

STIRLING COUNCIL

MINUTES of MEETING of the ENVIRONMENT & HOUSING COMMITTEE held in the COUNCIL CHAMBERS, OLD VIEWFORTH, STIRLING on THURSDAY 9 FEBRUARY 2017 at 10.30 am

Present

Councillor Danny GIBSON (Convener)

Councillor NEIL BENNY (from Item EH295)

Councillor Margaret BRISLEY

Councillor Martin EARL

Councillor Alasdair MacPHERSON (to Item EH300)

Councillor Mark RUSKELL

Councillor Jim THOMSON

Councillor Violet WEIR

In Attendance

Alan Milliken, Senior Manager – Communities & People, Children, Communities & Enterprise

Alastair Brown, Director of Localities & Infrastructure

Christina Cox, Service Manager – Planning & Building Standards, Localities & Infrastructure

David Crighton, Roads & Land Services Manager, Localities & Infrastructure

Anne Ferguson, Service Manager – Safer, Connected Communities,

Children, Communities & Enterprise

Alistair Gemmill, Planning Officer, Localities & Infrastructure

Carol Hamilton, Service Manager, Housing & Augmented Care, Children, Communities & Enterprise

Sian Lower, Communications Officer, Chief Executive's Office

Lorraine MacGillivray, Regulatory Services Manager, Localities & Infrastructure

John MacMillan, Service Manager – Housing Property, Children, Communities & Enterprise

Elaine McNicol, Performance & Improvement Adviser, Children, Communities & Enterprise

Derek Parry, Public Transport Co-ordination Team Leader, Children, Communities & Enterprise

Nicole Paterson, Senior Manager – Environment & Place, Localities & Infrastructure

Harry Preston, Scientific Officer, Localities & Infrastructure

Brian Roberts, Senior Manager – Infrastructure, Localities & Infrastructure

George Sommerville, Service Manager (Waste), Localities & Infrastructure

Gregor Wightman, Property & Private Sector Housing Manager, Children, Communities & Enterprise

Iain Wynne, Accountant, Localities & Infrastructure

Gail McLaughlin, Committee Officer, Localities & Infrastructure

Sheila McLean, Governance Officer, Localities & Infrastructure (Clerk & Minutes)

EH289 APOLOGIES AND SUBSTITUTIONS

There were no apologies or substitutions.

EH290 DECLARATIONS OF INTEREST

Councillor Mark Ruskell made a general declaration of interest in respect of his position as a Member of the Scottish Parliament (MSP).

EH291 URGENT BUSINESS BROUGHT FORWARD BY THE CHAIR

There were no items of urgent business.

EH292 MINUTES OF MEETINGS

(a) Meeting – 17 November 2016

Decision

The Committee agreed to approve the Minutes of Meeting held on 17 November 2016 as an accurate record of proceedings.

(b) Special Meeting – 15 December 2016

The Committee agreed to approve the Minutes of Special Meeting held on 15 December 2016 as an accurate record of proceedings.

EH293 PERFORMANCE AND STRATEGIC PRIORITIES PROGRESS REPORT

The Performance and Improvement Adviser introduced a joint report by the Senior Managers - Communities & People, Environment & Place and Infrastructure, which presented the latest information on the performance indicators overseen by the Committee.

The performance scorecard grouped the indicators under 4 quadrant headings:-

- Finance and Efficiency – performance in relation to budgets and improvements in efficiency.
- Business Management – performance in relation to the effective operation of the service.
- Employees – performance in relation to Human Resource issues including absence management.
- Outcomes for customers, service users and stakeholders – performance in relation to the impacts of the services' activities on customers, service users and stakeholders.

Members were advised of two hotspots for this period, namely (a) percentage of rent loss through properties being empty, and (b) percentage of all planning applications determined within two months

In response to questions, the Housing Property Service Manager suggested that one reason for the increase in house allocation could be that prospective tenants were no longer penalised for refusing offers. The forthcoming Allocations Review would attempt to deal with such issues. Tenancies were usually refused for reasons of location rather than condition of properties. The Service Manager undertook to provide Members of the Committee with further information on reasons for refusal.

