



**RHONDDA CYNON TAF**

**CYNGOR BWRDEISTREF SIROL**  
**RHONDDA CYNON TAF**  
**COUNTY BOROUGH COUNCIL**

A meeting of the **CABINET** will be held at the Council Chamber, The Pavilions, Cambrian Park, Clydach Vale, Tonypany, CF40 2XX  
Wednesday, 21st November, 2018 at 2.30 pm

Contact: Emma Wilkins - Principal Executive & Regulatory Business Officer (Tel No. 01443 424110)

Councillors and members of the public wishing to request the facility to address the Cabinet on any of the business as listed below, must request to do so by 5pm on the Monday, 19 November 2018 Councillors and Members of the public should stipulate if this address will be in the medium of English or Welsh.

It must be noted that the facility to address the Cabinet is at the discretion of the Chair and each request will be considered based on the agenda items being considered, the public interest/interest of the member in each matter and the demands of the business on that day. To make such a request please email:- [ExecutiveandRegulatoryBusinessUnit@rctcbc.gov.uk](mailto:ExecutiveandRegulatoryBusinessUnit@rctcbc.gov.uk)

**ITEMS FOR CONSIDERATION**

**1. DECLARATION OF INTEREST**

To receive disclosures of personal interest from Members in accordance with the Code of Conduct.

**Note:**

1. Members are requested to identify the item number and subject matter that their interest relates to and signify the nature of the personal interest; and
2. Where Members withdraw from a meeting as a consequence of the disclosure of a prejudicial interest they **must** notify the Chairman when they leave.

**2. MINUTES**

To receive the minutes of the Cabinet Committee meetings held on the following dates as accurate records:

- 3<sup>rd</sup> October, 2018.
- 16<sup>th</sup> October, 2018
- 18<sup>th</sup> October, 2018.

**3. MODERNISATION OF RESIDENTIAL CARE AND DAY CARE FOR OLDER PEOPLE**

To receive the report of the Group Director, Community & Children's Services providing details with the independent review undertaken and to seek approval to consult on the options for residential care homes and day care provision to enable the Council to make an informed decision on the future of this provision in Rhondda Cynon Taf.

**(Pages 33 - 80)**

**4. SUPPORT @HOME MAESTRISANT SERVICE**

To receive the report of the Group Director, Community & Children's Services updating Cabinet on the outcome of the consultation to change the dedicated internal Support @Home Service at Maestrisant in Talbot Green to another domiciliary care provider.

**(Pages 81 - 88)**

**5. EXTRA CARE HOUSING - PROVISION OF CARE AND SUPPORT**

To receive the report of the Group Director, Community & Children's Services seeking Cabinet approval for the commissioning model for the provision of care and support services in existing and future extra care housing.

**(Pages 89 - 98)**

**6. CWM TAF REGIONAL STATEMENT OF INTENT FOR SUPPORTING CHILDREN AND YOUNG PEOPLE AND FAMILIES**

To receive the report of the Group Director, Community & Children's Services providing Members with details of the Cwm Taf Regional Statement Of Intent For Supporting Children And Young People And Families.

**(Pages 99 - 134)**

**7. PROPOSAL TO DECLARE A NEW ADDITIONAL LICENSING SCHEME FOR HOUSES IN MULTIPLE OCCUPATION IN 2019**

To receive the report of the Director, Public Health, Protection & Community Services detailing the effectiveness of the 2014 Additional Licensing Scheme for Houses in Multiple Occupation (HMOs) and propose the Council declare a New Additional Licensing Scheme for HMOs from April 2019, in accordance with the provisions of the Housing Act 2004.

**(Pages 135 - 208)**

**8. RCT TOGETHER - REVIEW OF THE COMMUNITY ASSET TRANSFER PROCESS.**

To receive the report of the Director, Public Health, Protection & Community Services proposing a number of changes to the RCT Together process to align it with the Council's current strategic direction for community based services and assets.

**(Pages 209 - 216)**

**9. PROPOSALS TO REVIEW THE PROVISION OF COMMUNITY DAY CENTRES IN RHONDDA CYNON TAF**

To receive the report of the Director, Public Health, Protection & Community Services proposing that a focussed consultation be undertaken with service users and the local communities on the remaining Community Day Centres to inform a subsequent decision on their future.

**(Pages 217 - 224)**

**10. PRESCRUTINY- DRAFT EMPTY HOMES STRATEGY**

To receive the report of the Interim Head of Democratic Services providing Members with details of the Pre-scrutiny undertaken by the Health & Wellbeing Scrutiny Committee in respect of the draft empty homes strategy.

**(Pages 225 - 266)**

**11. UNDERSTANDING THE POTENTIAL IMPACT OF BREXIT AND IN PARTICULAR A "NO DEAL" BREXIT ON THE COUNCIL**

To receive the report of the Chief Executive providing Members with a brief on the potential impact of Brexit on the Council and its residents.

**(Pages 267 - 304)**

**12. CIVIL PARKING ENFORCEMENT**

To receive the report of the Group Director, Corporate & Frontline Services seeking approval from Cabinet for the Council to provide civil parking enforcement back-office Penalty Charge Notice (PCN) processing functions on behalf of additional Local Authorities across South Wales.

**(Pages 305 - 324)**

**13. COUNCIL PERFORMANCE REPORT - 30TH SEPTEMBER 2018 (QUARTER 2)**

To receive the report of the Group Director, Corporate & Frontline Services providing Members with an overview of the Council's performance, both from a financial and operational perspective, based on the first six months of this financial year (to the 30th September 2018).

**(Pages 325 - 344)**

**14. COUNCIL TAX BASE FOR 2019/20**

To receive the report of the Group Director, Corporate & Frontline Services formally setting out the Council Tax Base for the financial year 2019/20.

**(Pages 345 - 348)**

**15. TO CONSIDER PASSING THE FOLLOWING RESOLUTION:**

"That the press and public be excluded from the meeting under Section 100A(4) of the Local Government Act (as amended) for the following items of business on the grounds that it involves the likely disclosure of the exempt information as defined in paragraph 14 of Part 4 of the

Schedule 12A of the Act”.

**16. CORPORATE ASSET MANAGEMENT PLAN 2018-2023**

To receive the report of the Group Director, Corporate & Frontline Services containing exempt information, providing details of the Corporate Asset Management Plan for 2018-2023.

**(Pages 349 - 428)**

**17. STRATEGIC OPPORTUNITY AREAS: ACQUISITIONS**

To receive the report of the Director of Regeneration, Planning & Housing containing exempt information, seeking delegated approval from Cabinet to acquire land and buildings within the agreed Strategic Opportunity Areas, subject to best value and a robust due diligence process, in order to facilitate the delivery of the Council’s objectives for these areas.

**(Pages 429 - 436)**

**18. CYNON VALLEY WASTE DISPOSAL COMPANY LIMITED AND AMGEN RHONDDA LIMITED - ANNUAL GENERAL MEETING**

To receive the report of the Director, Legal & Democratic Services, containing exempt information, providing details of the forthcoming Annual General Meeting.

**(Pages 437 - 496)**

**19. URGENT ITEMS**

To consider any urgent business as the Chairman feels appropriate.



**Director of Communications & Interim Head of Democratic Services**

**Circulation:-**

**Councillors:** Councillor A Morgan (Chair)  
Councillor M Webber (Vice-Chair)  
Councillor R Bevan  
Councillor A Crimmings  
Councillor G Hopkins  
Councillor M Norris  
Councillor J Rosser  
Councillor R Lewis  
Councillor C Leyshon

**Officers:** Chris Bradshaw, Chief Executive  
Chris Jones, Director, Legal & Democratic Services  
Christian Hanagan, Director of Communications & Interim Head of Democratic Services  
Chris Lee, Group Director Corporate & Frontline Services  
Gio Isingrini, Group Director Community & Children's Services  
Colin Atyeo, Director of Corporate Estates & Procurement  
Esther Thomas, Temporary Service Director for Access & Inclusion Services  
Jane Cook, Director, Regeneration, Planning & Housing  
Nigel Wheeler, Director of Highways & Streetcare Services  
Paul Mee, Director, Public Health, Protection & Community Services  
Richard Evans, Director of Human Resources  
Simon Gale, Service Director, Planning  
Gaynor Davies, Director of Education and Inclusion Services  
Louise Davies, Head of Public Protection

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## RHONDDA CYNON TAF

### RHONDDA CYNON TAF COUNCIL CABINET

Minutes of the meeting of the Cabinet meeting held on Wednesday, 3 October 2018 at 2.00 pm at the Council Chamber, The Pavilions, Cambrian Park, Clydach Vale, Tonypany, CF40 2XX.

#### County Borough Councillors - Cabinet Members in attendance:-

Councillor A Morgan (Chair)

Councillor M Webber    Councillor R Bevan  
Councillor A Crimmings    Councillor G Hopkins  
Councillor M Norris    Councillor J Rosser  
Councillor R Lewis    Councillor C Leyshon

#### Officers in attendance

Mr C Bradshaw, Chief Executive  
Mr C Jones, Director, Legal & Democratic Services  
Mr C Hanagan, Director of Communications & Interim Head of Democratic Services  
Mr C Lee, Group Director Corporate & Frontline Services  
Mr G Isingrini, Group Director Community & Children's Services  
Mr C Atyeo, Director of Corporate Estates & Procurement  
Mr N Wheeler, Director of Highways & Streetcare Services  
Mr R Evans, Director of Human Resources  
Ms G Davies, Director of Education and Inclusion Services  
Mr A Griffiths, Head of Highways & Engineering  
Ms. J. Hadley, School Organisation Manager  
Ms C Jones, Head of Access & Inclusion  
Ms A Richards, Head of 21st Century Schools

#### Others in attendance

Councillor S Belzak  
Councillor S Bradwick  
Councillor P Jarman  
Councillor G Thomas  
Councillor L Walker

#### 41 Declaration of Interest

In accordance with the Council's Code of Conduct, the following declarations of interest were made pertaining to the following agenda items:-

- County Borough Councillor M Webber declared the following personal interest in respect agenda item 2 - " I am on the Governing Body of Heol Y Celyn Primary School but my interest is not prejudicial because of the exemption contained within paragraph 12(2) (a)(iii) of the Members Code of Conduct."
- County Borough Councillor A Crimmings declared the following personal and prejudicial interest in respect of in respect agenda item 2 and left the

meeting when the item was discussed and voted upon "I am employed by Coleg y Cymoedd"

- County Borough Councillor S Belzak declared the following personal interest in respect of agenda item 2 - " I am on the Governing Body of YGG Pontsionnorton & Cilfynydd Primary but my interest is not prejudicial because of the exemption contained within paragraph 12(2) (a)(iii) of the Members Code of Conduct."
- County Borough Councillor S Bradwick declared the following personal interest in respect of agenda item 2 - " I am on the Governing Body of Aberdare Community School but my interest is not prejudicial because of the exemption contained within paragraph 12(2) (a)(iii) of the Members Code of Conduct."
- County Borough Councillor R Bevan declared the following personal interest in respect of agenda item 3- "I am on the Governing Body of Pontygwaith Primary School but my interest is not prejudicial because of the exemption contained within paragraph 12(2) (a)(iii) of the Members Code of Conduct"
- County Borough Councillor S Bradwick declared the following personal interest in respect of agenda item 3- "I am on the Governing Body of Caradog Primary School but my interest is not prejudicial because of the exemption contained within paragraph 12(2) (a)(iii) of the Members Code of Conduct"
- County Borough Councillor R Bevan referenced his dispensation in respect of agenda item 4 - "As granted by the Standards Committee on the 8th December, 2017 I have a dispensation to speak and vote on all matters relating to the Community and Children's Services Group, save for any specific matters that directly affect my daughter, who is employed by the Council in the Community and Children's Services Group as the Service Manager for Access and Enablement."

## **42 21st Century Schools Programme - Proposals To Improve Education Provision In The Greater Pontypridd Area**

The Head of 21<sup>st</sup> Century Schools referred Members to the report before them which looked to improve the quality of the education provision available in the Greater Pontypridd area of Rhondda Cynon Taf, by taking forward the following proposals, to which the Officer spoke through in detail:-

- Develop post 16 centres of excellence based at Bryncelynnog Comprehensive School, Beddau and Coleg y Cymoedd, Nantgarw, investing £10m in new sixth form provision at Bryncelynnog;
- Create two new 3-16 schools, in Pontypridd and Hawthorn, which will take a radically different approach to education in these areas, by sharing both primary and secondary sector resources, investing £16.7m in improved educational facilities;
- Improve and increase Welsh medium primary provision by investing £10.7m in a new school to replace Ysgol Gynradd Gymraeg Pont Sion Norton and the Welsh Medium stream of Heol Y Celyn Primary School.

Members were advised of a few typographical errors contained within the consultation document, however the officer confirmed that these had been addressed. Members were advised of the rationale for the decision and the



necessary statutory consultation process that would need to be taken forward in respect of the proposals.

The Cabinet Member for Education & Lifelong Learning commented upon the proposals and the detail contained within the report and consultation paper, adding that the Council needed to ensure that they were providing the best possible outcomes for all learners, as this is what they all deserved. The Cabinet member commented on the drop in 6<sup>th</sup> form numbers and the rationale for the proposals. Reference was also made to the access for transport within the proposals.

Other Cabinet Members commented on the importance of undertaking the statutory consultation if the proposals were taken forward to ensure the opinion of those affected could be considered.

County Borough Councillors S Belzak & L Walker also spoke on this item, to which the officers responded.

Following discussions it was **RESOLVED**:

1. To note the information contained within the report.
2. To commence consultation on the following specific proposals as outlined within the report:
  - a) To close the sixth forms of Hawthorn High School, Pontypridd High School and Cardinal Newman RC Comprehensive School and transfer the post-16 provision to Bryncelynog Comprehensive School or Coleg y Cymoedd, Nantgarw. It is proposed to invest £10m in improving the sixth form facilities at Bryncelynog Comprehensive School. Those students who opt for a Roman Catholic education, can apply for sixth form provision at St David's College, Cardiff, and home to school transport will be provided by the Council;
  - b) To close Pontypridd High School and Cilfynydd Primary School and create a new 3-16 'all through' school on the site of the current Pontypridd High School site, investing £4.7m in improved facilities;
    - Close Hawthorn High School, Hawthorn Primary School and Heol-Y-Celyn Primary School and create a new 3-16 'all through' school on the site of the current Hawthorn High and Hawthorn Primary Schools, investing £12m in improved facilities. The local authority designated ALN specialist class located at Hawthorn High School will also transfer to the new school.
    - Close Ysgol Gynradd Gymraeg Pont Sion Norton and construct a new £10.7m Welsh Medium Primary School building on the site of the current Heol-Y-Celyn Primary School. The pupils attending YGG Pont Sion Norton, together with those educated through the Welsh Medium at Heol-Y-Celyn will transfer to the new school, subject to parental preference. The Heol-Y-Celyn pupils educated through the English Medium will transfer to the new 3 – 16 school at Hawthorn, again subject to parental preference.
  - c) That all the proposals will be implemented by 2022.

**N.B**

- As referred in Minute 41 County Borough Councillor A Crimmings declared a personal and prejudicial interest and left the meeting for the duration of the item.
- County Borough Councillors M Webber, S Belzak and S Bradwick also declared personal interest as referenced in Minute 41.
- County Borough Councillor S Belzek left the meeting at the conclusion of the item.

**43 SEN - ALN SUPPORT CLASS REVIEW**

The Director, Education & Inclusion Services provided Members with her report which looked at an opportunity to consider proposals for the realignment of mainstream Learning Support Class (LSC) provision within Rhondda Cynon Taf (RCT), to improve the continuum of SEN provision that can be achieved in within the Authority.

The Director continued by advising of the considerable benefits to be gained from the realignment of LSCs in ensuring the SEN of all children and young people are met and outcomes for pupils are improved, with the proposed realignment of LSCs ensuring that the LA has an enhanced focus on providing more effective mainstream inclusion opportunities for pupils with a wide range of SEN.

The Cabinet Member for Education & Lifelong Learning spoke positively on the proposals and commented upon the rationale for the proposals as outlined within the report and the current high rate of surplus places. Reference was also made to the transport provision.

It was **RESOLVED**:

1. To note the information contained within this report.
2. To the realignment of Special Educational Needs (SEN) mainstream LSC provision within the context of the School Organisation Code (2013) and the 21<sup>st</sup> Century School Modernisation Programme.
3. To commence consultation on the following proposals, as contained within the report:
  - a) To close the Foundation Phase Learning Support Class ("LSC") for pupils with Complex Learning Difficulties in Heol y Celyn Primary School – no pupils in 2019;
  - b) To close the Foundation Phase LSC for pupils with Complex Learning Difficulties in Penrhys Primary School – no pupils in 2019;
  - c) To close the Key Stage 2 LSC for pupils with Social, Emotional, Behavioural Difficulties in Penywaun Primary School – no pupils in 2019;

- d) To close the Foundation Phase LSC for pupils with Complex Learning Difficulties in Pontygwaith Primary School – no pupils in 2019;
- e) To close the Key Stage 2 LSC for pupils with Complex Learning Difficulties in Heol y Celyn Primary School – 2 pupils in 2019;
- f) To close the Key Stage 2 LSC for pupils with Complex Learning Difficulties in Caradog Primary School – 8 pupils transferring to Cwmbach Primary School;
- g) To transfer the Foundation Phase LSC for pupils with Complex Learning Difficulties from Caradog Primary School to Cwmbach Primary School, creating a cross phase provision from Foundation Phase to Key Stage 2.
- h) To transfer the Foundation Phase LSC for pupils with Complex Learning Difficulties from Penrhys Primary School to Maerdy Primary School, creating a cross phase provision from Foundation Phase to Key Stage 2;
- i) To transfer the Key Stage 2 LSC for pupils with Communication Disorders based at Hafod Primary School to Porth Community School (3-16 provision) creating a cross phase provision from Foundation Phase to Key Stage 4
- j) To re-designate the Foundation Phase LSC for pupils with Complex Learning Difficulties at Darran Park Primary and Foundation Phase Observation and Assessment Class at Llantrisant Primary to become Early Years Assessment and Intervention LSCs for pupils under statutory school age with significant presenting needs;
- k) To create a new Key Stage 3/4 LSC provision for pupils with SEBD at Ysgol Nant Gwyn;
- l) To create a new Key Stage 3/4 LSC provision for pupils with Complex Learning Difficulties at Treorchy Comprehensive School.

(**N.B** – As referenced in Minute 41 – County Borough Councillor R Bevan and S Bradwick declared a personal interest in respect of the item.)

#### **44 CWM TAF SAFEGUARDING BOARD ANNUAL REPORT**

The Group Director, Community & Children’s Services provided Members with the Cwm Taf Safeguarding Board Annual Report, which looked to demonstrate the Boards effectiveness in exercising its functions during the 2017/18 financial year.

Members were provide with details in respect of safeguarding practices, collaboration, engagement, participation and communication, information, training and learning, as set out within the report.

The Cabinet Member for Adult Community Services & Welsh Language spoke positively on the report and the work being undertaken in respect of Safeguarding. These comments were also reiterated by the Cabinet Member for Children & Young People in respect of the work undertaken by the Board for Children & Adults.

It was **RESOLVED**:

1. To note and endorse the content of the Cwm Taf Safeguarding Board Annual Report for 2017/18.

**45 A465 HEADS OF THE VALLEYS DUALLING SECTIONS 5 AND 6 DOWLAI TOP TO HIRWAUN**

The Head of Highways and Engineering updated Cabinet on the current situation regarding the A465 Heads of the Valleys Dualling Sections 5 and 6 Dowlais Top to Hirwaun, advising that such works would address congestion, safety and capacity issues as well as providing an economic stimulus for the area. The work would complete a dual carriageway route through the Heads of the Valleys which is of national and strategic importance, providing a critical Northern Cross valley link for the Metro and improving the resilience of the City Deal transport network.

Members were advised that the dualling would deliver wider economic benefits including social impact of improved accessibility, increased social inclusion, improved accessibility for tourists and the perception and attractiveness of the Heads of the Valleys as an area in which to invest.

The Leader commented on the positive work done to date and the meetings taken forward with Jacobs, Welsh Government and local Members in respect of the design and commented on the need for the dualling of the sections as outlined within the report. The Leader also referenced the Aberdare bypass scheme (Cynon Gateway North) and funding with Welsh Government and pressed that both schemes being taken forward at the same time, to avoid any time lapse between the two.

County Borough Councillors G Thomas and P Jarman also spoke on this item.

Following discussions It was noted that the Welsh Government are considering a 3 roundabout option at Croesbychan but there has been no formal release of documentation by the Welsh Government in this respect. It was confirmed that RCT would work with the Welsh Government to check that if a 3 roundabout option proceeds then the Cynon Gateway North would not be compromised by this option.

Following discussions it was **RESOLVED**:

1. To note the proposals drawn-up by the Welsh Government to dual the existing A465 between Dowlais Top and Hirwaun.
2. To note the letter of support from the Welsh Government in respect of the Council's Cynon Gateway North (as outlined within Appendix A of the report).

3. To the Council supporting the Welsh Government's proposals for the dualling of the A465.

(**N.B** At the conclusion of this item, County Borough Councillors P Jarman and L Walker left the meeting.)

#### **46 REPRESENTATIONS AND COMPLAINTS PROCEDURES ANNUAL REPORT.**

The Group Director, Community & Children's Services provided Cabinet with an overview of the operation and effectiveness of the Council's statutory Social Services complaints procedure between 1<sup>st</sup> April 2017 and 31<sup>st</sup> March 2018. The Group Director advised that the report contained information on the background of the Social Services statutory complaints procedure, information on lessons learnt from complaints and performance data for Adults & Children's Social Services, together with achievements for 2017/18 and future developments.

The Cabinet Member for Children & Young People thanked the Group Director for the report and spoke of the positive work of the service as reflected within the contents of the report.

It was **RESOLVED:**

1. To note the contents of the Social Services Annual Complaints report (attached as Appendix 1 of the report)
2. To note the work undertaken by the Social Services Complaints Team.

(**N.B** Following conclusion of this item County Borough Councillor G Thomas left the meeting)

#### **47 DIRECTOR SOCIAL SERVICES ANNUAL REPORT**

The Group Director, Community & Children's Services under his statutory duties as Director of Social Services for the Council, provided Members with a brief overview of his Annual report which outlined the delivery, performance, risks and planned improvements of the Social Services function of the Council for 2017/18.

Members were reminded that the draft report had previously been to Cabinet and had since been to Scrutiny to the Children and Young Peoples Scrutiny Committee and to the Health and Wellbeing Scrutiny Committee for consultation. The Group Director added that overall feedback was positive and advised Members of the minor amendments taken forward.

The Cabinet Member for Adult Community Services & Welsh Language welcomed the positive report of the Director of Social Services which highlighted that the service continues to improve and spoke further on the importance of working with partners. The Cabinet Member also spoke of the increasing pressures with Adult Social Care, although added that the Council were in a good place to meet the future demands placed upon them.

The Cabinet Member for Children & Young people commented upon the

complex needs with Children Looked After and the positive work being taken forward with early access, signposting, intervention and resilience services available.

It was **RESOLVED**:

1. To approve the Rhondda Cynon Taf Director of Social Services Annual Report (as attached as Appendix 1 to the report) for publication.

**This meeting closed at 3.15 pm**

**Cllr A Morgan  
Chairman.**



## RHONDDA CYNON TAF

### RHONDDA CYNON TAF COUNCIL CABINET

Minutes of the meeting of the Cabinet meeting held on Tuesday, 16 October 2018 at 1.00 pm at the Council Chamber, The Pavilions, Cambrian Park, Clydach Vale, Tonypany, CF40 2XX.

#### County Borough Councillors - Cabinet Members in attendance:-

Councillor A Morgan (Chair)

Councillor M Webber	Councillor R Bevan
Councillor A Crimmings	Councillor G Hopkins
Councillor M Norris	Councillor J Rosser
Councillor R Lewis	Councillor C Leyshon

#### Officers in attendance

Mr S Gale, Service Director, Planning  
Mr C Bradshaw, Chief Executive  
Mr C Jones, Director, Legal & Democratic Services  
Mr C Hanagan, Director of Communications & Interim Head of Democratic Services  
Mr C Lee, Group Director Corporate & Frontline Services  
Mr G Isingrini, Group Director Community & Children's Services  
Mr P Mee, Director, Public Health, Protection & Community Services  
Mr R Evans, Director of Human Resources  
Mr R Waters, Service Director, Highways & Streetcare Services  
Mr D Batten, Head of Leisure  
James, Head of Regeneration and Prosperity

#### Others in attendance

Councillor J Williams & Councillor G Caple.

#### 48 DECLARATION OF INTEREST

County Borough Councillor G Hopkins declared the following personal interest in respect of Agenda item 7 and remained in the meeting when the item was discussed and voted upon – 'I am a member of Llanharan Community Council.'

#### 49 MINUTES

The Cabinet **RESOLVED** to approve the minutes of the 20<sup>th</sup> September, 2018 as an accurate reflection of the meeting.

#### 50 COUNCIL CORPORATE PLAN - INVESTMENT PRIORITIES

The Group Director Corporate & Frontline Services presented Members with his report which set out the position with regard to one-off resources which have become available following a review of the Council's earmarked reserves post completion of the audit process of the Council's 2017/18 Statement of Accounts, including Insurance funding requirements.

The Director advised that the level and use of earmark reserves was constantly reviewed as part of the Council's robust financial management arrangements and referred Members to section 4.3 of the report appendix which outlined the extent to which any amounts could be released. Section 5.4 of the report appendix also provided narrative about potential areas for future investment (as outlined below), with £23.450M of investment which could be fully funded through a combination of the release of one off earmarked reserves plus prudential borrowing funded from reduced costs of insurance claims:

- Extracare (£2.000M)
- Making Better Use (MBU) / Traffic Management (£0.300M)
- Parks and Green Spaces (£0.200M)
- Strategic Regeneration Investment (£1.000M)
- A4119 Dualling (£1.500M)
- Llanharan Bypass (£0.500M)
- Community Hubs (£0.250M)
- Treorchy Link Road (£0.200M)
- Aberdare Bypass (£1.000M)
- Robertstown and Coedely (match funding) (£4.200M)
- Highways Investment (to 2021) (£12.000M)
- Bryn Pica Eco Park (£0.200M)
- Community Enabling Fund (£0.100M)

The Leader welcomed the report and the opportunity for investment across the areas outlined, which had been previously identified within the Corporate Plan and the public pledge within the Labour Manifesto. The Leader referenced the recent flooding that has been witnessed across parts of the County Borough and asked that further funding be made available to the infrastructure reserve to help alleviate pressures and investment in this area going forward.

The Deputy Leader also spoke positively on the report and the opportunities available to the Council to invest whilst still facing austerity measures, commenting that this was attributable to the Councils sound financial management.

Following discussions it was **RESOLVED**:

1. To propose the release of earmarked reserves, undertake prudential borrowing and resultant Investment Priorities as detailed at Appendix A to Council at its meeting on 24<sup>th</sup> October 2018, subject to the inclusion of an additional £100k to the Infrastructure reserve.
2. To receive a further update in early 2019 on Earmarked Reserve availability as part of the normal budget strategy work being undertaken in preparation for the 2019/20 financial year.

## **51 INVESTMENT UPDATE - LEISURE, PARKS, PLAY AREAS, HERITAGE AND VISITOR ATTRACTIONS**

The Head of Leisure, Parks & Countryside presented his detailed report to Members which provided Members with an update on the progress of the



investment programme into Leisure Centres, 3G Pitches, Play Areas, Parks and Heritage and Visitor Attractions, highlighting the improvements in service performance as direct result of the investment.

The officer provided Members with the positive detail in respect of the investment and the outcomes and benefits to such investment for the County Borough.

Members were advised that there has been a marked return on the investment into Leisure Service, with the service already surpassing the targets for membership and retention set out in the Leisure Strategy for 2020. The Officer continued by advising that there was also a marked improvement in the performance of Rhondda Heritage Park, with the investment halting the long-term decline in the facility, and now the management team have been able to present an offer that has been enthusiastically welcomed by both existing and new customers. It was added that future plans should enable the renamed "Welsh Mining Experience" to become a key tourist destination within South Wales.

The success and popularity of the investment into 3G sports pitches were also provided as well as the Council's investment into Leisure and Recreation facilities and visitor attractions.

The Cabinet Member for Environment, Leisure & Heritage Services thanked the service for the positive report before Members and spoke of the positive outcomes and benefits of the investment provided in the service for all generations of the County Borough in respect of health outcomes, health and wellbeing as well as strengthening communities.

The Leader commented on the adaption's made to services to better suit residents and referenced the increase in membership in Leisure Centres and the positive outcomes being witnessed with health goals, reducing diabetes, obesity and access to play areas for younger generations.

The deputy Leader also commented on the strengthening of community cohesion through the service area and commented on the current demands with Netball and the forward thinking approach of the authority.

It was **RESOLVED:**

1. To note the progress made with the investment programme into Leisure, Sport, Parks, Play and Visitor Attractions across the County Borough,
2. To note the significant improvements in service delivery that are a direct result of the investment programme,
3. To consider future investment priorities for the service as and when funding opportunities arise.

## **52 HIGHWAYS, TRANSPORTATION AND STRATEGIC PROJECTS - HIGHWAY ASSET INVESTMENT STRATEGY**

Members were provided with the report of the Service Director Highways and Streetcare Services which provided an update on the progress made through the

ongoing Highways Investment Scheme. The Service Director also utilised the opportunity to present costed options for future carriageway and footway maintenance strategies, as outlined within the report.

The Service Director advised that Investment across the Councils highways asset since 2011/12 has improved the condition of the asset, reducing insurance costs and the incidence of claims for slips, trips and falls on the highway and has consequential benefits to well-being, pressures on health care and productivity.

Through his report, Members were provided with the impact of a range of funding scenarios, including the potential benefits of committing to an accelerated programme of investment, with such a programme improving the condition of the asset, and also reducing the level of funding required to maintain the asset thereafter. The Service Director explained that this would lead to a reduction in the number of pot-holes requiring filling and an opportunity to reinvest in more proactive maintenance activities.

The Leader spoke of the importance of investment and maintenance of its most valuable asset, and spoke on the accelerated investment option as identified within the report.

It was **RESOLVED**:

1.
  - o note the progress made to date, specifically the improvements in the condition of the carriageway network, the reduced numbers of third party claims made against the Council and the reduction in the number of actionable carriageway and footway defects developing on the network.
2.
  - o note the projected funding requirements for the various options and to take forward option 2 as outlined within the appendix of the report, namely the accelerated funding for 3years option.

(**N.B** County Borough Councillor R Bevan left the meeting room when the report was discussed and therefore refrained from voting on the item.)

## **53 MAJOR TRANSPORTATION INFRASTRUCTURE PROJECTS UPDATE**

The Service Director, referred Members to the report before them which provided an update on the current status in respect of a number of key strategic transportation infrastructure projects including Mountain Ash Southern Cross Valley Link, Llanharan Bypass, A4119 Ely Valley Road Dualling (Stinkpot Hill), Park and Rides, Cynon Gateway North (A4059 Aberdare Bypass Extension) and Gelli / Treorchy Relief Road.

The Service Director spoke in detail in respect of each of the projects presented before responding to Members comments.

The Leader commented on the projects and advised that these had all been referenced within the Councils Strategic Plan and commented positively on the opportunities such projects would deliver for those accessing the County Borough. He added that highway infrastructure investment was invaluable to the County Borough allowing for the development of big and small schemes, which

all have a dramatic effect on the transport infrastructure of the Authority.

Following discussions it was **RESOLVED**:

1. To note the progress made to date on Mountain Ash Southern Cross Valley Link Road, Llanharan Bypass, A4119 Dualling (Stinkpot Hill) and the Council's current Park and Ride projects.
2. To note the Welsh Government A465 dualling proposals and the impact on the Cynon Gateway North Link Road.
3. To consider the issues of the Gelli-Treorchy Relief Road and the alternative proposals for a Treorchy Link Road, as outlined within the report.
4. To consider the funding of further works and studies to progress the key strategic transportation infrastructure projects.

#### **54 COMMUNITY INFRASTRUCTURE LEVY ('CIL')**

To enable the Council to continue to operate a Community Infrastructure Levy in accordance with the statutory regulations, the Service Director Planning provided his report to Members. Member were reminded that the Community Infrastructure Levy Regulations 2010 (as amended) require the Council to produce an annual report detailing CIL income and expenditure, and the Service Director outlined the detail of the CIL income and expenditure for 2017/18.

Members were also advised that the content of the report had been presented to the Finance & Performance Scrutiny Committee during their meeting in September.

The Cabinet Member for Enterprise, Development & Housing commented on the report and discussed the obligations on the Council to produce a 123 list and commented that it would be beneficial if the local Community Councils also operated with a similar list, although this wasn't a mandatory requirement. The Cabinet Member also made reference to the relatively low CIL receipts which he added was to be expected for the first few years of its implementation as the majority of development that is currently being undertaken in the County Borough was granted planning permission prior to CIL being implemented.

County Borough Councillor G Hopkins also commented on the good practice of Community Councils producing a 123 List, and spoke of the practice taken forward within Llanharan Community Council which he was happy to share.

The Deputy Leader advised Members that the subject of a CIL 123 List by Community Councils would be added to the agenda for discussions at the next meeting of the Community Liaison Committee.

Following discussions it was **RESOLVED**:

1. To the contents of the Community Infrastructure Levy (CIL) Annual Monitoring Report, as outlined within Appendix A of the document.

**(N.B.** County Borough Councillor G Hopkins declared a personal interest in

relation to this item to which minute number 48 refers)

## **55 PORTH TOWN CENTRE STRATEGY**

The Head of Regeneration, Housing and Prosperity provided Members with a draft regeneration strategy for Porth Town Centre, which looked to take forward the area into a Town Centre that would deliver economic growth and job creation. The Officer referred to the Councils Corporate Plan commitments and the need to tackle the many challenges currently faced by town centres within the County Borough, adding that the solution required an integrated, co-ordinated and holistic approach to town centre regeneration that harnesses the many exciting opportunities currently presented through the Cardiff Capital Region City Deal.

Members were referred to section 5 of the report which provided in detail the draft strategy for members consideration including the key schemes that would need to be taken forward to make the strategy work. Members were advised that a critical next step that has been highlighted in the implementation process was the need to carry out a public consultation on the draft strategy.

The Cabinet Member for Enterprise, Development & Housing welcomed the strategy, which looked to build and plan for the future and entailed many wider benefits for the residents of not only Porth but of the County Borough.

County Borough Councillors G Caple and J Williams also spoke to the item.

The Leader of the Council commented on the strategy and spoke of the benefits the Metro would also bring to the strategy and the positive consequences for other areas of the County Borough.

Following discussions it was **RESOLVED**:

1. That following consideration of the draft Porth Town Centre Regeneration Strategy as outlined within the Appendix of the report, to Initiate a public consultation exercise on the draft Strategy and receive a further report detailing the results from the consultation exercise.
2. That subject to the public consultation feedback, to the further development of schemes and projects as outlined within the draft strategy.

## **56 GAMBLING ACT 2005 - REVISION OF STATEMENT OF PRINCIPLES (LOCAL POLICY) 2019-2021**

The Director, Public Health, Protection & Community Services provided Members with his report which considered the revised Statement of Principles, under the provisions of the Gambling Act 2005 (i.e. the local policy statement for the management of gambling activity within the boundary of Rhondda Cynon Taf County Borough Council), for the period 2019 – 2021 in accordance with statutory requirements.

The Director advised of the statutory requirement to review the Statement of Principles on a 3 yearly basis and the current statement had therefore been

subject to review. He added that the proposed Statement of Principles was to come into effect from 31<sup>st</sup> January 2019, pending approval from full Council.

The Cabinet Member for Stronger Communities, Well-being & Cultural Services commented on the Principles which assisted the Authority in ensuring that it was well regulated and which was necessary to ensure the protection of residents in this area.

It was **RESOLVED**:

1. To approve the revisions to the policy as advocated by the Director of Public Health, Protection and Community Services, and which were considered by the Licensing Committee on 11th September 2018.
2. To commend the revised Statement of Principles to Council for adoption in line with statutory requirements.

**57 REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) -USE OF RIPA IN 2017-18 BY RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL AND THE COUNCIL'S CORPORATE ENFORCEMENT POLICY**

The Director, Legal & Democratic Services provided Members with an annual update on the Council's use of the Regulation of Investigatory Powers Act 2000 (as amended) ('RIPA') for the period 1<sup>st</sup> April, 2017 – 31<sup>st</sup> March 2018 and confirmed that this had been used in a consistent and appropriate manner with Council policy. The Director also referred Members to the review undertaken with the Council's Corporate Enforcement Policy and its policy on the use of RIPA.

The Deputy Leader thanked the Director for the update and the confident knowledge that staff work to the policies in places, to protect themselves and the Council. The Deputy Leader requested that Members be provided with the revised policy in full following the meeting.

It was **RESOLVED**:

1. To note the contents of the report;
2. To acknowledge that RIPA had been used in an appropriate manner that is consistent with the Council's RIPA policies during the period 1<sup>st</sup> April 2017 – 31<sup>st</sup> March 2018;
3. To approve the proposed revisions to (i) the Corporate Enforcement Policy and (ii) the Corporate RIPA Policy as shown in Appendices 1 and 2 to the report respectively; and
4. To note that in the Senior Responsible Officer's opinion the current Acquisition of Communications Data under RIPA Policy remains fit for purpose.

**58 CORPORATE PARENTING BOARD ANNUAL REPORT**

The Director of Communications & Interim Head of Democratic Services presented Members with the Annual Report of the Corporate Parenting Board for 2017/18, as required under the Leaders Scheme of Delegation.

As Chair of the Corporate Parenting Board, the Cabinet Member for Children & Young People commented on the report and the work undertaken by the Board during the year ( which at the time was Chaired by Cllr G Hopkins), commenting on the aspirations within the plan and positive working relationship with Scrutiny.

The Cabinet Member for Adult Community Services & Welsh Language commented on the duty placed upon all Councillors to safeguard those children within the Authorities care and the need and aspirations to ensure that these children still deliver and achieve their full potential and are given the same chances as any other child. The Cabinet Member and previous Chair to the Board thanked the Members and Officers for their commitment and work over the 2017/18 Municipal Year and spoke of work undertaken including the opportunity to celebrate the successes of the children within the Children Looked After service.

Following discussions it was **RESOLVED:**

to the best of their abilities& Children's Community Services thanked Members for the opportunity to present his Committees report which provided an overview of the good work undertaken over the 2016/17 Municipal Year

1. That following comments to note the Corporate Parenting Board Annual Report (which is attached as Appendix 1 to the report).

## **59 THE COUNCIL'S 2019/20 REVENUE BUDGET - THE PROVISIONAL SETTLEMENT**

With the agreement of the Leader, being of the opinion that the report of the Group Director, Corporate & Frontline Services – 'The Council's 2019/20 Revenue Budget - The Provisional Settlement ' be considered in accordance with the provision of section 100(b)4(B) of the Local Government Act 1972, as a matter of urgency, by reason of special circumstance i.e. To provide Members with an update on the provisional settlement following its publication on the 9<sup>th</sup> October, 2018.

The Group Director, Corporate & Frontline Services referred Members to his report which provided Cabinet with information in respect of the 2019/2020 Provisional Local Government Settlement, and initial comments on its likely implications for the delivery of Council services, following publication of the details on the 9<sup>th</sup> October, 2018.

The Group Director provided Members with the headline data from the settlement advising that the provisional reported settlement for Rhondda Cynon Taf, shows an increase of +0.3% which is above the average of -0.3%. Settlement figures across the twenty two local authorities in Wales range from at best +0.4% to at worst -1.0%. Member were advised that the provisional settlement included partial funding for the Teachers pay awards agreement and the increase in Free School Meals, however details of specific grants had yet to be announced.

Members were advised that although the Provisional Settlement was better than modelled in the most recent Medium Term Financial Plan, it still presented the Council with a significant challenge in terms of preparing a balanced budget for 2019/20, with Members being advised that the potential funding gap going forward would be £5.920M. The Group Director took the opportunity to advise Members of the work needed to be undertaken to develop an equitable budget strategy for 2019/20.

The Leader thanked the Group Director for the information following the announcement and commented on the huge risk still facing the Authority with the teacher pay awards, which were not fully funded and advised that communication had been sent to both Welsh Government and UK Government in respect of this matter. The Leader also referenced the Barnett consequences from the UK Government which could impact on the settlement going forward for Wales and spoke of the pressures relating to Health and Social Care, the levies in respect of apprenticeships and National Insurance contributions and commented that consultation on bridging the gap would need to be taken forward.

The Deputy Leader also commented on the provisional settlement and advised that the Council had been shortlisted for a prestigious national award for the Councils Apprenticeship scheme.

It was **RESOLVED:**

1. To note the Provisional 2019/2020 Local Government Settlement, announced by the Cabinet Secretary for Local Government and Public Services the 9<sup>th</sup> October 2018.
2. To note that the Final 2019/2020 Local Government Settlement is expected during December 2018.
3. To note that the general budget strategy consultation, subject to Cabinet agreement will commence on the 5<sup>th</sup> November 2018.
4. To refer the report to the Council meeting on the 24<sup>th</sup> October, 2018 for all Members consideration.

## **60 EXCLUSION OF THE PRESS AND PUBLIC:**

**RESOLVED** – that the press and public be excluded from the meeting under Section 100A(4) of the Local Government Act, 1972 (as amended) for the following items of business on the grounds that they involve the likely disclosure of exempt information, as defined in: Paragraph 14 of Part 4 of Schedule 12A of the Local Government Act, 1972 (as amended), namely information relating to the financial affairs of any particular person (including the authority holding that information). Transparency in the conduct of local authority business is desirable; however, personal financial information will be discussed and considered. Consequently it is considered; the public interest in maintaining the exemption outweighs the public interest in disclosing information by virtue of which the meeting is likely not to be open to the public during its consideration.

## **61 PROCESSING OF MIXED KERBSIDE RECYCLING**

The Director, Regeneration & Planning referred Members to his report, which contained exempt information, advising Members of the outcome of the

procurement process to invest, alongside its wholly owned Company (Amgen), in new technology to make a step change in the efficiency of the processing of recyclate at its Materials Recovery Facility (MRF).

Following discussions it was **RESOLVED**:

1. That following consideration of the outcome of the procurement process as set out within the report to support the investment;
2. To the funding proposals as set out in paragraph 8.1 of the report, namely funding contributions from both the Council and Amgen.
3. To authorise officers to award the contract and put in place the necessary operational arrangements for its installation.

**This meeting closed at 2.40 pm**

**Cllr A Morgan  
Chairman.**





## **RHONDDA CYNON TAF**

### **RHONDDA CYNON TAF COUNCIL CABINET**

Minutes of the meeting of the Cabinet meeting held on Thursday, 18 October 2018 at 10.30 am at the Council Chamber, The Pavilions, Cambrian Park, Clydach Vale, Tonypany, CF40 2XX.

#### **County Borough Councillors - Cabinet Members in attendance:-**

Councillor A Morgan (Chair)

Councillor M Webber    Councillor R Bevan  
Councillor A Crimmings    Councillor G Hopkins  
Councillor M Norris    Councillor J Rosser  
Councillor C Leyshon

#### **Officers in attendance**

Mr S Gale, Service Director, Planning  
Mr C Bradshaw, Chief Executive  
Mr C Jones, Director, Legal & Democratic Services  
Mr C Hanagan, Director of Communications & Interim Head of Democratic Services  
Mr C Lee, Group Director Corporate & Frontline Services  
Mr G Isingrini, Group Director Community & Children's Services  
Mr R Evans, Director of Human Resources  
Mr R Waters, Service Director, Highways & Streetcare Services  
Ms G Davies, Director of Education and Inclusion Services  
Mrs. J Allen, Head Of Attendance And Wellbeing Service

#### **Others in attendance**

Councillor S Bradwick

#### **62 APOLOGY**

An apology for absence was received from County Borough Councillor R Lewis.

#### **63 DECLARATION OF INTEREST**

In accordance with the Council's Code of Conduct, there were no declarations made pertaining to the agenda.

#### **64 FOUNDATION PHASE, KEY STAGE 2 & 3 AND PROVISIONAL KEY STAGE 4 OUTCOMES FOR THE ACADEMIC YEAR 2017-18**

The Director, Education & Inclusion Services provided Members with details of the provisional educational outcomes for 2017 – 2018 academic year for Rhondda Cynon Taf.

Members were advised that Foundation Phase outcomes in Rhondda Cynon Taf had dipped during 2017/18 but this decline was also reflected in national datasets adding that the decline in local and national Foundation Phase

outcomes is likely to be attributable to the alignment of the expectation statements within the Areas of Learning, which are now more challenging to achieve.

In respect of Key Stage 2 outcomes the Director advised that a marginal decline during 2017/18 was illustrated but the Core Subject Indicator outcomes were at the second highest level since 2013, which suggests that performance remains strong at 89.24%. At Key Stage 3, progress was made on most indicators but these were in the main below the Welsh average, with the exception of English, which was above the all Wales average. The Director advised that data still suggested that steady progress has been maintained on most Key Stage 3 performance measures.

The Director concluded her update by advising of the evidence of progress on Level 1, Level 2 and Level 2+ Key Stage 4 outcome measures during 2017/18 which was very encouraging. Member learnt that A\*-C outcomes in Key Stage 4 in English and maths show improvement this academic year and Science outcomes would benefit from further improvement.

The Cabinet Member for Education & Lifelong Learning commented on the report adding that were performance had dipped further interrogation and intervention in schools causing concern would be undertaken to ensure that the previous pattern of incremental improvement is re-established .

The Cabinet Member continued by adding that whilst poverty and deprivation are not excuses for educational underperformance they are factors that influence educational outcomes and therefore performance should be judged on the value added over and above what is expected. Members were advised that Key Stage 4 verified data would be brought back to Cabinet in the New Year.

It was **RESOLVED:**

1. To note the information contained within the report.
2. To continue with the level of support provided for schools during the academic year 2018-19.
3. That detailed school by school information in relation to Key Stage 4 data will be presented to Cabinet on receipt of the final, verified data from Welsh Government.

**65 SCHOOL ATTENDANCE STRATEGY FOR 2018 - 2021 "MISS SCHOOL, MISS OUT"**

The Director of Communications and Interim Head of Democratic Services provided Members with an update on the School Attendance strategy 2018-2021 following Pre-scrutiny by the Children & Young People Scrutiny Committee at its meeting on the 26<sup>th</sup> September, 2018.

Members were advised of the comments of the scrutiny committee in respect of

- Funding provision in respect of the 3<sup>rd</sup> Year of the strategy
- Recognising the achievements of those students facing barriers to attendance
- Priority 5 - Truancy Watch and Truancy Free Zones - Concerns in respect of Truancy Free Zones

- Engagement with School Governors and pupils – to be taken forward.

The Director, Education & Inclusion Services commented on the feedback from Scrutiny and the changes made to the strategy since its presentation at Scrutiny.

The Cabinet Member for Education & Lifelong Learning thanked scrutiny for its work and the relevant concerns highlighted by the Committee. She added that the Truancy Free zone would need to be carefully managed and commented on the potential of a pilot of the scheme in the first instance. The Cabinet Member also suggested taking forward engagement with the RCT Governors association with the strategy. The Cabinet Member spoke of the importance of the strategy and the requisite action plan which assisted children in attending school in the face of diversity.

The Leader queried how and if referrals were being made into the resilient families programme to which the Director advised upon, advising of the important element the programme had for the attendance and Well Being service and the joined up approach being taken forward.

The Deputy Leader reiterated the suggestion that the truancy free zone was piloted in the first instance and spoke positively of the strategy going forward.

Following discussions it was **RESOLVED:**

1. To note the comments and observations of the Children & Young People Scrutiny Committee attached as Appendix A of the report.
2. To endorse the recommendations outlined within the School Attendance Strategy for 2018 – 2021 “Miss School, Miss Out”, subject to the piloting of Truancy Free Zones and the wider engagement with RCT Governors Association in respect of the strategy.
3. To approve implementation of the draft School Attendance Strategy.

## **66 FLOOD AND WATER MANAGEMENT ACT 2010: COMMENCEMENT OF SCHEDULE 3 - SUSTAINABLE DRAINAGE ON THE 07.01.19**

The Service Director, Highways and Streetcare presented his report to Members which advised of the commencement of schedule 3 ‘Sustainable Drainage’ of the Flood and Water Management Act 2010 (FWMA) made by the Welsh Government (WG) on the 1<sup>st</sup> May 2018 and the legislative requirement for the council to provide a new service from 7<sup>th</sup> January 2019.

The Service Director advised of the detail of Schedule 3 of the Flood and Water Management Act 2010 which requires surface water drainage for new developments to comply with mandatory National Standards for Sustainable Drainage systems. It also requires surface water drainage systems to be approved by a SuDs Approving Body before construction. Members were informed that although these were legal requirements on the council, the added benefits would be that the council would be afforded control of surface water drainage approval, reducing the risk of development within high flood risk areas; whilst minimising the risk of future flooding to the new developments and wider communities. Further opportunities to maximise the quality of surface waters associated with developments and promote the amenity and biodiversity of a new development were also highlighted.

The Leader commented on the positive position that the Council were in with the implementation of the requirements of the Act due to the provisions already in place across the County Borough. He also referenced the investment taken forward with the flood risk management team and the work undertaken to ensure that no future developments affected the Council in the future with any flood implications.

The Deputy Leader commented on the flood prevention scheme and the forward thinking of the Council with the scheme which saves lives and homes for those in the County Borough.

It was **RESOLVED:**

1. To note the commencement of schedule 3 'Sustainable Drainage'(SAB) of the Flood and Water Management Act 2010 (FWMA) made by the Welsh Government (WG) on the 1<sup>st</sup> May 2018 and the legislative requirement for the Council to provide a new service from 7<sup>th</sup> January 2019.
2. To approve the establishment of the SAB and the proposed structure outlined within section 7.2 of the report.
3. To approve the development of a council policy on discretionary charges as outlined in 7.1.5 to 7.1.9 of the report.
4. To approve the development of a policy on standard charges for adoption of Sustainable Drainage System (SuDS) infrastructure as outlined in 7.1.10 of the report.

## **67 THE COUNCIL'S HUMAN RESOURCE SERVICE**

The Director of Human Resources provided Members with his report which detailed the Human Resource departments operations over the last twelve months. The Director provided an overview of the work of the Employment, Education And Training Team (Eet), Health & Safety Team, People Development, Workforce Planning and Development, Equality, Diversity & Armed Forces, the Occupational Health and Wellbeing team and the Employee Relations Team.

Members were provided with details of the Councils successful apprenticeship scheme and graduate programme, along with the Care2Work Programme. Details of the training courses provided to staff and Elected Member training were also referenced.

The process of reporting Sickness Dashboard information to the Senior Leadership Team and information relating to the work with the Armed Forces Covenant were also provided to Members.

The Deputy Leader commended the work of the department and spoke of the awards achieved in respect of the Armed Forces covenant, the national award for the Apprenticeship scheme and also commented that sickness and absenteeism were being reported to Scrutiny.

It was **RESOLVED**:

1. To note the information contained within the report.

**68 NOTICE OF MOTION - SNOW WARDEN**

Members were presented with the report and recommendations of the Scrutiny working group by the Director of Communications & Interim Head of Democratic Services, following the Notice of Motion presented at the September Council meeting in respect of Snow Wardens.

The Director advised of the creation of a working group to look into the proposal of voluntary Snow Wardens within the County Borough and the need to expedite the groups consideration, due to the subject matter.

Members were advised of the discussions at the Working group meeting which met on the 9<sup>th</sup> October and the subsequent recommendations.

Councillor Bradwick, as Chair of the Working Group spoke on the item.

The Leader thanked the Working Group for their recommendations and the need to ensure that the Council supports residents to become more resilient during the inclement weather and build upon the good will of neighbours. He welcomed the recommendations in relation to lines of communication and the need for early communication with both Members and residents. The Leader expressed his concerns of taking forward a blanket policy and the risk that could potentially impose on residents if they were working in isolation during severe inclement weather. He also added that for the benefit of all Members he would look to bring one of the Council's mini snow ploughs on site before the Council meeting on the 24<sup>th</sup>.

The Deputy Leader also expressed her thanks to the working group for looking into the matter in the limited timescales and welcomed the recommendations of the working group. The Deputy Leader commented on the lines of communication and added that communication with the Town and Community Councils was also important.

Following discussions it was **RESOLVED**:

1. To endorse the recommendations of the Scrutiny Working Group as outlined below, subject to some minor amendments:-
  - i. That the dedicated number for Elected Members is utilised to provide Members with support and advice for all Elected Members during periods of inclement weather;
  - ii. That a targeted campaign is undertaken to promote community self help (Communities coming together to help each other on a voluntary basis during times of extreme weather) and to encourage residents to become 'good neighbours';
  - iii. That appropriate, practical guidance and good practice in relation to community action in severe weather is shared with the residents of RCT via the Council website (GOV UK -Guidance on Community

Action in Severe Weather); and

iv. That further work is undertaken in respect of the public liability aspect of insurance for voluntary work undertaken in a safe manner.

2 That the Mini Snow Ploughs are brought on site before the October Council meeting for all Members to view.

## 69 BUDGET CONSULTATION

The Director of Communications and Interim Head of Democratic Services provided Members with details of the proposed budget consultation process for the 2019/20 Municipal Year, in respect of public engagement. Members were advised that the process identified within the report provided residents with the opportunity, via a range of methods, to feedback to Cabinet on the 2019/20 budget setting process.

The Leader commented on the different engagement options presented within the report and spoke of the growth of social media and the need for the Council to continue to utilise this as a valuable tool for engagement. He also referenced the Barnett consequential with the UK Government budget setting and the pressures facing Authorities.

The Deputy Leader also referred to the Town Centre consultation events and the opportunity to speak to residents directly about the budget setting for the Council.

It was **RESOLVED:**

1. To note the success of last year's approach to budget consultation.
2. To endorse the proposed approach to budget consultation which will include:
  - The use of an online budget simulator
  - Town centre and community roadshow events
  - A young person's consultation event
  - Consultation with OPAG
  - A Cabinet Engagement event
  - Use of social media to promote engagement and capture feedback
3. To note that the budget consultation will run for 6 weeks from the 5<sup>th</sup> November to the 17<sup>th</sup> December 2018.
4. To note that the Council's statutory requirements regarding consultation on the Council Tax Reduction Scheme and Council Tax levels will be met via the proposed approach.
5. To instruct the Head of Democratic Services to inform the Chair Persons of the Overview and Scrutiny Committee and Finance and Performance Committee of the approach and the continuation of a single continuous phase.
6. To the publication of the budget consultation details and engagement opportunities on the Council's website.

## 70 LIST OF STANDARDISED WELSH PLACE NAMES

The Director of Communications and Interim Head of Democratic Services provided Members with an overview of the report before them following consideration at the Welsh Language Cabinet Steering Group on the 10<sup>th</sup> October, 2018 and the subsequent officer meeting with the Welsh Language Commissioner on the 12<sup>th</sup> October.

Members were advised that the Steering Group considered the recommendations made by the Welsh Language Commissioner in respect of the adoption of place-names relevant to Rhondda Cynon Taf, and although acknowledged the work undertaken by the Place-Names Standardisation Panel were of the view that any changes made to the place-names in RCT, should be consulted upon with the local communities. The Director also took the opportunity to advise of an Officer meeting with the Commissioner who welcomed the opportunity to work with the Authority on the matter.

Members commented upon the report and the recommendation by the Steering Group to consult with those who will be affected.

It was **RESOLVED**:

1. To note the content of the report considered by the Welsh Language Cabinet Steering Group on the 10<sup>th</sup> October, 2018 (attached as Appendix 1) and the subsequent oral update provided by the Interim Head of Democratic Services following a meeting with the Commissioner on the 12<sup>th</sup> October, 2018 ;
2. To the recommendations of the Welsh Language Cabinet Steering Group which are listed at 2.2.1 to 2.2.2 of the report and as set out below:
  - a) That Cabinet seek written confirmation from the Welsh Language Commissioner, in respect of their rationale for the changes, as set out in the Full Welsh Language Commissioner's List of Standardised Welsh Place-names, in order to better inform a future decision of the Cabinet.
  - b) That Consultation takes place with the communities highlighted within the report and that the rationale adopted by the Welsh Language Commissioner and any further information gathered via engagement sessions with the Commissioner is used as part of this process. Until otherwise agreed, the Council will continue to utilise the current names outlined within Rhondda Cynon Taf's Local Land and Property Gazetteer (LLPG).

## 71 EXCLUSION OF THE PRESS AND PUBLIC:

**RESOLVED** – that the press and public be excluded from the meeting under Section 100A(4) of the Local Government Act, 1972 (as amended) for the following items of business on the grounds that they involve the likely disclosure of exempt information, as defined in: Paragraph 14 of Part 4 of Schedule 12A of the Local Government Act, 1972 (as amended), namely information relating to the financial affairs of any particular person (including the authority holding that information). Transparency in the conduct of local authority business is desirable; however, personal financial information will be discussed and considered. Consequently it is considered; the public interest in maintaining the exemption outweighs the public interest in disclosing information by virtue of

which the meeting is likely not to be open to the public during its consideration.

## **72 Pontypridd Strategic Opportunity Area: Implementation**

The Service Director Planning provided Members with a summary of his report containing exempt information, which outlined an opportunity to acquire, subject to best value and a robust due diligence process, three key strategic sites previously identified for redevelopment within the strategic opportunity area strategy for Pontypridd Town Centre.

Following discussions it was **RESOLVED**:

1. To authorise the Director of Corporate Estates to acquire three key strategic sites (previously identified for redevelopment within the strategic opportunity area strategy for Pontypridd Town Centre) on terms to be agreed, subject to appropriate business case completion and funding approvals as necessary, in consultation with the Cabinet Member for Enterprise Development and Housing, and the Cabinet Member for Corporate Services.

**This meeting closed at 11.40 am**

**Cllr A Morgan  
Chairman.**



## RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

### CABINET

21ST NOVEMBER 2018

### MODERNISATION OF RESIDENTIAL CARE AND DAY CARE FOR OLDER PEOPLE

#### REPORT OF THE GROUP DIRECTOR, COMMUNITY & CHILDREN'S SERVICES, IN DISCUSSION WITH THE RELEVANT PORTFOLIO HOLDER, COUNCILLOR G HOPKINS

**Author:** Neil Elliott Service Director Adult Services. Tel. 01443 444603

#### **1. PURPOSE OF THE REPORT**

- 1.1 In accordance with national, regional and local drivers for change and improvement the modernisation of adult social care provision is a key priority for Rhondda Cynon Taf Council. People are living longer and expectations of the care and support people want and expect in later life are changing. The Council recognises that it needs to shape services that it delivers internally to meet current and future needs.
- 1.2 In September 2017 Cabinet requested that a comprehensive review of residential and day care services for older people be undertaken in order to determine future opportunities for service delivery in line with the Council's strategy for accommodation for older people and provision of extra care. Following Cabinet's request the Council commissioned Practice Solutions Ltd to undertake an independent review of residential and day care services for older people within Rhondda Cynon Taf.
- 1.3 This report sets out the findings of the independent review which are attached as Appendix 1 and seeks approval to consult with people in receipt of care and support, their families and carers, staff and other stakeholders on the options for residential care homes and day care provision to enable the Council to make an informed decision on the future of this provision in Rhondda Cynon Taf.

#### **2. RECOMMENDATIONS**

It is recommended that the Cabinet:

- 2.1 Considers the contents of this report and the results of the independent review undertaken by Practice Solutions Ltd, attached as Appendix 1 to the report, in respect of the future service delivery model for the Council's Residential Care Homes and Day Care Services within Rhondda Cynon Taf;

- 2.2 Initiates a 12 week public, resident and staff consultation on the future service delivery model for the Council's Residential Care Homes and specifically on the proposed preferred option, as set out in section 6 of the report, namely that the Council retains a level of provision of Residential Care Homes which are focussed on providing complex care and respite. The level of provision retained would be based on a determination of the market share and need required in each of the Rhondda, Cynon and Taf geographical areas.
- 2.3 Subject to 2.2 above, agrees to receive a further report summarising the results of the consultation exercise and feedback received prior to any decision being made in relation to the proposal referred to in paragraph 2.2.
- 2.4 Subject to 2.2 and 2.3 above, on commencement of the consultation process restricts admissions to the Council's internal Residential Care Homes, other than in exceptional circumstances where an appropriate alternative placement that can meet the assessed need is not available. This is in order to minimise any potential impact on service users until such time as Cabinet considers the results of that consultation exercise and any decision it may take in relation to the proposal.
- 2.5 Initiates a 12 week public and staff consultation on the options regarding the future of the Council's day service provisions for older people and specifically on the proposed preferred option, as set out in section 7 of the report, namely a phased decommissioning of the Council's day services as part of a planned programme of transformation in line with a proposed new service model; and
- 2.6 Subject to 2.5 above, agrees to receive a further report summarising the results of that consultation exercise and feedback received prior to any decision being made in relation to the proposal referred to in paragraph 2.5.

### **3. REASONS FOR RECOMMENDATIONS**

- 3.1 Rhondda Cynon Taf Council is reviewing residential care home and day care provision that it delivers internally as part of shaping the future long term care it commissions for older people and there is a need to consult and engage with key stakeholders on the proposed options identified regarding the future of the Council's internal provision.

### **4. BACKGROUND**

- 4.1 The need to modernise and continually improve Adult Social Care Services is a key priority for Rhondda Cynon Taf Council. A number of factors have shaped these changes including:
  - Welsh Government Policy – including the Social Services and Wellbeing (Wales) Act 2014

- [Cwm Taf Regional Plan 2018 to 2023](#) (specifically chapter 5)
- People's preference to remain independent and live at home for as long as possible
- The development of services and technologies to support people at home
- The development of services to re-able people who experience a short term or management deterioration in their condition
- Increased expectations amongst service users and their families
- Higher standards in the provision of care and support services and in particular the provision of accommodation for older people

4.2 In addition, the population of Rhondda Cynon Taf is increasing and living longer, with more people expected to be affected by dementia and limiting long term illness. This demographic change will result in increased demand on social care and health services, at a time of increasing budget pressures and constraints. As a result, the Council will need to deliver care services more efficiently to maximise the benefits and manage cost pressures.

4.3 The [Cwm Taf Joint Commissioning Statement for Older People's Services \(2015-2025\)](#) (the 'Commissioning Statement') approved by the Cabinet on 18<sup>th</sup> February 2016 acknowledges that care needs are changing and that there is a need to ensure that services are safe, appropriate and fit for purpose. The Commissioning Statement, in line with the statutory requirements of the Social Services and Wellbeing (Wales) Act 2014, has the following key principle at its core:

- **Promoting independence** - Supporting individuals to retain independence in their own homes and local communities.
- **Prevention** - Offering information and support which preserves health and wellbeing and prevents the need for more intensive services.
- **Early intervention** - Identifying risks to people's independence early and providing effective interventions to address these.
- **Rapid response** - A range of focused and responsive services which provide support at times of greatest need.
- **Integration of services** - Health and social care services that work together to provide a seamless, whole system approach.
- **Community empowerment** - Supporting individuals, families and communities to take control over the support that is offered.
- **Co-production** - Delivering public services in an equal and reciprocal relationship between professionals, people using services, their families and their neighbours.
- **Partnership** - Our organisations working together at every level to ensure that our collaborative efforts produce the best possible outcomes for our citizens and make best use of our resources.
- **Dignity** - Our organisations and our staff will treat service users and their carers with dignity and respect.

- **Tackling isolation** - Supporting people to feel connected to their local community.
  - **Accessibility** - Factors such as the timeliness of a response and access/transport to services will be a key consideration in the way we commission and provide services.
- 4.4 In undertaking this review of residential care home and day services for older people these principles have been central to reaching a position of a preferred direction of travel and approach.
- 4.5 The Commissioning Statement identifies the need to make very different choices, particularly in what we offer through our own services, as well as what we commission others to provide.
- 4.6 Development of extra care housing was identified in the Commissioning Statement as a key alternative model of community based accommodation with care and support in order to enhance the health, wellbeing and independence of older people and avoid over reliance on residential care settings. Without developing significantly more extra care housing, increasing demand and reducing financial resources will challenge the viability of Rhondda Cynon Taf's adult social care provision.
- 4.7 In response, the Council developed its Strategy to modernise accommodation options for older people and deliver extra care housing in Rhondda Cynon Taf. This was [approved by Cabinet in November 2016](#) and it gave a commitment to review and reshape the care market to:
- Increase the options available for people needing accommodation with care and support; and
  - Deliver a viable alternative for people who are able to remain independent with support.
- 4.8 However, in order to meet the needs of this population, alongside the expectation to offer high quality modern homes, it was recognised that we should seek to provide effective early intervention prevention and care and support services in local communities. Increasing use of assistive technology and telecare will add to the option to be supported at home.
- 4.9 In [September 2017](#), Cabinet agreed a £50m investment plan to develop, in total, 300 extra care beds across Rhondda Cynon Taf and to deliver modern accommodation options to meet the needs and changing expectations of the growing older population. Plans are underway to ensure delivery of this commitment.
- 4.10 The Cwm Taf Joint Market Position Statement for Older People was approved by Cabinet on [21<sup>st</sup> November 2017](#) and acknowledged that in the context of the ongoing modernisation of Adult Social Care Services, the care home sector is not expected to grow significantly over the next

10 years, although there will be need to ensure that we can meet more complex needs for nursing and dementia care in high quality facilities.

- 4.11 As a result, service models for the delivery of care for older people are evolving with an emphasis on supporting older people to remain at home longer. There will, however, remain a need for specialist residential and nursing care provision for those individuals whose needs require this level of support, for example, people with dementia as part of the overall spectrum of support necessary to support the needs of our community.
- 4.12 Implementation of the Council's Strategy to modernise accommodation options for older people is expected to result in further reductions in care home admissions as a key objective of the strategy is to replace high cost residential services with extra care housing and deliver more effective services with better outcomes for residents.
- 4.13 In addition, through the implementation of these strategies, the development of extra care housing schemes will also provide opportunity to create community hubs and provide facilities and services in flexible spaces more suitable for the delivery of day services for older people than currently is the case in traditional day centre facilities. Such opportunities to create community hubs and reduce the need for traditional older people day centres are being reviewed as part of the extra care development programme.

### **Residential Care**

- 4.14 Over the past 3 years the balance of care options has shifted from standard residential care to more community-based options, including extra care. Despite this shift, there remains an over reliance on residential care. Indeed, when benchmarked against other local authorities, Rhondda Cynon Taf still places a greater proportion of people aged 65 or over in residential care. Across Rhondda Cynon Taf, there are 743 residential care home places and 640 nursing home places (including approximately 449 dementia beds).
- 4.15 The external market provides 421 beds (including approximately 178 dementia beds) and 640 beds (including approximately 126 dementia beds) in 25 residential and nursing care homes. As of week commencing 8<sup>th</sup> October 2018, the external market showed an average occupancy of 93% in residential and nursing beds for older people. The average levels of occupancy in Rhondda Cynon Taf have been at or below this level for some time.
- 4.16 The Council provides 322 beds across 11 care homes (including approximately 145 beds for people with dementia). The current average occupancy of the Council homes is 88%. There is a similar position in the external market, and the average levels of occupancy in Rhondda Cynon Taf have been at or below this level for some time. A number of the Council homes also operate a day service out of

communal or purpose built space and several of the homes provide respite to a number of people.

