

MINUTE of MEETING of the SERVICES FOR THE COMMUNITY POLICY DEVELOPMENT AND SCRUTINY PANEL of WEST LoTHIAN COUNCIL held within CONFERENCE ROOM 3, CIVIC CENTRE, LIVINGSTON, on 12 DECEMBER 2017.

Present – Councillors George Paul (Chair), Alison Adamson, Frank Anderson, Lawrence Fitzpatrick, John McGinty and Andrew McGuire

Apologies – Councillor Peter Heggie

1. DECLARATIONS OF INTEREST

There were no declarations of interest made.

2. MINUTE

The Services for the Community Policy Development and Scrutiny Panel approved the draft minute of its meeting held on 23 October 2017. The minute was then signed by the Chair.

3. SCRUTINY OF POLICE SCOTLAND PERFORMANCE IN WEST LoTHIAN

A report had been circulated by the Head of Housing, Customer and Building Services providing an update on the Performance of Police Scotland in West Lothian for the period 1<sup>st</sup> April to 30<sup>th</sup> September 2017.

The report explained that the Police Scotland Strategic Plan set out the local policing priorities and objectives and was a statutory requirement of the Police and Fire Reform (Scotland) Act 2012. The Council Executive had previously agreed that the monitoring of performance against the plan would be reported and considered on a quarterly basis by the panel.

The report enclosed a copy of the Scrutiny Report for the period 1<sup>st</sup> April 2017 to 30<sup>th</sup> September 2017.

Barry Blair, the appointed Area Commander during the reporting period presented the report and amplified aspects of the statistical information contained therein and described a variety of actions being taken by Police Scotland. The panel thanked Barry for his service to West Lothian and wished him the best in his new role.

Questions raised by Panel members were dealt with Barry Blair and the newly appointed Area Commander for West Lothian, Liz MacLeod. The panel took the opportunity to welcome Liz to her new role in West Lothian and to wish her every success in the role.

Arising from a question about complaints against police officers, the Area Commander explained that the performance indicator would be removed from future reports to the panel as responsibility for analysing complaints

of this nature was with the Scottish Police Authority Complaints and Conduct Committee.

#### Decision

To note the terms of the report.

#### 4. SCOTTISH FIRE AND RESCUE LOCAL PLAN PERFORMANCE REPORT

A report had been circulated by the Head of Housing, Customer and Building Services providing an update on the Local Plan Performance for the Scottish Fire and Rescue Services in West Lothian for the period 1<sup>st</sup> July 2017 – 30<sup>th</sup> September 2017.

The report recalled that the West Lothian Scottish Fire and Rescue Local Plan set out the fire and rescue priorities and objectives for West Lothian and was a statutory requirement of the Police and Fire Reform (Scotland) Act 2012. The Council Executive had agreed that monitoring of performance against the plan would be considered by the panel.

The seven objectives contained in the local Fire and Rescue Service Plan for 2014-17 were set out in the report. The Local Senior Officer, David Lockhart and Station Manager Martin Riach, presented the report and highlighted a number of improvements in the reporting period compared to previous years. An appendix (copies of which had been tabled) provided the panel with additional information on action under each objective during the reporting period.

Questions raised by Panel members were dealt with by David Lockhart and Martin Riach. The Panel noted that whilst the Out of Hours Cardiac Arrest Service had been halted across the UK at present, it was hoped that agreement would be reached to reinstate the service as part of the pay settlement or in Scotland as part of the planned wider remit of the Fire & Rescue Service.

The Panel was invited to note the terms of the report.

#### Decision

To note the terms of the report.

#### 5. WEST LOTHIAN LOCAL FIRE AND RESCUE PLAN 2017

A report had been circulated by the Head of Housing, Customer and Building Services presenting the draft Scottish Fire and Rescue Services Local Fire and Rescue Plan for West Lothian 2017, which was currently out to consultation.

The report explained that following the review of the Local Fire and Rescue Plan for West Lothian 2014-17, the Local Fire and Rescue Plan for West Lothian 2017 had been developed to a stage where it had been

released for consultation with key stakeholders and members of the community in West Lothian.

There were seven priorities identified within the Local Plan for West Lothian 2017 as follows:-

- Local Risk Management and Preparedness
- Domestic Fire Safety
- Deliberate Fire Setting
- Non-Domestic Fire Safety
- Road Safety
- Unintentional Harm and Injury
- Unwanted Fire Alarm Signals

The Panel note that the priorities in the Plan aligned with those of the Community Safety Strategy and the strategic themes of the Local Outcome Improvement Plan. The Plan included key performance targets which would allow for the scrutiny of performance by members of the Panel.

