

THE MORAY COUNCIL
MINUTE OF MEETING OF THE COMMUNITIES COMMITTEE
TUESDAY 23 APRIL 2013
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, S. Morton and Councillor A Wright (Ex-officio).

Mr S. Christie and Mr B. Taylor (Tenant representatives).

Also Present

Councillor J. Divers

Apologies

Apologies were intimated on behalf of Mr D. Wood

In Attendance

The Head of Housing and Property, the Housing Services Manager, the Housing Needs Manager, the Housing Strategy & Development Manager, the Building Services Manager, the Property Resources Manager, the Anti Social Behaviour Co-ordinator, the Building Services Manager and Mr A McEachan, Senior Solicitor, Mrs L Rowan, 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 the meeting noted that the Council's SNP Group and the Labour Group had discussed Item 5 - Notice of Motion entitled "Supporting People Affected by the Bedroom Tax".

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.

<u>Para No. of Minute</u>	<u>Para No. of Schedule 7A</u>
23	9
24	9
25	1

3. WRITTEN QUESTIONS

There were no written questions.

4. NOTICE OF MOTION

In terms of Standing Order 32(a), there was submitted a Notice of Motion by Councillor B Jarvis seconded by Councillor S Morton, in the following terms:-

- 1) Committee wishes to express its concern regarding the impact that the range of Welfare Reform measures is having on people in Moray
- 2) Specifically the Committee is concerned that, from April 2013, measures to reduce housing benefit for tenants of local authorities and housing associations (Bedroom Tax) have not taken account of the acute shortage of one bedroom homes. This will lead to significant hardship for the tenants affected and increase the risk of homelessness.
- 3) Committee is further concerned that these measures may have an adverse impact on council and housing association landlords' rental income and their ability to invest in improving their own stock and in building new, affordable to heat, homes.
- 4) Committee agrees:
 - (i) that where the Head of Housing & Property is satisfied that tenants who are subject to the under-occupancy charge have done all they reasonably could to avoid falling into arrears, then all legitimate means to collect rent arrears should be utilised except eviction.
 - (ii) to call on the Scottish Government to introduce emergency legislation and provide funding for local government and social landlords to deliver this policy of non-eviction.
 - (iii) to support calls by local campaigns to scrap the Bedroom Tax.

During discussion, the Head of Housing and Property advised Members that as 95% of the Council's Housing Revenue Account comes from rental income, it would be

unwise to have a blanket non-eviction policy, therefore there was no amendment required to the current Arrears Policy as eviction is always avoided where possible, which is supported by the Council's very low rate of eviction in Moray.

Following discussion, Councillor Allan moved as an amendment that the Committee did not agree the motion. On failing to find a seconder the amendment fell. In terms of Standing Order 68 Councillor Allan asked that his dissent be recorded.

Councillor Coull, stated that whilst he agreed in part with the motion put forward by Councillors Jarvis and Morton, asked them to consider removing part ii) to call on the Scottish Government to introduce emergency legislation and provide funding for local government and social landlords to deliver this policy of non-eviction as he was of the opinion that it was unnecessary as legislation had come into force in August 2012 which protects tenants against eviction for rent arrears in advance of welfare reform.

In response Councillor Jarvis stated that he would be unwilling to remove part ii).

Councillor Coull, therefore, moved as an amendment, that the Committee agree the motion with the omission of part ii). This was seconded by Councillor Howe.

Councillor Alexander raised his concern that if the motion is approved that there would be a risk that the Council could not evict any tenant getting into arrears and subsequently moved as a second amendment that the Committee do not support the motion and agree to keep the Council Policy as it is written. This was seconded by Councillor Cree.

The Meeting noted that in terms of Standing Order 63(d) whilst there were two amendments to the motion, Councillor Alexander's amendment implied mere negation of the motion, therefore his amendment required to be taken against the motion in the first instance. Thereafter should the second amendment be carried the first amendment would fall.

On a division there voted:

For the Motion (6): Councillors Coull, Gowans, Howe, Jarvis, McConachie and Morton

For the Amendment (7): Councillors Alexander, Allan, Cree, Creswell, J MacKay, McGillivray and Shepherd.

Accordingly, the amendment became the finding of the meeting and the Committee agreed not to support the motion and agreed to keep the Council Policy as it is written.

