

Agenda – Equality, Local Government and Communities Committee – Fifth Senedd

Meeting Venue:

Tŷ Hywel

Meeting date: 19 September 2019

Meeting time: 09.00

For further information contact:

Naomi Stocks

Committee Clerk

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- 1 Introductions, apologies, substitutions and declarations of interest**
(09.00)
- 2 Papers to note**
(09.00–09.05) (Pages 1 – 2)
 - 2.1 Correspondence from the Minister for Health regarding the Inter-Ministerial Group (IMG) on Paying for Social Care – 15 July 2019**
(Pages 3 – 4)
 - 2.2 Correspondence to the Minister for Housing and Local Government and the Deputy Minister and Chief Whip regarding common UK policy frameworks – 22 July 2019**
(Pages 5 – 6)
 - 2.3 Correspondence to the Llywydd regarding the inquiry into prisoner voting: report response clarification – 26 July 2019**
(Pages 7 – 8)
 - 2.4 Correspondence to the Minister for Housing and Local Government regarding the inquiry into prisoner voting: report response clarification – 26 July 2019**
(Pages 9 – 10)
 - 2.5 Correspondence from the Deputy Minister for Housing and Local Government regarding benefits in Wales: additional information – 6 August 2019**
(Pages 11 – 13)



- 2.6 Correspondence from the Deputy Minister for Housing and Local Government regarding empty properties: additional information – 6 August 2019**
(Pages 14 – 25)
- 2.7 Correspondence from the Minister for Housing and Local Government regarding fire safety in high-rise buildings: follow up response – 6 August 2019**
(Pages 26 – 29)
- 2.8 Correspondence from the Deputy Minister and Chief Whip regarding common UK policy frameworks – 8 August 2019**
(Page 30)
- 2.9 Correspondence from the Future Generations Commissioner for Wales regarding involvement in the first Future Generations Report – 9 August 2019**
(Pages 31 – 32)
- 2.10 Correspondence from the Minister for Housing and Local Government regarding common UK policy frameworks – 13 August 2019**
(Page 33)
- 2.11 Correspondence to the Minister for Housing and Local Government, the Deputy Minister for Housing and Local Government and the Deputy Minister and Chief Whip regarding draft budget scrutiny 2020–21 – 10 September 2019**
(Pages 34 – 36)
- 2.12 Correspondence from the Llywydd regarding revising the remit of the Committee – 30 July 2019**
(Pages 37 – 47)
- 3 Motion under Standing Order 17.42 to resolve to exclude the public from the remainder of the meeting**
(09.05)
- 4 Inquiry into empty properties: consideration of draft report**
(09.05–11.00) (Pages 48 – 105)

The Committee will undertake a private visit to meet people with lived experience of rough sleeping

5 Rough sleeping in Wales: private event

(11.30–13.00)

(Pages 106 – 110)

Agenda Item 2

Equality, Local Government and Communities Committee

19 September 2019 – papers to note cover sheet

Paper no.	Issue	From	Action point
ELGC(5)-24-19 Paper 1	Inter-Ministerial Group (IMG) on Paying for Social Care	Vaughan Gething, Minister for Health and Social Services	To note
ELGC(5)-24-19 Paper 2	Common UK policy frameworks	John Griffiths AM	To note
ELGC(5)-24-19 Paper 3	Inquiry into voting rights for prisoners	Y Llywydd	To note
ELGC(5)-24-19 Paper 4	Inquiry into voting rights for prisoners	John Griffiths AM	To note
ELGC(5)-24-19 Paper 5	Inquiry into Benefits in Wales: options for better delivery	Hannah Blythyn, Deputy Minister for Housing and Local Government	To note
ELGC(5)-24-19 Paper 6	Inquiry into Empty Properties	Hannah Blythyn, Deputy Minister for Housing and Local Government	To note
ELGC(5)-24-19 Paper 7	Inquiry into Fire safety in high-rise buildings	Julie James, Minister for Housing and Local Government	To note
ELGC(5)-24-19 Paper 8	Common UK policy frameworks	Jane Hutt, Deputy Minister and Chief Whip	To note

ELGC(5)-24-19 Paper 9	Scrutiny of the Future Generations Commissioner	Future Generations Commissioner for Wales	To note
ELGC(5)-24-19 Paper 10	Common UK policy frameworks	Julie James, Minister for Housing and Local Government	To note
ELGC(5)-24-19 Paper 11	Welsh Government Draft Budget 2020-21	John Griffiths AM	To note
ELGC(5)-24-19 Paper 12 [Private]	Revising the remit of the Equality, Local Government and Communities Committee	Y Llywydd	To note

Ein cyf/Our ref: MA(P)VG/2593/19

Llywodraeth Cymru
Welsh Government

Dr Dai Lloyd AM
Chair, Health, Social Care and Sport Committee

Llyr Gruffydd AM
Chair, Finance Committee

John Griffiths AM
Chair, Equality, Local Government and Communities Committee

National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

15 July 2019

Dear Chairs,

I am writing to update your respective committees about the work of the Inter-Ministerial Group (IMG) on Paying for Social Care, which was set up last year by the then First Minister to consider a potential social care levy to help meet the increasing cost and demands for social care. I am now chairing the group.

