

MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Adults Select Committee held
at The Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA on Tuesday, 18th
June, 2019 at 10.00 am**

PRESENT: County Councillor F. Taylor (Chairman)
County Councillor L. Brown (Vice Chairman)

County Councillors: F. Taylor, L. Brown, L. Dymock, M. Groucutt,
R. Harris, P. Pavia, M. Powell and S. Woodhouse

OFFICERS IN ATTENDANCE:

Mark Hand	Head of Planning, Housing and Place-Shaping
Ian Bakewell	Housing & Regeneration Manager
Stephen Griffiths	Strategy & Policy Officer
Sarah Turvey-Barber	Strategy & Sustainable Living Manager
Clare Jones	Benefits Team Manager
Hazel Ilett	Scrutiny Manager
Richard Williams	Democratic Services Officer

Also in attendance: Carys Alford – Trussell Trust

APOLOGIES:

County Councillor R. Edwards

1. To note the appointment of County Councillor F. Taylor as Select Committee Chair

We noted the appointment of County Councillor F. Taylor as Chair.

2. Appointment of Vice-Chair

We appointed County Councillor L. Brown as Vice-Chair.

3. Declarations of interest

There were no declarations of interest made by Members.

4. Public Open Forum

There were no members of the public present.

5. Housing Policy - To discuss the methodology for calculating the redemption on Property Appreciation Loans and to provide a steer to Cabinet

Context:

To outline the various methods available to the Council of calculating a redemption value on the settlement of a Property Appreciation Loan (PAL).

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Key Issues:

Welsh Government has provided funding to local authorities in Wales to help improve the standard of properties in the private sector. This funding is a combination of grant and repayable loan streams.

Due to mixed success of the grant scheme throughout Wales, Welsh Government introduced new criteria, terms and conditions in 2018 in the hope that there would be greater take up. The new conditions allowed for the creation of equity release loans for homeowners who were unable to access loans under the previous scheme.

Individual Cabinet Member Decision (ICMD) approval was sought and granted on the 25th July 2018 to accept the new criteria, terms and conditions and for continued participation in the scheme.

There are three options available in respect of determining the redemption value of the Property Appreciation Loan (PAL), namely:

Option 1: To determine the settlement value, the PAL percentage value of 4.93% is applied to the revised value of the property at sale or transfer, for example, the value of the property at sale or transfer in December 2017 is £271,187. The redeemed figure is $£271,187 \times 4.93\% = £ 13,370$.

However, in times of exceptionally high property value increases, using this method can generate overly high redemption values.

Using the example above, if the property was valued in February 2018 it would be valued at £306,800, an increase in value of £35,613 between December 2017 and February 2018. Calculating the redemption figure in this instance the valuation at the date of sale or transfer = $£306,800 \times 4.93\%$ (the PAL percentage value) = £15,125. This represents a percentage increase of 13.13% in the space of two months.

This could create the following scenario whereby two applicants, A and B, take out loans in September 2009. Applicant A dies in December 2017 and applicant B dies two months later in February 2018. Potentially, there could be the perception that the 13.13% increase in property values and hence the higher redemption value has an unfair impact on applicant B's estate.

To avoid this scenario the Authority can instead look to the monetary value of the loan in terms of its purchasing power rather than its relationship to the value of the property to calculate a redemption value, as exemplified in option 2.

Option 2: This method relies on using monetary inflation calculations to calculate the purchase power of the money borrowed on the date of redemption.

For illustrative purposes the following information will be used:

Loan Value: £10,000

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Loan Commencement Date: 2009

Loan Redemption Date: 2017

Using the online inflation calculator the original loan amount of £10,000 in 2009 is worth **£12,750** in 2017 (Inflation averaged 3.1% a year). This becomes the redemption figure.

Options 1 and 2 provide an uplift value that will take into account any monetary inflation.

Option 3: This option will redeem the original amount only.

