

**THE MORAY COUNCIL**  
**MINUTE OF MEETING OF THE COMMUNITIES COMMITTEE**  
**TUESDAY 12 OCTOBER 2010**  
**COUNCIL OFFICE, ELGIN**

**PRESENT**

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

**ALSO PRESENT**

Councillors G. McIntyre, A McDonald, G. McDonald, D Ross (in respect of Item 4) and A. McKay.

**IN ATTENDANCE**

Head of Housing and Property, Home Improvements Services Manager, Housing Services Manager, Housing Needs Manager, Fairer Scotland Manager, Housing Strategy & Policy Manager, Community Planning & Development Manager, Anti-Social Behaviour Co-ordinator, Mr A McEachan, Principal Solicitor (Commercial & Conveyancing), Mrs D O'Shea, Principal Accountant and Mrs C Carswell, Committee Services Officer as Clerk to the meeting.

**ALSO IN ATTENDANCE FOR ITEM 4**

Margo Howe, Lennox Community Council  
Patricia Greenwood, Rathven & Arradoul Community Council  
Emma Marandola, Representing Buckie Area Forum as Arradoul Residents Action Group  
Bob Hellyer, Forres Community Council  
Carin Schwartz, Forres Area Forum

**1. DECLARATION OF GROUP DECISIONS**

In terms of Standing Order 20 the meeting noted that Councillor Stewart advised that SNP had discussed Item 4 "Halting Site Consultations". Thereafter there were no further 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**

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>
19	4
20	9
21	9

### **3. WRITTEN QUESTIONS**

The Committee noted that no written questions had been submitted.

### **4. HALTING SITE CONSULTATION**

Under reference to paragraph 7 of the Minute of the Meeting of this Committee dated 8 June 2010, there was submitted a joint report by the Director of Community Services and Chief Legal Officer setting out the progress of the consultation process on halting sites and outlining the administrative process set out by the Chief Legal Officer for the Committee to hear addresses from deputations from appropriate community groups at this meeting on 12 October 2010, as an element of the agreed consultation process.

The Chair advised the Committee that he had received, today, a petition of 1,981 names from the community of Forres and that this will form part of the consultation. He further advised the meeting that representatives from the Community Councils and Community Forums representing the Arradoul and Forres areas were present and would be addressing the meeting as part of the consultation process and reminded the Committee that, whilst members were welcome to seek clarification on points relating to the presentations, there would be no debate on this issue today as this forms part of the agreed consultation process.

Thereafter on the invitation of the Chairman, the following representatives of the community groups addressed the Committee and each stated the views from each of their respective community groups to the proposals relating to the proposed halting sites:-

Margo Howe, Lennox Community Council  
 Patricia Greenwood, Rathven & Arradoul Community Council  
 Emma Marandola, Representing Buckie Area Forum as Arradoul Residents Action Group  
 Bob Hellyer, Forres Community Council  
 Carin Schwartz, Forres Area Forum

On conclusion, Councillor McGillivray thanked the representatives for their comprehensive presentations and advised that their comments would be taken into consideration.

Thereafter the Committee agreed to:-

- (i) note the progress report;
- (ii) note the addresses received from the appropriate community groups deputations as outlined in the report; and
- (iii) note that a full report on the consultation process would be presented to the Communities Committee on the 7 December 2010.

## **5. SAFEGUARDING TENANCY DEPOSITS**

There was submitted a report by the Director of Community Services advising the Committee of the Scottish Government's invitation to comment on draft regulations for Tenancy Deposit Schemes in Scotland and asking the Communities Committee to homologate the response given by officers to this request on 22 September 2010.

Following consideration, the Committee agreed to homologate the action taken by the Head of Housing and Property in consultation with the Chair of the Committee to respond to the consultation paper.

## **6. PRESSURED AREA STATUS – RENEWAL AND EXPANSION**

There was submitted a report by the Director of Community Services advising the Committee of the outcome of analysis relating to pressured area status across all housing letting areas in Moray and also seeking approval to submit renewal applications for Elgin, Lossiemouth and Forres Rural, and a new application for Buckpool.

During discussion, clarification was sought in regard to possibility of Members being provided in future with information in regard to the situation in other areas within Moray that met the criteria pass the threshold for pressured area status. In response the Head of Housing and Property advised that this information could be provided and suggested that a report would be taken back to the Committee in December regarding the situation in other areas within Moray with regard to the criteria for pressured area status. This was agreed.

