

Communities, Equality and Local Government Committee

Meeting Venue:
Committee Room 2 – Senedd

Meeting date:
23 May 2013

Meeting time:
09:00

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



For further information please contact:

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Agenda

Private Pre-meeting – 09.00 – 09.15

1. Introductions, apologies and substitutions (09.15)

2. Ministerial Scrutiny Session – Minister for Communities and Tackling Poverty (09.15 – 11.00) (Pages 1 – 12)
CELG(4)-16-13 – Paper 1

Huw Lewis, Minister for Communities and Tackling Poverty
Kate Cassidy, Director – Communities and Tackling Poverty
Owain Lloyd, Deputy Director – Operations, Local Government and Communities

3. Motion under Standing Order 17.42 to resolve to exclude the public from the meeting for the following business:

Item 4

4. Inquiry into Home Adaptations – Consideration of key issues (11.00 – 11.30) (Pages 13 – 31)
CELG(4)-16-13 – Private paper 2

5. Papers to note

Regulated Mobile Home Sites (Wales) Bill: Letter from the Minister for Communities and Tackling Poverty on local authority Gypsy and Traveller sites
(Page 32)
CELG(4)-16-13 - Paper (to note) 3

Letter from the Minister for Housing and Regeneration - further information following the meeting on 17 April (Pages 33 - 38)
CELG(4)-16-13 - Paper (to note) 4

Paper 1

Communities, Equality and Local Government Committee

Date: **23 May 2013**

Time: **9.15 – 11.15**

Title: **Evidence Paper - Communities and Tackling Poverty Portfolio**

OVERVIEW

The Programme for Government outlines each of my key priorities for this Assembly Term. I am pleased we have already successfully delivered upon many of our identified priorities. We will continue to work hard to ensure progress is made on all of the commitments made in our Programme for Government.

This is an exciting and crucial portfolio. One of my key aims is to increase and exploit the connections between different policies and programmes within my portfolio. It's also important that we prioritise our limited funding towards investment that will have a preventative and protective effect. A core theme across the whole of my portfolio is that of resilient communities. We should be helping communities to be more resilient, by which I mean communities which are well informed and networked; where families and individuals are able to access the support they need; and where local authorities and other public services, registered social landlords, credit unions, advice services, third sector and community organisations, trade unions and employers work together towards this aim.

This paper summarises progress in some of the key areas within the Communities and Tackling Poverty portfolio. Overall, Programme for Government outcome indicators show us that levels of poverty (particularly amongst children) remain stubbornly high and looking ahead there are considerable challenges in reducing this indicator further. In particular, the UK Government's plans for welfare are the biggest change in 60 years of the welfare system. They will hit the poorer members of our society the hardest at a time when the UK's economy is seeing hardly any growth. This double squeeze will have huge economic and social implications.

The Welsh Government will do all it can to help people through these changes and pick up the pieces of the UK Government's decisions. My officials are working across the Welsh Government to review, strengthen and update both our Tackling Poverty Action Plan and Strategic Equality Plan. We are investing significantly in programmes that tackle the root causes of poverty and aim to improve the lives of those living in low income households. These programmes include the re-launched Communities First Programme with its focus on tackling poverty, the expansion of Integrated Family Support Services, early intervention through Families First, and our key commitment to increase investment in Flying Start.

Our actions and commitments to advance equality of opportunity, tackle discrimination, and promote inclusive and cohesive societies will continue to be a priority, as will tackling socio-economic inequality. In keeping with our commitment to

sustainable development, achieving a fairer Wales not only now but for future generations will be our goal.

While we will do all we can, our own budgets are under more pressure than ever before with further cuts announced by the Chancellor back in March as part of the UK Government Budget. It's important that people understand that the welfare changes have the potential to affect public services across areas like health, social care, housing, education, local government and more.

TACKLING POVERTY ACTION PLAN

The Tackling Poverty Action Plan, which was published in June 2012, pulls together a range of policies and interventions across all departments within the Welsh Government. I intend to publish a refreshed action plan in the summer of 2013, and will record progress and future actions.