The group is considering the report by Professor Gerald Holtham about a social care levy as the basis of its work. Professor Holtham's report is available at: <https://gov.wales/paying-social-care>. The group's remit is to explore further the potential for a social care levy, or an alternative mechanism, to raise additional funds for social care in the medium to long term.

Membership of the group currently comprises, the Minister for Finance and Trefnydd, the Minister for Housing and Local Government and the Deputy Minister for Health and Social Services, and is supported by policy officials from across the government.

The IMG will undertake an initial assessment of the viability and effectiveness of introducing a levy or an alternative mechanism by early 2020. While Professor Holtham focused his attention on social care solely for older people, the IMG's work is taking a broader approach and is considering the overall demand and pressures social care faces in the round.

To progress its considerations the IMG has created five distinct work streams. These are:

- Raising the finance – to identify the mechanism through which additional funds could be collected in the future;

- Distributing the finance – to identify the most effective model for distributing additional funds;
- Utilising the finance – to consider the priorities for any funds raised in the context of seamless health and social care as set out in *A Healthier Wales*. This work stream also includes defining the nature of the offer to people in return for paying a levy or new tax introduced;
- UK Government interface – to look at the context of our proposals in the wider non-devolved pensions and welfare benefit system, and the plans the UK Government has for social care in England. Initial engagement has centred on the UK Government's proposed Green Paper on social care in England. This paper has been delayed several times. I believe we cannot afford to delay our own considerations in Wales and should continue to move ahead with these;
- Communications – to establish a strategic communications and engagement approach to ensure stakeholders are kept informed of progress and have opportunities to input as appropriate.

In addition to the above, two pieces of research have been commissioned. The first will identify and quantify the demand and funding pressures on social care in the short to medium term. This is due to report this summer.

A second research project will analyse health and social care spending over the medium to long term and the relationship between the two. This is currently out to tender and the intention is for the research to be completed by next spring. Both of these will provide the IMG with a strong evidence to inform its decisions.

The IMG had an opportunity to meet Clive Betts MP and discuss the House of Commons Health, Social Care and Housing and Communities and Local Government committees' report *Long-Term Funding of Adult Social Care*, which he co-chaired. This set out recommendations for the way social care in England should be provided and funded in the future. It is available at:

<https://publications.parliament.uk/pa/cm201719/cmselect/cmcomloc/768/768.pdf>

I would be keen to meet with you, as chairs of a policy committee with an interest in the long-term funding of social care in Wales, to discuss these matters and the IMG's work further. I would also like to offer your committees a technical briefing about the IMG's work before the Christmas recess.

Yours sincerely,



Vaughan Gething AC/AM

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services

Minister for Housing and Local Government
Deputy Minister and Chief Whip

22 July 2019

Common UK Policy Frameworks

Dear Minister and Deputy Minister,

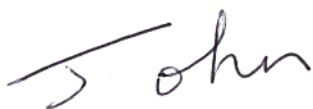
At the recent Chair's Forum, it was agreed that individual policy committees should gather information from the Welsh Government on the UK wide common policy frameworks within our respective committee portfolios.

Firstly, could you confirm which, if any policy areas within your Ministerial responsibilities are likely to result in a common policy framework? For each of these frameworks could you also detail:

- the evidence base to support decisions on frameworks;
- intergovernmental structures that have or are being established (Ministerial Forums etc.);
- what end output or outputs is/are anticipated (legislative and non-legislative);
- whether steps have already been taken (legislative or non-legislative) to establish frameworks within your areas of responsibility ;
- the state of progress against each of the frameworks within your areas of responsibility;
- how they link with existing or proposed Welsh Government action (e.g. legislation, policy consultations etc.); and
- how each framework area will be managed in the event of the UK leaving the EU without a deal.

I would appreciate if you respond before the start of the autumn term, in early September, either a single, joint or individual responses would be acceptable.

Yours sincerely

A handwritten signature in black ink that reads "John". The letter 'J' is large and stylized, with a long horizontal stroke that extends to the left and then curves down to form the letter. The 'o' and 'h' are written in a simple, cursive style.

John Griffiths

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.



Llywydd

26 July 2019

Voting rights for prisoners

Dear Elin

Thank you for your response to our report on voting rights for prisoners. I am writing to seek some further clarity on next steps.

In your response, you state that it is the Commission's view that the decision as to whether the franchise in relation to prisoner voting should be changed "sits with the Welsh Ministers."

The Welsh Government have also responded, but have only done so in relation to the recommendations that we made towards them. A copy of this response is enclosed. They state, in response to recommendation 1, that the part concerning Assembly elections is "directed to the Llywydd and it would be for her, in the first instance, to respond to in the context of the Senedd and Elections (Wales) Bill."

We would now like to seek clarity on how the issues around prisoner voting and the Assembly franchise will be dealt with, and who will be responsible for this issue. We would appreciate a response by 18 September, to enable it to be considered as part of the Assembly debate on 25 September.

I am also writing to the Minister for Housing and Local Government about this issue.

