

ABERDEENSHIRE COUNCIL

COMMUNITIES COMMITTEE

SKYPE MEETING, 5 NOVEMBER 2020, 2020

Present: Councillors A Stirling (Chair), D Mair (Vice Chair), A Allan, D Beagrie (as substitute for Councillor A Kille), P Gibb, A Hassan, C Pike, G Reid (as substitute for Councillor G Blackett), G Reynolds, D Robertson, A Ross, M Roy, I Walker and S Wallace.

Apologies: Councillors G Blackett, A Kille and C Pike.

Officers: Director of Infrastructure Services, Head of Service (Housing), Interim Head of Service (Lifelong Learning and Leisure), Head of Property and Facilities, Corporate Finance Manager, Area Manager (Buchan), Chief Superintendent MacDonald, Police Scotland, Business Strategy Manager (Customer and Digital Services), Strategic Policy Leader (Customer and Digital Services), Operations Manager (HR and OD), Housing Manager (Housing and Building Standards), Strategic Procurement Manager, Housing Manger (Housing), Team Leader (Housing and Building Standards), Team Manager (Property and Facilities), Programme Manager (Health and Social Care Partnership), Principal Solicitor (Governance) (Lauren Cowie), and Senior Committee Officer (N David).

1. DECLARATION OF MEMBERS' INTERESTS

The Chair asked members if they had any interests to declare in terms of the Councillors' Code of Conduct.

Cllr Hassan declared an interest in Item 17 as an observer representative of two of the bodies mentioned within that report. Having applied the objective test he concluded that it was so remote and insignificant that he would remain and participate.

No further interests were declared.

2. RESOLUTIONS

A. PUBLIC SECTOR EQUALITY DUTY

In taking decisions on the undernoted items of business, the Committee **agreed**, in terms of Section 149 of the Equality Act 2010:-

- (1) to have due regard to the need to:-
 - (a) eliminate discrimination, harassment and victimisation;
 - (b) advance equality and opportunity between those who share a protected characteristic and persons who do not share it; and

- (c) foster good relations between those who share a protected characteristic and persons who do not share it, and
- (2) to consider, where an equality impact assessment has been provided, its contents and to take those into consideration when reaching a decision.

B. EXEMPT INFORMATION

The Committee **agreed**, in terms of Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, to exclude the public from the meeting during consideration of the items specified below so as to avoid disclosure of exempt information of the classes described in the undernoted paragraphs of Part 1 of Schedule 7A of the Act.

Item No	Paragraph No of Schedule 7A
16	1
17	4

3. MINUTE OF MEETING OF THE COMMUNITIES COMMITTEE OF 3 SEPTEMBER, 2020

The Minute of Meeting of the Committee of 3 September, 2020 had been circulated. It was **agreed** that, with regard to Item 16, the decision be adjusted to reflect that “non original porches should not be removed unless defective”.

Thereafter, the Minute was **approved** as a correct record to be signed by the Chair.

4. PROGRESS WITH ACTIONS FROM PREVIOUS COMMUNITIES COMMITTEE MEETINGS

There was circulated a report, which updated members on the progress made, against outstanding actions agreed, at previous meetings of the Communities Committee, held on 5 September and 19 December, 2019, 20 February, 2020. The report also detailed the actions completed since the last meeting.

The Committee **noted** that the presentation on Resources and the Circular Economy, in respect of the Communities Committee remit, would take place at the next meeting on 17 December, 2020.

Thereafter, the Committee **agreed** to acknowledge the position with regard to the progressing of actions from previous meetings and those which had now been completed.

5. EQUALITIES PRINCIPLES – PRESENTATION

The Business Strategy Manager and Strategic Policy Lead, Engagement and Equalities, gave a presentation to the Committee on Equalities Principles.

The detailed presentation covered areas including protected characteristics; relevant legislation; Equality Impact Assessments; and duties of Elected Members in respect of Equalities. There followed a question and answer session.

The Committee concurred with the Chair in thanking the Business Strategy Manager and Strategic Policy Lead, Engagement and Equalities, for an informative presentation and **agreed** that a workshop be arranged for the Communities Committee in February 2021.

6. QUARTER 2 FINANCIAL PERFORMANCE - COMMUNITIES BUDGET

There was circulated a report dated 12 October, 2020, by the Director of Business Services which provided the Committee with the revenue and capital financial performance information for those services which fall within the remit of the Committee, as at 30 September 2020.

