

Minute

Education, Leisure and Housing Committee

Wednesday, 11 November 2020, 10:30.

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.

Jo Hill and Mary Maley.

Clerk

- Sandra Craigie, Committees Officer.

In Attendance

- James Wylie, Executive Director of Education, Leisure and Housing.
- Peter Diamond, Head of Education (Leisure, Culture and Inclusion) (for Items 1 to 7).
- Frances Troup, Head of Housing, Homelessness and Schoolcare Accommodation Services.
- Edward Abbott-Halpin, Principal, Orkney College.
- Andrew Groundwater, Head of HR and Performance.
- Steven Burnett, Education Resources Manager.
- Paul Kemp, Strategic Finance Manager.
- Lesley Mulraine, Service Manager (Housing and Homelessness).
- Kerry Spence, Community Learning and Development Manager (for Items 1 to 5).
- Peter Trodden, Solicitor.
- Luke Fraser, Team Leader (Policy and Planning).

Observing

- Hayley Green, Head of IT and Facilities (for Items 1 and 2).
- Keith Foubister, Works and Inspection Manager (for Items 2 and 3).
- Hazel Flett, Senior Committees Officer.
- Ellis Inkster, Press Officer.
- Beverly Clubley, Chair, College Management Council Sub-committee.

Apology

- Hugh Halcro-Johnston.

Declarations of Interest

- No declarations of interest were intimated.

Chair

- Councillor Gwenda M Shearer.

1. Disclosure of Confidential Information

The Committee noted that Appendix 2 of Item 12 contained confidential information of the class described in Section 50A(3)(b) of the Local Government (Scotland) Act 1973 as amended.

2. Revenue Expenditure Monitoring

After consideration of a joint report by the Executive Director of Education, Leisure and Housing, the Executive Director of Development and Infrastructure 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 financial summary statement, in respect of service areas for which the Education, Leisure and Housing Committee was responsible, for the period 1 April to 30 September 2020, attached as Annex 1 to the joint report by the Executive Director of Education, Leisure and Housing, the Executive Director of Development and Infrastructure and the Head of Finance, indicating the following:

- A net General Fund overspend of £156,500.
- A net Non-General Fund overspend of £103,700.

2.2. The revenue financial detail by service area statement, in respect of service areas for which the Education, Leisure and Housing Committee was responsible, for the period 1 April to 30 September 2020, attached as Annex 2 to the joint report by the Executive Director of Education, Leisure and Housing, the Executive Director of Development and Infrastructure and 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 joint report by the Executive Director of Education, Leisure and Housing, the Executive Director of Development and Infrastructure and the Head of Finance, and obtained assurance that action was being taken with regard to significant budget variances.

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 Housing, Homelessness and Schoolcare Accommodation Services, the Committee:

Noted:

3.1. The summary position of expenditure incurred, as at 30 September 2020, 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 that progress was being made with delivery of the approved revenue repairs and maintenance programme in respect of the Housing Revenue Account.

4. Performance Monitoring

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

Scrutinised the performance of the Education, Leisure and Housing service for the reporting period 1 April to 30 September 2020, as set out in sections 4 to 6 and Annexes 1 and 2 of the report by the Executive Director of Education, Leisure and Housing, and obtained assurance.

5. Orkney Community Learning and Development

Partners Plan 2018 to 2021 – Update

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 Community Learning and Development Manager, the Committee:

Noted:

5.1. That, in October 2018, when adopting the Community Learning and Development Plan for Orkney 2018 to 2021, the Council agreed that an annual review and updated Orkney Community Learning and Development Plan be submitted to the Education, Leisure and Housing Committee, to ensure it remained relevant and appropriate to emerging needs.

5.2. Progress made since September 2019 in respect of the Community Learning and Development Partners Plan 2018 to 2021, as detailed in section 5 of Appendix 1 to the report by the Executive Director of Education, Leisure and Housing.

5.3. The revised 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 updated by partners of the Orkney Strategic Community Learning Group and the Orkney Learning Guidance Forum.

