

Corporate Policy and Strategy Committee

10.00 am, Tuesday, 16 April 2013

Present

Councillors Burns (Convener), Cardownie (Vice-Convener), Burgess, Chapman, Child, Nick Cook, Godzik, Ricky Henderson, Hinds, Lewis, Mowat, Rankin, Rose and Ross.

1. Welfare Reform - Managing Arrears Arising from Housing Benefit Under-occupancy Restrictions

(a) Deputations

(i) Edinburgh Tenants Federation

The deputation expressed concern at the impact of welfare reform and in particular the under-occupancy restrictions. They felt that this would have an adverse effect on social housing within Edinburgh and the delivery of the capital improvement scheme. They indicated that there was the prospect of increased homelessness with the added pressure of increasing fuel costs and rents, and benefits being capped. The deputation raised concerns that there were not enough one bedroom properties within Edinburgh to accommodate those who would need them.

The deputation asked the Council to consider taking legal steps to challenge the bedroom tax reforms.

(ii) Unite

The deputation welcomed the motion by the Capital coalition. They felt that rent arrears would rise as the year progressed and that there was no calculation of the effects on social landlords in Edinburgh. They welcomed the proposal for a Joint Working Group and the Council's support to local campaigns to scrap the bedroom tax.

(b) Report by the Director of Services for Communities and Motions by Councillors Ricky Henderson and Burgess

Details were provided on the implications for tenants, the Housing Revenue Account and the housing service following the introduction of the Housing Benefit under-occupancy reforms.

The following motions had been submitted in terms of Standing Order 16.1:

(i) By Councillor Ricky Henderson

- “1) Committee wishes to express its concern regarding the impact that the range of Welfare Reform measures is having on people in Edinburgh.
- 2) Specifically the Committee is concerned that, from April 2013, measures to reduce housing benefit for tenants of local authorities and housing associations (Bedroom Tax) have not taken account of the acute shortage of one bedroom homes. This will lead to significant hardship for the tenants affected and increase the risk of homelessness.
- 3) Committee is further concerned that these measures may have an adverse impact on council and housing association landlords’ rental income and their ability to invest in improving their own stock and in building new, affordable to heat, homes.
- 4) Committee notes that there is a significant risk of a reduction of £45 million in capital investment, funded from the Housing Revenue Account, as a result of this and other measures.
- 5) Committee agrees:
 - (a) that where the Director of Services for Communities is satisfied that tenants who are subject to the under-occupancy charge have done all they reasonably could to avoid falling into arrears, then all legitimate means to collect rent arrears should be utilised except eviction.
 - (b) to establish a joint working group that will include elected members, officials from Housing and Revenues and Benefits, Registered Social Landlords and tenants representatives. The role of the working group shall be to monitor the implementation and impact of various benefits changes and to contribute to consideration of further measures to support tenants.

(c) to support calls by local campaigns to scrap the Bedroom Tax.”

(ii) By Councillor Burgess:

"This Committee:

- 1) Expresses concern that on 1 April 2013 new restrictions were introduced by the UK Government affecting working-age households occupying social housing such that reductions will be applied to housing benefit payments where tenants are deemed to be under-occupying their homes. This has been called the 'bedroom tax';
- 2) Is further concerned that the bedroom tax is now affecting around 4,000 council tenants and a similar number of housing association tenants in Edinburgh;
- 3) Notes that a range of actions to mitigate the under-occupancy restrictions have been looked at, including providing offers of reasonable alternative accommodation, but that the supply and turnover of smaller accommodation comes nowhere close to meeting the demand and that tenants unable to move to smaller accommodation may fall into rent arrears because of the bedroom tax;
- 4) Is concerned that in 2011-12 there were 93 council tenants losing their homes following eviction action for rent arrears and understands that continuation of the same approach for bedroom tax arrears could make many more people homeless;
- 5) Recognises that the Housing Revenue Account may be affected because of non-payment of the under-occupancy element (bedroom tax), but believes that pro-active support and engagement with tenants, tailored to their circumstances is more effective than the threat of eviction;
- 6) Further recognises that making tenants homeless may not impact directly on the HRA but will increase pressure on homelessness services, increase cost of providing temporary accommodation and longer-term impact on health and social-care services;
- 7) Therefore agrees to take measures to reduce the impact of bedroom tax on council tenants including:
 - (i) redesignating bedrooms, possibly as public rooms, to mitigate under-occupancy restrictions and,
 - (ii) in determining when and whether to initiate and pursue proceedings to recover a tenancy as a consequence of rent

