

**MINUTES LGH-16-02 (mins)**

**LOCAL GOVERNMENT AND HOUSING COMMITTEE**

**Date: WEDNESDAY 13<sup>TH</sup> NOVEMBER 2002**

**Time: 09.30 - 12.50**

**Venue: COMMITTEE ROOM 2, NATIONAL ASSEMBLY BUILDING**

**Attendance:**

*Members*

Peter Black	South Wales West
William Graham	South Wales East
Edwina Hart (Minister)	Gower
Pauline Jarman	South Wales Central
Peter Law (Temporary Chair)	Blaenau Gwent
Dai Lloyd	South Wales West
Tom Middlehurst	Alyn & Deeside
Janet Ryder	North Wales
Jane Hutt for Item 2	Vale of Glamorgan
Dafydd Wigley for Item 5	Caernarfon

*In attendance*

Adam Peat	Director of Local Government, Communities, Housing and Culture Department
John Bader	Director of Housing
Peter Jones	Social Deprivation Branch
Francois Samuel	Housing Directorate
Keith Ingham	Children & Families Division
Maria Michael	Social Services Inspectorate for Wales
Richard Grant	Director - Affordable Warmth Programme (TRANSCO)
Jeremy Nesbitt	Affordable Warmth Programme Regional Manager for Wales
Helen Wooldridge	Affordable Warmth Programme
Brian Thursk	Sylfaen
Cofis Cwl Youth Group	
Sandy Blair	Director of Welsh Local Government Association
Steve Thomas	Head of Corporate Affairs, WLGA
Robert Rees	Head of Housing, Neath Port Talbot CBC

*Secretariat*

Roger Chaffey	Clerk
Claire Griffiths	Deputy Clerk

## 9.30am to 9.30am

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

1. The Clerk advised the Committee that the Chair, Gwenda Thomas, was unwell and had sent her apologies. Under standing order 8.17, he invited the Committee to nominate a temporary Chair. It was agreed that Peter Law act as temporary Chair for this meeting.
2. The Chair welcomed the Committee and members of the public and sent the Committee's best wishes to Gwenda Thomas for a speedy recovery.

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

The following declarations were made:

- Peter Black, a Member of Swansea City and County Council and his wife works for a Registered Social Landlord
- Pauline Jarman, leader of Rhondda Cynon Taff County Borough Council and a Member of the Welsh Local Government Association (for item 3)

## 9.35am to 10.10am

### **Item 2: Minister's Written Report**

#### **LGH-16-02(p.1) Annex 1-6**

2.1 The Chair welcomed Jane Hutt, the Minister for Health and Social Services who attended Committee to address questions on Looked after Children, an item that was included in the Minister's paper.

2. The Minister welcomed the interest the Committee had taken with regard to the Waterhouse Report and gave a report focusing on Recommendations 8,9,58 and 59.
3. The Minister highlighted the following:
  - **Recommendations 8 and 9** deal with whistleblowing and disciplinary procedures. She referred to the Codes of Practice for social care employees and employers, published by

the Care Council for Wales. These place duties on employees to report suspected abuse and on and employers to act upon such reports. Copies of the codes would be made available for Members information. She added that the Children's Commissioner is undertaking a review of complaints, whistleblowing and advocacy arrangements in social services.

- **Recommendation 58** deals with advice and guidance for elected members who have roles and responsibilities as Corporate Parents in local authorities. The Minister advised on the guidance, seminars and training events which had been made available to elected members by the Welsh Assembly Government and by SYNIAD, and of her regular meetings with elected members with social services responsibility. She emphasised the role of elected members with specific responsibility in other areas in contributing to the corporate role of the authority, of the role of Scrutiny Committees and of the importance of the performance indicators for social services, which include a number relating to looked after children.
- **Recommendation 59** refers to the role of Directors of Social Services. She said it was vital Directors provided clear leadership and had a strong performance management framework to address cross cutting objectives. Regular monitoring occurs and progress reports have to be submitted to the National Assembly for scrutiny.

