

THE MORAY COUNCIL
MINUTE OF MEETING OF THE COMMUNITIES COMMITTEE

TUESDAY 1 MARCH 2011

COUNCIL OFFICE, ELGIN

PRESENT

Councillor J.S. Cree, J. Hogg, B. Jarvis, G. Leadbitter, M. McConachie, J. Mackay, F. Murdoch, I. Ogilvie, J. Russell, J. Sharp, R. Shepherd and D. Stewart.

APOLOGIES

Councillors E. McGillivray and G. McIntyre (ex-officio).

ALSO PRESENT

Councillor A. Wright (ex-officio).

IN ATTENDANCE

Head of Housing and Property, Housing Needs Manager, Housing Strategy & Development Manager, Housing Strategy Officer, Corporate Policy Unit Manager, Anti-Social Behaviour Co-ordinator, Home Improvements Services Manager, Building Services Manager, Mrs A Scott, Principal Solicitor (Commercial & Conveyancing), Mrs D O'Shea, Principal Accountant and Mr D Westmacott, Acting Committee Services Officer as Clerk to the meeting.

1. APPOINTMENT OF CHAIR

In the absence of the Chair, Councillor Shepherd seconded by Councillor Hogg nominated Councillor Cree to take the position of Chair. There being no-one otherwise minded Councillor Cree took the position of Chair.

2. DECLARATION OF GROUP DECISIONS

In terms of Standing Order 20 the meeting noted that 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.

3. 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.

Para No. of Minute

Para No. of Schedule 7A

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4. CONDOLENCES

Members of the Council joined the Chairman in offering their sincere condolences to Councillor McGillivray and his family following the untimely death of his wife.

5. WRITTEN QUESTIONS

The meeting noted the following written question submitted by Councillor Hogg and the Council's response thereto:

Background

At the last Communities Committees we approved the Council's Single Equality Scheme which, on page 16, states: *It is estimated that 5-10% of the UK population are lesbian, gay, bisexual and transgender.* It has since been brought to my attention that the quoted estimate of 5-10% is at significant variance with the findings of the most comprehensive and authoritative source of statistics within the UK, the Office for National Statistics, which reports from their *Integrated Household Survey 2009/10* an LBG percentage of 1.5%, and from their *Measuring Sexual Identity: An Evaluation Report* dated September 2010 a combined percentage for the LBG category also of 1.5%.

Question

In view of the significant variance between the lesbian, gay, bisexual and transgender estimate quoted in the Council's Single Equality Scheme and estimates prepared and reported by the Office for National Statistics for the year 2009/10 I request confirmation that the discrepancy be acknowledged, and that the reference under the relevant heading on page 16 of the Scheme presented to the last Committee will be amended from: *'It is estimated that 5-10% of the UK population are lesbian, gay, bisexual and transgender'* to the purely factual statement: **'According to the Office for National Statistics it is estimated that 1.5% of the UK population are lesbian, gay or bisexual'**.

Council Response

The estimate of 5-10% is based on various reports. The Government in its impact assessment for the 2004 Civil Partnership Act estimated the number of gays and lesbians to be between 5 and 7%. There are no census data on sexual orientation, nor will there be in the next census. The ONS in its background paper explaining its decision not to include it in the census highlights difficulties such as conceptual issues around sexual orientation (it means different things to different people), and the quality and accuracy of responses. It particularly expresses concern that *in the*

likely circumstances in which a significant or majority proportion of the lesbian and gay community were not in a position to disclose their sexual orientation, such inaccurate quantitative data could then be used to reduce the level of recognition, funding of or service provision to that community (Office for National Statistics: Sexual Orientation and the 2011 Census – background information, March 2006).

There are some reasons to believe that there may be significant under / over reporting:

- Questions were asked face to face or over the phone to every person over 16 present at the time of the interview.
- Don't know or prefer not to say were not given as options, but recorded if people volunteered (and, interestingly, these were used primarily by single households)
- The question is about "identity" not behaviour or attraction. Sexual orientation is regarded as including all three. It is likely though that the 10% margin is on the high side.

The Office for National Statistics published its findings on sexual identity in September 2010, included for the first time in its Integrated Household Survey (IHS). It is the first systematic attempt at obtaining data on sexual orientation, and as such is welcomed by the Equality and Human Rights Commission and by Stonewall. In its evaluation report, published in September 2010, the Office of National Statistics states: "It is important to note that the IHS is an experimental data source and therefore the IHS estimates provided in this paper are experimental. Experimental statistics are new official statistics undergoing evaluation".

This underlined paragraph about the nature of the IHS estimates will be added to the Single Equality Scheme. This would be perfectly in compliance with the Equality Act 2010 duties of evidence based decision making.

