



**Clackmannanshire  
Council**

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Comhairle Siorrachd  
Chlach Mhanann

Kilncraigs, Greenside Street, Alloa, FK10 1EB (Tel.01259-450000)

# Place Committee

**Thursday 4 November 2021 at 9.30 am**

**The meeting will be held by  
video conference (MS Teams)**

Date	Time
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## **Place Committee**

The remit of the Place Committee is:

- (1) To determine policies for the environment, development and facilities and assets
- (2) To set standards for service delivery in the above mentioned areas
- (3) To secure best value in the provision of these services
- (4) To monitor performance in the delivery of services including consideration of:
  - quarterly service performance reports
  - inspection or other similar reports
  - financial performance
- (5) To keep under review the impact of the Committee's policies on Clackmannanshire
- (6) To take decisions on applications for Community Asset Transfer.

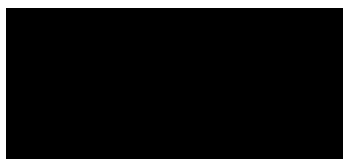
**Members of the public are welcome to attend our Council and Committee meetings to see how decisions are made.**

**Details of all of our Council and Committee dates and agenda items are published on our website at [www.clacks.gov.uk](http://www.clacks.gov.uk)**

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**27 October 2021**

**A MEETING of the PLACE COMMITTEE will be held Via MS Teams, on THURSDAY 4 NOVEMBER 2021 at 9.30 AM.**



**Pete Leonard  
Strategic Director (Place)**

## **B U S I N E S S**

	<b>Page no.</b>
1. Apologies	--
2. Declaration of Interests Members should declare any financial or non-financial interests they have in any item on this agenda, identifying the relevant agenda item and the nature of their interest in accordance with the Councillors' Code of Conduct. A Declaration of Interest form should be completed and passed to the Committee Officer.	--
3. Confirm Minutes of Meeting held on 9 September 2021 (Copy herewith)	05
4. Financial Performance 2021/22 – August Outturn- report by the Lindsay Sim, Chief Finance Officer (Copy herewith)	09
5. Homelessness Performance Update – report by Pete Leonard, Strategic Director, Place (Copy herewith)	23
6. Scottish Housing Regulator Annual Governance Statement - report by Pete Leonard, Strategic Director, Place (Copy herewith)	43
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9. Private Sector Housing Assistance Scheme – report by Pete Leonard, Strategic Director, Place (Copy herewith)	87
10. Review of Soil and Rubble at Recycling Centre – report by Pete Leonard, Strategic Director, Place (Copy herewith)	125

## Place Committee – Committee Members (Membership 8 - Quorum 4)

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### Councillors

### Wards

Councillor	Craig Holden (Convenor)	4	Clackmannanshire South	SNP
Councillor	Jane McTaggart (Vice Convenor)	3	Clackmannanshire Central	SNP
Councillor	Darren Lee	1	Clackmannanshire West	CONS
Councillor	Tina Murphy	1	Clackmannanshire West	SNP
Councillor	Donald Balsillie	2	Clackmannanshire North	SNP
Councillor	Derek Stewart	3	Clackmannanshire Central	LAB
Councillor	Kenneth Earle	4	Clackmannanshire South	LAB
Councillor	Denis Coyne	5	Clackmannanshire East	CON



**MINUTES OF MEETING of the PLACE COMMITTEE held via MS TEAMS at 9.30 am on  
THURSDAY 9 SEPTEMBER 2021 at 9.30 am.**

**PRESENT**

Councillor Craig Holden (Convenor)  
Councillor Donald Balsillie  
Councillor Denis Coyne  
Councillor Kenneth Earle  
Councillor Darren Lee  
Councillor Jane McTaggart  
Councillor Derek Stewart

**IN ATTENDANCE**

Pete Leonard, Strategic Director (Place)  
Murray Sharp, Senior Manager, Housing (Place)  
Emma Fyvie, Senior Manager (Development)  
Iain McDonald, Senior Manager, Environment (Place)  
Kate Fleming, Senior Housing Strategy Officer (Place)  
Andrew Crawford, Team Leader, Environmental Health  
Lorraine Sanda, Strategic Director (People)  
Lindsay Sim, Chief Finance Officer, (Partnership & Performance)  
Elizabeth Hutcheon, Management Accountancy Team Leader  
Craig Dickson, Accountant  
Donna Tierney, Accountant  
Saul Milne, Solicitor, Legal and Governance (Partnership & Performance)  
Lee Robertson, Solicitor, Legal and Governance (Partnership & Performance) (Clerk to the  
Committee)  
Melanie Moore, Committee Services, Legal and Governance (Partnership & Performance)

June Anderson, Chair of Clackmannanshire Tenants and Residents Federation was also in  
attendance as an observer.

**PLC(21)13 APOLOGIES**

Apologies were submitted by Councillor Tina Murphy.

**PLC(21)14 DECLARATIONS OF INTEREST**

None.

**PLC(21)15 MINUTE OF SPECIAL MEETING OF THE PLACE COMMITTEE HELD ON  
20 MAY 2021**

The minute of the meeting of the Place Committee held on Thursday 20 May 2021 were  
submitted for approval.

**Decision**

The Minutes of the meeting of the Place Committee held on Thursday 20 May 2021 were  
agreed as a correct record and signed by the Convenor.

**PLC(21)16 FINANCIAL PERFORMANCE 2021/22 – JUNE OUTTURN**

The report, submitted by the Chief Finance Officer, provided an update on the financial performance for the Place Division of the Council in respect of revenue spend for General Fund and revenue and capital spend for Housing Revenue Account (HRA) for the current financial year 2020/21. This was based on forecast information at June 2021. General Fund Capital expenditure will be reported to the Audit Committee on 30 September 2021 as part of the overall Council's financial performance report.

**Motion**

That the Committee agrees the recommendations set out in the report.

Moved by Councillor Craig Holden. Seconded by Councillor Kenneth Earle.

**Decision**

Having commented on and challenged the report, the Committee agreed to note:

1. the forecast General Fund revenue underspend relating to the Place Division for the year of £(0.056)m;
2. the Housing Revenue Account forecasted revenue overspend of £0.118m;
3. the Housing Revenue Account Capital spend forecast on budget of which £2.501m is carried forward to 2021/22, and
4. the forecasted delivery of planned savings in the year of 96.8%.

**PLC(21)17 BUSINESS PLAN REVIEW 2021/23**

This report, submitted by the Strategic Director (Place), presented to Committee the Place Business Plans for 2021 to 2023 for consideration.

**Motion**

That the Committee agrees the recommendation set out in the report.

Moved by Councillor Craig Holden. Seconded by Councillor Denis Coyne.

**Decision**

Having commented on and challenged the report, the Committee agreed to note the report.

**PLC(21)18 FOOD CONTROL SERVICE PLAN END OF YEAR REPORT 2020-21 AND  
AUDIT ASSURANCE INFORMATION GATHERING EXERCISE COVID19  
CONTINGENCY MEASURES FOR DELIVERY OF OFFICIALS CONTROLS  
2021**

This report, submitted by the Strategic Director (Place), provided Committee with an update on Food Safety at a national and local level, and also sought approval of the Council's Food Control Service Plan End of Year Report 2020-21 and note the content of the Covid-19 Audit Assurance Information Gathering Exercise 2021 submitted by the Food Standards Agency in April 2021.

**Motion**

That the Committee agrees the recommendations set out in the report.

Moved by Councillor Craig Holden. Seconded by Councillor Jane McTaggart.

**Decision**

The Committee agreed to:

1. note the change in the Food Standards Agency procedures for the year 2020-21;
2. approve the Food Control Service Plan End of Year Report 2020-21; and
3. note the content of the Covid-19 Audit Assurance Information Gathering Exercise.

**Action**

Strategic Director (Place)

**PLC(21)19 AFFORDABLE HOUSING UPDATE**

This report, submitted by the Strategic Director (Place), provided an update to Committee on the affordable housing programme and highlights the risks arising from the high cost of development in the current climate. The report sought consideration on closing the funding gap for the Primrose Street Development and updated on the regeneration site at Englelen Drive, Alloa.

**Motion**

That the Committee agrees the recommendations set out in the report.

Moved by Councillor Craig Holden. Seconded by Councillor Jane McTaggart.

**Decision**

The Committee agreed to:

1. note the progress of the affordable housing programme and progress on spend to the year end 2021/22;
2. approve to council the funding mix for Primrose Street, Alloa as stated at 6.2, including use of the approved HRA reserve;
3. approve to council the funding for the demolition of the blocks at 12-26 and 28-38 Englelen Drive, Alloa; and
4. Having commented on and challenged the report, the Committee agreed to note the remainder of the report.

**Action**

Strategic Director (Place)

The Committee congratulated June Anderson on her title British Empire Medal (BEM) for Services to Tenants Rights.

Ends 10:00 hrs





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**Report to: Place Committee**

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**Date of Meeting: 4 November 2021**

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**Subject: Financial Performance 2021/22 – August Outturn**

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**Report by: Chief Finance Officer**

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## **1.0 Purpose**

- 1.1. This paper provides an update on the financial performance for the Place Division of the Council in respect of revenue spend for General Fund and revenue and capital spend for Housing Revenue Account (HRA) for the current financial year 2021/22. This is based on forecast information at August 2021. General Fund Capital expenditure will be reported to the Audit Committee on 25 November 2021 as part of the overall Council's financial performance report.

## **2.0 Recommendations**

- 2.1. The Committee is asked to note this report, commenting and challenging as appropriate on:
- the forecast General Fund revenue underspend relating to the Place Division for the year of £(0.062)m;
  - the Housing Revenue Account forecasted revenue underspend of £(0.090)m;
  - the Housing Revenue Account Capital spend forecasted underspend of £(0.468)m which will be carried forward to 2022/23, and;
  - the forecasted delivery of planned savings in the year of 96.8%

## **3.0 Background**

- 3.1. The following portfolios are within the remit of the Place Division:

**Table1**

<b>PLACE</b>
<b>DEVELOPMENT</b>
<b>PROPERTY</b>
<b>HOUSING</b>

*Source: Organisational Redesign: Update June 2019*

#### **4.0 General Fund Revenue**

- 4.1. Overall the Division's net service expenditure is forecasting an underspend of £(0.062)m for the year ended 31 March 2022. This is a favourable movement of £(0.006)m since the June Outturn report to this Committee on 9 September 2021.
- 4.2. **Appendix 1** provides an overview of the financial outturn position within each Service Expenditure area.
- 4.3 **Appendix 2** sets out the main variances for the year.
- 4.4 Covid19 continues to impact the delivery of Services as we move through the Recovery phase of the pandemic. Elements of the variances attributable to Covid19 are shown within the appendix. The Council received funding during 2020/21 and 2021/22 and will allocate this funding to cover overspends relating to Covid19 as appropriate.

#### **5.0 2021/22 Savings Progress**

- 5.1 The 2021/22 budget incorporated approved savings of £2.126m. Of this total £0.776m is attributable to the Place Division.
- 5.2 Based on analysis to date, savings of £0.751m (96.8%) are forecast to be achieved with £0.025m (3.2%) being forecast as at risk (Amber) in 2021/22.
- 5.3 **Appendix 3** provides details of progress towards achieving the approved 2021/22 savings and shows further detail of the saving that has been identified as Amber. Services supported by the accountancy team are working to achieve the approved savings or identify compensatory savings by the end of the financial year.

#### **6.0 Housing Revenue Account**

- 6.1 **Appendix 4** provides an overview of the financial outturn position for the HRA Revenue for this year in accordance with its Business Plan. It is forecast that the Service will achieve a surplus in the year of £(5.735)m which is £(0.090)m more than budgeted. This is a favourable movement of £0.208m since the June Outturn report to this Committee on 9 September 2021.
- 6.2 **Appendix 5** sets out the main forecasted variances and explanations for the year.

## **7.0 Housing Revenue Account Capital**

- 7.1 The current net HRA Capital Budget is £8.992m. This is inclusive of carry forward of £2.501m from 2020/21 which was mainly due to slippage in planned work due to lockdown restrictions which will now be carried out in 2021/22.
- 7.2 At this time the HRA Capital Programme is forecast to underspend by £(0.468)m. The programme has previously been impacted with the recent Covid19 restrictions that were in place. The expectation is however that the majority of the programme will be delivered this year but the window programme is still impacted by restrictions to the number of tradespersons in homes and as such is showing a variance of £0.468m. Other areas at risk of not spending to budget include: the off the shelf purchase net budget of £1.353m has only £0.088m expenditure to date and with a buoyant housing market currently the service will require to re-examine the current strategy and the £0.260m budget for a new IT system as this could be affected by the availability of internal staff capacity to deliver this year. These will be continually monitored during the year and any variances will be reported to committee through these reports.
- 7.3 **Appendix 6** provides details of the HRA capital programme for the current year, where individual projects are listed within the various asset management plans.

## **8.0 Conclusions**

- 8.1 The Place Division revenue spend is anticipating an underspend of £(0.062)m.
- 8.2 Of the associated approved savings of £0.776m, £0.751m (96.8%) is forecast to be achieved by the end of the financial year.
- 8.3 The HRA Revenue Account is anticipating a surplus of £(0.090)m more than budgeted.
- 8.4 The HRA Capital Programme a forecast to spend under budget by £(0.468)m.

## **9.0 Sustainability Implications**

- 9.1 None

## **10.0 Resource Implications**

- 10.1 Financial Details
- 10.2 The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes

10.3 Finance have been consulted and have agreed the financial implications as set out in the report. Yes

10.4 Staffing

### 11.0 Exempt Reports

11.1 Is this report exempt? Yes  (please detail the reasons for exemption below) No

### 12.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box )

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all

Our families; children and young people will have the best possible start in life

Women and girls will be confident and aspirational, and achieve their full potential

Our communities will be resilient and empowered so that they can thrive and flourish

(2) **Council Policies** (Please detail)

### 13.0 Equalities Impact

13.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?  
Yes  No

### 14.0 Legality

14.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

### 15.0 Appendices

15.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

Appendix 1- Financial Outturn position at August 2021

Appendix 2- Outturn variances at August 2021

Appendix 3- Summary Savings by Directorate at August 2021

Appendix 4- HRA Revenue Outturn at August 2021

Appendix 5- HRA Revenue Variances at August 2021

Appendix 6- HRA Capital Outturn at August 2021

## 16.0 Background Papers

16.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes  (please list the documents below) No

### Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Elizabeth Hutcheon	Management Accountancy Team Leader	Ext 6214
Craig Dickson	Accountant	

### Approved by

NAME	DESIGNATION	SIGNATURE
Lindsay Sim	Chief Finance Officer	
Pete Leonard	Strategic Director Place	



## Place Summary 2021/22

Appendix 1

As at August 2021

	<i>Annual Budget 2021/22 £'000</i>	<i>Forecast to March 2022 £'000</i>	<i>Variance Forecast to Budget £'000</i>	<i>Variance as at June 2021 £'000</i>	<i>Variance Movement From Previous Forecast £'000</i>
Executive Team	197	172	(25)	(25)	0
Development & Environmental	14,349	14,218	(130)	(47)	(83)
Housing & Community Safety	4,321	4,414	93	16	77
	<b>18,867</b>	<b>18,805</b>	<b>(62)</b>	<b>(56)</b>	<b>(6)</b>

Place Directorate  
Variances at 31 August 2021

Appendix 2

Place	Annual Budget 2021/22	Forecast to March 2022	Variance Forecast to Budget at August	Variance due to Covid	Variance due to Non Covid	Variance Forecast to Budget at June	Movement in variance June to August	Narrative
	£'000	£'000	£'000			£'000		
Executive Team	197	172	(25)	0	(25)	(25)	0	Underspend in employee costs of £(0.025)m due to recharge to Housing Revenue Account for Strategic Director's time.
Development & Environmental	14,349	14,218	(130)	44	(174)	(47)	(83)	<p><b>Building Operations:</b> £(0.014)m underspend due to decreased utility useage across sites, £0.010m movement due to an increased water charge.</p> <p><b>Catering:</b> £0.113m overspend, £(0.012)m movement due to reduced income from secondary school meals. This area is currently being reviewed.</p> <p><b>Regulatory:</b> £0.018m overspend due to lower income from rental of park space for events due to Covid.</p> <p><b>Waste Management:</b> £(0.128)m underspend, £0.019m movement - £(0.105)m due to underspend in Waste Treatment routes, £(0.023)m underspend; £0.019m movement due to vacancy management.</p> <p><b>Streetcare:</b> £0.028m overspend - £0.040m overspend on overtime due to an unrealised saving in 2018/19 which removed the overtime budget; partially offset by £(0.012)m underspend on staffing due to vacancies.</p> <p><b>Fleet:</b> £(0.151)m underspend, £(0.066)m movement - £(0.044)m underspend, £(0.018)m movement in diesel usage due to the use of electric vehicles; £(0.046)m underspend, £(0.015)m movement on material spend and maintenance due to repairing rather than replacing; £(0.024)m saving in replacement of tyres; £(0.037)m underspend, £(0.033)m movement in internal recharges.</p> <p><b>Grounds Maintenance:</b> £0.072m overspend, £0.016m movement - £0.056m overspend, £0.005m movement due to lower income as a result of fewer external factoring contracts; £(0.010)m underspend and movement due to vacancy management; £0.030m overspend, £0.021m movement for leasing of equipment required; £(0.004)m various small overspends.</p> <p><b>Facilities:</b> £(0.013)m underspend, £(0.010)m movement due to staffing.</p> <p><b>Roads:</b> £(0.079)m underspend, £(0.062)m movement - £(0.040)m underspend and movement due to capitalisation of salaries, £(0.079)m underspend, £(0.022)m movement due to decreased spend in bridges and drainage as most large works were carried out last year and no extensive emergencies to date.</p> <p><b>HoS:</b> £(0.002)m underspend, £(0.001)m movement on small underspends.</p> <p><b>Development Services:</b> £0.026m overspend, £0.004m movement - £0.049m overspend, £0.004m movement due to a reduction in planning and building standards income with income not achieving pre covid levels; £(0.021)m underspend on staffing due to vacancy management.</p>
Housing & Community Safety	4,321	4,414	93	0	93	16	77	<p><b>Building Operations</b> - overspend of £0.194m, movement of £0.056m to secure vacant properties including Greenfield and reduced staff time charged to Capital projects.</p> <p><b>Homelessness</b> - underspend of £(0.133)m as income received for clients exceeds budget. This underspend is linked to the corresponding budget within P&amp;P currently forecasting an overspend of £0.138m resulting in a net overspend of £0.005m. The budgets across the two services will be reviewed to identify the offsetting factors involved and realigned if required.</p> <p><b>Housing</b> - overspend of £0.049m, movement of £0.037m. The charging of housing support to VPR and HRA requires to be clarified as staff are currently engaged in work supporting the corporate response and recovery.</p>
<b>Directorate Total</b>	<b>18,867</b>	<b>18,805</b>	<b>(62)</b>	<b>44</b>	<b>(106)</b>	<b>(56)</b>	<b>(6)</b>	



Management Efficiencies

Service Reference	Description of Saving	2021/22 £	Achieved/Likely to be achieved £	Amber £	Red £	Unachieved due to Covid £	Service updates
PLMGT1	Modern Apprenticeship Scheme	21,550	21,550				Saving is achieved
PLMGT2	Trading Standards SLA - CASH	30,000	30,000				Saving is achieved
PLMGT3	Corporate Energy Budget Savings	2,917	2,917				Saving is achieved
PLMGT6	Homelessness Income	300,000	300,000				Saving is achieved
PLMGT7	Homelessness Income - CASH	100,000	100,000				Saving is achieved
PLMGT8	Office moves	20,000	20,000				Saving is achieved
PLMGT9	Mail room	2,500	2,500				Saving is achieved
PLMGT12	Cash saving - Budget realignment within Economic Development - CASH	60,000	60,000				Saving is achieved
PLMGT14	GF Housing realignment	20,000	20,000				Saving is achieved
PLMGT15	GF Housing realignment- CASH	80,000	80,000				Saving is achieved
PLMGT16	Garden waste	50,000	50,000				Saving is achieved
PLMGT17	Decrease in Non Domestic Rates due to Rate poundage	44,000	44,000				Saving is achieved
<b>Total</b>	<b>Management Efficiencies</b>	<b>730,967</b>	<b>730,967</b>	<b>0</b>	<b>0</b>	<b>0</b>	

Policy

Service Reference	Description of Saving	2021/22 £	Achieved/Likely to be achieved £	Amber £	Red £	Unachieved due to Covid £	Service updates
PLPOL01	Generate income through corporate sponsorship of Council Assets: Roundabouts, Parks, Open Spaces, Roads, Cycle Paths	10,000	10,000				Service has advised this will be fully achieved
PLPOL10	Targeted reduction in council generated waste	25,000		25,000			Under review with Service
<b>Total</b>	<b>Policy</b>	<b>35,000</b>	<b>10,000</b>	<b>25,000</b>	<b>0</b>	<b>0</b>	

Transformation

Service Reference	Description of Saving	2021/22 £	Achieved/Likely to be achieved £	Amber £	Red £	Unachieved due to Covid £	Service updates
PLMGT17	Community Participation in the Provision of Annual Bedding Schemes	10,000	10,000				Saving is achieved
<b>Total</b>	<b>Transformation</b>	<b>10,000</b>	<b>10,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	

Summary By Type	2021/22 £	Achieved/Likely to be achieved £	Amber £	Red £	Unachieved due to Covid £
<b>Management Efficiencies</b>	730,967	730,967	0	0	0
<b>Policy</b>	35,000	10,000	25,000	0	0
<b>Transformation</b>	10,000	10,000	0	0	0
<b>Total Division</b>	<b>775,967</b>	<b>750,967</b>	<b>25,000</b>	<b>0</b>	<b>0</b>

## Service Summary - Housing Revenue Account

As at August 2021

<i>Description</i>	<i>Annual Budget for 2021-22</i>	<i>Forecast to March 2022</i>	<i>Variance August Forecast to Budget</i>
Chief Officers Gross Salaries	23,968	23,968	0
Chief Officers Employers Superann	5,393	5,393	0
Chief Officers Employers NIC	529	529	(0)
Single Status Gross Salaries	6,046,802	5,416,192	(630,611)
Single Status Employers Superann	1,331,458	1,203,225	(128,232)
Single Status Employers NIC	568,261	511,294	(56,967)
Single Status Overtime	260,000	409,200	149,200
Single Status Absence Pay	0	39,039	39,039
Trainee Allowances Gross Salaries	16,262	13,171	(3,091)
Long Service Awards	2,350	2,350	0
Salary Related Admin Costs	2,160	0	(2,160)
Employee Management Costs	3,000	3,000	(0)
Conference Expenses And Subsistence	(0)	0	0
Staff Training	88,000	68,000	(20,000)
Vacancy Management	(430,233)	0	430,233
	<b>7,917,950</b>	<b>7,695,362</b>	<b>(222,588)</b>
Corporate Building Repairs	0	18,163	18,163
Annual Maintenance External Providers	300,000	250,000	(50,000)
Grounds Maintenance	0	0	0
Cleaning & Hygiene Materials	1,500	1,500	0
Gas	6,000	6,000	(0)
Electricity	20,000	20,000	(0)
Void Rent Loss	450,000	425,150	(24,850)
Rates	3,000	17,000	14,000
Council Tax	10,000	22,000	12,000
Property Insurance	203,000	209,060	6,060
Bad Debt Provision	400,000	400,000	(0)
Building Costs - Recharges Internal	103,000	103,000	(0)
Land Services - Internal Recharges	50,000	50,000	(0)
	<b>1,546,500</b>	<b>1,521,873</b>	<b>(24,627)</b>
Short Term Vehicle Hire	4,000	6,000	2,000
Staff Travel Mileage Expenses	23,500	2,129	(21,371)
Vehicles - Maintenance Recharges	345,000	393,000	48,000
	<b>372,500</b>	<b>401,129</b>	<b>28,629</b>
Purchase Of Equipment	23,070	52,570	29,500
Purchase Of Furniture	(8,000)	0	8,000
Storage & Removal Charges	2,000	2,000	(0)
Materials (issued from Stock)	700,000	799,000	99,000
Materials - Direct purchases from suppliers	450,000	550,000	100,000
General Consumables (small items)	35,500	45,500	10,000
Equipment Maintenance	10,000	20,000	10,000
Equipment Rental/Leasing	20,000	20,000	0
Scaffold Hire	50,000	50,000	0
Medical Supplies	1,100	1,100	0
Hospitality	100	100	(0)
Uniforms & Clothing	6,280	6,280	0
Office Equipment - Purchases	3,650	3,650	0

