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Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr

Bridgend County Borough Council



Swyddfeydd Dinesig, Stryd yr Angel, Pen-y-bont, CF31 4WB / Civic Offices, Angel Street, Bridgend, CF31 4WB

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Rhowch wybod i ni os mai Cymraeg yw eich
dewis iaith.*

*We welcome correspondence in Welsh. Please
let us know if your language choice is Welsh.*



Annwyl Cyngorydd,

PWYLLGOR CRAFFU TESTUN 3

Cynhelir Cyfarfod Pwyllgor Craffu Testun 3 yn Siambr y Cyngor - Swyddfeydd Dinesig, Stryd yr Angel, Pen-y-bont ar Ogwr CF31 4WB ar **Dydd Llun, 25 Chwefror 2019 am 10:00.**

AGENDA

1. Ymddiheuriadau am absenoldeb
Derbyn ymddiheuriadau am absenoldeb gan Aelodau.
2. Datganiadau o fuddiant
Derbyn datganiadau o ddiddordeb personol a rhagfarnol (os o gwbl) gan Aelodau / Swyddogion yn unol â darpariaethau'r Cod Ymddygiad Aelodau a fabwysiadwyd gan y Cyngor o 1 Medi 2008.
3. Cymeradwyaeth Cofnodion 3 - 8
I dderbyn am gymeradwyaeth y Cofnodion cyfarfod y 24/01/2019
4. Eiddo Gwag 9 - 44

Gwahoddedigion:

Cyng Hywel Williams - Dirprwy Arweinydd
Cyng Dhanisha Patel - Aelod Cabinet - Lles a Chenedlaethau Dyfodol
Martin Morgans - Pennaeth Gwasanaeth - Perfformiad a Gwasanaethau Partneriaeth
Lynne Berry - Rheolwr Grŵp Adfywio Tai a Chymuned
Jonathan Flower - Uwch Swyddog Strategol
Helen Rodgers - Rheolwr referniw

5. Diweddariad Rhaglen Gwaith 45 - 54
6. Materion Brys

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Gwefan/Website: www.bridgend.gov.uk

Cyfnwyd testun: Rhowch 18001 o flaen unrhyw un o'n rhifau ffon ar gyfer y gwasanaeth trosglwyddo testun

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I ystyried unrhyw eitemau o fusnes y, oherwydd amgylchiadau arbennig y cadeirydd o'r farn y dylid eu hystyried yn y cyfarfod fel mater o frys yn unol â Rhan 4 (pharagraff 4) o'r Rheolau Trefn y Cyngor yn y Cyfansoddiad.

Yn ddiffuant

K Watson

Pennaeth Gwasanaethau Cyfreithiol a Rheoleiddiol

Dosbarthiad:

Cynghowrwy

SE Baldwin

N Clarke

P Davies

DK Edwards

DG Howells

A Hussain

Cynghorwyr

DRW Lewis

JC Radcliffe

RMI Shaw

JC Spanswick

RME Stirman

G Thomas

Cynghorwyr

E Venables

MC Voisey

DBF White

JE Williams

PWYLLGOR CRAFFU TESTUN 3 - DYDD IAU, 24 IONAWR 2019

COFNODION CYFARFOD Y PWYLLGOR CRAFFU TESTUN 3 A GYNHALIWYD YN SIAMBR Y CYNGOR - SWYDDFEYDD DINESIG, STRYD YR ANGEL, PEN-Y-BONT AR OGWR CF31 4WB DYDD IAU, 24 IONAWR 2019, AM 10:00

Presennol

Y Cyngorydd JC Spanswick – Cadeirydd

N Clarke
RME Stirman

DG Howells
E Venables

A Hussain
DBF White

DRW Lewis
JE Williams

Ymddiheuriadau am Absenoldeb

SE Baldwin, P Davies, DK Edwards, JC Radcliffe, G Thomas a/ac MC Voisey

Swyddogion:

Sarah Daniel
Julie Ellams
Fiona James
Zak Shell
Guy Smith

Swyddog Gwasanaethau Democrataidd - Craffu
Swyddog Gwasanaethau Democrataidd - Pwyllgorau
Uwch Syrfêwr Datblygu
Pennaeth Gwasanaethau Cymdogaeth
Swyddog Trosglwyddo Asedau Cymunedol

Gwahoddedigion:

Carly McCreesh
Cyngorydd Hywel Williams
Cyngorydd Richard Young

Canolfan Cydweithredol Cymru
Dirprwy Arweinydd
Aelod Cabinet - Cymunedau

61. DATGANIADAU O GYSYLLTIAD

Gwnaed y datganiadau o gysylltiad canlynol:

Datganodd y Cyngorydd N Clarke gysylltiad personol yn eitem 5 yr agenda, Trosglwyddo Ased Cymunedol, oherwydd ei bod hi'n aelod o Gyngor Tref Porthcawl ac ynghlwm mewn proses Trosglwyddo Ased Cymunedol ar hyn o bryd.

Datganodd y Cyngorydd R Stirman gysylltiad personol yn eitem 5 yr agenda, Trosglwyddo Ased Cymunedol, oherwydd ei bod hi'n aelod o Gyngor Cymuned Cwm Garw.

62. CYMERADWYO'R COFNODION

PENDERFYNWYD: Cymeradwyo cofnodion cyfarfod Pwyllgor Trosolwg a Chraffu Pwnc 3 dyddiedig 22 Hydref 2018 fel cofnod gwir a chywir.

63. DIWEDDARIAD Y BLAENRAGLEN WAITH

Cyflwynodd y Swyddog Craffu'r adborth o gyfarfodydd blaenorol Pwyllgor Trosolwg a Chraffu Pwnc 3 a gofynnodd i'r aelodau a oedd angen unrhyw wybodaeth ychwanegol mewn perthynas ag Eiddo Gwag, a fyddai'n cael eu hystyried yng nghyfarfod 25 Chwefror 2019. Gofynnodd yr Aelodau a ellid darparu diweddariad ar yr amserlen er mwyn i swyddog ymchwilio ac, a ellid darparu protocol. Gofynnodd yr Aelodau hefyd am nifer yr eiddo gwag oedd ym Mhen-y-bont ar Ogwr a nifer y bobl ddigartref yn yr un ardal. Esboniodd y Swyddog Craffu y byddai adroddiad ar y Strategaeth Ddigartrefedd yn cael ei chyflwyno i gyfarfod yn y dyfodol.

Ychwanegodd y Swyddog Craffu, yn ogystal â'r adborth yn yr adroddiad, anfonwyd llythyr at Un Llais Cymru mewn perthynas â gwahoddiad i gyfarfod 22 Hydref lle ystyriwyd Cydweithredu gyda Chynghorau Tref a Chymuned. Atebodd cynrychiolydd Un Llais Cymru fod y gwahoddiad wedi'i anfon ymlaen at y Prif Swyddog Gweithredol ac yna wedi'i esgeuluso'n anffodus, ond datganodd yr hoffai gymryd rhan yng nghyfarfodydd y dyfodol.

Cyflwynodd y Cynghorwyr Venables a Howells ymddiheuriadau ar gyfer cyfarfod mis Chwefror. Gofynnodd aelod am adroddiad cynnydd ar ollwng sbwriel a baw cŵn. Fe'i cynghorwyd i lenwi ffurflen atgyfeirio.

PENDERFYNWYD: Bod y Pwyllgor:

1. Yn cymeradwyo'r adborth o gyfarfodydd blaenorol y Pwyllgor Trosolwg a Chraffu Pwnc a nodwyd yr ymatebion oedd yn weddill.
2. Yn gofyn am ragor o wybodaeth mewn perthynas â'r adborth uchod.
3. Yn nodi gwybodaeth ychwanegol yr oeddent yn dymuno'i chael wrth ystyried eitemau a ddirprwywyd i gyfarfodydd y dyfodol.

64. TROSGLWYDDO ASED AU CYMUNEDOL

Cyflwynodd y Pennaeth Gweithrediadau, Gwasanaethau Cymunedol adroddiad yn diweddar y Pwyllgor ar waith Grŵp Gorchwyl a Gorffen Trosglwyddo Asedau Cymunedol, gweithredu'r argymhellion a wnaed gan Bwyllgor Trosolwg a Chraffu 3 ym mis Ionawr 2018, newidiadau arfaethedig i bolisi a phrosesau Trosglwyddo Asedau Cymunedol y Cyngor a gweithgarwch Trosglwyddo Asedau Cymunedol y presennol a'r dyfodol. Amlinellodd newidiadau diweddar i'r strwythur staffio yn y Gyfarwyddiaeth Cymunedau, gan gynnwys newidiadau i rolau a'r llinellau adrodd. Darparodd gefndir i Trosglwyddo Asedau Cymunedol ac esboniodd fod rhaid i'r Cyngor barhau i weithio ar y cyd â sefydliadau'r sector gwirfoddol i ddiogelu'r gwasanaethau o werth i'r cymunedau. Cyfeiriodd at yr adroddiad yn ymwneud â Meysydd Chwarae, Cyfleusterau Chwaraeon Awyr Agored a Pharciau a Phafiliynau a ystyriwyd gan Bwyllgor Trosolwg a Chraffu Pwnc 1 a'r Cabinet oedd yn ceisio cymeradwyaeth i ymgymryd ag ymarfer ymgynghori ar gynigion i wneud darpariaeth caeau chwarae, cyfleusterau chwaraeon awyr agored a phafiliynau chwarae'r Cyngor yn fwy ariannol gynaliadwy wrth symud ymlaen. Byddai'r ymgynghoriad hwn yn cael ei ddsbarthu maes o law.

Esboniodd Pennaeth Gweithrediadau, y Gwasanaethau Cymunedol fod canllawiau diweddar ar Trosglwyddo Asedau Cymunedol wedi'u dosbarthu ym mis Hydref 2015 ac roedd yn seiliedig ar Arweiniad i'r Arfer Gorau a gyhoeddwyd gan Lywodraeth Cymru. Roedd Grŵp Gorchwyl a Gorffen Trosglwyddo Asedau Cymunedol yn argymhell newidiadau i'r broses nad oeddent yn unol â'r Arweiniad i'r Arfer Gorau. Cadarnhaodd fod y Bwrdd Rheoli Corfforaethol wedi cytuno i ymestyn y contract i'r swyddog Trosglwyddo Asedau Cymunedol am 3 blynedd bellach.

Amlinellodd Pennaeth Gweithrediadau, y Gwasanaethau Cymunedol weithgarwch Trosglwyddo Asedau Cymunedol, y cymhellion ariannol a chymorth arall, gwaith Grŵp Gorchwyl a Gorffen Trosglwyddo Asedau Cymunedol, gan gynnwys rhestr o argymhellion interim. Ychwanegodd y byddai'r argymhellion terfynol yn cael eu cyflwyno i'r Cabinet i gyd-daro gyda'r adroddiad oedd yn amlinellu canlyniad yr ymgynghoriad cyhoeddus a chyflwyniad arfaethedig o'r adferiad cost lawn. Gofynnodd aelod am ragor o wybodaeth yn ymwneud â'r amserlenni ar gyfer yr ymgynghoriad. Esboniodd Pennaeth Gweithrediadau, y Gwasanaethau Cymunedol ei bod hi'n debygol y byddai'r

ymgynghoriad yn para 12 wythnos, byddai'n cymryd oddeutu mis i goladu'r canlyniadau a pharatoi adroddiad i'r Cabinet i wneud penderfyniad ar y ffordd ymlaen.

Esboniodd y Swyddog CAT i'r Pwyllgor fod y cymhorthdal o 80% oedd ar gael yn atal partïon cyfrannog rhag ymroi i'r broses, ond roeddent yn ymwybodol o'r broses ac yn ymgysylltu â'r awdurdod. Ychwanegodd fod 40 pafiliwn, 6 i 7 clwb bowlio a 4 i 5 maes chwarae ond nid oedd pob un ohonynt yn addas ar gyfer Trosglwyddo Asedau Cymunedol. Gofynnodd yr aelodau am sicrhau bod rhestr ddiweddar lawn ar gael i bob aelod er mwyn iddynt allu gweld pa asedau oedd ar gael i'w trosglwyddo.

Awgrymodd aelod oherwydd yr amser yr oedd yn ei gymryd i gwblhau 4 trosglwyddiad, y dylai'r Cyngor roi i fyny ar y syniad o Drosglwyddo Asedau Cymunedol a dechrau bod yn gyfrifol am redeg ei wasanaethau ei hun. Ni fyddai gan lawer o'r grwpiau'r wybodaeth na'r arbenigedd i gymryd rhan yn y broses ac roedd swm yr arian a wariwyd ar Drosglwyddo Asedau Cymunedol yn llawer mwy na'r hyn oedd wedi'i arbed.