Following further discussion, Councillor Hogg stated that he opposed the imposition of pressured area status as it may be the only way in which some people would be able to own homes therefore he moved that no action be taken on the report. Councillor J McKay seconded the motion.

As an amendment, Councillor McGillivray, seconded by Councillor Cree, moved to accept the recommendations as contained in the report.

On a division there voted:-

For the motion (3):- Councillors J. Hogg, J. MacKay and R. Shepherd

For the amendment (10):- Councillors J.S. Cree, B. Jarvis, G. Leadbitter.  
M. McConachie, E. McGillivray, F. Murdoch, I. Ogilvie,  
J. Russell, J. Sharp and D. Stewart

Abstentions (0)

Accordingly the amendment became the finding and the Committee agreed to:-

- (i) note the findings of analysis of data relevant to an application for renewal of existing pressured area status in Elgin, Lossiemouth and Forres Rural;
- (ii) note the findings of analysis relevant to an application for a new designation of pressured area status in Buckpool;
- (iii) that Officers submit an application to the Scottish Government for renewal of pressured area status for Elgin, Lossiemouth and Forres Rural;
- (iv) that Officers submit an application to the Scottish Government for pressured area status for Buckpool; and
- (v) a further report be brought back to the meeting of this Committee in December 2010 with an indication of how the other areas stand relating to the criteria for pressured area status.

## **7. SOCIAL HOUSING ALLOCATIONS – A PRACTICE GUIDE**

There was submitted a report by the Director of Community Services advising the Committee of the Scottish Government's invitation to comment on a draft 'Social Housing Allocations: A Practice Guide'.

During discussion the meeting noted that with regard to the Common Housing Register, Moray were currently working with Aberdeenshire and as such Moray would be one of the first Local Authorities with a cross boundary Common Housing Register. There were also a number of Registered Social Landlord's within Moray and the Common Housing Registers required to link with the different ICT systems and it was hoped that a report would be submitted to the Committee in December 2010 regarding progress on the same.

Following consideration, the Committee agreed:-

- (i) the response to the consultation papers as detailed in Appendix 1 of the report; and

- (ii) that a report be submitted to the Communities Committee in December 2010 regarding the progress of the Common Housing Register.

## **8. HOMELESSNESS IN MORAY – ANNUAL REVIEW 2009/10**

There was submitted a report by the Director of Community Services presenting an analysis of homelessness in Moray during 2009/10 and comparing this with that of previous years.

During discussion the meeting noted that the prevention team, which had recently been established would look at addressing any issues which may prevent people becoming homeless and how they would prioritise the prevention agenda. It was further noted that how to measure the success of the prevention team, with regard to the numbers of people who register themselves as homeless and at what point the prevention team intervenes would also be looked at and a report would be submitted to the Committee after April 2011 with regard to their progress.

Following consideration, the Committee agreed to:-

- (i) note the analysis of homelessness detailed in the report;
- (ii) note the homelessness issues for Moray;
- (iii) note the future actions detailed in the report; and
- (iv) a report coming back to Committee after April 2011 regarding the work of the prevention team.

## **9. SINGLE EQUALITY SCHEME**

Under reference to paragraph 8 of the Minute of the Policy and Resources Committee dated 27 April 2010, there was submitted a report by the Chief Executive advising Committee of the implications of the Equality Act 2010 and asking the Committee to approve the easy to read version of the Single Equality Scheme.

During discussion concern was raised that the document was too simplistic in its presentation and it was suggested that the document be reviewed and brought back to a future meeting. In response the Corporate Policy Unit Manager advised that the easy to read version document had been written following the Government's guidelines and had been produced in response to a request from the Equality Forum following the consultation of the original draft Scheme and that the Forum were satisfied with the document.

Following further discussion it was agreed that the easy to read version of the Single Equality Scheme be reviewed and brought back to a future meeting for consideration and that in the meantime, the full, comprehensive version as submitted to the Policy and Resources Committee on 27 April 2010 be approved.

Thereafter, the Committee agreed:-

- (i) to approve the full and comprehensive Single Equality Scheme as submitted to the Policy & Resources on 27 April 2010;
- (ii) that the easy read version be reviewed and brought back to Committee for approval; and
- (iii) the actions being taken to address the Council's new responsibilities set out in the Act which puts in place a system that could protect the Moray Council against claims under the Equality Act 2010.