This refreshed plan will see a stronger focus on objectives together with a coherent narrative to outline the work being done across government to achieve the objectives and a stronger set of milestones and targets to track progress against the objectives. It is important that we set out clearly tangible objectives in relation to Tackling Poverty, for example around closing the educational attainment gap; reducing the number of workless households; reducing the number of young people who are not earning or learning.

Tackling Poverty Champions have been appointed in each of the Welsh Government's Departments to ensure a holistic approach to tackling poverty. Anti-poverty Champions are also being engaged in each local authority at both member and senior officer level.

An external Advisory Group has been appointed to work with, and advise us on actions to tackle poverty, linking to those set out in the Tackling Poverty Action Plan.

There has been considerable external engagement in refreshing the plan, including with the Commissioners, representatives of the Third Sector, the External Advisory Group and, importantly, with people with direct experience of poverty.

COMMUNITIES FIRST

The Communities First programme has been re-launched as a community focussed tackling poverty programme with a particular emphasis on the three strategic outcomes of healthier communities, learning communities and prosperous communities. The programme is key to tackling poverty by working with individuals and communities in the most deprived areas across Wales through Communities First Clusters. These Clusters relate to around 24% of the population in Wales.

52 Clusters were announced by January 2013, representing all the communities considered eligible for inclusion in the new Communities First programme, on the basis of their ranking in the Welsh Index of Multiple Deprivation. Together they will

receive around £75 million up to March 2015. The funding will support a range of community based projects and activities led by a Delivery Team for each Cluster. These will provide support to the most deprived communities in Wales, working to tackle poverty, help people into work and mitigate the impacts of poverty. As an example of how mainstream programmes across the Welsh Government are becoming more focused on tackling poverty, we are joining up our programmes and policies to support new Communities First Clusters. Examples include:

- The expansion of the successful work with Jobcentre Plus (JCP) to move JCP Advisors into communities as an integrated part of Communities First teams.
- The establishment of 10 pilots to support young people from Communities First areas to benefit in full from the opportunities of Jobs Growth Wales.
- A jointly funded project with Sports Wales to encourage “doorstep sport” in every Communities First Cluster in Wales.
- European Social Fund funded regional posts to further support integration with Families First, Flying Start and Integrated Family Support Services.
- The establishment of the Communities First Pupil Deprivation Grant Match Fund, to provide £2 million to support Communities First Clusters and schools to work together.

A range of further opportunities for Communities First Clusters will be developed over the coming year.

MITIGATING IMPACTS OF UK GOVERNMENT WELFARE REFORM POLICY

The Welsh Government Ministerial Task and Finish Group on Welfare Reform commissioned a three stage programme of research to assess the impact of the UK Government's welfare reforms in Wales. The Minister for Education and Skills launched the findings from Stage 2 research on the 18 February 2013. There is a range of action underway, or under consideration, that will contribute towards the mitigation of the UK Government's welfare reforms in Wales. The research findings will help identify how best to protect the most vulnerable and mitigate, where possible, any negative impacts.

The Welsh Government is developing a co-ordinated set of mitigating actions, including, for example, those set out below, which are linked to the aim of supporting resilient communities which are well informed, well organised and able to help those who most need help, in a timely way.

Discretionary Assistance Fund

Elements of the current Social Fund provided by the UK Government, specifically the Discretionary Community Care Grants and Crisis Loans, were discontinued at the end of March 2013. The Welsh Government has introduced its own scheme from 2 April 2013. The new scheme is called the Discretionary Assistance Fund.

The purpose of the Discretionary Assistance Fund is to offer payments or “in kind” support to enable or maintain independent living and to provide urgent assistance to people where there is an identified need to safeguard health and well being. These

payments will be made available to people who have no other means of meeting the immediate cost of living and are not intended to meet the cost of ongoing expenses. As such, payments from this fund are not repayable. Initially to run for two years, the annual budget set aside for the new fund is £10.2 million each year. During April there were 1,434 awards made with £15,871 provided as Emergency Assistance Payments and £243,704 provided as Individual Assistance Payments.