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

5.4. That the revised Orkney Community Learning and Development Partners Plan 2018 to 2021, attached as Appendix 1 to this Minute, be approved in so far as it related to the remit of the Council.

6. National Improvement Framework

Orkney Islands Council Education Standards and Quality Report and Improvement Plan – Progress Update

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 latest update by the Scottish Government on progress in relation to the National Improvement Framework was published in December 2019.

6.2. That progress with respect to the outcomes set out within The National Improvement Framework: Orkney Islands Council: Education Service Standards and Quality Report and Improvement Plan October 2019 (the Orkney Improvement Plan), recommended for approval by the Education, Leisure and Housing Committee on 13 November 2019, had been interrupted by the COVID-19 lockdown which resulted in the closure of schools from March to August 2020.

6.3. That the Orkney Improvement Plan was suspended and replaced by an agenda to support learning at home as well as working towards the reopening of schools in August 2020.

6.4. That the interim improvement agenda was based on supporting the return to school with a focus on the wellbeing of children, young people and staff.

6.5. The interim procedures and planning for reopening schools as highlighted in sections 4 and 5 of the report by the Executive Director of Education, Leisure and Housing.

6.6. The COVID-19 School Return Local Delivery Plan, attached as Appendix 2 to the report by the Executive Director of Education, Leisure and Housing, which required to be submitted to the Scottish Government in June 2020.

The Committee scrutinised:

6.7. Progress made in respect of the National Improvement Framework, attached as Appendix 2 to the report by the Executive Director of Education, Leisure and Housing, and obtained assurance.

7. College Management Council Sub-committee

After consideration of the draft Minute of the Meeting of the College Management Council Sub-committee held on 2 November 2020, copies of which had been circulated, the Committee:

Resolved, 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 2 November 2020, attached as Appendix 2 to this Minute, as a true record.

Mary Maley left the meeting at this point.

8. House Build Programme

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:

8.1. That, although the Council's house build programme had delivered 230 properties since 2011, the programme had slowed over the last five years due to financial constraints on the Housing Revenue Account.

8.2. That, to date, the level of Scottish Government grant funding awarded, varying from £59,000 to £74,800 for each unit of housing, had created challenges in respect of delivering further Council housing developments.

8.3. That, due to the level of borrowing required and match-funding requirements for Council and Orkney Housing Association Limited projects, it had not been possible to utilise all of the available funding from the Scottish Government for affordable housing development over the last few years.

8.4. That, in order to maximise use of available funding, five projects utilising Council owned land were being developed through the Capital Project Appraisal process, as follows:

- Infrastructure for up to 112 social rented houses at Soulisquoy, Kirkwall.
- 50 properties comprising a mix of one, two and three-bedroom properties over two phases at Soulisquoy, Kirkwall.
- 14 two and three-bedroom houses at Carness, Kirkwall.
- A design and build contract for six one-bedroom properties on land owned by the winning contractor in Kirkwall.
- A design and build contract for 20 one, two and three-bedroom properties on land owned by the winning contractor in Kirkwall.

8.5. That the projects outlined at paragraph 8.4 above would only be developed should the funding available through Scottish Government grant and Housing Revenue Account finance prove sufficient to allow the projects to proceed.

8.6. The Stage 1 Capital Project Appraisals, attached as Appendices 1 to 5 of the report by the Executive Director of Education, Leisure and Housing, in respect of the projects outlined at paragraph 8.4 above.

8.7. That, in order to maximise available Scottish Government grant funding, officers would progress a programme of 'off the shelf' property purchases utilising existing delegated authority.

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

8.8. That, as an exception to the Capital Project Appraisal process, in order to maximise time limited Scottish Government grant funding, the Executive Director of Education, Leisure and Housing should submit, to the Policy and Resources Committee, Stage 2 Capital Project Appraisals in respect of the undernoted projects:

- Infrastructure for up to 112 social rented houses Soulisquoy, Kirkwall.
- 50 properties comprising a mix of one, two and three-bedroom properties over two phases at Soulisquoy, Kirkwall.
- 14 two and three-bedroom houses at Carness, Kirkwall.
- A design and build contract for six one-bedroom properties on land owned by the winning contractor in Kirkwall.
- A design and build contract for 20 one, two and three-bedroom properties on land owned by the winning contractor in Kirkwall.

