

MINUTE of MEETING of the SERVICES FOR THE COMMUNITY POLICY DEVELOPMENT AND SCRUTINY PANEL held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 11 DECEMBER 2018.

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

Apologies – Councillor Peter Heggie, Alison Kerr, Tenants Panel Representative, Pamela Roccio, Voluntary Sector Gateway

In Attendance – Jessie Duncan, David Rintoul, John Rooney, Tenants Panel Representatives

1. DECLARATIONS ON INTEREST

Agenda Item 11 – West Lothian Rapid Rehousing Transition Plan - Councillor Frank Anderson declared a non-financial interest in that he was the Chair of Open Door.

2. MINUTE

The Panel confirmed the Minute of its meeting held on 30 October 2018 as a correct record. The Minute was thereafter 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> July – 30<sup>th</sup> September 2018.

The report recalled that the Council Executive had agreed that the monitoring of performance against the West Lothian Police Plan would be reported and considered by the Panel on a quarterly basis. The report covered the period 1<sup>st</sup> July – 30<sup>th</sup> September 2018.

Chief Superintendent Lesley Clark provided the panel with information on changes in personnel which included the appointment of Superintendent Angus McInnes who would be taking over the Partnership roll. Chief Superintendant Clark also advised of a forthcoming event that would be taking place in February 2019 looking at “Where we are now” and “Looking Forward”. Invitations would be extended to partners.

Chief Inspector Alan Williams then spoke to the report, amplifying aspects of the statistical information contained therein and expanded on the actions being taken by Police Scotland.

A number of questions were raised by members and answered by Chief Superintendent Clark and Chief Inspector Williams. Inspector Williams

undertook to provide an updated map for the next meeting.

The Panel was asked to note the contents of the report and performance document.

#### Decision

To note the contents 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 Service in West Lothian for the period 1 July 2018 to 30 September 2018.

David Lockhart, Area Manager updated the Panel on a number of personnel changes within the Strategic Leadership Team including the appointment of the new Fire Chief, Martin Blunden who would be taking over from Alistair Hay.

The seven objectives contained in the local Fire and Rescue Service Plan for 2014-17 were set out in the report. David Lockhart, Area Manager presented the report and highlighted a number of improvements in the reporting period compared to previous years. An appendix provided the Panel with additional information on action under each objective during the reporting period.

The Panel was informed that there had been a reduction of 15% in accidental dwelling fires in the year to date period when compared to the same period in the previous year. The report provided detailed information relating to these incidents.

The majority of deliberate fires continued to involve woodland/grassland and loose refuse including wheelie bins. SFRS attended 178 deliberate secondary fires which correlates to 82% of all deliberate fires in West Lothian council area during this reporting period, this was mainly due to a significant spike in July as a result of fair weather conditions.

In relation to non-domestic fires there was a 27% reduction for the same reporting period 2017-18 with the highest occurrences being in secure accommodation.

Questions raised by Panel members were then dealt with by the Area Manager.

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

#### Decision

To note the terms of the report.

5. TRANSFORMING YOUR COUNCIL – POLICE SCOTLAND FUNDING UPDATE

A report had been circulated by the Head of Housing, Customer and Building Services providing an update on the impact of the removal of funding for police officers as part of the budget setting in February 2018.

The report recalled that in setting the budget in February 2018 the council agreed to reduce the funding to Police Scotland by £658,000 through the removal of the contribution for funded officers, funded vehicles and the removal of an analyst posts. Officers were also instructed to undertake an assessment of the impact of removing funding and report back in 6 months and 12 months.

The Service Level Agreement in place at the time of the budget setting meeting between the council and Police Scotland provided for the continuation of the funded officer until 15 May 2018. On 16 May 2018 Police Scotland introduced a revised community policing model in West Lothian.

A summary of the changes were as follows:

- A new approach to delivering police activity in West Lothian, with the cessation of the Community Action Team, and the implementation of the Community Enquiry Team.
- The removal of the 21 funded officer posts, with the new model comprising of 24 constables.
- The removal of a full time School Link role.
- The implementation of four Locality Areas, aligned to Response Policing as follows:
  - Linlithgow, Broxburn, Uphall, Winchburgh, East Livingston and East Calder
  - Livingston North and Livingston South
  - Armadale, Blackridge and Bathgate
  - Whitburn, Blackburn, Fauldhouse and the Breich Valley

There were 4 Community Officers per locality Area.

