

Notice of Meeting and Agenda Communities and Housing Policy Board

Date	Time	Venue
Tuesday, 16 January 2024	13:00	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

MARK CONAGHAN
Head of Corporate Governance

Membership

Councillor Marie McGurk (Convener): Councillor Robert Innes (Vice Convener):

Councillor Jacqueline Cameron: Councillor Carolann Davidson: Councillor Gillian Graham: Councillor John Hood: Councillor Lisa-Marie Hughes: Councillor Alec Leishman: Councillor Kenny MacLaren: Councillor Mags MacLaren: Councillor Colin McCulloch: Councillor Janis McDonald: Councillor Cathy McEwan: Councillor Jamie McGuire: Councillor Iain McMillan: Councillor John McNaughtan: Councillor Emma Rodden:

Hybrid Meeting

Please note that this meeting is scheduled to be held in the Council Chambers. However, it is a hybrid meeting and arrangements have been made for members to join the meeting remotely should they wish.

Further Information

This is a meeting which is open to members of the public.

A copy of the agenda and reports for this meeting will be available for inspection prior to the meeting at the Customer Service Centre, Renfrewshire House, Cotton Street, Paisley and online

at <http://renfrewshire.cmis.uk.com/renfrewshire/CouncilandBoards.aspx>

For further information, please email

democratic-services@renfrewshire.gov.uk

Members of the Press and Public

Members of the press and public wishing to attend the meeting should report to the customer service centre where they will be met and directed to the meeting.

Webcasting of Meeting

This meeting will be filmed for live or subsequent broadcast via the Council's internet site – at the start of the meeting the Convener will confirm if all or part of the meeting is being filmed. To find the webcast please navigate to

<https://renfrewshire.public-i.tv/core/portal/home>

Apologies

Apologies from members.

Declarations of Interest and Transparency Statements

Members are asked to declare an interest or make a transparency statement in any item(s) on the agenda and to provide a brief explanation of the nature of the interest or the transparency statement.

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| 1 | Police and Fire & Rescue Services Scrutiny Sub-committee | 1 - 2 |
| | Minute of meeting of the Police and Fire & Rescue Services Scrutiny Sub-committee held on 31 October 2023. | |
| 2 | General Services Revenue, Housing Revenue Account and Capital Budget Monitoring | 3 - 12 |
| | Report by Director of Finance & Resources. | |
| 3 | Community Funding applications | 13 - 28 |
| | Report by Chief Executive. | |
| 4 | Service Update Report | 29 - 38 |
| | Report by Director of Environment, Housing & Infrastructure. | |
| 5 | Social Housing Charter Performance: 2023/24 Half Year Update | 39 - 62 |
| | Report by Director of Environment, Housing & Infrastructure. | |
| 6 | Homelessness in Renfrewshire - Update | 63 - 70 |
| | Report by Director of Environment, Housing & Infrastructure. | |
| 7 | Creating a smoke free generation and tackling youth vaping - a consultation by the Department of Health & Social Care | 71 - 88 |
| | Report by Director of Environment, Housing & Infrastructure. | |

Minute of Meeting

Police and Fire & Rescue Scrutiny Sub-Committee

Date	Time	Venue
Tuesday, 31 October 2023	15:00	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

Present: Councillor Lisa-Marie Hughes, Councillor Robert Innes, Councillor Janis McDonald, Councillor Marie McGurk, Councillor Iain McMillan

Chair

Councillor McGurk, Convener, presided.

In Attendance

G Hannah, Head of Climate, Public Protection and Roads; G Heaney, Climate and Public Protection Manager; M Hendry, Resilience and Deployment Manager (all Environment, Housing and Infrastructure); and E Gray, Senior Committee Services Officer and K O'Neill, Democratic Services Officer (both Finance & Resources).

Also In Attendance

G McCreadie, Chief Superintendent and W Graham, Area Commander (both Police Scotland); and D McCarrey, Area Commander and P Storrie, Group Manager (both Scottish Fire & Rescue Service).

Webcasting of Meeting

Prior to the commencement of the meeting the Convener intimated that this meeting of the Sub-committee would be filmed for live or subsequent broadcast on the Council's internet site.

Declarations of Interest and Transparency Statements

There were no declarations of interest or transparency statements intimated prior to the commencement of the meeting.

1 **Police Scotland Performance Report**

There was submitted a report by the Area Commander, Police Scotland, relative to service performance and activities in the Renfrewshire area during the period 1 April to 31 August 2023. The report summarised the key performance indicators and provided statistics relating to the specific key objectives detailed in Renfrewshire Policing Priorities 2023/26 and Police Scotland's Policing Priorities 2022/23.

The report provided updates in relation to Renfrewshire Policing Priorities 2023/26 of violence, disorder and anti-social behaviour; protecting vulnerable people; acquisitive and cyber/digital crime; serious and organised crime; road safety and road crime.

DECIDED: That the contents of report be noted.

2 **Scottish Fire and Rescue Service - Quarterly Performance Report - Qtr 2**

There was submitted a report by the Group Manager, Scottish Fire and Rescue Service (SFRS) relative to SFRS performance and local fire and rescue service plan priorities in the Renfrewshire area during period 1 July to 30 September 2023.

The report provided updates in relation to Renfrewshire activity, accidental dwelling fires and casualties, unintentional injury and harm, deliberate fire setting, non-domestic fire safety and unwanted fire alarm signals.

DECIDED: That the contents of the report be noted.

3 **Local Issues**

In response to a request made by a member of Johnstone South and Elderslie Ward in relation to deliberate fire raising in that ward area, Scottish Fire & Rescue Service (SFRS) agreed to provide more details on this. SFRS reassured members that comprehensive plans were in place to mitigate and deal with potential increased activity due to bonfire night activity.

DECIDED: That the information provided be noted.



To: Communities and Housing Policy Board

On: 16 January 2024

Report by: Director of Finance and Resources

Heading: General Services Revenue, Housing Revenue Account (HRA) and Capital Budget Monitoring as at 10 November 2023

1. Summary of Financial Position

- 1.1. The projected outturn at 31 March 2024 for all services reporting to the Communities and Housing Policy Board, including the Housing Revenue Account, is a break-even position against the revised budget for the year in both General Services activities and in the HRA.
- 1.2. The projected capital outturn at 31 March 2024 for projects reported to the Communities and Housing Policy Board is a break-even position against the revised budget of £21.495m for the year.
- 1.3. This is summarised over the relevant services in the table below and further analysis is provided in the appendices.

Table 1: Revenue				
Division / Department	Revised Annual Budget £000	Projected Outturn £000	Budget Variance £000	Budget Variance %
Housing Revenue Account (HRA)	0	0	0	0%
Housing – General Services (Not HRA)	4,682	4,682	0	0%
Communities and Public Protection	5,926	5,926	0	0%
Criminal Justice	3,845	3,845	0	0%
Board Total – Revenue	14,453	14,453	0	0%

Table 2: Capital				
Division / Department	Revised Annual Budget £000	Projected Outturn £000	Budget Variance £000	Budget Variance %
Housing Revenue Account (HRA)	20,378	20,378	0	0%
Other Housing PSHG	1,117	1,117	0	0%
Board Total – Capital	21,495	21,495	0	0%

2. Recommendations

Members are requested to:

- 2.1. Note the projected Revenue outturn position detailed in Table 1 above
- 2.2. Note the projected Capital outturn position detailed in Table 2 above; and
- 2.3. Approve the budget adjustments detailed at section 4.

3. Revenue

- 3.1. The Revenue Budget Monitoring Statement at Appendix 1 identifies a projected break-even position for all services reporting to this Policy Board. Detailed division service reports can also be found here, along with an explanation of each significant projected variance.
- 3.2. The projected outturn is based on information currently available, and assumptions made by service budget holders. Projections are subject to continuous review, and any changes will be detailed in future reports to the Board.
- 3.3. The projected outturn for Homelessness continues to be a risk over the remainder of the financial year, with increasing demand on services being managed within existing resources at present, including some additional staffing being supported through migration and asylum funding streams allocated to the Council by the UK and Scottish Government.
- 3.4. The significant potential increase in homeless presentations linked to asylum population in Renfrewshire and more widely across the West of Scotland, is anticipated to create additional financial pressures for Council services. Projections of these pressures will continue to be reviewed and reported to future Communities and Housing Policy Boards.
- 3.5. The main reason for the projected outturn positions are indicated below the Appendix tables, showing both the subjective analysis (what the budget is spent on) and the objective analysis (which division is spending the budget).

4. Revenue Budget Adjustments

4.1. Members are requested to note, from Appendix 1, budget adjustments totalling £0.534m have been processed since the budget was approved in March 2023. The most significant adjustment being:

- (£0.121m) – Transfer of Public Protection Directorate costs to Environment, Housing & Infrastructure.
- £0.655m – Additional Criminal Justice funding from the Scottish Government outwith the specific grant.

5. Communities and Housing Services Capital

5.1. The Capital Investment Programme 2023/24 to 2027/28 was approved by the Council on 2 March 2023. For Communities and Housing Services the approved capital spend for 2023/24 was £30.795m.

6. Capital Budget Adjustments

6.1. As shown in Appendix 2, there have been no budget changes within HRA capital and PSHG capital since the last report on 15 September 2023.

Implications of this report

1. **Financial** – The projected budget outturn position for Communities and Housing Services Revenue budget is a break-even position. Income and expenditure in all services within the department will continue to be monitored closely for the rest of the financial year and, where necessary, steps will be taken to mitigate any significant overspend.

The projected outturn position for Communities and Housing Services' Capital budget is break-even. The Capital programme will continue to be monitored closely for the rest of the financial year and, where necessary, steps will be taken to mitigate any significant overspend.

Any changes to current projections in either Revenue or Capital budgets will be reported to the Board as early as possible, along with an explanation for the movement.

2. **HR and Organisational Development**

None directly arising from this report.

3. **Community/Council Planning**

None directly arising from this report.

4. **Legal**

None directly arising from this report.

5. **Property/Assets**

Capital projects will result in new build Council housing stock and improvements to existing stock.

6. **Information Technology**

None directly arising from this report.

7. **Equality and Human Rights**

None directly arising from this report.

8. **Health and Safety**

None directly arising from this report.

9. **Procurement**

None directly arising from this report.

10. **Risk**

The potential risk that the Council will overspend its approved budget for the year will be managed at a Council-wide level by the Chief Executive and Directors.

- 11. Privacy Impact**
None directly arising from this report.
- 12. Cosla Policy Position**
N/a.
- 13. Climate Risk**
None directly arising from this report.
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List of Background Papers

Housing Revenue Account Budget & Rent Levels 2023/24 and Housing Capital Investment Plan 2023/24 to 2027/28, Council, 2 March 2023;

Non-housing Capital Investment Programme, Prudential Framework and Treasury Management Strategy, and Capital Strategy 2023/24 – 2027/28, Council, 2 March 2023.

Authors: John Kilpatrick, Finance Business Partner
Linsey McGregor, Capital Accountant

RENFREWSHIRE COUNCIL
REVENUE BUDGET MONITORING STATEMENT 2023/24
1 April 2023 to 10 November 2023

POLICY BOARD : COMMUNITIES AND HOUSING - All SERVICES

Objective Summary	Annual Budget at Period 6	Budget Adjustments	Revised Annual Budget at Period 8	Projected Outturn	Budget Variance (Adverse) or Favourable		Previous Projected Outturn Variance	Movement
	£000	£000	£000	£000	£000	%		£000
Housing Revenue Account (HRA)	0	0	0	0	0	0.0%	0	0
Housing - General Services (Not HRA)	4,682	0	4,682	4,682	0	0.0%	0	0
Communities and Public Protection (including Regulatory Services)	6,047	(121)	5,926	5,926	0	0.0%	(5)	5
Criminal Justice	3,190	655	3,845	3,845	0	0.0%	0	(0)
NET EXPENDITURE	13,919	534	14,453	14,453	0	0.0%	(5)	5

Objective Heading	Key Reasons for Projected Variance
Housing Revenue Account (HRA)	A projected underspend in employee costs is due to the timing of recruitment of vacancies within the service. Property costs are projected to significantly overspend, reflecting ongoing demands for repair and maintenance provision, particularly in void properties. Transfer payments continue to forecast an overspend, owing to the impact of repairs pressures on void rent loss, as well as additional Council Tax costs for these properties. These overspends are expected to be offset by additional interest income due to higher than budgeted interest rates. Overall, the HRA is therefore still projected to break-even at year-end.
Housing - General Services (Not HRA)	There is a continuing increased demand for homelessness accommodation, impacting on rental costs, Council Tax and furniture for temporary accommodation units. The forecast overspends are expected to be offset by additional rental income received in relation to these units. As reported to the recent Leadership Board, there are increasing pressures in relation to migration and asylum provision, particularly related to UK Home Office decisions being streamlined to tackle the volume of asylum seekers nationally. The significant potential increase in homeless presentations linked to the asylum population in Renfrewshire and more widely across the West of Scotland, is anticipated to create additional financial pressures for Council services. Projections are currently being developed and will be reported as they become available.
Communities and Public Protection	No significant projected year end variances to report.
Criminal Justice	No significant projected year end variances to report.