Esboniodd y Pennaeth Gweithrediadau, Gwasanaethau Cymunedol, fel swyddog oedd yn gyfrifol am gyllideb a effeithiwyd gan gynigion Strategaeth Ariannol y Tymor Canolig, roedd rhaid iddo ddod o hyd i ffordd ymlaen. Ychwanegodd Cymunedau'r Aelodau Cabinet nad oedd ganddynt yr arian i barhau i gynnig y cyfleusterau hyn i'r cyhoedd. Nid oedd cyfrifoldeb statudol i ddarparu'r gwasanaethau hyn ond rhoddodd Trosglwyddo Asedau Cymunedol gyfle i gadw'r asedau'n agored i'r cyhoedd barhau i ddefnyddio'r cyfleusterau. Roedd rhaid cael diwydrwydd dyladwy i ddiogelu'r sefydliad a'r Cyngor, ond canfu Grŵp Gorchwyl a Gorffen Trosglwyddo Asedau Cymunedol ffordd ymlaen lle gallent gyflymu'r broses.

Esboniodd Pennaeth Gweithrediadau, y Gwasanaethau Cymunedol fod lefel o hyder yn y sefydliadau yn gyffredinol a rhoddwyd hwb i'r hyder hwn yn sgil tystiolaeth awdurdodau cyfagos megis Castell-nedd Port Talbot (CBSCPT) lle trosglwyddwyd y mwyafrif ac ychydig iawn oedd wedi dod yn ôl. Ychwanegodd yr Uwch Syrfêwr Datblygu, yn ystod cyfnod o ddwy flynedd, trosglwyddwyd rhwng 50 a 60. Ni ddilynodd CBSCPT arfer gorau Llywodraeth Cymru, defnyddion nhw brydles safonol ac roedd y mwyafrif ar waith o hyd. Gofynnodd yr Aelodau am y ffigurau Trosglwyddo Asedau Cymunedol CBSCPT a gyflawnwyd, gan gynnwys sawl un oedd wedi'u trosglwyddo a faint oedd wedi parhau i fod ar agor ar ôl i'r trosglwyddiad ddigwydd.

Datganodd cynrychiolydd Canolfan Gydweithredol Cymru y gallen nhw ddarparu cymorth o gwmpas yr holl agweddau fel cyllid, masnachu a pherfformiad. Argymhellodd yr aelodau bod swyddogion yn gweithio gyda sefydliadau trydydd parti i roi arweiniad at ei gilydd ar ba gymorth / grantiau oedd ar gael i ddarpar bartïon cyfrannog i'w cefnogi trwy broses CAT er mwyn i grwpiau gael gwybod yn llwyr pa lifoedd ariannu a chymorth heb fod yn ariannol oedd ar gael iddynt.

Gofynnodd aelod am grynodedd o'r ffigurau amcanol ar gost rhaglen Trosglwyddo Asedau Cymunedol yn erbyn y cynilion allai gael eu dychwelyd o bosibl petai pob Trosglwyddiad Asedau Cymunedol yn llwyddiannus. Gofynnodd yr aelodau fod hyn yn cynnwys amser ac adnoddau'r swyddog ar brosesu Trosglwyddo Asedau Cymunedol. Gofynnodd aelod pa brosesau oedd ar waith yn achos sefydliad yn cymryd rheolaeth ar ased ac a oedd yn mynd i'r wal wedi hynny ac a ystyriwyd hyn. Esboniodd y Pennaeth Gweithrediadau, Gwasanaethau Cymunedol fod hyn wedi'i drafod a'i fod yn dibynnu ar yr ased. Y gwirionedd oedd, petai ased yn dod yn ôl ar ôl trosglwyddo, ni fyddai cyllideb i'w redeg a byddai'n ased dros ben. Pe na fyddai partïon eisiau ei redeg, byddai'n rhaid iddyn nhw benderfynu a allai gael ei ddymchwel neu werthu fel potensial i ddatblygu.

Gofynnodd aelod sut roedd hyn yn cydymffurfio â Deddf Llesiant Cenedlaethau'r Dyfodol. Esboniodd y Pennaeth Gweithrediadau, Gwasanaethau Cymunedol y byddai colli'r ddarpariaeth yn broblem ac er mwyn cydymffurfio â'r Ddeddf, Trosglwyddo Asedau Cymunedol oedd y ffordd ymlaen. Gofynnodd yr aelodau am arweiniad pellach ar sut roedd y potensial o gau asedau lle nad oedd Trosglwyddo Asedau Cymunedol wedi'i gyflawni'n cydymffurfio â Deddf Llesiant Cenedlaethau'r Dyfodol. Cwestiynodd aelod nifer yr arolygon a gyflawnwyd am gost o dros £122,000 a gofynnwyd a oedd pob un ohonynt yn angenrheidiol ar hyn o bryd. Esboniodd Cymunedau'r Aelodau Cabinet nad oedd yr awdurdod yn gallu cynnal y cyfleusterau hyn a phe na fyddai dim yn cael ei wneud, bydden nhw'n cau ta beth oherwydd bydden nhw'n gwaethygu i'r fath raddau, ni fyddai gan y cyhoedd yr hawl i'w defnyddio. Ychwanegodd y Swyddog Trosglwyddo Asedau Cymunedol ei bod hi'n gostus comisiynu arolwg, ond roedd yr awdurdod yn gyfrifol am wneud grwpiau'n ymwybodol o'u cyfrifoldeb cyn iddynt gymryd rheolaeth ar ased. Argymhellodd yr aelodau cyn symud Trosglwyddo Ased Cymunedol yn ei flaen, oedd yn golygu costau fel ymgymryd ag arolwg cyflwr o adeilad, bod hyfywedd y grŵp/cymuned i allu symud Trosglwyddo Ased Cymunedol yn ei flaen yn cael ei archwilio cyn mynd i gostau.

Gofynnodd aelod a allai rhai grwpiau gael mynediad i gyllid nad oedd ar gael i'r Awdurdod Lleol. Esboniodd y Swyddog Trosglwyddo Asedau Cymunedol y gallen nhw wneud cais am gyllid, ar yr amod bod prydles tymor hir dros 10 mlynedd yn bodoli. Mantais arall oedd y gallai'r sefydliadau hyn ddefnyddio crefftwy'r a mynd at waith adeiladu am y gost wirioneddol.

Cododd aelod mater cyfrifoldeb am lochesi bysus. Esboniodd y Pennaeth Gweithrediadau, Gwasanaethau Cymunedol fod rhai ar dir oedd yn berchen i'r Cyngor Bwrdeistref a rhai i'r Cyngor Tref ac roedd rhai ar brydles ar gyfer hysbysebion. Roedd yn poeni am hyfywedd ariannol Trosglwyddo Asedau Cymunedol a llochesi bysus oherwydd roedd nifer uchel ohonynt a byddai'r arbedion yn isel.

Gofynnodd aelod pa gynnydd a wnaed mewn perthynas â datblygu tudalennau gwe i hyrwyddo Trosglwyddo Asedau Cymunedol ac i ddarparu gwybodaeth sylfaenol. Esboniodd y Swyddog Trosglwyddo Asedau Cymunedol y cafwyd trafodaethau cychwynnol ac roedd y polisi'n cael ei ddiweddarau, ond ni fyddai ar gael tan fis Mawrth. Wedyn, byddai'r polisi'n cael ei gyflwyno i'r Cabinet cyn iddo gael ei uwchlwytho i'r wefan lle byddai o fewn cyrraedd pob grŵp.

Esboniodd Pennaeth Gweithrediadau, y Gwasanaethau Cymunedol fod y Grŵp Gorchwyl a Gorffen wedi canolbwyntio ar symleiddio proses Trosglwyddo Asedau Cymunedol, gan gynnwys darparu gwybodaeth o flaen llaw a defnyddio templedi safonol. Roedd hyn yn symudiad i ffwrdd o fodel busnes Llywodraeth Cymru i ddull mwy seiliedig ar risgiau. Bydden nhw'n parhau i ddisgwyl lefel o gynllunio ariannol ond byddai swm y gwaith angenrheidiol yn lleihau mewn llawer o achosion. Pwysleisiodd fod hwn yn symudiad i ffwrdd o arfer gorau a gofynnodd i'r Pwyllgor gyfeirio'r Grŵp Gorchwyl a Gorffen ar y dull hwn. Ychwanegodd yr Uwch Syrfëwr Datblygu na fyddai hyn yn berthnasol ym mhob achos a byddai'r polisi presennol yn parhau ar gyfer yr achosion mwy cymhleth. Gofynnodd aelod beth oedd y gwahaniaethau sylweddol a'r goblygiadau i'r awdurdod petaen nhw'n symud i ffwrdd o arfer gorau Llywodraeth Cymru. Esboniodd Pennaeth Gweithrediadau, y Gwasanaethau Cymunedol y gallai Swyddfa Archwilio Cymru edrych ar arfer y cyngor a beirniadu'r Cyngor am beidio â mabwysiadu arfer gorau Llywodraeth Cymru. Ychwanegodd y Swyddog Trosglwyddo Asedau Cymunedol fod y broses ddiwygiedig roedden nhw'n edrych arni'n rhoi mwy o bwyslais ar alluoedd y sefydliad i gynnal yr ased yn y tymor hir. Awgrymodd aelod y dylai'r awdurdod ysgrifennu at Lywodraeth Cymru yn esbonio bod angen strategaeth fwy ymarferol. Atebodd y Pennaeth Gweithrediadau, Gwasanaethau Cymunedol fod lle am arfer gorau

Llywodraeth Cymru pan oedd hi'n dod i drosglwyddo modelau mwy o faint ond nid o reidwydd i fodolau llai o faint. Nodwyd nad oedd arweiniad LIC ar Drosglwyddo Asedau Cymunedol yn statudol, ac felly gofynnodd yr aelodau i swyddogion ysgrifennu at Lywodraeth Cymru'n cadarnhau a gafwyd unrhyw adborth negyddol gan yr Awdurdodau a oedd wedi symud i ffwrdd o'r model arfer gorau. Roedd yr aelodau o blaid swyddogion yn symud i ffwrdd o arfer gorau awgrymedig LIC yn ôl y manylion ym mharagraff 4.32 yr adroddiad er mwyn symleiddio proses Trosglwyddo Asedau Cymunedol i osgoi cau asedau ac i alluogi grwpiau i gymryd dros y gwaith o redeg yr asedau'n fwy amserol.

Gofynnodd aelod a ystyriwyd trosglwyddo cyfleusterau i gwmni dielw. Esboniodd y Pennaeth Gweithrediadau, Gwasanaethau Cymunedol y byddai unrhyw sefydliad yn wynebu'r un problemau oherwydd ni fyddai'r incwm yn ddigon i dalu'r costau. Gofynnodd yr aelodau i swyddogion archwilio'n llawn y dewis i gychwyn sefydliad dielw fel Awen, er mwyn ymgymryd â throsglwyddo'r asedau yn y Fwrdeistref a rhoi'r cyfle gorau posibl iddynt aros yn agored ar ôl i'r trosglwyddiad ddigwydd ac i gyflawni'r arbedion yn y Strategaeth Ariannol Tymor Canolig. Gofynnodd yr aelodau a oedd unrhyw Awdurdod Lleol arall wedi ymgymryd â'r math hwn o drosglwyddiad.

Trafododd yr Aelodau'r arbedion angenrheidiol dros y blynyddoedd nesaf. Esboniodd y Dirprwy Arweinydd fod rhaid iddynt fantoli'r cyfrifon ac roedd y canlyniadau o'r ymgynghoriad o ran y gyllideb a'r blaenoriaethau'n dynodi nad oedd meysydd chwarae'n flaenoriaeth. Y bwriad oedd rhoi cyfle teg i sefydliadau gymryd dros gyfleusterau cynaliadwy a dod ag atebion gerbron.

Ceisiadau am Wybodaeth Bellach a Chasgliadau

Diolchodd yr aelodau i'r swyddogion am eu hamser yn paratoi'r adroddiad a mynychu'r cyfarfod i ateb cwestiynau.

