

ANGUS COUNCIL

MINUTE of MEETING of the **NEIGHBOURHOOD SERVICES COMMITTEE** held in the Town and County Hall, Forfar on Thursday 20 November 2008 at 4.00 pm.

Present: Councillors JIM MILLAR, COLIN BROWN, ALISON ANDREWS, ROB MURRAY, MAIRI EVANS, DAVID FAIRWEATHER, DAVID MAY, BILL MIDDLETON, DONALD MORRISON, PETER NIELD, MARK SALMOND, BOB SPINK, MARGARET THOMSON, SHEENA WELSH, and SANDY WEST.

Councillor MILLAR, Convener, in the Chair.

1. APOLOGIES/SUBSTITUTES

An apology for absence was intimated on behalf of Councillor Frank Ellis with Councillor Rob Murray substituting.

2. DECLARATIONS OF INTEREST

Councillors May, Salmond and West declared an interest in item 3(b) as members of the William Lamb Studio Advisory Committee.

Councillors May, Andrews and Brown declared an interest in item 17 as Directors of Angus Care and Repair.

Councillor West declared an interest in item 17 as his wife was in receipt of services from Angus Care and Repair.

Councillor Welsh declared an interest in items 12 and 13 as a member of the Committee of Management of Angus Housing Association.

3. MINUTES

(a) Previous Meeting

The [minute of meeting of this Committee of 9 October 2008](#) was approved as a correct record and signed by the Convener.

With reference to Article 12 therein, the Convener referred to the seminar which had been held for all elected members and indicated that Angus Community Voices Network was now in operation with the approval and support of elected members.

With reference to Article 14 therein, the Convener advised that tenders were now being sought from suitable contractors for the Montrose Wheeled Sports Facility at the Ashie Car Park, Montrose. He also advised that officers of the Community Services Division had been in contact with the Montrose Skatepark Committee to keep them informed of progress.

(b) William Lamb Studio Advisory Committee

The [minute of meeting of the William Lamb Studio Advisory Committee of 24 October 2008](#) was submitted and noted.

4. GENERAL FUND 2008/2012 FINANCIAL PLAN AND 2009/2010 CAPITAL BUDGET

With reference to Article 20 of the minute of meeting of the Corporate Services Committee of 12 June 2008, there was submitted [Report No 1080/08](#) by the Director of Corporate Services advising the Committee of the latest position with regard to the preparation of the General Fund 2008/2012 Financial Plan (incorporating the 2009/2010 Capital Budget) for the Neighbourhood Services Department (non HRA), together with the departmental Financial Plan submission for 2008/2012, as submitted to the Head of Finance and subsequently reviewed by the Capital Budget Sub-Group.

The Committee agreed:-

- (i) to note the contents of the Report for its interest at this stage of the Financial Plan process; and
- (ii) to note that more detailed Reports with specific recommendations would be brought forward later in the Financial Plan cycle.

5. 2009/2010 REVENUE BUDGET

With reference to Article 19 of the minute of meeting of the Corporate Services Committee of 12 June 2008, there was submitted [Report No 1081/08](#) by the Director of Corporate Services advising the Committee of the latest position with regard to the preparation of the general fund elements of the Neighbourhood Services Department 2009/2010 revenue budget and associated issues. Appended to the Report were summaries of the departmental provisional base budgets for 2009/2010 as submitted to, and subsequently reviewed by, the Head of Finance.

The Committee agreed:-

- (i) to note the contents of the Report for its interest at this stage of the budget process; and
- (ii) to note that more detailed Reports with specific recommendations would be brought forward later in the budget cycle.

6. HOUSING CAPITAL AND PLANNED MAINTENANCE PROGRAMME - HRA BLOCK - 2008/2009

With reference to Article 4 of the minute of meeting of this Committee of 9 October 2008, there was submitted [Report No 1082/08](#) by the Director of Corporate Services setting out the actual spend on the HRA Capital and Planned Maintenance Programmes for the period to 30 September 2008, together with year end spend projections and updated funding proposals.

The Report advised that the actual spend achieved to 30 September 2008 on the Housing Capital Programme was £4.321 million which equated to 43.9% of the original budget of £9.850 million. It was projected, at this time, that by the end of the 2008/2009 financial year, expenditure would amount to some £9.914 million which would represent a marginal overspend of £64,000. This projection was based on actual spend level for the first six months of the financial year only and would be subject to further review as the year progressed.

