

Housing, Homelessness and Fair Work Committee

10.00am, Thursday, 29 September 2022

Present

Councillors Meagher (Convener), Bruce, Caldwell (items 1-11), Campbell, Dobbin, Flannery, Kumar, Miller (substituting for Rae, items 12-15), Osler (substituting for Caldwell, items 12-15) Parker, Rae (items 1-11), Watt and Whyte.

1. No Recourse to Public Funds

a) Deputation – JustRight Scotland

The deputation advised the Committee that COSLA guidance to Local Authorities on benefits and entitlements of Migrants in Scotland was out of date and that an update was expected in early 2023. The understanding of who could be categorised as ‘No Recourse to Public Funds’ was little understood, but could be described as a condition on someone’s current migration status for example a student studying in Scotland. Taking public funds as described in the immigration legislation, without having the right to these funds would be deemed as a breach of contract and would result in those individuals being removed from the UK. NRPF was also used to describe people who did not have current ‘Leave to Remain’ or no current immigration status, as well as women who left domestic violence.

People described as NRPF would be entitled to access legal aid, primary and secondary education, free transport for under 22’s and over 60’s etc. It did not mean the prohibition of all public funds.

The deputation encouraged the Council to consider individual assessments of need for the people whose support was being withdrawn.

Shakti Women’s Aid, supporting black, minority ethnic women, children and young people who experience domestic abuse in Edinburgh and the Lothians, provided a note that from January to September 2022 the service supported 120 with NRPF, a significant increase in comparison to the number of people they supported before COVID. More women felt empowered to come forward and escape situations of domestic abuse when the Council’s position to support people without detailed assessments on migration status was offered.

It was important that Councillors were confident in their understanding of NRPF, and how damaging it could be to withdraw services to people who had access to these funds during COVID as a result of Council policy.

The Committee, in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, excluded the public from the meeting during consideration of the following item of business for the reason that it involved the likely disclosure of exempt information as defined in Paragraph 12 of Part 1 of Schedule 7A of the Act.

b) Report by the Executive Director of Place

A report on No Recourse to Public Funds was considered by committee.

Decision

Detailed in the Confidential Schedule, signed by the Convener, with reference to this minute.

2. Minutes

Decision

To approve the minute of the Housing, Homelessness and Fair Work Committee of 4 August 2022 as a correct record.

3. Work Programme

The Housing, Homelessness and Fair Work Committee Work Programme for September 2022 was presented.

Decision

To note the Work Programme.

(Reference – Work Programme, submitted.)

4. Housing, Homelessness and Fair Work Committee Rolling Actions Log

The Housing, Homelessness and Fair Work Committee Rolling Actions Log for September 2022 was presented.

Decision

- 1) To agree to close the following actions:
 - Action 2 – Community Led Factoring
 - Action 3 – Rent Collection and Assistance for Council Tenants
 - Action 4 – 2022/23 Housing Revenue Account (HRA) Capital Programme
 - Action 6 – Business Bulletin
 - 2) To keep action 7(2) open and to request a verbal briefing/workshop.
- (Reference – Rolling Actions Log, submitted.)

5. Business Bulletin

The Business Bulletin for September 2022 was presented.

Decision

- 1) To request further briefing providing more detail on Housing Need and Demand Assessments/housing supply targets.
- 2) To otherwise note the Business Bulletin.

(Reference – Business Bulletin, submitted.)

6. Homelessness Services' Performance Dashboard

The Council's Internal Audit service recommended that Homelessness Services, in addition to providing an annual report on the service's statutory returns, would provide additional performance information to Committee.

Decision

- 1) To note the content of the performance dashboard for Quarter 1 2022/23 (attached in Appendix 1 of the report by the Executive Director of Place).
- 2) To note the next Performance Dashboard would be presented to Committee in March 2023.
- 3) To note that figures from 2019/20 would be added in future reports to allow a comparison of pre-pandemic figures.
- 4) To note that an overall figure of people who moved into Housing First tenancies would be included in future reports.

(References – Report by the Executive Director of Place, submitted.)

7. Capital City Partnership – Progress Update

An update was provided on progress against the objectives and targets detailed within the Service Level Agreement (SLA) between the Council and Capital City Partnership (CCP). Details were provided of ongoing changes in the strategic and operational employability environment at national and local level that would require the terms of the SLA to be kept under review and adapted, if necessary, to ensure it continued to strategically fit with local need and provides value for money for the Council.