Rhaqor o Wybodaeth

- Gofynnodd yr aelodau am restr ddiweddar lawn o asedau i fod ar gael i bob aelod er mwyn iddynt allu gweld pa asedau oedd ar gael i'w trosglwyddo.
- Gofynnodd yr aelodau am ffigurau Trosglwyddo Asedau Cymunedol CBSCPT a gyflawnwyd, gan gynnwys sawl un oedd wedi'u trosglwyddo a sawl un a arhosodd ar agored ac yn llwyddiannus ar ôl i'r trosglwyddiad ddigwydd.
- Gofynnodd yr aelodau am grynodedeb o'r ffigurau amcanol ar gost rhaglen Trosglwyddo Asedau Cymunedol yn erbyn yr arbedion a allai gael eu dychwelyd o bosibl petai pob Trosglwyddiad Asedau Cymunedol yn llwyddiannus. Mae'r aelodau'n gofyn i hyn gynnwys amser ac adnoddau'r swyddog ar brosesu Trosglwyddiad Asedau Cymunedol.
- Gofynnodd yr aelodau i gael arweiniad pellach ar sut mae potensial cau asedau lle nad oes Trosglwyddo Asedau Cymunedol yn cael ei gyflawni'n cydymffurfio â Deddf Llesiant a Chenedlaethau'r Dyfodol.

Argymhellion

- Nodwyd gan aelodau nad oedd yr arweiniad gan Lywodraeth Cymru ar Drosglwyddo Asedau Cymunedol yn statudol, felly gofynnodd yr aelodau i'r swyddogion ysgrifennu at Lywodraeth Cymru i gadarnhau a fu unrhyw adborth negyddol gan Awdurdodau a symudodd i ffwrdd o'r model arfer gorau.
- Roedd yr aelodau o blaid swyddogion yn symud i ffwrdd o arfer gorau awgrymedig Llywodraeth Cymru yn ôl y manylion ym mharagraff 4.32 yr adroddiad er mwyn symleiddio proses Trosglwyddo Asedau Cymunedol i osgoi cau asedau ac i alluogi grwpiau i gymryd dros y gwaith o redeg yr asedau'n fwy amserol.

- Argymhellodd yr aelodau cyn symud Trosglwyddo Asedau Cymunedol yn ei flaen i gam a oedd yn golygu costau fel ymgymryd ag arolwg cyflwr o adeilad, bod hyfywedd y grŵp / cymuned i allu symud Trosglwyddo Asedau Cymunedol yn ei flaen yn cael ei archwilio cyn mynd i gostau.
- Argymhellodd yr aelodau fod swyddogion yn gweithio gyda sefydliadau trydydd parti eraill i roi arweiniad at ei gilydd ar ba gymorth / grantiau sydd ar gael i ddarpar bartion cyfrannog i'w cefnogi trwy broses Trosglwyddo Asedau Cymunedol er mwyn i grwpiau gael gwybod yn llawn pa lifoedd ariannu a chymorth anariannol sydd ar gael iddynt.
- Gofynnodd yr aelodau i'r swyddogion archwilio'n llawn y dewis i gychwyn sefydliad dielw fel Awen i ymgymryd â throsglwyddo'r asedau yn y Fwrdeistref a rhoi'r cyfle gorau posibl iddynt barhau ar agor ac yn llwyddiannus ar ôl i'r trosglwyddiad ddigwydd a chyflawni'r arbedion yn y Strategaeth Ariannol Tymor Canolig. Gofynnwyd i'r aelodau archwilio a gyflawnodd yr Awdurdodau Lleol hyn.

65. **EITEMAU BRYD**

Dim

Daeth y cyfarfod i ben am 12:30

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO SUBJECT OVERVIEW AND SCRUTINY COMMITTEE 3

25TH FEBRUARY 2019

REPORT OF THE INTERIM CHIEF EXECUTIVE

EMPTY PROPERTIES

1. Purpose of report

- 1.1 The purpose of this report is to update Subject Overview and Scrutiny Committee 3 on the progress made following the report to the Committee in March 2018 in regards to empty properties and in particular, the recruitment of an Empty Properties Officer. The Empty Property Strategy is being presented to Members for their consideration as part of the public consultation process

2. Connection to corporate improvement objectives/other corporate priorities

- 2.1 This report assists in the achievement of the following corporate priority/priorities:

- Supporting a successful economy – taking steps to make the county a good place to do business, for people to live, work, study and visit, and to ensure that our schools are focused on raising the skills, qualifications and ambitions of all people in the county.

3. Background

- 3.1 On the 21st March 2018 a report was provided to Subject Overview and Scrutiny Committee 3 on how effective the Authority had been in bringing back into use empty private sector residential and commercial properties and the processes, powers and policies the Authority has to bring these empty properties back into use.
- 3.2 The Committee made a number of recommendations and the responses to those recommendations are set out in Section 4 below

4. Current situation/proposal

- 4.1 The Committee made the following recommendations:

4.1.1 A more blended approach to targeting empty properties is taken to prevent properties falling into the longer term category of being empty for two years plus and a targeted approach is explored for empty properties in high density areas.

Response:

Properties will be scored on key criteria such as nuisance value, detriment, location and housing demand and not only a focus on how long a property has been empty. Once scored, the Empty Property Working Group, which consists of representatives from each service within the Authority that work with empty properties, will determine the most appropriate actions to attempt to bring the priority properties back into use.

4.1.2 Officers are more proactive in their approach and explore what tools and resources are readily available.

Response:

The Council and its partners seek to work cooperatively with owners of empty properties to bring their properties back into use. Therefore, regular and effective communication with the owner is paramount, to establish the most appropriate course of action to bring the empty property back into use. Enforcement action will be considered where appropriate..

4.1.3 Officers attempt to contact the owners of empty churches and chapels to establish what their long term plans for the properties are.

Response:

Owners of empty churches and chapels across the county borough will be contacted separately as part of this targeted approach. Where opportunities arise, partnership working with Registered Social Landlords and others will also be investigated. Commercial properties, churches or chapels that can be converted into residential accommodation will be considered on a case by case basis. The Empty Properties Strategy is focused on residential properties only. As commercial properties require a more specific approach to bring them back into use, they do not form part of this strategy.

4.2 The Committee also asked for further information on:

4.2.1 How successful other local authorities have been in bringing empty properties back into use where they have charged 100% or more council tax on properties empty for longer than 6 months.

4.2.2 What the average loss of council tax is for BCBC due to empty properties in the county borough and of the properties empty for six months or longer how successful BCBC are in collecting the council tax.

4.2.3 Of the 1,244 properties liable for 50% charge on Council tax for empty properties, how much of this are BCBC successful in receiving?

Response:

Currently 5% of the empty properties in Bridgend County Borough have received a summons this year in order to recover unpaid Council Tax. Some accounts are still being paid on instalments until March 2019. This means that although we may eventually receive the council tax payable it is more

costly as various avenues of recovery have to be pursued in order to receive this money and therefore takes up more staff time

Currently, after an initial 6 month exemption, an unoccupied and unfurnished property benefits from a 50% discount on the Council Tax. It is estimated the value of this discount is £933,000. This estimate is based on the fact that currently there are 1,244 empty properties benefiting from a 50% discount and an average Band D council tax charge of approximately £1,500. This estimate does not take into account any exemptions or single person discount.

A decision by Council to remove this 50% discount and charge 100% of the Council Tax has been deferred until 20th February 2019. The reason for this deferral was for further clarity to be provided for accounts where a deceased persons' property remains empty.

When a person passes away and probate is applied for, the Council Tax account remains exempt until the date probate is granted, and for a further 6 months from that date. Currently if the property continues to remain unoccupied and unfurnished a further 6 month exemption may be applied for, after which, currently, a 50% discount is awarded to the account which continues indefinitely. The report to Council is recommending that this 50% discount is removed.

Ceredigion Council saw an increase in the number of empty properties even though they introduced a council tax premium on long term empties. Wrexham and Flintshire Councils indicated they have seen a reduction in the number of empty properties after they introduced a Council Tax Premium on long term empty properties but cannot confirm if it is solely down to the implementation of this premium. This is a premium on top of the 100% charged after the initial 6 month exemption has expired. No evidence is known regarding bringing empty properties back into use solely due to the fact that the 50% discount has been removed after the 6 month exemption period has ended. If the deferred decision by Council is approved, whereby the 50% discount is removed, it will take a period of time to determine whether this has the desired effect on bringing more properties back into use

4.2.4 Empty properties that have been un-banded by the Valuation Office Agency and therefore unable to levy council tax on. These properties have been un-banded due to the condition and by their very nature are a blight within the community.

Response:

Unbanded properties have remained 'hidden' from previous empty properties lists and action will be undertaken to identify the number and location of empty properties that have been un-banded. However, the identification of unbanded properties is not straightforward, as current systems do not easily allow these properties to be identified. In addition, the Valuation Office also does not retain records over a year old. Efforts to secure a solution to this will continue and properties identified will be processed under the Empty

Properties Strategy which will allow assessment and scoring to take place to determine their priority for action.

Properties are not banded by the Valuation Office if they are not complete and fit for habitation. Properties are only removed from the Valuation List if they have been demolished or have had their roof/walls removed. If a property is under renovation the Valuation Office do not remove it from the List. As far as Council tax is concerned if a property undergoes renovation or has an extension built the banding will only change when the property is sold.

4.2.5 BCBC recruit their own dedicated Empty Properties Officer to address the issues of empty properties in the county borough and that this officer becomes coordinator of the Empty Properties Working Group.

Response:

A budget pressure was identified by Cabinet/CMB during budget discussions and it was agreed to include a recurrent budget of £37,000 per annum in the Medium Term Financial Strategy (MTFS) from 2018-19 onwards to fund the post and delivery of the Empty Properties Strategy.

An Empty Property Coordinator has been appointed and the post commenced on 1st October 2018. The Coordinator is a qualified Environmental Health Officer employed by the Shared Regulatory Service (SRS) and the full annual budget of £37,000 per annum is being used to fund the post for 3 days per week on a permanent basis. Officer assessment of the level of experience and knowledge required for this post determined that it would not be achievable for 5 days at the budget level that has been identified. A lower grade post for 5 days per week would not bring with it the relevant experience or abilities and would not necessarily be easy to recruit. The postholder will continue to be employed by SRS but will be dedicated to Bridgend for 3 days per week and will be embedded within BCBC's housing team. This post will coordinate the Empty Property Working Group as recommended by the Committee.

As a qualified Environmental Health Officer the post-holder may not only explore, but also be able to instigate, the potential use of enforcement action that is available to the Council. Whilst working side by side with Officers in the Housing team, the post will also be able to draw upon the considerable experience and local knowledge of the wider SRS team situated in Bridgend which can provide resilience and support in delivery of the service. In addition, the post-holder will be able to utilise the considerable knowledge and experience in relation to Empty Properties which exists in other teams within the SRS.

The knowledge of these processes has meant that the postholder has been able to take a number of immediate actions:

- Insitigate the processes identified in the draft Empty Properties Strategy. Initial letter inviting property owners to contact the council for

information on a variety of options have already been distributed to some properties on the scoring matrix

- Develop a process for activities to be recorded appropriately which allows for performance monitoring of the Empty Properties Strategy and the collection of the necessary evidence required should legal action need to be considered.
- Convened the Empty Properties Working Group and Terms of Reference for that Group will be developed
- Updated the Empty Homes Information Pack
- Gather detailed information on priority properties

Outputs from these actions will be recorded to evidence activity. This will include recording numbers of letters distributed, responses received, and enforcement action taken. A quarterly update on strategy activities will be reported to Cabinet/CMB. In addition, two Public Account Measures will be used to record performance, one, the number of empty properties brought back into use during the year through direct action taken by BCBC and two, any new units of accommodation created as a result of bringing empty properties back into use.

4.3 **Draft Empty Properties Strategy**

4.3.1 The Draft Empty Properties Strategy is attached at **Appendix 1** and as outlined in 4.1.1 above the focus for action is based on key facts and information and properties will be scored on set criteria. Once scored, the Empty Property Working Group, which consists of representatives from each service within the Authority that work with empty properties, will determine the most appropriate actions to take to attempt to bring the empty properties back into use. Membership of this group comprises –

- Head of Performance and Partnerships, Housing representatives
- Finance - Group Manager and Revenues Manager
- SRS
- Planning - Enforcement, Development and Building Control, Strategic Regeneration, Conservation and Design Team Leader
- Legal

4.3.2 The Empty Properties Strategy is currently in draft form. At the meeting of Cabinet on 22nd January 2019, Cabinet approved a formal public consultation on the Empty Properties Strategy. Consultation will take 12 weeks and will take place between the 1st February 2019 and 28th April 2019. It is possible that the strategy will require amendment to respond to comments received through this process. Scrutiny members views on the Empty Properties Strategy are sought. Once the consultation period has ended, Cabinet will receive a further report to consider formally adopting the Strategy. The Strategy will be supported by the Empty Property Working Group.