#### 4. Members raised the following points:

- There must be a clear, audited chain of guidance available for Directors when they receive notification of actual or suspected abuse under recommendation 8. The Minister was asked how policies had been tested to be seen to be working and robust enough.
- Members reiterated the need for an audit trail for the inspection of care homes and that guidance must make it clear as to why members are visiting.
- It was clear that there was a variation in how local authorities have implemented recommendation 8 and the Minister was asked if she had instigated a review.
- It was emphasised that all elected members of a local authority are corporate parents not just those sitting on a relevant committee and that it was vital that all members received training and guidance in what being a corporate parent entails. It was also important that all areas relevant to a child's care, particularly education, be considered when drawing up a child's care plan.
- The Minister was asked to clarify the difference between corporate responsibility and corporate parenting roles.
- Members noted the forthcoming training days in the New Year and asked what percentage of councillors have received training in this area.

#### 4. The Minister gave the following response:

- The newly published code of guidance addresses the actions to take if a case is reported under recommendation 8.
- She said that members visits to local authority care homes are a vital component of the system, but it must be made clear that they are not there to formally inspect but to identify any causes for concern on behalf of the authority. Formal inspection is the responsibility of the Care Standards Inspectorate for Wales.
- The Directors of Social Services have a clear accountability to ensure that all members receive the guidance and support required and that all disciplines involved in a child's care are brought together.
- Corporate responsibility rests with local authority cabinets. Corporate parenting is a distinct role within the cabinet and to be exercised more widely by the authority in all it's services which impact on looked after children.
- The Minister said she would make enquiries and write to the Chair on the issue of training uptake amongst councillors.

4. The Chair thanked Jane Hutt for attending Committee.

## **Action Points**

- The Minister for Health and Social Services to make enquiries and write to the Chair on this issue of training uptake amongst councillors
- The Minister for Health and Social Services to send copies of the Code of Practice to Members.

4. The Chair invited Edwina Hart to present her written report.

5. The Minister presented her report and in addition reported that:

- She was pleased with the high proportion of tenants who had participated in the housing stock transfer ballot organised by Bridgend County Borough Council, the results of which were in favour of a transfer. She said she would request a report from the local authority as to how they had managed the campaign and would copy to Committee.
- She said she had received a response from Sir Harry Jones at the WLGA on the promotion of rolling registers, a principle that the association widely supported.
- All 22 local authorities had now responded on the implications of the Waterhouse recommendations 8, 9, 58 and 59 and she would provide an updated table for Members.

2.9 In response, Members said:

- It was important to include young people in the running and management of housing associations.
- The large increase in complaints about neighbour nuisances and applications to RSL's were noted.
- The Minister was asked to clarify when the deprivation grant would be applicable from.
- The Minister was asked if her report on the Commission for Local Government Electoral Arrangements will include a way forward.
- Returning to the Waterhouse recommendations, it was felt that there should be an equal footing only all local authorities on the action implemented and that training should be an on-going issue with in each authority.

10. In response, the Minister said:

- She confirmed the deprivation grant would be applicable from 2003-2004 financial year.
- When all responses to the consultation exercise on the Commission for Local Government Electoral Arrangements had been evaluated, she would be in a position to consider the way forward.
- She reiterated that Jane Hutt had agreed to report back on the percentage of councillors who had received training but would write to Sir Harry Jones advising that the Committee felt very strongly that all councillors receive adequate training on this important issue.

## **Action Points**

- The Minister to report back on the lessons learnt from the Bridgend stock transfer ballot results.
- The Minister to update the Committee on responses from local authorities following her consultation on "looked after children"
- The Minister to write to the WLGA on the importance of encouraging councillors to attend training courses.

## **10.10am to 10.40am**

### **Item 3: Presentation from TRANSCO on the Fuel Poverty Strategy**

3.1 The Chair advised that it had been agreed to take the presentation from TRANSCO prior to

the Paper on Fuel Poverty.

3.2 The Chair welcomed Richard Grant, Director of the Affordable Warmth Strategy, Jeremy Nesbitt, the Affordable Warmth Programme Regional Manager for Wales and Helen Wooldridge from the Affordable Warmth Strategy and invited them to make their presentation.