5. HOMELESSNESS POLICY REVIEW

Under reference to paragraph 4 of the Minute of this Committee dated 11 December 2012, there was submitted a report by the Corporate Director (Environmental Services) presenting to the Committee a revised draft homelessness policy for approval.

Following consideration, the Committee:-

- (i) noted the feedback received following the consultation period;
- (ii) approved the revised Homelessness Policy as set out in Appendix I of the report; and
- (iii) noted that a revised procedure will be developed for staff involved in implementing the policy.

6. HOMELESSNESS STRATEGY 2010/2015

Under reference to paragraph 6 of the Minute of this Committee dated 13 April 2010, there was submitted a report by the Corporate Director (Environmental Services) advising the Committee of progress made in implementing the Homelessness Strategy during 2012/13 and proposed actions for 2013/14.

Following consideration, the Committee:-

- (i) noted the progress achieved in 2012/13;
- (ii) agreed the Homelessness Strategy Action Plan for 2013/14 as set out in Appendix 1 of the report; and
- (iii) noted that a revised Service User Involvement Action Plan will be completed by August 2013.

7. REVIEW OF THE DECORATION VOUCHER SCHEME

Under reference to paragraph 6 of the Minute of this Committee dated 19 March 2008, there was submitted a report by the Corporate Director (Environmental Services) presenting to the Committee the findings of a review of the Council's Decoration Voucher Scheme and proposed changes to the way in which tenants are assisted to make good decoration in their homes following a relet or major works.

During discussion, clarification was sought as to what measures are taken to encourage smaller, local companies to take part in the Scotland Excel Procurement programme. In response Councillor Wright advised that local suppliers could participate in the second stage of the procurement programme which looked at "Value for Moray". In addition, the Building Services Manager further advised that the current excel contract was in place until September 2013 and some of the local

suppliers had submitted tenders however, Scotland Excel Procurement was the most financially viable option at the time of choosing.

Following further discussion, it was agreed that, during the 9 month pilot of the decoration voucher scheme, efforts would be made by Officers to encourage local businesses to participate in the Scotland Excel Procurement Programme.

Following consideration, the Committee:-

- (i) agreed that a pilot scheme to use 'decoration packs', as set out in Option 3 within the report, is commenced from 1 June 2013;
- (ii) agreed that an appraisal of the pilot scheme is presented to the Committee in December 2013; and
- (iii) agreed that efforts are made by Officers to encourage local businesses to participate in the Scotland Excel Procurement programme during the 9 month pilot scheme.

8. LOCAL HOUSING STRATEGY 2013-2018

Under reference to paragraph 10 of the Minute of this Committee dated 11 December 2012, there was submitted a report by the Corporate Director (Environmental Services) presenting to the Committee the Local Housing Strategy (LHS) 2013 – 2018 for approval, following public consultation on its outcomes and actions.

Following consideration, the Committee:-

- (i) noted the results of the public consultation on the LHS Outcomes and actions, carried out from January to March 2013, as set out in section 4 of the report;
- (ii) approved the draft Local Housing Strategy 2013 – 2018 for publication and implementation, a summary of which is set out in Appendix 1 of the report; and
- (iii) approved the Local Housing Strategy Action Plan as set out in Appendix 2 of the report.

9. THE AFFORDABLE HOUSING PROGRAMME IN MORAY

There was submitted a report by the Corporate Director (Environmental Services) presenting to the Committee progress on the delivery of affordable housing supply programme in Moray for 2012-15 and details of the indicative Resource Planning Assumption for the programme beyond 2015.

During discussion, clarification was sought as to the list of slippage projects that featured in the Strategic Local Programme for 2012-15. In response, the Housing

Strategy and Development Manager advised that the list of slippage projects would be provided to Members of the Committee following the Meeting.

Following consideration, the Committee:-

- (i) noted the progress to date on the delivery of the Strategic Local Programme for 2012-15;
- (ii) welcomed the additional resources made available by the Scottish Government to fund the Strategic Local Programme;
- (iii) agreed to use the additional resources to fund the project at Glassgreen, Elgin;
- (iv) noted the Scottish Government's indicative level of funding for the affordable housing supply programme in Moray for the period 2015-18;
- (v) noted that the draft Strategic Housing Investment Programme for the period 2015 – 2018 will be submitted to this Committee on 18 June 2013; and
- (vi) agreed that a copy of the SLP slippage projects be provided to Members of this Committee following the meeting.

