

ANGUS COUNCIL

MINUTE of MEETING of the **HOUSING COMMITTEE** held in the Town and County Hall, Forfar on Tuesday 1 April 2003 at 4.20 pm.

Present: Councillors FRANK ELLIS, ALISTAIR GRAY, IAN ANGUS, BILL CROWE, STEWART McGLYNN, GLENNIS MIDDLETON, JOY MOWATT, PETER NIELD, GEORGE NORRIE MBE, BILL ROBERTON and SHEENA WELSH.

Councillor ELLIS, Convener, in the Chair.

1. DECLARATIONS OF INTEREST

Councillor Gray declared an interest in items 12, 15, 20 and 23.

Councillor Glennis Middleton declared an interest in items 15 and 20.

Councillor Robertson declared an interest in items 15 and 20.

2. MINUTE OF PREVIOUS MEETING

The [minute of meeting of this Committee of 18 February 2003](#) was approved as a correct record and signed by the Convener.

3. HOUSING CAPITAL PROGRAMME - HRA BLOCK - 2002/2003

With reference to Article 2 of the minute of meeting of this Committee of 18 February 2003, there was submitted [Report No 394/03](#) by the Director of Finance setting out the latest position on the HRA Housing Capital Programme and the HRA Planned Maintenance Programme for 2002/2003. The Report also detailed the latest capital spend for the year together with the capital spend figures to the end of February 2003. Budget and actual figures for certain elements of the HRA Planned Maintenance Programme were also shown.

The Report advised that the spend achieved to 28 February 2003 on the Housing Capital Programme was £4.595million. This included internal fees to 31 December 2002. With regard to the Planned Maintenance Budget, it was noted that the spend was 50% of the budget of £1.426million but that the total spend for the year was currently assumed to be £1.378million. This would be closely monitored and referred to in future Reports.

The Committee, for its interest, agreed to note the figures presented for the Housing Capital Programme and certain elements of HRA Planned Maintenance.

4. REGULATION AND INSPECTION - COMMUNITIES SCOTLAND INTERVENTION STRATEGY AND PROCEDURES (CONSULTATION DRAFT)

There was submitted [Report No 395/03](#) by the Director of Housing advising members of the introduction of the Intervention Strategy and Procedures (Consultation Draft) proposed by Communities Scotland for use when a local authority or RSL was assessed as performing poorly during regulatory inspections. Appendix 1 of the Report gave a summary of the draft Intervention Strategy as a flow chart.

The Report advised that with the resolution of the issues identified in Appendix 2 of the Report, the draft Intervention Strategy constituted a balanced and reasonable framework for encouraging improving organisations to continue to improve and for taking remedial action where problems were so serious that urgent intervention was required.

The Committee agreed:-

- (i) that the contents of the Report be noted;
- (ii) that the Intervention Strategy was a balanced and fair approach to dealing with poor performance by public landlords; and

- (iii) that comments on the draft be sent to Communities Scotland as outlined in Appendix 2 attached to the Report.

5. HOUSING (SCOTLAND) ACT 2001 IMPLEMENTATION FUNDING - TENANT PARTICIPATION

With reference to Article 8 of the minute of meeting of this Committee of 12 November 2002, there was submitted [Report No 396/03](#) by the Director of Housing updating members on the allocation of funding from Communities Scotland to assist with the implementation of the tenant participation elements of the Housing (Scotland) Act 2001 and the outcomes report, which was one of the requirements of the funding allocation.

The Report concluded that, under the terms of the Housing (Scotland) Act 2001, Angus Council would have had difficulty in implementing the new duties placed upon them in the absence of additional resources. The new money had been welcomed and the need for appropriate monitoring and evaluation arrangements by Communities Scotland was fully recognised.

It was also noted that, from an Angus Perspective, the timescale for development of a revised Tenant Participation Strategy did not allow sufficient time for meaningful consultation between existing tenant associations and groups, individual tenants and Angus Council on the content of the Tenant Participation Strategy. Agreement was therefore sought from the Committee to approve the submission of a draft Tenant Participation Framework to Communities Scotland to ensure delivery of Angus Council's two-year funding allocation.

The Committee agreed:-

- (i) to note the funding allocation for implementing the Housing (Scotland) Act 2001;
- (ii) to approve the outcomes report for 2002/2003 and the proposed outcomes for 2003/2004 as detailed in Appendix 1 of the Report; and
- (iii) to note the intention to submit a draft Tenant Participation Framework to Communities Scotland as detailed in Appendix 2 of the Report.

6. PERFORMANCE INDICATOR INFORMATION 2001/2002

With reference to Article 10 of the minute of meeting of this Committee of 16 April 2002, there was submitted [Report No 397/03](#) by the Director of Housing advising that the Accounts Commission for Scotland had published performance indicator information for 2001/2002 and appending to the Report, in tabular form, comparisons of Angus Council Housing Department's performance with the other 31 Scottish local authorities. The Committee agreed to note the contents of the Report, and that the statistics for Angus Council showed a favourable performance position in each case.