3.3 Members received a copy of the presentation, a copy of which is attached at Annex 1. The main points TRANSCO wished Members to be aware of were:

- The issue of gas to non-gas areas.
- The way forward to integrate the plethora of programmes which exist to tackle fuel poverty.
- The analysis of Welsh figures was not yet complete but results would be sent to Members when available.

3.4 The Chair thanked TRANSCO for their comprehensive presentation and complimented them on their important work that was making a big difference to the problem of fuel poverty. He invited comments from Members.

3.5 Members made the following comments:

- The concept of surveying all homes in deprived areas to ascertain fuel requirements, was welcomed.
- It was noted that the majority of houses may not be classed as being in fuel poverty and consideration must be given to not only make homes warm but provide effective insulation which will have environmental benefits.
- It was noted that available grants do not meet all the elements associated with fuel poverty and Members asked how the programmes could be extended and what lessons Wales could learn from the targeting of the Home Energy Efficiency Scheme (HEES)
- Members looked forward to receiving the results of the Welsh analyses and asked if they would be linked to the Communities First areas.

3.6 In response, Richard Grant said:

- British Gas had given a degree of flexibility to use programme money on the pilot schemes, where the biggest rewards would be reaped.
- The Stockton pilot had employed local suppliers and contractors to install the equipment and had also encouraged local people to become trained in this area of work. Apart from alleviating fuel poverty, this was also contributing to the local economy.
- The suggestion of linking the analyses of Welsh figures to the Communities First areas was noted and would be considered.

3.7 The Minister advised that a full review of the HEES would be undertaken next year and she would specifically look at the issues of eligibility and means testing. She added that she hoped to be able to report on the review in the next term and would consider the points raised at Committee today.

**10.40am to 10.50am**

#### **Item 4: Fuel Poverty Commitment for Wales Consultation**

##### **LGH-16-02(p.2)**

1. The Minister introduced the paper highlighting the need to promote HEES as an integral part of the Assembly's Housing Strategy. She said she would prepare a report on the 2001-02 scheme to see what can be learnt. The UK government launched a fuel poverty strategy last year with a considerable input from the Assembly on the Welsh perspective. She added that the eradication of fuel policy in Wales was a strategy the Welsh Assembly Government wanted to achieve with the bones for this already in place. She added that a unique Welsh strategy had been developed which formed the basis of the consultation. She asked Members to contribute to the consultation exercise that closes on 21 January 2003.

#### **4.2 Members made the following points:**

- It would be beneficial if ways could be found to include people in energy saving/fuel poverty schemes who are currently excluded by the use of benefits as the passport for eligibility.
- Alternative forms of heating including solar power should be considered in future new build schemes.
- It was suggested that other forms of fuel rather than the gas (which is the primary energy source) be considered. The scheme operated at Tower Collier where people on low incomes are able to purchase coal at substantially reduced rates was highlighted and it was suggested that non-gas providers be invited to give evidence on the consultation.

1. In response, the Minister said:

- The review of the scheme would draw out what action would be required.
- She was not happy with the impact that means testing would have and would be looking at alternative ways of targeting the fuel poor.
- She thought it was an excellent idea to receive evidence from other energy providers.

## **Action Points**

- The Minister to report to the Committee on the level of activity during 2001-02 on HEES (this to include associated issues including possible mechanisms other than means testing to mitigate against the benefit system working against people accessing the fuel poverty scheme)
- The Clerk to invite non-gas energy providers to give evidence on alleviating fuel poverty at future Committee meetings.

## **10.50am to 10.55am**

### **Item 8: Minutes of the meetings held on 30<sup>th</sup> October and 7<sup>th</sup> November**

#### **LGH-14-02(min) and LGH-15-02(min)**

8.1 The Chair took this item prior to the break.

8.2 The minutes of 30<sup>th</sup> October LGH-14-02 (min) were ratified subject to the inclusion of *development* after building on first line of fourth bullet point of paragraph 6.3.