<i>Description</i>	<i>Annual Budget for 2021-22</i>	<i>Forecast to March 2022</i>	<i>Variance August Forecast to Budget</i>
Printing & Photocopying	7,800	4,000	(3,800)
Stationery	6,260	4,860	(1,400)
Publications	500	500	0
Insurance	32,120	42,311	10,191
Professional Fees	60,650	43,650	(17,000)
Performing Rights	300	300	(0)
Postages	8,000	4,500	(3,500)
Legal Expenses	32,000	16,000	(16,000)
Subscriptions	20,600	15,600	(5,000)
Telephones	150	150	0
Mobile Telephones	33,810	32,810	(1,000)
Computer Hardware Purchase	20,000	20,000	(0)
Computer Software Purchase	163,500	163,500	0
Computer Software Maint.	83,300	83,300	0
	<b>1,762,690</b>	<b>1,981,681</b>	<b>218,991</b>
Other Council Accounts	552,620	552,120	(500)
Voluntary Organisations Payment	67,730	67,730	0
Payments To Contractors	98,200	98,200	0
Payment To Subcontractor	500,000	500,000	0
Payments To Individuals	0	1,300	1,300
	<b>1,218,550</b>	<b>1,219,350</b>	<b>800</b>
Support Services	1,204,000	1,204,000	0
	<b>1,204,000</b>	<b>1,204,000</b>	<b>0</b>
Loans Fund Interest	1,154,700	1,312,185	157,485
Debt Management Expenses	23,370	20,400	(2,970)
Principal Repayments	304,000	304,185	185
	<b>1,482,070</b>	<b>1,636,770</b>	<b>154,700</b>
<b>Total Expenditure</b>	<b>15,504,260</b>	<b>15,660,166</b>	<b>155,906</b>
Charges for Services Standard VAT	(61,400)	(12,000)	49,400
Sponsorship Income	0	(0)	(0)
Other Income	(5,740)	(13,312)	(7,572)
Housing Rents	(19,850,150)	(19,889,870)	(39,720)
General Rents	(62,350)	(62,350)	(0)
Interest(Revenue Balance)	(10,000)	(10,000)	0
Internal Trading Contract	(1,160,000)	(1,407,900)	(247,900)
<b>Total Income</b>	<b>(21,149,640)</b>	<b>(21,395,432)</b>	<b>(245,792)</b>
<b>Net Surplus</b>	<b>(5,645,380)</b>	<b>(5,735,266)</b>	<b>(89,887)</b>

Place Directorate  
HRA Variances at 31 August 2021

Appendix 5

Housing Revenue Account	Annual Budget 2021/22	Forecast to March 20210	Variance Forecast to Budget at August	Variance due to Covid	Movement in variance June to August	Narrative
	£'000	£'000	£'000	£'000		
Employee expenditure	7,918	7,695	(223)	0	(309)	Employee expenditure is forecast to underspend by £(0.223)m, an improvement of £(0.309)m. Tenancy Team has reduced the salaries expenditure by £(0.118)m with non filling of vacancies and increased maternity leave. Service Delivery continues to have difficulties with resourcing & recruiting and this has resulted in a saving of £(0.119)m. The initial levels of overtime have reduced and the forecast has been reduced by £(0.045)m. Other amendments including superannuation & long term sick account for a saving of £(0.026)m.
Premises expenditure	1,547	1,522	(25)	0	(62)	Reduced use of Private Contractors and Void expenditure now anticipated.
Transport expenditure	373	401	29	0	42	Increased internal costs as increased number of vehicles continues to be required for safe working practices.
Supplies and Services	1,763	1,982	219	219	258	The Service is now start to feel the impact of increased costs in stock and materials arising from Brexit & Covid. There is also a backlog on equipment servicing and replacement required.
Third Party Payments	1,219	1,219	0	0	0	No variance
Support services	1,204	1,204	0	0	0	No variance
Capital financing costs	1,482	1,637	155	0	155	The budget for the HRA was based on the anticipated actual on the interest payable. The updating of this has resulted in an increase in the forecast interest.
<b>Total Gross Expenditure</b>	<b>15,504</b>	<b>15,660</b>	<b>156</b>	<b>219</b>	<b>84</b>	
Income	(21,150)	(21,395)	(245)	0	(292)	Income is forecast to overachieve by £(0.245)m, an increase of £(0.292)m. The initial increased overtime has now been reflected in increased rechargeable work from Elections of £(0.063)m. £(0.200)m additional income form work carried out on public buildings and £(0.019)m for other ad hoc capital jobs.
<b>Total Net Expenditure</b>	<b>(5,645)</b>	<b>(5,735)</b>	<b>(90)</b>	<b>219</b>	<b>(208)</b>	

Housing Capital Programme 2021-22 Period to August 2021	Project Code	21-22 Net Budget	Net Expenditure to 31/08/21	Forecast as at 31/08/21	Forecast to Budget Variance	Comment	C/F to 2022-23
<b>SCOTTISH HOUSING QUALITY STANDARD</b>							
<b>TACKLING SERIOUS DISREPAIR PRIMARY BUILDING ELEMENTS</b>							
<b>Structural Works</b>							
Structural Upgrades	10192	400,000	3,315	400,000	0	Emergency works & Barnhill Park. Works undertaken at High Street Alloa for Urgent Building Warrant - Job Concluded 9 of September 2021. Awaiting Final Valuation Including Engineering Fees - Budget will spend out .	
Asbestos Testing for Council Houses	10071	20,000	1,229	20,000	0	Reactive Works	
Asbestos Removal Works for Council Houses	10072	50,000	9,343	50,000	0	Reactive Works	
<b>Structural Works</b>		<b>470,000</b>	<b>13,887</b>	<b>470,000</b>	<b>0</b>		
<b>SECONDARY BUILDING ELEMENTS</b>							
<b>Damp/Rot</b>							
Damp & Rot Works	10195	100,000	58,109	100,000	0	Statutory work on Tolerable standard - Work Progressing . Will Spend out Budget	
<b>Damp/Rot</b>		<b>100,000</b>	<b>58,109</b>	<b>100,000</b>	<b>0</b>		
<b>Roofs / Rainwater / External Walls</b>							
Roof & Render Upgrading Works	10196	1,000,000	405,174	1,000,000	0	Programme on site extra costs but will remain within budget. Programme on Track to Spend out	
<b>Roofs / Rainwater / External Walls</b>		<b>1,000,000</b>	<b>405,174</b>	<b>1,000,000</b>	<b>0</b>		
<b>Windows</b>							
Window Replacement	10197	1,768,000	500,798	1,300,000	(468,000)	Contractor on site and Extra Resource on to catch up on programme - Forecast Underspend Uncertainty around the need for carry forward as new contract to be procured which might lead to delays in starting.	(468,000)
<b>Windows</b>		<b>1,768,000</b>	<b>500,798</b>	<b>1,300,000</b>	<b>(468,000)</b>		
		<b>2,868,000</b>	<b>964,081</b>	<b>2,400,000</b>	<b>(468,000)</b>		
<b>ENERGY EFFICIENCY</b>							
Central Heating - Design and Installation 2019-22	10193	112,000	41,913	112,000	0	Contractor working on Emergency Failures and Void Only - Budget will outturn	
Weir Multicon Upgrade 2018-2020	10178	750,000	496,781	750,000	0	Contractor on site at present. Potential Grant Income of £310k to supplement the Programme through BEIS . Project Will conclude in October 2021.	
Renewable Central Heating Systems	10232	60,000	0	60,000	0	Early design stages and discussions. Pilot Addresses given to Current Heating Term Contractor to Scope out and Cost up Options - Budget will outturn	
Energy Performance Certificates Programme	10233	10,000	0	10,000	0	Programme due to commence October 2021. Budget will spend out	
<b>Full/Efficient Central Heating</b>		<b>932,000</b>	<b>538,693</b>	<b>932,000</b>	<b>0</b>		
<b>MODERN FACILITIES &amp; SERVICES</b>							
<b>Kitchen Renewal</b>							
Kitchen Replacement 2017-20	10158	200,000	35,390	200,000	0	Internal team working on this . Voids and Emergency Failure Only .	
<b>Kitchen Renewal</b>		<b>200,000</b>	<b>35,390</b>	<b>200,000</b>	<b>0</b>		
<b>Bathrooms</b>							
2016-20 Bathroom Replacements PCU Team	10141	50,000	17,267	50,000	0	Internal team working on this- Voids and Emergency Failures	
<b>Bathrooms</b>		<b>50,000</b>	<b>17,267</b>	<b>50,000</b>	<b>0</b>		
		<b>250,000</b>	<b>52,657</b>	<b>250,000</b>	<b>0</b>		
<b>HEALTHY, SAFE &amp; SECURE</b>							
<b>Safe Electrical Systems / CO Detectors</b>							
Safe Electrical systems 2018-22	10171	1,100,000	34,649	1,100,000	0	Contractor Started back on site on the 9th of August 2021. Full Programme of works to meet the changes to the Tolerable Standard	Potential Carry Over Required due to late start
<b>Safe Electrical Systems</b>		<b>1,100,000</b>	<b>34,649</b>	<b>1,100,000</b>	<b>0</b>		
<b>Communal Areas (Environmentals)</b>							

Housing Capital Programme 2021-22 Period to August 2021	Project Code	21-22 Net Budget	Net Expenditure to 31/08/21	Forecast as at 31/08/21	Forecast to Budget Variance	Comment	C/F to 2022-23
External Works : Fencing, Gates, Paths	10090	315,000	0	315,000	0	Programme on Site - Budget will outturn	
Secure Door Entry Upgrade 2021-25 Communal Areas (Environmentals)	10160	130,000	0	130,000	0	New Contractor has been Appointed - Pilot Addresses Being Worked on	
		<b>445,000</b>	<b>0</b>	<b>445,000</b>	<b>0</b>		
		<b>1,545,000</b>	<b>34,649</b>	<b>1,545,000</b>	<b>0</b>		
<b>NON-SHS ELEMENTS PARTICULAR NEEDS HOUSING (CITC)</b>							
<b>Conversions &amp; Upgradings</b> Conversions & Upgradings	10092	75,000	300	75,000	0	Working with Social Services. Early Conversations with Trades Resource at Kelliebank for Bathroom Adaptation Catch Up Programme	
<b>Conversions &amp; Upgradings</b>		<b>75,000</b>	<b>300</b>	<b>75,000</b>	<b>0</b>		
<b>Disabled Adaptations</b>							
Aids & Adaptations Disabled Adaptations	10161	50,000	0	50,000	0	Discussions with PCU Trades team on kick starting the programme for Bathroom Adaptations - Week Beginning 13th of September - Confident that the budget will outturn	
<b>Environmental Improvements</b>							
HRA Roads & Footpaths Improvements	10099	100,000	0	100,000	0	Works Committed Through Roads Team	
MCB Tenant Community Improvement Fund Environmental Improvements	10100	402,000	7,718	402,000	0	Major project being carried out in alloa/sauchie by land services.	
		<b>502,000</b>	<b>7,718</b>	<b>502,000</b>	<b>0</b>		
		<b>627,000</b>	<b>8,018</b>	<b>627,000</b>	<b>0</b>		
<b>Council New Build Housing</b>							
Off The Shelf Purchase	10105	1,353,000	86,716	1,353,000	0	At present the housing market is bouyant and Service does not want to flame this by increasing bids. This may require a reassessment of the strategy on this project.	
Estate Management Redesign Council New Build Housing	10234	50,000	0	50,000	0	Metings on Chapelle Ongoing - Initial Cost Proposals forwarded to Housing	
		<b>1,403,000</b>	<b>86,716</b>	<b>1,403,000</b>	<b>0</b>		
		<b>1,403,000</b>	<b>86,716</b>	<b>1,403,000</b>	<b>0</b>		
<b>OTHER</b>							
<b>Other Costs / HBMS</b>							
Construction Design Management	10143	30,000	0	30,000	0	New Contract Currently being Procured Tender Returns Currently Being Evaluated - OM 9/9/21	
Computer Equipment - New (HBMS)	10111	260,000	0	260,000	0	Purchase and implementation of this will require significant internal investment from the current staff to ensure maximum benefit.	
Lock Up Strategy	10185	200,000	0	200,000	0	Demolition Tender Currently Being Evaluated - 9/9/21	
Westhaugh Travelling Site - Alva IT Infrastructure - Clacks IT	10186 10188	239,000 21,000	21,157 1,575	239,000 21,000	0 0	Funding bid submitted in August 21 and Outcome will be known in October 2021.	
Demolitions Other Costs / HBMS	10200	147,000		147,000	0	Possibility that this could be used at Glentana Mill.	
		<b>897,000</b>	<b>22,732</b>	<b>897,000</b>	<b>0</b>		
<b>TOTAL CAPITAL EXPENDITURE</b>		<b>8,992,000</b>	<b>1,721,432</b>	<b>8,524,000</b>	<b>(468,000)</b>		
<b>Sale of Council Property</b> Sale of Council Land Sale of Council Property	10148	0 0	0 0	0 0	0 0		
<b>NET EXPENDITURE</b>		<b>8,992,000</b>	<b>1,721,432</b>	<b>8,524,000</b>	<b>(468,000)</b>		<b>(468,000)</b>

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**Report to: Place Committee**

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**Date of Meeting: 4<sup>th</sup> November 2021**

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**Subject: Homeless Performance Update**

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**Report by: Strategic Director (Place)**

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### **1.0 Purpose**

- 1.1. This report is to provide an update to the committee on Homelessness presentation rates and performance in managing such presentations.

### **2.0 Recommendations**

- 2.1. It is recommended that the Committee:
- Notes the performance information contained whilst commenting and challenging as appropriate.

### **3.0 Considerations**

- 3.1. As reported by the local press, in 2020/21 Clackmannanshire had the third highest rate of application by population across Scotland.
- 3.2. This is not a new development; Clackmannanshire has been amongst the highest presentation rates for as long as the current statistical records, beginning in 2002, show. Indeed, in the period 2004-2006 Clackmannanshire had the highest rate in Scotland at more than double the national average.
- 3.3. With so many variables at play it is difficult to determine why application rates are high in Clackmannanshire. Comparisons between different authority areas are not always possible given differing recording and intake methodologies. Many areas with pockets of deprivation and insufficient affordable housing, like Clackmannanshire, suffer from high levels of homelessness but Clackmannanshire remains at the high end of the scale. Clackmannanshire Council's Homeless Service has been, and remains, particularly accessible and we are confident that the figures collected in Clackmannanshire are accurate and that all homeless applicants are correctly identified and appropriately recorded.
- 3.4. Numbers of applications have dropped over the years, from a peak of 1,157 in 2005/6 to a low of 459 in 2016/17. In 2020/21, 504 applications were received which is in keeping with the current average. Since the peak in 2005/6

presentation rates across Scotland have fallen by 44% but have fallen faster in Clackmannanshire by 56%.

- 3.5. The relatively high volume of applications does place a strain on the authority with respect to the provision of temporary accommodation. The appendix to this report reflects this position, but also illustrates that the potential impact is significantly mitigated with above average performance in the time taken to resolve applications. For example, despite presentation rates approaching twice the national average, the proportion of households in temporary accommodation is below the national average.

#### **4.0 Key Performance Homelessness Highlights**

- 4.1. Appendix 1 provides an overview of the Scottish Government Homeless Statistics and references Clacks position relative to Scotland and/or other local authorities. Some key highlights are listed here.
- 4.2. Across Scotland the time taken from assessment to closure of applications ranges from 85 days in Perth & Kinross to 784 days in Midlothian (table 6). For Clackmannanshire council the time taken is 149 days, which is the 5<sup>th</sup> fastest of all local authorities. 75% of those being found homeless are then being rehoused in either local authority stock or with our RSL partners.
- 4.3. Similarly as table 7 illustrates, the time spent by applicants in temporary accommodation ranges again across Scotland from 79 days in Perth & Kinross to 614 days in Midlothian. Our applicants are spending on average 128 days (or a little over 4 months) in temporary accommodation, which is the 5<sup>th</sup> lowest/best in Scotland.
- 4.4. From table 8, Clackmannanshire Council is only one of 4 local authorities to have more households leaving temporary accommodation than entering. Clearly those authorities with little movement from temp accommodation will have a growth in the amount of temp accommodation required, which then results in a reduction in accommodation being available for settled homes. Performance management of all steps in the homelessness journey is critical to the success of the whole system, and ensuring that the delicate balance between having sufficient suitable temporary accommodation without impeding on availability of destination homes is a challenge each day for our staff.
- 4.5. Areas of concern include the over-prevalence of harassment and fleeing of non-domestic violence in the statistics and also non-violent relationship breakdown as illustrated in table 3.



**Table 3: Main reason for making an application for homelessness, as a proportion of all applications:**

	Scotland	Clacks		
	2020-21	2020-21		
<b>Reason for having to leave accommodation/household</b>				
Dispute within household: violent or abusive	14%	7.9%		
Dispute within household / relationship breakdown: non-violent	22%	31.0%		
Fleeing non-domestic violence	4%	6.7%		
Harassment	2%	6.5%		
Overcrowding	2%	1.6%		
Asked to leave	27%	24.8%		
Other reason for leaving accommodation / household	10%	6.7%		

4.6. Further research is required to examine this further and an examination of the Council and partners overall approach in interventions in this area.

## 5.0 Unsuitable Accommodation Order

- 5.1. The Homeless Persons (Unsuitable Accommodation) (Scotland) Order 2014 came into force in 2014 which set out types of homeless accommodation deemed as unsuitable for families with children, or pregnant woman. Examples of unsuitable accommodation included: B&Bs, hostels, shared accommodation, or accommodation outwith the local authority area. The Council is deemed to have breached the order if a household is in unsuitable accommodation for more than 7 nights.
- 5.2. In 2020 the order was extended to apply to all homeless households. Due to the ongoing covid-19 response implementation was delayed until 30 September 2021.
- 5.3. Prior to lockdown Clackmannanshire Council did not have any households in B&B or hostels. We had a small number of single applicants staying in shared flats in Stirling, who were moved back to Clackmannanshire as quickly as possible. Since March 2020 we have stopped this accommodation being used as shared, with only one household placed in each flat. We have continued to work extremely hard to ensure children or pregnant applicants are not placed in unsuitable accommodation. During lockdown, unfortunately, we had to make occasional use of hotels to accommodate single applicants.
- 5.4. At the time of writing the report, the Council had nine households in flats in Stirling. None of these include children or pregnant applicants, however with the implementation of the extended order we are now in breach in relation to accommodation outwith the local authority area. The service has discussed this matter with the Scottish Government arguing that such a crude indicator would unnecessarily penalise small authorities such as Clackmannanshire, and would suggest poor performance where none existed. Larger Scottish authorities could displace an individual applicant by as much as 200km without breaching this test.
- 5.5. It was proposed that a more appropriate test would focus on the applicant's access to support and family networks, work and travel links, one of the reasons why there is little temporary accommodation in more remote parts of Clackmannanshire. The Scottish Government were not persuaded by our

proposals and, consequently, our breach of the Unsuitable Accommodation Order will be reported to the Scottish Housing Regulator as part of the Assurance Statement submission (also on today's committee agenda).

- 5.6. A detailed analysis of Clackmannanshire's approach to homelessness accommodation provision and applicant's discharge to permanent accommodation was included in our Rapid Rehousing Transition Plan, presented to Council in March 2019. It was determined that the Council's needs based allocations policy, and that of our partner Registered Social Landlords (RSLs), played a positive part in reducing homelessness by offering an alternate route to accommodation for people with a range of housing needs. The evidence suggested that the housing system in Clackmannanshire was working well but suffered from a significant shortage of affordable housing.
- 5.7. The above finding creates a dilemma; with insufficient permanent accommodation to meet needs the demand for temporary accommodation grows. Removing existing stock to increase the number of homeless accommodation units only exacerbates the shortage of permanent accommodation. Without an increase in the numbers of affordable housing units within Clackmannanshire officers are left with few avenues to explore in seeking improvements.

## **6.0 Accommodation & Process Review**

- 6.1. As detailed above we have experienced some challenges with temporary accommodation provision, especially recently. Officers continue to utilise our Vanguard methodology training to really understand the system constraints and seek improvements.
- 6.2. One of the issues we identified is in relation to the timescale of properties being cleaned and being ready for re-let; increasing efficiency and, thus, the availability of our own properties will reduce the need for third party accommodation. The service is in process of changing the contractor employed to do this work, and we will set up regular contract management meetings to ensure that the service provider meets the service standards agreed as part of the contract.
- 6.3. In addition, the Service continues to monitor the local housing market for properties which might boost our own stock of suitable accommodation and to explore options with our RSL partners. Owing to complex Housing Benefit subsidy rules, the Council's ownership of its own temporary accommodation remains, by a significant margin, the most financially viable delivery method. This position is reflected at Table 12 of Appendix 1
- 6.4. Use of non-Council owned accommodation results in a subsidy payment loss from DWP with that loss showing within the P&P Service budgets. The recent increase in use of accommodation in Stirling has impacted upon P&P's ability to meet one of its savings targets.
- 6.5. The Service is preparing a bid to the Be the Future Transformational Programme, to consider some architectural changes to three of our managed temp accommodation blocks. This would involve increasing the occupation

density of those blocks by splitting existing units into a greater number of smaller, self-contained, units. A potential increase of 12-24 units might be achieved. Work is required with a range of specialist advisers to explore the viability of this option.

- 6.6. Committee and council will be kept informed as to how these plans progress and develop.
- 6.7. The other area being examined is in regard to homeless persons leaving temporary accommodation and setting up a new tenancy who do not meet the exacting requirements to qualify for grant assistance from the Scottish Welfare Funds. This group often lack the financial means to set up a home and this can delay their move from temporary accommodation and have a detrimental impact upon tenancy sustainment, increasing the potential for repeat homelessness.
- 6.8. The service is considering the guidance relating to the Rapid Re-housing Transition Plan (RRTP) grant fund to see if a pilot could be enacted to address this issue. If possible, this might create an opportunity for the Council to work with third sector furniture recycling services and, thus, assist with the community wealth building agenda.

## **7.0 Local Connection**

- 7.1. Following after the required consultation process, the Scottish Government are taking steps to implement two recommendations of the Homelessness and Rough Sleeping Action Group (HARSAG) from 2017. These are the removal of the “local connection” test and suspension of the referral process between local authorities.
- 7.2. Local authorities currently have a discretionary power to refuse homeless applicant’s who have no connection to the area in which their application is made. A local connection might exist through, for example, employment, having resident family or having resided in the area for a defined period. There are, of-course, exceptions where this discretionary power may not be applied, for example, in cases where the applicant is fleeing domestic abuse etc. Most authorities have applied the “local connection” test as a mandatory stage in the assessment process which campaigning groups have identified as unnecessarily restrictive.
- 7.3. Referrals between authorities may happen where Authority A finds an applicant to be homeless but recognises that the applicant has a local connection with Authority B. In such cases Authority A may make a referral to Authority B asking that they permanently house the applicant. Such referrals requests are very routinely refused.
- 7.4. Ministers are still to publish a date for removal of these powers but February 2022 is widely anticipated.
- 7.5. It is not known at this time what the impact of these changes will be but it is likely there will be more movement into and out of Clackmannanshire from, and to, Falkirk and Stirling. The large cities, such as Glasgow, Edinburgh Dundee etc. are particularly concerned about the changes.

## 8.0 Sustainability Implications

8.1. None

## 9.0 Resource Implications

9.1. *Financial Details*

9.2. Finance have been consulted and have agreed the financial implications as set out in the report. Yes

9.3. *Staffing*

9.4. The focus on private sector improvements, will require to be considered as part of the housing restructure.

## 10.0 Exempt Reports

10.1. Is this report exempt? Yes  (please detail the reasons for exemption below) No

## 11.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please click on the check box )

Clackmannanshire will be attractive to businesses and people and ensure fair opportunities for all

Our families, children and young people will have the best possible start in life

Women and girls will be confident and aspirational, and achieve their full potential

Our communities will be resilient and empowered so that they can thrive and flourish

(2) **Council Policies** (Please detail)

## 12.0 Equalities Impact

12.1. Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes

No

## 13.0 Legality

13.1. It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

## 14.0 Appendices

Appendix 1 - Homeless Performance Data

## 15.0 Background Papers

12.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered).

Yes

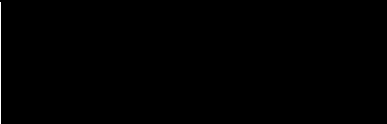
No

(please list the documents below)

### Author(s)

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Wilson Lees	Team Leader (Housing)	2357

### Approved by

NAME	DESIGNATION	SIGNATURE
Pete Leonard	Strategic Director (Place)	



Clackmannanshire had the third highest rate of application by population across Scotland. This is illustrated in the table below:

<b>Table 1: Homelessness applications as a percentage of population 2020/21</b>					
	<b>Percentage</b>	<b>Rank</b>		<b>Percentage</b>	<b>Rank</b>
<b>Scotland</b>	<b>0.7%</b>				
West Dunbartonshire	<b>1.4%</b>	32	Eilean Siar	<b>0.7%</b>	16
Glasgow City	<b>1.2%</b>	31	Scottish Borders	<b>0.7%</b>	15
<b>Clackmannanshire</b>	<b>1.2%</b>	<b>30</b>	Midlothian	<b>0.7%</b>	14
Dundee City	<b>1.1%</b>	29	North Lanarkshire	<b>0.6%</b>	13
West Lothian	<b>1.0%</b>	28	Moray	<b>0.6%</b>	12
North Ayrshire	<b>0.9%</b>	27	Argyll & Bute	<b>0.6%</b>	11
South Ayrshire	<b>0.9%</b>	26	Renfrewshire	<b>0.6%</b>	10
South Lanarkshire	<b>0.8%</b>	25	Highland	<b>0.5%</b>	9
Fife	<b>0.8%</b>	24	Perth & Kinross	<b>0.5%</b>	8
Falkirk	<b>0.8%</b>	23	East Renfrewshire	<b>0.5%</b>	7
East Ayrshire	<b>0.8%</b>	22	Edinburgh	<b>0.5%</b>	6
Stirling	<b>0.8%</b>	21	Inverclyde	<b>0.5%</b>	5
Aberdeen City	<b>0.8%</b>	20	Shetland	<b>0.5%</b>	4
Orkney	<b>0.7%</b>	19	Aberdeenshire	<b>0.4%</b>	3
East Lothian	<b>0.7%</b>	18	Angus	<b>0.4%</b>	2
Dumfries & Galloway	<b>0.7%</b>	17	East Dunbartonshire	<b>0.3%</b>	1

This is not a new development; Clackmannanshire has had among the highest presentation rates for as long as the current statistical records, beginning in 2002, show. Indeed, in the period 2004-2006 Clackmannanshire had the highest rate in Scotland at more than double the national average.

Numbers of applications have dropped over the years, from a peak of 1157 in 2005/6 to a low of 459 in 2016/17. In 2020/21, 504 applications were received which is in keeping with the current average.