10. HOME ENERGY EFFICIENCY PROGRAMME FOR SCOTLAND

Under reference to paragraph 22 of the Minute of this Committee dated 11 December 2012, there was submitted a report by the Corporate Director (Environmental Services) providing the Committee with details of the Council's funding allocation for the Home Energy Efficiency Programme for Scotland (HEEPS). The report also provided details of the Council's proposals for accessing the funding.

Following consideration, the Committee:-

- (i) noted the details of the Council's 2013/14 funding allocation for the Home Energy Efficiency Programme for Scotland, as set out in the report;
- (ii) noted the details of the Council's submission to the Scottish Government reported verbally at the meeting;
- (iii) welcomed the progress made on the National Retrofit Programme project at Mar Court, Keith; and
- (iv) agreed that further reports on progress with the programme in Moray will be presented to this Committee.

11. REVIEW OF RESPONSE REPAIRS POLICY

Under reference to paragraph 6 of the Minute of this Committee dated 11 November 2011, there was submitted a report by the Corporate Director (Environmental

Services) presenting to the Committee the outcome of a review of the revised Response Repairs Policy to the Communities Committee.

Following consideration, the Committee:-

- (i) noted the positive impact on overall performance since the implementation of the revised Response Repairs Policy in April 2012;
- (ii) agreed the proposed improvements and timescales identified, detailed at section 5 of the report; and
- (iii) noted that the Response Repairs policy will be updated to reflect these improvements.

12. WELFARE REFORM – HOUSING IMPACTS

Under reference to paragraph 7 of the Minute of this Committee dated 11 December 2012, there was submitted a report by the Corporate Director (Environmental Services) setting out the progress achieved in relation to actions taken to enable the Council to prepare for, and assist tenants with the impact of forthcoming welfare reform.

Following consideration, the Committee:-

- (i) noted progress in relation to agreed actions, detailed at Section 4 of the report;
- (ii) agreed to recommend to Policy and Resources Committee that additional charges for homeless households placed in temporary accommodation who may be under occupying that property are not passed on to these households during 2013/14; and
- (iii) noted that future reports will be provided to this Committee.

13. COMMUNITY SAFETY STRATEGY 2013-2016

There was submitted a report by the Corporate Director (Environmental Services) presenting to the Committee the new Community Safety Strategy for approval of the Committee.

During discussion, concern was raised regarding the layout of the Outcomes for 2013-16 and it was agreed that the layout be changed so that outcomes clearly measured by a percentage are given first with other outcomes which cannot be measured by a percentage detailed at the end of the section.

The Committee joined Councillor Gowans in praising the work of the Voluntary Group SPICE (Strategic Partnership for Improving the City of Elgin) who are linked with Elgin Bid and whose priority is to make the community safer and tidier.

Further clarification was sought regarding the omission of figures between 2006-2013 for drivers under the age of 25 testing positive for drugs. In response the Anti-Social Behaviour Co-ordinator advised that this was a recording error and that this information would be provided to Members of this Committee following the meeting.

Following consideration, the Committee:-

- (i) noted the recommendations of the Community Safety Review;
- (ii) approved the new Community Safety Strategy and agree the implementation of the Delivery Plan;
- (iii) agreed that the layout of the Outcomes for 2013-16 be changed so that outcomes clearly measured by a percentage are given first with the other outcomes which cannot be measured by a percentage detailed at the end of the section;
- (iv) agreed that the reason for no statistics being provided for the number of drivers testing positive for drugs (under 25) as detailed in Appendix 3 of the report, be provided to Members of this Committee following the Meeting.

14. ANTISOCIAL BEHAVIOUR – POLICY AND PROCEDURES

There was submitted a report by the Corporate Director (Environmental Services) bringing to the attention of the Committee that the Policy and Procedures relating to Antisocial Behaviour have been reviewed and amended.

During discussion, concern was raised regarding the difficulty Members had in locating the amendments in the Antisocial Behaviour Policy and Procedure and agreed that, in future, any amendments to a strategy/policy would be highlighted for ease in identification.

Following consideration, the Committee:-

- (i) agreed the amendments to The Moray Council's Antisocial Behaviour Policy and Procedures, as set out in Appendix 1 of the report; and
- (ii) agreed that in future, any amendments to a strategy/policy are highlighted for ease in identification.

