

THE MORAY COUNCIL
MINUTE OF MEETING OF THE COMMUNITIES COMMITTEE

TUESDAY 25 OCTOBER 2011

COUNCIL OFFICE, ELGIN

PRESENT

Councillors E. McGillivray (Chair), 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.

ALSO PRESENT

Councillor A. Wright.

IN ATTENDANCE

The Corporate Director (Environmental Services), the Head of Housing and Property, the Housing Services Manager, the Housing Needs Manager, the Housing Strategy & Development Manager, the Home Improvements Services Manager, the Anti Social Behaviour Coordinator, Mrs D. O'Shea, Principal Accountant, Mrs A. Scott, Legal Services Manager (Property & Contracts) and Mr D. Westmacott, Committee Services Officer as Clerk to the meeting.

1. DECLARATION OF GROUP DECISIONS

In terms of Standing Order 20 and the Councillors' Code of Conduct, Councillor Stewart advised the Meeting that the SNP Group had discussed Item 12 and Councillor Jarvis advised the Meeting that the Labour Group had discussed Items 6 and 12.

Thereafter the Meeting noted that there were no other declarations from group leaders or spokespersons in regard to any prior decisions taken on how members will vote on any item on the agenda or any declarations of member interest in respect of 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.

Para No. of Minute

Para No. of Schedule 7A

19

9

20

8 & 9

3. WRITTEN QUESTIONS

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

QUESTION

To ask, for details of numbers of Category A and B Antisocial Behaviour involving council tenants and their visitors over the past 4 years; how many addresses have been involved; how many times enforcement action has been commenced; how often this has directly resulted in evictions and average timescales (if any)?

COUNCIL RESPONSE

Numbers of Category A and B Antisocial Behaviour involving council tenants and their visitors over the past 4 years?

i)	Category A	7
ii)	Category B	35
iii)	Total A and B	42

How many addresses have been involved?

36 addresses

How many times enforcement action has been commenced?

In 24 cases, the cases were closed prior to any legal action being required.

In 2 cases, legal action has been taken, leading to 2 evictions.

1 case is being considered for legal action, following a final written warning.

In 6 cases, final written warnings have been sent.

9 cases are currently being dealt with within the terms of the Neighbour Dispute policy.

Average timescales?

It is not possible to provide an average timescale for action arising from anti social behaviour as actions will be determined by the detailed circumstances of specific cases.

As a supplementary question, Councillor Jarvis requested that a report be provided to this Committee with scope on how to strengthen and make the Neighbour Disputes and Anti Social Behaviour Policy more robust, taking into account of things such as best practice of other local authorities and community planning partners.

In response, the Chairman advised that a report would be submitted to a future meeting of this Committee.

4. HOUSING SUPPORT SERVICES POLICY

There was submitted a report by the Corporate Director (Environmental Services) presenting the Housing Support Services Policy, as set out in Appendix I of the report, for approval.

Following consideration, the Committee agreed to:-

- (i) note that the Housing Support Services Policy replaces previous individual policies into an overarching policy;
- (ii) note that the Housing Support Services Policy had been prepared and consulted on as set out in Paragraph 4.5 of the report; and
- (iii) approve the Housing Support Services Policy as set out in Appendix I of the report.

5. WELFARE REFORM

There was submitted a report by the Corporate Director (Environmental Services) illustrating the potential impact of changes planned by the UK Government, to Housing and Council Tax Benefits which are administered by the Council, on residents in Moray. The changes being proposed by the UK Government were set out in Appendix I of the report.

Following consideration, the Committee noted the impact on residents living in Moray, to changes announced by the UK Government in relation to Housing and Council Tax Benefit and that further reports will be provided to Committee as information becomes available.

6. NEW PRESSURED AREA STATUS GUIDANCE

There was submitted a report by the Corporate Director (Environmental Services) advising Committee of the publication on 20 July 2011 of new Scottish Government Guidance on Pressured Area Status designation. The report also detailed the implications this guidance could have for Moray's affordable rented housing stock and asked the Committee to agree that further research be carried out into the potential application of the guidance in Moray.