Since the peak in 2005/6 presentation rates across Scotland have fallen by 44% and by 56% in Clackmannanshire.

We are confident that the figures collected in Clackmannanshire are accurate and that all homeless applicants are correctly identified and appropriately recorded.

The, relatively, high volume of applications does place a strain on the authority with respect to the provision of temporary accommodation. The following table reflects this position but also illustrates that the potential impact is significantly mitigated with above average performance in the time taken to resolve applications. Despite presentations rates approaching twice the national average the proportion of households in temporary accommodation is below the national average.

<b>Table 2: Households in temporary accommodation compared to population, by local authority: as at 31 March 2021 -Taken from Table 32</b>					
	<b>Rate per 1,000 population</b>	<b>Rank</b>		<b>Rate per 1,000 population</b>	<b>Rank</b>
<b>Scotland</b>	<b>2.9</b>				
Midlothian	5.6	32	<b>Clackmannanshire</b>	<b>2.3</b>	<b>16</b>
Glasgow City	5.0	31	Fife	2.3	15
Edinburgh	4.9	30	North Lanarkshire	2.0	14
East Lothian	4.8	29	East Dunbartonshire	1.8	13
West Lothian	4.5	28	Moray	1.6	12
Stirling	4.4	27	Argyll & Bute	1.5	11
Shetland	4.1	26	Aberdeen City	1.5	10
West Dunbartonshire	4.1	25	Dumfries & Galloway	1.4	9
Highland	3.7	24	East Ayrshire	1.3	8
Orkney	3.7	23	Renfrewshire	1.2	7
Dundee City	3.6	22	Inverclyde	1.1	6
Falkirk	2.8	21	Angus	1.1	5
South Ayrshire	2.8	20	Scottish Borders	1.0	4
Eilean Siar	2.7	19	East Renfrewshire	0.9	3
South Lanarkshire	2.6	18	Aberdeenshire	0.9	2
North Ayrshire	2.4	17	Perth & Kinross	0.3	1

### **Reasons for high presentation rate:**

An analysis of our position was undertaken as part of the drafting of our Rapid Rehousing Transition Plan (RRTP) 2019/20 – 2023/24 presented to Council on .... There it was stated:

*“Our analysis of the housing market within Clackmannanshire suggests that we have few levers to reduce the levels of homelessness within the area; the market is affordable and functional, but saturated.....”*

*In short, we believe a shortage of affordable housing, rather than issues regarding access to existing housing, is the biggest obstacle to reducing homelessness in Clackmannanshire.”*

The RRTP saw the reduction of homelessness directly linked to the availability of sufficient affordable housing within the area and requested that the Scottish Government accelerate the building of affordable housing through the provision of addition grant funding.

The prevention of homelessness through very early interventions was also included as a key theme with programs such as STRIVE forming a central pillar to the reduction in homelessness within the area.

### **Reasons for homelessness**



In comparison to the Scottish data the reasons for becoming homeless show some variation from the national figures with non-violent relationship breakdown being the most common reason given in Clackmannanshire.

Of concern is the over-prevalence of harassment and the fleeing of non-domestic violence in the statistics.

**Table 3: Main reason for making an application for homelessness, as a proportion of all applications:**

	Scotland	Clacks
	2020-21	2020-21
<b>Reason for having to leave accommodation/household</b>		
Dispute within household: violent or abusive	14%	7.9%
Dispute within household / relationship breakdown: non-violent	22%	31.0%
Fleeing non-domestic violence	4%	6.7%
Harassment	2%	6.5%
Overcrowding	2%	1.6%
Asked to leave	27%	24.8%
Other reason for leaving accommodation / household	10%	6.7%

Despite the relatively high presentation rate it should be noted that Clackmannanshire performs at or above average in many aspects of the administration of homelessness.

However, the time taken to reach a determination on an application is slightly longer than average (Table 4) and decision making, while robust varies a little from the average with the percentage of applicants found to be unintentionally homeless on the lower side of average and the numbers found to be intentionally homeless on the higher side. (Table 5)

<b>Table 4: Average time (days) from application to assessment, by local authority: 2020-21 - Taken from Table 24</b>					
	<b>2020-21</b>	<b>Rank</b>		<b>2020-21</b>	<b>Rank</b>
<b>Scotland</b>	<b>16</b>				
Aberdeen City	9	1	East Ayrshire	19	17
Glasgow City	9	2	South Lanarkshire	19	18
Perth & Kinross	10	3	North Lanarkshire	20	19
Fife	11	4	East Lothian	21	20
North Ayrshire	11	5	Moray	21	21
Edinburgh	13	6	<b>Clackmannanshire</b>	<b>22</b>	<b>22</b>
Scottish Borders	13	7	Dundee City	22	23
West Dunbartonshire	13	8	Dumfries & Galloway	23	24
Eilean Siar	15	9	East Renfrewshire	23	25
East Dunbartonshire	16	10	Orkney	25	26
Falkirk	16	11	Shetland	26	27
Renfrewshire	16	12	South Ayrshire	26	28
Highland	17	13	Stirling	27	29
Midlothian	17	14	West Lothian	30	30
Argyll & Bute	18	15	Angus	37	31
Aberdeenshire	19	16	Inverclyde	41	32

**Table 5: Summary homelessness assessment decisions a) numbers and b) as a proportion of all assessments, by local authority: 2020-2021**

	<b>Unintentionally homeless (or threatened)</b>	<b>Intentionally homeless (or threatened)</b>	<b>Other</b>	<b>All</b>
<b>Scotland</b>	<b>81%</b>	<b>1%</b>	<b>17%</b>	<b>100%</b>
Aberdeen City	84%	0%	16%	100%
Aberdeenshire	81%	2%	17%	100%
Angus	81%	1%	17%	100%
Argyll & Bute	84%	1%	14%	100%
<b>Clackmannanshire</b>	<b>76%</b>	<b>4%</b>	<b>20%</b>	<b>100%</b>
Dumfries & Galloway	76%	2%	22%	100%
Dundee City	75%	0%	24%	100%
East Ayrshire	82%	1%	18%	100%
East Dunbartonshire	84%	2%	16%	100%
East Lothian	83%	3%	14%	100%
East Renfrewshire	82%	0%	16%	100%
Edinburgh	93%	1%	6%	100%
Eilean Siar	77%	3%	19%	100%
Falkirk	77%	2%	21%	100%
Fife	79%	2%	20%	100%
Glasgow City	82%	1%	17%	100%
Highland	92%	0%	7%	100%

Inverclyde	70%	0%	28%	100%
Midlothian	90%	2%	8%	100%
Moray	68%	5%	26%	100%
North Ayrshire	79%	1%	20%	100%
North Lanarkshire	80%	4%	16%	100%
Orkney	79%	4%	18%	100%
Perth & Kinross	83%	3%	15%	100%
Renfrewshire	79%	1%	20%	100%
Scottish Borders	84%	0%	16%	100%
Shetland	82%	0%	18%	100%
South Ayrshire	81%	1%	17%	100%
South Lanarkshire	76%	0%	23%	100%
Stirling	75%	2%	24%	100%
West Dunbartonshire	82%	0%	17%	100%
West Lothian	82%	1%	17%	100%

Ultimately, however, cases are resolved significantly more quickly than the Scottish average (Table 6), and applicants spend less time in temporary Accommodation (Table 7) as a consequence. Resolution for most applicants found homeless (75%) involves being rehomed in a local authority or RSL tenancy.

**Table 6: Average time (days) from assessment to closure for applications assessed as homeless or threatened with homelessness, by local authority: 2020-21**

	2020-21	Rank		2020-21	Rank
<b>Scotland</b>	<b>248</b>				
Perth & Kinross	85	1	Angus	229	17
Aberdeen City	135	2	Fife	234	18
Aberdeenshire	136	3	West Dunbartonshire	234	19
Scottish Borders	139	4	South Lanarkshire	244	20
Clackmannanshire	149	5	Argyll & Bute	252	21
East Ayrshire	158	6	Glasgow City	272	22
Renfrewshire	162	7	West Lothian	286	23
Dumfries & Galloway	166	8	Falkirk	299	24
South Ayrshire	172	9	Highland	345	25
North Lanarkshire	178	10	Stirling	346	26
Moray	183	11	Eilean Siar	372	27
Inverclyde	204	12	East Lothian	390	28
Orkney	208	13	Edinburgh	445	29
North Ayrshire	221	14	Shetland	467	30
Dundee City	222	15	East Dunbartonshire	508	31
East Renfrewshire	225	16	Midlothian	784	32

**Table 7: Average total time (days) spent in temporary accommodation, by local authority: 2020-21  
(Lower is better)**

	2020-21	Rank		2020-21	Rank
<b>Scotland</b>	<b>199</b>				
Perth & Kinross	79	1	South Lanarkshire	197	17
Renfrewshire	117	2	West Lothian	197	18
Inverclyde	118	3	Falkirk	198	19
East Ayrshire	121	4	Orkney	210	20
<b>Clackmannanshire</b>	<b>128</b>	<b>5</b>	West Dunbartonshire	214	21
Dumfries & Galloway	130	6	Glasgow City	225	22
Aberdeen City	131	7	Angus	229	23
Aberdeenshire	134	8	Stirling	237	24
Scottish Borders	134	9	Argyll & Bute	243	25
North Lanarkshire	136	10	Edinburgh	318	26
North Ayrshire	149	11	Eilean Siar	327	27
South Ayrshire	149	12	East Lothian	343	28
Moray	150	13	Highland	350	29
Dundee City	161	14	Shetland	379	30
East Renfrewshire	176	15	East Dunbartonshire	400	31
Fife	179	16	Midlothian	614	32

As a consequence, Clackmannanshire is one of only a few Local Authorities to have more household leaving temporary accommodation than entering (Table 8).

**TABLE 8:**

**Number of households entering and exiting temporary accommodation, by LA: 2020-21  
Higher is better - from Table 33**

	% Difference	Rank		% Difference	Rank
<b>Scotland</b>	<b>84.04%</b>				
Aberdeenshire	111.47%	1	Glasgow City	91.22%	17
Perth & Kinross	103.04%	2	South Ayrshire	91.16%	18
<b>Clackmannanshire</b>	<b>102.21%</b>	<b>3</b>	Eilean Siar	89.33%	19
Argyll & Bute	101.60%	4	Scottish Borders	87.78%	20
Dumfries & Galloway	98.19%	5	Angus	85.92%	21
Moray	97.81%	6	East Dunbartonshire	84.44%	22
Renfrewshire	97.80%	7	South Lanarkshire	84.12%	23
Aberdeen City	96.49%	8	Midlothian	79.60%	24
North Lanarkshire	95.99%	9	Orkney	78.85%	25
Shetland	95.00%	10	Inverclyde	76.28%	26
Highland	94.42%	11	Falkirk	70.45%	27
Fife	94.24%	12	Dundee City	67.67%	28
North Ayrshire	94.05%	13	East Renfrewshire	65.64%	29
East Lothian	92.54%	14	West Lothian	52.33%	30
East Ayrshire	91.46%	15	Stirling	50.42%	31
West Dunbartonshire	91.35%	16	Edinburgh	32.44%	32

Quicker resolution of cases not only provides quicker outcomes for applicants but also eases pressure upon temporary accommodation. Clackmannanshire has, as a consequence of this performance a relatively low proportion of its annual applicants accommodated in temporary accommodation when compared to other authorities (Table 9)

**Table 9: Households in temporary accommodation as at 31 March 2021 as a percentage of application in 2020/21 -Taken from Table 26**

	Percentage	Rank		Percentage	Rank
<b>Scotland</b>	<b>38.8%</b>				
Perth & Kinross	5.7%	1	South Lanarkshire	31.8%	17
Scottish Borders	14.8%	2	Dundee City	31.9%	18
East Ayrshire	16.4%	3	South Ayrshire	32.6%	19
East Renfrewshire	18.3%	4	North Lanarkshire	33.8%	20
Aberdeen City	19.3%	5	Falkirk	35.3%	21
<b>Clackmannanshire</b>	<b>19.8%</b>	<b>6</b>	Eilean Siar	39.2%	22
Dumfries & Galloway	20.1%	7	Glasgow City	42.1%	23
Aberdeenshire	20.7%	8	West Lothian	45.4%	24
Renfrewshire	21.6%	9	Orkney	51.1%	25
Inverclyde	23.8%	10	Stirling	57.5%	26
Argyll & Bute	26.0%	11	East Dunbartonshire	65.9%	27
North Ayrshire	26.9%	12	East Lothian	66.8%	28
Moray	27.5%	13	Highland	69.3%	29
Fife	27.9%	14	Midlothian	84.9%	30
Angus	28.1%	15	Shetland	90.6%	31
West Dunbartonshire	28.3%	16	Edinburgh	99.9%	32

This, in turn, sees positive dividends for those homeless households with children, with fewer being accommodated for lengthy periods in temporary accommodation (Table 10 & Table 11)

**Table 10: All children in accommodation at 31st March 2021 shown as a percentage of all children who were part of a household assessed as homeless or potentially homeless during 2020/21**

	Percentage	Rank		Percentage	Rank
<b>Scotland</b>	<b>60.4%</b>				
Perth & Kinross	3.4%	1	Fife	32.1%	17
Inverclyde	6.5%	2	Argyll & Bute	37.5%	18
East Ayrshire	11.0%	3	South Ayrshire	41.1%	19
Scottish Borders	12.7%	4	South Lanarkshire	45.6%	20
East Renfrewshire	13.8%	5	Eilean Siar	46.5%	21
Aberdeen City	15.0%	6	Falkirk	48.3%	22
Angus	17.7%	7	Dundee City	51.3%	23
West Dunbartonshire	18.6%	8	West Lothian	57.1%	24
<b>Clackmannanshire</b>	<b>18.8%</b>	<b>9</b>	Highland	57.7%	25
Aberdeenshire	19.9%	10	East Dunbartonshire	75.2%	26
Moray	23.0%	11	Stirling	76.3%	27
Renfrewshire	24.4%	12	East Lothian	77.6%	28
North Ayrshire	24.5%	13	Midlothian	88.1%	29
North Lanarkshire	27.4%	14	Shetland	117.6%	30
Dumfries & Galloway	29.3%	15	Glasgow City	119.4%	31
Orkney	31.9%	16	Edinburgh	190.1%	32

Data taken from Table 28 and Table 15 - Not strictly comparable but taken as indicative

**Table 11: Average total time (days) spent in temporary accommodation, by household type and local authority: 2020-21**

Single Person		Single Parent		Couple		Couple with Children		Other		Other with Children		All	
All	182	All	235	All	190	All	341	All	209	All	294	All	199
Perth & Kinross	80	Perth & Kinross	82	Orkney	21	Angus	9	Perth & Kinross	28	Stirling	41	Perth & Kinross	79
Inverclyde	110	Aberdeen City	88	Midlothian	27	Clackmannanshire	94	Clackmannanshire	58	North Ayrshire	50	Renfrewshire	117
East Ayrshire	116	Clackmannanshire	91	Perth & Kinross	62	Orkney	108	West Dunbartonshire	71	Perth & Kinross	89	Inverclyde	118
Renfrewshire	118	Moray	105	Argyll & Bute	75	Aberdeen City	117	Aberdeen City	77	Falkirk	95	East Ayrshire	121
Dumfries & Galloway	126	North Ayrshire	107	North Lanarkshire	87	Perth & Kinross	130	Renfrewshire	78	Aberdeen City	103	Clackmannanshire	128
Scottish Borders	133	Renfrewshire	109	East Ayrshire	96	East Ayrshire	137	Scottish Borders	98	Moray	109	Dumfries & Galloway	130
Aberdeenshire	134	Aberdeenshire	124	Eilean Siar	105	South Ayrshire	153	South Ayrshire	122	Scottish Borders	122	Aberdeen City	131
Clackmannanshire	136	North Lanarkshire	130	Fife	105	Aberdeenshire	163	Aberdeenshire	123	Aberdeenshire	136	Aberdeenshire	134
North Lanarkshire	139	Scottish Borders	131	Dumfries & Galloway	117	North Lanarkshire	172	Moray	130	Renfrewshire	146	Scottish Borders	134
Dundee City	141	East Ayrshire	136	Inverclyde	121	West Dunbartonshire	188	North Lanarkshire	138	West Dunbartonshire	157	North Lanarkshire	136
Aberdeen City	144	Dumfries & Galloway	141	East Renfrewshire	133	Dumfries & Galloway	190	East Ayrshire	143	Argyll & Bute	179	North Ayrshire	149
South Ayrshire	147	West Dunbartonshire	149	South Ayrshire	136	Moray	210	South Lanarkshire	150	North Lanarkshire	188	South Ayrshire	149
South Lanarkshire	151	South Ayrshire	162	Clackmannanshire	137	Falkirk	212	Argyll & Bute	151	Clackmannanshire	200	Moray	150
North Ayrshire	154	Angus	163	Moray	140	Shetland	231	Dumfries & Galloway	156	Dumfries & Galloway	200	Dundee City	161
Moray	161	Fife	163	West Dunbartonshire	157	Fife	254	North Ayrshire	160	Dundee City	209	East Renfrewshire	176
East Renfrewshire	163	Inverclyde	184	Aberdeenshire	159	East Lothian	259	Highland	179	Fife	242	Fife	179
West Lothian	171	Dundee City	188	Falkirk	175	West Lothian	259	West Lothian	185	Angus	289	South Lanarkshire	197
Fife	182	Argyll & Bute	212	Dundee City	196	Stirling	266	Dundee City	187	East Renfrewshire	304	West Lothian	197
Falkirk	188	Orkney	227	North Ayrshire	196	Eilean Siar	285	Fife	203	South Lanarkshire	310	Falkirk	198
Glasgow City	191	East Renfrewshire	237	Renfrewshire	201	East Renfrewshire	286	Edinburgh	205	Highland	321	Orkney	210
Orkney	212	Falkirk	240	Angus	207	Scottish Borders	289	East Dunbartonshire	206	West Lothian	334	West Dunbartonshire	214
Stirling	230	West Lothian	245	Aberdeen City	210	Renfrewshire	316	Midlothian	241	Inverclyde	380	Glasgow City	225
West Dunbartonshire	230	Stirling	255	Stirling	214	East Dunbartonshire	328	Orkney	249	East Dunbartonshire	386	Angus	229
Angus	238	Shetland	263	Glasgow City	238	North Ayrshire	346	East Renfrewshire	287	Glasgow City	427	Stirling	237
Argyll & Bute	249	South Lanarkshire	277	South Lanarkshire	241	South Lanarkshire	348	Falkirk	289	Edinburgh	519	Argyll & Bute	243
Edinburgh	264	East Lothian	282	East Lothian	269	Glasgow City	391	East Lothian	302	Midlothian	615	Edinburgh	318
Eilean Siar	349	Eilean Siar	294	West Lothian	284	Highland	412	Glasgow City	341	East Lothian	630	Eilean Siar	327
Highland	357	Glasgow City	298	Shetland	308	Dundee City	457	Stirling	517	East Ayrshire	.	East Lothian	343
East Lothian	363	Highland	329	Edinburgh	312	Argyll & Bute	461	Angus	.	Eilean Siar	.	Highland	350
East Dunbartonshire	390	Edinburgh	458	East Dunbartonshire	322	Edinburgh	541	Eilean Siar	.	Orkney	.	Shetland	379
Shetland	397	East Dunbartonshire	481	Highland	328	Midlothian	865	Inverclyde	.	Shetland	.	East Dunbartonshire	400
Midlothian	452	Midlothian	778	Scottish Borders	.	Inverclyde	.	Shetland	.	South Ayrshire	.	Midlothian	614

Clackmannanshire predominately provides temporary accommodation in the form of its own self-contained flatted accommodation within the community. Use of B&B is uncommon though occasionally required. The table below (Table 12) illustrates that Clackmannanshire performs well in reference to the quality of temporary accommodation provided:

Table 12: Households in temporary accommodation, as a proportion of all households, by type of accommodation and local authority: as at 31 March 2021

Local Authority Furnished		Local Authority other		Housing Association		Local Authority Hostel		Other Hostel		Bed and Breakfast		Other	
<b>Scotland</b>	<b>45%</b>	<b>Scotland</b>	<b>1%</b>	<b>Scotland</b>	<b>16%</b>	<b>Scotland</b>	<b>5%</b>	<b>Scotland</b>	<b>5%</b>	<b>Scotland</b>	<b>9%</b>	<b>Scotland</b>	<b>18%</b>
East Ayrshire	92%	Scottish Borders	53%	Dumfries & Galloway	69%	Eilean Siar	42%	Perth & Kinross	38%	East Lothian	30%	Edinburgh	55%
North Lanarkshire	91%	Shetland	33%	Inverclyde	60%	Perth & Kinross	38%	Dundee City	15%	West Lothian	22%	Argyll & Bute	55%
Fife	91%	Renfrewshire	22%	Glasgow City	57%	Inverclyde	33%	West Dunbartonshire	15%	East Renfrewshire	14%	East Dunbartonshire	42%
<b>Clackmannanshire</b>	<b>90%</b>	Dundee City	11%	Eilean Siar	33%	Midlothian	18%	Moray	12%	Glasgow City	14%	Highland	37%
Aberdeen City	89%	Aberdeenshire	8%	Argyll & Bute	32%	Falkirk	11%	South Lanarkshire	11%	Edinburgh	13%	Dumfries & Galloway	28%
North Ayrshire	89%	Aberdeen City	0%	Angus	24%	Dundee City	10%	East Dunbartonshire	9%	Highland	12%	South Ayrshire	26%
Orkney	86%	Angus	0%	Midlothian	17%	Aberdeenshire	8%	Glasgow City	9%	Stirling	11%	South Lanarkshire	17%
Renfrewshire	78%	Argyll & Bute	0%	Aberdeenshire	11%	Orkney	7%	East Ayrshire	8%	Angus	5%	Glasgow City	16%
Falkirk	78%	Dumfries & Galloway	0%	Moray	8%	Fife	6%	Edinburgh	8%	Argyll & Bute	5%	<b>Clackmannanshire</b>	<b>10%</b>
Stirling	77%	East Ayrshire	0%	Orkney	7%	West Lothian	6%	East Lothian	7%	Aberdeen City	4%	West Lothian	9%
Moray	76%	East Dunbartonshire	0%	East Dunbartonshire	6%	Aberdeen City	5%	Aberdeenshire	5%	Fife	3%	Falkirk	8%
Shetland	73%	East Lothian	0%	South Lanarkshire	6%	West Dunbartonshire	5%	South Ayrshire	4%	Dundee City	1%	East Renfrewshire	7%
West Dunbartonshire	73%	East Renfrewshire	0%	Dundee City	5%	Edinburgh	5%	Dumfries & Galloway	3%	Aberdeenshire	0%	Stirling	7%
East Renfrewshire	71%	Edinburgh	0%	West Lothian	5%	North Ayrshire	4%	Highland	1%	Dumfries & Galloway	0%	Aberdeenshire	3%
Angus	67%	Eilean Siar	0%	West Dunbartonshire	5%	South Lanarkshire	4%	Aberdeen City	0%	East Ayrshire	0%	North Lanarkshire	3%
South Ayrshire	66%	Falkirk	0%	North Lanarkshire	4%	Glasgow City	3%	Angus	0%	East Dunbartonshire	0%	Aberdeen City	0%
Midlothian	65%	Fife	0%	Falkirk	3%	North Lanarkshire	3%	Argyll & Bute	0%	Eilean Siar	0%	Angus	0%
Aberdeenshire	62%	Glasgow City	0%	Edinburgh	2%	South Ayrshire	2%	East Renfrewshire	0%	Falkirk	0%	Dundee City	0%
East Lothian	61%	Highland	0%	South Ayrshire	2%	Stirling	1%	Eilean Siar	0%	Inverclyde	0%	East Ayrshire	0%
South Lanarkshire	59%	Inverclyde	0%	Highland	1%	Highland	1%	Falkirk	0%	Midlothian	0%	East Lothian	0%
West Lothian	58%	Midlothian	0%	Aberdeen City	0%	Angus	0%	Fife	0%	Moray	0%	Eilean Siar	0%
Dundee City	55%	Moray	0%	East Ayrshire	0%	Argyll & Bute	0%	Inverclyde	0%	North Ayrshire	0%	Fife	0%
Scottish Borders	53%	North Ayrshire	0%	East Lothian	0%	Dumfries & Galloway	0%	Midlothian	0%	North Lanarkshire	0%	Inverclyde	0%
Highland	47%	North Lanarkshire	0%	East Renfrewshire	0%	East Ayrshire	0%	North Ayrshire	0%	Orkney	0%	Midlothian	0%
East Dunbartonshire	42%	Orkney	0%	Fife	0%	East Dunbartonshire	0%	North Lanarkshire	0%	Perth & Kinross	0%	Moray	0%
Edinburgh	17%	Perth & Kinross	0%	North Ayrshire	0%	East Lothian	0%	Orkney	0%	Renfrewshire	0%	North Ayrshire	0%
Eilean Siar	17%	South Ayrshire	0%	Perth & Kinross	0%	East Renfrewshire	0%	Renfrewshire	0%	Scottish Borders	0%	Orkney	0%
Perth & Kinross	13%	South Lanarkshire	0%	Renfrewshire	0%	Moray	0%	Scottish Borders	0%	Shetland	0%	Perth & Kinross	0%
Argyll & Bute	5%	Stirling	0%	Scottish Borders	0%	Renfrewshire	0%	Shetland	0%	South Ayrshire	0%	Renfrewshire	0%
Dumfries & Galloway	0%	West Dunbartonshire	0%	Shetland	0%	Scottish Borders	0%	Stirling	0%	South Lanarkshire	0%	Scottish Borders	0%
Glasgow City	0%	West Lothian	0%	Stirling	0%	Shetland	0%	West Lothian	0%	West Dunbartonshire	0%	Shetland	0%
Inverclyde	0%	<b>Clackmannanshire</b>	<b>0%</b>	<b>Clackmannanshire</b>	<b>0%</b>	<b>Clackmannanshire</b>	<b>0%</b>	<b>Clackmannanshire</b>	<b>0%</b>	<b>Clackmannanshire</b>	<b>0%</b>	West Dunbartonshire	0%





Despite relatively high presentation rates, Clackmannanshire, as illustrated above performs well in quickly providing permanent accommodation solutions for those found to be homeless. The table below (Table 13) shows that most homeless households are ultimately housed in local authority or RSL accommodation after having spent a, relatively, short period waiting for permanent accommodation and, if required, having been accommodated in good quality, self-contained, temporary accommodation.