RENFREWSHIRE COUNCIL
REVENUE BUDGET MONITORING STATEMENT 2023/24
1 April 2023 to 10 November 2023

POLICY BOARD : COMMUNITIES AND HOUSING - GENERAL SERVICES (excluding HRA)

Subjective Summary	Annual Budget at Period 6	Budget Adjustments	Revised Annual Budget at Period 8	Projected Outturn	Budget Variance (Adverse) or Favourable		Previous Projected Outturn Variance	Movement
	£000	£000	£000	£000	£000	%	£000	£000
Employees	12,197	127	12,324	12,126	198	1.6%	(52)	249
Premises Related	1,945	0	1,945	2,181	(236)	(12.1%)	(294)	58
Transport Related	171	0	171	701	(530)	(309.9%)	(35)	(495)
Supplies and Services	3,294	60	3,354	3,211	143	4.3%	(155)	298
Third Party Payments	87	0	87	107	(20)	(23.0%)	(2)	(18)
Transfer Payments	2,442	(60)	2,382	2,666	(284)	(11.9%)	(68)	(216)
Support Services	54	0	54	28	26	48.8%	41	(15)
Depreciation and Impairment Losses	(23)	0	(23)	(18)	(5)	(21.7%)	(5)	0
GROSS EXPENDITURE	20,167	127	20,294	21,002	(708)	(3.5%)	(569)	(139)
Income	(6,248)	407	(5,841)	(6,549)	708	12.1%	564	144
NET EXPENDITURE	13,919	534	14,453	14,453	0	0.0%	(5)	5

RENFREWSHIRE COUNCIL
REVENUE BUDGET MONITORING STATEMENT 2023/24
1 April 2023 to 10 November 2023

POLICY BOARD : COMMUNITIES, HOUSING AND PLANNING SERVICES - Housing Revenue Account (HRA) Only

Subjective Summary	Annual Budget at Period 6	Budget Adjustments	Revised Annual Budget at Period 8	Projected Outturn	Budget Variance (Adverse) or Favourable		Previous Projected Outturn Variance	Movement
	£000	£000	£000	£000	£000	%	£000	£000
Employees	11,098	0	11,098	10,872	226	2.0%	259	(33)
Premises Related	20,288	0	20,288	22,866	(2,578)	(12.7%)	(1,301)	(1,277)
Transport Related	103	0	103	51	52	50.5%	52	0
Supplies and Services	733	0	733	743	(10)	(1.4%)	50	(60)
Third Party Payments	49	0	49	49	0	0.0%	0	0
Transfer Payments	4,399	0	4,399	5,192	(793)	(18.0%)	(740)	(53)
Support Services	2,492	0	2,492	2,455	37	1.5%	(8)	45
Depreciation and Impairment Losses	19,089	0	19,089	19,089	0	0.0%	0	0
GROSS EXPENDITURE	58,251	0	58,251	61,318	(3,067)	(5.3%)	(1,687)	(1,380)
Income	(58,251)	0	(58,251)	(61,318)	3,067	5.3%	1,687	1,380
NET EXPENDITURE	0	0	0	0	0	0.0%	0	0

RENFREWSHIRE COUNCIL
 CAPITAL INVESTMENT STRATEGY
 1st April to 10th November 2023
 POLICY BOARD: COMMUNITIES & HOUSING

Project Title	Prior Years Expenditure to 31/03/2023 £000	Current Year 2023-24						Full Programme - All years			
		Annual Budget at P6 2023-24 £000	Budget Adjustments £000	Revised Budget 2023-24 £000	Projected Outturn 2023-24 £000	Budget Variance (Adverse) or Favourable		Total Approved Budget to 31-Mar-27 £000	Projected Outturn to 31-Mar-27 £000	Budget Variance (Adverse) or Favourable	
HOUSING(HRA)											
Improvements To Existing Properties	0	10,250	0	10,250	10,250	0	0%	113,885	113,885	0	0%
Regeneration	7,045	4,768	0	4,768	4,768	0	0%	106,953	106,953	0	0%
Other Assets	0	1,815	0	1,815	1,815	0	0%	12,500	12,500	0	0%
Non Property Expenditure	0	550	0	550	550	0	0%	1,550	1,550	0	0%
Council House New Build	41,237	1,330	0	1,330	1,330	0	0%	74,478	74,478	0	0%
Professional Fees	0	1,665	0	1,665	1,665	0	0%	9,415	9,415	0	0%
Total Housing(HRA) Programme	48,282	20,378	0	20,378	20,378	0	0%	318,781	318,781	0	0%
HOUSING(PSHG)											
Private Sector Housing Grant Programme	0	1,117	0	1,117	1,117	0	0%	1,117	1,117	0	0%
Total Housing(PSHG) Programme	0	1,117	0	1,117	1,117	0	0%	1,117	1,117	0	0%
TOTAL COMMUNITIES, HOUSING & PLANNING BOARD	48,282	21,495	0	21,495	21,495	0	0%	319,898	319,898	0	0%



To: Communities and Housing Policy Board

On: 16 January 2024

Report by: Chief Executive

Heading: Community Funding Update

1. Summary

- 1.1 At its meeting on 31st October, members of the Communities and Housing Board were asked to note that a new consolidated Community Funding paper would be submitted for consideration in each policy board cycle. This report would provide updated information and set out recommendations for approval as required, in relation to the Greenspaces, Villages Investment and Sustainable Communities Fund(s). This paper represents the most recent update for members in relation to these funds.
- 1.2 Whilst the Greenspaces and Villages Investment Fund are well established, elected members will be aware that the Sustainable Communities Fund was recently launched in early October 2023. The initial response to the fund has been very positive with a strong pipeline of applications under development.
- 1.3 An officer panel has been established to review applications for the Sustainable Communities Fund and to make recommendations on funding awards to members of the Communities and Housing Board. The panel met on several occasions in December and in early January 2024 to consider applications received within the first funding round which closed on 31st October 2023.
- 1.4 Section 3 of the report provides an overview of the Sustainable Communities Fund and sets out recommendations for consideration by the board in relation to the first round of applications received. 6 applications are recommended for approval, whilst 8 are recommended to be deferred at this time to allow for further information gathering and engagement on applications with the community organisations concerned. It is recommended that one application is rejected as the project does not meet the funding criteria as assessed by the officer panel.

- 1.5 Full detail on all applications and related recommendations relating to the Sustainable Communities Fund is provided in Appendix 1 of this report. Elected members are asked to note that the next funding round ends on 31st January 2024.
- 1.6 Sections 4 and 5 of this report sets out recommendations in relation to the allocation of Greenspaces and Villages Investment funding with detailed information provided in Appendix 2 and Appendix 3 to this report. As elected members will be aware, £200,000 of additional funding was allocated to top up the Villages Investment Fund through the Council budget in March 2023. The report recommends that £20,000 of funding is also allocated to support staffing costs arising from the continuation of the funding programme into 2024 and funding administration processes.
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2. Recommendations

- 2.1 It is recommended that members of the Board:
- Approve the funding recommendations detailed in Section 4 and Appendix 1 of this report in relation to the proposed allocation of the Sustainable Communities Funding;
 - Note the Greenspaces/Villages Investment funding awards made under delegated authority provided to the Director of Environment, Housing and Infrastructure to approve applications under the value of £5,000 as detailed in Appendix 2;
 - Approve the funding recommendations outlined in Section 6 and Appendix 3 in relation to the Villages Investment Fund
 - Agree that £20,000 be allocated from the Villages Investment Fund to allow for staffing resource to be deployed to support the ongoing continuation of the Villages Investment Funding through 2024.
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3. Background

- 3.1 Members will be aware that regular papers are submitted to the Communities and Housing Board in relation to a variety of community funds administered by the Council. These have historically included the Greenspaces Fund, Villages Investment Fund and Community Empowerment Fund and going forward the recently launched Sustainable Communities Fund.
- 3.2 The board noted in October 2023 that all of these funds are administered through the Policy and Partnerships service, and that going forward all applications and funding information would be provided through one single Community Funding board paper to the Communities and Housing Board each cycle to strengthen oversight of funding applications and information on awards for elected members.
- 3.3 This paper provides updated information and recommendations relating to the:
- Greenspaces, Parks and Play Areas Fund
 - Villages Investment Fund
 - Sustainable Communities Fund

4. Sustainable Communities Fund

- 4.1 In March 2023, Council agreed to combine the remaining monies from the Community Empowerment Fund and Climate Change Action Fund to create a single Sustainable Communities Fund. This was further boosted by £650,000 from the UK Shared Prosperity Fund, Communities and Place for the support and improvement of community assets and infrastructure. £1.5m is available as funding to support projects and organisations through this Fund.
- 4.2 On 20th September 2023, Leadership Board approved the key objectives and criteria of the fund and agreed that applications to the Sustainable Communities Fund be submitted to the Communities and Housing Board for final approval.
- 4.3 The Sustainable Communities Fund utilises a tiered funding model to reflect different-sized community projects as well as the varying levels of support required at different stages of development. A tiered approach helps to ensure ease of access to a proportionate application process to enable a range of initiatives that align with community empowerment:
- **Small - awards up to £10K:** capital and revenue funding to develop local projects and initiatives which are targeted at enabling community participation and promoting community collaboration and which build resilience within our communities. This level would be targeted at groups where a small amount of money can make a significant difference to enabling community participation.
 - **Intermediate – awards of £10K to £25K:** capital and revenue funding to develop projects or organisations with a focus on improving community infrastructure and which have the potential to be replicated in other areas; and
 - **large – awards up to £100K:** larger capital grants with the aim of supporting communities that aspire to take ownership or develop land or buildings in local communities.
- 4.4 The funding guidance sets out all related funding information and criteria, with projects required to evidence wider benefits such as:
- community capacity building.
 - local natural spaces that support health and wellbeing.
 - community wealth building.
 - place-based investments to improve community spaces; and
 - small scale strategic climate projects.
- 4.5 The UK Shared Prosperity Fund (UKSPF), which makes up part of the Sustainable Communities Fund, comprises a clear split between capital and revenue funding with set amounts allocated over financial years 2023-24 and 2024-25. UKSPF will be allocated to approved projects which meet the criteria and to maximise drawdown within each financial year.
- 4.6 The Fund officially opened to applications on 10 October 2023, with a deadline for all round one applications to be submitted by 31st October 2023. The total initial value

of grants requested in this round through all applications totalled **£671,905.00**, across 15 applications.

- 4.7 A cross-service panel of officers has been established to review and assess the applications against the agreed objectives and criteria outlined within the funding guidance. All recommendations are then submitted to the Communities and Housing Board for decision.
- 4.8 The Panel met several times in December and in early January to consider applications. Following assessment it is recommended that 6 applications be approved by the board in relation to:
- Friends of Howwood Park
 - Inchinnan Development Trust LTD
 - Klas Care C.I.C
 - Western Desert Recce Group (WDRG)
 - Kustom Cruisers C.I.C.
 - St Catherine's Primary School Parent Council
- 4.9 As this is a new funding programme, a number of applications were submitted where further information requires to be gathered and evaluated before officers are able to make recommendations on these applications to the Board. To allow for further work to be carried out with groups relating to their proposals, it is recommended that applications are deferred as follows:
- Bishopton Tennis Club
 - Lochwinnoch Community Development Trust
 - Caledonia Bowling Club
 - Outspoken Arts
 - Kirklandneuk Growers Group
 - Renfrew Association of Growers Group
 - Brick Lane Music Studio
 - 7th Paisley & District Scout Group
- 4.10 Finally, following assessment by the officer panel, it is recommended that an application from ROAR in relation to the development of its footcare service be rejected as it does not meet the criteria set for this funding stream. This is a well-regarded local service and organisation, and officers will work with ROAR to identify alternative funding sources to support this project going forward.
- 4.11 Detailed information in relation to each application is provided in Appendix 1. Elected members will note that for some projects this will require the development of partnership agreements to be progressed with relevant community organisations should funding recommendations be agreed by the Board.
- 4.12 Subject to the approval of recommendations as set out in Appendix 1, **£213,405** would be allocated to successful projects through Round 1 of the fund (£163,680 Capital and £49,725 Revenue). Of the total £213,405, £203,405 will be funded through the UK Shared Prosperity Fund (£153,680 Capital and £49,725 Revenue).

