

## **THE MORAY COUNCIL**

### **MINUTE OF MEETING OF THE COMMUNITIES COMMITTEE**

**TUESDAY 13 APRIL 2010**

**COUNCIL OFFICE, ELGIN**

#### **PRESENT**

Councillors E. McGillivray (Chair), J.S. Cree, J. Hogg, B. Jarvis, G. Leadbitter, F. Murdoch, I. Ogilvie, J. Russell, J. Sharp, R. Shepherd and D. Stewart.

#### **APOLOGIES**

Apologies were received from Councillors M. McConachie and J. MacKay.

#### **ALSO PRESENT**

Councillors G. McDonald, A. McDonald, G. McIntyre (ex-officio), D. Ross and A. Wright (ex-officio).

#### **IN ATTENDANCE**

Chief Housing Officer, Housing Needs Manager, Mrs D Bosworth, Principal Accountant, General Manager Building Services, Housing Programmes Manager, Housing Strategy & Policy Manager, Housing Strategy Officer, Senior Area Housing Manager, Mr A Burrell, Estates Surveyor, Housing Support Manager, Planning & Development Manager, Director of Environmental Services (in respect of Item 18), Mrs R Gunn, Acting Principal Solicitor (Litigation & Licensing) (in respect of Item 18), Mrs A Scott, Principal Solicitor (Commercial & Conveyancing), and Mrs C Carswell, Committee Services Officer as Clerk to the meeting.

### **1. DECLARATION OF GROUP DECISIONS**

In terms of Standing Order 20 the meeting noted that Councillor Leadbitter declared an interest in Item 16 "Homelessness Housing Support Services Review" on the agenda, as a Director of one of the providers as appointed by the Council. Thereafter there were no declarations from group leaders or spokespersons in regard to any prior decisions taken on how members will vote on any item on the Agenda.

### **2. EXEMPT INFORMATION**

Councillor Leadbitter stated that, in his opinion, Item 18 "Gypsies/Travellers Halting Sites" should not be in the confidential section as there were significant financial implications which should be in the public domain as estimated costs have previously been in public reports such as the new build council housing and this

should not be a reason for holding the item in confidence. He also felt that confidentiality had been breached, as a number of Councillors had been contacted by members of the public who appear to have knowledge of the contents of the paper and it would seem that they had been given these details by another Councillor, which may be a matter of investigation. Mrs Scott advised that within the report there were details around an existing lease agreement and potential discussions around other land agreements relating to sites under consideration. There were also costs which may, if discussed in public, lead to possible prejudice when looking at costs and bidding for work if any decision was taken to go ahead. In relation to the issue that confidentiality may have been breached, there may have been discussion around some of the issues but not the full content of the report and following discussions with the Chief Legal Officer, the view was that the item should remain in confidence. The issue of a possible breach of confidentiality would be investigated.

The Meeting agreed, in terms of Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, that the public and media representatives be excluded from the Meeting during consideration of the Items of Business appearing at the relevant paragraphs of this Minute as specified below so as to avoid disclosure of exempt information of the class described in the appropriate paragraph of Part I of Schedule 7A of the Act.

<u>Para No. of Minute</u>	<u>Para No. of Schedule 7A</u>
14	9
15	9
16	8&9
17	8&9
18	9

### **3. WRITTEN QUESTIONS**

The Committee noted that no written questions had been submitted.

### **4. HOUSING SERVICE IMPROVEMENT PRIORITIES 2010/11**

There was submitted a report by the Director of Community Services proposing Service Improvement priorities for housing in 2010/11 for Committee approval.

Following consideration, the Committee agreed to:-

- (i) approve the Service Improvement priorities for the Housing Service in 2010/11; and
- (ii) note that quarterly monitoring reports would be presented to future meetings.

## **5. INTERIM LOCAL HOUSING STRATEGY 2010 - 2013**

There was submitted a report by the Director of Community Services presenting the Interim Local Housing Strategy 2010 - 2013, following public consultation on the main issues for approval.

In response to a concern raised by Councillor Cree, that Aultmore was not included in Keith Functional Housing Market, the Housing Strategy Officer advised that there had not been many house sales in Aultmore over the past five years but this would be looked at and included.

Following consideration, the Committee agreed to:-

- (i) note the results of the public consultation on the main issues carried out December 2009 to February 2010; and
- (ii) approve the draft Interim Local Housing Strategy 2010 - 2013 for publication and implementation with the inclusion of Aultmore under Keith Functional Housing Market.