For example, the agreed loan value is £10,000. On sale or transfer of the property, the value of the settlement figure remains the original loan value of £10,000. This method does not take into account any uplift in value to offset monetary inflation between the date of the PAL and its redemption. However, in real terms the £10,000 repaid to the Council is worth less than the £10,000 originally loaned.

Member Scrutiny:

- Monmouthshire is a County where house prices are rapidly rising and has some of the most expensive housing areas within Wales. Some people have few immediate resources. Wage rates of people who live and work in Monmouthshire are often low. Monmouthshire, therefore differs to other counties in Wales. In terms of equity, people who have very little will have to pay in excess of the Wales average if option one is agreed by Cabinet. Therefore, some Members considered that Option 2 would be a fairer option in Monmouthshire.
- Concern was expressed that a £10,000 loan could result in £20,000 being paid back. If this were the case, the take up of the loan, if on an equity basis, might be lower. It was considered that the fairest system would be to undertake an index linked inflation proof system.
- In response to questions raised, it was noted that an advantage of Option 1 is that it replenishes and increases the funds available to provide more loans to a greater number of vulnerable households in the County. Option 1 is equitable in that it is proportionate to the value of the house and that value remains the same.
- The Consumer Price Index is the measure that will be used.
- Concern was expressed that Option 1 would result in an increased amount of money being taken from people with very little money. Funds will be replenished but potentially at the expense of vulnerable people.
- Other Members considered that Option 1 should be the preferred option. If a house doubles in value resulting in an increase in the amount of loan to be paid back, it was considered that most dependents of the home owner would accept this. More money would then be available via loans for vulnerable people.

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- Whichever option is agreed by Cabinet, the level of take up for the preferred option will be carefully assessed.
- Option 1 will result in a gain in monetary terms for homeowners from the uplift in the value of their properties.
- It was suggested that Option 2 be considered with a view to its take up being reviewed, as it was considered that the take up of this option, an index linked CPI scheme, would be a better option.
- In response to questions raised, it was noted that the Welsh Government had established the funding because the vulnerability refers to people who do not have the means of paying back home improvement loans. There are people that have lived in a property for a long time and would rather have an equity release loan than move out of their property.
- The people who are the most vulnerable will not generally be residing in houses that will be paying large amounts of money back. Their property prices would be lower, hence, the amount paid back would be lower. The money would be paid back most likely when the homeowner passes away.
- The Authority will be working with a credit union partner (Robert Owen) and it will be supportive towards the applicant guiding them through the application process. The applicant will not be required to pay large fees, which would be required if they went through a similar process via a high street bank. It will be a fair and equitable system.
- This process will be a Credit Union based product and will be marketed by this organisation. The Credit Union has had success in Powys and in other areas with this scheme. It is anticipated that this scheme will be more successful in Monmouthshire than the Authority's home improvement loan scheme.
- It was noted that people could have this product for a long time. Therefore, it is important that funding is recycled back into the fund quite quickly to ensure that funding continues to be available, going forward.
- In order to enhance take up, it was considered by some Members that Option 2 would be the most appropriate option.
- Concerns were expressed regarding the issues in respect of vulnerability. However, it was noted that there were some people who were asset rich but cash poor living in their homes and might need a home improvement loan but were unable to finance this by any other means.
- This is a Credit Union product which would support applicants through the whole process which would provide reassurance to applicants.

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- In response to a question raised regarding vulnerability, it was noted that this referred to the ability to make repayments in respect of other schemes that could be undertaken by local authorities.
- The loan provides options not just for older people but can help to up-lift private housing within the County.
- A Select Committee Member asked that, in order to provide elected Members with quality information regarding the opportunities that this proposal offers, the report be discussed at Full Council.

Having debated the three options outlined in the report, the Select Committee voted as follows:

In favour of Option 1	-	2 votes
In favour of Option 2	-	5 votes
In favour of Option 3	-	0 votes

Committee's Conclusion:

- A majority view of the Adults Select Committee was that Option 2 might be the more appropriate option.
- A Select Committee Member asked that, in order to provide elected Members with quality information regarding the opportunities that this proposal offers, the report be discussed at Full Council.
- If Option 1 was agreed by Cabinet, it was suggested that consideration also be given to implementing a cap.
- A hybrid option could be considered by Cabinet combining elements of Options 1 & 2 to offer safeguards and that it not be disproportionately unfair, but allowing the pot to be replenished to allow for more home owners to take out a loan.