In response to a request from the Convener, the Service Manager – Housing & Augmented Care gave an assurance that the needs of children who were in a custody arrangement would be taken into consideration within the Allocations Review.

The Planning & Building Standards Manager confirmed that measures had been identified to address the current performance levels in respect of determination of planning applications.

The Senior Manager – Environment & Place outlined the reasons for the increase in road repairs, but advised that the situation had improved.

Decision

The Committee agreed:

1. to note the performance of reported indicators as set out in Sections 1 and 2 of Appendix 2 to the submitted report;
2. to note that the strategic priorities progress report was currently under review to ensure the service objectives were aligned with the new organisation structure. While the review was being carried out the committee performance report would include updates on the committee scorecard only;
3. to note that the Council's performance management framework was currently under review to ensure it fits with the new organisational structure and strategic direction set by the Council.

(Reference: Report by Senior Managers – Communities & People (Children, Communities & Enterprise), Environment & Place and Infrastructure (Localities & Infrastructure) dated 30 January 2017, submitted).

Councillor Martin Earl left the Meeting during consideration of the following item.

EH294 HOUSING REVENUE ACCOUNT – PROJECTED OUTTURN 2016/17

The Housing Property Service Manager presented a report by the Senior Manager – Environment & Place, which provided information on the Housing Revenue Account and Housing Investment Programme.

Members were advised that the near final outturn for 2016/17 showed expenditure of £19.936M against a budget of £20.076M. The level of balances retained on the Housing Revenue Account would increase to £736,000.

The 2016/17 Housing Investment programme budget was £9.74M. The net spend on the programme was £13.392M. The level of new borrowing required for the current year was £1.67M over budget at £1.8M.

The Service Manager responded to questions from Members on specific properties and areas.

Decision

The Committee agreed:-

1. to note that expenditure on the Housing Revenue Account was £19,936,000 for 2016/17;
2. to note that the borrowing requirement for 2016/17 was £1,796,000;
3. to note that year end retained balances were £736,000.

(Reference: Report by Senior Manager – Environment & Place, Localities & Infrastructure, dated 1 February 2017, submitted).

Councillor Martin Earl returned to the Meeting during consideration of the following item.

Councillor Neil Benny joined the Meeting during consideration of the following item.

EH295 PLANNING PERFORMANCE FRAMEWORK 2015-16 AND PLANNING SERVICE IMPROVEMENT PLAN

The Planning & Building Standards Manager presented a report by the Senior Manager – Infrastructure, which presented the Planning Performance Framework 2015-16 and Planning Service Improvement Plan.

Since 2012 Councils had been required to annually submit performance reports on their planning services to the Scottish Ministers for their consideration. The performance report took the form of a 'Planning Performance Framework' (PPF). The intent of PPFs was that they provide a basis to comprehensively review and monitor the quality of planning services being provided by planning authorities.

The Planning & Building Standards Manager introduced a report by the Senior Manager – Infrastructure, which provided an update on the latest submitted PPF for the period 2015-16 and feedback from the Scottish Ministers, included as Appendix 2 to the submitted report.

The PPF included a section setting out improvement actions for the following year. In preparing the PPF for 2016-17 consideration had been given to improvement actions to be implemented for the forthcoming year (2017-18). The main purpose of the report was to recommend a programme of improvements to the Planning Service through an improvement plan, which was attached as Appendix 3. The improvement plan would be included in the forthcoming PPF with improvements identified for 2017-18 period. The improvement plan aimed to provide a cohesive basis for planning and implementing improvement.

The improvement plan was not only based upon an assessment of current performance in the PPF, but importantly also by the changing strategic context of the Stirling City Deal, the planning system nationally and the aspirations and view of key partners for what they expected from the Planning Service.

The Planning Service Improvement Plan provided a framework for long term improvement over a three year period. It set out comprehensive change to priorities, practices and processes and provided 20 high level improvement actions to commence implementation in the year 2017-18. Within the 20 high level actions were a number of specific actions.