- 4.13 The next funding round will close on 31st January 2024, and officers will continue to work with all new applicants and deferred applicants to progress information and proposals proactively over the coming months.

5. Green Spaces, Parks and Play Areas Fund

- 5.1 The Green Spaces, Parks and Play Areas Fund has supported 57 community projects since October 2018. As previously agreed by members of the board, remaining Greenspaces funding has been divided into three streams:
- General funding available to fund greenspace, parks and play areas improvements.
 - Funding to support school-based developments.
 - Funding to support Team Up to Clean Up developments.
- 5.2 The Fund currently has approximately £13,000 available to support community projects, a further £25,000 is available for school projects meeting the fund criteria, and £20,000 for Team Up to Clean Up volunteers and projects.
- 5.3 Elected members are asked to note that one project has been approved by the Director of Environment, Housing and Infrastructure under delegated authority since October 2023:
- Todholm Primary School (Play & Grow Community Garden - £4,000)

Team Up to Clean Up Fund – “Bin it to Win It”

- 5.4 In the last update paper to board on 31st October 2023, it was agreed that officers would explore the potential introduction of the Litter Lotto programme in partnership with Keep Scotland Beautiful, with £7,000 to be allocated from Greenspaces funding subject to final due diligence checks being completed by officers. The project had operated in several local authorities with a particular focus on engagement with schools and young people across communities.
- 5.5 Further exploration of this concept has been undertaken and it is proposed that a local bespoke digital solution will be developed and designed for use with secondary school pupils. The development and operation of the initiative inhouse will allow this to be marketed and launched under the Team Up to Clean Up banner, and maximise prize funding available as part of the campaign. Under UK law, individuals under 18 are unable to win cash prizes, as such voucher prizes to encourage behavioural change are currently being considered.
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6. Villages Investment Fund

- 6.1 The Villages Investment Fund continues to support the villages in delivering innovative projects for local people. £252,000 remains available for village community groups to access through this funding stream.
- 6.2 Since the last update to board in October 2023, four Village Investment Fund projects, totalling £12,050, have been approved under delegated authority by the Director of Environment, Housing and Infrastructure:
- Inchinnan Community Development Trust (Teucheen Wood Tree Maintenance - £5,000)
 - Elderslie Community Council (Christmas Fayre - £2,250)
 - Bee Happy Houston (spring/summer planting - £4,800)
- 6.3 In terms of wider updates, elected members are asked to note that the Helicopter Park (South Street, Houston) park installation took place across December. Installation was arranged to coincide with the #YouDecide project repairing the park's access stairs and creating a new footpath leading visitors to the newly created, Green Space and community funded play area (pictured below). Facebook comments and engagement show this is a welcome addition to the village.



- 6.4 Three further applications have been received for consideration under the Villages Improvement fund in this cycle which are recommended for approval. Full detail on these projects is provided in Appendix 3.

Name of organisation	Name of project	Funding recommended
Local Energy Action Plan (LEAP) –	Feel Good Festival	£25,000
Kilbarchan Pipe Band	Development and promotion of activities	£20,000
Lochwinnoch Community Development Trust	Teen Shelter	£11,289.90

- 6.5 Following consideration, it is recommended that 2 further applications from Lochwinnoch Community Development Trust relating to their upcoming samba band, and a website promoting the village and its offerings do not progress to the next stage as initial assessment indicated these do not fully meet the funding criteria. Officers will continue to work with the organisation to signpost to alternative funding sources.
- 6.6 Discussions have taken place regarding potential upcoming applications from community groups below:
- Langbank Swing Park Regeneration Group – Play Park surfacing.
 - Elderslie Community Council – Community Garden & Allotment
- 6.7 Reports will be brought back for the consideration of the Board in relation to these projects at future meetings of the Communities and Housing Policy Board.

Implications of the Report

1. **Financial** – This paper recommends the allocation of £213,405 of funding from the Sustainable Communities Fund (£163,680 capital and £49,725 revenue). Appendix 2 details funding applications approved under delegated authority by the Director of Environment and Infrastructure from the Greenspaces fund and Villages Investment Fund totalling £4,000 and £12,050 respectively. Section 6 also sets out recommendations to approve 3 applications totalling £56289.90. £20,000 of Villages Investment funding recommended to support ongoing fund administration into 2024 and beyond.
2. **HR & Organisational Development** – £20,000 funding recommended to be allocated from the Villages Investment funding to support the continuation of the fund/staffing resource.
3. **Community/Council Planning** – the Fund set out in the paper supports engagement and collaboration with local communities on a range of activities which align with the new Council Plan 2022-2027; Our Renfrewshire Community Plan and/or Renfrewshire's Plan for Net Zero.
4. **Legal** - none.
5. **Property/Assets** – none.
6. **Information Technology** – none.
7. **Equality and Human Rights** - the Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report because it is for noting only. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
8. **Health and Safety** – none.
9. **Procurement** – none.
10. **Risk** – none.
11. **Privacy Impact** – none.
12. **COSLA Policy Position** – none.
13. **Climate Risk** – the Sustainable Communities Fund aligns with the themes within Renfrewshire's Plan for Net Zero and the delivery of relevant projects will assist the local response to the climate emergency.

List of Background Papers:

Sustainable Communities Fund Guidance

Author: Laura McIntyre, Head of Policy and Partnerships

Appendix 1 – Sustainable Communities Fund Applications Round 1

TABLE A - RECOMMENDATION TO APPROVE					
Name of organisation	Project description	Tier	Grant Application Amount	Funding Award Recommended	Comments
Friends of Howwood Park	Funding application to support renovation of pavilion in Howwood Park for use by community as a park hub. This would include changing and toilet facilities which would be maintained and operated independently by the community organisation.	Intermediate	£25,000	£25,000	Pavilion subject to previous asset transfer <i>Note – Shared Prosperity funding utilised</i>
INCHINNAN DEVELOPMENT TRUST LTD	Application to support development costs of proposals relating to provision of a synthetic pitch at India Tyres site. Funding will support costs of site investigation works and one off project management costs.	Intermediate	£24,725	£24,725	Land subject to previous asset transfer. Development work required to assess land conditions before progressing with proposals <i>Note – Shared Prosperity funding utilised</i>
KLAS Care C.i.C	Create a fully accessible pathway leading from the cycle area to the main path. Remove the overgrown bushes and re-planting trees and wild flowers and cover management costs and waste uplift.	Intermediate	£20,000	£20,000	<i>Note – Shared Prosperity funding utilised</i>
Kustom Kruizers	Funding to support development of project within Robertson Park. Individuals can bring their own bike that requires repairs, or they will be given their own pre-owned bike and will use this to learn the process of bike maintenance.	Small	£10,000	£10,000	
St Catherine's Primary School Parent Council	To develop and build a community garden and outdoor learning area for use by the students and parents/carers within St	Small	£8680	£8680	Panel note that the use of the garden will be promoted to ensure usage is

	Catherine's Primary school and the wider community				maximized within existing opening hours <i>Note – Shared Prosperity funding utilised</i>
Western Desert Recce Group	Secure the building fabric of Whitehaugh Barracks from further deterioration caused by severe water penetration.	Large	£240,300	Capital - £100,000 Revenue - £25,000	Asset transfer complete with agreement in place. Fundraising and external funding applications to organisations such as Historic Environment Scotland in train. Panel recommend approval capped in line with funding guidance, and that a Strategic Partnership Agreement with Western Desert Recce Group should be developed as a requirement of the funding being allocated. <i>Note – Shared Prosperity funding utilised</i>

TABLE B - RECOMMENDATION TO DEFER APPLICATION					
Name of organisation	Project description	Tier	Grant Application Amount	Funding Award Recommended	Comments
7th Paisley & District J.N.I. Scout Group	To provide modern, clean toilet facilities for activity centre users which are currently inadequate	Small	£10,000	n/a – Deferred application	Officer Panel recommends further engagement with group on the extent to which the wider community could benefit if funding awarded for this purpose
Bishopton Tennis Club	To invest in floodlight provision to extend playing period and encourage activity across senior age groups	Intermediate	£24,000	n/a – Deferred application	Officer Panel recommends further engagement with group on the extent to which the wider community could

					benefit if funding awarded for this purpose. Engagement also required to assess impact on existing community infrastructure / development plans across area.
Brick Lane Music Academy	To improve the space at the back of Brick Lane Studios by creating a community sensory studio and gardens for families.	Intermediate	£20,000	n/a – Deferred application	Officer Panel recommends further engagement with group on the extent to which the wider community could benefit if funding awarded for this purpose.
Caledonia Bowling Club	The purpose of the project is to improve the Club's internal and external facilities to make these safer and more inclusive, including ramps and handrails, toilet facilities.	Small	£10,000	n/a – Deferred application	Officer Panel recommends further engagement with group on the extent to which the wider community could benefit if funding awarded for this purpose as a membership organisation.
Kirklandneuk Growers Group	To establish plots for local tenants to grow plants, fruit and veg, whilst enhancing the area, provide relief and recovery towards mental health, and educating children on growing foods.	Large	£100,000	n/a – Deferred application	Officer panel recommend that further engagement is undertaken with group before formal consideration of this application, including development of more detailed project plans and exploration of options for land use.
Lochwinnoch Community Development Trust	Creation of an inclusive garden space where all villagers can meet and socialise. Improvement of local facilities and services, helping the community to become more self-reliant.	Large	£100k	n/a – Deferred application	Panel recommends further engagement with the group to understand costs and level of work required as part of funding application. There may be an opportunity to apply for match external funding in the future to support this project also.
Outspoken Arts Scotland Limited	The purpose of the project is to redevelop the former Alders department store to secure it for permanent use as a town centre art gallery and mixed arts, retail use. It requires major modifications and repairs to make it fully accessible. The funds requested are to develop a feasibility study to bring the asset into	Intermediate	£15,000	n/a – Deferred application	Panel recommend further engagement with OA on this application, given ongoing discussions in relation to wider town centre developments and that the asset under consideration is currently privately owned.

	ownership of the charity to secure it permanently for the town.				
Renfrew Association of Growers and Gardeners	Broadloan Community Gardens is a community-led project that aims to create a green and inclusive space that is accessible to everyone, regardless of their age, abilities, or background. Funding requested to cover salary of full time community gardener for one year	Large	£30,200	n/a – Deferred application	Panel recommends further engagement with this group to clarify further information on the project and options for longer term sustainability

TABLE C – RECOMMENDATION TO REJECT					
Name of organisation	Project description	Tier	Grant Application Amount	Funding Award Recommended	Comments
ROAR	Provide a footcare service offering toenail trimming and general footcare. The funding would allow the group to develop/increase the capacity of the service by employing one dedicated member of staff and expand their clinics.	Intermediate	£25,000	-	This service was recognised by the panel as being very valued by local people across communities, however the application did not meet the core funding criteria required for this fund in relation to infrastructure and climate. Recommended officers work with partners to support ROAR to identify alternative funding sources to support the development of capacity.