As a supplementary question, Councillor Hogg requested clarification on what figure would accompany the underlined paragraph. In response the Corporate Policy Unit Manager advised that she would, in consultation with Councillor Hogg, provide a suggested form of wording for the amendment and report back to the Committee on the changes made and on the outcome of the research and actions taken in relation to the Single Equality Scheme.

6. PRESSURED AREA STATUS RENEWAL FOR ELGIN, LOSSIEMOUTH AND FORRES RURAL AND NEW DESIGNATION FOR BUCKPOOL

There was submitted a report by the Director of Community Services asking the Committee to note the outcome of the application to the Scottish Government for:

- renewal of pressured area status for Elgin, Lossiemouth and Forres Rural; and
- a new pressured area status designation for Buckpool, Buckie

The report also asked the Committee to note the actions taken to publicise these designations and to agree that Officers consider the implications for pressured area

status in Moray following publication of the Scottish Government's guidance associated with the Housing (Scotland) Act 2010.

Following discussion, the Chairman, seconded by Councillor Stewart, moved the recommendations as printed.

Councillor Hogg stated that he was wholly opposed to Pressured Area Status from the beginning and therefore moved an amendment that no action be taken in relation to the recommendations. This was seconded by Councillor J. McKay.

On a division there voted:-

For the motion (9) - Councillors Cree, Jarvis, Leadbitter, McConachie, Murdoch, Ogilvie, Russell, Sharp and Stewart.

For the amendment(3) - Councillors Hogg, MacKay and Shepherd.

Abstentions (0)

Accordingly the motion became the finding of the Meeting and it was agreed:

- (i) to note the renewal of the Pressured Area Status designation for Elgin, Lossiemouth and Forres Rural
- (ii) to note the Pressured Area Status designation for Buckpool;
- (iii) to note the actions taken to publicise these designations; and
- (iv) that Officers should consider the implications for pressured area status in Moray following publication of the Scottish Government's guidance associated with the Housing (Scotland) Act 2010.

In accordance with Standing Order 66, the Committee noted Councillor Hogg's dissent on the issue of Pressured Area Status.

7. DRAFT SERVICE USER INVOLVEMENT FRAMEWORK

There was submitted a report by the Director of Community Services presenting the draft Service User Involvement Framework set out in Appendix 1 of the report for approval.

Following consideration the Committee agreed the draft Service User Involvement Framework and Action Plan and noted that further reports will be presented as actions are progressed.

8. TEMPORARY ACCOMMODATION STRATEGY 2010/11

There was submitted a report by the Director of Community Services informing Committee on the progress of the Temporary Accommodation Strategy.

During discussion and in response to concerns raised by the Committee, it was agreed that a further detailed report on the understanding of the likely impact resulting from the Housing Benefit changes being introduced by the Government be

submitted to either the April or June meeting of this Committee and that any economic impacts be referred to a future meeting of the Economic Development & Infrastructure Services Committee

Thereafter following further consideration, the Committee agreed:

- (i) to note the progress on implementing the Temporary Accommodation Strategy;
- (ii) the proposed standards for temporary accommodation;
- (iii) the targets for 2011/12 as detailed in paragraph 6 of the report, and
- (iv) that a further detailed report on the understanding of the likely impact resulting from the Housing Benefit changes being introduced by the Government be submitted to either the April or June meeting of this Committee and that any economic impacts be referred to a future meeting of the Economic Development & Infrastructure Services Committee.

9. COUNCIL HOUSE NEW BUILD PROGRESS

There was submitted a report by the Director of Community Services providing the Committee with a progress report on Phase 1 and Phase 2 of the Council's new build housing programme which also considered a response to the recently announced Challenge Fund for further Council new build projects.

The Head of Housing & Property gave an update on events that had occurred since the release of the report. She advised that Phase 1 was set to be completed within days of the meeting and that all 48 properties had now been allocated. In terms of the allocation, she informed the Committee that:

- 29% had been allocated to transfer list applicants;
- 31% had been allocated to waiting list applicants; and
- 40% had been allocated to homelessness applicants

In terms of Phase 2, which had commenced the previous week, the Head of Housing & Property advised that final tender costs had been agreed, which would provide a further saving on projected costs that would reduce prudential borrowing by approximately £500k.

Following consideration the Committee agreed to:

- (i) note the progress achieved on Phases 1 and 2 of the new build programme;
- (ii) note that further reports on progress will be presented to the Committee; and
- (iii) the proposals set out in Section 6 of the report in relation to the development of a further bid to the Scottish Government for funding for the Council's new build programme.

10. STRATEGIC HOUSING INVESTMENT PLAN (SHIP)

There was submitted a report by the Director of Community Services presenting the Council's Strategic Housing Investment Plan 2011-16 submitted to the Scottish Government on 10 December 2010.