The Panel was invited to note the content of the report and if appropriate provide feedback which would be reported to the Council Executive.

In response to a question, the Local Senior Officer agreed to provide the panel with a presentation on the Fire and Rescue Service Transformation proposals early in the new year.

#### Decision

To note the terms of the report and await a presentation on the Fire and Rescue Service Transformation early in 2018.

#### 6. WEST LOTHIAN BONFIRE AND FIREWORK REPORT 2017

A report had been circulated by the Head of Housing, Customer and Building Services providing an update on the preventative and operational response to activities conducted by the Scottish Fire and Rescue Service and Police Scotland during the bonfire and firework period 2017.

The report explained that as in previous years, the Scottish Fire and Rescue Service had lead a Task and Finish group as part of the tasking arrangements within the West Lothian Community Safety Partnership in order to adopt a partnership approach to delivering representative activities and responding to incidents over the bonfire and firework period.

A Bonfire Strategy for West Lothian had been drawn up for 2017, a copy of which had been provided as an appendix to the report. The Strategy

set out how partners had worked together to minimise the impact of deliberate fire setting and fire related antisocial behaviour over the peak autumn period leading up to 5<sup>th</sup> November and how arrangements had been co-ordinated to ensure the safety of emergency responders and key partners.

The Strategy provided details of the preventative activities that had taken place in advance of bonfire night, along with details of response activity and violence to fire crew members. It also provided an overview of Police Scotland response activity along with information on the number of hospital admissions related to bonfire night.

The report concluded that continued partnership working appeared to be having a positive impact on public awareness and the approach to bonfire celebrations in the lead up to 5<sup>th</sup> November and that the Bonfire Strategy for West Lothian had contributed to the positive impact and would be reviewed by Community Safety Unit partners.

The Panel was asked to note the terms of the report.

### Decision

To note the term of the report.

## 7. COMMUNITY SAFETY UPDATE

A report had been circulated by the Head of Housing, Customer and Building Services informing the Panel of the strategic development of Community Safety in West Lothian and other local and national developments for the period to October 2017. The report also provided performance information from the Community Safety Unit on the Safer Neighbourhood Teams.

The report outlined updates on the following local activity initiatives:-

- One Punch Campaign
- Travellers Encampments
- Operation Pinpoint
- Firework and Bonfire Season

The report then provided updates on the following national initiatives:-

- New National Standards for Prisoners Families Support
- Community Choices Fund
- Equality Discrimination
- 20's Plenty Pre-Legislative Consultation

Performance information for the period April to October 2017 was contained in an appendix to the report.

The Panel was asked to note the strategic development of community safety and to note the performance information detailed for the Safer

Neighbourhood Team.

Decision

To note the terms of the report.

8. PROPERTY TURNOVER JULY TO SEPTEMBER 2017

A report had been circulated by the Head of Housing, Customer and Building Services informing the panel of the property turnover for the quarter July to September 2017.

The panel was informed that the number of permanent lets for the period 1 July to 30 September was 230 compared to the same quarter in the previous year when 216 properties were let.

The report provided the following appendices:-

Appendix 1 – Details of All Lets Excluding Assisted Moves

Appendix 2 – Assisted Move Lets

Appendix 3 – Total Housing Stock Per Area

The Panel was asked to note the current levels of activity relating to property turnover for the second quarter of 2017/18 and in particular to note:-

- That there had been an increase in property lets compared to the same period last year.
- That of the 47 communities in West Lothian, 7 had only 1 mainstream property to let and 17 had none.
- That 67% of lets were allocated to people who were homeless or potentially homeless.

Decision

To note the terms of the report.

9. NEW BUILD HOUSING UPDATE

A report had been circulated by the Head of Housing, Customer and Building Services providing an update on the council's new build housing programme.

The report recalled that the West Lothian Housing Strategy 2017-2022 recognised the need to increase the supply of affordable housing in West Lothian to meet need and demand and included a target of 3000 affordable homes being provided in West Lothian over the 10 year period to 2022. It also recalled that the council's Corporate Plan 2013 to 2017

committed the council to increase the number of council houses available for rent through the New Build Council Housing Programme.