I am copying this letter to the Chair of the Constitutional and Legislative Affairs Committee.

Yours sincerely



John Griffiths

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

Enclosure: Welsh Government response to Voting Rights for Prisoners report.

Cc: Mick Antoniw, Chair, Constitutional and Legislative Affairs Committee



Minister for Housing and Local Government

26 July 2019

Voting rights for prisoners

Dear Julie

Thank you for your response to our report on voting rights for prisoners. We have also received a response from the Llywydd on behalf of the Assembly Commission. I have enclosed a copy.

You will note that the Llywydd states that it is the view of the Assembly Commission that “the decision on whether and when legislation should be introduced in respect of prisoner voting rights sits with the Welsh Ministers.”

We would now like to seek clarity on how the issues around prisoner voting and the Assembly franchise will be dealt with, and who will be responsible for this issue. We would appreciate a response by 18 September, to enable it to be considered as part of the Assembly debate on 25 September.

I am also writing to the Llywydd about this issue.

I am copying this letter to the Chair of the Constitutional and Legislative Affairs Committee.

Yours sincerely



John Griffiths

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

Enclosure: Correspondence from the Llywydd

Cc: Mick Antoniw, Chair, Constitutional and Legislative Affairs Committee



Ein cyf/Our ref: MA-(P)/HB/2673/19

John Griffiths AM
Chair
Equality, Local Government and Communities Committee

6 August 2019

Dear John,

Thank you for your letter following my appearance at the ELGC Committee.

Social Union

The Wales Centre for Public Policy (WCPP) has been asked to provide analysis of the potential for the devolution of welfare administration. I would not wish to pre-empt their considerations by ruling any particular benefits in or out of scope. It is important to remember that we are not seeking the devolution of welfare but considering whether aspects of its administration could be devolved, and in so doing benefit the citizens of Wales. Our focus on administration may influence the arguments relating to a social union. In general the concept of a social union is often used to describe the pooling and sharing of resources according to need. In 2014 the Silk Commission recommended that social security continue to be reserved to the UK Government because it is part of the UK's social union, as well as considering that the financial risks were too great.

The social union is not necessarily the only lens through which to view the desirability of devolving welfare, the fiscal risks are also important as highlighted by Silk. For example, benefits that are cyclical in nature potentially pose a much greater fiscal risk than those that are by their nature more predictable. We have to be sensibly cautious in our approach, which is why we believe that considering the devolution of administration is the right way forward.

Definition of Administration

The UK welfare system is underpinned by a complex legislative framework and welfare policy is not always easily distinguishable from its administration. Aspects of the current system that might be considered administrative are often specified in legislation and reflect deliberate choices designed to achieve specific policy objectives, for example the intention that Universal Credit mirror as closely as possible the world of work. Consequently, the divide between policy and administration is likely to be a highly contested space. One of the key principles behind our consideration of 'devolved administration' is that the welfare system should be fair in the way it treats people, and it should be designed to be as simple as possible, promoting efficient administration and helping citizens to understand their entitlements. We have asked WCPP for their views on this question.

Inter-governmental relations

The Committee will be aware that a joint review of inter-governmental relations was commissioned at JMC (Plenary) in March 2018. The review is evaluating the current inter-governmental machinery, including Ministerial forums, and considering what new machinery may be required in future. Our view, which is shared by the Scottish Government, is that there is an urgent need to significantly strengthen inter-governmental architecture, including reformed machinery which is robust enough to bear the weight of inter-governmental working now required, and a strengthened dispute resolution process which includes an independent element and delivers real parity of participation.

With regard to the separate Review of UK Government Union Capability commissioned by the UK Government and being undertaken by Lord Dunlop, to which you refer, we consider that an examination of whether Whitehall is working in a way which respects and supports devolution has the potential to support the delivery of the ongoing review of inter-governmental relations, and help to give that review the renewed impetus it undoubtedly needs. However, it was a significant missed opportunity that the Welsh and Scottish Governments were not engaged in advance of the announcement of the review, since this would have signalled greater respect for the devolution settlement and enabled the terms of reference to be designed with the benefit of our input. We note that the terms of reference for the review (which are available at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/814759/ToRs_for_independent_review.pdf) explicitly exclude consideration of devolved powers and responsibilities.

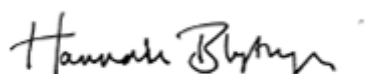
It is important to remember that all UK Government departments should conduct relations with the devolved administrations on the basis of the agreed principles in the Memorandum of Understanding between the UK Government and the devolved administrations, principles which are reflected in the concordat which Welsh Government recently agreed with the Department for Work and Pensions (which is available at <https://gov.wales/concordat-between-department-work-and-pensions-and-welsh-government>)

Incorporating the views of people with lived experience in policy design, implementation and evaluation

Understanding and reflecting the views of those directly affected by policy is fundamental to the 5 ways of working set out in the Well-being of Future Generations Act 2015. For example, in the design and development of our Childcare Offer through engagement with parents, local authorities and childcare providers.

