

**THE MORAY COUNCIL**  
**MINUTE OF MEETING OF THE COMMUNITIES COMMITTEE**

**THURSDAY 7 JUNE 2012**

**COUNCIL OFFICE, ELGIN**

**PRESENT**

Councillors E. McGillivray (Chair), R Shepherd (Depute Chair), G Alexander, J Allan, G Coull, S Cree, L Creswell, P Gowans, M Howe, B Jarvis, J MacKay, C Ralph and A Wright (Ex-officio)

**ALSO PRESENT**

Councillors D Ross, M Shand and C Tuke.

**APOLOGY**

An apology for absence was intimated on behalf of Councillor M McConachie

**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 Building Services Manager, the Homelessness Strategy & Development Manager, the Head of Children and Families & Criminal Justice in respect of item 14, Mrs D. O'Shea, Principal Accountant, Mrs A. Scott, Legal Services Manager (Property & Contracts), the Community Planning and Development Manager and Mr P Wilson, Employment Development Worker in respect of item 3 and the Senior Committee Services, Clerk to the meeting.

**1. 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.

**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

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Para No. of Schedule 7A

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**3. MORAY ASSISTED RECRUITMENT SCHEME**

Prior to the commencement of business and on the invitation of the Chairman, the Community Planning and Development Manager and Mr P Wilson, Employment Development Worker gave a presentation on the Moray Assisted Recruitment Scheme (MARS) which was operated in Moray over the period 2007 to March 2011. The Community Planning and Development Manager gave a brief resume of the key elements of the scheme and Mr P Wilson, Employment Development Worker gave an update on several case studies and thereafter both responded to members' questions.

On the conclusion of their presentation the Chairman, on behalf of the Committee, thanked the Community Planning and Development Manager and Mr P Wilson, Employment Development Worker for their informative presentation.

**4. WRITTEN QUESTIONS**

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

**QUESTION**

To ask what action the Moray Council can take to stop dogs defecating in Buckie West Cemetery.

**THE RESPONSE**

The Antisocial Behaviour Service has never received an official complaint regarding dog fouling in the Buckie West Cemetery. However, the Antisocial Behaviour Co-ordinator did become aware of the issue after reading an article in the Northern Scot. At the time of the incidents no Community Warden was working in the Buckie area but the ASB Co-ordinator arranged for the existing 2 wardens to provide patrols both within the cemetery and the immediate area, other duties permitting.

The Wardens patrolled the area on 5 separate occasions on the three weeks after the date of the article appearing in the paper. The Wardens spent a total of 1 hour 20 minutes patrolling and at no time did they witness dogs being exercised within the cemetery.

If the problem had continued consideration would have been given to the deployment of Wireless CCTV which would have assisted in the detection of offenders.

Three additional Community Wardens have now been appointed and they will take up their duties on the 18 June 2012. One of the new Wardens will have

responsibility for the Buckie area and the issue of dog fouling will be identified as priority to be tackled with the support of the community.

If the fouling of the cemetery is due to stray dog arrangements can be made for the dog warden to patrol.

Lands and Parks staff have no powers of enforcement but will challenge dog owners who fail to pick up after the dog has fouled, waste bins are provided in each cemetery where bagged waste can be put.

In thanking the Chair for the response Councillor Mackay intimated that to the best of his knowledge there had been no prosecutions to date as regards dog fouling in the Buckie area and hoped for a more direct deterrent for irresponsible dog owners who walk their dogs through the cemetery which, to most people is sacred ground.

#### **5. (a) MEMBERSHIP OF THE HOUSING SUB-COMMITTEE**

Under reference to the meetings of the Council on 9/14 May 2012 there was submitted a report by the Corporate Director (Environmental Services) seeking the appointment of 9 members of the Committee to the Housing Sub Committee, including a Chair and Depute Chair of this Committee.

Discussion took place on whether or not there was a requirement for a Sub-Committee and it was agreed, in the first instance, given that arrangements had already been made for the first meeting of the Sub-Committee, following the local government elections, to be held on Thursday 21 June 2012, to discuss the issue with the tenant representatives on the Sub-Committee prior to making a recommendation to the Council, should such be required.

Following consideration the Committee agreed:-

- (i) to establish an interim Sub-Committee consisting of all 13 members of the Committee;
- (ii) that the first meeting of the Sub-Committee scheduled for Thursday 21 June 2012 proceed and that a report on the advantages and disadvantages of having a Sub-Committee and/or tenant representatives on the Communities be placed on the agenda for the meeting; and
- (iii) depending on the outcome of discussions with the tenant representatives a recommendation be made to the Council.