9. 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:

9.1. That the Strategic Housing Investment Plan for the period 2021 to 2026, attached as Appendix 1 to the report by the Executive Director of Education, Leisure and Housing, which had been produced in partnership with relevant local and national stakeholders, proposed the following:

- 337 social rented and low-cost home ownership properties to be approved and developed by the Council and Orkney Housing Association Limited, with 301 completed over the five-year lifetime of the Plan.

9.2. That, alongside the Council and Orkney Housing Association Limited's programme that made up the Strategic Housing Investment Plan 2021-2026, it was anticipated that up to 204 affordable rented and low-cost home ownership properties would be delivered by the private sector and partners, including islands development trusts, through the Rural and Islands Housing Fund.

9.3. That the Council projects outlined in the draft Strategic Housing Investment Plan 2021-2026 would only be developed should the funding available through Scottish Government grant and Housing Revenue Account finance be sufficient to allow the projects to proceed.

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

9.4. That the Strategic Housing Investment Plan for the period 2021 to 2026, attached as Appendix 3 to this Minute, be approved for submission to the Scottish Government.

10. Policy on Individual Property Purchases for Use as Social Housing

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:

10.1. That the Local Housing Strategy 2017-2022 and the Strategic Housing Investment Plan 2021-2026 highlighted the importance of increasing the supply of affordable housing locally.

10.2. That the Asset Management Strategy relating to the Housing Revenue Account considered the stock that the Council held, by size and type, relative to the demand and other requirements that the Council had in delivering its statutory housing provision.

10.3. That, while primarily the Council, in partnership with Orkney Housing Association Limited, would be involved in development of new build social rented housing, there might also be a need to acquire a low number of suitable properties through purchase on the open market to assist the Council in delivering its statutory housing requirements.

10.4. The draft Policy on Individual Property Purchases for Use as Social Housing, attached as Appendix 1 to the report by the Executive Director of Education, Leisure and Housing, which had been developed to support the proposed acquisition of properties referred to at paragraph 10.3 above.

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

10.5. That the Policy on Individual Property Purchases for Use as Social Housing, attached as Appendix 4 to this Minute, be approved.

11. Intentionality Criteria within Homelessness Legislation

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 and Homelessness), the Committee:

Noted:

11.1. That, following commencement of Section 4 of the Homelessness etc (Scotland) Act 2003, from 7 November 2019, a local authority's duty to investigate intentionality changed to a discretionary power.

11.2. That, locally, a relatively low number of households were found to be intentionally homeless, averaging four per annum over the last three years.

11.3. The requirement to determine a policy position surrounding the intentionality criteria within the homelessness legislation, to inform future homelessness assessment decisions.

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

11.4. That investigation into the intentionality criteria should continue within the homelessness decision making process in order to prevent “deliberate manipulation” of the homelessness system.

12. Local Housing 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 Housing, Homelessness and Schoolcare Accommodation Services, the Committee:

Noted:

12.1. That, in December 2019, the Council agreed that consultation be undertaken on the draft Local Housing Strategy 2017 to 2022.

12.2. That public consultation had been undertaken in respect of the draft Local Housing Strategy 2017 to 2022.

12.3. The results of the consultation, summarised in section 4 and outlined in full in Appendix 1 to the report by the Executive Director of Education, Leisure and Housing.

12.4. That the draft Local Housing Strategy had been updated to reflect the outcome of the consultation.

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

12.5. That the Local Housing Strategy 2017 to 2022, attached as Appendix 5 to this Minute, be approved.

13. Conclusion of Meeting

At 12:20 the Chair declared the meeting concluded.

Signed: G M Shearer.