Motion

- 1) To note the progress made by Capital City Partnership (CCP) against their Service Level Agreement (SLA) objectives and targets.
- 2) To note circumstances around Covid-19 had a major impact on the results for 2021/22 and on the employment landscape as a whole, with corresponding changes in the strategic and operational landscape at national and local level (e.g. Edinburgh Economy Strategy, City Region Deal, Scottish Government Employability Services).
- 3) To refer this report to the Governance, Risk and Best Value Committee.

- moved by Councillor Meagher, seconded by Councillor Watt

Amendment

- 1) To note the progress made by Capital City Partnership (CCP) against their Service Level Agreement (SLA) objectives and targets.
- 2) To note circumstances around Covid-19 had a major impact on the results for 2021/22 and on the employment landscape as a whole, with corresponding changes in the strategic and operational landscape at national and local level (e.g. Edinburgh Economy Strategy, City Region Deal, Scottish Government Employability Services).
- 3) To refer this report to the Governance, Risk and Best Value Committee.
- 4) To encourage CCP to review its memorandum and articles of association, especially to consider more detail of priority groups including an evidence-based approach to who experiences disadvantage in terms of skills and the job market, and that this should be regularly reviewed.
- 5) To note the new council term and agree to provide briefing to committee around grant programmes and Edinburgh Local Employability Partnership for the benefit of new / all councillors.
- 6) To agree that diversity and equality reporting should be strengthened in relation to outcomes and that priority groups should be defined clearly.
- 7) To agree to bring back a report in 3 cycles on the data gathered, and how this would be monitored in future, in relation to provision of service that reflects support for people in need by reason of age, poor health and wellbeing outcomes, disability, learning disability, marginalised groups including those from low socio-economic backgrounds, single-parent families, ethnic minorities, and people with experience of complex needs including trauma or violence.

- moved by Councillor Kumar, seconded by Councillor Dobbin

In accordance with Standing Order 22(12), the amendment was accepted as an addendum to the motion.

Decision

To approve the following adjusted motion by Councillor Meagher:

- 1) To note the progress made by Capital City Partnership (CCP) against their Service Level Agreement (SLA) objectives and targets.
- 2) To note circumstances around Covid-19 had a major impact on the results for 2021/22 and on the employment landscape as a whole, with corresponding changes in the strategic and operational landscape at national and local level (e.g. Edinburgh Economy Strategy, City Region Deal, Scottish Government Employability Services).
- 3) To refer this report to the Governance, Risk and Best Value Committee.
- 4) To encourage CCP to review its memorandum and articles of association, especially to consider more detail of priority groups including an evidence-based

approach to who experiences disadvantage in terms of skills and the job market, and that this should be regularly reviewed.

- 5) To note the new council term and agree to provide briefing to committee around grant programmes and Edinburgh Local Employability Partnership for the benefit of new / all councillors.
- 6) To agree that diversity and equality reporting should be strengthened in relation to outcomes and that priority groups should be defined clearly.
- 7) To agree to bring back a report in 3 cycles on the data gathered, and how this would be monitored in future, in relation to provision of service that reflects support for people in need by reason of age, poor health and wellbeing outcomes, disability, learning disability, marginalised groups including those from low socio-economic backgrounds, single-parent families, ethnic minorities, and people with experience of complex needs including trauma or violence.
- 8) To note that members were invited to Joined Up for Jobs sessions.
- 9) To note that the Capital City Partnership events schedule would be shared with members.

(References – Housing and Economy Committee of 18 January 2018 (item 14); Housing and Economy Committee of 7 June 2018 (item 8); Report by the Executive Director of Place, submitted.)

Declarations of Interest

Councillor Caldwell made a transparency statement as a board member of the Capital City Partnership.

8. The City of Edinburgh Council's Annual Assurance Statement on Housing Services

The Annual Assurance Statement (AAS) for Housing Services was submitted for approval. It confirmed where the Council met the required standards and outcomes. It also provided information on areas of improvement and management actions being taken to ensure compliance.

Motion

To approve the City of Edinburgh Council's Annual Assurance Statement (AAS) on housing services and the Assurance Statement Summary of Compliance for formal submission to the Scottish Housing Regulator (SHR).

- moved by Councillor Meagher, seconded by Councillor Watt

Amendment

- 1) To approve the City of Edinburgh Council's Annual Assurance Statement (AAS) on housing services and the Assurance Statement Summary of Compliance for formal submission to the Scottish Housing Regulator (SHR).