The Plan provided a framework for long term improvement that, to an extent, was in anticipation of wider changes yet to be confirmed in detail. Notwithstanding, it was considered important that a long term programme of change was introduced now to ensure that the Planning Service was well positioned to deal with expected new requirements when these came forward. It was also recognised that the Improvement Plan might require to be altered to accommodate further change and detail once it was confirmed. The Improvement Plan therefore represented a first stage plan for the period 2017-18 with a view to a further report coming back to Members at the end of 2017 that included a confirmed plan.

The report at the end of 2017 would provide an update on progress made with implementing the first stage plan, the considerations of other partners and an assessment of the resource impact that had arisen from implementing the improvement plan and that anticipated to implement the recommended confirmed Improvement Plan.

It was acknowledged that the right of appeal was an essential part of the planning process, however the Service Manager confirmed that the Plan contained specific actions to address Members' concerns over developers appealing to Ministers on grounds of non-determination when this had been caused by lack of information being provided. Members expressed an interest in receiving more information on legal costs associated with appeals.

It was emphasised that the Plan dealt with processes and not areas of policy.

The Service was examining processes around developer contributions with the intention of coming back to Members later in the year with proposals for revised policies.

It was confirmed that the Service did not charge for pre-application discussions which, if properly resourced, could speed up the process. It was recognised that more complex applications would take longer.

The Senior Manager – Infrastructure explained the recent organisational change which had resulted in Building Standards being moved from the Regulatory to the Planning Service.

Decision

The Committee agreed:-

1. to note the Scottish Ministers' feedback on the Stirling PPF 2015-16 set out in Appendix 2 to the submitted report;
2. to note the Improvement Plan set out in Appendix 3;

3. that a report be provided to the relevant Committee by the end of 2017 outlining progress with implementing the Improvement Plan- Phase 1, setting out the considerations of key stakeholders on the Improvement Plan and recommending a confirmed Improvement Plan for the period 2017-2020.

(Reference: Report by Senior Manager – Infrastructure, Localities & Infrastructure, dated 19 January 2017, submitted).

EH296 UPDATE: PETITION TO REINSTATE ON-SITE SECURITY/SUPERVISION STAFF WITHIN HOMELESS BLOCK IN MIDDLEMUIR ROAD

At its meeting on 17 November 2016, the Committee had considered a petition to reinstate on-site security and supervision staff within the homeless block in Middlemuir Road, Stirling. Committee had noted that security and supervision had never been in place at that accommodation.

The Housing & Augmented Care Service Manager presented a report by the Senior Manager – Communities & People, which provided an update on actions taken following the November Committee.

In response to questions, the Service Manager suggested a number of reasons why Police Scotland may have been seen in the vicinity. Officers were content that the situation remained settled.

Decision

The Committee agreed to note the update on the Petition to reinstate on-site security/supervision staff within the homeless block in Middlemuir Road contained within the submitted report.

(Reference: Report by Senior Manager – Communities & People, Children, Communities & Enterprise, dated 12 January 2017, submitted).

EH297 HOUSING IN MULTIPLE OCCUPATION – UPDATE ON SUPPLEMENTARY GUIDANCE & OVERPROVISION POLICY

At its meeting on 17 September 2015, the Committee agreed to adopt a revised Supplementary Guidance SG05 and an Overprovision Policy relating to Houses in Multiple Occupation (HMO). Following submission of the supplementary guidance to Scottish Ministers, as required by planning legislation, the guidance and policy was adopted on 28 October 2015 and applied to applications for both planning permission and licences for HMOs received after that date.

The Property & Private Sector Manager introduced a report by the Senior Manager – Environment & Place, which provided an update on the implementation and effect of the Supplementary Guidance and HMO Overprovision Policy following a brief review of its operation during the first 12 months, including the impact on the demand and affordability of rented accommodation in the Stirling Council area arising from the HMO Overprovision Policy.

The Supplementary Guidance SG05 and HMO Overprovision Policy set a limit above which it would be considered there was an overprovision of Houses in Multiple Occupation and a licence and/or planning application might be refused. This limit was 1% of qualifying residential properties within the combined boundaries of the Castle, Stirling East, Stirling West and Dunblane & Bridge of Allan wards (referred to below as the 1% Concentration Zone) and, outwith these wards, 5% of qualifying residential properties within the relevant Census Output Area.