The example you mention, the Discretionary Assistance Fund (DAF), is a good illustration. The criteria for DAF have been adapted to ensure the fund reflects the circumstances and lived experiences of service users because it is supported by a network of partners who apply on behalf of their clients. These partners are drawn from more than 300 front-line organisations across Wales, including domestic violence organisations and homeless charities. They are best placed to help shape the fund, given their expertise in supporting more vulnerable groups, and their learned knowledge of their clients and the pressures they are facing on a daily basis. For example, it became clear to us from both service users at application stage and partners, that gaps in and delays to welfare benefit payments were causing hardship, so we included this as an eligibility criteria for accessing emergency payments. We also amended the criteria to allow sanctioned individuals to apply given this hardship. Similarly, in order to overcome the significant waiting time for new claimants to Universal Credit (UC) to receive their first payment, we allow partners to confirm that an application for UC has been made, thus allowing access to DAF, as prior to this eligibility was based on being in receipt of benefits. We also became aware that individuals leaving prisons, care homes and homeless hostels were struggling to manage, having little or no possessions, so we responded by increasing the emergency cash payment value for these groups, to aid their resettlement.

Yours sincerely,



Hannah Blythyn AC/AM

Y Dirprwy Weinidog Tai a Llywodraeth Leol
Deputy Minister for Housing and Local Government

Agenda Item 2.6

Hannah Blythyn AC/AM
Y Dirprwy Weinidog Tai a Llywodraeth Leol
Deputy Minister for Housing and Local Government



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref
Ein cyf/Our ref MA- P-JJ-2078-19

John Griffiths, AM
Chair, Equalities, Local Government
And Communities Committee

6 August 2019

Dear Chair,

Thank you for the opportunity to highlight importance of the empty property agenda through the Committee's inquiry into this topic.

During my evidence session, I agreed to write to you with the results of the short survey undertaken with local authorities and further information on Council Tax premiums. This information is attached for your consideration

Yours sincerely,

Hannah Blythyn AC/AM
Y Dirprwy Weinidog Tai a Llywodraeth Leol
Deputy Minister for Housing and Local Government

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Equality, Local Government and Communities Committee, 17 July 2019: Contribution to follow-up – second homes, empty dwellings and council tax

I undertook to provide further information on liability for council tax and council tax premiums. It may help first to clarify the definitions used for council tax purposes and the circumstances in which exemptions, discounts and premiums may apply. A list of exemptions and discounts is given at **Annex 1**.

It is important to understand the distinctions between second homes, empty homes and long-term empty homes for the purposes of council tax. Liability for council tax is primarily determined by whether a dwelling is someone's sole or main residence. Where this is the case, the occupier (owner or tenant) is liable for council tax unless the dwelling falls into one of the classes which is exempt or the occupier qualifies for a full reduction.

Where the dwelling is not someone's sole or main residence, its classification as an empty or second home is determined by whether it is occupied and whether it is furnished. An empty dwelling is one which is both unoccupied and substantially unfurnished. A 'long-term empty property' is one which has been empty for 12 months or more.

A second home is a dwelling which is not a person's sole or main home and is substantially furnished – council tax law refers to such properties as 'dwellings occupied periodically' but they are commonly referred to as 'second homes'.

In this context, the term 'second home' refers to a variety of dwellings. It is not confined to dwellings being used as private holiday or weekend homes. For example, the definition includes properties being marketed for sale or let, properties owned by people whose job requires them to work elsewhere, purpose-built seasonal homes, and caravans. Many of these would not be available or suitable for year-round occupation.

Under the Local Government Finance Act 1992, a discount may be applied to the council tax bills for empty (including long-term empty) dwellings and second homes. Authorities have discretionary powers to vary or remove the discount.

The Housing Act (Wales) 2014 provides discretionary powers for local authorities to apply premiums of up to 100% to the council tax bills for long-term empty properties and second homes. Authorities can set the premium at any level up to 100% and can apply the premium to long-term empty dwellings or second homes or both and can apply different premiums to the different types of dwelling.

The provisions were introduced to assist authorities in managing issues relating to local housing supply. They were not introduced as a revenue-raising measure. The powers are discretionary, enabling authorities to tailor their approach to premiums to the needs of local communities. The provisions allowed authorities to introduce premiums from 1 April 2017 (after allowing the necessary period for properties to meet the relevant conditions).

There are a number of exceptions where the premium cannot be charged:

- Dwellings being marketed for sale – this exception is time-limited for one year
- Dwellings being marketed for let – this exception is time-limited for one year

- Annexes forming part of, or treated as part of, the main dwelling
- Dwellings which would be someone's sole or main residence if they were not residing in armed forces accommodation
- Occupied caravan pitches and boat moorings
- Seasonal homes where year-round occupation is prohibited
- Job-related dwellings

The decision to apply a premium is a matter for individual local authorities. Each authority needs to consider all the possible effects in deciding whether to apply a premium. This includes taking account of the effect of introducing premiums on the local economy and on the local tax-base. More information is provided in the *Guidance on the Implementation of the Council Tax Premiums on Long-Term Empty Homes and Second Homes in Wales* which was issued by the Welsh Government to accompany the introduction of the powers:

<https://gov.wales/sites/default/files/publications/2019-06/council-tax-on-empty-and-second-homes.pdf>

The Welsh Government recognises that some dwellings could be used either as second homes (as defined above) or as commercially let self-catering accommodation for holiday-makers and has legislated to make the distinction clear.

