

Public Document Pack

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To: Cllr Helen Brown (Chair)

Councillors: Pam Banks, Gillian Brockley, Tina Claydon, Geoff Collett,
Rosetta Dolphin, David Evans, Ray Hughes, Dennis Hutchinson, Kevin Rush,
Dale Selvester and Linda Thew

4 January 2024

Dear Sir/Madam

NOTICE OF HYBRID MEETING
COMMUNITY & HOUSING OVERVIEW & SCRUTINY COMMITTEE
WEDNESDAY, 10TH JANUARY, 2024 at 10.00 AM

Yours faithfully

Steven Goodrum
Democratic Services Manager

Please note: Attendance at this meeting is either in person in the Lord Barry Jones Council Chamber, Flintshire County Council, County Hall, Mold, Flintshire or on a virtual basis.

The meeting will be live streamed onto the Council's website. The live streaming will stop when any confidential items are considered. A recording of the meeting will also be available, shortly after the meeting at <https://flintshire.public-i.tv/core/portal/home>

If you have any queries regarding this, please contact a member of the Democratic Services Team on 01352 702345.

A G E N D A

1 **APOLOGIES**

Purpose: To receive any apologies.

2 **DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)**

Purpose: To receive any Declarations and advise Members accordingly.

3 **MINUTES** (Pages 5 – 20)

Purpose: To confirm as a correct record the minutes of the meetings held on 15th November and 13th December, 2023.

4 **FORWARD WORK PROGRAMME AND ACTION TRACKING** (Pages 21 - 30)

Report of Overview & Scrutiny Facilitator

Purpose: To consider the Forward Work Programme of the Community & Housing Overview & Scrutiny Committee and to inform the Committee of progress against actions from previous meetings.

5 **WELSH HOUSING QUALITY STANDARDS (WHQS) 2023** (Pages 31 - 38)

Report of Chief Officer (Housing and Communities) - Cabinet Member for Housing and Regeneration

Purpose: To provide an update on the new Welsh Housing Quality Standards (WHQS) 2023 and the Council's obligations relating to delivery of the new standards.

6 **CAR PARKING PROVISION – COUNCIL OWNED PROPERTIES** (Pages 39 - 44)

Report of Chief Officer (Housing and Communities) - Cabinet Member for Housing and Regeneration

Purpose: To provide an overview of Council's Environmental Programme which includes the provision of car parking at Council owned properties.

7 ALARM SERVICE CHARGES REVIEW (Pages 45 - 66)

Report of Chief Officer (Housing and Communities) - Cabinet Member for Housing and Regeneration

Purpose: To outline the proposal to achieve full cost recovery for the Housing Revenue Account alarms service.

8 COST OF LIVING AND WELFARE REFORM (Pages 67 - 78)

Report of Chief Officer (Housing and Communities) - Cabinet Member for Housing and Regeneration

Purpose: To update on the impacts of welfare reforms and the work that is ongoing to mitigate the impacts.

9 HOUSING MANAGEMENT AND ANTI-SOCIAL BEHAVIOUR POLICY (Pages 79 - 112)

Report of Chief Officer (Housing and Communities) - Cabinet Member for Housing and Regeneration

Purpose: To provide an overview of the changes that have been made to the Housing Management Policy and the Anti-Social Behaviour Policy in response to the Renting Homes Wales Act 2016.

FOR INFORMATION

10 VOID MANAGEMENT

Purpose: A copy of the Void Management briefing document will be provided to the Committee at the meeting.

Please note that there may be a 10 minute adjournment of this meeting if it lasts longer than two hours

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COMMUNITY & HOUSING OVERVIEW & SCRUTINY COMMITTEE **WEDNESDAY 15 NOVEMBER 2023**

Minutes of the meeting of the Community & Housing Overview & Scrutiny Committee of Flintshire County Council held as a hybrid meeting on Wednesday, 15 November 2023

PRESENT: Councillor Helen Brown (Chair)

Councillors: Gillian Brockley, Tina Claydon, Geoff Collett, Rosetta Dolphin, David Evans, Kevin Rush and Linda Thew

SUBSTITUTIONS: Councillors: Bill Crease (for Dale Selvester), Ted Palmer (for Ray Hughes) and Antony Wren (for Pam Banks)

ALSO PRESENT: Councillors: Bernie Attridge, Marion Bateman, Dave Hughes and Billy Mullin attended as observers
Julie Hughes – Chair of the Standards Committee

CONTRIBUTORS: Councillor Ian Roberts (Leader of the Council); Councillor Paul Johnson (Cabinet Member for Finance, Inclusion, Resilient Communities including Social Value and Procurement); Councillor Sean Bibby (Cabinet Member for Housing and Regeneration); Chief Officer (Housing & Communities); Senior Manager (Housing, Welfare & Communities); Service Manager – Housing & Prevention; Service Manager – Housing Assets; Service Manager – Revenues and Procurement and Strategic Finance Manager – Commercial and Housing

IN ATTENDANCE: Community & Education Overview & Scrutiny Facilitator & Electoral Services Officer

44. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

Councillor Ted Palmer declared a personal interest as a Council tenant.

45. MINUTES

The minutes of the meetings held on 13th September and 11th October were submitted for approval.

13.09.2023

It was suggested that the word 'properties' be amended to read 'prioritised' in the 4th paragraph of page 12 of the minutes.

Subject to the suggested amendment, the minutes of the meetings held on 13th September and 11th October, 2023 were approved as a correct record, as moved and seconded by Councillor David Evans and Councillor Kevin Rush.

RESOLVED:

That subject to the suggested amendment, the minutes be approved as a correct record and signed by the Chair.

46. FORWARD WORK PROGRAMME & ACTION TRACKING

The Facilitator presented the current Forward Work Programme for consideration and advised that following a meeting with the Chair and Vice-Chair, following the previous meeting, the Forward Work Programme had been updated with additional reports to future meetings.

In relation to the proposed all Member workshop on resettlement and asylum, the Facilitator advised that a workshop had been arranged and would be held on 23rd November, 2023.

The Facilitator also provided an update on the actions arising from previous meetings, reporting that the majority of actions has been completed.

The recommendations, as outlined within the report, were moved by Councillor Ted Palmer and seconded by Councillor David Evans.

RESOLVED:

- (a) That the Forward Work Programme be noted;
- (b) That the Facilitator, in consultation with the Chair of the Committee, be authorised to vary the Forward Work Programme between meetings, as the need arises; and
- (c) That the Committee notes the progress made in completing the outstanding actions.

47. HOUSING REVENUE ACCOUNT (HRA) 30 YEAR FINANCIAL BUSINESS PLAN

The Chief Officer (Housing & Communities) and Strategic Finance Manager - Commercial and Housing introduced the draft Housing Revenue Account (HRA) 30-year Financial Business Plan and the proposed HRA Budget for 2024/25.

A detailed presentation was given, which outlined the following areas:-

- Welsh Government (WG) net zero carbon target for social housing;
- FCC pilot to achieve net zero carbon for social housing;
- Net zero carbon social housing - Business case estimate;
- Rents;
- HRA Business Plan - Pressures and Efficiencies;
- Affordability;
- Rents – Impact of setting rents lower than the Welsh Government rent cap;
- Service Charges;
- Reserves;
- Summary

Councillor Rosetta Dolphin commented, that whilst she understood the need to raise rent levels, she was concerned around the proposed increase to aerial costs, outlining the current cost and that contract holders were not allowed to procure their own aerials in order to bring the costs down. The Service Manager – Housing & Assets advised that contract holders were not permitted to install their own aerials as health and safety needed to be adhered to. The cost of the aerial included a broad package including Sky, FM radio etc. The Council entered into an agreement with a company many years ago that had been the most cost effective at the time for a rental hire purchase. The contract would be coming to an end over the next few years and other options would be explored to help reduce costs. Aerial costs could be reviewed separately.

Councillor Bernie Attridge queried the information listed within the section on the Welsh Housing Quality Standard 2 (WHQS2) and asked whether many of the improvements had been accounted for as part of the works carried out under the Welsh Housing Quality Standard (WHQS). He commented on the service charges and asked whether officers felt that tenants were receiving value for money and provided an example where services were being used by non-tenants at a complex within his ward. He raised concern around the rent increase which he felt was excessive during the current cost of living crisis and would impact hard working tenants who were not eligible for benefit assistance.

The Service Manager – Housing & Assets advised that many of the improvements for WHQS2 were contained within the current WHQS maintenance programme. The WHQS would focus on de-carbonisation measures to reduce running costs for tenants, and this would be financed through rental income. There had been a great deal of investment in housing stock over the previous years but WG were now seeking Local Authorities to move to energy efficiency works and produce a business plan to meet their de-carbonisation agenda. In relation to service charges, it was proposed that a review be undertaken on all communal washing areas across the County.

In relation to the comments around the proposed rent increase, the Chief Officer (Housing & Communities) said that there was a need to balance investment with affordability and this was one of the reasons that a hardship fund had been set up which would be targeted at tenants who paid partial or full rent and were not eligible for benefit assistance.

The recommendations, as outlined within the report, were moved by Councillor Ted Palmer and seconded by Councillor Geoff Collett.

RESOLVED:

- (a) That the Committee note the HRA budget for 2024/25 as set out in the report;
- (b) That the Committee note the proposed minimum rent increase of 6.5%;
- (c) That the Committee note the proposed garage rent increase of 6.5%;

- (d) That the Committee note the proposed increase in serve charges to full cost recovery; and
- (e) That the Committee note the proposed HRA Capital Programme for 2024/25 as set out in Appendix B of the report.

48. HOMELESSNESS BUDGET PRESSURES- OPTIONS PAPER

The Service Manager – Housing & Prevention introduced a report to outline options that had been developed for consideration to manage the overspend on the homelessness budget.

Within the Housing Solutions service there were specific budgets for homeless accommodation settings for 'interim housing'. In addition to this budgeted provision for these locations, including the Homeless Hub, there was a further specific budget for emergency accommodation. This budget was used when there was no remaining capacity in other budgeted temporary accommodation. The emergency accommodation used was mostly hotel rooms, within and beyond the boundaries of Flintshire, together with some use of other forms of holiday lets, such as caravans and apartments.

The Service Manager reported that within the Revenue Budget Monitoring Report 2023/24 (Month 4) reported to Cabinet in September 2023, it was recommended that, as required by the Council's Finance Procedure Rules, a separate report was prepared to expand on the reasons for the significant overspend on the homelessness budget and the mitigations being put in place.

Within the Housing Solutions service there were specific budgets for homeless accommodation settings for 'interim housing'. In addition to this budgeted provision for these locations, including the Homeless Hub, there was a further specific budget for emergency accommodation. This budget was used when there was no remaining capacity in other budgeted temporary accommodation. The emergency accommodation used was mostly hotel rooms, within and beyond the boundaries of Flintshire, together with some use of other forms of holiday lets, such as caravans and apartments.

The Service Manager reported that options had been developed for consideration to manage the overspend on the homelessness budget, which were as follows:-

1. Fast tracking review of sheltered housing – covering accommodation for groups over the age of 55 and mini groups for those 50+ and the possible reduction on the age threshold.
2. Increase in homeless accommodation and review similar model to the Queensferry hub.
3. Changes to allocation policy – SARTH changes to single access property. (Caveat on this approach due to upcoming major changes in legislation).

4. Alternative use of FCC stock – to take more Housing from the HRA to use as temporary accommodation and create house sharing for single occupancy.
5. Review offers to private landlords – increasing the amount of money to landlords for leasing, and or offering more incentives.

The Committee were asked to consider and provide feedback on each of the options, as outlined at Appendix 1 of the report.

Option 1

The Service Manager – Housing & Prevention detailed the proposals under option 1, which related to the options for fast tracking the review of sheltered housing.

A number of concerns were raised around the impact reducing the age threshold could have on elderly people living in sheltered accommodation. Assurance was given by Officers and the Cabinet Member that there would not be a blanket approach and that they were not proposing to let all available properties to young people, potentially challenging individuals, alongside elderly tenants. The Cabinet Member hoped that the report and his comments provided assurance that proposals would be carried out in a sensitive manner.

Comments were also made around the need to start the Sheltered Housing Review as soon as possible, and the Chair of the Committee advised that a report on the work of the Task & Finish Group would be presented to the December Committee meeting for support.

Officers and the Cabinet Member responded to a number of questions around the disconnect between the needs of people waiting for properties and the properties available across the County.

Option 2

The Service Manager – Housing & Prevention detailed the proposals under option 2, which related to the options for increasing homeless accommodation.

Councillor Bill Crease commented that Option 2a seemed to be more achievable and the need to find quick solutions to a longer term problem.

Comments were made around the need to have sites identified to progress these options at pace. Officers provided an assurance that the strategy team were working to identify sites.

Councillor Dave Evans suggested that both options 2a and 2b should be progressed.

In response to comments made by Members, the Leader of the Council and Cabinet Member spoke in support of the comments around having homeless hubs across the County which had been discussed at Informal Cabinet and Cabinet. Homelessness was experienced across all communities across Flintshire and the

Cabinet Member said that there needed to be a provision to meet that in order for people to access work and families to continue with accessing schools.

Option 3

The Service Manager – Housing & Prevention detailed the proposals under option 3, which related to the options for making changes to the allocation policy.

Councillor Dave Evans outlined his support for option 3a.

Officers responded to comments made around the impact to people's mental health when being encouraged to stay in a property that they were being evicted from, detailing the unpleasant homelessness journey that could be experienced and the support provided to them.

The Chair commented on a decision taken a number of years ago which put a hold on all allocations to allow for the properties to be provided to people experiencing homelessness. She suggested that officers look into how this was done previously.

Councillor Bernie Attridge commented on the impact the options could have on those people in the Band B waiting list who had been waiting for a property for a number of years.

Option 4

The Service Manager – Housing & Prevention detailed the proposals under option 4, which related to the options for alternative use of FCC stock.

Councillor Dave Evans referred to the number of 4-bed void properties and asked if those properties could be used to create house shared for single people. Officers advised that they would be targeting 2 and 3-bed properties and that the model being developed would be specific for 2 people sharing. For 3 people or more sharing this would mean the need for planning, enforcement and licensing as this would be classed as a mini House of Multiple Occupancy (HMO)

Option 5

The Service Manager – Housing & Prevention detailed the proposals under option 5, which related to the options for reviewing the offer to private landlords.

Councillor Dave Evans commented on the number of landlords reducing due to the difficulties now being faced with being a landlord, and therefore he did not feel that option 5a would assist. He also referred to a scheme undertaken through the Regeneration Team a number of years ago within his ward where 2 unfit properties had been improved and continued to be let. Officers explained that the options would assist with aligning council properties to a number of workstreams.

The Chair thanked Members for the comments/questions. She also asked if information on the on the 1 bed demand across general needs and sheltered housing

could be provided. The Service Manager – Housing & Prevention agreed to provide this information to the Committee following the meeting.

The Facilitator advised that the comments made by the Committee would be provided to Cabinet ahead of its meeting to consider the options on 21st November, 2023.

The recommendations, as outlined within the report, were moved by Councillor Ted Palmer and seconded by Councillor Kevin Rush.

RESOLVED:

- (a) That the Committee note the latest financial position in relation to homelessness; and
- (b) That the Committee support the options outlined in Appendix 1 to increase supply and mitigate further overspends on the homelessness budget.

49. HOUSING RENT INCOME

The Service Manager – Revenues and Procurement introduced the latest operational update on the collection of housing rent, an analysis of arrears more than £5k, and proposals to strengthen the debt recovery process by amending the Corporate Debt Recovery Policy and automatically taking court action against contract holders who owe the equivalent of 12 weeks unpaid rent and/or £1,500 and who were not addressing their weekly rent payments and arrears.

The Service Manager reported that the collection of housing rent remained an area of risk but total rent arrears up to week 27 were £2.6m compared to £2.7m at the same week in the previous year, an improvement of £100k.

The Service Manager reported that during the July 2023 Committee meeting, it was agreed to provide Members with an in-depth analysis of those contract holders who owed the Council more than £5k of unpaid rent. This information was shown at 1.04 the report.

In relation to the Corporate Debt Policy, the Service Manager reported that, although court action was taken as a last resort, there was a growing need to adopt a more commercial approach to the collection of rent arrears to ensure losses in collections were minimised for the Housing Revenue Account (HRA). Appendix 1 of the report set out proposed changes to parts of the Corporate Debt Policy in relation to collection of housing rent. The Committee was asked to endorse the proposed changes to the Policy in relation to the trigger points for legal action for housing rent.

The Chair questioned the number of tenants in arrears between £200 - £500 and asked if this included tenants who paid by Direct Debit. Officers explained that if a tenants paid monthly by direct debit this could show as them owing £250 but they would not be in arrears, broadly speaking the first column for tenants owing between £200 - £500 could be discounted.

Questions were raised around the additional costs by taking court action and whether the additional costs could be recovered. The Service Manager agreed to provide information around the schedule of court fees to the Committee following the meeting.

Comments were made around whether considerations of evicted tenants becoming homeless and then having to be provided with temporary accommodation was considered along with the cost implication attached to that. Officers explained the work of the Case Review Panel who go through a rigorous process and only once all options had been exhausted would the Council proceed with eviction. There were safeguards which sat outside the Corporate Debt Policy. The Service Manager also advised that of those tenants previously evicted, none had been re-homed by the Council.

Recommendation (a), as outlined within the report, was moved by Councillor Geoff Collett and seconded by Councillor Antony Wren. Recommendation (b), as outlined within the report, was moved by Councillor Ted Palmer and seconded by Linda Thew.

RESOLVED:

- (a) That the Committee note the latest financial position for rent collections in 2023/24 as set out in the report; and
- (b) That the Committee support the proposed changes to the Corporate Debt Policy to strengthen the collection of Housing Rent by taking court action, as a default position, in cases where contract holders were not making payment, were 12 weeks in arrears and/or who owe £1,500 or more and who were not engaging with the housing service to address the arrears.

50. VOIDS MANAGEMENT UPDATE

The Service Manager – Housing Assets presented the key figures and key activities against the void action plan, as outlined in the briefing note.

He outlined the number of new voids and those which had been completed and reported that 29 properties had been completed ready for allocation. He also outlined the following, as presented in the briefing note:-

- The number of major voids
- Total overall number of void properties which had reduced to 229
- The performance of the current contractors
- Top reasons for terminations

As requested at previous meetings, the Service Manager provided information on the number of new voids and how many had been completed by capital district area, as outlined in the briefing note.

In response to a question around property type, the Service Manager reported that there were currently 5 4-bed properties, but they required major investment works

which had caused delays in them being returned for allocation. He added that they continue to increase supplier allocation through careful management and constant monitoring.

In response to a question around increasing the number of contractors, the Service Manager responded that the framework had been developed for 6 contractors so it would not be possible to increase the number at this time. He also informed the Committee that the in house DLO's continue to work on 25–30 properties. External contractors had increased their workload from 50 voids to 60 voids as an average.