15. HOUSING AND PROPERTY BUDGET MONITORING – 28 FEBRUARY 2013

Under reference to paragraphs 2 and 6 of the Minute of this Committee dated 9 February 2012, there was submitted a report by the Corporate Director (Environmental Services) presenting to the Committee budget monitoring for the Housing Revenue Account (HRA) and General Services Other Housing Budget for the period to 28 February 2013.

Following consideration, the Committee noted the budget monitoring report for the period to 28 February 2013, as set out in Appendix 1 of the report.

16. HOUSING INVESTMENT 2012/13

There was submitted a report by the Corporate Director (Environmental Services) informing the Committee of the position to 28 February 2013 for the Housing Investment Programme for 2012/13.

Following consideration, the Committee noted the position as at 28 February 2013 with regards to the Housing Investment Programme for 2012/13 as set out in Appendices 1-7 of the report.

17. HOUSING AND PROPERTY SERVICE PLAN – PROGRESS QUARTER 4

Under reference to paragraph 6 of the Minute of this Committee dated 7 June 2012, 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.

Following consideration, the Committee noted:-

- (i) the progress report as detailed in Appendix 1 of the report; and
- (ii) that the Housing and Property Service Plan 2013/14 will be presented to Committee on 18 June 2013.

18. SCOTTISH HOUSING QUALITY STANDARD PROGRESS REPORT BY THE SCOTTISH HOUSING REGULATOR

There was submitted a report by the Corporate Director (Environmental Services) advising the Committee on the contents of the Scottish Housing Regulator's Scottish Housing Quality Standard (SHQS) Progress report for 2011/12, which was published on 27 February 2013.

Following consideration, the Committee noted:-

- (i) the content of the Scottish Housing Regulator's 2011/12 SHQS Progress report which can be found using the following link
<http://www.scottishhousingregulator.gov.uk/publications/scottish-housing-quality-standard-progress-report>; and
- (ii) that a proposed review of the Business Plan will be undertaken during 2013 to assist with development of the Housing Investment Programme for 2014/15.

19. PERFORMANCE INDICATORS 2013/14

Under reference to paragraph 8 of the Minute of this Committee dated 11 December 2012, there was submitted a report by the Corporate Director (Environmental Services) presenting to the Committee revised performance management indicators following the corporate review of performance management and following changes to performance reporting required by the Scottish Housing Regulator.

During discussion, it was agreed that Members would find it beneficial to be provided with statistics regarding:

- (a) % of current tenants owing more than £250
- (b) Current tenant arrears by band
- (c) Former tenant arrears – value
- (d) % of tenants giving up tenancy in arrears
- (e) % of FTA arrears written off and collected

Thereafter, it was agreed that Members would be provided with these statistics in future reports.

Following consideration, the Committee:-

- (i) agreed the revised performance indicators for housing and building services functions as set out in Appendix 1 of the report; and
- (ii) agreed that indicators measuring:
 - (f) % of current tenants owing more than £250
 - (g) Current tenant arrears by band
 - (h) Former tenant arrears – value
 - (i) % of tenants giving up tenancy in arrears
 - (j) % of FTA arrears written off and collected

will be made available to Members of this Committee within future reports.

20. FUEL UTILITY SUPPLY MANAGEMENT FOR VACANT HOUSING PROPERTIES

There was submitted a report by the Corporate Director (Environmental Services) seeking approval from the Committee for Housing and Property Services to enter into an agreement with the utility provider Scottish and Southern Energy (SSE) to provide fuel utility supplies and customer management facilities for houses during the void period and for new tenancies.

Following consideration, the Committee agreed to Housing and Property Services entering into an agreement with Scottish & Southern Electricity to provide fuel utility supply and customer management facilities for HRA void dwellings.

21. ASBESTOS WATER TANK REMOVAL

There was submitted a report by the Corporate Director (Environmental Services) presenting to the Committee an update on the position with regards to asbestos tank removals in the Lossiemouth area, and seeking approval for further actions to be undertaken.

During discussion, clarification was sought as to the Council's obligation to advise owners of properties who had purchased their property from the Council through the Right to Buy scheme, who may be affected by the asbestos water tanks. In response the Head of Housing and Property advised that she was unsure of the Council's legal obligation, would seek clarification from the Council's legal advisor and that this information would be circulated to Members following the Meeting.