## **6. DRAFT HOMELESSNESS STRATEGY**

There was submitted a report by the Director of Community Services presenting the Homelessness Strategy 2010 - 2015 for approval.

Following consideration, the Committee agreed to:-

- (i) approve the Homelessness Strategy 2010-2015; and
- (ii) note that annual review reports would be presented to Committee

## **7. TEMPORARY ACCOMMODATION TARGET FOR 2010 /11**

Councillor Stewart entered the meeting during this item.

There was submitted a report by the Director of Community Services presenting information on the progress in increasing the number of temporary accommodation units for homeless households. It also sought agreement on targets to increase the number of temporary accommodation units for 2010 /11.

During discussion, the meeting noted that with regard to Bishopmill House it was not clear whether any proposal would be financially feasible. If it was not then it would be a significant difficulty for any proposal to use Bishopmill House for a different purpose than it was currently being used for. There were also issues which required to be considered pending work commencing on the flood alleviation scheme and how the Council might be able to respond to any future flood event should that occur prior to the flood alleviation works being in place. The Chief Housing Officer

confirmed that officers would take on board any comments and local views at the appropriate stage in the process.

In response to questions raised by Members, the Housing Needs Manager and Chief Housing Officer advised:-

- (i) that in terms of the new legislation, officers were currently look at the way in which the legislation had been drafted as there were issues that if people go into private accommodation and it may fail for various reasons, the Council still had a duty towards them and a report would be brought back in June with the options available and how these could be addressed effectively;
- (ii) that if people being placed in bed & breakfast accommodation were eligible for housing benefit then they would receive their housing benefit however there was a cap on the level payable currently around £120 therefore if the costs were more then the Council was required to meet the difference. The financial implications for the Council to use bed & breakfast accommodation were fully explained in a report which went to the Audit & Peformance Review Committee in March and had previously been referred to in budget monitoring reports with regard to the general service budget which funds homelessness duties. Information would be fowarded to Councillor Cree on the number of nights, etc which the Council were required to pay for;
- (iii) within the overall target of 18 units, a number were required to be provided by either registered social landlords or the private sector. Registered social landlords do work constructively with the Council and recognise that in Moray there are pressures on temporary accommodation;
- (iv) the Council has been able to dramatically reduce the breaches of unsuitable accommodation and have significantly reduced the usage of bed & breakfast accommodation for families with children and information on breaches involving children would be given to Councillor Wright.

Following consideration, the Committee agreed:-

- (i) to note the progress in increasing the number of temporary accommodation units during 2009/10;
- (ii) to note that the Council did not achieve its target of zero breaches of the Unsuitable Accommodation Order in 2009/10; and
- (iii) the targets detailed in paragraph 7 of the report for 2010/11

## **8. CARE COMMISSION INSPECTIONS - YOUNG PERSONS PROJECT**

There was submitted and noted a report by the Director of Community Services providing the Communities Committee with the details of the Care Commission's Inspection report on the Council's Young Persons Project. The Committee also congratulated staff on work done

## **9. SCOTTISH GOVERNMENT AFFORDABLE HOUSING INVESTMENT PROGRAMME (AHIP) IN MORAY 2010/11**

There was submitted a report by the Director of Community Services providing the Communities Committee with details of the Scottish Government's funding of the Affordable Housing Investment Programme (AHIP) in Moray in 2010/11. The report provides outline details of the indicative Moray AHIP for 2010/11.

Following consideration, the Committee:-

- (i) welcomed the AHIP planned expenditure in Moray during 2010/11; and
- (ii) noted the details of the indicative Moray AHIP for 2010/11

## **10. HOUSING SERVICE IMPROVEMENT PLAN 2009/10 - QUARTER 4 PROGRESS**

There was submitted and noted a report by the Director of Community Services outlining progress on the achievement of priorities identified in the Community Services Improvement Plan as it relates to the Council's Housing Service.

## **11. HOUSING BUDGET MONITORING - 2009/10**

There was submitted and noted a report by the Director of Community Services outlining budget monitoring for the Housing Revenue Account (HRA) and General Services Other Housing Budget for the period to 28 February 2010.

## **12. HOUSING INVESTMENT 2009/10**

There was submitted a report by the Director of Community Services informing the Communities Committee of the position to 28 February 2010 for the Housing Investment Programme for 2009/10.

Following discussion, Members noted that within the total investment programme it was not uncommon to overcommit the budget because expenditure would be incurred over a period of time. If the Council were not to have a degree of overcommitment then the desired budget spend levels may not be achieved. Officers closely monitor to ensure that the Council do not incur a budget overspend. The Private Sector Housing Grants which for 2009/10 were ring fenced, which had only recently been removed for 2010/11 and therefore in the event of the situation occurring at the end of 2010/11 any underspend at the end of the financial year would be open to the Council to re-allocate.

