

Minute

Education, Leisure and Housing Committee

Wednesday, 16 February 2022, 09:30.

Microsoft Teams.



Present

Councillors Gwenda M Shearer, Alexander G Cowie, Stephen G Clackson, Barbara Foulkes, Steven B Heddle, J Harvey Johnston, W Leslie Manson, John T Richards, John A R Scott, James W Stockan, Magnus O Thomson and Owen Tierney.

Mary Maley and Reverend Fraser Macnaughton.

Councillors Robin W Crichton, David Dawson, Rachael A King, Graham L Sinclair and Heather N Woodbridge (who had been invited for Item 15).

Clerk

- Sandra Craigie, Committees Officer.

In Attendance

- James Wylie, Executive Director of Education, Leisure and Housing (for Items 1 and 2 and 4 to 16).
- Peter Diamond, Head of Education (for Items 1 to 14).
- Colin Kemp, Interim Head of Finance.
- Frances Troup, Head of Community Learning, Leisure and Housing (for Items 1 to 13).
- Kenny MacPherson, Interim Head of IT and Facilities (for Items 1 to 13).
- Edward Abbot-Halpin, Principal, Orkney College.
- Graham Bevan, Service Manager (Secondary and Tertiary).
- Garry Burton, Leisure and Culture Service Manager (for Items 1 to 5).
- Lesley Mulraine, Service Manager (Housing, Homelessness and Schoolcare Accommodation) (for Items 1 to 13).
- Sheila Tulloch, Solicitor.
- Hazel Flett, Senior Committees Officer.
- Vikki Kerr, Senior Archivist (for Items 1 to 4).
- David Brown, Team Leader (Information and Infrastructure) (for Items 8 to 13).

Observing

- Joanne Wallace, Assistant Principal, Orkney College.
- Keith Foubister, Works and Inspections Manager (for Items 1 to 13).
- Morag Miller, Service Manager (Primary Education) (for Items 1 to 6).
- Kirsty Groundwater, Communications Team Leader (for Items 1 to 3).
- Rebecca McAuliffe, Press Officer (for Items 3 to 16).

Apologies

- Councillor Norman Craigie (who had been invited for Item 15).
- Councillor Stephen Sankey (who had been invited for Item 15).
- Councillor Duncan A Tullock (who had been invited for Item 15).

Not Present

- Jo Hill, Teacher Representative.
- Councillor Andrew Drever (who had been invited for Item 15).

Declarations of Interest

- Councillor Rachael A King – Item 15.
- Councillor Steven B Heddle – Item 15.

Chair

- Councillor Gwenda M Shearer.

1. Disclosure of Exempt Information

The Committee noted the proposal that the public be excluded from the meeting for consideration of Items 14 and 15 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 Monitoring

After consideration of a report by the Head of Finance, copies of which had been circulated, the Committee:

Noted:

2.1. The revenue financial summary statement in respect of Education, Leisure and Housing for the period 1 April to 31 December 2021, attached as Annex 1 to the report by the Head of Finance, indicating the following:

- A net General Fund underspend of £159,100.
- A net Non-General Fund underspend of £963,100.

2.2. The revenue financial detail by service area statement in respect of Education, Leisure and Housing for the period 1 April to 31 December 2021, attached as Annex 2 to the report by the Head of Finance.

The Committee scrutinised:

2.3. 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 report by the Head of Finance, and obtained assurance that action was being taken with regard to significant budget variances.

Councillor Owen Tierney joined the meeting during discussion of this item.

3. Housing Revenue Account

Revenue Repairs and Maintenance Programme – Expenditure Monitoring

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

Noted:

3.1. The summary position of expenditure incurred, as at 31 December 2021, against the approved revenue repairs and maintenance programme in respect of the Housing Revenue Account, as detailed in section 4.2 of the joint report by the Executive Director of Education, Leisure and Housing and the Head of Finance.