Advice Services

The Welsh Government has allocated £2.2 million annually for three years from 2012/2013 to Citizens Advice Cymru to consolidate existing Welsh Government benefit take-up schemes - Better Advice, Better Health, Benefit take-up for Children with Disabilities and Council Tax and Housing Benefit take-up. The reported benefit gains from this consolidation initiative ("Better Advice: Better Lives") are exceeding the initial project targets, with more than £16.8 million reported as confirmed benefit gains for the first year of the project (2012/13)

The Welsh Government is clear that that advice services will continue to play a vital role in mitigating the impacts of the economic downturn and the UK Government's welfare reforms. We are therefore working towards the establishment of a National Advice Network to ensure strategic coordination of advice services, increase shared learning, and to make the best use of the resources available.

A review of advice services has been undertaken in light of the Welfare Reform changes and legal aid reform. A report prepared for the review recommends better co-ordination and collaboration between services. The review has looked particularly at Social Welfare advice as advice on welfare benefits, debt, housing and employment are the areas of greatest demand for free advice services. Citizens Advice have reported a spike in demand for advice on welfare benefits, highlighting a 24% rise from 2010 to 2012 in the number of people seeking advice on benefits and tax credits. The review has been supported by an internal group, representation on which has come from relevant departments across Welsh Government, including Housing. Also, an external group which included representation from the Legal Services Commission, the Money Advice Service, Citizen's Advice Cymru and Shelter Cymru commented on the work. The Advice Services Review research report was published on the Welsh Government website on 15 May. I will be inviting proposals from advice providers and other organisations as to how best to implement the findings of the review to make sure people can access the help they need.

In addition, a major piece of work is already under way to develop proposals for Communities First to work with Citizens Advice Cymru to improve debt and welfare advice in CF Clusters. This work will be incorporated into future thinking.

Citizens Advice Cymru have also delivered on behalf of the Money Advice Service in Wales face to face debt advice to more than 4,700 clients in the five months ending August 2012 and a further 4,431 money advice sessions up to January 2013.

Communities 2.0

Communities 2.0 (Two point zero) is the Welsh Government's £21 million digital inclusion programme, which runs from April 2009 to March 2015. It prioritises support to the most digitally excluded groups in society by helping them overcome barriers, building their confidence and creating opportunities for them to use new skills. It also helps support social enterprises, and, more recently, new micro enterprises, to improve their operations and competitiveness through ICT.

Communities 2.0, builds strategic alliances with key organisations that represent and work with the most digitally excluded people. These include Age Cymru, Disability Wales, RNIB, Shelter, Care and Repair, local authorities, libraries, NHS Direct, housing associations and Communities First clusters.

Communities 2.0 has already helped more than 23,000 people get online.

Communities 2.0 is helping to mitigate the impact of the digital elements of welfare reform (with the move to online claiming of Universal credit from October 2013), while also improving peoples' lives by opening up opportunities that the latest technologies can offer. Communities 2.0 funded initiatives are helping to train up hundreds of local authority and housing association staff to do front-line digital inclusion delivery to benefit claimants. Communities 2.0 also deliver "Web for work" sessions to address employability challenges. Through referrals from Job Centre Plus, it helps job seekers to improve their ICT skills to help them search and apply for jobs online.

CREDIT UNIONS

From October 2010 to September 2013, funding of £4.056 million has been made available jointly by the Welsh Government and European Regional Development Fund to continue the Access to Financial Services through Credit Unions Project. Based on the second report of a three part independent evaluation of the project being undertaken by Old Bell 3, consideration is being given to how best the Welsh Government can continue to support Credit Unions after the current project has ended.

As at December 2012, seventeen Credit Unions have helped more than 12,629 adults who meet the definition of being financially excluded to have access to financial products that are simple, transparent and affordable. Credit Unions have also recruited more than 4100 new junior savers across Wales despite the demise of the Child Trust Fund Scheme. Assets of Welsh Credit Unions have also continued to grow. In 2000, assets were estimated at £4 million, which has increased to an estimated £30.6 million by September 2012. The value of the loans provided by Welsh Credit Unions is estimated to be in excess of £14.7 million, whilst savings have reached more than £24.6 million.

Consideration is being given to how best the Welsh Government can continue to support Credit Unions in Wales beyond the current project, which ends in September 2013.

FAMILIES FIRST

The Families First programme is creating an integrated, whole-family approach to supporting families in Wales. It aims to develop effective, multi-agency support for families in order to improve their outcomes, particularly those living in poverty, or at risk of poverty. Local Authorities are required to develop increasingly family-focused assessment and engagement processes through the “Joint Assessment Family Framework” (JAFF), and to improve coordinated support through “Team Around the Family” (TAF) models.