Appendix 2 – Summary of funding (Greenspaces and Villages Investment Fund)

Approvals under delegated authority since October 2023

Green Spaces, Parks and Play Areas

Project	Funding proposed	External Funding (or other Council funding)
Todholm Primary Parent Council – Play and Grow Garden	£4,000	n/a

Villages Improvement Fund

Project	Funding proposed	External Funding (or other Council funding)
Inchinnan Community Development Trust (Teucheen Wood Tree Maintenance)	£5,000	n/a
Elderslie Community Council (Christmas Fayre)	£2,500	n/a
Bee Happy Houston	£4,800	n/a

Appendix 3 – Village Investment Funding recommendations January 2024

Name of organisation	Project description	Grant Application Amount	Summary
Local Energy Action Plan	Feel Good Festival	£25,000	<p>LEAP has operated in Renfrewshire since 2013 as an environmental charity. LEAP Car Club offers sustainable transport options throughout the villages. In 2021 LEAP advanced their project to create LEAP Together which facilitates community projects. To date these projects have been based in Lochwinnoch; Lochwinnoch Community Larder which provides surplus food to around 13,000 local individuals, Diggin' It, a community food growing project, and finally the Feel Good Festival.</p> <p>The festival, in its 3rd year, has proven to be a popular event with over 7,000 visitors attending. Community feedback demonstrates the well -attended, intergenerational family festival is being enjoyed by visitors from across the villages, Ayrshire and Glasgow. Free events such as "The Earth Beneath Our Feet" trail, dance and circus workshops, creative writing and Food Foraging walks, all have a good uptake.</p> <p>In 2024 LEAP Together aspire to deliver the Feel Good Festival throughout the year, with an increase in community events across the holiday months. Easter, Halloween etc. will also be marked with a specific focus. The funding applied for will increase their reach and the appeal of the festival by improved marketing, funding entertainers, venue hire, licenses and equipment. The group will fund staffing costs and further venue costs from external sources.</p>
Kilbarchan Pipe Band	Development costs for pipe band / encourage new membership	£20,000	<p>The village of Kilbarchan is best known for its piping heritage, with Steeple Hall displaying a bronze statue of piper Habbie Simpson into its exterior. Kilbarchan Pipe Band carry this history throughout their events. They are often the main attraction at Kilbarchan's annual Lilies Day Festival and Christmas light switch, the band further pipe the local P7's to their school prom each summer. Kilbarchan Pipe Band represent their village at various Renfrewshire Armistice Day gatherings, Paisley's MOD, Erskine Hospital veteran and St. Mirren events, and many more.</p>

			<p>New members are encouraged with a programme of free lessons in the local primary school. There are 110 registered band members who meet twice a week. The Band began a summer school in 2023 which was well-attended and generated an income. Then Band started to compete in 2022 and have been very successful. In 2024, they anticipate they will have 3 bands; an elite grade 3B, a novice band at Grade 4B and a street band for those who enjoy the band without the pressure of competing.</p> <p>With increased numbers and profile, Kilbarchan Pipe Band are looking to procure uniforms, they need a new drum, chanters for beginners, sticks, pads and pad stands. The Band will further have to fund raise and look to external sources for the remaining funds however, with a steady income, and well attended fund-raising events, the outstanding items will be purchased.</p> <p>A survey posted on various local community pages sought to consult views on Kilbarchan Pipe Band. The survey was responded to by 428 individuals and demonstrated overwhelming support. With 98% of respondents intimating the pipe band keeps Kilbarchan's history alive and 96% enjoying having heard the band previously.</p>
Lochwinnoch Community Development Trust	Teen Shelter	£11,289.90	<p>Lochwinnoch Community Development Trust were successfully awarded £80,000 from the Green Spaces and Villages Improvement Fund in 2021. Environment and Infrastructure added to ensure an impressive play area was delivered for Lochwinnoch's young people, targeted from toddlers to 12.</p> <p>Lochwinnoch Youth Club, operating from The Annex, carried out a consultation and identified the teenage group had not been catered for in the new park design. Working alongside LCDT, the Youth Club chose a shelter which they feel meets the needs of teenagers in the village.</p> <p>The group received an award of £2,700 from Renfrewshire's Celebrating Renfrewshire Fund as a foundation for the Teen Shelter. Lochwinnoch Community Development Trust will donate a further £300 from existing funds raised by the community for equipment.</p>



To: Communities and Housing Policy Board

On: 16 January 2024

Report by: Director of Environment, Housing and Infrastructure

Heading: Service Update Report

1. Summary

- 1.1 This report provides an overview of key service activities, an operational performance update since the last Policy Board meeting on the services and key projects and updates on any other relevant changes to service areas covered within the remit of this Board.
-

2. Recommendations

It is recommended that the Communities and Housing Policy Board

- 2.1 Note the contents of this report.
- 2.2 Authorise the Head of Housing Services to accept grant funding of £254,015 awarded from the Scottish Government's Social Housing Net Zero Heat Fund (SHNZHF) as detailed in section 3.8 of this report.
- 2.3 Note the Fixed Penalty Notice penalty for flytipping has increased from £200 to £500 in accordance with a Scottish Government amendment to the Environmental Protection Act.
-

Updates for Communities and Housing Policy Board

3. Housing Services

3.1 Housing-Led Regeneration and Development

- 3.1.1 As reported to the Board at its meeting of 31 October 2023, good progress continues to be made on the acquisition of privately-owned homes in order to progress demolition in regeneration areas. To date 38 of 89 properties have been acquired. Table 1 below illustrates the situation as of 30 November 2023.

Table 1 Regeneration & Renewal Area	Council Demo Props	Props to be acquired	Props acquired to Date	Total for demo	Demo void end Nov 23	%age void
Auchentorlie	17	1	0	18	17	94%
Ferguslie/Broomlands	64	16	6	80	30	38%
Howard Street Area	55	11	6	66	35	53%
Howwood Road Area	163	15	7	178	35	20%
Springbank/Mossvale	118	36	14	154	66	43%
Thrushcraigs	90	6	2	96	35	36%
Waverley Road Area	68	4	3	72	59	82%
	575	89	38	664	277	42%

- 3.1.2 Good progress is also being made where re-housing of Council tenants is required to facilitate demolition. Table 1 above illustrates the situation as of 30 November 2023. Rehousing of tenants from properties approved for demolition in the Auchentorlie area is now complete. Priority for re-housing is currently being applied on a phased basis to applicants in Waverley Road, Springbank/Mossvale, Thrushcraigs and the Howard Street Area. It is envisaged that rehousing priority for the Howwood Road Area and Ferguslie/Broomlands will be applied on a phased basis as each phase of newbuild nears completion.
- 3.1.3 Applications for above benchmark grant finance for newbuild housing at Howwood Road Area Phase 1 (the former Cochrane Castle Primary School site) and Ferguslie/Broomlands Phase 1 (the former Carbrook Street Nursery site) are being reviewed by the Scottish Government. A report was approved by the Finance, Resources and Customer Service Policy Board to let Design-and-Build contracts for both sites, subject to the award of sufficient grant.
- 3.1.4 Officers continue to implement the Procurement Strategy, including ensuring that the Council obtains community benefits. The preferred bidder for the two new build projects has confirmed as a minimum, for each project, that it will provide two jobs for unemployed individuals from priority groups, two further jobs for unemployed individuals and one modern apprentice role. Further benefits will be offered such as work placement, training and business support.

3.2 Other New Build Development

- 3.2.1 An application for above benchmark grant finance for newbuild housing at Gallowhill has been made to the Scottish Government and a report was approved by the Finance, Resources and Customer Service Policy Board to let a Design-and-Build contract, subject to the award of sufficient grant.

3.3 Housing Services

3.3.1 Income Advice

Supporting tenants having trouble paying rent due is an ongoing priority. Joint work continues with the Council's Benefits and Advice service to ensure Council Tenants in need of assistance have access to specialist income advisors. Information from income advice interviews at the end of November confirms that over 1700 income advice cases involved households from Council Tenancies this financial year.

3.3.2 During these interviews staff assess any entitlements to assistance that are due and support people to access entitlement alongside giving advice on all money matters and budgeting. There are several sources of additional assistance accessed which can include universal credit / housing benefit, attendance and disability allowances, financial insecurity funds, food vouchers and many more.

3.3.3 The Tenant's Support fund has since October been part of the range of assistance considered, a prerequisite for the fund is for officers to check tenants are in receipt of all the benefits that they may be entitled to in the first instance. In addition to income maximisation assessments and budgeting advice, officers support tenants to meet their long-term rent payment responsibilities. Since commencement of the fund in October to the end of November, there have been 96 Tenants referred for Tenant Support Fund assessments, which will have the added value of full income assessment and advice provision.

3.3.4 Housing Advice

We have recently extended customer choice in ways to join the housing waiting list. An online housing application was introduced during November 2023 which will be available alongside existing ways to apply, such as telephone, video conferencing (Near Me), email and in person as requested. Housing staff are still available to assist in completing on-line forms and all applicants will still have the opportunity for housing options advice, to assist those making a housing enquiry to gain a realistic understanding of the choices available to suit their circumstances. Fifteen applications had been received online by the end of November.

3.3.5 Estate Management

Preparatory work is ongoing to progress with the aim of piloting the use of an online Anti-social behaviour (ASB) reporting system – the 'ASB App'. Existing alongside the other reporting methods, telephone, email, in writing and in person, the App will extend the ways tenants impacted by ASB can make reports and log incidents. If following the necessary system checks, the 'App' can be integrated to the Council's system and devices, it will be piloted in one of the housing neighbourhood teams prior to evaluation and roll-out.

3.4 Homelessness and Housing Support

3.4.1 There continues to be increased demand for Homelessness and Housing Support Services as would be expected at a time of a cost-of-living crisis and growth in homelessness applications. A separate report to this Policy Board covering these service areas provide full details on the current impact on homeless and housing support services.

3.5 Sheltered Housing

3.5.1 The strong focus on tackling loneliness continues and a range of festive activities, parties and trips to Panto's were organised throughout December, as well as Christmas dinners arranged for those tenants who were going to be on their own on Christmas Day.

- 3.5.2 There have been several planned internal improvements to the developments to enhance their appearance, and talks provided by Community Wardens, Police Scotland, and Scottish Fire & Rescue Services across all complexes.

3.6 Refugee Resettlement

- 3.6.1 As well as supporting those Syrian and Afghan families who have resettled in Renfrewshire, our Welcome Hub at hotels near Glasgow Airport continues to support those displaced from Ukraine and who are awaiting settled accommodation either in Renfrewshire or other local authority areas.
- 3.6.2 The team are also supporting 146 Ukrainian households who have already been helped to resettle in social rented tenancies in communities across Renfrewshire, as well as the 24 other Ukrainian households who are staying with 'hosts'. Variety of events have been held to help support integration and enhance access to activities, classes etc.

3.7 Housing Asset and Investment

- 3.7.1 Site inspections of selected HRA properties for Reinforced autoclaved aerated concrete (RAAC) are now fully complete and no RAAC was identified. External validation of the initial desktop study and the site inspections was sought, with Balfour Engineering Consultancy selected to carry out the checks. Balfour Engineering Consultancy completed their checks in early December, validating the methodology used for the desktop study and confirming that no RAAC was identified in sites inspected. The Housing Investment team continue to monitor the situation with RAAC, emerging Information from other Local Authorities and Housing Associations that have identified RAAC in their stock, is cross checked with Renfrewshire Council's stock, to determine if further inspections will be required.
- 3.7.2 A.C. Whyte were appointed in July 2023 to carry out repairs to the external wall insulation panels at Speirsfield Court and Camphill Court, which saw scaffolding erected around the lower levels of both buildings as a safety precaution. All repairs are complete using mast climbers and the buildings have been repainted improving their appearance. Residents are reported to be pleased that the scaffold which has been in place for some time has been removed and that works are now complete.
- 3.7.3 We continue to work with external consultant Savills to carry out an end-to-end review of void processes. The Housing Regeneration and Development Manager has been seconded for a period of 6 months to develop and implement an action plan for improvement in conjunction with colleagues from all teams involved in the void process. Savills' recommendations include (in addition to the secondment of the Single Voids Manager, reporting to the Head of Housing Services):
- The establishment of a Single Voids Team bringing together key personnel from Housing Services and Building Services;
 - The secondment of housing management staff to that team in order to ensure that pre-termination inspections of void properties are carried out whenever possible;

- Expediting the procurement of a Preferred Utility Provider;
- The greater use of hand-held devices rather than manual methods in scoping void works;
- A review of key performance indicators for stages of the voids process and void types;
- A review of the management of external contractors used in voids where significant work is required to bring the property to the Scottish Housing Quality Standard;
- A review of the prioritisation of void repairs – for example, doing voids which require little work first, rather than operating on a strict “first come, first served” basis – in order to drive down the average re-let time;
- Establishing a procedure for the carrying-out of value-for-money assessments in respect of very expensive voids;
- Building confidence in projected void completion dates so that new tenants can be selected in advance; and
- Examining the potential use of proprietary systems to create “fly-through” videos in order to enable remote viewing of voids by possible new tenants.

3.7.4 The backlog of adaptations to tenanted properties has reduced and the numbers in progress are back to pre-pandemic levels. The number of adaptations completed by the end of November 2023 was 254 with an average timescale for completion of 54 days. This compares to total completions in 2022/23 of 261 with an average completion time of 96 days.

