

MINUTES LGH-01-03 (min)

LOCAL GOVERNMENT AND HOUSING COMMITTEE

Date: WEDNESDAY 15th JANUARY 2002

Time: 09.30am - 12.30pm

Venue: COMMITTEE ROOM 2, NATIONAL ASSEMBLY BUILDING

Attendance:

Members

Gwenda Thomas (Chair)	Neath
Peter Black	South Wales West
William Graham	South Wales East
Edwina Hart (Minister) (until 10.30am)	Gower
Pauline Jarman	South Wales Central
Peter Law	Blaenau Gwent
Dai Lloyd	South Wales West
Tom Middlehurst	Alyn & Deeside
Janet Ryder	North Wales

In attendance

Kate Cassidy	Local Government Modernisation
Rob Hay	Local Government Finance Revenue

Frank Cuthbert

Local Government Modernisation

Councillor Shan Wilkinson

WLGA spokesperson on Social Affairs
and Leader of Wrexham CBC

Colin Everett

Director of Syniad

Joe Howsam

Director of Social Affairs, Caerphilly CBC
and representative of the Association of
Directors of Social Services.

Secretariat

Roger Chaffey

Clerk

Claire Griffiths

Deputy Clerk

Peter Jones (item 4)

Counsel to Assembly Committees

9.30am to 9.35am

Item 1: Introduction, apologies, substitutions and declarations of interest

1. The Chair welcomed the Committee and members of the public.
2. The Chair advised that the focus for this term would include the policy review on capacity building as part of the community regeneration process. The review needs to be completed by the end of February as the report is scheduled to be debated in Plenary on 18 March. After this week, therefore, there will be little opportunity to gather evidence and Members were invited to inform the Clerk if they wished to explore any further areas as part of the review. She suggested that the Committee utilised its additional day on 6 February to consider the first draft of the report. The Committee agreed to this and the Clerk was asked to write to the Deputy Presiding Officer.

1.3 The Chair asked Members for declarations of interest, in accordance with Standing Order 4.5.

None were made.

9.35am to 10.00am

Item 2: Minister's Oral Report

2.1 The Minister advised Committee that:

- She unveiled her proposals for Council Tax revaluation and Rebanding on 19 December 2002 with the closing date for responses being 29 January. She added that following the Committee meeting on 27 November, she wrote to Members with details of the ethnic minority languages that the publicity leaflet will be available in.
- On 16 October 2002, she advised Committee that she had launched the BME Housing Action Plan for Wales. She said that, unfortunately, local authority attendance at the event was disappointing. She added that she met with Welsh local authority Executive Service leaders and Directors of Housing on 14 January to discuss the plan which had been well attended. In addition, the Assembly Government (WAG) is hosting a BME Housing Conference on 23 January aimed at social landlord staff involved in producing BME housing strategies and key tenants. The Minister added that one of the Plan's key objectives is to tackle racial harassment and that she was looking to social landlords to take action to such incidents and that the WAG has provided funding of £34,000 to allow all of Wales' social landlords access to RaceActionNet in 2003. This is an on-line national directory for action for racial harassment bringing together practitioners and policy makers to share good practice, identify problems and propose solutions. The funding will also help establish a development fund to benefit all of the network's members.
- On the Homebuy review, she said that officials had a further discussion last week about the operation and effectiveness of the scheme in Gwynedd (the test case for the review) and is expected to be completed by the end of March.
- The Minister said that as Members will be aware, the National Assembly approved the Order to extend the number of rural areas where restrictions can apply to sale under the Right to Acquire and to re-sales of former Right to Buy properties in Plenary on 14 January. She added that in the Plenary debate, she had invited comments on whether the maximum discount allowed under the Right to Buy scheme should be reduced from £24,000 to £16,000. The Minister asked Members whether they wished to see a copy of the consultation letter for information.
- On the Police Settlement, she said that details of the provisional settlement for police forces in Wales were provided to Chairs of Police Authorities on 19 December 2002. As Committee was aware, the announcement had been delayed as the Minister had requested details of the funding comparison of English and Welsh forces from the Home Office. She advised that she had ensured that the Home Office would provide an additional £5.5 million to ensure that no authorities in Wales get an increase below the floor increase of 3% that had been announced for English forces. Officials are still in

discussion with the Home Office regarding additional funding for South Wales. The Minister stated that she had made it clear to the Home Office that as it continues to have policy responsibility for the police service in England and Wales that Welsh forces must not be treated less favourably than their English counterparts. The Minister advised that she was meeting the Chairs of police authorities later today to discuss their proposed budgets and implications they will have on council tax precepts.