6. The impact of the rollout of Universal Credit. Discussion on Discretionary Housing Payments Policy, linked the increased use of food banks reported by the Trussel Trust

Context:

The UK Government is continuing to implement its programme of welfare reform. The programme has a number of policy objectives to encourage those on benefits to find work and to move away from dependency on benefits payments, whilst at the same

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time, contributing a significant proportion of savings towards Governmental public spending.

A summary of the main impacts of the welfare reform programme includes reference to Universal Credit, reductions in Housing Benefit and the ability of some of Monmouthshire's most vulnerable households to afford their rental payments.

The main practical mitigation offered by the Council is via the administration of Discretionary Housing Payments to assist customers to meet the rent shortfall incurred due to the welfare reforms. The Council has previously confirmed that, in addition to the administration grant provided by Department for Works and Pensions, it will make £60,000 per annum available to meet the demand placed upon the Discretionary Housing Payment fund.

Key Issues:

- The major reforms currently affecting Monmouthshire local authority customers are as follows:
 - **Universal Credit** – the new benefits system replacing six legacy benefits (jobseekers allowance, income support, employment and support allowance, tax credits and housing benefit) fully introduced in Monmouthshire in June 2018. This replaces all new claims for the legacy benefits. Customers have a five week waiting period for their initial payment but can access advance payments and in some cases receive a two week transition payment of housing benefit to assist them with their rent.
 - **Under occupation charge / 'bedroom tax'** restricting rents for working age people on Universal Credit and Housing Benefit in social housing owned by landlords such as Monmouthshire Housing Association, Melin and Charter (affecting 450 households by an average of £13 per week).
 - **Private sector rent limits** – particularly those restricting rents for the under 35's – their rents are limited to the shared room rate of £50 per week.
 - **Household Benefit Cap** – a maximum limit on benefits for households. £13,400 for single people and £20,000 for lone parents and couples (affecting 54 households by an average of £45 per week).
- The administration of Housing Benefit, delivered by the Shared Benefit Service led by Torfaen County Borough Council, is the responsibility of the Department for Work and Pensions (DWP) and is not currently a devolved matter. In addition, the Shared Benefits Service administers Council Tax Reduction, Free School Meals and Clothing Grants, and Guardianship / Adoption Order assessments.
- This means that the Council's Benefits service is well placed to understand the local circumstances and implications, and are a key part of the system that can

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potentially provide help and support. In particular, the transition to Universal Credit can be a difficult one for residents. Therefore, a dedicated resource has been made available from within the service to assist customers to claim Universal Credit, to ensure they claim other benefits and to assist them to manage their financial affairs.

- In order to mitigate the impact of the changes, the Government has provided additional funding to local authorities in the form of Discretionary Housing Payments. These payments are intended to assist those who are in most need due to their inability to pay their rent.
- The Council has also recognised the importance of Discretionary Housing Payments as a means of targeting assistance and preventing greater costs to vulnerable residents and the Council in the future. It has made an additional £60,000 per annum available, to this end.
- In 2018/19 the Council spent £198,196 in Discretionary Housing Payments (with funding of £139,910 from the Department for Work and Pensions) placing it in the top two authorities in Wales. In total 1,114 awards were made to households.
- Of the 1,129 Discretionary Housing Payment (DHP) awards, 605 were made due to spare room subsidy / bedroom tax, 208 due to private rent restrictions and 49 due to the household Benefit Cap. In addition, 250 awards were made to customers facing general hardship particularly those on Universal Credit and not able to afford their rent.
- In terms of the purpose of the award, 959 awards were made to customers with ongoing rental costs, 102 awards were made to customers to assist them in the short term while they were seeking employment, 15 awards were made to those who were moving or waiting to move to alternative accommodation, 5 awards to assist customers who live in specially adapted accommodation, 28 awards to customers mainly in private rented accommodation to secure and move to new homes and 5 awards to household's with foster children.

