

## Minute

### Education, Leisure and Housing Committee

Wednesday, 8 September 2021, 10:30.

Microsoft Teams.



### Present

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

Councillor Heather N Woodbridge (who had been invited for Items 2 and 3 and 8 to 12).

### Clerk

- Hazel Flett, Senior Committees Officer.

### In Attendance

- James Wylie, Executive Director of Education, Leisure and Housing.
- Hayley Green, Interim Executive Director of Environmental, Property and IT Services (for Items 1 to 3).
- Peter Diamond, Head of Education (for Items 1 to 4).
- Frances Troup, Head of Community Learning, Leisure and Housing.
- Paul Kemp, Strategic Finance Manager.
- Lesley Mulraine, Service Manager (Housing, Homelessness and Schoolcare Accommodation).
- Kerry Spence, Service Manager (Community Learning, Development and Employability) (for Items 1 to 7).
- Peter Trodden, Solicitor.
- Sandra Craigie, Committees Officer.

### Observing

- Joanne Wallace, Acting Principal, Orkney College.
- Graham Little, Head of Finance, Orkney College (for Items 2 and 3).
- Ian Rushbrook, Capital Programme Manager (for Items 2 to 4).
- Lorraine Stout, Press Officer.

## **Apologies**

- Councillor Barbara Foulkes.
- Jo Hill, Teacher Representative
- Mary Maley, Teacher Representative.

## **Declarations of Interest**

- No declarations of interest were intimated.

## **Chair**

- Councillor Gwenda M Shearer.

## **1. Church Representative**

The Chair thanked Hugh Halcro-Johnston, who had recently stepped down from the position of Church Representative, for his many years of service and confirmed that a report regarding the Church of Scotland nomination for religious representative on the Education, Leisure and Housing Committee would be submitted to the General Meeting of the Council to be held on 5 October 2021.

## **2. Revenue Expenditure Outturn**

After consideration of a joint report by the Executive Director of Education, Leisure and Housing, the Interim Executive Director of Environmental, Property and IT 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 2020/21, attached as Annex 1 to the joint report by the Executive Director of Education, Leisure and Housing, the Interim Executive Director of Environmental, Property and IT Services and the Head of Finance, which indicated the following:

- A net General Fund underspend of £903,100.
- A net Non-General Fund underspend of £170,000.

The Committee scrutinised:

**2.2.** 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 Interim Executive Director of Environmental, Property and IT Services and the Head of Finance, and obtained assurance that appropriate action had been taken with regard to significant budget variances.

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

After consideration of a joint report by the Executive Director of Education, Leisure and Housing, the Interim Executive Director of Environmental, Property and IT 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 2021, attached as Annex 1 to the joint report by the Executive Director of Education, Leisure and Housing, the Interim Executive Director of Environmental, Property and IT Services and the Head of Finance, which indicated the following:

- A net General Fund underspend of £79,200.
- A net Non-General Fund underspend of £714,500.

**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 2021, attached as Annex 2 to the joint report by the Executive Director of Education, Leisure and Housing, the Interim Executive Director of Environmental, Property and IT Services and the Head of Finance.

The Committee scrutinised:

**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 Interim Executive Director of Environmental, Property and IT Services and the Head of Finance, and obtained assurance that action was being taken with regard to significant budget variances.

### **4. School Counselling Service**

After consideration of 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, the Committee:

Noted:

**4.1.** That, in March 2020, the Scottish Government published guidance for education authorities on counselling in schools.

**4.2.** That, supported by specific funding, the aim of the Scottish Government was to establish a universal service for all children and young people aged 10 and over.

**4.3.** That Scottish Government funding, amounting to £166,000, had been allocated towards in-school counselling in Orkney for 2021/22.

**4.4.** That a part-time in-school counselling service had been available within Orkney's senior secondary schools for some time, which was originally established in line with Good Practice Guidance for Counselling in Schools published by the British Association for Counselling and Psychotherapy.