Councillor David Evans expressed his concerns about the number of empty properties without quick enough intervention.

Councillor Geoff Collett suggested that the Committee move away from receiving the briefing note monthly and suggested that the Committee receive an update on a quarterly basis. The Chair felt that the number of void properties needed to continue to be monitored monthly, which was supported by the Committee.

RESOLVED:

That the update be noted.

51. MEMBERS OF THE PRESS IN ATTENDANCE

There were no members of the press in attendance.

(The meeting started at 10.00 am and ended at 13.43 p.m.)

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Chair

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COMMUNITY & HOUSING OVERVIEW & SCRUTINY COMMITTEE
WEDNESDAY 13 DECEMBER 2023

Minutes of the meeting of the Community & Housing Overview & Scrutiny Committee of Flintshire County Council held as a hybrid meeting on Wednesday, 13 December 2023

PRESENT: Councillor Helen Brown (Chair)

Councillors: Gillian Brockley, Geoff Collett, David Evans, Kevin Rush, Rosetta Dolphin, Dave Hughes, Linda Thew, Ray Hughes, Tina Claydon, Dale Selvester

APOLOGY:

Councillor Pam Banks

ALSO PRESENT: Councillor Bernie Attridge attended as an observer

CONTRIBUTORS: Councillor Dave Hughes (Deputy Leader of the Council and Cabinet Member for Streetscene and the Regional Transport Strategy); Sean Bibby (Cabinet Member for Housing and Regeneration); Councillor Paul Johnson (Cabinet Member for Finance, Inclusion, Resilient Communities including Social Value and Procurement); Chief Officer (Housing and Communities); Service Manager (Housing Assets); Strategic Housing & Programme Delivery Manager; Service Manager (Housing & Prevention); Service Manager (Housing Welfare and Communities); Housing Strategy Manager and Business Performance Team Manager

IN ATTENDANCE: Community & Education Overview & Scrutiny Facilitator & Electoral Services Officer

52. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

None.

53. FORWARD WORK PROGRAMME & ACTION TRACKING

The Facilitator presented the current Forward Work Programme for consideration and advised that there were no proposed changes to the items listed.

She discussed the actions arising from Appendix 2 as follows:-

- The draft letter to Welsh Government was shared with the chair on the 12th of December and was due to be sent out later in the week.
- She discussed an outstanding action with regards to out of County Placements. The Finance Officer had collated the information and was just awaiting approval to share the details.

She concluded that all other actions shown were now completed.

The recommendations, as outlined within the report, were moved by Councillor Geoff Collett and seconded by Councillor Kevin Rush.

RESOLVED:

- (a) That the Forward Work Programme be noted;
- (b) That the Facilitator, in consultation with the Chair of the Committee, be authorised to vary the Forward Work Programme between meetings, as the need arises; and
- (c) That the Committee notes the progress made in completing the outstanding actions.

54. PROGRESS REPORT ON THE STRATEGIC HOUSING & REGENERATION PROGRAMME 2 (SHARP2) AND THE TRANSITIONAL ACCOMMODATION CAPITAL PROGRAMME (TACP)

The Strategic Housing & Programme Delivery Manager provided a report on the delivery of the Council's strategic Housing and Regeneration Programme 2 (SHARP2). The report provided an update on the following:-

- Delivery of the Council's Strategic Housing and Regeneration Programme 2 (SHARP2) programme;
- Changes to the Social Housing Grant (SHG) programme since the report to Overview and Scrutiny (September 2023) and Cabinet (October 2023);
- Welsh Government Transitional Accommodation Capital Programme (TACP) allocation of £1.6 million; and
- Progress on the acquisition of additional homes.

The programme was currently at its first stage awaiting Welsh Government (WG) approval. There was a 3-stage programme for approval, but the Strategic Housing & Programme Delivery Manager was pleased to report that the feedback they had received was currently positive.

The Strategic Housing & Programme Delivery Manager added that there were several updates to the programme including additional costs to Registered Social Landlords for larger contracts, where regrettably some of the contractors had gone into liquidation causing the contracts to be re-priced. WG had supported the additional costs for the Northern Gateway and Mynydd Isa which would represent over 150 new homes.

The Strategic Housing & Programme Delivery Manager also reported on the WG Transitional Accommodation Capital Programme (TACP) aimed at trying to get properties back into use as quickly as possible, mainly targeting accommodation for homeless persons or persons in temporary accommodation. The Council had been successful in obtaining funding of around £1.5 million, which would be targeted at bringing 28 properties back into use.

Councillor Rosetta Dolphin said that she was pleased to see proposals for Greenfield but advised that it should be listed as 'School Lane' and not 'School Road'. The Strategic Housing & Programme Delivery Manager said that he would make the necessary amendment.

Councillor Dolphin also asked when consultation would be carried out with Town and Community Councils. The Strategic Housing & Programme Delivery Manager advised that consultation would commence in the new year with formal consultation packs being prepared and provided.

Councillor Linda Thew asked if it was realistic for the 28 houses to be completed by the end of March 2024. The Strategic Housing & Programme Delivery Manager said that a number of acquisitions had already been completed and was confident that the 28 houses would be completed. .

Councillor Dale Selvester asked what the status was with regards to the Queensferry Garage Site review. The Service Manager (Housing and Assets) advised that all garage sites had been surveyed and assessed. He added that a report was submitted to the Committee earlier last year showing which garage sites were prioritised for demolition first. All options were being considered, including the creation of additional parking spaces and the creation of green space.

Councillor Dolphin asked if Members could receive a copy of the results of the garage site review within their own wards. The Service Manager (Housing and Assets) that an update report on the garage site review would be added to the Forward Work Programme for consideration at a future meeting.

The recommendation, as outlined within the report, was moved by Councillor Dale Selvester and seconded by Councillor David Evans.

RESOLVED:

That the progress on delivery of the Strategic Housing and Regeneration Programme 2, Social Housing Grant, Transitional Accommodation Capital Programme and 'Buy Backs' be noted.

55. RECOMMENDATIONS FROM THE SHELTERED HOUSING REVIEW TASK & FINISH GROUP

The Facilitator reported that a decision was made by the Community & Housing Overview & Scrutiny Committee on the 8th of March, 2023 to establish a Sheltered Housing Review Task & Finish Group. This followed the recommendation of the Committee at its meeting on 8th February 2023, following consideration of the Sheltered Housing Review report.

The Group has met on three separate occasions to consider the terms of reference of the Group, the Scoring Matrix and the Communications and Engagement Plan. The first meeting considered and set out the Terms of Reference. The second meeting set out the matrix going forward including how dual member wards would be awarded if they had different views. The final meeting that took place considered the communication and engagement plan.

The report set out the recommendations made by the group, for consideration by the Committee with a view to making recommendations to Cabinet.

Councillor Dale Selvester commented that he was pleased with the work of the Task & Finish Group and how the matrix would work as part of the review.

The recommendation, as outlined within the report, was moved by Councillor Geoff Collett and seconded by Councillor Dale Selvester.

RESOLVED:

That the Committee endorse the recommendations of the Task & Finish Group to be submitted to Cabinet for consideration.

56. COUNCIL PLAN 2023-24 MID-YEAR PERFORMANCE REPORTING

The Chief Officer Housing & Assets introduced a summary of the Council's Mid Term position with regards the Council Plan priorities identified for 2023/24 adding that the report concentrated on areas of performance which were not currently achieving their target.

She added that there were currently no red actions relating to the Councils priorities and activities. However, there were a number of measures which had been rated red. Those measures were around homelessness services and the delivery of housing development programme.

Councillor Bernie Attridge expressed his concerns regarding the performance indicators/measures which showed a red RAG status. He commented on the priority for housing support and homeless prevention and asked when the Committee would receive information on what actions were being taken to improve performance on the areas outlined within the report. The Chief Officer (Housing and Communities) referred to detailed reports which sat behind the performance reports and action plans which were regularly monitored and updated. She also referred to the Homelessness options report considered by the Committee at the last meeting, which outlined a number of options the Council were considering to assist with the increase in presentations to the homeless service.

The Chair asked if an update could be provided to the Committee on the location of a new homeless hub. The Service Manager (Housing & Preventions) advised that a location had been identified and it was hoped that further information would be shared with local Members in the new year.

The recommendations, as outlined within the report, were moved by Councillor Rosetta Dolphin and seconded by Councillor Geoff Collett.

RESOLVED:

- (a) That the levels of progress and confidence in the achievement of priorities as detailed within the Council Plan 2023/28 for delivery within 2023/24 be supported;

- (b) That the overall performance against Council Plan 2023/24 performance indicators/measures be supported; and
- (c) That the Committee be assured by the explanations given for those areas of underperformance.

57. VOID MANAGEMENT

The Service Manager (Housing Assets) presented the key figures and key activities against the void action plan, as outlined in the briefing note.

He outlined the number of new voids and those which had been completed and reported that 40 properties had been completed ready for allocation. He also outlined the following, as presented in the briefing note:-

- The number of major voids
- Total overall number of void properties which had increased slightly to 235
- The performance of the current contractors
- Top reasons for terminations

The Service Manager commented that due to the action plan moving in the right direction the void management team would now meet every quarter instead of every month, and also that the contractor's allocation had now increased to 65 voids and this would continue to be increased month by month.

Councillor Bernie Attridge expressed his concerns around people in temporary accommodation not being offered the void properties in the high rise flats, Flint. The Chief Officer (Housing and Communities) advised that the accommodation at the high rise flats were designated sheltered accommodation for people over the age of 55. She also explained that the profile of accommodation across the County did not meet the needs of the profile of people in temporary accommodation and options to address this were considered by the Committee at the last meeting.

Councillor Dale Selvester asked what plans were in place to promote low demand properties. The Cabinet Member for Housing & Regeneration advised that videos of properties were provided and supported the suggestion from Councillor Selvester that consideration be given to improving the information and providing videos on the Council's website.

The Chair suggested that, due to the Christmas break, the Committee receive the void management briefing note at the January meeting for information only. The Committee supported this suggestion.

RESOLVED:

That the update be noted.

58. MEMBERS OF THE PRESS IN ATTENDANCE

There were no members of the press in attendance.

(The meeting started at 10.00 am and ended at 10.53 a.m.)

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Chair



COMMUNITY & HOUSING OVERVIEW & SCRUTINY COMMITTEE

Date of Meeting	Wednesday 10 th January, 2024
Report Subject	Forward Work Programme and Action Tracking
Report Author	Overview & Scrutiny Facilitator
Type of Report	Operational

EXECUTIVE SUMMARY

Overview & Scrutiny presents a unique opportunity for Members to determine the Forward Work programme of the Committee 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.

The Committee is asked to consider, and amend where necessary, the Forward Work Programme for the Community Housing & Assets Overview & Scrutiny Committee.

The report also shows actions arising from previous meetings of the Community Housing & Assets Overview & Scrutiny Committee and the progress made in completing them. Any outstanding actions will be continued to be reported to the Committee as shown in Appendix 2.

RECOMMENDATION

1	That the Committee considers the draft Forward Work Programme and approve/amend as necessary.
2	That the Facilitator, in consultation with the Chair of the Committee be authorised to vary the Forward Work Programme between meetings, as the need arises.
3	That the Committee notes the progress made in completing the outstanding actions.

REPORT DETAILS

1.00	EXPLAINING THE FORWARD WORK PROGRAMME AND ACTION TRACKING
1.01	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 Improvement Plan.
1.02	<p>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:</p> <ol style="list-style-type: none">1. Will the review contribute to the Council's priorities and/or objectives?2. Is it an area of major change or risk?3. Are there issues of concern in performance?4. Is there new Government guidance of legislation?5. Is it prompted by the work carried out by Regulators/Internal Audit?6. Is the issue of public or Member concern?
1.03	In previous meetings, requests for information, reports or actions have been made. These have been summarised as action points. Following a meeting of the Corporate Resources Overview & Scrutiny Committee in July 2018, it was recognised that there was a need to formalise such reporting back to Overview & Scrutiny Committees, as 'Matters Arising' was not an item which can feature on an agenda.
1.04	It was suggested that the 'Action tracking' approach be trialled for the Corporate Resources Overview & Scrutiny Committee. Following a successful trial, it was agreed to extend the approach to all Overview & Scrutiny Committees.
1.05	The Action Tracking details including an update on progress is attached at Appendix 2.

2.00	RESOURCE IMPLICATIONS
2.01	None as a result of this report.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	In some cases, action owners have been contacted to provide an update on their actions.

4.00	RISK MANAGEMENT
4.01	None as a result of this report.

5.00	APPENDICES
5.01	Appendix 1 – Draft Forward Work Programme Appendix 2 – Action Tracking for the Community Housing & Assets OSC.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	Minutes of previous meetings of the Committee as identified in Appendix 2. Contact Officer: Ceri Shotton Overview & Scrutiny Facilitator Telephone: 01352 702305 E-mail: ceri.shotton@flintshire.gov.uk

7.00	GLOSSARY OF TERMS
7.01	Improvement Plan: the document which sets out the annual priorities of the Council. It is a requirement of the Local Government (Wales) Measure 2009 to set Improvement Objectives and publish an Improvement Plan.

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COMMUNITY, HOUSING & ASSETS OVERVIEW & SCRUTINY FORWARD WORK PROGRAMME

CURRENT FWP

Date of meeting	Subject	Purpose of Report	Scrutiny Focus	Report Author
<p>Wednesday 7th February, 2024</p> <p>10am</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 25</p>	<p>NEW Homes Business Plan</p> <p>Common Housing Register (Single Access Route to Housing - SARTH)</p> <p>Budget 2024/25 – Stage 3</p>	<p>To consider the NEW Homes Business Plan.</p> <p>To provide an annual update on the Common Housing Register.</p> <p>To present to the Committee the final stage proposals for the 2024/25 Budget.</p>	<p>Consultation</p> <p>Assurance Monitoring</p> <p>Consultation</p>	<p>Strategic Housing & Program Delivery Manager</p> <p>Service Manager – Housing & Prevention</p> <p>Chief Officer (Housing & Communities)</p>
<p>Wednesday 6th March, 2024</p> <p>10am</p>	<p>Homelessness and Rough Sleeper Update Report</p> <p>Dynamic Resource Scheduling System (DRS) Update</p> <p>Local Housing Market Assessment</p>	<p>To provide an annual update on the work ongoing to mitigate Homelessness and support provided to rough sleepers.</p> <p>To provide an update on the DRS System</p> <p>To present the outcome of the Local Housing Assessment, to include information on the private rented sector.</p>	<p>Assurance Monitoring</p> <p>Assurance Monitoring</p> <p>Assurance Monitoring</p>	<p>Service Manager – Housing & Prevention</p> <p>Service Manager – Housing Assets</p> <p>Strategic Housing & Program Delivery Manager</p>

COMMUNITY, HOUSING & ASSETS OVERVIEW & SCRUTINY FORWARD WORK PROGRAMME

<p>Wednesday 12th June, 2024</p> <p>10am</p>	<p>Communal Heating Charges 2024/25</p>	<p>To consider the proposed heating charges in council properties with communal heating systems for 2024/25 prior to Cabinet approval.</p>	<p>Consultation</p>	<p>Chief Officer (Housing & Communities)</p>
	<p>Customer Involvement Strategy</p>	<p>To consider the Customer Involvement Strategy.</p>	<p>Assurance Monitoring</p>	<p>Service Manager (Housing Welfare and Communities)</p>
	<p>NEW Homes review</p>	<p>To outline the outcome of the NEW Homes review.</p>	<p>Consultation</p>	<p>Strategic Housing & Program Delivery Manager</p>
<p>Wednesday 10th July, 2024</p> <p>10am</p> <p>Page 26</p>	<p>Welfare Reform Update /Housing Rent Income</p>	<p>To provide an update on the impacts of welfare reforms and the work that is ongoing to mitigate them.</p>	<p>Assurance Monitoring</p>	<p>Service Manager - Revenues and Procurement / Service Manager (Housing Welfare and Communities)</p>
	<p>Council Plan 2023-24 Year-End Performance</p>	<p>To review the levels of progress in the achievement of activities and performance levels identified in the Council Plan.</p>	<p>Assurance Monitoring</p>	<p>Chief Officer (Housing & Communities)</p>

Items to be scheduled

- **Gypsy and Traveller Transit Site** - To report to the Committee on a Gypsy and Traveller Transit Site in the County – moved from 17th May meeting to be scheduled to a new date.
- **Food Poverty Update** – moved from 17th May meeting to be scheduled to a new date.
- **Rent Income Pilot Scheme** – As suggested at 12.07.23 meeting
- **De-carbonisation Strategy** – Workshop for Members as discussed at 12.07.2023 meeting

COMMUNITY, HOUSING & ASSETS OVERVIEW & SCRUTINY FORWARD WORK PROGRAMME

REGULAR ITEMS

Month	Item	Purpose of Report	Responsible / Contact Officer
Quarterly / Annual	Performance Reporting	To consider performance outturns for improvement targets against directorate indicators.	Chief Officer (Housing and Assets)
Six monthly	Welfare Reform Update /Housing Rent Income	To provide an update on the impacts of welfare reforms and the work that is ongoing to mitigate them.	Service Manager - Revenues and Procurement / Service Manager (Housing Welfare and Communities)
Six monthly	Update on NEW Homes & Property Management	To update Members on the work of the NEW Homes & Property Management	Strategic Housing & Program Delivery Manager
Annually – September 27	WHQS Capital Programme – Delivery review update	To provide an update on progress of the Welsh Housing Quality Standards (WHQS), that the Council is delivering through its Capital Investment Programme. Report to include information around the use of local labour and number of apprentices and school leavers.	Service Manager – Housing Assets
Monthly	Void Management	To provide a detailed update to the Committee on Void properties and the work undertaken to bring the properties back into use.	Service Manager – Housing Assets

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ACTION TRACKING FOR THE COMMUNITY & HOUSING OVERVIEW & SCRUTINY COMMITTEE

Meeting Date	Agenda item	Action Required	Action Officer(s)	Action taken	Timescale
13.09.2023	6. Homelessness Budget Pressures	That the Chair write to the Welsh Government, on behalf of the Committee, to express its concern around the financial implications to the Local Authority following changes to the Housing Wales Act 2014 (HWA 2014) and the need for appropriate levels of resource and support to be provided to the Local Authority.	Ceri Shotton Martin Cooil Cllr Helen Brown	Letter drafted and shared with Chair.	On-going
11.10.2023	4. Budget 2024/25 – Stage 2	Cllr Rosetta Dolphin asked if information on the out of county placements for the previous year could be provided. Sara Dulson suggested that this information be circulated following the meeting.	Sara Dulson	The information has been collated and will be shared with the Committee ahead of the 10.01.24 meeting	On-going
13.12.2023	4. Progress Report on the Strategic Housing and Regeneration Programme 2 (SHARP2) and the Transitional Accommodation Capital Programme (TACP)	Cllr Rosetta Dolphin asked if the outcome of the Garage Site review be shared with Members. Sean O'Donnell suggested that an update report be added to the Forward Work Programme.	Sean O'Donnell / Ceri Shotton		

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COMMUNITY & HOUSING OVERVIEW AND SCRUTINY COMMITTEE

Date of Meeting	Wednesday 10 th January 2024
Report Subject	Welsh Housing Quality Standards (WHQS 2 2023)
Cabinet Member	Cabinet Member for Housing and Regeneration
Report Author	Chief Officer (Housing and Communities)
Type of Report	Operational

EXECUTIVE SUMMARY

The purpose of this report is to provide an update regarding the new Welsh Housing Quality Standards (WHQS 2 2023) and the Council's obligations relating to delivery of the new standards.