To qualify as self-catering accommodation, a dwelling must be available to let for at least 140 days in a 12-month period and actually let for at least 70 days. The definition was set out in *The Non-Domestic Rating (Definition of Domestic Property) (Wales) Order 2010*. The Order was revised and strengthened in 2016. The qualification periods were retained, reflecting the replies to the public consultations.

The criteria for self-catering accommodation strike a balance between supporting the tourism industry in Wales and ensuring that underused second homes do not limit the availability of affordable housing, particularly in some smaller communities.

Dwellings which meet the criteria may be recorded on the non-domestic rating list rather than the council tax list. Dwellings which do not meet the criteria, including second homes kept mainly for private use, are liable for council tax. Valuation lists for council tax and non-domestic rating purposes are compiled and maintained by the Valuation Office Agency. The Agency is independent of the Welsh Government.

For a property to be defined as self-catering accommodation and moved to the rating list, the owner must provide evidence to the Valuation Office Agency that the property meets the criteria. Owners are required to complete a return and provide documents, for example accounts and receipts, to demonstrate that they comply. The Agency scrutinises this information before any changes are made to the lists. If a local authority believes a property should be listed for council tax and has evidence of this, it is obliged to share such information with the Agency and the Agency will consider the evidence. Officials continue to monitor the effect of introducing the discretionary powers to charge premiums.

Self-catering accommodation which falls below a specified rateable value may be eligible for Small Business Rates Relief (SBRR). The Welsh Government introduced its permanent SBRR scheme on 1 April 2018. The proposals, including whether there should be any additional exceptions, were also subject to public consultation. SBRR is fully funded by the Welsh Government.

ANNEX 1: COUNCIL TAX EXEMPTIONS, DISCOUNTS, AND DISREGARDS

Within the council tax system, certain types of dwelling are exempt (Table 1). No council tax is due on exempt dwellings.

In occupied dwellings, certain people are disregarded (not counted) for council tax purposes (Table 2). Where there is only one liable adult occupant of a dwelling (who is not in a disregarded class), a discount of 25% will be applied to the bill. Where all the occupants are in a disregarded class, a discount of 50% applies (unless all the occupants fall into class, eg. students, which qualifies the dwelling for an exemption).

In addition, households on low incomes may be entitled to a reduction under the council tax reduction scheme (CTRS).

Table 1: Council Tax Exemptions

Class	Summary
A	Unoccupied – uninhabitable or empty and unfurnished property undergoing structural alteration or repairs. Time-limited: max of 12 months.
B	Unoccupied – owned by a charity. Time-limited: max of six months since last occupied.
C	Unoccupied – empty and unfurnished. Time-limited: max six months since becoming vacant.
D	Unoccupied – liable person in detention.
E	Unoccupied – liable person in hospital or care home.
F	Unoccupied – liable person has died. Time limited: for period before probate or letters of administration are granted and for up to six months after probate or letters are granted.
G	Unoccupied – occupation prohibited by law.
H	Unoccupied – held available for use of ministers of religion.
I	Unoccupied – liable person receiving care elsewhere.
J	Unoccupied – liable person providing care elsewhere.
K	Unoccupied – liable person is a student.
L	Unoccupied – repossession.
M	Occupied – halls of residence predominantly for students.
N	Occupied – only by students.
O	MoD Armed forces accommodation.
P	Visiting forces accommodation.
Q	Unoccupied – left empty by a person declared bankrupt.
R	Unoccupied – caravan pitch or boat mooring.
S	Occupied – only by a person or persons under the age of 18.
T	Unoccupied – annexe or part of dwelling which may not be let separately
U	Occupied – only by a person or persons who is severely mentally impaired.
V	Occupied – where at least one person is a diplomat.
W	Occupied – annexe occupied by a dependent relative.
X	Occupied – only by care leavers under the age of 25.

Table 2: Council Tax Disregards

When working out the number of people living in a property for the purposes of calculating a council tax bill, the following people are disregarded (not counted).

People disregarded for council tax purposes
Anyone aged 17 or under.
A prisoner or someone in detention awaiting deportation or under mental health legislation.
Someone who is severely mentally impaired.
A full-time student on a qualifying course of education (including correspondence or online courses); student nurses; Foreign Language Assistants on the official British Council programme. If a property is occupied only by students, it is exempt from council tax.
A spouse, civil partner or dependant of a student who is a non-British citizen and who, under immigration rules, is not allowed either to work in the UK or claim benefit
A young person on a government training scheme or certain types of apprenticeship.
A long-term hospital patient or care home resident.
Someone living in a hostel which provides care or treatment because of old age, physical or mental disability, past or present alcohol or drug dependence, or past or present mental illness.
Someone living in a bail or probation hostel.
A live-in care worker.
Someone staying in a hostel or night shelter, for example a Salvation Army or Church Army hostel.
A school or college leaver under the age of 20 who left school or college after 30 April. School leavers are disregarded until 1 November of the same year whether or not they take up employment.
Someone aged 18 and still entitled to Child Benefit.
A member of a religious community.
A member of a visiting armed force (their dependants are also disregarded).
A care leaver under the age of 25.