Teams Around the Family are now operational in all 22 Local Authorities and significant progress has been made with all local authority areas recruiting, or having recruited, to their Teams Around the Family. All Local Authority areas have a dedicated TAF coordinator.

Development and implementation of the programme is ongoing since the pan-Wales rollout in 2012.

The first National “Learning Sets” took place in January 2013 focusing on the TAF approach and workforce development. The First Minister delivered the keynote speech at this event.

Significant progress has been made on TAF: all Local Authority areas have developed and are operating initial TAF models and have active caseloads. As at November 2012, more than 1,600 JAFF referrals had been made to local *Families First* teams and more than 1,300 TAF action plans had been put in place for families.

A three-year programme of evaluation (2012-2015) has been commissioned to look at the impact of the programme over its first years. Reports produced to date identify that there is strong support for Families First amongst Local Authorities, particularly around the multi agency approach to supporting families.

FLYING START

Flying Start is the Welsh Government’s flagship early years programme and provides a path towards improving the life chances of children in some of our most disadvantaged communities. The multi-disciplinary programme provides a “universal” set of entitlements which all children under the age of four, and their families within targeted geographical areas can access.

The programme already supports 18,000 children and their families, by the end of this Assembly term, 36,000 children and their families will benefit. Three year strategic plans have been developed by local authorities to ensure the expanded programme can be delivered.

Local Authority performance is being driven by an Account Manager process and is assessed with a rigorous performance and monitoring framework. A strategic recruitment and training plan has been developed in conjunction with our key partners at the local and national level to deliver our workforce requirements:

- Significant training is already underway and Flying Start is currently funding an initial wave of 71 trainee Health Visitors.
- Local authorities have developed strategic plans for the delivery of their childcare and family support workforce.

Capital funding has been secured and Ministers have approved capital projects which include high quality childcare settings. 145 projects have been approved to date with a total value of £20.918 million.

Officials are continuing to model the phased roll-out of the expanded programme to ensure it aligns with the expanding capital and workforce resources as they become available.

SUPPORT FOR DISPLACED REMPLOY EMPLOYEES

The Welsh Government launched the Employer Support Grant (ESG) to help displaced Remploy staff find new work. It offers financial support for employers looking to offer suitable and sustainable employment to displaced Remploy workers in Wales. The funding is available to organisations who can offer suitable employment to disabled ex-employees of Remploy for a minimum period of four years. The support is also available to former disabled Remploy workers who have become self-employed or are planning to set up their own business.

The Welsh Government has worked in association with Social Firms Wales, Wales Co-op Centre, Local Authorities, Welsh Health Boards, Jobcentre Plus, and local Remploy management in identifying employers and business opportunities to create new employment for redundant disabled Remploy workers. The Welsh Government and its partners have used a combination of support mechanisms to identify re-employment opportunities. Jobcentre Plus in Wales has supported the ESG process through its Personal Case Workers, who have been instrumental in matching former eligible Remploy workers into ESG-supported job opportunities.

The scheme has proved successful for many employers and former Remploy employees. The latest figures show the scheme has helped 78 former Remploy workers find new jobs, and job opportunities have been found for more.

On 6 May 2013 I announced that those workers affected by “Phase 2” will also receive the same level of Welsh Government support. The scheme will now be extended so applications can be made up until March 2014. The support package will be funded with up to £2.4 million of Welsh Government funding.

RIGHTS OF THE CHILD

The Rights of Children and Young Persons (Wales) Measure 2011 placed a duty on Welsh Ministers to have due regard to the rights in the United Nations Convention on the Rights of the Child (UNCRC). The Measure has been implemented in two stages. From 1 May 2012 the duty commenced whereby Ministers must have due regard to the articles of the UNCRC, when making decisions about new policies and legislation

or when amending or reviewing existing policies. From 1 May 2014 the duty will be extended such as Ministers will need to have due regard whenever they exercise any of their functions. Section 4 of the Measure required that, by 31 January 2013, the Welsh Government publish a report on the compliance to the duty to have due regard to the UNCRC and its optional protocols. The report provides information on the progress the Welsh Government have made in implementing the Measure.