8.3 The minutes of 7<sup>th</sup> November LGH-15-02 (min) were ratified.

8.4 The Chair advised Members that an invitation from the Chair of the Health and Social Services Committee for Members to attend that Committee on 28<sup>th</sup> November when the Children's Commissioner's annual report on would be presented. Members were asked to advise the Clerk of their availability to attend.

8.5 The Chair referred to the successful visit to North Wales on 7<sup>th</sup> November and the excellent evidence received as part of the policy review on capacity building. It had been suggested that the Committee consider participating in a fact-finding visit to Ireland. Members were content for this suggestion to be pursued.

### **Action Point**

- Members to advise the Clerk of their availability to attend HSS Committee on 28<sup>th</sup> November.
- The Clerk to prepare a programme for a fact-finding visit to Ireland as part of the policy review.

### **10.55am to 11.10am**

The Committee agreed to break for 15 minutes.

### **11.10am to 11.30am**

### **Item 5: Presentation on Empowering Children from the Cofis Cwl Group**

5.1 The Chair advised that he had agreed to take this item next. He said that the Cofis Cwl Group had been established as part of the partnership between Tai Eryri and Sylfaen, a Community Development Project that spawned the work of the Children's Society. Members had received a presentation from Tai Eryri during their visit to North Wales and understood that some of the young people from Cofis Cwl were visiting the Assembly today and had invited them to attend Committee. He welcomed Brian Thursk from Sylfaen and the young people from the Cofis Cwl group to Committee. He also welcomed Dafydd Wigley.

2. Dafydd Wigley thanked the Chair for inviting him to Committee for this item. He said that he was delighted to see the group here today and thanked them for all

their hard work that would help in the consideration of policies for the future.

3. The young people gave a presentation on empowering children. They described how the group had been established and what they had achieved to date by uniting young people from the housing estates in the Cadnat and Peblig wards of Caernarfon. They described how they had held a conference earlier in the year and invited important people to listen to their views to improve the areas they live in and had followed up with a workshop that looked at factors such as drug abuse, crime, leisure and how these affected their environment. They had also been to Ballybough in Dublin on an exchange visit and had similarly met with young people from the Ely area of Cardiff the previous day to discuss problems and share ideas.
4. They described one project where a path links the two estates. The path was not welcoming and drug addicts loitered on it. During the summer, they had cleared all the rubbish and were engaging a local artist to help paint a mural on the walls. Local businesses had been approached for materials to help with this. As a result, the path will become a more welcoming and safer place.
5. The media have highlighted the group's achievements to date and the group are currently editing a video about their estate and their hopes for the future.
6. The Chair thanked the group for their presentation and said how refreshing it was to see such enthusiasm for their community.
7. Members congratulated the group on their presentation and their achievements to date and advised them that they were the important people as they are the future. Members said that the National Assembly was unanimous in its determination to involve young people and be able to make a difference to their lives.
8. The Minister referred them back to a point made about difficulties in identifying the owner of a piece of land. She said if they wrote to her she would try to resolve it for them. She also referred them to her earlier report on the Local Government Electoral Arrangements and asked them if they thought the voting age should be lowered to 16. A show of hands indicated they agreed with a lowering of the age.

5.9 The Chair thanked them for attending Committee. A mural of their experience in Dublin was presented to the Chair. He thanked them on behalf of the Committee.

**11.30am to 11.50am**

**Item 6; Substance Misuse Policy**

**LGH-16-02(p.3)**

## 6.1 The Chair Invited the Minister to present the paper.

2. The Minister advised Committee that she had asked Adam Peat, Director of Local Government, Communities, Housing and Culture to attend Committee, as he is chair of the working group on the Implementation of Substance Misuse Strategy. She added that, as Committee is aware, she regularly meets with the Chief Constable of Wales where substance misuse is one of the matters discussed. She said that they had welcomed her commitment to establish an additional five community Drug and Alcohol Teams across Wales. She advised that she was pleased to see voluntary groups working in partnership with organisations in this area and cited the work of the Salvation Army with prisoners in Swansea. She said she was extremely concerned about what the future holds for children of addicts and that progress was required around that agenda. She invited comments from Members.