The Committee scrutinised:

3.2. The explanations given in respect of significant budget variances, as detailed in Appendix 1 to the joint report by the Executive Director of Education, Leisure and Housing and the Head of Finance, and obtained assurance on progress being made with delivery of the approved revenue repairs and maintenance programme in respect of the Housing Revenue Account.

4. Orkney Archive Management Scheme

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 Leisure and Culture Service Manager, the Committee:

Noted:

4.1. That the Orkney Archive Service first achieved accreditation status in November 2017 when the service was awarded the Archive Accreditation Standard.

4.2. That, due to a backlog of archive services awaiting accreditation decisions by the Scottish Council on Archives caused by the Coronavirus pandemic, the Orkney Archive Service would now progress to formal re-submission to retain its accredited status in November 2023 in line with the accreditation standard procedure, with the formal three year review now incorporated into the re-submission process.

4.3. That, in order to retain accredited status, the Orkney Archive Service must have an approved current Forward Plan and other appropriate policies relating to collections development, care and conservation and collections access.

4.4. The draft Orkney Archive Management Scheme 2020-2025, attached as Appendix 1 to the report by the Executive Director of Education, Leisure and Housing, which contained the plan and policies required by the Scottish Council on Archives as the Assessing body of the Archives Accreditation Standard.

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

4.5. That the Orkney Archive Management Scheme 2020-2025, attached as Appendix 1 to this Minute, be approved.

5. Proposed Facility Development

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 Leisure and Culture Service Manager, the Committee:

Noted:

5.1. That, on 13 September 2017, the Education, Leisure and Housing Committee recommended approval of the Orkney Islands Sports Facilities Strategy, incorporating the Playing Pitch Strategy, the Built Facility Strategy and Executive Summary, in so far as it related to the remit of the Council and with recognition of the limitation of current resources.

5.2. That the Orkney Islands Sports Facilities Strategy, referred to at paragraph 5.1 above, identified a number of built facility recommendations including:

- Work with other relevant local, regional and national partners to develop a purpose-built gymnastics provision, or secondary hall at the Pickaquoy Centre which could be used predominately for gymnastics.
- Increase the provision of 3G artificial grass pitch provision across Orkney with the development of a full-size pitch suitable for competitive rugby and football.

5.3. The proposal to develop a covered synthetic training pitch suitable for rugby, football and other sports, interconnecting to a separate gymnastics hall, at an estimated construction cost of £3 million.

5.4. The limited capacity at Kirkwall Grammar School and the Pickaquoy Centre, especially during the winter months, to offer indoor space which resulted in waiting lists for a number of events/clubs.

5.5. That **sportscotland** had worked with the Council to engage with sports and communities within Orkney with regard to facility requirements.

5.6. That **sportscotland** had indicated a willingness to move away from its previous application-based funding model for facility investment to a more strategic approach with the Council.

5.7. That **sportscotland** had indicated a minimum capital investment of £500,000 towards the project to develop a covered synthetic training pitch and interconnecting gymnastics hall.

5.8. That Scottish Government officials tasked with delivering the National Islands Plan had indicated a maximum capital investment of £500,000 towards the project to develop a covered synthetic training pitch and interconnecting gymnastics hall, however, there was potential for the project to attract further funding from the Scottish Government.

5.9. That, although the proposed facility would support staging of the 2025 International Island Games, its impact to the community would be felt well beyond the 2025 Games by sustaining such sport into the future.

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

5.10. That the Executive Director of Education, Leisure and Housing should continue to progress the proposal to develop a covered synthetic training pitch suitable for rugby, football and other sports, interconnecting to a separate gymnastics hall, through the Capital Project Appraisal process.

Councillor Barbara Foulkes left the meeting during discussion of this item.