Our “Getting it Right Action Plan” is in response to the recommendations made by the United Nations Committee on the Rights of the Child following the UK report on children’s rights in 2008 and includes the agreed 16 priority areas for Wales.

In January 2014 the UK Government (as the State Party) will be required to submit their update report to the United Nations Committee on the Rights of the Child. This report will need to reflect the position across the UK. We continue to engage in detailed discussions with UK Government officials on how the process will work, but more importantly how our positive approach to children’s rights in Wales is adequately reflected to the UN Committee. We are currently updating the “Getting it Right Action Plan” which will form the basis of our contribution to the UK wide submission.

PLAY OPPORTUNITIES

Improving opportunities for all children and young people to play forms part of our manifesto commitment in the Programme for Government. To deliver on this commitment, in November 2012 we commenced the first part of section 11, Play Opportunities, in the Children and Families (Wales) Measure 2010. This, together with the Play Sufficiency Assessment (Wales) Regulations 2012, places a duty on local authorities to assess the sufficiency of play opportunities for children in their areas. These assessments, with action plans to address shortfalls and improve play opportunities, were submitted to the Welsh Government in March 2013.

CHILDCARE

Our policy objectives for childcare contribute to the delivery of our Programme for Government’s Tackling Poverty, Early Years and Equality agendas. We have identified access to high quality, affordable childcare as a key priority within our Tackling Poverty Action Plan. This priority is central to supporting parents back to work as well as ensuring positive developmental outcomes for children. We are continuing to invest in the early years and have a number of programmes that provide a range of support to parents. We are also continuing to work with our partners and stakeholders to take forward the actions within our Childcare Policy Statement “Nurturing Children, Supporting Families”. A number of these actions are being taken forward across portfolios through an Early Years and Childcare Plan which is under consideration by Ministers at the present time.

We are also working with other UK Government Departments in respect of Welfare Reform to ensure that people in Wales will be able to continue to access appropriate tax credits where eligible.

STRATEGIC EQUALITY PLAN

The Welsh Government launched its Strategic Equality Plan and equality objectives on 2 April 2012. Regular progress updates have been received with engagement at all levels across the Welsh Government.

A Strategic Equality Board has been established, with both internal and external representation, whose remit will include providing support, challenge, advice and constructive feedback on the progress of delivering the equality objectives. Its first meeting was in March 2013.

The first Strategic Equality Plan Annual Report covering 2011/12 has been published setting out our reporting duties under both the Government of Wales Act and Wales Specific Equality Duties. The next annual report will be published in the autumn.

Although the UK Government is already reviewing the public sector equality duty set out in the Equality Act 2010 and has proposed to repeal in England the public sector duty to have regard to reducing inequalities arising from socio-economic disadvantage, the Welsh Government remains firmly committed to both requirements.

FRAMEWORK FOR ACTION ON INDEPENDENT LIVING FOR DISABLED PEOPLE

A Framework for Action on Independent Living sets out the action we are proposing to take to promote the rights of disabled people in Wales to live independently and exercise the same rights as other citizens. The Framework was published for consultation in September 2012. A summary of consultation responses to the draft framework was published on the Welsh Government website at the end of March. The focus will be the key priority areas identified by disabled people themselves, and setting out how the barriers to equality can be addressed in each of these areas. We have engaged extensively with disabled people and their representative organisations during development of the framework and during the consultation period. They have informed us that they want practical action that removes barriers to equality and inclusion for disabled people living in Wales.

The final Framework will be published in later this year.

INCREASING THE ENGAGEMENT AND PARTICIPATION OF UNDER REPRESENTED GROUPS

The Sports Wales Case study report has shown how the commitment of the Chair and the proactive approach of Sport Wales in encouraging women to apply for public appointments has made a marked a marked difference.

Although the outcome from the work at Sport Wales is very encouraging, there is still a striking lack of gender balance in public appointments across Wales which the Welsh Government are committed to redress. Earlier this year, Ministers wrote to the Chairs of all regulated Public Sector Boards asking them to take action to increase

the number of women and other under-represented groups on public sector boards. A seminar for Chairs is planned for July this year where actions taken to date will be discussed.

