

MINUTES LGH-04-03 (min)

LOCAL GOVERNMENT AND HOUSING COMMITTEE

Date: WEDNESDAY 12th FEBRUARY 2003

Time: 09.30am - 12.40pm

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 11.15am)	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

John Bader	Director of Housing
David A'Herne	Crime Reduction Director for Wales

Mike Shanahan	Head of Social Care Policy Division
Peter Sampson	Chief Officer, National Probation Service – South Wales
Richard Penn	Board Chair, National Probation Service – South Wales
Keith Edwards	Director Chartered Institute of Housing Cymru
Carol Kay	Director, Tenant Participation Advisory Service (Wales)
Peter Cahill	Chief Executive, Cardiff Community Housing Association Ltd
Howard John	Director, Welsh Federation of Housing Associations

Secretariat

Roger Chaffey	Clerk
Claire Griffiths	Deputy Clerk

09.30am to 09.35am

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

1.1 The Chair welcomed the Committee and members of the public.

2. The Chair made reference to the additional meeting that had been arranged for 6 February that she had cancelled due to the unavailability of Members. She emphasised the need for the Committee to consider the report urgently to allow the printing to be completed in time for a proposed official launch during the last week of the Assembly term. She added that she proposed that further

consideration of the report and its recommendations take place outside formal Committee. The first of these meetings was held last evening (11 February).

3. All Members will of course be required to "sign off" the final version before it is published. It is anticipated this will formally take place at the meeting of 5th March.
4. The Chair asked Members for declarations of interest, in accordance with Standing Order 4.5.

None were made.

Item 2: Minutes of the meetings held on 29 January 2003.

LGH-02-03(min)

2.1 The minutes were ratified.

09.35am to 09.53am

Item 3: Minister's Report

3.1 The Minister presented her report and highlighted the following:

- **Licensing Bill** – The Minister had written to Rt Hon Tessa Jowell MP, Secretary of State for Culture, Media and Sport with the earlier concerns raised by the Committee. She added that the guidance favoured the licensed trade rather than community safety. She said that Jenny Randerson, Minister for Culture and Sport had also raised concerns and she would arrange for the Culture Minister's recent paper to be circulated to Members. That paper addressees amongst other things, the issue of live music representation.
- **Revenue Support Grant (Specified Bodies)(Amendment)(Wales) Regulations 2003** – The Minister said she would circulate a note on this piece of legislation that deals with a change of name of the one of the concerned bodies.
- **Regulation of Housing Associations in Wales** – The Minister recently published proposals for a new approach to the regulation of housing associations in Wales, together with a draft Regulatory Code setting out obligations of RSLs. The new approach places greater emphasis on risk assessment, targeting inspection and inspection resources on areas of greatest risk. She added that she proposed a system of "Regulation Co-ordinators". She aimed to see greater openness and the reports being published in the public domain. The consultation paper is scheduled to be considered by

Committee on 19 March and the consultation period ends on 25 April.

- **Police Authorities Resources** –The Minister met with the Chairs of the four Police Authorities in January and it was clear to her that the police budgets for 2003 –04 are likely to be higher than was originally forecast because the Home Office has not fully funded the Police Reforms and this will impact on council tax. To ease the burden, the Minister has announced that she will provide an additional £2m that will be distributed in proportion to each authority spending assessment.

2. Members made the following points:

- Members reiterated their concerns over the community safety aspects of the Licensing Bill and the proposal to extend licensing hours. As an aside, the Chair said that a major brewer had been invited to give evidence to Committee but had not yet responded. This matter will be followed up.
- Members welcomed the announcement regarding the new approach to the regulation of housing associations and especially the openness that this will bring as housing associations have a degree of mystery surrounding them. It was felt that this approach would also invoke greater awareness of the work of housing associations. Assurance was requested that the scheme would encourage and support housing associations and not endanger fear.
- Members were appreciative of the action taken by the Minister to offset the shortfall in police authority budgets for 2003 - 04 but were mindful that that this extra money would be siphoned off from other areas. They suggested that representations are made for devolving the responsibilities of police authorities and budgets to the National Assembly as they were disappointed in the way the Home Office had handled the issue.

2. In response, the Minister said:

- She would provide further reference to the Community Safety aspects of the Licensing Bill in her next written report
- That the regulation of housing associations was designed to support them.
- She had no alternative but to allocate extra funding to the police authorities in order to remain on course for implementing crime and disorder issues. She added that the general public is very concerned about crime and disorder and wants to see more police officers on the beat. The Police Authorities and Chief Constables know the National

Assembly is fully supportive of them. She suggested that although she had made representations to the Home Office, that it might be appropriate for her to meet the Secretary of State for Wales and ask him to take this agenda forward.