- 4.17 Overall, current supply continues exceed demand and it is unlikely that demand for the residential care homes will increase substantially in the near future.
- 4.18 In terms of residential care homes in particular, those dealing with more complex needs such as dementia occupy an important position in the spectrum of services commissioned and provided for older people by Rhondda Cynon Taf Adult Social Care.
- 4.19 Residential care homes offer an important choice to our citizens who are not able to stay living in their own homes due to their complex needs and will continue to play an important part in Rhondda Cynon Taf's modernisation of Adult Social Care Services.

### **Day Centre Services**

- 4.20 Current day services for older people in Rhondda Cynon Taf operate from traditional building based day centre settings. Adult Social Care Core Day Services for older people with an assessed care need is currently provided through 5 Core Day Centres:
- Tonyrefail
  - Trecynon
  - Riverside (Pontypridd)
  - Bronllwyn (Gelli)
  - Ferndale
- 4.21 These Centres were predominantly built in the 1980's and 1990's and have been maintained to a good standard of repair. Bronllwyn and Ferndale House operate from dedicated spaces in residential care home settings and another from a dedicated centre within Council office accommodation (Trecynon).
- 4.22 All centres have 25 places available per day with the exception of Ferndale House, which has a daily capacity limited to 11 places due to lack of space. The average number of people registered at the Core Day Centres has fallen significantly over the past 5 years from an average of 494 people per week (in 2011/12) to an average of approximately 200 (as at September 2018) - a fall of almost 60%.
- 4.23 All Core Day Centres open 5 days per week between 9.00 am and 4.00 pm, although the majority of people access the service between 10.30 am to 3.30 pm. The average occupancy level for all Core Day Centres is around 75%, which equates to a large unused capacity across the Service.
- 4.24 It is anticipated that the overall demand for, and the level of occupancy of, core day centres for older people will continue to fall further.

However, in a similar way to residential care, day service provision also occupies an important position in the spectrum of services commissioned and provided for older people by Rhondda Cynon Taf Adult Social Care.

**5. INDEPENDENT REVIEW OF RESIDENTIAL CARE HOMES AND DAY SERVICES FOR OLDER PEOPLE**

- 5.1 As stated above Cabinet requested that a comprehensive review of residential and day care services for older people be undertaken in order to determine future opportunities for service delivery in line with the Council's strategy for accommodation for older people and provision of extra care.
- 5.2 As a result, Rhondda Cynon Taf commissioned Practice Solutions Ltd to undertake an independent review into residential care homes and day services for older people. The review involved an initial stage of research, followed by field work, which involved visiting all the care homes and day services managed by the Council. The findings, information and evidence gathered from data collected was then analysed to develop the report.

**6. INDEPENDENT REVIEW OPTIONS – RESIDENTIAL CARE**

- 6.1 Taking account of research and analysis in relation to future demand and considering the need to ensure outcomes are met the two options recommended by Practice Solutions Ltd for possible consultation are set out below.

**Option 1: Continue existing arrangements – Do Nothing**

This option is not recommended by Practice Solutions Ltd. Maintaining the status quo is not an option due to the demographic and budgetary pressures and strategic priorities identified above.

- 6.2 More detailed outcomes to consider, and the potential risks that may happen if this option is pursued, can be found in the Independent Review Report by Practice Solutions Ltd at Appendix 1.
- 6.3 Should Cabinet agree to consult as is proposed, and if a decision following public consultation is taken to proceed with Option 1, it is considered there would be minimal disruption to the existing residents.

**Option 2: Phased decommissioning of all the Council's care homes as part of planned programme of transformation in line with the implementation of the Council's extra care development programme and Cwm Taf care home market position.**

This option is recommended by Practice Solutions Ltd and would require all permanent residents at the 11 Council residential care homes to move as all homes would close, although the decommissioning of the in-house service would be managed in conjunction with the implementation of extra care to ensure there is no gap in service delivery during transition. There is sufficient availability in new extra care provision and vacancies in the independent residential care home sector to assist residents meet assessed need and choice, where appropriate.

- 6.4 More detailed outcomes to consider and the potential risks if this option is pursued can be found in the Independent Review Report by Practice Solutions Ltd at Appendix 1.
- 6.5 Should Cabinet agree to consult as is proposed, and following consideration of the feedback from that consultation determine that Option 2 is an option they are minded to pursue a further public, resident and staff consultation process would need to be initiated by Cabinet prior to any final decision(s) being made. This further consultation process would enable consultees to be provided with all relevant information and data relating to each individual residential care home in order for them to make a fully informed response in relation to this option. Cabinet would then have to consider the feedback of this additional consultation prior to any decision(s) being made. If following completion of those consultation exercises and consideration of the feedback and related issues a decision is taken to proceed with Option 2, then a planned relocation of all residents would take place, with support and assessments put in place to assist them with change and to accommodate their choice of home, whenever possible, in line with the extra care development programme.

**Option 3 (Preferred Option for consultation): Proposed New Service Delivery Model**

The Council retains a level of provision of Residential Care Homes which are focussed on providing complex care and respite. The level of provision retained would be based on a determination of the market share and need required in each of the Rhondda, Cynon and Taf geographical areas

- 6.6 Rhondda Cynon Taf internal Residential Care Homes have served their communities well over the years and are popular homes with good standards of care, provided by committed staff. There is evidence of the positive impact that high quality modern care environments can



have both on the ability of staff to deliver the best possible care and the experience of older people in receipt of care, especially for people who require specialist dementia care.

- 6.7 In consultation with Councillor Hopkins, Cabinet Member for Adult Community Services and Welsh Language, it is proposed that Rhondda Cynon Taf Adult Social Services consider retaining its provider role to maintain a strategic market share in each of the Rhondda, Cynon and Taf geographical areas that supports the highest possible quality of life for people needing 24 hour care in line with the proposed service delivery model below.
- 6.8 This would allow the Council's internal Residential Care Homes to focus on complex care, residential reablement and respite, and commission standard residential care and nursing care from the external market. In line with the key principle of better prevention, the Council will then be able to designate in-house beds as necessary for respite provision, which would allow carers greater certainty, helping them to keep their loved ones at home for longer by providing them with a much needed break.
- 6.9 Refocusing internal provision so that it focuses on complex care, and residential respite, would allow the Council to provide better services and care for its residents. It would also provide market certainty for the external market surrounding the commissioning of standard residential care but still be commissioned to provide complex care if they choose to access it in the external market.
- 6.10 By concentrating its resources on fewer discreet specialisms, the Council would ultimately provide a better service for residents in Rhondda Cynon Taf with complex needs because it would be in a position to upskill staff to better meet these needs and consequently provide a higher quality service. If the Council no longer focus on the delivery of standard residential care it would need fewer beds to deliver a service that focuses on residential reablement, respite and complex needs based on current demand and projected future growth in demand.
- 6.11 This option is recommended as the proposed preferred option for consultation for the following reasons:
- **To provide choice:** The Council wish to ensure that clients, wherever possible, should be offered the opportunity to live in a Local Authority residential care home.
  - **To protect against market failure:** The Social Services and Wellbeing (Wales) Act 2014 requires the local authority to manage provider failure and market oversight. Adult Social Care has an important role to play in ensuring a contingency service for the Local Authority should there be any independent sector provider failure.

- **To maintain quality of care:** Whilst the independent sector offers quality care, Rhondda Cynon Taf's in-house residential care home has consistently achieved high-quality care over the decades. This has been externally acknowledged by consistently good regulatory inspection reports from the Care Inspectorate Wales (CIW). In addition, two homes have the Butterfly Model of Care Quality of Life Accreditation Award issued by Dementia Care Matters.
- **To provide specialist integrated provision:** Rhondda Cynon Taf Adult Social Care has a reputation for providing integrated, flexible services with Health Partners and others within its residential care homes. This is specifically beneficial to facilitate timely hospital discharge such as during times of winter pressures in the hospitals, and to respond to clients in crisis and prevent breakdown in family based care by providing regular and planned respite services.

6.12 Under the proposed preferred option the current level of internal beds would exceed those required. However, further work would be required to quantify how many beds are needed before arriving at a position where the potential reduction in capacity could be quantified.

6.13 Should Cabinet agree to consult as is proposed, and following consideration of the feedback from that consultation, determine that Option 3 is an option they are minded to pursue a further public, resident and staff consultation process would need to be initiated by Cabinet, prior to any final decision(s) being made. This further consultation process would enable consultees to be provided with all relevant information and data relating to each individual residential care home in order for them to make a fully informed response in relation to this option. Cabinet would then have to consider the feedback of this additional consultation prior to any decision(s) being made. If following completion of those consultation exercises and consideration of the feedback and related issues a decision is taken to proceed with Option 3, then a planned relocation of all affected residents would take place, with support and assessments put in place to assist them with change and to accommodate their choice of home, whenever possible, in line with the extra care development programme.

6.14 In order to mitigate the impact on residents of the internal residential care homes potentially affected by the proposed options, a restriction would be put on admissions where an appropriate alternative placement that can meet the assessed need is not available. In order to minimise any potential impact prior to any final decisions being made in respect of the future of the Residential Care Homes within Rhondda Cynon Taf.

## **7. INDEPENDENT REVIEW OPTIONS DAY CARE**

- 7.1 Taking account of research and analysis in relation to future demand and considering the need to ensure value for money for the Council and its recipients of care, two options recommended by Practice Solutions Ltd for possible consultation are set out below.

**Option 1: Continue existing arrangements – Do Nothing**

This option is not recommended by Practice Solutions Ltd. - maintaining the status quo is not an option due to the demographic and budgetary pressures and strategic priorities identified above.

- 7.2 More detailed outcomes to consider and the potential risks that may happen if this option is pursued can be found in the Independent Review Report by Practice Solutions Ltd at Appendix 1.
- 7.3 Should Cabinet agree to consult as is proposed and if a decision following public consultation is taken to proceed with Option 1 it is considered there would be minimal disruption to the existing day care recipients.

**Option 2: Phased decommissioning of the Council's day services as part of a planned programme of transformation in line with the proposed new service model – Preferred option**

This option is recommended by Practice Solutions Ltd. – It would require all day service users to be assessed and supported as necessary.

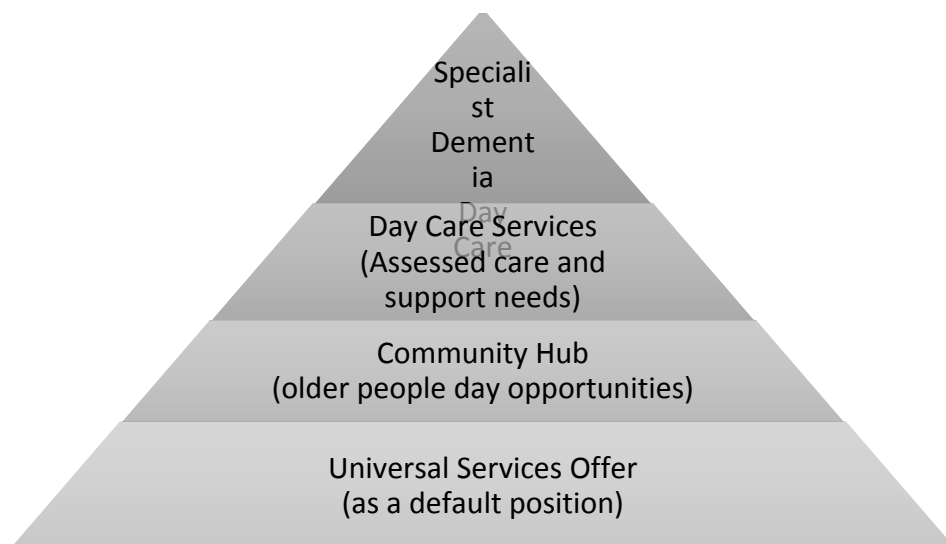
- 7.4 More detailed outcomes to consider and the potential risks of this option can be found in the Independent Review Report by Practice Solutions Ltd at Appendix 1.
- 7.5 Should Cabinet agree to consult as is proposed and if a decision following public consultation is taken to proceed with Option 2 then a planned transfer of some day care recipients would take place, with support and assessments in place to assist them with change and to accommodate their choice whenever possible, in line with the extra care development programme.

**Proposed New Service Model**

- 7.6 The new service model would enable the transformation of the service to provide enhanced day opportunities and to contribute to the development of a day service better able to meet the changing needs and aspirations of the older people of Rhondda Cynon Taf. In order to secure an appropriate range of both care and day opportunities, in line with differing preferences and needs, a continuum of provision is required. This would include care and support for the most vulnerable older people.

7.7 This proposal for day services for older people is to refocus internal provision on complex care and no longer deliver care for non-complex needs. Less capacity would, therefore, be needed by refocusing day centres on higher dependency complex/dementia care and increasing our offer of activities and community contribution through an expanded range of services and local area co-ordination. Again, shaping the service in this way supports the key principles of prevention and early intervention by ensuring those with complex needs are supported to remain at home for longer as well as provide much needed respite for carers.

7.8 The proposed new service would allow Rhondda Cynon Taf Council to provide a specialist service for those with complex needs, ultimately providing better care for its residents because again it would be able to up skill our staff to concentrate on providing this specialist service in a way that it is currently more difficult to do because of the range of complex and non-complex needs. It is proposed the new model of service should have the following key elements as illustrated in the diagram below:



7.9 Although the graphic above is a pyramid, there is no reason to expect that a one-way journey remains the only trajectory or choice for older people. Flexible services which would enable a person to access a community hub and then move to universal services or vice versa should be enabled as part of the support planning process. However, in the development of the new service model, it has been recognised that planned development and investment in universal service provision and in Community Hubs and extra care housing would help to better reflect the patterns of actual choice people are now making and create capacity to change.

7.10 The new service model would:

- **Offer a purposeful, outcome focused and flexible service.** This means working out individual programmes with service users and agreeing the changes in the user's life which the service would promote. It also means the service having the capacity to support service users in different settings. In this way support follows the user into the situations where they need it.
- **Actively support service users in relation to day opportunities.** This is more than providing a service on a particular day. It is about helping users to work out arrangements in relation to day opportunities across their week, in line with their needs and preferences.
- **Support recovery and independence.** This would be a key feature of the service's overall approach. But it also means being able to provide a structured, time limited recovery and enablement service with an individual programme, goals and Care Manager and/or Therapist oversight. This would be the service normally offered first to older people, unless this is not appropriate because of individual needs.
- **Engage with partners.** It is important to take advantage of opportunities for collaboration in relation to the care pathways which service users follow, more integrated service delivery, better use of buildings and improved access to services.
- **Provide support to carers.** As well as respite, this might be informal, ad hoc support, for example around day to day issues relating to the service user's care or through planned information sessions and groups.
- **Provide specialist services.** This is support for older people who are likely to have complex needs arising from long term conditions, including dementia. The day service may well provide one element in a more extensive Care Plan and/or meet needs relating to carer respite. As necessary long-term support can be provided.
- **Depend less on building based routines.** In order to achieve the flexibility to support service users in a wider range of settings staff would have to be deployed differently. This would mean moving away from the current fixed routine of that day's group of service users all coming in to the centre in the morning and going home together in the afternoon.
- **Fit well with the development of Self Directed Support.** The day service itself must be personalised and offer real choice, but it must also provide a supportive bridge to other Self Directed Support arrangements. In this context the potential role of an enablement service is being recognised in national guidance.

7.11 In the event that the proposals are agreed following the consultation all existing day care attendees would be fully supported with individual plans to either access day care places if they have complex needs or other support in the community if they do not have complex needs. The overall impact of the implementation of the proposed new model would be mitigated through the proposed approach to gradually phase out non-complex care in the remaining day services, so we would not review people in the other services or require them to move on at this stage. For those that might need our services in the future, only those with complex needs would be able to access day care services in the future. Those with non-complex needs would be signposted and supported to access other forms of support as part of the social work care and support planning process.

## **8. EQUALITY AND DIVERSITY IMPLICATIONS**

8.1 Cabinet Members will be fully aware and mindful of the general equality duty introduced by the Equality Act 2010 and the specific public sector equality duties applicable to the Council as a local authority in Wales.

8.2 Section 149 of the Equality Act 2010 (Public Sector Single Equality Duty) requires public authorities to demonstrate in decision making that they have paid 'due regard' to the need to:

- eliminate unlawful discrimination, harassment and victimisation;
- advance equality of opportunity between people who share a protected characteristic and people who do not share it;
- foster good relations between people who share a protected characteristic and those who do not;

The relevant protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.

8.3 The Council must have due regard to the impact of any of the proposals on those with a protected characteristic. The Council has a specific duty to publish information to demonstrate how it has paid due regard to the aims above as part of its decision making. Undertaking an Equality Impact Assessment (EqIA) screening exercise (and if necessary full EqIA) would be evidence that the Council has considered its legal obligations in this regard.

8.4 An initial EqIA 'pre-screening' exercise has been completed reviewing the impact of the proposed consultations relating to the future service delivery model for the Council's Residential Care Homes and Day Care Services within Rhondda Cynon Taf. Proceeding with the preferred options would clearly have an impact on existing and future home residents and day service users. Due to the nature of the client group, there would be a disproportionate impact on older people and people with a range of disabilities.

- 8.5 If a consultation process is initiated in relation to the proposals outlined within this report, a full EqlA evaluating the impact of the recommendations emerging from the consultation would be undertaken, informed by the consultation feedback, and included in a subsequent report to Cabinet prior to any decision being made on the proposals.

## **9. CONSULTATION**

- 9.1 If Cabinet agree to initiate a consultation in relation to the recommendations outlined in Section 2 above it is proposed that a 12 week consultation process is carried out in line with a consultation plan developed for both Residential Care Home and Day Care Services for older people. The proposed consultation will include an independent review and analysis to ensure impartiality and would be separate for each Service, designed and carried out so as to engage and involve all key stakeholders including the Health and Wellbeing Scrutiny Committee.

## **10. FINANCIAL IMPLICATIONS**

- 10.1 The proposals set out in this report have the primary focus on delivering improved quality of care and support outcomes for Rhondda Cynon Taf residents. Whilst the financial implications are a secondary consideration, the proposals for change should provide more cost effective solutions to the current arrangements and these will be explored post consultation when a decision is taken by Cabinet on a way forward.

## **11. STAFFING IMPLICATIONS**

- 11.1 A number of the proposals presented would necessitate a review of staffing for both residential care homes and day services. These reviews would be carried out in accordance with the Council's statutory obligations and Managing Change policy. A significant proportion of the workforce potentially affected is aged over 55 and as a result would be potentially eligible for access to the Council's voluntary release schemes and early release of pension.
- 11.2 Any workforce implications arising from the proposals would be the subject of further reports on the conclusion of the consultation and staff and trade unions would be fully consulted at the appropriate time.

## **12. LEGAL IMPLICATIONS AND LEGISLATION CONSIDERED**

- 12.1 Any future provision of services would need to be considered in accordance with the Social Services and Well-being (Wales) Act 2014 (the "Act"). Local Authorities have a general duty under the Act to promote wellbeing. This duty applies when considering decisions in respect of an individual but also when considering broader strategic issues that do not relate to an individual. In doing so, the overall

purpose is to produce a sustainable and diverse range of care and support services to deliver better, innovative and cost-effective services and support and promote the wellbeing of every person, and carer, with the need of care and support. The recommendations made in Section 2 above and consideration of future options in order that the highest standards of care and support can be maintained, is consistent with this duty.

- 12.2 In addition, the Act and accompanying Part 4 Code of Practice sets out that where an Authority has carried out an assessment which has revealed that the person has needs for care and support then the local authority must decide if those needs meet the eligibility criteria, and if they do, it must meet those needs.
- 12.3 There is a legal requirement to publicly consult and consult with staff affected by the recommendations set out in Section 2 above.
- 12.4 Where consultation is undertaken it should be done when proposals are at a formative stage; give sufficient reasons for any proposal to permit intelligent consideration and allow adequate time for consideration and response. Cabinet would then be required to give conscientious consideration to the outcome of the consultation process prior to any decision(s) being made on any proposals.
- 12.5 Any employment issues that arise would need to be considered in conjunction with Human Resources, and in accordance with any relevant policies and legislative provisions.

### **13. LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELLBEING OF FUTURE GENERATIONS ACT**

- 13.1 This report supports two of the [Council's corporate priorities](#), namely:
- People - promoting independence and positive lives for everyone
  - Living within our means - where services are delivered efficiently to achieve value for money for the taxpayer
- 13.2 In respect of the Well-being of Future Generations Act, this report deals with numerous complex and interrelated issues. The preparation, research and analysis involved in its developments generally considers the requirements of the Act. To summarise in respect of the five Ways of Working in particular, the report sets out:
1. How the Council has taken into account the current and long term needs of older people in care homes and communities of Rhondda Cynon Taf in arriving at its initial recommendations.
  2. The extent to which early intervention and prevention is integral to the solution.
  3. That as part of the proposed new service model, the Council is committed to working with partners.



4. How social and health policies will be integrated to improve care pathways, care and support services.
  5. The intention to involve older people, carers, staff and other stakeholders in the development of the options in respect of the future provision of the Council's Day Services and Residential Care Homes.
- 13.3 The proposals outlined in this report are consistent with the priorities set out in the Statement of Commissioning Intent for Older People; Accommodation and Extra Care Strategy and Care Home Market Position Statement.

**LOCAL GOVERNMENT ACT 1972**

**AS AMENDED BY**

**THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**CABINET**

**21<sup>ST</sup> NOVEMBER 2018**

**REPORT OF THE GROUP DIRECTOR, COMMUNITY & CHILDREN'S SERVICES IN DISCUSSION WITH THE RELEVANT PORTFOLIO HOLDER, COUNCILLOR GERAINT HOPKINS**

**MODERNISATION OF RESIDENTIAL CARE AND DAY CARE FOR OLDER PEOPLE**

**Background Papers**

Cabinet – 18<sup>th</sup> February 2016  
Cabinet – 28<sup>th</sup> September 2017  
Cabinet – 21<sup>st</sup> November 2017

**Officer to contact: Neil Elliott, Service Director for Adults. Tel. No. 01443 444603**

**Review of Residential Care Homes  
and Day Services for Older People**

INDEPENDENT REPORT FOR RHONDDA CYNON TAF  
COUNTY BOROUGH COUNCIL

**Practice Solutions Ltd**

Authors:

Geoff Sherlock, Leigh Thorne  
& Steve Milsom

April 2018

## Contents

Introduction .....	3
Background and Context .....	5
Residential Care Homes .....	7
Summary of Findings from Visits to the Council’s In-House Care Homes .....	9
Conclusions .....	10
Options – Residential Care Homes .....	12
Option 1: Continue existing arrangements – Do Nothing .....	12
Option 2: Phased decommissioning of the Council's care homes as part of planned programme of transformation in line with the implementation of the Council's extra care development programme and Cwm Taf care home market position (Recommended) .....	13
Dementia Care .....	14
Day Services .....	15
Visits to Day Services .....	16
Conclusions .....	16
Options – Day Services .....	18
Option 1: Status Quo - doing nothing .....	18
Option 2: Phased decommissioning of the Council's day services as part of planned programme of transformation in line new service strategy (Recommended) .....	18
Annex 1 – Review Purpose and Methodology .....	20
Annex 2 – Listed Council Care Homes & Day Services in the Borough.....	22
Annex 3 – Current number of placements and vacancy levels .....	24
Annex 4 – References.....	27

## Introduction

1. Rhondda Cynon Taf County Borough Council (the Council) commissioned Practice Solutions Ltd. to undertake an independent review into residential care homes and day services for older people. The review was undertaken between January and March 2018. This report provides the overview and summary of findings which will need to be read in conjunction with the Visit Reports. The review involved an initial stage of research, followed by field work, which involved visiting all the Care Homes and Day Services managed by the Council. The findings, information and evidence gathered from data collected was then analysed to develop the report for presentation to the Council.
2. The expectations of legislation, regulators, society and most importantly service users themselves, as to what is demanded from residential care and day care has changed over the last decade and will continue to develop further in the next few years to come, as demographic changes have a significant impact on service demand. Accommodation together with high quality care and support must meet higher standards and offer dignity and privacy including en-suite facilities that we all expect in our lives now. Also, the experience of life in a home or day service must be shaped to support well-being and people's preferred outcomes, as well as engaging them in more choice and control. All of this must be achieved against the backdrop of the current financial pressures faced by all Councils and the consequential pressures on existing and new services.
3. In determining its strategy and policies to address these opportunities and challenges, the Council has agreed an Extra Care Housing Strategy and decided to review its residential and day services to examine the options to best meet the needs and well-being of its older population now and in the future. In particular the development of Extra Care provision is an important driver for change. This Report provides an independent view of the existing delivery of residential and day services and provides a range of options for future service provision. The purpose and methodology for the Review is set out at Annex 1. The reports on visits to care homes and day services and from a workshop with internal stakeholders are in a separate document.
4. The Councils' strategy for the development of Extra Care Housing in Rhondda Cynon Taf states:  
  
"In recent years Rhondda Cynon Taf has seen a change in the needs and aspirations of people as they get older. It is estimated that by 2025, 21% of Rhondda Cynon Taf's population will be over 65, and it is unlikely that future generations will wish to move into traditional residential care or current specialist housing support services having been more mobile, both in terms of employment and accommodation. As the numbers of older people increase the housing market and care and support services need to adapt to what people want."
5. The clear direction of travel outlined in this strategy is to provide modern community based alternatives to institutional provision moving towards a model of service based around people maintaining independence and choice in how they live their lives. It is beyond doubt that the current Care Homes operated by the Council will require significant investment to meet

modern norms. As the new regulatory standards, which demand even higher levels of support for wellbeing and personal independence, are being introduced, they will continue to become unsatisfactory as a model of service delivery. The fact that the Homes have significant numbers of vacancies suggests that people are already choosing alternatives to the existing Homes. Despite the best efforts of staff, the configuration of the buildings will frustrate their desire to provide an acceptable environment in which to support the residents. For these reasons we would recommend support, as outlined in Option 2 at the end of this document, for a transition to more community-based models of service delivery.

6. In terms of the existing day services we have seen a variety of approaches from the more traditional “Luncheon club” type approach in some of the services and examples of a more progressive reablement type approach in others. What is clear is that, in the majority of cases, numbers of attendees are well below the current capacity and is an indication that people are choosing alternative forms of support. As the Extra Care strategy is developed and implemented there will be opportunities for more intensive forms of support to be developed within them and, for those people with lower levels of need, a less “Buildings based” model of support around existing community facilities can be developed. The use of Direct Payments is a useful area to consider as it allows people to design and commission their own support systems that are specifically tailored to their own needs. We would recommend that the future of day support is developed alongside the implementation of the Extra Care Strategy as is outlined in Option 2 of the Day Services section of this report.

## Background and Context

7. The context for this report is the development of the Councils Extra Care Housing Strategy and Adult Services Accommodation Strategy and their effective implementation. These Strategies provide a fundamental response to re-configure services to meet new legislative requirements, provide sustainable and cost-effective services and improve the well-being and quality of service response for the local population.
8. The wider context is the growing proportion of older people with one in five of the population in Wales now aged 65 and over. The Welsh Government (2017) has estimated that in the next 10 years the number of people over 85 will increase by 119%. To address these pressures in a sustainable manner, the new legislative context makes clear that models of service delivery will need to change and different outcomes achieved.
9. The policy context to these changes is largely because of new legislation (the SSWB Act 2014 and R&I Act 2016) that commenced implementation from April 2016 and that will have an introductory period up to April 2019 at least. This legislation requires that those exercising functions under the 2014 Act must “empower people to contribute to achieving their own well-being with the appropriate level of support and service”. This new approach to well-being is a fundamental change to the expectations made of local authorities and whilst a new National Framework describing the national well-being outcomes in relation to all areas of an individual’s life has been published, this all presents a significant change of culture and practice for social workers that are likely to take several years to fully implement. *The concept of well-being and the potential benefits arising do of course apply just as much to an old person in a care home as they do to anyone receiving care or support in a day centre or community setting.*
10. A new Inspection Framework for Older People is now being used by Care Inspectorate Wales (CIW) which provides a clearer focus on personal outcomes for the individual covering Well-being, Quality of Care and Support, leadership and management and environment. The CIW Inspection Framework has recently been significantly revised and gives human rights and quality of life a central position. They have (2017) published new guidance about their commitment to promote and uphold the human rights of people who use care and support services and which outlines what CIW expect and what is not acceptable for people who use care and support services. All of this directly relates to the review of in-house residential and day services care by the Council.
11. The Dementia Action Plan for Wales was published by Welsh Government in January 2018. The Action Plan gives strong emphasis to living with dementia in the community and creating dementia friendly communities and improving joint working between health and social services. The need to address the needs of people with dementia in care homes is also a clear objective for the Action Plan.
12. In her report (November 2014) on the Quality of Life and Care in Care Homes in Wales, the Commissioner for Older People in Wales made a recommendation for a single outcomes framework of quality of life, and care, to be developed for use by all bodies involved in the

provision, commissioning, regulation and inspection of care homes. It is recommended that the framework must include references to the following:

- 1) Independence
- 2) Control over daily life
- 3) Rights, relationships and positive interactions
- 4) Ambitions (to fulfil, maintain, learn and improve skills)
- 5) Health (to maintain and improve)
- 6) Safety and security (freedom from discrimination and harassment)
- 7) Dignity and respect
- 8) Protection from financial abuse
- 9) Receipt of high quality services

13. On 23 February 2018, the Commissioner for Older People published her follow up Impact and Analysis Report to her 2014 Care Home Review which found that too many older people living in care homes in Wales have an unacceptable quality of life. The headline for the 2018 Report that received extensive media coverage was that “The Welsh Government has failed to take the action it promised in a number of key areas to drive up the quality of life of older people living in care homes in Wales” Also it says that whilst there had been progress, Councils and Health Boards needed to do much more to improve the lives of care home residents.

“Health Boards and Local Authorities have made some positive progress and as a result of my Review are now delivering a wide range of activity focused on improving the quality of life of older people living in care homes, but more needs to be done and the pace of change must increase significantly to deliver the best possible outcomes for care home residents.”

14. These reports from the Commissioner for Older People provide an important benchmark for this Review as it relates to Council run Care Homes and whether they are likely to be sustainable in meeting the requirements that have been set out, not just now but over the coming years.



## Residential Care Homes

15. In the County Borough there are 11 Council run Care homes providing approximately 320 beds and 24 privately run care homes providing approximately 1040 beds. The Council run homes were nearly all built 30-40 years ago at a time when the standards and expectations required were considerably different than they are today. What can be achieved in terms of wellbeing and personal dignity within the existing Homes is limited by the out-dated and inadequate standards of the accommodation.
16. The Council has established annual targets to support more people over 65 in the community (see Directors Annual Report). Provision of Extra Care facilities by the Council has also recently commenced at Llantrisant and is planned for Maesyffynnon, Pontypridd, Treorchy, Porth and Mountain Ash.
17. This is part of a significant change to the model of service delivery within adult services in the County Borough and whilst in 2015-16 achievement was slightly behind target, the direction of service change for 2016-17 is certainly in the right direction as illustrated by this trend analysis for numbers in care homes over the last 2 years:

	No of People Supported in Residential Care	No of People Supported in Nursing Care	Total Number of People Supported
2017 Council Homes	265	-	265
2016 Council Homes	288	-	288
<b>% change</b>	<b>-8%</b>	-	<b>-8%</b>
2017 Total All Homes	822	513	1335
2016 Total All Homes	973	596	1569
<b>% change</b>	<b>-18%</b>	<b>-14%</b>	<b>-15%</b>

18. The Cwm Taf Market Position Statement (MPS) (21 November 2017) for Care Homes is a comprehensive document that provides a good starting point for planning future provision of Care Homes in the partnership area. The MPS does not describe the current provision of care homes in the area in detail but we know that CIW have identified that in RCT a higher proportion of older people are placed in care homes than elsewhere in Wales.
19. A detailed analysis of the care home market has been undertaken across Cwm Taf by the Councils and Health Board. A summary of findings and future requirements say that:
  - “The care home market is not currently able to meet demand reliably, specifically for nursing and dementia care beds.
  - Recruitment and retention for registered nurses is a shared challenge across the region

- In the context of a new service model, we do not expect the care home sector to grow significantly over the next 10 years, although we want to ensure that we can meet more complex needs for nursing and dementia care in high quality facilities.”
- The Cwm Taf Population Needs Assessment includes a detailed picture in respect of older people and relevant to the remit of this Review suggests:

*“As the population of older people increases in the future, a wider range of extra care housing options will be needed. This could include smaller, energy efficient homes, retirement complexes, sheltered accommodation, and care homes for older people to live independently in environments that support well-being. It is important that communities become more ‘age-friendly’, so that older people can feel included and live independently for as long as possible”.*

## Summary of Findings from Visits to the Council's In-House Care Homes

20. Visits were made to each of the 11 Council run care homes by 2 Associates (Reviewers) from Practice Solutions Ltd.

21. The general themes emerging from the visits were:

- The homes provided a warm, friendly and caring environment for residents with a staff group who were evidently committed to providing a good quality of care and support to residents. There were numerous examples seen of person centred care where residents were being supported to achieve and maintain as much independence and choice as possible within the current environment.
- In some homes there were excellent examples of additional effort being made to improve the quality of life of residents. This was particularly noticeable where the managers and staff had completed the "Butterfly" approach dementia training and had been able to implement new ideas and methods to ensuring those residents who have dementia experience a fulfilled and stimulating life.
- Some homes had been innovative in how activities and events are organised and delivered, and this was evident in the photographic and anecdotal evidence seen in the homes. The reviewers saw how this had enhanced the residents' lives including in one area regular sharing of ideas and practice with other private and council run homes. Where resources had not allowed activities to be planned and co-ordinated regularly and organised as an integral part of the care delivery the quality of life experiences for residents were limited.
- There is only one Home (Dan Y Mynydd) which has any rooms (4) with en-suite facilities. Most residents were only able to use hand basins in their rooms with communal toilets and bathrooms, they could have commodes at night on request. Were these homes to be built today they would fail to meet current regulatory requirements. They will only be able to remain registered as they were built prior to the current regulations being put in place. What is clear is that in their current configuration all 11 Homes will not meet the current requirements for wellbeing and personal dignity of residents.
- What is generally achieved in the homes is limited by the age of the building, size of rooms and lack of available facilities within the existing buildings which nearly all were built over 30 to 40 years ago. By comparison, under the new legislative requirements and looking ahead, the homes do not provide an environment conducive to meeting the higher expectations in respect of well-being and personal outcomes required. It is difficult, given the layout of most of the buildings, to envisage the possibility of cost-viable adaptation achieving what is expected going forward. However, a detailed home by home survey would be required to assess this fully.
- The number of people being supported within the Council's own Care Homes is reducing and many of the Homes are operating with significant numbers of vacancies. Several of the Homes managers were of the view that this is because more people are being

supported within their own homes and that this is a trend that will continue with the development of extra care housing.

- Whilst no assessments were undertaken, we observed and talked to a number of residents who appeared to have a significant level of mobility, cognitive function and independence which would suggest perhaps a less institutionalised form of support, such as extra care housing, may be a more appropriate and less institutional model of support.

## Conclusions

22. The key issues that can be identified from this Review in respect of Council run Care Homes are:

- A changing expectation in society generally as well as through policy, legislation and regulations about the need for higher standards and quality of care and life in residential and day services where more modern, joined up and individually tailored solutions are required. The current provision of Council care homes and day services in RCT does not appear to meet these ambitions sufficiently now and certainly not for the future
- The Social Services and Well-being Act 2014 set down a range of new legislative requirements for the Council regarding people who use services. There is particular emphasis on people's well-being, achieving personal outcomes, availability of advocacy, co-produced, person centred and strength-based approaches to care. These all have significant implications for the shape of services in the future and the environments in which they are provided.
- The recent Commissioner for Older People Report makes a clear call for Councils and Health Boards to do more to ensure that care homes are fit for current and future demands and the expectations of people who are more informed about their rights and choices, the challenge will be to provide a good quality of life and high standards of care that encourage people to remain as independent as possible for as long as possible.
- Whilst the quality of care provided is not questioned, there is a clear and obvious deficit against the Commissioner's benchmarks because of the out-dated accommodation currently in use. The telling example of this is the lack of availability of en-suite facilities in all rooms which ensures that people in all circumstances are able to have their privacy and dignity ensured. Communal bathrooms are outdated and not acceptable in modern Care Homes and do not ensure that people, often with challenging personal needs, have their privacy and dignity protected.
- The Council have already secured a Market Position Statement for Care Homes as part of the Cwm Taf Partnership arrangements. This alongside the Population Needs Analysis provides an invaluable starting point in assessing future demand and supply of care homes and Day service opportunities. This process of analysis of future market requirements will need to be an essential and on-going process.
- The Council's strategy and plans for Extra Care provision are well-founded in good practice and "future-proofing" and will address many of the operational deficits including high unit costs and low occupancy rates in their in-house homes.

- Whilst there is currently capacity in private sector care homes in RCT, there is also a need for greater transparency about future plans of private care homes in RCT. This could be an essential element in taking forward the Council's strategy following this Review. Partnership working, business development and a Providers Forum will all be important mechanisms to help build joint understanding and confidence in the chosen direction of travel. However, given the sensitivities and business confidentialities involved, a discreet piece of work with private care home providers to gather more in-depth information is recommended about future viability, incentives and barriers to development and plans for the future. This would need to be undertaken on an in-confidence basis and reported anonymously to protect the business interests of individual care home owners. Transparency about undertaking such a review more generally would also be important but it would be advantageous to have this intelligence to take forward the outcomes of the Review.
- A Workshop with a sample of Council Managers and Practitioners supported the general conclusions from this Review and emphasised the need for more to be done - in achieving a person-centred approach, improve quality of life in care homes through meaningful activities, achieve greater positive risk taking across all services, to improve and provide more modern facilities in care homes and for more extra care to be provided on an integrated health and social care basis.
- The Review has researched guidelines and best practice in relation to transformation of residential and day centre social care provision highlighting some key principles and approaches that from direct experience across the UK have been shown to be important. It is recommended that the Council make full use of this evidenced based advice in shaping and planning the implementation of any changes agreed in their provision of these services.

## Options – Residential Care Homes

23. This section outlines the option proposals for the provision of residential care services by the Council.

### **Option 1: Continue existing arrangements – Do Nothing**

#### **RESIDENTIAL CARE OUTCOMES**

##### **Outcomes**

- Meeting published ambitions for high quality, outcome focussed and strength- based services will not be possible
- Limited and decreasing compliance with legislative requirements in that the existing buildings do not have the en-suite facilities to meet current legislative requirements
- The existing service will be unable to meet the requirements for dignity and wellbeing of service users
- Escalating capital and running costs over time and even poorer viability
- Initial stability for residents but increasingly unacceptable environment and quality of life
- Uncertainty for staff and becoming more difficult to provide high quality care

##### **Risks**

#### **The following are risks that may happen if this option is pursued:**

- Failure to meet strategic aims for service improvement
- Levels of occupancy will continue to fall as people and their family’s look for facilities which are more community based and enable people to be supported in their own homes for longer.
- Strong potential for exposure to CIW enforcement action on failure to meet statutory requirements
- Needs levels of residents will increase and the quality of life experienced by service users will deteriorate
- Staff decide to look for alternative roles as environment not meeting residents needs or their professional expectations

**This option is not recommended**

## **Option 2: Phased decommissioning of the Council's care homes as part of planned programme of transformation in line with the implementation of the Council's extra care development programme and Cwm Taf care home market position**

### **Outcomes**

- The full range of accommodation with care from sheltered and extra care to provision of more complex day and residential social care support including dementia can be integrated and co-ordinated and be actively managed with partners
- The Council could invest in new extra care capacity before all existing capacity is closed, which would achieve effective transition and enable cohesion with a planned system-wide approach to change including alternative community-based models.
- Resources required would be known and could be budgeted for and an evidenced rationale developed for home by home decisions and prioritisation could be achieved.
- Staff could be enabled to develop and change roles and develop new skills and methods of working to meet the new service requirements including the standard of care co-ordination required under the Social Services and Wellbeing Act.
- Workforce issues can be resolved and negotiated with the Trades Unions in a planned and timely manner to meet the requirements of the transition process and ensure staff confidence is maintained
- People would experience an improved quality of care and support, quality of life and would be better able to achieve their personal outcomes and remain as independent as possible
- People's dignity and well-being would be ensured through the provision of a range of options which provide for choice and independence.

### **Risks**

**These are risks that need to be taken into account in considering this option and mitigating action taken:**

- Impact of wider policy developments out of Council's direct control e.g. emerging models of care from Parliamentary Review, recommendations from enquiry into costs of an ageing population
- Communicating effectively an evidence base to support Council decisions to ensure stakeholder groups understand the reasons behind the re-provisioning and its benefits.
- Potential for challenge if the process is not undertaken in line with legal requirements
- Agreeing and sticking to a realistic timescale and not extending any transition process unnecessarily.
- Ensuring the outcomes, needs and safety of residents impacted is fully resourced and prioritised
- Availability of trained and skilled advocacy for residents who have no family or friends to speak for them

**Option 2 is recommended as basis for further analysis and planning**

## **Dementia Care**

The following recommendations are made to address the projected future increased demand in the numbers of people with Dementia in the Council's area:

- The Dementia Action Plan for Wales should be implemented effectively by the Council in tandem with its partners. The need for residential and nursing care for people living with dementia should be planned and commissioned jointly in partnership with the Local Health Board.
- Dementia Supportive Communities should be introduced across the Council's area that includes early intervention and diagnosis responses and provides a range of community-based services including day services for people in the early stages of the condition.
- The capacity in extra care and residential care provided by all parts of the sector should be sufficient to meet increasing projected demand and in appropriate locations. It should provide care and support that increases as the individual's needs change. Transition to Nursing Care when needed must be handled effectively and safely.
- Extra Care and Residential Care whoever provides should take a person-centred approach and embrace the Dementia Care Matters "Butterfly" model that has already been commenced in some Council run homes. Quality of Life should be a priority for people with Dementia as much as any other resident or client.
- There will need to be sufficient incentives for the private sector to invest in additional capacity for dementia and any barriers to growing the numbers of beds addressed.
- Quality of Life and Person-Centred Care for people living in care homes with dementia should be prioritised and resourced to build on the progress made to date
- The Council's Commissioning Strategy for Care Homes and Action Plan for its Market Position Statement should be supported by the resources to implement effectively.



## Day Services

24. In respect of Day Services, these have for many years provided a traditional form of support for older people to remain independent in their own homes. There are 4 Core Day Services plus a day centre at Ferndale House located in the Council area that provide assessed care and support.
25. The core day services were predominantly built in the 1980's and 1990's and the Council believe have been maintained to a good standard of repair. Bronllwyn and Ferndale House operate from dedicated spaces in residential care home settings and another from a dedicated centre within Council office accommodation (Trecynon). The core day services offer similar facilities which include wheel chair access bathroom and washing and bathing facilities, on site kitchen and cooking space, on site outdoor space and parking for transport on site. In the main, each core day centre has just one larger communal room and a smaller meeting room, leading to limitations with activity options. Programmed activities tend to take place in the larger room, with smaller meeting room set aside for quieter activities and watching TV.
26. Council figures show that the average number of people registered at the core day services has fallen significantly over the past 5 years – see table below - from an average of 494 (in 2011/12) to an average of just 265 (in 2016/17 - April to July); a fall of some 46%. The average daily attendance was 56 people at September 2016 or 50.5% of capacity for all the core day services. The age and original design of existing day centre buildings means they do not all offer a suitable environment in which to provide a modern service and the current network of day services provide an uneven distribution across the County.

Day Centres	Number of people registered (19/10/16)	Pre-2nd September 2016			Post-2nd September 2016		
		Maximum number of available places	Average daily attendance	Average daily occupancy	Maximum number of available places	Average daily attendance	Average daily occupancy
Bronllwyn	40	25	11	44.0%	25	11	44.0%
Tonyrefail	50	25	15	60.0%	25	15	60.0%
Riverside	54	25	12	48.0%	25	12	48.0%
Trecynon	54	25	14	56.0%	25	13	52.0%
Ferndale House	17	11	6	54.5%	11	5	45.5%
Abercynon	0	25	12	48.0%			
<b>Total</b>	<b>215</b>	<b>136</b>	<b>70</b>	<b>51.5%</b>	<b>111</b>	<b>56</b>	<b>50.5%</b>

## Visits to Day Services

27. Visits were made to each of the Council run Day Services by 2 Associates from Practice Solutions Ltd. The purpose of the review visit was explained and the Manager interviewed in each case and an accompanied tour undertaken. Visit Reports are contained in a separate document that should be read with this report.

- Council figures show that around 40% of the older people currently attending core day services have low to moderate needs and the remaining 60% moderate to high needs. During visits we were informed that some of these services were supporting some people who have a very high level of need which included the use of hoists for assisted bathing.
- The day services provided at the stand-alone services appeared to be much more comprehensive and the services are open to adults of any age. Among the attendees there are people who have experienced brain injuries and a wide range of needs requiring support.
- Some good practice was identified which provides a more reablement type approach which could be further developed to support people at home who would otherwise go in to residential care. As extra care is developed it could provide the model for support in those settings, particularly if linked with both community health services and providing support for hospital discharges. An increased focus on reablement and intermediate care services is recommended in the emerging Extra Care facilities or day centre/community amenities according to local circumstances.
- They provide invaluable care and support to local residents who had high care and support needs and, in some cases, a low level of dementia. This undoubtedly kept the individuals independent living in their own homes and provided respite and employment opportunities for family carers. They also achieved preventative outcomes and staff were of the view that they help to reduce hospital admissions and re-admissions.
- Whilst the Day Services were regarded as a preventative/respite service they are not open to the community generally and are accessed only by assessed clients. The Services are not used at the weekends although there appeared to potential to do so.

## Conclusions

28. The key issues that can be identified from this Review in respect of Council run Day Services are:

- The data from Public Health Wales would suggest that a range of prevalent adverse factors in RCT are likely to mean additional pressures on social services and an on-going need for provision to deal with complex care needs in old age both in day services and accommodation with care. The importance of effective early intervention and prevention choices is an essential strategic requirement to keep people independent in their own homes as long as possible. The availability of preventative services and community-based support services as well as Extra Care for older people will be an essential element in future models of service delivery.

- The Core Day Services offer valuable care and support but mostly to a limited range of people assessed by panel as having more substantial needs. The Good practice model identified offers potential for replication across the County. In the context of providing a broader early intervention and prevention service, this is an area to examine closely.
- The Visits made to Day Services provides strong support to deliver a greater need for flexible, more inclusive provision and more efficient means of delivering services in the community for eligible service users and carers. It has also provided the opportunity to determine tiers of support and services required to meet the range of older people's needs, with an explicit requirement to build on partnerships with universal services, health and the voluntary sector. The overall aim and approach is to deliver more holistic services with a commitment to outcomes focused on rehabilitation, promoting independence and choice, all ingrained in service design and delivery, whilst recognising the financial challenges faced by local authorities.
- The rationale for a tiered service model would appear to us to be a sensible and measured approach that should be considered for implementation.

## Options – Day Services

### Option 1: Status Quo - doing nothing

#### Outcomes

- The care and support are valuable but continues to address the needs of only a small number of people who have been assessed by the panel as needing this provision.
- A lack of consistency will continue to exist when comparing services attached to care homes to the “good practice” model identified
- The public health and general well-being of the population will not improve or meet the expectations of new legislation.
- Duties in respect of early intervention and prevention will not meet statutory requirements or be integrated with developing community- based services

#### Risks

##### The following are risks that may happen if this option is pursued:

- Continued under use of “traditional” day services will impact on costs and viability for Council
- Service users will see a deterioration in the quality and range of services and their needs will increase, requiring more expensive service responses
- Staff will be impacted by a continued small number of people using day services and without a clear plan for the future look for alternative roles.

**This option is not recommended**

### Option 2: Phased decommissioning of the Council's day services as part of planned programme of transformation in line new service strategy

#### Outcomes

- The less well-used and more traditional day services would be re-provisioned with more suitable services that will better meet the care and support needs of individuals
- The transition to the new arrangements would be planned and co-ordinated to provide continuity of care and minimise disruption
- The good practice identified would be available across the County ensuring a stronger and more consistent service is provided with a wider remit that is more in line with statutory requirements on promoting well-being, early intervention and prevention. Opportunities to integrate with Primary Care delivery could be developed.
- The outcome for services users would be an improved, co-ordinated and integrated response to their care and support needs.

## Risks

**These are risks that need to be taken into account in considering this option and mitigating action taken:**

- A clear strategy and implementation plan would be required to make this option a reality
- The cost implications of the re-provisioning of these services would need to be drawn up and budgeted for.
- The continuity of care for all individuals receiving services including some with higher level needs.
- The workforce implications would need to be negotiated and agreed as identified for, and in tandem with those for care homes

**Option 2 is recommended as basis for further analysis and planning**

## Annex 1

### Review Purpose and Methodology

The following was agreed with the Council as a basis for undertaking this Review

#### Purpose

To undertake a review of existing residential care home and day centers/service provision for older people in order to determine future opportunities for service delivery in line with the council's strategy for accommodation for older people and make recommendations for future provision options, based on an evaluation of existing patterns of use and relevant benchmarks, recognising the changing demographics and implications of an ageing population.

This would include a comprehensive review and options appraisal of the councils and 11 older people's residential care homes and 4 older people day services to understand the provision of these homes/centers in the wider adult social care market within the context of the wider strategic shift to deliver services in the community and to enable people to live in their own homes for as long as possible.

#### Methodology

Suggested approach to the residential care home and day centre/care review for older people to involve the following stages:

- Familiarisation with the relevant existing documents provided by the council, including strategy papers and committee reports
- Reviewing best practice guidelines from government, national and local organisations based on research and policy and benchmarking
- Appraisal of policy and legal requirements to be embedded into service design and delivery of services in adult social care
- Setting the geographical and demographic basis for analysing provision and demand
- Analysing provision and demographic data to consider the current and forecast demand for places in residential care, nursing care; EMI/dementia care and day centre/care services across the County Borough
- Reviewing market position statement and/or meeting the providers of residential; nursing care and EMI/dementia care in the county to reach an understanding of their existing provision and aspirations for future provision/service developments
- Studying the existing provision of registered care homes and day services for older people in the county borough based on for example activities, attendance, facilities, budget, and resources.
- Addressing the impact, the physical environment can have upon the quality of care they can be achieved within the in-house care homes in the light of new CIW regulation and inspection framework and the cost implications
- Visiting the councils 11 residential care homes and 4-day services for older people and, where applicable reviewing information provided by the council, to establish their

suitability for meeting forecast changes in demand and the potential for adaption, modernisation or redevelopment of these care homes and day services

- Engagement with existing eligible service users, staff, carers, operational leaves and focus groups

## **Outputs**

Compiling to overarching report (separate sections for residential care and another for day care services) to summarise the findings of the review work and provide options for the council to meet both the current and forecast demand from older people with care needs through registered care home settings and day centre/services provision. These reports will be supported by an options appraisal and an assessment for in-house residential care homes and day services for older people

## Annex 2

### Council Care Homes in the Borough

Residential Home	Registered for
Parc Newydd New Park Talbot Green CF72 8RB Tel: 01443 237848	<ul style="list-style-type: none"> <li>• 36 People</li> <li>• Max 6 aged 65+ with a dementia</li> <li>• Max 3 aged 65+ with a functional mental illness</li> <li>• 1 aged 18-64 for a person with a Learning disability requiring p/c</li> <li>• 1 aged 50+ for 6 weeks respite</li> </ul>
Pentre House Pentre Road Pentre CF41 4LD Tel: 01443 441929	<ul style="list-style-type: none"> <li>• 29 persons aged 50+</li> </ul>
Tegfan Llewellyn Street Trecynon Aberdare CF44 8HU Tel: 01685 878485	<ul style="list-style-type: none"> <li>• 46 People in two units</li> <li>• Dementia unit 15 people aged 60+ 31 people aged 50+ (2 with functional mental illness)</li> </ul> <p>Includes co-located Day Centre</p>
Troed Y Rhiw Troed Y Rhiw Road Mountain Ash CF45 4LD Tel: 01443 473520	<ul style="list-style-type: none"> <li>• 24 People aged 65+</li> <li>• 8 people with a diagnosis of dementia</li> </ul>
Ystrad Fechan Station Road Treorchy CF42 6HN Tel: 01443 773300	<ul style="list-style-type: none"> <li>• 24 Older people</li> <li>• 8 with a diagnosis of dementia (can have one person over age of 50 for respite on EF for a maximum of 6 wks)</li> </ul>
Bronllwyn Colwyn Road Gelli Pentre CF41 7NW Tel: 01443 435873	<ul style="list-style-type: none"> <li>• 11 permanent people over 65 includes 3 with a diagnosis of dementia</li> <li>• 1 Respite - individual over 50 for <u>respite purposes</u></li> </ul>



<p>Cae Glas Cardiff Road Hawthorn Pontypridd CF37 5AH Tel: 01443 841234</p>	<ul style="list-style-type: none"> <li>• 39 people aged 55+ with a diagnosis of dementia</li> </ul>
<p>Clydach Court Birthweunydd Road Trealaw Tonypany CF40 2UD Tel: 01443 433283</p>	<ul style="list-style-type: none"> <li>• 35 people with a diagnosis of dementia</li> <li>• 5 respite rooms</li> </ul>
<p>Dan Y Mynydd Bronwydd Avenue Porth CF39 9AQ Tel: 01443 685944</p>	<ul style="list-style-type: none"> <li>• 30 People aged 50+ a diagnosis of dementia</li> <li>• 1 person over 50</li> <li>• 1 respite room</li> </ul>
<p>Ferndale House Station Road Ferndale CF43 4ND Tel: 01443 730614</p>	<ul style="list-style-type: none"> <li>• 26 people including 10 people with a diagnosis of dementia</li> <li>• 1 respite room</li> </ul> <p>Includes Co-located Day Centre</p>
<p>Garth Olwg Main Road Church Village Pontypridd CF38 1BT Tel: 01443 203466</p>	<ul style="list-style-type: none"> <li>• 30 people aged 65+</li> <li>• 7 people with a diagnosis of dementia</li> <li>• 2 identified persons with a learning disability</li> <li>• 1 identified person with a functional mental health illness</li> <li>• 1 person aged 50+</li> </ul>

## Day Services

Place
Trecynon Day Centre, Principle offices, Llewellyn St. Trecynon, Aberdare, CF44 8HU
Pentre House, Pentre road, Pentre, CF41 4LD
Bronllwyn, Colwyn Rd, Gellie, Pentre, CF41 7NW
Parc Newydd New Park, Talbot Green, CF72 8RB
Tonyrefail Day Centre, School Street, Tonyrefail, CF39 8LE

## Annex 3

## Current number of placements and vacancy levels

RCT Private Home	Total Reg Beds	Total Useable Beds	CURRENT OCC	% OCC
Aberpennar Court Nursing Home (HC1)	49	47	43	91%
Cwmaman Care Centre	48	48	44	92%
Maesteg House Residential	11	11	9	82%
Meadowlands Care Centre (HC1)	47	46	42	91%
Oakwood Nursing Home	41	41	41	100%
The Beeches Care Home	45	45	44	98%
The Laurels Residential Home	18	18	17	94%
The Willows Care	46	46	45	98%
Ysguborwen House	86	78	67	86%
Glyncornel Nursing Home	17	17	16	94%
Mill View Care Home	37	26	26	100%
Taliesin Residential Home	18	18	15	83%
Ty Pentwyn	35	34	33	97%
Ty Porth	81	81	75	93%
Ty Ross	40	36	33	92%
Zoar Residential Home	30	30	23	77%
Aspen House Nursing Home	38	37	37	100%
Duffryn Ffrwdd Residential Home	96	90	80	89%
The Hollies	42	42	40	95%
Llantrisant Care Home	38	26	27	104%
Penrhos Residential Home	18	18	16	89%
Pontypridd Nursing Home	58	58	48	83%
Ty Eiren Care Centre (4 Seasons)	86	83	78	94%
Ty Gwynno Care Centre (4 Seasons)	46	46	46	100%
Ty Nant	31	19	19	100%
<b>Totals</b>	<b>1102</b>	<b>1041</b>	<b>964</b>	<b>93%</b>

<b>Local Authority Care Homes</b>	<b>Total Reg Beds</b>	<b>Total Useable Beds</b>	<b>CURRENT OCC</b>	<b>% OCC</b>
Bronllwyn	12	12	12	100%
Cae Glas	39	36	26	72%
Clydach court	35	35	31	89%
Dan Y Mynydd	30	30	24	80%
Ferndale House	26	26	23	88%
Garth Olwg	30	30	25	83%
Parc Newydd	32	32	29	91%
Pentre House	24	24	20	83%
Tegfan	46	46	40	87%
Troedyrhiw	26	24	17	71%
Ystrad Fechan	24	24	19	79%
<b>Totals</b>	<b>324</b>	<b>319</b>	<b>266</b>	<b>83.39%</b>

## Occupancy

24 Private Homes – 19 (79%) are 90% plus occupied except for 5 (21%):

- Maesteg House Residential
- Taliesin Residential Home
- Penrhos Residential Home
- Zoar Residential Home
- Pontypridd Nursing Home

The range of under-occupancy in these 5 Private Care Homes is from 77% to 89% with the average overall occupancy at 93%

11 Local Authority Care Homes – of which 2 (18%) are 90% plus occupied

- Bronllwyn
- Parc Newydd

The range of under-occupancy in 9 LA Care Homes is from 71% to 87% with the average occupancy at 83%

## Vacancies

Private Care Homes (24)

General Res	Res EMI	Nursing	Nur EMI
36	27	25	5

Total Vacancies = 93 i.e. average 4 per home

Waiting Lists in 12 of the 24 homes i.e. 50%

LA Care Homes (11)

General Res	Res EMI
24	27

Total Vacancies = 51 i.e. average = 4.6 per home. No waiting lists

Spreadsheets provided by the Council provide a breakdown by placement type.

## Annex 4

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## RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

### CABINET

21<sup>ST</sup> NOVEMBER 2018

#### SUPPORT @HOME MAESTRISANT SERVICE

#### REPORT OF THE GROUP DIRECTOR, COMMUNITY & CHILDREN'S SERVICES IN DISCUSSION WITH THE RELEVANT PORTFOLIO HOLDER, COUNCILLOR G HOPKINS

**Author:** Neil Elliott, Service Director Adult Services Tel. 01443 444603

#### 1. PURPOSE OF THE REPORT

- 1.1 The purpose of the report is to update Cabinet on the outcome of the consultation to change the dedicated internal Support @Home Service at Maestrisant in Talbot Green to another domiciliary care provider.

#### 2. RECOMMENDATIONS

It is recommended that the Cabinet:

- 2.1 Considers the responses to the consultation undertaken in respect of the potential change to the dedicated internal Support @Home Service at Maestrisant in Talbot Green to another domiciliary care provider.
- 2.2 Subject to 2.1 above, agrees to maintain the dedicated internal Support @Home Service at the Maestrisant Housing Scheme in Talbot Green and not change to another domiciliary care provider.
- 2.3 Subject to 2.2 above, agrees to provide, where appropriate and following assessment of need, other residents living at Maestrisant with care and support from the dedicated internal Support @Home Service rather than use other domiciliary care providers.

#### 3. REASONS FOR RECOMMENDATIONS

- 3.1 Following the consultation and engagement with the people receiving care and support at Maestrisant, their advocates, families and social workers and the individual review of each person it is evident there is likely to be significant detriment to these people should a change of domiciliary care provider be pursued.
- 3.2 While it was initially identified that costs could be reduced by a change of domiciliary care provider, the engagement with the people receiving care and support has identified the significant benefit they receive both physically and mentally from the knowledge, experience and

continuation of care provided by the Support @Home Maestrisant Service.

- 3.3 On review, it was also identified that other residents at Maestrisant could be included, where appropriate and following assessment of need, in the dedicated Support @Home Service, and thereby allowing the current Service to maximise the value for money and potentially better quality services to the residents of Maestrisant by being on site.

#### **4. BACKGROUND**

- 4.1 Services are regularly reviewed to ensure they meet people's needs and are value for money. As part of this work, Adult Services highlighted the need to review the provision of domiciliary care and support to four people resident at the Maestrisant housing complex by the internal Support @Home Service. Whilst it was identified the Service was meeting these people's needs it was potentially more costly than a similar service provided by another domiciliary care provider.
- 4.2 Maestrisant is a 31 bed housing scheme located in Talbot Green, owned by Habinteg Housing Association. Habinteg employ a Scheme Manager who is on duty between 9am and 5pm and an on-call system operates outside these hours. Each tenant has a tenancy agreement and pays rent.
- 4.3 Four people who live at Maestrisant receive 24/7 care and support provided by a dedicated team of internal Support @Home care staff who are based at Maestrisant and this operates like an independent supported accommodation home within the large scheme. All four people have a significant disability and have lived at Maestrisant and received care and support from the dedicated internal Support @Home Services for many years.
- 4.4 In addition, there are other tenants at Maestrisant with an assessed care and support need that Adult Social Care has commissioned care from alternative independent domiciliary care providers.

#### **5. CONSULTATION**

- 5.1 A four week consultation was undertaken with each person receiving care and support from the internal Support @Home Maestrisant Service. Adult Services commissioned independent advocacy from Age Connects Morgannwg to support each person through the consultation process.
- 5.2 Individual briefing sessions were arranged with each person, their families, carers and, where appropriate, social workers to outline the proposal. In addition, staff received a briefing session but were not formally consulted at that stage. The Joint Trade Unions and a

representative from the Council's Human Resources department were in attendance.

- 5.3 At the end of the four week consultation period Age Connects prepared a report to feedback the resident's views. The report was ratified by the people in receipt of care and presented to Adult Services by the Age Connect advocate. A summary of the views of each person (changed where required to protect their identity) is provided below:

CR1 struggled to understand the proposal, after numerous meetings to gather CR1 views; I (advocate) still wasn't convinced CR1 fully understood what was being explained to CR1.

CR1's reactions/views remained consistent, explaining CR1 would like to keep the same carers/staff and worried about change and worried about losing friends/family and concerned if CR1 would be able to form new relationships with new carers if the proposal goes ahead.

CR2 struggled to understand the proposal, after numerous meetings CR2 still appeared to have little insight into what is being proposed. CR2's reactions and views were inconsistent, sometimes CR2 wanted new domiciliary staff, other times CR2 became quite distressed by the proposal, and therefore it was difficult to obtain CR2's views and wishes.

CR2's main concerns in regard to the proposal were communicating with new carers, particularly them understanding CR2.

A specialist provider maybe able to offer additional support to CR2 if the proposal goes ahead. CR2 has been consistent in requesting to live with other people with similar conditions to CR2.

CR3 demonstrated understanding. CR3's reactions and views remained the same.

CR3 would like to keep the current domiciliary staff, CR3 is distressed and angered at the proposal. CR3's main concerns were CR3 losing control of CR3's life, CR3 worried about change, CR3 will miss current carers and the relationship CR3 has with them and CR3 concerned about forming new relationships with new carers if the proposal goes ahead.

CR4 appeared to understand what was being proposed. CR4's reactions and views remained the same, CR4 doesn't want to change domiciliary care providers.

CR4's main concerns are: new care staff may not be able to meet CR4's complex needs and has concerns about the communication barriers CR4 will have with new carers and thus raised concerns about not being so actively involved in CR4's care and life.

CR4 is also concerned about losing CR4's independence and losing the relationships CR4 has with current care providers.

In conclusion the advocate said:

- 3 out of the 4 residents do not want to change the domiciliary care providers, 1 resident was inconsistent in their views. 3 out of the 4 residents are happy with their life as it is and do not want change. All residents were distressed and emotional by the proposed changes. All residents were concerned about losing relationships and forming new ones, all residents raised concerns about new care providers supporting them in a way they are accustomed to. All residents feared change. All residents raised concerns about the barriers they will face with new care providers if the proposal goes ahead.
- All displayed strong emotional ties to current carers, words such as family and friends were used to describe them. It was often stated current carers go above and beyond what is the care-plans. All were afraid of change, all raised concerns about there being barriers they may face with new care providers, barriers such as the communication and understanding of them and their needs.

## **6. EQUALITY AND DIVERSITY IMPLICATIONS**

6.1 Cabinet Members will be fully aware and mindful of the general equality duty introduced by the Equality Act 2010 and the specific public sector equality duties applicable to the Council as a local authority in Wales.

6.2 Section 149 of the Equality Act 2010 (Public Sector Single Equality Duty) requires public authorities to demonstrate in decision making that they have paid 'due regard' to the need to:

- eliminate unlawful discrimination, harassment and victimisation;
- advance equality of opportunity between people who share a protected characteristic and people who do not share it;
- foster good relations between people who share a protected characteristic and those who do not.

The relevant protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.

6.3 The Council must have due regard to the impact of any of the proposals on those with a protected characteristic. The Council has a specific duty to publish information to demonstrate how it has paid due regard to the aims above as part of its decision making. Undertaking an Equality Impact Assessment (EIA) screening exercise (and if necessary

full EIA) would be evidence that the Council has considered its legal obligations in this regard.

- 6.4 An EIA screening has been completed in accordance with the Council's Policy and Guidance. Some potential negative impact had been identified affecting one or more of the target equality groups. A full EIA has been completed. It shows that although there were some areas of concerns in relation to communication challenges it is possible to take steps to mitigate any adverse impact through the use of an advocacy service.
- 6.5 In addition, all the people receiving care and support from the Support @Home Maestrisant Service received a review of their Care and Support plan in line with the Social Services and Wellbeing (Wales) Act 2014.

## **7. FINANCIAL IMPLICATION(S)**

- 7.1 The outcome of the consultation and the subsequent proposals set out in this report have the primary focus of maintaining the delivery of consistent good quality care for the people receiving care and support from Support @Home Maestrisant Service. Whilst the potential for reduced costs by a change of domiciliary care provider is a secondary consideration, the proposals for change should provide the current Service opportunity to maximise the value for money through more cost effective solutions. Notwithstanding this, any costs incurred in respect to provision of care and support for existing or new people with an assessed need will need to be met from existing Adult Social Care budgets.

## **8. LEGAL IMPLICATIONS AND LEGISLATION CONSIDERED**

- 8.1 Any provision of services would need to be considered in accordance with the Social Services and Wellbeing (Wales) Act 2014 (the "Act"). Local Authorities have a general duty under the Act to promote wellbeing. This duty applies when considering decisions in respect of an individual but also when considering broader strategic issues that do not relate to an individual. In doing so, the overall purpose is to produce a sustainable and diverse range of care and support services to deliver better, innovative and cost-effective services and support and promote the wellbeing of every person, and carer, with the need of care and support.
- 8.2 In addition, the Act and accompanying Part 4 Code of Practice sets out that where an Authority has carried out an assessment which has revealed that the person has needs for care and support then the local authority must decide if those needs meet the eligibility criteria, and if they do, it must meet those needs.

8.3 The recommendations set out in Section 2 of this report, in order that the highest standards of care and support can be maintained, is consistent with the Council's duty under the Act.

8.4 There is also a requirement to consult and engage with people receiving care and support services as part of any planned change to the services they received and details of this are contained in Section 5 above.

**9. LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELLBEING OF FUTURE GENERATIONS ACT**

9.1 This report supports two of the [Council's corporate priorities](#), namely:

- People - promoting independence and positive lives for everyone
- Living within our means - where services are delivered efficiently to achieve value for money for the taxpayer

**10. CONCLUSIONS**

10.1 Following the consultation and engagement with the people receiving care and support at Maestrisant, their advocates, families and social workers and the individual review of each person it is evident there is likely to be significant detriment to these people should a change of domiciliary care provider be pursued. While it was initially identified that costs could be reduced by a change of domiciliary care provider, the engagement with the people receiving care and support has identified the significant benefit they receive both physically and mentally from the knowledge, experience and continuation of care provided by the Support @Home Maestrisant Service. It is not felt that this would be maintained or improved by changing the current provision

**LOCAL GOVERNMENT ACT 1972**

**AS AMENDED BY**

**THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**CABINET**

**21<sup>st</sup> NOVEMBER 2018**

**REPORT OF THE GROUP DIRECTOR, COMMUNITY & CHILDREN'S SERVICES IN DISCUSSION WITH THE RELEVANT PORTFOLIO HOLDER, COUNCILLOR G HOPKINS**

**SUPPORT @HOME MAESTRISANT SERVICE**

**Background Papers**

Social Services and Wellbeing (Wales) Act 2014.