- 2) To request a report to the Housing, Homelessness and Fair Work Committee on the Mixed Tenure Improvement Service (MTIS), within two cycles to help better inform Councillors on the pilot, detailing:
 - 2.1) any other areas of the city proposed for the 2023 programme of work (mentioned in paragraph 4.9 of the report by the Executive Director of Place)
 - 2.2) how the areas were prioritised
 - 2.3) what resident engagement and consultation had taken place prior to works commencing.

- moved by Councillor Caldwell, seconded by Councillor Flannery

In accordance with Standing Order 22(12), the amendment was accepted as an addendum to the motion.

Decision

To approve the following adjusted motion by Councillor Meagher:

- 1) To approve the City of Edinburgh Council's Annual Assurance Statement (AAS) on housing services and the Assurance Statement Summary of Compliance for formal submission to the Scottish Housing Regulator (SHR).
- 2) To request a report to the Housing, Homelessness and Fair Work Committee on the Mixed Tenure Improvement Service (MTIS), within two cycles to help better inform Councillors on the pilot, detailing:
 - 2.1 any other areas of the city proposed for the 2023 programme of work (mentioned in paragraph 4.9 of the report by the Executive Director of Place)
 - 2.2 how the areas were prioritised
 - 2.3 what resident engagement and consultation had taken place prior to works commencing.

(References – Housing, Homelessness and Fair Work Committee of 4 August 2022 (items 5 and 7) and 24 March 2022 (item 13); Report by the Executive Director of Place, submitted.)

9. Motion By Councillor Caldwell - The Importance of Participatory Budgeting

The following motion by Councillor Caldwell was submitted in terms of Standing Order 17:

“Housing, Homelessness and Fair Work Committee notes;

- 1) The Scottish Government target for local authorities to spend 1% of their annual budget through Participatory Budgeting (PB) frameworks.

- 2) The benefits to resident engagement of project funding that PB provides through direct democracy.
- 3) The success of 'Leith Chooses' in Leith Walk and Leith wards and previous PB programmes such as 'You Decide' in Portobello/Craigmillar and 'South Central Decides' in Southside/Newington & Morningside wards.
- 4) The October 2021 PB update to Finance and Resources committee that anticipated PB accounted for 0.32% of the Council's budget.
- 5) The recommendations in the Homelessness, Housing and Fair Work committee's 'UK Shared Prosperity Fund' August 2022 report to not submit a funding request for Leith Chooses, the last active PB programme co-run by the City of Edinburgh Council.

The Housing, Homelessness and Fair Work Committee;

- 1) Requests that the Convenor of Housing, Homelessness and Fair Work to meet with the Convenor of Finance and Resources to explore how we can support Council-led PB alongside local residents and volunteers.
- 2) Requests that the Council reaffirm the importance of meeting the 1% of Council Budget on Participatory Budgeting target.
- 3) Recommends that a plan be submitted within two cycles to the Finance and Resource Committee on
 - a) How it plans to support on a realistic and sustainable basis the existing PB scheme Leith Chooses (and others like it, if developed) for community grants.
 - b) How it plans to develop new model(s) of PB for more communities and appropriate for new areas of direct democratic involvement, such as green / environmental schemes, health care priorities, and improvement of public spaces.
- 4) Refers this motion to the Finance and Resources Committee for approval.

- moved by Councillor Caldwell, seconded by Councillor Rae

Decision

To approve the motion by Councillor Caldwell.

10. Local Employability Partnership – Service Delivery Plan 2022-2025

Details were provided of the background for the Local Employability Partnership (LEP) and its Service Delivery Plan for 2022-2025. The LEP/Job Strategy Group would continue to have oversight of the implementation of the plan.

Decision

- 1) To note the Scottish Government requirement for each Local Authority to have a Local Employability Partnership (LEP) to support the implementation of No One Left Behind (NOLB) employability delivery.

- 2) To note the arrangements for the Edinburgh LEP and the associated Service Delivery Plan 2022-2025.
- 3) To note the Edinburgh LEP are responsible for the oversight and implementation of NOLB delivery via the Service Delivery Plan.

(Reference – Report by the Executive Director of Place, submitted.)

11. Homelessness Services – Statutory Returns

A summary of the homelessness services statutory returns for the period 1 April 2021 – 31 March 2022 was provided. These figures were collated by the Scottish Government through the returns process and were published to allow scrutiny and comparisons between local authorities.

