

SUBJECT OVERVIEW AND SCRUTINY COMMITTEE 3 - MONDAY, 25 FEBRUARY 2019

**MINUTES OF A MEETING OF THE SUBJECT OVERVIEW AND SCRUTINY COMMITTEE 3
HELD IN COUNCIL CHAMBER, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON
MONDAY, 25 FEBRUARY 2019 AT 10:00**

Present

Councillor JC Spanswick – Chairperson

SE Baldwin	N Clarke	P Davies	DK Edwards
A Hussain	JC Radcliffe	RMI Shaw	G Thomas
MC Voisey	JE Williams		

Apologies for Absence

DG Howells, DRW Lewis, RME Stirman, E Venables and DBF White

Officers:

Rachel Keepins	Democratic Services Officer - Scrutiny
Tracy Watson	Scrutiny Officer

66. DECLARATIONS OF INTEREST

None.

67. APPROVAL OF MINUTES

That the Minutes of a meeting of Subject Overview and Scrutiny Committee 3 dated 24 January 2019, be approved as a true and accurate record subject to Councillor RMI Shaw's name being added to the list of apologies for absence for the meeting.

68. EMPTY PROPERTIES

The Head of Performance and Partnerships gave a presentation updating the Committee on the progress made following the report in March 2018 in regards to Empty Properties and in particular covering the following:

- Blended & Proactive Approach
- Chapels & Churches
- Council Tax Opportunities
- Un-banded Empty Properties
- Recruitment of a “dedicated” Empty Properties Officer
- Strategy in terms of Why, Approach and Progress to date of where we are.

The Committee thanked the Head of Performance and Partnerships and the Cabinet Member for Future Generations and Wellbeing for the work that has been done on this and were pleased to see Empty Properties brought back to the committee and the strategy is currently out for consultation.

A member asked if the Head of Performance and Partnerships could clarify his comment that the Empty Properties Officer worked ‘primarily’ in Bridgend. The Head of

Performance and Partnerships confirmed that this was the wrong choice of word and that the Empty Properties Officer focused only on Bridgend properties.

A member highlighted that this is a cross party commitment and everybody, no matter where you sit, wants this to be successful. Whilst there are a couple of issues in terms of funding and whilst it is understood the process needs to be followed we need to make property owners aware that we will use the legislation to enforce if necessary. The member reiterated the quantity and knowledge of the properties whilst trying to coordinate them and suggested one of the best ways to do this, was to split down the list by ward, with each ward member given that list so that they could supplement some of the un-banded properties that are not known about to have an up to date comprehensive list. Lastly the member spoke about revenue and whilst appreciated that grants were an incentive, clearly there wasn't enough revenue and would like to think that extra revenue could be raised through council tax as a result of bringing these properties back into use, and that maybe that revenue could be hypothecated into creating more funding to help and create economic activity.

A member highlighted that the report focused on Bridgend currently and asked the Head of Performance and Partnerships if he had any idea when this was going to be expanded into the rest of the borough and highlighted that he was pleased to see that Churches would be brought in, in some way, and highlighted the issue of finding owners that abandon these properties, and highlighted the issue of a church in Caerau. The Head of Performance and Partnerships confirmed that when he talked about Bridgend, he was referring to Bridgend County Borough Council and not specifically Bridgend Town Centre, with a holistic approach across all properties across the authority. The Head of Performance and Partnerships asked the member to pass on the details of the church in Caerau so that this could be looked into.

A member again thanked the committee and was pleased to see a one council approach. The member asked the Head of Performance and Partnerships why there was no elected member on the working group and whether the panel was encouraging members to take representation of this back to their own departments. The Head of Performance and Partnerships confirmed that the working group fed into Cabinet as a whole, but could look at bringing back an elected member if needed. In addition the Cabinet Member for Future Generations and Wellbeing confirmed that fortnightly meetings were held with the Head of Performance and Partnerships in relation to Empty Properties. The member further highlighted that whilst 48% of empty properties are across the 3 major town centres, 52% aren't, so a fair representation is needed across the county. The Head of Performance and Partnerships highlighted the strength of the marking matrix and the legislative process if needed but outlined the council is looking to support property owners with collaborative engagement in the first instance.

A member questioned where there are issues of engaging with property owners and there is a potential for a CPO, having gone through a very arduous budget process, where in the budget is the money to pursue CPO's and how do we value these properties, with a view to engaging owners. The Head of Performance and Partnerships confirmed that in terms of budget there is £100k of capital money to use towards the legislative process, but appreciated that in some instances there will be difficulties engaging with property owners but that the correct process must be used.

A member asked the Head of Performance and Partnerships to clarify what the 5 difference stages of the model are. The Head of Performance and Partnerships talked through the process highlighting the increasing engagement opportunities and suggested sharing a copy of the 5 stage letters to the committee. The member confirmed that this would be helpful from a ward point of view to understand what stage a property is at and what progressive steps the authority has taken to date.

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A member asked of the three other councils listed, who've imposed council tax premiums, the member is aware that Ceredigion Council the premium is 25%, not the full 100% premium that they could do. The member asked if clarification could be given in terms of what Wrexham and Flintshire Council's premiums were. The Head of Performance and Partnerships to confirm.