6. Orkney Schools Attainment

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 Service Manager (Secondary and Tertiary), the Committee:

Noted:

6.1. The circumstances and challenges presented by COVID-19, as set out in section 4 of the report by the Executive Director of Education, Leisure and Housing, which highlighted amendments to the data gathering process and thereafter presented in the Attainment Report.

6.2. The Orkney Schools Attainment Report for academic session 2020/21, attached as Appendix 1 to the report by the Executive Director of Education, Leisure and Housing, which outlined the level of success and achievement of children and young people.

Mary Maley left the meeting at this point.

7. Housing Service – Performance Monitoring

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 Community Learning, Leisure and Housing, the Committee:

Noted:

7.1. That housing organisations were required to report performance against a number of service areas and indicators within the Scottish Social Housing Charter.

7.2. Performance in relation to the undernoted range of service areas within Housing Services for the reporting period 1 April 2020 to 31 March 2021, as detailed in Appendix 1 to the report by the Executive Director of Education, Leisure and Housing:

- Customer Satisfaction.
- Housing Quality and Maintenance.
- Access to Housing and Support.
- Homelessness.
- Neighbourhood and Community.
- Getting Good Value from Rents.
- Re-lets and Voids.
- Customer/Landlord Relationship.

7.3. Areas of positive performance within Housing Services for the reporting period, as follows:

- High levels of customer satisfaction.
- Low levels of repairs reported as emergencies.
- Low levels of repairs per property.
- Time taken to complete a medical adaptation.
- Level of stock meeting the Scottish Housing Quality Standard and Energy Efficiency Standard for Social Housing.
- Low levels of tenancy offers refused.
- Low levels of abandonments/evictions.
- Positive tenancy outcomes for homeless households, including the average time to close a case and time spent in temporary accommodation.
- Low levels of former tenant arrears written off.

7.4. Areas where performance within Housing Services could potentially be improved or continue to be improved, as follows:

- Time to complete non-emergency repairs.
- High percentage of tenancies ending in arrears and rising debt.
- Rising rent arrears.

7.5. That, as part of the performance monitoring processes for 2020/21, the Annual Assurance Statement required by the Scottish Housing Regulator was approved by Council in October 2021.

The Committee scrutinised:

7.6. Performance in relation to the range of service areas within Housing Services for the reporting period 1 April 2020 to 31 March 2021, as detailed in Appendix 1 to the report by the Executive Director of Education, Leisure and Housing, and obtained assurance.

8. Council House Rents

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 Service Manager (Housing, Homelessness and Schoolcare Accommodation), the Committee:

Noted:

8.1. That a consultation, undertaken in December 2021, in relation to the annual increase for Council House rent levels to take effect from 1 April 2022, proposed an increase of 2.6%, which was below the Consumer Price Index as at September 2021, namely 3.1%.

8.2. The results of the consultation on the proposed annual increase for Council House rent levels, as detailed in section 4 of the report by the Executive Director of Education, Leisure and Housing.

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

8.3. That, with effect from 1 April 2022, Council house rents should increase by 2.6%.

9. Housing Revenue Account – Draft Budget

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

Resolved to **recommend to the Council** that the draft revenue budget for the Housing Revenue Account for 2022/23, attached as Appendix 1 to the joint report by the Executive Director of Education, Leisure and Housing and the Head of Finance, be submitted to the Policy and Resources Committee for consideration through the budget setting process.

10. Housing Revenue Account

Revenue Repairs and Maintenance Programme – Proposed Programme for 2022/23

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 Community Learning, Leisure and Housing, the Committee:

Resolved to **recommend to the Council** that, subject to an adequate service revenue budget being established, the undernoted revenue repairs and maintenance programme in respect of the Housing Revenue Account for 2022/23, totalling £1,548,500, be approved:

- Cyclical Maintenance – £80,000.
- Planned Maintenance – £581,500,
- Reactive Repairs – £320,000.
- Voids/Improvements/Adaptations – £365,000.
- In-House Professional Fees – £202,000.