5. Effect upon policy framework and procedure rules

5.1 There is no effect upon the Policy Framework and Procedure Rules.

6. Equality Impact Assessment

6.1 An initial screening Equalities Impact Assessment (EIA) has been undertaken as part of the development of the Empty Homes Strategy. It identified that no further EIA is required at this time.

7. Well-being of Future Generations (Wales) Act 2015 implications

7.1 A full Well-being of Future Generations (Wales) Act 2015 Assessment will be undertaken once the consultation period has concluded and a further report is taken to Cabinet to consider formally adopting the Empty Properties Strategy.

8. Financial implications

8.1 Services within the Authority utilise their existing budgets for any work undertaken on empty properties. Whilst there is currently a revenue budget available for the Empty Property Coordinator which resources the “front end” of the service, there is also demand on other departments within the Authority to progress any works on empty properties, which may not be currently resourced.

8.2 The capital programme, approved as part of the Medium Term Financial Strategy for 2018-19 to 2021-22, agreed to widen the scope of funding previously used for the Caerau ward housing renewal area which finished at the end of 2016-17, to fund housing renewal/ deal with empty property issues across the County Borough.

9. Recommendation

9.1 The Committee is recommended to note the contents of this report and provide comments on the draft Empty Properties Strategy.

Mark Shepard
Interim Chief Executive
19th February 2019

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Background documents:
None

Bridgend County
Borough Council
**Empty Property
Strategy
2019-2023**

Cyngor Bwrdeistref Sirol



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Introduction

Purpose of the strategy

The purpose of this strategy is to set out how Bridgend County Borough Council (“the Council”) and its partners shall seek to reduce empty properties across the County Borough and help contribute towards increasing the availability of housing for sale or for rent.

The focus of this strategy is empty private sector residential properties that could be brought back into use as residential housing. Whilst commercial properties may also be empty, they require a more specific approach to bring them back into use as economically viable commercial premises and therefore, do not form part of this strategy. However, commercial properties that can be converted into residential accommodation will be considered but are outside of the current Welsh Government definition and national performance indicators for bringing empty properties back into use.

The housing market is quite fluid and there will always be empty properties for sale or rent that do not require any intervention. These are properties that are generally empty for less than six months. Although these properties are not the main focus for the Council, they can still present a concern should they remain empty for a long period of time or their condition deteriorate.

The Council is committed to tackling the blight of empty properties and adopts a proactive approach by working with owners to bring their empty properties back into use. If however, properties continue to remain empty, are in a state of disrepair, are detrimental or a nuisance to the community, the Council will consider using its legislative powers to remedy the adverse impact on the community and bring the property back into use.

Whilst a number of services within the Council have different processes, powers and policies they can use, bringing empty properties back into use is a corporate responsibility. Therefore, these services will work in a

more co-ordinated way as one Council to achieve the aims and objectives of this strategy.

Consequences of empty properties

Empty properties are a wasted resource. Whilst they may not always be left in a state of disrepair, there are always consequences, and these can be summarised into three factors:

- **social**, such as crime including arson, graffiti, squatting, as well as reduced public confidence in the area or the Council
- **environmental**, including rodent infestation, fly tipping, dangerous structures, and a poor impression of the area
- **economic**, such as repair costs, increased burdens on councils' resources, property devaluation, deterred investment

Causes of empty properties

There are many reasons why properties become empty and these can be summarised into three factors:

- **Individual reasons**, such as unresolved ownership following a death, bankruptcy, owners entering hospital or prison, or a lack of owner knowledge.
- **Property based reasons** such as investments not realised, or repairs and renovations being too expensive.
- **Housing market reasons** such as areas of low demand, areas of over supply or properties with negative equity.

Benefits of bringing empty properties back into use

Bringing an empty property back into use can contribute to:

- Creating rental or sale income, rather than properties being wasted assets
- Increasing property values
- Reducing vandalism, arson or squatting, and the fear of crime

- Enhancing town centres' viability and vitality
- Creating an increased sense of community
- Boosting the supply of good quality affordable housing
- Supporting strong, balanced housing markets and community sustainability
- Improving the local environment
- Creating training and job opportunities
- increasing council tax revenues so the Council can provide a better service

Definition and context

National definition of an empty property

The main focus of this strategy is to bring back into use long-term empty residential properties. These are defined as **private sector residential properties which are liable for council tax and have been unoccupied for a period of six months or more**. This definition is taken from the national Public Accountability Measure that enables local authorities to give account of their performance to the public. The following properties are excluded from this definition:

- A second or holiday home
- A property owned by any of the following:
 - Registered Social Landlords (RSLs);
 - Police and Armed forces;
 - National Health Service;
 - Universities and colleges;
 - Local authorities and government;
 - Crown estate;
 - Churches and other religious bodies
- A property that is in use but for non-residential purposes
- Properties that have been un-banded by the Valuation Office Agency¹

¹ Welsh Local Government Association (WLGA) Public Accountability Measures (PAMs) 2018-19 Guidance for local authorities (PAM/013)

Information on empty properties is obtained from council tax data, where owners have notified the Council that the property is empty.

The local housing market

There are around 63,762 residential properties in Bridgend County Borough². Approximately, these are:

- 73% owner occupied
- 13% privately rented
- 14% rented from an RSL

The Council is no longer a social housing landlord as it does not own any residential properties, following the transfer of its housing stock in September 2003 to Valleys to Coast Housing Association.

The County Borough area can be identified in two parts. The southern part is a well-populated coastal belt including the towns of Bridgend and Porthcawl, together with the other urban areas close to the M4 Motorway. The northern part is a more rural, mountainous and less accessible area, with three valleys running north-south, the most westerly containing the town of Maesteg. There are major differences in house prices and economic conditions between the southern and northern areas.

There are three housing market areas in the County Borough, namely;

- Western Settlements, Ogmore, Garw & Upper Llynfi Valley (the valleys areas with the lowest house prices)
- Porthcawl and Rural (the coastal areas with the highest house prices)
- Bridgend, Pencoed & Hinterland³

² Welsh Government dwelling stock estimates by local authority and tenure 2016-17
<https://statswales.gov.wales/Catalogue/Housing/Dwelling-Stock-Estimates/dwellingstockestimates-by-localauthority-tenure>

³ Bridgend County Borough Council Local Housing Market Assessment Update 2012

Approximately 60% of private sector residential properties in the County Borough are semi-detached houses or terraced houses. In addition, approximately only 6% of the private sector residential properties is smaller accommodation such as flats. The majority of private sector properties (approximately 80%) are over 40 years old⁴. These are significant factors as they suggest that a majority of empty properties are likely to be larger houses that are over 40 years old.

The number of empty properties

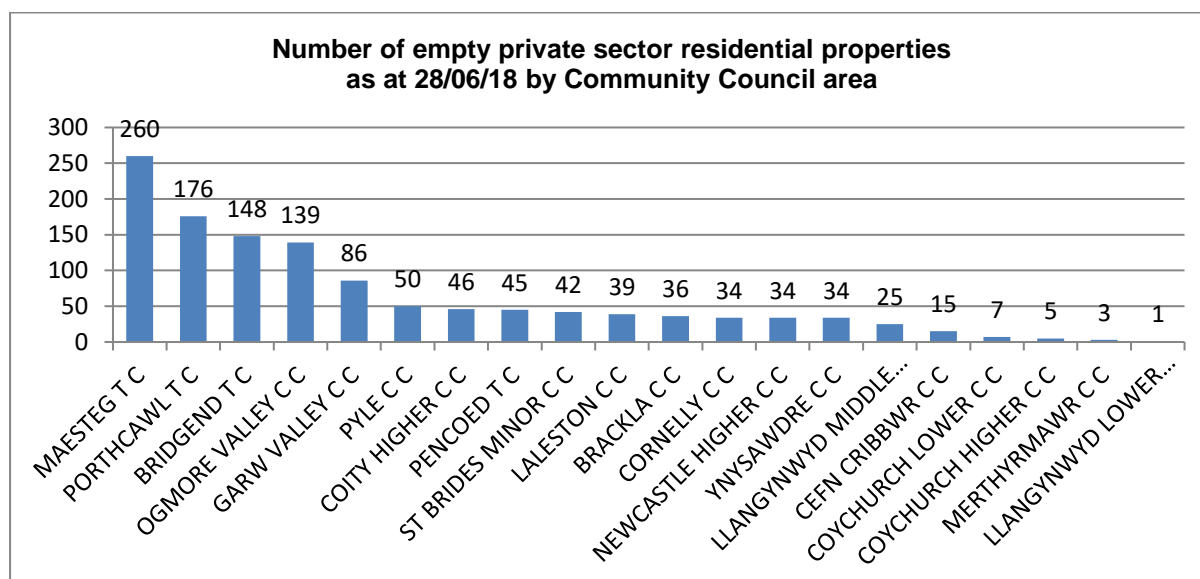
In June 2018 there were 1,225 private sector residential properties empty for six months or more, which accounted for 2% of Bridgend County Borough's residential properties.

The number of empty private sector residential properties has remained relatively consistent over the past few years and therefore, this figure of 1,225 will be used as the baseline on which the Council will measure performance of the strategy. Confirmation that this is an accurate figure will be addressed as an objective within this strategy going forward.

Of these properties, 32% have been empty for six to twelve months and it is acknowledged that these properties need intervention to prevent them from becoming longer term empties. However, 42% of private residential sector properties have been empty for two or more years and these properties are more likely to have negative social, environmental and economic consequences and therefore need a particular focus. This is especially so where there is no plan to bring them back into use.

⁴ Bridgend County Borough council Private Sector House Stock Condition Survey 2009

The location of empty properties



As can be seen on the above chart, most of the empty properties are in and around Maesteg, Porthcawl and Bridgend's town centres, and represent 48% of the empty properties in the County Borough. This suggests that in order to foster vibrant and viable town centres and support a successful economy, it would be beneficial to focus on these areas. Living in close proximity to town centre amenities could also help make a property more desirable to sell or to rent and the property is therefore more likely to be brought back into use.

Whilst it is important to focus on areas that have the greatest number of empty properties and which also have a greater potential of being brought back into use because of their location, it is also important to note that there are areas that have a higher density of empty properties. This is particularly evident in the valleys areas such as the Ogmore Valley where 4.46% of private sector properties are empty and the Garw Valley where 3.16% are empty. In comparison 1.7% of private sector properties are empty in Bridgend Town; 2.38% in Porthcawl and 3.45% in the Llynfi Valley (Maesteg).

Each area of the County Borough has its own particular geographic, social and economic characteristics which will have an impact on the

housing market in those areas. For example, in July 2018 the average value of a property in the Ogmore Valley was £97,036 and in Maesteg £115,730. Both of these areas were well below the average value of a property in Wales which was £190,210. In comparison, the average value of a property in Porthcawl in July 2018⁵ was £251,851. The value of an empty property will be a factor in whether it can be brought back into use, as there may be little or no equity to obtain funding to carry out repair works on the property.

Both the Ogmore Valley and Maesteg were former mining communities and with the decline of the coal industry there is less employment opportunities in these areas. In addition, accessing central rail transport and the M4 motorway is more difficult. These factors have an impact on the housing market in these areas and will need to be taken into consideration when tackling empty properties in these locations.

Conversely, Porthcawl is a more affluent coastal area. Being a holiday resort, tourism plays a large part in Porthcawl's economy and there are more employment opportunities and better transport links. However, as house prices are much higher it can make it difficult for people to enter the housing market in this area and also results in owners holding high value properties with no capital to carry out repair works.