The Council were successful in delivering the previous WHQS programme of works to all Council stock, a major capital investment of over £100m. The Council are now in the maintenance phase of the programme, delivering further investment works to those components within our properties where required.

As a result of the new standards, the Council will be required to update its specifications, work briefs and programmes of work to comply with the new guidance.

RECOMMENDATIONS

1	To support the capital investment programme in the next phase of delivery as it moves towards complying with the new updated Welsh Housing Quality Standards and requirements.
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REPORT DETAILS

1.00	EXPLAINING THE WELSH HOUSING QUALITY STANDARD
1.01	<p>The Welsh Housing Quality Standard 2023 (the Standard) sets the target for the condition of all social housing in Wales.</p> <p>The Standard was originally introduced in 2002 and has been successful in raising the quality of social homes in Wales. This level of quality must be maintained and enhanced, taking account of changes and expectations in, and impacts from, the wider world such as climate change and technical advancements in building fabric.</p> <p>The Council is committed to bringing all existing social housing up to this new Standard by 2033 (elements in Part 3 may be reached at different times). The expectation is that WHQS 2023 will be reviewed within 3 years. The outcome of this iteration of the Standard will be reviewed and refreshed within ten years.</p> <p>The next review will then consider the improvement made to the social housing stock from this Standard and the progress required to remain on track to meet 2050 climate obligations.</p> <p>The Standard sets the requirements all social housing is updated and kept in good condition so social contract holders have the opportunity to live in a home that:</p> <ul style="list-style-type: none"> • Is in a good state of repair; • Is safe and secure; • Is affordable to heat and has minimal environmental impact; • Has an up-to-date kitchen and utility area; • Has an up-to-date bathroom; • Is comfortable and promotes wellbeing; • Has a suitable garden; and • Has an attractive outside space. <p>A home will meet the Standard when all relevant elements are achieved. It is recognised that some elements of the Standard are not applicable to all homes. It is also recognised that not all homes will be able to achieve some elements for various reasons.</p>
1.02	<p>Julie James MS, Minister for Climate Change:</p> <p>“The turn of the century saw the introduction of the Welsh Housing Quality Standard (WHQS). Welsh Government, together with social landlord delivery partners, have invested billions of pounds to significantly improve and maintain the quality of social homes across Wales over the last two decades.</p> <p>By 2022, all social housing in Wales has met the challenging Standard and social landlords continue to maintain that Standard today.</p>

	<p>Spanning six administrations, to date, WHQS is an example of how Governments can take the long view; investing in long term policies and programmes, with long-term funding models, enabling social landlords to confidently invest over the long term in assets and communities.</p> <p>This has resulted in driving up the standard of social housing in Wales compared to housing in other sectors. Everyone accepts that living in a quality home brings benefits to both the physical and mental wellbeing of those who live in them.</p> <p>The 2020's have already brought rapid and unexpected change with a global pandemic fundamentally shifting how people live, feel about, and what they expect from a home. Social justice and equality issues such as broadband access and flooring provision, building safety and the ability to live safely and securely in homes have become even more paramount; appreciation of our homes is perhaps higher than it has been for a very long time.</p> <p>Wales led the way in declaring a climate emergency. The 2020's will need to be a decade of decarbonisation for housing, where we learn how to effectively and efficiently upgrade social housing, in ways which reduce carbon emissions, and energy bills for tenants.</p> <p>What is learnt upgrading the 230,000 social homes in Wales, will drive how we as a nation tackle making the 1.2 million privately owned homes net zero carbon. The challenge of retrofitting the existing housing stock is vast. Every single house has a different history; therefore, our mission is to reduce carbon emissions home by home, and street by street.</p> <p>I am therefore delighted to introduce WHQS 2023. This Standard builds on the excellent achievements of its predecessor and will continue to drive up and maintain the quality of social housing in Wales. WHQS 2023 once again raises the bar for social housing and aims to be both bold and achievable. It is deliberately demanding. But I am determined that social housing in Wales becomes a tenure of choice providing modern, low carbon, quality homes which are fit for the 21st century and beyond”.</p>
1.03	<p>New Themes</p> <p>WHQS 2023 driving towards a Net Zero Wales WHQS sets out Standards relating to the decarbonisation of social homes and aims to reduce carbon emissions from the Welsh housing stock. This Standard contributes towards governmental climate change goals expressed through the Net Zero Wales plan published in 2021 and updated in 2022. In time, it is anticipated that the Standard will apply to other types and tenures of housing, and this will be kept under regular review.</p> <p>WHQS 2023 and digital connectivity Consideration should be given to how landlords can alleviate digital exclusion amongst contract holders. Digital connectivity is a social justice matter, with Ministers expecting social landlords to be innovative in</p>

	<p>maximising the opportunity for individual households and communities to have, where possible, equal access to online opportunities.</p> <p>Evaluation of WHQS 1 (2008) The evaluation concluded <i>‘that the WHQS had been effective in achieving its key objective of raising standards of social rented housing’ and ‘has benefits for tenants and should be continued into the future...’</i></p> <p>The evaluation process identified areas of the Standard that required updating and improving, areas where research and societal changes had changed expectations since the original Standard was launched, as well as new areas to include, these are listed below:</p> <ul style="list-style-type: none"> • Data collection and reporting; • Compliance policies; • Fire and electrical safety; • Affordable Warmth and Environmental Impact (new elements); • Flooring (new element); • Water efficiency (new elements); • Biodiversity (new element); • Active travel (new element);
1.04	<p>Timeline for achievement of the Standard</p> <p>By 31 March 2025, landlords must:</p> <ul style="list-style-type: none"> • Assess the condition of their stock and the work necessary to meet the Standard; • Estimate the investment needed to achieve the Standard; • Complete contract holder engagement on the programme; • Prepare and submit a Compliance Policy to the Welsh Government; and • Update the Business Plan to reflect the programme. <p>By 31 March 2027, landlords must:</p> <ul style="list-style-type: none"> • Produce Target Energy Pathways, informed by their Whole Stock Assessment; <p>By 31 March 2034, landlords should have:</p> <ul style="list-style-type: none"> • Confirmed that all their housing stock meets the Standard. <p>Contract holder engagement on the programme It is recognised that to foster pride and belonging, contract holders should be encouraged to be involved in making any decisions that affect their community and environment. It is expected that contract holders are shown how the programme was developed, and how contract holder and/or contract holder groups views and priorities have influenced the programme. The precise process for contract holder engagement is a matter for the individual landlord.</p>
1.05	<p>The existing capital investment programme has continued as scheduled, to ensure the Council remain compliant with the existing WHQS standards;</p>

	<p>however key changes will need to be implemented as smoothly and efficiently as possible.</p> <p>To ensure the Council is prepared for the new WHQS 2023 requirements the Housing Assets Teams have commenced a number of key actions / milestones that must be achieved before implementation:</p> <ul style="list-style-type: none"> • Agree the HRA Business Plan with Welsh Government. • Complete Stock Condition Surveys (both internally & externally). • Procure an independent Stock Condition Survey targeting a percentage of the housing asset stock to provide assurance. • Consult with Members. • Conduct Tenant Federation workshops. • Conduct contract holder consultation workshops in our local Connects Centres. • Request feedback via an online questionnaire and comments section on Council's WHQS & Decarbonisation works. • Ensure our existing contracts are compliant and able to accommodate the new WHQS standards / specifications seamlessly. • Tender additional work streams, where required, to target new work elements (i.e. Intelligent Energy Metering, Heat Metering and Energy Performance Devices).
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2.00	RESOURCE IMPLICATIONS
2.01	<p>Staff - There are concerns staff retention may be difficult to maintain. Given that the construction industry is an ever-changing sector, staff may seek opportunities elsewhere i.e., new build, private sector etc.</p> <p>The Capital Works Team have made adjustments to the team's structure to incorporate a degree of resilience, succession planning and robustness to the delivery model and departments risk register.</p>
2.02	<p>Budgets - When developing our delivery programme, budget estimates were made for the required upgrade works to our existing properties with contingency sums included for unforeseen work such as structural repairs etc.</p> <p>Further works have been undertaken with colleagues in Finance and we have begun forecasting our budget requirements for the next tranche of works.</p>
2.03	<p>Procurement – Procuring the various WHQS works can be challenging. The Council must ensure all contracts are measured, not only by cost but by quality. Quality forms an important part of the assessment process where the Capital Works Team interviews all contractors and assesses Quality Submission Papers before any contracts are awarded. The team have been able to secure further efficiencies by merging some contracts so that internal and external resources can be shared.</p>

	<p>There is a risk that many contractors are opting for new build contracts rather than refurbishment contracts. Engaging with our supply chain early and sharing our Capital Investment Programme aspirations with our Contract Framework Partners assists us to procure longer term contracts and therefore reduces risk of inflated costs based on long term contract arrangements.</p>
3.00	IMPACT ASSESSMENT AND RISK MANAGEMENT
3.01	<p>As per paragraphs 2.01, 2.02 and 2.03, the Council has commenced with a full review of the Council's resources, budget requirements and procurement challenges.</p> <p>The Housing and Assets service are in the process of procuring a framework of contractors and suppliers to mitigate risks in terms of contractor resource and material supply and to also provide assurance with regards to associated costs, which impact upon our budgets etc.</p>

4.00	CONSULTATIONS REQUIRED/CARRIED OUT
4.01	<p>Prior to the Capital Investment Programme commencing in 2014 to comply with the WHQS (2008), the team held Member workshops, where most Members attended and were actively involved in the design and delivery of the current Capital Programme.</p> <p>Tenant Federation workshops were also held where we engaged with the federation with regards to what priority, and which order the works should be completed, along with holding contract holder consultation workshops in our FCC Connects Centres and community centres engaging with our contract holders and discussing the Capital Programme along with ascertaining what order contract holders would prefer to have components of their home upgraded first.</p> <p>Moving forwards, and as part of the next phase of the Capital Programme and decarbonisation retrofit programme, the Capital Works Team will again be consulting with Members, contract holders and contract holder groups to ensure that each is engaged with and to ensure their preferences and any concerns with regards to this next phase are considered and implemented as we have previously.</p>
4.02	<p>In addition to the work detailed within this report, there is a wider issue that needs to be considered around the potential to undertake regeneration schemes on some of our estates rather than continue to commit funding to assets that will be expensive to continue to maintain and run, have high numbers of voids and which are expensive to heat and run for the contract holder.</p> <p>Consultations will need to be held with Members and contract holders as the Council progresses with its investment plans and this will be completed prior to any works being procured and delivered.</p>

5.00	APPENDICES
5.01	None.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	https://www.gov.wales/welsh-housing-quality-standard
6.02	https://gov.wales/decarbonisation-homes-wales-advisory-group#content
6.03	https://gov.wales/sites/default/files/statistics-and-research/2021-06/welsh-housing-quality-standard-summative-evaluation.pdf

7.00	CONTACT OFFICER DETAILS
7.01	Contact Officer: Sean O'Donnell, Service Manager - Housing Assets Telephone: 01352 701642 E-mail: Sean.O'Donnell@flintshire.gov.uk

8.00	GLOSSARY OF TERMS
8.01	Capital Programme: The Council's financial plan covering capital schemes and expenditure proposals for the current year and future years. It also includes estimates of the capital resources available to finance the programme.
8.02	The Welsh Housing Quality Standard (WHQS): is a national standard of quality for homes. This is set by the Welsh Government. It means that all contract holders in Wales should have the opportunity to live in good quality homes which meet the requirements of that household.
8.03	Financial Year: the period of 12 months commencing on 1 April.
8.04	Budget: a statement expressing the Council's policies and service levels in financial terms for a particular financial year. In its broadest sense it includes both the revenue budget and capital programme and any authorised amendments to them.
8.05	Contract Framework: A Contract Framework is an agreement between one or more contracting authorities and one or more economic operators. These frameworks have Contractors, Consultants and Suppliers that have been successful in joining the specific work categories. The Council often uses these frameworks to procure works that have already gone through a tender process in line with OJEU and can be utilised to procure works or services. They are often the most economic advantage in terms of value for money and local training provision.

8.06	HRA: The Housing Revenue Account.
8.07	Components: A part or element such as an asset / amenity (kitchen bathroom, boiler, roof, windows, doors etc.).
8.08	Decarbonisation: Referring in this instance to Welsh Governments requirement for all Local Authorities in Wales to reduce its Carbon emissions and usage.
8.09	EPC: Energy Performance Certificate.
8.10	SAP: Standard Assessment Procedure.



COMMUNITY & HOUSING OVERVIEW AND SCRUTINY COMMITTEE

Date of Meeting	Wednesday 10 th January 2024
Report Subject	Car Parking Provision – Council owned properties
Cabinet Member	Cabinet Member for Housing and Regeneration
Report Author	Chief Officer (Housing and Communities)
Type of Report	Operational

EXECUTIVE SUMMARY

In 2001 the National Assembly of Wales approved the National Housing Strategy for Wales 'Better Homes for People in Wales'. The strategy set out Welsh Assembly Governments long-term vision for housing in Wales.

Central to that vision was the expectation that all households in Wales have the opportunity to live in good quality homes. To achieve this, the physical standard and condition of existing housing must be maintained and improved to the Welsh Housing Quality Standard.

This report focusses on the works which have been completed and continues to be delivered through the Council's Environmental Programme which includes the provision of car parking. The report also details the scoring matrix, which is used by officers for prioritising scheme requests, along with our proposals to review and implement contract holder permit controlled parking to our council owned stock.

RECOMMENDATIONS

1	To support the proposed actions relating to car parking permit schemes.
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REPORT DETAILS

1.00	THE WELSH HOUSING QUALITY STANDARD & ENVIRONMENTAL WORKS
1.01	<p>In the context of the Welsh Housing Quality Standards, the following Council Housing owned areas are assessed, considered, and reviewed in order to remain compliant:</p> <ul style="list-style-type: none"> • Roads and footpaths. • Soft and hard landscaping with planting. • Street lighting (adequate). • Adequate and safe play space. • Adequate and practical and maintainable communal areas. • Dwellings clearly identifiable with definable boundaries. • Utility services practically located and well identified. • Adequate and practically located parking clearly visible.
1.02	<p>When undertaking an evaluation of environmental works in a specific area there needs to be an objective base and criteria with which to make decisions.</p> <p>The document included at appendix 1 is the matrix used by officers when assessing schemes, this criterion has been used successfully for a number of years.</p> <p>The officer will assess the feasibility of any proposed schemes, usually recommending several options that could meet the needs of its council owned homes whilst considering congestion risks along with access / egress provisions for emergency and service vehicles.</p> <p>Any proposals are scored through the matrix which assesses and evaluates a schemes feasibility, costs and priority.</p>
1.03	<p>From this, any schemes that are feasible and are of the highest priority are progressed through to the capital programme for inclusion. All schemes are subject to budget availability and resources.</p>
1.04	<p>Over the years, congestion levels have increased along with complaints associated to contract holder assigned car parking.</p> <p>Many schemes have been subject to vehicles parking in Council owned housing complexes or estates, which are not in the ownership of any contract holders (Council tenants).</p> <p>As many of the Council's car parking areas within its housing complexes are not permit controlled, there is no associated enforcement action or measures that can be implemented to deter from unauthorised vehicle parking.</p>
1.05	<p>It is proposed that the Council progresses with a review of all housing estates and complexes to ascertain if a permit-controlled parking scheme would be beneficial.</p>

	<p>Officers would review any previous requests or complaints relating to parking issues or concerns and complete feasibility studies and consultations with Members and contract holders to ascertain if a contract holder permit scheme would be beneficial and required.</p> <p>Costs associated to a permit-controlled parking order would need to be assessed on a scheme-by-scheme basis, with plans drawn up to identify which areas of Council housing owned areas of land would be included or excluded along with conditions of any parking orders placed upon these areas.</p> <p>Housing Management Teams would complete consultation meetings / events and directly contact contract holders (tenants) to ascertain the number of any vehicles that are registered to the housing estates/ complexes (contract holders) in relation to the scheme and would discuss the permit conditions and costs both in group meetings and on an individual basis. The Council would not be able to guarantee parking availability or allocate / designate contract holders with individual parking bays as this would not be feasible or viable. This may be due to existing parking capacity onsite or the limited available land areas that could be converted in the future. In certain schemes there are disabled car parking bays which must be provided, again these could not be designated to contract holders.</p> <p>Contract holder parking permits will only be allocated to new applicants as and when there is parking availability/ capacity.</p>
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2.00	RESOURCE IMPLICATIONS
2.01	<p>Staff - There are concerns relating to staff retention. Given that the construction industry is an ever-changing sector, staff may seek opportunities elsewhere i.e., new build, private sector etc.</p> <p>The Assets Teams have adjusted the team's structure to incorporate a degree of resilience, succession planning and robustness to the delivery model and departments risk register.</p> <p>The Housing Management Team will be required to administer the permit schemes and organise consultation meetings with local Members and contract holders to ascertain demand and requirements etc.</p> <p>Colleagues in Streetscene would manage the enforcement responsibilities of any permit-controlled areas.</p>

3.00	IMPACT ASSESSMENT AND RISK MANAGEMENT
3.01	As per paragraph 2.01, the Council has commenced with a full review of the Councils resources, budget requirements and procurement challenges.

	The Housing and Assets service are in the process of procuring a framework of contractors and suppliers to mitigate risks in terms of contractor resource and material supply and to also provide assurance with regards to associated costs, which impact upon our budgets etc.
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4.00	CONSULTATIONS REQUIRED/CARRIED OUT
4.01	As and when scheme requests are raised, consultation will commence with Members and contract holders as detailed.

5.00	APPENDICES
5.01	Appendix 1 – Scoring Matrix.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	https://www.gov.wales/welsh-housing-quality-standard

7.00	CONTACT OFFICER DETAILS
7.01	Contact Officer: Sean O'Donnell, Service Manager - Housing Assets Telephone: 01352 701642 E-mail: Sean.O'Donnell@flintshire.gov.uk

8.00	GLOSSARY OF TERMS
8.01	Capital Programme: The Council's financial plan covering capital schemes and expenditure proposals for the current year and a number of future years. It also includes estimates of the capital resources available to finance the programme.
8.02	The Welsh Housing Quality Standard (WHQS): is a national standard of quality for homes. This is set by the Welsh Government. It means that all tenants in Wales should have the opportunity to live in good quality homes which meet the requirements of that household.
8.03	Financial Year: the period of 12 months commencing on 1 April.
8.04	Budget: a statement expressing the Council's policies and service levels in financial terms for a particular financial year. In its broadest sense it includes both the revenue budget and capital programme and any authorised amendments to them.