Following consideration the Committee noted the position as at 28 February 2010 with regards to the Housing Investment Programme for 2009/10.

### **13. QUESTION TIME**

In response to a question from Councillor Murdoch as to whether there were no issues regarding social inclusion, equalities, community safety, anti-social or community liaison which should be brought to the attention of the Committee, Councillor McGillivray advised that he had questioned this with officers as he shared her concerns but would endeavour to get reports for the next meeting.

In response to a question from Councillor Russell as to whether officers had visited the Moray Energy Efficiency Fair where there had been exhibitors who would be willing to talk with Local Authorities with regard to special financing opportunities in relation to products such as air source heat pumps, the Chief Housing Officer advised that she would be happy to get details from Councillor Russell and make contact.

Councillor Ross entered the meeting at this juncture.

### **14. BUILDING SERVICES TRADING OPERATION BUDGET 2010/11 (Para 9)**

There was submitted a report by the Director of Community Services presenting the Building Services Trading Operation Budget for 2010/11 to the Communities Committee for approval.

Following consideration, the Committee agreed to:-

- (i) approve the proposed Building Services Trading Operation Budget for 2010/11; and
- (ii) note the three year budget projection to 31 March 2013.

### **15. HOMELESSNESS HOUSING SUPPORT SERVICES REVIEW (Para 9)**

Councillor Leadbitter had declared an interest in this item as Director of one of the providers as appointed by the Council but remained in the meeting taking no part in the discussion.

There was submitted a report by the Director of Community Services presenting the main findings of the Homelessness Housing Support Services Review and proposing action to address the issues identified in the review.

Following consideration, the Committee agreed to:-

- (i) note the key issues arising from the Homelessness Housing Support Services Review, as detailed in paragraph 5 of the report;
- (ii) approve the recommendations identified in paragraph 6 of the report to address these issues; and

(iii) note that further reports would be presented to the Committee.

## **16. COUNCIL NEW BUILD - PROPOSED BID (Para 8&9)**

There was submitted a report by the Director of Community Services presenting an outline of the proposed bid for the Council new build for comment and agreement. The bid must be submitted to the Scottish Government by 30 April 2010.

Councillor Murdoch expressed disappointment that Speyside would not be considered for new housing and asked that a report be submitted to a future meeting regarding options available.

Following consideration, the Committee agreed to:-

- (i) approve the bid to be submitted to the Scottish Government by 30 April 2010;
- (ii) note that officers continue to work with Registered Social Landlords to provide opportunities where they can in areas such as Speyside; and
- (iii) note that further reports would be presented on council new build.

## **17. GYPSIES / TRAVELLERS HALTING SITES (Paras 8 & 9)**

There was submitted a report by the Director of Community Services presenting progress made to identify halting sites for Gypsies / Travellers in Moray.

Following lengthy discussion, Councillor Hogg, seconded by Councillor Shepherd moved to support the recommendations as printed in the report with the exception that in respect of Site Three, a planning application would not be progressed at this stage until the Council had received confirmation from the owners of the site in writing that some form of lease or legal agreement could be entered into in relation to their ownership.

As an amendment, Councillor Stewart, seconded by Councillor Ogilvie moved deferral of the item to allow for consultation with local communities and community councils affected by the proposals.

On a division there voted:-

For the motion (6) - Councillors Cree, Hogg, McGillivray, Murdoch, Russell and Shepherd.

For the amendment (5) - Councillors Jarvis, Leadbitter, Ogilvie, Sharp and Stewart

Abstentions (0)

Accordingly the motion became the finding of the meeting and the Committee agreed:-

- (i) to note the work undertaken to identify alternative halting sites for Gypsies / Travellers in Moray;
- (ii) to authorise Officers to submit planning applications for Sites One and Two identified in the report;
- (iii) that with regard to Site Three, a planning application would not be progressed at this stage until the Council have received written confirmation from the owners of the site in writing that some form of lease or legal agreement can be entered into in relation to their ownership; and
- (iv) to note that Officers would prepare a report to a future Committee to report progress in relation to this matter

#### **18. BUILDING SERVICES TRADING OPERATION BUDGET 2009/10 - BUDGET MONITORING (Para 9)**

There was submitted and noted a report by the Director of Community Services presenting the budget monitoring information for the period to 28 February 2010 for the Building Services Trading Operation.