Following consideration, the Committee agreed :-

- (i) to note the publication of the Scottish Government's new Pressured Area Status Guidance; and

- (ii) that Officers carry out further research into the potential application of this guidance in Moray.

7. MORAY LOCAL HOUSING STRATEGY (LHS) 2013 - 2018

There was submitted a report by the Corporate Director (Environmental Services) advising Committee of the status and findings of the Housing Need and Demand Assessment 2011 and of the progress made with the preparation of the LHS 2013 – 2018.

Following consideration, the Committee:-

- (i) welcomed the “robust and credible” status of the Housing Need and Demand Assessment 2011, and its key findings and congratulated staff who contributed to the production of the Assessment;
- (ii) agreed to adopt the Housing Need and Demand Assessment baseline scenario for implementation in the LHS 2013 – 2018;
- (iii) agreed the draft LHS priorities and outcomes as set out in Appendix 1 of the report; and
- (iv) noted that further reports on progress with the preparation of the LHS will be presented to the Committee.

8. HOMELESSNESS IN MORAY – ANNUAL REVIEW 2010/11

There was submitted a report by the Corporate Director (Environmental Services) presenting an analysis of homelessness in Moray during 2010/11 and comparing this with that of previous years. A detailed analysis and comparison was attached as Appendix II of the report.

The Committee joined the Chair in commending the work of the Homelessness team in reducing homelessness within Moray.

In response to a request from the Committee, the Head of Housing and Property confirmed that a report on the full details of Test 3 of the Homelessness Assessment Criteria, as detailed in Appendix 1 of the report, would be submitted to a future meeting of this Committee.

Following consideration the Committee agreed to note:-

- (i) the work of the Homelessness team in reducing homelessness
- (ii) that a report on the full details of Test 3 of the Homelessness Assessment Criteria, as detailed in Appendix 1 of the report, would be submitted to a future meeting of this Committee.
- (iii) the analysis of homelessness as detailed in Appendix II of the report;
- (iv) that homelessness in Moray is changing; and
- (v) the future actions as detailed in Section 6 of the report.

9. TEMPORARY HOMELESSNESS ACCOMMODATION APPRAISAL

There was submitted a report by the Corporate Director (Environmental Services) presenting the Committee with the findings of an appraisal of the Council's current temporary accommodation provision and asking the Committee to approve the actions detailed at recommendations (ii) – (iv) in the report.

Following consideration, the Committee:-

- (i) welcomed the changing homelessness situation in Moray;
- (ii) acknowledged the achievements of staff in tackling homelessness;
- (iii) agreed to allow Officers the discretion to strategically reduce and reconfigure the number of properties that it currently uses for temporary accommodation in accordance with criteria set out in Section 6 of the report;
- (iv) agreed to retain a limited surplus of properties to enable the Council to respond to any potential increase in homelessness;
- (v) agreed not to progress any further with the proposed use of Bishopmill House as temporary accommodation; and
- (vi) noted that temporary accommodation appraisals will be presented annually to this Committee.

10. INNOVATION AND INVESTMENT FUNDING

There was submitted a report by the Corporate Director (Environmental Services) presenting the outcome of the recent bidding process for funding under the Innovation and Investment Funding announced by the Scottish Government earlier this year and asking the Committee to agree to the development of further Council new build proposals and that further reports are presented to future meetings of this Committee once details are known of future funding for affordable housing.

Following consideration, the Committee agreed:-

- (i) to welcome the Scottish Government funding agreed to provide 30 new Council properties in Buckie and Lossiemouth;
- (ii) that Officers develop further Council new build proposals;
- (iii) that Officers work with Registered Social Landlords (RSLs) in Moray to develop future projects for funding; and
- (iv) that further reports are presented once details are known of future funding for affordable housing.