The panel noted that over the period 2012/13 to 2016/17, 1056 affordable homes had been delivered in West Lothian as follows:-

- West Lothian Council New Build – 646 units
- Registered Social Landlords – 267 units
- Rosemount Court – 30 units
- Open Market Acquisitions/Mortgage to Rent – 113 units

In addition to the 1056 affordable home completions over the five year period to 2016/17, there was a commitment to build a further 1029 affordable homes over the next two year, the majority of which formed part of the council's current new build programme.

The report then moved on to provide an overview of the current new build programme. 192 units had been completed and 704 units were under construction. Full information on the completed sites and the progress at each site was contained in the report.

The panel noted that following discussion with Lovell Partnerships, officers proposed seeking agreement from the Council Executive to reduce the number of units at the eastern part of the Deans South Estate from 63 to 37 units. The proposed change would make the development of the site easier as it would avoid developing adjacent to existing privately own house and reduce the need to divert existing services to facilitate the development. The Council Executive would be invited to agree that the 26 new build units from Deans South be replaced by 26 Open Market Acquisitions.

The Panel was invited to note the progress made on the council's new build housing programme and the intention to seek approval from the Council Executive to remove 26 units from the Lovell Partnership's site at Deans South and replace them with 26 Open Market Acquisitions.

### Decision

To note the terms of the report.

## 10. RENT CONSULTATION

A report had been circulated by the Head of Housing, Customer and Building Services providing an update on the rent consultation which had closed on 8<sup>th</sup> December 2017.

The report explained that the current rent strategy was due to end in March 2018 and that tenants had been consulted on a new strategy that would commence in April 2018. The consultation had been published on 9<sup>th</sup> October and closed on 8<sup>th</sup> December 2017. A list of the actions taken to publicise the consultation was provided in the report.

The report had contained information on the results of the consultation at

the date of writing. An updated appendix was tabled that provided the panel with the final outcome of the 2017 rent consultation following its closure on 8<sup>th</sup> December. The results of the survey were as follows:-

- Option 1 – Annual Increase of 3% over five years – 989 (85%)
- Option 2 – Annual Increase of 4% over five years – 170 (15%)

The results of the undernoted additional questions were also contained in the updated tabled appendix:-

- Should the council continue to add to the supply of, and build new council houses, even if this means increase to rent?

Yes 813 (69%)      No 368 (31%)

- Should the council continue to invest in our existing houses, even if this means increase to rent?

Yes 963 (81%)      No 221 (19%)

- Do you feel your rent is affordable?

Yes 861 (73%)      No 321 (27%)

The Panel noted that following its consideration of the report, the council would thereafter meet to set the Housing Revenue budget and rent levels from April 2018.

The Panel was invited to note the feedback from tenants on the rent consultation.

### Decision

To note the terms of the report and feedback from tenants.

## 11. DEPARTMENT FOR WORK AND PENSIONS UNIVERSAL CREDIT IN WEST LOTHIAN

A report had been circulated by the Head of Housing, Customer and Building Services updating the panel on the context and implementation of the Universal Credit Full Service in West Lothian. The report set out the key potential implications for council services, its partners and the wider community. It also outlined the key actions across various council services to manage and mitigate the impact of Universal Credit in West Lothian.

Quarterly reports on welfare reform were presented to the Partnership and Resources PDSP. The panel noted that the report before them was supplementary and focussed on the key specific issues and challenges related to Universal Credit in West Lothian. The report recalled that Universal Credit was the most substantial change to the UK welfare and benefits system which had been brought about as a result of the UK

Government's welfare reform programme and subsequent Welfare Reform Act 2012. The Government aimed to simplify the benefits system by bringing together a number of key working age benefits under one application and assessment process. A list of the six legacy benefits Universal Credit would replace was provided in the report.

The report provided the panel with an update on the Live Service Universal Credit in West Lothian from November 2015. It explained that Live Service was essentially a pilot programme that focussed on moving single people over from legacy benefits to Universal Credits. Due to the lower volume of cases under live service, the council, partners and others had been able to provide direct support to many of those affected. Wider implementation of Universal Credit however would present a different scale and therefore a significant challenge to resources and support. As a result of the UK Government budget 2017, there would be no further transfer of claimants to Live Service as of 31<sup>st</sup> December 2017. This meant that anyone facing a change of circumstance or creating a new claim would remain on legacy benefits until May 2018.

The report then explained that West Lothian would be subject to Full Service Universal Credit as of May 2018 which in practice meant that everyone in receipt of a legacy benefit and had a change of circumstance, or someone who opened a new benefit claim, would be transferred to Universal Credit. Not everyone on legacy benefits would transfer immediately, it would happen over time for individuals based on changing circumstances or a new claim. By 2022, all housing benefit claimants would have transferred to Universal Credit.