**4.5.** Options for securing future delivery of an in-school counselling service, as detailed in section 5 of the report by the Executive Director of Education, Leisure and Housing, with the preferred option being to provide an in-house service, comprising full-time permanent posts of school counsellor, together with part-time support staff.

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

**4.6.** That an in-school counselling service be established as part of the Education Service's pupil support team.

**4.7.** That the following permanent posts be established in order to provide the in-school counselling service:

- 3 full time equivalent (FTE) posts of In-school Counsellor, G8.
- 1.2 FTE posts of Support for Learning staff, G3.

## **5. Housing Revenue Account**

### **Revenue Repairs and Maintenance Programme – Expenditure Outturn**

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:

**5.1.** The summary position of expenditure incurred against the approved revenue repairs and maintenance programme in respect of the Housing Revenue Account for financial year 2020/21, as detailed in section 4.2 of the joint report by the Executive Director of Education, Leisure and Housing and the Head of Finance, which indicated an underspend of £126,100 as at 31 March 2021, against an approved budget totalling £1,383,100.

The Committee scrutinised:

**5.2.** 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 with regard to delivery of the approved revenue repairs and maintenance programme in respect of the Housing Revenue Account.

## **6. 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:

**6.1.** The summary position of expenditure incurred, as at 30 June 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:

**6.2.** 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.

## **7. Community Learning and Development Partners 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 Service Manager (Community Learning, Development and Employability), the Committee:

Noted:

**7.1.** 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 outlining how Community Learning and Development would be delivered in the local authority area.

**7.2.** That, on 12 September 2018, the Council adopted the Community Learning and Development Plan for Orkney 2018 to 2021, in so far as it related to the Council.

**7.3.** The Review of 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 summarised progress with, and evaluation of, the three-year plan.

**7.4.** The Orkney Community Learning and Development Partners Plan 2021 to 2024, attached as Appendix 2 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**:

**7.5.** That the Orkney Community Learning and Development Partners Plan 2021 to 2024, attached as Appendix 1 to this Minute, be approved, in so far as it related to the remit of Council.

## **8. Housing Service – Annual Assurance Statement**

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:

**8.1.** The requirement to submit an Annual Assurance Statement, in relation to the performance of housing services, to the Scottish Housing Regulator by 31 October.

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

**8.2.** That the Annual Assurance Statement, together with supporting Annexes, in relation to the performance of housing services, attached as Appendix 2 to this Minute, be approved for submission to the Scottish Housing Regulator.

## **9. Profile of Homelessness**

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:

**9.1.** The importance of producing a Profile of Homelessness to underpin the Homelessness Strategy.

**9.2.** The revised Profile of Homelessness for 2021 to 2026, attached as Appendix 1 to the report by the Executive Director of Education, Leisure and Housing, which took account of a range of factors affecting homelessness and provided a robust assessment of key issues relating to homelessness in the Orkney area.

**9.3.** That the Profile of Homelessness for 2021 to 2026 had assisted in producing a revised Homelessness Strategy.

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

**9.4.** That the Profile of Homelessness 2021 to 2026, referred to at paragraph 9.2 above, be approved for consultation.

**9.5.** That the Executive Director of Education, Leisure and Housing should submit a report, to the meeting of the Committee to be held in March 2022, regarding the outcome of the consultation exercise, referred to at paragraph 9.4 above, together with a revised Profile of Homelessness for adoption.

## **10. Homelessness Strategy**

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 Community Learning, Leisure and Housing, the Committee:

Noted:

**10.1.** That the Council had a statutory duty to produce a Homelessness Strategy.

**10.2.** That the national policy area surrounding homelessness had been subject to significant change in recent years.

**10.3.** The draft Homelessness Strategy for the period 2021 to 2026, attached as Appendix 1 to the report by the Executive Director of Education, Leisure and Housing, which was underpinned by a detailed Profile of Homelessness.

**10.4.** That the Local Housing Strategy and the Rapid Rehousing Transition Plan also included local information in respect of homelessness.