The Welsh Government is currently reviewing its policy on empty homes and buildings with a view to streamline some of its current loan/grant programmes to make them more effective for Local Authorities to use. In addition we are looking at the use of enforcement powers and how we can potentially help Local Authorities in using these powers.

We would be grateful if you could take a few minutes to fill out our survey as your views are important. If you would be interested in taking part in a face to face discussion with our officials please let us know at the end of the survey. Please answer all the questions if possible

1. Do you have an empty homes/properties strategy?

YES		NO	
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2. Where does responsibility for empty properties lie within your authority:

Regeneration team	
Environmental team	
Planning team	
Housing team	
A mixture of the above	
Other – please specify	

3. Do you use any Welsh Government loan or grant schemes to tackle empty properties?

YES		NO	
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4. If yes, which of following do you use (please tick all that apply):

Housing Loans (HIH/HIL)	
Town Centre Loans	
Targeted Regeneration Investment	
Other schemes – please list below	

5. Do you regularly take enforcement action to bring empty properties back into use?

YES		NO	
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6. If yes, which of following do you use (please tick all that apply):

Section 215 notices – Town & Country Planning Act 1990	
Section 79 – Building Act 1984	
Improvement notices and EDMO's – Housing Act 2004	
Compulsory Purchase Orders	
Other powers – please list below	

7. If not, which of the following are currently preventing you from using your enforcement powers?

Financial resources	
Staffing resources	
Expertise within your authority	
Priority of other work	
Other reasons – please list below	

8. If you would like to discuss this questionnaire face to face with the Welsh Government could you please provide your contact details below?

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.....
.....
.....

Many thanks and please return your completed forms to:
Kathryn Beard at Kathryn.beard@gov.wales
or
Vivienne Lewis at Vivienne.lewis@gov.wales

Agenda Item 27

John Griffiths AC/AM
Y Gweinidog Tata Llywodraeth Leol
Minister for Housing and Local Government



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref: MA/P/JJ/2546/19

John Griffiths AC/AM
Chair
Equality, Local Government and Communities Committee
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6 August 2019

Dear John

Equality, Local Government and Communities Committee Response Letter

Thank you for your letter dated 4 July in response to the publication of the Building Safety Expert Group's 'A Road Map to safer buildings in Wales', and in reference to both my oral statements regarding the Road Map.

I have previously accepted in principle all recommendation in the Road Map, and am grateful for the opportunity to provide the Equality, Local Government and Communities Committee with further details on how I propose we take those recommendations forward. Set out below is a response to each of the matters raised in your letter.

My officials have now sent all AMs a copy of the Building Safety Programme Board's more detailed plan. These plans are also available in the Assembly Library. This included a written paper detailing the workstreams required to improve the current system and provide the policy proposals for legislative reform. Also included was a project chart indicating the timeline for these workstreams, culminating in the development of new primary legislation which would be ready to be taken forward during the next Assembly, subject of course to the next Government.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding. **Pack Page 26**

In Plenary on 21 May, I noted the need for consensus between regulators and other stakeholders, and that we had yet to achieve that fully across all issues. I do not believe there is anything particularly contentious about replacing the Fire Safety Order; but it is plainly vital that all interested parties fully embrace all elements of a new building safety regime. So I make no apology for taking the time to build and sustain that consensus.

You asked me about the timing of a Bill to replace the Fire Safety Order. I remain committed to legislate on this and other related matters. My intention is to bring forward legislative changes within this assembly term to improve current legislation. These changes, for example making the Fire and Rescue Services a statutory consultee during the planning stage will help improve our system, but this is not the whole system change required. The pressure on the Welsh Government's legislative programme is severe, and it is unlikely that time can be found in the current Assembly for a Bill of the scale we would need. My aim, as the project plan indicates, is to undertake as much of the work as possible during the remainder of this Assembly term, to allow the next Government to bring forward legislation early in the next Assembly term if it chooses to do so. I would once again reiterate the need for a comprehensive programme of change, which will require a coherent approach across issues, not only looking to make change to the Fire Safety Order, but the whole system.

You asked about data on fire doors in council houses. Welsh Government do not hold this data, nor should it. It is not the role of Government to hold an inventory list of every product in use in the construction industry in Wales. I note the Inside Housing article uses estimates provided by Councils in England and is unclear as to the extent that the fire doors are non-compliant. It is one thing to estimate how many fire doors are non-compliant, but without the evidence, replacing these fire doors could be costly with no material benefit. We have published guidance under the Fire Safety Order, advising 'responsible persons' to refresh their fire risk assessment on the basis of the information about fire doors which has emerged. It is for responsible persons to assure themselves of the risks and take appropriate action.

My officials continue to engage with UK Government over their testing programme, including fire doors and cladding, and are monitoring the situation. I am pleased that MHCLG recently issued the results of timber fire doors and have confirmed that all of the timber doors tested passed the required 30 minute fire rating standard when tested on both sides. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/818164/Cover_Letter_for_Timber_Release.pdf

Although fire doors are only one fire safety measure in a high-rise building, I do of course recognise their importance.