#### **4 (b) MEMBERSHIP OF THE HOUSING APPEALS SUB-COMMITTEE**

Under reference to the meetings of the Council on 9/14 May 2012 there was submitted a report by the Corporate Director (Environmental Services) inviting the Committee to appoint 5 members to the Housing Appeals Sub Committee.

Following consideration the Committee agreed to establish an Appeals Sub-Committee of 5 members to be drawn from the membership of the Communities

Committee taking into account whenever possible political balance. Members excluded from sitting on appeals which relate to their Ward.

## **6. HOUSING AND PROPERTY SERVICE PLAN 2012/13**

There was submitted a report by the Corporate Director (Environmental Services) seeking Committee approval of the draft Housing and Property Service Plan 2012/13 which sets out planned actions for 2012/13 set within the framework of the national housing and property agenda, the evolving Single Outcome Agreement for Moray and the Council's Corporate Improvement Plan. A copy of the draft plan was appended to the report.

During discussion the Head of Housing and Property responded to members' questions during which it was noted that Moray Council has, within the Housing and Property section, one of the lowest ratios of staff costs to property within all Scottish Local Authorities. It was also noted that whilst there were some initial concerns relating to an increase in abandoned telephone calls, following the transfer from the Housing Section to the Contact Centre, a Customer Services Liaison Group involving managers within Housing and Property Services and Customer Services had been established and have been monitoring the issue of abandoned calls with particular reference to the underlying reasons and appropriate action was being taken to ensure that as many people as possible get through or are given alternative methods/options of contact (email etc) and do not abandon the call.

Following consideration the Committee agreed:-

- (i) to approve the Housing and Property Service Plan for 2012/13, as detailed in Appendix 1 to the report; and
- (ii) that quarterly reports on the progression of the Plan are presented to the Committee.

## **7. STRATEGIC HOUSING INVESTMENT PLAN (SHIP) 2012-15**

There was submitted a report by the Corporate Director (Environmental Services) providing the Committee with details of the Council's Strategic Housing Investment Plan (SHIP) for the period 2012-15 submitted to the Scottish Government on 30 March 2012.

The meeting noted that the report provided details of the resources to be made available to deliver the Affordable Housing Supply Programme in Moray during the period 2012-15 and the Scottish Government's new arrangements for operating and delivering the affordable housing programme.

Following consideration the Committee agreed:-

- (i) to note the details of the SHIP submitted to the Scottish Government on 30 March 2012;

- (ii) to note the resource planning assumption being made available by the Scottish Government to delivering the AHSP in Moray;
- (iii) to note the new arrangements for delivering and operating the AHSP; and
- (iv) that details of the proposed Strategic Local Programme for Moray be presented to the Committee's meeting on 21 August 2012 for approval prior to submission to the Scottish Government.

## **8. HOMELESSNESS STRATEGY 2010 – 2015**

There was submitted a report by the Corporate Director (Environmental Services) advising the Committee of progress made in implementing the Homelessness Strategy during 2011/12 and seeking approval to implement the revised Homelessness Strategy Action Plan for 2012/13, a copy of which was appended to the report as Appendix1.

During discussion the Housing Needs Manager responded to members' questions during which it was noted that the service is continually assessing best practice both internally and within other local authorities and of the main changes recently adopted in regard to homelessness prevention was the establishment of a Housing Options Team, based on that operated within North Ayrshire Council. The work undertaken by this Team has proven to have been very successful and the team was commended for its' work by several Members. It was also noted that a review of the furniture for rent scheme has been completed and a report on the outcome will be submitted to the meeting of the Committee on 21 August 2012.

Following consideration the Committee agreed:-

- (i) to note the progress achieved in 2011/12;
- (ii) to note the future challenges facing the Council;
- (iii) the Homelessness Strategy Action Plan for 2012/13;
- (iv) to note that a revised Service User Involvement Action Plan will be completed by August 2012.; and
- (v) that members' appreciation of the work of the Housing Options Team be conveyed to all concerned.

## **9. REVIEW OF MORTGAGE TO RENT SCHEME**

There was submitted a report by the Corporate Director (Environmental Services) advising the Committee of the outcome of a review of the Mortgage to Rent Scheme which recommended that the Council does not participate in the scheme but continues to promote it as a prevention of homelessness option.

During discussion it was noted that whilst it was recommended that the Council does not participate in the scheme it would continue to promote the scheme through

Registered Social Landlords (RSLs) and that RSLs have intimated that they will continue to participate in the scheme.