⁵ <https://www.zoopla.co.uk> › House prices › Bridgend

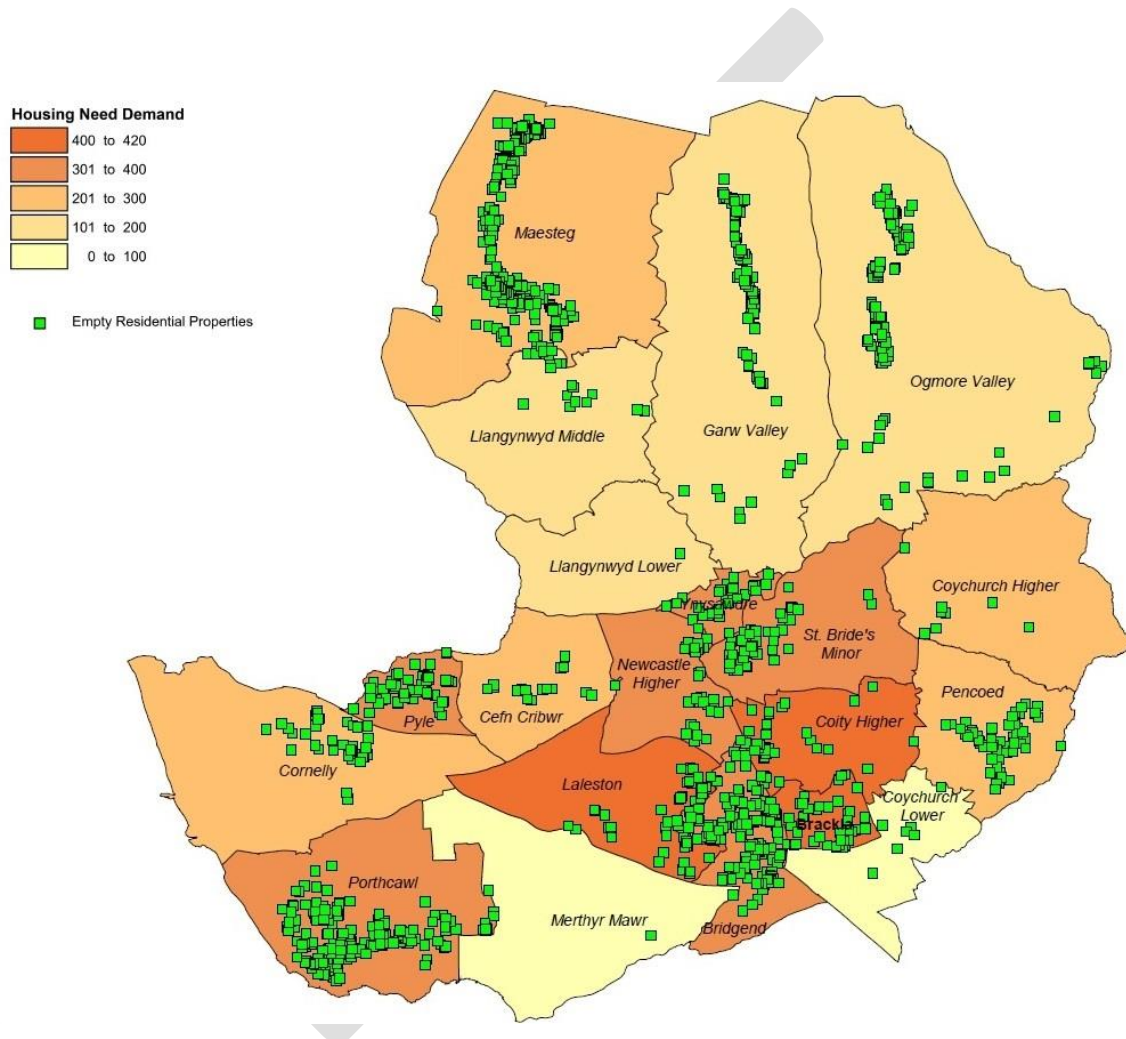
Empty properties and housing need

Bringing empty properties back into use can contribute to meeting housing need in the County Borough. There are different types of housing needs such as the need for homes to buy, the need for homes to rent in the private sector and the need for affordable homes such as social rented housing or intermediate housing (which is housing at a cost above social rented housing, but below private rented housing or housing for sale at market value. Intermediate housing can include low cost homes for sale and intermediate rent).

There is no one solution that meets all these needs and therefore, the Council and its partners will need to work innovatively with empty property owners to meet these needs. For example, bringing back into use a larger property for sale or private rent can help meet the needs of larger families, or changing the use of a larger property into shared accommodation can help boost the availability of accommodation in the private sector for single people aged under 35. The conversion of family homes into single person accommodation such as flats could help to meet the need for both single younger people and older people as they look to downsize. It is acknowledged that such conversions are often complex and have to adhere to relevant planning permission and building regulations.

One consideration is where social housing need on the Bridgend Common Housing Register could be met by bringing back into use empty properties. An analysis of information available is shown on the map below (as at May 2018). It can be seen that the greatest demand for social housing is in and around Bridgend, Porthcawl and Maesteg's town centres and their outskirts, where there are clusters of empty properties. It can also be seen that there are a number of areas where empty properties occur but demand for social rented housing is low and therefore these areas, whilst not excluded, are unlikely to be priority areas to target.

One of the other factors to be taken into account in relation to housing need is that 64% of demand on the Bridgend Common Housing Register is for 1 bed properties. However, it is estimated that a majority of empty properties are 3 bedrooms or more, so these properties would have to be converted into single person accommodation e.g. shared housing or flats to align to the current demand on the Bridgend Common Housing Register.



The Council's approach

The Council and its partners seek to work cooperatively with owners of empty properties to bring their properties back into use. Therefore, regular and effective communication with the owner is paramount, to establish the most appropriate course of action to bring the empty property back into use.

Owners of empty properties are likely to have their own plan or purpose for their properties. They may wish to sell or rent and will make the economic decisions that best meets their circumstances. Therefore, predicting the route an owner may wish to take is difficult and the Council and its partners will need to work closely with owners to determine the best all round solution.

The Council provides owners with help and assistance to bring empty properties back into use, including empty homes grants and empty property loans. For further information about the help and assistance available to owners of empty properties, please contact emptyproperties@bridgend.gov.uk or telephone 01656 646342.

However, where properties continue to remain empty and are in a state of disrepair, are detrimental or a nuisance to the community, the Council will consider using its legislative powers to remedy the adverse impact on the community and bring the property back into use. Appendix 1 sets out enforcement action available to the Council.

Opportunities occasionally occur to bring non-residential properties back into use as residential accommodation. This includes commercial properties, churches, chapels, and those properties which the Inland Revenue's Valuation Office Agency deletes from the Valuation List because they are uninhabitable or in disrepair. Although these properties do not form part of the national definition of empty properties, when such an opportunity arises, they will be considered on a case by case basis with performance and progress measured separately.

How the Council prioritises empty properties

The Council uses an objective scoring mechanism, initially based on desktop information held by services with the Council, to prioritise the empty properties it will focus on. The two key determinations are:

- i. the impact the property has on the community; and
- ii. the location of the property.

An empty property is given a point for each of the scoring criteria relevant to that property. For example, if the Council has received complaints about an empty property, and it has been served a notice because the structure is dangerous, and it is in an area of high housing need, it would be given a score of 3. A property will not be given more than 1 point for each criteria, for example, if numerous complaints are received about a property, it would not receive a point for each complaint. Those properties with the highest score are the highest priority. The criteria, which is in no particular order, is explained in more detail below.

- **If the property is a nuisance** – when there has been a notice served for environmental health reasons e.g. to carry out work for the removal or destruction of rats or mice on land or to secure unauthorised entry to an empty building or prevent it becoming a danger to public health.
- **If complaints have been received** – when there has been a complaint received from a member of the public such as a neighbour, the Police, a Councillor, an Assembly Member (AM), a Member of Parliament (MP), or a Council Officer.
- **If the property is in an area of high housing need** – when the property is located in one of the areas on the Bridgend Common Housing Register that is in the top quarter of demand for social housing.

- **If the property is in disrepair** – when there has been a notice served because the building or structure is dangerous and as such there is an implied duty to address that danger.
- **If the property is detrimental to the local community** – when there has been a notice served because of matters of amenity and issues of aesthetics. This would normally be the removal of curtilage items from the public view or for broken windows to be boarded up and painted. Also included here is when the property is in a conservation area (an area of notable environmental or historical interest or importance which is protected by law against detrimental changes) and the issues are having a negative impact on the area.
- **If the property is in the town centre or outskirts** – where there are a high number of empty properties in a town centre or its outskirts, bringing them back into use could help foster a vibrant and viable town centre and support a successful economy. This is explained further in the section titled “The locations of empty properties” – please refer to page 10.
- **If there is debt owed to the Council** – when there is a council tax charging order on the property for council tax arrears, or when works in default have been carried out following notices that have been served, and a charge placed on the property.
- **The length of time empty** – this is based on the date of the council tax exemption.

Once the properties have been scored, based on the criteria above, they are then prioritised by the length of time empty.

The priority list will be reviewed routinely and, as appropriate, properties will be added or removed. The scoring mechanism enables a blended approach to the prioritisation of the properties where some are more problematic than others.

The Council’s Empty Property Working Group, which consists of representatives from each service within the Authority that work with empty properties, will determine the most appropriate actions to attempt to bring the priority properties back into use.

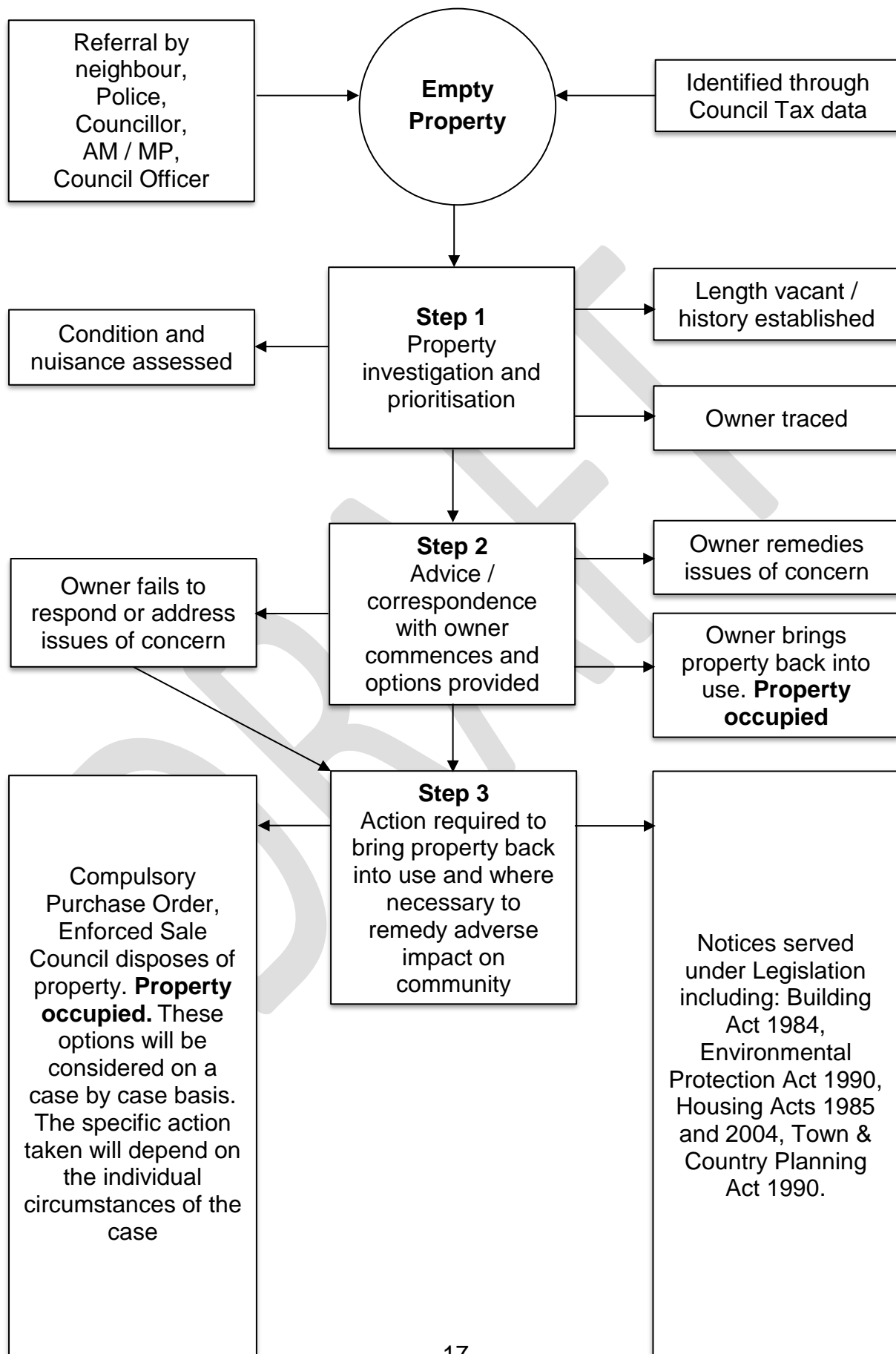
Aims and objectives

Building upon the existing approach and acknowledging the importance of working cooperatively with partners and owners, the Council has identified the following aims and objectives in order to reinforce its commitment to seek to reduce empty properties across the County Borough.