Since the adoption of the revised Supplementary Guidance SG05 and HMO Overprovision Policy, two new purpose-built student HMO developments with a capacity of 231 bed units and which fell within the exemptions set out in the policy, had been granted planning permission. There had also been an increase in the capacity of purpose-built student accommodation as a result of Stirling University completing their on-campus accommodation redevelopment and an overall increase in the number of non-HMO private rented properties within the Stirling area.

Taking into account the additional capacity that the private rented sector had provided in the past 12 months and there being no evidence of any significant spike in average private sector rents within the Stirling Town area compared with previous years within the area, or when compared to Scottish averages, it was considered that the implementation of the revised Supplementary Guidance and Overprovision Policy had not had a significant adverse impact on the supply of private rented accommodation or average rental values. Officers therefore recommended that the Policy remain in place.

The Manager confirmed that consultations had taken place with Stirling University and with private landlords. Students had been consulted on the 2015 policy, however this exercise had focussed on hard evidence.

Members in general welcomed the effect of the policy, but expressed concern that an increase in private sector renting could lead to a drop in quality and it was suggested that the impact on the private sector could not be assessed from the report. It was advised that all landlords had to comply with regulations.

Decision

The Committee agreed:

1. to note the content of the report;
2. that the revised Supplementary Guidance SG05 and HMO Overprovision Policy approved by the Environment & Housing Committee on 17 September 2015 remain in place.

(Reference: Report by Senior Manager – Environment & Place, Localities & Infrastructure, dated 1 February 2017, submitted).

EH298 TRANSPORT REVIEW: AN OVERVIEW OF TRANSPORT IN STIRLING

The Public Transport Co-ordination Team Leader introduced a report by the Senior Manager – Communities & People, which updated the Committee on the progress of the Transport Review in accordance with the Council's Budget Implementation Strategy as agreed in February 2016.

Members were advised that an independent overview of Transport was commissioned to identify opportunities for efficiencies and potential cost savings. The review had been presented to the Council on 8 December 2016, as an appendix to the Local Transport Strategy.

A number of key recommendations were proposed for consideration and next steps by the transport review:-

- Improve transport governance by embedding transport and travel into four locality areas to meet the needs of local communities, with active community participation and partnership engagement.
- Align the Local Transport Strategy with Community Planning activities, considering opportunities for resources planning to meet the needs and demands of local communities.
- Review of IT systems and data collection to allow for effective data management and analysis. Workshops held with external partners to progress proof of concept to improve data gathering and management.

Work had progressed to investigate Community Transport alternatives, for example Uber (taxi service) MaaS (Mobility as a Service), low carbon travel and transport (Park and Choose) and Car Share etc. The work would be expanded to work with communities and partners to look at alternative transport solutions to meet the needs of communities.

The transport savings might not be achieved due to the increased demand on services and costs for transport contracts. The Service was currently reviewing this issue and would take action as necessary to resolve the situation.

Officers were exploring ways to provide services in the rural area and were meeting with public transport providers, who were finding it difficult to make services sustainable.

Members stressed the importance of public transport within the rural area. Demand Response Transport was effective, but mobile phone reception remained a problem in some areas.

Decision

The Committee agreed to note the submitted report.

(Reference: Report by Senior Manager – Communities & People, Children, Communities & Enterprise, dated 19 January 2017, submitted).

Councillor Martin Earl left the Meeting during consideration of the following item.

EH299 WASTE ALTERNATIVE DELIVERY METHOD – PBB IMPLEMENTATION UPDATE

The Waste Service Manager introduced a report by the Senior Manager – Environment & Place, which provided an update on progress on the implementation of the Waste Services Alternative Delivery Method in line with PBB3.

Some ongoing issues around late collections were noted, particularly in Dunblane. The Manager advised that the new fleet of vehicles was currently in the process of being fitted out and it was anticipated that the first batch of vehicles would become available by the end of February 2017. This should help to alleviate collection delays which were often the result of vehicle breakdowns.