During discussion the Head of Housing & Property advised that a report can be submitted to a future committee on future funding implications relating to affordable housing once the level of funding becomes clearer.

Following consideration, the Committee agreed:

- (i) to note the Strategic Housing Investment Plan submitted to the Scottish Government;
- (ii) that further reports be presented to the Communities Committee on the SHIP, as required;
- (iii) to note that details of the Council's Affordable Housing Investment (AHIP) allocation for 2011/12 will be presented to the Committee at a future meeting; and
- (iv) that a further report on future funding implications would be submitted to a future Committee.

11. HOUSING INVESTMENT 2010/11

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

12. 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 December 2010.

13. HOUSING PERFORMANCE REPORT – QUARTER 3 2010/11

There was submitted a report by the Director of Community Services outlining the performance of the Housing Service for the period 1 October 2010 to 31 December 2010.

During discussion the Committee noted concerns raised in regard to the lack of consistency on the level of detail reported to Committees in regard to complaints.

Thereafter, the Committee agreed to note the performance of the Housing Service for the period 1 October to 31 December as detailed in the report and the actions being taken to seek improvements where required.

14. GREEN DOG WALKER INITIATIVE - EVALUATION

There was submitted a report by the Chief Executive providing the Committee with the results of the evaluation undertaken for the Green Dog Walkers (GDW) scheme for the first six months and the noted improvements to date.

Following consideration, the Committee agreed:-

- (i) to note the results of the evaluation over the first six month pilot period of the Green Dog Walker scheme and the progress made to date in tackling dog fouling in Moray, and
- (ii) that, as a result of positive evaluation, to continue the scheme in Moray.

15. SCOTTISH GOVERNMENT REPORT – PROMOTING POSITIVE OUTCOMES: WORKING TOGETHER TO PREVENT ANTISOCIAL BEHAVIOUR

There was submitted a report by the Chief Executive asking the Committee to consider the recently published Scottish Government Report 'Promoting Positive Outcomes: Working Together to Prevent Antisocial Behaviour in Scotland' Annual Report to Scottish Parliament and how The Moray Council is addressing the aims and recommendations within the publication both nationally and locally.

Following consideration, the Committee agreed to note:

- (i) the new national approach being promoted and areas of good practice highlighted within the Promoting Positive Outcomes – Annual Report; and
- (ii) the measures The Moray Council have instigated since the introduction of the Antisocial Behaviour etc (Scotland) Act 2004 to prevent antisocial behaviour which demonstrates The Moray Council's commitment to meeting the strategic aims of Promoting Positive Outcomes.

16. QUESTION TIME

There were no questions raised at Committee.

Councillor Wright left the meeting at this juncture.

17. REVIEW OF MORAY CARE & REPAIR PROJECT (Para 6)

There was submitted a report by the Director of Community Services providing details of the outcome of the review of the Moray Care and Repair project. The report also presented options for the future delivery of the services provided by the project.

During discussion the Head of Housing & Property informed the Committee that a progress report on the Care & Repair service will be brought to the Committee on an annual basis.

In response to members' queries, the Chairman agreed to compile a press statement, in conjunction with the Head of Housing & Property, to be released after Castlehill Housing Association had been advised of the Committee's decision.

Following consideration, the Committee agreed:

- (i) to note the outcome of the review of the Care & Repair Service;
- (ii) the proposals presented in Section 7 of the report, as follows, for the future delivery of the Care & Repair service in Moray:

- (a) implement Option 1 as detailed in the report at the conclusion of the Service Level Agreement (SLA) with the current provider and enter into a new SLA with that provider for the period 1 April 2011 to 31 March 2012; and
- (b) that officers develop Option 2 as detailed in the report during 2011/12 with a view to implementation by 1 April 2012;
- (iii) that the Chairman compile a press statement in conjunction with the Head of Housing & Property to be released after Castlehill Housing Association have been advised of the Committee's decision; and
- (iv) to note that a progress report on the Care & Repair service will be brought to the Committee on an annual basis.

18. BUILDING SERVICES TRADING OPERATION BUDGET 2010/11 – BUDGET MONITORING (Para 9)

There was submitted a report by the Director of Community Services presenting the budget monitoring information for the period to 31 December 2010 for the Building Services Trading Operation.

Following consideration the Committee agree to note the financial information as at 31 December 2010 and the projected outturn to 31 March 2011

19. BUILDING SERVICES TRADING OPERATION BUDGET 2011/12 (para 9)

There was submitted a report by the Director of Community Services presenting the Building Services Trading Operation Budget for 2011/12 to the Committee for approval.

Following consideration the Committee agreed:

- (i) the proposed Building Services Trading Operation Budget for 2011/12; and
- (ii) to note that further information regarding Designing Better Services savings will be presented to this Committee as part of future budget monitoring reports