FRAMEWORK FOR ACTION ON HATE CRIME

The Welsh Government will be launching a Framework for Action on Hate Crime in Summer 2013. This will cover the protected characteristics of race, religion, disability, sexual orientation and gender identity and will also extend (on an exploratory basis) to alternative subcultures and older people.

GYPSY AND TRAVELLER SITES

The Welsh Government offers funding to local authorities in Wales to refurbish existing Local Authority sites and funding towards the building of new sites. The funding is offered at 100% and, during 2012/13, just over £1.7 million has been committed to refurbishment projects across Wales.

The Welsh Government has allocated £1.75 million in 2013/14 towards a new Gypsy and Traveller site in Brecon, Powys. The Welsh Government is also planning to fund a number of refurbishment projects at local authority owned sites across Wales.

We provide advice to Local Authorities on the issues of site development and improvement. We have also published Good Practice Guides on the development and management of Gypsy and Traveller sites to assist Local Authorities.

The Housing White Paper proposed that the forthcoming Housing Bill includes a Statutory Duty on local authorities to make provision for new Gypsy and Traveller sites where a need has been identified. We will be producing Guidance to assist Local Authorities to understand the ramifications of this Duty and how they are able to comply with their responsibilities

We have also recently concluded a consultation process aimed at implementing the Mobile Homes Act 1983 on Local Authority Gypsy and Traveller sites. This implementation will ensure that residents living on these sites will achieve equal security of tenure, which will mean that the Welsh Government is complying with its responsibilities under the European Convention on Human Rights. Amendments to the Act, proposed in the consultation, will also give Local Authorities the protection to ensure that they are able to effectively manage their sites. The consultation took place through face-to-face interviews with 78 residents on all Local Authority Gypsy and Travellers sites in Wales, stakeholder workshop events in Merthyr and Wrexham, and through 14 written submissions from organisations and individuals. These provisions are expected to come into force during this summer.

During the autumn, the Welsh Government will also review its progress against the objectives set out in the "Travelling to a Better Future: Framework for Action and Delivery Plan".

INCREASING COMMUNITY COHESION

The Welsh Government has provided funding for nine Regional Community Cohesion Co-ordinators covering all 22 local authority areas to increase mainstreaming of community cohesion and to ensure that the delivery of the programme remains sustainable. This funding also supports delivery of the Equality Act duty for Public Authorities to “promote good relations”. This has been supported by a National Cohesion Network and Mainstreaming Guidance.

THIRD SECTOR

The Third Sector is a key partner in the delivery of our Programme for Government commitments. However, a better understanding of how we work together is important. A review of the relationship between Welsh Government and the Third Sector is therefore, under way. Key issues under review include:

- Third Sector involvement in public service delivery.
- Future use of Infrastructure Funding
- Pattern of engagement between the Welsh Government and the Third Sector.
- Future development of Compacts between local authorities and the Third Sector.
- Revision of key documents including the Voluntary Sector Scheme, Code of Practice for Funding the Third Sector, and the Partnership Agreement with WCVA.

Informal engagement has already begun at official level both internally and externally, ahead of a formal consultation beginning in May 2013.

Work is also underway to improve the systems used to track expenditure across Welsh Government which supports voluntary organisations. The work includes both technical improvements and training of budget holders to ensure that definitions are applied and payments are “tagged” consistently.

SUSTAINABLE DEVELOPMENT

In December 2012, the Welsh Government published a White Paper “A Sustainable Wales – Better Choices for a Better Future”. Following the consultation on the White Paper, careful consideration is being given to the responses and how they inform the way forward. The transfer of responsibility to the Communities and Tackling Poverty portfolio emphasises the cross-governmental nature of our commitment to sustainable development, in the same way that our commitment to tackling poverty and promoting equality involves the whole of government. It also sits well with the focus on how our government is working to secure a better and fairer future for our children and young people.