The report explained that on 18 March, 2020 Full Council approved a Revenue Budget of £135.292 million in respect of those services for which Communities Committee was responsible. It was proposed to transfer £16,356 from the Libraries budget to the Active Schools staffing budget (the expenditure related to a Health Walks Co-ordinator post), subject to approval by Full Council £139,350 of funding related to New Scots would be transferred to the Government Grants Reserve and £44,000 would be transferred from that same reserve for expenditure related to HEEPS. These transfers subject to the appropriate approvals would result in a revised budget of £135.180 million and were detailed in Appendix 2 to the report.

The report further explained that the Communities Capital Budget for monitoring purposes for 2020/21 was agreed on 18 March, 2020 by Council at £7.031 million and this increased to £7.253 million due to £222,000 being carried forward from 2019/20. Details were outlined in Appendix 4 to the report.

Following the discussion, the Committee **agreed** to:-

- (1) acknowledge the Revenue and Capital Financial Performance for Quarter 2; and
- (2) approve the budget movements as set out in Appendix 3.

7. QUARTER 2 FINANCIAL PERFORMANCE - HOUSING REVENUE ACCOUNT

There was circulated a report dated 12 October, 2020, by the Director of Business Services which provided the Committee with the revenue and capital budget monitoring information to 30 September 2020 for consideration.

The report reminded members that the HRA Revenue Budget for monitoring purposes for 2020/21 was agreed on 13 February, 2020 by Full Council as breakeven, with £64.513 million of income and expenditure. The year to date budgeted expenditure on service delivery to 30 September 2020 was £71.606 million, the actual expenditure incurred by the end of Quarter 2 was £72.080 million. This had resulted in expenditure exceeding the phased budget by £474,111. Appendix 1a provided a summary of the financial performance and a breakdown by type of spend. Appendix 1b provided a breakdown by budget page with the COVID-19 expenditure separately identified.

The Communities Capital Budget for monitoring purposes for 2020/21 was agreed on 18 March 2020 by Council at £7.031 million and this increased to £7.253 million due to £222,000 being carried forward from 2019/20. This was detailed in Appendix 4.

The Committee **agreed** to acknowledge the revenue and capital budget monitoring to 30 September, 2020.

8. POLICE SCOTLAND VERBAL UPDATE

The Chair welcomed Chief Superintendent Macdonald to his first meeting of the Communities Committee. He provided an update to the Committee on some notable operational matters, including the impact of COVID-19 on local policing and the Digitally Enabled Policing Programme. There followed a question and answer session.

The Committee concurred with the Chair in thanking Chief Superintendent Macdonald for the update and **agreed** that Police Scotland submit a report to the Committee in the first half of 2021 on preventative measure to protect dementia sufferers from being taken advantage of by “scams”; the report to highlight partnership working approaches in dealing with this.

9. HOUSING ANNUAL ASSURANCE STATEMENTS

There was circulated a report dated 25 September, 2020, by the Director of Infrastructure Services on the Housing Annual Assurance Statements.

The report explained that Aberdeenshire Council was required to submit an Annual Assurance Statement to the Scottish Housing Regulator every year, to provide assurance that they were meeting obligations under the Scottish Social Housing Charter.

Appendix 2 to the report contained the proposed Assurance Statement for Aberdeenshire Council, and confirmed where Aberdeenshire Council met the required standards; highlighted where the Council did not and provided a brief explanation of work underway to rectify this. This statement was based on the templates released by the Scottish Housing Regulator (SHR).

The report also highlighted that the Regulator had provided updated guidance this year to reflect the impact of the Coronavirus Pandemic. This guidance required landlords to highlight any areas where non-compliance with the required standards was solely as a result of Covid-19 and associated restrictions. This would allow the Regulator to differentiate the reasons for any failures, and would inform the creation of their engagement plan for the coming year.

