

## HOUSING AND ENVIRONMENT COMMITTEE

ABERDEEN, 14 January 2014. Minute of meeting of the HOUSING AND ENVIRONMENT COMMITTEE. Present: Councillor Cooney, Convener; Councillor Jean Morrison MBE, Vice Convener; and Councillors Delaney, Dickson, Jackie Dunbar, Lesley Dunbar, Finlayson, Forsyth (as substitute for Councillor Nathan Morrison until article 3 of this minute) McCaig, Milne, Nathan Morrison (from article 3 of this minute), Samarai, Jennifer Stewart, Townson (as substitute for Councillor Noble), Thomson and Young (as substitute for Councillor Lawrence).

### DETERMINATION OF EXEMPT BUSINESS

1. The Convener proposed that the Committee consider the reports identified on the agenda as being for determination in private, with the press and public excluded.

#### **The Committee resolved:-**

that in terms of Section 50 (A)(4) of the Local Government (Scotland) Act 1973, to exclude the press and public from the meeting for items 9.1 (Request for Approval of Expenditure for Numerous Key Supplies, Services and Works for Regeneration and Housing Investment Programme (Building Services) (article 20 refers), 9.2 (Standing Orders Exemption – Digital Radio System, Waste and Recycling Services) (article 21 refers), item 9.3 (Environment Service – Social Enterprise Partnership Working 2014) (article 22 refers) and item 9.4 (Installation of Combined Heat and Power and Proposals for Major Repairs to Multi Storeys in the Cornhill Area) (article 23 refers) on the agenda so as to avoid disclosure of information of the class described in the following paragraphs of Schedule 7 A to the Act:- articles 20 and 22 (paragraph 8), article 23 (paragraph 6) and article 24 (paragraphs 6 and 8).

### MINUTE OF PREVIOUS MEETING OF 29 OCTOBER 2013

2. The Committee had before it the minute of its previous meeting of 29 October 2013.

#### **The Committee resolved:-**

to approve the minute as a correct record.

### COMMITTEE BUSINESS STATEMENT

3. The Committee had before it a statement of business prepared by the Head of Legal and Democratic Services.

#### **The Committee resolved:-**

- (i) to remove item 8 (Haudagain Upgrade – A Way Forward- Middlefield);
- (ii) subject to the decisions taken on the following items on the agenda, to remove items 6 (Proposed Improvements in Service and Changes in the Charging Regime for Fish Health Export Certificates issued by the Environmental Health

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- Service) (article 18 refers), 11 (HMO and Landlord Registration (within Performance Report) (article 16 refers), 16 (Rent Management (within Performance Report) (article 12 refers) and 17 (Void Management (within Performance Report) (article 14 refers); and
- (iii) to otherwise note the business statement.

### **ANNUAL REPORTS TO COMMITTEE**

4. The Committee had before it a list of annual reports prepared by the Head of Legal and Democratic Services.

**The Committee resolved:-**

to note the list of annual reports.

### **MOTIONS LIST**

5. The Committee had before it a list of motions prepared by the Head of Legal and Democratic Services.

**The Committee resolved:-**

- (i) to remove item 1 (Motion by Councillors MacGregor and Samarai – Working Proposals for a Community Garden in Bucksburn) and item 2 (Urgent Motion by Councillor Finlayson – Recycling Collection Facility for Community Centres and all other Council Premises not currently in receipt of the service) ; and
- (ii) in relation to item 2 (Urgent Motion by Councillor Finlayson – Recycling Collection Facility for Community Centres and all other Council Premises not currently in receipt of the service), officers were requested to report to the appropriate Committee on how the Service was operating.

### **REVIEW OF PARKING CHARGES - REMIT FROM ENTERPRISE, STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE**

6. The Committee had before it by way of referral, the minute extract and a report by the Director of Enterprise, Planning and Infrastructure which had been considered by the Enterprise, Strategic Planning and Infrastructure Committee at its meeting of 12 November 2013.