11. HOUSING BUSINESS PLAN REVIEW 2011/12

There was submitted a report by the Corporate Director (Environmental Services) presenting a summary of the Housing Business Plan Review, attached as Appendix I of the report, carried out following the agreement of the Housing Revenue Account (HRA) Budget in February 2011. The Report also asked the Committee to agree that consultation is carried out with tenants on the potential for rental increases up to 5% over the next five years to assist in funding further Council house new build and that the outcome of the consultation is reflected in the Housing Revenue Account Budget report to be presented to the Council in February 2012.

Following discussions, Councillor Jarvis moved that the Committee agree the recommendations, with an amendment at 2.1(ii) that consultation is carried out with tenants on the potential for rental increases up to 3.5% over the next five years to assist in funding further Council house new build. This was seconded by Councillor Stewart.

Following further discussions, as an amendment, Councillor McGillivray, moved the recommendations as set out in Section 2 of the report.

Following further discussions, Councillor McGillivray withdrew his original amendment and formally moved as an amendment that the Committee agree the recommendations as set out in Section 2 of the report, with an amendment at 2.1(ii) that consultation is carried out with tenants on the potential for rental increases up to 5% over the next five years to assist in funding further Council house new build with details on how many new builds could be built with each percentage rental increase. This was seconded by Councillor Russell.

On a division there voted:-

For the motion (9) - Councillors Jarvis, Leadbitter, J Mackay, McConachie, Murdoch, Ogilvie, Sharp, Shepherd and Stewart.

For the amendment (4) - Councillors Cree, Hogg, McGillivray and Russell.

Abstentions (0)

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

- (i) to note the Housing Business Plan review findings as detailed within the report;
- (ii) that consultation is carried out with tenants on the potential for rental increases up to 3.5% over the next five years to assist in funding further Council house new build; and
- (iii) that the outcome of consultation is reflected in the Housing Revenue Account Budget report to be presented to the Council in February 2012.

12. COUNCIL NEW BUILD – LETTINGS PLAN

Councillor Wright joined the meeting at this juncture.

There was submitted a report by the Corporate Director (Environmental Services) presenting a revised Lettings Plan, as detailed in Appendix 1 of the report, for council new build housing developments in Buckie, Keith, Lossiemouth and Elgin for approval, following completion of the agreed consultation process.

Following consideration, the Committee:-

- (i) agreed the Lettings Plan, as set out in Appendix 1 of the report, for Council new build developments in Buckie, Keith, Lossiemouth and Elgin; and

- (ii) noted that further reports will be presented to the Committee as set out in the Plan.

13. CONSULTATION – SCOTTISH HOUSING REGULATOR

There was submitted a report by the Corporate Director (Environmental Services) presenting an overview of the consultation being carried out by the Scottish Housing Regulator on its proposed new regulatory approach. The report set out the approach to enable the preparation of a Council response to the Regulator by the deadline of 25 November 2011 and asked that delegated authority be granted to the Head of Housing and Property, in consultation with the Chairman of Communities Committee to submit a response to the Scottish Housing Regulator.

The report also advised that initial consideration of the consultation document has suggested that it might be prudent to defer the tenant survey which was included in the Service Improvement Plan for 2011/12 until 2012/12 as this would enable the Council to utilise the agreed Scottish Social Housing Charter as a basis for seeking tenant feedback.

The Meeting noted that as part of the consultation process the Regulator is hosting a consultation event on 7 November 2011 at Eden Court Theatre, Inverness to which an invitation for representatives has been sent to the Council and that Councillors McGillivray, Cree and McConachie had expressed an interest in attending.

Following consideration, the Committee agreed:-

- (i) to note the contents of the report;
- (ii) to note that Councillors McGillivray, Cree and McConachie would attend the consultation event in Inverness on 7 November 2011;
- (iii) to note that Members were to pass any comments on the proposed regulatory framework to the Head of Housing and Property by 11 November 2011;
- (iv) to grant delegate authority for the submission of a response to the Head of Housing and Property, in consultation with the Chairman of the Communities Committee and that a copy of the final response be circulated to Members; and
- (v) that the Tenant Survey scheduled for 2011/12 be deferred until 2012/13.