Aims	Objectives
<p>1. Identify and prioritise empty properties.</p>	<p>Ensure Empty Property data is accurate and up to date.</p> <p>Develop and maintain a database of empty properties using council tax data and other sources of information.</p> <p>Develop a referral mechanism for services within the Council to consistently provide information about empty properties to inform prioritisation on the empty property database.</p>
<p>2. Provide help and assistance to owners.</p>	<p>Survey owners to establish why properties are empty to inform the strategy going forward.</p> <p>Make contact with owners of empty properties via a regular mailshot to advise them of the help and assistance available.</p> <p>Review the assistance provided via the Private Sector Renewal & Disabled Adaptations Policy e.g. grants and loans, to ensure it is relevant and fit for purpose.</p>

<p>3. Ensure effective communication is undertaken.</p>	<p>Develop a confidential online reporting service so people are able to report an empty property and associated issues.</p> <p>Develop an empty property web page to communicate the help and assistance available to owners e.g. grants and loans.</p> <p>Identify and share success stories via the empty property web page and via social media.</p>
<p>4. Work closely with internal and external partners.</p>	<p>Collaborate as an Empty Property Working Group to ensure a coordinated approach to tackling empty properties.</p> <p>Develop new initiatives with external partners to offer to empty property owners.</p> <p>Participate in conferences and training events to share best practice and improve knowledge.</p>
<p>5. Consider the use of enforcement action.</p>	<p>Explore options for increasing the council tax premium on properties empty for two years or longer.</p> <p>Consider the use of possible enforcement action open to the Council and take enforcement action where appropriate.</p> <p>Consider the use of enforced sales, Empty Dwelling Management Orders and Compulsory Purchase Orders.</p>

Empty property procedure following initial referral



Monitoring the strategy

The strategy will be reported on and updated annually to take into account any new information available, any legislative changes or any new aims and objectives identified.

The success in bringing empty private sector residential properties back into use will be measured using the following Welsh Local Government Association (WLGA) Public Accountability Measures (PAMs) and performance will be compared to other Council's in Wales:

- PAM/013 – Percentage of empty private sector properties brought back into use during the year through direct action by the local authority.
- PAM014 – Number of new homes created as a result of bringing empty properties back into use

The work resulting from the Strategy will also be measured and reported on in terms of the quantity of engagement and enforcement carried out, in order to demonstrate the efforts that are being made to bring empty properties back into use.

Contact details

If you have any queries about the strategy or would like to know more about the help and assistance available to owners of empty properties, please contact emptyproperties@bridgend.gov.uk or telephone 01656 646342.

Privacy Notice

The General Data Protection Regulation (GDPR) and the Data Protection Act 2018 regulate the processing of information relating to individuals. This includes the obtaining, holding, use or disclosure of such information.

To make sure that the Council handle personal data lawfully and appropriately it must comply with GDPR and the Data Protection Act 2018, and in particular the Data Protection Principles.

You can view the Fair Processing Statement for the Empty Property Strategy here. Alternatively, you can request to view a copy by contacting: Legal and Regulatory Services, Civic Offices, Angel Street, Bridgend, CF31 4WB or emailing foi@bridgend.gov.uk.

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Appendix 1 - Enforcement Action

Where the Council considers enforcement action to be appropriate to bring an empty property back into use or to improve the condition of the empty property so that it is no longer in a state of disrepair or is detrimental / a nuisance to the community, the Council may use one or more of the enforcement powers available to it under legislation. Those enforcement powers are set out below. The decision to use these powers will be made on a case by case basis, taking into consideration the scoring mechanism on page 13, used to prioritise empty properties.

Enforced Sale

Where the local authority has served notice on an owner to carry out works but they have failed to do so, the local authority has the power, under certain legislation, to carry out the works itself and recover the costs by placing a charge on the property.

The local authority can force the sale of a property to recover debts owed to the local authority that are registered as a charge on the property. This power will be used when all other negotiations have failed. Properties that have been prioritised using the scoring mechanism on page 12 will be tackled in the first instance.

Empty Dwelling Management Orders (EDMO)

Introduced by the Housing Act 2004, Empty Dwelling Management Orders (“EDMOs”) give the Local Authority the power to take management control of privately owned empty homes to secure occupation of them. The power resides in Sections 132 to 138 of the Housing Act 2004. Interim and Final EDMOs are made against the proprietor of the property, who may be either the owner, or a leaseholder where there are at least 7 years remaining on lease. The Authority, having exhausted all other avenues of encouraging the proprietor to bring the property back into use, can apply to a Residential Property Tribunal for an order.

Interim EDMO

An interim EDMO is defined by Section 132 of the Housing Act 2004 as “an order made to enable a local housing authority, with the consent of the relevant proprietor, to take steps for the purpose of securing that a dwelling becomes and continues to be occupied.”

To make an interim EDMO, the Council must satisfy the following conditions:

- The property is not occupied (whether lawfully or not);
- A public sector body (as defined by the legislation) does not own the property or have a lease(s) over the property with an unexpired term of 7 years or more.

The Council must apply to the Residential Property Tribunal to make an interim EDMO. Before making an application to the Residential Property Tribunal, the Council:

- must make reasonable efforts to notify the owner or the lessee (who has a lease over the property for a term of 7 years or more) that it is considering making an interim EDMO and find out what steps the owner/lessee is taking to secure occupation of the property; and
- take into account not only the rights of the owner/lessee but also the interests of the wider community.

Prior to granting authorisation of an interim EDMO, the Residential Property Tribunal must be satisfied that:

- the property has been wholly unoccupied for at least 6 months or such longer period as prescribed by legislation;
- there is no reasonable prospect of the property becoming occupied in the near future;
- if the interim EDMO is made, there is a reasonable prospect that the property will become occupied;
- that the Council has complied with its obligations under Section 133 of the Housing Act 2004 and any requirements prescribed by legislation;

- does not fall within an exemption specified by the National Assembly for Wales in legislation (for example, it is used as a holiday home, property is for sale or let).

The Residential Property Tribunal must also take into account the interests of the community and the effect the interim EDMO will have on the rights of the owner/lessee and may have on the rights of third parties.

An interim EDMO comes into force when it is made and lasts for 12 months unless the order provides for it to end earlier. Once the interim EDMO is in force the Council must take appropriate steps to secure the occupation and proper management of the property. The Council must work with the owner of the property to agree how the property shall be brought back into use.

Final EDMO

Section 132 of the Housing Act 2004 defines a final EDMO as “an order made, in succession to an interim EDMO or a previous final EDMO, for the purpose of securing that a dwelling is occupied.”

The Council may make a final EDMO to replace an interim EDMO in the following circumstances:

- where it considers that unless a final EDMO is made, the property is likely to become or remain unoccupied;
- where the property is unoccupied, it has taken all appropriate steps under the interim EDMO to secure occupation.

Under the legislation, the Council can make a new final EDMO to replace a final EDMO if the Council considers that unless a new order is made, the property is likely to become or remain unoccupied and it has taken all steps it can under the existing final EDMO to secure the occupation of the property but it remains unoccupied.

In deciding whether to make a final EDMO the Council must take into account the interest of the community and the effect the order has on the

owner/lessee and the effect it may have on the rights of third parties. The Council must also consider whether compensation should be paid to any third party due to an interference with their rights as a consequence of this order. The Council does not need to obtain the consent of the Residential Property Tribunal to make the final EDMO.

Once the final EDMO is in force the Council must take appropriate steps to secure the occupation and proper management of the property. The Council must review, from time to time, how the order operates (particularly the management scheme contained within it), if there are any appropriate steps it can take if the property is unoccupied and whether keeping the order in force is necessary to secure that the property becomes or remains occupied. If it considers that any variations are necessary to the order, it must make them. The order must be revoked if the Council considers, upon review, that there are no appropriate steps to be taken to secure occupation or it is not necessary to keep the order in force.

A final EDMO lasts for a maximum of 7 years. The Council cannot grant a lease or licence to the property unless it has obtained the consent of the owner/lessee.

The final EDMO must contain a management scheme setting out:

- how the Council shall carry out its duties;
- the Council's plan for managing the property which must include (but is not limited to):
 - details of any works to be carried out,
 - estimate the capital and expenditure incurred by the Council while the order is in force,
 - the amount of rent it would expect the property to fetch on the open market;
 - the amount of rent or other payments the Council will seek to obtain;
 - any compensation it intends to pay;
 - how the Council shall pay any surplus to the owner/lessee once deductions have been made to the monies it receives

Appeals

An owner has the right to appeal to the Residential Property Tribunal against the making of the EDMO. A relevant person (which is defined in the legislation as any person who has an estate or interest in the property other than a tenant under a lease granted under paragraphs 2(3)(c) or 10(3)(c) of Schedule 7) may appeal against:

- the decision of the Council to make a final EDMO;
- the terms of the final EDMO; or
- the terms of the interim EDMO in so far as they do not provide for one or both of the provisions of para 5(5)(a) and (b).

An appeal against the terms of the interim EDMO can be brought at any time while the order is in force. Where an appeal is made against a final EDMO, this must be made within 28 days starting with the date specified in the notice served under Schedule 6 of the Act. However, the Residential Property Tribunal may allow an appeal to be made after the end of this period if it considers there is a good reason for the failure to appeal before the end of that period. If no appeal is brought within the period allowed for final EDMOs, then the order is final and conclusive as to the matters which may have been raised on appeal.

An appeal can also be made against a decision made by the Council to vary or revoke the interim or final EDMO or a refusal of the Council not to vary or revoke the interim or final EDMO.

Any affected person may apply to the Residential Property Tribunal for an order to require the Council to manage the property in accordance with the management scheme in the final EDMO where the Council is not doing so.

Compensation

On authorising the Council to make the interim EDMO, the Residential Property Tribunal can order the Council to pay compensation to any third

party specified in the order due to any interference with the rights of the third party in consequence of the interim EDMO.

Compulsory Purchase Orders (CPO)

Section 17 of the Housing Act 1985 gives the Council the power for the purposes of Part II of that Act to acquire:

- a. land to build houses;
- b. houses or buildings which may be made suitable as houses together with any occupied land;
- c. land proposed to be used for any purpose authorised by legislation (facilities to be provided in connection with housing accommodation); and
- d. land to carry out works on it for the purpose of or in connection with the alteration, enlarging, repair or improvement of an adjoining house.

This power also includes the power to acquire land in order to dispose of houses provided or to be provided on that land or to dispose of that land to a person whose intention is to provide housing accommodation on it.

The Council may acquire this land either by agreement or compulsorily by way of authorisation from the National Assembly for Wales. The Council can acquire land with the consent of the National Assembly for Wales (and subject to any conditions imposed by the National Assembly for Wales) even if it is not immediately required for the purposes of Part II of the Act. However, the National Assembly for Wales will not grant the authorisation unless it is likely that the land will be required for those purposes within 10 years from the date the CPO is confirmed.

The Council has to justify its use of the CPO to the National Assembly of Wales. Negotiations should be held with the owner of the land first. The CPO should be the last resort once negotiations with the owner have been exhausted.

Section 215 Town and Country Planning Act 1990

If it appears to the local planning authority that the amenity of a part of their area, or of an adjoining area, is adversely affected by the condition of the land in their area, they may serve on the owner and occupier of the land a notice under this section requiring steps to be taken under Section 215 of the Town and Country Planning Act 1990. The notice will specify the steps to be taken to remedy the condition of the land. If the owner or occupier does not comply with the terms of the notice within the specified period, the owner or occupier will be guilty of an offence and liable for prosecution in the Magistrates Court (liable to a fine not exceeding level 3 on the standard scale).

Section 217 of the Act provides a right of appeal against the notice under Section 215 of the Act to the person on whom the notice is served or any other person having an interest in the land to which the notice relates. The appeal can be made on the following grounds:

- that the condition of the land subject to the notice does not adversely affect the amenity of any part of the local planning authority's area or of any adjoining area;
- that the condition of the land subject to the notice "is attributable to, and such as results in the ordinary course of events from, the carrying on of operations or a use of land which is not in contravention of Part III" of the Act;
- that the requirements of the notice are in excess of what is necessary to prevent the condition of the land adversely affecting the amenity of any part of the area of the local planning authority or of any adjoining area;
- that the compliance period specified in the notice falls short of what should reasonably be allowed.

Section 219 of the Act provides that if during the compliance period specified in the notice the work is not carried out, the local authority can enter the land, carry out the works itself, and recover any costs in doing so from the person on whom the notice is served.