With regard to the 2008/2009 Planned Maintenance Programme, the level of spend on all elements for the period to 30 September 2008 amounted to £580,000 which equated to 26.6% of the original budget of £2.180 million. It was projected, at this time, that by the end of the 2008/2009 financial year, expenditure would amount to some £2.490 million which would represent an overspend of £310,000. The main reasons for this projected overspend were slippage of £134,000 from 2007/2008 in respect of the Door Replacement Programme brought forward into 2008/2009 and additional work required in respect of the Repaints Programme. As with the Capital Programme, the projections were based on the actual spend level for six months of the financial year only and would be subject to review as the year progressed. However, if the currently projected overspend on the Planned Maintenance Programme turned out to be the actual position at the end of the financial year, it was likely that the additional funding required would be met from HRA balances.

The Committee, for its interest, agreed:-

- (i) to note the expenditure figures presented for the Housing Capital and Planned Maintenance Programmes for the period to 30 September 2008;
- (ii) to note the capital receipts position for the period to 30 September 2008;

- (iii) to note the projected year end capital and planned maintenance expenditure positions and the associated update of potential funding; and
- (iv) to note that a review of what could be afforded in relation to future housing capital investment would be undertaken as part of the 2009/2010 rent setting budget process.

7. COUNCIL HOUSE SALES

With reference to Article 5 of the minute of meeting of this Committee of 21 August 2008, there was submitted [Report No 1083/08](#) by the Director of Corporate Services detailing individual Council house sales for the second quarter of 2008/2009 to 30 September 2008.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to note that future Reports would identify the number of houses on the Housing Register, broken down on a ward basis

8. IMPROVEMENT/REPAIRS GRANT APPLICATIONS APPROVED UNDER DELEGATED AUTHORITY

With reference to Article 5 of the minute of meeting of this Committee of 9 October 2008, there was submitted and noted [Report No 1084/08](#) by the Director of Infrastructure Services detailing grant applications in respect of improvement, repairs, window and gutter replacement and town centre refurbishments, all of which had been approved under delegated authority for the period 1 to 30 September 2008.

9. ARREARS UPDATE INCLUDING SERIOUS ARREARS - HOUSING REVENUE ACCOUNT TENANTS

With reference to Article 6 of the minute of meeting of this Committee of 9 October 2008, there was submitted [Report No 1085/08](#) by the Director of Neighbourhood Services updating the Committee on current rent arrears levels and bringing to their attention very serious arrears cases.

The Report indicated that, while the Council was committed to providing support with rent payment, ultimately, where this was not utilised by tenants, it had to enforce the tenancy conditions agreed through the Scottish Secure Tenancy Agreement. This made it clear that rent payment was a priority and failure to keep up rent payments would result in the utilisation of the full range of sanctions available.

There were 21 serious rent arrears cases in respect of the Council house tenants, as detailed in Appendix B of the Report. Ongoing work would be done to ensure that the momentum of tackling arrears was maintained and, where further improvements could be made, these would be thoroughly investigated.

An Arrears Service Improvement Group had been established which demonstrated the Council's commitment to a corporate approach to tackling the problem of rent arrears. Participation by a range of Housing staff at all levels, together with representatives from the Neighbourhood Services Department's Central Support Section, Finance (Revenues and Benefits), Law and Administration, and the Welfare Rights Team would enhance joint working relations, with other sections/departments becoming involved as and when required. The focus of the Group was to promote continuous improvement through the review (on an ongoing basis) of policies and procedures reflecting good practice; to ensure staff were fully trained; to ensure consistency in approach; to engage in robust monitoring and evaluation of performance etc.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to note the current performance information provided in Appendix A to the Report;

- (iii) to give approval to evict, as set out in Appendix B, if the decree amount plus expenses were not paid in full;
- (iv) to note that all tenants had been written to informing them of the support available to assist them paying their rent and of the Council's intentions on rent payment, as detailed in Appendix B to the Report;
- (v) to note that all tenants in arrears had been written to in strong terms giving them the opportunity to make repayment arrangements and clearly setting out that their tenancy might be at risk if they did not pay their rent and keep up any repayment arrangements; and
- (vi) to note progress towards developing a corporate approach to tackling arrears through the establishment of an Arrears Service Improvement Group.