7. DUTY OF REGISTERED SOCIAL LANDLORDS UNDER SECTION 5 OF THE HOUSING (SCOTLAND) ACT 2001

There was submitted [Report No 398/03](#) by the Director of Housing advising members of the power of local authorities to request that a Registered Social Landlord (RSL) provided accommodation for homelessness applicants when requested to do so under Section 5 of the Housing (Scotland) Act 2001. Approval was also sought for the introduction of formal protocols negotiated between Angus Council and RSLs, which had been drafted following enactment of this power, copies of which had been placed in the Members' Lounge.

The Report concluded that the introduction of the duty under Section 5 of the Housing (Scotland) Act 2001 would allow Angus Council to make requests to RSLs to provide accommodation for homeless applicants, thereby extending a further degree of accommodation choice to unintentionally homeless applicants in priority need.

The Committee agreed to note the contents of the Report in relation to the new power and approve the formal protocols between Angus Council and Registered Social Landlords.

8. HOMELESSNESS STRATEGY 2003/2008

With reference to Article 10 of the minute of meeting of this Committee of 19 February 2002, there was submitted [Report No 399/03](#) by the Director of Housing seeking approval of the Homelessness Strategy 2003/2008, a copy of which had been placed in the Members' Lounge.

The Report advised that much had been achieved since the original Angus Homelessness Strategy had been agreed in 2000. There had been a significant commitment, particularly amongst the Council's partners in the voluntary sector, to tackle homelessness in Angus, without the enforcement of external monitoring and evaluation and the complexities and increased bureaucracy which this had introduced. It was hoped that the current level of funding would indeed continue to allow Angus Council and its partners to continue to work towards eradicating homelessness through the many joint initiatives which had been developed or were currently being progressed.

The Committee agreed:-

- (i) to note the assessment framework;
- (ii) to approve the Homelessness Strategy 2003/2008;
- (iii) to remit to the Director of Housing to publish the Strategy document for public distribution and make it available on the Council's Intranet and web-site; and
- (iv) in the context of community planning, to refer this Report to the Joint Healthy, Safe and Caring Communities Partnership for its interest.

9. GAS SAFETY (INSTALLATION AND USE) REGULATIONS 1998 - HARD NON-ACCESS CASES - TENANTS' CHOICE ON HEATING REPLACEMENT

With reference to Article 5 of the minute of meeting of this Committee of 25 September 2001, there was submitted [Report No 400/03](#) by the Director of Housing recommending actions to be taken against the minority of tenants who failed to, or eventually and with reluctance, gave access in accordance with the above Regulations.

The various recommendations detailed in the Report were felt, on balance, to be fair and reasonable given the overall circumstances experienced and the benefits to be gained by tenants and their neighbours. It was hoped that these would encourage hard non-access cases to comply with the Council's reasonable requests to gain access for inspection etc purposes, or indeed avoid such ongoing difficulties arising if gas was not available via tenant choice.

The Committee agreed:-

- (i) that action be considered (for recovery of tenancy for breach of the Tenancy Agreement) against any tenant who was subject to repeat non-access court action in relation to gas safety; and
- (ii) that such tenants not be given the choice of selecting gas as an alternative fuel source when heating was being installed or replaced in the home they tenanted.

10. GAS SAFETY (INSTALLATION AND USE) REGULATIONS 1998 - PROCEDURES UPON A CHANGE OF TENANCY

There was submitted [Report No 401/03](#) by the Director of Housing recommending risk assessment procedures be adopted upon a change of tenancy in relation to houses served by gas with the potential impact on voids, costs and performance indicators highlighted.

The Report advised that the recommendations detailed in the Report were felt, on balance, to be fair and reasonable and gave the officers allocating housing served by a gas supply an identifiable route of either capping or checking procedures to meet Regulations upon a change of tenancy.

Dependent on the route taken, there would be an adverse effect in terms of financial implications and performance indicators.

The Committee agreed:-

- (i) that when reletting a Housing Revenue Account house served by a gas supply, officers give due consideration to the risk assessment factors outlined in deciding whether or not to cap the supply; and
- (ii) that the financial implications of adopting a more cautious approach, following risk assessment, as detailed in the Report, were considered to be secondary to the safety aspects (of premises, family and neighbours) required per the individual case.

11. HOMELESSNESS BILL IMPLEMENTATION GROUP

With reference to Article 10 of the minute of meeting of the Housing Committee of 7 January 2003, the Committee noted that Councillor Ellis had been appointed as the Chair of the Group to oversee the implementation of the Homelessness (Scotland) Act 2003.

The Committee congratulated Councillor Ellis on his appointment.

The following matter was, on the determination of the Convener, dealt with as a matter of urgency in order that an Order could be made.

12. REVOCATION OF CLOSING ORDER

There was submitted Report No 445/03 by the Director of Environmental and Consumer Protection regarding the revocation of a Closing Order made by Angus Council on 19 September 1997.

The Committee agreed to recommend to the Council that the Closing Order placed on the property, namely 55 Roods, Kirriemuir be revoked, following works having been undertaken to bring the property up to the tolerable standard as described in the Housing (Scotland) Act 1987.