**Table 13: Outcomes for households assessed as unintentionally homeless or threatened with homelessness, as a proportion of all outcomes, by local authority: 2019-2020**

	LA tenancy	RSL (Housing Association)	Private rented tenancy	Hostel	Returned to previous/present accommodation	Moved-in with friends/relatives	Other (known)	Not Known (Contact maintained)
<b>Scotland</b>	<b>41%</b>	<b>32%</b>	<b>5%</b>	<b>1%</b>	<b>6%</b>	<b>5%</b>	<b>8%</b>	<b>2%</b>
North Lanarkshire	71%	9%	1%	0%	5%	3%	9%	2%
Aberdeenshire	66%	17%	4%	0%	5%	3%	4%	1%
Moray	65%	17%	0%	0%	6%	5%	5%	2%
<b>Clackmannanshire</b>	<b>65%</b>	<b>10%</b>	<b>1%</b>	<b>0%</b>	<b>9%</b>	<b>4%</b>	<b>6%</b>	<b>4%</b>
South Lanarkshire	63%	11%	3%	0%	5%	1%	12%	4%
South Ayrshire	63%	6%	5%	0%	8%	6%	6%	7%
Fife	62%	11%	6%	0%	7%	6%	7%	1%
East Ayrshire	62%	8%	7%	0%	8%	5%	7%	4%
Falkirk	62%	14%	4%	0%	6%	5%	7%	2%
East Renfrew shire	61%	18%	7%	0%	7%	2%	5%	2%
Perth & Kinross	61%	26%	2%	1%	4%	2%	3%	3%
East Lothian	60%	14%	4%	0%	6%	6%	6%	5%
Aberdeen City	58%	15%	4%	0%	5%	6%	11%	0%
West Lothian	56%	25%	3%	0%	6%	4%	5%	1%
Angus	55%	25%	4%	0%	3%	3%	7%	1%
West Dunbartonshire	52%	21%	3%	0%	12%	4%	6%	2%
Renfrew shire	51%	28%	3%	0%	5%	5%	7%	1%
Highland	50%	26%	5%	0%	7%	4%	7%	1%
Midlothian	48%	17%	13%	0%	1%	2%	8%	11%
North Ayrshire	48%	20%	6%	0%	7%	13%	6%	0%
Shetland	46%	31%	0%	0%	8%	15%	8%	0%
Dundee City	45%	31%	8%	1%	4%	6%	4%	1%
East Dunbartonshire	40%	20%	12%	0%	8%	6%	6%	8%
Stirling	37%	17%	5%	0%	12%	7%	20%	3%
Edinburgh	33%	23%	25%	0%	3%	4%	7%	4%
Orkney	29%	41%	12%	0%	6%	6%	6%	0%
Inverclyde	3%	58%	10%	0%	6%	3%	16%	0%
Argyll & Bute	2%	71%	8%	2%	11%	3%	5%	2%
Glasgow City	1%	68%	3%	3%	5%	7%	11%	1%
Scottish Borders	1%	75%	10%	0%	6%	2%	5%	1%
Dumfries & Galloway	0%	75%	7%	0%	5%	6%	6%	1%
Eilean Siar	0%	68%	11%	0%	11%	0%	5%	5%



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**Report to: Place Committee**

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**Date of Meeting: 4<sup>th</sup> November 2021**

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**Subject: Scottish Housing Regulator Annual Assurance Statement**

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**Report by: Strategic Director (Place)**

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## **1.0 Purpose**

- 1.1. This report provides reminder for members on the 2019 changes to the regulatory framework for social housing in Scotland and asks members to note the submission of Clackmannanshire Council's Annual Assurance Statement to the Scottish Housing Regulator (SHR) on 31<sup>st</sup> October 2021. (The council's Annual Assurance Statement is attached as Appendix 1).

## **2.0 Recommendations**

- 2.1.1 It is recommended that the Council:
- 2.1.2 Note the 2021 submission of the Annual Assurance Statement to the Scottish Housing Regulator, noting the relevant changes to the regulatory framework for social housing in Scotland and the impact of Covid-19 on our ability to implement the improvement actions required to be undertaken.

## **3.0 Considerations**

- 3.1. As required by section 31 of the Housing (Scotland) Act 2010, the Scottish Ministers set the standards and outcomes that all social landlords should aim to achieve when performing their housing activities.
- 3.2. The Charter was approved by resolution of the Scottish Parliament in 2012, taking effect from 1 April 2012. Reporting on performance against the Charter is undertaken via the Annual Return of Charter (ARC), which all social landlords are required to return annually by 31st May.
- 3.3. Following consultation a revised Regulatory Framework was introduced in February 2019 detailing revised regulatory requirements for social landlords in Scotland:
- New requirements for collection and publishing of data,
  - New requirement for social landlords to submit annually an Annual Assurance Statement to the SHR to provide assurance that social

landlords are meeting the standards and outcomes set out within the Scottish Social Housing Charter,

- How forward engagement by the SHR with landlords will take place.

#### 3.4. The Annual Assurance Statement

- 3.5. The Annual Assurance Statement requires that all social landlords in Scotland provide assurance to the regulator that they comply with the relevant regulatory standards and legal requirements, and are able to provide evidence in support of this. Areas of non-compliance are required to be stated, these termed as “material non-compliances”.
- 3.6. The first submission of the Annual Assurance Statement was made to the Regulator on 31<sup>st</sup> October 2019, last years submission was slightly later in December 2020 as result of impact of Covid-19. Clackmannanshire Council’s Annual Assurance Statement for 2021 is attached as Appendix 1.
- 3.7. The Council are required to publish and make available to tenants and service users the Assurance Statement submission, the Statement will be made available on the Council’s webpage relating to Housing Performance.
- 3.8. SHR guidance suggests that the statement submitted should provide a short overview of compliance level with supplementary evidence to support the statement being held elsewhere by each landlord. This overview evidence has been shared in members rooms.
- 3.9. The supplementary evidence provides assurance that the Council has in place robust mechanisms to ensure that appropriate levels of governance and monitoring of relevant service provision against the statutory and regulatory standards takes place.
- 3.10. Supplementary evidence has been gathered through interrogation of both local and corporate arrangements currently in place to ensure effective service delivery. It is a key requirement by the SHR that assurance be reviewed by each landlord throughout the year, for Clackmannanshire Council the Housing Business Management Team will lead a working group to review performance quarterly.
- 3.11. The Convenor (Place) is required to sign off on the Assurance Statement as being a true and accurate reflection of assurance within the housing service.
- #### 3.12. Forward engagement by SHR
- 3.13. Clackmannanshire Council achieves all but the below noted relevant standards and outcomes in the Scottish Social Housing Charter for tenants, people who are homeless and others who use our services:
- Legislative Duties – Homelessness - Legislative duties associated with housing and homelessness services, equality and human rights, and tenant and resident safety.
  - Legislative Duties – Anti-Social Behaviour - Legislative duties associated with housing and homelessness services, equality and human rights, and tenant and resident safety.

- 3.14. We do not materially comply with meeting our legal obligations in Homelessness due to our non compliance with the Scottish Governments Homeless Persons (Unsuitable Accommodation) (Scotland) Order. This is due to our current need for use of temporary accommodation located out with our Local Authority area for periods extending beyond 7 days.
- 3.15. The service has discussed this matter with the Scottish Government arguing that such a crude indicator would unnecessarily penalise small authorities such as Clackmannanshire, and would suggest poor performance where none existed. Larger Scottish authorities could displace an individual applicant by as much as 200km without breaching this test. The Scottish Government were not persuaded of our position at the time and, consequently, our breach of the Unsuitable Accommodation Order is reported to the Scottish Housing Regulator as part of the Assurance Statement submission.
- 3.16. We do not materially comply with meeting our legal obligations toward management of anti-social behaviour due to there being no recognised Council anti-social behaviour policy in place at present.
- 3.17. The above noted areas of service delivery have been reported to the regulator as items of material non-compliance.
- 3.18. Areas of non-compliance must be reported. Where assurance is provided to the SHR that effective plans and the capacity and willingness to improve or resolve the issue are in place the SHR will ask to be kept up to date on progress within the improvement area, this is generally done by way of bi-monthly meetings or submission of progress reports.
- 3.19. In these circumstances the SHR will not engage with the landlord unless the issue presents such a significant risk to the interests of tenants and service users that they need to monitor it closely, or take action, to ensure it is resolved successfully.
- 3.20. A forward plan of improvement actions has been developed and is being implemented to address the under performance within the area's of homelessness and anti-social behaviour. These actions are outlined within the Assurance Statement.

#### **4.0 Sustainability Implications**

- 4.1. The information contained within the Assurance Statement and its supporting evidence demonstrates that housing priorities contribute positively to sustainability.

#### **5.0 Resource Implications**

##### *5.1. Financial Details*

Finance have been consulted and have agreed the financial implications as set out in the report. Yes

## 6.0 Exempt Reports

6.1. Is this report exempt? Yes  (please detail the reasons for exemption below) No

## 7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please click on the check box )

Clackmannanshire will be attractive to businesses and people and ensure fair opportunities for all

Our families, children and young people will have the best possible start in life

Women and girls will be confident and aspirational, and achieve their full potential

Our communities will be resilient and empowered so that they can thrive and flourish

(2) **Council Policies** (Please detail)

## 8.0 Equalities Impact

8.1. Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes

No

## 9.0 Legality

9.1. It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

## 10.0 Appendices

Appendix 1 - Annual Assurance Statement to the Scottish Housing Regulator 2020/21

## 11.0 Background Papers

11.1. Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered).

Yes

No

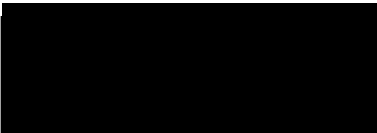
(please list the documents below)

*Clackmannanshire Council – SFHA & ALACHO Self Assurance evaluation working papers – shared in member’s room*

**Author(s)**

<b>NAME</b>	<b>DESIGNATION</b>	<b>TEL NO / EXTENSION</b>
Andrew Buchanan	Team Leader Business Improvement	5169
Murray Sharp	Senior Manager (Housing)	5113

**Approved by**

<b>NAME</b>	<b>DESIGNATION</b>	<b>SIGNATURE</b>
Pete Leonard	Strategic Director (Place)	







## Clackmannanshire Council Annual Assurance Statement 2021 to the Scottish Housing Regulator

Clackmannanshire Council complies with all relevant regulatory requirements set out in Chapter 3 of the Regulatory Framework.

We meet all but the below noted relevant standards and outcomes in the Scottish Social Housing Charter for tenants, people who are homeless and others who use our services:

### Legislative Duties - Homelessness

Legislative duties associated with housing and homelessness services, equality and human rights, and tenant and resident safety.

- Have assurance and evidence that the Council is meeting all its legal obligations associated with housing and homelessness services.

We do not materially comply with meeting our legal obligations in Homelessness due to our non compliance with the Scottish Governments Homeless Persons (Unsuitable Accommodation) (Scotland) Order. This is due to our current need for use of temporary accommodation located out with our Local Authority area, for periods extending beyond seven days.

The below noted actions are planned to be undertaken in order to help us move toward achieving adequate levels of accommodation provision within the Local Authority area and the meeting of the Homeless Persons (Unsuitable Accommodation) (Scotland) Order -

1. The service continues to monitor the local housing market for properties which may boost our own stock of suitable accommodation
2. The service continues to explore options with our RSL partners
3. The Service plans to consider some architectural changes to three of our managed temporary accommodation blocks. This would provide potential increase in number of units available within each block. Feasibility study is required.
4. The service is considering the guidance relating to the Rapid Re-housing Transition Plan (RRTP) grant fund with view to a pilot being enacted to address issues around qualification for Scottish Welfare Funding.

### Legislative Duties – Anti-Social Behaviour

Legislative duties associated with housing and homelessness services, equality and human rights, and tenant and resident safety.

- Have assurance and evidence that the Council is meeting all of its legal obligations associated with housing and tenant and resident safety.

We do not materially comply with meeting our legal obligations toward management of anti-social behaviour due to there being no recognised Council anti-social behaviour policy in place.

The below noted actions are planned to be undertaken in order to achieve compliance in within this area -

1. A Council Anti-Social Behaviour Policy to be developed, including relevant consultation with partners and approved by 31<sup>st</sup> October 2022. The requirement for this to be noted within a revised Business Plan for the appropriate Directorate.

The Scottish Housing Regulator Engagement Plan (2021/22) for Clackmannanshire Council highlights an intention to analyse the councils work in relation to services to people who are homeless and the site for Gypsy/Travellers. We will continue to work with the SHR in 2021/22 to provide required information on our homeless service and the Gypsy/Travellers site.

To meet our level of assurance we considered appropriate evidence against each of the requirements and will continue to do so during the course of the year.

Clackmannanshire Council have plans in place to revise our approach to the collection of equalities information and we have started to consider how to apply a human rights approach to our work.

The Annual Assurance Statement 2021 to the Scottish Housing Regulator will be presented to Council Place Committee on 4<sup>th</sup> November 2021.

**Signed**

**Convenor (Place):**

**Date:**

**Senior Manager (Housing):**

**Date:**

**Strategic Director (Place)**

**Date:**

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**Report to Place Committee**

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**Date of Meeting: 4<sup>th</sup> November, 2021**

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**Subject: Private Sector Housing Repairs Legislation Update**

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**Report by: Strategic Director (Place)**

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**1.0 Purpose**

- 1.1. This report sets out the current position in relation to Mixed Tenure works, relating to Housing Revenue Account (HRA) assets.
- 1.2. The report details actions including potential pilot considerations, areas of further investigation, resource requirements and aspects which until primary legislation is altered, might not be resolved.

**2.0 Recommendations**

- 2.1. It is recommended that the committee agrees and note the following points:-
  - 2.1.1. To note the change the 'off the shelf' buying back policy to allow for owners, in certain situations (7.2), to contact the council to ask us to purchase the property, where their property meets the advertised criteria and where the Council would achieve vacant possession and a clean title.
  - 2.1.2. To agree that legislative changes, such as those envisaged by Housing to 2040, with establishment of a common standard across all tenures could assist with the challenges expressed in this report.
  - 2.1.3. Explore the mechanism and feasibility of engagement options for homeowners in mixed share works including;
    - 2.1.3.1. A "Golden Share" where the council obtain a percentage of the property value in return for front funding common works,
    - 2.1.3.2. Consider buying back property in mixed HRA tenure blocks, to facilitate common repairs/improvements and potential allow for sitting tenants/owners to remain in situ,
    - 2.1.3.3. Consider with legal and finance expertise, whether owners in mixed tenure HRA blocks could pay an ongoing proportionate share of the rent, which would guarantee all communal repairs, maintenance and improvements taking place, without any

recourse for any charging mechanisms – i.e. the establishment of a proper factor.

- 2.2. Note the service is considering examining mixed tenure blocks where the HRA is in minority ownership, to potential dispose of some or all of these assets in line with agreed council policy, where the funds received would be ring-fenced to re-invest in alternative affordable housing supply only.
- 2.3. Note that process relating to door entry repairs and installations (3.6/3.7).
- 2.4. Note the list of future actions highlighted at point 10.0.
- 2.5. Otherwise note the remainder of the report commenting and challenging as appropriate.

### **3.0 Background**

- 3.1. For a number of years, the council have encountered difficulties implementing obligations to maintain properties located in tenements and four in a block flats where there is mixed ownership. Despite the legal position, which clearly states all owners have a responsibility towards repairs and maintenance of shared parts, some private owners refuse to contribute towards common repair work costs, claiming not to have the finances to pay their relevant share of such works, or dispute whether the work is a repair or improvement/enhancement.
- 3.2. The lack of engagement and/or agreement from homeowners significantly impacts on the Council's Scottish Housing Quality Standard (SHQS) position and poses a serious risk factor to meet our commitment of meeting this minimum standard for social housing. Private owners are not under the same obligation to meet the SHQS, which means that it could be argued that Council tenants in blocks with mixed ownership are not being provided with the same standard of housing as neighbours in a fully Council owned block. This is not a situation which should, and clearly can't, continue indefinitely. The Scottish Government, in the Housing to 2040 discussion paper, outlined that legislation will be brought forward to ensure consistent standards across all tenures should deal with this issue in the long term.
- 3.3. Many council properties have now reached an age where major works are needed including re-roofing and common upgrade works such as controlled door entry systems within shared flats, otherwise the assets will need replaced at a greater financial, economic and environmental cost. These projects require significant financial contributions by property owners as detailed in their title deeds. As reported to Council in June 2013, it was assumed then some £12m of owner's contributions would be required, in relation to HRA works in mixed tenure situations. Allowing for basic inflation this figure will have risen to at least £15m in today's prices. Following the cessation of grant funding for homeowners in 2009, there has been little incentive or encouragement for them to become involved in repair and maintenance works as mentioned. As the Councils capital programme has now started a focus on mixed tenure works, we are receiving clear and unambiguous feedback that owners want a clear specific recharge policy from the Council Revenues Team, on repayment options.

- 3.4. If common areas are allowed to deteriorate to such poor condition as Council properties cannot be let, this will clearly have a detrimental impact not only on the asset value, but on the business model and void rent loss. There is ultimately a risk that assets such as this could deteriorate to the point where they will be beyond refurbishment and repair options and will require demolition.
- 3.5. Secure door entry systems/controlled entries is a requirement of the SHQS. Being unable to replace and upgrade, existing systems in many areas due to lack of homeowner participation is responsible for the majority of current SHQS failures reported by Clackmannanshire Council.
- 3.6. Where existing door entry systems is in place, any works required to it are classed as a repair, even if this requires the system to be fully replaced because it is beyond repair. It can therefore be repaired and costs recovered without too much difficulty (see above for requirement of repayment options).
- 3.7. If required to install a door entry system where none previously exists, although essentially an improvement which would, at common law require the consent of all owners, a legal exception has been made, which means that a majority decision is all that is required for the door entry systems installation to proceed.
- 3.8. The Council must therefore maintain all its tenanted properties regardless of mixed ownership issues. It is unacceptable, for example, for the Council to allow a tenanted property to suffer from failing common area conditions such as close painting and secure common door maintenance. This can result in rent losses, property refusals as well as a poor product for our tenants.
- 3.9. Where the Council is the majority owner of a block, works can be instructed. However, owners still need options regards paying for the works if they are unable to afford to pay for works up-front. Where the Council is in the minority ownership or have a 50/50 ownership split, the reluctance of owners to engage with the works can easily postpone works for many years as without agreement from owners the Council is at a legal stalemate.
- 3.10. The proposals in this report seek to offer a range of methods which will encourage owners to engage with common repair works, commit to their legal responsibility towards the repair and maintenance of their, and their neighbours, home while also recognising that many of the works are expensive and cost prohibitive for some owners.

#### **4.0 Legal Obligations**

- 4.1. The Council's statutory repairing obligations to secure tenants are set out in schedule 4 of the Housing (Scotland) Act 2001. In summary the landlord is expected to keep a property in good condition throughout a tenancy, and to carry out in a reasonable time the repairs necessary to achieve this.
- 4.2. The Scottish Housing Quality Standard (SHQS) is the Scottish Government's principal measure of housing quality in Scotland. This is a set of five broad housing criteria which must be met by the Council if the property is to pass SHQS.

- 4.3. The Scottish Housing Regulator, an independent executive agency of the Scottish Government, monitors landlord performance to protect the interests of tenants, ensuring compliance with statutory duties.
- 4.4. As a registered property factor, the Council also has a duty to owners of former council housing to carry out factoring services to ensure the maintenance of properties. All property factors must comply with a Code of Conduct which sets out a minimum standard of registered property factors as well as providing a statement of services to owners. The Statement of Services must set out, in a simple and transparent way, the terms and service delivery standards of the arrangement in place between the Council and the homeowner.
- 4.5. The Council's Statement of Services, therefore, is the primary policy document for arranging repairs in mixed tenure blocks. However, the Statement of Services does not deal with the funding of repairs where owners are unwilling or unable to contribute to common works. In such circumstances the Council will require to ensure the available funding to ensure its responsibilities to tenants are met. It would be beneficial to seek specialist legal advice to review the Council's factoring position to ensure we are meeting our legal responsibilities both as a landlord and a property factor. The specialist advice can also examine, whether the council could play a more central factoring role i.e. charge a proportion of the rental fee for a guarantee of repairs, maintenance and improvement actions taken by the council on their behalf.

## **5.0 Current legal framework**

- 5.1. By way of background the legal position is dictated firstly by the title deeds for all the properties within a tenement.
- 5.2. The majority of ex-council houses contain conditions relating the common parts in the title deeds (common parts being defined as roofs, outside walls, common hall and stairs etc.) which includes amongst others (1) an obligation to maintain, repair and renew such common parts and for the owner's to pay their share of such costs; (2) decision making powers; and (3) provisions where the Council remains owner of one or more properties within a tenement/block to carry out any works necessary to maintain, repair and renew such common parts.
- 5.3. Where the title deeds are silent or there are gaps relating to maintenance and repair of the common parts the Tenement (Scotland) Act 2004 ("Tenement Act") would take effect to deal with such obligations or fill in the gaps of the title deeds
- 5.4. The Tenement Act sets out procedures which should be followed by the owners of the properties within the tenement when looking to carry out works to common parts (known as Tenement Management Scheme ("TMS")). Provided the relevant procedures are followed the decisions under the TMS will be binding on the owners (including paying the owner's relevant share of the costs of such common repairs etc).

- 5.5. While the legal position is clear, the main issue is getting the owner to pay for their relevant share of such common repairs where they are unwilling or unable to fund the cost.
- 5.6. There are currently recovery methods available to the Council, which involve placing a charging order on the title deeds of property. However, if an owner is unable to pay their share in full, all recovery methods place a resource requirement on the Council's General Fund to cover costs until repaid. The type of charging order used depends on the severity of the condition of the property, i.e. a Repayment Charge can only be used if a Work Notice has been served under Housing (Scotland) Act, 2006. A Work Notice requires a property to be below the tolerable standard, ideally, as a responsible landlord the Council aims to be proactive and address repair and maintenance issues before they become this severe. These processes are dependant on General Fund employee resources, where the Strategic Service provision has been scaled back in recent years. Moreover, this is also a service which could be called up by other landlords within the area. Therefore, examining this area might require demand pressures to be approved as part of the General Fund budgetary process.
- 5.7. Charging orders are robust methods to ensure funds are paid and although, unavoidable in some situations, these recovery methods are not without risk. In most cases the property will require to be sold before outstanding money is repaid, therefore, these methods could become a lengthy legal process with costs perhaps not being recovered for a number of years.

## **6.0 Review of Common Area Upgrades**

- 6.1. As previously mentioned many common area works cannot be progressed due to the lack of engagement from sharing owners. It is therefore recommended that a Common Area Upgrade pilot project is established with a pilot proposed for High Street, Tillicoultry, with external legal advice, due to the pressure of the in-house service. Approximately one third of the flatted properties in High Street are privately owned.
- 6.2. The Council have majority ownership in all blocks, meaning we can legally progress the works, even if some owners do not agree to come on board. However, it would be in everyone's best interest to be able to encourage owners to take part willingly, rather than force the works upon them. This is where it will be beneficial to have a range of repayment options to offer to owners who may not be in a position to pay for works in full.
- 6.3. The intention is to carry out secure door entry replacement and upgrading works along with security and emergency lighting enhancement as well as close painting. Works will be instructed through the Council's term contractor McGills.
- 6.4. Initially, sharing owners who are unable to front fund, will have their share secured through a charging order placed against their title. However, if agreeable with Finance, a range of repayment options could be presented to owners giving the opportunity to repay sums over 12, 24, 36, 48 and 60 months depending upon both the value to be repaid and the owners financial circumstances. Similar processes with homeowners in other local authorities, such as City of Edinburgh, attract both a significant administration charge of

over 20% but also an interest rate of 8%. Currently Clackmannanshire Council sundry debtors policy does not have an agreed process to charge interest, therefore, this is an issue which requires further discussion and agreement before it can be put in place.

- 6.5. Ideally, works to common areas should be done as preventative measures, not reactive repairs. The Council would benefit from a funding/repayment policy which encourages owners to become involved in works before they become an emergency situation. A repayment policy which details repayment terms and limited options for length of repayment would help encourage and engage owners and assist them in understanding the need for works to be done prior to a property suffering water ingress, or some degree of structural disrepair.
- 6.6. As engagement with owners is key to progressing this pilot, and other similar projects, it is prudent to consider the information an owner would expect to receive to allow them to make an informed decision when being asked to contribute towards repair costs. As much as is reasonable practicable an owner should be provided with detailed costs of their share, with repayment options at an early opportunity as possible. This information would be accompanied with a caveat that costs could change if the works were yet to be tendered.
- 6.7. Administration costs, and debt recovery procedures, are as set out in the Statement of Services. It should be noted that there is the potential of bad debts as a result of this scheme but a provision for this will be made in the accounts. Furthermore, the Council will be securing its investment against the title deeds for the private properties.
- 6.8. Failure by the owner to make timely payments would result in court action for payment. Further, to protect the Council in respect of the debt due in the event of a sale of the property a notice of potential liability or charging order would be registered against the property with Registers of Scotland.
- 6.9. Moving forward, the Housing Service will be carrying out a programme of roof and wall upgrade works across our asset portfolio on a 15 year upgrade programme. It is expected that following the pilot, similar works will be instructed, with private owners then being recharged their share as set out within their title deeds, where the Council is in a majority ownership or have agreement to proceed.