**Officer to contact: Neil Elliott, Service Director for Adults. Tel. No. 01443 444603**

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## RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

### CABINET

21<sup>ST</sup> NOVEMBER 2018

#### EXTRA CARE HOUSING – PROVISION OF CARE AND SUPPORT

#### REPORT OF THE GROUP DIRECTOR, COMMUNITY & CHILDREN'S SERVICES IN DISCUSSION WITH THE RELEVANT PORTFOLIO HOLDER, COUNCILLOR G HOPKINS

**Author:** Neil Elliott, Service Director, Adult Services. Tel. 01443 444603

#### 1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to seek Cabinet approval for the commissioning model for the provision of care and support services in existing and future extra care housing.

#### 2. RECOMMENDATIONS

It is recommended that the Cabinet:

- 2.1 Considers and, if appropriate, approves the proposed preferred commissioning model for the provision of care and support services in existing and future extra care housing as set out in Section 5 of this report; namely that the Council develops an internal extra care support service to provide a strategic market share in each of the Rhondda, Cynon and Taf geographical areas that supports the highest possible quality of life for people needing extra care housing.
- 2.2 Subject to 2.1 above, delegates authority to agree, where applicable, the procurement processes and award of contracts for care and support to external providers for existing and future extra care housing to the Group Director, Community and Children's Services in consultation with the Portfolio Holder, as set out in paragraphs 6.8 to 6.13 of this report, namely:
  - The current contract for the provision for care and support at Ty Heulog, due to end 31<sup>st</sup> August 2019, be renewed through an agreed procurement process.
  - The contract for provision of care and support services at Aberaman extra care housing scheme be externally commissioned.
  - The care and support services be provided at the future Pontypridd and Mountain Ash extra care housing schemes, by an internal extra care domiciliary care team with a service level agreement.

- 2.3 The provision of care and support services at the Treorchy and Porth extra care housing schemes will be appraised at a later date in line with the proposed delegated authority approval to the Group Director, Community and Children's Services in consultation with the Portfolio Holder and in accordance with the principles set out in 2.1 above.

### **3. REASONS FOR RECOMMENDATIONS**

- 3.1 The proposed commissioning model and subsequent procurement methodology will support the Council's strategy to modernise accommodation options for older people and deliver extra care housing in Rhondda Cynon Taf. They will deliver services to people who are eligible for accommodation in extra care housing schemes, thereby retaining their independence in the community while offering flexible and responsive care and support arrangements to meet their needs, enhance quality of life and improve outcomes.

### **4. BACKGROUND**

- 4.1 Rhondda Cynon Taf Council is committed to improving the wellbeing of residents by ensuring that people can live and age well at home in their community.
- 4.2 Development of extra care housing was identified in the [Cwm Taf Joint Commissioning Statement for Older People's Services \(2015-2025\)](#) as a key alternative model to enhance the wellbeing and independence of older people and avoid over reliance on residential care settings. The Commissioning Statement was approved by Cabinet on 18<sup>th</sup> February 2016.
- 4.3 The Council, in response, developed its strategy to modernise accommodation options for older people and deliver extra care housing in Rhondda Cynon Taf. The strategy was [approved by Cabinet on 2<sup>nd</sup> November 2016](#).
- 4.4 On [28th September 2017](#), Cabinet agreed a circa £50m investment plan to develop, in total, 300 extra care beds across Rhondda Cynon Taf and to deliver modern accommodation options to meet the needs and changing expectations of the growing older population.

### **5. EXTRA CARE HOUSING PROVISION**

- 5.1 The commissioning of extra care services will support the Council's vision for extra care housing to offer residents support within modern, new purpose built schemes that help older people retain their independence in the community while offering flexible and responsive care and support arrangements to meet their needs, enhance quality of life and improve outcomes.
- 5.2 Currently, there is one extra care housing scheme operating in Rhondda Cynon Taf - Ty Heulog in Talbot Green. This provides 40

modern units of accommodation, and Adult Services has 100% nomination rights. Hafod Housing is the landlord and the provider of housing related support at Ty Heulog. The Council currently commission care and support services at Ty Heulog from Hafod Care and the contract was awarded, following tender, on 1<sup>st</sup> September 2016 for an initial period of 2 years. An option to extend the contract by 1 year to 31<sup>st</sup> August 2019 was agreed to coincide with the Aberaman extra care housing scheme in September 2019.

5.3 The extra care housing programme agreed by Cabinet in September 2017 is ambitious and plans are underway to ensure delivery of the commitment and provide alternatives to institutional care home settings. Current delivery is summarised below:

- The former Maesyffynnon Care Home site, in Aberaman, is under construction and due to be opened in September 2019. This new extra care facility will provide 40 modern units of accommodation in total plus a number of communal facilities such as a dining room; hair salon; guest suites; communal lounge and laundry and winter garden and activity room. Respite accommodation will also be provided. A garden area, boules court and dedicated inter-generational garden, to be used in conjunction with Blaengwawr Primary School, are also included in the scheme development. This will be Wales' first modular build extra care housing scheme.
- New extra care housing is also being developed on the former Magistrates Court Site, in Pontypridd, and a pre-planning application consultation for 60 modern units of accommodation took place in August 2018. The scheme proposal being put forward is designed to ensure that sustainable arrangements are in place to commission increasing levels of care; including dementia within the scheme; now and in the future.
- The facility is planned to include the following facilities: communal lounge(s), dining room and catering kitchen; guest suites; hairdressing/therapy suite; communal laundry and wheelchair/buggy store. There will also be an integrated day opportunities room which has been designed to seamlessly integrate into the communal spaces at the scheme so that residents and the recipients of day opportunities are part of one wider support network and will take part in activities and have meals from the restaurant.
- Officers continue to work with Linc Cymru to consider the options available for development of the proposed sites in Treorchy; Mountain Ash and Porth and further individual scheme details will be available in due course.

- 5.4 As with Ty Heulog, each new planned extra care housing scheme will provide a range of services, including housing management, housing related support and personal care and support.
- 5.5 Linc Cymru, the landlord for each new planned scheme, will provide the housing management service, such as letting the apartments, rents and repairs and maintenance.
- 5.6 Housing related support services at each new planned scheme will aim to develop or sustain an individual's capacity to live independently in their accommodation and it is proposed that Linc Cymru, where they are landlord, provide this service as Hafod do at Ty Heulog.
- 5.7 The Council will need to commission the provision of care and support services in each new extra care housing scheme. Extra Care housing delivers a broad range of services for people who reside and meet the established criteria in terms of needs. Personal care and support services are of domiciliary care nature and as such are governed by these care standards. Care and support provider(s) will deliver for example:
- person centred, personal care and support available 24 hours a day as directed by individual support plans and responsive and reactive to both planned and unplanned events;
  - on-site response in an emergency to be delivered in a reasonable timescale, and ad hoc responses for individuals to reduce the risk of unnecessary hospital admission;
  - supporting individuals to access social opportunities and activities;
- in order to support a person's access to the community and other services to maximise their health, wellbeing and independence.

## **6. CARE AND SUPPORT PROVISION**

### **Proposal**

- 6.1 It is widely recognised that the Council's internal care services have served the communities and people of Rhondda Cynon Taf well over the years; with good standards of care provided by committed staff. There is evidence of the positive impact that high quality modern care environments can have both on the ability of staff to deliver the best possible care and the experience of older people in receipt of care.
- 6.2 It is, therefore, proposed that the Council considers developing an internal extra care service and creates an equal strategic market share in each of the Rhondda, Cynon and Taf geographical areas that supports the highest possible quality of life for people needing extra care housing. This will allow the Council's in house provision to focus

on those extra care housing schemes that address the higher levels of care needs, including dementia.

- 6.3 By concentrating its resources on higher need residents, including those with dementia, the Council will be well placed to upskill staff and specialise in providing a high quality service for this client group. It would also provide market certainty for the external market surrounding the commissioning of personal care and support at time of limited capacity across independent domiciliary and home care sector.
- 6.4 This proposal is the preferred commissioning model for the provision of care and support services in existing and future extra care housing for the following reasons:
- The Council wishes to ensure that residents with an assessed need, wherever possible, should be offered choice to personal care and support in extra care housing.
  - The Social Services and Wellbeing (Wales) Act 2014 requires the local authority to manage market oversight. Adult Social Care has an important role to play in ensuring a contingency service for the Council should there be any independent sector provider failure.
  - Whilst the independent sector offers quality care, Rhondda Cynon Taf's internal care services has also consistently achieved high-quality care over the years. This has been externally acknowledged by consistently good regulatory inspection reports from the Care Inspectorate Wales. Replicating this good practice across extra care housing will improve standards and consequently provide a higher quality service.
  - Adult Social Care has a reputation for providing integrated and flexible services and this will be specifically beneficial as we develop extra care services to be more outward facing; involved in the local community and making better use of individual and community assets. This will support increased social and community benefits and facilitate partnerships between local organisations in the delivery of care and support services.
- 6.5 The commissioning of personal and care support from external market for all extra care housing schemes was considered but is not the preferred option because whilst offering, in particular, lower costs, it is believed that for the reasons given in paragraphs above, the extra care housing offer is best delivered by creating a strategic and equal market share across internal and external care services that will support the highest possible quality of life for people needing extra care housing.
- 6.6 Under the proposals, each provider, internal and external, will need to meet a universal specification that sets out the Council's expectations for extra care housing services as described and this will be

supplemented with the requirements of each individual extra housing scheme. The specification is under-pinned by what residents have told us they want from extra care housing services as well as the underlying principles a local authority must have with regard to its care and support system as set out in the Social Services and Wellbeing (Wales) Act 2014 including: promoting wellbeing; preventing or delaying the development of needs for adult social care services and placing the customer at the centre of service.

### **Commissioning and procurement processes**

- 6.7 The contract for the provision for extra care housing care and support at Ty Heulog will end on 31<sup>st</sup> August 2019 and it will be necessary to renew the tenure through a procurement process, including taking the opportunity of reviewing the commercial and delivery models at this scheme.
- 6.9 Subject to the approval of the commissioning model for the provision of care and support services in existing and future extra care housing schemes set out in Section 5 of this report, it is also proposed that contract for provision of care and support services at Aberaman extra care housing scheme be externally commissioned together with Ty Heulog.
- 6.10 Should delegated authority be approved, the Group Director Community and Children's Services in consultation with the Portfolio Holder, will approve the contract award for Ty Heulog and Aberaman extra care housing upon completion of the agreed procurement processes.
- 6.11 There are several procurement and contract options available to the Council for the provision of future extra care housing contracts and the best options will be agreed to enable the Council to ensure value for money and meet its strategic objectives for extra care housing services. Procurement processes to commission care and support services will ensure Providers are in place when the scheme will be ready for occupation.
- 6.12 In addition, should the decision to externally contract for provision of care and support with Ty Heulog and Aberaman be approved, it is proposed that the care and support services be provided at the future Pontypridd and Mountain Ash extra care housing schemes, by an internal extra care domiciliary care team with a service level agreement.
- 6.13 The provision of care and support services at the Treorchy and Porth extra care housing schemes will be appraised at a later date in line with the proposed delegated authority approval to the Group Director, Community and Children's Services in consultation with the Portfolio Holder and in accordance with the principles set out in 2.1 above.

## **7. EQUALITY AND DIVERSITY IMPLICATIONS**

- 7.1 An Equality Impact Assessment (EIA) screening form has been prepared for the purpose of this report. This exercise has shown that a full EIA is not required. We do not consider there will be any adverse equality implications for protected groups because of the proposals in this report. Overall, the impact on older people is adjudged as neutral or positive as service improvements will be secured and more personalised services delivered.

## **8. CONSULTATION**

- 8.1 There will be ongoing consultation and engagement with older people, local community organisations, residents and all other key stakeholders in planning and developing of extra care housing schemes as part of the strategy to modernise accommodation options for older people and deliver extra care housing in Rhondda Cynon Taf. Further consultation with residents and providers will be undertaken as part of the commissioning and procurement of individual extra care housing care and support provision.

## **9. FINANCIAL IMPLICATION(S)**

- 9.1 The proposals set out in this report have the primary focus on delivering improved quality of care and support outcomes for Rhondda Cynon Taf residents. Notwithstanding this, revenue costs with respect to new commissioning of care and support within existing or new extra care housing schemes will need to be met from existing Adult Social Care budgets.

## **10. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED**

- 10.1 Any future provision of services would need to be considered in accordance with the Social Services and Well-being (Wales) Act 2014 (the "Act"). Local Authorities have a general duty under the Act to promote wellbeing. This duty applies when considering decisions in respect of an individual but also when considering broader strategic issues that do not relate to an individual. In doing so, the overall purpose is to produce a sustainable and diverse range of care and support services to deliver better, innovative and cost-effective services and support and promote the wellbeing of every person, and carer, with the need of care and support. The recommendations made in Section 2 above, and consideration of future options in order that the highest standards of care and support can be maintained, is consistent with this duty.
- 10.2 The procurement issues which arise in the delivery of the commissioning model for the provision of care and support services in existing and future extra care housing will be considered and progressed in accordance with relevant legislation, policy and guidance, within agreed procurement processes.

10.3 Any employment issues that arise would need to be considered in conjunction with Human Resources, and in accordance with any relevant policies and legislative provisions.

## **11. LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELLBEING OF FUTURE GENERATIONS ACT**

11.1 This report supports two of the [Council's corporate priorities](#), namely:

- People - promoting independence and positive lives for everyone
- Living within our means - where services are delivered efficiently to achieve value for money for the taxpayer

11.2 The proposals outlined in this report are consistent with the priorities set out in the Statement of Commissioning Intent for Older People; Accommodation and Extra Care Strategy and Care Home Market Position Statement.

## **12. CONCLUSION**

12.1 Extra care housing is designed to offer genuine choice and an alternative to moving into institutional care settings. It is acknowledged that a range of specialist accommodation with support is needed to enable individuals to exercise real choice and maintain their independence. The benefits to health and wellbeing through increased independence, reduced social isolation and community involvement are substantial.

12.2 The extra care housing development programme is ambitious and plans are underway to ensure delivery of the commitment and provide alternatives to institutional care home settings. As part of this development programme, the Council will need to provide care and support services and this report sets out a recommended commissioning model for the provision of these services in existing and future extra care housing schemes.



**LOCAL GOVERNMENT ACT 1972**

**AS AMENDED BY**

**THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**CABINET**

**21<sup>st</sup> NOVEMBER 2018**

**EXTRA CARE HOUSING – PROVISION OF CARE AND SUPPORT**

**REPORT OF THE GROUP DIRECTOR, COMMUNITY & CHILDREN'S SERVICES IN DISCUSSION WITH THE RELEVANT PORTFOLIO HOLDER, COUNCILLOR G HOPKINS**

**Background Papers**

Cabinet

[18<sup>th</sup> February 2016](#)

[2<sup>nd</sup> November 2016](#)

[27<sup>th</sup> September 2017](#)

**Officer to contact: Neil Elliott, Service Director for Adults. Tel. No. 01443 444603**

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## RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

### CABINET

21<sup>ST</sup> NOVEMBER 2018

### CWM TAF REGIONAL STATEMENT OF INTENT FOR SUPPORTING CHILDREN AND YOUNG PEOPLE AND FAMILIES

#### REPORT OF GROUP DIRECTOR, COMMUNITY & CHILDREN'S SERVICES IN DISCUSSIONS WITH THE RELEVANT PORTFOLIO HOLDER, COUNCILLOR C LEYSHON

**AUTHOR:** Ann Batley, Service Director Children's Services  
Tel No: 01443 744044

#### 1. PURPOSE OF THE REPORT

- 1.1 To present to Cabinet for consideration and endorsement the final draft of the Cwm Taf Regional Statement of Intent for Supporting Children and Young People.

#### 2. RECOMMENDATIONS

It is recommended that Cabinet:

- 2.1 Consider and endorse the Cwm Taf Regional Statement of Intent for Supporting Children and Young People.
- 2.2 Agree the outlined next steps.

#### 3. REASONS FOR RECOMMENDATIONS

- 3.1 To ensure that Cabinet are fully aware of The Cwm Taf Regional Statement of Intent for Supporting Children and Young People and Families and for Members to have an opportunity to question and challenge the contents before endorsing the final document.

#### 4. BACKGROUND

- 4.1 The establishment of the Regional Partnership Board and completion of the Population Needs Assessment have led to the development of a Regional Partnership Statement of Intent for children, young people and their families
- 4.2 Rhondda Cynon Taf County Borough Council, Merthyr Tydfil County Borough Council and Cwm Taf University Health Board, together with a range of

stakeholders, worked together to produce the first draft of the shared regional statement of intent. The initial draft document was presented to Cabinet in November 2017. It set out a shared commitment to deliver services jointly under the Social Services and Well Being Act (Wales) 2014.

## **5. THE STATEMENT OF INTENT**

- 5.1 The final document (see Appendix 1) sets out the shared vision, principles and objectives which will direct the work of all partners when addressing Welsh Government legislation. It will, where necessary, ensure high quality accessible and integrated services to help children, young people, families and communities effectively.
- 5.2 To arrive at the finalised draft Statement of Intent it needed to be subject to an engagement strategy to ensure that it matched the shared needs and expectations of colleagues, partners, organisations and local citizens. The engagement process was developed and implemented at the beginning of 2018 and a report outlining the feedback from the engagement is attached. (See Appendix 2)
- 5.3 Unfortunately, the level of response received from the engagement was very low (28 responses). The responses received were overall positive but reflected the need for more detailed information to be provided in order for participants in further engagement to understand how the Statement of Intent will make a difference and be implemented.
- 5.4 A meeting held with partner agencies concluded that nothing further would be achieved by extending the engagement process, however, it was acknowledged that a continuous engagement and co-productive approach would be important in the ongoing work to deliver the objectives within the Statement of Intent.

## **6. NEXT STEPS**

- 6.1 Whilst the Regional Partnership Board has agreed to this final draft, formal sign off is needed from Cabinet in Rhondda Cynon Taff, Merthyr Tydfil and Cwm Taf University Health Board. Once this is achieved the next step will be to set up a Children and Young People's Delivery Group which will be a sub group of the Transformational Leadership Group that reports to the Regional Partnership Board. This group will be responsible for developing an implementation plan that will focus on:
  - Shaping service improvement and developments across the region so that they meet the aims and objectives of the Statement of Intent.
  - Taking responsibility for designing and testing new initiatives to ensure they address the shared priorities of partners.
  - Reviewing intelligence about performance by partners in any new initiatives that support children and young people across the region.

- Advising on major initiatives across the region of relevance to children and young people such as, for example, Together for Mental Health, Community Zones, Primary Care.
- Making recommendations to the RPB about the most appropriate ways to use emerging grants from Welsh Government or elsewhere to ensure they are of value to children and young people in the region.

6.2 The implementation plan will be brought back to Cabinet for sign off once completed.

## **7. EQUALITY AND DIVERSITY IMPLICATIONS**

7.1 A comprehensive Equality Impact Assessment, undertaken during the development and engagement of the Statement of Intent, is attached. (See Appendix 3).

## **8. CONSULTATION**

8.1 The outcome of the consultation on the Statement of Intent can be found at Appendix 2.

## **9. FINANCIAL IMPLICATION(S)**

9.1 There are no direct financial implications aligned to this report for the Council

## **10. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED**

10.1 The Social Services and Wellbeing (Wales) Act 2014 is the significant influence for this report. The fundamental principles of the Act of note are:

- People - Putting an individual and their needs at the centre of their care and giving them voice in, and control over reaching the outcomes that help them achieve well-being.
- Wellbeing - Supporting people to achieve their own well-being and measuring the success of care and support.
- Earlier intervention - Increasing preventative services within the community to minimise the escalation of critical need.
- Collaboration - Strong partnership working between all agencies and organisations.

## **11. LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT**

11.1 The Statement of Intent will complement the Council's corporate priorities to promote independence and positive lives for everyone by ensuring:

- Health and social care services will be personalised and integrated with more people supported to live longer in their own homes.
- Rhondda Cynon Taf's children and young people will receive a great start in life.

## **12. CONCLUSION**

12.1 The Statement of Intent sets out a shared vision, principles and objectives for children and young people that are resident in Cwm Taf. Each partner agency in Cwm Taf provides a wide range of activities and services across the region that respond to vulnerable children, young people and their families. Each partner is committed to promoting high quality, responsive services but recognise that in order to do this they have to work together to transform services to meet the challenges ahead.

**LOCAL GOVERNMENT ACT 1972**

**AS AMENDED BY**

**THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**CABINET**

**21<sup>ST</sup> NOVEMBER 2018**

**CWM TAF REGIONAL STATEMENT OF INTENT FOR SUPPORTING CHILDREN  
AND YOUNG PEOPLE AND FAMILIES**

**REPORT OF GROUP DIRECTOR, COMMUNITY & CHILDREN'S SERVICES IN  
DISCUSSIONS WITH THE RELEVANT PORTFOLIO HOLDER,  
COUNCILLOR C LEYSHON**

**Background Papers: Cabinet – 21<sup>st</sup> November 2017**

**Officer to contact: Ann Batley, Service Director, Children's Services  
Tel No: 01443 744044**

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## Appendix 1

### Regional Statement of Intent for Children, Young People and Families

### Consultation Summary – Online Survey

#### 1 Introduction

As part of the Engagement Strategy agreed in November 2017 to consult on the draft Regional Strategy for Children, Young People and Families, an online survey was designed.

#### 2 Responses

**First of all, could you give us an indication of your interest in the strategy? Are you:**

A child or young person	13
A carer, parent, other family member	11
A professional working with children, young people and families	4
<b>Total</b>	<b>28</b>

**N.B.** Not all who have participated in the consultation have answered all the questions below:

**Question 1: Do you think we listened to children, young people and families when writing this strategy?**

Yes	12
No	3
Unsure	8
<b>Total</b>	<b>23</b>

#### Additional Comments:

- How was this communicated to Parents and young people? There were no involvement of Schools, PTA's or Sports clubs.
- There was not enough Parent/carers consulted.

**Question 2: Do you agree with the main points in the strategy?**

Yes	16
No	1
Unsure	2
<b>Total</b>	<b>19</b>

**Additional Comments:**

- 1 person was unaware of how to view the strategy.

**Question 3: What is the most important point of the strategy for you?**

Unsure	9
--------	---

**Additional Comments:**

- To help me and my family
- Children and young people thought point 2 was most important
- Also discussed was the 12-point plan, young people felt points 3, 4, 9 and 10 were most important.
- There was confusion around what was required to be achieved, due to only a summary being available, it is difficult to understand what is going to be done. How it is going to be done, who is going to do it and by when. It also does not state how you can engage with those who will benefit from the strategy.

**Question 4: How would you like to be involved in this strategy in the future?**

Unsure	7
--------	---

**Additional Comments:**

- Workshops
- To engage in any future discussions regarding the consultation
- Would like to know what the delivery and communication plans are, and how he/she could influence these.

**Question 5: What impact/outcome has the Cwm Taf shared joint strategy had so far?**

Unsure	9
--------	---

**Additional Comments:**

- There is no awareness of this.

**Question 6: What things would you like to do differently?**

Unsure	6
--------	---

**Additional Comments:**

- People who are using drugs in Towns/Housing sites to be moved.
- Communication again, how are we engaging and communicating.
- To make things easier for children to understand.

**Question 7: How would you like us to take the engagement forward?**

Unsure	5
--------	---

**Additional Comments:**

- Young people to have more of a say.
- To go out, talk and do things.
- To speak to children, young people and families.

**Question 8: What else would you like to say about the proposed strategy?**

Unsure	7
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**Additional Comments:**

- The complete strategy would like to be seen, rather than the summary.

**Question 9 What is the most important part of the strategy for you?**

Unsure	7
--------	---

**Additional Comments:**

- Point 3
- What are the objectives and how does it define success.

**3 Key points from the consultation exercise**

The following key points may be noted:

- The questionnaire received only 28 responses. It is not known how many people may have been given the opportunity to complete it and so a “response rate” cannot be calculated.
- Although relatively few responses were received, their comments can still be regarded as significant

- 
- The majority of the responses were from a child, young person or a family member
  - Four responses were received from professionals
  - It is not possible to attribute subsequent responses to each individual category
  - Only 3 out of 23 respondents felt that the Partnership had not paid attention to the views of children, young people and families in the development of the strategy. A further 8 out of 23 were unsure.
  - Additional comments indicated that additional opportunities to engage may have been exploited further eg: parents, schools, PTAs, sports clubs etc.
  - 16 out of 19 respondents agreed with the main points of the strategy. Only 2 were unsure and only 1 did not agree.
  - There was some indication that participants felt the need for greater clarity around how the strategy will be implemented.
  - There is an opportunity to continue (and extend) engagement processes as Action Plans are developed.
  - Children and Young People felt the most significant aspect of the 12-point plan is Point 2: ***“We will invest in and collaborate with our local communities to support children, young people and families’ learning, resilience, and wellbeing”.***
  - Other significant points were:
    - 3 – ***“We will co-produce shared plans for the development and organisation of early help interventions in localities, underpinned by information sharing, joint-working arrangements and the active involvement of children, young people and families in their co-production”***
    - 4 – ***“We will enhance partner’s joint arrangements for safeguarding, risk assessment and information sharing, ensuring that they are successful in protecting children, young people and vulnerable adults in communities.”***
    - 9 – ***“We will have effective shared information arrangements in place between all key agencies across Cwm Taf.”***
    - 10 – ***“We will have a shared performance framework reflecting our continuum of services, which meets the requirements of the Welsh Government and allows us to review the impact of our services on wellbeing outcomes for children, young people and families.”***
  - There was no awareness of the impact so far of the strategy
  - Some participants expressed the view that a summary of the strategy was not sufficient and wanted to see the full document.
  - There was a generally expressed appetite to be further involved in the development of strategies and plans; perhaps adopting a workshop-based approach.
-

# Cwm Taf Social Services And Well-Being Partnership Board

## A Shared Regional Strategy For Supporting Children, Young People And Families



# Content and Glossary

	Page
<b>1. Introduction and Context</b>	<b>2</b>
<b>2. Vision Statement</b>	<b>3</b>
<b>3. Cwm Taf Area</b>	<b>4</b>
<b>4. Our population</b>	<b>4-5</b>
<b>5. A History of Partnership</b>	<b>6</b>
<b>6. Our Shared Vision</b>	<b>7</b>
<b>7. Some of the Challenges we face together</b>	<b>8</b>
<b>8. Our Shared Principles</b>	<b>9</b>
<b>9. Our three-Year Shared Objectives</b>	<b>9</b>
<b>10. Governance and Accountability</b>	<b>10</b>
<b>11. Performance and Delivery</b>	<b>10</b>

## 1 Introduction and Context

Partners in Cwm Taf have built on a strong record of constructive working on support for children and young people across the region to develop a joint strategy, the purpose of which is to steer the development of children's health, wellbeing and social services for the next five years. It will help partners address the resource and capacity issues facing them, and new and emerging Welsh Government legislation and policy requirements.

Partners have all undertaken significant work in recent years to help shape different aspects of their children's services offer and this work has been heavily informed by recent changes and ongoing commitments.

The strategy document was developed by a multi-agency working group in 2017-18, guided by the Regional Partnership Board and supported by the Institute of Public Care at Oxford Brookes University (IPC). It involved detailed analysis of local partner priorities, workshops to explore challenges and agree priorities, and engagement with children and young people.

The document has been prepared in a way to minimise the complexity of the messages in it, be readable to members of the public, and to ensure that further work by partners is informed by a clear set of priorities and objectives. It sets out the 5-year shared priorities for the region and it will be supported by a set of realistic but challenging milestones. Subject to the addition of the Bridgend area to the regional partnership it will be revised to incorporate new or revised priorities.

The document sets out how we will work together to address Welsh Government legislation and how we will pool our resources to ensure high quality, accessible and integrated services that will help children, young people, families and communities quickly and effectively. It explains our shared vision, and how it will be implemented, overseen and measured to ensure it is implemented effectively.

The plan to support the strategy has also been produced jointly by partners in Cwm Taf in response to the population analysis, and consultation with the public and professionals in 2016 and 2017. It is intended to remain relevant until 2022. There is proposed a shared vision, principles and objectives which will direct the work of all partners over that period. It takes into account:

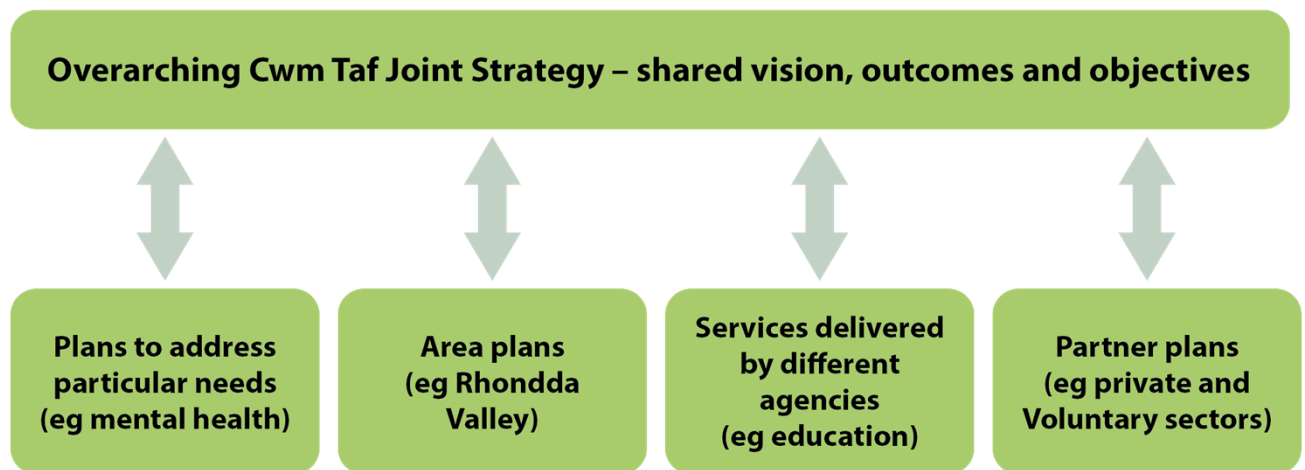
- The Social Services and Well-being (Wales) Act which gives people more of a say in the care and support they receive.
- Well-being of Future Generations (Wales) Act 2015. This Act is about improving the social, economic, environmental and cultural well-being of Wales.
- The Population Assessment which captures the needs and resources of the local population and how public resources can best be used to deployed support to them.
- The Well-being Assessment (WBFAG) which is expected to capture the strengths and assets of the people and communities in the area in their assessment.

- The commitment of the Cwm Taf Public Services Board on a range of strategic intentions across the region including delivering the goals of the Well-being of Future Generations (Wales) Act.
- Universal services that are those services (sometimes also referred to as mainstream services) that is provided to, or is routinely available to all children, young people and families.
- Early help to ensure working with children and families to help them deal with difficulties or challenges as soon as they arise.

## 2 Vision Statement

Our shared vision is that children, young people and families in Cwm Taf live safe, healthy and fulfilled lives and that they can achieve their full potential by building resilient communities.

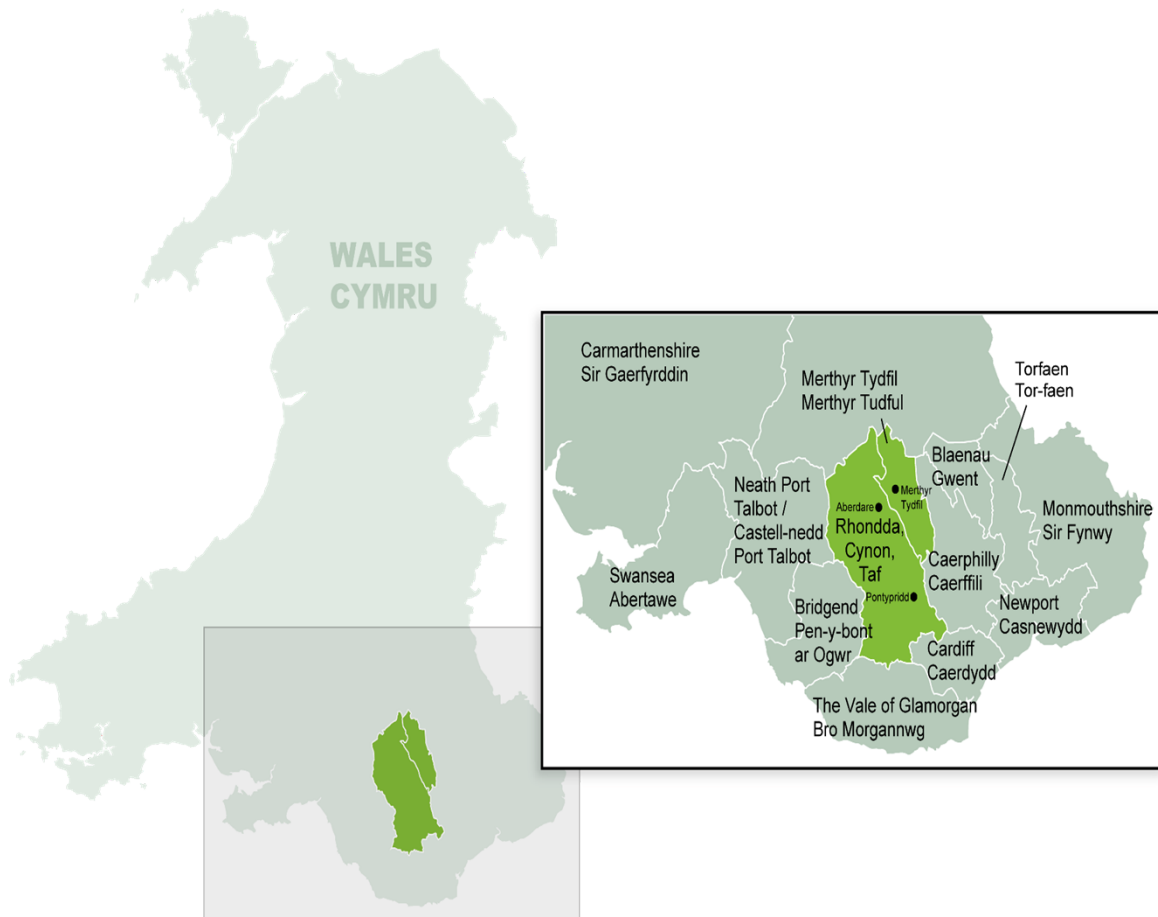
The Cwm Taf Public Services Board will make sure that all our activities and services are driven by this Vision Statement.





### 3 Cwm Taf Area

The partnership is made-up of public and third sector organisations in the Cwm Taf region, and we are concerned with the wellbeing of all children, young people and their families in Cwm Taf.



### 4 Our population

Overall, we think that Cwm Taf is a great place to grow up, but children, young people and families do face challenges.



**3.064 million** people live in Wales. 10% of the Wales' population live in Cwm Taf.



For every **100** adults in Wales **47%** have suffered at least one adverse childhood experience (ACE) during their childhood and 14% have suffered 4 or more



**2,625** children in need live in Cwm Taf and make up 13.5% of all children in need in Wales.  
**28.7%** children aged 4 to 5 are overweight or obese in Cwm Taf, highest in Wales 26.2%  
**1 in 5** children report low life satisfaction in Wales.



**2,615** children and young people are reported to have experienced mental ill-health in Cwm Taf and make up 13.5 % of all such children and young people in Wales



**765** children and young people are looked After in Cwm Taf, which is 13.5 % of all those looked after in Wales.  
**555** children and young people are on the Child Protection Register in Cwm Taf and make up 18.5% of all such children in Wales.



**56%** of pupils in Merthyr and **62%** in RCT gained A\* - C grade in GCSE  
Care leavers leaving school with no qualifications was **38%** RCT and 29% Merthyr in 2016



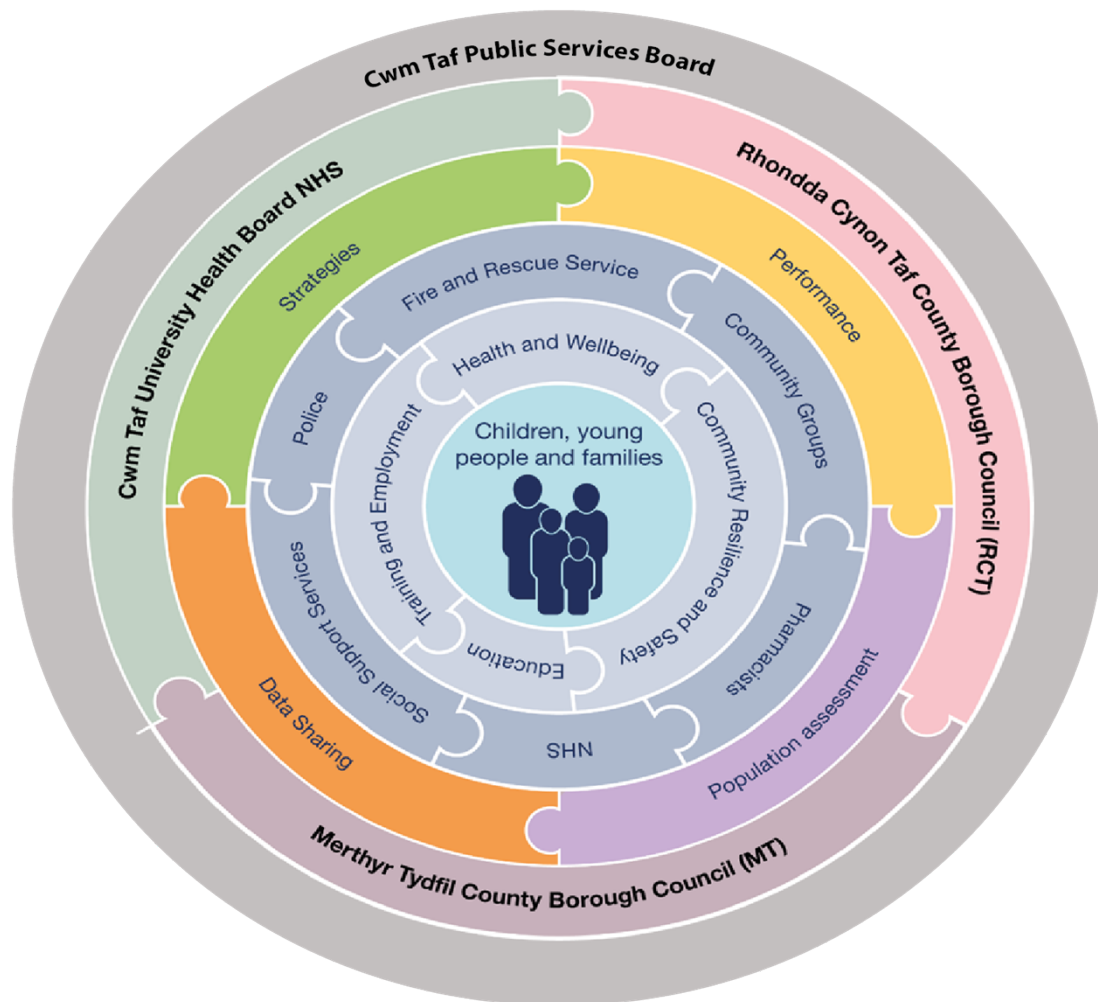
**3,263** self-reported young carers aged under 25 years in Cwm Taf, an increase of **16%** since 2001.



483 households were assessed as homeless in Cwm Taf in 2016.  
**24%** of children living households below average income in Cwm Taf in contrast to 22.2% in Wales.

## 5 A History of Partnership

In Cwm Taf we have a strong history of partnership working and this is evident on our collaborations:



**These include:**

- Cwm Taf Public Services Board
- Cwm Taf Safeguarding Board
- Cwm Taf Youth offending Service
- Cwm Taf Multi-agency Safeguarding Hub
- Vale, Valleys and Cardiff Adoption Collaborative
- Intensive Family Support Team
- Out of Hours Duty Service (MT, RCT and Bridgend)
- Joint Education and Psychology Service
- Cwm Taf Children and Young People's Emotional and Mental Health Partnership

## 6 Our Shared Vision

**We have agreed a shared vision which recognises these challenges, and sets out how we will address them:**

- Children, young people and families in Cwm Taf will live safe, healthy and fulfilled lives and achieve their full potential.
- Families and communities will be more resilient and independent.
- Our focus on communities will give children, young people and families the best possible environment to thrive.
- The balance of resource will shift from safeguarding, substitute and complex care to early and targeted help.

**In summary:**



## 7 Some of the challenges we face together

This is a challenging time for us all, as we work together to address issues including:



Significant changes in family and community structures



Increasing financial pressure on public services



Changing Populations including a higher proportion of older people



New technology changing the way we interact and communicate with each other



Changing public expectations about what is a good life and what services are needed to support them



Increasing complexity of need for some of our children and young people

## 8 Our shared principles

**To address these issues and deliver on our vision over the next five years we will work as partners to deliver the Social Services and Well-being (Wales) Act 2014 and Well-being and Future Generations (Wales) Act 2015 and:**

- Work better in partnership with local children, young people, families and communities to help them achieve their personal well-being outcomes and build resilience.
- Work positively with children, young people and families taking a strengths-based, co-production approach.
- Take a place-based approach to working collaboratively in and with communities to develop the best possible environment for them to thrive
- Focus our intensive support on those children and young people who need help to deal with significant adverse experiences.

## 9 Our three-year shared objectives

**In the next three years each partner will use our shared vision and principles as the basis for their own detailed plans and services. In addition, we will work together to secure the following twelve objectives:**

1. We will work to achieve an integrated place-based approach to building resilient communities that prevents and mitigates the effects of adverse childhood experiences (ACEs).
2. We will invest in and collaborate with our local communities to support children, young people and families' learning, resilience, and wellbeing.
3. We will co-produce shared plans for the development and organisation of early help interventions in localities, underpinned by information sharing, joint-working arrangements and the active involvement of children, young people and families in their co-production.
4. We will enhance partner's joint arrangements for safeguarding, risk assessment and information sharing, ensuring that they are successful in protecting children, young people and vulnerable adults in communities.
5. We will have a full range of integrated services for children, young people and families with complex needs to provide care and support at the right time and place.
6. We will implement a shared framework for the assessment, eligibility and support for children, young people and families, to ensure we are collaborating effectively across professions and agencies.

7. We will have effective shared information arrangements in place between all key agencies across Cwm Taf.
8. We will have a shared performance framework reflecting our continuum of services, which meets the requirements of the Welsh Government and allows us to review the impact of our services on wellbeing outcomes for children, young people and families.
9. All of our local plans will be informed by a single population assessment for Cwm Taf, which will be kept under review.
10. We will have a workforce across Cwm Taf which is working effectively with children, young people and families in the spirit of the SSWB (W) Act.

## 10 Governance and accountability

**The strategy is owned by the Cwm Taf Regional Partnership Board, which will hold partners to account for its delivery and ensure that local plans are developed within these overall priorities.**

The Regional Partnership Board will review targets and performance measures (including relevant National and Regional Performance Indicators) to ensure that the strategy is having its intended impact.

Every partner agency will seek agreement from the Partnership Board for any key local plans related to the strategy.

## 11 Performance and delivery

**The Partnership Board will review the impact of the shared strategy through a twice-annual review, and an annual report to the Welsh Government covering:**

Population outcomes, needs and services from the data collected for the Government such as education returns, health performance and social care outcomes.

Service activity and performance from the same sources and our locally collected data.

Progress against milestones identified in the delivery plan for the five-year priorities and three-year objectives in this strategy.

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### **Cwm Taf Social Services and Wellbeing Partnership Board**

### **Regional Strategy for Supporting Children, Young People and Families**

## **Equality Impact Assessment**

**Draft V1  
May 2018**

# Cwm Taf Social Services and Wellbeing Partnership Board: Regional Statement of Intent for Supporting Children, Young People and Families

## Equality Impact Assessment

### 1 Introduction

The development of a Cwm Taf Regional Statement of Intent for Supporting Children, Young People and Families has been considered against the Equality Act 2010 and specifically the Public Sector Equality Duty, which came into force on 5th April 2011.

As part of this duty, public sector bodies in Wales are required to publish an assessment of impact in order to be transparent and accountable i.e. their consideration of the effects that their decisions, policies or services have on people on the basis of their gender, race, disability, sexual orientation, religion or belief, and age, to include gender re-assignment, pregnancy and maternity, marriage and civil partnership issues. These are classed as 'protected characteristics'. Whilst deprivation does not constitute a 'protected characteristic' it is relevant because people from protected groups are more likely to experience it and because there are such high levels of deprivation in our local community. 36% of the Cwm Taf population live in areas which are among the most deprived 20% in Wales.

The need for the collection of evidence to support decisions and for engagement mean that the most effective and efficient impact assessment is conducted as an integral part of policy development or service re-design, with the assessment being commenced at the outset. These will help to eliminate discrimination, tackle inequality, develop a better understanding of the community, and target resources effectively.

### 2 Context

The Regional Statement of Intent has been developed in the context of the following key Welsh Government legislation and policy guidance:

- **Social Services and Well-being (Wales) Act 2014**<sup>1</sup> places emphasis on children, young people and their families having more of a say in the care and support they receive.
- **Well-being of Future Generations (Wales) Act 2015**<sup>2</sup> seeks to improve the social, economic, environmental and cultural well-being of Wales.
- **Children and Young People: A Framework for Partnership**<sup>3</sup>. introduces a commitment to the United Nations Convention on the Rights of the Child and proposes a new method of planning services for children and young people through partnerships of local authorities, the Health Service, and other local bodies.

<sup>1</sup> <https://www.legislation.gov.uk/anaw/2014/4/contents>

<sup>2</sup> <http://www.legislation.gov.uk/anaw/2015/2/contents/enacted>

<sup>3</sup> <http://dera.ioe.ac.uk/7717/1/090415rightstoactionen.pdf>

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- **Children and Young People: Rights to Action**<sup>4</sup> seeks to ensure that all children and young people across Wales:
    - Have a flying start in life;
    - Have a comprehensive range of education and learning opportunities;
    - Enjoy the best possible health and are free from abuse, victimisation and exploitation;
    - Have access to play, leisure, sporting and cultural activities;
    - Are listened to and treated with respect, and have their race and cultural identity recognised;
    - Have a safe home and a community which supports physical and emotional well-being;
    - Are not disadvantaged by poverty.

Rhondda Cynon Taf (RCT) County Borough Council, Merthyr Tydfil County Borough Council and Cwm Taf University Health Board have worked together to develop a Joint Statement of Strategic Intent for Children, Young People, and Families. The strategy sets out how the organisations will work together to address Welsh Government legislation and pool resources to ensure high quality, accessible and integrated services that will help children, young people, families and communities quickly and effectively.

### **3 The Regional Statement of Intent for Supporting Children, Young People and Families**

#### **3.1 Vision**

Our shared vision is that:

***Children, young people and families in Cwm Taf live safe, healthy and fulfilled lives and that they are able to achieve their full potential by building resilient communities.***

In order to achieve this vision, it is recognised that the balance of resource will need to shift from safeguarding, substitute and complex care to early and targeted help.

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<sup>4</sup> [http://www.assembly.wales/Committee%20Documents/HSS\(2\)-02-04%20Paper%201%20%20Children%20and%20Young%20People%20Rights%20to%20Action-04022004-14558/n00000000000000000000000016990-English.pdf](http://www.assembly.wales/Committee%20Documents/HSS(2)-02-04%20Paper%201%20%20Children%20and%20Young%20People%20Rights%20to%20Action-04022004-14558/n00000000000000000000000016990-English.pdf)

### 3.2 Service Model

The following diagram illustrates the proposed service model:

**Figure 1: Pathway to improving outcomes**



### 3.3 Principles

**The key principles that underpin the statement of intent are a commitment by all partner organisations to:**

- Work better in partnership with local children, young people, families and communities to help them achieve their personal well-being outcomes and build resilience.
- Work positively with children, young people and families taking a strengths-based, co-production approach.
- Take a place based approach to working collaboratively in and with communities to develop the best possible environment for them to thrive
- Focus our intensive support on those children and young people who need help to deal with significant adverse experiences.

### 3.4 Objectives

For the period 2018-21, partners have committed to the following objectives:

- Work to achieve an integrated place-based approach to building resilient communities that prevents and mitigates the effects of adverse childhood experiences (ACEs).
- Invest in and collaborate with our local communities to support children, young people and families' learning, resilience, and wellbeing.

- Co-produce shared plans for the development and organisation of early help interventions in localities, underpinned by information sharing, joint-working arrangements and the active involvement of children, young people and families in their co-production.
- Enhance partner's joint arrangements for safeguarding, risk assessment and information sharing, ensuring that they are successful in protecting children, young people and vulnerable adults in communities.
- Have a full range of integrated services for children, young people and families with complex needs to provide care and support at the right time and place.
- Have a single set of advocacy arrangements in place to ensure that all children and young people are understood, and able to contribute fully in decision making, which are relevant to them.
- Have a pooled budget in place to support delivery of a continuum of family support services across Cwm Taf and increase our overall proportional spend in this area.
- Implement a shared framework for the assessment, eligibility and support for children, young people and families, to ensure we are collaborating effectively across professions and agencies.
- Have effective shared information arrangements in place between all key agencies across Cwm Taf.
- Have a shared performance framework reflecting our continuum of services, which meets the requirements of the Welsh Government and allows us to review the impact of our services on wellbeing outcomes for children, young people and families
- All local plans will be informed by a single population assessment for Cwm Taf, which will be kept under review.
- Have a workforce across Cwm Taf which is working effectively with children, young people and families in the spirit of the SSWB (W) Act.

#### **4 Understanding the Demographic Profile**

The Statement of Intent for Supporting Children, Young People and Families has been developed in the context of, and in response to the following key demographic issues:

- 3.064 million people live in Wales. 10% of the Wales' population live in Cwm Taf.
- For every 100 adults in Wales 47% have suffered at least one "Adverse Childhood Experience"<sup>5</sup> during their childhood and 14% have suffered 4 or more.
- 2,625 children in need (including disability) live in Cwm Taf and make up 13.5% of all children in need in Wales.
- 28.7% children aged 4 to 5 are overweight or obese in Cwm Taf; the highest in Wales at 26.2%
- 1 in 5 children report low life satisfaction in Wales
- 2,615 children and young people are reported to have experienced mental ill-health in Cwm Taf and make up 13.5 % of all cases in Wales.
- 765 children and young people are looked After in Cwm Taf, which is 13.5 % of all CYP looked after in Wales.

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<sup>5</sup> <http://www.aces.me.uk/in-wales/>

- 555 children and young people are on the Child Protection Register in Cwm Taf, and make up 18.5% of all such children in Wales.
- 56% of pupils in Merthyr and 62% in RCT gained A\* - C grade in GCSE
- 3,263 self-reported young carers aged under 25 years in Cwm Taf, an increase of 16% since 2001.
- The percentage of care leavers leaving school with no qualifications was 38% RCT and 29% Merthyr in 2016
- 483 households were assessed as homeless in Cwm Taf in 2016.
- 24% of children live households below the national average income in Cwm Taf in contrast to 22.2% in Wales.

#### 4.1 Ethnicity

Cwm Taf has lower representation from ethnic groups other than white than Wales as a whole. However, there are Polish, Portuguese and Czech people living in the local community and their access issues will need to be considered in terms of language issues and availability of transport.

Language can represent a further barrier for children and young people in accessing public transport and services generally. It can also create further barriers to understanding during diagnosis, treatment and during recovery. The use of translation services may be appropriate and there are supportive policies in relation to these services.

Whilst there is no specific evidence available to examine the ethnicity of children and young people in Cwm Taf at this point it is worth noting that evidence shows that people from different ethnic groups respond differently to health promotion campaigns which may not be sensitive to language or cultural differences. In planning and delivering health and wellbeing activities, providers need to be mindful of these issues. However, the importance of family and community support networks is well recognised by many ethnic groups which will be helpful in building community capacity.

#### 4.2 Religion

There is a lower representation in every religious group in Cwm Taf than is seen in Wales as a whole. Higher than average proportions of the population stated that they had no religion. However, it is important that services take cultural needs into account. A guide to cultural issues has been developed by Mental Health Advocacy Services (partly commissioned by the Health Board).

#### 4.3 Sexuality and transgender

This information is not currently available. However, in general terms, research has suggested there may be an association between harassment and poor mental health. Some evidence suggests lesbian, gay and bisexual and transgender people, are perhaps more likely than other groups to face hostility and misunderstanding, and are more likely to experience poor mental health ("How Fair is Britain?", 2006<sup>6</sup>). Recent

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<sup>6</sup> <https://www.equalityhumanrights.com/sites/default/files/how-fair-is-britain.pdf>

research looking at the mental health and emotional wellbeing of transgender people has found rates of current and previously diagnosed mental ill health are high.

The Isolation to Integration report found that gay men and lesbians are at greater risk of becoming lonely and isolated as they age because they are more likely to live alone and have less contact with family.

#### 4.4 Deprivation

Over 40% of residents in Merthyr Tydfil live in the most deprived fifth of Wales and within Rhondda Cynon Taf over 30% of residents live in the most deprived fifth of Wales. Higher levels of deprivation are evident in every category compared with the rest of Wales and this has implications for access to health generally, as well as other issues such as transport, unemployment and prosperity.

This has implications for our health and wellbeing given the association between deprivation and ill-health, which manifest in shorter life expectancy than the rest of Wales. There is also a gradient in life expectancy across Cwm Taf with higher levels of deprivation in valley communities, compared to the less deprived areas along the M4 corridor.

#### 4.5 Welsh Language

“More than just words”<sup>7</sup>, the Welsh Government’s original strategic framework for Welsh language services in health, social services and social care, launched in 2012, has led to a number of improvements that have helped support Welsh speakers receive health, social services and social care services in their first language. This has been achieved by making the best use of the existing skills and resources across our NHS and social services.

One of the key principles of “More than just words” is the Active offer. An Active Offer simply means providing a service in Welsh without someone having to ask for it. It means creating a change of culture that takes the responsibility away from the individual and places the responsibility on service providers and not making the assumption that all Welsh speakers speak English anyway.

#### 4.6 Human Rights

As described in Section 2 of this document, the Regional Statement of Intent for Supporting Children, Young People and Families responds directly to the Welsh Government strategy: **Children and Young People: A Framework for Partnership**, which in turn commits to the United Nations Convention on the Rights of the Child.

At its most basic, care and support offers protection of people’s right to life under Article 2 of the European Convention by ensuring their most fundamental physiological needs, such as eating, taking medication, getting up in the morning and going to bed at night are met. But for those who require it, and those with whom they share their lives, the availability and organisation of care and support also determines whether they enjoy a number of other important human rights including freedom from inhuman and degrading

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<sup>7</sup> [http://www.wales.nhs.uk/sites3/documents/415/WEB%20-%2016184\\_Narrative\\_e\\_WEB.pdf](http://www.wales.nhs.uk/sites3/documents/415/WEB%20-%2016184_Narrative_e_WEB.pdf)

treatment (under Article 3 of the Convention) and the right to respect for private and family life (under Article 8).

One crucial element of ensuring people are treated with dignity is for providers to understand the significance of human rights legislation. The legal framework of human rights law requires that health and social care workers, alongside other providers of public services, respect the dignity of people using services.

The ethics and values that underpin good practice in social care, such as autonomy, privacy and dignity, are at the core of human rights legislation. There are ongoing tensions between adherence to these values and the need to protect people from abuse, neglect and harm.

## **5 Staff Who May Be Affected by The Statement of Intent**

We will need to consider the implications of the new service models for our staff. It is recognised that if staff are required to relocate or work differently, eg as part of integrating services, their personal characteristics and circumstances are taken into account, particularly if their journey is more difficult or their work pattern changes e.g. their age and family commitments.

There are appropriate organisational change policies in place within the local authorities and the University Health Board to manage any staff changes required as a result of this work.

## **6 The Engagement Exercise**

The initial draft Regional Statement of Intent for Supporting Children, Young People and Families was developed in response to what service users, carers and other stakeholders had told us previously, including engagement as part of developing the Cwm Taf Population and Wellbeing Assessments, and with reference to good practice and research from elsewhere.

An Engagement Strategy was approved which included a range of activities undertaken during 2017/18 intended to make sure that we have correctly addressed the things that stakeholders told us and that the Statement of Intent is focussed on what matters

### **Findings from the Online Survey**

An online survey was designed and a summary report is attached as Appendix 1. The following key points were noted:

- The questionnaire received only 28 responses. It is not known how many people may have been given the opportunity to complete it and so a “response rate” cannot be calculated.
- Although relatively few responses were received, their comments can still be regarded as significant



- The majority of the responses were from a child, young person or a family member
- Four responses were received from professionals
- It is not possible to attribute subsequent responses to each individual category
- Only 3 out of 23 respondents felt that the Partnership had not paid attention to the views of children, young people and families in the development of the strategy. A further 8 out of 23 were unsure.
- Additional comments indicated that additional opportunities to engage may have been exploited further eg: parents, schools, PTAs, sports clubs etc.
- 16 out of 19 respondents agreed with the main points of the strategy. Only 2 were unsure and only 1 did not agree.
- There was some indication that participants felt the need for greater clarity around how the strategy will be implemented.
- There is an opportunity to continue (and extend) engagement processes as Action Plans are developed.
- Children and Young People felt the most significant aspect of the 12-point plan is Point 2: ***“We will invest in and collaborate with our local communities to support children, young people and families’ learning, resilience, and wellbeing”.***
- Other significant points were:
  - 3 – ***“We will co-produce shared plans for the development and organisation of early help interventions in localities, underpinned by information sharing, joint-working arrangements and the active involvement of children, young people and families in their co-production”***
  - 4 – ***“We will enhance partner’s joint arrangements for safeguarding, risk assessment and information sharing, ensuring that they are successful in protecting children, young people and vulnerable adults in communities.”***
  - 9 – ***“We will have effective shared information arrangements in place between all key agencies across Cwm Taf.”***
  - 10 – ***“We will have a shared performance framework reflecting our continuum of services, which meets the requirements of the Welsh Government and allows us to review the impact of our services on wellbeing outcomes for children, young people and families.”***
- There was no awareness of the impact so far of the strategy
- Some participants expressed the view that a summary of the strategy was not sufficient and wanted to see the full document.
- There was a generally expressed appetite to be further involved in the development of strategies and plans; perhaps adopting a workshop-based approach.

## 7 Potential Positive and Negative Impact Identified

### 7.1 Positive Impact

The primary beneficiaries are children, young people and their families as the Statement of Intent seeks to implement a service model which promotes health and well-being and promotes their rights under the United Nations Convention on the Rights of the Child.

There will be a positive impact in terms of a culture change which promotes independence, social inclusion, greater choice and control. The 12 key objectives of the statement of Intent all seek to achieve a positive impact:

- An integrated, locality based approach mitigates the effects of adverse childhood experiences (ACEs).
- Investment in collaborating with local communities
- Early help services in localities.
- Working together better to respond to safeguarding and child protection
- Joined up and seamless services to provide care and support at the right time and place.
- Co-ordinated advocacy.
- Pooled budgets to support integrated delivery.
- A shared approach to assessment, eligibility and support for children, young people and families.
- Shared information arrangements.
- A shared performance framework.
- Local plans informed by a single population assessment.
- A co-ordinated and shared approach to the workforce.

### 7.2 Negative Impact

The engagement process has not identified any notable negative impacts. Possible negative impacts may include:

- **Uncertainty during any period of change in arrangements** – Children, young people and families need to understand the way in which they can access information and advice, support and care. If changes are to be made to the way in which these services are made available, then there could be uncertainty during any period of change.
- **New arrangements for staff** – New ways of working may mean new rules, relationships and, possibly, jobs. Staff involved in providing services to children, young people and families may feel uncertain about their future and have concerns about new ways of working.
- **Managing transition** – Introducing new processes and arrangements mean periods of transition and flux in which old systems are no longer used, but new ones are still embedding, for example new safeguarding procedures and information systems.
- **Increased emphasis on community support** – Increased emphasis on community support will require agreement, co-operation and potentially additional

“resource” for those in the community upon whom the new expectation to participate is placed. This will need to be negotiated in some way.

Overall it is considered that the benefits to be gained from the implementation of the Regional Statement of Intent for Supporting Children, Young People and Families will outweigh any negative impacts. The potential negative impacts will be addressed as identified below and as the Statement of Intent is implemented.

## 8 Plans to Alleviate any Negative Impact

### Engagement and communication

The Delivery group overseeing the next steps will comprise of partner representatives. This group will from the outset agree an engagement plan

The purpose of the engagement plan is for the group to think through how stakeholders are going to be kept appropriately informed and involved in each stage of the development of the business case and the implementation of the delivery model.

Effectively engaging and communicating with stakeholders including staff will help facilitate the change management process. It will also help identify as well as reduce the potential risk of stakeholders not engaging in or being committed to the changes. This plan is not a plan for consulting stakeholders about whether any changes should or should not take place. The case for change has been accepted and the focus now is to develop and implement the best solutions to deliver the agreed Vision and outcomes.

The objectives of the engagement plan are to:

- Achieve a shared understanding of what we are doing and why.
- Ensure that a whole system approach is taken towards the agenda for change and that the relevant individual parts of the system understand their contribution towards its delivery.
- Maximise the opportunity for participation of stakeholders into the development and implementation of the changes.
- Build credibility and trust and create an environment that encourages openness and meaningful dialogue.
- Ensure all stakeholders know what is happening, when and how it will affect them.

This Statement of intent is a high-level document that does not go into the detail of service change at an operational level

## 9 Mitigation

An effective EIA takes into account the views and opinions of those who may be affected by the policy and what is already known about how the policy might affect different groups. This includes national evidence, Public Health Wales information,

census data, public and service user views wherever possible in order to identify and address issues.

The consideration of mitigating measures and alternative ways of doing things is at the heart of the Equality Impact Assessment process. Different options have been considered in the development of the regional Statement of Intent as covered in this document. The consideration of mitigation of adverse impacts is intertwined with the consideration of all actions. Mitigation can take the form of lessening the severity of the adverse impact.

Ways of delivering services which have a less adverse effect on the relevant equality category or issue, or which better promote equality of opportunity for the relevant equality category, have been considered.

The preliminary issues and potential mitigations have been listed earlier in this document and will be revisited as the service changes are agreed and developed. This initial document represents stage one of the equality impact assessment.

## 10 Summation: General Duty

Due Regard to 3 elements of general equality duty

This Equality Impact Assessment is representative of a real attempt to address the following questions:

- **Does this Statement of Intent help to eliminate discrimination?**

**Yes** - Although there is no perceived discrimination in the way services are currently provided, the move to this new approach based on Welsh Government Policy and rooted in the principles of the United Nations Convention on the Rights of the Child will help achieve the outcomes we are seeking to achieve for children, young people and their families.

- **Does this service change help promote equality of opportunity?**

**Yes** - This model of service provision should enhance the service offer to all children, young people and their families.

- **Does this Statement of Intent help/foster good relations between people possessing the protected characteristic and those that do not?**

Yes - We have considered the target population. Where concerns relating to equality have been raised, these have been identified and explored in order to establish possible mitigation and to avoid discrimination against any particular groups and to promote equality of access to services. This has involved engagement with different groups in relation to the use of appropriate media, fora and by building on existing relationships.

The composition of the local population (2011 Census and Public Health information) has been analysed and issues considered.

## 11 Monitoring Arrangements

The impact of this statement of intent will be closely monitored and careful consideration will continue to be given to the points highlighted in this equality impact assessment.

Further, and as noted above, specific service change resulting from our commitment to this high-level statement will require further comprehensive equality impact assessment and as such this assessment.

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## RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

### CABINET

21<sup>st</sup> NOVEMBER 2018

#### PROPOSAL TO DECLARE A NEW ADDITIONAL LICENSING SCHEME FOR HOUSES IN MULTIPLE OCCUPATION IN 2019

#### REPORT OF THE DIRECTOR OF PUBLIC HEALTH, PROTECTION & COMMUNITY SERVICES IN DISCUSSION WITH THE RELEVANT PORTFOLIO HOLDER, COUNCILLOR RHYS LEWIS.

**Author:** Louise Davies, Head of Public Protection

#### 1. PURPOSE OF THE REPORT

- 1.1 To report to Cabinet on the effectiveness of the 2014 Additional Licensing Scheme for Houses in Multiple Occupation (HMOs) and propose the Council declare a New Additional Licensing Scheme for HMOs from April 2019, in accordance with the provisions of the Housing Act 2004.

#### 2. RECOMMENDATIONS

It is recommended that the Cabinet:

- 2.1 Note the findings of the Evaluation of the 2014 Additional HMO Licensing Scheme in Rhondda Cynon Taf.
- 2.2 Note the feedback from the Health and Well-being Scrutiny Committee held on 9<sup>th</sup> October 2018 and the actions taken in response, as detailed in paragraph 5.2 and 5.5.
- 2.3 Approve the declaration of a New Additional Licensing Scheme for HMOs in Rhondda Cynon Taf, to come into force when the current scheme ends on the 31<sup>st</sup> March 2019 and instruct officers to make the necessary arrangements in accordance with the provisions of the Housing Act 2004.
- 2.4 Subject to recommendation 2.3 above, to approve the continued inclusion of all types of HMO within the scope of the new Scheme.
- 2.5 Subject to recommendation 2.4 above, approve the standard licensing conditions to be placed on all HMO licences granted by the Council under both the Mandatory Licensing Scheme, and the new Additional Licensing Scheme from April 2019 (in addition to any bespoke conditions relevant to individual licences).
- 2.6 Instruct the Director of Public Health, Protection and Community Services to develop a specific Strategy to promote and improve the Private Rented Housing Sector in RCT, for future consideration by Cabinet.