- She said that she was currently considering responses received to the consultation on the provisional local government settlement. The final settlement will be made public on 20 January and debated in Plenary on 28 January.
- She said that following her representation to the Secretary of State conveying the Committee's views on *Your Guide to Post Offices*, a reply had been received advising that he had written to both Andrew Smith MP and Patricia Hewitt MP. He had also asked that the Department of Work and Pensions and the Department for Trade and Industry officials continue to liaise with Assembly officials over preparations for the new arrangements for paying benefits and pensions. She said that the closing date for the first round of applications to the Post Office Development Fund is 31 January.
- Finally, she said that following her letter to Chris Leslie MP about the possibility of devolving power to the Assembly on building regulations, she has received a reply and will be following up with him.

2. Members raised the following points:

- Members generally welcomed the revaluation and rebranding of council tax but stressed that good communication was essential to ensure people did not misunderstand the outcome of the review. The opportunity to see the proposed publicity leaflets was welcomed.
- The BME Housing Action Plan was welcomed. Attention was drawn to the increase in the number of hate crimes being committed.
- Members noted when the results of the Homebuy test case were expected to be available. They discussed the problems of affordable housing in urban areas as well as the traditional rural areas and felt that it was important that local authorities retained a reasonable stock of social housing.
- On the Right to Buy scheme review, the Minister was asked to consider reducing the number of qualifying years rather than the maximum discount. The under utilisation of social housing was also discussed.
- Members were pleased with the strong stand the Minister had made to the Home Office on the police settlement. She was asked if she would be able to provide an indication of what the precepts may be at the next meeting. The Chair said she sent her sentiments to the family of the police officer killed and those injured in Manchester yesterday. The Committee concurred with this.
- The Minister was asked if there would be any implication on the Local Government Settlement when the fire-fighters pay dispute was settled.
- Members noted the lobbying the Minister and the Secretary of State had made on the

rollout of *Your Guide to Post Offices*. It was noted that some Member's constituents were unhappy after changing to receive their pensions/benefits in their bank account, especially those who were elderly and/or disabled as they had to give their PIN number to their carer in order to access their money. Members felt that this was another unsatisfactory aspect of the new scheme.

- The Chair asked if the Post Office Development Fund allowed offices not located within a Communities First ward but which served such wards would be able to qualify for aid.

2. In response, the Minister said:

- She would prefer to receive views on the content of the publicity leaflets now, as she would be circulating the leaflets for information only.
- The Minister said she would circulate details of the BME Conference being held on 23 January to which members would be welcome to attend. She added that she would include an item on race hate in her next written report.
- The Minister said she would share with Committee the results of the Homebuy review when available.
- She agreed to write to the Office of the Deputy Prime Minister for further information on the Right to Buy qualifying years and would copy of the 'Right to Buy: Proposed change to the Maximum Discount Limit' consultation letter sent to Committee Members.
- She said she would update Committee on her further discussions on the police settlement. She said that an extra £3m had been allocated to the local government settlement to cover teachers' pensions and that the WLGA had been advised. She said she was mindful that the Deputy Prime Minister had commented and reported by Hansard that should extra resources be required for the fire-fighters settlement, they would be found from Westminster departments.
- She said she would circulate the rules governing the application arrangements for the Post Office Development Fund.
- She said she would continue to pursue the possibility of transferring the responsibility for Building Regulations to the Assembly with Chris Leslie MP.