2. The Chair suggested that the Committee consider issuing a press notice announcing the top up funding especially as Council Tax bills will be issued shortly and that Committee considers writing to the Secretary of State in support of the Minister's actions on this matter.

Action Points

- The Minister to provide further reference to the Community Safety aspects of the Licensing Bill in her next written
- The Minister to ask the Culture Minister to provide the Committee with information regarding possible restrictions on providing public entertainment.
- The Minister to circulate details on the Revenue Support Grant (Specified Bodies) (Amendment)(Wales) Regulations 2003
- The Chair to write to the Secretary of State and issue a press notice on the Committee's appreciation of the Minister's efforts to achieve an equitable settlement for Police Authorities in Wales, and the disappointment of the Committee that the police reforms have not been fully funded by the Home Office.

09.53am to 10.07am

Item 4: Local Government Electoral Arrangements in Wales

LGH-04-03(p.1)

1. The Minister introduced the paper, which was self-explanatory adding that a further paper on the proposal to reduce the voting age to 16 years in local elections would be brought to the next meeting. She suggested that that paper be discussed in party groups prior to the meeting to allow her to get a consensus by the time the matter is reported to plenary.
2. Members noted the paper and felt that the recommendations would be useful in helping raise voter participation. The following specific points were made:
 - Would the Minister be putting costs on the freepost facility for leaflets as this will impact on next year's budgets and would she expand on the recommendation for alternative voting methods?

- Welcomed the recommendation for more openness and accessibility although it was noted that Rhondda Cynon Taff already holds all its cabinet meeting in public.
- Training and development raised a number of issues – on the one hand it was important that councillors, especially new ones, received appropriate training but it was recognised that those councillors who were in employment were finding difficulties in obtaining leave to attend courses. It was also suggested that too much time was being allocated to training rather than delivery.
- The extension of the freepost facility for delivering candidates election campaign leaflets to the electorate was welcomed although it was suggested that this may encourage more frivolous and extreme candidates to stand for election and the issue of a "deposit" for those candidates who wished to use this facility was suggested.
- The recommendation that councils establish methods for handling petitions was welcomed.
- Suggested that the Minister discussed the recommendations with the WLGA and possibly the Partnership Council.

1. In response, the Minister said:

- She would include a reference in her next written report on the issue of alternative voting methods and on the cost implications of leaflets.
- She added that she would endeavour that the Working Group would be in a position to report at the end of March.

Action Points

- The Minister agreed to provide a note on "voting issues" arising out of the Sunderland recommendations such as the proposed voting age, means of voting and freepost facility

10.07am to 10.27am

Item 5: Criminal Justice Bill

LGH-04-03(p.2) Annex A Annex B

1. The Minister introduced the paper which the Committee had requested. She said that the Bill had no implications for local authorities but was of interest to the Committee.

5.2 Members made the following points:

- The Courts Bill was welcomed and the proposal to utilise one building for all types of courts was noted.
- Felt that the bill would restore the public's confidence that offenders receive an appropriate sentence for the crime they had committed.
- Under the anti-social behaviour Bill, suggested that this had an impact on community regeneration and asked for an enlargement on the proposals for on-the-spot fines for minor offences. Will this be the same as the fixed penalty fines being piloted by the North Wales Police Force which has proved to be a successful initiative?
- Bill aims to protect the rights of victims and individuals who are wrongly accused of crime. Noted that not all victims will be able to accept reparation soon after crime had been committed as require time to come to terms with the event.
- Concern noted about Judge-only trials and double jeopardy – retrial for serious offence. The proposed reform on evidence of bad character would need to be strictly controlled.
- Is the use of the Internet included in the Sexual Offences Bill and are Paedophiles included in the Crime (International Co-operation) Bill?
- How are youth offending teams funded?

3. In response, David A'Herne said:

- It is intended to build on the success of the North Wales fixed penalty notice pilot scheme and extend this to include accredited people. The scheme would cover minor offences and be administered and processed from Magistrates Courts. The system of accreditation is complex. The North Wales Police Force is considering the scheme and is awaiting guidance. Possible people who could be accredited include security personnel, neighbourhood wardens and park rangers. People will have to be of a high calibre and undergo training to specified standard and have reassessments at regular intervals.
- Victim support groups have a strong emphasis in Wales and last year, the Minister assisted to enhance the service by providing funding which was used for training and for a co-ordinator for the whole of Wales.
- It is intended that the Sexual Offences Bill will cover Internet chatrooms.
- Youth offending training teams include schemes whereby offenders make good some of the problems they have created within their communities. Funding of these teams is problematic and involves resources previously used by social services, police forces and the probation service for previous youth offending services. Funding has to be applied for annually.