The report responded to the Enterprise, Strategic Planning and Infrastructure Committee's request for (1) a reappraisal of the parking charges in the city taking into consideration our Smarter City objectives; (2) a review of parking charges and entitlement set by other council services; and (3) a report on the possibility of establishing a city wide emissions-based permit system on the proviso that such a proposal would be revenue neutral.

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The Enterprise, Strategic Planning and Infrastructure Committee agreed (i) to refer the report to the Housing and Environment Committee with a recommendation that proposed charges for private off street parking spaces operated by this Council is adopted to support the aims of the Regional Transport Strategy and objectives for a Smarter City.

The Housing and Environment Committee discussed the issue of car parking and agreed that there should be one body responsible for all parking across the City.

### **The Committee resolved:-**

to recommend to the Enterprise, Planning and Infrastructure Service that they manage all parking across the City and if agreed, to request that a report be submitted to this Committee in twelve months providing an update on how the service was operating.

## **INTERNAL WASTE IMPLEMENTATION PLAN - REMIT FROM ENTERPRISE, STRATEGIC PLANNING AND INFRASTRUCTURE COMMITTEE**

7. Reference was made to article 21 of the minute of meeting of the Enterprise, Strategic Planning and Infrastructure Committee of 12 November 2013 at which time members approved the Internal Waste Minimisation Plan and referred this Plan to all Service Committees for endorsement. The Committee had before it, the report as presented to the Enterprise, Strategic Planning and Infrastructure Committee and the Internal Waste Minimisation Plan, as appended to the report.

### **The Committee resolved:-**

to endorse the Internal Waste Minimisation Plan.

## **HOUSING AND ENVIRONMENT BUSINESS PLAN PERFORMANCE AND ACTIONS**

8. The Committee had before it a report by the Director of Housing and Environment which presented the key performance measures and progress of key improvement work within the Housing and Environment Directorate.

In relation to the content of the performance information, Councillor Finlayson requested that a glossary of acronyms be provided for future reports and to ensure that a ? be added for the appropriate traffic icons in the report.

In relation to Rent Arrears, Councillor Delaney asked if the Service had identified those tenants with technical arrears against actual arrears, whereupon the Head of Service advised that this was currently on going.

In relation to Homelessness Temporary Accommodation, Councillor Delaney asked how the Service were managing under occupancy charges for people placed in larger

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properties than their needs, whereupon the Head of Service advised that the service were currently undertaking a review of all properties currently used for homeless accommodation to identify properties that could be released as general housing stock and that there was a shortage of one bedroom properties within the City.

### **The Committee resolved:-**

- (i) to note the request from Councillor Finlayson to have a glossary of acronyms for future reports and to ensure that a ? was included in the appropriate traffic light icons in the report;
- (ii) in relation to a question from Councillor Delaney relating to Technical Rent Arrears, the Committee noted that the Service were currently identifying those in this category and looking at how to record these separately;
- (iii) in relation to a question from Councillor Delaney relating to the Housing Options Service, the Committee noted that the Service would be operational from the start of the financial year;
- (iv) in relation to a question from Councillor Delaney relating to Under Occupancy Charges and how the Service were managing this for people placed in larger properties than their needs, the Committee noted that the service were currently undertaking a review of all properties currently used for homeless accommodation to identify properties that could be released as general housing stock and that there was a shortage of one bedroom properties within the City; and
- (v) to otherwise note the content of the report.

### **2013-14 HOUSING CAPITAL PROGRAMME**

9. With reference to article 7 of the minute of its meeting of 29 October 2013, the Committee had before it a joint report by the Director of Housing and Environment and the Head of Finance which provided a status report for the 2013/14 Housing Capital Programme as at 31 October 2013 and summarised both income and expenditure in this regard.

### **The report recommended:**

that the Committee -

- (a) note the financial information contained within the report;
- (b) instruct the Head of Finance to continue to update the Committee in consultation with the Director for Housing and Environment on the actual outturn position for 2013/14 following completion of the year end statutory accounts; and
- (c) approve the virements outlined in appendix 2.

### **The Committee resolved:-**

to approve the recommendations contained in the report.