#### **10. SINGLE OUTCOME AGREEMENT – SOCIAL INCLUSION STRATEGY, ACTION PLAN AND TARGETS**

There was submitted a report by the Chief Executive updating Committee on progress around the implementation and distribution of the Social Inclusion Strategy and explaining the slippage on two Single Outcome Agreement targets.

Following consideration, the Committee agreed to:-

- (i) note the presentation of the Strategy to the Community Planning Board on 16 September 2010; and
- (ii) note the approval of the Strategy by statutory and voluntary partners on the Board and the decision by Moray Council representatives on the Board for the papers to be presented to a Policy & Resources Committee for further discussion on resource implication.

#### **11. HOUSING QUARTERLY PERFORMANCE REPORT – 1<sup>ST</sup> QUARTER 2010/11**

There was submitted a report by the Director of Community Services outlining the performance of the Housing Service for the period 1 April to 30 June 2010.

Following consideration, the Committee agreed to:-

- (i) note the performance outlined in the report; and
- (ii) note the actions being taken to seek improvements where required.

#### **12. HOUSING INVESTMENT 2010/11**

There was submitted and noted a report by the Director of Community Services informing Communities Committee of the position to 31 August 2010 for the Housing Investment Programme for 2010/11.

### **13. HOUSING BUDGET MONITORING – 2010/11**

There was submitted and noted a report by the Director of Community Services presenting budget monitoring for the Housing Revenue Account (HRA) and General Services Other Housing Budget for the period to 31 August 2010.

### **14. DISABILITY EQUALITY ANNUAL REPORT**

There was submitted a report by the Chief Executive asking the Committee to approve the Disability Equality Annual Report which is due for publication by 30 November 2010.

Following discussion the Meeting agreed to approve the Disability Equality Annual Report for publication.

### **15. RACE EQUALITY ANNUAL REPORT**

There was submitted a report by the Chief Executive asking the Committee to approve the Race Equality Annual Report which is due for publication by 30 November 2010.

Following discussion the Meeting agreed to approve the Race Equality Annual Report for publication.

### **16. COMMUNITY SAFETY – PROGRESS AGAINST PERFORMANCE INDICATORS AND ACTIVITY UNDERTAKEN FOR PERIOD APRIL TO JUNE 2010**

There was submitted a report by the Chief Executive providing the Committee with an update of performance against Community Safety performance indicators and providing the Committee with an update of activity undertaken by the four Community Safety Groups in relation to tackling Community Safety priorities.

Following consideration, the Committee agreed to:-

- (i) note the performance against Community Safety performance indicators; and
- (ii) note the activity undertaken in relation to Community Safety.

### **17. SAFER STREETS – SCOTTISH GOVERNMENT FUNDING**

There was submitted a report by the Chief Executive noting the additional funding being made available to the 'Safer Streets' initiative and to confirm continued elected member involvement in the development of the proposals within Moray.

The meeting noted that extra monies received from Moray Drug & Alcohol meant that the scheme could be extended to outwith Elgin.

Following consideration, the Committee agreed to note that funding had been made available to the group under the 'Safer Streets' initiative.

### **18. QUESTION TIME**

There were no questions raised at Committee.

### **19. REQUEST TO ACT AS A LENDER OF LAST RESORT (Para 4)**

There was submitted a report by the Director of Community Services inviting Committee to consider that the Council act as a "lender of last resort" to enable financial assistance to be offered to a house that has previously received maximum grant assistance.

Following lengthy discussion, the Committee agreed to:-

- (i) the Council acting as a 'lender of last resort' up to the value of £10,000 to allow essential structural work to be carried out;
- (ii) note that a further report would be presented to Policy & Resources Committee; and
- (iii) note that any request of this nature would be presented to Committee for consideration, should the applicants circumstances or eligibility fall outwith the appropriate policy.

### **20 SHELTERED HOUSING REVIEW (Para 9)**

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

Following discussion, the Committee agreed:-

- (i) to note the key issues arising from the Sheltered Housing Review, as detailed in Section 6 of the report;
- (ii) the recommendations identified in Section 6 of the report; and
- (iii) that a progress report on the implementation of the recommendations be presented to the Communities Committee after March 2011.

**21 BUILDING SERVICES TRADING OPERATION BUDGET 2010/11 –  
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 31 August 2010 for the Building Services Trading Operation.