

# Minute

## Education, Leisure and Housing Committee

Wednesday, 12 September 2018, 10:30.

Council Chamber, Council Offices, School Place, Kirkwall.



### Present

Councillors Robin W Crichton, John A R Scott, Stephen G Clackson, Alexander G Cowie, Steven B Heddle, J Harvey Johnston, W Leslie Manson, John T Richards, Stephen Sankey, James W Stockan and Owen Tierney.

Hugh Halcro-Johnston.

### Clerk

- Hazel Flett, Senior Committees Officer.

### In Attendance

- Wilfred Weir, Executive Director of Education, Leisure and Housing.
- Peter Diamond, Head of Education (Leisure, Culture and Inclusion) (for Items 1 to 8).
- Frances Troup, Head of Housing, Homelessness and Schoolcare Accommodation Services.
- James Wylie, Head of Education (Curriculum and Community Learning).
- William Ross, Principal, Orkney College (for Items 1 to 9).
- Lynda Bradford, Acting Head of Health and Community Care (for Items 12 to 15).
- Paul Kemp, Strategic Finance Manager.
- Peter Trodden, Solicitor.
- Luke Fraser, Team Leader (Policy and Planning).
- Kerry Spence, Community Learning and Development Team Leader (for Items 1 to 6).

### Observing

- Keith Foubister, Works and Inspection Manager (for Items 1 to 4).
- Craig Walker, Senior Human Resources Adviser (for Items 10 to 15).
- Brian Corsie, Technology Officer (for Items 12 to 15).
- Kirsty Groundwater, Press Officer.

### Apologies

- Councillor Barbara Foulkes.
- Jo Hill.
- Mary Maley.

## **Declarations of Interest**

- No declarations of interest were intimated.

## **Chair**

- Councillor Robin W Crichton in the Chair.

## **1. Disclosure of Exempt Information**

The Committee noted the proposal that the public be excluded from the meeting for consideration of Appendices 1 and 2 of Item 14, as the business to be discussed involved the potential disclosure of exempt information of the classes described in the relevant paragraphs of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

## **2. Revenue Expenditure Outturn**

After consideration of a joint report by the Executive Director of Education, Leisure and Housing, the Executive Director of Corporate Services and the Head of Finance, copies of which had been circulated, and after hearing a report from the Strategic Finance Manager, the Committee:

Noted:

**2.1.** The revenue expenditure outturn statement in respect of Education, Leisure and Housing for financial year 2017 to 2018, attached as Annex 1 to the joint report by the Executive Director of Education, Leisure and Housing, the Executive Director of Corporate Services and the Head of Finance, indicating the following:

- A net General Fund overspend of £238,600.
- A net Non-General Fund underspend of £106,200.

**2.2.** That the overspend within General Fund Services in respect of Education, Leisure and Housing had reduced from £497,500 in 2016 to 2017 to £238,600 in 2017 to 2018.

**2.3.** That the overspend in 2016 to 2017 included the following elements which were largely outwith the control of the Service:

- Non-domestic rates – £100,000.
- Long term illness supply costs – £130,000.

**2.4.** That the overspend incurred during 2017 to 2018 included the following elements:

- School transport – £97,600.
- Support for Learning Assistants – £118,400.

**2.5.** The explanations given, and actions proposed in respect of significant budget variances, as outlined in the Budget Action Plan, attached as Annex 2 to the joint report by the Executive Director of Education, Leisure and Housing, the Executive Director of Corporate Services and the Head of Finance.

### **3. Revenue Expenditure Monitoring**

After consideration of a joint report by the Executive Director of Education, Leisure and Housing, the Executive Director of Corporate Services and the Head of Finance, copies of which had been circulated, and after hearing a report from the Strategic Finance Manager, the Committee:

Noted:

**3.1.** The revenue financial summary statement in respect of Education, Leisure and Housing for the period 1 April to 30 June 2018, attached as Annex 1 to the joint report by the Executive Director of Education, Leisure and Housing, the Executive Director of Corporate Services and the Head of Finance, indicating the following:

- A net General Fund overspend of £12,500.
- A net Non-General Fund overspend of £116,600.

**3.2.** The revenue financial detail by Service Area statement, in respect of Education, Leisure and Housing for the period 1 April to 30 June 2018, attached as Annex 2 to the joint report by the Executive Director of Education, Leisure and Housing, the Executive Director of Corporate Services and the Head of Finance.

**3.3.** The explanations given and actions proposed in respect of significant budget variances, as outlined in the Budget Action Plan, attached as Annex 3 to the joint report by the Executive Director of Education, Leisure and Housing, the Executive Director of Corporate Services and the Head of Finance.