Table 1 within the report provided an overview of recorded crime and changes in the levels of recorded crime for the period July to September 2018 compared to the same period in 2017/18.

Appendix 1 to the report set out the full detail of performance for Quarter 2 for 2018/2019. The performance data showed an increase in recorded crime compared to Q2 of 2017/18. It also provided a comparison of West Lothian in context of the overall Division.

In conclusion the report performance for Q2 2018/19 had seen an increase in 8 of the 10 crime categories when compared to the same period in 2017/18 and at division level there was an increase in 60 of the 10 crime categories.

The report recommended that the panel note the update on the revised community policing model introduced by Police Scotland and reported performance data since the implementation of the council funding reduction to Police Scotland.

#### Decision

To note the contents of the report.

### 6. COMMUNITY SAFETY UPDATE

A report had been circulated by the Head of Housing, Customer and Building Services highlighting strategic community safety developments and performance data from the Community Safety Unit of the Safer Neighbourhood Teams.

The report advised that the Community Safety Plan 2019 – 2021 was developed following on from the Community Safety Strategic Assessment and in consultation with Community Safety partners and was submitted to the Community Safety Board at its meeting on 10 December 2018.

The report also provided performance data from the Safer Neighbourhood Teams in relation to anti-social behaviour and noise nuisance. Officers and other community safety partners continued to provide early intervention to prevent the further escalation of incidents. Appendix 1 to the report examined performance data in detail.

The Panel was asked to note the report and the performance information detailed for the Safer Neighbourhood Team.

#### Decision

To note the contents of the report.

### 7. DECORATION SCHEME FOR TENANTS

A report had been circulated by the Head of Housing, Customer and Building Services providing an update after the first year of operation of the Painting Pack that was introduced in October 2017.

The report recalled that the Council Executive on 18 September 2017 approved the introduction of Painting Packs as the replacement for non-compliant decoration voucher scheme and the deployment process commenced in October 2017.

A review of the tenant satisfaction information taken from the new tenant

survey showed that of the 195 tenants who responded 177 (91%) found the painting pack was useful while 18 (9%) did not.

The average annual budget to administer the former monetary Decoration Scheme was £95,000 which excluded the production of the monetary voucher by inprint and the costs associated to Housing staff time to administer the scheme.

The service estimated the budget for painting packs based on anticipated void turnover to be around £50,000. A review of the cost after the first year of operation showed that the service had spent £53,056.

In conclusion the Painting Pack was deployed in October 2017 and was assisting new tenants with painting materials to help decorate their home. The expenditure was within acceptable budget provision and the service had made efficiencies through the change from monetary decoration scheme to the provision of Painting Packs.

The panel was asked to note:

- The Painting Pack was deployed as per the agreed timeline and addressed the non-compliance of the previous monetary decoration scheme.
- The budget expenditure was within acceptable budget provisions.
- New tenants who had received the Painting Pack had responded positively finding the Painting Pack to be useful.
- Overall deployment of the Painting Pack had gone well over the first year of operation.

#### Decision

To note the contents of the report.

### 8. PROPERTY TURNOVER JULY - SEPTEMBER 2018

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 2018 to September 2018.

It was reported that the number of permanent lets for the period was 282 compared to the same quarter in the previous year when 216 properties were let.

Details of all lets and property numbers for the reporting period were provided in Appendix 1 and Council Stock figures by ward in Appendix 3. Appendix 2 showed assisted move lets.

The Panel was asked to note the current levels of activity relating to property turnover for the second quarter of 2018/19 and in particular to note:

- that there had been an increase in property lets compared to the same period in the previous year.
- that of the 47 communities in West Lothian, 4 had only 1 mainstream property to let and 19 had none.
- that 50% of lets had been allocated to people who were homeless or potentially homeless.

### Decision

To note the contents of the report.

## 9. WEST LoTHIAN RAPID REHOUSING TRANSITION PLAN

A report had been circulated by the Head of Housing, Customer and Building Services providing an update on the progress of the preparation and development of the first iteration of the West Lothian Rapid Rehousing Plan (RRTP) which was required to be submitted to the Scottish Government by 31 December 2018.

The report recalled a high level overview of the requirement for local authorities to prepare 5 Year Rapid Rehousing Transition Plans to reduce homelessness was reported to the Services of the Community PDSP on the 18 September 2018 and the Council Executive on 9 October 2018.

The council and strategic partners prepared and developed the first iteration of the plan which was appended to the report.