Action Points

- The Minister to circulate copies of the revaluation leaflet to members for information
- The Minister to circulate details of the forthcoming BME conference, which members are welcome to attend
- The Minister to include a section on race hate in her next written report
- The Minister to share with Committee the results of the Homebuy review
- The Minister to update the Committee in due course on her further discussions on the police settlement
- The Minister to write to the Office of the Deputy Prime Minister for further information on the Right to Buy qualifying years and would copy of the 'Right to Buy: Proposed change to the Maximum Discount Limit' consultation letter sent to Committee Members.

- The Minister to pursue the possibility of transferring the responsibility for Building Regulations to the Assembly with Chris Leslie MP

10.00am to 10.05am

Item 3: Local Government Electoral Arrangements in Wales

LGH-01-03(p.1)

3.1 Prior to taking this item, the Chair said that she felt it appropriate to ratify the minutes from the last meeting held on 11th December 2002 (**LGH-18-02(min)**). Members agreed and the minutes of the meeting held were agreed.

3.2 The Chair advised that detail of the motion proposed by Plaid Cymru had been circulated to all members on 17 December and that no amendments had been received. She added that there would be no further debate as Members views were firmly expressed at the last meeting (11 December) and she proceeded to a vote on the motion which Janet Ryder moved:

"The Committee accepts the recommendations of the 'Report of the Commission on Local Government Electoral Arrangements in Wales' and asks the Minister to bring forward a timetable for their implementation."

2. The following votes were recorded.

Member	Vote
Gwenda Thomas (Chair)	Against
Peter Black	Abstain
William Graham	Against

Edwina Hart (Minister)	Against
Pauline Jarman	For
Peter Law	Against
Dai Lloyd	For
Tom Middlehurst	Against
Janet Ryder	For

The motion was defeated.

10.05am to 10.15am

Item 4: Update on the Local Government Bill

LGH-01-03(p.2) Annex

4.1 The Minister presented the paper adding that Don Touhig MP would be representing the Wales Office and conveying the views of the National Assembly during the Bill's committee stages. An amendment had been proposed at the Committee Stage to remove Whitehall's operational control of fire brigade establishments. In future, operational issues will be determined locally by fire authorities. The Government had also announced that a Fire White Paper would be published in the Spring and the Minister said she would keep Committee updated accordingly.

4.2 Members made the following comments:

- Members agreed that the Bill contained a lot of enabling clauses for Wales which the Minister had lobbied hard to have included in and her hard work on this was appreciated.
- The omission of business rates was raised and the Minister was asked if she would be making any further indication to have the enabling powers to determine the long-term future of business in rates included in the Bill.
- Clarification was sought on the ability of local authorities to hold local polls.
- The Minister was asked if she would change her mind over the announced arrangements for the forthcoming elections?
- She was asked about the Prudential Borrowing systems including the implications for housing.

3. In response, the Minister said:

- That she had lobbied long and hard but lost the argument concerning business rates. She added that the Business Improvement Districts would be flexible and she had set up a working group to discuss their implementation.
 - She confirmed that local authorities had the right to hold local polls on any issue but there was no obligation to hold a poll or to adhere to the result of any such poll.
 - She confirmed she did not intend to change any of the arrangements previously announced for the forthcoming WAG elections and local elections and EU elections scheduled for June 2004.
 - She said she would circulate a comprehensive note on the Prudential Borrowing system.
3. The Chair drew Committee's attention to a recent circular, which advised that the Probation Service in Wales was restructuring and relocating offices. It was felt that this was a serious matter that Committee may wish to pursue. Similarly, attention was drawn to the proposals to transfer licensing responsibilities from Magistrates to local authorities and the major impact this would have on resources.
 4. The Minister shared the concerns and agreed to include in her next written report.
 5. The Chair asked the Clerk to arrange for the Probation Service to explain their reorganisation proposals at the earliest opportunity.