### **3. BACKGROUND**

- 3.1 As of May 2018, there were an estimated 14,353 private rented properties across Rhondda Cynon Taf, accounting for approximately 13.35% of the housing stock. Of these 633 were licensed as houses in multiple occupation, which represents 4.4% of the private rented sector (PRS) and the majority of these properties are in the Treforest Ward.
- 3.2 Historically, HMOs in RCT have been the domain of students, however the impact of welfare reform and changes to Housing Benefit has made the scale and nature of the PRS in RCT difficult to predict. Demand for student accommodation has declined in Treforest and landlords have diversified in order to ensure their properties are occupied. Trends have shown an increased reliance on the PRS as people's housing choices are limited by the availability of housing benefit and demand for smaller accommodation including shared housing is increasing. For people who are priced out of owning their own home and who are unlikely to be able to access social housing, the PRS is often the only viable housing option available and for this reason HMOs can house some of the most vulnerable people in our communities. HMOs in are also now seen as a housing choice by young professionals, new to the employment market.
- 3.3 HMOs have been subject to proactive regulation in RCT for the last 16 years. Between 2002 and 2006 the Council operated a successful Borough wide Special Control Registration Scheme for HMOs. The Housing Act 2004 ('the Act') came into force in Wales in June 2006 and introduced powers for local authorities to regulate standards in the private rented housing sector. In particular, the Act introduced the requirement for local authorities to licence certain types of HMO, namely those of 3 storeys or above with 5 or more tenants that comprise 2 or more households; this is termed Mandatory HMO Licensing. The Act also allowed local authorities to introduce other types of licensing scheme for different types of HMO (Additional Licensing) and also to licence the single occupation rented sector (Selective Licensing). Both of these schemes are discretionary.
- 3.4 Since 2006, the Council has operated successive Additional Licensing Schemes, the most recent Scheme of which was introduced in 2014 and regulates all types of HMO including small 2 storey properties with three people living as two households and certain buildings converted to flats to pre 1991 Building Regulations standards. Large HMOs i.e. those that are 3 storeys or above with 5 or more tenants, that comprise 2 or more households have continually been regulated through the Mandatory Licensing Scheme. The purpose of implementing the 2014 scheme in particular was both to protect the safety of tenants living in HMOs and also to minimise the impact of shared housing on the character and amenity of the surrounding area. Hence conditions are included to require that landlords maintain boundaries, gardens and walls and take reasonable steps to reduce anti-social behaviour by persons living in HMOs.
- 3.5 Any Additional Licensing Scheme for HMOs declared by a Local Authority must only last for 5 years. Any decision on whether a further Additional Licensing scheme is required must be based on evidence of the need for such a scheme. In April 2007, the Welsh Assembly Government issued guidance to local authorities, indicating that they may implement Additional Licensing Schemes without obtaining Approval, providing



they can satisfy the requirements of the legislation with regard to evidence of need, consultation with interested parties and implementation. In particular, the Council must be satisfied that a significant proportion of the HMOs to be included in the Scheme are being managed ineffectively so as to give rise, or likely to give rise, to problems either for those occupying the HMO or for other residents.

#### **4. EVALUATION OF THE 2014 ADDITIONAL LICENSING SCHEME**

4.1 A full evaluation of the HMO Licensing Schemes (Additional and Mandatory), since 2014, has been undertaken by the Housing Strategy Team and the full report is included as Appendix 1.

4.2 The key findings of that evaluation are as follows:

- There are currently 633 licensed HMOs in RCT, although the potential number is higher at approximately 688 due to vacancies and under-occupation. The transient nature of occupation of HMOs requires ongoing enforcement and investigation to maintain compliance with the Scheme.
- 97% of properties subject to an application for a HMO licence were found to be non-compliant with the legal requirements. This is in spite of a significant number of applications being in respect of properties previously subject to licensing.
- Inspections undertaken after a licence has been granted show that only 40% maintained those legal standards, resulting in enforcement action to improve ongoing maintenance and condition of properties was necessary. Deficiencies were predominantly identified in relation to substandard fire precautions, poor external appearance, damp and disrepair.
- 796 significant hazards have been removed from 346 licensed HMOs as a direct result of the licensing regime.
- Anti social behaviour reports in the Treforest Ward have remained largely constant for the last 5 years although some changes in recording procedures by the Police may have impacted on the data and mean there has been a reduction in reality.
- The Property Accreditation Scheme launched in the Treforest Ward of RCT has had a positive impact on how tenants make informed choices about the property they want to live in. The Accreditation Scheme is however voluntary and open to any property in the PRS, is not therefore a substitute for regulation of the HMO sector.

#### **5 CONSULTATION**

5.1 In accordance with the legal requirement, a public consultation was undertaken between 6<sup>th</sup> August 2018 and the 15<sup>th</sup> September 2018, a period of 6 weeks. The consultation was as follows:

- On line via the Council website
- Social Media using Facebook and Twitter
- Door to door survey in Treforest
- Targeted e-mailings to landlords, letting agents and other stakeholders
- Targeted engagement with the Local Councillor, Treforest Residents Association and Treforest PACT

5.2 The Evaluation of the 2014 Licensing Scheme was subject to scrutiny by the Health and Wellbeing Scrutiny Committee on the 9<sup>th</sup> October 2018. At that meeting, the local member for Treforest expressed his views on the need for continued regulation of HMOs and highlighted the adverse impact on his ward from high concentrations of HMOs and poor housing standards. As a result of the examination of the Consultation undertaken, the Committee requested that a further consultation was undertaken targeting students at the University of South Wales and this was done in the week commencing 15<sup>th</sup> October 2018 and comprised face to face surveys done on the University Campus. This was to ensure a more representative sample of student and student tenant views was taken into consideration given the original consultation took place during the University holiday period.

5.3 The revised, full Consultation feedback report is produced as Appendix 2. The key findings were as follows:

- 192 responses were received to the consultation. The majority of these (65%) identified Treforest as their place of residence.
- 41% of respondents were owner occupiers, 10% were landlords, 11% were tenants and 33% were students.
- 39% of respondents had concerns about HMOs in their area, with 51% saying anti social behaviour was the main cause for concern, followed by 23% saying it was disrepair.
- 68% of respondents believed HMO licensing can improve the quality and appearance of HMOs.
- 69% of respondents believed HMO licensing can improve the safety and security of HMOs.
- 54% of respondents believed HMO licensing can be an effective way of preventing anti social behaviour, with a further 67% believing it can improve the management of HMOs.
- 71% of respondents said they want to see the Additional Licensing Scheme continue. Only 8% of respondents said they did not want it to continue.

5.4 Many respondents provided comments to illustrate their opinion and these are reproduced in full in the Report in Appendix 2. Key comments by respondent type can be summarised as follows:

- Landlords: HMO licensing is an unnecessary tax on their properties; concerns that the Scheme only captures “good landlords” and others go unregulated; comments that licensing is the wrong approach and unbalances the housing market thus driving property prices up.

- Students & tenants: wish to see increased controls especially in relation to anti social behaviour and to address poor management; a desire for higher quality HMOs.
- Owner Occupiers: need to address refuse problems; need to do more to make landlords and tenants look after properties; absent landlords are a problem; pressure on parking in Treforest; unsavoury tenants and anti social behaviour is an issue; too many HMOs and not enough affordable housing; need to protect tenants from unscrupulous landlords.

5.5 All HMO Licences granted by the Council include a set of minimum conditions which the landlord and or managing agent must adhere to, in addition to any specific conditions applied by the Council in respect of a particular property or landlord. The 2014 Scheme standard licence conditions were subject to scrutiny by the Health and Wellbeing Scrutiny Committee on the 9<sup>th</sup> October 2018. The Committee made a number of recommendations in order to strengthen the conditions attached to HMO licences in the County Borough as part of any new Scheme going forward. The proposed Licence Conditions for any new Scheme declared are outlined in Appendix 3 and the main changes can be summarised as follows:

- Ensure controls cover anti social behaviour from visitors as well as tenants.
- Require landlords and agents to notify the Council of any material change in circumstances.
- Require written statement of terms for all tenants.
- Require prescribed information to be provided to tenants about waste disposal arrangements, fire escape procedures and fire alarm activations.
- Require written emergency contact details for the landlord and agent to be given to all tenants.
- Require fixed Carbon Monoxide detectors in habitable rooms with solid fuel or gas appliances.
- Minimum of 'E' energy rating for the property, in line with new legal standards;
- Where installed, require the regular maintenance of fire sprinkler systems, in line with new Building Regulation Requirements.

## **6 FINANCIAL IMPLICATION(S)**

6.1 The Housing Act 2004 allows local authorities to wholly recover the cost of licensing schemes from application and other associated fees. The basis of the fees charged can include the administration of the application, inspection of the property and associated enforcement actions, and wider enforcement and regulation during the period of the licence. If a new Scheme is approved, the fees to be associated with the Additional HMO Licensing Scheme will be fully reviewed prior to any formal declaration for the Scheme to ensure they are appropriate, justifiable and proportionate. The review will ensure the ongoing costs of enforcement and regulation of the scheme, as evidenced from the evaluation of the 2014 scheme, are fully recovered via the fees charged. The new fee structure will also have due regard to recent case law relating to licensing fees charged by local authorities. Subject to any decision to declare a new additional licensing scheme, the outcome of the fees review will be reported to Cabinet in a future report.

## **7 EQUALITY AND DIVERSITY IMPLICATIONS**

- 7.1 An equality impact assessment screening form has been completed relating to the introduction of the proposed Policy and has shown no adverse affects on those groups with protected characteristics as defined under the Equality Act 2010. Consequently a full Equality Impact Assessment is not required.

## **8 LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED**

- 8.1 Section 56 of the Housing Act 2004 states:

- (1) A Local Housing Authority may designate either-*  
*(a) the area of their district, or*  
*(b) an area of their district,*

*as subject to additional licensing in relation to a description of HMOs specified in the designation, if the requirements of this section are met.*

- (2) The authority must consider that a significant proportion of the HMOs of that description in the area are being managed sufficiently ineffectively as to give rise, or be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public.*

- (3) Before making such a designation the authority must-*

- (a) take reasonable steps to consult persons who are likely to be affected by the designation; and*  
*(b) consider any representations made in accordance with the consultation and not withdrawn.*

- (4) The power to make a designation under this section may be exercised in such a way that this Part applies to all HMOs in the area in question.*

- 8.2 In exercising its power under Section 56, the Local Housing Authority must also have regard to Section 57, which states:

- (2) The authority must ensure that any exercise of the power is consistent with the authority's overall housing strategy.*

- (3) The authority must also seek to adopt a co-ordinated approach in connection with dealing with homelessness, empty properties and anti-social behaviour affecting the private rented sector, both-*

- (a) as regards combining licensing under this Part with other courses of action available to them, and*  
*(b) as regards combining such licensing with measures taken by other persons.*

- (4) The authority must not made a particular designation under section 56 unless-*

*(a) they have considered whether there are any other courses of action available to them (of whatever nature) that might provide an effective method of dealing with the problem or problems in question, and*

*(b) they consider that making the designation will significantly assist them to deal with the problem or problems (whether or not they take any other course of action as well).*

8.3 Should the recommendation to declare a new Additional Licensing Scheme be supported, it can be concluded that the local authority has satisfied the requirements of the Housing Act 2004 (above) as follows:

- The exercise of the power is in accordance with the Council's Housing Strategy and the Council's Strategic Objectives, in particular Rhondda Cynon Taf's Single Integrated Plan '*Delivering Change*' and the 'Place' Priority of the Council which is to "*create neighbourhoods where people are proud to work and live*".
- Reasonable steps have been taken to consult persons likely to be affected by the designation through a public consultation process.
- It is considered that making the designation will significantly assist the Council to deal with problems associated with HMOs in conjunction with other courses of action such as those identified in the Community Safety Delivery Plan 2018-2021, the Empty Property Strategy 2018-2020 and the Homelessness Strategy being developed. The combination of strategic approaches will ensure that the risks, opportunities and challenges associated with shared housing continue to be appropriately managed. The development of a specific strategy to capture all of the work being done to improve and promote the private rented housing sector in RCT will further enhance the viability of this sector as a sustainable and desirable housing option for residents.

## **9 LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT**

9.1 The private rented sector, including HMOs, has an important part in the housing market in RCT and makes a valuable contribution to maintaining the affordable housing supply chain, offering a viable choice of housing for many people. A safe and secure HMO sector is important to the Place priority of the Single Integrated Plan which aims to ensure that in RCT we "*create neighbourhoods where people are proud to work and live*". It also supports the People priority, whereby for many people, particularly young adults, a home in a HMO enables them to maintain independent and positive lives.

9.2 The declaration of a new Additional Licensing Scheme for HMOs demonstrates a long term commitment to improving and maintaining sustainable shared housing provision in RCT while ensuring a proactive, preventative approach to dealing with poor housing conditions and poor management. The development of a holistic Private Rented Housing Sector strategy will enhance the integrated approach already taken to improving the sector and ensure the actions from other relevant strategies in relation to Community Safety, Empty Properties and Homelessness, which affect this area of the housing market are taken forward collaboratively. The consultation undertaken

demonstrates the involvement of residents, landlords and tenants and shows the majority of respondents support the ongoing regulation of all houses in multiple occupation. This proposal is therefore made in full consideration of the sustainable development principles. The proposals will also support the Council to contribute to three of the seven well-being goals, namely:

1. A healthier Wales
2. A prosperous Wales
3. A Wales of cohesive communities

## **10 CONCLUSION**

- 10.1 HMOs are a necessary housing option and form an important part of the housing market of RCT. The evaluation of the 2014 Additional Licensing Scheme shows the positive impact that the licensing regime has had on HMO standards, however there is clear evidence of the need for ongoing regulation of the sector to protect tenants from poor housing standards and to protect communities from the adverse impact of poorly managed HMOs. The feedback from the public consultation provides additional evidence of the impact of HMOs on our communities, in particular Treforest, and demonstrates there is significant support for the declaration of a new Scheme. Having regard to the legal tests set out in the Housing Act 2004, the evidence satisfies the legal requirements and the proposal is proportionate and justifiable.

**LOCAL GOVERNMENT ACT 1972**  
**AS AMENDED BY**  
**THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**  
**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**CABINET**

**21<sup>st</sup> NOVEMBER 2018**

**PROPOSAL TO DECLARE A NEW ADDITIONAL LICENSING SCHEME FOR HOUSES IN  
MULTIPLE OCCUPATION IN 2019**

**REPORT OF THE DIRECTOR OF PUBLIC HEALTH, PROTECTION & COMMUNITY  
SERVICES IN DISCUSSION WITH THE RELEVANT PORTFOLIO HOLDER, COUNCILLOR  
RHYS LEWIS**

**Background Papers:**

Health and Wellbeing Scrutiny – [9<sup>th</sup> October 2018](#)

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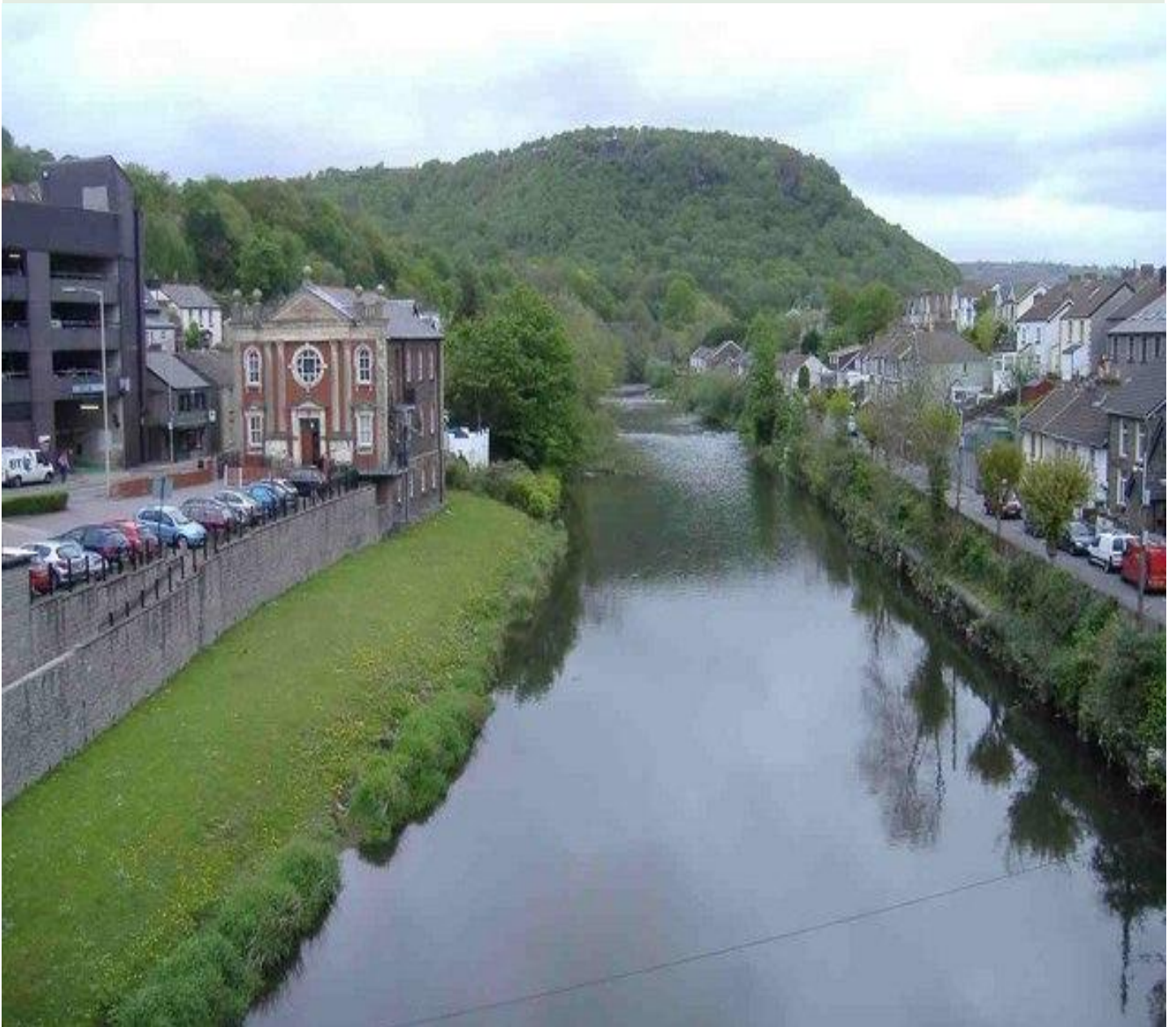


# Rhondda Cynon Taf

## Houses of Multiple Occupation

### Additional Licence Scheme

**Review and Recommendations  
2018**



	Page
Index	3
Purpose of Report	3
The Private Rented Sector in Rhondda Cynon Taf	4
Mandatory and Additional Licensing	4
Licence Conditions	6
Other HMO Regulations	7
Impact of the HMO Additional Licence Scheme since 2014	8
Anti-Social Behaviour	11
Planning	12
Treforest Property Accreditation Scheme	14
Rent Smart Wales	14
Domestic Private Rented Property Minimum Standard of Energy Efficiency	15
Conclusion	15
Recommendations	16
Appendix 1	18
Mandatory and Additional Licence Applications by Area	
Appendix 2	20
Additional Licensed HMOs by number of bedrooms	
Appendix 3	21
Hazards Removed from Licensed HMOs	
Appendix 4	23
Existing HMO Licensing Conditions	
Reference and Further Information	27

## **1. Purpose of Report**

- 1.1 On the 28th October, 2013 Cabinet considered the report “***Licensing of Houses in Multiple Occupation in Rhondda Cynon Taf***” together with the recommendations from the Environmental Services Scrutiny Committee from the 1<sup>st</sup> of July 2013.
- 1.2 Following this, a new Additional Licensing Scheme (ALS) was agreed which came into effect on 1 April 2014. The ALS extended the scope of HMO licensing to cover rented property with 3 or more occupiers who form 2 or more households regardless of how many storeys the property has. It also included converted buildings.
- 1.3 The Scheme was approved to run for a period of 5 years, and is due to expire on 31<sup>st</sup> March 2019. The Council are obliged to undertake a review of the Scheme to evaluate its impact and recommend whether an Additional Licensing scheme is still required; and if so, whether any changes are required in line with good practice, legislation and the findings of the evaluation

### **1.4 The purpose of this report is:**

To evaluate the existing scheme to determine the extent to which it has achieved the outcomes and impact intended when the scheme was introduced in 2014.

- To evaluate the possible effect on the housing market and housing standards in shared housing in RCT if the scheme is not continued after 2019
- To make recommendations on any changes or improvements that could be made to the existing scheme if it were to be continued.

## **2. The Private Rented Sector in Rhondda Cynon Taf**

- 2.1 As of May 2018 there were an estimated 14,353 private rented properties in Rhondda Cynon Taf which represented approximately 13.35% of the housing stock, of these 3.86% are houses in multiple occupation. The private rented sector is increasingly relied upon to provide a wide range of housing options within the borough not readily available through the owner occupied and social housing sectors
- 2.2 Historically HMOs in RCT have been the domain of students and this associated demand has seen the highest concentrations developed in areas adjacent to the University of South Wales, predominantly the Treforest ward.
- 2.3 Since 2009 and the phased implementation of welfare benefit reforms, there has been a growing demand for affordable accommodation options for single person households restricted to the cost of a room in a shared house. Conversely, reductions in student numbers has been instrumental in a significant change in the use of HMOs in the Treforest ward and HMO landlords have had to adapt to this change in the market to negate the inability to let their properties and are therefore turning to the non-student single person demand accordingly.

## **3. Mandatory and Additional Licensing**

- 3.1 Under the UK wide Mandatory Licensing Scheme (Housing Act 2004), HMOs that are 3 storeys or more and occupied by 5 or more persons living in 2 or more households are required to be licensed. The UK Mandatory Licensing Scheme came into force on 1st June 2006.
- 3.2 The Housing Act 2004 also gave local housing authorities discretion to specify that landlords of some other or all Houses in Multiple Occupation

(HMOs) must apply for a licence if they want to let to tenants. This is called Additional Licensing.

3.3 HMOs have been subject to proactive regulation in Rhondda Cynon Taf for the last 16 years. Between 2002 and 2006 the Council operated a Borough-wide Special Control Registration Scheme for HMOs that were 2 storey or above with 4 or more tenants, comprising of three or more households. Since 2006, there has been some form of Additional Licensing scheme in operation in RCT in addition to the Mandatory Licensing Scheme.

#### **3.4 Types of HMO that are included in the current Additional Licence Scheme 2014**

The RCTCBC Additional Licensing scheme covers the following HMOs:

- Entire houses or flats which are let to 3 or more tenants who form 2 or more households and who share a kitchen, bathroom or toilet.
- Houses which have been converted entirely into bedsits or other non-self-contained accommodation and which is let to 3 or more tenants who form two or more households and who share kitchen, bathroom or toilet facilities.
- Converted houses which contain one or more flats which are not wholly self-contained (i.e. the flat does not contain within it a kitchen, bathroom and toilet) and which is occupied by 3 or more tenants who form two or more households.
- Buildings which are converted entirely into **self-contained** flats if the conversion did not meet the standards of the 1991 Building Regulations and more than one-third of the flats are let on short-term tenancies.

In order to be a HMO the property must be used as the tenants' only or main residence and it should be used solely or mainly to house tenants.

Large HMOs i.e. those of 3 storeys or above with 5 or more tenants that comprise 2 or more households continue to be regulated through the Mandatory Licensing Scheme.

- 3.5 The RCT Additional licensing scheme serves a dual purpose, both to protect the safety of tenants living in HMOs and also to minimise the impact of shared housing on the character and amenity of the surrounding area. Changes in the market, as currently in operation in Treforest, present a prime example of how the RCT HMO licensing Scheme can be utilised in tandem with other council initiatives to govern, monitor and ensure the quality and standard of both the property and its management. The ALS also serves to mitigate the negative impacts associated with high densities of HMOs and effectively manages the changes in the dynamics of the housing market, that, if left un-checked, could have an adverse impact on the desirability of an area, a rise in anti-social behaviour and a breakdown of social cohesion.
- 3.6 Whilst there are currently 633 licensed HMOs in RCT (Mandatory and Additional), the potential number of HMOs is higher than this at 688. This is because at any one time there are always some properties that the Council has under review either because it suspects they are being used as HMOs but are not licensed, or because they have previously been used as HMOs and whilst not currently, could potentially be again in the future. These properties are described as 'potentially' licensable and are the focus of the Council's enforcement and investigation on an ongoing basis. Once it is established that properties are licensable, then appropriate steps are taken to bring the properties into the licensing regime which can then involve enforcement action.
- 3.7 The number of HMOs currently licensed under both the Mandatory and Additional Licensing Schemes in RCT is detailed in Appendix 1.

## **4.0 Licence Conditions**

- 4.1 Licensing of Houses in Multiple Occupation is dealt with under Part 2 of the Housing Act 2004. The Act also allows local Licensing Authorities to include discretionary conditions which it considers appropriate for regulating the management, use and occupation of the HMO its condition and contents.
- 4.2 The main purpose of licensing conditions is to protect the safety and well-being of tenants living in HMOs in relation to hazards such as fire safety or overcrowding and ensure the properties are effectively managed by persons assessed as being fit and proper.
- 4.3 Further licensing conditions applicable in Rhondda Cynon Taf also aim to minimise the impact of shared housing on the character and amenity of the surrounding area by imposing social and environmental conditions that cover the external appearance together with the maintenance of properties, gardens and the prevention of anti-social behaviour by tenants. The licence conditions have allowed the Council to intervene early and work more intensively with landlords to help and support them to meet their responsibilities.
- 4.4 For the minority of landlords who wilfully fail to meet the conditions, the Council can use its enforcement powers, including prosecution through the courts, to remedy breaches and address the negative impact caused to both tenants and the community.

## **5.0 Other HMO Regulations**

- 5.1 In addition to the requirements of Part 2 of the Act there are three sets of management regulations which govern the management of HMOs. The

Licensing and Management of Houses in Multiple Occupation (Additional Provision) (Wales) Regulations 2007 regulates self-contained flats (Section 257 HMOs) and The Management of Houses in Multiple Occupation (Wales) Regulations 2006 regulates all other types of HMO (Section 254 HMOs). Both sets of regulations contain broadly similar requirements in respect of keeping the accommodation clean safe and in a good state of repair.

- 5.2 In addition Schedule 3 of The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) Wales Regulations 2006 prescribe standards for deciding the suitability for occupation of an HMO by a particular maximum number of household or persons.

### **5.3 Housing Health & Safety Rating System**

In addition to the requirements of the Management Regulations, HMOs must also comply with the Housing Health and Safety Rating System (HHSRS). HHSRS applies to all housing including HMOs regardless of type or tenure. It involves a risk assessment of the effect of housing conditions on the health of occupiers and an assessment of 29 potential hazards. If Category 1 hazards (i.e. the more serious hazards) are found the Council has a duty to require the owner to take appropriate action. If Category 2 hazards (i.e. less serious hazards) are found the Council may take appropriate action as provided for within its enforcement policies. Councils are required to assess licensable HMOs to ensure that there are no functions under Part 1 of the Act (HHSRS) that ought to be exercised by them. This has to be done within five years of a licence being issued and in practice requires an inspection to be carried out.

## **6.0 Impact of the HMO Additional Licence Scheme since 2014**

- 6.1 Between April 2014 and April 2018 544 licenses have been issued under the Additional Licensing Scheme with an additional 21 properties pending



approval. The table in Appendix 2 shows the type and size of HMOs in RCT that have received a licence under the Additional Licensing Scheme.

## **6.2 Standard of properties at point of application**

At the point of application 527 (97%) of properties were non-compliant with the conditions of the HMO Additional Licence Scheme and required works to achieve a status of compliance.

6.3 Of the total number of applications received under the current Additional Licensing Scheme, 297 were renewal applications, meaning that they had been licensed under the 2009 Additional Licensing Scheme. Of these 79% were non-compliant. The Council has received 7 licensing applications for converted buildings (Section 257 HMOs). These were brought into licensing for the first time in 2014. 100% of these HMOs were non-compliant at the point of application.

## **6.4 Outcome of inspections and enforcement of the Additional Licensing Scheme**

HMOs are inspected by Environmental Health Officers before licenses are issued to ensure that they meet licensing standards and conditions; during the licence period and on renewal. If a property is not at the required standard, landlords are advised of the work required and given a timescale for the work to be completed.

6.5 The percentages of properties that meet licensing standards at the point of application are quite low and the data also indicates that there is a decline in standards in terms of property conditions and management arrangements for new applications being presented to the Council for licensing.

6.6 Over the last two years Environmental Health Officers have been undertaking

proactive inspections of licensed HMOs, usually at around year 2 after licensing. This provides assurance to residents and tenants that HMO standards are maintained for the life of the 5-year license and enables the Council to intervene earlier when issues are identified, rather than waiting for a complaint from tenants or other residents. Annual programmed inspections carried out in academic year 2016/2018 identified that only 255 of all licensed HMOs were found to still be fully compliant.

6.7 Some licenses that were issued under the 2009 Additional Licensing Scheme and had not yet expired, were 'passport'ed onto the 2014 Additional licensing Scheme. Subsequently they were required to be relicensed between 2014 and 2018. The percentage compliance at initial visit for HMO renewal applications is also low, as shown by the data below:

2014/2015	11%
2015/2016	13%
2016/2017	3%
2017/2018	26%

6.8 Since the commencement of the new scheme 60 licenses have received reduced license terms (less than maximum 5-year license term) in response to failures by the license holders in carrying out works in a reasonable time period to meet licensing conditions.

6.9 Proactive occupancy checks which have also been carried out from 2016 to date have led to a 23 HMOs applications (previously unlicensed) being received and brought into the licensing regime

6.10 The Housing Standards Team is currently looking to instigate legal

proceedings against two landlords for failure to license a licensable HMO in accordance with the Council's Additional Licensing Scheme.

- 6.11 Non-compliance issues related predominantly to deterioration in property appearance and environmental conditions; deficiencies in fire safety provisions, damp and mould and disrepair of property internals due to general wear and tear.
- 6.12 All hazards or non-compliance issues identified through the proactive inspections have been reduced to an acceptable standard as a consequence of Council intervention to ensure these properties were again compliant with licensing conditions. Hazards identified and removed from HMOs are detailed in Appendix 3. A total of 796 Category 1 and 2 Hazards were removed from within 346 Licensed HMOs since the introduction of the Additional License scheme.
- 6.13 This demonstrates that without continued regulation of smaller HMOs and converted buildings, there is a high risk that they would either be let in a low standard or would quickly deteriorate in standard and present hazards for occupants over time once the requirement for licensing ceased.

## **7.0 Anti-Social Behaviour**

- 7.1 Anti-social behaviour is a broad term used to describe the day to day incidents of crime, nuisance and disorder that can have a dramatic negative impact on the lives of people in the community. It covers such things as litter and vandalism, public drunkenness or aggressive dogs, to noisy and abusive neighbours. Such a wide range of behaviour means that responsibility for dealing with anti-social behaviour is shared between a number of agencies, particularly the Police, local authorities and social landlords.

7.2 Areas in which high densities of HMOs are located can be susceptible to increases in crime and anti-social behaviour and act as a barrier to social cohesion within the community.

7.3 The Treforest Ward of RCT has the highest number of both Mandatory and Additional licensed HMOs in RCT. The following table presents the reported annual incidents of anti-social behaviour in the Treforest ward. At first glance there appears to have been little change in the incidence of anti-social behaviour since the introduction of the ALS. However, the methods of reporting have changed during this period and the range of anti-social behaviour has been extended in regards to what is reported under the category of ASB. Effectively the incidence of anti-social behaviour has actually been reduced overall in comparison to the smaller range of ASB that was originally reported prior to the introduction of the ALS.

Treforest Ward	Period	Number of Reported ASB Incidents
	April 1 <sup>st</sup> 2013 to March 31 <sup>st</sup> 2014	650
	April 1 <sup>st</sup> 2014 to March 31 <sup>st</sup> 2015	775
	April 1 <sup>st</sup> 2015 to March 31 <sup>st</sup> 2016	565
	April 1 <sup>st</sup> 2016 to March 31 <sup>st</sup> 2017	695
	April 1 <sup>st</sup> 2017 to March 31 <sup>st</sup> 2018	680

## 8.0 Planning

8.1 Prior to 2016, the use of a building as a dwelling house was defined by Class C3 of the Town and Country Planning Use Classes Order 1987, as follows:

*Use as a dwelling House (Whether or not as a sole of main residence) –*

*By a single person or by people living together as a family, or*

*By not more than 6 residents living together as a single household (including a household where care is provided for residents).*

8.2 The effect of this was that planning permission was not required to use a family house as a HMO as long as there were no more than 6 residents. Therefore, in the example of Treforest since most houses are terraced houses of modest size, historically few needed planning permissions for use as a multiple occupancy dwelling.

8.3 New legislation was introduced in Wales in February 2016 which included the division of class C3 into new use classes C3 and C4:

***Class C3 Dwelling Houses***

*Use as a dwelling house (whether or not as a sole or main residence) by –*

*A single person or by people to be regarded as forming a single household:*

*Not more than 6 residents living together as a single household where care is provided for residents; or*

*Not more than 6 residents living together as a single household where no care is provided to residents (other than to a Use within class C4).*

***Class C4. Houses in Multiple Occupation***

*Use of a dwelling house by not more than 6 residents as a house in multiple occupation*

8.4 The change means that planning permission is now required to change from a house in single occupation to a HMO for up to 6 residents. These are now referred to as either 'small HMO' or 'Class C4 HMO'. Planning permission is needed now, as before February 2016, to change from a house in single occupation to a HMO for more than 6 residents. These are now referred to as

either 'large HMO' or 'sui generis HMO' (sui generis use: a use of its own kind, i.e. not in a use class).

- 8.5 Since the licensing and planning systems operate on different criteria under separate legislation, it is possible to gain a licence and not planning permission for the same property, or planning permission and not a licence. The granting of one is no indication that the other will be granted. However, since March 2016, 146 planning permission checks have been carried out by Environmental Health Officers. Properties which are suspected to require planning permission in accordance with a change of Class use from C3 to C4 have been referred to the Planning Authority for their investigation.

## **9.0 Treforest Property Accreditation Scheme**

- 9.1 The Treforest Property Accreditation Scheme (TPAS) was implemented November 2016 with the objective of raising the quality, amenity and management of the general private rented housing stock in the Treforest area of Rhondda Cynon Taf. The scheme serves to raise the profile of good landlords and recognises high standard of management where provided.
- 9.2 The TPAS is a voluntary scheme that is open to landlords and letting agents of all types of private rented property, including HMOs. There is no charge for joining the scheme. Properties are assessed in accordance with agreed standards and the information is available to prospective tenants seeking rented accommodation in the Treforest area. There are 4 levels of accreditation to reflect the quality of the property and its compliance with legislative requirements, together with the quality of housing management and the administrative processes utilised.
- 9.3 The Scheme includes all types of rented properties and not just HMOs, however it is complementary to the ALS as it encourages landlords to raise their standards above the licensing standard on a voluntary basis.

## **10.0 Rent Smart Wales**

10.1 The Housing (Wales) Act 2014 became effective on 23rd November 2015 and is ensuring that a comprehensive register is established of the private rented sector in Wales. In addition, those persons who are directly involved in letting and managing rental properties are required to become suitably trained and be 'fit and proper' to deliver those activities. A licence may be revoked if a landlord fails to comply with the Code of Conduct and they may no longer be able to directly manage rented accommodation as a result.

## **11.0 The Domestic Private Rented Property Minimum Standard of Energy Efficiency**

11.1 Guidance for landlords and local authorities on the minimum level of energy efficiency required to let domestic property under the *Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015*.

From the 1st April 2018, landlords of relevant domestic private rented properties may not grant a tenancy to new or existing tenants if their property has an EPC rating of band F or G (as shown on a valid Energy Performance Certificate for the property).

11.2 From the 1st April 2020, landlords must not continue letting a relevant domestic property which is already let if that property has an EPC rating of band F or G (as shown on a valid Energy Performance Certificate for the property). Currently there is no requirement within the Additional Licensing Scheme for landlords to commission an EPC for a HMO

## **12.0 Conclusion**

12.1 Since the introduction of the Additional Licensing scheme on the 1<sup>st</sup> of April 2014, 544 HMO properties have been brought under the umbrella of

regulation in addition to the 89 HMOs that were subject to Mandatory Licensing requirements. The Additional Licensing Scheme has enabled the removal of 796 Category 1 and 2 hazards from 346 properties designated as HMOs. Landlords have been supported to raise the standards of management within the sector and robust monitoring and enforcement has served to identify and prosecute wilfully non-compliant landlords.

## **13.0 Recommendations**

- 13.1 Changes in the rental market and the supply and demand factors associated with the introduction of welfare benefit reform will see an increasing demand for affordable single person housing options. Conversely a reduction in the numbers of students and an associated fall in demand for student accommodation is impacting on the Treforest Housing market which represents the highest number of licensed HMOs in the borough. These changes will bring new challenges in addressing issues of quality and the detrimental effects associated with HMOs.
- 13.2 HMOs provide an invaluable source of affordable accommodation in a time of high demand and cater to a diverse range of tenants. Well managed and maintained HMOs provide a valuable asset as an essential part of RCT the housing stock. However, without the means to monitor, govern and enforce acceptable standards there is a risk that the sector will deteriorate and in-turn present a blight on the community in which they are located and a risk to the safety and well-being of the residents who depend on them most.
- 13.3 Whilst this report has identified other methods of helping to raise standards such as the TPAS and Rent Smart Wales, these are either voluntary and not borough wide or do not deal directly with the standard and safety of the actual property. TPAS is a voluntary scheme and also the costs of administering it are not covered as it is free to landlords. As such, beyond 2019 when current funding for the TPAS ends, it is not clear if this scheme can continue. Although the Rent Smart Wales registration and licensing process is able to provide tangible benefits to tenants and landlords in regards to the status of



*“Fit and Proper”* landlords, the quality and amenity of the property they manage is not a consideration in the landlord registration and licensing process, and does not therefore control the risk of poor quality accommodation being let and the associated risk to both tenants and the community.

- 13.4 It is therefore recommended that the Council continues to operate an Additional Landlord Scheme and that the new Scheme should continue to license all types of HMO throughout the County Borough.
- 13.5 There is also the opportunity to improve the quality and amenity of HMOs through energy efficiency measures which contributes both to the well-being of tenants and the environment. Whilst there is now a legal requirement for all rental properties to achieve an energy performance higher than an F or G rating, the introduction of a specific licensing condition stipulating that HMOs have to commission an EPC under the ALS will serve to raise the energy efficiency of the HMO stock. It is therefore recommended that this condition is introduced.
- 13.6 Finally, it is recommended that the administration of the Scheme is reviewed. This includes a review of the fee structure to ensure that it is fit for purpose and also that it continues to cover the costs of administering the Scheme. It is also recommended that the application process is reviewed with the opportunity to move from a paper based system to an on line application process. The aim of this is to speed up the process and encourage a more business focused approach.

## Appendix 1

Address	Mandatory Licence Application	Additional Licence Applications	Total Number of Applications
Aberaman		1	1
Abercwmboid		1	1
Aberdare	1		1
Blaenllechau		1	1
Cwmparc	1		1
Gadlys		1	1
Glyntaff		7	7
Godreaman		1	1
Graig	4	4	8
Hopkinstown		1	1
Llanharan		2	2
Llantwit Fardre		1	1
Pentre	1		1
Pontyclun		2	2
Pontygwaith		1	1
Pontypridd	5	4	9
Rhydyfelin		2	2
Taffs Well		2	2
Talbot Green		1	1

Tonyrefail		1	1
Trecynon		1	1
Treforest	76	505	581
Tylorstown		2	2
Upper Boat		1	1
Wattstown	1		1
Ynyshir		1	1
Ynysybwl		1	1
Total	89	544	633
New Applications	39	283	322
Licence Renewal	50	260	310
Licence Variation		1	1

Appendix 2

<b>Additional Licensed HMOs by Number of Bedrooms</b>	
<b>Number of Bedrooms</b>	<b>Number of Properties</b>
<b>1 Bedroom</b>	<b>2</b>
<b>2 Bedroom</b>	<b>8</b>
<b>3 Bedroom</b>	<b>79</b>
<b>4 Bedroom</b>	<b>248</b>
<b>5 Bedroom</b>	<b>160</b>
<b>6 Bedroom</b>	<b>35</b>
<b>7 Bedroom</b>	<b>3</b>
<b>8 Bedroom</b>	<b>3</b>
<b>9 Bedroom</b>	<b>1</b>
<b>10 Bedroom</b>	<b>2</b>
<b>12 Bedroom</b>	<b>1</b>
<b>14 Bedroom</b>	<b>2</b>
<b>Total</b>	<b>544</b>

### Appendix 3

Hazards removed from Licensed HMOs		
Damp and Mould	Cat 1	17
Excess Cold	Cat 1	15
Un-combusted Fuel Gas	Cat 1	3
Entry By Intruder	Cat 1	9
Domestic Hygiene Pests and Refuse	Cat 1	1
Food Safety	Cat 1	6
Personal Hygiene/Sanitation/Drainage	Cat 1	9
Falls associated with baths	Cat 1	7
Falling/level surface	Cat 1	10
Falling on Stairs	Cat 1	25
Falling Between Levels	Cat 1	27
Electrical Hazards	Cat 1	8
Fire	Cat 1	47
Risk of Explosion	Cat 1	1
Total Number of Category 1 Hazards removed		185
Damp and Mould	Cat 2	117
Excess Cold	Cat 2	18
Excess Heat	Cat 2	1
Un-combusted Fuel Gas	Cat 2	3

Entry by Intruders	Cat 2	19
Lighting	Cat 2	4
Domestic Hygiene / Pest & Refuse	Cat 2	13
Food Safety	Cat 2	10
Personal Hygiene / Sanitation/Drainage	Cat 2	33
Falls Associated to Baths	Cat 2	6
Falling /Level Surface	Cat 2	28
Falling on Stairs	Cat 2	36
Falling between levels	Cat 2	46
Electrical Hazard	Cat 2	28
Fire	Cat 2	221
Flames Hot Surfaces	Cat 2	1
Collision / Entrapment	Cat 2	2
Position and operability of Amenities	Cat 2	1
Structural Collapse and Falling Elements	Cat 2	24
Total Number of Hazards Removed		611

## Appendix 4

### Existing HMO Licensing Conditions

- I. The licence holder must ensure that at all times the gas appliances etc. provided as part of the tenancy are in a safe condition.
  - II. A certificate from a GAS-SAFE registered engineer concerning the condition of the gas appliances etc. shall be provided to the Council with each application for a licence. A copy of this certificate must also be provided to each tenant upon the start of a tenancy agreement and annually thereafter.
  - III. On each occasion that the gas appliances etc. are altered in any way, the licence holder must produce to the Council a further certificate from a CORGI registered engineer concerning the condition of the gas appliances etc.
  - IV. The licence holder must produce to the Council annually for their inspection a gas safety certificate obtained in respect of the house within the last 12 months.
- 1.9 The licence holder must keep electrical appliances and furniture made available by him in the house in a safe condition. In particular, the licence holder must ensure that all upholstered furniture and furnishing provided as part of the tenancy comply with the standards required in the Furniture and Furnishings (Fire Safety) Regulations 1988 as amended and any other statutory instrument or other enactment which may, after the date of licensing, directly or indirectly replace them, with or without amendment. On demand, the licence holder must supply the council with a declaration by him as to the safety of these appliances and furniture.
- 1.10 With reference to the electrical installations in the house: -
- i. The licence holder must ensure that all lighting to the common parts is sustained in good working order.
  - ii. The licence holder must ensure that at all times the electrical wiring to the lighting and power circuits, and the circuits to the fire alarm and emergency lighting systems and all electrical appliances (the 'circuits and/or appliances') provided as part of the tenancy arrangements are in a safe condition.
  - iii. Prior to licensing, the licence holder must produce to the Council, a certificate from a qualified electrician confirming the satisfactory condition of the circuits and/or installation.
  - iv. On each occasion that the circuits and/or installation are altered in any way, the licence holder must produce to the Council, a further certificate from a qualified

electrician confirming the satisfactory condition of the circuits and/or installation.

- v. For the purposes of this condition, a 'qualified electrician' means a member of the Electrical Contractors Association (ECA), the National Inspection Council for Electrical Installation and Contracting (NICEIC) or the Institute of Electrical Engineers (MIEE).

1.11 With reference to the fire alarm and detection system in the house, the licence holder must:

- i. In relation to houses of more than 2 storeys, produce to the Council every 5 years, a certificate from a qualified electrician concerning the condition of the electrical wiring and circuits to the system.
- ii. On each occasion that the system and/or installation are altered in any way, the licence holder must produce to the Council, a further certificate from a qualified electrician concerning the condition of the circuits and/or installation.
- iii. Carry out such other steps as necessary to ensure the fire alarm and detection system is maintained in good, operative order. This should include the testing of the alarm system by operating all alarm sounders in the dwelling at least once every month, annually testing each smoke detector for response to smoke, cleaning of the smoke detectors periodically in accordance with the manufacturer's instruction, or such other measures as may be deemed appropriate to the circumstances.
- iv. Keep a written record of testing and maintenance of the alarm system, for example in the form of a log book. This record must be made available for inspection upon demand.

## **2. Community and Environmental Matters.**

2.1 The licence holder must ensure that all reasonably practicable means are used to ensure that the occupants of (and their visitors to) the property;

- a. refrain from engaging in conduct causing or likely to cause nuisance or annoyance to a person residing, visiting or otherwise engaged in lawful activity in the locality, particularly in the following ways: -
  - the playing of amplified (or other) music which is audible in the neighbouring properties or the streets;
  - behaviour constituting breach of the peace or contravening the Public Order Act 1986, the Criminal Justice Act 1994 or other relevant enactment;



- b refrain from using the property or allowing it to be used for illegal purposes or for an arrest-able offence committed in the property or the locality;

and to this effect, the licence holder must take steps to ensure the occupants of the property are aware of the conditions imposed by the Council relating to their behaviour and this must be done at the commencement of any tenancy, as a minimum.

- 2.2 The licence holder must take all reasonable steps to co-operate with the Council over any action or investigation they may undertake in respect of anti-social behaviour arising in connection with the occupiers of (or visitors to) the licensed HMO.
- 2.3 The licence holder must ensure that the external structures, gardens and yards of the house are maintained in satisfactory repair (including decorative repair), clean condition and good order so as not to be detrimental to the amenity of the locality or neighbourhood. The terms 'structures' includes windows, doors, roof, fascia and soffit boards, rainwater goods and boundary walls, gates and fences.
- 2.4 The licence holder must ensure that adequate and suitable refuse storage receptacles are provided for the exclusive use of the occupiers of the property.
- 2.5 The licence holder shall ensure that the occupiers of the house have written notification of the relevant collection and disposal arrangements for refuse arising from the property. The written notification shall include a statement that it is an offence to place refuse for collection on the public highway, public footpath or other designated collection point earlier than 12 hours before the scheduled time of collection. The licence holder must notify the occupiers of the HMO that they shall not permit litter or refuse to spread from the house onto the street or other land outside the curtilage of the house.
- 2.6 The licence holder must ensure so far as practicable that the external areas within the curtilage of the property are kept clean, are free of accumulations of waste and are free from rodent infestations.

Keep a written record of testing and maintenance of the alarm system, for example in the form of a log book. This record must be made available for inspection upon demand.

## **2. Community and Environmental Matters.**

- 2.1 The licence holder must ensure that all reasonably practicable means are used to ensure that the occupants of (and their visitors to) the property;
- a. refrain from engaging in conduct causing or likely to cause nuisance or annoyance to a person residing, visiting or otherwise engaged in lawful activity in the locality, particularly in the following ways: -
- the playing of amplified (or other) music which is audible in the neighbouring properties or the streets;
  - behaviour constituting breach of the peace or contravening the Public Order Act 1986, the Criminal Justice Act 1994 or other relevant enactment;
- b. refrain from using the property or allowing it to be used for illegal purposes or for an arrest-able offence committed in the property or the locality;
- and to this effect, the licence holder must take steps to ensure the occupants of the property are aware of the conditions imposed by the Council relating to their behaviour and this must be done at the commencement of any tenancy, as a minimum.
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## Reference and Further Information

Welsh Government: HOUSES IN MULTIPLE OCCUPATION; Practice Guidance, Feb 2016

Cardiff City Council: Evaluation of Cathays Additional Licensing Scheme 2010 -2015

Rent Smart Wales: [www.rentsmart.gov.wales/en/](http://www.rentsmart.gov.wales/en/)

Treforest Property Accreditation Scheme

<https://www.rctcbc.gov.uk/EN/Business/LandlordGuidance/PropertyAccreditationScheme.aspx>

Licensing of Houses in Multiple Occupation (HMO) Landlord Handbook V2

<https://www.rctcbc.gov.uk/EN/Resident/Housing/RelatedDocuments/LicenceHandbook2014AdditionalLicensingSchemeVersion2March2017.pdf>

Department for Business, Energy & Industrial Strategy—*The Domestic PRS Property Minimum Standard*

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/698541/Domestic\\_Private\\_Rented\\_Landlord\\_Guidance\\_-\\_March\\_18.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/698541/Domestic_Private_Rented_Landlord_Guidance_-_March_18.pdf)

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**Houses of Multiple Occupation (HMO)  
Additional Licence Scheme Review  
Consultation Report  
October 2018**

## Contents

<b>1. Summary</b>	<b>3</b>
<b>2. Purpose of Report</b>	
<b>3. Introduction</b>	
<b>4. Record of Consultation</b>	<b>4</b>
<b>4.1 SNAP Survey</b>	
<b>4.2 Means of Delivery</b>	
<b>5 Survey Responses</b>	<b>5</b>
<b>6 Survey Analysis</b>	<b>9</b>
<b>7 Survey Comments</b>	<b>12</b>
<b>Appendix 1</b>	
<b>Copies of Media Used for Consultation</b>	<b>14</b>
<b>Landlord Email</b>	<b>14</b>
<b>Snap Survey Content</b>	<b>15</b>
<b>Current Consultation Web Page</b>	<b>17</b>
<b>HMO Web Page</b>	<b>18</b>
<b>Frequently Asked Questions</b>	<b>19</b>
<b>RCTCBC Social Media</b>	<b>20</b>
<b>Landlords Newsletter</b>	<b>21</b>
<b>Appendix 2</b>	
<b>Survey Comments</b>	<b>22</b>

## **1. Summary:**

The Rhondda Cynon Taff County Borough Council Additional Licensing (Houses in Multiple Occupation) Scheme came into force on the 1<sup>st</sup> of April 2014 and extended the scope of Mandatory licensing to cover most rented property with 3 or more occupiers who form 2 or more households regardless of how many storeys the property has.

The Scheme was initially intended to run for a period of 5 years, at the end of which, the Council are then obliged to undertake a review as to whether it has achieved its objectives, it is still fit for purpose and whether it should be extended for a further 5 years.

As part of the review process there is a requirement for the council to undertake a consultation with key stake-holders to ascertain as to whether there is support for the scheme to be extended.

## **2. Purpose of this Report**

The purpose of this report is to provide a record of the HMO Additional Licensing Scheme consultation process in respect of the methods and mechanisms of consultation, the numbers of stake-holders consulted and the content of the representations received.

## **3. Introduction**

As of May 2018 there were an estimated 14,353 private rented properties in Rhondda Cynon Taff which represented approximately 13.35% of the RCT Housing stock. The private rented sector is increasingly relied upon to provide a wide range of housing options within the borough not currently available through the owner occupied and social housing sectors.

Historically HMO's in RCT have been the domain of students and this associated demand have seen the highest concentrations developed in areas adjacent to the university, predominantly the Treforest ward.

Since 2009 and the phased implementation of Welfare Benefit reforms, there has been a growing demand for affordable accommodation options for single person households restricted to the cost of a room in a shared house. Conversely, reductions in student numbers has been instrumental in a significant change in the use of HMO's in the Treforest ward and HMO landlords have had to adapt to this change in the market to negate the inability to let their properties and in-turn cater to the non-student single person demand accordingly.

RCT Additional licensing scheme serves a dual purpose, both to protect the safety of tenants living in HMOs and also to minimise the impact of shared housing on the

character and amenity of the surrounding area. Changes in the market, as currently in operation in Treforest, present a prime example of how the RCT HMO licensing Scheme can be utilised in tandem with additional council initiatives to govern, monitor and enhance the quality of both the property and its management. The ALS ultimately serves to mitigate the negative impacts associated with high densities of HMO's and effectively manages the changes in the dynamics of the housing market, that, if left un-checked, could have an adverse impact on the desirability of an area, a rise in anti-social behaviour and a breakdown of social cohesion.

#### **4. Record of Consultation**

The consultation process was opened to stake-holders as of the 6<sup>th</sup> of August 2018 and ran up until the 15<sup>th</sup> of September 2018 a period of 6-weeks.

Key Stakeholders identified for engagement were:

- ✓ University of South Wales & Students Union
- ✓ Students
- ✓ Tenants
- ✓ Landlords
- ✓ Letting Agents
- ✓ Local Residents

The primary mechanism for recording representations was by means of an on line Survey.

##### **4.1 SNAP Survey**

SNAP is an on-line system providing a digital mechanism for the collation of consultation responses. Interested parties are able to access the system via hyperlinks set within a range of media designed to enable a fast and efficient means of engagement.

##### **4.2 Means of Delivery.**

- An email database of 972 landlord's agents and associated services were emailed and provided with details of the consultation and hyperlinks to the SNAP survey.
- The Landlords Newsletter was circulated to a mailing list of 972 landlords and agents providing notification of the consultation and hyperlink to the survey.



- RCTCBC social media carried posts of the consultation and provided links to the SNAP survey. A total 40 posts were delivered via Facebook and Twitter to potentially 151187 people and was shared 117 times
- The University of South Wales and Students Union notified students via their internal emailing system and provided the link to the SNAP Survey.
- Face to face consultation was held on the University campus.
- The RCTCBC website provided details of the consultation via the Current Consultation and Houses of Multiple Occupation web pages.
- Door to door surveys were conducted in Treforest, Aberdare, Pentre with approx. 500 properties knocked.
- The Treforest Resident association and PACT provided with hard copies of the survey and individual collection arrangements agreed.

## 5. Survey Responses.

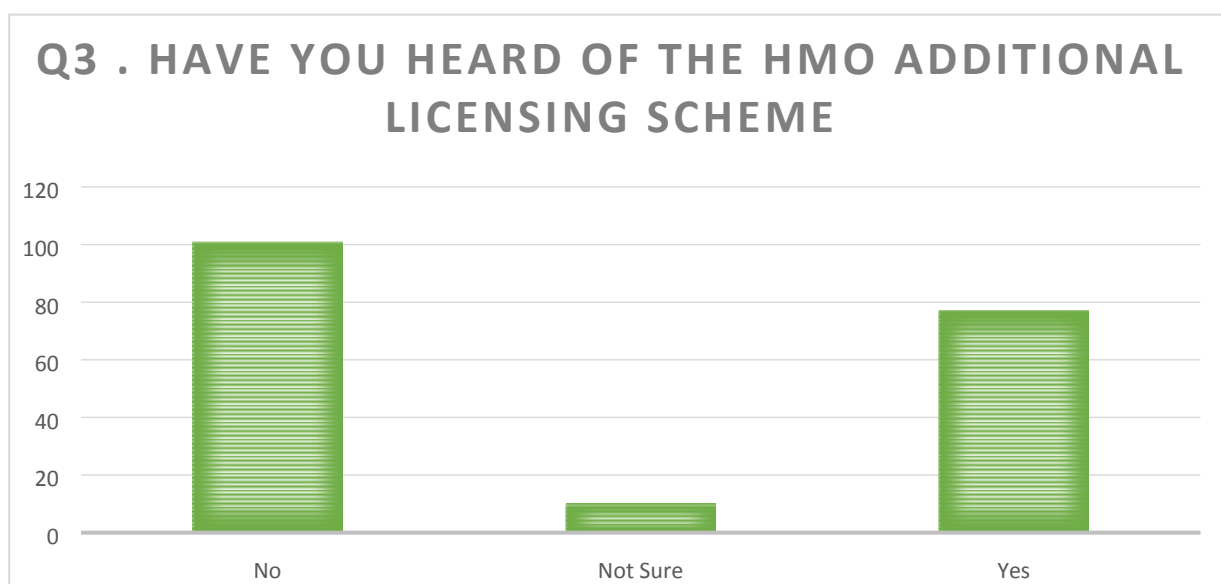
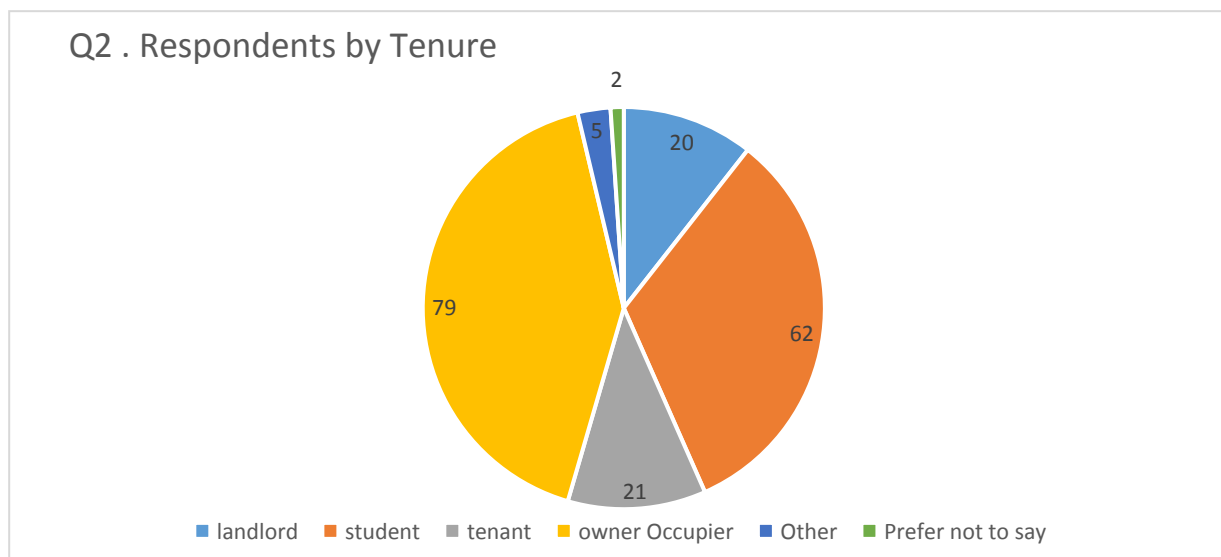
During the period of the consultation there were a total of **192 respondents**.

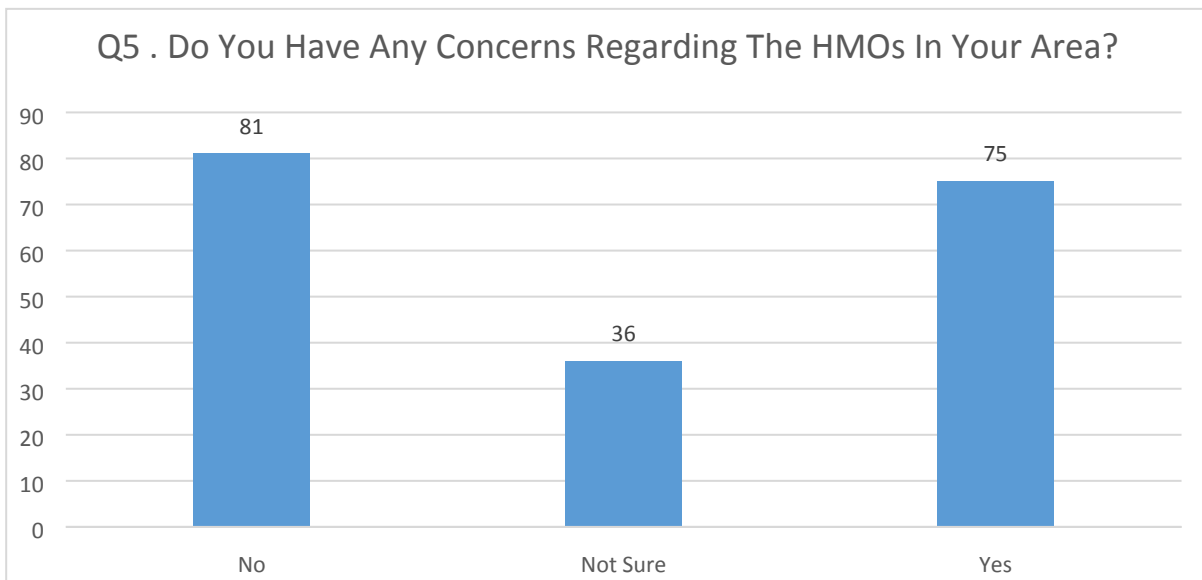
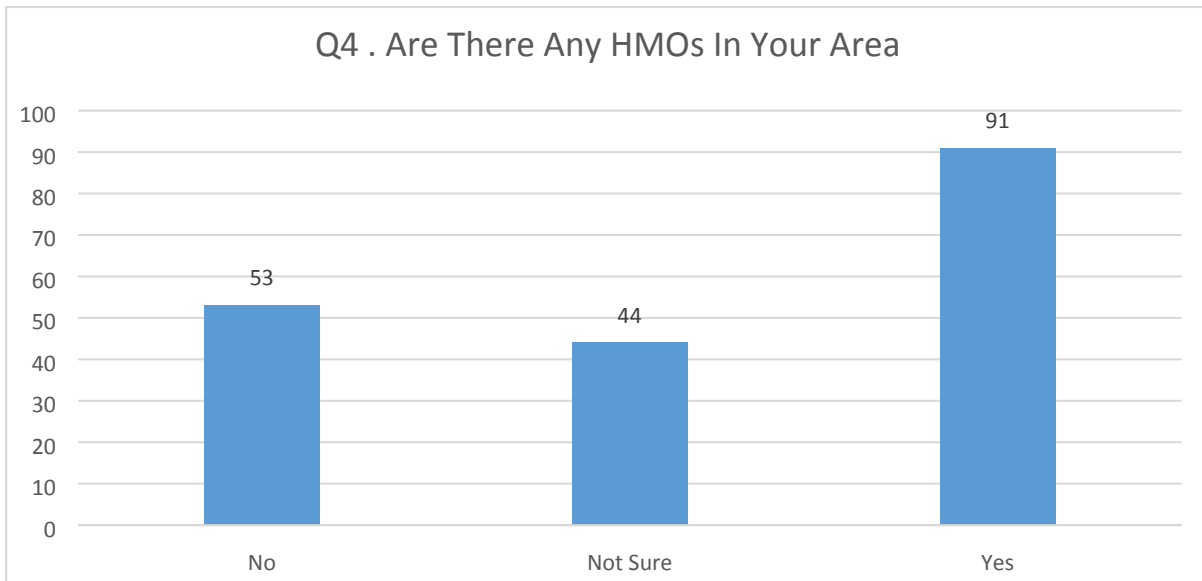
### Q1 Respondents Identified Place of Residence

Abertillery	3
Cardiff	10
Cwmbran	2
Llanaran	1
Merthyr	3
Mountain Ash	1
Newport	1
Pentre	6
Pontyclun	2
Pontypridd	4
RCT	2
Reading	1
Rhondda	1
Rhondda Cynon Taff	1
Rhydyfelin	1
Ton Pentre	7
Treforest	95
Vale of Glamorgan	1
Ynysboeth	1

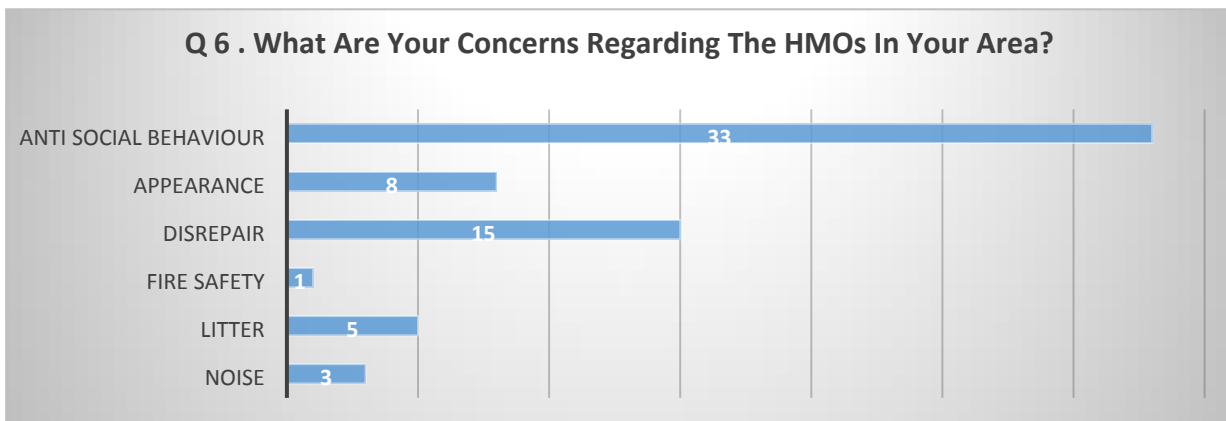
Ystrad Mynach	1
Ystrad	1
Ystrad	1
Total	146

Of the 192 respondents 46 did not complete their place of residence

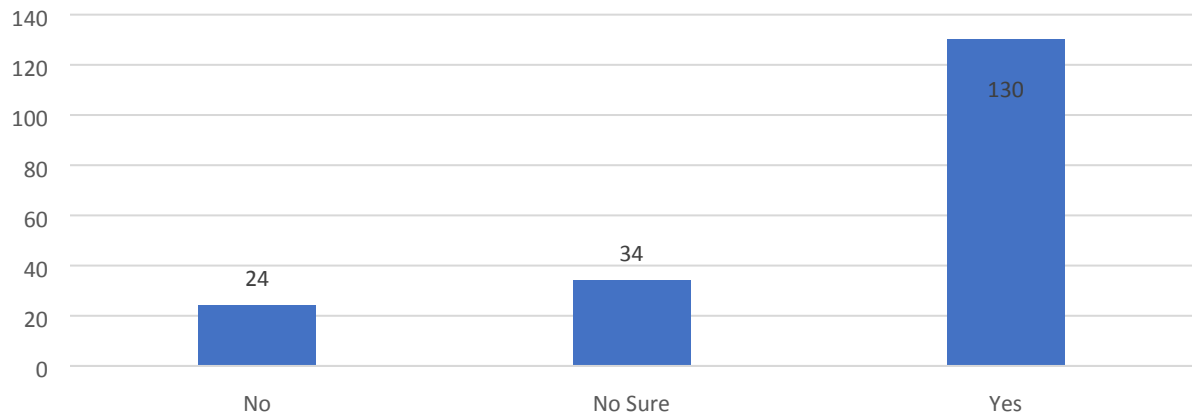




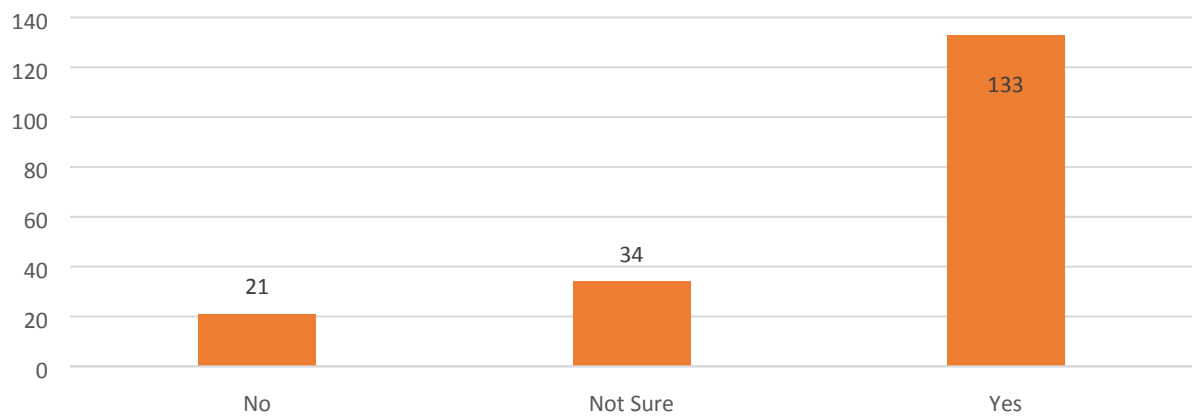
Q.6 Where a concern was raised regarding HMO the respondent was able to choose one lead reason from a list of 6 examples: -



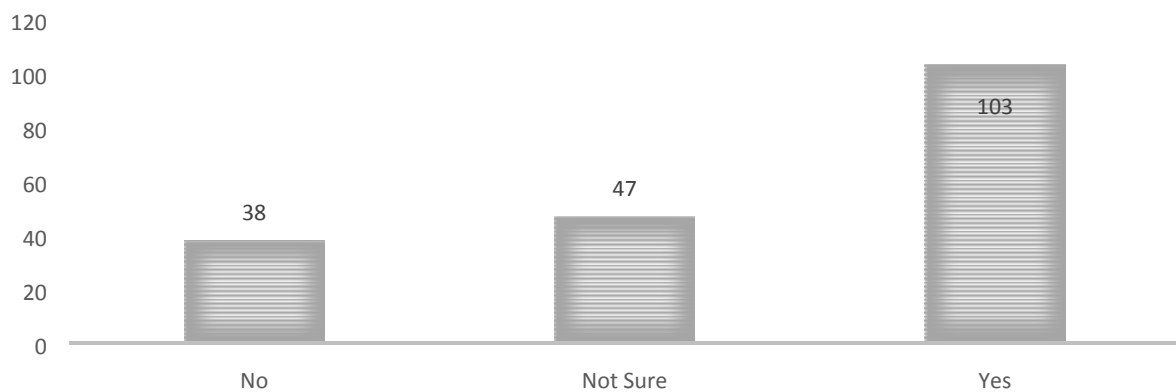
**Q7 . Do You Think The HMO Licensing Scheme Can Improve The Quality And Appearance Of Houses Of Multiple Occupation**

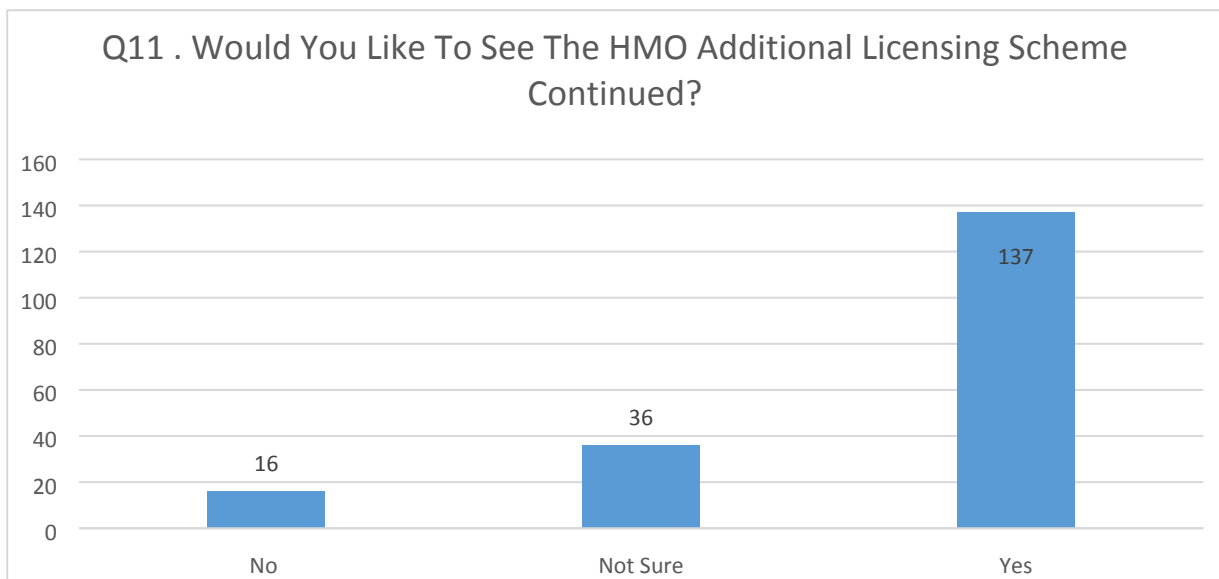
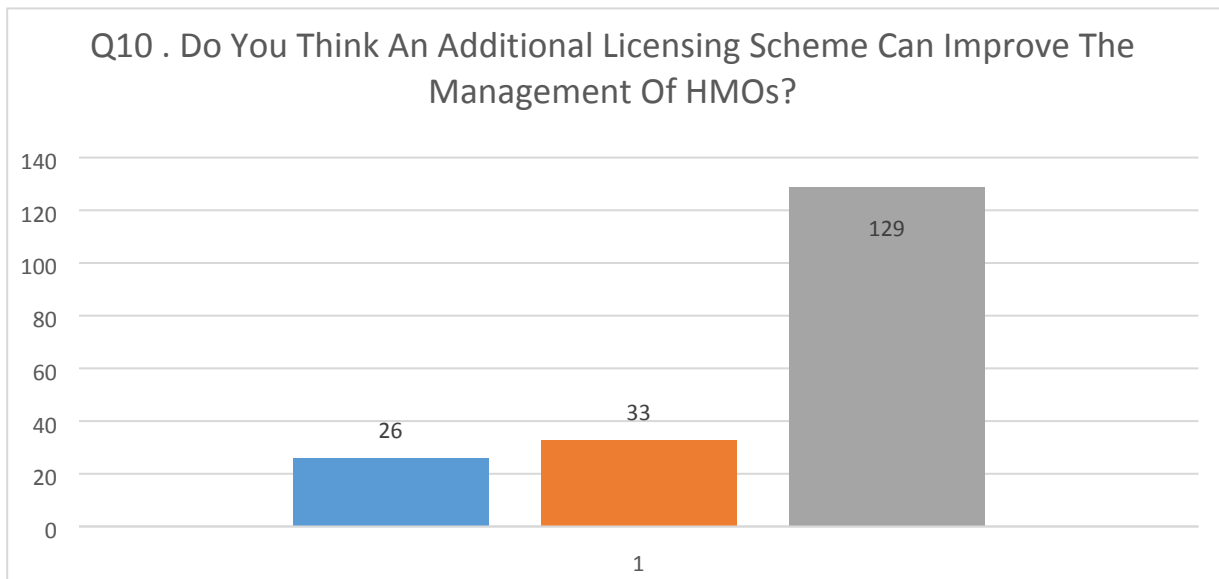


**Q8 . Do You Think The Additional Licensing Scheme Can Serve To Improve The Safety And Security Of HMOs**



**Q9 . DO YOU THINK HMO ADDITIONAL LICENSING CAN PROVIDE AN EFFECTIVE WAY OF PREVENTING ANTI SOCIAL BEHAVIOUR?**





**6.**

**Survey Analysis**

**Q1 Place of Residence?**

There was an overall total of 192 respondents to the HMO Additional Licence consultation.