3.8 Housing Services Awards of Grant Funding

3.8.1 SHNZHF Funding

The Scottish Government’s Social Housing Net Zero Heat Fund (SHNZHF), was introduced to support delivering net zero heating solutions to social housing. Renfrewshire Council successfully applied for funding to 8 terraced homes at Houston Place, Elderslie and were awarded £254,015. The project will deliver energy efficiency measures and low emission heating and will allow the Council to assess whether this is something which can feasibly be rolled out to the wider housing stock.

3.8.2 To achieve a sufficient reduction in heat loss and heat demand, designs using passive house principles will be produced and then the homes will be retrofitted with a package of energy efficiency improvements which will include External Wall Insulation, loft insulation, roof replacement with integrated Solar PV arrays, new energy efficient windows and doors and other related works such as MVHR ventilation systems. Individual Air Source Heat Pumps will then be installed to replace existing Gas Combination Boilers.

3.8.3 Site works are expected to start in March 2024 and completed within the financial year 2024/2025. Monitoring will be undertaken pre, post and during the works to assess the success of the project.

4. Public Protection

4.1 Trading Standards

Fireworks supply – storage registration

- 4.1.1 There are now 19 premises registered to store fireworks in the Renfrewshire area, down from 20 premises. Tesco plc made the decision this year to cease selling fireworks in Scotland, following Sainsburys' decision to do the same in 2021. A storage registration permit allows the holder to retail fireworks throughout the annual permitted periods i.e. 15 October – 10 November inclusive, 26 – 31 December inclusive and the 3 days up to and including Diwali and Chinese New Year. Sales of fireworks are only permitted between 7am and 6pm on those dates (or year round, in the case of a supply licence; none of which we have in Renfrewshire) and the maximum permitted amount for retail purchase is 5kg net explosive content at any time.
- 4.1.2 The times of use of fireworks are slightly restricted in Scotland in that they may not be let off before 6pm, or after 11pm daily all year. That restriction is expanded to midnight on Guy Fawkes, or 1am on the other celebration dates previously specified.
- 4.1.3 Each premises is inspected during periods of supply, and no issues were found during October/November. In addition, test purchase attempts were made at 6 premises to ensure that the 6pm and 5kg restrictions were being adhered to. No failures were obtained.

4.2 Environmental Health

- 4.2.1 Environmental Health are in the process of filling current vacancies within the Service and are in the process of recruiting three Senior Environmental Health Officer posts and three Environmental Health Officer posts. The Public Health Team have successfully recruited an invest trainee as a pest control assistant and are the process of recruiting two more invest trainees across the Business Regulation and Public Health Teams.

Health & Safety Interventions

- 4.2.2 As part of their health & Safety intervention programme, the Environmental Health Business Regulation Team carried out interventions at soft play centres and in December they visited local pubs to carry out a cellar safety intervention.
- 4.2.3 Business operators must comply with their general duties under the Health and Safety at Work etc Act 1974 and the associated regulations. They must make a suitable and sufficient assessment of the health and safety risks to members of the public and to those in their employment.
- 4.2.4 The soft play centre intervention focussed on maintenance of the soft play, control of exits, staff training, cleaning and supervision.

- 4.2.5 The cellar safety intervention concentrated on safe cellar access, gas safety, working in an enclosed environment and beer line cleaning. The team also ensured they had the relevant health and safety documentation and associated staff training.
- 4.2.6 Interventions within One Ren premises have been concluded and officers are currently discussing the results with relevant managers within the business. As an arm's length organisation, One Ren now comes under the enforcement jurisdiction of the Council, this previously lay with HSE.
- 4.2.7 The main themes of the swimming pool intervention concentrated on pool safety and included: Supervision, training, documentation, plant, COSHH, operational control, and management.

4.3 Swimming Pool Interventions

- 4.3.1 Environmental Health Business Regulation Team have been carrying out interventions at swimming pools within Renfrewshire.
- 4.3.2 Swimming pool operators must comply with their general duties under the Health and Safety at Work etc Act 1974 and the associated regulations. They must make a suitable and sufficient assessment of the health and safety risks to people using the pool and to those in their employment.
- 4.3.3 Interventions within One Ren premises have been concluded and officers are currently discussing the results with relevant managers within the business. As an arm's length organisation, One Ren now comes under the enforcement jurisdiction of the Council, this previously lay with HSE.
- 4.3.4 The main themes of the intervention concentrated on pool safety but included: Supervision, training, documentation, plant, COSHH, operational control, and management.

4.4 Community Safety

- 4.4.1 Keep Scotland Beautiful carried out training for our Community Safety Team. The training covered issues such as litter, fly -tipping, abandoned vehicles, dog fouling and commercial waste.

5. Community Development

5.1 Team Up to clean Up

- 5.1.1 Team Up to Clean Up has reached a significant milestone of 5,000 online group members, this equates to 4% of Renfrewshire's entire over 25 population. Facebook Analytics reveals the largest cohort of group members are aged 35-44 (31%), followed by 24% aged 45-54.
- 5.1.2 The Team Up Team has adapted the programme of secondary school presentations, delivering to smaller groups within PSE setting (Personal Social Education) as opposed to full year assemblies. This creates more opportunity an interactive experience more likely to resonate. 18 presentations have been delivered so far to 3 schools.

- 5.1.3 Team Up to Clean Up funding (ringfenced from Green Spaces funding) is supporting a clean up of Hawkhead Cemetery by the newly constituted “Friends of” group which will take place during January 2024. Wheelbarrows, hoes, rakes, brushes, shovels and gardening gloves were procured to ensure the group will be able to clear fallen branches and vegetation debris from the cemetery.
- 5.1.4 The Winter Warriors Campaign has gifted 24 community salt spreaders and snow shovels over the past 3 years. A further 12 salt spreaders and snow shovels are being offered to communities this year, together with a limited supply of salt. Interested individuals agree to use the equipment for the benefit of their local community, clearing vulnerable neighbour’s garden paths and gritting nearby, well used footpaths where possible. Volunteers further agree to offer others in their community use of the equipment on request.

5.2 Environmental Taskforce

- 5.2.1 The Environmental Taskforce continues to deliver intervention to reduce instances of flytipping. Key statistics for the most recent period are:

Action	1/12/21 – 30/11/22	1/12/22 – 30/11/23
Proactive visits to identified hotspot areas	1,733	2,258
Number of reports investigated		1,321
Tonnes of flytipping removed	n/a	436
Number of sites secured to prevent further flytipping	n/a	11
Letters to private landowners re flytipping	36	85
Visits to businesses to ensure Waste Disposal Arrangements in place	71	126
Fixed Penalty Notices Issued	40	93

- 5.2.2 The Scottish Government has announced from 1 January 2024 the Fixed Penalty Notice fine for flytipping offences, under the Environmental Protection Act, will increase from £200 to £500. This update to legislation was made in response to the Litter & Flytipping consultation submitted earlier in the year.

6. Justice Social Work

- 6.1.1 Staff have recently been employed within the fieldwork service, the women’s justice service and recently advertised for Whole Systems, to ensure that these services can be developed. Bail supervision is planned to commence in January 2024, in line with East Renfrewshire Council, so that similar services are available to the court for all areas covered. (Paisley Sheriff Court is the court that covers East Renfrewshire).

- 6.1.2 At the end of November 2023, the three justice fieldwork teams, part of the unpaid work service (Officer posts) and justice business support staff moved from Abbey House to Renfrewshire House. The relocation of staff has been positive. This move means there has been a significant increase in service users in attendance at Renfrewshire House.”
-

Implications of the Report

1. **Financial** – Any financial elements referenced in this report will be progressed through the Council’s financial & budget planning process.
 2. **HR & Organisational Development** – None
 3. **Community/Council Planning** – The report details a range of activities which reflect local community and council planning themes.
 4. **Legal** – None
 5. **Property/Assets** – None
 6. **Information Technology** –None
 7. **Equality & Human Rights** - The recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals’ human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council’s website.
 8. **Health & Safety** – None
 9. **Procurement** – None
 10. **Risk** – None
 11. **Privacy Impact** – None
 12. **COSLA Policy Position** – None
 13. **Climate Change** – there are a range of actions and activities throughout the Service Update Report which support the Council’s Plan for Net Zero,
-

List of Background Papers: None

Author Gordon McNeil, Director of Environment, Housing & Infrastructure
Email: gordon.mcneil@renfrewshire.gov.uk



To: Communities and Housing Policy Board

On: 16 January 2024

Report by: Director of Environment, Housing and Infrastructure

Heading: Social Housing Charter Performance: 2023/24 Half Year Update

1. Summary

- 1.1 Local Authorities and Registered Social Landlords are required to submit an Annual Return on the Charter relating to service performance to the Scottish Housing Regulator by the end of May each year.
 - 1.2 This report provides an update on performance against the Charter indicators for the first six months of 2023/24.
 - 1.3 We only report on 18 indicators for the six-month report, as opposed to 32 for the Annual report on the Charter. Of these 9 have improved since April 2023, the remainder have remained relatively stable or performance has dipped.
 - 1.4 There is also a summary report on the response to the Scottish Housing Regulator's consultation on the Single Regulatory Framework
-

2. Recommendations

It is recommended that the Communities and Housing Policy Board

- 2.1 notes the 2023/24 Half Year Update Report on Scottish Social Housing Charter Performance attached as appendix 1.
 - 2.2 notes our response to the Scottish Housing Regulator on the consultation on the Single Regulatory Framework.
-

3. Six Month Update on Charter Report for 2023/24

3.1 The Half Year Update on Scottish Social Housing Charter Performance provides information on the first two quarters of 2023/24:

- Section 1 provides performance information against the Charter indicators along with comparative data for the last three years. For ease of reference, indicators which are only reported on an annual basis are not included in this report (these annual indicators were reported to the Policy Board in August 2023).
- Section 2 reports on management information for key areas of the housing service – allocations and managing tenancy change; repairs; homelessness and housing advice; rent arrears.

3.2 The six month data for 2023/24 displays improved or stable performance in nine of the indicators, the key areas of improved performance are:

- Gas servicing has improved, although there were 6 occasions a service was not carried out before the anniversary date (Charter Indicator 11). All of these were in April and there have been no instances of 'gas failures' since then. All 6 have been completed since.
- The average time to complete emergency repairs has improved from 9.8 hours to 7.8 hours.
- Similarly, there has been improvement in repairs satisfaction from 73.3% to 75.6%.
- Letting activity, there were 512 properties re-let taking an average of 46.5 days. This is an improvement from the year end figure of 60 days; however, this will remain a priority area for the service for further improvement (Charter Indicator 30).
- Improving re-let performance has been reflected in a reduction in the percentage of rent due lost through properties being empty during the last year (Charter Indicator 18) from 1.95% in April to 1.48% at the end of September.

3.3 Within the six month data for 2023/24 there are also areas where performance has declined, reflecting the challenges faced by the Council in continuing to provide core housing services during the current challenging economic climate. Some of the key areas of performance are:

- Tenancy sustainment (Charter Indicator 16) has dipped from 95.3% to 91.2%. These figures relate to tenancies which commenced between October 2021 and September 2022.
- Similar to the same time last year, there has been a slight reduction in the rent collection rate. This is a consistent pattern for the first six months of the financial year – the amount collected usually increases in the second half of the year and this should be reflected in the arrears figure at the year end. The rent collected in the first six months of the year represented 96.4% of the total rent due, compared with 98.2% in 2022/23 (Charter Indicator 26).

- The gross rent arrears figure has increased – up to 9.46% at the end of September from 8.6% at April 2022/23 (Charter Indicator 27). This reflects a similar pattern at the same point last year and as collection rates increase in the second part of the year the level of arrears should reflect this.

3.4 The Management information in appendix 1 notes the following:

- The number of applicants for housing at the end of September is down slightly from the year end (22/23).
- In the first six months of 2023/34 we let 512 properties, which is approximately in line with our annual figure.
- Most of these lets (72.5%) were made through the group system, we have exceeded our target of lets to homeless applicants for the first six months of the year (57.1%) and lets due to the Regeneration programme make up almost 60% of lets out with the group system.
- Overall repairs completed within target has dipped slightly, however there have been improvements in the emergency and urgent categories amongst others.
- Our performance in homelessness assessment continues to be positive, more than 90% of assessments are completed within 28 days.
- Satisfaction with Housing Options advice remains high.
- An increase in court activity is highlighted following the Scottish Government lifting of the ban on evictions.