MATRIX - ENVIRONMENTAL WORKS

PC1) Technical officers assessment of level of Congestion – Scale 1-10 points.

0 = no evidence of serious congestion
10 = Heavy congestion , neighbour disputes, high risk of accidents occurring.

PC2) Matches criteria for funding from the Housing Revenue Account:

+5 points for each new parking space benefiting a Council Tenant
-5 points for each new parking space benefiting an owner occupier

PC3) Feasibility study and cost estimate completed:

Plan drawn up by Highways Design +5 points
Plan & up to date cost estimate +10 points

PC4) Value for Money – Scale 1 – 10 points

0 points – Either way Cost per parking bay exceeds £20k
1 point - Cost per parking bay £18 – 20k
2 points- Cost per parking bay £16 – 18k
3 point - Cost per parking bay £14 – 16k
4 points- Cost per parking bay £12 – 14k
5 points- Cost per parking bay £10 – 12k
6 points- Cost per parking bay £8 – 10k
7 points- Cost per parking bay £6 – 8k
8 points- Cost per parking bay £4 – 6k
9 points- Cost per parking bay £2 – 4k
10 points- Cost per parking bay £0 – 2k

PC5) Cost of the scheme as a proportion of the Annual Budget

-50 points – Exceeds 100%
0 points – Waiting updated cost estimate
1 point - 90% to 100%
2 points- 80% to 90%
3 point - 70% to 80%
4 points- 60% to 70%
5 points- 50% to 60%
6 points- 40% to 50%
7 points- 30% to 40%
8 points- 20% to 30%
9 points- 10% to 20%
10 points- 0% to 10%

PC6) Expensive and time consuming Mains Services Diversions required

Required: -5 points
No information: 0 points
Not required: +5 points

PC7) Documented Resident Consultation with a positive result in favour

Yes: +10 points

PC8) Sheltered accommodation serving vulnerable / elderly / disabled tenants

Yes: +10 points

PC9) Scheme improves access for emergency services

Documented Representation on this issue: +10 points

PC10) Housing Management Officers in Favour

Yes: +5 points
No: -5 points
Neutral: 0 points

PC11) Ward Councillor in favour

Yes: +5 points
No: -5 points
Neutral: 0 points

PC12) Time Requested during the current financial year – 0 points

For each year preceeding - + 5 points

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COMMUNITY & HOUSING OVERVIEW AND SCRUTINY COMMITTEE

Date of Meeting	Wednesday 10 th January 2024
Report Subject	Alarm Service Charge Review
Cabinet Member	Cabinet Member for Housing & Regeneration
Report Author	Chief Officer (Housing & Communities)
Type of Report	Strategic

EXECUTIVE SUMMARY

The Council provides a range of services to residents, the community and visitors for which it can apply a fee or charge and generate income accordingly.

Within the Council's housing stock (HRA) there are 2592 sheltered housing accommodation units. Following a review of the warden service in 2009 this service was ceased, and the Community Based Accommodation Service (CBASS) was created.

The service provides a tenure neutral service for any older person in Flintshire who may need housing related support.

In addition, the service provides a response service for alarm activations. For HRA residents this is a 24-hour service, operating an out of hours service from within the team for outside office hours (evenings, nights and weekends)
The proposal is to apply the increased service charge to all sheltered residents who are currently using the alarm service. All new residents in sheltered schemes with an alarm will have the charge applied as per current process at the beginning of their new contract.

This report provides details of a proposal to increase the service charge to all sheltered residents who are currently using the alarm service and that the service charge will be applied to all sheltered properties at the point they are let in future.

RECOMMENDATIONS

1	That Community & Housing Overview and Scrutiny Committee supports and endorses the proposal to achieve full cost recovery for the housing revenue account alarms service.
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REPORT DETAILS

1.00	BACKGROUND TO THE SERVICE CHARGE REVIEW						
1.01	<p>The Council provides a range of services to residents, the community and visitors for which it can apply a fee or charge and generate income accordingly.</p> <p>Good practice suggests that local authorities should have a clear rationale for charging, which should include what services are charged for, how much is charged and how charging supports the delivery of corporate priorities.</p> <p>The Council's Income Generation policy (Appendix A) outlines the Council's rationale for fees and charges. It establishes the process by which fees and charges will be set and reviewed, sets out the key principles that should be used in setting them and outlines how charging for services supports the Council to deliver its corporate priorities.</p> <p>The Council's high-level aim is to maximise income generation wherever possible to contribute towards the delivery of key frontline services. Achieving full cost recovery for discretionary services, where the Council has a power but not a duty to provide the service, is a necessity for service sustainability. As, where the charge applied for these services does not cover the cost of service delivery, or it is not permitted to, this raises strategic questions for the Council to consider, such as if and how the services should be funded.</p>						
	Housing Revenue Account - Alarm Service Charge Review						
1.02	<p>Within the Council's housing stock (HRA) there are 2592 sheltered housing accommodation units. Following a review of the warden service in 2009 this service was ceased, and the Community Based Accommodation Service (CBASS) was created.</p> <p>The service provides a tenure neutral service for any older person in Flintshire who may need housing related support.</p> <p>In addition, the service provides a response service for alarm activations. For HRA residents this is a 24-hour service, operating an out of hours service from within the team for outside office hours (evenings, nights and weekends).</p>						
1.03	<p>In 2015/2016 the Council introduced a service charge for this service as set out below:</p> <table border="1" data-bbox="319 1809 1385 2033"> <tr> <td>Alarm Maintenance Charge</td> <td>£1.30 per week</td> </tr> <tr> <td>Alarm Monitoring Charge</td> <td>£0.90 per week</td> </tr> <tr> <td>Total</td> <td>£2.20 per week</td> </tr> </table>	Alarm Maintenance Charge	£1.30 per week	Alarm Monitoring Charge	£0.90 per week	Total	£2.20 per week
Alarm Maintenance Charge	£1.30 per week						
Alarm Monitoring Charge	£0.90 per week						
Total	£2.20 per week						

1.04	<p>As part of the consultation regarding the introduction of this new charge, some residents challenged this on the basis that they did not want, need, or use the alarm facility.</p> <p>Therefore, to address these concerns, and on a one off basis, the introduction of the new charge was only applied to those who required the alarm service, and others were given the opportunity to opt out of the service and not be charged.</p> <p>The opt out option only applied to this initial period to ease the transition to charges, this was not and is not offered to sheltered residents, any new residents to sheltered accommodation after this point, incur the service charge as part of their occupation contract (formerly the tenancy agreement).</p> <p>Any of the residents who opted out were given the option to opt back in at any stage if they required the alarm service and those that did, were and are charged for this service.</p> <p>There are currently 1846 residents with an active alarm and service charge.</p>
Issues with Current Process	
1.05	<p>The current service charge does not currently fulfil the requirement to achieve full cost recovery.</p>
1.06	<p>The current service charge is split as per the table at paragraph 1.03 above to support residents who are in receipt of means tested benefits to receive some support from the Housing Support Grant towards the cost of the alarm monitoring element (as this is not eligible for Housing Benefit or Universal Credit Housing element).</p> <p>This was originally intended to be in place for those residents who transitioned onto the charge in 2015/2016, however, this has never operated effectively due to the manual nature of the work and that people move on and off benefits, meaning charge adjustments at the point of change also.</p> <p>This has led to an inconsistent charging process which leaves the residents confused and a bigger gap between the charges and the costs. No exit strategy was developed for this process which has impacted the issues this causes.</p>
Proposal for new service charges	
1.07	<p>The table below details the breakdown of all the associated costs of providing this service. It also provides details of other funding that is used to contribute to the overall costs, and how the balance that needs to be recovered from the service charge is calculated.</p>

1.08	Alarm costs	Detail	Cost per annum
	Maintenance cost	Contract with supplier (CHUBB)	£118,000
	Management cost	Staff costs 2 x FTE plus 25% manager	£118,000
	Equipment cost	Based on prior year spend for new equipment only (a recycle and reuse system operates where possible to keep the costs down)	£50,000
	Call monitoring contract	Call monitoring contract (Delta) £223,000 per annum includes non HRA alarms (total 3027) Cost per customer £73.67 per annum x 1846 (HRA service) = £135,995 (rounded)	£135,995
	Out of hours alarm response service (HRA only service)	Cost 21/22 £35,775 Cost 22/23 £41,070 Cost (projected) 23/24 £39,529 (£23,059 to period 7) Average cost to be applied to service charge £39,000	£39,000
	Total ongoing cost 24/25		£460,995
	Less the HRA contribution	This is an annual contribution to be reviewed as part of HRA business planning - management and equipment costs	£168,000
	Total to be recovered via service charges		£292,995
Total service charge per resident	Total to be recovered £292,995 / 1846 sheltered residents with an alarm	£3.05 (£3.18 over 50 rent weeks)	
1.09	The proposal is to apply the increased service charge to all sheltered residents who are currently using the alarm service. All new residents in sheltered schemes with an alarm will have the charge applied as per current process at the beginning of their new contract.		
1.10	In order that residents who are eligible for support with their housing costs are able to claim the maximum possible, we are proposing to apply the charge to the rent account in the following way:		

1.11	Alarm costs	Detail	Charge over 50 rent weeks
	Alarm maintenance charge (benefits eligible)	Maintenance contract (CHUBB) £118,000 per annum = £1.23 per week	£1.28
	Alarm monitoring charge	Call monitoring (Delta) £135,995 per annum Out of Hours Response £39,000 per annum Total £174,995 per annum = £1.82 per week	£1.90
	Total		£3.18
1.12	This proposal represents an increase of £0.85 per calendar week, or when calculating over a 50-week period it equates to £0.98 increase.		
1.13	This will achieve full cost recovery from 2024/2025 and can then be reviewed annually as part of the HRA business planning process to align costs to service charges moving forward.		

2.00	RESOURCE IMPLICATIONS
2.01	The proposed service charge increase will enable full cost recovery to be achieved.

3.00	IMPACT ASSESSMENT AND RISK MANAGEMENT
3.01	<p>Services should also take into consideration the following when reviewing and setting fees and charges:</p> <ul style="list-style-type: none"> • Intelligence on the nature and elasticity of demand; • Benchmarking with other local authorities or alternative suppliers in more commercial markets; • An understanding of the market in which the service operates, including alternative service providers in the private, public and voluntary sectors; • Any applicable income targets for the service; • The implications of the level of fees and charges on the total income generated by the service, and the impact of this on the service and Council budget; • The impact of any increases on customers; • Whether concessions should be offered/continued, including : <ul style="list-style-type: none"> ○ The rationale for providing a concession to customers

	<ul style="list-style-type: none"> ○ Evidence that the concession is promoting take up of the service and benefiting customers most in need and at risk ○ The financial implications of offering concessions ● The Council's wider policy goals, aims and objectives; ● The impact on communities; and ● Equality and diversity issues.
3.02	<p>To provide a comparison information on alarm service charges has been collated from two of our neighbouring authorities:</p> <ul style="list-style-type: none"> ● Wrexham - £5.65pw (£282.50 per annum) ● Denbighshire - £3.92pw (196.00 per annum) <p>Please note that neither of these includes the provision of an out of hours service response from the Local Authority.</p>

4.00	CONSULTATIONS REQUIRED/CARRIED OUT
4.01	Housing and Communities Programme Board.
4.02	If the proposal is agreed, there will be a communication plan drafted to engage with the affected residents and local Members in the period leading up to the service charge implementation of April 2024.

5.00	APPENDICES
5.01	Appendix 1 - Flintshire County Council – Income Generation Policy.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	None.

7.00	CONTACT OFFICER DETAILS
7.01	<p>Contact Officer: Jen Griffiths – Service Manager, Housing; Welfare and Communities Telephone: 01352 702929 E-mail: jen.griffiths@flintshire.gov.uk</p>

8.00	GLOSSARY OF TERMS
8.01	None.



Flintshire County Council

Income Generation Policy

Version 3: June 2022

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1. Approach and Objectives

1.1 Approach

The Council provides a range of services to residents, the community and visitors for which it can apply a fee or charge and generate income accordingly.

Good practice suggests that local authorities should have a clear rationale for charging, which should include what services are charged for, how much is charged and how charging supports the delivery of corporate priorities¹.

This policy outlines the Council's rationale for fees and charges. It establishes the process by which fees and charges will be set and reviewed, sets out the key principles that should be used in setting them and outlines how charging for services supports the Council to deliver its corporate priorities.

The Council's high level aim is to maximise income generation wherever possible to contribute towards the delivery of key frontline services. Achieving full cost recovery for discretionary services, where the Council has a power but not a duty to provide the service, is a necessity for service sustainability. As, where the charge applied for these services does not cover the cost of service delivery, or it is not permitted to, this raises strategic questions for the Council to consider, such as if and how the services should be funded.

The setting of fees and charges must be linked to the Council's annual budget planning and Medium Term Financial Strategy (MTFS) planning process to create a strategic and coherent approach.

Any approach to income generation will by necessity need to be flexible, as this is a complex area and maximising income generation is not just about increasing fees and charges. For example, increasing fees/charges for services that operate in a commercial market to above the market rate may reduce demand for services, negatively impacting on income. Raising fees/charges to a level where customers can no longer afford them is likely to have a similar effect. Therefore, in some instances, it may be more appropriate to reduce fees and charges to gain a greater share of the market.

The Council may choose to offer subsidies to promote access to services for those who otherwise could not afford them. Such subsidies (often referred to as concessions) must

¹ Wales Audit Office (2016) Charging for services and generating income by local authorities. Available from: <https://www.audit.wales/system/files/publications/income-generation-2016-eng.pdf>

be transparent, properly understood and have a clear rationale, as each time a service user is not paying the full cost of a service, the council tax payer is providing a subsidy.

By strategically using charging and concessions, the Council can influence the behaviour of residents in line with wider Council policy goals. The Council can also demonstrate the value of its services and discourage the abuse of such services.

This policy document aims to support Council Members and Officers to strike the appropriate balance between these conflicting pressures and priorities.

1.2 Objectives

The objectives of this policy are to ensure that the Council:

- Maximises revenue generation through full cost recovery wherever possible;
- Ensures that a clear and consistent set of principles and criteria underpin all decision making;
- Ensures that fees and charges are set in a way that complements the Council's wider policy goals;
- Sets prices as part of the approach to marketing the service, setting fees and charges that are comparable with our own and/or broader commercial market and which reflect the ability of customers to pay for them;
- Adopts differential pricing for some specific services where warranted;
- Puts in place a consistent process and governance structures;
- Takes into account any competition to deliver the service from the public, private or voluntary/third sectors; and
- Collects payment of fees and charges as efficiently as possible, utilising digital mechanisms and in advance of the point of delivery where possible whilst providing alternative options for customers to make payment where needed.

2. Principles

This section sets out the overarching principles that should be applied when setting fees and charges across the Council.

Flintshire County Council's fees and charges should:

- Maximise the level of income generated from the service within the appropriate legal framework that governs those fees/charges;
- Ensure charges are transparent and communicated to customers with reasonable notice;
- Take into account the nature of demand for the service and any market intelligence available;
- Complement the Council's wider policy goals and objectives;
- Be reviewed annually, overseen by Programme Boards, and reported to Cabinet in July of each year prior to implementation of any changes on 1st October;
- Achieve full cost recovery or market rate comparison wherever possible, with a phased approach to achieving by October 2022 for those not already operating at full cost recovery;
- As a minimum increase in line with inflation each year, where permitted, using one of the agreed inflation indices, unless there is a clear rationale for not doing so, or for reducing the level of the fee in real terms; and
- Take into account equality and diversity issues.

It is acknowledged that a number of these principles are contradictory in nature and that there should be a clear mechanism for deciding the prevailing priorities for each instance where conflicts arise.

3. Process for reviewing and setting fees and charges

3.1 Overview

This section of the policy sets out the process for the setting of fees and charges across the Council. It aims to put in place a transparent process that will take place annually, ensuring that all areas of the Council are taking into account the same principles and criteria in making decisions on the level of fees and charges.

3.2 Monitoring and governance

A governance and oversight structure is required to standardise the process of setting fees and charges and ensure that service areas are consistently basing their decisions on the appropriate criteria. For this purpose income generation will be monitored through current portfolio Programme Boards and the annual review of fees and charges reported to Cabinet in July each year prior to any changes being implemented on 1st October.

Changes to fees and charges at other times during the year can be made in some circumstances, such as statutory fee changes, which are set by government/in legislation and in other extenuating circumstances.

In relation to income management Programme Boards will:

- Receive proposals for adjusting fees and charges on an annual basis, which must be considered in light of the Council's overarching MTFS;
- Review income related business case investment proposals and proposals to introduce new fees or charges;
- Review these proposals to ensure that the appropriate criteria underpin the proposals;
- Recommend the appropriate process for approval for new fees/charges and changes to existing fees/charges where changes are not aligned to the agreed process and principles outlined in this policy and accompanying guidance; and
- Monitor the income generation performance of services against set targets.

3.3 Approval of fees and charges

Programme Boards do not have the authority to approve the setting of fees and charges. The responsibility for this remains with individual Chief Officers in consultation with their respective Cabinet Member under delegated powers/authority and/or Cabinet or Full Council, where necessary.

3.4 Process for annual review of fees and charges

Step 1

Fees and charges should be reviewed annually and this review will commence in April each year, instigated and overseen by the Council's Corporate Finance Team. Service areas will be required to review current levels of fees and charges for all chargeable services.

When reviewing and setting fees and charges the service should ensure it understands the full cost of providing the service, including overheads (indirect costs), and the demand for the service. Services should be prepared to provide supporting information to demonstrate full cost recovery or market rate comparison is being achieved, where permitted.

Services should also take into consideration the following when reviewing and setting fees and charges:

- Intelligence on the nature and elasticity of demand;
- Benchmarking with other local authorities or alternative suppliers in more commercial markets;
- An understanding of the market in which the service operates, including alternative service providers in the private, public and voluntary sectors;
- Any applicable income targets for the service;
- The implications of the level of fees and charges on the total income generated by the service, and the impact of this on the service and Council budget;
- The impact of any increases on customers;
- Whether concessions should be offered/continued, including :
 - The rationale for providing a concession to customers
 - Evidence that the concession is promoting take up of the service and benefiting customers most in need and at risk
 - The financial implications of offering concessions
- The Council's wider policy goals, aims and objectives;
- The impact on communities; and
- Equality and diversity issues.