14. HOUSING AND PROPERTY BUDGET MONITORING TO 31 AUGUST 2011

There was submitted and agreed a report by the Corporate Director (Environmental Services) presenting budget monitoring for the Housing Revenue Account (HRA) and General Services Other Housing Budget for the period to 31 August 2011.]

15. HOUSING INVESTMENT 2011/12

There was submitted and noted a report by the Corporate Director (Environmental Services) informing the Committee of the position to 31 August 2011 for the Housing Investment Programme for 2011/12.

16. COMMUNITY SAFETY PERFORMANCE REPORT QUARTER 1 2011/12

There was submitted a report by the Corporate Director (Environmental Services) providing Committee with an update of performance against Community Safety performance indicators for the period from April to June 2011 and an update of activity undertaken by the four Community Safety Groups in relation to tackling Community Safety priorities.

Following consideration, the Committee noted:-

- (i) performance against Community Safety performance indicators as outlined in Section 4 of the report; and
- (ii) activity undertaken in relation to Community Safety priorities as detailed in Section 6 of the report.

17. QUESTION TIME

Councillor Leadbitter asked whether consideration had been given to transferring any suitable properties, in particular over-shop properties, to Council housing stock from the list of properties due to be disposed of due to DBS. In response the Head of Housing and Property advised that officers would need to investigate the issue in detail but was unaware of any proposals to do so.

Councillor Murdoch asked whether Elected Members would receive training on the new benefits system as information became available. In response Councillor McGillivray confirmed that a report would be submitted to this Committee and further training could be provided if required.

18. STATEMENT FROM THE CHAIRMAN

The Meeting noted the following statement by Councillor McGillivray in regards to the Heating Policy:-

“Officers have brought to my attention that a policy agreed by the Community Services Committee in 2006 has not been implemented due to an error which meant that procedures were not appropriately updated. The policy agreed to heating change requested supported on medical grounds. Until 31 May 2006, only priority A and B cases were supported for heating changes. The policy change agreed by the Committee in May 2006 would have resulted in Medical Priority C cases also being supported for heating change requests.

The implications of this are that there are 12 cases since 2006 where tenants should have been offered heating changes because they had C Medical Priorities. Of these 12 cases, 5 heating replacements have already been carried out as part of the Council's wider programme of heating replacement resulting in 7 tenants who are still waiting for heating replacements.

Officers have honestly admitted that this has been an error. The error occurred in 2006 and with various changes in personnel, it is unlikely that any further explanation of the cause of the error can be provided. However, now that it has come to light,

action has been taken to identify the tenants involved. It is intended that Officers contact these 7 tenants and ascertain their wishes regarding heating replacements.”

The Head of Housing and Property apologised to the Committee for the error and advised that steps have been taken to rectify the issue. Following a query from the Committee, the Head of Housing and Property confirmed that any budget implications that arise from this error would be borne.

19. CHANGES TO CARE AND REPAIR SERVICES IN MORAY [Para 9]

There was submitted a report by the Corporate Director (Environmental Services) presenting proposals for the development of Care & Repair services in Moray, as set out in Section 6 of the report.

Following consideration, the Committee:-

- (i) noted the review of the current position on the delivery of Care and Repair services in Moray, as detailed in Section 4 of the report; and
- (ii) agreed the proposals for changes in the way Care and Repair services are delivered in Moray following the withdrawal of funding to the Moray Care & Repair project from 1 April 2012, as detailed in Section 5 of the report.

20. BUILDING SERVICES TRADING OPERATION BUDGET 2010/11 – BUDGET MONITORING [Para 9]

There was submitted a report by the Corporate Director (Environmental Services) presenting budget monitoring for the period to 31 August 2011 for the Building Services Trading Operation.

Following consideration the Committee noted:-

- (i) the budget monitoring report as at 31 August 2011, as set out in Appendix I of the report; and
- (ii) that a revised year end projection will be presented to the next Committee on 17 January 2012.