During further discussion, concern was raised regarding the length of time tenant's loft space would require to be sealed off during the removal of the asbestos water tanks. Clarification was also sought as to how long it would take for the Council's Asbestos Consultant to establish whether it is feasible to apply a PVA spray to the tanks to act as a control sealant/adhesive. In response, the Property Resources Manager advised that he had recently spoken with the Asbestos Consultant who advised that he was awaiting specialist advice regarding this matter.

Thereafter it was agreed that if the Council's Asbestos Consultant advised that it was feasible to apply a PVA spray to the tanks to act as a control sealant/adhesive then this option would be the most favourable. Otherwise, Option 1 would be the preferred option.

Following consideration, the Committee:-

- (i) noted the options presented to deal with the issue of removing the asbestos water tanks;
- (ii) agreed that, if the Council's Asbestos Consultant advises that it is feasible to apply a PVA spray to the tanks to act as a control sealant/adhesive, as detailed in Section 4.12 of the report, then this option would be the most favourable. Otherwise, Option 1 would be the preferred option;
- (iii) noted that continuing financial provision will be considered in future budget processes; and
- (iv) agreed that details of the Council's duty to advise owners of properties that have been sold through the right to buy scheme, who may be affected with the asbestos water tanks, be provided to Members of this Committee.

22. OPEN DAY

The Chair announced that there would be an open day for Moray tenants on Saturday 18 May 2013 at 10.30 am - 12.30 pm at Elgin Town Hall which has been organised by a group of social landlords and tenants in the North East. There will be a number of exhibitions and the opportunity for tenants to talk to a number of

organisations and agencies regarding topics such as money advice, energy efficiency, handyman person services and the community food scheme.

23. QUESTION TIME

Councillor Alexander sought clarification regarding the length of time Hanover Housing Association development has been delayed due to an objection from Historic Scotland and when they are likely to be on site?

In response, the Housing Services Manager advised that the Hanover Housing Association had to redesign the development to include a stone built building, the demolition of which was objected to by Historic Scotland. A new planning application is due to be submitted at the beginning of May which incorporates the stone building into the development instead of demolishing it and, if consent is given, this will allow Hanover Housing Association to proceed to tender stage.

Councillor Alexander further asked if the reason the stone building was not allowed to be knocked down was because it was in a conservation area. The Housing Services Manager confirmed that this was the case.

Councillor Alexander further queried if Hanover Housing Association had been allowed to go ahead and knock down the stone building, could it have been operational by now? In response the Housing Services Manager advised that they could at least have been on site.

24. BUILDING SERVICES TRADING OPERATION BUDGET 2012/13 – BUDGET MONITORING [Para 9]

Under reference to paragraph 18 of the Minute of this Committee dated 6 March 2012, there was submitted a report by the Corporate Director (Environmental Services) presenting to the Committee the budget monitoring information for the period to 28 February 2013 for the Building Services Trading Operation.

Following consideration, the Committee noted:-

- (i) the financial information as at 28 February 2013; and
- (ii) the revised year end forecast to 31 March 2013 as set out in Appendix 1 of the report.

25. BUILDING SERVICES TRADING OPERATION BUDGET 2013/14 [Para 9]

Under reference to paragraph 18 of the Minute of this Committee dated 6 March 2012, there was submitted a report by the Corporate Director (Environmental Services) presenting to the Committee the Building Services Trading Operation Budget for 2013/14 for approval.

Following consideration, the Committee:-

- (i) agreed the Building Services Trading Operation Budget for 2013/14 as set out in Appendix 1 of the report; and
- (ii) noted that a further report on the outcome of a review of manual staffing will be presented to this Committee on 18 June 2013.

26. HOUSING NEEDS REVIEW [Para 1]

Under reference to paragraph 20 of the Minute of this Committee dated 6 March 2012, there was submitted a report by the Corporate Director (Environmental Services) presenting to the Committee a review of the Housing Needs Team and proposals for changes to the structure of the team.

Following consideration, the Committee:-

- (i) agreed the proposals for change set out in the Housing Needs Review, as presented in section 6 of the report;
- (ii) noted the indicative timescale for implementation of the review; and
- (iii) noted that a further report following the consultation period will be presented to this Committee on 18 June 2013.