Step 2

Having reviewed and updated their fees and charges accordingly, service areas will need to report these to their Programme Board.

The Programme Board will assess whether the right balance between competing interests has been struck given the wider financial context and will advise the service area on any changes that may be required. The Programme Board will also determine whether the proposals should be sent for approval. In particular the Programme Board will expect that:

- As a minimum the value of fees and charges should be maintained in real terms over time and increased annually in line with one of the agreed inflation indices;
- Any discretionary services that are not achieving full cost recovery will explain why they are operating at a deficit and more importantly how they will achieve full cost recovery with an accompanying plan for doing so; and
- All concessions will be justified, with evidence that the concession is benefitting the target community and the financial implications of the concession for the wider service budget made clear.

Step 3

When proposals have been supported in principle by the Programme Board they can be returned to Corporate Finance who will collate returns from service areas/Portfolios.

The output of this review will be a collated schedule of all fees and charges applied by the Council which will be reported to Cabinet in July for approval prior to any changes being implemented on 1st October.

Changes to fees and charges at other times of the year are permitted for statutory fee changes and under other extenuating circumstances. However, the processes, principles and approvals outlined in this policy should still be followed and adhered.

Estimates of additional income from increases to fees and charges should be passed to Corporate Finance, agreed and factored into the final budget setting process/MTFS.

Further information and supporting guidance for the annual review of fees and charges will be circulated to service areas at commencement of the annual review.

3.5 Annual inflation uplift

The normative annual inflation index to be used as part of the annual review of fees and charges is the Consumer Prices Index, including owner occupiers' housing costs (CPIH) 12 month inflation rate, as of March in the calendar year of the review. However, the local or Council's inflation rate, which requires a calculation of the annual increases in

direct and indirect costs for each service where a fee/charge is applied, or a market rate comparison inflation rate can be used.

Where the Council has the power to alter fees and charges it is assumed that one of these inflation indices will be used to apply an annual inflation uplift.

3.6 Timescales and responsibilities

The annual review of fees and charges will commence in April each year, instigated by Corporate Finance.

Service areas/Portfolios will be responsible for reviewing their fees and charges in consultation with their Principal Accountant and for submitting these to Programme Boards for consideration, in line with the process detailed in this policy.

Portfolios should return their fees and charges to Corporate Finance by late May/early June. Corporate Finance will then collate the schedule of fees and charges ready to circulate to Cabinet, with an accompanying report, for approval at their July meeting.

Any changes to fees and charges resulting from the annual review will be implemented on 1st October, allowing adequate time for service areas to communicate changes to customers and other stakeholders in advance of their implementation.

Service areas are responsible for setting any new fees and charges, ensuring these fully recover costs wherever permitted, apply VAT where applicable and go through the appropriate approval processes, as detailed in this policy.

Where there are identified areas of non-compliance with the above responsibilities, Principal Accountants within Corporate Finance can escalate any identified non-compliance to the appropriate Chief Officer.

Roles and responsibilities in relation to fees and charges are summarised in the following table.

Role	Responsibility
Annual review of fees and charges, ensuring compliance with relevant regulation/legislation as applicable to those fees and charges and the Council's Income Generation Policy	Service areas/Portfolios
Developing proposals/business cases for new fees and charges, ensuring compliance with relevant regulation/legislation as applicable to those fees and charges and the Council's Income Generation Policy	Service areas/Portfolios

To provide checks of calculations, highlight inaccuracies and to raise to service areas any identified non-compliance with Policy	Management Accounting Team (Principal Accountants)
Resolution of any identified non-compliance	Service areas/Portfolios
Authority to approve fees and charges	Chief Officers in consultation with the appropriate Cabinet Member; or Cabinet; or Full Council
Monitoring income generation, including proposals for adjusting fees and charges	Portfolio Programme Boards (as outlined in sections 3.2 and 3.4 of this Policy)
Instigation of the annual review of fees and charges, to include producing draft schedule of fees and charges for review and supporting guidance/documents	Corporate Finance
Collation of annual schedule of fees and charges and reporting to Cabinet	Corporate Finance
Notifying customers (or potential customers) of fees and charges and/or changes to these	Service areas/Portfolios

3.7 In year changes

As noted earlier in this policy, the Council’s Constitution provides Chief Officers, in conjunction with their respective Portfolio Cabinet Members, a mechanism to set fees and charges in accordance with any policy or strategy approved by the Cabinet or Council, i.e. this policy.

With prior approval charges can be varied on an in year basis, i.e. to manage demand as part of demand management, or ensure costs are fully recovered if these increase significantly in year.

3.8 New opportunities for income generation and the process for introducing new fees or charges

Each year the Members, Chief Officers and Service Managers from across the Council should actively consider new opportunities for income generation. However, this process should not simply be viewed as an annual activity and opportunities to generate additional income should be explored proactively throughout the year.

The purpose of these reviews should be to go beyond the usual paradigms of service delivery and create a more commercial culture within the organisation testing the boundaries of what is possible and exploring new ideas. They should discuss individual services in turn, assess latest development and best practice in income generation nationally, consider new ideas, and establish whether any can be taken forward.

If ideas are identified Chief Officers and Service Managers will be tasked with their exploration, development and implementation.

The process and considerations for introducing any associated new fees or charges is broadly the same as that for the review of fees and charges outlined in section 3.4 above. That is fees and charges should be set to achieve full cost recovery and the Council has developed a cost recovery template to assist service areas with this. In addition, intelligence should be gathered about anticipated demand and the market more broadly to understand the market in which the service will operate, benchmarking against other local authorities and/or the wider market should be undertaken, and the ability of customers to pay, including the use of concession should be considered, alongside the fit with the Council's wider policy goals, aims and objectives. An Integrated Impact Assessment (IIA) should also be completed for any new fees/charges, which will incorporate considerations around equality and diversity issues.

Service areas should seek support from their Principal Accountant when looking to calculate new fees and charges and should seek advice regarding the VAT status of any new proposed fees or charges, i.e. if they are standard rated, exempt, etc.

As outlined in section 3.2 above, Programme Boards should consider any proposals for new fees and charges. When agreement in principle is sought from Programme Boards, the Board will recommend whether the proposals should be sent for approval under the process of delegated powers/authority.

The following principles and guidelines will apply here:

- The presumption should be that the proposal will be sent for approval under delegated powers as outlined in the Council's Constitution.
- If the proposal raises concerns that it will be politically controversial, it should, in the first instance, be referred to the Cabinet Member with responsibility for the service in conjunction with the Chief Officer for further consideration and approval, who may choose subsequently to refer to Cabinet for approval.

All proposals will be sent for approval using the methods supported by the Programme Board and, if approved, will be enacted by services.

Estimates of additional income from the introduction of new fees and charges should be passed to Corporate Finance, agreed and factored into the final budget setting process/MTFS.

3.9 Communications

The schedule of fees and charges resulting from the annual review will be published. However, service areas should put in place arrangements to communicate clearly any changes in fees and charges, or the introduction of new fees/charges, to customers.

A segmented approach should be used to ensure that the right messages are communicated to the right stakeholders, which should include, where applicable:

- Council staff;
- Customers/service users’;
- Taxpayers;
- The media;
- Local businesses; and
- Community groups.

A corporate approach will be taken to managing and approving these communications, where considered necessary, in order to ensure consistency of message across the Council. This approach will include the following principles:

- All communications issued should make clear the reason for the change in the fee or charges (e.g. in line with inflation, increases costs, etc.);
- Where there is an increased fee or charge, communications should provide clear advice to customers on the concessions available (if any) to make sure those who are entitled to discounts receive them; and
- The timing of communications should be co-ordinated in line with when the change is implemented.

Any communications proposed to be issued out in respect to this should be cleared by the respective Portfolio Cabinet Member before being sent.

4. Payments

It is vital that the Council receives payment for its chargeable services. Wherever possible customers should be required to pay charges in advance of delivery of services, or at the point of delivery, to minimise the risk of non-payment and to assist customers to manage their own liabilities to the Council.

To facilitate payment, and provide a customer centred service, multiple payment methods should be available to the customer. However, online and direct debits should be promoted as preferred methods.

Each year a review should also be undertaken of the means by which payments are made to all services. As part of the annual review of fees and charges, and when setting new fees and charges, services should consider how payment is collected and how this can be made (more) efficient, using less expensive channels of payment collection and how this will be promoted and signposted to. This work should be consistent with the objectives set out in within the Council's Digital Strategy.

5. Concessions

A concession is applied when a local authority chooses to set a charge below the actual cost of service provision.

Concession setting is a careful balancing act. The Council may wish to target certain services at a specific group of residents and in doing so it may decide to apply a concession. For example, it may wish to offer assistance to the elderly, or those on benefits. However, every time a customer is not paying the full cost of a service, the council tax payer is in effect providing a subsidy. It is therefore important that efforts are made to ensure that subsidies are targeted at those customers whom the Council has made a conscious policy decision to help.

Certain principles are therefore important when determining the need for a concession:

- The Council should be wary of extending concessions to those who may be able or willing to pay the full fee/charge for a service;
- Concessions should not be applied to services which are lower priority for the Council;
- Concessions should be focused on those groups most in need and at risk;
- Concessions must be transparent, properly understood and have a clear rationale for their application;
- The implications of each concession for the Council's overall financial position must be understood;
- There should be evidence that the concession is promoting take up of the service and benefitting customers; and
- Concessions should be non-discriminatory in nature and effect.

Concessions are likely to exist on a service specific level. It is therefore important that when reviewing concessions a consistent approach has been taken. Programme Boards will undertake this role as a part of the process outlined in section 3 of this policy, along with an assessment of whether services proposals for concessions should be supported.

In order to this the Board will:

- Collect information available on subsidies provided for chargeable services;

- Ask finance staff to map the overall financial consequences of current subsidies for the Council's budget;
- Assess the information provided by service areas and consider the financial consequences for the Council's budget submitted by finance. The Board's presumption will be that all concessions need to be justified, and the financial implications of the concession for the wider service budget must be clear;
- As part of this process the Board should compare the need for and cost of subsidies that exist in different services. To do this the Board should rate the chargeable services prioritising who should pay for the service by asking the following questions:
 - Should the council tax payer pay for the services? (in which case the service is free to customers/service users)
 - Or should the service user pay for the service? (in which case there will be no subsidy and the customer will pay the full cost of the service)
 - How much will each of these options cost the taxpayer?

Based on the above, the Board can decide which service proposals and subsidies should be approved. This process will enable the prioritisation of subsidies within a clear financial context, to feed into the Board's decision as to whether to send service proposals for approval.

The Council will undertake this process on an annual cycle.

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COMMUNITY & HOUSING OVERVIEW AND SCRUTINY COMMITTEE

Date of Meeting	Wednesday 10 th January 2024
Report Subject	Cost of Living and Welfare Reform
Cabinet Member	Cabinet Member for Housing and Regeneration
Report Author	Chief Officer (Housing and Communities)
Type of Report	Operational

EXECUTIVE SUMMARY

This report provides a combined operational update on the latest welfare response impacts, and the cost-of-living schemes to support residents.

RECOMMENDATIONS

1	Support the ongoing work to manage the impacts that welfare reform has, and will continue to have, on some of the most vulnerable residents.
2	Note the support measures implemented via Welsh Government to mitigate the cost-of-living crisis.

REPORT DETAILS

1.00	EXPLAINING THE LATEST POSITION FOR WELFARE REFORM AND COST OF LIVING CRISIS MITIGATION
1.01	<p>The report provides an update on the impact that welfare reforms continue to have on Flintshire residents and the ongoing work to mitigate this, and support households affected.</p> <p>Vulnerable households are now also being impacted by the cost-of-living crisis. The report provides information around a range of measures implemented to help those affected by the cost-of-living crisis and the support provided to residents to help mitigate these negative impacts.</p>
	Spare Room Subsidy
1.02	<p>More commonly referred to as the Bedroom Tax, this reform relates to restrictions of Housing Benefit or Universal Credit where the claimant is under occupying the property. The restrictions are:</p> <ul style="list-style-type: none"> • 14% reduction to the eligible rent where a person living in a social landlord property, has one or more 'spare bedroom'. • 25% reduction to the eligible rent where a person living in a social landlord property, has two or more 'spare bedrooms'.
	Impact in Flintshire
1.03	<p>Currently, a total of 355 households in Flintshire are subject to a reduction in their housing benefit payments because of the spare room subsidy.</p> <p>75 households are affected by a 25% reduction. These households comprise of:</p> <ul style="list-style-type: none"> • 59 LA properties with a total weekly reduction of £1,739.69 • 16 Registered Social Landlords with a total weekly reduction of £475.83 <p>280 households are affected by a 14% reduction. These households comprise of:</p> <ul style="list-style-type: none"> • 218 LA properties with a total weekly reduction of £3414.68 • 62 Registered Social Landlords with a total weekly reduction of £1,006.77 <p>The above reduction totals £6636.97 per week and equates to £345,122.00 per annum.</p>

	<p>The spare room subsidy is a restriction that also is applied to Universal Credit (UC). Statistics in September 2022 confirm that a total of 834 Flintshire residents are subject to a reduction in their UC because of the spare room subsidy. However, the reduction costs are not available to report.</p> <p>This means that contract holders affected by this restriction must find extra money to pay their rent.</p>
	<p>Benefit Cap</p>
1.04	<p>The total amount of annual ‘out of work’ benefit income which a ‘working age’ household can receive is set at:</p> <ul style="list-style-type: none"> • £22,0201 for couples and lone parents (£422.30pw) • £14,753 for single claimants (£282.93pw) <p>The figures quoted are for households outside of Greater London and have been updated effective April 2023.</p> <p>The latest figures show that there are 9,529 households in Wales subject to a reduction in their housing benefit and 12,507 for those in receipt of UC.</p>
	<p>Impact in Flintshire</p>
1.05	<p>Currently there are 7 households in Flintshire which are subject to a reduction in their housing benefit and 617 households subject to a reduction in their UC as a result of the benefit cap being applied.</p> <p>The loss of income in relation to housing benefit for households affected by the benefit cap is around £225.55 per week, equating to approximately £11,728.60 per annum.</p> <p>The total loss of income for households in relation to UC is not currently available.</p>
	<p>Energy Bills Support Scheme – Alternative Fund (EBSS-AF)</p>
1.06	<p>The Energy Bills Support Scheme Alternative Funding (EBSS-AF) provided support of £400.00 towards the cost of energy bills for households in England, Scotland, and Wales without a direct relationship to a domestic electricity supplier. This support was provided by His Majesty’s Government and was delivered by local authorities. The scheme is now closed.</p> <p>465 applications were received and processed. A total of 396 applications have been successful resulting in £158,400 of payments issued.</p> <p>Take up on a local level involved:</p>

	<ul style="list-style-type: none"> • Issuing an email to all Flintshire residents signed up via GovDelivery. • Promoting internally to the workforce via the Infonet. • Asking Members to raise awareness within their constituents. • Asking Social Services to raise awareness to care home residents. • Contacting Housing Associations to ask them raise awareness to contract holders. • Asking Deputyship Team to support clients with their applications. • Working with the Gypsy and Traveller Liaison Officer to ensure awareness is raised and support is provided with applications. • Promoting via Twitter and Facebook. • Accommodation Support Officers individually contacting Council contract holders to ensure they are aware and provide support with applications.
	Alternative Fuel Payment – Alternative Fund (AFP-AF)
1.07	<p>The Alternative Fuel Payment - Alternative Funding (AFP-AF) provided support of £200.00 for households that use alternative fuels, such as heating oil, biomass, and liquefied petroleum gas (LPG). This support was provided by His Majesty's Government and was delivered by local authorities. The scheme is now closed.</p> <p>1103 applications were received and processed. A total of 942 applications have been successful resulting in £188,400 of payments issued.</p> <p>Take up on a local level involved:</p> <ul style="list-style-type: none"> • Issuing an email to all Flintshire Residents signed up via GovDelivery. • Promoting internally to the workforce via the Infonet. • Asking Members to raise awareness within their constituents. • Contacting Housing Associations to ask them raise awareness to contract holders. • Asking Deputyship Team to support clients with their applications. • Working with the Gypsy and Traveller Liaison Officer to ensure awareness is raised and support is provided with applications. • Promoting via Twitter and Facebook.
	Universal Primary Free School Meals (UPFSM) and Eligibility Free School Meals (eFSM)
1.08	<p>Universal Primary Free School Meals (UPFSM) is part of the Co-operation Agreement between the Welsh Government and Plaid Cymru, which will see school meals being available to all primary school pupils for free over the next three years regardless of household income.</p>

	<p>Welsh Government have given the commitment for a phased introduction of UPFSM to all primary school pupils by 2024 beginning with:</p> <ul style="list-style-type: none"> • Reception pupils - September 2022 • Years 1 and 2 – April 2023 • Years 3 and 4 – September 2023 • Years 5 and 6 – April 2024 <p>Eligibility Free School Meals (eFSM) is a free school meal which is provided for pupils whose parents receive certain qualifying benefits:</p> <ul style="list-style-type: none"> • Income Support. • Income Based Jobseekers Allowance. • Support under Part VI of the Immigration and Asylum Act 1999. • Income-related Employment and Support Allowance. • Child Tax Credit, provided they are not entitled to Working Tax Credit and their annual income does not exceed £16,190. • Guarantee element of State Pension Credit. • Working Tax Credit 'run-on' - the payment someone may receive for a further four weeks after they stop qualifying for Working Tax Credit or Universal Credit. • Universal Credit (if earned income is included in the assessment of UC it must be less than £616.66). <p>eFSM must be claimed for by completing an application form.</p> <p>Even though the roll out of UPFSM began in September 2022, and eligible year groups have begun to receive free school meals, families who are eligible for eFSM should continue to use the eFSM application process.</p> <p>eFSM not only provides a meal for a child who is from a low-income family, but also benefits the school financially. The school will receive £1,150 per child via the Pupil Development Grant (PDG), which is part of the Local Authority Education Grant.</p> <p>For the Academic Year 23/24, the PDG was £5,906,400. For schools with higher levels of deprivation, this funding can be of a high level. It is therefore vital to keep promoting and raising awareness of eFSM via schools, etc. An awareness campaign is planned for the Spring Term.</p>
	<p>School Essentials Grant (Uniform Grants)</p>
<p>1.09</p>	<p>Children whose families are on lower incomes and qualify for certain benefits can apply for School Essentials Grant.</p> <p>To be eligible to apply, parents must already be in receipt of, or applying for free school meals (eFSM) based on the following income:</p>