The Building Safety Programme Board will oversee the work to develop the Safety Case and Golden Thread data in Wales, which will include information in relation to fire safety features such as fire doors. We will consider how best to work with the UK Government and other key partners to build a database, with technology and a platform that will require a careful balance between security and transparency.

You asked about level 4 invasive testing. The value of requiring all high-rise residential buildings to undertake these tests is not clear and no decision on this has yet been made. The Occupation Task and Finish Group will consider the likely impact of these recommendations and how they will effect current resources, both in terms of numbers and the expertise available. Whilst I acknowledge that invasive testing is the only way to uncover certain building defects, I must also consider the primary role of fire and rescue services, and how best to utilise their specialist and limited resources.

There are ongoing and emerging issues in relation to fire safety products, for example High Pressure Laminate. We are working closely with MHCLG on their proposals to create a body with oversight of construction products that fall outside of the EU harmonised standard. There is limited space at testing houses, however, I am pleased that the market is beginning to respond and is looking at ways to expand capacity. My officials continue to liaise with MHCLG on this issue.

To my knowledge, high rise residential buildings in Wales that have sought tests have now received results. We continue to work with building owners to ensure that they take action where necessary to secure the safety of their residents.

I am proud of our world first legislation in Wales to mandate sprinklers in all new and converted dwellings and flats. Our record in the public sector is very strong with nearly 70% of high-rise residential buildings in the Welsh social housing sector having sprinklers fitted. The private sector is an improving picture, but I acknowledge more work is required to increase the numbers of buildings with sprinklers, particularly in older high-rise blocks. My officials have been working on proposals to look at options on how to increase the numbers of private sector high-rise residential buildings with sprinklers. Retro-fitting sprinklers is something I am very keen on supporting and I will report back to the Committee on this matter in due course.

Remediation plans to remove and replace non-compliant ACM cladding are in place for all buildings affected in Wales. This is not a quick and easy fix and developers have been working to source and plan the replacement cladding. The cladding on one building has already been replaced and work for a number of other buildings is due to commence in September. On a number of other buildings work is ongoing for example contractors have been appointed or procurement exercises are underway. I am writing to request further updates on progress, I will keep the Committee updated.

The Residential Leasehold Reform Task and Finish Group has published its report on 17 July. Their recommendation was to 'Develop a consolidated single Code for Wales linked to a licensing or accreditation scheme requiring members to recognise and adhere to the Code of Practice'. I will carefully consider all their recommendations and provide a response in the autumn.

Dame Judith Hackitt rightly claims that no system should allow clients to choose their own regulator. It is therefore important that Approved Inspectors are completely independent. However, I am not yet convinced that local authorities should be the sole regulator for high-rise residential buildings. I am therefore seeking further expert advice on the role of the building control bodies (local authority or private approved inspector) under the new system. This work will form part of the task set for the Design and Construction Task and Finish Group. This work will include competence and resource implications.

As your letter acknowledges, these issues are complex and technically difficult. To reform such a broad and multifaceted system as Dame Judith Hackitt and the ELGC Committee has called for, requires significant and comprehensive collaboration. My officials have been working with colleagues to establish new working groups to bring detail to the proposals set out in the Building Safety Expert Groups' Road Map and have established a Programme Board to oversee this work. New research has also been commissioned to help inform the scope of these reforms and to provide data for an economic analysis. As we progress with this work, we will continue to depend on technical advice, legal expertise and intergovernmental negotiations.

We are working at pace, but progress will take time. I understand the frustrations expressed by the Committee, but I want to reassert my commitment to delivering lasting improvements to building safety in Wales. To this end, I hope the more detailed plans sent to you have gone some way to alleviate your concerns over the pace of these reforms.

Yours sincerely

A handwritten signature in blue ink that reads "Julie James". The signature is written in a cursive, flowing style.

Julie James AC/AM
Y Gweinidog Tai a Llywodraeth Leol
Minister for Housing and Local Government

Agenda Item 2.8

Jane Hutt AC/AM
Y Dirprwy Weinidog a'r Prif Chwip
Deputy Minister and Chief Whip



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref JH-/05455/19

John Griffiths AM
Chair
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8 August 2019

Dear John

Thank you for your letter of 22 July regarding UK Common Frameworks.

I can confirm that there are no policy areas within my portfolio which are likely to result in a common policy framework.

Yours sincerely,

Jane

Jane Hutt AC/AM
Y Dirprwy Weinidog a'r Prif Chwip
Deputy Minister and Chief Whip

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We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.



By email

09/08/2019

Re: Involvement in the first Future Generations Report

Dear John,

Producing a Future Generations Report is one of my duties in the Well-being of Future Generations Act. It must provide advice on improvements public bodies should make in order to set and meet well-being objectives which are the commitments they chose to make to improve the economy, society, environment and culture of their area. My report will also include information on the progress to date and on what should happen in the future. The Report will be published in May 2020.