Member Scrutiny:

- The discretionary housing payment is about the decision making process and not the grant itself. An administration Grant is received from the Department for Work and Pensions (DWP). This is then topped up by the local Authority in the sum of £60,000.
- With regard to Universal Credit, for the first year, an individual does not have to provide detailed statements of account. After the first year is completed then the level of income is assumed that is equivalent to the amount of hours worked multiplied by the national living wage. Often, businesses take time to develop. Supporting statements of accounts will not evidence a particularly high profit after a year in business.

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- With regard to Discretionary Housing Payments, it was noted that some local Authorities were not spending their full allocation and the UK Government has been critical of those local authorities. However, Monmouthshire County Council spends more than its allocated funding. The authorities that have not spent their grants are being encouraged to do so.
- In response to a question raised regarding a request being made to the UK Government for additional funding, as some local authorities are not spending their full allocation, it was noted that the question for additional funding could be put to UK Government. The matter would be raised with the DWP Partnership Manager.
- With regard to the five week delay in receiving Universal Credit, it is not intended that we should not use DHP's to help people who find themselves within that delay period. However, it is one of the few mechanisms available to assist customers who require emergency assistance. The intention of DHPs is that they are a short term assistance with regard to rent. There are alternatives for food as well as having water rate relief and assistance regarding the provision of short term gas and electricity supply. In the absence of any other assistance DHP is provided.
- The five week wait is the period of time before the first payment of Universal Credit and is the responsibility of the DWP. The DWP does offer an advanced payment loan. Repayments are then made. The Trussell Trust has raised some concerns regarding this loan as the repayments do not take into account people's ability to repay them. The UK Government's own policy regarding lenders meant that accountability has to be considered regarding how the loans can be repaid based on how much income an individual has. However, this is not the case with regard to the advanced payment loan, leaving people with a significant amount of money having to be repaid.
- The advanced payment loan is available to bridge the five week gap. When the payments begin, deductions are made to repay the loan. The deductions can be up to 40% of the total loan. It is anticipated that the cap will be reduced to 30% in October 2019. The Trussell Trust still considers that 30% remains a significant amount forcing some people into destitution and having to use foodbanks as well as accruing rent arrears.
- The Trussell Trust is campaigning to end the five week gap.
- The Secretary of State had signaled a change of approach and some of the changes proposed have not yet come to fruition. Therefore, the reduction in sanction benefit deductions has not yet been realized.
- With regard to Universal Credit, there is currently a two week housing benefit transition payment. There will be other transition payments for Jobseekers allowance, going forward.

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- The managed migration was a key issue that the Trussell Trust has been campaigning on. More money is coming into the system which will commence in June 2020. There is a recognition within all of the political parties that changes / amendments are required to Universal Credit, going forward.
- It was acknowledged that the support and advice being provided at foodbanks was an important service. This is a key part of the Trussell Trust model.

Committee's Conclusion:

- The Select Committee supported the Council's approach to the award of Discretionary Housing Payments (DHPs) including additional financial support as previously agreed in the sum of £60,000. A further increase in the level of financial support would result in a considerable positive impact.
- The Select Committee is keen to explore what more the Council could do with regard to the five week delay.
- 51% of visits to a food bank are linked to Universal Credit.
- There has been a 14% increase in Trussell Trust food banks in Monmouthshire. There are also other emergency food outlets within the County.
- 978 of those who received emergency food were children.
- Many of the families relying on foodbanks were in work indicating that there is a growth in in work poverty.
- 9% of those accessing foodbanks are homeless.
- Foodbanks provide support, advice and guidance in addition to providing emergency food.
- The Select Committee considered that consideration be given to identifying any additional measures that might be put in place by the Council to mitigate the worst impacts of the Universal Credit roll out.
- One of the key issues facing older people is around accessing Universal Credit because of the digital requirements. The Authority could look into the matter of digital support for older people.
- The Select Committee requested that methods of mitigation be investigated regarding the five week delay in receiving Universal Credit. It was noted that regular discussions with partners are held regarding Universal Credit.