Decision

- 1) To note the summary of the Council's statutory homelessness returns.
- 2) To note that a timetable of statutory returns would be provided to members.

(Reference – Report by the Executive Director of Place, submitted.)

12. Housing Revenue Account Budget Strategy 2023/24

The 30-year HRA Business Plan was reviewed annually to make financial provision for delivery of day-to-day services to tenants and capital investment in new and existing homes. The Business Plan aimed to support the delivery of Council commitments, including more Council homes and net zero carbon. On 24 February 2022, Council approved a rent freeze for the second year in a row equating to £179m loss of income over the lifetime of the 30-year business plan from the two rent freezes. Details were provided of the impact of a third rent freeze in 2023/24 and the implications for future years.

Motion

- 1) To note the increased financial pressure on the Housing Service and the updates made to HRA Business Plan financial assumptions.
- 2) To note that delivery of the Energy Efficiency Standard for Social Housing 2 (EESH2) was expected to reduce energy demand and tenants' energy bills but would require increased HRA capital investment.
- 3) To note that the planned annual HRA budget strategy would be re-designed in consultation with tenants' representatives and taken forward in 2023.
- 4) To note that a third rent freeze meant that the Council would not be able to deliver statutory energy efficiency commitments and expand the Council's housebuilding programme without rent increases in future years and increases in Scottish Government subsidy.
- 5) To agree to increase engagement with Scottish Government to secure additional support to deliver the Energy Efficiency Standard for Social Housing 2 (EESH2) and more Council homes.

- moved by Councillor Meagher, seconded by Councillor Watt

Amendment

- 1) To note the increased financial pressure on the Housing Service and the updates made to HRA Business Plan financial assumptions.
- 2) To note that delivery of the Energy Efficiency Standard for Social Housing 2 (ESSH2) was expected to reduce energy demand and tenants' energy bills but would require increased HRA capital investment.
- 3) To note that the planned annual HRA budget strategy would be re-designed in consultation with tenants' representatives and taken forward in 2023.
- 4) To note that a third rent freeze meant that the Council would not be able to deliver statutory energy efficiency commitments and expand the Council's housebuilding programme without rent increases in future years and increases in Scottish Government subsidy.
- 5) To agree to increase engagement with Scottish Government to secure additional support to deliver the Energy Efficiency Standard for Social Housing 2 (ESSH2) and more Council homes.
- 6) To agree a report in two cycles on the financial strategy setting out the current position with allocation of Transfer of the Management of Development Funding (TMDF), and an analysis of Strategic Housing Investment Framework (SHIF) funding allocations.

Further the report should cover:

- What the likely allocation would be for Edinburgh if we were included in the SHIF, against current assumptions remaining in the TMDF
 - The process for raising the issue of the funding formula for the Resource Planning Assumptions (RPAs) at COSLA
 - Details of what criteria were considered when the funding formula for the RPAs was considered at COSLA
 - Details of any meetings or correspondence the convener has had with the Cabinet Secretary or COSLA representatives in relation to the RPAs
 - Details of any meetings or correspondence officers have had with civil servants or COSLA officials in relations to the RPAs
 - A recommendation as to whether Edinburgh was more likely to benefit from financial investment in housing by remaining in the TMDF or if we should consider joining the SHIF, and details of that process.
- 7) To agree the convener would write to the COSLA President and the Cabinet Secretary to set out the significant challenges that Edinburgh faces in relation to ESSH2 delivery, and request that serious consideration was given to applying a funding formula based on need to the Social Housing Net Zero Heat Fund (SHNZHF) as well as request an increase to the overall fund and to ask for RPAs for 5 years and a further review of the increase in benchmarks.

- 8) To agree to ask the Council Leader to make the case for, and vote for, a funding formula based on need when the SHNZHF report is in front of COSLA Leaders.
- 9) To agree to reaffirm our commitment to the 20k affordable housebuilding programme to be delivered by 2027, with 10k homes delivered in house by the Council.

- moved by Councillor Campbell, seconded by Councillor Dobbin

In accordance with Standing Order 22(12), the amendment was accepted as an addendum to the motion.

Decision

To approve the following adjusted motion by Councillor Meagher:

- 1) To note the increased financial pressure on the Housing Service and the updates made to HRA Business Plan financial assumptions.
- 2) To note that delivery of the Energy Efficiency Standard for Social Housing 2 (ESSH2) was expected to reduce energy demand and tenants' energy bills but would require increased HRA capital investment.
- 3) To note that the planned annual HRA budget strategy would be re-designed in consultation with tenants' representatives and taken forward in 2023.
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- 11) To agree a report in two cycles on the financial strategy setting out the current position with allocation of Transfer of the Management of Development Funding

(TMDF), and an analysis of Strategic Housing Investment Framework (SHIF) funding allocations.