This will be the first Future Generations report and will include the following main chapters: 'considering where we are and should go culturally (5 Ways of working and 7 core areas); where we are and should go in achieving the well-being goals (including objectives and steps); a particular consideration of our areas of focus (transport, planning, housing, ACEs, skills, alternative models for the health system, decarbonisation, budgeting and procurement); recommendations and ideas.

Using the five ways of working we intend to follow the involvement principle and in addition to our national conversation '[Our Future Wales](#)' and our online stories forum, '[The People's Platform](#)', I would like to give you an opportunity to help shape the content of my report and my recommendations. I also want to flag in the report, the resources which would be most useful to public bodies and would welcome suggestions as to reports, documentations and recommendations your committee would like to point out.

I would be grateful if you could send us any information or comments you would like me to consider by the 1st of November 2019. I am interested in particular in concerns, observations, opportunities or recommendations you think are most important, as well as a list of issues you think are of greatest importance to current generations and then to future generations to see if they differ.

I look forward to hearing the views of your committee.

If you wanted to talk in person, we could seek to organise a meeting with my colleagues who will also be visiting Ty Hywel's cafeteria in the autumn with Positif Politics and further information will be sent to you about this opportunity. We would welcome the opportunity to meet with you and your colleagues.

My office will also contact every Assembly Member separately to ask for their personal opinions and we are also preparing tailored 'Assembly Members briefing packs' that provide further information on my work to date and the priorities for the year ahead. You will receive this separately and individually. It will also include some examples of how the Act is being delivered in your area.

If you have any further questions, please don't hesitate to get in touch.

Regards,



Sophie Howe
Future Generations Commissioner for Wales

Ein cyf/Our ref JJ/06286/19

John Griffiths AM
Chair
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13 August 2019

Dear John,

Thank you for your letter of 22 July regarding UK Common Frameworks.

I have no policy areas within the remit of the Equality, Local Government & Communities Committee which are likely to result in a common policy framework.

Yours sincerely,



Julie James AC/AM

Y Gweinidog Tai a Llywodraeth Leol
Minister for Housing and Local Government

Minister for Housing and Local Government
Deputy Minister for Housing and Local Government
Deputy Minister and Chief Whip

10 September 2019

Dear Minister / Deputy Minister

Draft budget scrutiny 2020–21

In advance of our budget scrutiny in the coming months, we would be grateful for a paper on the allocations in your portfolios, based around the Finance Committee's agreed principles of financial scrutiny, which are:

- **Affordability** - to look at the big picture of total revenue and expenditure, and whether these are appropriately balanced;
- **Prioritisation** - whether the division of allocations between different sectors/programmes is justifiable and coherent;
- **Value for money** - Essentially, are public bodies spending their allocations well – economy, efficiency and effectiveness (i.e.) outcomes; and
- **Budget processes** - are they effective and accessible and whether there is integration between corporate and service planning and performance and financial management.

The Finance Committee are also interested in the following areas:

- How the Welsh Government should use taxation and borrowing powers, particularly in relation to the Welsh Rate of Income Tax
- Approach to preventative spending and how is this represented in resource allocation (Preventative spending = spending which focuses on preventing problems and eases future demand on services by intervening early), particularly in relation to the financing of local health boards and health and social care services
- Sustainability of public services, innovation and service transformation
- Welsh Government policies to promote economic growth, reduce poverty, gender inequality and mitigate welfare reform
- The Welsh Government's planning and preparedness for Brexit

- How evidence is driving Welsh Government priority setting and budget allocations
- How the Future Generations Act is influencing policy making
- In declaring a “climate emergency”, is it clear how the Welsh Government intends to respond and resource that challenge

We would appreciate if you could provide us with further details on these areas as they relate to your portfolios.

We would like you to provide us with detailed information on the budget allocations for:

- Local Government;
- Housing and Regeneration;
- Equalities; and
- Tackling Poverty (including Welfare).

In providing this information, can you provide information on how the Strategic Integrated Impact Assessment has informed and steered budgetary decisions, including examples of both positive and negative impacts of budgetary decisions.

We would also like examples of how the intention to put gender at the forefront of policy making has directly affected budgetary choices, with specific examples.

In correspondence from the First Minister to me in my capacity as Chair of the Cross Party Group on Poverty, he said that the Minister for Environment, Energy and Rural Affairs had been tasked with “leading on the cross cutting theme of poverty in relation to our 2020-21 budget prioritisation process...” We would like further information on how this has informed budget decisions within your areas, with specific examples highlighted in the commentary.

We would also like to see how the Well-Being of Future Generations Act has influenced your budget allocations, and with details of specific allocations.

We would also appreciate an update on the implementation of the recommendations from the joint work we undertook with the Finance Committee and Children, Young People and Education Committee.

Finally can you include information on the budgetary impacts in the 2020-21 budget of any Welsh legislation.



We would appreciate that this information is provided no later than three weeks before your appearance at the Committee.

Yours sincerely

A handwritten signature in black ink that reads "John". The letter 'J' is large and stylized, with a long horizontal stroke extending to the right.

John Griffiths AM
Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.
We welcome correspondence in Welsh or English.



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Agenda Item 4

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

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Agenda Item 5

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

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