The Council will, where appropriate, consider serving a notice under Section 215 of the Act. If this notice is not complied with, the Council will consider commencing prosecution proceedings.

Building Act 1984

Section 76 of the Building Act 1984

Section 76 of the Building Act 1984 provides the Council with the power to serve notice where:

- Premises are in a defective state as to be prejudicial to health or a nuisance, and
- There would be an unreasonable delay in remedying the defective state by following the procedure set out in Section 80 of the Environmental Protection Act 1990.

The notice shall be served on the person on whom it would be appropriate to serve an abatement notice under the aforementioned legislation and such notice shall state that the Council intends to remedy the defective state and specify the defects it intends to remedy.

The person on whom notice is served is entitled to serve a counter-notice on the Council stating that they intend to carry out works to remedy the defects specified in the notice. If such a notice is served, the Council cannot take any action unless it appears to the Council that no action has been taken within a reasonable period of time or work is not being progressed towards completion as seems reasonable to the Council.

The Council can recover from the person on whom notice is served its expenses for carrying out the work. However, the Council must apply to the Court to recover expenses and the Court may inquire as to whether the Council was justified in its action taken (i.e. was it correct to serve the notice in the first place) and whether the expenses should be borne solely by the defendant or by some other person.

Section 77 of the Building Act 1984

If the Council considers a building or structure, or part of it, to be in a dangerous condition then, under Section 77 of the Building Act 1974, the Council can apply to the Magistrates Court requesting an order be made requiring the owner to carry out works to remove the danger or to demolish the building. If the owner fails to comply with the order within the specified time period, the Council may execute the order and recover its reasonably incurred expenses of doing so from the owner. The owner will also be liable to prosecution.

Section 78 of the Building Act 1984

If the Council considers that a building or structure, or part of it, is in a dangerous condition and immediate action is required, then the Council may take such steps as are necessary to remove the danger. Before exercising this power granted under Section 78 of the Building Act 1984, the Council shall, if reasonably practicable to do so, notify the owner and occupier of the building or the property on which the structure relates of our intention to carry out the work. The Council can recover its reasonably incurred expenses from the owner (unless the Court concludes we could have reasonably proceeded under Section 77 of the Building Act 1984).

If the owner or occupier sustains damage as a consequence of the Council exercising this power, but the owner or occupier cannot claim compensation under Section 106 (1) of this Act because they have been in default, then they may apply to a magistrates court to determine whether the Council was justified in its exercise of the powers. If the Court holds that the Council was not justified, the owner or occupier is entitled to compensation.

Section 79 of the Building Act 1984

The Council may serve notice under Section 79 of the Building Act 1984 on the owner of a building or structure which the Council considers to be seriously detrimental to the amenities of the neighbourhood because of

its ruinous or dilapidated condition. The notice may require the owner to execute repair or restoration works or, the owner may choose to demolish the building or structure or any part thereof and remove any rubbish or other materials resulting from or exposed by the demolition as necessary in the interests of amenity.

Section 99 of this Act provides the Council with the power to carry out the works itself and recover their reasonably incurred expenses. The owner will also be liable to prosecution.

The owner (who has been served with the notice) has a right of appeal in the magistrates' court on any of the following grounds:

- The notice is not justified under the legislation;
- There is an informality, defect or error in connection with the notice;
- The Council has unreasonably refused to approve the execution of alternative works or the works required by the notice are unreasonable in character or extent or the works are unnecessary;
- The time specified for the works to be completed is not reasonably sufficient;
- The notice may lawfully have been served on the occupier instead of the owner or vice versa and it would have been equitable for it to have been served that way;
- Where the works are for the common benefit of not only the property in question but other property, then some other person ought to contribute towards the expenses of executing the required works.

Section 80 of the Environmental Protection Act 1990

If the Council is satisfied that a statutory nuisance exists or is likely to occur or recur in its area, the Council can serve an abatement notice requiring all or any of the following:

- The abatement of the nuisance or prohibit or restrict its occurrence or recurrence;
- Execute works and take other steps necessary for any of those purposes.

The notice must specify the time for compliance and shall be served on the person responsible for the nuisance except if the nuisance arises from any defect of a structural character in which case the notice should be served on the owner of the premises. Where the person responsible for the nuisance cannot be found or the nuisance has not yet occurred, the notice must be served on the owner or occupier of the property.

The person on whom the abatement notice is served may appeal against the notice to a magistrates' court within 21 days of the date on which he was served with the notice.

Failure to comply with the notice can lead to prosecution.

Housing Act 2004

Under the Housing Act 2004, the Council must take the appropriate enforcement action where it considers that either a Category 1 or 2 Hazard exists on residential premises. Appropriate enforcement action can include the serving of an improvement notice or the making of a prohibition order. There are rights of appeal against the service of such a notice or the making of such an order provided for in the Act.

The Council must prepare a statement of the reasons for their decision to take the chosen course of action and this must accompany every notice or copy of an order served in accordance with the relevant parts of the legislation.

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO THE SUBJECT OVERVIEW AND SCRUTINY COMMITTEE 3

25 FEBRUARY 2019

REPORT OF THE HEAD OF LEGAL AND REGULATORY SERVICES

FORWARD WORK PROGRAMME UPDATE

1. Purpose of the Report

- a) To present the items prioritised by the Corporate Overview and Scrutiny Committee including the next item delegated to this Subject Overview and Scrutiny Committee;
- b) To present the Committee with a list of further potential items for comment and prioritisation;
- c) To ask the Committee to identify any further items for consideration using the pre-determined criteria form;
- d) To consider and approve the feedback from the previous meetings of the Subject Overview and Scrutiny Committee 3 and note the list of responses at Appendix A.

2. Connection to Corporate Improvement Objectives / Other Corporate Priorities

- 2.1 The key improvement objectives identified in the Corporate Plan 2016–2020 have been embodied in the Overview & Scrutiny Forward Work Programmes. The Corporate Improvement Objectives were adopted by Council on 1 March 2017 and formally set out the improvement objectives that the Council will seek to implement between 2016 and 2020. The Overview and Scrutiny Committees engage in review and development of plans, policy or strategies that support the Corporate Themes.

3. Background

- 3.1 Under the terms of Bridgend County Borough Council's Constitution, each Overview and Scrutiny Committee must publish a Forward Work Programme (FWP) as far as it is known.
- 3.2 An effective FWP will identify the issues that the Committee wishes to focus on during the year and provide a clear rationale as to why particular issues have been selected, as well as the approach that will be adopted; i.e. will the Committee be undertaking a policy review/ development role ("Overview") or performance management approach ("Scrutiny").

Feedback

- 3.3 All conclusions made at Subject Overview and Scrutiny Committee (SOSC) meetings, as well as recommendations and requests for information should be responded to by Officers, to ensure that there are clear outcomes from each topic investigated.
- 3.4 These will then be presented to the relevant Scrutiny Committee at their next meeting to ensure that they have had a response.
- 3.5 When each topic has been considered and the Committee is satisfied with the outcome, the SOSC will then present their findings to the Corporate Overview and Scrutiny Committee (COSC) who will determine whether to remove the item from the FWP or to re-add for further prioritisation at a future date.
- 3.6 The FWPs will remain flexible and will be revisited at each COSC meeting with input from each SOSC and any information gathered from FWP meetings with Corporate Directors and Cabinet.

4. Current Situation / Proposal

- 4.1 Attached at **Appendix B** is the overall FWP for the SOSCs which includes the topics prioritised by the COSC for the next set of SOSCs in Table A, as well as topics that were deemed important for future prioritisation at Table B. This has been compiled from suggested items from each of the SOSCs at previous meetings as well as the COSC. It also includes information proposed from Corporate Directors, detail from research undertaken by Scrutiny Officers and information from FWP Development meetings between the Scrutiny Chairs and Cabinet.
- 4.2 The Committee is asked to first consider the next topic they have been allocated by the COSC in Table A and determine what further detail they would like the report to contain, what questions they wish Officers to address and if there are any further invitees they wish to attend for this meeting to assist Members in their investigation.
- 4.3 The Committee is also asked to then prioritise up to six items from the list in Table B to present to the COSC for formal prioritisation and designation to each SOSC for the next set of meetings.

Corporate Parenting

- 4.4 Corporate Parenting is the term used to describe the responsibility of a local authority towards looked after children and young people. This is a legal responsibility given to local authorities by the Children Act 1989 and the Children Act 2004. The role of the Corporate Parent is to seek for children in public care the outcomes every good parent would want for their own children. The Council as a whole is the 'corporate parent', therefore all Members have a level of responsibility for the children and young people looked after by Bridgend.

- 4.5 In this role, it is suggested that Members consider how each item they consider affects children in care and care leavers, and in what way can the Committee assist in these areas.
- 4.6 Scrutiny Champions can greatly support the Committee in this by advising them of the ongoing work of the Cabinet-Committee and particularly any decisions or changes which they should be aware of as Corporate Parents.

Identification of Further Items

- 4.7 The Committee are reminded of the Criteria form which Members can use to propose further items for the FWP which the Committee can then consider for prioritisation at a future meeting. The Criteria Form emphasises the need to consider issues such as impact, risk, performance, budget and community perception when identifying topics for investigation and to ensure a strategic responsibility for Scrutiny and that its work benefits the organisation.

5. Effect upon Policy Framework & Procedure Rules

- 5.1 The work of the Overview & Scrutiny Committees relates to the review and development of plans, policy or strategy that form part of the Council's Policy Framework and consideration of plans, policy or strategy relating to the power to promote or improve economic, social or environmental wellbeing in the County Borough of Bridgend. Any changes to the structure of the Scrutiny Committees and the procedures relating to them would require the Bridgend County Borough Council constitution to be updated.

6. Equality Impact Assessment

- 6.1 There are no equality implications attached to this report.

7. Well-being of Future Generations (Wales) Act 2015 Assessment

- 7.1 The Act provides the basis for driving a different kind of public service in Wales, with 5 ways of working to guide how public services should work to deliver for people. The following is a summary to show how the 5 ways of working to achieve the well-being goals have been used to formulate the recommendations within this report:

- Long-term - The approval of this report will assist in the Planning of Scrutiny business in both the short-term and in the long-term on its policies, budget and service delivery
- Prevention - The early preparation of the Forward Work Programme allows for the advance planning of Scrutiny business where Members are provided an opportunity to influence and improve decisions before they are made by Cabinet
- Integration - The report supports all the wellbeing objectives

- Collaboration - Consultation on the content of the Forward Work Programme has taken place with the Corporate Management Board, Heads of Service, Elected Members and members of the public
- Involvement - Advanced publication of the Forward Work Programme ensures that the public and stakeholders can view topics that will be discussed in Committee meetings and are provided with the opportunity to engage.

8. Financial Implications

8.1 There are no financial implications attached to this report.

9. Recommendations

9.1 The Committee is recommended to:

- Approve the feedback from the previous meetings of the Subject Overview and Scrutiny Committee 3 and note the list of responses including any still outstanding at Appendix A;
- Identify any additional information the Committee wish to receive on their next item delegated to them by Corporate Overview and Scrutiny Committee and any other items in the overall FWP shown in Appendix B;
- Identify any additional items using the criteria form, for consideration on the Scrutiny Forward Work Programme.