arrears, the council will not evict a tenant for rent arrears due to the under-occupancy element (bedroom tax).

- 8) Agrees that the Council will use its influence to encourage Registered Social Landlords to adopt a policy of not evicting tenants for bedroom tax arrears.”

Councillor Burgess withdrew his motion.

Motion

To approve the terms of the motion submitted by Councillor Ricky Henderson under Standing Order 16.1, and additionally:-

- 1) To note that around 3,300 Council tenants would be affected by the reform.
- 2) To note that the rental income funded housing management services, improvements to existing homes and building new affordable homes.
- 3) To note the approaches adopted by other local authorities and that of the Govan Law Centre.
- 4) To note that the Council’s current practice for managing rent arrears was in line with policies now being adopted by Dundee, Clackmannanshire and West Dunbartonshire Councils which supported a no evictions approach.
- 5) To note the additional measures that could be introduced to support tenants who were affected by the under-occupation charge and the assessment of the risks associated with disregarding arrears due to under-occupation.
- 6) To refer the report to the Health, Wellbeing and Housing Policy Development and Review Sub-Committee on 23 April 2013 for discussion.
- 7) To call for a further report on decisions made by other councils in England and Scotland to re-designate bedrooms, providing information on the rationale and impact of these decisions.
- 8) That the Council use its influence to encourage Edinburgh’s Registered Social Landlords to adopt a policy of not evicting tenants for bedroom tax arrears.
- 9) To continue to work constructively with the Scottish Government and to seek a meeting with the relevant minister to discuss issues affecting Edinburgh as a result of the welfare reform changes.

- 10) to call for a report on the implications of the Govan Law Centre's guide on "Challenging your bedroom tax decision".

- moved by Councillor Ricky Henderson, seconded by Councillor Cardownie.

Amendment

- 1) To note that Housing Benefit payments had doubled in the 10 years to 2010.
- 2) To note the need to reduce the increase in total Welfare payments, especially whilst the UK continued to have a large borrowing requirement.
- 3) To note that the Housing Benefit measures were not designed to make people move but, for people who were under occupying, to encourage realistic choices about how they would meet the rent on a property which was larger than they needed, such as moving into work or increasing working hours.
- 4) To note the introduction of measures to reduce the subsidy currently paid to occupants of social housing who under occupied their accommodation.
- 5) To note that in this respect these measures put recipients of Housing Benefit in social rented housing on the same footing as those in private rented housing, where such a standard was already imposed.
- 6) To note that in February 2013, of the 25,385 outstanding applications for housing on EdIndex, almost 5,000 applicants classed themselves as overcrowded.
- 7) To note that in recent years around 500 one bedroom Council properties had become available for let each year.
- 8) To note the estimate of 3,800 Council tenants who would be affected by the new rules.
- 9) To note that the UK Government, the Scottish Government and Edinburgh Council had provided considerable sums to support people who found themselves in severe difficulty in relation to the reduction in Housing Benefit.
- 10) To note the financial, administrative and other risks outlined in the Managing Arrears Arising from Housing Benefit Under-occupancy report (paragraphs 2.32 to 2.36) concerning the consequences of mixed messages regarding tenants responsibilities, greater risk of tenants getting into longer term debt and its consequences, fairness, legal challenge and reduction in HRA which would reduce resources and the potential for higher rents for all.