3. Members raised the following issues:

- It was felt that an interface with the health service was required when looking at the availability and demand for bed spaces for residential detoxification and rehabilitation treatments.
- Assurance was sought that no funding allocated to tackle this problem would not be siphoned off for other projects.
- The work of the DAWN project in Colwyn Bay was noted and its joined up approach was praised.
- Members were advised that a similar project to the one in Swansea Prison was taking place in Parc Prison at Brigand where there were voluntary drug free wings.
- Members thought that innovation to deal with GPs being able to allow more time for seeing patients with drug problems could be beneficial and the area of substitute substances is looked at together with counselling about substitutes.
- The effect drug misuse had on communities and families was noted and it was suggested that if not already, that the Minister considers inviting a coroner to sit on the working group.
- The threat of HIV/AIDS was noted from the use of dirty needles and it was felt that this area of misuse was not highlighted anymore.
- The Minister was asked to consider the excellent work of the agencies in North Wales, which cover the whole of the area when considering establishing Drug and Alcohol Teams in the county boundaries.

4. In response, the Minister said:

- A mapping exercise was underway to ascertain what is available where and on consideration of the results, an appropriate budget decision would be made. She added that she was also conscious of the need for accommodation and employment for ex-

offenders when leaving the penal system and this would be reflected in her decision. She said that she hoped to be able to have a clearer picture of the number of beds required by Christmas.

- She assured Committee that no funding would be siphoned off for other areas.
- She said she was considering special GPs who only treat addicts. She was also considering establishing pharmacies where substitute substances could be administered.
- The Minister was content to consider inviting a coroner to sit on the working group.
- She agreed that the threat of HIV/AIDS had gone of the agenda but would take up the concern raised.
- She said she was aware of the excellent work achieved in North Wales but the general response had been to establish groups in the county boundaries.
- She said she would send a list of drug and alcohol teams to the clerk for consideration to give presentations on their work at future meetings.

## **Action Points**

- The Minister to consider adding a Coroner to the Working Group on the Implementation of the Substance Misuse Strategy.
- The Minister to ask officials to examine the possibility of setting aside funds to assist GP's in counseling on substance misuse
- The Minister to provide the Secretariat with a list of organisations who may be invited by the Committee to make presentations on the approaches being adopted to counter substance abuse.

## **11.50am to 12.30pm**

### **Item 7: Presentation from the Welsh Local Government Association**

#### **LGH-16-02(p.4)**

7.1 The Chair welcomed Sandy Blair, Director of the WLGA, Steve Thomas, Head of Corporate Affairs and Robert Rees, Head of Housing at Neath Port Talbot CBC to Committee. The WLGA were given the option of addressing Committee on any item of their choosing and

had selected housing.

2. Sandy Blair thanked the Chair for the invitation to attend Committee and gave apologies from Sir Harry Jones and Councillor Ronnie Jones.
3. Sandy Blair referred members to the WLGA manifesto "Putting our house in order", the purpose of which was to make the case for greater investment in decent, affordable housing. The presentation drew on the paper with the following areas highlighted.