13. VALEDICTORY REMARKS

As this was the last meeting of the Committee to be held before the elections, the Convener thanked all officers and Councillors involved in supporting him in his role as Convener of the Housing Committee during the past four years.

14. EXCLUSION OF PUBLIC AND PRESS

The Committee resolved, in terms of Standing Order 27(2), that the public and press be excluded from the meeting during consideration of the following items, so as to avoid the disclosure of information which was exempt in terms of Part I of Schedule 7A to the Local Government (Scotland) Act 1973, paragraphs 4, 6, 8 and 9.

15. IMPROVEMENT GRANT APPLICATIONS APPROVED UNDER DELEGATED AUTHORITY

With reference to Article 9 of the minute of meeting of this Committee of 18 February 2003, there was submitted and noted [Report No 371/03](#) by the Director of Planning and Transport detailing applications for improvement grants totalling £76,455.44, which had been approved under delegated authority.

16. REPAIR GRANT APPLICATIONS APPROVED UNDER DELEGATED AUTHORITY

With reference to Article 10 of the minute of meeting of this Committee of 18 February 2003, there was submitted and noted [Report No 372/03](#) by the Director of Planning and Transport detailing applications for repair grants totalling £28,389.12, which had been approved under delegated authority.

17. DISPOSAL OF GROUND ADJACENT TO 11 THORNTON PARK, FORFAR

There was submitted [Report No 402/03](#) by the Director of Housing relating to the disposal of an area of ground adjacent to 11 Thornton Park, Forfar as outlined in the plan attached to the Report.

The Committee agreed that, subject to Section 12 Consent being received from Scottish Ministers and planning permission for change of use being granted, the ground be sold to the applicant on the appropriate terms and conditions, including the purchaser meeting all of the Council's legal and survey costs.

18. DISPOSAL OF GROUND AT GALLOWSHADE ROAD/DUNDEE ROAD, FORFAR

With reference to Article 15(d) of the minute of meeting of this Committee of 7 January 2001, there was submitted [Report No 429/03](#) by the Director of Housing which provided members with an update on the proposed sale of the cleared site at Gallowshade Road/Dundee Road, Forfar to Margaret Blackwood Housing Association Limited and Webster Contracts.

The Committee agreed to approve the reviewed sale price as detailed in the Report as agreed between the Council's valuer and Margaret Blackwood Housing Association for the disposal of the cleared site at Gallowshade Road/Dundee Road, Forfar.

19. HOUSING DEPARTMENT - CONSOLIDATION OF POSTS

There was submitted [Report No 403/03](#) by the Director of Housing relating to the consolidation of a number of posts into the permanent establishment of the Housing Department.

The Report concluded that, to provide an effective service that could deliver new statutory obligations placed on the Council and to ensure compliance with inspection regimes, it was essential that a range of temporary posts were made permanent and consolidated into the Housing Department establishment.

The Committee agreed, for its interest, to approve proposed staffing establishment changes as detailed in the Report.

20. HOUSING DEVELOPMENT OPTIONS - QUEENS PARK, BRECHIN

With reference to Article 18 of the minute of meeting of this Committee of 28 May 2002, there was submitted [Report No 404/03](#) by the Director of Housing updating members on the assessment process in regard to the Housing Development Options for Queens Park, Brechin.

The Committee agreed:-

- (i) to note the progress to date regarding the assessment of proposals submitted for the regeneration development options;
- (ii) to note the two short-listed preferred parties in the Queens Park, Brechin site; and
- (iii) to note that a further Report would be presented to the Housing Committee to consider the preferred option and any financial outcomes.

21. ACCESS OFFICE - BRECHIN

With reference to Article 10 of the minute of meeting of this Committee of 10 April 2001, there was submitted [Report No 405/03](#) by the Director of Housing regarding the Housing Office premises in Bank Street, Brechin which were being extended to form new accommodation to supplement current facilities.

The Report advised that, to ensure effective delivery of a range of Council services, various staffing requirements required to be amended.

The Committee agreed, for its interest, to approve the redesignation and regrading of the posts detailed in the Report.

22. SERIOUS ARREARS CASES - HOUSING REVENUE ACCOUNT TENANTS

There was submitted [Report No 406/03](#) by the Director of Housing regarding serious arrears of rent in respect of ten Council house tenants, as detailed in the Appendix to the Report.

The Committee agreed that all ten cases be monitored and that approval be given to evict if regular payments to reduce the arrears were not received.

23. TENDER LISTS - KITCHEN REFURBISHMENTS AT ARBROATH, BRECHIN, CARNOUSTIE, FORFAR, KIRRIEMUIR AND MONTROSE - 2003/2004 PROGRAMME

There was submitted [Report No 407/03](#) by the Director of Property Services proposing that a pool of contractors be approved, from which lists of six firms be invited to tender for kitchen refurbishments of 450 properties Arbroath, Brechin, Carnoustie, Forfar, Kirriemuir and Montrose.

The Committee agreed to approve the recommendations as detailed in the Report.