Action Points

- The Minister to circulate a note on Prudential Borrowing systems, including the implications for housing
- The Minister to include a note on the effects of the new Licensing Bill on Local Authorities in her next written report
- The Minister to include a note on the implications of the Probation Services intention to re-organise in her next written report
- The Secretariat to arrange for the Probation Service to explain their reorganisation proposals at the earliest possible opportunity

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10.15am to 10.35pm

Item 5: Policy Review of Community Regeneration - Capacity Building: Consideration of Emerging Issues and Initial Recommendations

LGH-01-03(p.3) Annex 1, Annex 2

5.1 The Chair advised that Professor Adamson was unable to attend the meeting but the Clerk would forward any comments onto him. She invited comments on the emerging issues and initial recommendations.

5.2 The following points were made:

- Numbers of recommendations refer to points raised during the various evidence gathering sessions held. Need to see how these will feed into the Community Regeneration Schemes after the debate in Plenary scheduled for March.
- Number of recurring themes emerged during the review and raised by organisations; for example, the shortage of qualified community regeneration workers.
- It was felt that all training and recommendations 11, 12 and 13 required an overriding body to ensure an equitable standard was reached. This was also reiterated in Recommendation 6 with the possibility of inviting ELWa to explore the accreditation of common learning.
- On recommendation 10, it was felt that a possible bursary programme be researched. The Chair advised that unfortunately neither the Minister for Education and Lifelong Learning nor the Chair of that Committee had been able to attend the today's meeting but were in support of a possible bursary scheme. The Chair said she felt the benefits of such a scheme were crucial to assist people in deprived areas and needed to be considered from the outset.
- The establishment of a Community Regeneration Forum (recommendation 16) was welcomed.
- The final sentence of the paragraph on institutional capacity (recommendation 6) was queried as it was felt this was unjust as the majority of elected members enter public life to serve their community. The Chair suggested that this sentence be reworded.
- Similarly, the second paragraph in recommendation 7 raised concern that not every voluntary sector organisation is a member of the relevant umbrella group. It was felt that partnerships were a more appropriate vehicle for fair and equal representation. The Chair noted and said this wording would be reviewed.
- It was felt that a delivery mechanism for the review was now required and all organisations involved needed to come together to deliver the agenda. This would be a

task for the new Assembly.

- Recognised that many people involved in community work had no formal qualifications and did not want to pursue that avenue. However, these people brought tremendous knowledge and skills to the programme.

5.3 The Chair said that evidence from the visit to Dublin would be included in the next draft that the Committee would discuss on the 6 February.

Action Point

- The Clerk to convey the views of the Committee to Professor Adamson and prepare a revised draft for the additional meeting on 6 February

10.35am to 10.55am

The Committee agreed to break for 20 minutes.

10.55am to 12.18pm

Item 6: Presentation from the WLGA on Corporate Parenting

6.1 The Chair welcomed Councillor Shan Wilkinson, WLGA spokesperson on Social Affairs and Leader of Wrexham CBC, Joe Howsam, Director of Social Affairs, Caerphilly CBC and representative of the Association of Directors of Social Services and Colin Everett, Director of Syniad to Committee. She advised that the Committee has been concerned about the implementation of corporate parenting in local authorities arising out of the Waterhouse Report (specifically recommendations 8, 9, 58 and 59) and that the Minister surveyed all authorities in Wales on how they had implemented these. She invited Councillor Wilkinson to begin the presentation.

6.2 The following points were made:

- Cllr Wilkinson said she would be speaking from an elected member's perspective. She referred Members to 1999 when the then Secretary of State (Alun Michael) wrote to all Councillors in Wales about Children First. She said that the letter had tremendous

impact on members and was taken very seriously and also came as a shock as the personal responsibilities towards children were realised. The letter also caused a stir in local authorities as members questioned roles and responsibilities from committee to committee (e.g. Education and Health)

- Feel scrutiny is important to enable the Corporate Parent role of local authorities to be carried out effectively. The down side to the new scrutiny committee is that they are small in structure.
- Could be an accident of politics as to who has the scrutiny role. Have to be vigilant to ensure all people in local government with responsibilities for Looked after Children are aware and fulfilling role.
- The good relationship between the Minister and the WLGA had enabled a move away from the crisis-managed systems of the past. Local authorities now tend to be able to plan better and look for outcomes rather than react to crisis.