4 **Scottish Housing Regulator, Consultation on the Single Regulatory Framework**

4.1 The Scottish Housing Regulator (SHR) issued a Discussion Paper earlier this year on the Single Regulatory Framework. It advised there would be a further consultation on this topic. In October 2023, they issued their consultation document with a response closing date on 15 December 2023. The key elements affecting local authorities are:

- A requirement for specific assurance, we responded that this would be appropriate if advised through our Engagement Plan.
- The SHR have suggested that they intend to review the indicators for the Scottish Social Housing Charter. We advised that we would be keen to participate in a review when this occurs.
- How landlords respond to tenants and tenants' concerns, we noted that Renfrewshire Council has a range of ways in which tenants, residents and service users can provide feedback and raise concerns. As such we welcome any methods that would support tenants and residents in providing feedback to their landlord.

A copy of our response is attached at appendix 2.

Implications of the Report

1. **Financial** – None
2. **HR & Organisational Development** - None
3. **Community/Council Planning**

Building strong, safe, and resilient communities – Improving and maintaining neighbourhoods and homes.

Working together to improve outcomes – Increasing resident satisfaction with neighbourhoods and communities.

4. **Legal** – None
5. **Property/Assets** – None
6. **Information Technology** – None
7. **Equality & Human Rights** –

The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report because it is for noting only. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website

8. **Health & Safety** – None
 9. **Procurement** – None
 10. **Risks** – None
 11. **Privacy Impact** – None
 12. **COSLA Policy Position** – N/A
 13. **Climate Risk** – None
-

Background Papers

- Report to the Communities, Housing and Planning Policy Board on 22 August 2023, '*Scottish Social Housing Charter: Annual Return 2022/23*'.

The foregoing background papers will be retained within Communities, Housing and Planning Services for inspection by the public for the prescribed period of four years from the date of the meeting.

Author: Ray Walkinshaw, Housing Regeneration and Development Manager

E Mail: ray.walkinshaw@renfrewshire.gov.uk



Scottish Social Housing Charter

6 Month Update 2023/2024

www.renfrewshire.gov.uk



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1. SECTION 1: OUTTURN REPORT (April-September 2023-2024)

No.	Indicator	20/21	21/22	22/23	23/24 Six Month position	Notes
Complaints						
3/4	The percentage of all complaints responded to in full at Stage 1	100%	95.1%	97.9%	97.8%	Out of 378 Stage 1 complaints received, 370 were responded to in full, in an average of 6.32 days
	The average time in working days for a full response at Stage 1	4.97 days	6.56 days	5.76 days	6.32 days	
	The percentage of all complaints responded to in full at Stage 2.	100%	96.2%	84.6%	88.0%	Out of 25 Stage 2 complaints received, 22 were responded to in full, in an average of 15.73 days
	The average time in working days for a full response at Stage 2.	13.9 days	16.6 days	14.5 days	15.73 days	
Repairs, maintenance and improvements						
8	Average length of time taken to complete emergency repairs. (hours)	6.2	7.1	9.8	7.8 hours	The average time to complete emergency repairs has improved over the first six months of 23/24.
9	Average length of time taken to complete non-emergency repairs. (days)	10.7	14.6	6.1	6.6 days	Performance has remained relatively stable
11	How many times in the reporting year did you not meet your	1471	142	58	6	The six ‘fails’ were in April and there have been no missed safety

No.	Indicator	20/21	21/22	22/23	23/24 Six Month position	Notes
	statutory obligations to complete a gas safety check within 12 months of a gas appliance being fitted or its last check?					checks since then. All the safety checks have been completed.
12	Percentage of tenants who have had repairs or maintenance carried out in last 12 months satisfied with the repairs and maintenance service.	92.0%	95.0%	73.3%	75.6%	There has been a slight improvement in repairs satisfaction. 1266 repairs customer surveys were completed between April-Sept 23 and of these 958 said they were very or fairly satisfied with the repairs service
Neighbourhood and community						
14	Percentage of tenancy offers refused during the year.	24.1%	39.6%	39.3%	39%	Performance has remained stable since April
15	Percentage of anti-social behaviour cases reported in the last year which were resolved.	99.8%	99.7%	98.0%	94.88%	Figure slightly lower due to small number of investigations (7) commencing in week of 25 September 2023.
Access to housing and support						
16	Percentage of new tenancies sustained for more than a year, by source of let.					
	Existing tenants	95.5%	93.5%	95.2%	93.22%	Overall 919 properties let with 838 having sustained for more
	Homeless applicants	88.4%	89.4%	91.6%	88.33%	

No.	Indicator	20/21	21/22	22/23	23/24 Six Month position	Notes
	Housing List applicants	92.8%	94.5%	94.5%	92.35%	<p>than a year. These figures relate to tenancies which commenced between October 2021 and September 2022. Sustainment across all applicant types has dipped over this period by 4.2 percentage points. Notably, tenancy sustainment by homeless applicants has decreased by 3.3 percentage points. However, in many circumstances there are positive reasons for tenancies not exceeding one year, for example: families re-uniting or young homeless applicant returning to stay with relatives.</p>
	Other	0.0%	0.0%	0.0%	0.0%	
	Overall	92.0%	92.2%	95.3%	91.19%	
17	Percentage of lettable houses that became vacant in the last year.	6.6%	8.3%	7.2%	3.74%	428 properties have become void in the first six months of 2023/24.
18	Percentage of rent due lost through properties being empty during the last year.	1.58%	2.0%	1.9%	1.48%	Performance in area is consistent with Q1 and demonstrates improvement when compared to Q2 last year where figure was 1.95%.
22	Percentage of the court actions initiated which resulted in eviction and the reasons for eviction.					
	Non-payment of rent	0.0%	0.0%	4.4%	13%	191 cases called
	Anti-social behaviour	0.0%	0.8%	0.6%	0.05%	
	Other	0.0%	0.0%	0.0%	0	

No.	Indicator	20/21	21/22	22/23	23/24 Six Month position	Notes
	All	0.0%	0.8%	5.0%	13.05%	
Homelessness						
24	Homelessness (LAs only) – the percentage of homeless households referred to RSLs under section 5 and through other referral routes.	32.1%	32.0%	28.2%	18.9%	82 homeless households referred to RSLs under Section 5 433 homeless households to whom the local authority has a statutory duty to secure permanent accommodation
Rents and service charges						
26	Rent collected as percentage of total rent due in the reporting year.	99.0%	98.2%	100.0%	98.46%	Performance is consistent in line with collection rate in previous years – Q2 position in 22/23 was 96.36%
27	Gross rent arrears (all tenants) as at 31 March each year as a percentage of rent due for the reporting year.	6.4%	8.0%	8.6%	9.46%	Performance continues to improve in both current and former tenant rent collection in line with collection rates at this point in the financial year – Q2 position in 22/23 was 10.07%
30	Average length of time taken to re-let properties in the last year. (days)	85.7	66.0	60.6	46.5	Performance continues to improve, and number of properties let has increased from Q1.

2. SECTION 2: MANAGEMENT INFORMATION

2.1. Allocations and Managing Tenancy Change

Table 1 notes the number of applicants on housing list. The number of applicants at the end of September is down slightly from the year end (22/23).

	20/21	21/22	22/23	23/24 Six Month position
Number of applicants on housing list - at 30 Sept 2023	5,901	5,672	4,951	4,678
Of which, number who have their application on hold	1,034	983	788	726

Table 2 provides the source of housing applicant from the allocation policy which notes that the source of the applications remain relatively unchanged from previous years.

Group	20/21		21/22		22/23		23/24 Six Month position	
	Applicants	%	Applicants	%	Applicants	%	Applicants	%
Statutory Homeless	254	4.3%	215	4%	245	4.9%	231	4.9%
Mobility	435	7.4%	479	9%	571	11.5%	617	13.2%
General Applicants (not landlord's own tenant)	3,859	65.4%	3,400	63.6%	2,995	60.5%	2,801	59.9%
Transfer Applicants (with housing need)	745	12.6%	676	12.6%	624	12.6%	573	12.2%
Transfer Applicants (no housing need)	608	10.3%	577	10.8%	516	10.4%	456	9.7%
Total	5,901	100%	5,347	100%	4,951	100%	4,678	100%

Table 3, 4 and 5 shows lets made through and out with the group system. There were 512 properties let by the Council, this is on par with the annual figure for lets. Most of these lets (72.5%) were made though the group system. We have exceeded our target of lets to homeless applicants for the first six months of the year ((57.1%). Lets due to the Regeneration programme make up almost 60% of lets out with the group system.

	20/21		21/22		22/23		23/24 Six Month position	
	Number	%	Number	%	Number	%	Number	%
Lets through group system	500	83%	426	90.3%	764	81%	371	72.5%
Lets outwith group system	99	17%	46	9.7%	181	19%	141	27.5%
Total Lets	599	100%	472	100%	945	100%	512	100%

Table 4 shows lets to each group and the target for lets to each group.

	20/21		21/22		22/23		22/23 Six Month position		Targets
	Lets	%	Lets	%	Lets	%	Lets	%	%
Statutory Homeless	245	49%	368	42.9%	316	41%	212	57.1%	49%
Mobility	74	14.8%	117	13.6%	98	13%	47	12.7%	10%
General Applicants (not landlords' own tenant)	128	25.6%	255	29.8%	265	35%	87	23.4%	23%
Transfer Applicants (with housing need)	47	9.4%	93	10.9%	72	9%	24	6.5%	15%
Transfer Applicants (no housing need)	6	1.2%	24	2.8%	13	2%	1	0.3%	3%
Total	968	100%	857	100%	316	41%	371	100%	100%

Table 5 gives details for lets outwith the group system.

	20/21		21/22		22/23		23/24 Six Month position	
Category	Lets	%	Lets	%	Lets	%	Lets	%
Sheltered	25	25.2%	39	46.2%	42	23%	20	14.2%
Special Lets	25	25.2%	40	48.9%	66	36%	38	26.9%
Regeneration	49	49.5%	4	4.9%	73	40%	83	58.9%
Total	99	100%	83	100%	181	100	141	100%

Table 6 shows lets by house type.

House Type	20/21		21/22		22/23		22/23 Six Month position	
	No.	%	No.	%	No.	%	No.	%
Tenement Flat	232	39%	210	44.5%	418	44.2%	236	46.1%
Own Door Flat	122	20%	94	19.9%	153	16.2%	108	21.1%
Multi-storey Flat	42	7%	54	11.4%	95	10.1%	35	6.8%
House	122	20%	48	10.2%	139	14.7%	51	10%
Other	80	14%	66	14%	140	14.8%	82	16%
Total	599	100%	472	100%	945	100%	512	100.00%

Table 7 shows Section 5 and Nomination Lets information. The percentage of lets to Section 5 nominees and overall lets to the Council remains broadly similar to the previous year end position.

Table 7 Nomination & S5 Lets						
	Council nomination lets		% of overall lets to Council nominations	Section 5 lets	% lets to Section 5	% overall lets to Council
	General stock	Specialist/sheltered /supported		Total stock		
20/21	19	1	3.3%	165	31.8%	30%
21/22	74	3	8.6%	174	24.2%	28%
22/23	48	11	7.6%	171	26.5%	29.6%
23/24 Six Month	15	2	5%	80	28.8%	28.6%

Section 5 = general stock only (excludes specialist housing)

2.2. Repairs

Overall repairs completed within target has dipped slightly, however there have been improvements in the emergency and urgent categories amongst others.

Table 8- Category of Repair completed within target	20/21	21/22	22/23	23/24 Six Month position
Emergency Completed	98.7%	97%	95%	97%
Right to Repair Completed	99.5%	100%	95%	97%
Urgent Completed	87%	86%	61%	74%
Routine Completed	90%	87%	92%	88.5%
Programmed Completed	98.8%	100%	99%	99.1%
Total Repairs Completed	96.2%	93.6%	93.1%	92.1%

Table 9 provides information on Customer Contact Centre performance in relation to housing repairs calls. This shows the volume of calls for the first six months of 2023/24 and the outcomes for calls received. Almost 32,000 calls were made to report repairs and 94% of these were answered.