The report set out the seven key elements to the West Lothian Rapid Rehousing Transition Plan as follows:

- Understanding West Lothian's Housing Market Context
- West Lothian's Homeless Position
- West Lothian's Temporary Accommodation Provision
- West Lothian's 5 Year Projections for Temporary Accommodation
- Identifying Support Needs
- Transitioning to a rapid Rehousing Approach in West Lothian
- Resources

The report set out four high level actions identified by the council and partners to transition from the current provision to the West Lothian vision. These actions would be taken forward through four Rapid Rehousing Transition Plan Work streams of early intervention/Prevention and Housing Options, Supply and Temporary Accommodation, Support and Supported Accommodation and Health and Wellbeing. Appendix 3

contained the action plan for the five years of the West Lothian Rapid Rehousing Transition Plan.

The proposed timescales for submitting the first iteration of the Rapid Rehousing Transition Plan to the Scottish Government were detailed in table 2 within the report.

In conclusion the report advised that significant progress had been made with West Lothian's Rapid Rehousing Transition Plan and was on target to meet the Scottish Government's deadline of 31 December 2018 for submission of the first iteration.

The panel was asked to:

1. Note and comment on the first iteration of the West Lothian Rapid Rehousing Transition Plan.
2. Note the proposed timeline for the governance arrangement of the plan to meet the implementation date of 1 April 2019.

#### Decision

To note the contents of the report.

#### 10. WEST LOTHIAN LOCAL HOUSING STRATEGY 2018-2022 UPDATE

A report had been circulated by the Head of Housing, Customer and Building Services providing an update on progress of the West Lothian Local Housing Strategy 2017-2022.

The report recalled that the West Lothian Local Housing Strategy 2017 – 2022, was approved by Council Executive on 24 October 2017 and since then a number of actions had been progressed and new actions identified. The report provided a summary of the key achievements and actions that had been progressed and identified a number of key challenges ahead. Appendix 1 to the report contained an updated action plan.

The report provided brief details on the Key Challenges and actions for 2019/20 and a number of topics such as:

- Housing Supply and Place Making
- Preventing and Addressing Homelessness
- Independent Living and Specialist Provision
- Private Rented Accommodation
- House Condition
- Fuel Poverty and Climate Change

The report concluded that good overall progress had been made on the

actions in the Local Housing Strategy. A key area of activity would be in relation to homelessness and developing a Rapid Rehousing Transition Plan. Improving housing quality was being addressed through the housing capital programme and liaison with private landlords.

The Panel was asked to note that good progress was being made implement the Local Housing Strategy and that the main new issue which had emerged during the first year of the strategy was the need to prepare a Rapid Rehousing Transition Plan for West Lothian.

#### Decision

To note the contents of the report.

#### 11. PRIVATE LANDLORD REGISTRATION ENFORCEMENT – IMPLEMENTATION OF RENT PENALTY NOTICES

A report had been circulated by the Head of Housing, Customer and Building Services which set out the proposed processes for applying various enforcement tools in relation to unregistered and registered landlords.

All private landlords with some exceptions were required to apply for registration in the register of landlords. Appendix 1 to the report contained a list of landlord exemptions. The requirement enabled councils to remove disreputable landlords from the housing market in order to protect tenants and the wider community from the impact of antisocial behaviour and mismanaged property.

Under Part 8 of the Antisocial Behaviour, etc (Scotland) Act 2004, it was a requirement for all persons leasing residential property in Scotland to be registered with the local authority. It was a criminal offence for a landlord to enter into a lease or occupancy agreement without being registered.

In addition the local authority had the power to issue a “Rent Penalty Notice” under Section 94 of the 2004 Act, the effect of which was to prevent the landlord collecting rent from any residential properties whilst unregistered.

The Rent Penalty Notice would give a period of 28 days prior to commencement during which the landlord may still register. If the landlord registered during that period the Rent Penalty Notice would be revoked.

Implementing Rent Penalty Notices as an enforcement tool had notable benefits in terms of improving performance and compliance in private rented sector, however it was recognised that implementation was not without challenge and a clear process had been created.

The report concluded that West Lothian Council were the only local authority who did not use Rent Penalty Notices as an enforcement action against private landlords and therefore having available enforcement tools in place would ensure compliance with legislation, reduce corporate risk



and improve performance.

The panel was asked to note the enforcement process proposals.

#### Decision

To note the contents of the report.

### 12. PERFORMANCE REPORTING

A report had been circulated by the Head of Housing, Customer and Building Services reporting on the 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.