	<ul style="list-style-type: none"> • Income Support. • Income Based Jobseekers Allowance. • Support under Part VI of the Immigration and Asylum Act 1999. • Income-related Employment and Support Allowance. • Child Tax Credit, provided they are not entitled to Working Tax Credit and their annual income does not exceed £16,190. • Guarantee element of State Pension Credit. • Working Tax Credit 'run-on' - the payment someone may receive for a further four weeks after they stop qualifying for Working Tax Credit or Universal Credit. • Universal Credit (if earned income is included in the assessment of UC it must be less than £616.66) • All looked after children qualify for the grant, whether they receive free school meals or not. <p>Learners who receive free school meals due to transitional protection arrangements do not qualify. If eligible they will receive a grant of:</p> <ul style="list-style-type: none"> • £125.00 per learner. • £200.00 for learners entering year 7 (to help with increased costs associated with starting secondary school). <p>All compulsory school years from reception to year 11 are now eligible.</p> <p>Families are only entitled to claim once per child, per school year.</p> <p>The School Essential Grant runs from 01/07/23 to 31/05/24 this year. The grant for the 22/23 academic year closed on 30/06/23 and the grant for the academic year 23/24 opened on 01/07/23.</p> <p>The value of the grant has returned to the usual level for this academic year and the extra payment of £100.00 for the 22/23 academic year is no longer payable.</p> <p>A targeted take up campaign is due to be carried out in the Spring Term, alongside the eFSM Awareness campaign to ensure as many families as possible benefit from this grant. We also carry out a targeted take up campaign during May where we will identify children who are eligible for eFSM but have not claimed a School Essential Grant to encourage and support them to submit the claim form.</p>
	<p>Welfare Support</p>
<p>1.10</p>	<p>A cost-of-living report by the Bevan Foundation found, based on a survey, that 1 in 8 people in Wales face financial hardship.</p> <p>Their findings conclude that the extent of the hardship faced by some groups in Wales is worrying. Among the groups that are being most significantly affected are:</p>

- People in receipt of benefits
- Disabled people with limiting conditions
- Social renters
- Households with children
- Adults under the age of 65
- Unpaid carers

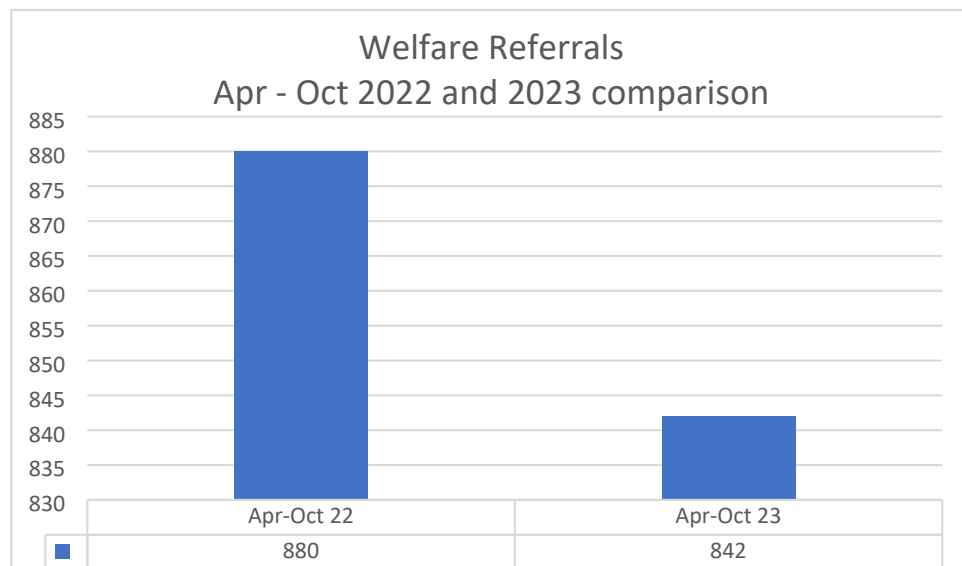
More than one in eight households (14 per cent) in Wales either sometimes, often or always do not have enough for all the basics.

People in receipt of Universal Credit are five times as likely to report that they sometimes, often or always struggle to afford the basics as the general population and social renters – nearly half report that they have had to cut back on food for themselves or skip meals.

Four in ten people go without heating in their home and carers are significantly more likely to have borrowed money between October and January than people who are not carers.

The number of residents seeking support and advice to help manage finances from the Welfare Reform Team is shown in the figure below and continues to remain static when comparing April to October 2022 and 2023. However, with the information from the Bevan Foundation and with the ending of Welsh Government Energy Support Schemes in 2023, it is anticipated that this will further impact more households.

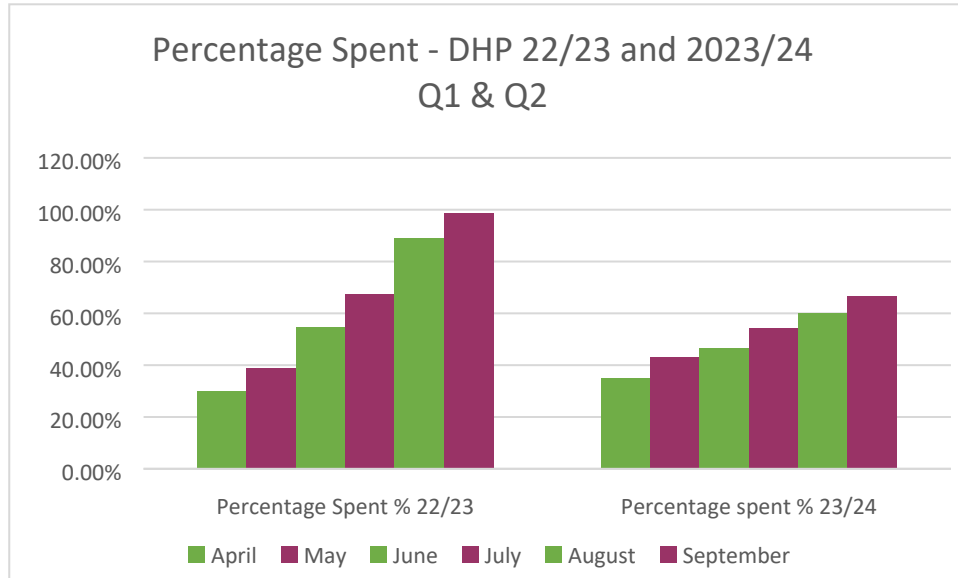
Figures are shown in the chart below:



Discretionary Housing Payments (DHP's)

1.11 Discretionary Housing Payments (DHPs) are payments that may be made by the Council to people that are receiving Housing Benefit or Universal

Credit (housing element), but who may still need further financial help with their housing costs. The chart below shows the expenditure over the past three years. The expenditure shows continuing demand. However, it is important to note that the DHP expenditure provided by Government to the Council has not always increased.



The chart shows the current expenditure expectation continues to be fully spent due to the ongoing demand.

In addition to the funding provided by DWP, further funding via homeless prevention has enabled additional households to be supported with DHP.

Additionally, it reflects that there remains ongoing need of support and assistance so they can pay their rent.

Our records show that the main reason for DHP applications is due to Local Housing Allowance (LHA) rates applied to their HB or housing costs within Universal Credit. This aligns with more people now in receipt of Universal Credit.

The Welfare Reform team will continue to target support to households to help access benefits and welfare support with the cost of living; additionally, will aim to:

- Identify households who may be affected by LHA changes in April 2024.
- Support households who may be affected by the 'Move to Universal Credit' to commence early 2024.
- To continue to promote awareness for those with potential entitlement to Council Tax Reduction (CTR) as application numbers have dropped across Wales and will help to reduce Council Tax arrears.

Future Changes	
1.12	<p>Universal Credit – ‘Move to UC’ Managed migration is where people getting legacy benefits will have their claims transferred to Universal Credit.</p> <p>From early 2024 and during 2025 there will be an increase in the number of Migration Notices being issued to households who will be required to move to Universal Credit commencing with households receiving tax credits. Tax credit claimants who also claim any of the other legacy benefits will be selected for the managed migration during 2024.</p> <p>At the point of moving over to Universal Credit, all legacy benefit claimants will be assessed for transitional protection and paid (where appropriate).</p> <p>Migration notices will start to be sent to tax credit claimants in Flintshire from 5th February 2024.</p> <p>Some preliminary work to understand the volumes of households affected by this change indicates that the numbers are:</p> <ul style="list-style-type: none"> • Tax Credit - 211 • Income Support - 217 • Job Seekers Allowance (JSA) - 14 • Employment and Support Allowance (ESA) (IR) - 1401 • Employment and Support Allowance (ESA) (C) - 104 <p>Further information is to be made available by DWP to Local Authorities in January 2024.</p>
1.13	<p>Local Housing Allowance Following the recent Autumn Statement, the Chancellor announced that Local Housing Allowance will be increased to the 30th percentile of local market rents from April 2024. This is expected to be beneficial to residents, however the impact cannot be assessed until the revised rates are released.</p>

2.00 RESOURCE IMPLICATIONS	
2.01	Resource levels continue to be reviewed to ensure sufficient capacity is directed to areas with the greater level of demand.

3.00	IMPACT ASSESSMENT AND RISK MANAGEMENT
3.01	To monitor DHP expenditure as demand is expected to exceed the DWP funding allocation to the LA due to higher rental costs and reduction in available accommodation following amendments to the Renting Homes Wales Act 2016 and replaced by Renting Homes (Amendment) (Wales) Act 2022.
3.02	To mitigate where possible demand on DHP funding by fully utilising additional homeless prevention funding for DHP applications.

4.00	CONSULTATIONS REQUIRED/CARRIED OUT
4.01	None.

5.00	APPENDICES
5.01	None.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<ul style="list-style-type: none"> • Welfare Reform Act 2012 • Housing (Wales) Act 2014 • Renting Homes Wales Act 2016 • https://www.bevanfoundation.org/wp-content/uploads/2023/02/Snapshot-of-poverty-in-winter-2023.pdf

7.00	CONTACT OFFICER DETAILS
7.01	<p>Contact Officer: Jen Griffiths, Service Manager – Housing Welfare and Communities Telephone: 01352 702929 E-mail: Jen.griffiths@flintshire.gov.uk</p>

8.00	GLOSSARY OF TERMS
8.01	<p>Discretionary Housing Payment: (DHP's) is a discretionary payment which can help towards housing costs and a person is entitled to Housing Benefit or the Housing Costs element of Universal Credit.</p> <p>Eligible Rent: this is the amount of rent (net of any ineligible services) that a claim for housing benefit or universal credit is calculated from.</p>

Ineligible Services: these are charges that may be included in rent that are not eligible for support through either housing benefit or universal credit. Such as: heating; lighting; hot water; meals.

Housing Benefit: helps contract holders pay all, or part of their rent if they have a low income. Housing Benefit is administered by Local Authorities.

Registered Social Landlord: (RSL) are not-for-profit organisations that aim to provide good, low-cost accommodation.

Spare Bedroom: in the context of the spare room subsidy (or bedroom tax) this is where there are more bedrooms in the property than the household need. For example, a single person living in a two-bedroom house would be deemed as having one “spare” bedroom.

Universal Credit: (UC) is an integrated means-tested benefit for people of working age whose income is below a specified minimum amount. UC can be claimed by working aged people in and out of employment.

UC Managed Migration: Managed migration describes the transfer of existing legacy benefit claims to Universal Credit, where there has not been a change of circumstances that has resulted in a ‘natural’ transfer to Universal Credit.

Welfare Reforms: changes introduced to a range of social security benefits and tax credits, which aim to ensure that the United Kingdom has an affordable benefit system.

Job Seekers Allowance (JSA): is a benefit for people who are not in full-time employment (work less than 16 hours per week), are capable of working and are looking for work. There are two types of Jobseeker’s Allowance, income-based (IR) and contribution-based (C).

Local Housing Allowance: (LHA) are rates are used to calculate housing benefit or Housing Element for tenants renting from private landlord. The eligible rent is fixed for a household of a given size in a given region.

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COMMUNITY & HOUSING OVERVIEW AND SCRUTINY COMMITTEE

Date of Meeting	Wednesday 10 th January 2024
Report Subject	Housing Management and Anti-Social Behaviour Policy
Cabinet Member	Cabinet Member for Housing and Regeneration
Report Author	Chief Officer (Housing and Communities)
Type of Report	Strategic

EXECUTIVE SUMMARY

The Council is committed to providing an effective and efficient housing management service that reflects best practice, complies with legislation and protects the rights of contract holders as well as minimising risk to the Council for not complying with appropriate legislation.

The Renting Homes (Wales) Act 2016, which came into effect from the 1st December 2022, is the biggest change to housing law in Wales for decades. The new legislation has changed the way all landlords in Wales rent their properties.

The Renting Homes (Wales) Act 2016 aims to simplify the process of renting a home in Wales and to provide parties with more information about their rights and obligations. The Act is now partially in force, for the purpose of making regulations and issuing guidance.

The implementation of the significant changes brought about by the Act, has made it necessary to review and draft revised policies and procedures.

The report provides an overview of the changes that have been made to the Housing Management Policy and the Anti-Social Behaviour Policy.

RECOMMENDATIONS

1	To approve the Housing Management and Anti-Social Behaviour policies.
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REPORT DETAILS

1.00	HOUSING MANAGEMENT POLICY (appendix 1)
1.01	The Council is committed to providing an effective and efficient housing management service that reflects best practice, complies with legislation and protects the rights of contract holders as well as minimising risk to the Council for not complying with appropriate legislation.
1.02	The Renting Homes (Wales) Act 2016, which came into effect from the 1 st December 2022 is the biggest change to housing law in Wales for decades. The new legislation has and will change the way all landlords in Wales rent their properties.
1.03	The Renting Homes (Wales) Act 2016 aims to simplify the process of renting a home in Wales and to provide parties with more information about their rights and obligations. The Act is now partially in force, for the purpose of making regulations and issuing guidance.
1.04	<p>Some of the key changes in the Act reflected in the updated policy are changes to tenancy agreements. These have been replaced by occupation contracts and tenants are now referred to as contract holders.</p> <ul style="list-style-type: none"> • Tenancy Agreement > Occupation Contracts • Tenants and Licensees > Contract Holders <p>Contracts will fall into two types - 'Secure' for the social rented sector and 'Standard' for the private rented sector.</p>
1.05	<p>Within occupation contracts there will be four types of terms feature within them:</p> <p>Key matters: The names of the parties and address of the property. These must be inserted in every contract.</p> <p>Fundamental Terms: Cover the most important aspects of the contract, including the possession procedures and the landlord's obligations regarding repair.</p> <p>Supplementary Terms: Deal with the more practical, day to day matters applying to the occupation contract, for example, the requirement for a contract holder to notify the landlord if the property is going to be empty for four weeks or more.</p> <p>Additional Terms: Addresses any other specifically agreed matters, for example a term which relates to the keeping of pets.</p>
1.06	There remains some difference in treatment for private landlords and social landlords, though the distinction between local authority and housing association landlords is largely gone – they are all now 'community landlords' and treated the same. Community landlords will usually have to give secure contracts and private landlords will usually give standard ones.

1.07	<p>Other key changes are in relation to the increased security for contract holders as eviction notice periods have increased from two months to six months, as long as the contract has not been breached.</p> <p>However, for landlords, the changes in law also mean that it will be easier to repossess abandoned properties, without needing a court order.</p> <p>In relation to property safety standards, all landlords should ensure homes are fit for human habitation this includes working smoke alarms, carbon monoxide detectors and electrical safety testing.</p>
1.08	<p>In relation to the Housing Management Policy, a summary of the main changes are as follows:</p>
1.09	<p>Adding and removing contract holders</p> <p>New procedures will now allow for some occupiers to leave without prejudicing the others. This simplifies the process in cases of domestic abuse, or where there is a relationship break down and one person wishes to remain in the property.</p> <p>One contract holder will no longer be able to end the agreement for everyone else without their consent, a notice seeking to do so will only bind themselves.</p> <p>Whilst landlords will still have some control over people being added or removed from the contract, they will have to act reasonably (whether in withholding consent or imposing conditions), and unreasonable actions can be directly challenged in Court.</p>
1.10	<p>Abandonment</p> <p>The process of excluding an absent contract holder is now significantly easier whether against a sole or joint contract holder.</p> <p>A landlord can do so without a Court order and one joint contract holder can exclude another by an application to the Court.</p> <p>There will always be a mandatory investigation period and opportunity to challenge the outcome, but new strict deadlines will ensure that properties are not left unoccupied for lengthy periods.</p>
1.11	<p>Succession rights</p> <p>These are considerably enhanced in many cases. Most notably, survivorship falls outside of the succession rules, which has previously created real difficulties when children have been unable to succeed to a tenancy after the death of both parents.</p> <p>There will also in many cases be two opportunities to succeed to a contract following the death of sole contract holders – first from a spouse, civil partner or similar relation, if there is one, and then to other close family members.</p> <p>As independent living has become increasingly more difficult for many young people still living at home (whether by rising rents or inability to</p>

	buy), this will be a welcome development in creating secure long-term living conditions for families in the rental sector.
ANTI-SOCIAL BEHAVIOUR POLICY (appendix 2)	
1.12	<p>The Council is committed to tackling anti-social behaviour as we know it has a devastating impact on the lives of our customers. The policy needs to reflect best practice and protect the rights of contract holders as well as minimising risk to the Council for not complying with appropriate legislation.</p> <p>The aim of the policy is to ensure that effective systems are adopted to prevent and minimise instances of anti-social behaviour and to resolve them as early as possible through timely and appropriate intervention.</p>
1.13	Anti-social behaviour covers the range of behaviours from low-level nuisance to serious harassment, which can damage the quality of life and interfere with the ability of people to use and enjoy their home and/or community.
1.14	All low-level anti-social behaviour, general neighbour disputes, noise etc., are dealt with by Neighbourhood Housing Officers, however, should a breach of tenancy be determined the case is escalated to Tenancy Enforcement Officers for enforcement action. A dedicated Tenancy Enforcement team deal with all high-level cases. This includes drugs, assault, anything deemed to be personal harm following a risk assessment and other tenancy breaches which cannot be resolved by the relevant neighbourhood officer.
1.15	Flintshire County Council is committed to preventing incidents of anti-social behaviour occurring in the first instance and will use a range of preventative actions to achieve this. Where incidents have occurred, we recognise that early intervention is the key to avoid escalation. However, we will take legal action to resolve the situation if it is deemed necessary and appropriate.
1.16	The occupation contract clearly sets out the obligations of contract holders and contains a number of clauses which can be relied upon when dealing with complaints of anti-social behaviour. The contracts make it clear that contract holders are responsible for the behaviour of everyone (including children) living in or visiting their home.
1.17	The Council will take a victim centred approach, taking action quickly, decisively and using a harm/risk-based approach. Dealing with all matters professionally and sensitively placing a strong emphasis on early intervention and positive communication. As a landlord we may work with other agencies, such as the police to take any appropriate action.
1.18	<p>The Anti-Social Behaviour Policy contains a number of sections which explain the following:</p> <ul style="list-style-type: none"> • Definition of anti-social behaviour • General Policy Statement on Anti-Social Behaviour

	<ul style="list-style-type: none"> • Strategic and Legislative Context • Preventing Anti-Social Behaviour and Nuisance • Tenant and Landlord Responsibilities • Tackling Anti-Social Behaviour • Victim Centred Approach
1.19	<p>Definition of Anti-Social Behaviour</p> <p>Chapters 7, Section 55 of the Renting Homes Wales Act [2016] covers anti-social behaviour and other prohibited conduct and states clearly what is prohibited conduct.</p> <p><i>Additionally, Section 2 of the Anti-Social Behaviour, Crime and Policing Act 2014 defines anti-social behaviour as:</i></p> <p><i>(a) Conduct that has caused, or is likely to cause, harassment, alarm or distress to any person,</i></p> <p><i>(b) Conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or</i></p> <p><i>(c) Conduct capable of causing housing-related nuisance or annoyance to any person.</i></p> <p>In simple terms, it can be defined as behaviour causing harassment, alarm or distress to members or any member of the public.</p>
1.20	<p>Anti-Social behaviour can include the following examples:</p> <ul style="list-style-type: none"> • Drug related offences. • Violence or threats of violence and actual assault. • Intimidation and harassment. • Aggressive and threatening language and behaviour. • Hate crime or behaviour. • Noise and other neighbour nuisance. • Local environmental quality issues such as fly-tipping, vandalism and graffiti. • Illegal or immoral use of residential premises.
1.21	<p>The Council recognises that the term anti-social behaviour can and does mean different things to different people, and what might appear to be acceptable behaviour for one resident, may not be acceptable to another.</p>
1.22	<p>It is also recognised that such behaviour may happen over a sustained and/or long period of time, making life very difficult for residents, or there might be one very serious incident of anti-social behaviour which requires immediate intervention.</p>
1.23	<p>Not every complaint received will constitute anti-social behaviour and where this is the case no further action will be taken but appropriate advice and guidance will be given to the person reporting. This can be subject to review if there is a change or escalation in the circumstances.</p> <p>Anti-social behaviour is not:</p> <ul style="list-style-type: none"> • Children playing in the street or local parks.