Of the 192 respondents 146 confirmed their place of residence. 65% of respondents that confirmed their place of residents were from the Treforest area.

**Q2 Respondent by Tenure?**

- 41% owner occupiers
- 11% Tenant
- 10% Landlord
- 33% Student
- 3% Other
- 1% Prefer Not to Say

**Q3 Have You Heard of the HMO Additional Licence Scheme?**

- 53% of respondents confirmed that they had not heard of the ALS
- 40% had heard of the ALS
- 5% were unsure.

**Q4 Are There Any HMOs in Your Area?**

- 47% stated there were HMOs in their area
- 23% were unsure
- 28% stated there were no HMOs in their area

**Q5 Do You Have Any Concerns About The HMOs in Your Area?**

- 39% confirmed they had concerns about the HMOs in their area
- 42% had no concerns
- 19% were unsure whether there were concerns regarding HMOs in their area

**Q6 What are your concerns regarding the HMOs in Your Area?**

A total of 65 respondent stated they had concerns regarding the HMOs in their area, they were then requested to confirm a lead issue.

- 51% raised concerns in regards to anti-social behaviour in general
- 23% raised concerns in regards to Disrepair of properties
- 12% raised concerns in regards to the appearance of the properties
- 8% raised concerns regarding litter
- 5% raised concerns in regards to Noise Nuisance
- 2% raised concerns in regards to fire safety.

**Q7 Do You Think The HMO Licence Scheme Can Improve the Quality and Appearance of Houses of Multiple Occupation?**

- 68% confirmed yes

13% said No

18% were unsure as to whether the Additional Licence scheme served to improve the quality and appearance of HMOs

**Q8 Do You Think the Additional Licensing Scheme Can Serve to Improve the Safety and Security of HMOs?**

69% thought the ALS could serve to improve Safety and security of HMOs

18% were unsure

11% Did not think the ALS could serve to improve Safety and security of HMOs

**Q9 Do You Think Additional Licensing Can Provide an Effective Way of Preventing Anti-Social Behaviour?**

54% agreed that ALS was an effective way of preventing ASB

24% Were unsure

20% did not think ALS did not provide a means for preventing ASB

**Q10 Do You Think Additional Licensing Can Improve the Management of HMOs?**

67% stated an ALS could serve to improve the management of HMOs

17% were unsure

14% felt that an ALS did not serve to improve the management of HMOs

**Q11 Would You Like to See the Additional Licensing Scheme Continued?**

71% of respondents confirmed they would like the Additional Licensing Scheme to continue

19% were unsure

8% did not want the Additional Licence Scheme to continue.

Over 60% of respondents confirmed their support for the objectives of the HMO Additional Licensing Scheme as a means of monitoring and raising the standards of HMO accommodation and its effective management.

The main benefit of the ALS was as a means of reducing incidents of anti-social behaviour in all its forms.

71% of all respondents were in agreement with continuing with the HMO Additional Licensing Scheme as opposed to just 11% of respondents who did not want the scheme to continue.

## 7. Survey Comments:

All respondents were provided with the opportunity to comment on the HMO Additional Licence Scheme.

A total of 37 respondents provided a comment (See Appendix 2)

Of the 37 respondent comments there were:

8	Landlords
2	Students
3	Tenants
24	Owner Occupiers

### Landlord Comments.

The main theme of comment from landlords was that the ADLS presented an additional form of taxation and that further costs and enforcement were not required. There was a feeling that the ADLS focused on compliant landlords and detracted from the ability to enforce standards and did not effectively address non-compliant properties and or landlords.

### Student Comments.

The theme of the student comments was that was need for stricter control and the ADLS acted as a means to prevent Anti-social behaviour and raise the quality of the HMO stock.

### Tenant Comment.

The emphasis was on the need and responsibility to raise the quality of rented accommodation to maintain a viable rental market and social cohesion.

### Owner Occupier Comment.

Although identifying as owner occupiers there were several comments that related specifically to the development, rental and management of HMO properties and the effects the ADLS had on their rental business and future investment options.

There was a high proportion of comment in regards to anti-social behaviour and a lack of enforcement in the Treforest area and the negative impact this is having on the community. The general theme was the perception that there were too many HMOs in Treforest and there was a need to monitor and ameliorate the negative impacts on the community through tighter enforcement of the HMO Additional Licensing Scheme.

Owner Occupiers were in agreement with the aims, objectives and continuation of the ADLS so long as it was fully enforced.



## **Comment Summary**

Respondent comments identified the potentially negative impact HMOs could have on a community if left unchecked. There was support for the concept of additional licensing so long as it was fully enforced and provided a means to target and address non-compliant landlords and raise the quality of property and tenant management.

Landlords presented a negative perception of Additional licensing as a means of taxation and an additional burden on the effective management of their property and their business. Concerns were raised that good landlords were being targeted and a lack of enforcement overlooked non-compliant landlords and poor quality properties.

Owner Occupiers and tenants presented the ADLS in a positive light and supported the aims and objectives of the scheme so long as it was fully enforced and due action was taken to address breaches quickly and effectively.

Treforest featured significantly in the responses and there was a recognition of the problems that could be derived from an over-supply and deterioration in the quality of HMOs.

## Appendix 1

### Copies of Media Utilised for Consultation

#### ❖ Email Sent to 972 Landlords, Agents and Associated Services.

Dear Landlords,

Rhondda Cynon Taf County Borough Council are currently reviewing their HMO Additional Licence Scheme and would be grateful for your assistance.

For full details on Houses of Multiple Occupation please visit the councils web page

<https://www.rctcbc.gov.uk/EN/Business/LandlordGuidance/Housesinmultipleoccupation.aspx>

[Houses in multiple occupation | Rhondda Cynon Taf County ...](#)

[www.rctcbc.gov.uk](http://www.rctcbc.gov.uk)

Houses in multiple occupation information and advice in Rhondda Cynon Taf.

To complete the on-line survey

<https://www.snapsurveys.com/wh/s.asp?k=153270711302>

Please see attached Frequently Asked Questions

Thank you for your time and assistance in raising and maintaining the standards of rented accommodation in RCT.

❖ **SNAP Survey Content.**



## HMO Licensing Scheme

Rhondda Cynon Taf CBC are reviewing their HMO Additional Licensing Scheme which was introduced on the 1st of April 2014 as a means of improving the quality and management of rented accommodation in Rhondda Cynon Taf.

Houses of Multiple Occupation provide an essential accommodation option for an increasing number of RCT residents. We would therefore be grateful if you could assist in reviewing the HMO Additional Licence Scheme by answering the following questions.

Q1 In which area do you live?

Q2 Are you...?

- An owner occupier
- A landlord
- A tenant
- A student
- Prefer not to say
- Other

Please specify

Q3 Have you Heard of the HMO Additional Licensing Scheme?

- Yes
- No
- Not sure

- 
- Q4 Are there any HMOs in your area?
- Yes
- No
- Not sure
- Q5 Do you have any concerns about the HMO's in your area?
- Yes
- No
- Not sure
- Q6 If yes, please confirm what your concerns are:
- Appearance
- Disrepair
- Fire safety
- Noise
- Litter
- Anti-social behaviour
- Q7 Do you think the additional licensing scheme can improve the quality and appearance of Houses of multiple occupation?
- Yes
- No
- Not sure
- Q8 Do you think Additional Licensing can serve to improve the Safety and security of Houses of Multiple Occupation?
- Yes
- No
- Not sure
- Q9 Do you think additional licensing can provide an effective way of preventing Anti-social behaviour?
- Yes
- No
- Not sure
- Q10 Do you think Additional licensing can serve improve the management of houses of multiple occupation?
- Yes
- No
- Not sure

Q11 Would you like to see the Additional Licensing Scheme continued?

- Yes
- No
- Not sure

Q12 Do you have any comments?

We would like to thank you for your time and the support you have provided.

Rhondda Cynon Taf County Borough Council will process the information you have provided in accordance with the General Data Protection Regulation (GDPR). The information may be used for statistical purposes but all personal details will be anonymous. For further information please view our consultation Privacy Notice, which will be available at [www.rctcbc.gov.uk/serviceprivacynotice](http://www.rctcbc.gov.uk/serviceprivacynotice)

## ❖ RCTCBC Current Consultations (Web Page)

### Current Consultations



#### Traffic Consultations

Give your views on the design and implementation of new traffic and road safety schemes.



#### School Consultations

Give your views on school building and development in Rhondda Cynon Taf.



#### Strengthening Local Government: Delivering for people

The Welsh Government is consulting on options to create stronger, more powerful local government in Wales.



#### Public Rights of Way Improvement Plan Survey

ROWIPs are the prime means by which Rhondda Cynon Taf identify, prioritise, and plan for improvements to local rights of way and set out how we will approach our day to day management of the Rights of Way Network.



#### Resident Engagement 2018

We will be out and about in the local community talking to residents about a range of topics and to recruit new Citizens' Panel Members.



#### HMO Licensing Scheme

Rhondda Cynon Taf CBC are reviewing their HMO Additional Licensing Scheme which was introduced on the 1st of April 2014 as a means of improving the quality and management of rented accommodation in Rhondda Cynon Taf.



#### Cwm Taf Ageing Well Plan Consultation

We are interested in hearing your views on the 5 themes of the programme and what you feel we should be doing and what you could do to support:

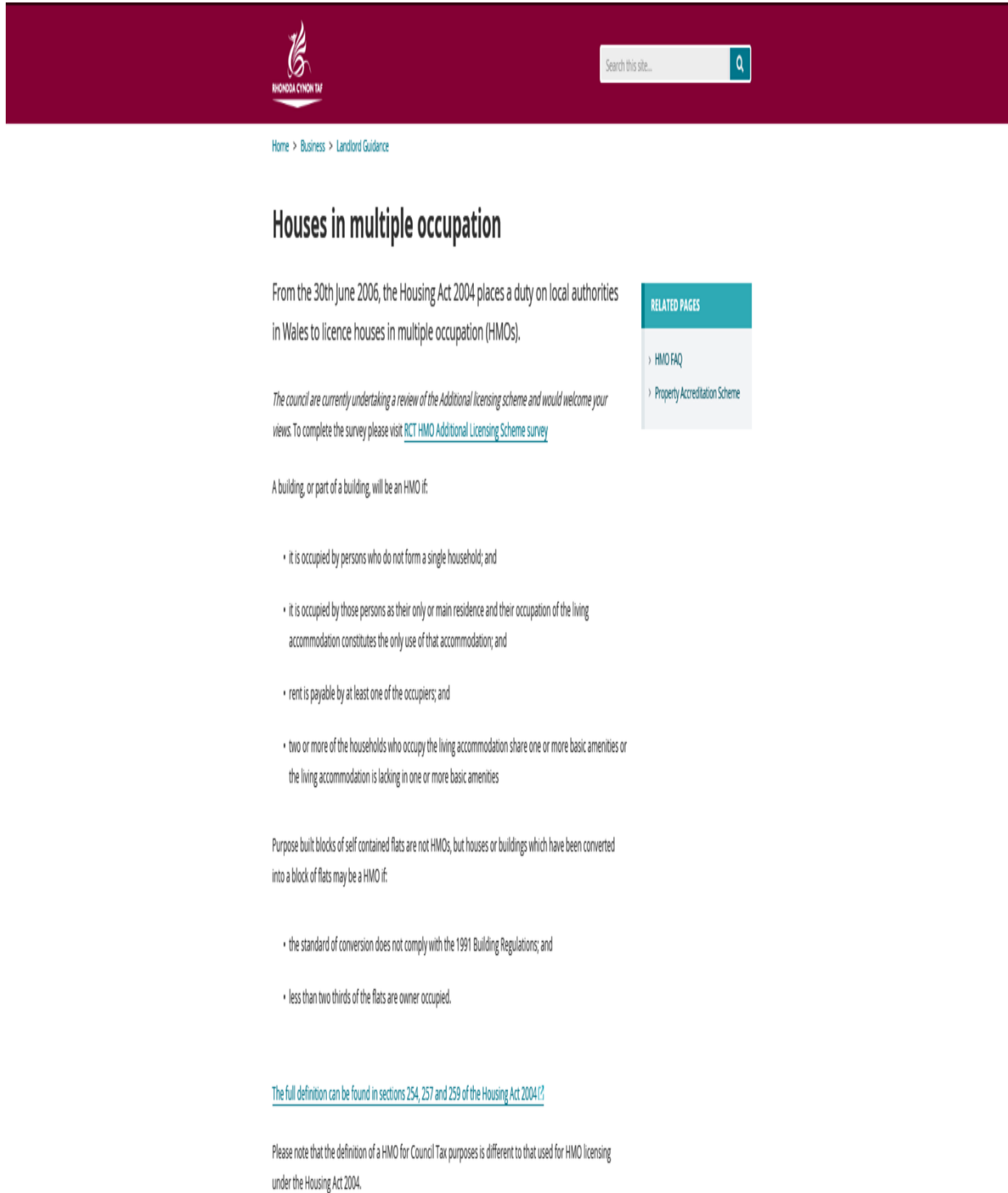


#### Equality Objectives Consultation

Do you have views on equality? If so, we would like to hear them. We are consulting on our proposed equality objectives.

## ❖ RCTCBC Houses of Multiple Occupation Web page.

<https://www.rctcbc.gov.uk/EN/Business/LandlordGuidance/Housesinmultipleoccupation.aspx>



**Houses in multiple occupation**

From the 30th June 2006, the Housing Act 2004 places a duty on local authorities in Wales to licence houses in multiple occupation (HMOs).

*The council are currently undertaking a review of the Additional licensing scheme and would welcome your views. To complete the survey please visit [RCT HMO Additional Licensing Scheme survey](#)*

A building, or part of a building, will be an HMO if:

- it is occupied by persons who do not form a single household; and
- it is occupied by those persons as their only or main residence and their occupation of the living accommodation constitutes the only use of that accommodation; and
- rent is payable by at least one of the occupiers; and
- two or more of the households who occupy the living accommodation share one or more basic amenities or the living accommodation is lacking in one or more basic amenities

Purpose built blocks of self contained flats are not HMOs, but houses or buildings which have been converted into a block of flats may be a HMO if:

- the standard of conversion does not comply with the 1991 Building Regulations; and
- less than two thirds of the flats are owner occupied.

[The full definition can be found in sections 254, 257 and 259 of the Housing Act 2004.](#)

Please note that the definition of a HMO for Council Tax purposes is different to that used for HMO licensing under the Housing Act 2004.

**RELATED PAGES**

- > HMO FAQ
- > Property Accreditation Scheme

## ❖ Frequently Asked Questions

### **Houses of Multiple Occupation Additional Licensing scheme.**

#### **Q. What is a House of Multiple Occupation?**

**A.** A building, or part of a building, will be an HMO if:

- ✓ it is occupied by persons who do not form a single household; and
- ✓ it is occupied by those persons as their only or main residence and their occupation of the living accommodation constitutes the only use of that accommodation; and
- ✓ rent is payable by at least one of the occupiers; and
- ✓ two or more of the households who occupy the living accommodation share one or more basic amenities or the living accommodation is lacking in one or more basic amenities

Purpose built blocks of self-contained flats are not HMOs, but houses or buildings which have been converted into a block of flats may be a HMO if:

- the standard of conversion does not comply with the 1991 Building Regulations; and
- less than two thirds of the flats are owner occupied.

#### **Q. What is HMO Additional Licensing?**

**A.** The Housing Act 2004 allows local Authorities to specify that landlords of some or all Houses in Multiple Occupation (HMOs) must apply for a license if they want to let to tenants. A scheme can cover the whole of the Authority's area and all types of HMOs, or can be designed for a specific area and specific HMOs. An additional licensing scheme can last for a maximum of 5 years at which point it is reviewed to confirm it has achieved the desired outcomes and whether it should be extended or withdrawn.

Licensing gives The Council the power to require all landlords of HMOs (included in the scheme) to apply for a license and provide details of the management arrangements and the property. This will enable officers to know where these properties are and place conditions on the license holder to ensure minimum standards of safety, welfare and management are maintained.

License holders will have to be fit and proper persons and satisfactory management arrangements will have to be in place.

Landlords will have to pay a fee for each license application to cover the Council's costs of running the scheme.

The council will compile a register of licensed properties with landlords contact details and maximum occupancy and property details. The register of HMOs will be available to the public so they can find out who manages HMOs near them and are able to more quickly and easily report problems.

The council will be able to proactively inspect licensed properties to deal with any significant health and safety hazards and ensure they meet minimum management requirements.

Where landlords are unable to meet the licensing requirements the council can pursue the necessary sanctions against the landlord which could include prosecution and forcing a change of management of the property.

Operating a property covered by the designation without a license is an offence punishable by a fine up to £20,000.

**Q. How many HMOs are there in RCT?**

A. As of April 2018 there were 544 Licensed HMOs with another 22 properties pending completion of their license application.

❖ **RCTCBC Social Media**

**Facebook**

- The landlords of houses of multiple occupancy - such as student digs - have to meet additional licensing standards to protect tenants and the wider community - have your say here: <http://socsi.in/wbyi5>

**Twitter**

- Are you the landlord of a House of Multiple Occupation (HMO)? Have your say in our review of the Additional Licensing Scheme, introduced to further improve the quality and management of rented accommodation in RCT. <http://socsi.in/VBwj>

❖ **Landlords Newsletter.**

An article relating to enforcement of the Additional Licencing Scheme was covered in the Landlords Newsletter circulated via email on the 30/08/18 to 972 Landlords, Agents and associated services. Hyperlinks to the survey were contained within the article.



## RCT Landlord Prosecuted for Failing to license House of Multiple Occupation



A landlord from Cardiff has recently been convicted of a number of housing related offences in connection with a property he rented in Rhondda Cynon Taf.

Dean Leaman pleaded guilty on the 18<sup>th</sup> July 2018 at Merthyr Magistrates Court to operating a licensable House in Multiple Occupation (HMO) at 45 Oxford Street, Treforest without a licence. He also pleaded guilty to two other offences of failing to comply with a notice to produce documents and for failing to be licensed with Rent Smart Wales or appointing a licensed agent to act on his behalf. He has been fined and ordered to pay Council Costs as well as a victim surcharge.

The property was identified as being a potentially unlicensed HMO during routine street surveys carried out during November 2017. Further investigations confirmed that the property was indeed being occupied as a HMO with four persons occupying the house as four separate households, without a licence.

Despite being given a number of opportunities to submit a HMO licence application he failed to do so. A legal notice was served on Dean Leaman declaring the property as a HMO and a separate notice was served requiring him to produce documents. He failed to produce the documents as required and it was also identified that he was not licensed with Rent Smart Wales.

The Council licences HMO's to ensure that properties are free from serious hazards, have the appropriate facilities and fire precautions and are safe to live in.

It is unlikely that the landlord could become a licensed landlord with Rent Smart Wales now and will have to appoint a licensed agent to act on his behalf. In addition if he were to apply to

licence any of his properties as HMO's, Licensing Authorities would have to consider whether he is fit and proper to do so having regard to his conviction. On top of this his tenants can apply to a Residential Property Tribunal for a Rent Repayment Order. A Residential Property Tribunal could determine that he has to pay each tenant up to twelve months of their rent back.

Paul Mee, Service Director for Public Health, Protection and Community Services said "We have a licensing scheme in place to ensure all HMO's in our County Borough are well managed, safe and do not have a negative impact on the wider community.

"Treforest has been an area where residents have experienced problems as a result of the actions of a minority of irresponsible landlords and their tenants"

"Working with the majority of responsible landlords we have put in place the licensing scheme and a range of measures to ensure the HMO properties offered for rent in RCT, particularly to students, are run responsibly and legally".

Rhondda Cynon Taf Council is currently consulting on its additional licensing scheme, which came into force in 2014. You can find out more here <https://www.rctcbc.gov.uk/EN/Business/LandlordGuidance/Housesinmultipleoccupation.aspx>

You can share your views via the consultation here: <https://www.snapsurveys.com/wh/s.asp?k=153270711302>

## Appendix 2

### Survey Comments

Respondents were able to comment on aspects of the Additional licensing scheme and its objectives in regards to the curtailment of Anti-social behaviour and the accountability of landlords and their management practice.

Landlord Comments
The additional licensing scheme distracts EHO's from focusing on the really poor properties and landlords and they end up focusing on getting paperwork filled out. They have all the powers they need and this is a tax and bureaucratic system which slows down effective enforcement.
Another form of taxation by the local authority. RCT are doing their best to increase the overall number of residential houses in the Treforest area
I believe the present scheme is quite adequate for the people who register and comply with the regulations you already have in place. The problems you have are with the persons who do not register and comply with the safety regulations which are in place. Any changes you may in visage would once again be carried out by persons who are registered, and already comply with the rules and not by the people who are not registered
As a landlord I try my hardest to keep my HMO up to regulated standards at all times. In RCT I have found it increasingly difficult to get tenants since South Wales University seems to work more closely with student accommodations in Cardiff. Also I think that if a HMO is issued, landlords should be able to rent house at to family's if need be, I have been informed that this should not happen? Increased licensing will no doubt increase costs and overheads where rents have decreased and cost gone up!
Enough checks and balances and training together with sufficient enforcement and sanction options under the Rent Smart Wales legislation - further costs and enforcement not required.
Existing refuse storage and collection policies are not helpful or clear. Refuse regularly left uncollected.

Personally I don't see these schemes working, generally its more of a way of generating revenue for councils, some other councils are dropping the schemes or modifying them due a recent court case.....In a case between HMO landlord Peter Gaskin and The London Borough of Richmond Upon Thames, the administrative court ruled that HMO licence fees charged by local authorities can only cover the cost of the licencing scheme, not the cost of enforcing the scheme. HMO licenses have to be renewed every five years and when Gaskin came to renew his licence the council asked him to pay a fee covering not only the costs of processing his application, but the authority's costs of running the licensing scheme.

The Housing industry needs a shift and rejuvenation. But Additional HMO Rules is the wrong approach. It will drive house prices up. It will reduce the number of available single occupancy houses. It will penalise landlords. It will make the already short numbers of property even shorter. It will drive more landlords out of the business and create unemployment. It will see a rise in abandoned properties by landlords. It's just a badly thought idea. Cut the red tape in the buying process and there will be more housing. Regulate solicitor's exploitation of landlords and there will be more affordable houses hence reducing the need for having few badly behaved people in one HMO area. Regulate companies selling repossession properties and assist more properties available soon hence reducing the need for more HMOs. But let good landlords produce more HMOs. Just don't restrict them, but regulate the sizes of rooms and that shall be fine.

### Students

Stricter Control

To prevent stuff including anti-social behaviour you need to higher the image of housing; such as higher the quality and focus on the appearance a bit more

### Tenants

Treforest needs high quality HMO's to attract students to USW to help keep Treforest a busy vibrant village, as this would have a knock on effect to businesses and leave empty properties which could lead to other issues.

I live in a rent house but I keep my home inside and outside clean and tidy.

This scheme is a great start, but, there needs to be more emphasis on those landlords that do not keep their properties in good repair and also those who turn a blind eye to the tenants antisocial and illegal behaviour. This should then be extended to all private rented property.

#### Owner Occupier

I was intending to buy property for letting but have now shelved the idea.

I have rental properties in the Treforest area of which have HMO licences. I believe HMO licensing is a good idea and provided the scheme isn't restricted to allow a landlord to obtain a licence then I am a supporter. I believe a problem occurs under the additional licensing scheme where the local authority will not issue a licence even when a landlord has met all requirements.

I hope there that there won't be any more approval for his. There are lots of empty houses at present. There are problems with rubbish as not putting it out on correct day and being ripped apart. Hardly any recycling done. Parking problems as too many cars if too many HMO's. No respect for the properties and lots of unscrupulous landlords. They need to take responsibility for them. I.e. at end of term students have gone home and put rubbish out before they left. Land lords should visit and sort.

As it currently stands whatever process is in place doesn't seem to work, there is no effort from landlords or the tenants in question to maintain or look after the property or the area, lack of penalties and consequences makes the area a playground for thugs and disrespectful students to as they wish whenever they wish. There is a tremendous lack of housing across the whole of the UK and Treforest occupies a high unoccupied rate even during university term period. Landlord should have to show commitment to making a positive impact on the community as it's us the people who live here who have to deal with all the problems when the landlords and students can just up and leave whenever they please. Treforest is a tip there is no commitment from the council to actively maintain the area as they do places where all their residents pay council tax. It's a failing by the landlords, students and council and something needs to be done before the only people who contribute the area financially and by other means leave for good

<p>Absent landlords are a major factor in Treforest, we have far too many HMO properties in Treforest, the culprit being University of Wales , which has now left Treforest an absolute disgrace</p>
<p>When I have spoken to the council about individuals specifically moved to HMO in Treforest, the council were not interested in dealing with it. My wife and children are exposed to some unsavoury characters bringing the area down. Known people also are dealing drugs out of some and incidents occur regularly! For a father, this is questioning whether I should move from my area if this is not addressed!</p>
<p>The scheme could improve anti-social behaviour, litter, appearance etc. but from walking around my area I don't see any evidence of it being enforced. Landlords appear to be able to do what they want e.g. put litter out on the street days before its due to be collected thus leaving the area dirty. We've had to call the council to deal with rats on our property due to the HMO residents next to us putting their food waste directly into their garden (they were observed doing this). Management company appeared to not care. It feels that as long as the landlord/management get their money they don't care.</p>
<p>My house was built in 1840 and originally had 7 occupants, fast forward 180 years and with HMOs nothing has changed apart from theme noise, the anti-social behaviour, the filth, nowhere to park HMOs are a blight on society, get rid.</p>
<p>There was only one choice regarding the impact of HMOs on the local community. Unfortunately, all of the above are a problem along with parking of cars</p>
<p>We have a lot of trouble with parking because student house Can have up to 4 or 5 cars per house</p>
<p>Treforest has become a right XXXX hole I pay my rates and bills .and I worked all my life. I love living in Treforest but it is not safe to walk the streets.</p>
<p>Fed up of seeing the houses in this area being left to rot!!</p>
<p>Good Job done by local Authority</p>
<p>There are too many HMO's in Treforest and something should be done to stop the greedy landlords from putting anyone in these houses just to get money most of landlords are fine and look after the properties but some don't care</p>

<p>It's not a short term fix. The area has deteriorated over the last few decades and will take a long time to improve. There needs to be a focus on bringing families with children back into the area.</p>
<p>The whole of Treforest needs to be looked at, too many HMOs, no need for any more to be built.</p>
<p>The licensing scheme has been watered down over the years which has made it easier for people to rent properties as HMO's. The licensing process that I undertook to register my properties many years ago was much stricter.</p>
<p>as far as I can see everyone looks the other way you don't follow it up</p>
<p>Far too many HMOs in Treforest should be limited to a percentage of each street or road</p>
<p>Without the Scheme Treforest community would be destroyed.</p>
<p>Make sure it's clean and tidy around the area.</p>
<p>Gives reassurance to permanent residents.</p>
<p>The additional licensing scheme is absolutely necessary to ensure that houses of multiple occupation in Treforest are better managed as well as the associated issues such as anti-social behaviour. The demand for student accommodation in Treforest has changed in recent years as student numbers have decreased yet the standards in unlicensed accommodation particularly give cause for concern. Additional licensing helps to a certain degree as does enforcement and prosecution of unlicensed housing as it serves to discourage rogue landlords and promote compliance. I deal with community complaints as part of my job role and the public health and protection team have proved vital in terms of advising on licensed and unlicensed properties where (alleged) anti-social behaviour has occurred and of course in ensuring that standards are met. Students are vulnerable and without the safety net of additional licensing could be at further risk of exploitation by rogue landlords.</p>

There are concerns about every aspect of HMOs, but question 6 only allowed one choice. Treforest has the greatest number of HMOs in the borough and many of the HMOs are still not licensed. We have provided the Local Authority with a large list of potential HMOs that were not licensed. Treforest has been devastated by the high density of HMOs and if the community is to be regenerated, it is essential that the Additional Licensing Scheme continues. Respectfully, can you please continue with the Additional HMO Licensing scheme, without the scheme Treforest would be completely destroyed.

there are far too many student accommodations in Treforest and not enough affordable accommodation for single or small families of the community. which is destroying the community vibe

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## APPENDIX 3

# PROPOSED 2019 LICENCE CONDITIONS Rhondda Cynon Taff County Borough Council

## Licensing Conditions for a House in Multiple Occupation (Housing Act 2004 Section 67)

### Premises:

Licence reference: .....

These conditions are mandatory and will be imposed by Rhondda Cynon Taf County Borough Council in all Houses of Multiple Occupation (HMOs) that are subject to a licensing scheme within the scope of Part 2 of the Housing Act 2004. The Council may apply others with discretion in appropriate circumstances and the list below should therefore not be regarded as exhaustive.

### 1. Number of persons/households permitted to occupy the property

- 1.1 The licence holder must not permit the HMO to be occupied by more than the number of persons specified in the licence.
- 1.2 The use and level of occupancy of each room shall not be changed without the prior written approval of the Licensing Authority.

### 2.Changes to the licensed property, licence holder or management arrangements

- 2.1 No alteration that may impact on the licence conditions will be made to the property without prior notification to the Licensing Authority
- 2.2 Any material change of circumstances in respect of the licence holder, manager or anyone else involved with the property itself or its management must be notified to the Licensing Authority within seven days of such a change occurring. This will include any change of contact details.

### 3. Letting Arrangements

- 3.1 The licence holder shall supply all occupiers of the house with a written statement of the terms on which they occupy it.
- 3.2 The licence holder will provide each new occupier at the start of their occupancy with:
  - (a) Written information on recycling and refuse storage, collection and disposal arrangements;

- (b) Written information on procedures for the escape from the building in case of fire, including, but not limited to, understanding the alarm, the importance of fire doors and protecting the escape, keeping the escape route free from obstruction and proper use of fire-fighting equipment provided. The licence holder shall ensure that all occupiers are fully aware of procedures for dealing with false fire alarms;
- (c) Written details of the arrangements that are in place for dealing with repairs and emergency situations at or in connection with the property. This should include names, telephone numbers and email addresses where available;
- (d) Written information about anti-social behaviours detailed in **condition 7** of this licence
- (e) Information is provided regarding the operation of the heating system and advice given in respect of minimising condensation dampness and mould growth

3.3 The Licence Holder or Manager shall ensure that all reasonable requests by an authorised Officer of the Council's HMO licensing Team to examine or survey the property are fulfilled and access is gained without unnecessary delay.

#### **4. The condition of the property and associated facilities**

4.1 The licence holder must ensure that the HMO has adequate means of escape and other fire precautions in case of fire in line with the Council's adopted standards and the requirements of the Fire and Rescue Service, and or the requirements of the Approved Document B of the Building Regulations currently in force, as applicable.

4.2 The licence holder must ensure that the HMO is maintained free from serious disrepair.

4.3 The licence holder must ensure that the HMO complies with the Council's adopted space and amenity standards.

4.3 The licence holder must ensure that adequate space heating is provided and maintained in each unit of living accommodation.

4.4 A working carbon monoxide alarm must be fitted to any room that is used partly or wholly as living accommodation and also contains any appliance which burns, or is capable of burning, solid fuel, mains gas or liquid petroleum gas fuel.

4.5 The licence holder must ensure that adequate amenities, facilities and equipment are provided and maintained in good order in the HMO for the use of the occupants at all times. This shall include satisfactory facilities for the storage, preparation and cooking of food including an adequate number of sinks with a suitable and sufficient supply of hot and cold water, in line with the Council's adopted amenity standards. It shall also include the provision of

an adequate number of suitably located water closets, an adequate number of suitably located fixed baths or showers and wash hand basins, each of which is provided with a suitable and sufficient supply of hot and cold water and properly connected to the drainage system.

4.6 The licence holder must ensure that the internal common parts, staircases and other communal areas are maintained on good order and that they are so far as practicable in a clean and tidy condition.

4.7 All licensable properties must attain a minimum “E” rating energy performance unless the premises is exempt in accordance with criteria specified with The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015

4.8 The Licence holder shall ensure that all portable electrical appliances provided by the landlord for use by the tenants occupying the property shall be kept in a safe condition. Upon request by the Council, an up to date annual Portable Appliance Testing (PAT) certificate shall be provided as evidence to satisfy this condition.

4.9 The Licence Holder shall ensure, as far as reasonably practicable, any waste arising from building work or improvements to the house is not stored or does not accumulate within the curtilage of the property. All accumulations shall be removed without delay to a licensed waste disposal facility.

## **5. Fire precautions**

5.1 The licence holder must ensure that there are appropriate means of escape, fire precautions and equipment provided at the property in line with the Council’s adopted standard. The licence holder will provide the Council with a declaration, on demand, as to the design, installation and conditions of the system

5.2 The licence holder shall ensure that the fire alarm and detection system and fire extinguishers provided at the property are maintained in good working order; that the alarm system, including sounders and smoke detectors, are tested at appropriate intervals in accordance with the installer’s/manufacturer’s instructions and that any defects are remedied immediately.

As a minimum, the alarm system should be tested by operating all alarm sounders in the dwelling at least once every month, annually testing each smoke detector for response to smoke, cleaning of the smoke detectors periodically in accordance with the manufacturer’s instruction, or such other measures as may be deemed appropriate to the circumstances. Fire extinguishers should be visually checked monthly and annually serviced. Keep a written record of testing and maintenance of the alarm system, for example in the form of a log book. This record must be made available for inspection upon demand of the licensing authority.

5.3 The licence holder shall ensure that arrangements are in place for an appropriate person being available to attend the property at any time in the event of a false alarm to ensure that the fire alarm system is properly re-set. Contact details for this person shall be registered with the Council's Housing Standards Team, Ty Elai, Dinas Isaf East, Williamstown, Tonypanyd CF40 1NY. Email [publichealthhousing@rctcbc.gov.uk](mailto:publichealthhousing@rctcbc.gov.uk)

5.4 The Licence holder shall ensure that the fire alarm is tested by a suitable and competent contractor following all false alarms and fire occurrences to ensure the system is properly re-set. The licence holder shall ensure that the Council is informed of a fire occurrence at the property within 24 hours of the fire occurrence being notified to the licence holder or their nominated representative.

#### 5.5 Maintenance of Fire Sprinkler Systems (where installed)

Written evidence should be provided to the Licensing Authority annually that any sprinkler system installed within a licensed property is maintained in accordance Section 7 of BS 9251:2014 : *Fire sprinkler system for domestic and residential occupancies - Code of practice*

The sprinkler system should be subject to an annual inspection and test by a competent person, as follows.

- a) The system should be inspected to determine whether all components are functioning as designed.
- b) The system should be inspected for leaks.
- c) The system should be inspected to determine whether any or all modifications have been carried out in accordance with this standard.
- d) Where there has been a material alteration to the building, an increase in fire loading or a change to include vulnerable occupants, an assessment should be made as to whether the category of system is still appropriate.
- e) The sprinklers and cover plates should be inspected to determine whether they have been tampered with or whether their spray pattern has been impeded.
- f) Valves should be exercised to ensure free movement and any locking mechanism should be checked and reinstated.
- g) The test valve should be operated to determine whether the system's design flow rate and pressure, as hydraulically calculated, is achieved.
- h) Alarms should be tested to determine whether they function as designed.
- i) Backflow prevention devices should be maintained in accordance with the manufacturer's recommendations or BS EN 806-5.
- j) Any remote monitoring arrangements should be tested to determine whether they are being transmitted and received correctly.  
*NOTE 2 It is essential that any alarm receiving centre to which alarm signals are relayed is notified before, and immediately after completion of, any tests that could result in an alarm signal.*
- k) Where trace heating is installed, its operation should be checked.

## **6. Gas, Electrics and Furniture**

6.1 If gas is provided to the house, with reference to the gas appliance, boilers and flues (the 'gas appliances etc.'): -

- I. The licence holder must ensure that at all times the gas appliances etc. provided as part of the tenancy are in a safe condition.
- II. A certificate from a Gas Safe registered engineer concerning the condition of the gas appliances etc. shall be provided to the Council with each application for a licence. A copy of this certificate must also be provided to each tenant upon the start of a tenancy agreement and annually thereafter.
- III. On each occasion that the gas appliances etc. are altered in any way, the licence holder must produce to the Council a further certificate from a Gas Safe registered engineer concerning the condition of the gas appliances etc.
- IV. The licence holder must produce to the Council annually for their inspection a gas safety certificate obtained in respect of the house within the last 12 months.

6.2 The licence holder must keep electrical appliances and furniture made available by him in the house in a safe condition. In particular, the licence holder must ensure that all upholstered furniture and furnishing provided as part of the tenancy comply with the standards required in the Furniture and Furnishings (Fire Safety) Regulations 1988 as amended and any other statutory instrument or other enactment which may, after the date of licensing, directly or indirectly replace them, with or without amendment. On demand, the licence holder must supply the council with a declaration by him as to the safety of these appliances and furniture.

6.3 With reference to the electrical installations in the house: -

- I. The licence holder must ensure that all lighting to the common parts is kept in good working order.
- II. The licence holder must ensure that at all times the electrical wiring to the lighting and power circuits, and the circuits to the fire alarm and emergency lighting systems and all electrical appliances (the 'circuits and/or appliances') provided as part of the tenancy arrangements are in a safe condition.
- III. Prior to licensing, the proposed licence holder must produce to the Licensing Authority, an electrical certificate issued from a qualified electrician confirming the satisfactory condition of the circuits and/or installation. The electrical certificate must not be more than 5 years old.
- IV. On each occasion that the circuits and/or installation are altered in any way, the licence holder must produce to the Council, a further

certificate from a qualified electrician confirming the satisfactory condition of the circuits and/or installation.

- V. For the purposes of this condition, a “qualified electrician” means a member of the Electrical Contractors Association (ECA), the National Inspection Council for Electrical Installation and Contracting (NICEIC), the Institute of Electrical Engineers (MIEE), or person qualified to the current IEE Wiring Regulations / British Standard ( BS 7671:2008(2015) 2382-15). The licence holder must ensure that the electrician is suitably qualified to provide an Electrical Installation Condition Report (EICR)

## **7. Community and Environmental Matters**

7.1 The licence holder must ensure that all reasonably practicable means are used to ensure that the occupants of (and their visitors to) the property;

- a) refrain from engaging in conduct causing or likely to cause nuisance or annoyance to a person residing, visiting or otherwise engaged in lawful activity in the locality, particularly in the following ways:-

- the playing of amplified (or other) music which is audible in the neighbouring properties or the streets;
- behaviour constituting breach of the peace or contravening the Public Order Act 1986, the Criminal Justice Act 1994 or other relevant enactment;

- b) refrain from using the property or allowing it to be used for illegal purposes or for an arrestable offence committed in the property or the locality;

and to this effect, the licence holder must take steps to ensure the occupants of the property are aware of the conditions imposed by the Council relating to their behaviour and this must be done at the commencement of any tenancy, as a minimum.

7.2 The licence holder must take all reasonable steps to co-operate with the Council over any action or investigation they may undertake in respect of anti-social behaviour arising in connection with the occupiers of (or visitors to) the licensed HMO.

7.3 The licence holder must ensure that the external structures, gardens and yards of the house are maintained in satisfactory repair (including decorative repair), clean condition and good order so as not to be detrimental to the amenity of the occupying tenants, neighbours, surrounding community or neighbourhood. The terms ‘structures’ includes windows, doors, roof, fascia and soffit boards, rainwater goods and boundary walls, gates and fences.

7.4 The licence holder must ensure that adequate and suitable refuse storage receptacles are provided for the exclusive use of the occupiers of the property.

7.5 The licence holder shall ensure that the occupiers of the house have written notification of the relevant collection and disposal arrangements for refuse arising from the property. The written notification shall include a statement that it is an offence to place refuse for collection on the public highway, public footpath or other designated collection point earlier than 12 hours before the scheduled time of collection. The licence holder must notify the occupiers of the HMO that they shall not permit litter or refuse to spread from the house onto the street or other land outside the curtilage of the house.

## **7. Waste storage and disposal arrangements**

7.1 The licence holder shall ensure that suitable and sufficient storage facilities are provided for household waste and recycling to prevent animals and birds from access to the waste pending its disposal.

7.2 The licence holder must ensure so far as practicable that the external areas within the curtilage of the property are kept clean, are free of accumulations of waste and are free from rodent infestations.

## **8. Provision of satisfactory management arrangements**

3.1 The licence holder must ensure that the HMO is properly managed at all times. In particular the licence holder must ensure compliance with the Management of Houses in Multiple Occupation (Wales) Regulations 2006 and/ or The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (Wales) Regulations 2007 and ensure that the property is appropriately managed or supervised for the purpose of ascertaining whether there are contraventions of the management regulations.

3.2 The licence holder must provide all tenants with a written statement of the terms on which they occupy the premises.

3.3 The licence holder must ensure that any persons involved with the management of the HMO are to the best of their knowledge “fit and proper persons” for the purposes of the Housing Act 2004.

3.4 The licence holder must ensure that there are adequate arrangements in place for dealing with emergency occurrences at or in connection with the property and must take suitable steps to ensure that all occupiers of the property are aware of the arrangements.

3.5 The licence holder must display in a prominent position in the house the following information: -

*PROPOSED 2019 LICENCE CONDITIONS*

- I. A copy of the licence currently in force in respect of the property.
- II. The name, address and contact number of the licence holder and manager if different, and nominated agent if applicable.
- III. Details of contact arrangements in case of an emergency in respect of the property.
- IV. A copy of a valid test certificate for the fire detection, warning and emergency lighting system.
- V. A copy of a valid test certificate for all gas appliances etc (if any).



## **RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

### **CABINET**

**21<sup>st</sup> NOVEMBER 2018**

#### **RCT TOGETHER – REVIEW OF THE COMMUNITY ASSET TRANSFER PROCESS**

#### **REPORT OF THE DIRECTOR OF PUBLIC HEALTH, PROTECTION & COMMUNITY SERVICES IN DISCUSSIONS WITH COUNCILLOR R LEWIS, CABINET MEMBER FOR STRONGER COMMUNITIES, WELL-BEING & CULTURAL SERVICES**

**Author:** Paul Mee, Director of Public Health, Protection & Community Services

#### **1. PURPOSE OF THE REPORT**

- 1.1 The purpose of the report is to propose a number of changes to the RCT Together process to align it with the Council's current strategic direction for community based services and assets.

#### **2. RECOMMENDATIONS**

It is recommended that the Cabinet:

- 2.1 Approve the proposed changes to the RCT Together process, establishing a more strategic approach aligned with the Council's Community Hub development programme.
- 2.2 Approve the proposed changes to the Community Enabling Fund, broadening eligibility criteria, allowing multiple applications and consolidating the Community Action Fund within the Community Enabling Fund.

#### **3. REASONS FOR RECOMMENDATIONS**

- 3.1 The Council needs to revise its approach to RCT Together to better align the process and supporting arrangements with its current strategic priorities.

#### **4. BACKGROUND**

- 4.1 At its meeting on 19<sup>th</sup> April 2018, the Cabinet approved a three year programme of investment in the development of between eight and ten Community Hubs across the County Borough.

- 4.2 These Hubs will bring together aligned services into a single location, thereby improving access and creating economies of scale. Each Hub will support a neighbourhood network of preventative community services and activities that will support people living in our communities to improve their independence, resilience, health and well-being.
- 4.3 Progress is being made with the successful community asset transfer of St Mair's Day Centre to Age Connect and the planned development of Mountain Ash Day Centre, the former Ferndale Infants School and Porth Plaza as Community Hubs.

### **RCT Together**

- 4.4 RCT Together is the Council's innovative approach to engaging with its residents and communities to explore how they can work together to develop alternative delivery models that maintain services and facilities for the future. Launched in March 2015, RCT Together has seen the Council working with communities and partners to sustain and deliver service that the Council may no longer be able to deliver on its own. Expressions of interest are considered from non-profit voluntary or community groups for activities that are of benefit to our residents.
- 4.5 To date 144 formal expressions of interest have been received by the Council from a variety of groups with diverse proposals ranging from taking over libraries and paddling pools to museums and day care settings. 19 of these expressions of interest have successfully progressed to be completed community asset transfers. The RCT Together team works proactively with the voluntary sector to co-ordinate and provide support and guidance for interested groups looking to take over responsibility for local assets and services. This includes advice on business planning, legal considerations, funding, energy efficiency, training and other specialist advice.

## **5 DISCUSSION AND PROPOSALS**

- 5.1 RCT Together has played an important and successful role since 2015 supporting a number of community groups and third sector organisations in the County Borough to secure accommodation and thereby enabling the development of their activities and services that benefit our residents.
- 5.2 Following the transfer of functional responsibility for RCT Together to Public Health, Protection & Community Services, the process has been reviewed and it is proposed to align the approach with the development of Community Hubs and their associated Neighbourhood Networks to ensure the process of community asset transfers delivers the Council's strategic and service requirements.

- 5.3 It is recommended that in future RCT Together should be refocused to ensure that only Community Asset Transfer applications that align strategically with and contribute towards the development of the Community Hub/Neighbourhood Network model and/or the Council's strategic priorities identified in the Corporate Plan "The Way Ahead" or Cwm Taf Well-being Plan will be progressed. These expressions of interest will need to demonstrate how they contribute to unmet need across the ten Community Zones identified by the Council.
- 5.4 To facilitate this approach a detailed report will be prepared for each of the ten Community Zones identifying potential sites for a Community Hub, the potential assets and providers in the area that will be part of the neighbourhood network supported by the Hub and providing a recommendation on RCT Together cases giving priority to childcare provision and developing sustainable transfer arrangements for community centres. Each report will identify all Council assets and services in each area (both active and surplus), and voluntary sector assets. The services provided from these assets will be mapped and the existing groups identified. This will enable gaps in provision to be identified along with social and regeneration opportunities in each area.
- 5.5 The gap analysis will focus on 5 priority thematic areas:
- Early Years
  - Employability
  - Youth
  - Learning Disability
  - 50 years plus
- 5.6 A report will then be compiled with strategic recommendations on what buildings and organisations are needed as a Community Hub; as part of the neighbourhood network and those that are surplus to requirements and can be disposed of.
- 5.7 Where the Council are looking to promote a targeted community asset transfer, it is recommended that the 30 day window of opportunity be retained but only expressions of interest would be sought with a clear expression of the Council's expectations for the use of the building/asset that meets the needs of the local community as identified by the revised RCT Together process.
- 5.8 It is anticipated that the revised process will ensure that any future tenancy agreements will include formal service level agreements (SLA) which clarify the responsibilities of the community group in contributing to the Neighbourhood Network. This approach will enhance the contribution that community asset transfers can make to the provision of community led services across the County Borough, strengthen the range of local provision and reduce time spent on speculative

applications, those with no credible business plan or those that do not meet the Council's strategic aims.

- 5.9 It is also proposed that the Council changes the arrangements for the Community Enabling Fund. This fund supports active proposals from non profit distributing voluntary and community groups or social enterprises who are seeking to develop projects that:
- Offer creative solutions on how local services could be run differently in partnership with or in collaboration with the Council or directly by them, or by members of their community;
  - Facilitate the transfer and development of community based assets; and
  - Sustain local services.
- 5.10 The fund is administered by the Regeneration, Planning and Housing Service and decisions on the award of funding are made by the Director Public Health, Protection & Community Services in consultation with the Cabinet Member for Stronger Communities, Well being and Cultural Services.
- 5.11 It is proposed that the fund be used to support priority cases that contribute to the Council's strategic priorities, with particular priority given to those applications that support the Community Hub model, transfer of Community Centres and the provision of childcare. It is also proposed that the eligibility criteria for the fund is broadened to include support to existing tenants. This would allow the fund to be used to support existing groups with long term leases who are struggling to sustain their tenancy due to a range of issues and need short term funding to ensure their sustainability.
- 5.12 It is proposed that the eligibility criteria be extended to include commercial childcare providers and Town and Community Councils. This would enable the Council to support the increased provision of professional child care across the County Borough. There is often a fine line between the profitability margins of commercial childcare providers and those that are set up as social enterprises and providing short term targeted financial support may enable a swift and sustainable asset transfer. Extending eligibility to include Town and Community Councils may support the transfer of assets such as Community Centres, particularly where the Town/Community Council may have been unable to raise the precept or attract grant funding to meet initial set up costs.
- 5.13 The fund will currently support a single application between £1,000 and £10,000 from an organisation. Some of the more well established and governed voluntary organisations are proposing to take on multiple asset transfers but are only able to access the fund once. It is proposed

that where there is evidence that the organisation can sustain multiple transfers that flexibility is allowed to extend the maximum grant limit or to allow multiple applications from the same organisation.

- 5.14 It is also recommended that the administration of the Community Action Fund is brought in house under the same arrangements as the Community Enabling Fund. This fund has historically been administered by Interlink on behalf of the Council and groups can apply for up to £500 to address a range of needs to help build community capacity. Although there is no live Community Action Fund in operation at present, it is recommended that if funding is allocated to this initiative in the future that it is merged with the Community Enabling Fund to create a single arrangement that will provide for a co-ordinated and graduated response to funding requests and ensure that allocated funding contributes to the Council's priorities.
- 5.15 The proposed changes to the Community Enabling Fund will extend its reach and allow greater flexibility for Officers administering the fund to accept applications from a range of organisations where their proposals contribute to the Council's strategic aims. Every application would be subject to a thorough assessment on its individual merits and the applying organisation to rigorous checks before any award of funding is recommended.

## **6. EQUALITY AND DIVERSITY IMPLICATIONS**

- 6.1 The Equality Act 2010 introduced a general equality duty and a specific public sector equality duty that is applicable to Councils. Section 149 of the Equality Act 2010 (Public Sector Single Equality Duty) requires public authorities to demonstrate that they have paid 'due regard' in their decision-making process to the need to:
- Eliminate unlawful discrimination, harassment and victimisation;
  - Advance equality of opportunity between people who share a protected characteristic and people who do not share it;
  - Foster good relations between people who share a protected characteristic and those who do not.

The relevant protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.

- 6.2 The Council must have due regard to the impact of any proposals on those with a protected characteristic. The Council has a specific duty to publish information to demonstrate how it has paid due regard to the aims above as part of its decision-making. Undertaking an Equality Impact Assessment screening exercise (and if necessary a full Equality Impact Assessment) would be evidence that the Council has

considered its legal obligations in making the decision on the recommendations in this report.

- 6.3 An equality impact assessment screening form has been completed relating to the proposed changes and has shown no adverse implications on those groups with protected characteristics as defined under the Equality Act 2010. Consequently a full equality impact assessment is not required.

## **7. CONSULTATION**

- 7.1 There are no consultation requirements arising from these proposals.

## **8. FINANCIAL IMPLICATION(S)**

- 8.1 The proposed changes to the RCT Together process have no financial implications for the Council.
- 8.2 The proposed changes to the Community Enabling Fund will consolidate any future Community Action Fund into the larger Community Enabling Fund but will have no additional financial implications overall.

## **9. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED**

- 9.1 There are no legal implications arising from this report.

## **10. LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT**

- 10.1 The development of Community Hubs contributes to the Council's corporate priorities through redesigning local services to ensure they are integrated and efficient. The Council is committed to working in a way that makes the best and most sustainable use of our limited and decreasing resources, always looking at alternative ways of doing things.
- 10.2 The implementation of RCT Together aims to achieve greater community collaboration and resilience. The Council will work with residents to increase self sufficiency, reduce reliance on statutory services and make the best possible use of community strengths to tailor services to need.
- 10.3 The Council's vision is to develop a new relationship with residents that enable them to be independent and resilient and to take on greater responsibility for their local communities. This is not about the Council shifting its responsibility – it is about recognising that residents want to be more involved in what happens in their community.

10.4 This proposal contributes to the well-being goals under the Well-being of Future Generations (Wales) Act. The proposals set out in this report offer the opportunity to provide a **long-term sustainable future** plan for the delivery of community services in RCT. Working in **collaboration** with communities and third sector organisations to explore community asset transfers creates the opportunity to address unsustainable service models and **integrate** service delivery for the benefit of residents. **Involving** the community throughout the process and developing services that meet the needs of our residents and help **prevent** the challenges many people are facing from escalating.

## 11. CONCLUSION

11.1 The proposed changes to the RCT Together will align the process with the Council's strategic objectives concerning community services and the development of Community Hubs. This will enable community groups to seek support from the Council but in a purposeful way that meets the needs of our communities.

**LOCAL GOVERNMENT ACT 1972**

**AS AMENDED BY**

**THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**CABINET**

**21<sup>st</sup> NOVEMBER 2018**

**RCT TOGETHER – REVIEW OF THE COMMUNITY ASSET TRANSFER  
PROCESS AND PROPOSALS**

**REPORT OF THE DIRECTOR OF THE PUBLIC HEALTH, PROTECTION &  
COMMUNITY SERVICES IN DISCUSSIONS WITH COUNCILLOR R LEWIS,  
CABINET MEMBER FOR STRONGER COMMUNITIES, WELL-BEING &  
CULTURAL SERVICES**

**Background Papers**

Cabinet - [19<sup>th</sup> April 2018](#) (Developing Community Hubs in Rhondda Cynon Taf)

Officer to contact:

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## **RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

### **CABINET**

**21<sup>st</sup> NOVEMBER 2018**

#### **PROPOSALS TO REVIEW THE PROVISION OF COMMUNITY DAY CENTRES IN RHONDDA CYNON TAF**

#### **REPORT OF THE DIRECTOR OF PUBLIC HEALTH, PROTECTION & COMMUNITY SERVICES IN DISCUSSIONS WITH COUNCILLOR G HOPKINS, CABINET MEMBER FOR ADULT COMMUNITY SERVICES & WELSH LANGUAGE**

**Author:** Paul Mee, Director of Public Health, Protection & Community Services

#### **1. PURPOSE OF THE REPORT**

- 1.1 The purpose of the report is to propose that a focussed consultation be undertaken with service users and the local communities of the remaining Community Day Centres to inform a subsequent decision on their future.

#### **2. RECOMMENDATIONS**

It is recommended that the Cabinet:

- 2.1 Approve a six week focussed consultation with service users and the local communities on the future of the remaining four Community Day Centres.
- 2.2 Subject to 2.1, a further report on the outcome of the consultation exercise with recommendations concerning the Community Day Centres is presented to Cabinet for consideration.

#### **3. REASONS FOR RECOMMENDATIONS**

- 3.1 The Council, as part of its Medium Term Financial Plan, must continuously review and challenge its service delivery to ensure it is cost effective, remains fit for purpose and is meeting the Council's commitment to deliver the best possible services for our communities. Where necessary it may be necessary to modernise and transform those services to meet current requirements.

#### **4. BACKGROUND**

##### **Community Day Centres**

- 4.1 There are five remaining Community Day Centres located across the County Borough. These provide daily hot meals and a programme of activities for people over 50 years of age. The average number of meals provided per day varies from one centre to another and ranges from, on average 12 meals per day (Teifi House, Maerdy) to 36 per day (Gilfach Goch). Numbers of meals provided are declining slowly each year. The net subsidy per meal ranges from £7.38 (Gilfach Goch) to £16.82 (Nazareth Day centre, Williamstown) and the cost to the Council is gradually increasing as usage declines.
- 4.2 There is a programme of activities held at Teifi House, Alec Jones, Brynna Jones (one afternoon each week) and Gilfach Goch although these programmes are generally quite limited. There are no activities held at Nazareth House in Williamstown. The Council has learning disability satellite services based at both Brynna Jones and Gilfach Goch Day centres.

#### **5. DISCUSSION AND PROPOSALS**

- 5.1 The Council's Community Day Centres have provided an important opportunity for older people in our communities to access a hot meal each week day and participate in a range of activities that help tackle social isolation and loneliness. There are five remaining Community Day Centres run by the Council located across the County Borough:
- Gilfach Goch Day Centre;
  - Brynna Jones Day Centre, Gelli;
  - Alec Jones Day Centre, Porth;
  - Teifi House Day centre, Maerdy;
  - Nazareth Day Centre, Williamstown.
- 5.2 A public consultation has been approved into the future provision of services currently held at Alec Jones Day Centre, Porth as part of the wider Porth Town centre regeneration Strategy considered by Cabinet at its meeting on 16<sup>th</sup> October 2018. This includes the proposal to integrate the day centre provision into a Community Hub to be developed at the existing Porth Plaza. This would maintain access to meals and a range of activities currently held at the day centre. Therefore, Alec Jones Day Centre is not included within the proposed consultation set out in Section 2 of this Report.

5.3 The current average meal sales per day, net subsidy per meal and net budget for each Community Day Centre is presented at Table I.

**Table I – Community Day Centres**

Community Day Centre	Average meals per day			Net cost per meal served 2017/18	Expenditure Budget 2018/19	Income Budget	Net Budget 2018/19
	2016/17	2017/18	2018/19				
Teifi House	15	13	12	£15.73	£90,950	£(29,910)	£61,040
Brynnar Jones	29	25	23	£8.50	£95,390	£(36,560)	£58,830
Nazareth House	21	19	21	£16.82	£96,160	£(24,140)	£72,020
Gilfach Goch	30	29	36	£7.38	£92,160	£(33,010)	£59,150
				<b>TOTAL:</b>	<b>£374,660</b>	<b>£(123,620)</b>	<b>£251,040</b>

\*Staffed by Catering Direct so would therefore need to consider impact on the service of any operational changes

5.4 The low usage levels at these facilities have either remained static or slowly declined with relatively few meals now being provided each day. The net cost per meal to the Council is significant at all centres and in one case is nearly £17 per meal. There is a programme of activities held at Teifi House and Brynna Jones (one afternoon each week) and Gilfach Goch although these programmes are generally quite limited. There are no activities held at Nazareth Day Centre in Williamstown. The low usage and ongoing cost to the Council is not sustainable.

5.5 Members will be aware that following the recent closure of St George's Day Centre in Tonyrefail, service users were signposted to Gilfach Goch Day Centre as an alternative. In addition, Gilfach Goch Day Centre supports clients from learning disability services who also access meals at the centre. Members may wish to consider deferring further consideration of the future of this facility until such time as the impact of the recent service change can be assessed.

5.6 There are restrictive covenants in place regarding all of these buildings. These relate to restrictions on the sale of alcohol; access rights for neighbouring properties or in one case a power of entry for the maintenance of drains and sewers. None of these are a barrier to the future beneficial use of the buildings.

5.7 The repair and maintenance requirements for each building have been assessed by Corporate Estates and it is estimated that over the next five years repair requirements of all four buildings would cost the Council approximately £500k. The estimated repair costs for each building are all significant; the greatest cost being in respect of Nazareth House, Williamstown estimated at approximately £165k and Teifi House, Maerdy, estimated at £193k.

- 5.8 On the evidence of the small number of service users it can reasonably be argued that the existing model no longer caters for the needs of the majority of older people in our communities. It is therefore proposed that the Council undertakes a six week focussed consultation with service users and the local communities on the future of the remaining four Community Day Centres (excluding Alec Jones Day Centre which is subject to a separate consultation), exploring opportunities for alternative service delivery models either through the developing Community Hub model where appropriate or through existing third sector organisations located in the communities concerned.

## **6. EQUALITY AND DIVERSITY IMPLICATIONS**

- 6.1 The Equality Act 2010 introduced a general equality duty and a specific public sector equality duty that is applicable to Councils. Section 149 of the Equality Act 2010 (Public Sector Single Equality Duty) requires public authorities to demonstrate that they have paid 'due regard' in their decision-making process to the need to:

- Eliminate unlawful discrimination, harassment and victimisation;
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it;
- Foster good relations between people who share a protected characteristic and those who do not.

The relevant protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.

- 6.2 The Council must have due regard to the impact of any proposals on those with a protected characteristic. The Council has a specific duty to publish information to demonstrate how it has paid due regard to the aims above as part of its decision-making. Undertaking an Equality Impact Assessment screening exercise (and if necessary a full Equality Impact Assessment) would be evidence that the Council has considered its legal obligations in making the decision on the recommendations in this report.
- 6.3 There is a potential impact on some vulnerable groups with protected characteristics (specifically older people) due to the proposed changes. Consequently a full Equality Impact Assessment will be undertaken, informed by the consultation feedback and included in a subsequent report to Cabinet prior to any decision being made on the proposal.

## **7. CONSULTATION**

- 7.1 It is proposed that the Council undertakes a six week focussed consultation with service users and the local community in respect of

the future of the remaining four Community Day Centres to inform a subsequent Cabinet report with recommendations.

## **8. FINANCIAL IMPLICATION(S)**

8.1 The net budget for the Council of providing the five remaining Community Day Centres is £251,040, excluding management and support costs which it is proposed are retained to support the Community Hubs programme.

8.2 The Quarter 2 Financial Report for 2018/19 also being considered at this Cabinet Meeting highlights that Adult Social Care is predicted to overspend by £2.2m for this financial year. It is proposed that any potential contribution these proposals will make to the Council's Medium Term Financial Plan will be used to maintain essential assessed adult social care services. This allocation of funding will depend on the outcome of the public consultation and any subsequent decision on the future of the Community Day Centres.

## **9. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED**

9.1 There are no legal implications arising from this report. There is no statutory duty on the Council to provide Community Day Centres.

## **10. LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT**

10.1 The development of Community Hubs contributes to the Council's corporate priorities through redesigning local services to ensure they are integrated and efficient. The Council is committed to working in a way that makes the best and most sustainable use of our limited and decreasing resources, always looking at alternative ways of doing things.

10.2 This proposal contributes to the well-being goals under the Well-being of Future Generations (Wales) Act. The proposals set out in this report support the Council's aim to provide a **long-term sustainable future** plan for the delivery of community services in RCT. Working in **collaboration** with communities and third sector organisations creates the opportunity to address unsustainable service models and **integrate** service delivery for the benefit of residents.