Huw Lewis AM
Minister for Communities and Tackling Poverty
May 2013

By virtue of paragraph(s) vi of Standing Order 17.42

Document is Restricted

Agenda Item 5a

Huw Lewis AC / AM
Y Gweinidog Cymunedau a Threchu Tlodi
Minister for Communities and Tackling Poverty



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref HL/00289/13

Christine Chapman AM
Chair of Communities, Equality & Local
Government

Dear Christine,

09 May 2013

I wrote to the previous Chair of the Communities, Equality and Local Government committee in March regarding the Welsh Government's consultation on implementing the Mobile Homes Act 1983 on Local Authority Gypsy and Traveller sites. My letter was in response to a query raised by the Chair on 4 March and both letters are attached to this letter as Document 1 (Ann Jones AM letter) and Document 2 (my original response).

I am writing to confirm that government amendments are being considered to the Regulated Mobile Homes Sites (Wales) Bill ("the Bill") that will remove Local Authority Gypsy and Traveller sites from the scope of the provisions in the Bill relating to site licensing.

Earlier this year the Welsh Government consulted on proposals to afford protection to local authority Gypsy and Traveller sites by bringing them within the scope of the Mobile Homes Act 1983. Work is currently underway to consider the responses to that consultation.

I understand officials will be briefing the Committee on the amendments proposed to the Bill on 23 May, and I am sure will be able to answer any questions you may have regarding how they affect Gypsy and Traveller sites.



Huw Lewis AC / AM
Y Gweinidog Cymunedau a Threchu Tlodi
Minister for Communities and Tackling Poverty

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Wedi'i argraffu ar bapur wedi'i ailgylchu (100%)
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Carl Sargeant AC / AM
Y Gweinidog Tai ac Adfywio
Minister for Housing and Regeneration



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref SF-CS-1289-13

Ann Jones AM
Chair
Communities, Equality and Local
Government Committee
National Assembly for Wales
Ty Hywel

15 May 2013

Dear Ann,

I was delighted to appear before your Committee on 17 April. As agreed, I can now provide further information that the Committee sought.

During the scrutiny session on the Inquiry into Home Adaptations I agreed to provide: guidance on disabled facilities grants; guidance on whether means testing is being applied differently across local authorities; and information on the data used in the calculation of the Housing element of General Capital Funding. I attach this information at Annex 1.

I also agreed to provide further information, during the general scrutiny session, on negotiations with HM Treasury to leave the Housing Revenue Account Subsidy System and any replacement scheme in relation to NewBuy Cymru. Unfortunately, I am not in a position, at this early stage, to provide the Committee with further detailed information at present. However, I can advise that negotiations are continuing with HM Treasury to seek a financial settlement that will enable the Housing Revenue Account Subsidy system to end in Wales, as it has been in England. I am committed to exiting from the HRAS and will be seeking to bring an end to the transfer of HRAS revenues as early as possible.

With regards to further home ownership schemes, I am exploring the options available for a scheme with a loan equity arrangement to help buyers into new homes in Wales. Firstly, I am seeking greater clarity on the English Help to Buy Shared Equity Scheme to aid our research in this area. I will write again to the Committee, once I have further information, to ensure it is first to be made aware of any developments.

The Committee also requested further detail on the various Bills that I have responsibility for. I attach this information at Annex 2.

I trust that I have addressed the Committee's queries in full and I look forward to working closely with you in the future.

A handwritten signature in black ink, appearing to be 'C. Sargeant', written in a cursive style.

Carl Sargeant AC / AM
Y Gweinidog Tai ac Adfywio
Minister for Housing and Regeneration

Annex 1

Guidance Relating to Disabled Facilities Grants (DFG)

A link to the current guidance is attached:

National Assembly for Wales Circular 20/02 – Housing Renewal Guidance – Revised Annex D – Disabled Facilities Grants

<http://wales.gov.uk/topics/housingandcommunity/housing/publications/privaterenewal/?lang=en>

A further link to the guidance covering the DFG Performance Indicator is also attached for your convenience:

<http://dissemination.dataunitwales.gov.uk/webview/index.jsp?language=en>

Means Testing

The means test for Disabled Facilities Grants (DFG) is a statutory requirement and is contained in Section of the Housing Grants, Construction and Regeneration Act 1996. The test is amended from time to time to take account of changes to the benefit regime. The test was last amended in March 2013 and revised Regulations in the form of the Housing Renewal Grants (Amendment) (Wales) Regulations 2013 came into force on 1st April. The revised Regulations take account of the introduction of Personal Independence Payments (PIP), which replaced Disability Living Allowance for new claimants from 8th April 2013. The new Regulations also covered the replacement of Council Tax Credit with the Council Tax Reduction Scheme from 1st April 2013. Further revisions to the Regulations are planned in due course to cover the introduction of Universal Credit.