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- A dedicated Universal Credit Support Officer had been appointed.
- Housing association partners had indicated that they were currently coping with demand. However, the situation was fragile.

We recommended to re-affirm the Council's approach to the award of Discretionary Housing Payments including the additional financial support previously agreed and that the Council considers increasing its additional financial support, going forward.

7. Annual Housing Performance Report - To review performance including homelessness, Bed & Breakfast use, Disabled Facilities Grants and affordable housing delivery

Context:

To provide a summary overview of Housing & Communities performance for 2018/19 and to provide an opportunity to scrutinise the achievements of the service in the context of last year's demand.

Key Issues:

Housing & Communities has responsibility for the following broad housing functions: Homeless Prevention and Homelessness; Housing Support Gateway; Disabled Adaptations; Assistive Technology; Empty Homes and Affordable Housing.

Taking the Housing & Communities service as a whole, performance for 2018/19 is considered to have been good and that effective progress and improvement in key areas can be evidenced. The main challenge is considered to be avoiding the on-going need to use Bed & Breakfast provision.

Member Scrutiny:

- In response to a question raised regarding the County Council building its own affordable housing, it was noted that this matter was still in the preliminary stages of developing the business case. A report will be presented to Full Council in September 2019 to obtain the next stage of approval to proceed with the commercial development side.
- In response to a question raised regarding the under spend for Social Grant and Housing Finance and whether this might be used to fund the provision of temporary accommodation for homeless people, it was noted that Welsh Government is encouraging the Authority to look at any alternative options to support temporary accommodation. There is funding available via the Innovative Housing Fund. However, the opportunities for Monmouthshire are more difficult.

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- Discussions are being held regarding the use of pods for homeless people.
- Work has also been undertaken to expand the Authority's temporary accommodation portfolio with Monmouthshire Housing Association being supportive of the Council in respect of this matter. 13 Units are coming online very shortly.
- Ultimately, proper accommodation is required for homeless people.
- With regard to Monmouthshire lettings, pleasing progress is being made. The Authority is managing 26 units on behalf of private landlords. There are also a number of expressions of interest which are currently being assessed. Monmouthshire's shared accommodation has also been expanded. The short term emphasis is to continue to develop this as a brand with a view to getting the message out into the wider community.
- Empty homes is a area that the Authority is currently reviewing. However, it was noted that the level of resource available is restricted. The approach being undertaken is based on a bi-annual mailing session to empty homes that have been identified. Feedback received is generally mixed. Over the previous months, officers have been reviewing this process with a view to putting more officer resource into it to change the activity to a monthly basis.
- A survey has been undertaken on Abergavenny High Street regarding flats above shops and it is hoped that some opportunities might arise that could be further explored. The survey had indicated that of the 76 spaces above shops surveyed, 66% of those spaces appeared to be used with the remaining 34% appearing to be empty. Therefore, extended work will be undertaken with regard to the 34%.
- The vast majority of homeless people that the Authority comes into contact with have a local connection to Monmouthshire.
- It was noted that there is a significant number of single males who are homeless due to a variety of circumstances. Every homeless person who presents themselves to the Authority, officers engage with them to ascertain the circumstances of why they have become homeless, which may lead to the Authority having a duty under the homeless legislation. As part of the Monmouthshire package, a person presenting themselves as homeless is also referred to housing support. A thorough assessment is undertaken which might pick up on other issues in which the individual might require other forms of support.
- With regard to empty properties, work is being undertaken to identify whether there are more landlords that have more than one property and whether these are areas that Housing Associations could develop.