Further the report should cover:

- What the likely allocation would be for Edinburgh if we were included in the SHIF, against current assumptions remaining in the TMDF
 - The process for raising the issue of the funding formula for the Resource Planning Assumptions (RPAs) at COSLA
 - Details of what criteria were considered when the funding formula for the RPAs was considered at COSLA
 - Details of any meetings or correspondence the convener has had with the Cabinet Secretary or COSLA representatives in relation to the RPAs
 - Details of any meetings or correspondence officers have had with civil servants or COSLA officials in relations to the RPAs
 - A recommendation as to whether Edinburgh was more likely to benefit from financial investment in housing by remaining in the TMDF or if we should consider joining the SHIF, and details of that process.
- 12) To agree the convener would write to the COSLA President and the Cabinet Secretary to set out the significant challenges that Edinburgh faces in relation to EESSH2 delivery, and request that serious consideration was given to applying a funding formula based on need to the Social Housing Net Zero Heat Fund (SHNZHF) as well as request an increase to the overall fund and to ask for RPAs for 5 years and a further review of the increase in benchmarks.
- 13) To agree to ask the Council Leader to make the case for, and vote for, a funding formula based on need when the SHNZHF report is in front of COSLA Leaders.
- 14) To agree to reaffirm our commitment to the 20k affordable housebuilding programme to be delivered by 2027, with 10k homes delivered in house by the Council.

(References – Act of Council No 2 of 24 March 2022; Housing, Homelessness and Fair Work Committee of 24 March 2022 (item 2); Report by the Executive Director of Place, submitted.)

13. Place/Homelessness Financial Monitoring

The provisional out-turn for financial year 2021/22 and the month three 2022/23 revenue monitoring position for the Housing Revenue Account (HRA), Homelessness Services and Place General Fund was presented, focusing on services within the scope of this Committee.

Decision

- 1) To note that the Housing Revenue Account (HRA) was forecasting a contribution of £5.794m to the Strategic Housing Investment Fund (SHIF) from revenue generated in 2022/23 as part of the capital investment programme funding

strategy. The provisional 2021/22 out-turn returned a contribution of £8.653m to the SHIF.

- 2) The Homelessness Service was projecting an overspend of £5.500m at month three in 2022/23. The provisional 2021/22 out-turn returned an overspend of £5.938m.
- 3) To note the Place General Fund (GF) services within the remit of the Committee were forecasting a 'business as usual' overspend (excluding Covid-19 impact) of £0.528m in 2022/23 at month three. The provisional 2021/22 outturn for same services returned a £0.351m overspend against budget.
- 4) To note the Place GF Covid-19 impact for services within the remit of the Committee was forecast at a cost of £0.148m in 2022/23 which could be met within the earmarked budget provision. The provisional 2021/22 out-turn returned a £0.590m cost attributable to the impact of Covid-19.

(References – Finance and Resources Committee of 8 September 2022 (items 5 and 8); Report by the Executive Director of Place, submitted.)

14. Trade Unions in Communities

A motion by Councillor Campbell, agreed at Council on 30 June 2022, instructed officers to engage with the Trade Unions and community groups to see what support the Council could offer to create a hub in Craigmillar. Officers had contacted the Trades Union representative to arrange to meet to discuss the support the Council could offer. Officers would continue to progress this and will provide an update report on the outcome of these discussions in December 2022.

Decision

- 1) To note that officers would engage with the Trade Unions and community groups to identify what support the Council can offer to support the hub.
- 2) To agree that an update would be provided in December 2022.

(References – Act of Council No 3 of 30 June 2022; Report by the Executive Director of Place, submitted.)

15. Affordable Housing Policy - Tenures Update – referral from the Planning Committee

On 31 August 2022, the Planning Committee considered a report by the Executive Director of Place providing an assessment of the impact of affordable tenures including LCHO and Below Market Rent (MMR and IR) delivered through the Affordable Housing Policy. The committee referred this report to the Housing, Homelessness and Fair Work Committee for information.

Decision

To note the report.

(References – Planning Committee of 31 August 2022 (item 4); referral from the Planning Committee, submitted.)