## **11. CONCLUSION**

11.1 The Council must continuously review and challenge its service delivery to ensure it is costs effective, remains fit for purpose and is meeting the council's commitment to deliver the best possible services for our communities. The proposed consultation on the future of the

Community Day Centres will inform the Council's approach to delivering these services in the future.

**LOCAL GOVERNMENT ACT 1972**

**AS AMENDED BY**

**THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**CABINET**

**21<sup>st</sup> NOVEMBER 2018**

**PROPOSALS TO REVIEW THE PROVISION OF COMMUNITY DAY  
CENTRES IN RHONDDA CYNON TAF**

**REPORT OF THE DIRECTOR OF PUBLIC HEALTH, PROTECTION &  
COMMUNITY SERVICES IN DISCUSSIONS WITH G HOPKINS, CABINET  
MEMBER FOR ADULT COMMUNITY SERVICES & WELSH LANGUAGE**

**Background Papers**

Cabinet - [16<sup>th</sup> October 2018](#) (Porth Town Centre Strategy) & [19<sup>th</sup> April 2018](#)  
(Developing Community Hubs in RCT)

Officer to contact:

Paul Mee, Director – Public Health, Protection & Community Services (01443  
425513)

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## RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

### CABINET

21<sup>st</sup> NOVEMBER 2018

### PRE SCRUTINY - DRAFT EMPTY HOMES STRATEGY

**JOINT REPORT OF THE DIRECTOR OF COMMUNICATIONS AND INTERIM HEAD OF DEMOCRATIC SERVICES AND DIRECTOR FOR REGENERATION, PLANNING AND HOUSING IN DISCUSSIONS WITH THE RELEVANT CABINET MEMBER, CLLR R BEVAN.**

#### **1. PURPOSE OF THE REPORT**

- 1.1 The purpose of the report is to update Members on the Draft Empty Homes strategy following Pre-scrutiny by the Health & Wellbeing Scrutiny Committee at its meeting on the 9<sup>th</sup> October, 2018.

#### **2. RECOMMENDATIONS**

It is recommended that Members:

- 2.1 Note the comments and observations of the Health & Wellbeing Scrutiny Committee attached as Appendix A of this report.
- 2.2 Subject to any further comment by Cabinet Members, endorse the recommendations outlined within the Empty Homes Strategy as attached as Appendix B of the report (and for ease of reference as listed below):

1. To approve implementation of the draft Empty Homes Strategy.

#### **3 REASONS FOR RECOMMENDATIONS**

- 3.1 The need for Members to be aware of the comments and observations of the Health & Wellbeing Scrutiny Committee prior to their consideration of the strategy as attached as Appendix B.

#### **4. BACKGROUND**

- 4.1 At a meeting of the Health & Wellbeing Scrutiny Committee the Committee agreed to pre-scrutinise the report of the Director, Regeneration, Planning & Housing in respect of the Empty Property strategy prior to Cabinet's consideration.
- 4.2 The Scrutiny Committee met on the [9<sup>th</sup> October](#) to pre-scrutinise the strategy and the draft minute is attached as Appendix A.

## **5. PRE-SCRUTINY OF THE STRATEGY**

5.1 At the meeting of the Health & Wellbeing Scrutiny Committee Members discussed the strategy and provided comments in respect of:

- Awareness raising – raising awareness in respect of the work of the Council and the provisions available for residents to take forward.
- The introduction of a grant for landlords in order for them to buy empty properties to help with the supply of affordable housing in high demand areas.
- The affect empty houses have on the amenities of the neighbourhood – Potential of demolition of buildings.

5.2 In respect of Members comments in regards to Grants, Officers advised that the Council's Private Sector Renewal Policy already has provision for this type of grant which is funded via the Capital programme should the need arise. In recent years the Council has been providing an interest free loan to landlords to bring empty properties back into use which has been very popular.

## **6. EQUALITY AND DIVERSITY IMPLICATIONS**

6.1 An Equality Impact Assessment is not needed because the contents of the report are for information purposes only.

## **7 CONSULTATION**

7.1 The report contained within appendix B has been presented to scrutiny for pre scrutiny before consideration by Cabinet.

## **8 FINANCIAL IMPLICATION(S)**

8.1 Any financial implications are outlined within Appendix B of the report.

## **9 LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED**

9.1 Non applicable – the report is identifying the scrutiny arrangements that have taken place.

## **10 LINKS TO THE COUNCILS CORPORATE PLAN / OTHER CORPORATE PRIORITIES**

10.1 Making Best Use of Our Budget – Pre scrutiny can improve cost effectiveness.

10.2 The Empty Homes Strategy incorporates the following Wellbeing goals of the Future Generations Act as indicated below and outlined within Appendix B of the report.

1. A healthier Wales
2. A prosperous Wales
3. A Wales of cohesive communities

## **11 CONCLUSION**

- 11.1 It is recognised that scrutiny is a vital component of good governance and improves Councils' decision making, service provision and cost effectiveness.
- 11.2 The undertaking of pre-scrutiny by the Health & Wellbeing Scrutiny Committee in this area will strength accountability and assist Cabinet Members in taking any future decisions on these matters.

### **Other Information:-**

#### ***Relevant Scrutiny Committee***

Health & Wellbeing Scrutiny Committee

#### ***Contact Officer***

Emma Wilkins – 01443 424110

**LOCAL GOVERNMENT ACT 1972**

**AS AMENDED BY**

**THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**CABINET**

**21<sup>ST</sup> NOVEMBER, 2018.**

**JOINT REPORT OF THE DIRECTOR OF COMMUNICATIONS AND INTERIM HEAD OF DEMOCRATIC SERVICES AND DIRECTOR FOR REGENERATION, PLANNING AND HOUSING IN DISCUSSIONS WITH THE RELEVANT CABINET MEMBER, CLLR R BEVAN.**

Item: **PRE SCRUTINY**

**Background Papers**

Health & Wellbeing Scrutiny Committee – [9<sup>th</sup> October, 2018.](#)

Officer to contact:

Emma Wilkins – 01443 424062

Prescrutiny of the Draft Empty Homes Strategy.

**18. DRAFT EMPTY HOMES STRATEGY**

The Head of Regeneration and Prosperity along with the Housing Strategy and Investment Manager presented the report in conjunction with a Power Point presentation.

The Head of Regeneration and Prosperity informed Members of the Council's proposed approach to tackling empty homes which is set out in the Council's draft Empty Homes Strategy for the period 2018- 2021.

In the presentation Members were given the current picture in respect of Rhondda, Cynon, Taf. It was explain that empty private sector homes represent a wasted resource, financial expense both to the owners and the Council and in many cases a missed opportunity to provide much needed affordable housing for residents.

It was highlighted that Council Tax Records reveal that there were 3,556 private sector homes that were vacant for 6 months or more as at 1<sup>st</sup> April 2017. This equates to 3.8% of Rhondda Cynon Taf's private housing (owner occupied and private rented). The average for Wales is 2.4% with the lowest (Torfaen) having 0.78% of their stock empty. However, of the 3,556 empty homes only 684 are classed as long term empty in that they have featured in each of the last four consecutive annual snapshots.

Officers explained that in 2015/16 a Scrutiny Working Group identified 9 recommendations across the following areas:

- Strategic approach and strong vision
- Identify funding opportunities
- Targeted approach
- Raise awareness
- Advice and Information

The Health and Wellbeing Scrutiny Committee were informed that over the last few years the Council has developed many tools and approaches to encourage empty homes to be brought back into use which have had a positive impact, which includes:

- Housing Enforcement activity utilising various housing and planning legislation.
- Provision of Houses into Homes loans utilising Welsh Government repayable funding
- Provision of grants utilising the Council's own funding - £4.1M since 2016/17
- Affordable Housing Scheme that brings empty homes back in to use
- Advice and Assistance
- Provision of Homes above retail premises in Aberdare and Pontypridd
- Removing the 50% Council Tax reduction for empty homes (from April 2018 onwards)

Members were presented with various case studies which gave them an overview of what was being done across the Authority. The Case Studies showed a snap shot across Pontypridd, Treherbert Area.

Members were please to see the proactive approach Officers have taken over the last few years, however felt that more work is needed to raise awareness of what is offered to the communities to encourage home owners improve the properties and bringing them back in to use such as Housing Grants etc.

Members were pleased to see the objectives that were set out in the strategy that translate directly in to a series of projects and actions.

A Member questioned officers in relation to the advertising of the empty properties grants and suggested that the Authority could work together with Estate Agents letting buyers know that this would be available. It was explained that demands for the grant was extremely high with a waiting list. When houses go to auction it is proposed we do advertise the service a little more to raise awareness.

A Member asked with regards to the grant level what is the sum owners would get to do up the properties. Officers explained the grant available is up to £20,000 per property with a 15% contribution from the grant recipient.

Another Member commented on the report as being a very comprehensive report and felt that long term empty properties that were in a ruinous or dilapidated condition should be considered for demolition as these have a serious detrimental effect on the amenities of the neighbourhood.

Members of the Committee agreed with the new Council Tax amendments for empty properties and hope that this will discourage owners from leave the homes empty for long period of time.

All Members were in agreement that more work need to be done with private landlords as private rental landlords do have a role in the process.

After further consideration of the Report Members **RESLOVED**:

- To Acknowledge the Council's performance over the last few years in tackling empty homes
- Acknowledge the factors that affect the number and location of the empty homes and agree that that the strategy has identified the factors comprehensively.
- Acknowledge the proposal to proactively target the 684 long term empty private sector homes
- To recommend that demolition order be considered where long term empty properties are in ruinous or in a dilapidated state
- Recommend that the feedback of the Health and Wellbeing Committee be presented to Cabinet for Consideration when determining the matter



**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**CABINET**

**21<sup>st</sup> NOVEMBER 2018**

**DRAFT EMPTY HOMES STRATEGY**

**REPORT OF THE DIRECTOR FOR REGENERATION, PLANNING AND HOUSING  
IN DISCUSSIONS WITH THE RELEVANT CABINET MEMBER, CLLR R BEVAN.**

**Authors:** Derek James, Head of Regeneration and Prosperity  
Jennifer Ellis, Housing Strategy and Investment Manager

**1. PURPOSE OF THE REPORT**

- 1.1 The purpose of the report is to inform members about the Council's proposed approach to tackling empty homes which is set out in the Council's draft Empty Homes Strategy for the period 2018 -2021.

**2. RECOMMENDATIONS**

- 2.1 It is recommended that Members scrutinise and comment on the draft Empty Homes Strategy (2018-2021) and in particular consider
1. To approve implementation of the draft Empty Homes Strategy 2018-2021.

**3.0 REASONS FOR RECOMMENDATIONS**

- 3.1 The need to have a distinct strategy for RCT going forward is in recognition of the relatively high numbers of empty properties in the County Borough and the Council's commitment to increasing the total number of empty properties that are brought back into use per annum.
- 3.2 In 2017, Welsh Government introduced a new empty property target of bringing 5000 empty properties back into use by 2021. The Council is required to contribute to this target and this Strategy will provide a framework for doing so.

## 4.0 BACKGROUND

- 4.1 Empty private sector homes represent a wasted resource, financial expense both to the owners and the Council and in many cases a missed opportunity to provide much needed affordable housing for residents. Not only are they a waste of a valuable housing resource, but they can cause blight to communities and distress to residents affected by their unsightly appearance and propensity to attract crime and anti social behaviour.
- 4.2 Council Tax records reveal that there were 3,556 private sector homes that were vacant for six months or more as at 1<sup>st</sup> April 2017. This equates to 3.8% of Rhondda Cynon Taf's private housing (owner occupied and private rented) stock. The average for Wales is 2.4% with the lowest (Torfaen) having 0.78% of their stock empty.
- 4.3 Whilst there are empty homes throughout the whole of Rhondda Cynon Taf, analysis shows the issue is most acute within several parts of the Rhondda. The percentages are generally not so high in Cynon and only one area, Penrhiwceiber has comparable levels to parts of the Rhondda Valleys. Conversely, most of Taf has a particularly low proportion of long term empty homes, with most areas typically containing less than 2% on average. This is perhaps unsurprising with demand for homes being significantly higher in Taf, although equally, empty homes within this area tend to be empty for reasons other than low demand (i.e. inheritance, sentimental reasons, and probate) and are thus more difficult to return to beneficial use. The only area that particularly bucks the trend is Treforest (5% empty), which is due to the lower demand for student accommodation in the private rented sector because of the increase in student rent provided directly by the University in recent years.
- 4.4 However, it is important to note that whilst RCT does have amongst the highest numbers of empty homes in Wales, this is primarily due to level of 'churn' in the housing market, rather than persistent long term empty homes. The annual collation of empty homes data is only a snapshot once a year and whilst at each point in the year the total number of empty homes recorded is quite high; most of the homes counted in each snapshot have only been empty for a relatively short period. For example, in the 1<sup>st</sup> April 2017 snapshot 59% of homes that were empty had been vacant for less than three years and in total **only 684 homes** (9% of the total) appeared as empty in the last four successive snapshots (i.e. in 2014, 2015, 2016 and 2017). Most significantly, 4,463 homes (60% of the total across the four years) appeared on only one of the snapshots. As such, the bulk of homes recorded over the last four years have only been empty for short periods before returning back into use through purchase or rental. Conversely, only a minority of homes (6%) were re-recorded as empty again after being brought back into use over this period.
- 4.5 The 684 empty homes that have been identified as being empty in all four snapshots are likely to be some of the most problematic empty homes in the County Borough, and ones that should be the focus of the Council's enforcement and enabling activity going forward. Appendix 2 in the Strategy shows the location of these properties. The vast majority of the 684 empty



homes are in the Rhondda Fach and Fawr. Interestingly, Treorchy has the second highest number of these properties (43), which is surprising as Treorchy has a high demand for housing.

- 4.6 There are varying reasons why homes both become empty and remain empty for significant periods of time. This includes lack of demand for certain types of housing; absentee landlords who do not invest in their stock; owner inertia where for some owners maximising income from their asset is not a high priority perhaps due to lack of knowledge, legal disputes or sentimental reasons. Homes are also often empty due to their dilapidated condition. Research indicates that many owners are unable to carry out the necessary remedial works required to bring them up to an acceptable standard because of a lack of funds. These homes will remain empty until the essential works have been completed.
- 4.7 Over the last few years, the Council has developed many tools and approaches to encourage empty homes to be brought back into use which have had a positive impact.

This includes:

- Housing enforcement activity utilising various housing and planning legislation
- Provision of Houses into Homes loans utilising Welsh Government repayable funding
- Provision of grants utilising the Council's own funding - £4.1M since 2016/17
- Affordable housing schemes that bring empty homes back into use
- Advice and assistance
- Provision of homes above retail premises in Aberdare and Pontypridd
- Removing the 50% Council Tax reduction for empty homes (From April 2018 onwards)

Appendix 1 in the main strategy document sets out a number of case studies that shows the impact of this work.

- 4.8 Over the last four years, the Council has brought back into use **651** homes through direct action, loan or grant aid. Just under 1500 homes interventions have also taken place over this period to provide advice, serve notices or secure empty homes. When considered as a percentage, in the last year that statistics are available (2017-18), the Council brought 204 (5.7%) of its empty homes back into use. In comparison with other Welsh Local Authorities RCT was 2nd in relation to the number brought back into use, and ranked 8th for percentage

## **5.0 THE STRATEGY**

- 5.1 Whilst it is acknowledged that good progress has been made in bringing empty homes back into use in RCT over the last few years, the scale of the problem still persists and continues to present problems in many

communities. As such, a strong strategic approach is required which has objectives that are clear, deliverable and will make a difference to both the scale of empty homes that are brought back into use as well as having a more fundamental impact on the total number in order to reverse the trend in a sustainable way.

5.2 To achieve this, the strategy sets out a series of strategic objectives that translate directly into a series of projects and actions:

**1. To develop partnerships and vehicles that will enable an increase in the scale of empty homes being brought back into use.**

This includes:

- Actively engaging with housing associations, private sector partners, community groups and other stakeholders to identifying new funding models and programmes.
- Establishing an Empty Homes Steering Group to co-ordinate delivery of the strategy and associated activity.

**2. To maximise the use of current funding and identify further funding models to increase the number of empty homes that are brought back into use.**

This includes:

- Identifying new funding that can be levered into the County Borough to bring empty homes back into use.
- Effective management of the Council's Empty Property Grant and Houses into Homes (landlord) loan schemes.

**3. To continue to use a range of interventions to ensure all types of empty homes are targeted and enabled to be brought back into use and monitor the outcomes related to these closely.**

This includes:

- Publicising activities through the use of social media and newspaper articles, local radio.
- Sharing information with community groups and partnerships
- The development of promotional literature such as leaflets and a comprehensive empty homes owner information pack and the continued development of a dedicated empty homes web page.
- Targeting enforcement activity on the 684 longer term empty homes. This could involve replicating the Housing and Health Action Area approach (an area based approach) that has been successfully undertaken in Tylorstown over the last few years, in other wards where there are an identified higher than average number of empty homes.

**4. To undertake further research in communities and evaluation of existing schemes to understand why there are a high number of empty homes.**

This includes:

- Analysis at borough wide and ward level, considering all factors that affect the number of empty homes.
- Reviewing best practice and effectiveness of current interventions.

**5. To identify possible solutions that could prevent homes from becoming empty and also develop interventions for different market areas and types.**

This includes:

- Analysis of localised housing market to understand the drivers that result in homes becoming empty, even for short periods.
- Ensuring that the opportunity to strengthen the housing market and bring private sector empty homes back into use is maximised in the Council's five identified Strategic Opportunity Areas, the Council's Tourism Strategy; and in the context of the Cardiff City Region Deal, the Valleys Task Force, and Metro opportunities.
- Considering selective demolition

5.3 The Empty Homes Strategy will provide a framework for future empty homes activity and will enable the positive work undertaken over recent years to be built on to increase performance in this area overall.

5.4 An annual action plan will be produced which will ensure that the strategic aims of the Strategy are delivered and key actions are undertaken.

5.5 The Empty Homes Steering group will have responsibility for monitoring and delivering the action plan. This Group will be co-ordinated by the Housing Strategy Team and will include representatives from the following service areas:

- Housing Grants
- Housing Strategy
- Housing Standards Team
- Public Health Team
- Regeneration and Planning
- Highways
- Other partners as required

**7.0 EQUALITY AND DIVERSITY IMPLICATIONS**

7.1 An equality and diversity screening exercise has been undertaken and a full impact assessment is not required at this time. Requirements for any specific assessments will be undertaken on an ongoing basis as strategy actions are delivered.

**8 CONSULTATION**

8.1 A consultation exercise is not required at this stage but may be required as actions within the strategy are delivered.

- 8.2 Pre-scrutiny was undertaken with the Health & Wellbeing Scrutiny Committee on the 9<sup>th</sup> October in respect of the draft plan. Member's comments focussed around provisions of grants for landlords in order for them to buy empty properties to help with the supply of affordable housing in high demand areas.
- 8.3 In this instance, the Council's Private Sector Renewal Policy already has provision for this type of grant which can be funded via the Capital programme should the need arise. However, in recent years the Council has instead been providing an interest free loan to landlords to bring empty properties back into use which has been very popular.

## **9 FINANCIAL IMPLICATION(S)**

- 9.1 There are currently no financial implications aligned to this report. WG funding has been awarded to the Council for the existing Houses into Homes loan scheme and the Council has made available a further £2.6 million of capital funding for the Empty Property Grant in 2018-19.
- 9.2 If any additional funding requirements are identified to support the delivery of the strategy, these will be reported to Members for agreement.

## **10 LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED**

- 10.1 The delivery of the aims of the strategy will in some cases require the utilisation of existing Housing and Planning legislation where enforcement action in relation to an empty property is required.

## **11.0 LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT.**

- 11.1 Investment in housing provides an ongoing stimulus to the local economy, by encouraging spending and local supply chains. Making available a supply of affordable homes also helps to improve the prosperity of residents and helps support a huge range of households in society that may not otherwise be able to meet their needs in the market, thereby promoting independence and positive lives for all.
- 11.2 As such, this Empty Homes Strategy will contribute to the delivery all three of the Council's Corporate Plan priorities of economy, people and place. The Strategy will also assist the Council to contribute to three of the seven wellbeing goals that 'The Well Being of Future Generations (Wales) Act 2015' puts in place as follows:

1. A healthier Wales
2. A prosperous Wales
3. A Wales of cohesive communities

## **12.0 CONCLUSION**

- 12.1 The report and strategy sets out the aims of the Council's Empty Homes Strategy for the period 2018 -2021.
- 12.2 The Council is already taking a proactive approach to bringing empty homes back into use within Rhondda Cynon Taf and has made available significant resources to tackle the issue. However, this Strategy will provide a framework for all empty homes activity and ensure a co-ordinated and ambitious approach going forward to decrease the total number of empty homes in the County Borough overall.

### **Other Information**

**Relevant Scrutiny Committee – Health & Well Being Scrutiny.**

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# **Rhondda Cynon Taf Empty Homes Strategy**

## **2018-2021**

# 1 Introduction

## 1.1 Background and strategic drivers

The purpose of this Strategy is to provide a framework for all activity in the County Borough aimed at bringing empty homes back into use. It will replace the Cwm Taf Empty Property Strategy that was produced jointly with Merthyr Tydfil Borough Council in 2014. The need to have a distinct strategy for RCT going forward is in recognition of the high numbers of empty homes in the borough, especially in the North and the Council's commitment to addressing the problem. It is also in appreciation of the continued pressure to deliver affordable housing. Whilst most new housing supply will be delivered through new build developments, bringing empty homes back into use can offer an economically viable option which can also contribute to increasing affordable housing supply, whilst at the same time having a positive impact on existing communities by improving environmental and social conditions.

In 2015/16 a Health and Wellbeing Scrutiny Committee Working Group reviewed the issue of empty homes and made recommendations to Cabinet. One of the recommendations was to produce a new Empty Homes Strategy reflecting the findings and recommendations of the working group.

In February 2016, the Council approved its Corporate Plan for 2016-2020. The focus of the Corporate Plan is on three priorities:

- **ECONOMY** - Building a strong economy
- **PEOPLE** - Promoting independence and positive lives for everyone
- **PLACE** - Creating neighbourhoods where people are proud to live and work

Bringing empty homes back into use contributes to all three of these priorities as well as assisting the Council to contribute to three of the seven wellbeing goals that 'The Well Being of Future Generations (Wales) Act 2015' puts in place as follows:

1. A healthier Wales
2. A prosperous Wales



### 3. A Wales of cohesive communities

Investment in housing provides an ongoing stimulus to the local economy, by supporting the construction industry and local supply chains. Making available a supply of affordable homes also helps to improve the prosperity of residents and helps support a huge range of households in society that may not otherwise be able to meet their needs in the market, thereby promoting independence and positive lives for all.

#### 1.2 National Context

According to Welsh Government statistics, there are an estimated 1.4 million dwellings in Wales as of 31<sup>st</sup> March 2016. During 2016-2017 23,303 of these had been vacant for more than six months. Of these, 255 were brought back into use in 2017-18.<sup>1</sup> Empty homes represent a wasted resource, financial expense and in many cases a missed opportunity to provide much needed affordable housing for people in Wales. Not only are they a waste of a valuable housing resource, but they can cause blight to communities and distress to residents affected by their unsightly appearance and propensity to attract crime, vandals and anti social behaviour. In addition to this, living next door to an empty home can devalue a home by as much as 18% and unsightly homes deter investment in an area and leads to a more general cycle of decline.<sup>2</sup>

For many years, demand for housing in Wales has outstripped supply. This extra necessity for housing is driven by an increase in households, a growing population and changing demographics. The Welsh Government has an ambitious target of delivery an additional 20,000 new affordable homes by 2021. Whilst this target relates to new build homes, it is acknowledged that better utilisation of the existing housing stock can help ease some of the burden to delivering these new homes whilst also acting as a catalyst for area regeneration and community sustainability. Studies have also shown that the average cost of returning empty homes to a habitable state is between £6,000 and £12,000 per property.<sup>3</sup> This supports the statement that “bringing empty homes back into use not only provides much needed

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<sup>1</sup> Source: Welsh Government

<sup>2</sup> Royal Institute of Chartered Surveyors

<sup>3</sup> Chartered Institute of Housing – Information leaflet

affordable housing, but can also be a more economically viable option to new build”.

<sup>4</sup> For this reason, the Welsh Government has set an equally ambitious target of 5000 empty homes to be brought back into use across Wales in the same period and RCT is required to contribute to this target.

### **1.3 Local Context**

Rhondda Cynon Taf is the second largest authority in Wales with a population of 234,410 and 105,269 dwellings. <sup>5</sup> Of these dwellings, 92,197 are in the private sector (either owner occupied or privately rented). As at April 2017, 3.8% of Rhondda Cynon Taf’s private housing stock was empty which equates to 3556 empty homes. The average for Wales is 2.4% with the lowest (Torfaen) having 0.78% of their stock empty.

As shown in Figure 1, 59% of homes that were empty as at 1<sup>st</sup> April 2017 had been vacant for less than three years, whilst just over 13% had been vacant for over 6 years. However, although this most recent snapshot provides a useful reference point, trend data provides a much more reliable overview of the longer term situation.

An analysis of four annual empty homes snapshots was carried out from 1<sup>st</sup> April 2014 to 2017. In total, only 684 homes (9% of the total) appeared on all four successive snapshots (i.e. in 2014, 2015, 2016 and 2017) and 1,351 homes (18% of the total) appeared on 2 consecutive snapshots before ceasing to feature on future data collections. Most significantly, 4,463 homes (60% of the total) appeared on one of the snapshots in four years. Whilst many of these homes were empty for longer than a single year, they were not empty for so long as to span two annual data collections and can therefore be considered ‘transactional’. In other words, the bulk of homes recorded over the last four years have only been empty for short periods before returning back into use through purchase or rental. Conversely, only a minority of homes (6%) were re-recorded as empty again after being brought back into use over this period.

This data reveals some interesting trends to help illuminate the related problems in the County Borough. Firstly, 684 empty homes have now been identified as having

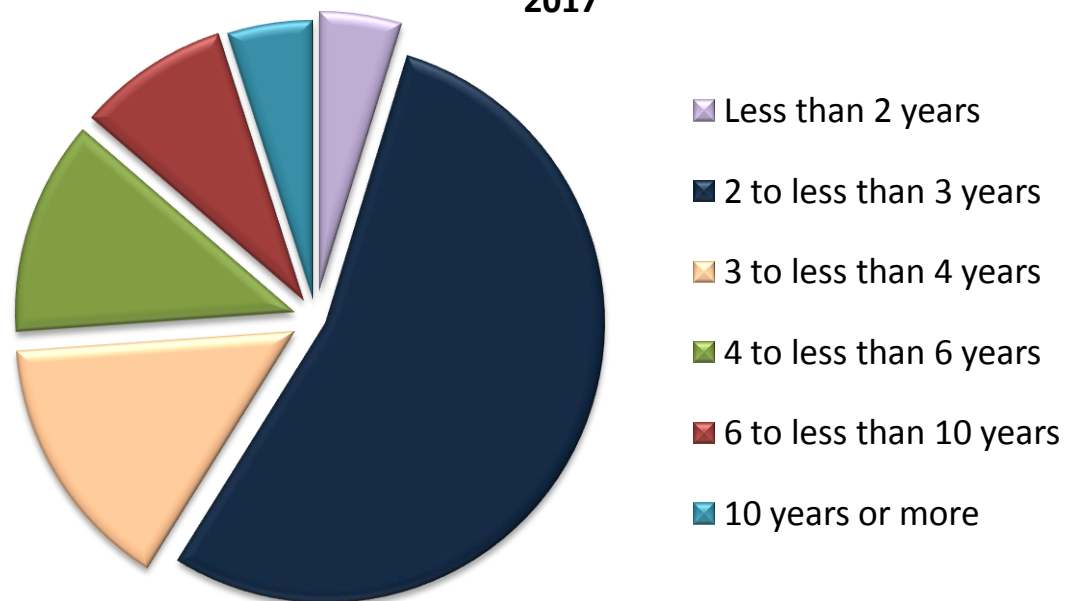
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<sup>4</sup> Empty Homes Agency (2016)

<sup>5</sup> Source: Welsh Government key statistics

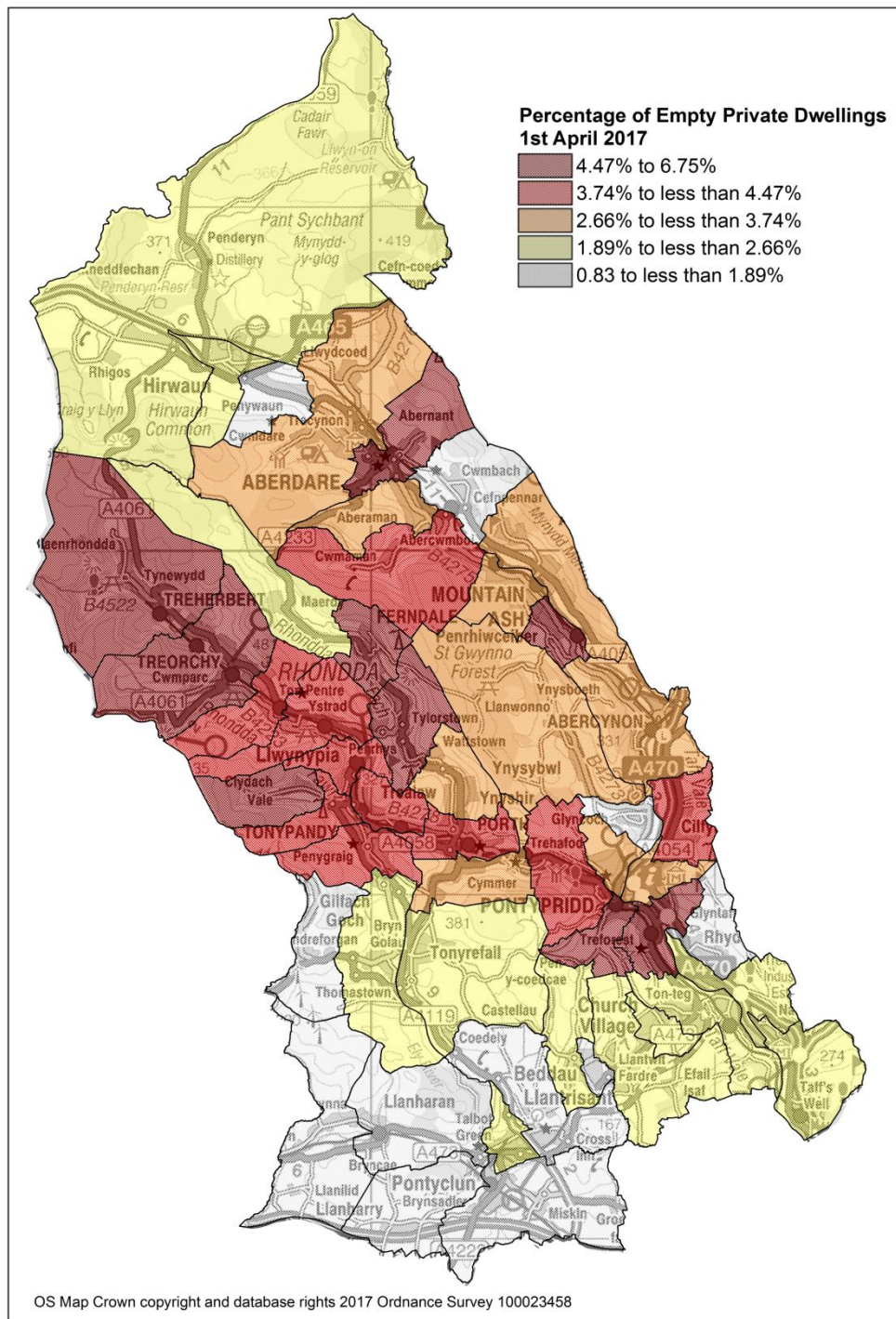
appeared on all four snapshots without returning into beneficial use. These are likely to be some of the most problematic empty homes in the County Borough, although they are a relatively minor element of the overall issue. Appendix 2 shows the location of these 684 'long term' empty homes. Secondly, whilst RCT does have amongst the highest numbers of empty homes in Wales at any given point, this is primarily due to level of 'churn' in the housing market, rather than persistent long term empty homes.

**Figure 1: Long Term Empty Property Void Time as at 1st April 2017**



To consider this information at a more localised level, Figure 2 depicts the percentage of all dwellings that were long term empty homes on 1<sup>st</sup> April 2017 at ward level. This was enabled by comparing council tax records to housing stock from the Local Land and Property Gazetteer. This provides a useful representative comparison of private sector empty homes between areas, which is not otherwise enabled by looking at the quantity of homes alone.

**Figure 2: Percentages of Private Sector Empty Homes by Ward**



Looking at the number of empty homes as a percentage of the total housing stock, enables us to pinpoint the areas that are worst affected. Whilst there are empty homes throughout the whole of Rhondda Cynon Taf, analysis shows that in the most recent snapshot, the issue is most acute within several parts of the Rhondda. The

percentages are generally not so high in Cynon and only one area (Penrhiwceiber) displayed comparable levels to parts of the Rhondda Valleys. Conversely, most of Taf has a particularly low proportion of long term empty homes, with most areas typically containing less than 2% on average. This is perhaps unsurprising with demand for properties being significantly higher in Taf, although, equally, empty properties within this area tend to be empty for reasons other than low demand (i.e. inheritance, sentimental reasons, and probate) and are thus more difficult to return to beneficial use. The only area that particularly bucks the trend is Treforest (5%), which is predictable given the lower demand for student accommodation in the private rented sector because of the increase in student rent provided directly by the University.<sup>6</sup>

## **2. Challenges to bringing empty homes back into use.**

There are a number of different and sometimes localised reasons why homes become empty, some of which are:

### **2.1 Lack of local demand for homes**

Although the current housing market has resulted in a decline in the numbers of people being able to buy or rent a property, dwellings still remain empty in areas even where there are potential occupiers. Research shows that this is because there are too many similar homes for sale in the same locality and there is not sufficient variety in the localised housing market.

### **2.2 Housing market conditions**

According to the latest UK housing market survey, eight of the 10 cheapest places to buy a house in the UK are in the South Wales valleys. This has led to speculative investment purchases in areas where there is little demand or an over supply of similar, usually family, terraced properties. Local knowledge suggests that in areas of low demand many homes are sold via auction and to purchasers who do not know the area or understand the local market. Empty homes are often bought without being viewed because buyers are attracted by the low price. These new owners are

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<sup>6</sup> Local Housing Market Assessment

then unprepared for instances of unseen refurbishment work or low demand and may not have the resources or intentions to invest in the property further and this results in homes remaining empty for longer. It can further lead to a situation where properties are “land banked” and left vacant waiting for an upturn in the housing market which may never materialise.

### **2.3 Owner inertia**

For some owners, maximising income from their asset is not a high priority. Equally, an owner may lack the necessary knowledge or skills to refurbish or manage a property, but still be unwilling to sell. There may also be disputes regarding inheritance which require the outcome of a legal remedy before rent or sale can be considered. Furthermore, a number of homes can remain empty due to personal or sentimental reasons.

### **2.4 Poor condition of empty homes**

High quantities of homes are also empty due to their dilapidated condition. Research indicates that many owners are unable to carry out the necessary remedial works required to bring them up to an acceptable standard because of a lack of funds. These homes will remain empty until the essential works have been completed.

## **3. Housing Need**

### **3.1 Local Housing Market Assessment**

The Welsh Government defines housing need as:

*“Households lacking their own housing or living in housing which is inadequate or unsuitable, who are unlikely to be able to meet their housing needs in the housing market without assistance”.*

Rhondda Cynon Taf CBC has identified an overall shortfall in affordable housing units, as well as a predicted future increase in housing need. The most recent Local Housing Market Assessment (LHMA) undertaken in 2017 has identified a need for 738 new affordable homes each year between 2017-18 and 2022-23.

The LHMA also indicated that most people want to live in existing communities. In addition to this, it found that new build activity in many areas of the borough is not sufficient in itself in some areas to meet demand, which reinforces the need for investment in the existing housing stock. It is therefore evident that new build developments alone will not sufficiently meet demand. The LHMA also identified differences in average house prices and affordability in Rhondda Cynon Taf between the Northern and Southern parts of the County Borough, and as previously stated there is also an imbalance in supply and demand.

### **3.2 Homelessness**

Homelessness prevention work has resulted in a significant decrease in homeless applications over the last decade. Prevention is where a local authority takes positive action to provide housing assistance to someone who the authority considers is threatened with homelessness within 56 days. However, despite the general decrease, a large number of people are still presenting themselves as homeless and in the current housing market and economic climate; this trend is set to continue.

In 2016-17 in Rhondda Cynon Taf 567 homelessness presentations were made of which 78 were deemed to be priority cases which the council had a statutory duty to re-house. In addition, 357 households were successfully prevented from homelessness by the authority taking positive preventative action.<sup>7</sup>

Bringing empty homes back into use could contribute to meeting the needs of homelessness households, by increasing the housing supply and also providing the local authority with nomination rights where incentives, such as grant assistance have been provided.

## **4. The Financial Cost of Empty Homes**

### **4.1 Cost Implications for Owners of Empty Homes**

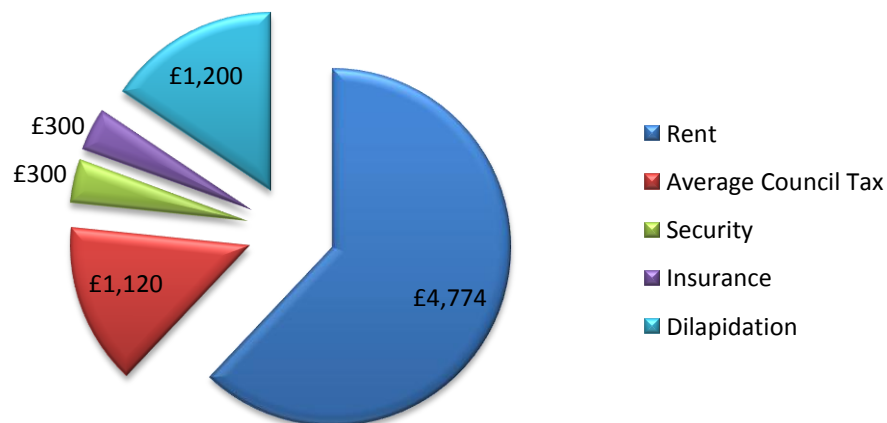
Not only are long term empty homes a drain on council resources and a wasted resource in a time of meeting housing need, they are a cost burden on the owner of

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<sup>7</sup> Source: Welsh Government

the property. Fig 3 shows that owning an empty dwelling cost the owner an average of £7,100 per annum. The rental loss is based on the Local Housing Allowance of £91.81 for a 3 bed house and the council tax loss equates to the Council Tax rate for a band A property.

**Figure 3: Average Annual Cost to Owners of Empty Homes in RCT**



## 5. Enforcement Solutions and Legislative Framework

As already mentioned, invariably, empty homes can be neglected and can fall into disrepair. Where other informal approaches to owners have failed to bring about improvements, service of legal remedies are considered.

The main options that are available to Councils include:

- **Building Act 1984, Sections 77-79**

This legislation allows the Council to require the owner of a building to carry out remedial works or demolish a building or structure if it is considered to be in a dangerous condition. If the owner fails to comply, the Council may carry out the works in default and recover the expenses reasonably incurred. This option is used in instances where the property is in a ruinous or dilapidated condition and is seriously detrimental to the amenities of the neighbourhood. The provision only



addresses the external appearance of the building and therefore can be of limited benefit to the overall regeneration and reuse of the property.

- **Town and Country Planning Act 1990, Section 215**

Requires owners and occupiers to remedy their properties if they fail to maintain them and they are considered seriously detrimental to the amenities of the neighbourhood. The scope of this legislation is wide ranging and it is for the Council to interpret its use.

- **Local Government (Miscellaneous Provisions) Act 1982 Section 29**

Where a property is not effectively secured against unauthorised entry or is likely to become a danger to public health and is unoccupied or the occupier is absent from it, the Council can take action. It may secure the property or take steps to prevent it become a danger to public health.

- **Environmental Protection Act 1990, Sections 79-81.**

This act allows the Council to require the abatement of statutory nuisance. This may be applied to a range of issues that affect empty homes, including the accumulation of rubbish or ingress of water, affecting neighbouring homes. The Council can serve an abatement notice on the owners requiring works to abate the nuisance, and if necessary carry the work out in default.

- **Housing Act 2004**

The Housing Health and Safety Rating System is a risk based assessment of the potential risks to health and safety from any deficiencies identified in dwellings. Several enforcement options exist, including emergencies measures, dependant on the severity of the assessment outcome.

Empty Dwelling Management Orders are also available and could be considered for long-term empty homes as a last resort against un-cooperative property owners. The rental income would repay the Council costs associated with enforcing the order and managing the property for a period of up to 7 years. At the end of the lease the habitable property would be handed back to the owner. This procedure would only be practical in areas of housing need and would require a housing association

partner to provide the management as the Council does not have any of its own housing stock.

Demolition orders can be made on houses that are not suitable for habitation. Where a number of poor houses are identified in one area and where it is considered that such action will assist in the wider regeneration of an area, the Council has powers to clear a number at once. These powers can be used for empty houses.

- **Housing Act 1985, Section 17**

If an owner refuses to bring a home back into use and the property is having a degenerative effect on the area, the Council has powers to compulsory purchase. This procedure could be considered where the Council identifies a future purposed use for the building.

- **Law of Property Act 1925, Section 103**

Exercising the power of sale of an empty property where money is owed to the Council: for example as a result of the Council having to step in to undertake remedial works in default of an owner. The Council has a Policy for the use of this power which highlights the need to ensure appropriate methods for disposal of homes so that local people are encouraged and able to buy them at market value, or otherwise that a housing association partner is able to purchase the homes for re-use as affordable housing.

## **6. Recent Activity**

### **6.1 Proactive Approaches**

#### *6.1.1 Empty Homes Officers*

Over the last few years, the Council has increased its proactive approach to dealing with empty homes and now has two Empty Homes Officers working full time to tackle the issue. A comprehensive database of empty homes is kept, based on Council tax records and any property which has been empty for more than six months as at 1<sup>st</sup> April is captured on this database, in conjunction with other known long term empty

homes. Part of the remit of the Empty Homes Officer is to identify ownership and legal responsibility of problematic empty homes, and to work with the owners or their estates to bring these back into use. Any direct actions taken by the Council or its partners on its behalf, which can lead to individual dwellings, being returned to occupation is recorded and the database is used to provide yearly performance indicator statistics and to monitor performance.

The types of interventions that these officers undertake are as follows:

- proactively identifying and surveying empty homes
- serving notices on owners of empty homes where they are having a detrimental impact.
- undertaking works in default (including demolition)
- securing empty homes
- enforced sales where the Council has secured a debt against an empty home
- providing advice and information

#### 6.1.2 *Raising Awareness*

In order to raise awareness of the empty homes problem within RCT, a number of publicity and educational initiatives have also been employed. It is recognised that increased awareness of the issue can help identify properties of concern to residents and also encourage the owners to come forward and seek advice and guidance. To date, these initiatives have included the following:

- Publicising activities through the use of social media and newspaper articles, local radio and Council and Local Health Authority newsletter articles.
- Presentations and displays to strategic partnership groups, Councillors, Community First Clusters and the general public.
- The development of promotional literature such as leaflets and a comprehensive empty home owner information pack.
- The development of a dedicated empty homes web page.
- The issue of questionnaires to owners of empty homes and residents affected by the issues.

## **6.2 Funding Options**

The Council has a number of funding options available to owners of empty homes to encourage them to be brought back into use. The options recognise that apart from encouraging home owners to utilise their asset, the commercial sector also represents a particular area where properties are underused along with the residential upper floors of retail premises.

### *6.2.1 Homes above Retail Premises*

A recent survey by the Federation of Master Builders estimated that in the UK as a whole, as many as 300,000 to 400,000 new homes could be created by making use of empty spaces above shops. The Council has undertaken a number of approaches to bringing this empty space in town centres back into beneficial use.

The HARPS scheme has been enabled through the Welsh Governments' Vibrant and Viable Places programme. This initiative has focussed on the opportunities provided by the previously untapped housing market in Pontypridd Town Centre. Pontypridd has consistently been identified as one of the areas of high housing demand within the borough and there is a distinct shortage of one and two bedroom units; yet the town centre offers very little scope to develop affordable housing to meet this demand. To date, 24 units of accommodation have been provided through this approach.

There is also provision in the Council's Private Sector Renewal Policy (which identifies the Council's priorities for housing capital investment), to provide Flats over Shops grants to provide residential accommodation in town centre locations.

### *6.2.2 Empty Property Grant*

In 2016 the Council, using its own capital funding launched an Empty Property Grant scheme which provides a grant of up to £20,000 for residents who wish to renovate an empty property they have purchased. To date the Council has invested £4.1million in this scheme. It is estimated that this initiative and total investment will bring back into use in the region of 200 empty homes over the next two to three years.

### *6.2.3 Houses into Homes Loan*

The Houses into Homes Loan is a Welsh Government funded scheme which provides a loan to help return privately owned empty homes into use. The scheme is managed by the Council. These loans are not available for potential owner occupiers and are designed for applicants who want to rent or sell their property on completion of the refurbishment works. The loan must be repaid on sale or within 2 years from the date of loan approval, whichever is sooner, or within 3 years from the date of the loan approval if the property is for rent.

The Houses into Homes Loan has proved to be very popular with landlords and investors with the Council processing over £1.8m of Houses into Homes loans since 2012. This has provided 84 units of accommodation up to December 2017.

### *6.2.4 Affordable Housing*

Affordable housing is classed as housing that is provided for sale or rent at below open market prices and where there are secure mechanisms in place to ensure that it is accessible to those who cannot afford market housing. Recent research has suggested that many people looking for affordable housing want to live in existing communities. This is evidenced by the council's "Homestep" low cost home ownership register and historical demand for assistance to purchase existing properties and not just new build. Providing low cost homeownership in existing communities can also help to 're-balance' housing markets in areas where this is a high level of rented accommodation.

Initially, Rhondda Cynon Taf was successful in obtaining funding from the Heads of the Valleys initiative to implement an innovative and unique scheme called Homestep Plus. The scheme provided funding for a registered Social Landlord partner (in this instance Cynon Taf Community Housing Group) to purchase a number of empty homes, from owners of existing empty homes, for sale to first time buyers on a 30% shared equity basis. The properties were refurbished before being sold and the equity share in each property was recycled on future sales to facilitate further phases of the scheme. Between 2010 and 2016, 14 empty homes were brought back into use via this initiative.

Since 2015, Rhondda Cynon Taf Council and United Welsh Housing Association have worked together to deliver a new Homestep Plus scheme with funding from the Welsh Government's Vibrant and Viable Places programme. The scheme enables United Welsh to identify and buy empty homes in the CF37 postcode area and to refurbish them before offering them for sale at 70% of the asking price. Alternatively, residents can identify their own property, which United Welsh will purchase on their behalf and sell on at the discounted price. Funding is available to purchase 24 homes up until March 2019, and as with the previous scheme, monies accrued on future sales will be recycled to facilitate additional purchases.

#### *6.2.5 Targeted Community Approaches*

It is recognised that there are communities, particularly in the north of the borough, where there are persistently high levels of empty homes. These communities also experience high levels of social deprivation coupled with poor quality housing across all tenures. This situation can often deter people from moving into these areas and also discourages people from staying; thus leading to a high turn over of homes, especially in the private rented sector, and a subsequent increase in the numbers of empty homes.

The implementation of a Housing and Health Action Area was successfully piloted in Tylorstown during February 2015. The over-arching aim was to improve housing, health and prosperity through specific housing interventions.

Within this context, work began to categorise and take action with regards to empty homes in the Tylorstown area according to their condition and need for possible enforcement action. As a result of this 62 empty homes were brought back into use following council contact, intervention or enforcement action. This was despite the very challenging local housing market. However, whilst the initiative brought back into use 62 empty homes, during this time a different 73 became vacant. A targeted housing project has also been undertaken in Treforest over the last two years and has identified similar issues in that despite the project bringing 93 empty homes back into use, Council Tax records show that a further 92 different homes are now empty in the ward.

This reinforces the notion that measures focussed on selective communities, need to be delivered in the context of a wider strategic approach that will improve the overall “outlook” for the communities and tackle some of the more macro issues that these communities are affected by.

#### *6.2.6 Advice, Education and Information*

It was acknowledged that there is scope for the Council to proactively assist the market by focussing on the most problematic empty homes as well as those that can be most effectively used for affordable housing in the higher demand areas of the borough. Equally, a number of less problematic empty homes may also be brought back into use through the provision of advice and “education”. This has led to the production of a comprehensive information pack for owners of empty homes in RCT. The pack contains advice on a multitude of options what are available to owners to enable them to better utilise their asset. The pack covers issues such as selling the empty house, purchase advice, letting or renting the house, advice on how to become a landlord and how to advertise your property, advice on refurbishment, private finance, and tax relief/reductions and outlines the legal enforcement procedures applicable to empty homes.

#### *6.2.7 Dedicated Web Page*

In addition to the initiatives outlined above, Rhondda Cynon Taf has also developed a dedicated empty homes web page, which provides information on the Houses into Homes Grant and the Empty Property Grant, plus information on Homestep Plus and general help and guidance to landlords wishing to bring their house back into use. Below is the link to the “Making Homes in RCT” web-page.

<http://www.rctcbc.gov.uk/EN/Resident/Housing/Housing.aspx>

### **6.3 Performance**

Over the last four years the Council has brought back into use 651 homes through direct action, loan or grant aid. Just under 1500 interventions on empty homes have taken place over this period to provide advice, serve notices or secure empty homes.

The latest analysis in 2017-18 identified that there are 3556 private sector empty homes in Rhondda Cynon Taf. As per Performance Indicator definition PAM13, this figure consists of the Council Tax exemption classes of, A, C F, G, L and Q but excludes homes under renovation and homes classed as second homes (furnished). It also does not include houses taken out of Council Tax banding because they are deemed to be uninhabitable, or commercial empty properties.

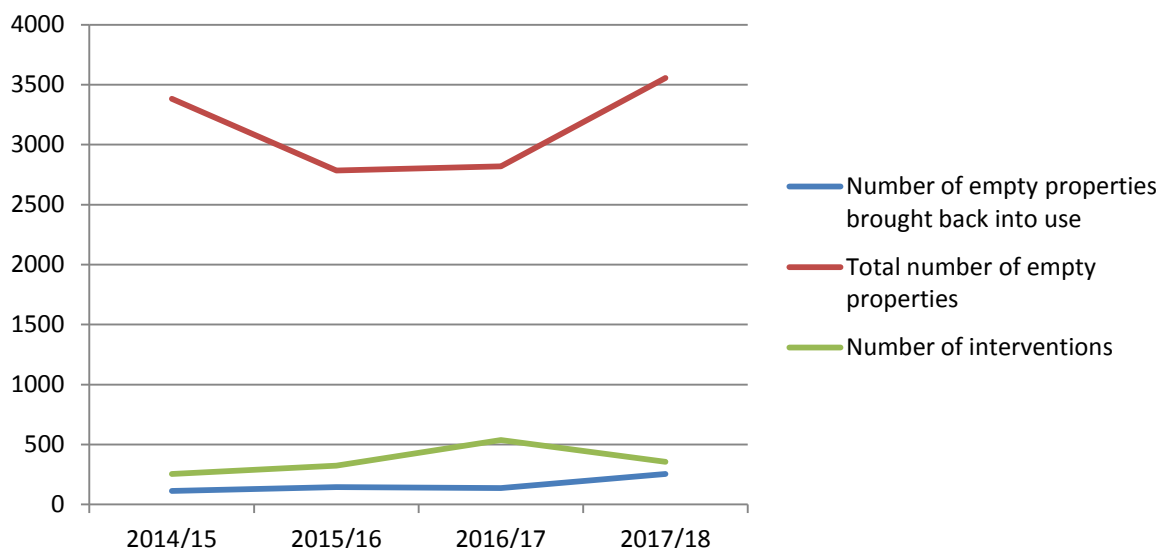
There are two figures which are relevant to the Performance Indicator; the number of empty homes and the number of empty homes returned to use. The Council's performance over the last four years is detailed in the table below.

**Figure 4: Council performance in relation to empty homes**

	2014/15	2015/16	2016/17	2017/18	Total
<b>% of empty homes brought back into use</b>	3.37%	5.17%	4.9%	5.74%	-
<b>Number of empty homes brought back into use</b>	114	144	138	204	600
<b>Total number of empty homes</b>	3381	2785	2818	3556	-
<b>Number of interventions</b>	255	324	536	356	1471

**Figure 5: Comparison of Council Performance by year**





It should be noted that Rhondda Cynon Taf only counts empty homes that have been brought back into use as a consequence of direct action by the Council e.g. enforcement or financial assistance in accordance with the national performance indicator definition. This definition was changed for 2017/18 both in terms of the type of empty homes that can be counted and the type of action. This has meant that the council's total number of empty homes appears to have grown significantly between 2016-17 and 2017-18. However, the two data sets are not strictly comparable because of the change in the types of empty home that can be counted. The graph does however demonstrate the gradual improvement each year in the total number of empty homes that have been brought back into use per year both in real terms and as a percentage. Notably, in 2017-18 less interventions resulted in more homes being brought back into use, perhaps evidence of the benefits of a more targeted approach.

## 7. Strategic Aims

Whilst it is acknowledged that good progress has been made in bringing empty homes back into use in RCT over the last few years, the scale of the problem still persists and continues to present problems in many communities. Despite lots of activity and empty homes being brought back into use, often the overall total number of empty homes in the borough at any one time remains relatively static i.e as one empty home is brought back into use, another falls empty.

As such, a strong strategic approach is required which has objectives that are clear, deliverable and will make a difference to both the scale of empty homes that are brought back into use as well as having a more fundamental impact on the total number in order to reverse the trend in a sustainable way.

The strategic aims are:

**1. To develop partnerships and vehicles that will enable an increase in the scale of empty homes being brought back into use**

Drawing on best practice elsewhere, the Council will actively engage with housing associations, private sector partners, community groups and other stakeholders in the community, to identify new models and vehicles to increase the scale of empty homes that are brought back into use.

Responsibilities for the various interventions and approaches for empty homes are shared across two departments in the Council. The 'Housing Grants and Strategy Team' located with the Regeneration and Planning department is responsible for overall delivery of the strategy, developing an action plan and monitoring outcomes. It is also responsible for developing and delivering funding models and any other vehicles designed to bring empty homes back into use. Meanwhile, the Council's 'Housing Standards Team' located with the Public Health and Protection department is responsible for the provision of advice, assistance and enforcement activity.

Good communication and clarity of roles and responsibilities is vital to ensuring the successful delivery of the aims of this strategy. As such, an Empty Homes Steering Group will be established to co-ordinate delivery of the strategy and associated activity. The Steering Group will include representatives from Housing Grants, Housing Strategy, the Housing Standards Team, Regeneration and Planning and other partners as required

**2. To maximise the use of current funding and identify further funding models to increase the number of empty homes that are brought back into use**

The Council will continue to make available and ensure effective management of grants and loans schemes to facilitate owners (subject to funding) to bring their empty homes back into beneficial use. The Council will also prioritise identifying further funding opportunities that can be levered into the borough for this purpose.

**3. To continue to use a range of interventions to ensure all types of empty home are targeted and enabled to be brought back into use and monitor the outcomes related to these closely.**

The Council will continue to encourage or enforce the improvement or conversion of empty homes to increase the supply and choice of housing across RCT. Priority will be given to those properties which have the greatest detriment to the surrounding community and/or those properties which can most effectively be returned to use in terms of contributing usefully to housing supply.

The Council's dedicated web page "Making Homes in RCT" is currently being updated to include all relevant options for owners of empty homes to consider. This will include an option for local residents to "report" an empty home which will allow the Empty Homes Officers to target individual properties and to offer advice and assistance to bring the property back into use as soon as possible.

**4. To undertake further research in communities and evaluation of existing schemes to understand why there are a high number of empty homes and identify possible solutions that could prevent homes from becoming empty.**

The Council, in its strategic housing role will undertake further research to understand why some areas are blighted by empty homes, taking into consideration both the 'micro' and 'macro' reasons. It is possible that empty homes in some communities are a symptom of other issues, rather than the problem in itself and undertaking in depth research into the housing market and other social economic factors might help to identify more innovative solutions and approaches to the problem. The trend based data will continue to be analysed to assist in the targeting of interventions.

## **5. To identify possible solutions that could prevent homes from becoming empty and also develop interventions for different market areas and types**

The Council will ensure that in its five identified Strategic Opportunity Areas the opportunities to bring private sector empty homes back into use is maximised. In addition, major infrastructure projects are an instrument for kick-starting regeneration with train stations, and their surrounding environments, increasingly seen as the steer for regeneration programmes. The development of the South East Wales Metro, as part of the Cardiff Capital Region City Deal, provides such an opportunity. The Metro will focus on modernising the core valley lines resulting in far more frequent and faster trains into and out of Cardiff from. This could therefore result in renewed and increased demand for housing in some areas where the housing market has been affected by depopulation in recent years which would have a positive impact on the number of empty homes. Increases in tourism could also present an opportunity to encourage the re-use of empty homes.

This approach to prevention will also include an evaluation of existing schemes to ensure the impact of those schemes is effective; development of new schemes and identification of approaches to both prevent homes from becoming empty and manage low demand effectively.

## **8. Action Plan and Monitoring**

An annual action plan will be developed to deliver and drive forward the aims of this Strategy and ensure that the Council's ambitions related to decreasing the number of empty homes in the borough are met. It will be monitored quarterly and performance will be measured against it, and relevant local and national indicators.

## Appendix 1: Case Studies

### Case Study 1: Houses into Homes Loan

The Forest Hotel, Treforest, Pontypridd:

Houses to Homes loan was awarded in June 2015 for £150,000 for the conversion of a former public house which closed and became empty in November 2010 to 5 self contained 2 bedroom flats and a 3 bedroom residential dwelling. This scheme also attracted additional private sector leverage of £191,250.



## Case Study 2: Homestep Plus

Property in CF37 area after refurbishment works. This property had previously remained empty for over 2 years.



### Case Study 3: Treforest Targeted Approach

This property was the longest standing empty property in Treforest and had been empty since 2001. Advice was given to the owner regarding condition of property. The property is now refurbished ready for sale and on the market. The Council's intervention helped by encouraging the owner to do something with the property rather than face legal action.

**Before**



**After**



## Appendix 2 – Location of 684 ‘Long Term’ Empty Homes

Ward	Number of empty homes appearing in 2014,2015, 2016 and 2017 snapshot	Percentage of Total
Beddau	1	0.15
Llanharan	1	0.15
Pen-y-waun	1	0.15
Rhydfelen Central/Ilan	1	0.15
Tyn-y-nant	1	0.15
Llanharry	2	0.29
Llantrisant Town	2	0.29
Talbot Green	2	0.29
Llantwit Fardre	3	0.44
Rhigos	3	0.44
Church Village	4	0.58
Cwmbach	4	0.58
Glyncoch	4	0.58
Llwyn-y-pia	4	0.58
Gilfach Goch	5	0.73
Pont-y-clun	5	0.73
Rhondda	5	0.73
Ton-teg	5	0.73
Brynna	6	0.88
Tonyrefail East	6	0.88
Graig	7	1.02
Hawthorn	7	1.02
Mountain Ash East	8	1.17
Pontypridd Town	9	1.32
Cilfynydd	10	1.46
Tonyrefail West	11	1.61
Hirwaun	12	1.75
Ynysybwl	12	1.75
Trallwng	13	1.90
Ynyshir	13	1.90
Maerdy	15	2.19
Porth	15	2.19
Pen-y-graig	16	2.34
Tonypandy	16	2.34
Trealaw	16	2.34
Treforest	16	2.34
Ystrad	18	2.63



<b>Aberaman North</b>	19	2.78
<b>Aberdare West/Llwydcoed</b>	19	2.78
<b>Cymmer</b>	20	2.92
<b>Mountain Ash West</b>	21	3.07
<b>Abercynon</b>	22	3.22
<b>Aberaman South</b>	26	3.80
<b>Ferndale</b>	27	3.95
<b>Cwm Clydach</b>	29	4.24
<b>Aberdare East</b>	30	4.39
<b>Pentre</b>	33	4.82
<b>Penrhiwceiber</b>	36	5.26
<b>Tylorstown</b>	36	5.26
<b>Treorchy</b>	43	6.29
<b>Treherbert</b>	44	6.43
<b>Grand Total</b>	<b>684</b>	100

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## RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

### CABINET

21<sup>st</sup> NOVEMBER 2018

## UNDERSTANDING THE POTENTIAL IMPACT OF BREXIT AND IN PARTICULAR A “NO DEAL” BREXIT ON THE COUNCIL

### REPORT OF THE CHIEF EXECUTIVE IN DISCUSSION WITH THE LEADER OF THE COUNCIL (COUNCILLOR A MORGAN)

**Author:** Chris Bradshaw – Chief Executive

#### 1. **PURPOSE OF THE REPORT**

The purpose of this report is brief Members on the potential impact of Brexit on the Council and its residents.

#### 2. **RECOMMENDATIONS**

It is recommended that Members:

- 2.1 Note the information contained within this report.
- 2.2 Request further briefings in the period to 29<sup>th</sup> March 2019.

#### 3 **REASONS FOR RECOMMENDATIONS**

- 3.1 To ensure Members are aware of the potential impact of Brexit, in its various forms; to help inform future Council decision making; and supporting local residents and businesses that could be affected by the significant economic change in the relationship between the UK and EU.

#### 4. **BACKGROUND**

- 4.1 The UK has committed to leaving the European Union on 29<sup>th</sup> March 2019.
- 4.2 In the period to 29<sup>th</sup> March 2019, the UK Government is seeking to secure a deal, with the 27 European Countries that will remain in the EU, which will cover matters such as:
  - The kind of relationship and level of participation the UK will have with the EU's Single Market – the free movement of people, goods and services; and
  - The Customs Union – the bloc's trade and tax agreement.
- 4.3 If the Prime Minister is able to agree a deal and secure the support of Parliament, there will be a transition period, a time-limited period (of

approximately two years) before the eventual permanent arrangements for UK-EU relations - which have yet to be agreed – take effect.

- 4.4 The Prime Minister has said the transition period, which the UK tends to refer to as an "implementation phase", will allow businesses and EU citizens resident in the UK and UK citizens resident in the EU time to prepare for the new arrangements, and avoid disrupting holiday-makers and essential shared arrangements such as international security measures. It is proposed by the EU that the transition should not extend beyond 31 December 2020, 21 months after Brexit day. The EU wants the UK to continue to:
- Follow its rules during this time - but not be involved in making decisions;
  - Allow the free movement of people, goods and money to continue; and
  - Be subject to European Court of Justice rulings.
- 4.5 The UK also wants to be able to strike trade deals with other countries - which it cannot do as an EU member - although these cannot come into force until the transition ends. The EU has not objected to this.
- 4.6 However, this transition period is conditional on the UK and EU agreeing a deal (the Withdrawal Agreement). If no deal is agreed, the UK will not agree a Withdrawal Agreement and framework that sets out the future relationship between the UK and the EU. The UK will become the equivalent of a third party country to the EU and the free movement of people, goods and money will stop at 11pm on 29<sup>th</sup> March 2019.
- 4.7 The EU has suggested they would apply *“regulation and tariffs at borders with the United Kingdom as a third country, including checks and controls for customs, sanitary and phytosanitary standards and verification of compliance with EU norms”*.
- 4.8 This position is called the “No Deal Brexit.”

## **5 IS THE GOVERNMENT PLANNING FOR A NO DEAL BREXIT?**

- 5.1 Yes. The European Union (Withdrawal) Act 2018 received Royal Assent in June 2019, and became law. It will keep most existing EU laws as UK domestic laws after Brexit in order to ensure the continuity and completeness of the UK's legal system. It will also confer wide powers on the Government to amend that retained EU law in order to remedy or mitigate any deficiencies arising from the UK's withdrawal from the EU.
- 5.2 Over the past couple of months the UK Government has also published a series of technical notices which provide information to allow businesses and citizens to understand what they would need to do in a 'no deal' scenario, so they can make informed plans and preparations.
- 5.3 It has always been the case that as March 2019 approaches, preparations for a 'no deal' scenario would have to be accelerated. On 19<sup>th</sup> July 2018, a joint

communication between the EU and UK stated that *“it is currently planned that the Withdrawal Agreement would be agreed by the European Union and the United Kingdom in October 2018.”* After the recent EU Council meeting of Leaders this is very unlikely and the risk of a no-deal exit has substantially increased.

- 5.4 There is insufficient time to make changes to existing dealings with the EU and the UK Government has tried to ensure the briefing papers offer some form of stability for citizens, consumers and business, to ensure the continued operation of business, infrastructure and public services and to minimise any disruption to the economy. The Government has also committed to act unilaterally to provide continuity for a temporary period in a ‘no deal’ scenario to protect and minimise disruption for UK citizens and businesses, irrespective of whether the EU reciprocates.
- 5.5 The extent of such continuity will vary by area as detailed in specific technical notices with change happening in different areas over time. Crucially, however, such changes will be applied where and when it is best for the UK. The list of technical briefing notes is shown in Appendix A.

## **6 HOW WILL A NO DEAL BREXIT AFFECT LOCAL GOVERNMENT?**

- 6.1 Over the past 40 years, as a Member of the European Community, the UK’s day to day operations have become truly integrated with the other 27 nations of the European Union, in particular the EU rules and regulations in respect of the freedom of movement of citizens, goods and services integral to our daily lives. Quantifying the impact of a No Deal Brexit on Local Government is very difficult as there are so many other inter-dependencies.
- 6.2 Set out below is a list of the key areas for consideration in understanding the potential impact of a No Deal Brexit on the Council:
- **Laws regulating Local Government Services** - Many local government services are affected by EU rules and regulations, including waste management, environmental standards, trading standards and procurement. The Withdrawal Act 2018 ensures that there is legal certainty and no cliff edge for councils as those EU laws that underpin key services (such as waste management and trading standards) on exit day would continue to apply through UK law, even under ‘no deal’. However, in further clarity is required and additional Government advice is promised. For example, it is acknowledged that we cannot use OJEC for procurement after a “no deal” exit and further engagement is promised on how to deal with ongoing procurement procedures as we switch from EU to a UK system is promised nearer the time. So our preparedness will depend on further advice.
  - **A new constitutional settlement** - Under a ‘no deal’ scenario, all EU legislative, enforcement and judicial powers would immediately return to the UK, with no implementation period. Consequently, under the current UK constitutional settlement, powers would return immediately to

Whitehall, Stormont, Cardiff Bay and Holyrood. The LGA and the local government associations of Wales, Scotland and Northern Ireland have been clear that Brexit must create the opportunity for a devolution of powers beyond central government to local communities and cannot result in a centralisation of powers. Therefore, under a no deal scenario, there must be the consideration of a new central-local agreement across the UK which results in the devolution of powers to local communities through local government, as well as giving local government a more formal role in law-making.

- **Regeneration and other funding sourced from the EU** - Under a 'no deal' scenario, the UK would lose access to European Funding. However, through a Parliamentary Statement in July 2018, the Treasury announced that in the event of 'no deal' the Government would 'underwrite' European funding until the end of 2020. The Government has committed to a UK replacement for EU funds.
- **Workforce** – There are many non-UK EU workers that provide vital public services and Non-UK EU construction and agricultural workers that are vital for many local economies and projects. The current draft Withdrawal Treaty sets out a reciprocal agreement between the EU and the UK. It provides for 'settled-status' for those (non-UK) EU citizens living in the UK and gives such rights to UK citizens living elsewhere in the EU. This provides short-medium term assurance about residency and employment rights and for the delivery of vital public services. In the event of 'no deal', there will of course be no Withdrawal Treaty. As such the provision for a reciprocal agreement on 'settled status' contained in the draft Treaty will fall.