## **7.0 Buy backs**

- 7.1. Currently the Housing Service does occasionally buy 'Off the Shelf' properties, depending upon the needs of the allocation policy. Only properties which are advertised on the open market, at the time of need, are considered.
- 7.2. In September, 2017 members agreed with point 2.1.2 of the committee paper, 'Mixed Ownership and Common Repairs' that the Housing Service should explore options to 'buy back' properties within common blocks where it will allow the council to secure a majority share. Where it is considered this would provide an effective resolution to dealing with common repairs issues for the benefit of Council tenants in that block (perhaps where the Council is the majority owner). This option would only be considered where the private owner can evidence they do not have sufficient resources to meet both the



costs of the common repair works and their ongoing repairs costs. To ensure transparency on this issue, criteria for qualifying properties detailing size of properties and areas considered for purchase would be regularly published on Clacksweb to minimise wasted demand by the public and ourselves.

- 7.3. The acquisition price would be set following survey and valuation carried out by an independent surveyor, whose appointment would be agreed by the owner and the Council.
- 7.4. The budget required for this would be contained within the budget provision made for off the shelf purchase in any year.

## **8.0 'Golden Share' Properties**

- 8.1. Where an owner is unable to afford the cost of the common works in their block, they could ask the Council to consider taking a percentage share of the value of their home in lieu of payment for the works.
- 8.2. This option would generally only be considered when undertaking a package of high value works such as roof and render works combined. It may be necessary to impose a minimum percentage value but this will be explored to ensure the Council is able to sufficiently recover all costs associated with the owner's share of the works.
- 8.3. The owner would be responsible for seeking their own independent legal advice if this option was being considered.
- 8.4. The Housing Service is in discussion with Scottish Government on this issue and the potential of leaving sitting tenants in situ. This topic will require further legal exploration and may require changes to the existing Housing Allocation Policy.

## **9.0 Disposal of Property**

- 9.1. In the September, 2017 committee paper previously mentioned, members agreed, (point 2.1.3), to declare as surplus for disposal on the open market property where the Council is in minority ownership due to the other properties having been sold through the right to buy scheme.
- 9.2. In such circumstances, where (a) an agreement cannot be reached with owners of the tenement to the common repair works required; (b) the Council's tenant is in agreement to transferring his/her tenancy to another Council property - such Council property would be designated as surplus for disposal on the open market with vacant possession. This ensures that the Council can meet its statutory obligations to its tenants and would in turn allow the Council to use other statutory powers to allow the tenement to be repaired (i.e. Works Notice).
- 9.3. Any properties deemed to be surplus for disposal will be subject to the current procedure for declaring HRA properties surplus, which requires both initial approval at Committee and final ratification by Council. This procedure will be reviewed regularly to ensure our duty to maintain property condition can be carried out in a reasonable timescale.

- 9.4. Disposals of all HRA assets are made in full compliance with both the Council's statutory obligations and Scottish Ministers' requirements.
- 9.5. In these rare situations, under the Council's allocation policy, tenants would be made a direct offer of rehousing through powers delegated to the Head of Service in consultation with the Senior Manager – Legal and Governance.

## 10.0 Future Actions

- 10.1. As previously mentioned in this report there are some actions which require further discussion and examination to be taken across Services in order assess if the Council has appropriate policies to fully implement the potential options described.
- 10.2. An overview of these is detailed as follows;

Action	Lead Service
<u>Recharge policy</u> Robust sundry debtors recharge policy which safeguards the return of public funds and gives owners sufficient information on repayment terms. Should also include administration charges and interest charges where appropriate.	Finance & Revenues
<u>Secure Door Entry Systems - Pilot Project</u> Replacement/upgrade door entry systems in High Street, Tillicoultry	Property Services
<u>Factoring Legal Position</u> Explore the use of an external legal specialist to examine Council's legal responsibility in relation to common repairs involving owners and ensuring there are appropriate factoring arrangements	Legal/Housing
<u>Buy Back Policy</u> If agreed, publish criteria on Clacksweb and review/update when necessary	Housing
<u>'Golden Share' Properties</u> Housing to discuss with Scottish Government on legal implications. May require amendments to existing Housing Allocation Policy to accommodate changes.	Housing
<u>Additional Funding</u> Explore option for Scottish Government to increase Home Energy Efficiency Programme for Scotland (HEEPS) grants to Councils. Recently City of Edinburgh Council negotiated an uplift in funding from £7k to £12 - £15k.	Development Services/Housing

## 11.0 Consultation

11.1. An outline of these issues was highlighted at the CTRF AGM in September, 2021. As these proposals develop then further engagement will occur.

## 12.0 Sustainability Implications

12.1. If the recommendations in the report are agreed these steps will assist in maintaining the Council's assets while encouraging homeowners to meet their legal responsibilities to repair and maintain their homes.

## 13.0 Resource Implications

### 13.1. Financial Details

13.2. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes X

13.3. Finance have been consulted and have agreed the financial implications as set out in the report. Yes X

### 13.4. Staffing

13.5. It will be necessary to outsource legal advice due to resource issues currently experienced by our Legal team and the need for specialist advice. Staffing resources in relation to the action and issues highlighted in this paper are predicated in the Place organisational redesign process which includes additional resourcing in this area. This level of work cannot proceed without those structural proposals being approved and staffing resources being employed.

## 14.0 Exempt Reports

14.1. Is this report exempt? Yes  (please detail the reasons for exemption below) No X

## 14.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box )

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all	X
Our families; children and young people will have the best possible start in life	X
Women and girls will be confident and aspirational, and achieve their full potential	<input type="checkbox"/>
Our communities will be resilient and empowered so that they can thrive and flourish	<input type="checkbox"/>

(2) **Council Policies** (Please detail)

**15.0 Equalities Impact**

15.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes  No

**16.0 Legality**

16.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

**17.0 Appendices**

17.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

**18.0 Background Papers**

18.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

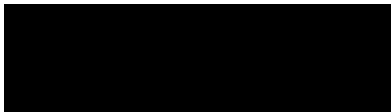
Yes  (please list the documents below) No

Mixed Ownership and Common Repairs by Head of Housing & Community Safety, September, 2017

**Author(s)**

NAME	DESIGNATION	TEL NO / EXTENSION
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Murray Sharp	Senior Manager (Housing)	5113

**Approved by**

NAME	DESIGNATION	SIGNATURE
Pete Leonard	Strategic Director (Place)	

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**Report to:** Place Committee

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**Date of Meeting:** 4 November 2021

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**Subject:** Strategic Housing Investment Plan 2022- 2027

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**Report by:** Strategic Director (Place)

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### **1.0 Purpose**

- 1.1. To approve the Strategic Housing Investment Plan (SHIP) at appendix 1. The SHIP sets out the operational framework for affordable housing development in Clackmannanshire over the next 5 years, establishing the investment priorities.

### **2.0 Recommendations**

- 2.1. It is recommended that Committee:

2.1.1 Approve the Strategic Housing Investment Plan for 2022-2027, including the summary 5 year programme of housing sites, detailed in Appendices 1 and 2.

### **3.0 Background**

- 3.1. Local Authorities are required by The Scottish Government to prepare a Strategic Housing Investment Plan (SHIP) annually, setting out the strategic investment priorities for affordable housing over a 5 year period, to achieve the outcomes set out in the Local Housing Strategy. The SHIP informs the Scottish Government's housing investment decisions.

### **4.0 SHIP 2022-27**

- 4.1. There have been delays of around 3 months on the new build programme and therefore delays in spend. The Council is tackling this by picking up on delays over the next few years by over- programming to catch up with delays. Delays last year, 2020/21, were mitigated with the purchase of 40 NHT units at Coalsnaughton, achieving over spend of £1.5 million on allocated funding.
- 4.2. Appendix 2 sets out the sites proposed for development over the next 5 years and associated spend against allocated funding.

## 5.0 Funding

- 5.1. The funding for 2021/22 is £6.666 million with the expected spend to be in the region of £3.15 million.
- 5.2. As reported to Committee in September 2021, the three month shut downs in 2020 had a knock on effect into this financial year. On top of this, backlog of material supplies and rising costs have further exacerbated delays.
- 5.3. Tender costs for new build have risen around 30 – 40% since March 2020. This is a challenge going forward to make projects viable within current Scottish Government grant levels. Costs in the SHIP have assumed higher levels of funding per unit as a realistic expectation based on new grant rates that have been published.
- 5.4. Projects coming in at higher than Scottish Government benchmark funding are subject to further scrutiny by SG which inevitably puts further delays on tender approval and start on site. This should be less of an issue once there is an announcement of increased benchmark funding levels going forward.
- 5.5. In order to pick up on delays, the 5 year SHIP has been over-programmed by around £9.3 million, with the expectation that an average of £1.8 million additional funding can be spent each year in Clackmannanshire. This will ensure that affordable housing will be delivered in the numbers required as we come out of the pandemic.
- 5.6. **Guidance on preparing a Strategic Housing Investment Programme states:**  
*'The Scottish Government would suggest that a minimum slippage factor (i.e. over-programme to accommodate unforeseen slippage) of 25% is built in to any programme planning.'*  
  
*As shown at 5.7, over-spend has been calculated slightly over the minimum slippage of 25% above allocation. Should there be any shortfall in SG grant funding, Kingdom Housing Association have advised that they will be willing to deliver in advance of grant.*
- 5.7. Funding and expected spend for the next five years is as follows and is detailed in Appendix 2.

<u>Year</u>	<u>Allocation</u>	<u>Expected Spend</u>	<u>Overspend</u>
2022/23 -	£5.746 million	£7.401 million	£1.655 million +29%
2023/24 -	£5.73 million	£7.800 million	£2.070 million +36%
2024/25 -	£5.75 million	£7.580 million	£1.830 million +31%
2025/26 -	£5.845 million	£7.607 million	£1.762 million +30%
2026/25 -	£5.845 million (est)	£7.782 million	£1.937 million +33%

## 6.0 Sustainability Implications

- 6.1. The supply of affordable housing is a central contributor to the Council's commitment to reduce carbon emissions. The projects are all built to 'Greener Standards' and the Council will pursue the inclusion of renewable energy on sites where possible.

## 7.0 Resource Implications

### Financial Details

- 7.1. There are no funding implications from this report that will not be met from within existing resources. A report will be brought to a future meeting on detailed regeneration proposals.
- 7.2. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes
- 7.3. Finance has been consulted and have agreed the financial implications as set out in the report. Yes

### Staffing

- 7.4. There are no staffing implications arising from this report

## 8.0 Exempt Reports

- 8.1. Is this report exempt? Yes  (please detail the reasons for exemption below) No

## 9.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

- (1) **Our Priorities** (Please double click on the check box )

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all

Our families; children and young people will have the best possible start in life

Women and girls will be confident and aspirational, and achieve their full potential

Our communities will be resilient and empowered so that they can thrive and flourish

- (2) **Council Policies** (Please detail)

## 10.0 Equalities Impact

10.1. Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes

No

## 11.0 Legality

11.1. It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

## 12.0 Appendices

12.1. Please list any appendices attached to this report. If there are no appendices, please state "none".

Appendix 1 Strategic Housing Investment Plan (SHIP) 2022-2027

Appendix 2 Affordable Housing Programme with 5 year spend

## 13.0 Background Papers

13.1. Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered).

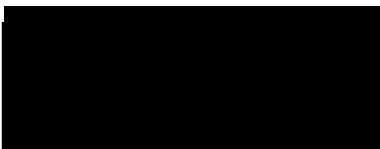
Yes  (please list the documents below)

No

### Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Kate Fleming	Senior Housing Strategy Officer	2361

### Approved by

NAME	DESIGNATION	SIGNATURE
Pete Leonard	Strategic Director (Place)	



# **CLACKMANNANSHIRE COUNCIL**

## **STRATEGIC HOUSING INVESTMENT PLAN 2022- 2027**

## 1.0 Introduction

1.1 The Strategic Housing Investment Plan (SHIP) 2022/27 defines the priorities for housing investment, as set out in the Clackmannanshire Housing Strategy (CHS) 2018- 2023 vision, that;

***"Everyone should have a safe area to live in, a well maintained house and help when they need it."***

1.2 To achieve this vision through investment, our aim is to create a more effective local housing system, which delivers both economically balanced and sustainable communities. This in turn shapes our key objectives of providing the right houses, in the right location, delivering both choice and affordability.

1.3 It is worth noting that the long term strategic plans for new housing supply in Clackmannanshire remain. The Housing Need and Demand Assessment is the evidence base and continues to drive policy around providing homes for an aging population and smaller household sizes going to the future as well as providing homes for homeless households of all sizes.

1.4 Links to corporate priorities, such as the LHS and LOIP, remain and are outlined as per previous guidance notes.

1.5 In July 2021, The Scottish Government provided a 4 year Resource Planning Assumption (RPA) for Clackmannanshire totalling £23.071million.












2022/23	£5.746 million
2023/24	£5.73 million
2024/25	£5.75 million
2025/26	£5.845 million

## 2.0 Clackmannanshire Housing Strategy

2.1 Our Local Housing Strategy 2018-2023 identifies six priority areas and outcomes to be achieved:

- **Investing in New Housing Supply** – Quality, affordable housing is maximised.
- **Best Use of Existing Housing** - The housing we already have is optimised and effective in providing choice and meeting need.
- **Homelessness** - Households have access to appropriate housing and advice to reduce homelessness.
- **Specialist Housing and Independent Living** - Those requiring assistance to live independently at home have access to effective housing.
- **Energy Efficiency and Fuel Poverty** - Energy efficiency is improved and fuel poverty and carbon emissions are reduced across all tenures.
- **Improving Neighbourhoods and Communities** – Improve long term outcomes for local communities and target town centres for improvement and regeneration to benefit the community.

2.2 In addition to the above, the Local Housing Strategy states further broad actions which are being delivered through this investment programme;

LHS Key Actions	Progress
Work with partners including planning and Scottish Government to maximise the amount of additional homes provided across all tenures.	
Where possible, use Council land and assets to support new affordable housing.	
Use income from reduction in Council Tax discounts to support delivery of affordable housing.	
Work with RSLs to deliver new affordable housing and maximise funding from all sources.	
Continue to implement and review the Affordable Housing Policy, implemented through the LDP, including commuted sums and on-site provision of affordable housing where required.	
Promote housing development in a range of settlement centres to contribute to economic regeneration whilst addressing housing need.	
Maintain a programme to purchase existing housing for affordable rent.	
Investigate how the RSL sector can play a greater role in housing homeless applicants.	
Work with the Health & Social Care Partnership to plan and provide specialist housing for the elderly and adults with particular needs.	
Explore new models of supported accommodation for young people.	
Deliver specialist housing on all appropriate new housing developments	




### 3.0 Rapid Rehousing Transition Plan

3.1 The Rapid Rehousing Transition Plan was submitted to the Scottish Government in December 2018 and is being implemented by the Council. Minimising time spent in temporary accommodation and having access to suitable housing is a key priority in the RRTP and consistent with housing priorities. Specific outcomes from the RRTP to be delivered through housing investment are detailed below.

<sup>1</sup> Ongoing

In 2020/21 Clackmannanshire ranked 5<sup>th</sup> out of 32 Local Authorities for total time spent in temporary accommodation at 128 days. As a consequence, Clackmannanshire Council is one of only a few Local Authorities to have more households leaving temporary accommodation than entering.

Clackmannanshire performs well in quickly providing permanent accommodation solutions for those found to be homeless. Most homeless households are ultimately housed in local authority or RSL accommodation after having spent a relatively short period waiting for permanent accommodation and, in part, attributed to additional affordable housing coming forward.

Rapid Rehousing Transition Plan	Progress
Accelerate affordable housing program over 5 year period to 2024	
Investigate how the RSL sector can play a greater role in housing homeless applicants.	
Ensure levels of temporary accommodation are maintained to meet statutory responsibilities.	

#### 4.0 Local Outcomes Improvement Plan (LOIP)

4.1 Replacing the Single Outcome Agreement (SOA), the Council and its' partners have set out their strategic outcomes for the next 10 years in the Local Outcomes Improvement Plan 2017 / 2027. Focussing on tackling the inequalities that exist in Clackmannanshire around poverty and socio-economic disadvantage, the four strategic outcomes driving strategic partnership working are:

- Clackmannanshire will be attractive to businesses and people and ensure fair opportunities for all.
- Our families, children and young people will have the best possible start in life.
- Women and girls will be confident and aspirational, and achieve their full potential.
- Our communities will be resilient and empowered so that they can thrive and flourish.

4.2 We know that poor housing has a negative impact on health, wellbeing and quality of life. Our commitment to provide additional good quality, affordable housing goes a long way to contribute to improving the life outcomes of vulnerable families by reducing inequality and disadvantage in the housing market, and making Clackmannanshire an attractive place to live.

## **5.0 Links to Child Poverty**

5.1 Set within The Corporate Plan 2018-22 child poverty is a key Council priority. Our priorities as a Council to 2022 are:

- Inclusive growth, jobs and employability
- Reducing child poverty
- Raising attainment
- Sustainable Health & Social Care
- Empowering families and communities
- Organisational transformation

5.2 It is recognised that the SHIP has a key role to play as an enabling plan specifically contributing to 2 of the Council Corporate priorities:

### **5.3 Reducing child poverty - provide good quality affordable housing.**

Research shows that one of the key drivers of children living in poverty is living costs and specifically housing costs. More affordable housing not only reduces direct housing costs but ensures new homes are energy efficient reducing heating and lighting costs. Improved infrastructure in new housing developments offers increased access to the internet for all.

### **5.4 Inclusive growth jobs and employability - increased house building.**

Increased house building through SHIP programs will aim to provide local employment opportunities by contracting local companies and offering apprentice and training chances for local young people.

## **6.0 Links to City Deal and Transformational Change**

6.2 Continuing and new priorities for the Council and its partners will be accommodated within the SHIP and the Local Housing Strategy. This will include work as part of the City Deal with Stirling Council and plans for future regeneration in Clackmannanshire.

Plans are well under way focusing on place based development and to create Transformational Zones in Clackmannanshire, beginning in Alloa. Derelict land in Alloa town centre has been utilised for a flagship affordable housing development for older people, expected to be complete in June 2022. The focus on Alloa as a well-being economy transformation zone will bring in principles of collective impact of initiatives and investment within placed-based contexts. This model will roll out to other areas of Clackmannanshire and will bring in affordable housing opportunities.

The Council has been awarded £512,000 from the Placed Based Investment Programme, 2021/22. This will go towards additional design measures required for the success of the Primrose Street, Alloa housing development to meet the strategic priorities of quality place making in the town centre.

## **7.0 New Housing Supply Targets**

- 7.1 An updated Housing Need and Demand Assessment (HNDA) shows a reduction in the level of housing requirements since the last Assessment. This is due to a number of reasons, primarily the reversal in the population projections for 2012 showing an anticipated decline in the population to 2037. This, in turn, is influenced by a dramatic drop in new house building in Clackmannanshire since 2008. However, the past 3 years have seen an upturn in house building particularly in Alloa, Sauchie and Alva which will have an impact on future population projections and therefore housing needs are expected to rise again.
- 7.2 Up to 2020, the annual estimated need for additional affordable housing in Clackmannanshire is around 75 homes, 53 of these for 'social renting' and 22 for mid market rent. It shows 11 properties required for rent by a private landlord and 36 required for sale on the open market.
- 7.3 Social housing demand in Clackmannanshire is fairly self-contained within settlements, so the location of new developments needs to be carefully considered. Availability of housing sites does not always match housing need and demand and continuing dialogue will be sought with developers to ensure that all opportunities for affordable housing are pursued in a wide range of locations.

## **8.0 Housing Needs**

- 8.1 Initial findings from the HNDA research confirm some specific features of demand for Clackmannanshire;
- The latest 2012 household projections to 2037 for Clackmannanshire show a fall in population.
  - Despite a falling population, 100 new households will form every year. Every one of these (100%) will be either single person or couple households, meaning additional, smaller houses are required.
  - Net outward migration of 16 to 29 year olds sits at around 100 annually, which is the highest for any age group.
  - By 2037 there will be 126% more people aged 75+, which is far above the Scottish average of an projected 86% increase, resulting in greater pressure for social care services in Clackmannanshire.
  - By 2030 the number of people over 85 years will double, with a corresponding need for suitable / adapted housing and corresponding support in the community.

## **9.0 Specialist Housing**

- 9.1 From the Council's own records (waiting list figures and information on social service cases) there are at least 10 families known to the Council who require larger size wheelchair housing.
- 9.2 From information gathered from the 2011 Census, around 3,700 people (7% of the population) in Clackmannan have some type of physical disability. It would therefore be reasonable to aim for 7% of all social housing to be

suitable for those with some sort of physical disability, including those who require wheelchair use.

- 9.3 The Council will continue to provide an element of specialist housing on suitable sites to meet the identified needs currently on our waiting list. Over the course of the SHIP at least 10 wheelchair bungalows are planned as well as 3 wheelchair units on Primrose Street and 3 on Elm Grove, Alloa.
- 9.4 One of the main drivers of the housing market is the ageing population and their requirement for specialist housing. This is the result of older people who need care (low cost but high volume) and higher infant survival and longevity for those with a learning disability (low volume and high cost). Housing suitable for both these client groups are considered in this SHIP.

## **10.0 Gypsy / Traveller Accommodation**

- 10.1 There is one Gypsy / Traveller site in Clackmannanshire at Westhaugh. This has now reached the end of its useful life in terms of the quality of accommodation. A virtual engagement session was held with residents in October 2020 to discuss site improvements.
- 10.2 Clackmannanshire Council was awarded £70,000 from the £2 million allocated by the Scottish Government to be used for site improvements. The residents requested that work is progressed on fencing and pitch security gates. Further improvements discussed were upgraded CCTV and broadband.
- 10.3 In addition to these improvements, the Council has been in discussions with residents to make the site a better place to live and find out how residents want to live now and in the future.
- 10.4 The Scottish Government are working on developing a design guide for Gypsy/Traveller sites that will be used for new sites or major refurbishments of existing sites, which the Council will need to meet. The Scottish Government have indicated that they are keen to create a number of demonstration projects that can establish examples of model sites, as a trial for the new design guide.
- 10.5 A budget allowance of £120,000 per pitch is assumed, based on typical costs for new build affordable housing as a comparator. If the site can hold 14 pitches, taking into consideration new fire regulations and SG future design standards, this would mean a total budget of £1.680m. The service had £240k in the capital plan for financial year 2020/21 and the service proposes rolling this forward as part of the 2021/22 budget approval process, together with creating an earmarked HRA reserve of £1.440m for the remaining amount. This reserve would be drawn down following discussions and agreement with residents on spend and investment priorities to be delivered within the budget allocation.
- 10.6 It will be the residents who will drive the approach and decisions. Moreover, this means that even without securing funding from the Scottish Government the residents have an agreed funding pot to work with. Any future SG grant received could then minimise the HRA spend. Works are planned to commence sometime in 2022.

## **11.0 Partnership Working**

- 11.1 The Council will continue an inclusive and collaborative approach with all RSLs that are keen to work with us to deliver affordable homes in Clackmannanshire. This includes working collaboratively with Kingdom Housing Association to help deliver a strategic programme of affordable housing delivery.
- 11.2 Ochil View Housing Association has entered into a new agreement with Kingdom Housing Association to manage their development work. As such, work is on site at Elm Grove, Alloa with an estimated completion date of January 2022 for 54 new homes.
- 11.3 Primrose Street in Alloa town centre is on site to provide housing for older people. Design and specification has been worked up with input from Social Services. Engagement with Architecture and Design Scotland (a non departmental public body) advised on the design of the housing on Primrose Street and gave support with briefing on wider provision for housing for the elderly, linking to work on 'Caring Places' and 'Town Centre Living'.

## **12.0 The Planning Context**

- 12.1 Any new housing development should address the needs of the people of Clackmannanshire, regardless of tenure. The key mechanism for this is the planning system. We are working alongside planning colleagues to create a mix of housing sizes and tenures with the aim of providing housing opportunities for all and helping to prevent market failure.
- 12.2 The Local Development Plan was adopted by Council in August 2015. This includes provision for the delivery of affordable housing, which is supported by the Housing Needs and Demand Assessment. The Affordable Housing Policy (SC2) includes that housing proposals for 20 or more homes, or over 1 hectare, will be expected to include a range and choice of house types, tenures and sizes, including affordable housing.

## **13.0 Particular Policy Initiatives**

### **13.1 Council & RSL purchase of existing housing for social renting**

The Council and Ochil View Housing Association maintain the commitment to make 'off the shelf' purchase a means of delivering affordable housing.

### **13.2 Reduction in Council Tax Discount on Empty Homes**

There is around £208,000 ring fenced for use for affordable housing. This has been collected over the financial years 2016/17 to present.

This is to be utilised this financial year as follows:

- Primrose Street, £178,000 to address funding gap for enhanced design measures.
- Engelen Drive, £30,000 towards demolition costs.



### 13.3 Adaptations and Health & Social Care

The Housing & Social Care Group, previously named the Housing Contribution Group, who report to the Integrated Joint Board of the Clackmannanshire and Stirling Health & Social Care Partnership, have developed an action plan which will create a framework to enable the Partnership to deliver priority objectives. The action plan focuses on four key areas which will be continue to be developed. These are: governance, homelessness, mental health and older people.