The Housing Renewal Grants Regulations 1996 provide a definition of 'relevant person' for the purposes of applications for DFG. This reflects the policy that the test for DFG should take into account only the resources of the disabled occupant, where this is the applicant, their spouse and partner. One of the principal recommendations contained in the 2005 DFG Review Report was that DFG applications intended to meet the needs of disabled children should not be subject to a means test. The Welsh Government accepted this recommendation and decided to implement it immediately. The exemption for disabled children was introduced from 30 September 2005 when the Housing Renewal Grants (Amendment) (Wales) Regulations 2005 came into force. The Welsh Government also extended the exemption to take account of 'Young Persons' on 20 October 2006.

My officials are not aware of any evidence that the means test is being applied inconsistently across Wales by local authorities and consider any evidence to date to be largely anecdotal. However, they will be raising the

issue at the next meeting of the all-Wales Heads of Environmental Health Technical Panel to gauge local authority views on the matter.

Data Used in Calculation of General Capital Funding (GCF) – Notional Housing Component

The formula for allocating GCF funding for Housing is as follows:

- 20% Amount spent on DFGs (latest 3 year average)
- 20% Households with low SEC head
- 15% Private dwelling stock
- 25% Total repair cost
- 20% Pensioner households

These indicators are used to assess the relative need at the local authority level and to be able to aggregate up to a total GCF amount for each authority. Local authority allocations are notional amounts and the total funding for each authority remains unhypothecated.

The data are published in the Welsh Government's Green Book which can be accessed via the following link. The formulae are explained on page 123, see page 128 Table 6 for the data behind the housing formula.

<http://wales.gov.uk/topics/localgovernment/finandfunding/settlement/lgs-ettlement1314/greenbook-2013-14/?jsessionid=DDE6A46B52B627818229C15DE257D7D8?lang=en>

Annex 2

The **Housing Bill** is intended to be introduced into the National Assembly in Autumn 2013. It is expected to include provisions on:

- changes to homelessness law, including a new duty on local authorities to prevent homelessness and allow them to use suitable accommodation in the private sector;
- introducing a compulsory registration and licensing scheme for all private rented sector landlords and letting and management agents;
- giving local authorities the power to charge more than the standards rate of council tax on homes that have been empty for over a year;
- reforms to the Housing Revenue Account Subsidy system, subject to an agreement being reached with HM Treasury;
- introducing standards for local authorities on rents, service charges and quality of accommodation; and
- enabling more use of Community Land Trusts and Co-operative Housing.

The **Renting Homes Bill** broadly follows recommendations from the Law Commission, which called for a much simpler legal framework for renting a home based on two types of rental contract:

- A 'secure contract', modelled on the local authority secure tenancy, which will be used mainly for long term housing by councils and housing associations;
- A 'standard contract', which will be similar to the current assured shorthold tenancy used mainly in the private rented sector.

Together, these contracts will replace several existing, and different, types of rental contract. They will help ensure equality and flexibility across the different types of rented housing. I intend to publish a White Paper on 20 May 2013.

The **Mobile Homes (Wales) Bill** is currently being scrutinised by Committee and will create a second-tier licensing regime for residential park homes setting out requirements for the making of licence applications and the management of residential park home sites. The Bill will ensure that a single licensing regime is preserved and includes provisions to introduce a fit and proper persons test and the removal of the veto on sales of mobile homes by residents by their site owners.

I also propose to introduce new **planning legislation** to improve the way in which the planning system supports delivery of our key objectives which include increasing the supply of affordable and market housing and

supporting regeneration. The first Bill, the Planning Reform Bill will make changes to existing planning legislation to improve the effectiveness and speed of delivery, including changes to the respective role of the Welsh Government and local planning authorities. The second Bill will provide an opportunity secure improvements in efficiency through simplifying and consolidating existing planning legislation into a single Welsh Planning Act. In taking forward planning legislation I will ensure that the planning system helps to deliver, rather than frustrate, the achievement of our policy objectives.