### **2013-14 REVENUE BUDGET MONITORING**

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10. With reference to article 8 of the minute of its meeting of 29 October 2013, the Committee had before it a joint report by the Director of Housing and Environment and the Head of Finance which advised on the current year revenue budget performance to date for the services which relate to this Committee and any areas of risk and management action.

**The report recommended:**

that the Committee –

- (a) note the content of the report and the information on management action and risks contained therein; and
- (b) instruct that officers report the year end position to the appropriate Committee.

**The Committee resolved:-**

to approve the recommendations as contained in the report.

### CAPITAL MONITORING - HOUSING AND ENVIRONMENT PROJECTS

11. With reference to article 9 of the minute of its meeting of 29 October 2013, the Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which advised on the capital spend to date for the Housing and Environment projects included in the Non-Housing Capital Programme.

**The report recommended:**

that the Committee note the current position.

**The Committee resolved:-**

to approve the recommendation contained in the report.

### RENT ARREARS - BACKGROUND INFORMATION AND CURRENT ACTIONS

12. With reference to article 6 of the minute of its meeting on 29 October 2013, the Committee had before it a report by the Director of Housing and Environment which provided (1) an update on the current level of rent arrears and actions being taken to overcome difficulties with rent management; (2) background information on the legislative changes that would impact on the management of rent arrears which included welfare reform; and (3) details of the work being undertaken by officers to minimise the level of overall debt to ensure tenants continued to sustain their tenancy.

The Convener sought agreement from the Committee that a Special Edition of the tenant's newsletter, Newsbite, be issued in March to outline Rent Arrears and the importance for early engagement with staff.

Councillor Delaney sought additional information relating to the net value of current tenants arrears versus former tenant arrears whereupon the Head of Service advised that this information would be provided.

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Councillor Jackie Dunbar sought information on the success of the letters issued prior to the Christmas Break regarding small payments whereupon the Head of Service advised that the information would be provided.

Councillor Young requested that officers explain how the service were going to implement targets for the management of rent arrears in particular those tenants with 13 weeks or more of rent arrears.

### **The report recommended:**

that the Committee –

- (a) note the report;
- (b) note the changes in legislation that have taken place regarding legal action for recovery of properties;
- (c) note the changes and evolving picture around welfare reform;
- (d) agree to continue to support the principle of helping tenants to sustain their tenancies;
- (e) acknowledge the need however to ensure that tenants pay their due rent;
- (f) agree the action plan emerging to control rent arrears with a focus on earlier intervention and those tenants owing more than 13 weeks rent;
- (g) note that the Current SPI target for Rent Arrears is 10% of the net amount due
- (h) note the current and future actions being taken to address and minimise rent arrears;
- (i) continue to receive reports on rent management at each cycle as part of the performance report; and
- (j) receive a further report on progress with this issue in 6 months.

### **The Committee resolved:-**

- (i) to note the report;
- (ii) to note the changes in legislation that have taken place regarding legal action for recovery of properties;
- (iii) to note the changes and evolving picture around welfare reform;
- (iv) to agree to continue to support the principle of helping tenants to sustain their tenancies;
- (v) to acknowledge the need to ensure that tenants pay their due rent;
- (vi) to agree the action plan emerging to control rent arrears with a focus on earlier intervention and those tenants owing more than 13 weeks rent;
- (vii) to note that the current SPI target for rent arrears is 10% of the net amount due;
- (viii) to note the current and future actions being taken to address and minimise rent arrears;
- (ix) to continue to receive reports on rent management at each cycle as part of the performance report;
- (x) to receive a further report on progress with this issue in 6 months;
- (xi) to approve the issue of a Special Edition of Newsbite to tenants in March to outline Rent Arrears and the importance of early engagement;
- (xii) to request officers to implement an ongoing review of the arrears policy;

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- (xiii) to request officers to submit a report outlining how the service were going to implement targets for the management of rent arrears in particular those tenants with 13 weeks or more of rent arrears;
- (xiv) in response to a request from Councillor Delaney to receive the net value of current tenants arrears versus former tenant arrears, to note that the Head of Housing and Community Safety would provide a response directly to him;
- (xv) in response to a question from Councillor Jackie Dunbar relating to the success of the letters issued prior to the Christmas Break regarding small payments, to note that the Head of Housing and Community Safety would provide a response directly to her;
- (xvi) to request officers to include information in future reports relating to tenants who claim partial housing benefit and how they were managing to pay the remaining rent; and
- (xvii) to commend the officer for the comprehensive report.