### **4. Housing Revenue Account**

#### **Revenue Repairs and Maintenance Programme**

After consideration of a report by the Head of Finance, copies of which had been circulated, and after hearing a report from the Head of Housing, Homelessness and Schoolcare Accommodation Services, the Committee:

Noted the summary position of expenditure incurred as at 31 March 2018, against the approved revenue repairs and maintenance programme in respect of the Housing Revenue Account for financial year 2017 to 2018, together with explanations given in respect of significant budget variances, as detailed in Appendix 1 to the report by the Head of Finance.

### **5. Northern Alliance – Regional Improvement Framework Plan**

After consideration of a report by the Executive Director of Education, Leisure and Housing, copies of which had been circulated, the Committee:

Noted:

**5.1.** That the Northern Alliance, which was committed to improving the educational and life chances of children and young people, was a Regional Improvement Collaborative between eight local authorities across the North and West of Scotland.

**5.2.** That the Regional Improvement Framework Plan, attached as Appendix 1 to the report by the Executive Director of Education, Leisure and Housing, outlined how the Northern Alliance intended to reduce inequalities and target improvement in the four national priorities from the National Improvement Framework, namely:

- Improvement in attainment, particularly in literacy and numeracy.
- Closing the attainment gap between the most and least disadvantaged children and young people.
- Improvement in children and young people's health and wellbeing.
- Improvement in employability skills and sustained, positive school-leaver destinations for all young people.

**5.3.** That, if approved by all the constituent authorities, the Northern Alliance Regional Improvement Framework Plan would be submitted to Education Scotland in September 2018.

The Committee resolved to **recommend to the Council**:

**5.4.** That the Northern Alliance Regional Improvement Framework Plan, attached as Appendix 1 to this Minute, be approved, in so far as it related to the Council.

## **6. Community Learning and Development Plan**

After consideration of a report by the Executive Director of Education, Leisure and Housing, together with an Equality Impact Assessment, copies of which had been circulated, and after hearing a report from the Head of Education (Leisure, Culture and Inclusion), the Committee:

Noted:

**6.1.** That the Requirements for Community Learning and Development (Scotland) Regulations 2013, which came into force on 1 September 2013, placed a statutory duty on councils to produce a plan, no later than 1 September 2015 and then every three years thereafter, which outlined how Community Learning and Development would be delivered in the local authority area.

**6.2.** That, in October 2015, the Council adopted the Community Learning and Development Strategy and Plan for Orkney 2015 to 2018, in so far as it related to the Council.

**6.3.** The Orkney Community Learning and Development Partners Plan 2018 to 2021, attached as Appendix 1 to the report by the Executive Director of Education, Leisure and Housing, which had been co-developed by the partners of the Orkney Strategic Community Learning Group.

The Committee resolved to **recommend to the Council**:

**6.4.** That the Orkney Community Learning and Development Partners Plan 2018 to 2021, attached as Appendix 2 to this Minute, be approved, in so far as it related to the Council.

**6.5.** That the Executive Director of Education, Leisure and Housing should submit an annual review and updated Orkney Community Learning and Development Plan, to the Education, Leisure and Housing Committee, to ensure it remained relevant and appropriate to emerging needs.

## **7. School Roll Forecasts**

After consideration of a report by the Executive Director of Education, Leisure and Housing, copies of which had been circulated, and after hearing a report from the Team Leader (Policy and Planning), the Committee:

Noted the School Roll Forecasts, attached as Appendix 1 to the report by the Executive Director of Education, Leisure and Housing, which were based on information the Council had available in respect of:

- Current school rolls.
- Demographic forecasts and estimates.
- Births data.
- Migration data.
- School transfer requests.

## **8. National Audit Report: Scotland's Colleges 2018**

After consideration of a report by the Executive Director of Education, Leisure and Housing, copies of which had been circulated, and after hearing a report from the Principal, Orkney College, the Committee:

Noted:

**8.1.** The national audit report, Scotland's Colleges 2018, issued in June 2018 by Audit Scotland, attached as Appendix 1 to the report by the Executive Director of Education, Leisure and Housing.

**8.2.** The key messages contained within the national audit report, a summary of which was detailed in section 4 of the report by the Executive Director of Education, Leisure and Housing.

**8.3.** That the national audit report made specific reference to Orkney College with regard to student outcomes, noting that students on full time further education courses had the highest attainment, retention, satisfaction and positive destinations of all of the colleges in Scotland.

**8.4.** That the national audit report made reference to the need for colleges to develop long term financial strategies which was currently part of Orkney College's work plan.

## **9. College Management Council Sub-committee**

After consideration of the draft Minute of the Meeting of the College Management Council Sub-committee held on 3 September 2018, copies of which had been circulated, the Committee:

Resolved:

**9.1.** On the motion of Councillor John A R Scott, seconded by Councillor J Harvey Johnston, to approve the Minute of the Meeting of the College Management Council Sub-committee held on 3 September 2018 as a true record.