The Committee **agreed**:-

- (1) to acknowledge the requirement for Aberdeenshire Council to provide a signed Annual Assurance Statement to the Scottish Housing Regulator by the end of November 2020;

- (2) to acknowledge the outcomes required by the Scottish Social Housing Charter and the Scottish Housing Regulator, alongside the discussion of evidence supplied for each outcome in Appendix 3;
- (3) to approve the proposed statement to the SHR (Appendix 2) as an accurate reflection of Aberdeenshire Council's compliance with these requirements;
- (4) to instruct the Director of Infrastructure Services to report to Communities Committee any material change in circumstance that affects Aberdeenshire Council's compliance with these requirements after the submission of the Assurance Statement; and
- (5) that a briefing note be provided to all Area Committees on the Annual Assurance Statements.

10. HOUSING ALLOCATION POLICY REVIEW

There was circulated a report dated 23 September, 2020, by the Director of Infrastructure Services on the housing allocation policy which was currently being reviewed. Following this review, the Communities Committee were being asked to consider the service report and agree the draft housing allocation policy. The result of agreement would be the introduction of a Choice Based Lettings (CBL) approach to housing allocations.

The report explained consultation started in August 2019 with a survey questionnaire and mini public events. Following these events, a report was presented to each Area Committee for comment before being submitted to Communities Committee in February 2020 where approval was granted to investigate a CBL approach. A further round of consultation was undertaken on the draft policy in July 2020 with the final draft being presented to Area Committees in September for comment.

The report concluded by highlighting that following comments from Area Committees, the final report was now being presented to Communities Committee for approval. The Service would look to ensure systems were changed, procedures were in place and staff were trained. The anticipated implementation date for the policy, subject to these tasks being completed was April 2021.

Following discussion, the Committee **agreed** to:-

- (1) acknowledge the comments provided by Area Committees in respect of the report and draft housing allocation policy;
- (2) the implementation of a Choice Based Lettings approach for the new housing allocation policy, subject to delegating to the Head of Housing, following consultation with the Chair, Vice Chair and Group Spokespersons, the authority to approve the final wording for 8.4 within the General Conditions Appendix; and
- (3) an update report being submitted to the Committee in 12 months.

11. STRATEGIC HOUSING INVESTMENT PLAN 2021 TO 2026

There was circulated a report dated 22 September, 2020, by the Director of Infrastructure Services seeking approval of the draft Strategic Housing Investment Plan 2021-2026 which was required to be submitted to Scottish Government.

The report explained that the draft Strategic Housing Investment Plan (SHIP) had been presented to the six Area Committees for comments as outlined in Appendix 1. Subject to Communities Committee approval the SHIP would be submitted to Scottish Government no later than mid December 2020, in line with Scottish Government requirements. Consultation had also taken place with a variety of partners and details were outlined in the Strategic Housing Investment Plan Appendix 2 (paragraph 4.2). The Council would receive feedback from the Scottish Government, which would inform the following year's investment decisions.

Following discussion, the Committee **agreed** to approve the draft Strategic Housing Investment Plan 2021 – 2026.

12. TENANT PARTICIPATION STRATEGY(2019 TO 2029) UPDATE

There was circulated a report dated 25 September, 2020, by the Director of Infrastructure Services which provided an update to Committee on progress towards the development of a new approach to tenant participation within Aberdeenshire and to seek approval for amendments to the approved Strategy following dissolution of the Tenant Participation Promotion Team (TPPT).

The report explained that the Housing Service had faced key challenges in progressing objectives set by tenants, elected members and staff who engaged in the development of the new Strategy. Despite attempts made by both Officers and TPPT to reach consensus, fundamental differences in approach became evident at a very early stage with the Council's principal Registered Tenant Organisation ultimately deciding to refer Housing to the Scottish Housing Register (SHR), alleging a Serious Performance Failure (SPF) based on an assertion that the Service had failed in its Statutory duties. Following investigation, the SHR did not uphold the complaint with TPPT ultimately choosing to dissolve.

Minor amendments were required to the Strategy as a result of the dissolution of TPPT and the revised Strategy was contained within Appendix 1 to the report.

The conclusion of the report highlighted that whilst Housing regretted the decision of TPPT to dissolve, it remained fully committed to developing opportunities for a wide range of tenants to scrutinize the delivery of services and had been successful in mobilising service users to engage in groups covering Communications, the HRA and Asset Management.

Following discussion, the Committee **agreed** to:-

- (1) acknowledge progress made and challenges faced in the implementation of the Tenant Participation Strategy (2019-2029);

- (2) approve minor amendments to the Strategy to reflect the decision of TPPT to dissolve;
- (3) receive further annual updates;and
- (4) the Strategy being submitted to Area Committees for consideration.