### **Declaration of Interest**

**Councillor Delaney declared an interest in the subject matter of the following article by virtue of his position as Chairperson of Grampian Housing Association and chose to withdraw from the meeting during this item of business.**

### **AFFORDABLE HOUSING – GRANT ASSISTANCE**

**13.** The Committee had before it a report by the Director of Housing and Environment which sought agreement to provide grant assistance to Grampian Housing Association to help deliver a housing development at Froghall Terrace.

#### **The report recommended:**

that the Committee –

- (a) agree a grant of up to £121,360 to enable the provision of 20 social rent units; and
- (b) agree that the grant be paid from developer contributions received from Section 75 obligations.

#### **The Committee resolved:-**

To approve the recommendations contained in the report.

### **VOIDS – REVIEW OF PROCESSES**

**14.** With reference to article 6, resolution (ii) of the minute of its meeting on 29 October 2013, the Committee had before it a report by the Director of Housing and

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Environment which advised on the revised practices for the management of void properties.

**The report recommended:**

that the Committee note the content of the report and the changes to the void processes.

**The Committee resolved:-**

to approve the recommendation contained in the report.

### ETHNIC MINORITY HOUSING OUTREACH WORKER FUNDING 2014-17

15. With reference to article 33 of the minute of its meeting of 26 October 2010, the Committee had before it a report by the Director of Housing and Environment which provided an update on the project and advised that the Council had been invited to re-join the project. The report contained detailed appendices on the project, the role of the Ethnic Minority Outreach Worker including the budget required for the next three years.

**The report recommended:**

that the Committee agree a HRA contribution of £12,397 towards the funding of this project/post for 2014/15, £12,812 for 2015/16 and £13,117 for 2016/17.

The Convener moved, seconded by the Vice Convener:-

“to approve the recommendation as contained in the report”

Councillor Delaney moved as an amendment, seconded by Councillor Jennifer Stewart:-

“to request officers to provide a report to the next meeting of the Committee providing an outline of the costs and possibility of employing an Ethnic Minority Outreach Officer on a part time basis to work solely for Aberdeen City Council”

On a division there voted:- for the motion: (13) – the Convener, the Vice Convener and Councillors Dickson, Jackie Dunbar, Lesley Dunbar, Finlayson, McCaig, Milne, Nathan Morrison, Samarai, Thomson, Townson and Young. For the amendment: (2) - Councillors Delaney and Jennifer Stewart.

**The Committee resolved:-**

to adopt the successful motion.

### ENFORCEMENT OF LANDLORD REGISTRATION AND HMO LICENSING

16. With reference to article 6, resolution (ii), of the minute of its meeting of 27 August 2013, the Committee had before it a report by the Director of Housing and Environment which provided information relating to the number of unregistered landlords and unlicensed HMOs which had been referred to the Procurator Fiscal



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during the previous 12 months and provided an overview of enforcement of both activities.

**The report recommended:**

that the Committee note the content of the report.

**The Committee resolved:-**

to approve the recommendation contained in the report.

### COUNTRYSIDE RANGER SERVICE ANNUAL REPORT 2013

17. The Committee had before it an annual report by the Director of Housing and Environment which advised on the achievements of the Aberdeen City Council Countryside Ranger Service during 2013.

**The report recommended:**

that the Committee -

- (a) note and approve the report;
- (b) recognise the achievement of the Countryside Ranger Service;
- (c) instruct officers to continue the development of the service for 2014/15; and
- (d) request a Countryside Ranger Service Annual Report to the January 2015 Housing and Environment Committee.

**The Committee resolved:-**

to approve the recommendations contained in the report.