As the Withdrawal Act 2018 confirms that all EU rules are transferred into UK law, Government is able to guarantee the residency and employment rights of non-UK, EU citizens in the UK and these rights would continue without pause in the immediate aftermath of Brexit. Importantly, the Council will need to assure its communities and ensure that EU employees running vital private and public services have certainty in the medium to long term.

Under no deal, there is much uncertainty about the rights of UK nationals resident in other parts of the EU. EU law gives UK citizens' rights to residency and employment in other EU countries. Under a 'no deal' scenario (in the absence of a reciprocal agreement on settled status), where a UK citizens' employment or residency rights in another EU state are derived from that UK citizen being from an EU member-nation, such rights may fall on exit day. This will vary across the 27 remaining nations as domestic law on residency varies. At this stage we can only speculate on the impact for local government in the UK. Some people may want to return to the UK, and those who do may require significant support from council services. Families in the UK are likely to seek advice from their council about parents or family members abroad.

- **Public health and protection and local regulation** – Our various public health duties and inspections are reliant upon UK access to European-wide databases which provide much of the intelligence for assessing risks. Under ‘no deal’, there would be no access to such EU databases and more checking is inevitable, and valuable protections are weakened, if there is no viable UK alternative database. This would reduce their ability to target their work and enforcement activity appropriately. Our Public Health and Protection Service also support local businesses to trade internationally, through the process of issuing export health certificates for certain food products being exported to third countries. A ‘no deal’ scenario could significantly increase the number of certificates required by traders who do not currently require them to export to the EU, with resource implications for the Council and others involved in providing them. It is a concern that there is limited information about the amount of additional checks that this could amount to, although we understand that the Food Standards Agency is seeking to develop this.
  
- **Goods and services** - Under a ‘no deal’ scenario, we need to consider whether imported goods used by the Council could be subject to new tariffs and thus services would be subject to new costs. We would have to assume the absence of any free trade agreement (FTAs) with the EU and the UK reverting to World Trade Organisation (WTO) rules. There would be many choices available to the UK such as a policy of tariff free trade with every nation or the UK may choose to try and ‘roll over’ the current EU tariffs. What is clear is that under WTO rules, the UK would have to treat the EU the same as other trading nations. Thus if the UK continued to apply tariffs to countries outside the EU (such as the US), there would have to be the same tariffs to pay on many imported goods supplied to the Councils from the EU. The Council, or more likely its suppliers, currently buy such EU goods tariff free. Whilst a ‘no deal’ Brexit would in theory leave the UK free to set its own tariffs on imported goods (within WTO limits), Government is nevertheless likely to adopt tariffs replicating the EU’s. Goods imported from the EU into the UK could therefore be subject to the same tariffs as those goods imported from elsewhere, including:
  - 8.5 per cent (average) on agricultural products, such as food e.g. 35 per cent on dairy products and 6 per cent on coffee and tea;
  - 10 per cent on cars and car parts, 4.3 per cent on transport equipment;
  - .IT equipment: no tariffs for imports from a wide range of countries;
  - furniture (wooden and metal office furniture): no tariffs;
  - around 5 per cent on housing maintenance materials (e.g. chemicals: 4.5 per cent, paints 6 per cent);
  - 11.5 per cent on clothing/uniforms, 9 per cent on textiles; 0.9 per cent on wood/paper.

As it is the importer, rather than the exporter, who has to pay the tariff, the Council would have to pay these new tariffs when it imports goods directly from a supplier in the EU. This will be very rare however. Much more commonly it will be the UK supplier (not the Council itself) who would have

to pay new tariffs, if it were importing goods from the rest of the EU. Whether these costs can then be passed on to the Council depends on the nature of the contract the UK supplier has with the Council.

The contract may be fixed price, in which case the supplier will have to absorb the tariff costs; or the contract may allow for some variability in the price, in which case the supplier can pass on some or all of the tariff costs onto the local authority. If there is no provision for the supplier to pass on price increases mid-contract, we would need to be assured that the supplier was able to absorb such costs. In some cases, the supplier may seek to pass on price increases to the Council when the contract is renewed. This may have a significant impact on the Council's budget.

In a 'no deal' scenario, there will also be a range of non-tariff barriers, which would constitute the bulk of the costs for the national economy of doing business without FTAs, including: border checks, custom controls and compliance with different product standards and regulations.

## **7 CONCLUSION**

- 7.1 It should be emphasised that one of the most important "unknowns" at the moment is the nature of any deal that may be agreed between the EU and the UK. Over the remaining four months before 29<sup>th</sup> March 2019 the UK Government will be twin-tracking "no deal" preparations with EU/UK negotiations and offering advice on how any draft deal may impact on councils. Government has indicated that no deal preparation should continue up to the point at which any deal is ratified by the UK and EU Parliaments.
- 7.2 As the details of any deals are developed, we will seek to brief Members on the implications for the Council. It should be noted that any deal is likely to include an implementation period – i.e. a transition period to the end of 2020 so that change can be achieved gradually.

## **8 EQUALITY AND DIVERSITY IMPLICATIONS**

- 8.1 Whilst, Brexit will inevitably have equality and diversity implications, these will be considered in future reports when there is greater clarity on the terms of the Withdrawal Agreement between the UK and EU.

## **9 CONSULTATION**

- 9.1 None required.

## **10 FINANCIAL IMPLICATIONS**

- 10.1 This will be considered in future when there is greater clarity on the terms of the Withdrawal Agreement between the UK and EU.

## **11 LINKS TO THE COUNCILS CORPORATE PLAN / OTHER CORPORATE PRIORITIES AND THE WELL BEING OF FUTURE GENERATIONS ACT**



11.1 This will be considered in future when there is greater clarity on the terms of the Withdrawal Agreement between the UK and EU.

**Brexit 'No Deal' – UK Government Technical Notices Log**

UKG Dept	TN Subject	Content
<b>Batch 1 published on 23 August</b>		
DIT	Trade Remedies	<p>Outlines the intention to establish an independent trade remedies system, which will be operated by the UK Trade Remedies Authority (TRA), a new arm's length body to investigate complaints of unfair trading practices and unforeseen surges in imports, which cause injury to UK industry.</p> <p>The Trade Bill will establish the TRA as a new non-departmental public body, while the Taxation (Cross-border Trade) Bill sets out the trade remedies framework that the TRA will be responsible for delivering.</p>
HMRC	Business VAT	<p>In a no deal scenario UK Gov will seek to keep VAT procedures as close as possible to what they are now. However there will need to be some changes including:</p> <ul style="list-style-type: none"> <li>• Postponed accounting for import VAT. Companies will be able to account for VAT in their return rather than on import.</li> <li>• VAT will be payable on goods entering the UK as parcels sent by overseas businesses – this will be an online system for parcels under £135</li> <li>• Vehicles – no change, notification through the NOVA system</li> <li>• Export – UK will be treated as a third country. Goods would be subject to VAT and customs duties</li> </ul> <p>EU online systems such as MOSS would no longer be available.</p>
DEFRA	Payments to Farmers	Funding guarantee for CAP until end of Parliament in 2022. Legislation is being developed to ensure there can be seamless payments. Beneficiaries will be required to conform to current standards.
DEFRA	RDPE	Guarantee that any projects contracted before the end of 2020 will be funded for their full lifetime. This means that the government would take over any remaining payments due to farmers, land managers and rural businesses after March 2019, ensuring an uninterrupted flow of funding to these projects until they finish, and would fund new offers seeking funding applications in 2019 and 2020, subject to these being within the overall Multiannual Financial Framework allocation for the RDPE over the 2014-20 funding period.
BEIS	Horizon 2020	TN refers to HMT guarantee for existing projects and any bids possible as 3 <sup>rd</sup> country after March 2019 and before Dec 2020. Recipients of H2020 funds in UK will be asked to give info on projects via a UKG portal.
DHSC	Organs, Tissues and Cells	The EU Organ Directives and EU Tissues and Cells Directives would no longer directly apply to the UK. The directives will be transposed into domestic law but the UK would be treated as a third country by the EU. The directives include arrangements for export and import arrangements with third countries. UK organisations would

UKG Dept	TN Subject	Content
		continue to work to the same quality and safety standards as they did before exit but some would have to establish new agreements with relevant EU establishments.
HMT	EU Programmes and Structural Funds Guarantee	Notice confirms UK Government guarantee for the following: <ul style="list-style-type: none"> <li>a. The full 2014-20 Multiannual Financial Framework allocation for structural and investment funds.</li> <li>b. The payment of awards where UK organisations successfully bid directly to the European Commission on a competitive basis while we remain in the EU.</li> <li>c. The payment of awards under successful bids where UK organisations are able to participate as a third country in competitive grant programmes from Exit day until the end of 2020.</li> <li>d. The current level of agricultural funding under CAP Pillar 1 until 2020.</li> </ul>
BEIS	Workplace rights	All EU protections will be retained in UK (including working time, holiday pay, annual leave, rest breaks, paternity / maternity leave, health & safety, anti-discrimination, part-time /fixed-term / posted / young / agency workers, information & consultation, redundancy, TUPE). Existing European Works Councils will continue but new ones would not be possible if 'no deal'.
BEIS	Civil nuclear	A new Office for Nuclear Regulation role on nuclear safeguards and international agreements (in place of Euratom) will come into place. On exit from the EU, Euratom ownership of special fissile material in the UK will end. Operators that hold the legal title to the material will have full ownership from this date, and their associated rights will remain unaffected. For existing supply contracts involving both a UK-established operator and an EU27- established operator, and that have already been co-signed by the Euratom Supply Agency, the EU has set out its view that such contracts will need to be re-approved.
BEIS	Nuclear research	HMT will guarantee existing Euratom research or training projects and any bids possible as 3 <sup>rd</sup> country after March 2019 / before. International cooperation agreements being worked up with US, Japan, Australia & Canada by March 2019 to facilitate civil nuclear trade / research cooperation. The UK will no longer be a member of F4E and UK businesses will not be able to bid for International Thermonuclear Experimental Reactor contracts through Fusion 4 Energy.
HMRC	Customs	Note sets out what businesses will need to do to keep trading in a no deal scenario. <i>Imports from EU</i> – Register for an UK Economic Operator Registration and Identification (EORI); ensure their international Terms and Conditions of Service reflect they are an importer; Submit import declarations to HMRC (this may require software solutions); pay any duties and tariffs. <i>Exporting to EU</i> - Have a valid EORI number; Submit an export declaration to HM Revenue & Customs using their software or on-line.

UKG Dept	TN Subject	Content
		<p><i>Moving goods between the UK and EU</i> – Carriers (e.g. hauliers) will need to make a safety and security declaration for goods.</p> <p>UK Government will continue to build on its existing automated customs systems.</p> <p>To prevent the need for physical infrastructure at the land border with Ireland, specific customs facilitations will be available from 29 March 2019 in the event of No Deal for land border trade.</p>
DEFRA	Organic regulation	<p>Standards related to the production and labelling of organic products will be brought into domestic legislation. Changes will be made to make them operable. Organic products are currently certified by UK based control bodies. This will continue after exit but the UK control bodies will not be recognised by the EU. UK producers will not be permitted to use the organic EU logo. To export to the EU producers will need to get a certification from a control body recognised by the EU.</p>
Defra	GMO	<p>Existing EU GMO regulations will be brought into domestic law with technical modifications. UK authorities will continue to make decisions on GMO trials and will take over EU regulatory decisions on the marketing of GMO. UK will use the same framework as the EU. For trade UK will be treated as a third country. UK businesses would only be able to export GMO products to the EU if the GMO in question has EU marketing approval. Similarly, EU exports to the UK of GM products would be dependent on there being approval for marketing here.</p>
DfE	Erasmus+	<p>October 'call for bids' will go ahead and will be underwritten by HMT guarantee, as will bids possible as 3<sup>rd</sup> country after March 2019 and before Dec 2020.</p>
DIT	Export control regulation	<p>Government intends to retain the EU law necessary for existing export control legislation to continue after exit. Relates to strategic items, such as military items, firearms etc. UK exporters to EU may face new export licensing requirements.</p>
HMT	Financial Services	<p>UK and EU will treat each other as third countries with some exemptions. E.g. Temporary Permissions Regime (TPR) that will allow EEA firms currently passporting into the UK to continue operating in the UK for a time-limited period after exit, while they apply for full authorisation from UK regulators.</p> <p>UK Government will bring forward legislation to deliver transitional arrangements to avoid the cliff-edge scenario for financial services. It will allow companies to apply for and get UK authorisation to continue delivering services. The government has committed to putting in place unilateral action, if necessary, to resolve this issue on the UK side.</p> <p>This could mean that whilst EEA companies are able to passport into the UK. UK companies will not be able to passport into the EEA.</p>
BEIS	State aid	<p>EU state aid rules will continue to apply through EU Withdrawal Act subordinate legislation. CMA will take on</p>

UKG Dept	TN Subject	Content
		regulatory role. Broad reference to working with devolved governments on state aid framework.
DIT/ HMRC/ HMT	Goods and Trade: UK Trade Tariff	<p>In the event of a no deal, goods arriving from the EU will be treated in the same way as goods coming from any other country including the payment of duties. Businesses need to be aware that:</p> <ul style="list-style-type: none"> <li>• Taxation (Cross-Border Trade) Bill will provide powers for the UK to set its own tariff once it leaves the EU.</li> <li>• The UK intends to continue offering unilateral preferences to developing countries, and to ensure continuity of our existing EU Free Trade Agreements.</li> <li>• Classification of goods will not be changed in the short term.</li> <li>• The UK Trade Tariff, detailing the import duty rates and rules that will be applicable to each good, will be made available, free on gov.uk in the same way as now.</li> </ul>
DHSC	Life Sciences	<p>Note covers medicine, medical devices, and clinical trials</p> <p><i>Medicines</i> – UK participation in the EU medicines regulatory network (including the European Medicines Agency) would cease. The Medicines and Healthcare Regulatory Agency (MHRA) would carry out the functions currently undertaken by the EU for medicines on the UK market. This would require a change to the law. Products will need to go through a national assessment for the UK market. The UK will no longer be a part of the EU centralised, mutual recognition and decentralised procedures. Those products that have licenses granted by the EMA will have opportunity to convert to UK licenses.</p> <p><i>Medical devices</i> – UK will recognise medical devices approved for the EU market and CE-marked. The UK will comply with key elements of the Medical Devices Regulation and In Vitro Diagnostic Regulation which will be in place until 2022. UK-based bodies that can currently assess and give the CE mark will no longer be able to do so. MHRA will no longer be able to oversee these bodies. The UK will not be able to access EU dispute resolution channels.</p> <p><i>Clinical trials</i> - the UK government has committed to align where possible with the Clinical Trials Regulation 536/2014 without delay when it does come into force in the EU. MHRA will take over EU functions for applications. Aim is to maintain same transparency standards as the EU.</p>
DHSC	Batch testing and certification of medicines	<p>UK will continue to accept batch testing of medicines done by a Qualified Person in EU/EEA countries and third countries that have a Medical Recognition Agreement with the EU.</p> <p>For human medicines manufactured in the UK, a UK based Qualified Person will have to certify the batch testing undertaken, as well as to ensure compliance with the Marketing Authorisation and Good Manufacturing Practice guidelines before they can be supplied or sold. Imports from a third country will also need to go through the same process.</p> <p>EU Official Control Authority Batch Release (OCABR) certificates issued prior to March 29<sup>th</sup> 2019 will be accepted by the UK, whether they have been issued by the UK or another EU OCABR laboratory.</p>

UKG Dept	TN Subject	Content
DHSC	Blood	EU Blood Directives will no longer apply directly to the UK. Arrangements for sharing blood, blood components and information with EU partners would be based on the UK's status as a third country. As a result there may be increased administrative burdens on the import and export of blood and blood components. A no deal scenario could also have a negative effect on the UK's involvement in EU health programmes and clinical evaluations. Blood safety regulations will be converted into domestic legislation. The amendments to the regulations would include the flexibility to update the safety and quality standards in line with the existing European Commission functions, to respond to emerging threats and changing safety, quality standards and technological advances.
DHSC	MHRA IT systems	The UK would no longer be part of the EU medicines and medical devices regulatory networks. The sharing of common systems, and exchange of data between the UK and EU countries, would end. Medicine and Healthcare products Regulatory Agency (MHRA) are currently developing domestic portals for the submission of information. Stakeholders would need to make separate submissions if they have a UK-EU application. MHRA are seeking to reduce complexity.
DHSC	Tobacco	Aim is to continue to maintain high standards. Domestic law will be amended to make it workable and EU directives would not apply. Secretary of State would have powers to make changes to respond to emerging threats. Two issues: <ul style="list-style-type: none"> <li>• The UK Government will need to create a new domestic system to allow producers to notify tobacco products and e-cigarettes in accordance with existing regulatory requirements.</li> <li>• The UK Government will need to introduce new picture warnings for tobacco products as the copyright for the existing picture library is owned by the European Commission.</li> </ul> UK Gov will consult on these in September.
DfID	UK Development Organisations	Note refers to bidding for funding from the core budget of the European Civil Protection and Humanitarian Aid Operations (ECHO). ECHO could ask UK organisations to leave their projects or terminate funding. UK Government commits to funding the post-March 2019 outputs of any programme funded from ECHO's core budget, where a UK organisation is the lead consortium partner or sole implementer. Applications for funding must be sent to UK Government.
DExEU	Government preparations for a 'no deal' scenario	Overarching TN that provides information about what is meant by a no deal; the UK approach of prioritising stability; the EU approach; and timelines
<b>Batch 2 published on 13 September</b>		
HO	Common	There will be no immigration controls on journeys to the UK from within the CTA; that the UK will continue to work

UKG Dept	TN Subject	Content
	Travel Area	closely with Ireland and the Crown Dependencies as part of the CTA; and offering reassurance that the reciprocal rights of UK and Irish nationals when in the other state are protected.
HO	Drug precursor chemicals	<p>The licensing requirements for those trading in drug precursor chemicals within the EU will change in a no deal scenario. The UK would be treated as a third country. Those handling drug precursor chemicals will need the same licences required to trade with non-EU countries.</p> <p>The TN provides details of the types of import/export licences that may be required and how to register with the Home Office. Licences will cost £24.</p>
HO	European Firearms Pass	Great Britain residents wishing to travel with their firearm to EU Member States, would need to comply with whatever licensing or other requirements each Member State decided to impose, as well as UK export licensing requirements. EU visitors to the UK would need to apply for a visitor's permit through a sponsor.
BEIS	TEN-Energy	Government will guarantee funding for beneficiaries of the Connecting Europe Facility Scheme. The CEF regulation as it applies in the UK will be revoked and specific powers introduced to enable payments. Projects not honoured will be underwritten by the UK. The linked TEN-E regulation will also be revoked.
BEIS	Oil & Gas	Oil & gas licencing regime continues. UKG will <i>reduce</i> oil stocks obligations on UK suppliers from EU levels to those of International Energy Agency but will still retain enough to protect against oil disruption.
BEIS	Goods - Product Regulations: Nominated persons	Businesses can currently appoint nominated persons to carry out certain tasks under EU law. In a no deal exit UK-based nominated persons would no longer be recognised by EU law. Existing authorised representatives based in other EU countries would be recognised in the UK for a time-limited period. Any new authorised person would have to be based in the UK. The TN does not apply to medical devices.
BEIS	Goods - Harmonised goods	<p>TN does not apply to automotive, aerospace, pharmaceutical goods, medical devices, chemicals and goods subject to national regulations. EU law currently sets out the rules for product safety. Manufacturers can choose to demonstrate compliance by conforming to harmonised standards, including CE marks. Notified bodies can carry out conformity tests. In a no deal Brexit goods already placed on the market will continue to be able to be circulated in the UK and goods that meet EU requirements can still be placed on the market. This is intended to be a time-limited measure. The results of conformity assessments carried out in the UK will not be recognised in the EU. This means products tested by a UK notified body can not be placed on the EU market without retesting by an EU notified body.</p> <p>Notified bodies in the UK will be granted new UK 'approved body' status and listed on a UK database. They will</p>

UKG Dept	TN Subject	Content
		<p>assess against UK criteria which at the date of exit will be the same as EU standards. Products will then have a new UK marking.</p>
BEIS	Goods – Non-Harmonised Goods	<p>Non-harmonised goods are those that are regulated on a national level rather than by the EU. Goods currently circulate on the EU market under the mutual recognition principle. This prevents EU countries from prohibiting the sale of goods that have been legally sold in another EU country, even where there are different national requirements. After exit the UK would no longer fall within the scope of the mutual recognition principle. UK goods will need to comply with national requirements of the country they are exporting to. This will apply to both imports and exports.</p>
BEIS	Merger review and anti-competitive activity	<p>EU competition law (on mergers, antitrust &amp; private damages) will be converted into UK law via the EU Withdrawal Act. The main change is that in future some cases (affecting the UK and EU) could be considered by both the Competition Markets Authority and the European Commission.</p>
BEIS	Space	<p>Access to Galileo for the general public should be unaffected but the encrypted Public Regulated Service will not be available to the UK and businesses and universities will not be able to bid for work on Galileo. The UK will no longer be able to participate in the Copernicus programme as an EU Member State and will have no role in how it is run. UK organisations will no longer be able to bid for contracts. Space surveillance and tracking – UK will no longer be able to participate in the programme. The UK will continue to receive space, surveillance and tracking data from the US.</p>
DEFRA	F-Gases and ODS	<p>EU regulations will be transposed into domestic legislation. This will ensure the UK can continue to phase down the use of F-Gases and maintain controls on ozone depleting substances in line with its climate change goals and to fulfil legal obligations under the United Nations Montreal Protocol. The UK will set up its own quota systems. The current EU-wide system would be split into two: one quota for placing on the UK market, issued by the UK Government and another for placing on the EU market, issued by the EU Commission.</p> <p>UK Government is developing IT systems to assist this process. Companies would need to apply for the UK quota using the system and would also use it to report against targets.</p> <p><i>Fluorinated greenhouse gases</i> – companies would need to apply to the Environment Agency to get its quota. To be eligible for EU quotas UK companies would need to establish an office in the EU. Business not based in the UK would need to appoint an Only Representative in the UK to be eligible for a UK quota.</p>



UKG Dept	TN Subject	Content
		<p><i>Ozone Depleting Substances</i> – UK would continue to use a quota system – companies would apply to the EA rather than the EC. Only the application and reporting system will change.</p> <p><i>Certification</i> – certificates issued by EU bodies will continue to be valid in the UK</p>
DEFRA	Upholding environmental standards	<p>Statutory instruments will be introduced to ensure existing EU and international environmental legislation and standards continue.</p> <p>UK will establish a new independent statutory body to hold government to account on environmental standards in relation to England and reserved matters. There will also be a statutory statement on environmental principles to guide future government policy making.</p> <p>Domestic statute book on environmental standards will remain unchanged.</p>
DEFRA	BAT Regime	<p>Notice is about industrial emissions and the requirement for business to use best available technologies. Standards will be maintained through the introduction of SIs. The UK government will put in place a process for determining future UK BAT conclusions for industrial emissions. This would be developed with the devolved administrations and other competent authorities.</p>
DEFRA	LIFE Replacement	<p>Government guarantee to continue funding projects that successfully bid for LIFE funding until end of 2020. Guarantee also extends to UK organisations acting as partners in projects led by other Member States. Payments would be made via Defra rather than the European Commission. Organisations involved in projects have been contacted by either Defra or devolved authority.</p> <p>Guarantee does not cover organisations from other Member States in consortia with UK participants.</p>
DfT	Driver Licensing	<p>The right of UK licence holders to exchange their licence in an EU Member State will cease. Driving licenses may no longer be valid on their own in the EU. Motorists may need to carry an International Driving Permit (IDP) if they are visiting EU countries. There are different IDP for different countries, motorists will need the right one. Cost of an IDP is £5.50 and will be available from some post offices. Residents in other EU countries will lose the automatic right to exchange their driving licences on exit day. UK is currently trying to negotiate a mutual recognition and exchange system. If this not successful bi-laterals agreements will be considered. Motorists from the EU and other non-EU countries (with whom there are agreements) will not need an IDP to drive in the UK. Non-UK licence</p>

UKG Dept	TN Subject	Content
		holders living temporarily in the UK will have their licences recognised for 12 months after which they will need to exchange their driving licence or take a driving test. EU and EEA drivers who live in the UK for more than 12 months can continue to use their EU driving licence until it expires if they passed their test in the EU or EEA.
DfT	Vehicle type-approval	<p>Manufacturers must gain a European Community Whole Vehicle Type-Approval to place a product on the market for sales. Those granted in the UK will no longer be valid after exit. EC type-approvals issued outside the UK would no longer be automatically accepted on the UK market. Manufacturers will need to ensure they have the right approvals.</p> <p>Manufacturers will need to ensure they have UK approval from the Vehicle Certification Authority (VCA). UK Government is considering provisional certifications for manufacturers that already have EC-Type approvals. During the provisional period manufacturers would need to contact the VCA for a full assessment.</p> <p>Manufacturers wishing to place their products on the EU market will need to obtain an European Community Whole Vehicle Type-Approvals from an authority based in an EU Member State.</p>
DfT	New car and van CO2 emissions	EU regulations on new car and CO2 emissions will be brought into domestic law through SI. The Department for Transport will assume the role of the European Commission for the application and enforcement of UK-only regulation. This will include setting and reporting on emission targets.
DfT	Seafarer Certificates	Endorsement of seafarers certificates issued before withdrawal day will remain valid until they run out (even if this is after exit day). UK will continue to recognise EU seafarer certificates as they do now and will seek third country recognition of UK certificates by the EU under the Standards in Training Certification and Watchkeeping for Seafarers Convention. EU countries that want to continue accepting new UK certifications will need to seek permission from the European Commission. The UK is seeking assessment of its training and certification system by the European Maritime Safety Agency which will then enable UK qualified seafarers to continue working on EU flagged ships.
DfT	Maritime Security exemption	Shipping companies are required to submit security notices before they enter European ports but EU countries can grant exemptions for services between and within EU countries. After exit EU Member States will no longer be able to grant exemptions to UK ships (including ferries) under the UK flag. Companies will need to provide pre-arrival notifications and should take steps to ensure they have the systems in place to do so. The UK government intends to continue granting exemptions for scheduled services from EU countries, or between ports in the UK.
MHCLG	ERDF	Guarantee that funding for the 2014-2020 ESF programmes will continue in the event of a no deal scenario. This means that projects can continue to be signed in 2019 and 2020 and investment for those will continue until 2023. Managing Authorities will administer the guarantee through existing national and local arrangements, modified and

UKG Dept	TN Subject	Content
		simplified as appropriate in line with wider rules on public spending.
DCMS	Regulatory Framework for Telecoms	The existing regulatory framework for telecoms will be amended to ensure it can operate properly. If the European Electronics Communication Code is adopted by the EU in Autumn 2018, the UK will seek to replicate this in domestic law. UK Government do not expect there to be significant impacts on how businesses operate under the framework.
DCMS	Broadcasting and video on demand	<p>Currently audiovisual media service providers are only subject to the Jurisdiction of the EU Member State (MS) of origin. This means if a broadcasting licence is given in one MS it is valid in the rest of the EU. The Country Of Origin principle is determined by criteria set out in the Audiovisual Media Services Directive (AVMSD). A licence provided in the UK by Ofcom is valid in the whole of the EU and that broadcaster is only bound by those rules.</p> <p>Following EU exit with no agreement in place, the AVMSD and its Country of Origin principle will no longer apply to services under UK jurisdiction that broadcast into the EU, as the UK will be classified as a third country. Under the AVMSD MS are free to take whatever measures they see as appropriate for audiovisual media services coming from third countries. Providers will need to check if they fall within the jurisdiction of another MS under the terms in the AVMSD – if they do they may need to apply for a licence in that MS. Providers with UK licences that don't fall under another MS jurisdiction may need to rely on the principles in the European Convention on Transfrontier Television which is more restrictive and limited to countries that have signed up to it.</p>
DCMS	Data Protection	The Data Protection Act 2018 will remain in force if there is no deal. In addition the General Data Protection Regulation (GDPR) will be brought into domestic legislation through secondary legislation. However the legal framework governing transfers of personal data from organisations established in the EU to those in the UK would change. The UK will continue to allow free flow of data from the UK to the EU. The UK is ready to begin discussions on equivalency which would ease the flow of data sharing from the EU but a timetable has not yet been agreed. The Information Commissioner will remain the UK's independent supervisory authority on data protection. The UK will continue to push for close cooperation and joined up enforcement.
DWP	European Social Fund 2014-20 Programme	Guarantee that funding for the 2014-2020 ESF programmes will continue in the event of a no deal scenario. This means that projects can continue to be signed in 2019 and 2020 and investment for those will continue until 2023. Managing Authorities will administer the guarantee through existing national and local arrangements, modified and simplified as appropriate in line with wider rules on public spending.
DCMS	Mobile Roaming in the EU	Currently UK consumers travelling in the EU have surcharge-free roaming. In addition the EU roaming regulation requires mobile operators to apply a default financial limit for usage of €50 with an 80% and 100% warning. If there is no deal on exit the costs mobile operators can charge for roaming will no longer be regulated. Surcharge-free roaming can no longer be agreed. UK Government would seek to legislate to bring this into UK law on mobile date

UKG Dept	TN Subject	Content
		usage abroad (cap £45 and warnings). UK mobile operators could continue to honour commitments about surcharge-free roaming or offer different terms. The major providers have said they will continue surcharge-free roaming. Consumers are advised to check with providers.
CO	Public Procurement	Access to OJEU and Tenders Electronic Daily (TED) will be replaced by a free UK-specific e-notification service. Changes to the Procurement Regulations will be made via amendments to existing legislation. The UK will also acceded to the WTO Agreement on Government Procurement (currently this is through EU Membership). <i>Contracting authorities</i> – will need to ensure they transfer to the new UK system and will still be required to advertise on domestic portals including Sell2Wales. Further information on the handover between systems will be provided. <i>Suppliers</i> – Need to access the UK system which will be available from exit day. Suppliers can continue to access domestic portals. Suppliers who want to access contract opportunities from the EU will use OJEU/TED.
MoJ	Civil Judicial Cooperation/ Insolvency	In a no deal scenario there will be no framework for civil judicial cooperation or insolvency. UK will repeal laws and revert to those they use with other non-EU countries. Because there will be no reciprocity the UK would repeal most of the existing civil judicial co-operation rules and use domestic rules that currently apply to non-EU countries. Where no reciprocity is required some of the rules may be retained. UK would make arrangements to continue with their involvement in the Hague conventions as an independent country.
HO	Passports	On day of exit British passport holders will be considered as third country nationals. All passports printed after 29 March 2019 will not contain reference to the EU. Blue passports will be issued from late 2019 onwards. In addition passports will only be issued for a maximum 10 years for adults and 5 years for children. To travel in the EU Schengen area your passport must be no older than 9 years and 6 months. For countries outside the Schengen area visitors will need to abide by their national laws of entry.
<b>Batch 3 published on 24 September</b>		
BEIS	Intellectual property – Trademarks and designs	Trade mark protections at EU level will continue to apply in remaining EU MSs, and also in UK through a new UK protection (automatically and at no fee to holders of existing trade marks). This includes unregistered community design rights.
BEIS	Intellectual Property – Patents	Limited patent law comes from the EU. Most important EU legislation provides an additional period of protection after a patent runs out for pharmaceuticals and agrochemicals. Relevant legislation will be retained through the Withdrawal Act.  If the Unified Patent Court is ratified by Germany and is introduced, the UK Government will see if it can remain a member. If they are unable to, UK companies may still be challenged in the UPC if they infringe patents of other MS countries but will only be able to protect their patents in the UK courts. EU businesses will not be able to use the

UKG Dept	TN Subject	Content
		<p>UPC and unitary patent to protect their rights in the UK but will be able to apply for domestic UK protection.</p> <p>There will also be some changes for patent lawyers.</p>
BEIS	Intellectual Property – Cross border copyright	<p>UK is subject to the main international treaties on copyright. There is also a body of EU law. Rights and protections under international treaties will remain after Exit but for EU cross-border mechanisms the reciprocal elements will cease. The UK will become a third country.</p> <p>EU copyright directives and regulations will be preserved in UK law.</p>
BEIS	Intellectual Property – Exhaustion	<p>The UK is currently part of a regional EEA exhaustion scheme, which means rights are exhausted once a product has been put on the market anywhere in the EEA with the holder's permission.</p> <p>For a temporary period the UK will continue to recognise this regime after exit day meaning there will be no change for imported goods. There may however be restrictions for goods exported from the UK.</p> <p>Consideration is being given about the exhaustion regime after the temporary period.</p>
BEIS	Renewable, high efficiency and microgeneration electricity issues	<p>In a 'no deal' scenario GB will continue to recognise Guarantees of Origin issued in Northern Ireland (it is devolved) and the EU. This will ensure the continuity of supply. Guarantees of Origin issued in GB and Northern Ireland will not be recognised by the EU. This will mean that existing contracts with EU countries' electricity suppliers or traders may be compromised if the contract terms require the transfer of a Guarantee of Origin recognised by the EU. If generators want to continue to sell to the EU they will need to consider how to market their exports.</p> <p>UK Gov is working to amend regulations.</p> <p>Microgeneration installation – UK will continue to recognise microgeneration installer certificates issued in the EEA. The EEA will not recognise UK issued certificates.</p> <p>The government will continue to apply all requirements under both the Feed-in Tariffs Scheme and Contracts for Difference schemes and the Renewables Obligation. Legislation will be changed to remove reference to the EU.</p>
DEFRA	Importing timber and timber products	<p>The UK will implement its own timber regulation aimed at improving forest governance, reducing illegal logging and encouraging trade in legally sourced timber. This will replicate EU regulations. Those placing timber and timber products on the UK market would be subject to the same obligations as those placing products on the EU/EEA market. This means businesses importing from the EU and EEA would now be required to exercise due diligence on</p>

UKG Dept	TN Subject	Content
		these imports and show they come from a legal harvest. EU and EEA businesses would be required to conduct due diligence on imports from the UK.
DEFRA	Exporting live animal and animal products	<p>Currently for most products imported within EU countries there are no restrictions. However animals and products from third countries need European health certificates or intra-trade certificates signed by vets. In a no deal scenario the UK would be treated as a third country and would need to provide the relevant certificates.</p> <p>Work is ongoing to simplify the application process and to ensure there are enough vets and signatories to meet the increased demand.</p> <p>The UK will apply to the EU for listed status – until this agreed no exports to the EU can take place.</p> <p>UK issued transport documentation (e.g. competency log) would no longer be recognised by the EU. This will need to be gained from an EU Border Inspection Post.</p>
DEFRA	Importing live animals, animal products and high-risk food and feed to the UK	<p>UK would no longer be able to rely on the EU system that tracks live animals. A replacement is being developed. Third country goods that are destined for the UK (but travel through the EU) will not be inspected at the point of entry and the UK will need to do its own checks. There is likely to be an increase in the amount of goods that have to be checked at UK Border Inspection Posts.</p>
DEFRA	Importing and exporting plant and plant products	<p>UK would be treated as a third country which would impact import and export and movement of plants within the UK.</p> <p><i>UK to EU</i> - Businesses will be required to ask the relevant plant health authority to carry out an export check and issue a Phytosanitary Certificate (PC) in advance of export (where needed). This is subject to fees.</p> <p><i>EU to UK</i> - The majority of plants and plant products will continue to enter the UK from the EU freely. Plants currently under EU plant passport control would be subject to UK import controls. They will require a plant certificate from the country of export. The relevant plant authority would also need to be notified. This comes with a fee,</p> <p><i>Movement within the UK</i> – UK plants that are subject to EU passport controls will need a UK certificate even if they are only being moved with the UK.</p>

UKG Dept	TN Subject	Content
		<i>Wood packaging material</i> – this would need to be ISPM15 compliant.
DEFRA	Chemicals – Future Chemicals regulation in the UK	<p>Currently EU companies must register with the European Chemical Agency (ECHA). Those companies producing and exporting chemicals from outside the EEA must comply with the REACH legislation. This means an Only Representative (OR) must be based in an EEA country to act as an agent.</p> <p>The UK will establish a chemicals regime that, as far as possible, maintains the rules and requirements of the existing EU regime. Domestic capacity will be built to take over the functions of the ECHA. This is to ensure that when we leave the EU the UK has a functioning system, which maintains current standards. Health and Safety Executive (HSE) will be the lead regulatory body with support from other bodies including the Environment Agency.</p> <p>New chemicals will be registered through a UK IT system developed to replace the EU system.</p> <p>There will be no commitment to regulatory alignment with the EEA in the medium to long term.</p> <p>UK based companies currently registered with REACH would no longer be able to sell on the EEA market without first transferring their registrations to an EEA-based organisation.</p> <p>Companies importing chemicals would face new registration requirements under the new UK regulations. These will be light touch for a transition period. But companies would need to register with HSE.</p>
Defra	Registration of veterinary medicines 1	UK would need to carry out functions nationally, which are currently undertaken centrally through the EU. Sharing of common systems, and exchange and recognition of data submitted for regulatory activities between the UK and EU Member States would cease. Legislation will need to be amended to take account of these changes.
DEFRA	Registration of veterinary medicines 2	<p>TN related to batch testing of vet medicines.</p> <p>Mutual recognition of batch testing between the EU and the UK and the UK and third countries with whom the EU has an agreement with would cease. For a limited period the UK would continue to accept the batch testing of the EU and associated countries.</p>
DEFRA	Veterinary Medicine Product IT implications	The UK would no longer be part of the vet medicine regulatory networks. The sharing of common systems and data would cease. The VMD is developing replacement systems. This means that vet medicines used both in the UK and the EU would be subject to and have to comply with separate systems and application processes.

UKG Dept	TN Subject	Content
DEFRA	Pet Travel	<p>UK will no longer be a member of the EU pet travel scheme, which allows certain types of pets to travel with passports. There will be more onerous health checks required. Pet owners will be required to prove their pet is microchipped and effectively vaccinated against rabies with a health certificate. Pets will need two blood tests three months apart before a health certificate can be granted. Health certificates will only be valid for three months and owners will need to reapply. Certificates will need to be issued by official vets.</p> <p>This is based on the UK not getting listed status. If the UK is able to secure Part 1 listed status nothing will change and pets will be able to travel freely. Part 2 listed status means that the 3 month waiting time described above will not be necessary.</p>
DEFRA	Manufacturing and marketing of fertilisers	<p>The note refers to the manufacture and marketing of fertilisers. There are currently two frameworks that can be used a domestic one and an EU one. The domestic framework will remain unchanged.</p> <p>For a limited time (approx. 2 years) fertilisers labelled as EU can continue to be sold on the UK market. After that they will need to comply with the UK framework.</p> <p>A list of labs that can test for the UK standard will be published.</p> <p>Those manufacturers wanting to continue selling products on the EU market will need to comply with EU regulations including the requirement that the manufacturer is established within the EU. Any necessary sampling or testing will need to be done by an EU approved lab (this will not include UK labs).</p>
DEFRA	Food Labelling and compositional standards	<p>Current EU rules on labelling and compositional standards of food products will be brought into domestic legislation. However changes will be required. Changes include:</p> <ul style="list-style-type: none"> <li>• Country of origin of ingredients may need to be changed as EU will no longer be applicable if they come from the UK. From April 2020 EU will require labels to include the country of origin of the primary ingredient. The UK will decide how and if to replicate.</li> <li>• For pre-packed products sold in the UK, the address of the responsible Food Business Operator on the label would be required to be in the UK (producer or importer). Just an EU address would no longer be valid for the UK market. Similarly, just a UK address would no longer be valid for the EU market. A UK address and an EU address on the label would mean that the label is valid for both the UK and EU markets. The UK is currently considering allowing only an EU address for a six month transitional period.</li> </ul> <p>UK natural mineral waters may no longer be recognised in the EU.</p>



UKG Dept	TN Subject	Content
DfT	Air Services	<p>The automatic right for UK and EU licensed air carriers to operate air services between points in the UK and points in EU will cease. Historic bi-lateral agreements with individual Member States may be revived. Access to air routes would no longer be automatic and would be subject to Air Service Agreements – this would be based on negotiation with individual countries. During this time EU and UK airlines would need to apply for foreign carrier and civil safety permits.</p> <p>Air carriers have to apply for an operating licence to run particular routes internationally. Route licences already given will remain after exit. Often these have been limited by conditions meaning that are only given to those who are nationals of a particular Air Service Agreement. EU carriers must be majority funded and owned by EU nationals. EU airlines will need to check they still comply with this is they have UK funding.</p> <p>Slot allocation and air traffic control will be unchanged. UK will remain part of EUROCONTROL which collaborates on air traffic management. However the UK would no longer use or be part of the European Single Sky Programme, this would be replaced by NATS (a national system).</p> <p>Passenger rights will be retained through the Withdrawal Act.</p>
DfT	Commercial Road Haulage	<p>Currently, UK hauliers carrying out international journeys must hold a Standard International Operator's Licence along with a Community Licence for journeys to, from or through the EU. This allows them to make unlimited journeys within the EU for hire and reward. Drivers must also have a certificate of competence (CPC).</p> <p>This is liable to end and there will be no guarantee that Community licences will be recognised. It is likely that hauliers would have to revert to the European Conference of Ministers of Transport (ECMT) permit scheme, however there are only a limited amount of permits available in the UK and are much more limited in some countries. Other permits may also be available through historical bi-lateral agreements and the UK will seek others.</p> <p>Trailers may also need to be registered under the terms of the 1968 Vienna Convention. The UK is putting a system in place.</p> <p>The UK will be putting in place a Certificate of Professional Competence (CPC) scheme for UK drivers, reflecting the current CPC regime. CPCs may not be recognised by the EU and drivers will require a UK and EU CPC. Those with an ECMT will not need a CPC.</p>
DfT	Aviation Security	<p>Existing EU regulations and procedures for aviation security will be brought into domestic law.</p> <p><i>Passengers</i> - the only difference passengers will see is that if they catch a transfer flight at an EU airport as their</p>

UKG Dept	TN Subject	Content
		<p>luggage will need to be rescreened (currently bags are not rescreened).</p> <p><i>For cargo between the EU and the UK</i> – The UK intends to recognise EU cargo security from the outset, and will not require new cargo security designations for carriers from EU airports.</p> <p><i>For cargo between the UK and the EU</i> – EU will require carriers to have security certificates issued by an EU country. They have not set out what the application process will be. This would have major implications for EU cargo carriers.</p> <p><i>For cargo from third countries</i> - all carrier and screening entity designations granted by the UK on behalf of the EU for inbound flights will expire on exit day. This means the 37 carriers that the UK is responsible for will not be able to carry cargo into the EU. The EU has not explained their mechanism for reissuing these.</p>
DfT	Aviation Safety	<p>The automatic mutual recognition of aviation safety certificates, approvals and licences provided for under the European Aviation Safety Agency (EASA) basic regulation would cease. The rules and standards will be brought into domestic law. The Civil Aviation Authority (CAA) will take on all the responsibilities of the EASA. Bi-lateral agreements that the UK has with Canada, Brazil and the US will also cease.</p> <p>EASA certificates will remain valid in the UK for up to 2 years, after which CAA certificates will be required. EU has said that they will not recognise certificates issued by the CAA after exit.</p> <p><i>Pilot licences</i> that are issued by the CAA will continue to be recognised. EASA issued licences would be recognised for up to 2 years. Pilots wishing to operate an aircraft registered in the EASA system must hold an appropriate licence issued, or validated, in an EASA state. Before exit day, holders of UK-issued Part-FCL licences are able to transfer it to another EASA state if they wish to operate aircraft registered in the EASA system. After this they will not be recognised.</p> <p><i>Engineer licences</i> that are issued by the CAA will continue to be recognised. EASA issued licences would be recognised for 2 years. The EU will not recognise licences issued by the CAA.</p> <p><i>Cabin crew</i> that are issued by the CAA will continue to be recognised. EASA issued licences would be recognised for up to 2 years. The EU will not recognise licences issued by the CAA.</p> <p><i>Air traffic controller</i> would need licences issued by the CAA. Those issued before exit would continue to be recognised.</p>

UKG Dept	TN Subject	Content
		<p><i>Training</i> would be recognised if it is authorised by the CAA. Training authorised by EASA will be recognised for up to two years after exit. The EU will not recognise UK authorised training.</p> <p><i>Aircraft design</i> type-certificates would remain valid and so there would be no changes.</p> <p><i>Aircraft production</i> certificates and approvals issued by CAA would continue to be recognised. Those issued by EASA would continue to be recognised for up to two years. The EU will not recognise CAA issued certificates from the point of exit. This means UK parts can not be fitted to EU aircraft after exit.</p> <p>The CAA would take over responsibility from EASA for providing certificates of airworthiness. Certificates for maintenance staff issued by CAA would continue to be recognised. Those issued by EASA would continue to be recognised for up to two years. The EU will not recognise CAA issued certificates from the point of exit.</p> <p><i>Third country operators</i> require safety approval from EASA to continue flying. From exit the UK would be considered a third country and EU airlines flying to the UK would be considered foreign operators under UK legislation. Foreign operators need safety approvals from the CAA before they can fly commercially to the UK. Authorisations issued by EASA to airlines outside the EU would remain valid in the UK for up to two years after exit. EU airlines do not need EASA licences they would need to apply for CAA authorisation. The CAA will assess applications. The EU has not said how it will process applications by UK air carriers who want to provide commercial services to the EU.</p> <p>Licences for airports and wet leasing aircraft would remain largely unchanged.</p>
DfT	Vehicle insurance	<p>In a no deal scenario UK would lose access to the green card free zone (green cards are issued internationally as proof of third party insurance). Insurance providers can pass on a cost for administration. This would mean UK drivers would need a green card to drive in the EU, EEA, Switzerland, Serbia and Andorra. If you do not have a green card or frontier insurance (local insurance) you may not be able to enter that country.</p> <p>EU/EEA citizens will need a green card to drive in the UK.</p>
DfT	Passenger road transport (buses and coaches)	<p>In the event of a no deal, it can no longer be guaranteed that Community Licences will be recognised. The UK's participation in the Interbus Agreement by virtue of EU membership will also cease to have effect; however, the UK intends to re-join Interbus as an independent member, and to have this in place for Exit Day.</p> <p>UK will recognise EU issued certificates of competence. Automatic EU recognition of UK CPC will cease. These will</p>

UKG Dept	TN Subject	Content
		<p>be recognised when the UK joins the Interbus Agreement.</p> <p>UK legislation will continue to comply with the requirements of the ECMT Quality Charter and the separate AETR agreement (European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport), rules which sit outside EU legislation.</p> <p>The Interbus Agreement will allow UK operators to run occasional services in the EU (e.g. coach holidays) but does not extend to regular services. EU coach companies will have to apply to the UK if they want to run regular services into the UK, currently they apply through their own country.</p> <p>The UK is developing a replacement CPC system which will be valid in the UK but not recognised in the EU (although they may be when the UK becomes part of Interbus). Drivers may have to apply for CPC from an EU MS if they want to continue operating services.</p>
MHCLG	ETC	<p>Guarantee that funding for the 2014-2020 ETC programmes will continue in the event of a no deal scenario. This means that projects can continue to be signed in 2019 and 2020 and investment for those will continue until 2023. The funding guarantee will be delivered using existing programme management arrangements once the UK exits the EU.</p> <p>Welsh Government administers the Wales-Ireland INTERREG programme.</p>
DEFRA	Geographical Indications	<p>UK will set up its own GI scheme that will be WTO TRIPS compliant which broadly mirrors the EU scheme. Details will be subject to public consultation. UK products with current GI will automatically get protections under the UK scheme. UL would no longer need to recognise EU GI status. EU producers would be able to apply for UK GI status.</p> <p>After we leave the EU, we anticipate that all current UK GIs will continue to be protected by the EU's GI schemes. If this is not the case, UK producers wishing to regain the protection offered by EU GI status, and the right to use the EU GI logo, would need to submit their applications to the European Commission as 'third country' producers. Alternatively producers may consider protecting their products by applying for WU Collective Marks or EU Certification Marks. Applications are made to the EU Intellectual Property Office.</p> <p>After March 2019, irrespective of the outcome of negotiations, Irish Whiskey, Irish Cream and Irish Poteen, which are GIs that can be produced anywhere on the island of Ireland, will continue to be fully protected in the EU as well as the UK.</p>

UKG Dept	TN Subject	Content
		As part of trade negotiations with third countries the UK will seek to protect UK GIs.
<b>Batch 4 published on 12 October</b>		
FSA	Health Marks on meat, fish and dairy products if there's no Brexit Deal	<p>The design of the health and identification marks applied to products of animal origin will change. Focus is changes needed to 'health &amp; ID marks' (e.g. on meat, fish, eggs, cheese, milk) for UK exporters as they cannot be EU marks, but will need to meet the EU requirements for third countries. The FSA will ensure that operational staff are equipped with the new marks from 29 March 2019. Industry consultation underway.</p>
BEIS	Meeting Climate Change requirements if there's no Brexit Deal	<p>The Climate Change Act is domestic legislation, and will remain in force. Green House Gas reporting standards will remain, with carbon pricing met via tax system, not EU Emissions Trading Scheme. Decisions to be in Budget 2018 / Finance Bill 2019.</p> <p>For Ecodesign and Energy Labelling Regulations that come into force after the point of exit, the UK government will put in place legislation to keep pace with equivalent EU Regulations.</p> <p>The UK will not have guaranteed access to the EU Emissions Trading System Union Registry, or the Kyoto Protocol National registry. The Geological storage of CO2 licensing regime will become inoperable, and the UK government will look to restore functionality where the Oil and Gas Authority licenses storage.</p>
BEIS	Electricity trading	<p>EU energy law will no longer apply in the EU. Alternative trading arrangements will need to be developed to ensure the cross-border flow is maintained. This will need to involve regulators in the UK and EU approving new access rules, which set the terms and conditions for this trade. There are no plans to change the access or domestic approval process in the UK.</p> <p>The EU's Regulation on Energy Market Integrity and Transparency (REMIT) prohibits insider trading and energy market manipulation and makes provision for monitoring of the market by regulators. Market participants will need to register with an EU regulatory authority to avoid a disruption to cross-border trade, trade within EU wholesale energy markets, or trade within the Single Electricity Market.</p> <p>It is likely that changes will be required to domestic industry codes (the technical rules of the domestic electricity system) and licences. More information on these changes and how the process will be managed will be provided by Ofgem.</p>

UKG Dept	TN Subject	Content
		<p>The EU rules will cease to apply in Northern Ireland leaving key elements of the Single Electricity Market - trading with Great Britain and cross-border governance arrangements - without any legal basis. The UK government is keen to work with the Irish Government and European Commission to seek agreement that the Single Electricity Market will continue in any scenario, including no deal.</p> <p>If no deal is reached there is a risk that the Single Energy Market will breakdown. In this case NI regulators will take mitigating actions including through a competitive procurement process involving existing generation and new generation investment alongside demand side measures. The UK Government may also take emergency powers to ensure security of supply.</p>
BEIS	Consumer rights	<p>EU Withdrawal Act and secondary legislation will preserve protections for UK consumers buying from UK companies, but protections and enforcement if buying from EU companies is uncertain (and vice versa, which could affect exports). Specific potential implications for UK package holidays (no mutual recognition of insolvency protection), timeshares, textile / footwear products are referenced.</p> <p>The UK government are taking steps to ensure that Alternative Dispute Resolution (ADR) will remain available when buying and selling within the UK</p>
BEIS	Company law - Accounting and Audit	<p>The UK will provide a unilateral transition period in which individuals will be able to apply for their EU audit qualification to be recognised in the UK. EU citizens and companies will still be able to own or take senior roles in UK firms (but converse not certain, which could have significant impacts). UK firms providing business services (e.g. audit) in EU could also face major additional barriers (there are links here to mutual recognition of professional qualifications). UK investors in EU firms could face limits on equity stakes. UK firms operating in EU may face more accountancy / reporting standards. EU rights of establishment in UK unclear.</p>
BEIS	Company law - Structuring your business	<p>There will be changes to the cross-border regimes for UK companies operating in the EU, because these companies will become third country businesses. For EU companies operating branches in the UK, there will be additional third-country requirements - however, these are minimal.</p> <p>UK citizens may face restrictions on their ability to own, manage or direct a company registered in the EU, depending on the sector and EU member state in which the company is operating, and UK businesses that own or run business operations in EU member states will likely face changes to the law under which they operate.</p>

UKG Dept	TN Subject	Content
		<p>UK investors in EU businesses (whether these are individuals, businesses or investment funds) may face restrictions on the amount of equity that they can hold in certain sectors in some EU member states.</p>
BEIS	<p>Providing Services including those of a qualified professional if there's no Brexit Deal</p>	<p>EEA citizens whose qualification has already been recognised will retain this, but after exit a new process to gain recognition will be created and some existing rights will not be available (e.g. automatic recognition, and the ability to offer temporary / occasional services).</p> <p>Individuals with UK qualifications seeking recognition to offer services in the EEA will need to check the host nation policies. The EU commission has stated that decisions made on the recognition of UK qualifications in EU countries before exit day are not affected.</p> <p>There is less detail on the regulation of services but it makes clear that EEA service providers will be treated as 3<sup>rd</sup> country providers and UK regulators may limit their operations in line with WTO rules. It also covers 'Geo-blocking', which stops discrimination by traders on the basis of the customer's nationality (including on-line purchases). UK firms would be able to discriminate between UK and EU customers.</p> <p>Need to follow up on the implications and evidence base, and UK nationals will no longer have access to the "SOLVIT" (EU dispute resolution service for decisions issued by regulatory authorities) resource.</p>
DEFRA	Equine movements	<p>UK will be treated as a third country. EU will require the UK to become a listed country. Those wishing to move equines from the UK to countries within the EU will need to:</p> <ul style="list-style-type: none"> <li>• apply to the Animal and Plant Health Agency (APHA) for the new export certification required by the EU; and</li> </ul> <p>if their horse is not registered either on a studbook or pedigree register or with a national branch of an international organisation for racing or competition, apply to APHA for a new government-issued ID document.</p>

UKG Dept	TN Subject	Content
DEFRA	Plant variety rights and marketing of seed and propagating material if there's no Brexit deal	<p>EU plant variety rights granted up to exit, including those held by UK businesses, will continue to be recognised in the remaining 27 EU countries. Where EU rights have been applied for, but not granted before 29 March 2019, an application for rights in the UK would need to be made to APHA.</p> <p>For new varieties, breeders will need to make two applications – one to APHA and to the EU. The UK are looking to streamline processes, including accepting existing DUS (Distinctness, Uniformity and Stability) tests from EU, with the exception of species currently tested by specified UK bodies. The UK would apply to have their certification processes recognised as equivalent, but this is not guaranteed.</p> <p>Varieties listed solely in the UK would not automatically form part of the EU common catalogue, and are therefore not marketable in the EU, unless they are added to the Common Catalogue through registration in an EU-27 country, and certified by that country. With regards to imports to the UK from the EU, varieties that are already in the Common Catalogue would be allowed to be marketed in the UK for 2 years from exit, after which EU businesses would need to comply with UK arrangements and be on the UK National List.</p>
DEFRA	Trading and moving endangered species protected by CITES if there's no Brexit Deal	<p>Species that are currently freely moved and traded between the UK and EU would require a CITES permit, meaning that all trade would be the same as for movement between the UK and Non-EU countries. The exact requirements will depend on the Annex of CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora) that the species is listed in.</p> <p>This is subject to Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). UK will continue to be subject to the conditions in the convention. The only change is that currently some categories are traded freely across the EU but will require CITES permits. Goods will also need to enter through appropriate ports.</p>
DEFRA	Breeding Animals	Refers to pedigree and purebreds. The UK would become a 'third country'. UK recognised breed societies and operations involved in the trade and movement of purebred livestock, semen and embryos into the EU would no longer be recognised societies or operations in the EU. UK breeders would no longer be able to automatically be part of EU breeding lists but can apply to be part of a third country list as long as they have a zootechnical certificate.
DEFRA	Fisheries	UK will formally leave the Common Fisheries Policy when it leave the EU and will be able to set out its own policies. These are set out in the UK Government's White Paper. Regulation will be brought in through the EU Withdrawal



UKG Dept	TN Subject	Content
		<p>Act.</p> <p>When the UK leaves the EU, it will be an independent Coastal State and will have rights and obligations under the UN Convention on the Law of the Sea (UNCLOS) to control and manage territorial waters and Exclusive Economic Zone (out to 200 nautical miles or the median line with other states). The UK will be responsible for the management of natural marine resources in this area and will be able to control and manage access to UK waters including fisheries. Any decisions on access will be subject to negotiation.</p> <p><i>Access to waters</i> – Non-UK registered boats will no longer get automatic rights to fish in UK waters. UK registered boats will no longer get automatic access to EU waters.</p> <p><i>Access to ports</i> - UK fishing vessels will only be able to access EU ports if they have met all necessary requirements such as giving notification of intention arrive at the port and details relating to the vessels and catch on board. The same requirements will be necessary for EU vessels accessing UK ports. UK vessels may be subject to more inspection. Forms will be required to fish in the North East Atlantic Fisheries Commission (NEAFC) convention area. Non-UK boats seeking access to UK ports will be subject to the same rules.</p> <p><i>Regional Fisheries Management Organisations (RMFOs)</i> – UK will no longer be a member of RMFOs through the EU, aim is to re-join as quickly as possible. There may be a gap of up to 6 months during which time UK boats will be unable to ship in international waters covered by RMFOs.</p> <p><i>European Maritime and Fisheries Fund</i> – funding for projects approved before 31 December 2020 is guaranteed.</p> <p><i>Labelling</i> – responsibilities will remain the same</p> <p><i>Trade</i> – standards for fish for human consumption will remain. The EU will require the UK to issue a catch certificate with each consignment of fish or fishery products exported to the EU. UK will also require a catch certificate for imported goods. The UK will not be able to import to or receive European eel from the EU. Trade in European eel outside of the EU will still be subject to the Convention on International Trade in Endangered Species (CITES) and will only be allowed where the trade is shown not detrimental to the wild population.</p>
DCMS	Export Licensing for objects of cultural interest	<p>Notice refers to the licences required to export cultural objects outside of the EU. Currently both a UK and EU licence is required although this has been brought under one system. After exit only a UK licence will be required. These will be granted by Arts Council England (ACE). Changes will be subject to legislation.</p> <p>EU licences granted by ACE will remain valid at UK borders for their duration including the rights and obligations. There will be a cut-off date for granting licences. Those wishing to export from the EU starting to other counties will</p>

UKG Dept	TN Subject	Content
		need an EU licence not granted in the UK.
FSA	Food Feed Authorisations and exports	GM food/feed and animal feed authorisation holders (or those applying) must be established in EU/EEA. If the UK leaves the EU without a deal, businesses which are not established in the EU but want to continue exporting products would need to have a representative, in an EU country (or, in certain cases, in an EEA country) to continue to be able to place relevant products on the EU or EEA market. This also applies to non-EU businesses that rely on the UK as their representation.
DIT	Trade Agreements Continuity	<p>UK currently participates in 40 Free Trade Agreements with 70 countries. These ensure the UK has preferential access to these markets. UK Gov will strive to retain these benefits. If an implementation period is agreed UK will continue to be treated as a MS and then UK would seek identical bi-lateral agreements.</p> <p>In a no deal scenario UK will seek to have identical bi-lateral agreements in place by exit day. However if these are not in place UK will continue with Most-Favoured Nations status (MFN) as an independent member of the WTO. Traders would need to pay MFN tariffs. The UK is already a member of WTO but will also become an independent member of the WTO Agreement on Government Procurement. TN warns that there may be some practical changes for traders.</p>
FCO	EU funding guarantee for the Overseas Territories, including Gibraltar	Treasury Guarantee for Overseas Territories involved in European projects and programmes before the UK leaves the EU.
FCO	FCO Sanctions	<p>The Government will look to carry over existing sanctions from their current basis in EU law to a new basis in UK law under the Sanctions and Anti-Money Laundering Act 2018 (The Sanctions Act).</p> <p>Sanctions are a foreign policy and national security tool, which impose immigration, trade, financial and transport restrictions.</p> <p>Currently the UK is bound to enforce EU sanctions. If there is no deal after March 29 UK will continue to be bound by UN sanctions and will seek to implement current EU sanctions through legislation. Under new legislation the Government will have powers to implement their own sanctions. They would also seek to publish the names of</p>

UKG Dept	TN Subject	Content
		sanctioned persons or organisations. The UK will work with international partners (including the EU) where it is mutually beneficial. Those involved in sanctions are advised to refer to the Act.
DEFRA	Regulating Mercury	<p>EU regulations place restrictions on mercury-added products, industrial processes and storage and movement of mercury. If there is a no deal competent authorities would remain as they are. However businesses would need to know that any movement of mercury or waste products from the EU to the UK would be classed as an export and as such would be prohibited under EU regulations (this is expected to have a limited impact). Likewise UK businesses will be unable to receive mercury products from the EU. The current requirement for business operators to obtain written consent to import mercury or the mixtures of mercury for a use allowed in the UK would continue if no agreement were reached. Member States could continue to receive mercury waste as long as it meets the conditions of the derogation for the import of mercury waste for disposal i.e. where the exporting country has no access to available conversion capacity within its own territory.</p> <p>Arrangements for the storage of mercury would be unchanged but any decisions would be made by the Defra Secretary of State in conjunction with devolved ministers (these would be based on the Minamata Convention). This would also apply to new mercury-added processes and products.</p>
DEFRA	Regulating Persistent Organic pollutants (POPs)	<p>POPs are currently regulated by the international Stockholm Convention agreement on POPs and the Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on Persistent Organic Pollutants (CLRTAP). National Resources Wales (NRW) manage permits and inventories in Wales. Existing control measure and exemptions would remain the same after the UK leaves the EU. If any new POPs are identified the UK will need to create its own dossier of evidence to present to the Stockholm Convention's POP Review Committee (POPRC) for assessment.</p> <p>NRW will be responsible for keeping a record of Polychlorinated Biphenyls (PCB) equipment still to be destroyed and informed when it has.</p>
DEFRA	Maintaining the continuity of waste shipments	<p>The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal sets out that prior written consent must be given for movement of waste between OECD countries. This is regulated in the EU by the EU Waste Shipment Regulation. UK also has its own national legislation (Transfrontier Shipment of Waste Regulations (2007)) which designates UK competent authorities.</p> <p>If the UK leaves the EU without a deal then UK import/export licences would no longer be valid. Any licence would be subject to re-approval but there is no mechanism currently to do this.</p> <p>The UK would continue to be bound by the Basel convention and would be treated in the same way as OECD countries. This means the UK would need to submit a duly reasoned request to ship waste to an EU country, this</p>

UKG Dept	TN Subject	Content
		<p>would be made to the authority in the relevant Member State. EU Member State would no longer be able to ship any of its waste to the UK as this is prohibited by EU law.</p>
DfT	Rail Transport	<p>UK is seeking mutual recognition of all necessary documentation required to run cross-border services in order to minimise disruption. Passengers using cross border services are responsible for ensuring that their insurance and ticket terms and conditions are sufficient to cover possible disruption</p> <p>EU law will be brought into domestic law.</p> <p>Operator licences granted in other EU countries will be recognised for up to 2 years in the UK. After this operators will need to apply to the ORR for a new licence.</p> <p>The UK is seeking bilateral agreements for cross-border rail.</p> <p>Operators running domestic services in another EU country who hold an ORR issued licence would need to reapply for an operator licence in an EU country. This also applies to UK-based operators seeking to run new domestic services in an EU country.</p> <p>Passenger rights will remain unchanged.</p> <p>The UK will no longer be a member of the North Sea - Mediterranean rail freight corridor. The impact of this, however, will be minimal as the corridor has only ever been used once in the UK.</p>
DfT	Meeting Rail and safety standards	<p>See entry for rail transport. In addition</p> <p>The technical specifications for interoperability and the safety regime have been developed by the EU Agency for Railways (EUAR) in conjunction with EU countries and stakeholders. The UK does not intend to seek formal participation in the EUAR.</p> <p>Part A safety certificates issued in another EU country will be recognised in the UK for up to 2 years. Part B safety certificates will be valid until their expiry date. However there will not be a requirement to be established in the UK. UK operators with part A licences wanting to run domestic services in the EU would need to reapply on an EU Member State (MS).</p> <p>Maintenance certificates issued in the EU will continue to be recognised in the UK indefinitely under international</p>

UKG Dept	TN Subject	Content
		<p>obligations. EU say that UK issued certificates will need to be replaced with one issued by another MS.</p> <p><i>Inoperability constituents</i> – certificates granted by an EU body would be recognised in the UK until there is a divergence from EU standards. Certificates granted in the UK for inoperability constituents after exit would not be recognised in the EU. However those granted before exit would remain valid until their expiry date.</p> <p><i>Vehicle authorisation</i> - The Commission’s notice indicates that vehicle authorisations delivered in the EU prior to EU exit would remain valid. After the withdrawal date, authorisations for placing in service in the EU would be based on certificates of verification issued by notified bodies in the EU countries. UK authorisations will remain valid in the UK but if they were authorised initially in a different country they would be subject to extra authorisations.</p>
Defra	Chemicals – Biocidal Products	<p>The UK would establish an independent standalone biocidal products regime. There would be a stable regulatory regime created by replicating EU rules. Health and Safety Executive (HSE) would be the responsible body and take over functions of the European Chemicals Agency (ECHA). In the longer term the HSE will develop IT systems for storing information.</p> <p>Companies wishing to apply for an active substance to be approved will go through the HSE rather than the ECHA. Approvals would be UK-specific. Companies requiring EU authorisation to supply in the EU market would also need to apply to the ECHA.</p> <p>Biocidal product authorisations and active substance authorisations granted in the UK would remain valid until expiry date. Authorisations going through the process at exit day will continue through the national regime but companies may need to resubmit information. Companies seeking authorisation in other EU countries would need to resubmit to the HSE.</p> <p>A UK list of approved active substance suppliers will be created. Companies already on the EU list would, on Exit Day, be included in the UK’s list. However, to remain on the list they would need to submit supporting information to HSE.</p> <p>Under EU regulations authorisation holders must be established in the EU. In a standalone national regime holders would need to be established in the UK.</p>
Defra	Chemicals – Classification,	<p>EU regulation currently uses a UN globally harmonised system (GHS) based on their intrinsic hazards e.g. flammability. Suppliers must inform the European Chemicals Agency (ECHA) about the nature of the hazard.</p>

UKG Dept	TN Subject	Content
	labelling and packaging of substances and mixtures	<p>The UK would establish an independent standalone chemicals regime. The UK will adopt the GHS in place at the time of exit. The Health and Safety Executive (HSE) will replace the ECHA. UK manufacturers will need to continue to label chemicals in the way they do now. Suppliers will also need to comply with labelling standards.</p> <p>Manufacturers and importers would need to notify the HSE (instead of the ECHA) about their self-classification of hazardous substances.</p> <p>Responsibility for chemicals being imported into the EU from the UK would rest with whoever is the EU-based importer – this importer may therefore need details of the chemicals involved from the UK-based company.</p>
Defra	Chemicals – export and import of hazardous chemicals	<p>UK would establish a standalone Prior Informed Consent (PIC) system which requires exports of listed chemicals to be notified to the importing country and for some chemicals the consent of the importing country must be sought before export can proceed. This will replicate the EU system which is based on international obligations. Health and Safety Executive would be the UK responsible body.</p> <p>UK-based companies exporting or importing listed chemicals (including to or from EU countries) would need to comply with the requirements of the UK PIC Regulation.</p> <p>UK companies would no longer have access to EU systems.</p> <p>PIC regulation would apply to companies exporting chemicals to the EU. Businesses would need to start notifying the HSE.</p> <p>Where explicit consent has been given by an importing country to another EU Member State under the current EU PIC arrangements, it may be necessary to seek the consent of that country for UK exports of the chemical after 29 March 2019.</p> <p>Exporters and importers would need to supply information on the amounts of chemicals they have exported or imported to and from the EU.</p>
Defra	Future pesticides	<p>The UK will establish an independent standalone Plant Protection Products (PPP) regime which would be based on the current EU system. This would be through replacement legislation. Changes will only be made to make the legislation work after Brexit. All current active substance approvals, PPP authorisations, and Maximum Residue Levels in place at the point of exit would remain valid in the UK after exit.</p>

UKG Dept	TN Subject	Content
		<p>New applications would be submitted under the new UK regime through the Health and Safety Executive who will remain as the national regulator. EU applications will need to be submitted to the EU.</p> <p>UK will create a statutory register that will allow people to search easily for active substance decisions and approvals.</p> <p>Active substance approvals will get an extension for 3 years which will allow a new national renewal system</p>
Defra	Geoblocking	<p>Following the repeal of EU laws UK traders will not be prohibited from discriminating between EU and UK customers in terms of redirecting customers to websites based on their nationality; discrimination based on the customer's nationality and discrimination of payment methods. This will allow traders to give UK customers different terms from EU ones. However they will not be able to discriminate for customers within the EU (e.g. French and German customers would get the same terms).</p>
Defra	Importing high risk food and animal feed	<p>UK will take over responsibility for deciding which food not of animal origin (FNAO) should be classed as high risk for the purpose of import. A new import pre-notification system will be developed to replace the EU one. The UK will lose access to EU information sharing on food incidents. To combat this FSA will require all EU importers of high risk food and feed to pre-notify them. High risk food also includes all animal products.</p> <p>For high risk foods coming through the EU (from third countries) the UK will need to do their own checks on entry (currently this can be done by any entry point in the EU).</p> <p>Further guidance and training will be provided on the new systems</p> <p>High risk FNAO will need to enter the UK through a designated point of entry to ensure robust checks can be done. Animal products can be landed in a border inspection point as long as it is sealed.</p>
Defra	Cross-border Gas	<p>The UK has gas interconnectors (direct pipelines) with Ireland, the Netherlands and Belgium. In a no deal scenario EU energy law will no longer apply in the UK and the UK will no longer play a role in the EU organisations that enforce these.</p> <p>It is not envisaged that the mechanisms for cross-border trade will change as Great Britain and Northern Ireland use a private platform. However there may be some changes in trading with EU Member States. Interconnector operators are advised to liaise with contacts in the relevant Member States to establish what these changes might be. Ofgem will support.</p> <p>Operators of UK interconnectors are advised to discuss with EU regulators to discuss if they will need reassessment</p>

UKG Dept	TN Subject	Content
		<p>of their Transmission System Operator certification needs to be reassessed. UK will retain existing certifications domestically.</p> <p>Gas codes used by the UK will remain but may change in the EU.</p> <p>The EU's Regulation on Energy Market Integrity and Transparency prohibits insider trading and energy market manipulation and makes provision for monitoring of the market by regulators. Market participants will need to register with an EU regulatory authority to avoid a disruption to cross-border trade and trade within EU wholesale markets. The majority of the existing Regulation on Energy Market Integrity and Transparency regime will be maintained domestically with minimal changes.</p> <p>Further information on the contingency requirements for domestic market monitoring will be provided later in the year.</p>





## RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

### CABINET

21<sup>st</sup> NOVEMBER 2018

#### CIVIL PARKING ENFORCEMENT (CPE)

#### REPORT OF GROUP DIRECTOR CORPORATE AND FRONTLINE SERVICES IN DISCUSSIONS WITH THE LEADER OF THE COUNCIL, CLLR A MORGAN.