A member asked for clarification as to what is meant by residential properties. The Head of Performance and Partnerships confirmed that it is based on the Welsh Government definition, although the council will take into consideration chapels and churches where there is an opportunity, but will need to look at an alternative strategy for commercial properties to support changes. The Cabinet Member for Future Generations and Wellbeing confirmed that this was likely to be a separate strategy.

A member highlighted that there appeared to be a shortage of commercial properties in Bridgend, so pursuing this type of property would be an advantage for business in the Borough and should be a priority. The Cabinet Member for Future Generations and Wellbeing confirmed that this was in relation to industrial units, rather than high street units.

A member asked whether it would be beneficial to involve V2C in the meetings. The Head of Performance and Partnerships explained that RSL's should support from a management perspective with empty property owners to remove the stress from the property owners and are in discussions with RSL's as a pilot project.

A member asked whether the pilot could look at enveloping a certain amount of empty properties to create training and apprenticeship opportunities. The Head of Performance and Partnerships agreed to take this away as an action.

A member asked if there was any way in which the residential and commercial strategies could be linked to do some integrated work, e.g. potential that commercial properties could be converted to boost the supply of affordable housing and enhancing the city centre. The Head of Performance and Partnerships explained that this strategy focuses on residential properties, but that a longer term strategy is needed in terms of commercial property and confirmed planning sit on the empty properties working group, but focus was around residential properties initially.

A member asked whether Social Landlord properties which are empty in the Ogmore Valley in particular, are included in the brief, or tackled separately. The Head of Performance and Partnerships confirmed that those properties were not included in the brief but that discussions had taken place about the particular properties outside of the working group and what to do and challenges faced.

A member confirmed that Bridgend Town Centre is only made up of 3 small wards and that figure was still relatively high.

A member asked where there may be little or no equity in a property to obtain funding to carry out the work, what happens and additionally asked if a piece of work had been done in respect of these figures? The Head of Performance and Partnerships explained that in terms of equity this information was not accessible to the Council. The Council's remit was to ensure safety as well and to bring back to use, but whether there is equity or not is down to the process as it goes forward with the property owner.

A member asked if the consultation link could be sent to all Members from the Head of Performance and Partnerships. The member also highlighted the last paragraph on page 24 of the report in respect of Porthcawl, specifically 'being a holiday resort...tourism plays a large part in Porthcawl's economy and there are more

employment opportunities'. The Member did not agree with the paragraph and highlighted that tourism was only for part of the year, primarily June to August, and that there were only better transport links for drivers. The member further went on to say that it was known fact that many youngsters that left for University, did not return to Porthcawl, because there was a lack of opportunities outside of tourism. The Head of Performance and Partnerships took on board the member's comments and was happy to engage with the member to make the report more representative of the member's area.

A member highlighted the issues of changing the use of larger properties into shared accommodation. The Head of Performance and Partnerships noted whilst there are some challenges with multi occupancy, encouragement with RSL's to provide the right platform for multi occupancy is key from the Council's perspective. There are also positive examples of multi occupancy.

Another member highlighted that there had been anti-social issues with a terrace property in Caerau that had been converted to 5 single bedrooms with shared facilities that did not have to be registered as multi occupancy. The Head of Performance and Partnerships agreed that this is an example of a multi occupancy not having to be registered and the best way to raise issues of anti-social behaviour was via 101 so that something can be done about it, as without evidence little action can be taken. This highlighted the point about RSL's starting to deliver a quality product that can be managed, rather than the private sector taking on the gap in the market.

A member picked up on the conversion issue and V2C and highlighted that there had been an entire change with the executive in V2C with a more proactive chief executive wanting to work with the Local Authority having strategic meetings. The member further highlighted the impact of welfare reform and the need for single person's properties.

A member stated that the Council needs to have a policy in place in respect of HMO's, which can complement the Empty Properties strategy.

A member suggested writing to the valuation office and through MP's or the housing minister in respect of un-banded properties, to bring them back into use. Whilst having our own strategy through the WLGA or WG, we need to have a coherent national strategy in Wales.

A member highlighted that the word 'consider' should be removed from Point 5 on Page 30 of the report and furthermore a member asked who would be taking that action. The Head of Performance and Partnerships explained that a case file based on the 5 stage process and engagement with the property owner, would then be taken forward by the legal team.

A member asked when the online confidential reporting service would be available. The Head of Performance and Partnerships explained that functionality should be added by 31st March 2019 and will link to the My Account provision.

A member asked for a clearer understanding of the difference between the performance indicators PAM/013 and PAM/014. The Head of Performance and Partnerships explained that PAM/014 would be a converted property that has created additional units whereby PAM/013 is making a property habitable again.

