

THE MORAY COUNCIL
MINUTE OF MEETING OF THE COMMUNITIES COMMITTEE
TUESDAY 21 AUGUST 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, M McConachie, C Ralph and A Wright (Ex-officio).

APOLOGY

There were no apologies submitted at this meeting.

IN ATTENDANCE

The Head of Housing and Property, the Housing Services Manager, the Housing Needs Manager, the Housing Strategy and Development Manager, the Asset Manager, the Building Services Manager; the Anti Social Behaviour Co-ordinator, K Macpherson and Mrs S Kennedy, 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 Coull on behalf of the SNP advised that the SNP Group had discussed Agenda Item 10, "Consultation Paper – Right to Buy", however, it should be appreciated that in regard to this item the SNP group members are free to vote as they see fit, and there was no whip on the decision of the SNP group members and no sanctions in place to encourage them to vote in any particular way.

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.

2. URGENT BUSINESS

The meeting noted that the undernoted item had been added to the Agenda in terms of Section 50B (4) (b) of the Local Government (Access to Information) Act 1985 by reason of special circumstances on the Chairman accepting the reports as urgent business:-

Agenda Item 18(a) Community Safety Performance report: Quarter 4 2011/12 - Requires to be considered on the grounds of urgency in order to provide Committee with an update of Performance against Community Safety performance indicators for the period from

January to March 2012 and to provide an update of the activity undertaken by the four Community safety groups in relation to tackling Community Safety priorities.

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 Item 20 of business so as to avoid disclosure of exempt information of the class described in Paragraph 9 of Part I of Schedule 7A of the Act.

4. WRITTEN QUESTIONS

There were no written questions submitted at this meeting.

5. PRIVATE LANDLORD REGISTRATION ENFORCEMENT POLICY

Under reference, to Paragraph 4 of the Minute of this Committee dated 6 March 2012, there was submitted a report by the Corporate Director (Environmental Services) presenting a draft Private Landlord Registration Enforcement Policy for approval by the Communities Committee following the consultation process on the earlier draft policy.

During discussion, members sought clarity on some of the wording being used in the report and asked that these anomalies be rectified and written in plain English for the public. This was agreed.

Thereafter, the Committee agreed:

- (i) to approve the revised Private Landlord Registration Enforcement Policy set out in Appendix II to the report; subject to clarifying the anomalies within the report and written in plain English for the public.; and
- (ii) the future actions required to assist private landlords in Moray.

6. STRATEGIC LOCAL PROGRAMME (SLP) 2012 -15

There was submitted a report by the Corporate Director (Environmental Services) presenting to the Committee the draft Moray Strategic Local Programme (SLP) for approval prior to submission to the Scottish Government by 31 August 2012.

Following consideration, the Committee agreed to:

- (i) approve the draft SLP, as set out in Appendix 1 to the report, for submission to the Scottish Government; and
- (ii) note that progress on the delivery of the SLP will be presented to future meetings of the Committee.

7. PROPERTY FACTORS (SCOTLAND) ACT 2011

There was submitted a report by the Corporate Director (Environmental Services) informing the Committee of the forthcoming introduction of the Property Factors (Scotland) Act 2011.

In response to members' questions with regard to how the Council intends to promote this legislation, the Head of Housing and Property advised that this was the responsibility of the Scottish Government, however the Council would keep a watchful eye on this.

Thereafter, the Committee agreed:

- (i) to note the content of the Property Factors (Scotland) Act 2011;
- (ii) that there is no requirement for the Council to register as a Factor; and
- (iii) that Officers consider this position further in the future, depending on any additional guidance that is issued and having regard to the current practice of authorities with similar property profiles.

8. CONSULTATION PAPER: DEVELOPING AN ENERGY EFFICIENCY STANDARD FOR SOCIAL HOUSING

There was submitted a report by the Corporate Director (Environmental Services) providing the Committee with details of a consultation paper launched by the Scottish Government on 25 June 2012 relating to proposals for an Energy Efficiency Standard for Social Housing to ensure that it is energy efficient and sustainable in the future. The report also considers the key issues raised in the consultation document and proposals as to how the Council's response might be addressed.