Following consideration the Committee agreed:-

- (i) to note the review of the Mortgage to Rent Scheme; and
- (ii) that the Council does not participate in the scheme but continues to promote the scheme through RSLs as a means to prevent homelessness.

## **10. THE MORAY KEYFUND : RENT DEPOSIT GUARANTEE**

There was submitted a report by the Corporate Director (Environmental Services) inviting the Committee to consider proposed changes to the existing Moray Keyfund which helps those who may be at risk of homelessness, details of which were set out in Section 4 of the report.

The meeting noted that the Moray Keyfund offers deposit guarantees to private landlords on behalf of tenants to secure private accommodation. The guarantee covers damage to the property or rent arrears up to the value of one month's rent. The scheme was developed with the aim of adding to the options for homeless households or individuals of finding housing in Moray. The scheme was available to applicants who had made a homeless application but were assessed as homeless with no priority need. One of the key aims of the Homelessness Strategy Action Plan for 2011/12 approved by the Committee on 21 June 2011, (Branch 5 of the Minute refers is to "Maximise the opportunities to prevent homelessness" and one of the actions identified to achieve this aim was to carry out a review of the Moray Keyfund. It was also noted that whilst the proposed changes provide for a deposit guarantee of up to a maximum of £450 each case would require to be considered on its merits and in the best interests of the Council.

Following consideration the Committee agreed:-

- (i) to approve the proposed changes to the Moray Keyfund set out in Section 4 of the report; and
- (ii) to note that annual reports on the Moray Keyfund will be presented to Committee as part of the Homelessness Strategy update.

## **11. IMPLEMENTATION OF COMMON HOUSING REGISTER**

There was submitted a report by the Corporate Director (Environmental Services) providing details of the final arrangements leading up to the go live date for the Common Housing Register (CHR) on 8 June 2012.

During discussion it was noted that all applicants on the housing list had been issued with notification of the changes to the system and the need to re-register/update their circumstances which can be carried out online from any location where there is internet access which will include public access computers which are being installed

in area housing offices at Buckie Keith and Forres and an assurance was given that the service will continue to allocate properties during the re-registration period.

Following consideration the Committee agreed:-

- (i) to note the full implementation of the CHR from 8 June 2012;
- (ii) to note that new online housing applications will be accepted from applicants from 8 June 2012;
- (iii) that an Officer and the Chair of Communities Committee attends the launch of the CHR on 14 June 2012;
- (iv) to note that a demonstration of the CHR has been arranged for the Housing Sub Committee on 21 June 2012 to which an invitation be extended to all members of the Council not on the Sub-Committee; and
- (v) to note that a project completion report on the CHR will be presented to this Committee near the end of 2012/13 which will include lessons learned from the implementation regarding timescales and cost.

## **12. CONSULTATIONS ON THE PRIVATE RENTED SECTOR**

There was submitted a report by the Corporate Director (Environmental Services) providing details on three consultations on the private rented sector from the Scottish Government. The consultations invited views on the introduction of a tenant information pack for the private rented sector, the charging of premiums to secure a private let and the development of a comprehensive private rented sector strategy.

The meeting noted that given the deadlines for two of the responses the Head of Housing and Property, in consultation with the Chairman, had responded on the Council's behalf and sought homologation of the action taken. A copy of the three consultation documents, together with two responses already submitted had been placed in the Members' library. There was appended to the report as Appendix 1 a copy of the draft response to the consultation 'A Strategy for the Private Rented Sector'

Following consideration the Committee agreed:-

- (i) to homologate the action taken by the Head of Housing and Property, in consultation with the Chair of the Communities Committee, to respond to the Consultation papers on the Charging of Premiums and the Introduction of a Tenant Information Pack;
- (ii) to note the issues arising from the Strategy for the Private Sector Consultation Paper;
- (iii) that Members forward any further comments on the consultation on a Strategy for the Private Rented Sector to the Head of Housing and Property by 20 June 2012; and

- (iv) that the Head on Housing and Property be granted delegated authority, in consultation with the Chair of the Communities Committee, to submit a response to the Scottish Government by 10 July 2012.

### **13. REGULATION OF SOCIAL HOUSING IN SCOTLAND**

Under reference to Paragraph 13 of the Minute of this Committee dated 25 October 2011 there was submitted a report by the Corporate Director (Environmental Services) informing the Committee of the new regulatory framework for social housing in Scotland and highlighting the actions that the Council will need to take to comply with the new framework.