- Believe partnerships are a valuable way to discuss problem areas, work out solutions and bring together knowledge to ensure Looked after Children are cared for to the best of local authorities abilities and to the recognised standards. Cited "*speak out*" meetings organised in North East Wales where officials listen to children. This was challenging and emotional but enabled good work to be actioned.

- Foster care, although welcome away from regimented, residential care can cause areas of difficulty whereby members and officials do not get as much interaction as would like with the children.
- Acknowledged still a lot of work to do to improve things and pleased that new constitutions within local authorities were being developed. It must be remembered that children are human beings not objects.

6.3 Joe Howsam gave his presentation focusing on the area from the Association of Directors of Social Services view – A copy of the presentation is at Annex 1.

6.4 Colin Everett gave his views from Syniad's viewpoint:

- Area of training in Corporate Parenting is an extremely challenging and complex area. Training has been offered to elected members and local authorities.
- Local authorities have encountered problems with the term 'Corporate', as there are no specific functions but cross-cutting issues across a number of portfolios.
- Initial training courses discovered a large degree of unawareness/ignorance surrounded the role and responsibilities of Corporate Parenting and Syniad's initial aims was to describe roles and expected of elected members and offer support.
- Training highlighted risk areas and offered solutions on how to manage these.

- Nationally, aim that all local authorities will introduce self-assessment which it is hoped will be more directive.
- Mindful many members are relatively new to the role and conversely a large number of elected members are long-serving and familiar with the previous regimes.

6.5 The Chair made the following comments:

- Attitudes changed significantly in the last 15 years towards how to best care for Looked after Children.
- Essential that consistency is maintained not only in individual local authorities but also throughout all 22 authorities collectively in Wales.
- Children's Act is not taken seriously enough by many organisations on the corporate parenting issue. Important that all bodies involved interact and identify needs.
- Local authority budget rounds could perhaps be used to highlight how individual authorities intend to ensure all corporate parenting cost cutting issues are catered for.
- All parties, from the Assembly to local authorities via the WLGA must ensure that links and interaction established and maintained. Joined up approach is essential.
- Are scrutiny committees able to choose which subject they wish to scrutinise?

6.6 A lengthy discussion followed with the main points being:

- All Members were unanimous in their appreciation for the tremendous work undertaken by staff in social services departments. It was a fault that all too often, failures and tragedies received media coverage whereby the confidential nature of the work meant that the great many success stories could not be reported.
- Continuous development needs to be addressed and mindful that all councillors need relevant training.
- WAG needs to join all its policies in the area of corporate parenting together to ensure the best impact.
- How are Syniad training courses delivered? Does the WLGA monitor the take-up?
- Unfortunate that the number of Looked after Children has increased and felt that local authorities should try to identify and offer support to vulnerable children earlier to try to prevent more children falling into this category.
- Noted that increase in Looked after Children occurred whilst birth rate had fallen.
- Tragic that these vulnerable children cannot be physically comforted due to legal restrictions.
- Reassured how local authorities have approached Corporate Parenting.

6.7 In response the presenters said:

- Corporate Parenting is not just about Looked after Children but also for those children who have not been recognised by the system.

- Should move away from being reactive to problems and be more proactive and try to prevent children from formally entering the system.
- Scrutiny Committees are very new and a lot of work undertaken to persuade local authorities to undertake tasks. This area requires considerable work to make committees effective.
- Benchmarking important, not only across in Wales but within individual authorities.
- Care Standards Inspectorate for Wales (CSIW) working hard and well with local authorities and as well as undertaking inspections, provides audits on good practice.
- Feel not all WAG initiators are joined up and not clear how they inter-relate. Hoped these may become clearer with creation of Local Health Boards.
- Syniad training courses have been delivered individually to authorities and to a number of authorities collectively. Will write with details of take-up rates.

6.8 The Chair thanked the presenters for the excellent presentations.

Committee Secretariat

January 2003