Following consideration, the Committee agreed:-

- (i) that members forward any comments on the consultation papers to the Head of Housing and Property by 10 September 2012; and
- (ii) to delegate authority to the Head of Housing and Property, in consultation with the Chairman of the Communities Committee, to submit a response to the Scottish Government.

9. CONSULTATION PAPER: HOMES THAT DON'T COST THE EARTH: SCOTLAND'S SUSTAINABLE HOUSING STRATEGY

There was submitted a report by the Corporate Director (Environmental Services) providing the Committee with details of a consultation paper launched by the Scottish Government on 25 June 2012, relating to proposals for a strategy to ensure that Scotland's housing stock is energy efficient and sustainable in the future. The report also considers the key issues raised in the consultation document and proposes how the Council's response might be addressed.

During discussion, Members expressed concern with regard to paragraph 4.36 of the report in particular the catastrophic impact that this may have on the housing market. In response the Head of Housing and property advised that any views would be included in the final report which would be subject to consultation.

Thereafter, the Committee agreed:

- (i) that members forward any comments on the consultation papers to the Head of Housing and Property by 10 September 2012; and
- (ii) to grant delegated authority to the Head of Housing and Property, in consultation with the Chairman of the Communities Committee, to submit a response to the Scottish Government.

10. CONSULTATION PAPER: RIGHT TO BUY

There was submitted a report by the Corporate Director (Environmental Services) setting out the detail within the Scottish Government's consultation paper on the Right to Buy, published on 7 June 2012 and a proposed response from the Council.

During discussion, members sought the right of individual groups or individual members to submit their own response to the consultation. This was agreed.

Thereafter, the Committee agreed:

- (i) to note the content of the consultation paper on the Right to Buy as set out in Appendix III of the report;
- (ii) the proposed response to the consultation paper supporting "the no Right to Buy Entitlement"; and
- (iii) that individual groups or individual members can also submit their own response to the consultation paper.

During discussion of this item, Councillor Wright left the meeting.

11. SCOTTISH HOUSING REGULATOR: CONSULTATION ON SCOTTISH SOCIAL HOUSING CHARTER INDICATORS

There was submitted a report by the Corporate Director (Environmental Services) presenting a draft response to the Scottish Housing Regulator's consultation paper on Scottish Social Housing Charter Indicators for agreement by the Committee.

Following consideration, the Committee agreed to:-

- (i) note the consultation as detailed in Appendix 1 of the report;
- (ii) approve the proposed response to the consultation on Scottish Social Housing Charter Indicators, as set out in Appendix II to the report;

- (iii) note that a further report will be presented to this Committee following the publication of the final guidance by the Regulator; and
- (iv) that a briefing session for members on the Charter will be held on 26 September 2012.

12. REVISED NEIGHBOUR DISPUTES & ANTI SOCIAL BEHAVIOUR POLICY

Under reference to Paragraphs 11 and 5 of the Minutes of the meetings dated 28 May 2003 and 17 January 2012 respectively, there was submitted a report by the Corporate Director (Environmental Services) presenting a revised draft Neighbour Disputes and Anti Social Behaviour Policy for comment and approval by the Committee. The Committee were also asked to agree to consult with tenants on the revised draft policy.

Following consideration, the Committee agreed:-

- (i) to note the comments on the proposed revisions to the Neighbour Disputes and Anti Social Behaviour Policy;
- (ii) that the Council consults with tenants on the proposed policy; and
- (iii) that a further report will be presented to this Committee, following the consultation exercise, in December 2012.

13. ALLOCATIONS POLICY ANNUAL PERFORMANCE REPORT

There was submitted a report by the Corporate Director (Environmental Services) presenting to Committee the annual performance in relation to the operation of the Council's Allocations Policy in 2011/12 and the potential areas of the policy for review.