10. NEIGHBOURHOOD SERVICES DEPARTMENT SERVICE PLAN 2008/2009: PROGRESS REPORT

With reference to Article 17 of the minute of meeting of this Committee of 28 February 2008, there was submitted [Report No 1086/08](#) by the Director of Neighbourhood Services advising the Committee of progress being made in implementing the actions set out in the department's Service Plan.

The Report indicated that scrutiny by elected members of progress made in delivering service plan actions was a vital component of effective performance management arrangements. Accordingly, the Monitoring Group, at its meeting on 28 May 2008, had agreed that mid-term performance reports on progress against actions in department service plans should be submitted to the November/December Committee cycle. Attached to the Report, therefore, was a mid-term report for the Neighbourhood Services Department setting out the performance status as at four weeks prior to the date of the Committee which had been produced from Excelsis, the Council's performance management system.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to note the progress being made in delivering the actions in the Neighbourhood Services Department Service Plan 2008/2009.

11. SPECIFICATION OF ANGUS HOUSING MARKET AREAS

There was submitted [Report No 1087/08](#) by the Director of Neighbourhood Services advising the Committee on the analysis which had recently been undertaken in order to establish Housing Market Areas in Angus on which the forthcoming Local Housing Needs and Demand Assessment would be based.

The Report indicated that, following the consultation of the Report among key partners over the past months, the Housing Market Areas (HMAs) established were East Angus HMA, North Angus HMA, West Angus HMA and South Angus HMA. The HMAs identified through the present analysis would form the geographical foundation for the Local Housing Needs and Demand Assessment 2008/2009, which would inform the development of the Local Housing Strategy as well as the Strategic Development Plan for the Dundee City Region (TAYplan). The HMAs would be subject to ongoing monitoring in order to establish trends, especially concerning cross-boundary and property sales and resulting household movements and could be adjusted accordingly.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to note the analysis of Housing Market Areas for the Local Housing Needs and Demand Assessment 2008/2009, a copy of which was appended to the Report; and

- (iii) to approve the Housing Market Areas as detailed in the Report which would be used to carry out the Housing Needs and Demand Assessment.

12. SUPPORTING COMMUNITIES - SUPPORTING AFFORDABLE HOUSING

With reference to Article 11 of the minute of meeting of this Committee of 9 October 2008, there was submitted [Report No 1088/08](#) by the Director of Neighbourhood Services updating the Committee on the Council's efforts to provide support to local communities in the provision of affordable housing through the building of affordable family housing for sale or for rent.

The Report indicated that the Council was keen to promote the provision of affordable family housing for sale and for rent, but was mindful of the current economic climate and of the confidence individuals and organisations had at present in securing affordable finance and committing to large levels of expenditure at this time. In Angus, as in Scotland, ongoing housing developments were being scaled back or halted whilst new developments were being put on hold or only moving forward as properties were sold. Coupled with this was the reality that access to affordable finance for new and existing mortgage clients (coming to the end of fixed rate deals etc) was placing household finances under increasing pressure whilst at the same time people were having to find more money to pay for rising utility and other costs. Whilst the financial markets remained volatile and confidence for the future was at best uncertain, the Council wished to set out ways in which it could assist local communities in the provision of affordable housing and send out a clear message that "Angus Council is open for business" and to clearly demonstrate this, a series of proposals were set out in the Report.

Following discussion, the Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to support the ongoing measures to provide additional affordable housing within Angus and to note that, in this respect, "Angus Council is open for business";
- (iii) to note that, subject to planning provisions, the high standards of design, build and density of developments would not be compromised to accommodate development and that the availability of affordable credit or grant was no reason to reduce building standards and ignore the impact on the built environment; and
- (iv) to note the ways in which Angus Council was seeking to offer assistance to the building industry and registered social landlords (as developers) at this time.