	<ul style="list-style-type: none"> • Young people gathering socially. • Being unable to park outside your home. • One off parties / celebrations • DIY works at reasonable hours etc.
1.24	The policy focuses on tackling anti-social behaviour that either affects, or is carried out by, people living within our properties and our neighbourhoods. This includes contract holders and complainants, their family members (including children) or friends, owner-occupiers, lodgers or private contract holders.
1.25	The intentions of the person/s carrying out the behaviour will also be taken into account, as well as any disability and/or support needs they may have. It is important to state that anti-social behaviour will not be tolerated.

2.00	RESOURCE IMPLICATIONS
2.01	None.

3.00	IMPACT ASSESSMENT AND RISK MANAGEMENT						
3.01	<p>If the Council does not provide a robust and efficient service in managing its estates, then the housing service will be at risk of:</p> <ul style="list-style-type: none"> • Long term voids. • Increase in anti-social behaviour. • An increase in litigation. • Poor reputation. • Having inadequate resources. <p>Anti-social behaviour can be a destructive force within communities and the lives of a significant number of people within those communities can be negatively affected by the behaviour of an unreasonable minority.</p> <p>Anti-social behaviour can also damage the sustainability of communities and adversely affect the Council's ability to let our properties.</p> <p>Ways of Working (Sustainable Development) Principles Impact</p> <table border="1"> <tr> <td>Long-term</td> <td>Positive – Providing sustainable tenancies in safer, cleaner neighbourhoods.</td> </tr> <tr> <td>Prevention</td> <td>Positive - Preventing homelessness through ensuring there is adequate support and accommodation to cater for a range of needs.</td> </tr> <tr> <td>Integration</td> <td>Positive – Increased integration between services and partner organisations.</td> </tr> </table>	Long-term	Positive – Providing sustainable tenancies in safer, cleaner neighbourhoods.	Prevention	Positive - Preventing homelessness through ensuring there is adequate support and accommodation to cater for a range of needs.	Integration	Positive – Increased integration between services and partner organisations.
Long-term	Positive – Providing sustainable tenancies in safer, cleaner neighbourhoods.						
Prevention	Positive - Preventing homelessness through ensuring there is adequate support and accommodation to cater for a range of needs.						
Integration	Positive – Increased integration between services and partner organisations.						

	Collaboration	Positive – Increased collaboration between services and partner organisations.
	Involvement	Positive – Customer involvement to help shape effective services so that support is timely and person centred
Well-being Goals Impact		
	Prosperous Wales	Positive – providing good quality and affordable homes
	Resilient Wales	Positive – Creating services that are prevention focused and build resilience to avoid households becoming homeless specifically vulnerable persons
	Healthier Wales	Positive – Reduction in homelessness and increase in targeted support for mental health
	More equal Wales	Housing service is delivered in a way that is inclusive for all
	Cohesive Wales	Positive – Safer and well-connected neighbourhoods
	Vibrant Wales	Positive – encourages residents to be more involved in their community
	Globally responsible Wales	Neutral

4.00	CONSULTATIONS REQUIRED/CARRIED OUT
4.01	<p>Consultation has been completed and included:</p> <ul style="list-style-type: none"> • Draft policy shared with residents' groups and the Tenants Federation. • Attendance at resident group meetings. • Other groups as identified following the first stage Integrated Impact Assessment. • Cabinet and Communities and Housing Overview and Scrutiny Committee.

5.00	APPENDICES
5.01	<p>Appendix 1 – Housing Management Policy 2023. Appendix 2 – Anti-Social Behaviour Policy 2023.</p>

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	https://www.gov.wales/housing-law-changed-renting-homes

7.00	CONTACT OFFICER DETAILS
7.01	<p>Contact Officer: Jen Griffiths – Service Manager, Housing; Welfare and Communities Telephone: 01352 702929 E-mail: jen.griffiths@flintshire.gov.uk</p>

8.00	GLOSSARY OF TERMS
8.01	Anti-Social Behaviour - behaviour causing harassment, alarm or distress to members or any member of the public.



Housing Management Policy 2023

HOUSING & COMMUNITIES

1. MANAGEMENT INFORMATION

Date Policy approved by FCC Cabinet / Scrutiny	
Replacing / Updating	Tenancy Management Policy 2020
Next Review Date	April 2026
Drafted By:	Dawn Kent
Responsible Senior Officer	Vicky Clark
Circulation list	Available to all FCC staff via Shared Drive

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1.0 Policy Statement

Flintshire County Council (otherwise referred to as “the Council”) is committed to providing an effective and efficient Housing Management service that reflects best practice, complies with legislation and protects the rights of contract holders as well as minimising risk to the Council for not complying with appropriate legislation.

FCC Neighbourhood, Tenant Sustainment and Tenancy Enforcement teams will ensure that information can be provided in appropriate formats, explaining to contract holders their roles and responsibilities under the contract agreement they have signed. We will provide leaflets and advice in both written and verbal form to our contract holders to ensure they have all the information they need to ensure they are able to keep to the terms of the agreement and sustain their occupation contracts.

A full suite of procedures have been developed and are available to the Housing Management team.

We will establish service standards and Key Performance Indicators in respect of the Housing Management Service so that our contract holders know what level of service they can expect from us and against which we will monitor our performance.

2.0 Allocations

The major social landlords operating in Conwy, Denbighshire and Flintshire have come together, with the Local Authorities, to form a Partnership to manage applications for and allocations of social housing. The partners in the scheme are:

- Conwy County Borough Council
- Denbighshire County Council
- Flintshire County Council
- Cartrefi Conwy
- North Wales Housing Association
- Grwp Cynefin
- Wales and West Housing Association
- Clwyd Alyn Housing Limited

All partners agree that there is a high demand for rented homes in the region and too few vacancies to meet demand. We must be realistic about this. It requires us to do two things:

Firstly, we will provide the best, most useful, consistent and accessible advice and information to everyone who comes to us looking for housing. We aim to help customers make the most informed choice about how to find a home to meet their

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needs. This advice must cover the whole range of affordable housing options, including social housing, private rented accommodation, home ownership and other alternatives.

Secondly, we will allocate our housing stock in a transparent, fair, consistent and accessible way, which prioritises the people in our communities according to their housing needs and which meets our legal requirements.

Working together to these ends, we can share our strengths and good practice and place the customer at the heart of everything we do. We will simplify the access route to advice and to housing with one clear purpose: to help people find a home to meet their needs.

3.0 Rent Income Management

Each year rent is reviewed for all Contract Holders. The rent which is received is used to pay for the services to maintain council properties, carry out repairs and undertake property improvements as part of the Council's priority to modernise council homes.

A Tenancy Charge letter is issued to Contract Holders at commencement and every year thereafter with a breakdown of rent and other charges.

A rent account statement is issued to all Contract Holders every 3 months and on request, showing an up-to-date account balance.

The way in which the council calculate rent increases is determined by a Welsh Government formula. Contract Holders will be issued with written notification at least two months prior to a change in their basic rent taking affect.

The council operates two non- collection weeks which is shown on the tenancy charge letter. If a Contract Holder is behind with their rent or other charges the non-collection weeks do not apply and they must pay any rent or other charges during these weeks.

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4.0 Pre-contract Assessments

The council recognises the importance of ensuring contract holders are able to sustain their contracts. The current economic climate presents a tough and challenging outlook for many contract holders. Although it is recognised that contract holders may be affected in different way they are all susceptible to the potential impact at any time during the term of their contract as it only takes a loss of a job, change in benefits to substantially change circumstances and create a need for advice and support.

Before any contract commences, a pre-contract assessment is carried out with a focus on:

- affordability assessments that include all the costs with managing a home.
- allocating the most suitable type of property – for example, where a contract holder has a disability, ensuring the property is suitable for their needs.
- undertaking verification checks on a contract-holder's identification, immigration status, circumstances and contract history (this will include former landlord references).
- checking with other housing providers for former contract holder arrears/incidents of ASB.
- making timely and appropriate referrals to support services.

Contract holders who have been assessed as requiring further support will be offered and provided with sustainment visits to ensure that they are equipped with the appropriate skills, knowledge and resources to successfully manage the contract.

4.1 Types of Contract

This Policy document will concentrate on the Housing Management function of the service and will also cover how new and existing contract agreements will be managed. There is one type of contract entered into with the council, in the majority of cases namely: secure.

4.2 Secure Occupation Contracts

Under Renting Homes (Wales) Act 2016 (the Act) legislation secure contract holders have a number of rights, some of which may be subject to the council's consent.

These rights include:

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- To be supplied with a written statement of the contract within 14 days of the Occupation Date. If the identity of the contract holder changes, the council must give the new contract holder a written statement within 14 days of the change (or of the day on which the council became aware of the change) Other information and documents must also be given at the onset or within the first 14 days of the contract.
- To be given any notice, statement or other document required or authorised to be given or made either by an occupation contract under the Act, in writing. Electronic service is permissible if the contract holder has indicated they are willing to receive the document electronically.
- That the property is fit for human habitation
- A joint contract holder will be able to leave the contract without ending the contract entirely.
- Live in the property - no contract holder can be made to leave their home unless ordered to do so by a court.
- Pass on the contract upon death, provided certain conditions are satisfied. The Act allows two successions to a contract to take place.
- Take in lodgers provided you do not overcrowd your home.
- Sublet part of the home.
- New contract holders will be able to be added without having to end the current contract.
- To transfer the contract to a potential successor.
- To transfer the contract to another secure contract holder
- To be consulted on any changes to their contract.
- If they report behaviour which is classed as prohibited conduct under the Renting Homes (Wales) Act 2016 on the part of anyone living in a property belonging to us, including property occupied by the person reporting, we must give appropriate advice. – there is a separate policy document and accompanying procedure to cover this in further detail.

4.3 Terminating a Contract

The contract holders may end an occupation contract by giving not less than four weeks' notice to the council. We will manage the process within the defined legislation. (Renting Homes Wales Act 2016, s163)

4.4 Successions

In the event of the death of a contract holder, we are committed to dealing with requests to succeed contracts as quickly and sensitively as possible. We will manage the process within the defined legislation. (Renting Homes Wales Act 2016, s74 -83)

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4.5 Transfers to another secure contract holder

It is recognised that promoting transfers encourages contract holders' mobility, gives contract holders more choice about where they want to live and creates sustainability through best use of housing stock as well as assisting those contract holders who may be experiencing difficulty with affordability, due to the under occupation charge.

We will manage the process within the defined legislation. (Renting Homes Wales Act 2016, s114 and s118)

4.6 Name Changes

A contract holder may want to put their contract in a new name even though they may be remaining as a contract holder of the property. This would mainly be due to a marriage, a divorce or for religious or family reasons.

We will check the details of the name change and will request to see and copy any formal documentation relating to the change of name such as:

- marriage certificate.
- divorce decree absolute.
- legal notification e.g., changes by deed poll.

A name change will be granted upon receipt of all the relevant information and documentation having been provided by the contract holder.

4.7 Adding a joint contract holder

If an application to add a new joint contract holder is received, then we will ensure that the current contract holder and proposed contract holder are advised to seek independent advice about the implications of holding a joint contract.

We will ask for certain information to enable a decision to be made. We will manage the process within the defined legislation (Renting Homes Wales Act 2016, s49-51).

4.8 Withdrawal of a contract holder

A joint contractor holder may request to withdraw from the contract. Usually this is because of the breakdown of a relationship, and it may be that the other joint contract holder has left the property. We will ensure that the joint contract holder is advised to take independent advice. If they still wish to proceed, we will manage the process within the defined legislation (Renting Homes Wales Act 2016, s111). It should be noted if a person withdraws from the contract the contract continues.

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4.9 Ending a Contract upon death

We recognise that this is a very difficult time for families of deceased sole contract holders and aim to deal with them in a sympathetic and understanding manner.

We will liaise with the family or the solicitor dealing with the estate if the family request that course of action. If necessary, we will ask for a copy of the death certificate to verify the death.

We will also request that the property is cleared of furniture, rubbish and personal possessions, offering appropriate advice should the family experience difficulties with the clearance.

All keys and access fobs for the property must be handed into any council office when the contract is terminated. In some circumstances arrangements may be made to collect the keys directly from the family.

If there are any rent arrears outstanding or any other charges and recharges to be recovered, we will seek to recoup this through the estate.

4.10 Contract holders and temporary absence

We recognise that there will be times when a Contract Holder will be absent from the property on a temporary basis for a number of reasons, which may include hospital admission, respite care or short-term prison. In these circumstances we will work with the Contract Holder and relevant organisations such as Probation and Social Services to ensure appropriate advice is provided to limit any financial impact/hardship on all parties. In certain circumstances it may be required to ascertain if the absence may be long term or permanent.

4.11 Lodgers and subletting

We recognise that contract holders may wish to share their home with another person, especially with affordability and under occupation charges. Secure contract holders have a right to take in lodgers provided they do not overcrowd the home. They do however need to request and receive written permission from us to sublet part of their home.

We will not unreasonably withhold permission. Taking lodgers and subletting may impact on a Contract Holder's benefits and we will advise of this possibility and that the Contract Holder should seek appropriate advice from Housing Benefits, CAB etc.

It is important that we are notified of any lodger or anyone who sub-lets part of the home.

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4.12 Decants

On occasion it may be necessary for a contract holder to vacate their home on a temporary or permanent basis. This may be due to either some major repair works being required at the property or some emergency situation arising. This process is known as decanting.

The type of repair and/or potential hazard will dictate the length of time that the contract holder needs to be housed elsewhere and this could range from days to, weeks or months.

Our aim is to minimise disruption and to return a contract holder to their home as soon as possible and to cause them the minimum inconvenience and cost.

5.0 Neighbourhood Management

The council recognises that we have an important role in the management of our neighbourhoods and not just contracts, even though that is our main purpose. The following section outlines some elements of the neighbourhood management to be undertaken.

5.1 Estate Walkabouts

In order to contribute to the wider neighbourhood management of estates we will conduct regular and programmed Estate Walkabouts involving local members and colleagues from other council departments [as appropriate]. We will record what we find and alert as appropriate other relevant services and departments. We will follow this up to ensure action is taken to keep our neighbourhoods an attractive place to live.

5.2 Management of Communal Areas

In order to comply with current fire safety regulations and also to keep the communal areas of our schemes whether it be sheltered or general needs, safe and free from hazards the council has adopted a sterile communal area approach to all internal communal areas. This means that all communal areas are not to be utilised for the storage of items which could pose a risk in the event of a fire – either due to combustibility or hindering egress in the event of an evacuation.

We recognise that some contract holders may want to enjoy the external communal areas and gardens so in some circumstances, following written consent from ourselves certain improvements maybe allowed such as installation of planters or hanging baskets as examples.

5.3 Open Spaces/Trees

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The Housing Management Service will maintain communal areas and other open spaces, including boundary hedges and trees which is within the ownership of the service. This will be on a planned programme to ensure these areas are maintained to a high standard and enhance the environment on our estates.

We will also take into account any environmental impact and relevant legislation and/or wider council strategies when undertaking any maintenance.

<https://www.flintshire.gov.uk/en/PDFFiles/Countryside--Coast/Tree/Tree-Plan.pdf>

6.0 Customer Focus and Support

We recognise the importance of understanding the diverse needs of our customers to ensure that we deliver customer focussed services shaped around the different needs of customer groups. We also understand the mutual benefit that can be realised if customers are able to sustain their contract successfully and in turn reduce costs to the council which are associated with failing contracts, high contract turnover and less stable communities.

6.1 Tenant Sustainment

We may support the sustainability of contracts by offering support to any contract holders who are experiencing difficulties with maintaining the obligations of their contracts due to either financial, medical and or other reasons.

We may do this by either direct involvement from the Tenant Sustainment Team who will support contract holders directly or by referrals to relevant specialist support services.

7.0 Equality and diversity

We recognise that we operate in a community within which there is wide customer diversity, we aim to value that diversity and shape our services around the needs of our customers.

Through the management of our homes and estates we aim to treat all customers fairly, and with respect and professionalism regardless of their gender, race, age, disability, religion, sexual orientation and marital status. We will gather information on the diverse needs of our customers to ensure our services meet their needs and are consequently more efficient.

To enable all residents to have clear information and equal access to our available properties, we will publish clear information in a range of appropriate languages and formats and through a range of media on request. Feedback is also accepted

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through a variety of different routes to reflect individual contract holder's preferences or needs.

8.0 Performance Management

We will monitor customer satisfaction within our contract management services and the results will subsequently feed into our monitoring and review processes. We will establish a series of monthly and annual key performance indicators for our contract management services and report progress against these at monthly managers meetings. We will also make these available to contract holders through our various methods of communication and involvement.

We will monitor the cost of our contract management services and compare these through formal and informal benchmarking methods.

9.0 Policy review

This policy will be reviewed in line with the councils Policy Review Framework. The policy will be reviewed every 3 years. In line with the councils continuous improvement strategy the policy review will incorporate an assessment of key internal and external influencers to ensure the policy reflects best practice together with all legal and statutory requirements.