- The Association very much welcomes the work done by the Welsh Assembly Government to develop a clear vision and objectives through the publication of its National Housing Strategy - Better Homes. The Association remained concerned about the continuing and growing gap between the vision and the priority given to housing investment by the Assembly.
- Felt that housing appears to be a low priority in the Assembly's budget and that there was a lack of core investment.
- Association felt that housing conditions in Wales are amongst the worst in the UK and that poor housing undermines many of the Assembly's key objectives; educational attainment, health and well-being, sustainable communities and economic development.
- Difficult see how either the Welsh Housing Quality Standard (WHQS) can be met by 2010 or the targets on unfitness for 2003 and 2012 in Better Wales without substantial additional public investment.
- Welcomed the recognition by the Assembly of the links between housing improvement, job creation and apprenticeships to skill the workforce.
- On local authority housing, felt that both tenants and local authorities should have an alternative to stock transfer and questioned what would happen in areas where tenants voted against a stock transfer.
- WLGA welcomed prudent borrowing regime but did not feel that this would lead to a substantial improvement in access to borrowing for housing purposes.
- Felt that affordability is an issue for all sectors and a major challenge for the Assembly.
- Felt that private sector finance has a role to play in private sector renewal but noted that many owner-occupiers are not credit worthy enough to qualify for loans. Advised that the level of funding available to invest in repair and renovation does not match the rate at which properties are falling into disrepair. They added that the new housing conditions survey is likely to show that there is an accelerated decline. The local authorities have welcomed the new discretionary arrangements for grant funding which has brought greater flexibility.
- Felt that there were major problems to be tackled with HMO's that would be a challenge for both central and local governments.
- The Association welcomed the additional funding for the homeless and emphasised that all levels of government must make its eradication.

2. In response, the Minister said:

- She felt that the report was a request for additional funding but did not acknowledge the programmes that had been introduced in the last three years and the significant impact that these were having on vulnerable individuals. Housing receives a considerable allocation from the Welsh block and it was important to acknowledge the housing budget has reversed the previous declining trend of previous years.
- Pleased that the Association had acknowledged that homelessness was a priority, but disappointed that the report did not demonstrate the policies and funding which had been put in place.
- Still waiting to evaluate the WHQS exercise, as 8 local authorities had not replied.
- She referred back to her earlier comments about requesting a paper from Bridgend CBC on how they had managed the ballot on the stock transfer. She added that the paper did not reflect that the PSBR rules were not a devolved matter or that repeated attempts had been made to seek changes from the UK Government. Even so local authorities could have given greater priority to where the capital resources were focused.
- Affordability is not just about rent levels but needs to take in account other housing costs such as heating.
- The backlog of approvals for disabled facilities grants was not an issue of funding but of delays in assessments often due to the shortage of occupational therapists.
- .
- She has made several representations to the Treasury to relax the PSBR rules but unfortunately had not been able to make any headway.
- Hoped to see an amended paper from WLGA taking on board comments from the Committee.

2. The report received a mixed reaction from Members, whose comments follow:

- Felt paper provided a comprehensive review and underlines why investment in housing is fundamental to the regeneration policies of the Assembly.
- Some Members felt that housing not given enough priority in budget and too much reliance on local government to deliver to local areas.
- Would welcome a joined up approach to support for housing especially where rural housing concerned.
- Felt not enough emphasis was placed in the strategic role of local authorities to deal with housing problems and to target funding to where needed as priority.
- Bridgend CBC had led the way with their successful stock transfer ballot.
- On homelessness, felt it was ironic that the change in legislation did not arise from local authorities lobbying but was a major priority of the Assembly and that there had been a large increase in funding to tackle this in the current financial year. It was suggested that local authorities assess what requirements they needed to deal with homelessness in their areas.
- On HMO's, expecting to see an announcement in today's (13 November) Queen's Speech for legislation to licence HMO's.

- The Assembly has played a large part in ensuring UK Government takes on board key issues relating to housing.
- People want solutions to problems not to be told why action cannot be achieved.
- On affordability, perhaps planning departments could consider releasing land outside major conurbation's where housing prices were generally lower.
- Questioned what fitness criteria had been used in Association's survey.

2. In response, Sandy Blair said:

- Paper not intended to have an insensitive approach and it had recognised the benefits the Assembly had made in a significant number of areas in the housing portfolio.
- Appreciate many competing demands on budget and Finance Minister had every sympathy.
- Felt greater investment in housing may help tackle other issues associated with poor housing conditions.
- Greater responsibility on local authorities to get things right. Need to fund ways to share best practice.
- Sensitive issues require complex changes eg supporting people. Grateful for extra funding for this vulnerable group.
- Partnerships to provide better investment in the future.
- Agreed to chase local authorities that had not responded to the WHQS survey.
- Await evaluation of housing conditions survey to ascertain what challenges lie ahead.

Committee Secretariat

November 2002