13. JOINT AFFORDABLE HOUSING PROCUREMENT

There was submitted [Report No 1089/08](#) by the Director of Neighbourhood Services advising the Committee that, within the context of the Firm Foundations Consultation Document, discussions on the establishment of an affordable housing procurement vehicle involving neighbouring Councils, local housing associations and housing developers to be known as the Tayside Affordable Housing Partnership (TAHP), had been resurrected.

The Report indicated that there were a number of obstacles to forming a formal partnership which would take time to resolve. However, early benefits could be gained through a first stage of simply better co-operation between all involved in developing affordable housing in the Tayside area. This could be initiated by the Councils involved sharing strategic housing investment plan details and co-ordinating development plans, thereby allowing the identification and allocation of larger, cost-effective contracts to a single developer, or consortium of developers, operating across the partnership area while the Councils retained control and influence over their local responsibilities and budgets. Only then, and if significant benefits had been identified, would it be prudent to move to a formal arrangement or partnership.

The Committee agreed:-

- (i) to note the contents of the Report; and

- (ii) to remit to the Director of Neighbourhood Services:
- to enter into discussions with interested parties with a view to forming the Tayside Affordable Housing Partnership (TAHP);
 - to consult local housing associations and private developers with a view to identifying preferred partners for procurement of the affordable housing programme;
 - to identify early opportunities for co-operation among potential partners in procuring affordable housing as a first step in establishing TAHP; and
 - to report progress to Committee on a regular basis.

14. ENERGY PERFORMING CERTIFICATES IN COUNCIL OWNED HOUSES

There was submitted [Report No 1090/08](#) by the Director of Neighbourhood Services advising the Committee of the need to provide Energy Performance Certificates in Council houses.

The Report indicated that, as an owner of housing for rent and sale (through Right-to-Buy), the Council had to provide Energy Performance Certificates (EPCs) for all new tenancies and Right-to-Buy sales of Council housing stock from 4 January 2009, to comply with European and Scottish Government legislation. An EPC stated the energy performance of a building based on standard use, indicating carbon emissions and potential improvements. It had to be fixed to the building and was valid for ten years, and had to be made available to prospective tenants or buyers at no charge. Results could be cloned for properties of the same type and form in similar locations.

The Report recommended that EPCs for Council housing stock be produced in-house by the Technical Section of the Housing Division who had attended the necessary training and were authorised to sign off EPCs.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to provide an Energy Performance Certificate (EPC) for each Council house rented to a new tenant, or sold to an existing tenant, from 4 January 2009; and
- (iii) to approve the production of EPCs for Council houses in-house by Housing Division staff from within current resources.

15. DISPOSAL OF PARK HOMES

With reference to Article 23 of the minute of meeting of this Committee of 21 August 2008, there was submitted [Report No 1091/08](#) by the Director of Neighbourhood Services relating to the disposal of Park Homes in Brechin.

The Report indicated that two organisations had withdrawn their requests, previously agreed by Committee on 21 August 2008 (Report No 754/08 refers), namely the Montrose and District Cricket and Rugby Football Club and the Mountains Animal Sanctuary, Memus, due to the costs involved in re-using the Parks Homes. However, there had been a further request for Park Homes from the Strathmore Cricket Club, Forfar for two units to be used as extra accommodation for their junior section. The temporary loan arrangements would be on a similar basis to those already agreed previously.

The Committee agreed, subject to section 12 consent being received from Scottish Ministers:-

- (i) that two Park Homes from the site at Brechin be lent, on a temporary basis, to the Strathmore Cricket Club, Forfar; and
- (ii) that the above party be wholly responsible for uplifting, transporting, and obtaining all necessary consents for their re-use elsewhere, and all future maintenance, at no cost to the Council.

16. **MONTROSE SWIMMING POOL - PUBLIC CONSULTATION**

With reference to Article 19 of the minute of meeting of this Committee of 29 May 2008, there was submitted [Report No 1092/08](#) by the Director of Neighbourhood Services advising the Committee of the establishment of a Project Board and the proposed public consultation exercise to be undertaken to seek views and responses to the draft design brief for Montrose Swimming Pool.

The Report indicated that a Project Board had been established to ensure the Montrose Swimming Pool Project was delivered on time and to budget utilising the PRINCE 2 Project management methodology. A draft design brief had been established, with a copy available to any interested party on request, and an executive summary was attached to the Report as Appendix 1.