3. The Minister said that she was unaware of any representations being made regarding the funding for youth offending training teams but would follow up with

10.27am to 10.53am

Item 6: Community Care (Delayed Discharges) Bill

LGH-04-03(p.3) Annex

1. The Minister said that the WAG had no immediate intention of using the reimbursement provisions of the Bill and therefore there would be no effect on local government finances. She added that provision for the 6 weeks' free home care scheme was already included in the local government revenue settlement.
2. Mike Shanahan presented the paper which had completed its second reading in the House of Lords and was now completing its Lords committee stages.
3. Members made the following comments:

- Noted the existence of the 6 weeks' free home care scheme but questioned why may need greater clarity and consistency in the way those arrangements operate.
- Delayed discharge was a matter for concern.
- Felt that a common working hours agreement would help to reduce some delayed discharges.
- Noted reduction of 18.6% available beds in private nursing homes over the last 5 years which had had an impact.
- Issue is a cross –cutting matter between this and the Health and Social Services Committee.
- Sensible solution would be to transfer vote money from Health and Social Services budget to Local Government budget and felt that propose scheme in England is draconian.
- Hope introduction of Local Health Boards in April will address problem of delayed discharge and take all responsibility. Individuals welfare and choice must be respected and a seamless approach offered.
- How will plan deal with patients who receive health care in England?
- Shocked that some individuals had been trapped in rehabilitation wards for a long time.
- Delayed discharge adds to increasing waiting lists for treatment and hospital admissions.
- Need to ensure capacity is available in care homes and social service departments to deal with patients who require additional care upon discharge.
- Have Association of Director of Social Services been consulted as they have in England?

6.4 The Minister said that Health and Social Services Committee had considered two papers relating to delayed transfer of care and suggested that these be obtained and circulated to Members for information. She also suggested that the two Committees meet to discuss this crosscutting issue.

1. Mike Shanahan said that:

- Some local authorities operate wider support schemes under the 6 weeks free home care arrangements. than others do at present. Another possible use of the powers to require community care services to be provided free was to assist joint working and the provision of seamless services between councils and the NHS to assist safe timely discharge. .
- The available data suggested that delayed transfer of care between England and Wales in either direction was not a significant issue. The Bill allowed for joint DH/Assembly regulations for cross border charging but unless Wales introduces a reimbursement scheme within Wales, there would be no joint regulations and therefore no legal basis for Welsh based patients to be charged if they receive treatment in England. Any issues would need to be addressed in discussions between relevant Ministers.
- There was a great deal of NHS/local government activity going on to monitor and to help to tackle delayed transfer of care and this featured in the papers the Minister had referred to.

1. The Chair suggested that the minutes are sent to the Chair of the Health and Social Services Committee. Members agreed.

Action Points

- The Minister to provide the post election committee with a further paper on the application of the Community Care (Delayed Discharges) Bill in Wales.
- The Secretariat to circulate copies of the papers HSS-16-02 (p.9) and HSS-20-02 (p.2) which Health and Social Services Committee had discussed regarding delayed transfer of care.
- The Secretariat to send a copy of the minutes to the Chair of the Health and Social Services Committee.

10.54am to 11.08am

The Committee agreed to break for 15 minutes.

11.08am to 11.43am

Item 7: Presentation from National Probation Service – South Wales Area

1. The Chair welcomed Richard Penn and Peter Sampson. She advised that they had been invited due to the concerns expressed by Members located in South Wales at the rationalisation of the Probation Service in South Wales following the letter issued in late December 2002.
2. Peter Sampson gave a synopsis of the paper circulated to Members on 11 February - a copy is at Annex 1.
3. Richard Penn emphasised the formation of the Board in April 2001 and the dreadful condition of the majority of the inherited buildings. He stressed that in hindsight, some form of consultation /information should have been available to key stakeholders and apologised for this not taking place. He added that the window of opportunity was literally weeks and that the Board's aim had been to ensure that premises were fit for purpose for both staff and offenders.
4. Members expressed their unhappiness and anger at the way in which the rationalisation exercise had been handled and felt that key stakeholders, National Assembly and local authorities had been regarded as insignificant. They were also concerned at the lack of involvement of offenders, the clients of the service.
5. The following points were raised:
 - Closure of offices will result in offenders having to travel further distances with both the cost and time implications that this will bring. The accessibility of public transport also plays a factor here.
 - How can service liaise with bodies who have relocated to be based nearer to offices that have been closed?
 - The loss of offices in areas sends out the message that those areas have been abandoned.
 - Many offenders live in deprived areas and have no one to represent their points of views when exercise like this occur.
 - Are there lessons for the rest of Wales? Do you interact with the other 3 Probation Boards in Wales?
 - Why was the timescale so tight? Committee received a presentation from Ian Fox, the Regional Manager last March, and he gave no indication of the possible rationalisation.
 - The Chair said she felt that that the rationalisation was a retrograde step especially in her area, Neath Port Talbot, which has lost its office to Swansea. She added that crime and disorder partnerships was the way forward and this was moving away from that. She reiterated the completed lack of consultation in Neath Port Talbot and said that the decision had to be revisited.
6. In response, Richard Penn apologised or the way in which this matter had been handled and said that the Service does not disregard its key stakeholders but advised that there had not been time to consult a thorough consultation exercise although in hindsight, information should have been sent out. He said that the