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

**10.5.** That the draft Homelessness Strategy, referred to at paragraph 10.3 above, be approved for consultation.

**10.6.** That the Executive Director of Education, Leisure and Housing should submit a report, to the meeting of the Committee to be held in March 2022, regarding the outcome of the consultation exercise, referred to at paragraph 10.5 above, together with a revised Homelessness Strategy for adoption.

## **11. Housing Loans**

After consideration of a joint report by the Interim Executive Director of Finance, Regulatory, Marine and Transportation Services and 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 Community Learning, Leisure and Housing, the Committee:

Noted:

**11.1.** That, on 6 June 2018, the Education, Leisure and Housing Committee recommended that, with effect from July 2018, the ceiling for any single housing loan be set at a maximum of £130,000, and thereafter increased annually in line with the Retail Prices Index, or £30,000 in the case of an interest-only loan.

**11.2.** That since 1 July 2018, 17 loans, amounting to £1,470,740, had been approved, with one application unable to meet the criteria and one application pending.

**11.3.** That the Registers of Scotland report, which reported average house prices by local authority area, indicated that average house prices in Orkney had increased from £147,125 in 2017/18 to £170,498 in 2020/21.

**11.4.** That a review of the parameters of the Housing Loan Scheme had been undertaken, as detailed in section 4 of the joint report by the Interim Executive Director of Finance, Regulatory, Marine and Transportation Services and the Executive Director of Education, Leisure and Housing, the outcome of which proposed the following:

- The maximum loan amount be increased.
- The income earnings multiplier be amended.
- The overall available funding in any financial year be increased.

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

**11.5.** That the Housing Loan Scheme should be amended as follows, to take effect from 1 November 2021:

- The ceiling for any single loan being set at a maximum of £160,000 and thereafter increased annually in line with the Retail Prices Index.
- The Council lending up to 90% of the valuation of the property or three times earned income, whichever was the lesser, up to a maximum of £160,000 for any single loan or £30,000 in the case of an interest only loan.
- The funding available in any financial year to be increased to £585,000 and underwritten by the General Fund capital programme.

## **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, in 2009, the Council developed a house in Eday, now known as The Grind, which was intended for use as gateway housing.

**12.2.** That the Council entered into a management agreement with the Eday Partnership in respect of The Grind, including a lease arrangement at a peppercorn rent of £1 per annum for a period of 25 years.

**12.3.** That the management agreement allowed for The Grind, Eday, to be let by the Eday Partnership to households trialling life in Eday on the basis of a short assured tenancy.

**12.4.** That, following introduction of the Private Residential Tenancies (Scotland) Act 2016, a short assured tenancy could no longer be created.

**12.5.** The options appraisal in respect of future arrangements for use of The Grind, Eday, as detailed in section 5 of the report by the Executive Director of Education, Leisure and Housing, with the preferred option being Option 1, namely that the Eday Partnership develop a mid-market rent policy, in consultation with the Council, and thereafter let the property as mid-market rent accordingly.

Councillor W Leslie Manson, seconded by Councillor J Harvey Johnston, moved that (1) 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 and (2) 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 of a mid-market retail property.



Councillor Stephen G Clackson, seconded by Councillor John T Richards, moved an amendment that (1) 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 and (2) the Executive Director of Education, Leisure and Housing should submit a report, to the Committee, on the outcome of the consultation with Eday Community Council.

The result of a recorded vote was as follows:

For the Amendment:

Councillors Stephen G Clackson, Steven B Heddle, John T Richards, John A R Scott, James W Stockan, Magnus O Thomson and Owen Tierney (7).

For the Motion:

Councillors Alexander G Cowie, J Harvey Johnston, W Leslie Manson and Gwenda M Shearer (4).

The Amendment was therefore carried, and the Committee:

Resolved to **recommend to the Council:**

**12.6.** 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.

**12.7.** That the Executive Director of Education, Leisure and Housing should submit a report, to the next available meeting of the Education, Leisure and Housing Committee, on the outcome of the consultation with Eday Community Council, referred to at paragraph 12.6 above.

### **13. Conclusion of Meeting**

At 13:12 the Chair declared meeting the concluded.

Signed: Gwenda M Shearer.