The Director of Neighbourhood Services was keen to enter into the next phase of the project by seeking the views of the public and users of the pool. It was therefore proposed that Montrose, Ferryden and Hillside Community Councils, Montrose and Area Partnership, Montrose Seals and other constituted user groups be consulted with directly, in order to seek their views. It was further proposed that an open public meeting be held to obtain the views and responses from the wider public. The design brief would also be placed on the Angus.gov.uk and Angus Ahead websites, with responses sought.

The timescale for the consultation phase would be from December 2008 to February 2009 which would allow initial design drawings to be drafted and would help inform the final public consultation exercise which would be undertaken in April and May 2009. The indicative programme and milestones for the project were detailed in Appendix 2 to the Report. It was further noted that Angus College had indicated a desire to be a partner in this project and a further Report would be submitted in due course outlining any partnership arrangements.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to note the establishment of a Project Board to ensure the project was delivered on time; and
- (iii) to approve the public consultation exercise, as outlined in the Report, including informing all interested groups throughout Angus and notices being placed in all libraries to ensure full public participation.

17. **ANGUS CARE AND REPAIR - REVIEW OF PERFORMANCE IN 2007/2008 AND BUSINESS PLAN TARGETS 2008/2009**

With reference to Article 17 of the minute of meeting of the Housing Committee of 16 November 2006, there was submitted [Report No 1096/08](#) by the Director of Neighbourhood Services advising the Committee on Angus Care and Repair performance for 2007/2008 and targets and funding for 2008/2009.

The Report indicated that Angus Care and Repair had become one of the largest care and repair organisations in Scotland and offered a wide range of initiatives to support people to remain at home. Through the activities carried out in 2007/2008 and those to be carried out in 2008/2009, the quality of life for a significant number of people had been, and would be, improved. The future held many challenges and opportunities for the organisation, not only because of the planned changes to the use of Private Sector Housing Grant brought about by the phased introduction of the Housing (Scotland) Act 2006, but also because of the national review of Care and Repair (a report on the outcome of this review would be submitted to

Committee in due course). The Report concluded, however, that Angus Care and Repair was well equipped to turn future challenges into positive opportunities.

The Committee agreed:-

- (i) to note the contents of the Report;

- (ii) to note the significant areas of work undertaken by Angus Care and Repair and the significant contribution it made to enable older people and people with disabilities in Angus to remain at home, in comfort and safety; and
- (iii) to approve the funding package of £341,000 from Housing and Private Sector Housing Budgets as detailed in the Report.

18. ANIMAL BY-PRODUCTS

There was submitted [Report No 1093/08](#) by the Director of Neighbourhood Services advising the Committee of the Director's decision to utilise a specialist contractor to satisfy relevant legislative requirements in respect of a waste collection and disposal contract for animal by-products and seeking homologation of that decision. Approval was also sought for the Director's request for an exemption, in accordance with the Council's Financial Regulations, to allow the utilisation of the specialist contractor to continue until the end of the current financial year.

The Committee, for its interest, agreed:-

- (i) to note the contents of the Report;
- (ii) to homologate the Director's decision to utilise Binn Skips to ensure the satisfaction of legislative requirements for the collection and disposal of animal by-products; and
- (iii) to approve the Director's request for an exemption from normal tendering requirements, in accordance with Regulation 16.22.4(b)(ii) of the Council's Financial Regulations, in order to continue to utilise Binn Skips as a specialist contractor for the collection and disposal of animal by-products from butchers' shops in Angus until the expiry of the current contract in this regard.

19. EXCLUSION OF PUBLIC AND PRESS

The Committee resolved, in terms of Standing Order 27(2) that the public and press be excluded during consideration of the following item, so as to avoid the possible disclosure of information which was exempt in terms of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973, paragraphs 6, 8 and 9.

20. IMPROVEMENT/ADAPTATIONS GRANT APPLICATIONS APPROVED UNDER DELEGATED AUTHORITY

With reference to Article 8 above, there was submitted [Report No 1095/08](#) by the Director of Infrastructure Services detailing grant applications in respect of improvements and adaptations, all of which had been approved under delegated authority for the period 1 to 30 September 2008, in respect of vulnerable people.

The Committee agreed to note the contents of the Report.