The Committee resolved to **recommend to the Council**:

**9.2.** That the recommendations at paragraphs 3.2 and 5 of the Minute of the Meeting of the College Management Council Sub-committee held on 3 September 2018, attached as Appendix 3 to this Minute, be approved.

## **10. Strategic Housing Investment Plan**

After consideration of a report by the Executive Director of Education, Leisure and Housing, copies of which had been circulated, and after hearing a report from the Team Leader (Policy and Planning), the Committee:

Noted:

**10.1.** That the Strategic Housing Investment Plan for the period 2019 to 2024, attached as Appendix 1 to the report by the Executive Director of Education, Leisure and Housing, which had been produced in partnership with the Housing Forum, proposed the following:

- 231 social rented and low-cost home ownership properties to be delivered by the Council and Orkney Housing Association Limited.
- 212 low cost home ownership properties delivered by the private sector and partners including islands development trusts among others.
- Four major infrastructure projects.

The Committee resolved to **recommend to the Council**:

**10.2.** That the Strategic Housing Investment Plan for the period 2018 to 2023, attached as Appendix 4 to this Minute, be approved for submission to the Scottish Government.

## **11. Energy Company Obligation Flexible Eligibility**

After consideration of a report by the Executive Director of Education, Leisure and Housing, copies of which had been circulated, and after hearing a report from the Team Leader (Policy and Planning), the Committee:

Noted:

**11.1.** That the Energy Company Obligation was an obligation on energy suppliers aimed at helping households cut their energy bills and reduce carbon emissions.

**11.2.** That Energy Company Obligation Flexible Eligibility was introduced by Ofgem in the launch for Energy Company Obligation 2 Transition in 2017 which allowed energy suppliers to achieve up to 10% of their Affordable Warmth obligation by installing energy efficiency measures in properties declared eligible by local authorities.

**11.3.** That, to date, the Council had utilised Energy Company Obligation Flexible Eligibility via the Home Energy Efficiency Programme for Scotland: Area Based Schemes programme, in order to enhance the funding available through regular Energy Company Obligation, Home Energy Efficiency Programme for Scotland: Area Based Schemes and the Warm Homes Fund, with 100 Declarations being approved.

**11.4.** That a number of installers from outwith Orkney had asked the Council to develop a Statement of Intent to allow them to operate in Orkney using Energy Company Obligation Flexible Eligibility increasing the number of households they could target for measures.

**11.5.** That the Council had not approved any requests from installers outwith Orkney, as the current route of utilising Energy Company Obligation Flexible Eligibility through the flagship energy efficiency scheme was considered the best route to deliver Energy Company Obligation Flexible Eligibility.

**11.6.** That Ofgem had recently announced the launch of Energy Company Obligation 3, which had a number of changes from Energy Company Obligation 2 Transition, which would come into force on or after 1 October 2018 and end on 31 March 2022.

**11.7.** The options appraisal, as detailed in section 4 of the report by the Executive Director of Education, Leisure and Housing, with the preferred option being Option 1, namely that the Council should deliver Energy Company Obligation Flexible Eligibility in Orkney via the Home Energy Efficiency Programme for Scotland: Area Based Schemes contract.

The Committee resolved to **recommend to the Council:**

**11.8.** That the Council deliver Energy Company Obligation Flexible Eligibility in Orkney via the Home Energy Efficiency Programme for Scotland: Area Based Schemes contract.

**11.9.** That powers be delegated to the Executive Director of Education, Leisure and Housing to pursue additional options for Energy Company Obligation Flexible Eligibility, should opportunities arise over the coming years for the use of Energy Company Obligation Flexible Eligibility outwith the Home Energy Efficiency Programme for Scotland: Area Based Schemes contract that would bring significant additional benefit.

Hugh Halcro-Johnston left the meeting at this point.

## **12. Homelessness and Rough Sleepers Action Group**

After consideration of a report by the Executive Director of Education, Leisure and Housing, copies of which had been circulated, and after hearing a report from the Head of Housing, Homelessness and Schoolcare Accommodation Services, the Committee:

Noted:

**12.1.** That, in October 2017, the Scottish Government set up the Homelessness and Rough Sleeping Action Group with the intention of producing short and long-term solutions to end homelessness and rough sleeping in Scotland.

**12.2.** That, in March 2018, the Homelessness and Rough Sleeping Action Group published 20 recommendations, as detailed in section 3.3 of the report by the Executive Director of Education, Leisure and Housing.

**12.3.** The requirement for all councils to lead development of a Rapid Rehousing Transition Plan by December 2018.

**12.4.** That the Rapid Rehousing Transition Plan was a significant document with wide ranging implications for housing.

**12.5.** That it was anticipated that costs attached to the Rapid Rehousing Transition Plan may be as diverse as additional social housing and housing support services, which could not be determined ahead of production of the document.