10.0 Responsibility

The Service Manager for Housing and Communities has overall responsibility for the successful delivery of the policy. The Housing Manager will ensure that all staff within the Neighbourhood and Customer services team are fully trained on their operational responsibilities in respect of contract management.

A full set of operational procedures will be available to support the delivery of this policy and these will be version controlled and easily available to staff for reference.

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Anti-Social Behaviour Policy 2023

1. MANAGEMENT INFORMATION

Date policy approved by Cabinet / Scrutiny	
Replacing / Updating	ASB Policy 2011
Next Review Date	April 2026
Drafted By:	Dawn Kent
Responsible Senior Officer	Vicky Clark
Circulation list	Available on Flintshire County Council website

1. Introduction

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- 1.2 Definition of Anti-Social Behaviour
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- 4.1 Supporting Victims of Anti-Social Behaviour
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- 5.2 Equality and Diversity
- 5.3 Complaints
- 5.4 Data Protection
- 5.5 Policy Review

1. Introduction

1.1 Purpose of the Document [Renting Homes Wales update]

Previously Section 218A of Housing Act 1996 required social landlords to publish a statement of policy in relation to anti-social behaviour (ASB) and procedures for dealing with any occurrences of anti-social behaviour, with the implementation of Renting Homes Wales [2016] this section is no longer relevant within Wales however it is felt to be good practice to have such a Policy in place.

This document is designed to give a clear statement of the approach of Flintshire County Council (the Council) as a landlord to tackle anti-social behaviour within the remit of the Housing Management Team and to provide guidance as to what constitutes prohibited Conduct [ASB], as defined under Renting Homes Wales [2016].

The Council will take a victim centered approach, taking action quickly, decisively and using a harm/risk-based approach. Dealing with all matters professionally and sensitively placing a strong emphasis on early intervention and positive communication. As a landlord we may work with other agencies, such as the police to take any appropriate action.

1.2 Definition of Anti-Social Behaviour

Chapters 7, Section 55 of the renting Homes Wales [2016] covers Anti-social Behaviour and other prohibited conduct and states clearly outlines what is prohibited conduct, this covered in more detail later on in this Policy Document.

Additionally, Section 2 of the Anti-Social Behaviour, Crime and Policing Act 2014 defines anti-social behaviour as:

- (a) Conduct that has caused, or is likely to cause, harassment, alarm or distress to any person,*
- (b) Conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or*
- (c) Conduct capable of causing housing-related nuisance or annoyance to any person.*

For the purposes of ASB cases reviews (the community trigger) ASB is defined as behaviour causing harassment, alarm or distress to members or any member of the public.

Anti-Social Behaviour can include the following examples:

- Drug related offences

- Violence or threats of violence and actual assault
- Intimidation and harassment
- Aggressive and threatening language and behaviour
- Hate crime or behaviour
- Noise and other neighbour nuisance
- Local environmental quality issues such as fly-tipping, vandalism and graffiti
- Illegal or immoral use of residential premises.

The Council recognises that the term Anti-social Behaviour can and does mean different things to different people, and what might appear to be acceptable behaviour for one resident, may not be acceptable to another. It should also be recognized that such behaviour may happen over a sustained and/or long period of time, making life very difficult for residents, or there might be one very serious incident of Anti-social Behavior which requires immediate intervention.

Not every complaint received will constitute anti-social behaviour and where this is the case no further action will be taken but appropriate advice and guidance will be given to the person reporting. This can be subject to review if there is a change or escalation in the circumstances.

Our approach focuses on tackling Anti-social Behaviour that either affects or is carried out by people living within our properties and our neighbourhoods. This includes Contract Holders and complainants, their family members (including children) or friends, owner-occupiers, lodgers or private Contract holders.

The intentions of the person/s carrying out the behavior will also be taken into account, as well as any disability and/or support needs they may have. It is important to state that Anti-social behaviour will not be tolerated.

Anti-Social Behaviour is not:

- Children playing in the street or local parks.
- Young people gathering socially.
- Being unable to park outside your home.
- One off parties/Celebrations
- DIY works at reasonable hours etc.

1.3 General Policy Statement on Anti-Social Behaviour

Anti-social behaviour is unacceptable in our neighbourhoods, and we will:

- Not tolerate anti-social behaviour by or against our Contract holders and their families.

- Provide guidance to our Contract holders around and how to report any anti-social behaviour.
- To provide a strong victim focused approach.
- Treat reports all anti-social behaviour seriously.
- Carry out a careful and thorough investigation.
- Provide realistic expectations.
- Support perpetrators, as appropriate, to change their behaviour.
- Take appropriate relevant action at the right time.
- Work closely with other agencies and professionals where necessary.

1.4 Strategic and Legislative Context

This document is designed to meet our statutory obligations that impact on the way we deal with cases of Anti-social Behaviour and our duties as a Housing Management Team Our Policy Objectives are:

- To work with North Wales Police and other relevant agencies in sharing information to ensure most appropriate action is taken against a perpetrator.
- To work in partnership with other Registered Social Landlords and Private Landlords/tenants to resolve any issues of anti-social behaviour in our communities.
- To adopt a multi-agency approach to resolve anti-social behaviour on our estates and take a lead role in coordinating this approach.
- To ensure good working relationships with those service areas and agencies facilitating support.

1.5 Preventing Anti-Social Behaviour

We will work with other agencies in relation to diversionary measures as well as stopping anti-social behaviour, criminal and/or nuisance behaviour and preventing reoccurrence.

We will, in some cases, consider mediation, acceptable behaviour contracts, restorative justice and the use of other non-legal measures in the first instance where appropriate.

In certain cases of anti-social behaviour, for example, serious or cases which are not able to be resolved with early intervention consideration will be given to legal remedies as deemed appropriate.

2. Contract Holder and Landlord Responsibilities

2.1 Contract Holder Responsibilities

The Council's Contract Holders are subject to the terms of the Occupation Contract, which sets out the behaviour expected of them, and anyone else living at or visiting the property.

All tenants are provided with an Occupation Contract at the outset of their Occupational Contract and the clauses relating to anti-social behaviour are explained to them.

2.2 Occupational Contract

The Council has two Occupation Contracts currently being issued:

- New Secure Occupation Contract, which is issued to all new Contract Holders taking up occupation since 1st December 2022, when the Renting Homes Wales [2016] commenced
- Converted Secure Occupation Contract, which all existed Tenants who held a tenancy with the Council at the time Renting Homes Wales commenced.

Anti-social Behaviour is covered by a fundamental term which deals with what is known as Prohibited Conduct. It is a fundamental term of the Occupation Contract, which cannot be modified therefore the council cannot include additional terms within the Occupation Contract which relate to Anti-social Behaviour, however it can [and does] provide more detailed explanation for the Contract Holder.

It should be noted that any behaviour of the Contract Holder themselves is covered under Renting Homes Wales [2016] so any action can be taken directly against the Contract Holder by way of breach. If there are Joint Contract Holders then there is provision for action to be taken against either or both.

If the complaints of Anti-social Behaviour relate to the actions of someone who is not a Contract Holder, then the Contract Holder is deemed to be liable for their behaviour only if it can be proven that they [Contract Holder] allowed, incited or encouraged the behaviour – this is a fundamental change compared to the previous Housing Act, therefore a more robust approach will be taken when investigating complaints of Anti-social Behaviour concerning family, friends and visitors of Contract Holders.

2.4 Landlord Responsibilities

Approach to Dealing with Anti-Social Behaviour

We are committed to taking a victim centred approach in tackling anti-social behaviour, with an emphasis on risk assessment, early intervention and regular contact/support with victims and witnesses.

Our approach will be proportionate and fair, depending on the facts of each case. For example, in appropriate cases we will consider early intervention methods such as mediation and acceptable behaviour contracts, to provide opportunities for unacceptable behaviour to be rectified.

We will work closely with North Wales Police to deal with serious cases of Anti-social Behaviour. We share relevant information and based on evidence gathered, and in conjunction with our legal team and relevant legislation and will decide in all cases upon the most appropriate action based on evidence.

Working with Perpetrators

When dealing with perpetrators our response will depend on the nature of the offending behaviour. In many cases of there may be underlying causes such as:

- Drug addiction
- Alcohol addiction
- Mental health issues
- Learning difficulties
- Family or relationship breakdown
- Adverse Childhood Experiences [ACE's]

Individuals whose Anti-social Behaviour is a consequence of one or more of the issues listed above may sometimes require additional support in maintaining their Occupation Contracts and addressing their behaviour. When dealing with vulnerable individuals we will consider the factors which may be contributing to neighbour nuisance before deciding on an appropriate course of action.

We may refer perpetrators for support, however we may take enforcement action, including possession actions where this is proportionate and reasonable.

Supporting Staff

We will provide effective and regular training and support to ensure staff are competent and confident to tackle Anti-Social behaviour, to include any changes to current legislation.

We will ensure relevant training and systems are in place to maintain the safety and wellbeing of staff and will not tolerate threats or violence against council employees or their agents. Where such behaviour can be proved to the satisfaction of the County Court an injunction may be obtained, consideration will also be given to alternatives such as a claim for possession in the most serious or persistent cases.

Our Policy objectives and standards around supporting staff which will ensure:

- That perpetrators of verbal threats, intimidation or violence against staff may face appropriate legal action

- That staff are trained to ensure compliance with legislation and policies including health and safety and the lone working policy.
- Staff are required to report all incidents of verbal abuse, threats and assaults to the appropriate manager.
- Preventative and protective action will be taken depending on risk assessment of task or where perpetrator is known or perceived to be a risk. Risk assessments are to be maintained and updated regularly.

Partnership working

Sharing information is an integral part of dealing with anti-social behaviour.

We will share information with other organisations as part of a strategy to reduce crime and disorder. We will do this in compliance with the law and with any protocols or agreements in place.

3. Tackling Anti-Social Behaviour

3.1 Reporting Anti-Social Behaviour

We will assist in taking action against Contract Holders who are behaving or are affected by Anti-social Behaviour which can reported to us by contacting the Housing Management Team or by contacting a Local Connects Office which are located in Mold, Buckley, Flint, Holywell or Connahs Quay this will then be directed to the relevant Neighbourhood/Tenancy Enforcement Officer.

If the anti-social behaviour also constitutes as a crime it should be reported to the police by phoning 101, or in an emergency, by phoning 999.

3.2 Dealing with Anti-Social Behaviour

When a report of Anti-social Behaviour is received, if it requires an urgent response, for example, incidents of Hate Crime, harassment, violence or criminal behaviour, the Council will aim to contact the complainant within one working day. Complainants should also be encouraged to report such incidents to North Wales Police

In less serious such as noise from visitors, animal nuisance, neighbour disputes etc then the Council will aim to contact the complainant within three working days.

It should be noted that in cases relating to noise, the complainant should also be encouraged to report the issue to Noise Pollution, Environmental Health as they have statutory powers to deal with Noise related cases. It should be noted that Environmental Health will not take third party referrals from the Enforcement Team.

Having the Enforcement Team deal with all complaints of Anti-social Behaviour allows for a consistent approach to investigation, evidence gathering and advice/support to complainants.

The Council will also:

- Treat the information you provide to us as confidential under the GDPR guidelines.
- Take all complaints seriously and investigate them thoroughly.
- Making the safety of complainant a primary focus.
- Consider how best to support complainants
- Provide complainants with regular updates.
- Work as part of a multi-agency partnership e.g. with Police and other relevant agencies.
- Use informal and also legal remedies to solve the problem.

3.3 Remedies to Tackle Anti-Social Behaviour

We may decide to use a variety of early, informal remedies and legal remedies to resolve Anti-social Behaviour which can include the following listed below, (please note this is not an exhaustive list of the options available).

Mediation

Where the Anti-social Behaviour is low-level and there are no threats of violence, Mediation may be used to quickly resolve any issues before any escalation.

Meetings

Relevant Officers may meet with alleged perpetrators to discuss their behaviour and any other concerns this will include any actions that can be taken by the alleged perpetrator and the Officers to resolve the complaint. The Officers will gather relevant evidence and this can be helpful in resolving issues at an early stage.

Verbal Warning

A warning advises a person what behaviour is causing the issue, what effect this is having on the victim or the wider community, and the consequences of non-compliance or non-engagement.

Acceptable Behaviour Contracts

ABCs are an informal, voluntary agreement between an individual who has committed anti-social behaviour, and a local agency whose role includes protecting victims and communities from such behaviour. Such contracts can be put in place if both parties agree and can stop further escalation of anti-social behaviour.

Partnership Visits with Other Relevant Agencies

Relevant Officers may carry out visits with partners within the Council or with outside agencies, such as Housing Officers and the police. These visits can stress how serious the matter is, the effect their behaviour is having on the complainant or community, and the consequences if they continue to behave in an anti-social way.

Restorative Approach

Restorative Approach focuses on resolving conflicts and supporting people to take responsibility to solve them. It encourages effective communication and working towards positive outcomes.

A Restorative Conference brings all parties of a conflict together including family and friends to talk openly about how they have been affected and what needs to happen to make things better.

CCTV for Target Hardening

Installing CCTV can be a useful tool in some cases. It can collect evidence of the anti-social behaviour, reassure the victim and can act as a preventative measure towards any further anti-social behaviour.

Community Protection Notices

Community Protection Notices will be sought – in partnership with other agencies, such as North Wales Police.

Formal Warning

A formal warning would clearly state which tenancy conditions have been breached, details of the breach and explain the consequences of any further breaches.

Final Warning

If the anti-social behaviour persists after a formal warning has been issued or if the situation escalates further, then a final warning may be issued, this is often the final stage before starting possession proceedings. A final warning may be issued before any other interventions due to the severity of the anti-social behaviour.

Injunction

In certain cases and following appropriate legal advice being obtained it may be appropriate for the Council to seek an injunction to assist with resolving the issues of ASB either against the tenant or anyone else living in the area to stop them behaving in a way which causes nuisance or annoyance to other people living in or visiting the rented property or the area itself.

Possession

Possession action maybe sought against the Contract Holder or Holders on the basis of a breach of Occupation Contract

Seek a Court Order imposing a Standard Contract on the basis of the conduct [a prohibited Conduct Standard Contract].

It should be noted that in the circumstances of a Joint Occupation Contract, the Council may decide to seek an order to end the Occupation Contract for the Contract Holder who is causing the breach of Occupation Contract.

If the Council is seeking to end the Occupation Contract, Renting Homes Wales [2016] then it must follow the relevant guidance within the Act and serve upon the Contract Holder the relevant prescribed form [RHW23] and may commence proceedings immediately the RHW23 has been served.

3.4 Hate Incidents, Harassment and Discrimination

We will not tolerate any form of hate incident. A hate incident may or may not constitute a criminal offence. A hate incident is one perceived by the victim or any other person as being motivated by prejudice or hate. The prejudice may be about the victim's disability, race or ethnicity, religion or belief, age, sexual identity or transgender identity.

Incidents are not only limited to physical attacks on persons and/or damage property but also includes verbal abuse and graffiti or any other behaviour that causes distress or harm to the victim.

Where appropriate we will use legal remedies against anybody found perpetrating this type of behaviour.

3.5 Illegal Drugs

We will not tolerate any form of illegal drug activity by our Contract Holders, anyone living with them or visiting them and will work with North Wales Police and other agencies.

Where it is deemed appropriate the Council will use relevant legal remedies against anybody found perpetrating these types of crime. Examples of this including growing cannabis, dealing drugs etc.

3.6 Violence, Assaults or Threatening Behaviour

We will not tolerate the use of threatening, abusive or violent behaviour by Contract Holders and/or anyone living with them, visiting them towards their neighbours, Council

staff, subcontractors, agents or the wider community. The Council will work closely with the North Wales Police and other agencies and take appropriate action.

3.7 Neighbour Nuisance or Disputes

The Council recognises that people are different and are in some cases are likely to have different lifestyles, working pattern, beliefs and that living close to others will sometimes result in noise or activity that a person may find to be annoying.

Incidents – such as normal everyday noise, cooking smells as examples are not Anti-social Behaviour and in such incidents, it may be decided that no further action will be taken. However, we will not tolerate behaviour which does constitutes Anti-social Behaviour and will take appropriate action.

4. Victim Centred Approach

4.1 Supporting Victims of Anti-Social Behaviour

We will ensure that it is easy to report Anti-social Behaviour and will provide support, where appropriate, to complainants, victims or witnesses. The Council will work with other agencies and professionals that may be able to help when dealing with any problems and if considered necessary offer any appropriate support.

All reports will be dealt with sensitively, if required, in confidence.

We aim to do this by supporting victims of Anti-social Behaviour to:

- To make is easy and accessible for victims to report any Anti-social Behaviour to ensure that staff keep complainants, witnesses and victims informed.
- To have a sensitive and proactive approach working with other agencies where appropriate to offer support and assistance.
- Ensure that there are discussions and an action plan developed with the person reporting anti-social behaviour.
- To protect the confidentiality of people reporting issues, where possible.
- Maintain regular contact with complainants, victims and witnesses.
- Provide protection measures such as target hardening working alongside The Community Safety Team.

4.2 Supporting Witnesses of Anti-Social Behaviour

We will support witnesses of Anti-social Behaviour and work with them to secure a successful outcome where anti-social behaviour occurs. We will aim to protect witnesses and work in partnership with North Wales Police and other agencies as appropriate to ensure that witnesses feel secure and are supported throughout the process. The aim is

to alleviate any fears of intimidation, will include any referrals to victim support, keeping witnessing informed at all stages, target hardening measures as well as CCTV installation should this be deemed an appropriate measure of support.

5. Measuring Our Success

5.1 Performance Management

We will monitor tenant satisfaction with our tenancy management services, the results will subsequently feed into our monitoring and review processes.

We will establish a series of monthly and annual key performance indicators for our tenancy management services and report progress against these at monthly managers meetings. We will also make these available to tenants through our various methods of communication and involvement.

We will monitor the cost of our tenancy management services and compare these through formal and informal benchmarking methods.

5.2 Equality and Diversity

We recognise that we operate in a community and neighbourhoods within which there is wide diversity, we aim to value that diversity and aim to shape our services around the needs of our tenants.

Through the management of our homes and estates we aim to treat all Contract Holders fairly, and with respect and professionalism regardless of their gender, race, age, disability, religion, sexual orientation and marital status. We will gather information on the diverse needs of our tenants to ensure our services meet their needs and are consequently more victim/customer focussed.

5.3 Complaints

Any complaints about how a case of Anti-social Behaviour has been handled are to be dealt with through the Council's Corporate Complaints procedure or through the community trigger. This information is available to anyone via accessing the Council's website or via a visit a Connects Offices for further guidance on how to make a complaint.

5.4 Policy Review

This policy will be reviewed every three years, or where there has been significant changes to regulation or legislation to warrant a further policy review. The policy may also be reviewed sooner where there is a need to address operational issues or where best practice has evolved and there is a need to incorporate this.