### PROPOSED IMPROVEMENTS IN SERVICE AND CHANGES IN THE CHARGING REGIME FOR FISH HEALTH EXPORT CERTIFICATES ISSUED BY THE ENVIRONMENT HEALTH SERVICE

18. With reference to article 20 of the minute of its meeting of 12 March 2013, the Committee had before it a report by the Director of Housing and Environment which presented the revised charges and extension to the availability of the fish export certificate service provided by the Environmental Health Service.

**The report recommended:**

that the Committee approve the improvements in service provision and the revised charging regime as detailed in appendix 1 following consultation with businesses utilising the service with effect from 1 April 2014 and that the charges be reviewed on an annual basis.

**The Committee resolved:-**

to approve the recommendation contained in the report.

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### **PROVISION OF PADDLE BOAT, CANOE & BIKE HIRE FOR DUTHIE PARK**

**19.** The Committee had before it a report by the Director of Housing and Environment which advised on the requirement for paddle boat hire to be available at Duthie Park and sought authority to tender for the provision of paddle boat, canoe and bike hire at Duthie Park for a period of up to five years.

**The report recommended:**

that the Committee approve the request to undertake a tender exercise for the provision of paddle boat, canoe and bike hire at Duthie Park in accordance with SO1(3) of the Council's Standing Orders relating to Contracts and Procurement (as approved 30 June, 2010).

The Convener and Councillor Jennifer Stewart raised concerns over the cost for a family to hire such equipment and requested that the period of hire be reduced and that no charge was implemented for under 5's.

**The Committee resolved:-**

- (i) in relation to a request from the Convener to introduce shorter hire periods and a request from Councillor Stewart to have no charge in place for under 5's, the Committee noted that the company with the franchise controlled the costs and hire periods with some influence from the Council but these two areas would be raised with the company; and
- (ii) to otherwise approve the recommendation contained in the report.

In accordance with the decision recorded under article 1 of this minute, the following items of business were considered with the press and public excluded.

### **REQUEST FOR APPROVAL OF EXPENDITURE FOR NUMEROUS KEY SUPPLIES, SERVICES AND WORKS FOR REGENERATION AND HOUSING INVESTMENT PROGRAMME (BUILDING SERVICES)**

**20.** The Committee had before it a report by the Director of Housing and Environment which advised that the service intended to go to tender for the provision of supplies, services and works for the Regeneration and Housing Investment Programme and sought approval in this regard.

**The report recommended:**

that the Committee -

- (a) approve the estimated expenditure over a 4 year period from April 2014 for key supplies, services and works for Regeneration and Housing Investment and the carrying out of appropriate tendering exercises to this end in accordance with SO1(3) of the Council's Standing Orders relating to Contracts and Procurement; and

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- (b) delegate authority to the Director of Housing and Environment, in conjunction with the Head of Procurement, to conclude framework agreements and other contracts pursuant to the above tendering exercises and to award contracts based on such framework agreements.

**The Committee resolved:-**

to approve the recommendations contained in the report.

### **STANDING ORDERS EXEMPTION – DIGITAL RADIO SYSTEM, WASTE & RECYCLING SERVICES**

21. The Committee had before it a report by the Director of Housing and Environment which informed of the decision to exempt a hire agreement from the requirement of the Council's Standing Orders to go out to tender. The hire agreement was for the supply of a digital radio system to replace the analogue system currently being used by the Council's Waste and Recycling Collection Service.

**The report recommended:**

that the Committee note the decision of the Chief Executive, the Head of Finance, the Head of Legal and Democratic Services and the Head of Procurement to exempt a contract for hire of a digital radio system from relevant requirements of the Council's Standing Orders relating to Contracts and Procurement including;

- those requiring tendering or competitive quotes procedures to be undertaken, such as SO 3, 4, 5, 6 and 7
- SO 1(3) – “No tender shall be invited or contract entered into unless the total estimated expenditure has been previously approved by the Council. This requires specific Committee approval or the use of appropriate delegated powers. The allocation of a budget as part of the Council's budget setting process is insufficient” and
- SO 11, 13 and 26 – “Corrupt or Illegal Practices”, “Insurances” and “Freedom of Information” clauses to be included in contracts.