The Head of Housing and Property also advised the meeting that, subsequent to the preparation of the report, the Regulator has published a consultation paper on proposed indicators to support the regulatory framework and that the deadline for submission of the Council's response is 24 August 2012. Given the deadline date it is proposed to submit a draft response, taking into account tenant's views via the Housing Sub-Committee to the next meeting of the Committee on 21 August 2012.

Given the importance of this new regulatory framework for the future of social housing in Scotland it was suggested that a briefing be given to members prior to the next meeting of the Committee on 21 August 2012.

Following consideration the Committee agreed:-

- (i) to note the requirements of the Regulatory Framework for social housing landlords;
- (ii) that further reports are presented on the development of arrangements to enable the Council to comply with the framework;
- (iii) to note that a draft response to the Regulator's consultation paper on proposed indicators to support the regulatory framework will be submitted to the meeting of the Committee on 21 August 2012, taking into account tenant's views via the Housing Sub-Committee; and
- (iv) that it be remitted to the Head of Housing and Property Services, in consultation with the Chairman, to make appropriate arrangements for a briefing session for members on the new regulatory framework prior to the meeting on 21 August 2012 to which an invitation to attend be extended to all members of the Council.

### **14. OUTCOME OF JOINT INSPECTIONS OF SERVICES TO PROTECT CHILDREN AND YOUNG PEOPLE IN THE MORAY COUNCIL AREA : MAY 2012**

There was submitted a report by the Corporate Director (Education and Social Care) advising Committee on the outcome of Care Inspectorate's inspection of services to protect children and young people in the Moray Council area which was carried out in January 2012.



The meeting noted that the Care Inspectorate had intimated that it has seen a very good improvement in performance and had identified key strengths that are making a difference to children and families in Moray. In particular the Care Inspectorate had highlighted that children and families are benefitting from a much improved, more effective and better co-ordinated immediate response to initial concerns and were impressed by the partnership approach between services which is helping to reduce risks to children affected by parental substance misuse. It was suggested that consideration be given to arranging a visit for Members to the new Child Protection Unit in Moray.

Following consideration the Committee agreed:-

- (i) to note the outcome of the Joint Inspection of Services to Protection Children and Young People in Moray;
- (ii) that appropriate arrangements be made for all members of the Council to be given the opportunity to visit the Child Protection Unit taking into account operational requirements; and
- (iii) that the Committee's appreciation of the work of staff involved in child protection in Moray be conveyed to all those concerned.

#### **15. HOUSING SUPPORT ANNUAL REPORT 2011/12**

There was submitted a report by the Corporate Director (Environmental Services) providing Committee with the first annual report on the Council's housing support services. There was appended to the report as Appendix 1 an analysis of the housing options activity that has taken place during 2011/12 and details of actions planned for 2012/13 were set out in Section 9 of the report.

Following consideration the Committee agreed:-

- (i) to note the first annual report of the housing support services;
- (ii) to approve the future actions for 2012/13;
- (iii) that a further annual report is presented in June 2013; and
- (iv) that the Committee's appreciation of the efforts of staff within the housing support services during the year be conveyed to all those concerned.

#### **16. HOUSING AND PROPERTY SERVICES : BUDGET MONITORING 2011/12**

There was submitted a report by the Corporate Director (Environmental Services) presenting the unaudited near actual outturns for the Housing Revenue Account (HRA) and General Services Other Housing Budget for the period to 31 March 2012, details of which were set out in Appendix 1 and 2 respectively to the report.

During discussion the meeting noted that the work of the Housing Option Team had, for the second year running, resulted in significant savings to the General Services Other Housing Budget given a substantial reduction in the use of bed & breakfast accommodation.

Following consideration the Committee agreed to note the provisional budget monitoring report for the period to 31 March 2012.

## **17. HOUSING INVESTMENT 2011/12**

There was submitted a report by the Corporate Director (Environmental Services) informing the Committee of the unaudited position to 31 March 2012 for the Housing Investment Programme for 2011/12, details of which were set out in Appendices I to VII to the report.

The meeting noted that housing investment for both the Council's housing stock and the private sector enables the Council to address the identified priorities to improve the quality of housing stock in Moray. Specifically, investment in the Council's housing stock enables the Council to achieve the Scottish Housing Quality Standard by 2015, as required by the Scottish Government.

During discussion the Head of Housing and Property responded to members' questions during which it was noted that 86% of the Council's housing stock met the Scottish Housing Qualities Standard. It was also noted that in regard to programming issues relating to processing disabled adaption requests, leading to an underspend in this budget allocation, a meeting has been arranged with the occupational therapist and other interested parties with a view of improving timing issues so as to ensure that this high demand budget allocation is fully utilised. In regard to the reference in the report to the poor condition of some vacated properties leading to an overspend, which is offset by an underspend elsewhere in the Investment Programme, the meeting noted that wherever possible former tenants are re-charged and pursued for wilful damage to properties.