Board was told of the budget cuts in late October and a decision had to be made as to the way forward by the end of December and that he stood by the decisions taken. Other responses were:

- Transport issues were examined and where necessary reimbursement will be provided.
- Advised that not all offices offered full services and offenders had to travel to access certain elements of services prior to rationalisation. Time allowance had been built into appointments.
- Feel buildings are of a high standard and fit for purpose. They are all conveniently located on public transport routes.
- Not feasible to locate an office in every major town.
- There are 4 probation boards in Wales mirroring the police authority areas and they all meet on a regular basis.

6. In conclusion, the Chair thanked them for attending Committee and answering the Members questions. She added that she felt the service had a bridge building exercise to undertake with key stakeholders and that it was important to maintain working relationships.

7.8 Richard Penn thanked the Chair for the opportunity to address Committee. He added that the rationalisation exercise would be monitored and if it were felt it was not working as efficiently as it should, would revisit and put right.

11.43am to 12.40pm

Item 8: Presentation from Housing Forum Cymru

1. The Chair welcomed Keith Edwards - Director Chartered Institute of Housing Cymru, Carol Kay - Director, Tenant Participation Advisory Service (Wales), Peter Cahill – Chief Executive, Cardiff Community Housing Association Ltd and Howard John - Director, Welsh Federation of Housing Associations to Committee. She said that Members of the Economic Development Committee had been invited to attend for this item but unfortunately, none were able to. She invited the panel to make their presentation on *How housing can contribute to economic regeneration*.
2. Keith Edwards thanked the Chair for the opportunity to return to Committee and that Housing Forum Cymru was committed to working with the Housing Directorate and the National Assembly as a whole. He stressed that a host of Assembly objectives had been achieved through the delivery of the housing agenda. A copy of the presentations is at Annex 2.
3. Members said that the presentations brought a lot of ideas and initiatives together

and underpinned the crucial role housing plays as an economic generator. It was noted that although this aspect is to be promoted, the basic requirement that everyone should have a warm, dry and affordable home should not be forgotten. The following points were made:

- It is fundamental that the development of skills is realised. There is a severe shortage of skilled workers in the construction industry and the decline of the Direct Labour Organisations over the last decade has contributed to a limited opportunity for apprenticeships. It is important that there are increased opportunities for training and the development of skills to meet the growing demands of the industry.
 - Accessibility of funding has been highlighted in the Committee's policy review on community regeneration and the panel was asked if the WDA had any locus in housing matters.
 - Development of community banking as in credit unions is fundamental to community regeneration.
 - Establishment of Valleys to Coast organisation provides an ideal opportunity to put into effect a lot of WAG initiatives.
 - Estimated that £2billion required to bring welsh housing stock up to Welsh Housing Quality Standard. Recognised that WAG does not have this amount of funding available and funding has to be levered in from other sources.
 - Can you advise on the split of people employed in new build/repair and renovation? Carol Kay advised that the report Housing, Financial Services and the Welsh Economy by the Council of Mortgage Lenders contain detailed Statistics. The Secretariat will arrange for members to receive copies.
 - Housing needs fall into short, medium and long-term initiatives. People on low incomes in privately owned homes which require repairs/renovation should not be forgotten as they have a social dilemma as to how to raise funds to carry out the required work.
1. The Chair thanked the panel for an informative debate. Howard John suggested that the new assembly government term would be an ideal opportunity to bring the thinking of the sector and the WAG together with a new agenda.

8.5 The Chair suggested that the minutes be sent to the Chair of the Economic Development Committee.

Action Points

- Officials to inform members of any locus the WDA have in housing matters.
- Secretariat to copy the minutes to the Chair of the Economic Development Committee

Committee Secretariat

February 2003