The Service was dealing with a backlog of delivering recycling boxes and it was hoped that this would be resolved within 2-3 weeks.

A review would be undertaken within the next financial year.

The Convener and Members of the Committee recorded appreciation to the Service in how they had dealt with a number of challenges to provide this important service to Stirling's citizens.

Decision

The Committee agreed:

1. to note progress was being made and assurance given that the new collection method was settling in;
2. to note that the project remained on track to deliver the required PBB3 savings and wider service user benefits that had been identified within the Business Plan;
3. to note the further work being undertaken by the Service to resolve any remaining service delivery issues.

(Reference: Report by Senior Manager – Environment & Place, Localities & Infrastructure, dated 19 January 2017, submitted).

EH300 STEADFAST HOMES AND STIRLING WATERFRONT NHT UPDATE

The Housing Property Service Manager introduced a report by the Senior Manager – Environment & Place, which provided an update on Steadfast homes and Stirling Waterfront National Housing Trust (NHT).

Members were advised that the Council variant NHT vehicle Steadfast Homes now had 114 properties across a number of locations, as detailed in Appendix 2 to the submitted report. The Appendix also detailed 16 properties held by the original NHT vehicle Stirling Waterfront.

The officer responded to a number of questions from Members.

Decision

The Committee agreed:-

1. to note the current position in relation to the Mid Market rental properties currently managed by Stirling Council;
2. to note the new rent levels to be applied to the Steadfast Homes stock.

(Reference: Report by Senior Manager – Environment & Place, Localities & Infrastructure, dated 19 January 2017, submitted).

Councillor Martin Earl returned to the Meeting at this point.

Councillor Alasdair MacPherson left the Meeting at this point.

Councillor Margaret Brisley left the Meeting during consideration of the following item.

EH301 PUBLIC HEALTH: BLANEFIELD CONTAMINATED LAND – REMEDIATION – UPDATE

In April 2013, parts of the site of the former Blanefield Printworks, now a residential area, were identified as meeting the statutory definition of contaminated land and as such remediation work was required.

The Scientific Officer introduced a report by the Senior Manager – Infrastructure, which provided an update of progress of the remediation works and subsequent drainage works at Blanefield.

The remediation works were undertaken from May to November 2014 and involved replacing contaminated soil with 'clean' soil to a depth of 600mm.

As a result of the remediation works, most gardens experienced drainage problems. Specialist consultants were retained to investigate the problem and provide a specification for corrective drainage works. A contractor for this had been appointed in March 2016.

The drainage works were performed from May to October 2016 and were now largely complete. The lawn aeration works at one property were postponed until Spring 2017 to allow sufficient grass growth. Minor snagging/repair works were performed in December 2016 with some to be completed in early 2017.

Scottish Agricultural College (SAC) Consulting performed an inspection of all properties on 14 December 2016 and had recommended additional top-dressing, overseeding and application of general weed and feed product (in various combinations) at most gardens in the spring. All owners would be advised of the recommendations that applied to their garden.

Where possible, owners would be encouraged towards self-help, however, in order to remain consistent with the original works specification, it was anticipated that materials such as top-dressing and grass seed would be supplied by the Council.

The Officer confirmed that following completion of the works and consultation with Legal Services, owners would be issued with letters confirming that their properties were no longer classed as contaminated land.

Decision

The Committee agreed to note the progress made in remediating the contaminated land and resolving the drainage issues on the site of the former Blanefield Printworks.

(Reference: Report by Senior Manager – Infrastructure, Localities & Infrastructure, dated 18 January 2017, submitted).

Councillor Margaret Brisley returned to the Meeting during consideration of the following item.

EH302 FLOODING: ABERFOYLE – OPTIONS APPRAISAL UPDATE

The Roads & Land Services Manager presented a report by the Senior Manager – Environment & Place, which provided an update on the Flooding: Aberfoyle – Options Appraisal.

In June 2014, the Flood Optioneering Update report, which recommended that Aberfoyle was defended to a lower Standard of Protection than the 1 in 200 year event, had been approved.