11. Energy Efficiency Standard for Social Housing 2

After consideration of a joint report by the Executive Director of Education, Leisure and Housing and the Interim Executive Director of Environmental, Property and IT Services, copies of which had been circulated, and after hearing a report from the Team Leader (Information and Infrastructure), the Committee:

Noted:

11.1. That, from 1 January 2021, the previous energy efficiency elements of the Scottish Housing Quality Standard was superseded by the second Energy Efficiency Standard for Social Housing.

11.2. That all social housing had to meet, or could be treated as meeting, Energy Performance Certificate Band B, or be as energy efficient as practically possible, by 31 December 2032 and within the limits of cost, technology and necessary consent.

11.3. That, from December 2025, subject to temporary specified exemptions, social housing, which was below Energy Performance Certificate Band D, could not be re-let.

11.4. That significant investment would be required to ensure the Council's housing stock met Energy Efficiency Standard for Social Housing 2 (ESSH2) by 2032, as detailed in Appendix 1 to the joint report by the Executive Director of Education, Leisure and Housing and the Interim Executive Director of Environmental, Property and IT Services, and summarised as follows:

- A total of 701 properties required energy efficiency works to be undertaken by December 2032 to meet ESSH2.
- The estimated cost of the energy efficiency works was £15.6 million.
- A total of 270 properties already met the requirements of ESSH2.

11.5. That, in order to ensure affordability for the Housing Revenue Account and, in turn, Council tenants' rents, additional external funding required to be sourced in order to deliver ESSH2.

11.6. That the Scottish Government was making £100 million available over the next five years to support social housing projects across Scotland to install zero carbon technologies and energy efficiency measures to existing stock.

11.7. That, although timescales for securing and delivering projects were challenging, securing Scottish Government funding was essential to assist with the affordability of meeting ESSH2.

11.8. That, as the proposed ESSH2 works appeared to be more significant in scale to the previous ESSH works, which were delivered through the Housing Revenue Account's revenue repairs and maintenance programme, the additional works were likely to be assessed as being capital in nature.

11.9. That, as the nature of the ESSH2 works could only be clarified once the operational plan detail was fully developed and reviewed, it would be prudent at this stage to assume that the Capital Project Appraisal process may require to be followed.

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

11.10. That, in principle, the summary of works and costs required to deliver EESSH2, attached as Appendix 2 to this Minute, be approved.

11.11. That, considering the limitations outlined at paragraphs 11.8 and 11.9 above, acknowledging that delivery was dependent on sufficient funds being available from the Housing Revenue Account, together with additional grant funding assistance from the Scottish Government, the Executive Director of Education, Leisure and Housing should develop the summary of works and costs required to deliver EESSH2 into a detailed programme for consideration through the Capital Project Appraisal process.

12. Gateway Housing – The Grind, Eday

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 Service Manager (Housing, Homelessness and Schoolcare Accommodation), the Committee:

Noted:

12.1. That, on 8 September 2021, when considering future arrangements for use of The Grind, Eday, following changes in private sector housing legislation, the Education, Leisure and Housing Committee recommended that the Executive Director of Education, Leisure and Housing should consult Eday Community Council regarding the two options in respect of future arrangements for use of The Grind, Eday, namely Mid-Market Rent or Social Rented Housing.

12.2. That, following consultation, Eday Community Council confirmed support for The Grind, Eday, being let as a mid-market rental property.

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

12.3. That the Eday Partnership should develop a mid-market rent policy, in consultation with the Executive Director of Education, Leisure and Housing, to enable The Grind, Eday, to be let as a mid-market rental property.

12.4. That powers be delegated to the Executive Director of Education, Leisure and Housing, in consultation with the Solicitor to the Council, to amend the management agreement in respect of The Grind, Eday, to reflect the amended letting arrangement, referred to at paragraph 12.3 above.