Following consideration, the Committee agreed to:-

- (i) Note the report;
- (ii) approve the allocations quotas for 2012/13, detailed in Paragraph 10.4 of the report; and
- (iii) note that a report on the review of the allocations Policy will be presented to the Committee in December 2012.

14. HOUSING AND PROPERTY BUDGET MONITORING : 30 JUNE 2012

Councillor C Ralph joined the meeting at this point.

There was submitted and noted a report by the Corporate Director (Environmental Services) presenting the budget monitoring for the Housing Revenue Account (HRA) and General Services Other Housing Budget for the period to 30 June 2012.

15. HOUSING INVESTMENT 2012/13

There was submitted a report by the Corporate Director (Environmental Services) informing the Committee of the position to 30 June 2012 for the Housing Investment Programme for 2012/13.

Following consideration, the Committee agreed to note:

- (i) the position as at 30 June 2012 with regards to the Investment Programme for 2012/13; and
- (ii) that following the analysis of the budget position at the end of Quarter 1, there are no proposed revisions to the agreed budgets for 2012/13. and Property to submit a report on the implementation of the Common House Register.

16. HOUSING AND PROPERTY SERVICE PLAN : PROGRESS QUARTER 1

There was submitted a report by the Corporate Director (Environmental Services) setting out the progress achieved in the implementation of the actions agreed within the Housing and Property Service Plan 2012/13.

During discussion, Councillor Coull asked for a progress report to be presented to a future meeting of this Committee following the launch of the Common Housing Register.

Thereafter, the Committee agreed to note:-

- (i) the progress report; and
- (ii) that a further report will be presented to the Committee in October 2012.

17. HOUSING PERFORMANCE REPORT : QUARTER 1 2012/13

There was submitted a report by the Corporate Director (Environmental Services) outlining the performance of the Housing Service for the period 1 April to 30 June 2012.

Following consideration, the Committee agreed to note:

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

18. SOCIAL CARE AND SOCIAL WORK IMPROVEMENT SCOTLAND (SCSWIS) INSPECTION OF SHELTERED HOUSING

There was submitted a report by the Corporate Director (Environmental Services) providing the Committee with details of the Social Care and Social Work Improvement Scotland (SCSWIS) inspection of the Council's sheltered housing.

Following consideration, the Committee agreed:

- (i) to note the SCSWIS report;
- (ii) to welcome the improved grade that the Council has achieved in relation to the quality of its care and support within its sheltered housing; and
- (iii) That the risk assessment process is further developed during 2012/13.

The chair on behalf of the Committee thanked all staff involved in the inspection process for their hard work.

19. COMMUNITY SAFETY PERFORMANCE REPORT QUARTER 4 2011/12

There was submitted a report by the Corporate Director (Environmental Services) providing the Committee with an update of performance against Community Safety performance indicators for the period from January to March 2012 and providing an update of activity undertaken by the four Community Safety Groups in relation to tackling Community Safety priorities.

Following consideration, the Committee agreed to note:

- (i) the performance against Community Safety indicators noted as performing well; and
- (ii) the measures and activity being undertaken in relation to those requiring action.

20. EQUALITY IMPACT ASSESSMENT PILOT

There was submitted a report by the Acting Chief Executive asking the Committee to note the Policy & Resources Committee's approval of the submission of an application for the Moray Council to take part in a pilot to establish good practice with regards to equality and human rights impact assessments.

During discussion, Councillor Cree referred members to the module on the Council's Internet web page and urged them to take the opportunity to complete it.

Thereafter, the Committee agreed to note the report.

21. QUESTION TIME

There were no questions asked at this meeting

22. BUILDING SERVICES TRADING OPERATION BUDGET 2011/2012 : BUDGET MONITORING [PARA 9]

There was submitted and noted a report by the Corporate Director (Environmental Services) presenting to Committee the budget monitoring information for the period to 30 June 2012 for the Building Services Trade Operation