**Author:** Roger Waters, Service Director, Highways and Streetcare Services

#### 1. PURPOSE OF THE REPORT

- 1.1 The purpose of the report is to seek approval from Cabinet for the Council to provide civil parking enforcement back-office Penalty Charge Notice (PCN) processing functions on behalf of additional Local Authorities across South Wales. This regional collaboration, (which currently includes Rhondda Cynon Taf CBC and Merthyr Tydfil CBC), is known as the South Wales Parking Group, (SWPG).
- 1.2 The report will also provide a brief update with regards to the Council's mobile camera parking enforcement service, which has recently been introduced to help tackle problem parking outside schools, adjacent to pedestrian crossing points and in bus stop clearways.

#### 2. RECOMMENDATIONS

- 2.1 It is recommended that Cabinet:
  1. Agree that a regional hub for the processing of Penalty Charge Notices issued by Local Authorities across South Wales, be established, with RCT as the lead Authority.
  2. Agree to support implementation requirements for the new regional service, including the appointment of appropriate additional staff resources in Highways and Streetcare Services.
  3. Duly notes the update provided regarding the mobile camera parking enforcement service.

### **3. REASONS FOR RECOMMENDATIONS**

- 3.1 Councils in the former Gwent region, (Caerphilly CBC, Newport CC, Torfaen CBC, Monmouthshire CBC and Blaenau Gwent CBC), have all resolved to apply for Civil Parking Enforcement (CPE) powers across their individual County Boroughs, with some commencing enforcement operations from as soon as April 2019. However, not only have all the Council's agreed to pursue an external back-office processing solution, but they have also all expressed a desire for RCT to undertake such work on their behalf.
- 3.2 The centralisation of back-office PCN processing work, including, but not exclusive to: the processing of payments, responding to challenges, cancelling PCNs and the generation of all statutory correspondence contained therein, will help reduce costs due to the centralising of staff and procurement of consumables etc., as well as ensuring the consistency of functions, all the time following the Welsh Government's collaboration agenda.
- 3.3 RCT has significant experience of operating a CPE service and, since April 2018, has been providing back-office PCN processing services for Merthyr Tydfil CBC. Moreover, in addition to the stated desire of the former Gwent Councils to externalise their back-office processing, there may also be scope for RCT to offer such services for other Local Councils as well.
- 3.4 The main focus of the mobile camera parking enforcement service is tackling the abuse of parking restrictions outside of our schools, and the commencement of the service has appropriately coincided with the beginning of the new academic year.
- 3.5 In light of the continued growth of the Parking Services function, it is appropriate to review the management arrangements.

### **4. BACKGROUND**

- 4.1 Following the demise of the former South Wales Police Traffic Warden service in December 2010, the CPE Service, a combined on and off-street parking enforcement service, was introduced by the Council in Rhondda Cynon Taf in August 2012.
- 4.2 There are over 1600 Traffic Regulation Orders, (marked and / or signed traffic restrictions), installed across the County Borough and in addition to such on-street restrictions, the Council also provides high quality and well maintained car parking facilities in all our town centres; these require regular enforcement in order to ensure the effectiveness and continued success of the Service.
- 4.3 The back office PCN processing function was undertaken by colleagues in Merthyr Tydfil CBC from the inception of the service in 2012 until April 2018, at which time, the Service Level Agreement (SLA) underpinning the arrangement was reversed, with RCT now providing the function on behalf both Authorities.

- 4.4 Gwent Police, in a similar vein to the South Wales Police back in 2010, have duly informed Councils in their area, that their Traffic Warden service has ceased and that from April 2019, Council Civil Parking Enforcement operations across the area are being phased in accordingly.
- 4.5 A key role that the Civil Enforcement Officers (CEOs) undertake is in relation to, dealing with complaints of vehicles parked on Keep Clear markings outside schools, on zig-zag lines approaching pedestrian crossings and in Clearways at bus stops, their physical presence prevents parking only whilst they are there. Once CEOs leave the area, indiscriminate parking re-occurs. Consequently, the Council resolved to implement a mobile camera parking enforcement solution to help tackle these issues more effectively (Please see link to a previous Cabinet Report [here](#) for further information). This report will also provide an update on this initiative and its success to date.

## **5. BACK-OFFICE PCN PROCESSING FUNCTION**

- 5.1 The back-office PCN processing function is a vital part of the civil parking enforcement service with many items of correspondence associated with the parking penalty enforcement process, (including responses to formal representations, DVLA queries and Traffic Enforcement Centre debt registrations), having legislative timescales to be adhered to.
- 5.2 If PCN timescales are not met, then cases expire; Councils may not be able to recoup any outstanding debts associated with PCNs and the PCN payment rate, a key metric of the success of the service, drops in line with a reduction in income.
- 5.3 From the inception of their respective civil parking enforcement plans, all of the following Councils: Caerphilly CBC, Newport CC, Torfaen CBC, Monmouthshire CBC and Blaenau Gwent CBC, have stated a desire to externalise the back-office PCN processing function.
- 5.4 Subsequently, discussions with RCT took place via a number of joint meetings whereby all Councils stated their intent to utilise RCT as their preferred back-office PCN processing provider. Following these meetings, the Council has been mentoring / guiding each of the Councils listed in section 5.3 individually through the process of applying for CPE powers, with all now signed-up in principal to an overarching SLA expanding the South Wales Parking Group collaboration across 7 Local Authorities. (Please see Appendix A).
- 5.5 Latest indications from the former Gwent Authorities suggest that Caerphilly CBC, Newport CC and Monmouthshire CBC will be commencing CPE enforcement operations from April 2019, with Torfaen CBC and Blaenau Gwent CBC following suit later in the year.
- 5.5 Since assuming responsibility for the back-office PCN Processing function from Merthyr Tydfil CBC earlier in the year, the Council has demonstrated the ability to successfully deliver this key service function on behalf of both Councils.

- 5.6 The Council's Parking Services team already possesses considerable administrative skills and subject knowledge in this area and, with some limited additional staffing resources and a new computer software system, it is envisaged that the team will be able to deliver this service on behalf of all Councils starting from April 2019.

## **6. MOBILE CAMERA PARKING ENFORCEMENT**

- 6.1 Following Cabinet approval to pursue a mobile camera parking enforcement solution in October 2017, the Council successfully procured a new enforcement vehicle earlier this year, which is fully equipped with an Automatic Number Plate Recognition (ANPR) camera, utilising cutting edge infra-red technology to capture clearly defined images of vehicles parking unlawfully outside our schools, in bus stops and on pedestrian crossings.
- 6.2 Officers have spent the summer months mapping hundreds of Traffic Regulation Orders onto the vehicle's software system, undertaking remedial works on those sets of restrictions that required additional signage or refreshed carriageway markings, and thoroughly testing enforcement schedules.
- 6.3 In addition, following a presentation to Full Council in July 2018, which outlined that the new service would be active from the start of the 2018/19 academic year in September 2018, a communications / public relations campaign has been ongoing, with numerous positive messages of support being received by the Council.
- 6.4 Having received formal approval from the Welsh Government, which permits the Council to use a so-called "approved device" parking enforcement methodology, the Council has been enforcing the restrictions detailed above since 3rd September 2018, (via warning Notices during the first two weeks of operation).
- 6.5 Preliminary data indicates that almost 822 motorists have already been caught parking unlawfully by the Council's Parking Enforcement Vehicle up to the end of October.6.6 Motorists observed parking unlawfully were issued with formal warning Notices for the first 2 weeks, with PCNs only being issued from the third week of operation. Over this period, 172 warning Notices were initially issued.
- 6.7 Whilst it is too early to assess the effectiveness of the service based on two months data, a further update on this matter will be delivered to the Public Service Delivery, Communities and Prosperity Scrutiny Committee later in the year.

## **7. EQUALITY AND DIVERSITY IMPLICATIONS**

- 7.1 An Equality Impact Assessment screening form has been prepared for the purpose of this report. It has been found that a full report is not required. There are no negative or adverse equality or diversity implications associated with this report.

- 7.2 From a camera enforcement perspective, as such a service enhancement is primarily concentrated on enforcement outside schools, the equality impact assessment has identified an improvement for people with disabilities, and vulnerable road users such as children.
- 7.3 In having a more effective enforcement regime outside schools, the number of unlawfully parked vehicles at such locations will likely reduce over time and as such, school environments and pedestrian crossing facilities will be made safer and easier to use, not to mention that it could also promote healthier lifestyles amongst parents by encouraging more walking.
- 7.4 Additionally, it is envisaged that the enhanced enforcement of bus stops will enable buses to pull up in a stop more readily, thus setting-down and picking-up passengers at the most convenient location. Consequently, this will afford passengers with mobility issues a greater chance of embarking and disembarking via a level access point and reducing the dwell time at the stop.

## **8. FINANCIAL IMPLICATION(S)**

- 8.1 A detailed financial analysis of the administrative tasks undertaken with respect to the processing of PCNs has helped to inform a SLA offer to all participating Local Authorities. The operation of the SLA will be kept under review as part of implementing the new arrangements, but all costs are expected to be fully met by the additional income generated.
- 8.2 A centralised arrangement of this type will lead to a reduction in administrative costs. For example, the cost of procuring the requisite software licences, consumables and even uniforms are all expected to be reduced, in some cases significantly, after negotiations with suppliers.
- 8.3 In terms of resource requirements, the Council has purchased an updated software system as part of work to set-up the aforementioned mobile parking enforcement solution, which will allow for the expected increase in workload. It will however need to appoint additional staffing resources to ensure that capacity exists for the expanded service and two additional posts within Highways and Streetcare are required. It is likely that a review of the management arrangements will result in additional costs, but these will be offset against the income from the additional back office functions.
- 8.4 Specifically in relation to income with respect to the Council's fledgling mobile camera enforcement service, it is currently anticipated that all costs will be fully met by the additional income generated.

## **9. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED**

- 9.1 The Traffic Management Act 2004 (TMA 2004): The Secretary of State's Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions prescribes that back-office PCN processing functions can be contracted out, (albeit decisions with regard to formal representations cannot).

9.2 Local Authorities have a duty to tackle dangerous parking and the TMA 2004 duly confers responsibilities upon Local Authorities with Civil Enforcement Area status to enforce civil parking contraventions accordingly.

9.3 In Wales, such contraventions are enforced under the auspices of The Civil Enforcement of Road Traffic Contraventions (General Provisions) (Wales) Regulations 2013, with the Welsh Government further legislating for the enforcement of parking contraventions by “approved devices” under the terms of The Civil Enforcement of Parking Restrictions (Approved Devices) (Wales) Order 2013.

## **10. LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT**

10.1 The expansion of a regional collaboration to efficiently process PCNs will help to deliver a greater consistency of parking enforcement practices across the region and, as such, can be seen to contribute the delivery of the Council’s Corporate Priorities with respect to the theme of “place”: creating neighbourhoods where people are proud to live and work by making Rhondda Cynon Taf’s local environment clean and attractive.

10.2 This report has considered the potential long-term impact of collaborating with other Local Authorities to provide a more sustainable PCN processing function, with a clear responsibility for the Council to guide and inform other Local Authorities as to their own policies and procedures to help ensure fair standards of parking enforcement across a wide area.

10.3 With the aim of balancing the business needs of all Local Authorities, whilst helping to alleviate the problems caused by inconsiderate and dangerous parking practices, the Council can be seen to be collaborating with others to consider the needs of all users of the Highway.

10.4 The mobile camera parking enforcement measures outlined in this report will help to improve traffic flow and road safety, improve public transport reliability and reduce parking problems in town centres, residential areas and, particularly, outside our schools. The creation of safe walking environments outside schools is also likely to lead to healthier lifestyles.

10.5 An expanded partnership between a number of Local Authorities across south-east Wales, which shares common aspirations, best practice and consistency of service provision, will help support the delivery of a Wales of cohesive communities, a prosperous Wales and a Wales of vibrant culture and thriving Welsh Language.

## **11. CONCLUSION**

- 11.1 The CPE Service ensures that Traffic Regulation Orders are better enforced, which maintains the highways in a condition that are free of vehicles which would otherwise be restricting the traffic flow and thus the highways would be better able to undertake their primary purpose of the unrestricted passage of vehicles in a safe manner.
- 11.2 The former Gwent Authorities will be implementing their own CPE operations from April 2019 and have signed-up in principal to RCT undertaking back-office PCN processing duties on their collective behalf. Combined with the work RCT also does for Merthyr Tydfil CBC in this regard, RCT is positioned to establish itself as a regional parking ticket processing hub.
- 11.3 All residents benefit from the services provided via the safe use of the highway and the introduction and subsequent development of the Service via the purchase and operation of a bespoke mobile camera parking enforcement vehicle has extended the Council's capability to tackle key enforcement priorities such as dangerous and unlawful parking outside schools, on pedestrian crossings and in bus stops.

### **Other Information:-**

#### ***Relevant Scrutiny Committee***

*Public Services Delivery, Communities and Prosperity*

#### **Appendix A (Example Service Level Agreement)**

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## **Rhondda Cynon Taff CBC and <Local Authority>**

Civil Parking Enforcement: Penalty Charge Notice  
Processing Service Level Agreement

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## **CONTENTS**

<b>SERVICE DETAILS</b>	<b>3</b>
<b>CLIENT DETAILS</b>	<b>3</b>
<b>MAIN TASKS</b>	<b>4</b>
<b>OUTPUT</b>	<b>7</b>
<b>CHARGES</b>	<b>7</b>
<b>VARIATION AND REVIEW</b>	<b>8</b>
<b>DISPUTE RESOLUTION</b>	<b>8</b>
<b>TERMINATION</b>	<b>8</b>
<b>INSURANCE</b>	<b>9</b>
<b>INDEMNITY</b>	<b>9</b>
<b>WAIVER</b>	<b>9</b>
<b>COMMUNICATION IN WRITING</b>	<b>10</b>
<b>THIRD PARTY RIGHTS</b>	<b>10</b>
<b>DATA PROTECTION</b>	<b>10</b>
<b>CONFIDENTIALITY</b>	<b>10</b>
<b>FREEDOM OF INFORMATION ACT 2000 (FOIA)</b>	<b>10</b>
<b>FORCE MAJEURE</b>	<b>10</b>

**THIS** agreement is made the xx day of <month> 20xx

**BETWEEN RHONDDA CYNON TAFF COUNTY BOROUGH COUNCIL** of The Pavilions, Cambrian park, Clydach Vale, Tonypany, CF40 2XX (“RCT”) and <LOCAL AUTHORITY> of ..... (“Local Authority”), (hereinafter called “the Parties”).

**NOW IT IS AGREED** as follows:

➤ **SERVICE DETAILS**

**Service**

Civil Parking Enforcement (CPE)

The Parties, as Highway Authorities, have the power to undertake CPE in their respective Boroughs under the Traffic Management Act 2004 (TMA).

Rhondda Cynon Taff CBC will provide an administrative service on behalf of <Local Authority>, as detailed within this Service Level Agreement (SLA).

This SLA is made pursuant to Section 111 Local Government Act 1972, Section 2 Local Government Act 2000 and all other enabling powers.

➤ **CLIENT DETAILS**

**Client**

<Local Authority>

➤ **MAIN TASKS**

**Rhondda Cynon Taf CBC Responsibilities**

The following services are to be provided at the agreed charge with respect to <Local Authority> Penalty Charge Notices, (PCNs), prefixed with “xx”:

1. Allow <Local Authority> authorised representatives access to PCN processing systems and accounts as is necessary to allow for the discharge of their functions as the Enforcement Authority for PCNs issued across <Local Authority>.
2. In agreement with <Local Authority>, process PCN informal challenges, including the production and submission of all necessary correspondence.
3. In agreement with <Local Authority>, cancel PCNs in accordance with the <Local Authority> Parking Enforcement Policy.
4. Collate any relevant PCN information / data required for <Local Authority> to make decisions with respect to PCN Formal Representations.
5. Following subsequent decisions made by <Local Authority>, process all necessary correspondence in relation to Formal Representations, clearly identifying the Enforcement Authority.
6. The processing of PCN payments.
7. Inform <Local Authority> of complaints made against the service originating from the issue of PCNs where customers raise complaints in the course of making payments or objections to the issue of the PCN.
8. Gather information and respond to Freedom of Information requests relating to PCNs.
9. Provision of telephony and web-based systems to receive payments from PCNs.
10. Account for all the monies received from PCNs on behalf of <Local Authority> and make regular monthly payments of income due.
11. Invoice <Local Authority> for all services rendered regularly on a monthly basis (and on an arrears basis), and, annually, for client user licences for access to the hosted parking enforcement database, plus any additional ICT support costs associated with hand-held enforcement hardware and software.
12. Provide management information to <Local Authority>, in the form of a standard report, detailing all PCNs processed including:

- PCN Number
- PCN Issue Date
- PCN Location
- PCN Category
- PCN Status

13. Identify instances where payment is not made and ensure that, in agreement with <Local Authority>, a debt recovery process is initiated as follows:

- Carry out and approve pre-debt registration checks prior to submitting the registration to the Traffic Enforcement Centre, (TEC).
- Following TEC debt registration, forward cases to the Enforcement Authority's preferred bailiffs for recovery of outstanding debts as instructed by <Local Authority>.

DRAFT

## <Local Authority> Responsibilities

<Local Authority> will conduct all local on and off-street enforcement operations in their Borough, and undertake the following back-office functions:

1. Provide <Local Authority> officer nominees to liaise with, advise, and work with RCT, including the exercise of statutory functions.
2. Regular payment to RCT for services rendered, as per invoice and agreed terms, i.e. monthly and in arrears, and for any client user licence costs.
3. The processing of PCN payments as deemed necessary.
4. The processing of PCN cancellations as deemed necessary.
5. Supply all necessary stationary, e.g. PCN ticket rolls and pouches, in order to undertake civil parking enforcement duties across <Local Authority>.
6. Maintain and manage the records of Civil Enforcement Officers such as notebooks etc.
7. Decide the outcome of formal representations and advise accordingly for processing.
8. Payment of TPT subscriptions to PATROL for each PCN issued.
9. Undertake PATROL audits of PCNs issued by <Local Authority> Civil Enforcement Officers as required.
10. Collate any relevant PCN data required to provide evidence at appeal hearings before the Traffic Penalty Tribunal (TPT).
11. Represent <Local Authority> in TPT hearings, (postal, telephone or in person).
12. Submit payment to the Traffic Enforcement Centre for debts registered.

## ➤ OUTPUT

In agreement with <Local Authority>, RCT will provide the continual management of each PCN once received and until the end of its life cycle. Access will be provided to software to enable <Local Authority> to make decisions regarding informal challenges, formal representations and appeals, and to extract data for reports as required.

Key benefits of this collaboration between the Parties include:

- Consistent standards of enforcement.
- Shared resources and centralised procurement.
- Reduced overheads from the centralisation of staff and office space.

## ➤ CHARGES

- RCT agrees to provide the service as detailed within the SLA for a fee of £5.00 per PCN issued, plus VAT, invoiced monthly and in arrears.
- The SLA service provision fee will be increased annually on 1<sup>st</sup> April in line with the Local Government pay offer as agreed by the National Employers for Local Government Services. As this percentage is sometimes not agreed until after the start of the financial year, a one off invoice will be issued for the amount owed in arrears when the pay offer is agreed and the percentage is known, and the revised fee will be applied from that point forward. If a pay offer is agreed to commence on a date other than 1<sup>st</sup> April the increased fee will apply from that date.
- The SLA service provision fee will be subject to an annual review, including a 6 month notice period of any changes, which would be subject to negotiation and agreement in writing between the Parties. This does not apply to the percentage increase in line with the Local Government pay offer.
- RCT agrees to act as a central licensing point and provide the required number of client user licences for access to the parking management database, (currently approx. £1,500 per annum, per licence, per user). Licence costs will be invoiced annually and in arrears.
- RCT agrees to act as central licensing point and provide the required number of client user licences for access to the parking enforcement system, (currently approx. £600 per annum, per device), plus any additional ICT support costs associated with hand-held enforcement hardware and software, (e.g. Bluetooth printers). Licence costs will be invoiced annually and in arrears.

➤ **VARIATION AND REVIEW**

- Subject to negotiation between the Parties, this rolling agreement may be reviewed, varied, amended, or supplemented from time to time by agreement in writing between the Parties.

➤ **DISPUTE RESOLUTION**

- If a dispute arises out of or in connection with this SLA or the performance, validity or enforceability of it (Dispute) then the parties shall follow the procedure set out in this clause:
  - Either party shall give to the other written notice of the Dispute, setting out its nature and full particulars (Dispute Notice), together with relevant supporting documents. On service of the Dispute Notice, the Parties shall attempt in good faith to resolve the Dispute;
  - If the Parties are for any reason unable to resolve the Dispute within 30 days of service of the Dispute Notice, the Dispute shall be referred to RCT's Service Director Highways and Streetcare and <insert equivalent for Local Authority> who shall in good faith attempt to resolve it; and
  - If RCT's Service Director Highways and Streetcare and <insert equivalent for Local Authority> are for any reason unable to resolve the Dispute within 30 days of it being referred to them, the parties will attempt to settle it by mediation in accordance with the CEDR Model Mediation Procedure. Unless otherwise agreed between the parties, the mediator shall be nominated by the CEDR. To initiate the mediation, a party must serve notice in writing (ADR Notice) to the other party to the Dispute, requesting a mediation.

➤ **TERMINATION**

- The rolling agreement may only be terminated in accordance with the provisions below.
- Either of the Parties may terminate the SLA on 31<sup>st</sup> March in any year by giving no less than twelve months' prior notice in writing to the other Party.
- If either of the Parties are in breach of any of their obligations under this SLA the non-defaulting party may serve notice in writing of the breach on the defaulting party (Default Notice). The Default Notice shall specify a period within which the breach may be remedied, such period to be no less than [30] days of the defaulting party receiving the Default Notice. If the breach is not remedied within the period set out in the Default Notice, or such other period agreed between the Parties in writing, the non-defaulting party may terminate the SLA with immediate effect.



- At the end of the notice period, RCT shall arrange for the provision of electronic copies of all the data held in relationship to <Local Authority>.
- Upon termination of this agreement <Local Authority> shall, within 14 days of receipt of a written request by RCT, return or arrange for collection of, all material of any nature in any medium in the possession or under the control of <Local Authority> that belongs to RCT for use under this agreement. Where any material is required by <Local Authority> for the purpose of potential evidence in future legal proceedings, then all such material shall not be returned but placed with the relevant legal advisors.
- Where <Local Authority> establishes its own processing service or contracts it to a party other than RCT, <Local Authority> agrees that where there is a transfer of staff, the Transfer of Undertakings (Protection of Employment) (TUPE) Regulations may apply.

#### ➤ **INSURANCE**

- RCT shall effect Public Liability Insurance to cover the risks under the SLA of not less than SEVEN MILLION AND FIVE HUNDRED POUNDS (£7.5M) in respect of any one claim and to renew such policy during the term of the SLA.

#### ➤ **INDEMNITY**

- RCT shall indemnify and keep indemnified the Parties against all liabilities, costs, expenses, damages and losses incurred by the Parties arising out of or in connection with:
  - RCTs breach or negligent performance or non-performance of this SLA;
  - Any claim made against the Parties arising out of or in connection with the provision of the administrative services provided by RCT under this SLA, to the extent that such claim arises out of the breach, negligent performance or failure or delay in performance of this SLA by RCT.

#### ➤ **WAIVER**

- Failure by any of the Parties at any time to enforce any of the provisions of this agreement, or to require the performance by any of the other Parties of any of the provisions of this agreement, shall not be construed as a waiver of any such provision and shall not affect the validity of the agreement or any part thereof, or of the right of any of the Parties to enforce any provision in accordance with its terms.

➤ **COMMUNICATION IN WRITING**

- Any communication required to be in writing under the terms of this agreement shall be sent to each of the Parties at the addresses indicated at the beginning of this agreement and marked for the attention of the relevant person identified in relation to that Party. Each Party shall use reasonable endeavours to communicate in accordance with the agreement.

➤ **THIRD PARTY RIGHTS**

- To the extent that any provision of this agreement is capable of being legally enforced, the Parties to this agreement confirm and agree that they do not intend any provision of it to be enforceable by any other person pursuant to the Contract (Rights of Third Parties) Act 1999.

➤ **DATA PROTECTION**

- All Parties will duly observe all their obligations under the Data Protection Act (DPA) 2018 and the General Data Protection Regulation (GDPR) 2018 which arise in connection with this agreement. (Please see full Data Protection Agreement associated with this SLA).

➤ **CONFIDENTIALITY**

- Parties shall treat as confidential, any information of a confidential nature obtained as a result of this agreement; and shall safeguard such information accordingly.

➤ **FREEDOM OF INFORMATION ACT 2000 (FOIA)**

- The Parties acknowledge that they are each subject to the requirements of the FOIA and the Environmental Information Regulations 2004 (EIR), and agree to provide all reasonable assistance and co-operation (at their own expense) to enable the other Party to comply with any request received under the FOIA and the EIR in relation to this agreement.

➤ **FORCE MAJEURE**

- No Party shall have any liability or be deemed to be in breach of the agreement for any delays or failures in performance of the agreement which result from circumstances beyond the reasonable control of that Party (not including labour disputes involving that Party). The Party affected by such circumstances shall promptly notify the other Party in writing when such circumstances cause a delay or failure in performance, and when they cease to do so.

In witness whereof the Parties to this agreement have hereunto set their hands the day and year first before written

Signed on behalf of **RCT**

Print Name:

\_\_\_\_\_

\_\_\_\_\_

Designation:

\_\_\_\_\_

.....

Signed on behalf of **<Local Authority>**

Print Name:

\_\_\_\_\_

\_\_\_\_\_

Designation:

\_\_\_\_\_

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## RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

### CABINET

21<sup>st</sup> NOVEMBER 2018

#### COUNCIL PERFORMANCE REPORT – 30<sup>th</sup> September 2018 (Quarter 2)

#### REPORT OF THE GROUP DIRECTOR CORPORATE AND FRONTLINE SERVICES IN DISCUSSION WITH THE RELEVANT PORTFOLIO HOLDER (CLLR NORRIS)

**AUTHOR: Barrie Davies, Director of Financial Services (01443) 680559**

#### **1.0 PURPOSE OF THE REPORT**

- 1.1 This report provides Members with an overview of the Council's performance, both from a financial and operational perspective, based on the first six months of this financial year (to the 30<sup>th</sup> September 2018).

#### **2.0 RECOMMENDATIONS**

It is recommended that the Cabinet:

##### **Revenue**

- 2.1 Note and agree the General Fund revenue position of the Council as at the 30<sup>th</sup> September 2018 (Section 2 of the Executive Summary) and note that the allocation of additional one-off Welsh Government funding to support sustainable social services will be incorporated into Performance Reports later in the year.
- 2.2 Request that Cabinet approve the virements listed in Sections 2a - d of the Executive Summary that exceed the £0.100M threshold as per the Council's Financial Procedure Rules.

##### **Capital**

- 2.3 Note the capital outturn position of the Council as at 30<sup>th</sup> September 2018 (Sections 3a – f of the Executive Summary).
- 2.4 Note the details of the Treasury Management Prudential Indicators as at the 30<sup>th</sup> September 2018 (Section 3g of the Executive Summary).

## **Corporate Plan Priorities**

- 2.5 Note the quarter 2 position regarding progress made against the agreed Corporate Plan priorities (Sections 5 a – d of the Executive Summary), Other National Measures (Section 5e of the Executive Summary) and comparison of 2018/19 targets set against prior year and 'All Wales Average' performance information (Section 5f of the Executive Summary).

## **3.0 REASONS FOR RECOMMENDATIONS**

- 3.1 To agree the Council's financial and operational performance position as at 30th September 2018, in line with the requirements set out in its Constitution, and in doing so enable elected Members and other stakeholders to scrutinise the performance of the Council.

## **4.0 BACKGROUND**

- 4.1 This report provides Members with a second up date of the Council's financial and operational performance position for the financial year ending the 31<sup>st</sup> March 2019.
- 4.2 The aim of the report is to bring together the Council's performance into an Executive Summary and make available more detailed information to the reader through electronic links. Information contained in the Executive Summary includes financial data and progress against our Corporate Plan priorities, and exceptions are highlighted within the detailed sections to ensure that elected Members and other readers are able to quickly identify the key issues.
- 4.3 Table 1 below summarises the performance measures within each Corporate Plan priority area as well as the cross-cutting priority of 'Living Within Our Means'.

Table 1 – Summary of Corporate Plan performance measures

Priority Area	No. of Measures in Priority	No. of measures reported / with a target			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
<b>Economy</b>	48	8 / 6	23 / 17	30 / 23	48 / 43
<b>People</b>	20	13 / 11	12 / 10	20 / 18	20 / 18
<b>Place</b>	17	9 / 6	9 / 6	11 / 8	17 / 15
<b>Living Within Our Means</b>	8	6 / 6	6 / 6	7 / 6	8 / 7
<b>Total</b>	<b>93</b>	<b>36 / 29</b>	<b>50 / 39<sup>1</sup></b>	<b>68 / 59</b>	<b>93 / 83</b>

4.4 In addition to the measures in Table 1, there are a number of national measures that do not form part of the Council's Corporate Plan. These are set out in Table 2 below.

Table 2 – Other National Measures

Other National Indicators	No. of Measures	No. of measures reported / with a target			
		Quarter 2	Quarter 2	Quarter 3	Quarter 4
	19	4 / 4	6 / 6	8 / 8	18 <sup>2</sup> / 15

## **5.0 QUARTER 2 REPORT**

5.1 The Quarter 2 report is attached and comprises:

- **Executive Summary** – setting out, at a glance, the overall performance of the Council as at Quarter 2 (i.e. 30<sup>th</sup> September 2018);
- **Revenue Monitoring** – sections 2a – d setting out the detailed quarterly financial spend against budget across our Revenue Budget with exceptions highlighted;

<sup>1</sup> The Quarter 1 Performance Report anticipated that for the second quarter 58 PIs would be reported / 51 of which would be reported with a target. This position has been revised to 50 / 39 due to the on-going implementation of the Welsh Community Care Information System, that has necessitated further validation of specific PI results within the People Priority before they are publicly reported, and also specific economically inactive / NEET PI results within the Economy Priority have not been compared against target due to a delay in the commencement of the related project.

<sup>2</sup> Other National Indicators – 19 national measures in place and a total of 18 to be reported at year-end. One measure not being reported (i.e. the number of working day/shifts per fulltime equivalent (FTE) local authority employee lost due to sickness absence) due to insufficient assurance that the Council's information fully complies with the national definition. The Council has therefore developed a local measure for this area the results of which are included within this Report.

- **Capital Monitoring** – sections 3a – f setting out capital spend across our Capital Programme with exceptions highlighted and section 3g covering Prudential Indicators;
- **Organisational Health** – includes information on turnover, sickness absence, organisational health related investment areas and Council strategic risks; and
- **Corporate Plan / Other National Measures** – includes:
  - Three action plans (sections 5a – c) setting out performance and progress against measures and actions across each of the three Corporate Plan priorities. An electronic link has been included within the Executive Summary setting out those performance measures ‘Not on Target’ i.e. noted as ‘Red’ performance measures.
  - Performance measures in respect of the ‘Living Within Our Means’ cross-cutting priority (Section 5d).
  - Other National Measures (Section 5e).
  - Target setting (Section 5f).

## **6.0 EQUALITY AND DIVERSITY IMPLICATIONS**

- 6.1 The Council’s Performance Report provides an update on financial and operational performance in line with its Constitution, statutory duties and locally determined arrangements that have previously been formally approved, where required. As a result, no Equality Impact Assessment is deemed required for the purposes of this report.

## **7.0 CONSULTATION**

- 7.1 Following consideration by Cabinet, this Report will be presented to the Finance and Performance Scrutiny Committee for review, challenge and where deemed required, the scrutiny of specific areas in more detail.

## **8.0 FINANCIAL IMPLICATIONS**

- 8.1 There are no financial implications as a result of the recommendations set out in the report.



## **9.0 LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED**

9.1 There are no legal implications as a result of the recommendations set out in the report.

## **10.0 LINKS TO CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT**

10.1 The operational performance information included within this report has been aligned to the priorities within the Council's Corporate Plan and demonstrates the progress Council services are making toward the delivery of these priorities. These priorities were adopted as the Council's Well-being Objectives at a meeting of Cabinet on [2 November 2016](#), alongside the Council's Policy statement, which set out how the Council would respond to and apply its legal duties in respect of the Well-being of Future Generations Act.

10.2 The Sustainable Development principles (i.e. the 5 Ways of Working) were considered as part of the development of the action plans supporting each of the Council's priorities of Economy, People and Place. These were presented to Council on [25th July 2018](#) as part of the Council's Corporate Performance Report.

## **11.0 CONCLUSION**

11.1 This report sets out the overall performance of the Council at Quarter 2 2018/19, that is, 30<sup>th</sup> September 2018.

11.2 Overall, the second report of the financial year is highlighting generally positive progress against Corporate Plan priorities within the context of pressures on the Council's revenue budget, particularly within Adult Services of the Community and Children's Services Group. The Welsh Government announced in October 2018 that £10M of additional one-off funding is to be made available to local authorities in Wales for the 2018/19 financial year to support sustainable social services; the specific impact for Rhondda Cynon Taf will be incorporated into Performance Reports later this year.

### **Other Information:-**

**Relevant Scrutiny Committee: Finance and Performance Scrutiny Committee**

**Contact Officer: Barrie Davies**

**LOCAL GOVERNMENT ACT 1972**

**AS AMENDED BY**

**THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**21<sup>st</sup> NOVEMBER 2018**

**COUNCIL PERFORMANCE REPORT – 30<sup>th</sup> September 2018 (Quarter 2)**

**REPORT OF THE GROUP DIRECTOR CORPORATE AND FRONTLINE  
SERVICES IN DISCUSSION WITH THE RELEVANT PORTFOLIO HOLDER  
(CLLR NORRIS)**

**Item:**

**Background Papers**

Officer to contact: Barrie Davies

**COUNCIL PERFORMANCE REPORT  
QUARTER 2 2018/19  
EXECUTIVE SUMMARY**

**Contents**

**Section 1 – INTRODUCTION**

**Section 2 – REVENUE BUDGET**

**Revenue Budget Performance** – more detailed breakdowns are included in the following sections:

- 2a Education and Inclusion Services;
- 2b Community and Children’s Services;
- 2c Corporate and Frontline Services;
- 2c Chief Executive’s Division; and
- 2d Authority Wide Budgets.

**Earmark reserve update** – Section 2e provides a breakdown of expenditure against service areas.

**Section 3 – CAPITAL PROGRAMME**

**Capital programme budget** – more detailed breakdowns are included in the following sections:

- 3a Chief Executive;
- 3b Corporate and Frontline Services;
- 3c Corporate Initiatives;
- 3d Education and Inclusion Services;
- 3e Community and Children’s Services; and
- 3f Capital Programme Funding.

**Prudential Indicators** – a detailed breakdown is included in Section 3g.

**Section 4 – ORGANISATIONAL HEALTH**

- Turnover;
- Sickness Absence;
- Organisation Health related investment areas; and
- Council Strategic Risks.

**Section 5 – CORPORATE PLAN / OTHER NATIONAL MEASURES**

**Corporate Plan progress updates** – Quarter 2 position statements are included in the following sections:

- 5a – Economy;
- 5b – People;
- 5c – Place;
- 5d - Living Within Our Means;
- Overall summary of Corporate Plan performance indicators;
- 5e – Other National Measures; and
- 5f – Target Setting.

## **Section 1 – INTRODUCTION**

The Executive Summary aims to bring together and summarise the Council's financial and operational performance position as at 30<sup>th</sup> September 2018.

Throughout the Summary electronic links have been included that enable the reader to access more detailed information, as required.

## **Section 2 – REVENUE BUDGET**

### **Revenue Budget Performance**

Service Area	2018/19 – as at 30 <sup>th</sup> September 2018		
	Full Year Budget £M	Projected Expenditure as at Quarter 2 £M	Variance Over / (Under) £M
<a href="#">Education &amp; Inclusion Services (2a)</a>	175.531	175.446	(0.085)
<a href="#">Community &amp; Children's Services (2b)</a>	149.494	151.116	1.622
<a href="#">Corporate and Frontline Services (2c)</a>	63.795	63.703	(0.092)
<a href="#">Chief Executive's Division (2c)</a>	12.530	12.596	0.066
<b>Sub Total</b>	<b>401.350</b>	<b>402.861</b>	<b>1.511</b>
<a href="#">Authority Wide Budgets (2d)</a>	70.250	70.025	(0.225)
<b>Grand Total</b>	<b>471.600</b>	<b>472.886</b>	<b>1.286*</b>

\* - The overall projected full year overspend of £1.286M does not take account of the additional £10M one-off funding announced by Welsh Government on 22<sup>nd</sup> October 2018 to support sustainable social services across Wales ([click here for more details of the announcement](#)). The specific impact for Rhondda Cynon Taf will be incorporated into Performance Reports later this year.

### **Key Revenue Variances at Quarter 2**

- **Community and Children's Services**

#### ADULT SERVICES

- Long Term Care & Support (£0.915M overspend);
- Commissioned Services (£0.278M overspend);
- Provider Services (£0.351M overspend);
- Short Term Intervention Services (£0.445M overspend); and
- Fairer Charging (£0.281M overspend).

#### CHILDREN SERVICES

- Early Intervention (£0.248M underspend); and
- Intensive Intervention (£0.705M underspend).

#### TRANSFORMATION

- Group & Transformation Management (£0.147M underspend); and
- Purchasing and Commissioning (£0.065M overspend).

#### PUBLIC HEALTH AND PROTECTION

- Leisure, Parks and Countryside and Community Facilities (£0.380M overspend); and
- Community Services (£0.065M overspend).

- Corporate and Frontline Services

#### FRONTLINE SERVICES

- Facilities Cleaning (£0.057M underspend); and
- Waste Services (£0.065M overspend).

#### CORPORATE SERVICES

- Financial Services (£0.099M underspend).

- Authority Wide

- Miscellaneous (£0.066M overspend); and
- Council Tax Reduction Scheme (£0.366M underspend).

#### **Earmark Reserve Update**

- A breakdown of committed expenditure against approved earmark reserves for Service Areas can be viewed at Section 2e by clicking [here](#).

## **Section 3 – CAPITAL PROGRAMME**

### **Capital Programme Budget**

Service Area	2018/19 - as at 30 <sup>th</sup> September 2018	
	Capital Budget £M	Actual Expenditure £M
<a href="#">Chief Executive's Division (3a)</a>	28.962	7.944
<a href="#">Corporate and Frontline Services (3b)</a>	33.983	7.853
<a href="#">Corporate Initiatives (3c)</a>	2.702	0.691
<a href="#">Education &amp; Inclusion Services (3d)</a>	50.573	24.730
<a href="#">Community &amp; Children's Services (3e)</a>	10.942	1.483
<b>Total</b>	<b>127.162</b>	<b>42.701</b>

### **Key Capital Variances at Quarter 2**

- Re-profiling of a number of projects to reflect changes in the total cost of schemes and revised delivery timescales.
- Grant approvals introduced into the Capital Programme: Welsh Government (WG) Active Travel Fund (£0.460M); WG Reducing Infant Class Sizes (£1.600M); and WG Flying Start (£0.818M).

For information on how the Capital Programme is funded see section 3f by clicking [here](#).

### **Prudential Indicators**

For a detailed breakdown of Prudential Indicators, see section 3g by clicking [here](#).

## Section 4 – ORGANISATIONAL HEALTH

- Turnover

Service Area	2018/19		2017/18			
	As at 30 <sup>th</sup> September 2018		As at 30 <sup>th</sup> September 2017		As at 31 <sup>st</sup> March 2018	
	Staff Nos.	% Turnover	Staff Nos.	% Turnover	Staff Nos.	% Turnover
<b>Turnover – Council Wide</b>	<b>10,522</b>	<b>8.49</b>	<b>10,875</b>	<b>6.20</b>	<b>10,799</b>	<b>10.12</b>
Community & Children's Services	2,931	3.24	2,788	3.77	2,934	8.90
Corporate & Frontline Services	1,281	2.73	1,226	3.43	1,225	5.63
Education & Inclusion Services	1,238	10.26	1,469	4.29	1,276	7.60
<u>Schools<sup>3</sup></u>	<u>4,754</u>	<u>13.04</u>	<u>5,098</u>	<u>8.89</u>	<u>5,050</u>	<u>12.73</u>
Primary	3,038	9.64	3,159	7.72	3,150	11.30
Secondary	1,716	19.06	1,939	10.78	1,900	15.11
Chief Executive's Division	318	5.03	294	3.74	314	7.32

- Sickness Absence

Service Area	2018/19	2017/18	
	As at 30 <sup>th</sup> September 2018 %	As at 30 <sup>th</sup> September 2017 %	As at 31 <sup>st</sup> March 2018 %
<b>% days lost to sickness absence – Council Wide</b>	<b>3.87</b>	<b>4.19</b>	<b>4.37</b>
Community & Children's Services	4.93	6.62	6.17
Corporate & Frontline Services	4.09	3.86	4.07
Education & Inclusion Services	4.31	3.79	4.21
<u>Schools<sup>3</sup></u>	<u>3.16</u>	<u>3.21</u>	<u>3.58</u>
Primary	3.13	3.51	3.99
Secondary	3.22	2.74	2.90
Chief Executive's Division	2.04	1.42	2.13

For a more detailed breakdown of Quarter 2 2018/19 sickness absence information, click [here](#).

<sup>3</sup> Schools (i.e. for information reported 'As at 31<sup>st</sup> March 2018' for Turnover and Sickness Absence) – revised position to that reported within the Council's 2018/19 Quarter 1 Performance Report to reflect up dated information between the primary and secondary sectors.

## Organisation Health related investment areas

There continues to be a focus on investing in organisational health related areas, for example, IT infrastructure and invest to save energy efficiencies schemes, with this work being supported through existing resources.

- **Council Strategic Risks**

The Council's Quarter 2 Strategic Risk Register can be viewed by clicking [here](#). There have been no changes to risk scores between quarters 1 and 2.

## Section 5 – CORPORATE PLAN

### Corporate Plan progress updates

- **ECONOMY** (Section 5a)

Summary of progress to 30 <sup>th</sup> September 2018								
<p>Good progress continues to be made on a number of the town centre developments such as the former Boot Hotel and Exchange Buildings in Aberdare, and the Taf Vale development. Planning permission was also secured for the new Metro Depot in Taffs Well and the new DWP offices in Treforest.</p> <p>The schools performance data for the Foundation Phase, KS 2, 3 and the provisional KS 4 data was presented to Cabinet and Scrutiny, and it was pleasing to note the improvements in KS 3 &amp; 4 and that the previous year's good progress in the Foundation Phase and KS 2 has been sustained. In September, the new schools opened in Porth, Nantgwyn (Tonypany) and Tonyrefail, in new facilities, and with few issues.</p> <p>The full action plan can be viewed by <a href="#">clicking here</a>.</p>								
Progress in our KEY PERFORMANCE INDICATORS as at 30 <sup>th</sup> September 2018								
Total no. of PIs in the Priority	Total no. of PIs reported this Qtr	No. of PIs reported this Qtr with Target	On Target		Not on Target		Within 5% of Target	
			No.	%	No.	%	No.	%
48	23	17	7	41	7	41	3	18



Progress in our Investment Priorities – Economy		
Investment Area	Investment Value <sup>4</sup> £M	Quarter 2 Update
Empty Property Grant	1.500 <sup>5</sup>	Between April and September 2018, 59 applications have been approved, 34 surveyed and 39 applications awaiting a survey.
Graduate Officers	0.200	Of the 10 graduate officers appointed in September 2016 (2 year fixed term contracts), 7 have been successful in gaining permanent employment with the Council and 3 have secured employment in other organisations.
Schools	0.500	Funding relates to that agreed by Council on 28 <sup>th</sup> February 2018 for the following areas: <ul style="list-style-type: none"> <li>• Bryncelynnog Comprehensive and Ysgol Gyfun Rhydywaun 3G pitches - tender documents have been received and are currently being reviewed, with estimated completion dates for both of March 2019.</li> <li>• Ferndale Community School – the 3G pitch was completed on 24<sup>th</sup> August 2018 and the changing room improvement works at the school are forecasted to be completed by March 2019.</li> <li>• Maesgwyn Special School - works to relocate the horticultural facility, construction of a MUGA (Multi Use Games Area) and carpark remodelling are progressing well and due to be completed in November 2018.</li> </ul>
Transport Infrastructure	1.200	This investment funding relates to that approved by Council on 1 <sup>st</sup> March 2017 and is continuing to support a wider programme of highways capital works.
Taff Vale Development	2.024	This investment funding relates to that approved by Council on 30 <sup>th</sup> November 2016 (and is in addition to the £1.5M approved by Council on 28 <sup>th</sup> October 2015).  During quarter 2, positive progress made around the construction works that included the substantial completion of the foundations and podium slab and the completion of works to the river wall. In addition, design of the pedestrian footbridge linking Taff Vale with Ynysangharad War Memorial Park was completed and the planning application was submitted in July 2018 (and subsequently approved on 18 <sup>th</sup> October 2018).

<sup>4</sup> Investment Value – relates to LIVE projects / works only that have been allocated additional investment funding.

<sup>5</sup> Empty Property Grant - £1.5M investment funded from resources set aside following the agreed change around Council Tax Discount for long term empty properties (as per 17<sup>th</sup> January 2018 Council).

<b>Investment Area</b>	<b>Investment Value<sup>4</sup> £M</b>	<b>Quarter 2 Update</b>
Apprenticeships	0.200	The investment funding has been combined with existing service resources and enabled 33 apprentices to be appointed from September 2017.
Park and Ride Programme	1.000	This investment funding relates to that approved by Council on 29 <sup>th</sup> November 2017 and is supporting the development work needed to create additional 'park and ride' car parking spaces at Abercynon, Pontyclun and Porth.
Tonypany Town Centre	1.500	This investment funding relates to that approved by Council on 28 <sup>th</sup> February 2018. Works commenced in June 2018 and are scheduled to be completed in Autumn 2018.
Traffic Developments	0.500	This investment funding relates to that approved by Council on 28 <sup>th</sup> February 2018 to contribute to highways network improvements in road safety, active travel and traffic flow.
Town Centre Regeneration	0.100	This investment funding relates to that approved by Council on 28 <sup>th</sup> February 2018 to contribute to improving the townscape and help support regeneration in town centres. This budget has been used primarily to contribute to the development costs and potential property acquisitions in Porth and Mountain Ash to support work on the town centre regeneration strategies. This includes development costs for Guto Square designs, a Flood Consequence Assessment in Mountain Ash and the design development for the transport interchange proposals in Porth.
<b>Total</b>	<b>8.724</b>	

**PEOPLE (Section 5b)**

**Summary of progress to 30<sup>th</sup> September 2018**

Despite the increasing and significant service and financial pressures faced in delivering the Council's challenging targets and improvement agenda across this key Council priority area, good progress is being made in many key areas relating to people and community needs.

Our Extra Care Housing Development and modernisation of adult services programme continues to be progressed in partnership to meet the long term needs of residents requiring our support to live independently, and the development of the next phase of the Stay well@home service will enable a more integrated focus on supporting people in their community.

The Resilient Families Programme is now established and is delivering accessible family support and is preventing problems from escalating to a level where specialist intervention is required. We are also on target with our actions supporting care leavers including the proposed development of an accommodation model for those aged 16 and above.

The Welsh Community Care Information System (WCCIS) is now in use and a programme of work is on-going to ensure a full suite of performance indicator results is held within the system. For quarter 2, some performance indicator results have not been populated within the system, these scheduled to be up dated during the last half of the financial year, and service delivery has continued to be effectively managed through local information held within Services.

With regard to the 6 performance indicator results that are not on target, 4 relate to visitor numbers within Leisure Centres and Libraries, with the former being impacted by the planned and temporary closure of facilities to enable improvement works to take place and the latter affected by the prolonged period of good weather during the summer and a 'time lag' between when the Council receives website visit information from an externally hosted site. The remaining 2 performance indicators 'not on target' relate to the number of children looked after, where Council services and partners are working hard to keep children with their families where it is safe to do so, and the rate of delayed transfers of care for social care reasons where the longer term trend is showing significant improvement (i.e. a 36% improvement between 2015/16 (4.95) and quarter 2 of 2018/19 (3.17)).

The full action plan can be viewed by [clicking here](#).

**Progress in our KEY PERFORMANCE INDICATORS as at 30<sup>th</sup> September 2018**

Total no. of PIs in the Priority	Total no. of PIs reported this Qtr	No. of PIs reported this Qtr with Target	On Target		Not on Target		Within 5% of Target	
			No.	%	No.	%	No.	%
20	12	10	3	30	6	60	1	10

<b>Progress in our Investment Priorities – PEOPLE</b>		
<b>Investment Area</b>	<b>Investment Value<sup>6</sup> £M</b>	<b>Quarter 2 Update</b>
Leisure Centre Changing Rooms	0.750	This investment funding relates to that approved by Council on 29 <sup>th</sup> November 2017 in respect of supporting improvement in changing room facilities. Works are progressing as planned at Rhondda Sports Centre, Abercynon Sports Centre and Sobell Leisure Centre.
Extracare Housing	2.000	This investment funding relates to that approved by Council on 28 <sup>th</sup> February 2018 to support the modernising of accommodation options for older people. Works are progressing at the former Maesyffynnon Home for the Elderly site and discussions on-going around other proposed sites.
Rhondda Fach Leisure Centre	1.000	This investment funding relates to that approved by Council on 28 <sup>th</sup> February 2018 to deliver a new indoor sports pitch and gym. Good progress was made during quarter 2 on both areas and final preparations will be completed in quarter 3 for the facilities to become fully operational.
<b>Total</b>	<b>3.750</b>	

<sup>6</sup> Investment Value – relates to LIVE projects / works only that have been allocated additional investment funding.

- **PLACE** (Section 5c)

**Summary of progress to 30<sup>th</sup> September 2018**

Performance for the second quarter is positive overall and builds on the work undertaken during quarter 1.

Our work in priority areas continued to show good outcomes:

- focussing on community safety with our partners through hate crime awareness and promoting responsible drinking, dealing with illegal off road incidents and introducing the Public Space Protection Order for Alcohol Controls from 1<sup>st</sup> September 2018, with 6 people being stopped and dealt with for drinking alcohol in excluded areas during the first month of enforcement patrols;
- focussing on parks and green spaces through helping to establish a new ‘Friends of’ group for Ynysangharad War Memorial Park and supporting an existing ‘Friends of’ group for Aberdare Park, with work in both areas concentrating on developing external grant funding bids;
- focussing on more involved and resilient communities through introducing Digital Fridays to all branch libraries, providing more welsh medium provision in areas such as the delivery of swimming lessons in Llantrisant and within early years settings, making available level 1 welsh language training for all new Council staff and consulting on a new Homeless Prevention Strategy; and
- focussing on the local environment through progressing an on-going programme of infrastructure investment for bridges, safer routes in communities and roads, and continuing recycling awareness raising that is supporting current performance of 64.66% (compared to a target of 63%).

Work will continue across all the above areas during quarter 3 alongside continued focus on the successful prevention of people becoming homeless, as performance was below target during quarter 2 due to a mixture of an increase in client numbers presenting and an unexpected and temporary reduction in staffing capacity.

The full action plan can be viewed by clicking [here](#).

**Progress in our KEY PERFORMANCE INDICATORS as at 30<sup>th</sup> September 2018**

Total no. of PIs in the Priority	Total no. of PIs reported this Qtr	No. of PIs reported this Qtr with Target	On Target		Not on Target		Within 5% of Target	
			No.	%	No.	%	No.	%
17	9	6	5	83	1	17	0	-

**Progress in our Investment Priorities – PLACE**

<b>Investment Area</b>	<b>Investment Value<sup>7</sup> £M</b>	<b>Quarter 2 Update</b>
Highways Infrastructure Repairs	3.264	This investment funding relates to that approved by Council on 1 <sup>st</sup> March 2017 (£2.264M) and 28 <sup>th</sup> February 2018 (£1.0M), and is being used in conjunction with existing resources to deliver a programme of highways infrastructure repairs.
Outdoor Leisure Facilities	1.250	<p>This investment funding relates to that approved by Council in respect of 3G pitches i.e. 1<sup>st</sup> March 2017 (£0.600M for Abercynon Sports Centre and Ferndale Community School) and on 29<sup>th</sup> November 2017 (£0.650M for Bryncelynog and Ysgol Gyfun Rhydywaun Schools, and will be combined with an agreed contribution from the Education budget).</p> <p>The Abercynon Sports Centre pitch was brought into use in February 2018 and further enhancements to the gravelled area at this site have also been completed.</p> <p>Updates in respect of the 3G Pitches at Ferndale Community School, Bryncelynnog Comprehensive School and Ysgol Gyfun Rhydywaun are included within Section 5a – Economy (Investment Area – Schools).</p>
Play Areas	0.500	This investment funding relates to that approved by Council on 28 <sup>th</sup> February 2018. Between April and September 2018, out of 27 play area schemes, 8 are complete, 3 are under construction, 13 are designed, costed and scheduled and 3 are to be designed.
Waste Recycling Centre (Dinas Community Recycling Centre)	0.150	The main construction works were completed during September and the final account is in the process of being agreed.
Cynon Gateway South – Mountain Ash Cross Valley Link	3.750	The project is progressing as planned: Cardiff Road junction complete, A4059 junction complete and the main works contract on the bridge and Miskin highway have commenced.
Structures: St Albans Bridge, Brook Street Footbridge and Pontrhondda Bridge	4.600	<p>St. Alban's Bridge: Monitoring in progress, Design &amp; Build contract awarded.</p> <p>Brook St. Footbridge: Design &amp; Build contract awarded, works anticipated to be in 2019/20.</p> <p>Pontrhondda Bridge: Works ongoing, completion estimated to be 2019/20.</p>

<sup>7</sup> Investment Value – relates to LIVE projects / works only that have been allocated additional investment funding.

Investment Area	Investment Value <sup>7</sup> £M	Quarter 2 Update
Structures	2.000	<p>Pontypridd Road, Porth – works are on-going to progress the wall replacement scheme in partnership with Welsh Water.</p> <p>The £1.5M additional investment approved by Council on the 28<sup>th</sup> February 2018 has been allocated to structure projects with the works at various stages of design, procurement and construction.</p>
Parks and Green Spaces	0.600	This investment funding relates to that approved by Council on 28 <sup>th</sup> February 2018. For 2018/19, 29 schemes are being delivered and are at various stages of completion.
Llanharan Bypass	1.000	This investment funding relates to that approved by Council on 29 <sup>th</sup> November 2017 and is supporting preliminary design work, ecology surveys and the design / tender of ground investigation work.
A4119 Dualling (Stinkpot Hill)	1.000	This investment funding relates to that approved by Council on 29 <sup>th</sup> November 2017 to support the dualling of this section of the highway. Preliminary design work has commenced and work is on-going with land owners around compulsory purchase orders and also to progress transportation surveys.
Community Hubs	0.500	This investment funding relates to that approved by Council on 29 <sup>th</sup> November 2017 to support the creation of community hubs. Work is on-going for both the Ferndale and Mountain Ash hubs to enable projects to be progressed in 2018/19.
<b>Total</b>	<b>18.614</b>	

### LIVING WITHIN OUR MEANS (Section 5d)

The Council's Corporate Plan aims to apply a disciplined and planned approach to meeting the financial challenges ahead and has set a number of measures to gauge efficiency and the use of resources. These can be viewed by clicking [here](#) and a summary position is included below.

Progress in our KEY PERFORMANCE INDICATORS as at 30 <sup>th</sup> September 2018								
Total no. of PIs	Total no. of PIs reported this Qtr	No. of PIs reported this Qtr with Target	On Target		Not on Target		Within 5% of Target	
			No.	%	No.	%	No.	%
8	6	6	6	100	0	-	0	-

- **OVERALL SUMMARY OF CORPORATE PLAN PERFORMANCE INDICATORS**

Progress in our KEY PERFORMANCE INDICATORS as at 30 <sup>th</sup> September 2018								
Total no. of PIs	Total no. of PIs reported this Qtr	No. of PIs reported this Qtr with Target	On Target		Not on Target		Within 5% of Target	
			No.	%	No.	%	No.	%
93	50	39	21	54	14	36	4	10

Those performance indicators that were 'Not on Target' can be viewed by clicking [here](#).

- **OTHER NATIONAL MEASURES (Section 5e)**

In addition, there are a number of national measures that do not form part of the Council's Corporate Plan. These can be viewed by clicking [here](#). A summary is provided in the table below.

Progress in our KEY PERFORMANCE INDICATORS as at 30 <sup>th</sup> September 2018								
Total no. of PIs	Total no. of PIs reported this Qtr	No. of PIs reported this Qtr with Target	On Target		Not on Target		Within 5% of Target	
			No.	%	No.	%	No.	%
19	6	6	3	50	1	17	2	33

- **TARGET SETTING (Section 5f)**

An analysis of 2018/19 targets set compared to previous year's performance and targets, and 'All Wales Average' performance levels, where collected, can be viewed by clicking [here](#).





## RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

### CABINET

21<sup>st</sup> NOVEMBER 2018

### COUNCIL TAX BASE FOR 2019/20

#### REPORT OF THE GROUP DIRECTOR CORPORATE AND FRONTLINE SERVICES IN DISCUSSION WITH COUNCILLOR M NORRIS

Author: Mr. Matthew Phillips (Head of Service – Revenues & Benefits)  
Tel: (01443) 680539

#### **1. PURPOSE OF THE REPORT**

1.1 This report formally sets the Council Tax Base for the financial year 2019/20.

#### **2. RECOMMENDATIONS**

It is recommended that Cabinet agree:

2.1 That in accordance with the Local Authorities (Calculation of Council Tax Base) (Wales) Regulations 1995 as amended, the amount calculated by the Council as its net tax base for the financial year 2019/20, shall be £76,873.20.

2.2 That for each area of the County Borough, the 2019/20 tax base for Council Tax setting purposes, shall be as set out at Appendix 1.

#### **3 REASONS FOR RECOMMENDATIONS**

3.1 It is a statutory requirement to agree and set the Council Tax Base for the forthcoming financial year prior to 31<sup>st</sup> December each year.

#### **4. BACKGROUND**

4.1 Under the provisions of the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007, as amended, the “calculation and determination of the council tax base” are specified as functions that may be the responsibility of the Executive. Council, on the 7<sup>th</sup> December 2005, determined that the responsibility for setting the tax base be discharged by the Cabinet.

4.2 Under the provisions of the Local Government Finance Act 1992 and the Local Authorities (Calculation of Council Tax Base) (Wales) Regulations 1995, as amended, the Council is required to determine its Council Tax Base for the following financial year, prior to 31<sup>st</sup> December each year.

- 4.3 The Council Tax Base is the measure of the relative taxable capacity of different areas within the County Borough and is calculated in accordance with prescribed rules. The Tax Base represents the number of chargeable dwellings in the area expressed as Band D equivalents, taking into account the total number of exemptions, disablement reductions and discounts, with the net Tax Base calculated by taking account of the Council's estimated collection rate.
- 4.4 The gross Council Tax Base calculated for 2019/20 is **£78,844.31**. It is proposed that the collection rate continues to be estimated at 97.5%. This produces a net Council Tax Base of **£76,873.20**. This means that for every £1 levied in Council Tax next year, a sum of £76,873 will be generated to meet the budget requirement of the Council.
- 4.5 The Council Tax Base is provided to Welsh Government and is used as part of the distribution of the Revenue Support Grant in the Local Government Revenue Settlement. It is also used by the Council when it sets its annual budget i.e. the net annual budget requirement to be funded by taxpayers is divided by the Council Tax Base to produce the amount of Council Tax due for a dwelling in Band D. A set formula is then used to determine the liability for the remaining eight Council Tax Bands (A to C and E to I).
- 4.6 The Council is required to calculate the Tax Base for the County Borough as a whole, in addition to making separate calculations for areas that have their own Community Council. The Council Tax Base for all parts of the County Borough is set out at Appendix 1.

## **5. EQUALITY AND DIVERSITY IMPLICATIONS**

- 5.1. There are no equality and diversity implications.

## **6. CONSULTATION**

- 6.1. There are no consultation requirements emanating from the recommendations set out in the report. The Council's Revenue Budget (including Council Tax levels) is subject to a separate consultation process.

## **7. FINANCIAL IMPLICATION(S)**

- 7.1. The contents of this report are determined by a statutory and regulatory framework. The gross tax base is used as part of the distribution of the Revenue Support Grant within the Local Government Revenue Settlement and the net tax base determines the level and quantum of Council Tax levied and therefore the resources available to the Council. This will be dealt with as part of the Tax Setting and Budget Requirement reports that will be considered by Council in February / March 2019.
- 7.2. The tax base incorporates the Council's policy with regard to the level of discount for prescribed classes of dwellings, as reviewed and determined by Council on 24<sup>th</sup> October 2018.

## **8. LEGAL IMPLICATIONS**

8.1. To fulfil the Council's statutory duty to set the revenue budget and Council Tax for the forthcoming financial year and in line with :-

- The Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007, as amended;
- Local Government Finance Act 1992, Section 33;
- Local Authorities (Calculation of Council Tax Base) (Wales) Regulations 1995, as amended; and
- Council Tax (Prescribed Class of Dwelling) (Wales) Regulations 1998, as amended.

## **9. LINKS TO CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT**

9.1. The proposals link to the Corporate Plan priority of 'Living Within Our Means'.

## **10. CONCLUSION**

10.1. The Council is required to set its Tax Base annually in accordance with regulations as set out in the report.

## Appendix 1

2019/20 Tax Base Analysis			
Area		Gross Band D Equivalents	Adjusted Tax Base (assumed collection rate of 97.5%)
<b>Non Precepting Communities</b>			
<b>Rhondda Community Areas</b>	Treherbert	1,670.49	1,628.73
	Treorchy	2,389.65	2,329.90
	Pentre	1,587.78	1,548.08
	Ystrad	1,703.17	1,660.59
	Llwynypia	641.58	625.54
	Cwm Clydach	799.68	779.68
	Tonypandy	1,117.45	1,089.51
	Trealaw	1,191.65	1,161.86
	Penygraig	1,658.02	1,616.57
	Cymmer	1,628.30	1,587.60
	Porth	1,821.96	1,776.41
	Ynyshir	961.08	937.06
	Tylorstown	1,331.55	1,298.26
	Ferndale	1,228.51	1,197.80
	Maerdy	866.79	845.12
<b>Cynon Valley Community Areas</b>	Penywaun	781.16	761.63
	Llwydcoed	671.14	654.36
	Aberdare	4,936.95	4,813.52
	Cwmbach	1,804.35	1,759.24
	Aberaman	2,977.76	2,903.31
	Abercynon	1,940.08	1,891.58
	Mountain Ash	2,264.83	2,208.21
	Penrhiwceiber	1,632.85	1,592.03
<b>Precepting Communities</b>			
<b>Cynon Vallley Community Areas</b>	Ynysybwl & Coed y Cwm	1,442.46	1,406.40
	Rhigos	285.06	277.93
	Hirwaun	1,660.89	1,619.37
<b>Taff Ely Community Areas</b>	Pontypridd	10,734.73	10,466.36
	Llantwit Fardre	6,733.91	6,565.56
	Taffs Well	1,465.07	1,428.44
	Pontyclun	3,587.22	3,497.54
	Llantrisant	5,478.34	5,341.39
	Tonyrefail	4,039.02	3,938.05
	Gilfach Goch	1,029.08	1,003.36
	Llanharan	3,150.86	3,072.09
	Llanharry	1,630.89	1,590.12
<b>Grand Total</b>		<b>78,844.31</b>	<b>76,873.20</b>

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