Table 9 - Customer contact centre		
Indicator	Number	Percentage
Total calls attempted	31,799	
Calls answered	29,837	94%
Calls abandoned	1,563	5%
Calls answered within 40 second target time	22,413	
% of all attempted calls answered within 40 sec target (service level)		70%

2.3. Homelessness and Housing Advice

Table 10 provides information on the number of applications that were assessed as being statutorily homeless or threatened with homelessness. Performance in terms of time taken to complete assessments continues to compare well with other Scottish Local Authorities.

Table 10 Applications and Decision Making	20/21	21/22	22/23	23/24 Six Month position
Number of homeless applications requiring assessment	832	909	935	525
Total number of service users – those who were homeless, threatened with homelessness, or requiring housing options advice.	2,084	2,256	2,384	1,396
Number of applications assessed as ‘homeless or threatened with homelessness’ (i.e. the Council had a duty to rehouse)	682	712	766	433
Proportion of assessments completed within 28 days	99.7%	100%	99.70%	93.2%

Table 11 measures satisfaction with Housing options service. Satisfaction with Housing Options advice remains high.

Table 11 – Satisfaction	20/21	21/22	22/23	23/24 Six Month position
% pleased with the quality of advice and information they were given	96.3%	100%	94.6%	91.4%
% pleased with the overall quality of the service they received.	96.3%	100%	94.6%	91.4%
% Satisfied with temporary accommodation	94.7%	98.3%	94.7%	96.4%

2.4. Rent Arrears

Table 12 shows that the rental due to be collected between April and September was over £25 million. At the end of September 2023, £3.103 million was owed in current tenant arrears, which excludes former tenant arrears.

Table 12 - Current Tenant Rent Arrears				
	20/21	21/22	22/23	23/24 Six Month position
Annual Rental Income	£47,627,600	£47,658,100	£48,238,167	£50,638,912
Number of Tenants	11,121	11,036	11,005	11,004
Total Arrears Owed All	£1,849,868	£2,334,578	£2,322,033	£3,103,242

Table 13 shows the recovery action taken. The six month figures demonstrate an increase in court activity following the lifting of evictions ban by the Scottish Government.

Table 13 – Recovery Action				
	20/21	21/22	22/23	23/24 Six Month position
NPRP issued	4	106	622	334
All Cases calling at Court	67	22	158	129
Decrees Granted	0	3	38	51
Evictions enforced S/Officer	0	0	0	4
Average time first calling	11 weeks	n/a	12 weeks	10 weeks
Average time recalled at court	23 weeks	4 weeks	8 weeks	5 weeks

Table 14 provides a profile of arrears by value. The level of arrears has increased in all categories with the exception of arrears over £1,000. This is reflected in the increase of the arrears percentage.

Table 14 – Profile of Arrears by Value				
	20/21	21/22	22/23	23/24 Six Month position
Under £250	£109,500	£110,600	£111,919	£234,663
Between £250 & £500	£187,500	£186,500	£181,078	£401,117
Between £500 & £1,000	£333,700	£336,800	£307,683	£503,306
Over £1,000	£1,219,200	£1,700,600	£1,721,353	£1,148,222
TOTALS	£1,849,900	£2,334,500	£2,322,033	£3,103,242

Table 15 shows the status of arrears debt.

Table 15 – Status of Rent Debt				
	20/21	21/22	22/23	23/24 Six Month position
Arrears Pre-Court	£1,493,900	£1,839,500	£2,868,200	£2,524,178
Arrears Post Court	£201,800	£241,800	£288,500	£500,822
Arrears Rent Direct	£154,200	£253,200	£106,900	£78,242
TOTALS	£1,849,900	£2,334,533	£3,263,600	£3,103,242

Table 16 shows the amount owed in rent by the age of tenants. There has been an increase across all age ranges.

Table 16 – Profile of Arrears by Age				
	20/21	21/22	22/23	23/24 Six Month position
Under 25 years	£112,700	£137,600	£168,165	£218,784
Between 25 & 49 years	£1,230,100	£1,565,100	£1,511,231	£2,033,214
Between 50 & 60 years	£358,100	£453,200	£436,090	£608,858
Over 60	£149,000	£178,600	£206,547	£242,386
TOTALS	£1,849,900	£2,334,500	£2,322,033	£3,103,242

Table 17 provides summary information on benefit levels compared to previous years. Benefit uptake remains at 76% in the first six months of 2023/24.

Table 17– Housing Benefit				
	20/21	21/22	22/23	23/24 Six Month position
Number of tenants	11,121	11,036	11,005	11,004
Tenants with benefit	8,498	8,408	8,392	8,404
Tenants without benefit	2,623	2,628	2,613	2,600
% in receipt of Housing Benefit	76%	76%	76%	76%

Environment, Housing and Infrastructure
Renfrewshire Council
Renfrewshire House
Cotton Street
Paisley
PA1 1BR

Our regulation of social housing in Scotland

Consultation questions

We welcome your general feedback on our proposals as well as answers to the specific questions we have raised. You can read our consultation paper on our website at www.housingregulator.gov.scot
Please do not feel you have to answer every question unless you wish to do so.

Send your completed questionnaire to us by **15 December 2023**.

By email @: regulatoryframeworkreview@shr.gov.scot

Or post to: Scottish Housing Regulator
2nd floor, George House
36 North Hanover Street, G1 2AD

Name/organisation name

Louise Feely, Renfrewshire Council

Address

Renfrewshire House		
Cotton Street		
Paisley		
Postcode PA1 1JD	Phone	Email

How you would like your response to be handled

To help make this a transparent process we intend to publish on our website the responses we receive, as we receive them. Please let us know how you would like us to handle your response. If you are responding as an individual, we will not publish your contact details.

Are you happy for your response to be published on our website?

Yes ☒ No ☐

If you are responding as an individual ...

Please tell us how you would like your response to be published.	Pick 1
Publish my full response, including my name	<input checked="" type="checkbox"/>
Please publish my response, but not my name	<input type="checkbox"/>

1. Do you agree with our proposed approach on specific assurance in Annual Assurance Statements?

We agree that a provision for a requirement for specific assurance may be required in certain circumstances. We welcome the suggested approach that in some circumstances, specific assurance may be requested through the Engagement Plan.

2. Do you agree with our proposal to initiate a comprehensive review of the Annual Return on the Charter which we will consult on next year?

Yes, we would welcome a comprehensive review of the Annual Return on the Charter and look forward to participating in it.

3. Do you agree with our proposed amendments to strengthen the emphasis on landlords listening to tenants and service users to include a requirement that landlords:

- a. provide tenants, residents and service users with appropriate ways to provide feedback and raise concerns, and
- b. ensure that they consider such information and provide quick and effective responses?

Renfrewshire Council has a range of ways in which tenants, residents and service users can provide feedback and raise concerns. As such we welcome any methods that would support tenants and residents in providing feedback to their landlord.

We provide a quick and effective responses to service users but believe that it should be recognised some requests for information are more complex and that response times would need to be proportionate. There may remain some work to do on differentiating between complaints and serious issues. It could be concluded that a serious issue for a tenant is a complaint, which we would address using our complaints process. We would not welcome additional timebound measures from the regulator.

4. Do you agree with our proposed approach to Notifiable Events?

Although local authorities are not required to declare a notifiable event, we have as a rule of thumb, contacted our regulation manager to determine whether something should be considered a Notifiable Event.

5. Do you agree with our proposed approach to regulatory status?

We note that this applies to RSLs and as such will not comment.

6. Do you agree with our proposed approach to Significant Performance failures?

The proposed approach seems reasonable. We look forward to the revised document on Significant Performance Failures.

7. Do you agree with our proposed changes to the guidance on *Annual Assurance Statements*?

Yes, this appears reasonable. However, if there is a specific requirement for explicit assurance by individual landlords then the landlord should be advised of this at the Engagement Plan stage.

8. Do you agree with our proposed changes to the guidance on *Consultation where the Regulator is directing a transfer of assets*?

We note that this applies to RSLs and as such will not comment.

9. Do you agree with our proposal to maintain *the Determination* at this time?

We note that this applies to RSLs and as such will not comment.

10. Do you agree with our proposed changes to the guidance on *Determination of what is meant by a step to enforce a security over an RSL's land?*

We note that this applies to RSLs and as such will not comment.

11. Do you agree with our proposal to maintain the guidance on *Financial viability of RSLs?*

We note that this applies to RSLs and as such will not comment.

12. Do you agree with our proposed changes to the guidance on *Group structures?*

We note that this applies to RSLs and as such will not comment.

13. Do you agree with our proposed changes to the guidance on *How to request an appeal of a regulatory decision?*

We note that this applies to RSLs and as such will not comment.

14. Do you agree with our proposal to maintain the guidance on *How to request a review of a regulatory decision?*

We note that this applies to RSLs and as such will not comment.

15. Do you agree with our proposed changes to the guidance on *Notifiable events?*

We note that this applies to RSLs and as such will not comment.

16. Do you agree with our proposed changes to the guidance on *Preparation of financial statements?*

We note that this applies to RSLs and as such will not comment.

17. Do you agree with our proposal to maintain the guidance on *Section 72 reporting events of material significance?*

We note that this applies to RSLs and as such will not comment.

18. Do you agree with our proposed changes to the guidance on *Tenant consultation and approval?*

We note that this section titled 'Tenant Consultation and approval' applies to RSLs and as such will not comment.

19. Would you like to give feedback on any aspect of our impact assessments? Are there other potential impacts that we should consider?

No

Thank you for taking the time to give us your feedback!



To: Communities & Housing Policy Board

On: 16 January 2024

Report by: Director of Environment, Housing and Infrastructure

Heading: Homelessness in Renfrewshire - Update

1. Summary

- 1.1 The Policy Board has been provided with regular reports on homelessness in Renfrewshire and an overview on the progress with the implementation of our Rapid Rehousing Transition Plan (RRTP).
 - 1.2 This report provides a further update on the nature and scale of homelessness both nationally and in Renfrewshire and details the current and emerging pressures, as well as the actions being taken by officers to address these pressures.
-

2. Recommendations

It is recommended that the Communities and Housing Policy Board:

- 2.1 Note the current and emerging local and national pressures that are resulting in an increase in homeless applications and demand for housing support, and the impacts these increases may have.
 - 2.2 Note the progress being made to date to meet the needs of those who are homeless, and that a further progress report will be submitted to the Policy Board in May 2024.
-

3. Background

Homelessness update

- 3.1 The annual number of statutorily homeless households in Renfrewshire generally remained consistent for many years and tended to be within the 750 – 850 range.
- 3.2 There has however been a steady increase in homeless applications since 2020/21, as detailed in the table below. This recent increase in applications has been in line with the national trend.

Year	Total annual number of homeless applications in Renfrewshire
2023/24	752 at 31 December
2022/23	935
2021/22	909
2020/21	834
2019/20	874
2018/19	849
2017/18	860
2016/17	777
2015/16	843
2014/15	838

- 3.3 The reasons behind the gradual increase in homelessness over the last 3 years and the more recent emerging housing pressures are believed to largely stem from the impacts during the COVID recovery years, pressures arising from the cost-of-living crisis, and since December 2022 from the suspension of the 'local connection' criteria for homeless applicants.
- 3.4 Local authorities across Scotland are experiencing significant pressures in meeting demand for social housing and there is now clear evidence nationally of rising homeless presentations, record numbers in temporary accommodation and increasing waiting times for those in need of a home.
- 3.5 The Scottish Housing Regulator published a thematic review of homelessness services across Scotland in February 2023 and found that a number of councils were struggling to meet all their statutory duties to homeless applicants and concluded that there is considerable pressure on councils in the provision of homelessness services.

- 3.6 In December 2023 the Regulator published a statement which updated its February report, in which they concluded that there is now systemic failure in the delivery of homelessness services in some local authorities and an immediate risk in others. Their judgement is that the demands on some councils now exceed their capacity to respond and in others it soon will.
- 3.7 Whilst Renfrewshire is experiencing increasing homelessness and local housing pressures, it is not currently at risk of 'systemic failure' as some other local authorities are. However, if homeless presentations continue to rise in the coming months, there is little resilience left across the system and it is anticipated Renfrewshire will struggle to continue to provide both temporary and settled accommodation in line with our statutory duty.
- 3.8 The very recent national increase in migration and asylum activity is also impacting on local housing pressures, and Councils such as Glasgow, Edinburgh and Argyle & Bute have all made well publicised statements on the severe pressures they were experiencing with demand for social rented lets and homelessness support.
- 3.9 It is anticipated that local social rented housing pressures will continue to build here in Renfrewshire, with it being likely that there may be a significant increase in the number of homeless applications in the current financial year.
- 3.10 The reasons behind this are outlined in more detail in sections 4 – 6 of this report and were also considered by the Council's Leadership Board at its meeting on 6 December 2023.