Performance of service activities was measured through the use of key performance indicators (KPIs). The key activities of the service were covered by KPIs, some of which were also specified performance indicators (SPIs)

The Panel was informed that of the ten performance indicators, 6 were categorised as green, and 4 as red. In the appendix to the report, information allowed the panel to measure current performance levels and actions being taken to address where current performance was below target.

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 contents of the report.

### 13. SCOTTISH HOUSING REGULATOR – REGULATION OF SOCIAL HOUSING IN SCOTLAND CONSULTATION

A report had been circulated by the Head of Housing, Customer and Building Services providing the proposed consultation response to the Scottish Housing Regulator – Our Regulation of Social Housing in Scotland.

The report advised that the Scottish Housing Regulator (SHR) provided regulatory functions for social housing providers in Scotland. They protect the interests of tenants, homeless people and other service users of social landlords.

They focus on the provision of services that secure good outcomes for tenants and services, they hold landlords to account and drive improvement in service provision.

They accomplish this through a regulatory framework known as the Annual Return on the Chart (ARC). This framework constitutes a number of key indicators and standards or service that all social landlords must adhere to.

In January 2018 the SHR launched a discussion paper on the future of housing regulation in Scotland. The intention was to drive discussion and debate about the current arrangements and what was required to support a successful social housing sector in the future.

Using feedback obtained and subsequent discussions with landlords and their representatives, the SHR proposed to reduce the list of indicators by over a third from 74 to 44. The report provided a list of the main proposed changes.

In conclusion the vision of the SHR was to continue to regulate to protect the interests of tenants, homeless people and others who used the services of social landlords. The review of the ARC framework in consultation with social housing providers ensured the framework enabled full scrutiny of the relevant activity, performance, governance and financial health of the social housing sector in Scotland.

It was recommended that the panel note the report and agree that it be forwarded to Council Executive for approval.

#### Decision

To note the contents of the report and agree that the report be forwarded to the next appropriate meeting of the Council Executive for approval.

#### 14. 2018/19 FINANCIAL PERFORMANCE - MONTH 6 MONITORING REPORT

A report had been circulated by the Head of Finance and Property Services providing an update on the financial performance of the Services for the Community portfolio for the General Fund Revenue Budget.

The report advised that the council's revenue budget was operationally managed at a Head of Service level, and the financial position included within the current report was part of the overall council forecast upon which decisions had been approved by Council Executive. The report included the position with the delivery of approved budget reduction measures relevant to the Services for the Community portfolio for 2017/18.

A table within the report summarised the position in relation to service expenditure and provided an update on the draft outturn. The forecast overspend for the Services for the Community portfolio was £1,115,000. A number of key risks and service pressures had been identified and these were noted in the narrative for the relevant service area within the report.

The Panel noted that, within homelessness there an overspend of £1.239 million was forecast, primarily as a result of demand for Bed and Breakfast accommodation. This increased demand also anticipated a further overspend of £450,000 in Homelessness Transport, which was not part of the Services for the Community Portfolio but was noted in the financial performance update report to Education PDSP.

The council's approved Housing Capital programme included provision for additional housing stock through 1,000 houses new build project, open market acquisitions and the mortgage to rent scheme, all of which were intended to mitigate some of the pressures on the homelessness budget as more housing stock became available.

It was reported that for the Services for the Community portfolio savings of £752,000 in 2018/19 had been delivered in full. Various savings for 2019/20 and 2020/21 required further development and implementation at officer level, including staffing restructures in the Community Safety Unit.

Future budget issues specifically for the Services for the Community portfolio were the ongoing risks around levels of homelessness provision and the level of demand for accommodation compared to the available supply.

It was reported that, in order to reduce the continuing financial and operational pressures, the service was developing a range of approaches in order to mitigate pressures and improve the position. The key areas for operation changes included: closer engagement with Registered Social Landlords and Private Social Landlords to provide further accommodation, a review of the Allocations Policy, development of a new Emergency Accommodation Unit, a review of Bed & Breakfast accommodation in comparison to other local authorities, and a review of options for furniture storage.

It was recommended that the Panel:

1. Note the financial performance of the Services for the Community portfolio as at month 6;
2. Note that the Services for the Community portfolio at month 6 was part of the overall council budget position reported to Council Executive; and
3. Note any actions required to be taken by Heads of Service and budget holders to manage spend within available resources.

### Decision

To note the contents of the report

## 15. WORKPLAN

A copy of the workplan had been circulated for information.

Decision

To note the workplan.