- 11) To note current council measures (paragraphs 2.19 to 2.30) which detailed support for tenants who had fallen into arrears for any reason and the limited circumstances in which action was taken for eviction.
- 12) To agree not to adopt a 'no evictions' policy in respect of arrears deemed to accrue in connection with the Housing Benefit reforms.

- moved by Councillor Rose, seconded by Councillor Mowat

Voting

The voting was as follows:

For the motion (as adjusted)	-	11 votes
For the amendment	-	3 votes

Decision

To approve the motion by Councillor Ricky Henderson.

(References – Corporate Policy and Strategy Committee 26 February 2013 (item 12); report by the Director of Services for Communities, submitted.)

Declaration of Interests

Councillor Cardownie declared a non-financial interest in the above item as a member of Unite.

2. Minute

Decision

To approve the minute of the Corporate Policy and Strategy Committee of 26 February 2013 as a correct record.

3. Corporate Policy and Strategy Committee Key Decisions Forward Plan April to June 2013

The Corporate Policy and Strategy Committee Key Decisions Forward Plan for April to June 2013 was presented.

Decision

To note the Key Decisions Forward Plan for April to June 2013.

(Reference – report by the Director of Corporate Governance, submitted)

4. Corporate Policy and Strategy Committee Business Bulletin 16 April 2013

The Corporate Policy and Strategy Business Bulletin for 16 April 2013 was presented.

Decision

To note the Business Bulletin.

(Reference – report by the Director of Corporate Governance, submitted.)

5. Welfare Reform

(a) Further Update

The Committee had agreed a number of recommendations as part of the Council's actions to mitigate the impact of Welfare Reform.

An update was provided on the progress being made by the Council and partners to develop arrangements to mitigate, where possible, the negative impact of the UK Government's welfare reforms.

Decision

- 1) To note the continuing progress on assessing the impact of welfare reforms and actions for developing partial mitigation strategies.
- 2) To agree additional grant funding for income maximisation, welfare benefits advice and advocacy services, for Citizen's Advice Edinburgh (£100,000), Capability Ability Network (£22,000), The Action Group (£15,000), FAIR (£15,000) and COSS (£7,000).
- 3) To note that additional advice funding totalling £67,000 had already been agreed for the Welfare Rights and Health Project, CHAI Advice Service and Granton Information Project.
- 4) To agree the additional expenditure on the Council's Advice services proposed in the report by the Director of Corporate Governance.
- 5) To note that the Director of Services for Communities would report to the Health, Wellbeing and Housing Committee in June 2013 on the Advice Services review.
- 6) To approve the recommendation not to volunteer to participate in the proposed Pathfinder Project for Pension Credit (given Edinburgh's involvement in the DWP's Direct Payment Demonstration Project).

- 7) To note the next progress update report would be on 11 June 2013 (with a separate briefing to Committee members in early May).

(References – Corporate Policy and Strategy Committee 4 December 2012 (item 4); report by the Director of Corporate Governance, submitted.)

(b) Council Tax Reduction Scheme Arrangements

An update was provided on a new service being provided by the Council, the Council Tax Reduction Scheme, which had replaced Council Tax Benefit on 1 April 2013 as part of the UK Government's programme of Welfare Reform.

Decision

- 1) To note the current arrangements for the implementation of the Council Tax Reduction Scheme in 2013/14.
- 2) To approve a programme of consultation on the future alternative schemes which would take place in 2013/14 and note that the Committee would be advised of the key outcomes.
- 3) To note that expenditure against the funding gap provision would be monitored by the Finance and Budget Committee.

(References – Corporate Policy and Strategy Committee 22 January 2013 (item 7); report by the Director of Corporate Governance, submitted.)

c) Scottish Welfare Fund Arrangements

An update was provided on the introduction of a new Council Service, the Scottish Welfare Fund, which came into operation on 1 April 2013 and transferred responsibility of managing the services from the DWP to local authorities.

Decision

- 1) To note the introduction of the Scottish Welfare Fund from 1 April 2013.
- 2) To note that this was an interim arrangements for two years. Provision of this service would be subject to review for 2015/16 and beyond.