13. Exclusion of Public

On the motion of Councillor Gwenda M Shearer, seconded by Councillor Alexander G Cowie, the Committee resolved that the public be excluded for the remainder of the meeting, as the business to be considered involved the 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.

14. College Management Council Sub-committee

Under section 50A(4) of the Local Government (Scotland) Act 1973, the public had been excluded from the meeting for this item on the grounds that it involved the disclosure of exempt information as defined in paragraphs 1, 6 and 11 of Part 1 of Schedule 7A of the Act.

After consideration of the draft Minute of the Meeting of the College Management Council Sub-committee held on 7 February 2022, copies of which had been circulated, the Committee:

Resolved:

14.1. On the motion of Councillor Gwenda M Shearer, seconded by Councillor J Harvey Johnston, to approve the Minute of the Meeting of the College Management Council Sub-committee held on 7 February 2022 as a true record.

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

14.2. That the recommendations at paragraphs 4 and 6 of the Minute of the Meeting of the College Management Council Sub-committee held on 7 February 2022, attached as Appendix 3 to this Minute, be approved.

Reverend Fraser Macnaughton left the meeting at this point.

15. Orkney College Business Planning Review

Councillor Steven B Heddle declared a non-financial interest in this item, in that he was a visiting professor for the University of the Highlands and Islands, and left the meeting at this point.

Councillor Rachael A King, who had been invited for this item, declared a non-financial interest, in that a close family member was employed by Orkney College, and left the meeting at this point.

Under section 50A(4) of the Local Government (Scotland) Act 1973, the public had been excluded from the meeting for this item on the grounds that it involved the disclosure of exempt information as defined in paragraphs 1, 6 and 11 of Part 1 of Schedule 7A of the Act.

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

Noted:

15.1. That, on 20 January 2020, the College Management Council Sub-committee noted the proposal to undertake a strategic review of Orkney College.

15.2. That, also of significance to the business planning of Orkney College, was the UHI Branding and Positioning Project.

15.3. That, on 7 December 2021, the Council resolved that the recommendations of the Education, Leisure and Housing Committee relating to the UHI Branding and Positioning Project should be referred back to that Committee.

15.4. The proposal to establish a short life working group, that would conclude by the end of 2022, with a remit to inform a draft detailed business review and business plan for Orkney College.

15.5. That, on 7 February 2022, the College Management Council Sub-committee considered the proposed membership of the short life working group and suggested that membership be expanded to include further representation, including stakeholder input, as appropriate.

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

15.6. That a short life working group, to conclude by the end of 2022, with a remit to inform a draft detailed business review and business plan for Orkney College, be established.

15.7. That core membership of the short life working group should comprise the following:

- Chair, Education, Leisure and Housing Committee.
- Vice Chair, Education, Leisure and Housing Committee.
- Chair, College Management Council Sub-committee.
- Vice Chair, College Management Council Sub-committee.
- Executive Director of Education, Leisure and Housing/Head of Education.
- Service Manager (Secondary and Tertiary Education).
- Senior Human Resources Advisor.
- Representatives from Finance, Legal and Committee Services.
- Senior Management Team of Orkney College.
- 2 Community/Business Representatives, College Management Council Sub-committee.
- 1 HISA Representative, College Management Council Sub-committee.
- 1 Staff Representative, College Management Council Sub-committee.

15.8. That stakeholders, as detailed in Appendix 4 to this Minute, should be invited to participate in the work of the short life working group, as and when required.

15.9. That the Executive Director of Education, Leisure and Housing should submit a report, to the Education, Leisure and Housing Committee in early 2023, advising of the outcome of the detailed business review for Orkney College and presenting a business plan.

The above constitutes the summary of the Minute in terms of the Local Government (Scotland) Act 1973 section 50C(2) as amended by the Local Government (Access to Information) Act 1985.

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16. Conclusion of Meeting

At 15:22 the Chair declared the meeting concluded.

Signed: Gwenda M Shearer.