13. COMMUNITY ACCESS TO EDUCATIONAL ESTABLISHMENTS

There was circulated a report dated 18 September, 2020, by the Director of Education and Children's Services on plans to establish Community Access to Educational Establishments that ensured the needs of communities were met and that access remained within budget by maximising the efficient use of Council premises.

The report outlined the principles for enabling community access to educational establishments. The access arrangements for the use of educational establishments required a balanced approach to be taken to meet the needs of community groups requiring access to facilities against the Service requirement to effectively manage costs against a background of diminishing resources. The aim was to meet community needs in a cost-effective way whilst ensuring groups could positively contribute towards key objectives as agreed in the Cultural Strategy and the Sports and Physical Activity Strategy.

Following discussion, the Committee **agreed** to delegate to the Director of Education and Children's Services, following consultation with the Chair, Vice Chair and Group Spokespersons, the authority to approve the community access guidelines, as adjusted to include the comments from the Communities Committee.

14. STRIKE OFF AND DISSOLUTION OF ABERDEENSHIRE CULTURE AND SPORT LIMITED

There was circulated a report dated 17 September, 2020, by the Director of Education and Children's Services on the strike off and dissolution by application to Companies House of the Council's shelf company Aberdeenshire Culture and Sport Limited on the basis that it was not required.

The Committee **agreed** that Aberdeenshire Culture and Sport Limited be struck off the Companies' Registrar and dissolved.

15. LIVE LIFE ABERDEENSHIRE PRICING

There was circulated a report dated 30 September, 2020, by the Director of Education and Children's Services on the Live Life Aberdeenshire (LLA) approach to service pricing for the period between August 31, 2020 up to March 31, 2021.

The report highlighted that LLA recognised that to meet the challenges created by the pandemic a more flexible approach to charging was required until March 2021 when the pricing structure would be reviewed. This was detailed within the report.

The Committee **agreed** to:-

- (1) endorse the flexible approach to pricing for LLA products and services that had been taken to date;
- (2) delegate authority to the Head of Life Long Learning and Leisure to approve pricing changes without referring back to Communities Committee until 31 March, 2021; and
- (3) receive an update report to a future meeting on the use of this power.

16. SHELTERED HOUSING REVIEW UPDATE – 9 MONTH PROGRESS REPORT

There was circulated a report dated 22 October, 2020, by the Director of Infrastructure Services which reminded members that, a report presented to Communities Committee in February 2020, provided a summary of the review of Sheltered Housing in Aberdeenshire, and this latest progress report provided an update with the work achieved with the Sheltered Housing Review over the last 9 months.

It was acknowledged in the February 2020 Sheltered Housing Review report, that the changes to Sheltered Housing in Aberdeenshire would be implemented over a three year transitional period and that regular progress updates would be provided to Communities Committee, which would include any recommendations for changes to the Asset Management Plan. This transitional approach aligned with the Homely Setting Working Group as models of support from Care Homes, Very Sheltered Housing and Sheltered Housing were identified and changes were reported to the Health and Social Care Integration Programme Board.

The Committee **agreed** to:-

- (1) acknowledge the progress with the implementation of the new staffing structure and service redesign to provide a new model of housing support to tenants in Sheltered Housing, with a transitional approach over approximately 3 years;
- (2) note the future use of Cottages and Schemes in Sheltered Housing within the Asset Management Plan; and
- (3) acknowledge that COVID-19 had delayed progress with some aspects of the Sheltered Housing review, for example the Health and Social Care Partnership (H&SCP) Homely setting project work to identify a model of support for people who had particular housing needs because of a long-term condition or frailty

17. USE OF DELEGATED POWERS BY CHIEF OFFICER BY REASON OF SPECIAL URGENCY

There was circulated a report dated 17 September, 2020, by the Director of Education and Children's Services on the use of delegated powers by the Director of Education and Children's Services by reason of special urgency, in respect of agreeing a change and release of Live Life Aberdeenshire

Transition Funding.

The Committee **agreed** to acknowledge the use, by the Director of Education and Children's Services, of delegated powers as fully provided for in Appendix 1 of the report; to support the recipients of transition funding in 20/21, in line with 'Follow the Public Pound' requirements.

DRAFT