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 Bridgend.
 CF31 4WB

Background documents

None

Date of Meeting	Item	Members wished to make the following recommendations	Response/Comments
24-Jan-2019	Community Asset Transfer	It was noted by members that the guidance from Welsh Government on CAT was not statutory, therefore members asked that officers write to WG to ascertain if there has been any negative feedback from Authorities that have moved away from the best practice model.	The Corporate Landlord (CL) team are aware that WG were proposing to update their "Best Practice Guide" since its original publication. The team will clarify the current position in relation to any suggested amendments they are recommending, particularly in light of the increased number of CAT's to enable continued service delivery. The CL team will raise with WG at a Welsh CAT meeting next week.
		Members were in favour of officers moving away from suggested Welsh Government best practice as detailed in para 4.32 of the report to streamline the CAT process to avoid closure of assets and to allow groups to take over the running of the assets in a timelier manner.	Noted
		Members recommended that before progressing a CAT to a stage where costs are incurred such as undertaking a condition survey of a building that the viability of the group/ community being able to progress a CAT is explored prior to costs being incurred.	As part of the Council's Asset Management Plan, the Corporate Landlord team are commissioning the first phase of the replacement condition surveys which include Pavilions and Community Centres. These surveys will be able to be provided to interested groups at the start of the process. If the condition survey or works proposed by the group require additional surveys, then the costs associated with these can be considered after the viability of the group has been assessed.
		Members recommended that officers work with other third party organisations to put together guidance on what support / grants are available to potential interested parties to support them through the CAT process so groups are fully informed of what funding streams and non-financial support are available to them	The CAT Officer periodically provides funding details to community groups that have expressed an interest in undertaking a community asset transfer. Funding opportunities are also provided by the Business Adviser assigned to assist groups under the CAT Business Support contract. Interested groups can also seek guidance and advice from their Sports Governing bodies.
		Members asked that officers fully explore the option of a not for profit organisation being established such as Awen, to undertake a transfer of the assets in the Borough and give them the best possible chance of remaining open and successful after the transfer had taken place and achieve the savings in the MTFs. Members asked to explore if other Local Authorities had undertaken this.	The Council will continue to explore all options regarding assets available under community asset transfer. However, the poor condition of assets limits alternative management arrangements particularly relating to sports pavilions. One of the key benefits for Awen / Halo transfers was the ability for "Not for Profit" organisations to benefit from rates reductions, which is not applicable to the majority pavilions & community centre as these are exempt.
		Members requested to receive the following further information	
		Members asked for the CAT figures of NPTCBC that had been undertaken, including how many had been transferred and how many have remained open and successful after the transfer had taken place.	This information has been requested from NPTCBC.
		Members requested a full up to date list of assets to be made available to all members so they could see what assets were available to be transferred	The updated List of CAT Priority 1 Asset will be made available following its approval by Cabinet.
Members asked for a breakdown of the projected figures on the cost of the CAT programme against the savings which could be potentially returned if all CATs are successful. Members ask that this include the officer time and resources on processing CAT.	Figures will be provided once the Cabinet has taken a decision on the introduction of full cost recovery for the hire of sports pavilions and playing fields when the public consultation has been completed.		
Members asked to receive further guidance on how the potential of closing assets where a CAT is not undertaken complies with the Future Generations and Wellbeing Act	The Council is committed to promoting sustainable development and to discharge our duties under the Well-being of Future Generations (Wales) Act 2015. The proposals being made by the CAT Task & Finish Group are aimed at streamlining processes to enable community asset transfers to be fast tracked, wherever possible, and to reduce the burden placed upon T&CCs and community groups. The proposals seeks to take into consideration the long-term sustainability of sports facilities in the County Borough of Bridgend and recognises the importance of such facilities in delivering a healthier Wales and the role these facilities have in a Wales of cohesive communities. In light of increasing pressures on the Council's budgets, taking an integrated approach to the way the Council operates these kinds of facilities will be vital. Under the CAT programme community groups and particularly sports clubs will be involved in the development of collaborative working opportunities to ensure the long-term sustainability of the facilities and the Council's ability to fund other services. The approach adopted by the Council aligns to Welsh Government guidance.		

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Scrutiny Forward Work Programme

The following items were previously prioritised by the Subject OVS Committees and considered by Corporate at its last meeting where the top three items were scheduled in for the next round of meetings:

Page 51	17-Mar-19	SOSC 3	Supporting People Programme Grant	Full breakdown of the various services currently supported through this grant within BCBC (inc. the various financial detail) along with how this may have changed over recent years. The number of individuals supported through the grant and in what way. How are decisions made about where to spend the grant and how much in specific areas How effective is the grant support that is provided across a variety of sectors within BCBC, and to ensure that the grant is being targeted at the services most in need.	Improved outcomes in line with the agreed objectives of the grant. Improved support for those in need of emergency housing and support		Mark Sheppard, Interim Chief Executive Sue Cooper, Corporate Director Social Services and Wellbeing Martin Morgans Lynne Berry Cllr Dhanisha Patel, Cabinet Member Future Generations and Wellbeing Ryan Jones, Supporting People Strategy Planning and Commissioning Officer Jonathan Flower, Senior Strategic Officer SOSC 1 Members	
	18-Mar-19	SOSC 3	Homelessness Strategy	Informal Cabinet have requested for Scrutiny to be involved as a consultee in the Homelessness Strategy. Members have requested that the report include the Council's definition of homelessness.			Mark Sheppard, Interim Chief Executive Martin Morgans, Head of Performance and Partnership Services Cllr Dhanisha Patel, Cabinet Member Future Generations and Wellbeing Lynne Berry, Group Manager, Housing & Community Regeneration	
	27-Mar-19	SOSC 2	CAMHS	With reference to the responses received in relation to Child Adolescent Mental Health Services Members on 12 December 2017, Members note that most of the replies feature an element of work in progress and have asked to retain the item on the FWP for future review. To receive an update on current provision and further advise on current situation in relation to comments and conclusions made on 12 December 2017. Details of other mental health services provided Cwm Taf and BCBC. Update on work being undertaken throughout Wales looking at causes of mental health: 'Working Together for Mental Health'. To include an update on how we are getting on moving into Cwm Taf.		Corporate Director proposed early 2019	Susan Cooper, Corporate Director, Social Services and Wellbeing; Lindsay Harvey, Corporate Director - Education and Family support; Cllr Phil White, Cabinet Member – Social Services and Early Help; Chair and CEX of ABMU and Cwm Taff Health Boards; Chairperson of Bridgend Community Health Council. Royal College of GP's Social Services Rep - Laura Kinsey	
	15-Apr-19	SOSC 2	Forward Work Programme Workshop	To discuss and propose additional items for future consideration on the Scrutiny Forward Work Programmes.			N/A	
	29-Apr-19	SOSC 1	Review of Fostering Project Information only	Further project as part of the Remodelling Children's Social Services - Detail regarding the upskilling of three internal foster carers to provide intensive, therapeutic step down placements as part of Residential Remodelling project - Review of the foster carer marketing and recruitment strategy at a draft/early stage to allow members input into the process	COSC have proposed that this item be considered by a future SOSC 1 for continuity purposes	Corporate Director proposed October 2018 Prioritised by SOSC1 for February 2019	Susan Cooper, Corporate Director, Social Services and Wellbeing; Cllr Phil White, Cabinet Member – Social Services and Early Help; Laura Kinsey, Head of Children's Social Care; Pete Tyson, Group Manager – Commissioning; Lauren North, Commissioning and Contract Management Officer; Natalie Silcox, Group Manager Childrens Regulated Services. <i>A BCBC contracted Foster Carer.</i>	

<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 52</p> <p>29-Apr-19</p>	<p>SOSC 1</p>	<p>Home to School Transport</p>	<p>To provide assurances on rationalisation of Learner Transport as far as possible in order to make budget savings: Update on pilot that school transport team proposing to run in Spring and Summer terms 2017-2018 - to support the enforcement of bus passes on home to school transport contracts. As part of this pilot, the Authority is also investigating opportunities to track the use of our school bus services by individual pupils. Update on Recommendation from BREP: The Panel recommend the need for the Authority to adopt a Corporate approach in relation to Home to School Transport maximising the LA's minibuses such as those used for day centres. It is proposed that this be supported by slightly amending the opening and closing times of day centres so that the buses can be available for school transport. Other aspects that could be considered include the exploration of whether school staff could transport children and young people instead of hiring independent drivers. To test and scrutinise the current licensing and school transport regime to gain assurances that it provides adequate protection against the potential of putting children and vulnerable children at risk from those who are in a position of trust. Changes to the DBS status of their employees to be scrutinised to ensure that children are not being put at undue risk. To provide robust scrutiny and recommendations on how the current regime can be improved. To provide assurances to the public and maintain public confidence in the system of school transport Report to include Update on the current arrangements of how licensing and school transport operates within the County Borough since the change in 2015 to the Police National Policy for disclosing non-conviction information to the local authority. Information to include a report from South Wales Police on its approach to disclosing information it holds about licencees following arrests, charges and convictions. What is the current relationship between the local authority's licensing and school transport departments in relation to the disclosure of information from South Wales police? Is there sufficient oversight on behalf of the local authority and a risk of contractors withholding information which may prejudice the continuation of their contract? Further proposed that Communities be invited to add to report and attend meeting to update Committee on safe routes assessment to determine what work has been undertaken since funding was allocated to this over a year ago.</p>	<p>To provide assurances on rationalisation of Learner Transport as far as possible in order to make budget savings. To test and scrutinise the current licensing and school transport regime to gain assurances that it provides adequate protection against the potential of putting children and vulnerable children at risk from those who are in a position of trust. Changes to the DBS status of their employees ought to be scrutinised by an Overview & Scrutiny Committee at the earliest opportunity to ensure that children are not being put at undue risk. To provide robust scrutiny and recommendations on how the current regime can be improved. To provide assurances to the public and maintain public confidence in the system of school transport</p>	<p>Corporate Director proposed March 2019 as the external review would not be completed until January 2019</p>	<p>Lindsay Harvey, Corporate Director - Education and Family Support; Cllr Charles Smith, Cabinet Member for Education and Regeneration; Cllr Richard Young, Cabinet Member Communities Nicola Echanis, Head of Education and Early Help. Input from Communities Directorate Robin Davies, Group Manager Business Strategy and Performance Sue Cooper, Corporate Director Social Services and Wellbeing</p>	
<p>01-May-19</p>	<p>SOSC 3</p>	<p>Forward Work Programme Workshop</p>	<p>To discuss and propose additional items for future consideration on the Scrutiny Forward Work Programmes.</p>			<p>N/A</p>	

TABLE B

For prioritisation					
	Item	Rationale for prioritisation	Proposed date	Suggested invitees	
Page 53 Information only	National Review into LAC The Committee requested that the outcome of the CIW investigation into Looked After Children be provided to Scrutiny for information when it becomes available.			Self assessment and action plan due at end of year. Outcome report should be ready for March.	N/A
	Review of Enforcement Vehicle In February 2018 SOSC 3 requested to receive an update on the enforcement vehicle to enable Members to monitor performance 6-12 after implementation. Possibly an information report.				
	Remodelling Children's Residential Services Project SOSC 1 requested that the item be followed up by Scrutiny in the future for monitoring purposes, incorporating evidence of outcomes. <i>A report is due to go to Corporate Parenting 6 March 2019. Do Members want to receive as information only or as a discussion item?</i>			Corporate Director proposed early 2019	Susan Cooper, Corporate Director, Social Services and Wellbeing; Cllr Phil White, Cabinet Member – Social Services and Early Help;
	Communication and Engagement Is corporate communications meeting the needs of the various departments within the organisation to effectively communicate with residents Current data of engagement Are current KPIs an effective measurement in a fast changing digital world How do we engage with corporate communications with the digitally excluded				Mark Sheppard, Interim Chief Executive Corporate Communications Representative Cllr Dhanisha Patel, Cabinet Member Future generations and Wellbeing
	Safeguarding To include: Safeguarding activity in both Children and Adult Services; Safeguarding arrangements in Cwm Taf.			Should receive an annual update. Last received in July 2018.	Susan Cooper Corporate Director Social Services and Wellbeing; Cllr Phil White, Cabinet Member – Social Services and Early Help; Jacqueline Davies, Head of Adult Social Care; Laura Kinsey, Head of Children's Social Care; Elizabeth Walton James, Group Manager Safeguarding and Quality Assurance; Terri Warrilow, Adult Safeguarding and Quality Manager; Representation from Police; Representation from Health.
Member and School Engagement Panel - Annual Annual Update to - SOSC 1 on the work of the Member and School Engagement Panel				Plasnewydd - Q4/Spring Term The Bridge Alternative Provision Q1/Summer	
POST 16 ALN Review SOSC 1 requested to add to FWP. Raise with LH in next Officer Planning Meeting.					

The following items for briefing sessions or pre-Council briefing

Item	Specific Information to request			
Social Services Commissioning Strategy To include information on what work has taken place following the Social Services and Wellbeing Act population assessment. To also cover the following: <ul style="list-style-type: none"> Regional Annual Plan Bridgend Social Services Commissioning Strategy 				
Cwm Taf Regional Working Update on situation and way forward with Regional Working with Cwm Taf?				
Residential Remodelling - Extra Care Housing Site visit to current Extra Care Housing and then to new site once work has begun				
Children's Social Services Briefing for SOSC 1 on Child Practice Reviews - details of latest CPRs over last 12 months - what recommendations have come out of them, how have they been responded to, how have they helped inform future work to help safeguard children.			If received as an item - Corporate Director has suggested May/June 2019	Susan Cooper, Corporate Director - Social Services and Wellbeing; Cllr Phil White, Cabinet Member – Social Services and Early Help; Lindsay Harvey, Corporate Director - Education and Family Support.

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