**12.6.** That there was no clarity in respect of the level of funding, if any, which may be awarded to Orkney in support of the Scottish Government initiative relating to homelessness and rough sleeping.

The Committee resolved to **recommend to the Council:**

**12.7.** That the Executive Director of Education, Leisure and Housing should lead preparation of a Rapid Rehousing Transition Plan for presentation to the Education, Leisure and Housing Committee in due course.

**12.8.** That the Chair of the Committee should write to the Scottish Government indicating that the Rapid Rehousing Transition Plan may not be as effective in Orkney and may require some island proofing.

### **13. Choice Based Lettings**

After consideration of a report by the Executive Director of Education, Leisure and Housing, together with an Equality Impact Assessment, copies of which had been circulated, and after hearing a report from the Head of Housing, Homelessness and Schoolcare Accommodation Services, the Committee:

Noted:

**13.1.** That, in March 2018, when considering amendments to the Rent Setting Policy, the Council agreed that the Executive Director of Education, Leisure and Housing should arrange for consultation to be undertaken in respect of Choice Based Lettings.

**13.2.** That the consultation in respect of Choice Based Lettings was undertaken during June and July 2018, when a total of 1,449 surveys were issued.

**13.3.** The results of the consultation in respect of Choice Based Lettings, as outlined in section 5 of the report by the Executive Director of Education, Leisure and Housing.

The Committee resolved **to recommend to the Council:**

**13.4.** That Choice Based Lettings be progressed with a view to implementation during financial year 2019 to 2020.



## **14. Sheltered Housing Services**

After consideration of a report by the Executive Director of Education, Leisure and Housing, together with an Equality Impact Assessment, copies of which had been circulated, and after hearing a report from the Head of Housing, Homelessness and Schoolcare Accommodation Services, the Committee:

Noted:

**14.1.** That, in December 2017, the Council determined that the Executive Director of Education, Leisure and Housing should undertake a consultation in respect of redesigning the Sheltered Housing Warden Service, with a view that a warden service should continue to be provided, and to report the outcome of the consultation in due course.

**14.2.** That the consultation in respect of redesigning the Sheltered Housing Warden Service, which took place between late April and 30 June 2018, included meetings with staff, Trade Unions, one of the two advocates and residents of both sheltered housing schemes.

**14.3.** That those residents and any relatives, power of attorneys or advocates they wished to bring who could not attend were offered individual meetings with Council officers.

**14.4.** That, during the consultation meetings, issues were identified with the data relating to callouts, resulting in a detailed analysis of the information held on the computers at each of the sheltered housing schemes.

**14.5.** Responses to the consultation, as detailed in section 6 of the report by the Executive Director of Education, Leisure and Housing.

**14.6.** That, as the consultation referred to the specific terms and conditions of a tenancy that could only be changed with agreement, any redesign of service must conform with the requirement of the tenancy agreement for there to be two warden visits per day.

**14.7.** That the Council had received a petition, as outlined in section 6.4 of the report by the Executive Director of Education, Leisure and Housing.

**14.8.** That the requirement to consider the wider concept of older persons' housing more fully would be progressed through development of the Local Housing Strategy.

**14.9.** The options appraisal, detailed in section 7 of the report by the Executive Director of Education, Leisure and Housing, with the preferred option being Option 4, namely removal of the sleep-in provision to take effect as soon as reasonably practicable after 1 April 2019.

Councillor Robin W Crichton, seconded by Councillor Steven B Heddle, moved that the sleep-in provision be removed from the Council's sheltered housing service as soon as reasonably practicable after 1 April 2019.

Councillor John T Richards, seconded by Councillor Stephen Sankey, moved an amendment that consideration of removing the sleep-in provision from the Council's sheltered housing service be deferred to enable the question of removal of the sleep-in provision at Rae's Close, Stromness, in particular, to be remitted to the Orkney Health and Care Committee, in the first instance, to seek its view on wider health and social care matters.

The result of a recorded vote was as follows:

For the Amendment:

Councillors Stephen G Clackson, Alexander G Cowie, J Harvey Johnston, W Leslie Manson, John T Richards, Stephen Sankey and Owen Tierney (7).

For the Motion:

Councillors Robin W Crichton, Steven B Heddle, John A R Scott and James W Stockan (4).

The amendment was therefore carried, and the Committee:

Resolved to **recommend to the Council:**

**14.10.** That consideration of removing the sleep-in provision from the Council's sheltered housing service be deferred to enable the question of removal of the sleep-in provision at Rae's Close, Stromness, in particular, to be remitted to the Orkney Health and Care Committee, in the first instance, to seek its view on wider health and social care matters.

## **15. Conclusion of Meeting**

At 13:45 the Chair declared the meeting concluded.

Signed: Rob Crichton.