- Governance – the group have amended their structure and agreed terms of reference to better reflect the scope of the group. This was informed by the action plan.
- Homelessness – the recent Scottish Government policy, Rapid Rehousing, which encourages a change in the use of temporary accommodation by local authorities, sees the introduction of Rapid Rehousing Transition Plans. A five year plan was submitted to the Scottish Government detailing how Clackmannanshire have already reduced our use of B & B accommodation and our main concerns to be addressed to allow us to meet National policy goals. Any relevant changes to current working practices will be reflected in the Action Plan.
- Mental Health – Housing and Social Work have been working closely to develop a greater understanding of different client groups with mental health issues and learning disabilities. This work has informed planning for new affordable housing by ensuring that specific client needs can be flexibly incorporated into the design stage of new homes.
- Older People – The Health & Social Care Partnership is working closely with Housing in the planning and development of new core and cluster housing for older people in Alloa Town Centre.

## 14.0 Resources

### 14.1 Completions 2020/21

Site	Developer	No Units	Grant 2019/20	Status
NHT Coalsnaughton	KHA	40	£3,171,000	Complete
Off The Shelf		10	£315,000	Complete

**50**

A total of 50 off the shelf purchases added to stock in 2020/21.

### 14.2 RPA and additional Spend 2020/21

The table below shows all spend drawn down in 2020/21.

A total of £8.137 million has been allocated to Clackmannanshire for affordable housing in 2020/21 against a RPA of £6.541 million,

Site	Developer	No Units	RPA Spend 2020/21	Estimated Status	Est completion
Primrose Street, Alloa	Kingdom HA	60	£0	Site Start 2020	June 2022
Elm Grove, Alloa P1	Ochil View HA	33	£2,207,059	Site start June '20	March 2022
Elm Grove, Alloa P2	Ochil View HA	21	£769,479	Site start June '20	March 2022
Branshill Road, Sauchie, P2	Kingdom HA	24	£1,731,367	Site start Oct '19	Jan 2022
Off the Shelf, Clacks Council	CC	10	£350,000	Complete	20/21
Lower Mill St, Tillicoultry, P1	Kingdom HA	22	£15,472	Site start Sept'20	22/23
Lower Mill St, Tillicoultry, P2	Kingdom HA	28	£19,693	Site start Sept '20	23/24
Lower Mill St, Tillicoultry P3	Kingdom HA	24	£16,880	Site Start Sept '20	23/24
NHT, Coalsnaughton	Kingdom HA	40	£3,171,000	Complete	March 2021

**262      £8,280,950**

13.3 Estimated Spend 2021/22 (RPA £6.666 million)

Site	Developer	No Units	Grant 2021/22	Estimated Start	Estimated completion
Lochies Road, Clackmannan	Council	10	£200,000	2022	March 2023
Park Street, Tillicoultry	Ochil View HA	7	£ 100,000	2022	March 2023
Carsebridge Road, Alloa P1	Kingdom HA	50	<b>£500,000</b>	Site Start Nov '20	March 2022
Carsebridge Road, Alloa, P2	Kingdom HA	50	<b>£500,000</b>		22/23
Carsebridge Road, Alloa , P3	Kingdom HA	50	<b>£500,000</b>		23/24
Off the shelf,	Council	20	£700,000	2021	March 2022
Off the shelf	Ochil View HA	10	£350,000	2021	March 2022
Glentanna Mill, Alva	TBA	40	£300,000	2022/23	2023/24
		<b>237</b>	<b>£3,150,000</b>		

13.4 **Estimated Spend 2022/23 (RPA £5.746million)**

Spend is calculated at £1.655million over RPA, plus 29%

Site	Developer	No Units	Grant 2022/23	Estimated Start	Estimated completion
Lower Mill Street, P1	Kingdom HA	28	£1,371,778	2022/23	2023/24
Lower Mill Street, Tillicoultry P2	Kingdom HA	28	£600,000	2022/23	2023/24
Lower Mill Street, Tillicoultry P3	Kingdom HA	24	£0	2022/23	2024/25
Park Street, Tillicoultry	Ochil View HA	7	£ 432,000	2022	March 2023
Lochies Road, Clackmannan	Council	10	£448,000	2022	March 2023
Carsebridge Road, Alloa P1	Kingdom HA	50	£2,000,000	2022/23	2023/24
Carsebridge Road, Alloa, P2	Kingdom HA	50	£150,000	2023/24	2026/27
Carsebridge Road, Alloa , P3	Kingdom HA	50	£150,000	2025/26	2027/28
Engelen Drive, Alloa	Kingdom HA	10	£900,000	2022/23	2023/24
Bedford Place, Alloa	Kingdom HA	33	£250,000	2022/23	2023/24
Off the shelf,	Council	20	£700,000	2022	March 2023
Off the shelf	Ochil View HA	10	£400,000	2022	March 2023
		<b>292</b>	<b>£7,401,778</b>		

### 13.5 Estimated Spend 2023/24 (RPA £5.73million)

Spend is calculated at £2.070million over RPA, plus 36%

Site	Developer	No Units	Grant 2023/24	Estimated Start	Estimated completion
Lower Mill Street, Tillicoultry P2	Kingdom HA	28	£1,161,421	2022/23	2023/24
Lower Mill Street, Tillicoultry P3	Kingdom HA	24	£500,000	2022/23	2024/25
Carsebridge Road, Alloa P1	Kingdom HA	50	£1,650,000	2022/23	2023/24
Carsebridge Road, Alloa, P2	Kingdom HA	50	£150,000	2023/24	2026/27
Carsebridge Road, Alloa , P3	Kingdom HA	50	£150,000	2025/26	2027/28
Bedford Place, Alloa	Kingdom HA	33	£2,489,000	2022/23	2023/24
Glentanna Mill, Alva	TBA	40	£800,000		
Off the shelf,	Council	20	£700,000	2022	March 2023
Off the shelf	Ochil View HA	5	£200,000	2022	March 2023
		<b>280</b>	<b>£7,800,421</b>		

### **New Supply**

#### 14.1 Former FV College, Sauchie

The developer is on site and delivered 10 units for affordable housing in the first phase of the development, the second phase of 24 units is scheduled for completion in January 2022.

#### 14.2 Primrose Street, Alloa

This site will deliver 60 flats with flexible layout to facilitate changing needs of an aging population, including technology enabled infrastructure and the A&DS principles of Town Centre Living: A Caring Place. The site was granted £4.9 million in Allia Bond funding from the Scottish Government which gives additional funding to Clackmannanshire for the delivery of this site over and above what has been granted for RPA funding. Due for completion June 2022.

#### 14.3 Elm Grove, Alloa

This site, owned by Ochil View, will provide a mixed tenure development, including social and mid-market rent to assist with the ongoing regeneration

of the area. The current layout shows 55 properties on the site which had a delayed start date of June 2020, due for completion March 2022.

#### 14.4 Engelen Drive, Alloa

In June 2018, elected members agreed that two blocks of Council owned flats be redeveloped as a pilot for wider demolition and regeneration plans stated in the SHIP. Demolition has been delayed due to construction down time and negotiations on the electricity sub station on site.

Funding has been secured for the demolition through Council Tax second homes money and commuted sums. Site start is delayed to 2022/23 and is expected to require higher than benchmark funding.

#### 14.5 Park Street, Tillicoultry

Land has now been purchased by the Council and is being assembled to allow Kingdom to develop 7 units on the site, adjacent to the popular recent development of amenity bungalows.

Site investigation is underway and due to start on site in 2022/23 and complete in same year.

#### 14.6 Lochies Road, Clackmannan

This small site in Clackmannan will compliment the wider regeneration of the town centre. The preference for the site will be for low level specialist bungalow style housing.

#### 14.7 Lower Mill Street, Tillicoultry

This site has been in the LDP for a long period without coming forward due to flood concerns. Work has been done to enable viability for development and a total of 74 properties could be built on the site over 3 phases. The site has been delayed due to higher than expected costs. Kingdom owns the land and is expected to get back on site 2022/23 with the first units complete by 2023/34.

#### 14.8 Glentana Mill, Alva

The site is in Council ownership and was approved for transfer to HRA for development for affordable housing by Council on 24 October 2019. Initial investigations indicate the site would be capable of around 40 units.

#### 14.9 Bedford Place, Alloa

Bedford Place, Alloa has previously been used by Clackmannanshire Council as an education facility. It was deemed unfit for purpose in 2020, with major structural issues. The Council are expected to approve disposal for use for affordable housing. Initial feasibility studies show it can deliver around 33 affordable homes.

#### 14.10 Sauchie West, Sauchie

This site is capable of up to 1,000 units over the next 15 years. The Council will continue to work with the developer to provide suitable affordable housing on the site over the course of the build.

#### 14.11 Carsebridge Road, Alloa

This site is currently being worked up and is planned for around 600 homes, 25% of which to be affordable. A site start is planned for 2022/23.

### **15.0 Shadow Programme (Potential Sites)**

15.1 It is inevitable that some priority sites will not be deliverable for various reasons, such as ground conditions or financial viability. To help avoid slippage in the main programme, or in the event of additional Scottish Government funding being made available, potential sites are included in the 'shadow' programme. These sites may be substituted or added to the main programme, should the opportunity arise.

15.2 This approach allows additional flexibility to help ensure that the number of units and spend in Clackmannanshire is maximised. Below is a list of sites identified to date, however, it should be noted that the Council and its RSL partners are actively looking for further opportunities. Other proposals, including purchasing units from a developer, may be brought forward in addition to those listed.

#### 15.3 Forest Mill

The section 75 agreement sets a requirement for 22% of the 1,250 homes to be affordable. There are no affordable homes programmed by the developer in phase 1 or 2, so it is likely that it will be several years before affordable housing can be expected on this site.

#### 15.4 Old Primary School Site, Tullibody

As the Tullibody School campus is constructed, this may enable opportunities for further social housing development on for example, the St Bernadette's site.

#### 15.5 Brook Street, Alva

This site had previously been brought forward in the programme, but due to site constraints has been delayed. We will continue to work with the land owner.

### **16.0 Units in Addition to Affordable Housing Supply Programme**

#### 16.1 North Street / Main Street, Clackmannan

The Council has received regeneration funding for the site with 2 old shop units on Main Street and the former print works on North Street, now

demolished. Site investigation is underway and the tender process for construction is issued with work aiming to start early2022. The redevelopment will provide 4 retail and 5 residential units.

## **17.0 Consultation**

17.1 This document has been developed by housing and planning colleagues in consultation with local RSLs and Scottish Government officials.

## **18.0 Ensuring Equalities**

18.1 An equalities impact assessment is carried out on each SHIP. The SHIP has no negative impact on the six equality groups; in fact it is likely that these groups will benefit from a positive impact.

## **19.0 Strategic Environmental Assessment**

19.1 The SHIP is part of the LHS, which had a pre-screening as required by the Environmental Assessment (Scotland) Act 2005. Clackmannanshire Council as a "responsible authority" for the purpose of the Act has determined that no SEA submission is required for this document. Specific environmental issues will be considered as part of the Local Development Plan process or when planning applications for sites are submitted.



## SHIP 2020-25 PRIORITIES FOR INVESTMENT

Site	Ownership	Effective Land Supply	Regen. / Town Centre Area	High Demand Area	Homeless Needs	Particular Needs	Planning Permission	Creating Mixed Comms	No Land constraints	Resources Available	VFM	Deliverable Now	Deliverable within 5 years
<b>MAIN PROGRAMME</b>													
Former FV College, Sauchie	Private Developer	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Park Street, Tillicoultry	Council / Private	No	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes
Primrose Street, Alloa	Council	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Unknown	Yes	Yes	Yes	Yes
Engelen Drive, Alloa	Council	Yes	Yes	No	Yes	Yes	No	Yes	Unknown	Yes	Yes	Yes	Yes
Elm Grove, Alloa	Ochil View	Yes	Yes	No	Yes	Yes	Yes	Yes(mix tenure)	Yes	Yes	Yes	Yes	Yes
Engelen Drive, Alloa	Council	Yes	Yes	No	Yes	Yes	Yes	Yes	Unknown	Yes	Yes	Yes	Yes
Regeneration Sites	HRA	No	Yes	No	Yes	Yes	No	Yes	Unknown	Yes	Yes	No	Yes
Lochies Road, Clackmannan	Council	No	Yes	Yes	Yes	Yes	No	Yes	Unknown	Yes	Yes	No	Yes
Lower Mill Street, Tillicoultry	Private Developer	Yes	No	Yes	Yes	Yes	Yes	Yes	No	yes	Yes	Yes	Yes
Glentanna Mill, Alva	Clacks Council	No	Yes	Yes	Yes	Yes	No	Yes	No	Yes	Yes	Yes	Yes
Sauchie West, Sauchie	Private land owner	Yes	No	Yes	Yes	Maybe	No	Yes	Yes	No	No	No	Yes

Site Name	Ownership	Effective Land Supply	Regen. / Town Centre Area	High Demand Area	Homeless Needs	Particular Needs	Planning Permission	Creating Mixed Comms	No land constraints	Resources Available	VFM	Deliverable Now	Deliverable within 5 years
<b>SHADOW PROGRAMME</b>													
Forest Mill	Private Developer	Yes	No	No	Yes	Yes	Yes	Yes	No*	No	Yes	No	Yes
Old School site, Tullibody	Clacks Council												
The Craigs, Coalsnaughton	Private Developer	Yes	No	No	No	Yes	Yes	Yes	No	No	Yes	No	Yes

\* Potential additional infrastructure funding to overcome this

## **Definitions of Criteria for Priorities**

Effective Land Supply	Listed in the Local Plan as a site that can be developed for housing. No known constraints.
Regeneration / Town Centre Area	The site is situated within an area identified through the SIMD as a regeneration area or an identified Town Centre site, as identified in the LHS.
High Demand Area	Little or no social housing in the area or high demand / low turnover of existing social housing. <i>LHS Action: 'Maximise the impact of new housing, including affordable housing in areas of demand.'</i>
Homeless Needs	The site will provide accommodation for at least one homeless household. <i>LHS Action: 'Reduce Homelessness and homeless households have access to appropriate housing.'</i>
Particular Needs	The site will provide at least 10% of particular needs accommodation. <i>LHS Action: 'Deliver specialist housing on all appropriate new housing developments.'</i>
Planning Permission	The site has planning permission for housing.
Creating Mixed Communities	The site will provide a desirable balance of tenure in the wider area or will provide a mix of types of houses for different households within the site. <i>LHS Action: 'Promote and increase low cost home ownership and shared equity schemes with public funding to promote tenure diversification.'</i>
No Land Constraints	Land has no infrastructure blockages.
Resources Available	Are there resources available now ie human resources or financial resources. <i>LHS Action: 'Work with local Housing Associations to deliver new affordable housing and maximise funding from their resources.'</i>
Value for Money	The site is capable of delivering the units with benchmark HAG funding or below. <i>LHS Action: 'Continue to develop and support innovative and flexible models for providing cost effective new housing.'</i>
Deliverable Now	If the site meets 8 or more of the above criteria, it will be considered to be deliverable now.
Deliverable Within 5 years	If the site meets 6 or more of the above criteria, it will be considered to be deliverable in the coming years when resources become available.

## Appendix 2

<b>2022-23</b>				<b>RPA* £5.746m</b>
Project	Units	Site Start	Completion	Est Spend
Lochies Road, Clackmannan	10	2021/22	2022/23	£448,000
Lower Mill Street, Tillicoultry p1	22	2022/23	2022/23	£1,371,778
Lower Mill Street, Tillicoultry p2	28	2022/23	2023/24	£600,000
Lower Mill Street, Tillicoultry p3	24	2022/23	2024/25	£0
Park Street, Tillicoultry	7	2021/22	2022/23	£432,000
Carsebridge Road, Alloa Phase 1	50	2022/23	2023/24	£2,000,000
Carsebridge Road Alloa Phase 2	50	2024/25	2026/27	£150,000
Carsebridge Road, Alloa Phase 3	50	2025/26	2027/28	£150,000
Engelen Drive, Alloa	10	2022/23	2023/24	£900,000
Bedford Place	33	2022/23	2023/24	£250,000
Off the Shelf	20	<b>2022/23</b>	<b>2022/23</b>	£700,000
Off the Shelf	10	<b>2022/23</b>	<b>2022/23</b>	£400,000
				<b>£7,401,778</b>

<b>2023-24</b>				<b>RPA* £5.73m</b>
Project	Units	Site Start	Completion	Est Spend
Lower Mill Street, Tillicoultry p2	28	2022/23	2023/24	£1,161,421
Lower Mill Street, Tillicoultry p3	24	2022/23	2024/25	£500,000
Carsebridge Road, Alloa Phase 1	50	2022/23	2023/24	£1,650,000
Carsebridge Road Alloa Phase 2	50	2024/25	2026/27	£150,000
Carsebridge Road, Alloa Phase 3	50	2025/26	2027/28	£150,000
Bedford Place	33	2022/23	2023/24	£2,489,000
Glentanna Mill, Alva	40	2022/23	2023/24	£800,000
Off the Shelf	20	<b>2023/24</b>	<b>2023/24</b>	£700,000
Off the Shelf	5	<b>2023/24</b>	<b>2023/24</b>	£200,000
				<b>£7,800,421</b>

<b>2024-25</b>				<b>RPA* £5.75m</b>
Project	Units	Site Start	Completion	Est Spend
Lower Mill Street, Tillicoultry p3	24	2022/23	2024/25	£1,010,826
Carsebridge Road Alloa Phase 2	50	2024/25	2026/27	£2,800,000
Carsebridge Road, Alloa Phase 3	50	2025/26	2027/28	£50,000
Regeneration, Tillicoultry	29	2023/24	2024/25	£100,000
Glentanna Mill, Alva	40	2022/23	2023/24	£2,520,000
Off the Shelf	20	<b>2024/25</b>	<b>2024/25</b>	£700,000
Off the Shelf	10	<b>2024/25</b>	<b>2024/25</b>	£400,000
				<b>£7,580,826</b>

<b>2025-26</b>				<b>RPA* £5.845m</b>
Project	Units	Site Start	Completion	Est Spend
Blackfaulds South, Coalsnaughton p1	25	2025/26	2026/27	£1,800,000
Blackfaulds South, Coalsnaughton p2	25	2025/26	2027/28	£250,000
Carsebridge Road Alloa Phase 2	50	2024/25	2026/27	£550,000
Carsebridge Road, Alloa Phase 3	50	2025/26	2027/28	£1,000,000
Regeneration, Tillicoultry	29	2023/24	2024/25	£2,307,000
Sauchie West	20	2025/26	2026/27	£600,000
Off the Shelf	20	<b>2025/26</b>	<b>2025/26</b>	£700,000
Off the Shelf	10	<b>2025/26</b>	<b>2025/26</b>	£400,000
				<b>£7,607,000</b>

<b>2026-27</b>				<b>RPA* £5.845m</b>
Project	Units	Site Start	Completion	Est Spend
Blackfaulds South, Coalsnaughton p1	25	2025/26	2026/27	£275,000
Blackfaulds South, Coalsnaughton p2	25	2025/26	2027/28	£1,825,000
Carsebridge Road, Alloa Phase 3	50	2025/26	2027/28	£2,300,000
Brook Street	29	2026/27	2027/28	£550,000
Pool of Muckhart	12	2026/27	2027/28	£672,000
Sauchie West	20	2025/26	2026/27	£1,060,000
Off the Shelf	20	<b>2026/27</b>	<b>2026/27</b>	£700,000
Off the Shelf	10	<b>2026/27</b>	<b>2026/27</b>	£400,000
				<b>£7,782,000</b>

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**Report to Place Committee**

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**Date of Meeting: 4 November, 2021**

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**Subject: Private Sector Housing Assistance Scheme**

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**Report by: Strategic Director (Place)**

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**1.0 Purpose**

- 1.1. The purpose of this report is to update the Private Sector Housing Assistance Scheme, to reflect the forthcoming legislative requirements for homeowners in relation to fire safety.

**2.0 Recommendations**

- 2.1. It is recommended that the Committee note the relevant information on fire safety and approve the adjustment to the Private Sector Housing Assistance Scheme.

**3.0 Considerations**

- 3.1. Following the tragedy at Grenfell Tower in 2017, the Scottish Government reviewed the fire safety regulations for all residential properties in Scotland. This resulted in a change to the fire safety criteria within the tolerable standard guidance for an increase in the number of smoke alarms in a home and for these to be interlinked. These changes were initially applied to private rented housing and new build properties.
- 3.2. The amended fire safety regulations were due to be implemented in February, 2021 to cover all private homes. However, due to the covid pandemic this has been delayed until February, 2022.
- 3.3. As the Private Sector Housing Assistance Scheme covers a range of legislative requirements relating to house conditions, the councils private sector assistance scheme, has been updated to reflect these upcoming changes.
- 3.4. Responsibility for complying with the new fire safety regulations lies with the property owner. However, funding has been provided to both Scottish Fire & Rescue Service and Care & Repair Scotland for advice and assistance to homeowners.

3.5. Clackmannanshire Council is one of a limited number of local authorities, who do not have a Care & Repair Service, which older and disabled homeowners can access. However, there are discussions underway between Scottish Government and Care & Repair Scotland, for some services to help neighbouring local authority areas who do not have a relevant service. Committee will be updated on how those discussions progress.

#### 4.0 Sustainability Implications

4.1. By supporting homeowners in meeting their responsibilities towards fire safety will ensure that the built environment continues strive to meet the necessary safety, security and energy efficiency.

#### 5.0 Resource Implications

##### 5.1. *Financial Details*

5.2. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes X

5.3. Finance have been consulted and have agreed the financial implications as set out in the report. Yes X

##### 5.4. *Staffing*

5.5. There are no staffing implications due to the amendment to this policy.

#### 6.0 Exempt Reports

6.1. Is this report exempt? Yes  (please detail the reasons for exemption below) No X

#### 7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box )

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all

Our families; children and young people will have the best possible start in life X

Women and girls will be confident and aspirational, and achieve their full potential

Our communities will be resilient and empowered so that they can thrive and flourish



(2) **Council Policies** (Please detail)

### 8.0 Equalities Impact

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes  No

### 9.0 Legality

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

### 10.0 Appendices

10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

### 11.0 Background Papers

11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes  (please list the documents below) No

#### Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Murray Sharp	Senior Manager (Housing)	5113
Elizabeth-Anne Syme	Private Sector Housing Coordinator	2426

#### Approved by

NAME	DESIGNATION	SIGNATURE
Pete Leonard	Strategic Director (Place)	





# **PRIVATE SECTOR HOUSING ASSISTANCE SCHEME**

**Housing (Scotland) Act 2006  
Section 72 Statement of Assistance**

**October, 2021**

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**Appendices**

Appendix 1: Definitions

Appendix 2: Housing Strategy - Relevant priorities and key actions

Appendix 3: Useful contact details

Appendix 4: Qualifying Criteria for Adaptations

Appendix 5: Procedure for major adaptation works

## Part 1 Background

### 1.1 Purpose of this Statement

1.1.1 This statement sets out the Council's Private Housing Assistance Scheme which explains:

- how the Council will provide advice, information and assistance to help homeowners **improve the quality** of private housing throughout Clackmannanshire
- the assistance available for homeowners and private tenants to **adapt** their homes
- the Council's **priorities** for assistance.

1.1.2 This statement will be revised periodically, at least every three years. Updates on specific changes regarding the range and scope of advice and assistance available occurring before a major review is carried out will be reported on the Council's website. A list of abbreviations and definitions is included in appendix 1.

### 1.2 Vision and Strategy

1.2.1 The Housing Strategy for Clackmannanshire<sup>1</sup> highlights that **every household in the area should have access to a good quality and affordable home, with advice and support services that meets their needs.**

In this Scheme of Assistance, the Council will focus on **improving the standard, accessibility and energy efficiency of houses in the private sector.**

The Housing Strategy approved by the Council in December 2012 sets out the priorities for the Housing Service and partners for the next 5 years. The improvement of conditions and accessibility in the private sector relates directly to 5 out of the 8 overarching priorities stated in the Strategy. These priorities, along with what we are seeking to achieve, are listed below:

**Best Use of Existing Housing:** *The housing we already have is optimised and effective in providing choice and meeting need.*

**Support for Independent Living:** *Those requiring assistance to live independently at home have access to effective housing support.*

**Specialist Housing:** *People have access to specialist or adapted accommodation where there is an assessed need.*

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<sup>1</sup> [www.clackswest.org.uk/housing/localhousingstrategy](http://www.clackswest.org.uk/housing/localhousingstrategy)

**Energy Efficiency and Fuel Poverty:** *Energy efficiency is improved and fuel poverty and carbon emissions are reduced across all tenures.*

**Improving Neighbourhoods and Communities:** *Organisations and partnerships working with communities will improve the quality of life for all households.*

A number of key actions have been identified within the Strategy, and these will be added to as the action plan is developed throughout the life of the Strategy. A list of relevant key actions are included in appendix 2.

1.2.2 We aim through this 'Scheme of Assistance' to:

- **promote greater responsibility among homeowners for the repair and maintenance** of their property and sets out a range of ways in which the Council will encourage this
- help homeowners and private tenants remain in their homes through provision of **advice and assistance to carry out adaptations.**

1.2.3 The purpose of the scheme is specifically to:

- improve the condition of private sector housing
- eradicate housing which is below the minimum 'Tolerable Standard'
- encourage owners to recognise that they are responsible for maintaining their homes
- provide advice and assistance to help homeowners improve, repair and adapt their homes
- help older and disabled residents in private properties live independently in their home for as long as they choose to do so
- improve energy efficiency in private housing

### **1.3 Assistance Available**

1.3.1 There are three main types of assistance available to homeowners and private tenants:

- **Advice and Information**  
To help owners fulfil their duty to properly maintain or adapt their homes. The Council will provide general advice and information on a range of property condition issues and adaptations, including how to find reliable contractors and arrange to have works carried out. Specific advice and information will be given to help homeowners and private tenants maximise the energy efficiency of their homes

and reduce carbon emissions, as well as prevent fuel poverty and advise on renewable energy. Customers will be signposted to other agencies which may be able to help with raising funds for work needed.