Following consideration the Committee agreed:-

- (i) to note the unaudited position as at 31 March 2012 with regards to the Investment Programme for 2011/12; and
- (ii) that revisions to individual budgets within the Investment Strategy for 2012/13 will be submitted to Committee for consideration following the analysis of the overall budget position at the end of Quarter 1.

## **18. HOUSING PERFORMANCE REPORT : QUARTER 4 AND ANNUAL 2011/12**

There was submitted a report by the Corporate Director (Environmental Services) outlining the performance of the Housing Service for the period 1 January to 31 March 2012 and for the year 2011/12, details of which were set out in the report. The report also invited the Committee to consider setting targets for 2012/13, details of which were set out in Section 7 of the report.

Following consideration the Committee :-

- (i) welcomed the good performance outlined in this report;
- (ii) noted the performance outlined in this report;
- (iii) noted the actions being taken to seek improvements where required; and
- (iv) agreed to approve the proposed targets for 2012/13 set out in Section 7 of the report.

### **19. COUNCIL NEW BUILD LETTINGS PLAN REPORT**

Under reference to Paragraph 12 of the Minute of this Committee dated 25 October 2011 there was submitted a report by the Corporate Director (Environmental Services) providing the Committee with details of allocations carried out under the new build Lettings Plan between 5 March 2012 and 7 May 2012.

Following consideration the Committee agreed:-

- (i) to note the detail of the allocations to new build properties between 5 March 2012 and 7 May 2012; and
- (ii) that further reports on the Lettings Plan will be presented quarterly to the Committee.

### **20. PRIVATE SECTOR HOUSING SCHEME OF ASSISTANCE CUSTOMER FEEDBACK 2011/12**

Under reference to Paragraph 17 of the minute of this Committee dated 1 March 2011 there was submitted a report by the Corporate Director (Environmental Services) presenting the results of feedback from clients receiving services under the Council's Private Sector Scheme of Assistance (SofA) during 2011/12, details of which were set out in Appendix 1 to the report. The services are delivered by the Private Sector Home Improvement Team.

Following consideration the Committee agreed:-

- (i) to note the results of customer feedback received on the SofA during 2011/12;
- (ii) to note that details of the further development of the performance management framework for the Scheme of Assistance will be presented to a future meeting of the Committee; and
- (iii) that a further report on customer satisfaction is presented to the Committee in June 2013.

## 21. QUESTION TIME

**Councillor Cree** referred to a previous report to Committee on 'Downsizing' and sought an assurance that if a tenant wished to downsize from a 3 bedroomed to a smaller property there would be no constraints on the size of the 'smaller' property. His reason for seeking this assurance being that it had been brought to his attention that a tenant seeking to enter into a mutual exchange moving from a 3 bedroomed property to a 2 bedroomed property was refused consent given that, as a single person, they were only entitled to a 1 bedroomed property. In response the Housing Needs Manager gave an assurance that the housing service was committed to making the downsizing scheme a success and without being in possession of the facts of the case in question he could not comment at this time. He would however speak to Councillor Cree outwith the meeting to obtain the facts, investigate the circumstances and provide Councillor Cree with a comprehensive response.

**Councillor Coull** referred to the early intimation in the meeting (Paragraph 3 of this minute refers) that 3 additional Community Wardens had been appointed bringing the total up to 5 and enquired as to when information will be made available to Members and members of the community as to what areas the individual Wardens will be covering. Whilst not within her remit the Head of Housing and Property undertook to raise the issue with the appropriate Head of Service requesting that they respond direct to Councillor Coull with a copy of the response being posted on the Members' Portal.

**Councillor Jarvis** referred to the reference in the recently re-published tenants' handbook to online repair reporting and enquired as to the estimated timetable for the enabling of the online reporting mechanism to be made available to the public. The Head of Housing and Property advised that the service is intended to be enabled during 2012, hopefully before the end of 2012 and whilst the handbook also refers to other methods of reporting she had, on becoming aware of this issue, ensured that the Council's website was updated so as to ensure anyone looking for the online repair reporting icon were aware of the current position and referred to the other methods of reporting.

## 22. BUILDING SERVICES TRADING OPERATION BUDGET 2011/12 – BUDGET MONITORING [Para 9]

There was submitted and noted a report by the Corporate Director (Environmental Services) presenting the unaudited near outturn budget position for the period to 31 March 2012 for the Building Services Trading Operation.