(References – Corporate Policy and Strategy Committee 22 January 2013 (item 7) report by the Director of Corporate Governance, submitted.)

6. Connected Capital Programme Status Update

The Council had approved the use of £1.9m to support the Council's proposed programme in response to Edinburgh's "Connected Capital" Programme bid to the

Urban Broadband Fund as part of the UK Government's Super-Connected Cities Initiative.

An update was provided on Edinburgh's "Connected Capital" Programme bid to the Urban Broadband Fund.

Decision

- 1) To note the current status of the Connected Capital Programme and that the approach was in line with other successful Urban Broadband Fund (UBF) cities across the UK.
- 2) To note the preliminary findings from the pre-procurement phase of the Wireless Project and the Evaluation Criteria.
- 3) To note the active dialogue with BDUK to establish the best mechanism to progress the Fixed Broadband Capital Infill Procurement.

(References – Act of Council No 6 of 26 April 2012; Policy and Strategy Committee 2 October 2012 (item 6); report by the Director of Corporate Governance, submitted.)

7. Sustainable Edinburgh 2020 Annual Report and Scottish Climate Change Declaration Annual Report

The Council had approved the "Sustainable Edinburgh 2020" policy framework which set out the aims, objectives and targets for the sustainable development of the Council and the city to 2020.

The Sustainable Edinburgh 2020 Annual report and the Scottish Climate Change Declaration Annual report were presented and progress made against key carbon, climate and sustainability targets and legal duties outlined.

Decision

- 1) To note the good progress made across the Council in terms of meeting Sustainable Edinburgh 2020 and Scotland's Climate Change Declaration objectives.
- 2) To approve the Recommendations within the Sustainable Edinburgh 2020 Annual Report and the draft 2012 Scottish Climate Change Declaration Annual Report for submission to COSLA.
- 3) To note the recently established Green Investment Projects Group (GIPG) and the re-establishment of an Edinburgh Sustainable Development Strategic Partnership and agree to consider resources for the work of the GIPG and Partnership during the annual budget planning process.
- 4) To approve the establishment of the proposed Senior Member and Chief Officer Working Group.

- 5) To ask for a further report to the Finance and Budget Committee on the financial implications of the scheme.
- 6) To ask the officials to develop the RAG approach to include individual actions within Sustainable Edinburgh 2020 reports.

(Reference – report by the Director of Corporate Governance, submitted.)

8. Corporate Governance Senior Management Structure – Revised Arrangements

A new management structure for the Corporate Governance service had been approved in February 2012.

Details were provided of a review of the structure following the resignation of the Head of Policy and Public Affairs and the revised arrangements which had been put in place.

Decision

- 1) To approve the changes made to the Corporate Governance Senior Management structure.
- 2) To note the intention to review those arrangements in 6 months.

(References – Policy and Strategy Committee 28 February 2012 (item 10); report by the Director of Corporate Governance, submitted.)

9. Towards an Edinburgh Autism Strategy – A Plan for People with Autism who do not have a Learning Disability

Details were provided on the draft plan for the development of a local autism strategy which had been developed in partnership with people with autism, their carers, NHS Lothian and local service providers. The draft plan outlined a range of proposals including the need to raise awareness across services, improving the care pathway for people with autism, improving housing services, increasing access to employment and support for carers.

Decision

To note that the Council and NHS Lothian would be consulting on a plan for autism services in Edinburgh from May to July 2013.

(Reference – joint report by the Directors of Health and Social Care and Children and Families, submitted.)

10. Integration of Adult Health and Social Care Consultation: Scottish Government Response

The joint response of the City of Edinburgh Council and NHS Lothian to the Scottish Government's consultation on the integration of adult health and social care services had been approved in September 2012.

Details were provided of the Scottish Government's response to key points made by respondents following the consultation. The Scottish Government's intentions for its forthcoming legislation and the approach for the Edinburgh Health and Social Care Partnership were outlined.