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- The high streets in Monmouth and Chepstow are also being looked at with a view to assessing vacant floorspace which could be converted to residential use above shops in a similar vein to the work being undertaken in Abergavenny.
- Discussions have been held with Monmouthshire Housing Association in which two innovative housing projects have been completed.
- The Authority is doing all that it can with the resources available.
- In response to a question regarding whether there is a need for additional resources to tackle the issues raised, it was noted that conversations that have commenced have identified the need to fully understand Monmouthshire's position. It was considered that this needs to be assessed with a view to presenting a report back to a future meeting of the Select Committee outlining the findings.
- The Evolve process takes a Council service through a process that involves a number of various stakeholders to assess how that service is performing. However, this process is in its early stages of development.
- Careline has sat successfully within the Housing Department for a number of years. Early stage conversations are being held with Newport City Council regarding that authority relaunching its own service and where Monmouthshire County Council might fit in as a neighbouring authority.
- Funding has been received from the Intermediate Care Fund which has partly funded a dementia study.
- It was noted that the Team is small consisting of three full time equivalent posts which does very well with the resources available.
- The wider role that the Housing Department has to play in social care was noted and it was considered that this should be reviewed, going forward.

Committee's Conclusion:

We supported the recommendations outlined in the report and identified below, but noted that there is further work to be done and would welcome seeing this information at future Select Committee meetings as the work develops.

- We scrutinised the Housing & Communities performance for 2018/19 and whether services were effectively addressing local needs and challenges in relation to the Well-Being priorities for Monmouthshire and the Council's responsibilities.

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- We considered and commented on general proposals for 2019/20 and recommended priorities for improvement.
- We agreed the following specific priorities for 2019/20 for Housing & Communities:
 - To review the approach to tackling empty homes, with the aim of improving performance.
 - To apply the Council's EVOLVE process to the Careline service to increase the client base and use of assistive technology, particularly with regard to Social Care.
 - To continue to review procedures to further improve the turnaround of Disabled Facilities Grants.

Support recs in report but note there is further work to be done and would welcome seeing this at future meetings as they develop.

8. To confirm and sign the following minutes:

8.1. Special Meeting - Adults Select Committee dated 29th April 2019

The minutes of the special meeting of Adults Select Committee dated 29th April 2019 were confirmed and signed by the Chair.

8.2. Ordinary Meeting - Adults Select Committee dated 30th April 2019

The minutes of the Adults Select Committee meeting dated 30th April 2019 were confirmed and signed by the Chair subject to a slight amendment to indicate that the meeting had been chaired by the Vice-Chair, County Councillor L. Brown.

9. List of actions arising from the previous meetings

We received the actions arising from the previous meetings. In doing so, the following points were noted:

- The Scrutiny Manager informed the Select Committee that the actions for Aneurin Bevan University Health Board (ABUHB) arising from the Select Committee meeting dated 29th April 2019 had not yet been received. She would therefore contact ABUHB with a view to progressing these matters as quickly as possible.
- With regard to the minutes of the ordinary Select Committee meeting held on 30th April 2019, the following actions were identified:
 - To receive further information on the viability of single dwelling affordable housing contributions.

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- Eco Flex Policy monitoring.
- A further workshop regarding Gypsy and Travellers Needs Assessment to be arranged.

10. Adults Select Committee Forward Work Programme

We received the Adults Select Committee Forward Work Programme. In doing so, the following points were noted:

- A Joint meeting between the Adults Select Committee and the Children and Young People Select Committee to be arranged in September 2019 to scrutinise the Corporate Plan.
- The Scrutiny Manager with the Select Committee Chair, Cabinet Member and officers will be meeting shortly to outline the Select Committee's forward work programme. It was suggested that the work programme should include an update from Social Services with regard to social care provision for elderly people and the wider population.
- The Scrutiny Manager to present a report to the next Adults Select Committee meeting outlining options for appointing co-optees to the Select Committee.
- The next Select Committee meeting to be moved from the 23rd July 2019 at 10.00am to the 30th July 2019 at 10.00am.

11. Council and Cabinet Business Forward Work Programme

We received the Council and Cabinet Business Forward Work Programme.

12. Next Meeting

Tuesday 30th July 2019 at 10.00am.

The meeting ended at 12.52 pm.