A member asked how many properties in the last financial year have been dealt with, without the strategy and whether there is a target to bring in so many properties back into use. The Head of Performance and Partnerships confirmed that there is no baseline, but will use the PAMs with the ultimate goal to put some physical targets in

place. The Group Manager Housing and Community further confirmed that for 2019/20 the target has been set at 5% for PAM/013 and for PAM/014, 5 additional units, using the welsh average figure to get more accurate information keeping it realistic. The Senior Strategic Officer confirmed that the performance for 2018/19 will not be reported until after the end of March 2019, but in terms of properties it will be 60 to 70 properties for next year. A member asked whether it was achievable to bring 60 to 70 properties back into use, given past experience. The Senior Strategic Officer highlighted that engaging or advising with owners counted towards the targets and as more engagement is taking place, the targets should be reached. The Head of Performance and Partnerships added that it was important to stretch the target.

A member enquired to the number of people who had completed an application for a grant. The Group Manager Housing and Community explained that the process had changed in terms of loans and grants to bring it up to date with the strategy and to streamline the process. Expression of Interest forms have been sent to those contacted, collecting quite a bit of information at the first stage, thus concentrating the minds of applicants e.g. whether they are prepared to rent when the property is upgraded, whether they are going to be Rent Smart Wales registered, whilst contributing to bringing the property up to date in line with grant conditions and limits on the money allocated to particular properties. Of the people contacted, 31 have asked for grant information and 13 expressions of interest completed. Some will go through to the next stage, where a property survey takes place and some don't meet the requirements for a grant, but meet the requirements for a loan, and some need further information.

A member asked whether there are restrictions that can be put in place on private owners to make sure that the rent is set at the local housing level or to make the property more affordable, given that public resources will be used to help private owners bring properties back into use. Whilst there is a need to ensure that the property is to a particular building standard, the governance and management of those properties should also be fair and equitable for everyone. The Group Manager Housing and Community confirmed that private owners needed to be Rent Smart Wales registered and that properties are managed appropriately and are the sort of questions asked on the expression of interest form.

A member asked whether the council would be contacting Flintshire and Wrexham Council's as they had performed well in terms of the PAM/013 targets, having previously linked in with Shelter Cymru. What challenges did they have and what lessons did they learn, so that the process can be accelerated in this council. The Head of Performance and Partnerships confirmed that the Empty Homes Officer was liaising with other authorities in terms of best practice and lessons learned. The Senior Strategic Officer explained that there had been some changes to the way PAM/013 was reported and that there was much more consistent reporting across authorities as a result.

A member asked whether there was any clawback clause on the public money invested into empty properties particularly in respect of any uplift in the value of the property if sold. The Senior Strategic Officer explained that in terms of the empty homes grant, owners had to agree that rent is at the rate of the local housing allowance and they have to be registered with Rent Smart Wales or use a letting agent to agree that the property receives housing nominations from the housing department for 3 years. Whilst the grant is not payable, it means that the council has access to an affordable property for 3 years. In terms of the loan, owners have 5 years to pay the loan back if rented and 2 years if selling the property. A member further asked if the grant was paid back on a percentage basis or just the grant itself. The Senior Strategic Officer explained that it was just the grant itself.

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A member asked whether Empty Dwelling Management Orders (EDMO) or similar had been used in the past and whether they could be suitable for some properties going forward. The Head of Performance and Partnerships explained that EDMO's were specifically put in place to deal with empty properties, but feedback from other authorities was that they might not be the right mechanism, if the property is going to be converted from an empty property to a usable property.

A member asked whether there was a reluctance to use the Section 215 Town and Country Planning Act 1990, due to resources. The Head of Performance and Partnerships confirmed that there was availability of capital money and there was a differentiated approach going forward. The Cabinet Member Future Generations and Wellbeing confirmed that there had been a number of enforced sales in the area over the last couple of years and whilst EDMO's had not necessarily been used, the enforced sales had been a feature that had been used by the Shared Regulatory Service.

The Cabinet Member Future Generations and Wellbeing highlighted that the consultation was still live until the end of April.

69. FORWARD WORK PROGRAMME UPDATE

The Scrutiny Officer presented the feedback from the previous meeting in respect of Community Asset Transfer and asked Members to approve the responses/comments as detailed in the report.

The Scrutiny Officer asked members if any additional information was required regarding the Homelessness Strategy and Supporting People Grants, due to be considered at the 18th March 2019 meeting, adding that the Supporting People Grants item had been due to go to SOSC1 in February, but that it had been agreed that this item would complement the Homelessness Strategy item, and so it was agreed that these two items would come to SOSC3, rather than SOSC1 as originally intended. Members of SOSC1 will be invited to attend the meeting on the 18 March 2019.

The Scrutiny Officer outlined that the meeting to be held on 1st May 2019 had been allocated as a Forward Work Programme Workshop to discuss future items, but that following a Forward Work Programme Planning Meeting with the Interim Chief Executive and Corporate Director a number of items had been put forward that may impact on the Workshop.

RESOLVED:

The Committee:

1. Approved the feedback from previous meetings of the Subject Overview and Scrutiny Committee and noted the list of responses;
2. The Committee noted that it had been delegated items on Homelessness Strategy and Supporting People Grants for its next meeting;
3. The Committee noted that that a Forward Work Programme Planning Workshop had been arranged for its meeting in May, but maybe subject to change.

70. URGENT ITEMS

None.

The meeting closed at 11:41