- **Practical Assistance**

To help owners to fulfil their repair and maintenance responsibilities, particularly where common ownership presents more complicated issues. This might be, for example, property inspections or details for work specifications. To help with home energy and fuel poverty issues, the Council may assist with Energy Performance Certificates, Green Deal Assessments and specialised advice and assistance to help those in fuel debt.

- **Financial Assistance**

The Council will make grants available to homeowners and private tenants who meet the criteria for eligible adaptations. There may be limited grants and loans to homeowners for some specific works to improve house conditions and energy efficiency or bring empty homes back into use.

See appendix 1 for more detail on how assistance will be delivered.

### 1.3.2 Supported Owners' Services

The Council recognises that there is a particular need to provide assistance to older and disabled residents, who own their homes or who are private renters. As part of the various services available to provide help to this potentially vulnerable group, the Council aims to deliver assistance to target improvements to the fabric of owner occupied properties, and to the accessibility of homes and the safety of these residents.

The Council will arrange for fabric repair works to be co-ordinated on behalf of owners who have a disability or who are over pensionable age. A grant may be available to assist with the cost of these works, subject to resources being available and in accordance with the principles set out in section 3.4.4.

In addition, the Council will aim to work with partners in the voluntary sector to provide a befriending and handyman service, to help tackle the social isolation often experienced by this group and to provide an affordable and friendly service to tackle the small jobs around the home.

## 1.4 Priorities for Financial Assistance

1.4.1 There is limited funding available to assist homeowners to bring their properties up to the required standard. Although information and advice will be available to all households, financial assistance will be prioritised by type of works and, in some cases, by geographical area, depending on whether there are priority area initiatives in place. Any



financial assistance depends on the availability of funding and is at the discretion of the Council, with the exception of mandatory disabled adaptations, which are a statutory requirement (see section 2.6.1). Priority will be given to works which will address tolerable standard issues, particularly structural and wind and watertight works. Financial assistance may be by way of a contribution to an area based project being organised by the Council or a partner organisation, rather than a grant to an individual.

#### 1.4.2 The priority works for financial assistance are:

##### **Mandatory**

- Essential adaptations for people with disabilities

##### **Where Resources Permit**

- Properties which are substandard, including those which are below the tolerable standard (BTS) or at risk of becoming BTS within 12 months, and particularly for clients eligible for supported owners' services
- Common repairs and some improvement works, where a number of owners are required to come together to contribute to works, such as a new roof or door entry system for a block of flats. Priority will be given to blocks with Council properties where proposed works are needed to allow the Council to meet the required Scottish Housing Quality Standard (SHQS)
- Contributions to Energy Efficiency improvements, such as wall insulation, hard to treat and non traditional properties, roof repairs required before loft insulation can be fitted and replacement heating for failed systems that cannot be funded through existing Government grants and support
- The Council may, from time to time, designate certain areas for targeted funding, such as the town centres of Alloa, Sauchie and Alva. This could include designation of formal Housing Renewal Areas or a corporate improvement initiative involving the co-ordination of various Council services
- Initiatives to help bring empty properties into residential use

#### 1.4.3 Exceptional Circumstances

In some exceptional circumstances, there may be a case for funding to be made available, for example where a project falls within a wider corporate priority of the Council, or if exceptional hardship can be demonstrated. The Council will develop supplementary guidance on such cases, as they arise. Any funding will be subject to availability of

resources and must be approved by the Head of Housing and Community Safety, in line with the Council's Scheme of Delegation.

## **1.5 Accessing Services**

- 1.5.1 The Council's Customer Services team will be the first point of contact for telephone enquiries from people who require information or advice regarding the repair, maintenance or improvement of their home. Customers may be signposted to the appropriate service or partner agency, depending on their enquiry.
- 1.5.2 The Private Sector Housing Team will be the initial point of contact for homeowners requiring general information or advice who are visiting the Council Offices or enquiring via the Clackmannanshire Council website [www.clacksweb.org.uk](http://www.clacksweb.org.uk)
- 1.5.3 Initial enquiries relating to disabled adaptations will be referred to Social Services if an assessment of needs has not been carried out.
- 1.5.4 Requests for information relating to energy efficiency, fuel poverty and renewable energy will be dealt with by our Home Energy Strategy team.

## **1.6 Partners**

- 1.6.1 In order to provide a fully responsive service to its customers, the Private Sector Housing Team works with a number of services and partners. Useful contact details for can be found in appendix 3.

## **1.7 Equal Opportunities and Service Standards**

- 1.7.1 The Council's Customer Charter sets out the service standard any customer contacting the organisation should expect. Its key commitments towards excellent customer care and equal opportunities are detailed. A copy of the Customer Charter can be found on the Council's Website at [www.clacksweb.org.uk](http://www.clacksweb.org.uk) or in any Council office.

## **Part 2 Adaptations for People with a Disability**

### **2.1 Information and advice for home owners and tenants**

2.1.1 When someone feels that they need an adaptation or equipment to help them to remain as safe and independent as possible in their home, they should contact Social Services in the first instance. A community care assessment of the person's circumstances and needs will be carried out to ensure they are provided with tailored advice and services that meet their long-term needs, in the most cost-effective way. For those who do not have an essential need for an adaptation, advice and general assistance will be given, and people will be signposted to other services who might be able to assist, such as voluntary sector agencies or such other service provision as may be approved by Council.

### **2.2 Practical Assistance**

2.2.1 If a person is assessed as having an essential need for a large (known as 'major') adaptation, such as a bathroom adaptation or stair lift, an application for a Disabled Adaptation Grant should be submitted. The steps involved in this process are outlined at appendices 4 and 5. The Private Sector Grants team will help co-ordinate the process, along with the Community Care Worker, and monitor the project and standard of works on behalf of the customer.

2.2.2 If a person is assessed as requiring a minor adaptation, such as a grabrail or key safe, this will be organised and paid for by the Council. The Social Services team will arrange for a contractor to carry out the necessary work and liaise with customers during this process.

### **2.3 Assessment of Circumstances and Needs**

2.3.1 Anyone can contact the Social Services Community Care Assessment Team to request advice, information or an assessment of a particular need for adaptations. Contact details are shown in appendix 3.

2.3.2 Information provided by the customer (or their representative) at this stage will help decide how quickly an assessment is carried out. This is based on a risk assessment using criteria to help us manage the high demand for services and to ensure that the people who are most in need are seen first.

## 2.4 Timescales for Assessment

2.4.1 Priorities for carrying out the initial community care assessment are as follows:-

<b>Priority 1</b> <b>Critical risk</b>	There are <u>major</u> risks to an individual's independent living or health and well-being. Likely to call for immediate or imminent provision of social care services
<b>Priority 2</b> <b>Substantial risk</b>	There are <u>significant</u> risks to an individual's independence or health and well-being. Likely to call for the immediate or imminent provision of social care services
<b>Priority 3</b> <b>Moderate risk</b>	There are <u>some</u> risks to an individual's independence or health and well being. These may call for the provision of some social care services managed and prioritised on an ongoing basis or they may simply be manageable over the foreseeable future without service provision with appropriate arrangements for review
<b>Priority 4</b> <b>Low risk</b>	There may be some quality of life issues but few risks to independence or health and wellbeing. Limited requirement, if any, for social care services. Likely to be some needs for alternative support or advice, and appropriate arrangements for review over the foreseeable future or long term. Dependant on available financial resources

2.4.2 A community care worker, who may also be an occupational therapist, will visit the person at home to carry out the assessment and will let the customer know the outcome. Consent is sought for sharing information with partner agencies.

## 2.5 Criteria for Financial Assistance

2.5.1 The assessment of need is carried out in line with the Council's criteria for the provision of equipment and adaptations, detailed in appendix 4. Works are split between major and minor adaptations, depending on the size and cost of the job. Depending on individual needs and how these can be met, adaptations are either classed as **mandatory** (where the Council must give financial assistance) or **discretionary** (where the Council may give financial assistance, but does not have to).

2.5.2 Following the assessment, the decision on whether an adaptation is mandatory or discretionary is made by the Private Sector Adaptation Review Panel, which includes officers from Social Services and Housing and meets on a monthly basis.

2.5.3 Grant assistance cannot be given for the same purpose within a 10 year period.

## 2.6 Mandatory works

2.6.1 Works which fall into the 'mandatory' category must be given a grant by the Council and will take priority for funding. Adaptations covered by mandatory grant centre around the provision of personal care facilities (toileting and bathing) and improved access (e.g. ramps and door widening). The works eligible for mandatory grant are:

- WC
- wash hand basin
- shower (over bath/walk in/level access/wet floor)
- height adjustable bath/showering table
- specific, specialised toilet installations
- ceiling tracking hoists
- bathroom extension, including integral garage conversion
- kitchen sink unit and safe cooking/working area where essential to make accessible for a wheelchair user
- widen door openings or sliding door conversion for wheelchair access
- permanent external ramps and handrails to one entrance of the home (*not necessarily the front door*)
- internal curved stair-lift or through-floor lifts to access amenities such as bathroom, bedroom or kitchen not on the same floor as the main living accommodation
- provision of permanent external step lifts to provide access to one entrance to the home (*not necessarily the front door*)

2.6.2 Extensions to provide living accommodation (other than for essential personal care) are not included within the scope of mandatory grant.

## 2.7 Discretionary works

2.7.1 The Council will consider giving grant for some works on a discretionary basis, subject to available funding. These include:

- adaptation to kitchen units to make them accessible from a wheelchair or for non wheelchair user
- secure enclosures to garden
- installation/adaptation of door opening and/or phone entry systems
- raising or lowering of power points and switches
- alterations to widen existing paths and steps
- change of heating type where sleeping in room with gas fire

2.8 For any equipment installed as part of the adaptation, such as a stair lift, ceiling track hoist or specialist toilet, the owner will be responsible for arranging and paying for the maintenance contract or any repairs required after the warranty period.

## **2.9 Financial Assistance**

- 2.9.1 If an assessment by the Council determines a need for essential equipment or adaptations that cost less than £1,500, these costs will be met by the Council.
- 2.9.2 If it is assessed that adaptations over £1,500 are necessary and are eligible for (mandatory) grant assistance, a Disabled Adaptation Grant will be awarded. The grant will cover a minimum of 80% of the cost of the eligible work. The remaining 20% will depend on the person's income. The Council has a Test of Resources (see appendix 1) which will work out how much, if anything, the client will have to contribute to the works.
- 2.9.3 For adaptations assessed as discretionary, the Council may give a grant (if funding is available) but the Test of Resources will be applied to the full cost of the eligible works to calculate any grant.
- 2.9.4 Where people are required to make a contribution to the works, they may be signposted to agencies which may be able to help with paperwork for financial institutions, where a loan is being sought, and with advice and assistance on any charitable donations which may be available.
- 2.9.5 Where a client does not qualify for 100% financial assistance, the Council may consider a top-up award in some exceptional circumstances, where there is evidence of extreme financial hardship. This will be considered by the Private Sector Adaptations Review Panel on an individual case basis and authority sought from the Head of Housing and Community Safety.
- 2.9.6 Where it has been agreed that it is more cost effective or appropriate for the homeowner to move because, for example, their existing house is not suitable for the necessary mandatory adaptation, it is considered that it will cost too much for the works, the Council may provide financial assistance with the legal and removal costs of purchase and/or sale of a property. The Private Sector Adaptation Review Panel will consider assistance of this type after all alternatives have been explored. In the case of a private tenant, assistance may also be given to find alternative rented accommodation.

## **2.10 Appeals process**

- 2.10.1 If a person is not satisfied with the outcome of the community care assessment, a resolution will be sought through negotiation. If this cannot be achieved, the Social Services complaints procedure should be followed.
- 2.10.2 Customers have the right to appeal if they do not agree with the value of grant offered. They can contact the Private Sector Housing Co-

ordinator and ask for a re-assessment to be carried out. If the customer is still dissatisfied with the outcome, they can follow the Council complaints procedure.

## **2.11 When assistance might be withdrawn**

2.11.1 If an applicant withdraws their application after incurring costs, such as architect fees, they will be liable for full payment of those costs.

2.11.2 If an applicant moves or sells the property while work is being carried out, a grant would not be payable and the applicant will be responsible for any costs incurred to that point. Any payments already made by the Council must be paid back by the applicant.

2.11.3 If any of the conditions detailed in section 83 of the Housing (Scotland) Act 2006 are breached the local authority may demand repayment<sup>2</sup>

## **2.12 Assistance with reinstatement**

2.12.1 If a homeowner requires assistance with the reinstatement of a property after adaptation, the Private Sector Housing Team can provide advice and signposting regarding how to organise and pay for this work. No grant will be given, however.

2.12.2 If the adaptation works were carried out within a property owned by a private landlord, assistance may be available for reinstatement, but not for structural works such as permanent ramps and door widening.

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<sup>2</sup> as specified in sections 86 and 87 of the Act.

## **Part 3 Works to Improve House Condition**

### **3.1 Condition Standards**

- 3.1.1 The minimum standard all housing has to meet is defined by the Tolerable Standard, which is detailed in appendix 1. Properties considered to be 'Below Tolerable Standard' (BTS), or in a serious state of disrepair and likely to become BTS within 12 months if no work is done, will be targeted for assistance. This will start with advice and information but the Council will take enforcement action where necessary to ensure standards are improved.
- 3.1.2 Social housing (Council and Housing Association) has a higher standard to meet; the Scottish Housing Quality Standard (SHQS). The Council, as a landlord and owner of properties in the block, may take enforcement action against owners who have bought ex-Council flats to ensure necessary works are carried out.

### **3.2 Information and Advice**

- 3.2.1 Homeowners can contact the Private Sector Housing Team if they require information or advice regarding the repair, maintenance and improvement of their property, as well as energy efficiency and fuel poverty. The Private Sector Housing Team may also refer and signpost customers to relevant agencies, bodies or Council services for more specialised advice and assistance.
- 3.2.2 Customers can request advice by e-mail, letter, telephone or by appointment at the Council Offices. A variety of sources of information are available in the form of leaflets, booklets and on the Council's website and the Private Sector Housing team will work to raise awareness of these.

### **3.3 Practical Assistance**

- 3.3.1 The Council is keen to encourage homeowners to take a proactive approach towards properly maintaining and repairing their homes. A range of practical assistance will be available to all private sector customers, where resources permit. As well as improving home energy and reducing fuel poverty, which is covered in part 4, priority will be given to:
- households in common ownership properties, particularly flats, where owners need to work together to carry out shared works
  - older and more vulnerable people
  - those with a disability
  - people living in priority areas (see Part 1)
  - households living in non-traditional type housing



3.3.2 A range of information and advice leaflets will be available on [www.clacksweb.org.uk](http://www.clacksweb.org.uk) for homeowners to access.

3.3.3 Practical assistance covers a wide range but can include property inspection to assess specific repairs works, advice on preventative maintenance, meeting with residents' groups, practical advice on specifying works needed and on appointing contractors.

3.3.4 In common blocks of flats, resource permitting, the Council can work with owners to establish an Owners' Association. This would involve assisting owners to work together to establish the overall condition of their block, how to arrange works and how costs should be distributed between owners.

### 3.3.5 Maintenance Plans & Accounts

The Council may also, resource permitting, assist owners in setting up a Maintenance Plan for properties in a common block. The plan would cover a period up to 5 years and detail the works required to keep the block to reasonable standard of repair. Advice could also be given on how to set up a communal maintenance account to save collectively for shared works.

### 3.3.6 Missing Share

Where common repair works are being organised by a group of owners and progress is hampered because there is an owner who cannot be found (absent owner), an owner is unable to pay (or it seems unreasonable for them to pay), the Council may choose to pay the missing share into an existing maintenance account.

### 3.3.7 Housing Renewal Areas

Specific areas of interest across Clackmannanshire, such as town centres, may be designated as Housing Renewal Areas (HRAs). This will enable the Council to target poor property conditions and overall amenity of the area with potential for demolition if necessary. This will be considered where property conditions are significantly substandard and alternative options to encourage owners to take responsibility for their properties have failed, or are considered to be unlikely to succeed.

### 3.3.8 Lead Water Pipes

The Private Sector Housing team can give information and advice to owners who are replacing lead water pipes but no financial assistance is available.

### 3.3.9 Private Water Supplies

Specific regulations relate to houses served by private water supplies. Advice on this can be sought from the Council's Environmental Health team.

### 3.4 Financial Assistance

- 3.4.1 Funding available to provide financial assistance (grants and loans) to homeowners is very limited, and must be targeted to where it is most needed to help the Council achieve the priority objectives.
- 3.4.2 Owners have options available to them to fund repair and improvement works. These include:
- Personal savings
  - Commercial loan products (often secured on the property, such as extending mortgages and equity release schemes)
  - Loans from the Council may be available in limited circumstances to assist with repair and improvement works, where the work meets the priorities highlighted in 1.4.2.
  - Grants from the Council or other agencies, such as Historic Scotland, Energy Companies and charitable organisations
  - Green Deal and other Government energy efficiency initiatives.
- 3.4.3 Homeowners who are having difficulty meeting the cost of repairs, maintenance or improvements to their home can obtain advice and information from the Private Sector Housing Team. Whilst the Council cannot provide legal or financial advice, it can give general information and signpost people to where this type of advice can be found.  
***Owners should always seek independent financial advice before agreeing to any loan.***
- 3.4.4 Although there is no requirement for the Council to give owners financial assistance with the cost of repairs works, the Council may issue grant to particular priority cases, depending on the availability of resources. The priority works for assistance are outlined in section 1.4.
- 3.4.5 For works deemed as a priority, that have been approved for grant funding, 50% of the eligible works costs may be covered by grant for resident homeowners. The Council's Test of Resources, detailed in appendix 1, may apply to the remaining 50%. The maximum grant which can be received will be £5,000. No further grant can be allocated to the property within a 10 year period for the same works unless the following criteria apply;
- a) the need for the work to which the further application relates was not reasonably foreseeable when the original application was approved,
  - b) it would not have been reasonably practicable to carry out that work at the same time as the work to which the original application related,
  - c) that the work to which the further application relates was not considered by the authority to be eligible for a grant or subsidised loan when the original application was approved,
  - d) the application is made in response to an invitation made by the authority to the applicant with regards to improving energy efficiency.

When a grant is issued, a notice of repairs grant will be registered against the title of the property.

- 3.4.6 Private landlords, involved in priority works, who let one property with a current gas safety certificate, where relevant, and working smoke alarms are eligible for a 25% grant towards the cost of the works. If landlords have a portfolio of more than one property they will not qualify for financial assistance.
- 3.4.7 Depending upon individual circumstances, loans from the Council may be available. Loans would only be available for priority works and will be assessed on a case by case basis where homeowners meet certain criteria.
- 3.4.8 Any financial assistance for repair or renewal of a roof will also require that loft insulation is renewed or upgraded and adequate roof ventilation is provided in accordance with current Building Standards technical guidance<sup>3</sup>. The Council's Home Energy Strategy Officer can advise on possible funding available for insulation.

### **3.5 Empty Homes**

- 3.5.1 The Council wishes to bring properties which have been empty for a significant period of time (normally empty for a minimum continuous period of at least 6 months), back into use. To encourage owners to improve the condition of their empty property and enable it to be returned to residential use, a range of assistance may be available to home owners, subject to resource permitting and the owners meeting the eligibility criteria. Such assistance may include financial assistance in the form of grants or loans and this assistance may extend to include private landlords.
- 3.5.2 Any person interested in obtaining assistance to bring an empty property meeting the criteria above into should contact the Private Sector Housing Team in the first instance regarding the application process. Any form of assistance offered by the Council must be approved by the Head of Housing and Community Safety.
- 3.5.3 Should the assistance be in the form of a loan, such an offer will be issued by the Council's Legal Services section and be on such terms as the Council thinks fit. The Council may make available loans for the purpose set out in paragraph 3.5.1, up to a maximum sum of £7,500 on an interest free basis. The Council may require that such a loan is secured against the property, and the applicant may require to pay the registration dues incurred by the Council.
- 3.5.4 If any grant or loan conditions are breached, or it is discovered that fraudulent claims were made to obtain the grant, or in the case of a loan the property is sold, the Council will demand repayment.

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<sup>3</sup> As specified in Section 6 (Energy) and Section 3 (Environment) of the Domestic Technical Handbook providing guidance on achieving the standards set in the Building (Scotland) Regulations 2004

3.5.5 Funding for the Assistance Scheme is at the Council's discretion. Priority will be given to tackling housing in poor condition and, in any given year, financial assistance is likely to be offered on a first come first served basis. Should the situation arise where the Council is unable to continue to provide funding for grants or loans, then the Council reserves the right to refuse a grant or loan and financial assistance may not be offered, regardless of the eligibility criteria.

### **3.6 Appeals Process**

3.6.1 Owners who do not agree with the outcome of an application for financial assistance can make an appeal to the Head of Housing and Community Safety, who will review the decision. This may be delegated to an appropriate senior person.

3.6.2 The applicant will be notified of the outcome and, if they are not satisfied, the appeal can be pursued further through the Council's complaints procedure.

### **3.7 Enforcement Action**

3.7.1 The aim of the Assistance Scheme is to promote owner responsibility, with minimal statutory intervention. The Council will encourage owners to be responsible with regard to property repairs and maintenance. However, there may be situations where enforcement action is necessary, for example, to enable the Council to deal with emergency/urgent works or address issues of public safety, or to assist owners in dealing with common repairs where they have been unable to obtain the agreement of their neighbours.

3.7.2 In instances where enforcement becomes the only option, the type and level of action will be determined by both the severity of the problem and the commitment made by the owner(s) to addressing the problem.

3.7.3 Where the Council has to carry out works to meet the minimum Scottish Housing Quality Standard (SHQS) and this work is blocked by owners not participating then enforcement action will be considered.

### **3.8 Notices**

3.8.1 The Council may take enforcement action by issuing a Work Notice<sup>4</sup> where necessary to ensure that BTS failures and serious disrepair issues are addressed. In certain cases, the Council may instead use different pieces of legislation, such as the Tenements (Scotland) Act 2004 and the Title Conditions Act 2003.

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<sup>4</sup> as per section 30 of the Housing (Scotland) Act 2006

- 3.8.2 The Council may issue a Maintenance Order<sup>5</sup> to ensure the property is kept in a reasonable state of repair. This requires owners to submit a Maintenance Plan and, if one is not submitted, the Council may issue such a Plan on behalf of an owner and recover all necessary costs.
- 3.8.3 If a problem has been identified within common parts of a building, owners should first attempt to contact their co-owners. If they share responsibility for upkeep of the property, they should try to discuss and agree how repairs can be carried out. If they require advice regarding how to arrange or pay for this repair, they should contact the Private Sector Housing Team.
- 3.8.4 If agreement cannot be reached with the owner, the Private Sector Housing Team may take enforcement action to ensure works are carried out. All necessary costs incurred will then be recovered from the owner.
- 3.8.5 The Council may carry out necessary works where owners are reluctant to do so, and will recover costs from the owners. The Council may also cover the proportion of costs attributed to a 'missing' owner (where an owner cannot be identified or contacted)<sup>6</sup>. Assistance may also be provided by the Council to help common owners set up a maintenance account for future common repairs.

### **3.9 Repayment Charges**

- 3.9.1 If there is any remaining balance of cost unmet by an owner, or if an owner will not participate in the works, the Council will recover the unpaid share of costs through a charge on the property<sup>7</sup>. This will include an administration fee to cover expenses incurred and interest charges.

### **3.10 Appeals Process**

Details of the appeals process are outlined on each enforcement notice. Any appeal must be made within 21 days from the date the notice was served. Enforcement action will be suspended until the outcome of the appeal is known.

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<sup>5</sup> as per section 42 of the Housing (Scotland) Act 2006

<sup>6</sup> as per sections 50 and 51 of the Housing (Scotland) 2006 Act.

<sup>7</sup> as per section 172 of the Housing (Scotland) Act 2006

## **Part 4 Fire Safety**

### **4.1 Information and Advice**

4.1.1 The Scottish Government have introduced new fire safety legislation following the Grenfell Tower tragedy in 2017. From February, 2022 all homeowners are required to have interlinked fire alarms in their home. The design of these alarms significantly reduces casualties by alerting everyone in a property of a fire. The majority of homes will also require to have a carbon monoxide detector fitted. This regulation applies to all homes regardless of age or tenure. It is the homeowner's responsibility to meet this standard.

4.1.2 New build home and private rented properties must already meet these regulations. It is the responsibility of the private landlord to ensure all residential properties they rent out meet the new standard.

4.1.3 The requirements are that all homes will need to have the following;

- one smoke alarm in the most frequently used room,
- one in every circulation space on each storey, and
- a heat alarm in each kitchen.

4.1.4 Alongside the change to the number of smoke alarms required, the alarms must be installed in a particular manner;

- Alarms should be ceiling mounted and interlinked.
- Where there is a carbon-fuelled appliance, such as a boiler, fire or flue, a carbon monoxide detector is also required, although this does not need to be linked to the fire alarms.
- Alarms can be either long-life sealed and battery operated, or
- Mains-operated. If choosing these type of alarms the installation must be installed by a qualified electrician.

4.1.5 When deciding on the type of alarm to install, battery or mains operated, homeowners are advised to check with their home insurance provider as policies may specify a particular type of alarm.