Decision

- 1) To note the Scottish Government response and intention to legislate.
- 2) To note the alignment of plans for the Edinburgh Health and Social Care Partnership with the legislative intent.
- 3) To note that a further report would be made to the Committee in May.

(References – Policy and Strategy Committee 4 September 2012 (item 10); report by the Director of Health and Social Care, submitted.)

11. Redesigning the Community Justice System: Response to the Scottish Government's Consultation

The proposed Council response to the Scottish Government's consultation on redesigning the Community Justice System was presented.

Decision

- 1) To approve the draft response to the Government's consultation on redesigning the Community Justice System, which supported the retention of criminal justice social work services within the remit of the Council.
- 2) To agree to receive a report to a future meeting on proposed arrangements to implement the suggested improvements to reduce re-offending, as set out in paragraphs 2.2.1 to 2.2.4 in the report by the Chief Social Work Officer.

(Reference – report by the Chief Social Work Officer, submitted.)

12. Funding Models for Tourism Promotion

The Committee had agreed to further consultation with relevant stakeholders on the viability of the introduction of a Transient Visitor Levy, with a view to developing a preferred model by early 2013.

An update was provided on discussions which had taken place within the Strategy Implementation Group which was a subgroup of the Edinburgh Tourism Action Group regarding funding models for tourism promotion.

Decision

To note that the Strategy Implementation Group had formed a sub-group to agree the next steps, including the form of any future consultations.

(References – Policy and Strategy Committee 2 October 2012 (item 8); report by the Head of Economic Development, submitted.)

13. George Street: Festival Traffic Management – referral from the Transport and Environment Committee

The Transport and Environment Committee had referred a report on a proposed Temporary Traffic Regulation Order to close George Street to traffic between Hanover Street and Frederick Street during August 2013.

Decision

To note the report by the Director of Services for Communities.

(Reference – report by the Head of Legal, Risk and Compliance, submitted.)

14. Conference Invitation – International Conference on the History of Freemasonry

Decision

To approve the attendance of the Lord Provost at the International Conference on the History of Freemasonry on 24-26 May 2013.

(Reference – report by the Director of Corporate Governance, submitted.)

15. Motion by Councillor Rose – Waste Collections

The following motion by Councillor Rose was submitted in terms of Standing Order 16.1:

“Committee:

- 1) Notes that from 4 February 2013 waste collections a policy, of not collecting waste contained in bins which are overflowing or where the waste is beside the bins, has been publicised and implemented in a phased manner
- 2) Notes that there have been many occasions, before and after 4 February, where the Services for Communities Department of City of Edinburgh has failed to uplift

public waste as advertised, leaving waste on the street with the attendant inconvenience and risks to residents

- 3) Notes there is a discrepancy between the standards being applied by the Council's performance of its waste collection duties and the standards it is applying to residents
- 4) Resolves to instruct suspension of the implementation of the policy noted in paragraph 1 for at least four weeks from the date of this motion and until such time as performance of collection has improved and the manner of the implementation of the policy has been reviewed by the Director of Services for Communities."

Decision

- 1) To note that Councillor Rose had agreed to withdraw his motion.
- 2) To ask Councillor Hinds to circulate a briefing paper to members on the statistics for top-hatting and complaints received.
- 3) To note that a report on waste collection would be submitted to the next meeting of the Transport and Environment Committee.

16. Motion by Councillor Mowat – Concessionary Fares

The following motion by Councillor Mowat was submitted in terms of Standing Order 16.1:

"Given confusion over who will pay for concessionary fares for trams, and comments from the Convener of SESTRan Bus Operator's group at a SESTRan meeting on 22 February 2013 that they will be locally funded, comments which were uncontradicted by the Transport Scotland representative at that meeting, Committee instructs that a report be prepared in one cycle detailing the discussions with all interested parties and progress on negotiating who will pay for concessionary fares."

Decision

- 1) To note that Councillor Mowat had agreed to withdraw her motion.
- 2) To note that an update report was to be provided to the next meeting of the Tram All Party Oversight Group on this issue.