The report advised that a number of administrative and management issues following the introduction of Universal Credits in 2013 had led to a number of changes and adjustment over the past 4 years to the approach taken by the DWP. As a result of further changes announced as part of the UK Government budget 2018, the report cautioned that further changes to DWP commitments were likely to impact on the information provided in the report.

The panel noted that the Scottish Government had used its new social security powers to provide people in Scotland that were transferring to Universal Credit with additional flexibility on how their payments would be managed. As of 4<sup>th</sup> October 2017, individuals in Scotland moving to or applying for Universal Credits could apply to receive their payments twice per month, rather than monthly, and could also opt to have rent costs paid directly to their social or private landlord.

The report then moved on to provide the panel with information on a number of overarching potential implications and concerns related to Full Service Universal Credit and information on the following key issues and challenges were outlined in the report:-

- Reduced Housing Income
- Online Applications
- Waiting Periods
- Sanctions



- Direct Payments, Rent and Council Tax Arrears
- Advice and Support
- Benefits Administration
- Private Rented Sector and Registered Social Landlords

The panel noted that a council action plan had been drawn up to ensure a co-ordinated corporate approach was in place to the volume and scale of the Full Service. A Universal Credit Project Board had been created and a list of the key areas of action which fell with the remit of the Board was given. Further reports would be provided to future meetings of the panel to update on emerging challenges and progress regarding Full Service Universal Credit in West Lothian.

The Panel was invited to note the potential implications of, and action being taken to mitigate, Universal Credit in West Lothian.

### Decision

To note the Workplan.

## 12. PRIVATE HOUSING (TENANCIES) (SCOTLAND) ACT 2016

A report had been circulated by the Head of Housing, Customer and Building Services providing an update on the Private Housing (Tenancies) (Scotland) Act 2016 which had been implemented on 1<sup>st</sup> December 2017.

The panel heard that the new Private Housing (Tenancies) (Scotland) Act 2016 replaced the previous assured and short assured tenancies and meant that a new Private Residential Tenancy agreement would be introduced for all future lets within the sector that would provide security, stability and predictability for tenants and appropriate safeguards for landlords, lenders and investors. A summary of the key changes listed below was provided within the report:-

- Tenancy Agreement
- Ending of Tenancies
- Notice Periods
- Rent Increases
- Rent Pressure Zones
- Jurisdiction Changes for the Private Rent Sector and Residential Tenancies

The report explained that prior to the implementation of the new regulations, a review of the council's website was undertaken to ensure it was up to date in accordance with the new Act. Information and a video issued by the landlord Accreditation Scotland had been circulated to registered landlords in West Lothian to provide information and raise awareness. A Private Landlord Forum had been established and had met for the first time in November following the transfer of Landlord Registration to Housing, Customer and Building Services. 70 registered landlords had attended the Forum meeting and received a presentation by Landlord Accreditation Scotland. The presentation had since been

shared on the council's website. All landlords had been provided with a copy of the new model tenancy agreement along with guidance notes to assist them when renewing or submitting an application for landlord registration.

The panel noted that it was proposed that a follow up Private Landlord Forum meeting would be held in early 2018 with a further presentation on the new legislation. There would also be an updated version of the Private Landlord Newsletter issued that would include information on the changes. There was no direct impact or action to be taken by the council as a result of the Act other than sharing information and advice with private landlords.

The Panel was asked to note the changes that would come into force with the legislation and to note the action being taken by the council to support the changes.

#### Decision

To note the terms of the report.

### 13. PERFORMANCE REPORTING

A report had been circulated by the Head of Housing, Customer and Building Services examining current levels of performance for Housing, Customer and Building Services indicators that were the responsibility of the Services for the Community Policy Development and Scrutiny Panel.

The Panel was information that, of the 8 indicators, 5 were categorised as green, 2 as amber and 1 as red. The Panel noted that the position at quarter 2 was a decrease from quarter 1 when 5 were green and 3 were amber. Each indicator in the appendix displayed the latest note which offered an explanation from the service on current performance levels.

The Panel was asked to note the current performance on Housing, Customer and Building Services key performance indicators and determine if further action or enquiry was necessary.

#### Decision

To note the terms of the report.

### 14. WORKPLAN

A copy of the Workplan had been circulated for information.

#### Decision

To note the Workplan.