### **4.2 Practical Assistance**

4.2.1 There is no list of Government approved suppliers or fitters, both types of alarms can be purchased from a number of retailers. Any qualified electrician can fit the mains-wired type of alarm. However, the alarms must comply with the following British Standards;

- smoke alarms - BS EN14604:2005
- heat alarms - BS 5446-2:2003
- carbon monoxide detector - British Kitemark EN 50291-1

4.2.2 If a mains-powered system is installed, rather than sealed battery alarms, a building warrant may be required before any work starts. For example, if a property is a one or two storey house, a building warrant

is not required for mains operated alarms but the installation must still comply with the building regulations. Building Standards should be contacted to check if a building warrant is required or not.

- 4.2.3 Scottish Fire and Rescue Service offer free home fire safety visits and have recently launched a Make the Call campaign which is aimed at carers, family and friends of those vulnerable people, aged over 50, who live alone and are at risk due to previous accidental fire in their home. Referrals can be made by calling 0800 0731 999.

### **4.3 Financial Assistance**

- 4.3.1 Care & Repair Scotland has been provided funding by the Scottish Government to assist older and, or, disabled homeowners to carry out the necessary work. To be eligible for support from Care & Repair Scotland, you must meet the following criteria;
- own your home that has a Council Tax banding of A-C
  - be of state pension age and in receipt of guaranteed Pension Credit, or
  - have a disability and be in a support group for Employment and Support Allowance.
- 4.3.2 Currently, there is not a Care & Repair service operating within Clackmannanshire, however, options are being explored to work with a neighbouring service.

## **Part 5 Energy Efficiency**

### **5.1 Information and Advice**

5.1.1 The Council is committed to ensuring all residents are able to heat their home to a comfortable level at an affordable cost. The Council is also committed to reducing greenhouse gas emissions from domestic properties. Council's, through their Local Housing Strategies and other associated policies, have been tasked with developing a range of ways to ensure, so far as reasonably practicable, that people do not live in fuel poverty. The Scottish Government's target to achieve this is by 2016. As part of this work, Clackmannanshire Council has a dedicated Home Energy Strategy Officer.

5.1.2 Fuel poverty is an area of major concern for the Council. A person, or household, is said to be in fuel poverty if they spend more than 10% of their income to maintain a satisfactory heating regime.

5.1.3 The Council's Home Energy Strategy Officer delivers a range of information and advice on energy efficiency to all Clackmannanshire residents. This includes:-

- Fuel bills, fuel debt and behavioural change
- Thermal insulation
- Central heating efficiency
- Renewable energy
- Green Deal Occupancy Assessments
- Energy Performance Certification
- Grants and loans associated with energy efficiency and improvement

5.1.4 The Home Energy Strategy Officer can provide signposting to various local and national energy efficiency schemes, as well as more specialised agencies and services where required. The Council may target particular areas for a targeted approach to advice and assistance.

5.1.5 A wide range of information and advice is available both on the Council's website and in leaflet form. A referral may be made to partner agencies, such as the Energy Saving Scotland advice centre.

### **5.2 Practical Assistance**

5.2.1 The Home Energy Strategy Officer may carry out home visits to give personalised advice and support. This may include a tailored energy efficiency survey of the property to establish how individual households



can make best use of their heating systems and encourage a positive change of behaviour towards home energy.

### **5.3 Financial Assistance**

- 5.3.1 The Home Energy Strategy Officer can provide signposting and assistance with accessing various external grants and other sources of funding.
- 5.3.2 Private tenants may be able to access grants for central heating and insulation through Government initiatives, if they meet the eligibility criteria and have their landlord's permission to have the work carried out. The Council's Home Energy Strategy Officer can provide further advice in relation to this.
- 5.3.3 The Council may, subject to funding being available, issue specific grants or loans to homeowners to help improve energy efficiency in their homes. Additional guidance will cover any schemes in operation and details can be obtained from the Home Energy Strategy Officer.
- 5.3.4 Grants from the Council for energy works are generally not available for private landlords although they may benefit from particular area based initiatives being undertaken by the Council. Private Landlords have access to the Landlord's Energy Saving Allowance (LESA), an income tax allowance for capital expenditure on improvements to property insulation. There may also be funding opportunities from the Government.

## **Part 6 Private Tenants and Landlords**

### **6.1 Private Tenants and Landlords**

6.1.1 The Council is committed to improving standards across the private rented sector and, to help achieve this, is committed to working in association with organisations such as the Scottish Association of Landlords and the national Landlord Accreditation Scheme to deliver a high standard of information and advice to private landlords and tenants.

6.1.2 We aim to provide the following services:

- an advice service to tenants and landlords
- training programme for landlords
- a regular landlord forum to include information and briefing sessions on current issues
- energy efficiency, renewable energy and fuel poverty advice

The Accreditation Scheme in particular provides an assurance to tenants that a member landlord meets an enhanced service level standard.

6.1.3 Landlords have a duty to ensure that any house they rent meets the basic standard of repair; the 'repairing standard'. Details of the Repairing Standard are listed in appendix 1.

6.1.4 If a tenant believes that their rented house does not meet that standard, they can contact the Private Rented Housing Panel. After investigation, the landlord may be required to carry out the necessary repairs. Various penalties apply if the landlord then does not do so. Contact details can be found in appendix 2.

## Definitions

### Below Tolerable Standard (BTS)

The 'tolerable standard' is the measure of housing quality used to determine whether a property meets a minimum acceptable living standard. A property meets the tolerable standard if it:

- is structurally stable;
- is substantially free from rising or penetrating damp;
- has satisfactory provision for natural and artificial lighting, for ventilation and for heating;
- has satisfactory thermal insulation;
- has an adequate piped supply of wholesome water available within the house;
- has a sink provided with a satisfactory supply of both hot and cold water within the house;
- has a water closet or waterless closet available for the exclusive use of the occupants of the house and suitably located within the house;
- has a fixed bath or shower and a wash-hand basin, each provided with a satisfactory supply of both hot and cold water and suitably located within the house;
- has an effective system for the drainage and disposal of foul and surface water;
- in the case of a house having a supply of electricity, complies with the relevant requirements in relation to the electrical installations for the purposes of that supply;
  - 'the electrical installation' is the electrical wiring and associated components and fittings, but excludes equipment and appliances;
  - 'the relevant requirements' are that the electrical installation is adequate and safe to use
- has satisfactory facilities for the cooking of food within the house; and
- has satisfactory access to all external doors and outbuildings.

### Financial Assistance

Details of the various types of financial assistance for homeowners and tenants, available from the Council are given in the Statement. The Council cannot give financial advice but will signpost customers to agencies which can.

## **Maintenance Orders/Plans**

Where there is evidence that the longer term maintenance of the property is absent, the Council will consider serving a Maintenance Order (section 42). This requires the owner(s) to prepare a maintenance plan to ensure the property is kept in a reasonable state of repair for a period up to 5 years. The plan will set out the work to be undertaken over the specified period of time, when it will be taken, and the costs of implementing the plan. The Council will offer appropriate advice and assistance at this point.

Where a Maintenance Order applies to 2 or more properties, there will be a requirement of all owners to prepare a joint maintenance plan in respect of any common parts with costs apportioned to each owner.

The Council may approve, reject, vary or revoke the maintenance plan. Where no plan has been submitted by the owner(s) within the specified timescale, the Council may devise one.

## **Practical Assistance**

Will normally be offered after a client request or if enforcement action is taken and may include:

- organising stair meetings to facilitate common repairs
- assistance to prepare maintenance plans
- site inspection of a particular repair issues
- involvement by the Council's Care & Repair Service

## **Repairing Standard**

A house meets the repairing standard if:-

- it is wind and watertight and in all other respects reasonably fit for human habitation,
- the structure and exterior of the house (including drains, gutters and external pipes) are in a reasonable state of repair and in proper working order,
- the installations in the house for the supply of water, gas and electricity and for sanitation, space heating and heating water are in a reasonable state of repair and in proper working order,
- any fixtures, fittings and appliances provided by the landlord under the tenancy are in a reasonable state of repair and in proper working order,
- any furnishings provided by the landlord under the tenancy are capable of being used safely for the purpose for which they are designed, and
- the house has satisfactory provision for detecting fires and for giving warning in the event of fire or suspected fire.

## **Test of Resources**

This is the method applied to determine a person's ability to pay where a grant may be given by the Council. The Test used in Clackmannanshire is directly linked to the Council Tax Reduction Scheme. For mandatory disabled adaptations, clients in receipt of passported benefits specified in the legislation will be entitled to 100% grant towards eligible costs. This is subject to change (see below).

Anyone wishing to be considered for a grant must sign a mandate to allow the Council Tax benefit records to be used for this purpose. The percentage of Council Tax Reduction given at the time of application is applied to eligible works costs, to calculate the level of grant awarded. Application for Private Sector Housing Grant can be made directly to the Private Sector Housing Team.

The Council Tax Reduction Scheme is a national means test which, as part of its calculation, compares net income with nationally set applicable amounts and premiums, that take into account family and other financial circumstances such as age, disability etc. Changes to the test which may have to be made as a result of the move to Universal Credit which will be introduced from October 2013 will be publicised on the Council's website or will be available from the Council's offices..

## **Advice**

This will normally be given after a client contacts the office either by telephone or in person, but will also be made available should enforcement action be taken. Relevant information will also be made available on the Council's website and in various leaflets. This may include information on:

- dealing with various technical issues
- referral to a specific service or partner  
information on accessing various forms of funding for repairs and/or adaptations
- ongoing press articles

## **Work Notices**

Enables remedial action in instances of short term, one off disrepair problems will be enforced by a Work Notice. This will specify the reason for issuing it, the work required, the standard the property must meet on completion and the period of time for completion (section 30).

The Council may suspend, extend the time limit of, or revoke a Work Notice. When works are complete, the owner(s) may apply to the Council for a completion certificate. This will be granted when the Authority is satisfied works have been complete and any expenses incurred are fully paid (section 59).

## **Empty Homes**

Homes which are unoccupied and are likely to remain unoccupied. Long term empty homes are those which have been unoccupied for at least 6 months.

## **Factoring**

Where a property factor (private business, local authority or housing association) manage or maintains land, including building, owned by 2 or more persons for residential purposes

## **Housing Renewal Areas (HRAs)**

Housing Renewal Area can be designated where the following criteria have been identified and require to be addressed;

- housing is sub-standard,
- to bring it into and keep it in a reasonable state of repair (which must at least meet the tolerable standard); or
- the appearance or state of repair of houses is adversely affecting the amenity of the area, to enhance it.

## Appendix 2

### Housing Strategy for Clackmannanshire 2018-23: Priorities and key actions relating to Scheme of Assistance

#### ***Making Better use of Existing Housing***

- The housing we already have is optimised and effective in providing choice and meeting need.

#### ***Specialist Housing and Independent Living***

- Those requiring assistance to live independently at home have access to effective housing support.

#### ***Specialist***

- Define the need for specialist housing within first year and agree best way to supply gaps in provision
- Review the adaptations service across all tenures

#### ***Energy Efficiency and Fuel Poverty***

- Energy efficiency is improved and fuel poverty and carbon emissions are reduced across all tenures.

#### ***Improving Neighbourhoods and Communities***

- Improve long term outcomes for local communities and target town centres for improvement and regeneration to benefit the community

### Useful Contact Details

#### **Clackmannanshire Council**

##### **Private Sector Housing Team**

Limetree House  
Alloa FK10 1EX  
Tel: 01259 452426  
website: [www.clacksweb.co.uk](http://www.clacksweb.co.uk)

##### **Social Services Duty Officer**

Community Care Assessment & Care Management Team  
Clackmannanshire Community Health Care Centre  
Hallpark Road  
Sauchie  
Tel: 01259 727010 or 01259 452498  
website: [www.clacksweb.org.uk](http://www.clacksweb.org.uk)

##### **Customer Services Team**

Limetree House  
Alloa FK10 1EX  
Tel: 01259 450000  
website: [www.clacksweb.org.uk](http://www.clacksweb.org.uk)

##### **Home Energy Officer**

Housing Services  
Kilncraigs  
Greenside Street  
Alloa FK10 1EB  
Tel: 01259 452486  
website: [www.clacksweb.org.uk](http://www.clacksweb.org.uk)

##### **Environmental Health**

Kilncraigs  
Greenside Street  
Alloa FK10 1EB  
Tel: 01259 450000  
website: [www.clacksweb.org.uk](http://www.clacksweb.org.uk)

##### **Building Standards**

Kilncraigs  
Greenside Street  
Alloa FK10 1EB  
Tel: 01259 452560  
website: [www.clacksweb.org.uk](http://www.clacksweb.org.uk)



## **Other Agencies**

### **Scottish Association of Landlords (SAL)**

Hopetoun Gate  
8b McDonald Road  
Edinburgh EH7 4LZ

Tel: 0131 564 0100  
website: [www.scottishlandlords.com](http://www.scottishlandlords.com)

### **Landlord Accreditation Scotland (LAS)**

Hopetoun Gate  
8b McDonald Road  
Edinburgh EH7 4LZ

Tel: 0131 553 2211  
website: [www.landlordaccreditationscotland.com](http://www.landlordaccreditationscotland.com)

### **Housing and Property Chamber**

First-tier Tribunal for Scotland  
Glasgow Tribunals Centre  
20 York Street  
Glasgow  
G2 8GT

Telephone: 0141 302 5900  
website: [www.housingandpropertychamber.scot](http://www.housingandpropertychamber.scot)

### **Scottish Fire and Rescue Service Headquarters**

Westburn Drive  
Cambuslang  
G72 7NA

[www.firescotland.gov.uk](http://www.firescotland.gov.uk)  
Telephone: 999 (emergencies only)

Alloa Fire Station  
Clackmannan Road  
Alloa  
Telephone: 01259 724112

Tillicoultry Fire Station  
Devonvale Crescent  
Tillicoultry  
Telephone: 01259 751750

### **'Make the Call' campaign**

To find out more, or arrange an appointment, call 0800 0731 999 or  
Text 'FIRE' 80800 from a mobile phone

### Qualifying criteria for adaptations

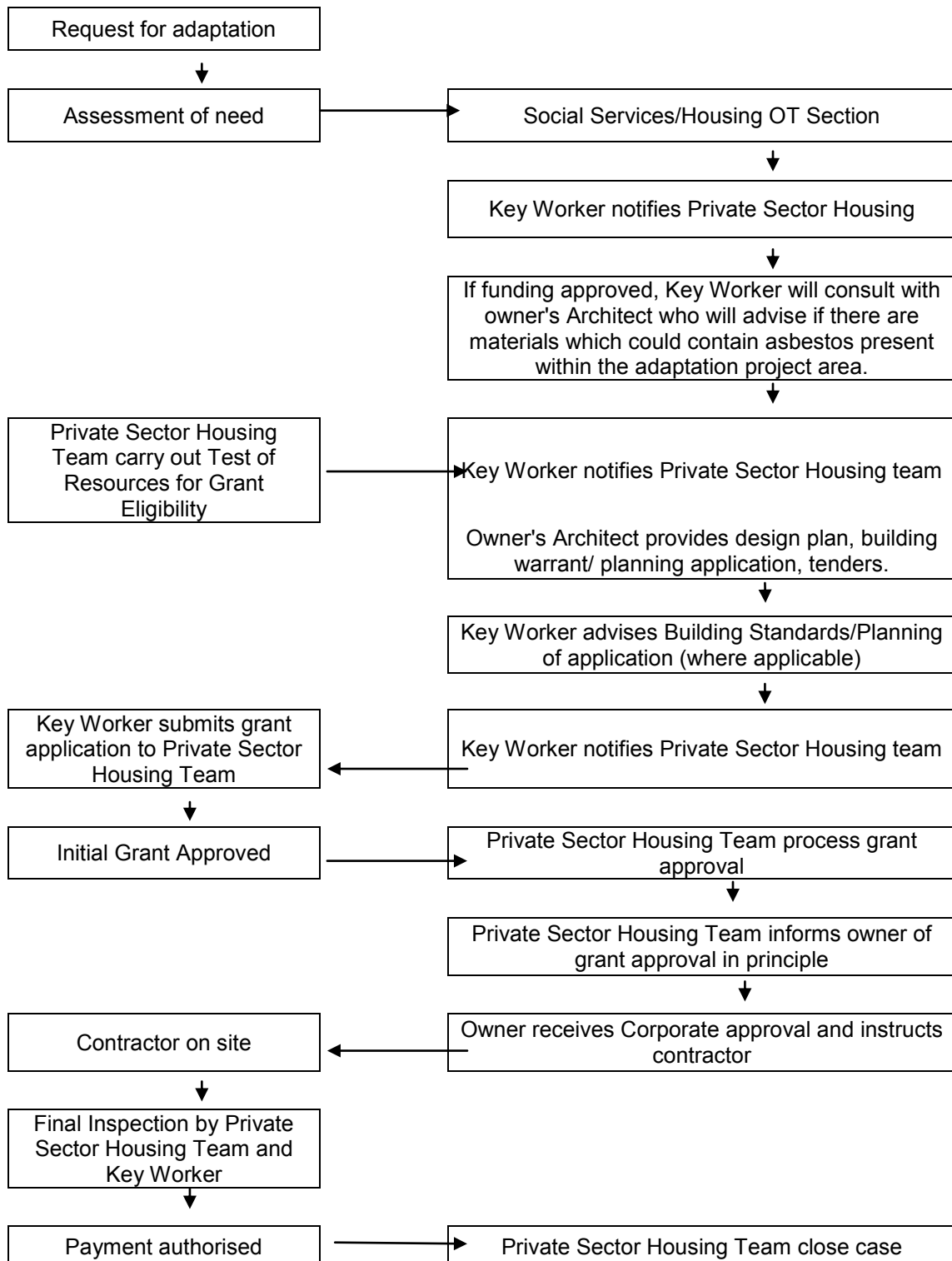
- 1 The person for whom the adaptation is being considered must be a disabled person, as defined in legislation (Disabled Discrimination Act 1996).

Circumstances may occasionally occur where provision of equipment/adaptation is necessary to overcome temporary disability.

- 2 The assessor concludes that the equipment/adaptation is necessary i.e. where appropriate; the first choice is for the disabled person to receive rehabilitation or training in alternative techniques to carry out a daily living activity, rather than rely on equipment/adaptations. Through assessment process, the needs of carers will also be considered.
- 3 The purpose of providing the equipment/adaptation is to increase or maintain the functional independence of a person with substantial or long term disabilities. The form of provision will be dependent on the service user's needs in relation to the disability and the technical feasibility of the site.
- 4 Account will be taken of preferences expressed by a service user, and the assessor should seek agreement about the type of provision with the service user, carer, other members of the household and, if appropriate, other agencies. the GP or District Nurse.
- 5 Equipment and adaptations are provided in the most cost effective way. Where an individual wishes a more expensive solution they, or a third party, would be expected to fund the difference.
- 6 Equipment and adaptation are within the scope of Self Directed Support. From the assessment of need for equipment or adaptations, people who are considered eligible for self-directed support can choose to request the funding and purchase the item or service themselves.
- 7 Written instructions/manufacturers instructions for equipment will be left with the service user, including advice on what to do if something goes wrong. All equipment issued will be demonstrated to the person.
- 8 Equal opportunities: ethnic and cultural aspects of the household will be considered. As part of the assessment process, the usual practices of the person with disabilities and their household will be taken into account

## Appendix 5

### Procedure for Major Adaptation Works





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**Report to: Place Committee**

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**Date of Meeting: 4<sup>th</sup> November 2021**

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**Subject: Review of Soil & Rubble at Recycling Centre**

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**Report by: Strategic Director (Place)**

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### **1.0 Purpose**

- 1.1. This report is to provide an update and review to the committee on the current operational processes of Disposal of soil and rubble at Forthbank HWRC, in accordance of the Council decision of 19 August in relation to the paper on the Household Waste and Recycling Policy.

### **2.0 Recommendations**

- 2.1 It is recommended that the Committee approves:
- 2.2 that the current arrangements for soil and rubble disposal are retained beyond the end of COVID-19 restrictions and are adopted as standard operational procedure at the Forthbank Recycling Centre.
- 2.3 that the site conditions be risk assessed to ensure that soil and rubble operations remain safe as reasonably practical for members of the public and site staff.

### **3.0 Considerations**

- 3.1 The disposal of soil and rubble (including ceramic kitchen and bathroom ware) has traditionally been allowed at Forthbank under the Refuse (Amenity) Act 1978, being treated as household waste.
- 3.2 Until 2020 the operational disposal at the site involved users being directed to the rear of the Centre to dispose of material in an allotted bay, the rear access area of the site is not safe as there is a mix of large operational vehicles mixing with the public, with several near misses taking place.
- 3.3 The HWRC site has undergone some extensive re-design and upgrade works to improve the site for residents. During the review several health & safety risks were identified with the current practices at the time. The review highlighted several objectives with the first being improving safety in order to eliminate risks as far as reasonably practicable.
- 3.4 Avoiding contamination, such as exposure to the public & staff to asbestos, ensuring operational vehicle movements and potential interactions with pedestrians and site users such as the Roll Packer which operates to the rear

of the bays where the previous soil and rubble was located, were eliminated where possible.

3.5 Following the COVID-19 related closure of the site in 2020, upon re-opening the opportunity was taken to improve the safety of the site and place improved controls on the disposal of soil and rubble with the following considerations;

1. Time required on site
2. Contamination and related costs
3. Public safety
4. Site mis-use

3.6 ***Time Required on Site***

3.7 With Covid-19 restrictions in place, combined with high demand for the site, to assist with an improved turnover and throughput of users, a limit was placed of 5 containers being disposed of. The basis of this is that this would deal with the majority of the loads of soil and rubble in householders vehicles and better manage any high-volume amounts which would ordinarily take up significant time to offload and have knock on impact on adjacent drop off areas for garden waste and wood waste to the rear of the site.

3.8 For those users requiring disposing of larger amounts of material a booking system was put in place.

3.9 ***Public Safety, Contamination and Related Costs***

3.10 In order for soil and rubble to be moved on from the site our contractor requires that the material is free of contamination and in particular hazardous material, with the most common example of this being asbestos. Such is the stringent nature of this that even material that resembles asbestos will not be accepted, leaving the Council to invoke extremely costly measures to have the material removed from site.

3.11 The previous location of the dumping bay on the lower level is not easily monitored, and discoveries of contaminated waste were often made after users had departed the site.

3.12 Removal of actual asbestos is costly, requiring testing as well as controlled removal. It also places the disposal area out of commission until the material has been removed, causing inconvenience for users and the Council has a duty to protect the public from any such risk to unsafe exposure of contaminated waste.

3.13 The new arrangement means that not only that dumping of hazardous waste can be monitored closely (the dumping area is also now covered by CCTV) but any amounts found are likely to very small, and can be managed without wider disruption to the site.

3.14 The use of the lower level of the site has long been considered to carry obvious risks to the public, with heavy plant in operation moving skips, loading container lorries etc. The future plans for the site will see these risks

being mitigated by transferring the drop off of all material by the public to the upper level of the site.

3.15 For comparison the cost of bays previously contaminated would have been:

100 Tonnes - £40,000 (Asbestos contaminated Soil & Rubble) @ £400 Per Tonne

100 Tonne - £800 (Non-contaminated soil & Rubble) @ £8 Per Tonne

Now if one skip is contaminated it would only cost £400 as apposed to £40,000.

3.16 The current H&S arrangements for disposal of soil & rubble limit the risk to the public & staff n terms of reducing manual handling/loading risks, the changes to the site will be reviewed prior to the new areas being made available.

### 3.17 **Site Mis-Use**

3.18 Typically, large amounts of soil and rubble are produced as a result of domestic projects, often carried out by paid contractors. Though not widely understood, such contractors become the producer of the soil and rubble waste, and are subsequently liable to meet the cost of related disposal.

3.19 To deal with site users with larger loads, a large bay is available and can be booked in advance which allows the site staff to control and monitor more effectively, this service is available and ensures we have the required flexibility at the site to accommodate any user needs effectively and safely.

3.20 Demand for this service has been very low with only a 3 requests for this service in a 12 month period.

3.21 The current arrangements assist in monitoring who is disposing of soil and rubble, and whether further investigation is required, thus protecting the Council from site abuse, cost and safety risks.

3.22 There is no recorded evidence on our logging systems that the new arrangements have led to an increase in fly tipping of soil and rubble

### 3.23 **Summary**

3.24 General feedback at the site has been excellent and there have been no official complaints in relation to the soil and rubble operations at site with the new arrangements being in place.

3.25 Despite some initial issues amongst some users surrounding the new arrangements, the gradual awareness and improved communication have resulted in a greater understanding from users of the rationale involved.

3.26 There has also being a significant reduction in incidents involving the dumping of asbestos and other hazardous material, with only one incident incurring a removal cost in the last 12 months.

3.27 The general safety of the site has increased and as the service moves forward with other plans to increase better quality signage at the site the general look and feel of the site will improve over the next 6 months.

#### 4.0 Sustainability Implications

4.1 None

#### 5.0 Resource Implications

5.1 *Financial Details*

5.2 Finance have been consulted and have agreed the financial implications as set out in the report. Yes

5.3 *Staffing*

5.4 The re-introduction of identification passes would put strain on existing limited resources within the Waste Service.

#### 6.0 Exempt Reports

6.1 Is this report exempt? Yes  (please detail the reasons for exemption below)

#### 7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please click on the check box )

Clackmannanshire will be attractive to businesses and people and ensure fair opportunities for all

Our families, children and young people will have the best possible start in life

Women and girls will be confident and aspirational, and achieve their full potential

Our communities will be resilient and empowered so that they can thrive and flourish

(2) **Council Policies** (Please detail)

#### 8.0 Equalities Impact

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes

No X



## 9.0 Legality

9.1

It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

## 10.0 Appendices

N/A

## 11.0 Background Papers

11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered).

Yes

No

(please list the documents below)

### Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Iain McDonald	Senior Manager (Environment)	2657

### Approved by

NAME	DESIGNATION	SIGNATURE
Pete Leonard	Strategic Director (Place)	