**The Committee resolved:-**

to approve the recommendation contained in the report.

### **ENVIRONMENT SERVICES - SOCIAL ENTERPRISE PARTNERSHIP WORKING 2014**

22. The Committee had before it a report by the Director of Housing and Environment which requested under Standing Order 1(6)(b) for an exemption from the Council's Standing Orders on contracts and procurement to allow for partnership working between Environment Services and social enterprise groups to continue while the Procurement Team finalise a formal framework/procurement process.

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### **The report recommended:**

that the Committee -

- (a) approve further partnership working between Environmental Services and social enterprise groups throughout 2014; and
- (b) agree to the submission of a business case for the request under Standing Order 1(6)(b) for an exemption from the Council's Standing Orders on contracts and procurement.

### **The Committee resolved:-**

To approve the recommendations contained in the report.

### **DECLARATION OF INTEREST**

**In terms of Section 5.18(d)(i) of the Councillor Code of Conduct, Councillors Milne and Jean Morrison MBE declared interests in the subject matter of the following article by virtue of their appointments as Council representatives on the Board of Aberdeen Heat and Power. As allowed for in the Code, neither Councillor deemed it necessary to withdraw from the meeting.**

### **INSTALLATION OF COMBINED HEAT AND POWER AND PROPOSALS FOR MAJOR REPAIRS TO MULTI STOREYS IN THE CORNHILL AREA**

**23.** The Committee had before it a report by the Director of Housing and Environment which sought approval for the project to proceed in the Cornhill area of the City.

### **The report recommended:**

that the Committee -

- (a) instruct the Director of Housing and Environment to accept the most economically advantageous tender for the over-cladding and window replacement works that has been identified through an Official Journal of the European Union (OJEU) procurement process;
- (b) approve the revised expenditure and funding profile in relation to the over-cladding and window replacement works;
- (c) approve limiting the cost to the private owners within the housing blocks who subscribe to complete over-cladding and window replacement works;
- (d) approve the cancellation of the order for the provision of district heating to Cornhill Court, on the understanding that this order will be re-instated if the objection is removed before the completion of the current installation contract;
- (e) approve the recommendation that the installation of the communal district heating pipes to Cairncry, Rosehill and Stockethill Courts is allowed to continue;
- (f) instruct the Director of Housing and Environment to make representations to Scottish Ministers that they exercise their powers under the Tenement (Scotland)

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- Act 2004 to prescribe, by Regulation, that an owner is entitled to install district heating pipes; and
- (g) instruct officers to make further best efforts to speak to each of the private owners, who have not consented to the over-cladding works, as to their concerns and, where practical, again seek their consent to the works, through negotiation.

### **The Committee resolved:-**

- (i) to instruct the Director of Housing and Environment to accept the most economically advantageous tender for the over-cladding and window replacement works that has been identified through an Official Journal of the European Union (OJEU) procurement process;
- (ii) to approve the revised expenditure and funding profile in relation to the over-cladding and window replacement works;
- (iii) to approve limiting the cost to the private owners within the housing blocks who subscribe to complete over-cladding and window replacement works;
- (iv) to approve the cancellation of the order for the provision of district heating to Cornhill Court, on the understanding that this order will be re-instated if the objection is removed before the completion of the current installation contract;
- (v) to approve the recommendation that the installation of the communal district heating pipes to Cairncry, Rosehill and Stockethill Courts is allowed to continue;
- (vi) to instruct the Director of Housing and Environment to make representations to Scottish Ministers that they exercise their powers under the Tenement (Scotland) Act 2004 to prescribe, by Regulation, that an owner is entitled to install district heating pipes;
- (vii) to instruct officers to make further best efforts to speak to each of the private owners, who have not consented to the over-cladding works, as to their concerns and, where practical, again seek their consent to the works, through negotiation;
- (viii) to request officers to write to Scottish Ministers seeking legislation to be taken forward to assist in these cases for the future; and
- (viii) to request officers to submit a report to this Committee providing the outcome of discussions with Ministers and the outcome of sharing the risk with potential contractors.

**- NEIL COONEY, CONVENER.**