The low level scheme proposal was developed and agreed to be fully financed by Stirling Council with an expected cost of approximately £1.4M.

Low level scheme proposals were presented to the community at a public meeting in January 2016. Feedback from the community was that the low level scheme would not meet the needs of the community due to the limited protection offered. A mutually suitable alignment for the low level scheme could not be agreed with the landowners.

After extensive calibration and investigation work over a number of years, particularly 2015 flood events, it was now considered that the community would be better served by a scheme that defended more of the town to a greater return period (1 in 100 year). This higher standard of protection would provide the greater value for money with a much more favourable cost-benefit ratio. The new proposal would cost approximately £5M.

It was previously reported that by implementing the lower Standard of Protection that the risk to community of flooding still remained and that greater damages could be expected during periods that exceed the low level of defence (1 in 5 years). This risk was greatly reduced by considering a greater extent of the defences and the increase in standard of protection (1 in 100 year).

The alignment of the higher standard of protection was least disruptive to local business based on discussions with the businesses and community.

In response to questions, the Manager confirmed that it was considered that this approach would give added value to the Main Street area and have a greater impact on the school. Flood protection grants had been issued to individual householders, but this option would provide greater benefit to the wider community.

Members welcomed the proposals but sought further information on funding sources. The Manager explained that all potential external funding options would be explored

In response to a question, the Manager undertook to provide Members of the Committee with clarity on whether climate change had been taken into account when compiling data on Proposed Outfall Levels as shown in Table 26 within the Options Appraisal Report, which was attached as Appendix 3 to the submitted report.

Decision

The Committee agreed:-

1. to receive and consider updates as they were presented by the Flood Team;
2. that the larger-scale scheme identified within Appendix 4 (section 7) of the submitted report was the preferred option to be put before the community to seek agreement to progress the business case for internal and external funding;
3. to service investigation of the business case for internal and external sources of funding;
4. to progress preparatory design works already committed within the current financial year which would include the preparation of materials for a public meeting.

(Reference: Report by Senior Manager – Environment & Place, Localities & Infrastructure, dated 23 January 2017, submitted).

EH303 ROADS PROGRAMME 2017/18

The Roads & Land Services Manager introduced a report by the Senior Manager – Environment & Place, which, in anticipation of the Council's Capital allocation for the Roads Investment Programme for 2017/18, set out how the available funding would be allocated.

Members were advised that areas of investment would include; Road Infrastructure (Carriageways incl drainage), Road Infrastructure (Footways), Bridges, Structures & Retaining Walls and Road Safety Improvements (incl signage for local communities).

The proposed allocation of funding was: Carriageways 77%, Footways 15%, Bridges, Structures & Retaining Walls 5% and Road Safety Improvements 3%.

Officers would prepare and obtain technical data from the Road Asset Management Plan (RAMP), road surveys and on-site inspections to determine a priority list within the Council's road network.

In response to a question, it was confirmed that the budget allocation included £130K for road safety improvements.

Members welcomed the proposals for community engagement.

Members highlighted the need to improve maintenance of urban pathways which were not connected to the roadway, as they played a key role in increasing walking and cycling and many were currently neglected. It was noted that the Council worked in partnership with Sustrans particularly within the city centre.

Officers undertook to place a list of proposed project spend in the Members' Information Bulletin.

It was noted that funding from the Rural Broadband project had been reallocated and officers undertook to provide Members with information on how this had been spent.

A request from a Local Member that business signage be put in place on the A821 during the period of upcoming works was noted.

Decision

The Committee agreed:-

1. to approve the allocation of financial resources based upon the percentage split for each asset type;
2. that communities and other stakeholders would be advised of the proposed project list with a view to engaging with public meetings on request to explain the intended programme of works and following engagement permit adjustment to the programme if communities and stakeholders provided a compelling reason why a project should not advance or be substituted for an alternative scheme to ensure available funding was spent;
3. to receive regular updates on the expenditure of the Roads Investment Programme for 2017/18.

(Reference: Report by Senior Manager – Environment & Place, Localities & Infrastructure, dated 2 February 2017, submitted).

The Convener declared the Meeting closed at 12.50 pm