4 Resettlement Programmes

- 4.1 As previously reported Renfrewshire has a strong track record in terms of supporting people who have come to live and settle in the area through different humanitarian programmes or routes, such as the resettlement schemes for Syrian and Afghan nationals and those displaced from Ukraine.
- 4.2 Partners and officers have developed skills and experience in terms of supporting people to settle successfully and the last 12-18 months have seen unprecedented change in relation to migration and asylum activity, through factors such as the Ukraine humanitarian resettlement programmes and the widening of asylum dispersal across the UK.

5 Support for Ukrainian Displaced Persons (UDPs)

- 5.1 The Council, HSCP and partners have played a key role in supporting people who arrived in Renfrewshire over the last 18 months. A core element of our role has been to support the establishment and ongoing operation of a Welcome Hub linked to Glasgow Airport.

- 5.2 At its peak, our Welcome Hub supported over 400 Ukrainian Displaced Persons in the Autumn / Winter of 2022, and the reducing number of arrivals has allowed our Resettlement Team to scale back operations at the Hub in order to reduce costs and direct support towards those Ukrainian households who have moved on to live in communities across Renfrewshire, including those staying with 'hosts'.
- 5.3 As at 14 December 2023, 151 social rented tenancies have been provided to Ukrainian Displaced Persons by the Council and Registered Social Landlords. The total number of households we have living in the community, with a host or in their own social rented tenancy in Renfrewshire is 190 households (432 individuals).

6 Asylum Dispersal

- 6.1 In April 2022, the UK Government notified all UK local authorities of their intention to expand asylum dispersal arrangements across the UK, rather than through a smaller number of agreed asylum dispersal areas such as Glasgow.
- 6.2 More people are now being served with positive asylum decisions whilst being accommodated in hotels in the local area. Whilst this is positive for the individuals concerned, this has led to an increase in the numbers of people presenting to Homeless Services for support who are entitled to be provided with temporary accommodation and the right to apply for a social rented tenancy.
- 6.3 In line with current protocols put into place by the Home Office, asylum seekers receiving a positive asylum decision have 28 days to leave existing hotel accommodation and are directed to work with charities and the local authority to make this transition and find suitable accommodation. Those receiving negative decisions on asylum applications are given 21 days notice to leave their existing accommodation.
- 6.4 Local services are already beginning to see this develop and since October 2023 the number of asylum seekers who had been staying in hotel accommodation and have then presented as homeless following a positive decision being granted has grown month on month. There is also emerging evidence of people presenting as homeless in Renfrewshire who were previously staying in hotels in other local authority areas, which they are allowed to do.
- 6.5 The Home Office have also begun to share data through COSLA which provides an indication of the number of potential positive decisions that can be expected over the short term (3 months), given the work that is being undertaken by the Home Office to tackle the volume of asylum applications nationally. This is linked to the UK government's announcement in 2023 to streamline the application process for claimants from Afghanistan, Eritrea, Libya, Syria and Yemen. Some claimants from Sudan are also being considered under the new process.

- 6.6 Officers have also identified concerns that the well-publicised housing challenges in Glasgow may impact Renfrewshire's housing and homeless service, as people who are unable to access accommodation in Glasgow look to surrounding local authority areas for support. There is anecdotal evidence this is already happening in terms of homeless presentations, and it is the view of officers that preparations should actively be made to prepare for the likely additional demand that this could place on already over-stretched services.
- 6.7 For example, officers are considering a scenario where 10% of the 1400 asylum seekers with positive decisions and seeking housing support in Glasgow in the short term, may be likely to present in Renfrewshire as homeless due to the lack of accommodation options in Glasgow. It is therefore anticipated this could generate an additional 140 applications over the next few months.
- 6.8 The next section provides an overview of the work that is being undertaken to address the local homeless and housing support pressures.

7. Responding to Emerging Homeless / Housing Support Pressures

- 7.1 As reported at the previous meeting of the Communities and Housing Policy Board, the Council is on target to allocate 49% of general lets to homeless applicants this year in response to the increase in the level of 'domestic' homelessness over the last two to three years. This figure was 41% in 2022/23.
- 7.2 Similarly, local RSLs have been asked to increase the number and proportion of lets to those who are homeless and whilst there has been a positive response from our RSL partners, lower turnover rates and the overwhelming demand for one bedroom properties for single homeless applicants is making it particularly challenging for all social housing providers.
- 7.3 The Council's stock of furnished properties being used to provide temporary accommodation for those who have nowhere to stay has been increased to 263. However, like many other local authorities, the Council is regrettably now having to use B&B on a daily basis in order to ensure that some form of temporary accommodation can be provided for those in housing need. It is important to note that our Homeless Services team have managed to avoid placing households with children in B&B.
- 7.4 An application for Scottish Government funding to return 'last-in-the-block properties' for use as accommodation for Ukrainian Displaced Persons as part of a ring-fenced funding programme was reported to the Policy Board in August 2023. The application has now been approved 'in principle' and formal confirmation of this funding award will assist in reducing pressure in the housing system.

- 7.5 A review of current empty properties in areas within the Council's regeneration programme has been undertaken which has identified a number of flats which could potentially be used as temporary accommodation for homeless applicants. Work is underway to assess and prepare these properties for use in the short to medium term, during the period leading up to when regeneration works will be underway and a further update will be provided at a future meeting of this Board.
- 7.6 As would be expected, the associated demand for housing support has similarly increased and whilst the range of support services and initiatives being delivered across Renfrewshire have been successful in improving tenancy sustainment for those who have been homeless and reducing the level of repeat homelessness, homeless and housing support services are increasingly coming under pressure.
- 7.7 In line with other local authorities, we do require to increase capacity to ensure the Council is able to continue to respond appropriately to the current and anticipated increase in homelessness pressures. An initial review has been carried out and additional frontline posts identified that require to be deployed on a temporary basis to provide greater resilience at this time, and effectively manage the increased stock of temporary accommodation, reduce the reliance on B&B, and ensure value for money whilst providing essential support to those residing in temporary accommodation.
- 7.8 An officer working group has been established to ensure the Council and partners respond to these additional pressures and that measures were in place to respond proportionally throughout December and over the holiday period to meet the demand for accommodation. The group will continue to meet and develop the Council's response as the nature of local housing pressures develops and the scale of the challenge becomes clearer moving forward. This will include linking in with surrounding local authority areas to share information and work collaboratively where appropriate.
- 7.9 A further update will be provided to the Communities and Housing Policy Board in May 2024.

8. Financial Pressures

- 8.1 The Leadership Board recently authorised the Chief Executive to put in place additional resources to respond to potential service pressures identified within the report over the next 3 months if these are required, in consultation with the Council Leader.
- 8.2 Officers are continuing to explore options to use existing funding streams to create additional officer capacity in the housing support and homeless service, children's social work and in terms of overall co-ordination of the programme of work required.

- 8.3 At present the increasing demand on services has been largely managed within existing resources with some additional staffing being put into place through migration and asylum funding streams allocated to the Council by the UK and Scottish Government.
- 8.4 The significant potential increase in homeless presentations linked to asylum population in Renfrewshire and more widely across the West of Scotland, is anticipated to create additional financial pressures for Council services. Projections of these pressures will continue to be reviewed and reported to future Communities and Housing Policy Boards.
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Implications of the Report

1. **Financial** – the increasing demand on services has been largely managed within existing resources with some additional staffing being put into place through migration and asylum funding streams allocated to the Council by the UK and Scottish Government. As noted in the paper, the significant potential increase in homeless presentations linked to asylum population in Renfrewshire and more widely across the West of Scotland, is anticipated to create additional financial pressures for Council services. Projections of these pressures will continue to be reviewed and reported to future Communities and Housing Policy Boards.
2. **HR & Organisational Development** – additional temporary posts will be deployed in response to the housing pressures referred to in this Report.
3. **Community/Council Planning –**
 - Our Renfrewshire is fair - those who are homeless will be provided with housing options.
 - Building strong, safe and resilient communities – meeting the needs of those who are homeless and providing access to settled housing helps to support communities.
 - Tackling inequality, ensuring opportunities for all – those who are in housing need will be provided with settled housing options.
 - Working together to improve outcomes – we will be working with partners to improve outcomes for those in housing need.
4. **Legal** – none.
5. **Property/Assets** – none
6. **Information Technology** – none

7. **Equality & Human Rights**

- (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report because it is largely for noting only. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.

8. **Health & Safety** – none

9. **Procurement** – none

10. **Risk** – There are potential risks in terms of increased pressure on housing / homelessness resources as a result of national policy changes around asylum dispersal and these will be recorded in the Council's strategic risk register.

11. **Privacy Impact** - none

12. **COSLA Policy Position** – not applicable.

13. **Climate Risk** – not applicable.

List of Background Papers

- (a) Background paper 1 'RRTP and Homelessness Update', Communities & Housing Board on 25 October 2022.
- (b) Background paper 2 'Homelessness Update' Communities, Housing & Planning Policy Board on 15 March 2022.
- (c) Background paper 3 'Rapid Rehousing Transition Plan and Homelessness Update' Communities, Housing & Planning Policy Board on 17 August, 2021.
- (d) Background Paper 4 'Rapid Rehousing Transition Plan – funding update' Communities, Housing & Planning Policy Board on 19 January 2021.

The foregoing background papers will be retained within Environment, Housing & Infrastructure Services for inspection by the public for the prescribed period of four years from the date of the meeting.

Author: Tom Irvine, Homeless and Housing Support Services Manager

E Mail: tom.irvine@renfrewshire.gov.uk



To: Communities and Housing Policy Board

On: 16 January 2024

Report by: Director of Environment, Housing & Infrastructure

Heading: Creating a smokefree generation and tackling youth vaping – a consultation by the Department of Health & Social Care

1. Summary

- 1.1 On 12 October 2023, the Department of Health & Social Care (DHSC) launched an open consultation on the on the proposed actions the UK Government and devolved administrations are considering to tackle smoking and youth vaping. The consultation - [Creating a smokefree generation and tackling youth vaping](#) closed on 6 December 2023.
- 1.2 The proposed actions are outlined in more detail in the DHSC Command Paper, [Stopping the start: our new plan to create a smokefree generation](#) which specifically sets out the regulatory approach for England. Health and Environmental policy are both devolved matters, and it will be for those administrations to implement their own legislative controls. It is recognised however, that these problems are UK-wide in nature, and as such the devolved nations agreed for the DHSC to lead on this consultation.
- 1.3 This open consultation sought views on proposals to protect future generations from the harms of tobacco, by creating the first “smokefree” generation. To progress the smokefree generation, the UK Government, Scotland and Wales have committed to legislating to ensure that children turning 14 this year or younger (born on or after 1 January 2009) will never legally be able to be sold tobacco products. In effect, this raises the smoking age by a year, each year, until it applies to the whole population.
- 1.4 Considering the increasing use of Nicotine Vapour Products (NVPs, e-cigarettes or “vapes”) by young persons; the consultation also proposed measures to tackle this growing problem. Views were sought on a suite of potential controls including:
 - restricting flavours,
 - regulating point of sale displays,
 - regulating packaging and presentation,

- restricting the supply and sale of single-use vapes,
- the extension of controls to non-nicotine vapes, and
- the affordability of vapes.

- 1.5 This consultation offers progression on the Council position to support a ban on single-use (disposable) vape products. Council Motion 1 of the meeting of 2 March 2023 was passed by unanimous agreement, in the following terms: *"Renfrewshire Council agrees to support the 'Ban Disposable Vapes' campaign. Council officers will write to the Scottish Government to ask them to enact the ban."*
- 1.6 The response to the consultation was collated from the experience of relevant services across the Council. As the regulatory powers suggested are likely to be conferred upon Trading Standards (by virtue of the duty being imposed upon the local weights & measures authority), this exercise was led by Climate & Public Protection. Views were sought from other Council Services as well as the Health & Social Care Partnership. The response was due to be submitted by 6 December 2023, and a copy of this response this has been included in appendix A.

2. Recommendations

It is recommended that the Communities and Housing Board:

- 2.1 notes the consultation proposals, and homologates the submitted response, as detailed within Appendix A, and
- 2.2 that a further report will be brought to a future meeting of this Policy Board, when relevant legislation has been finalised, with an update on implications for the Service and residents.

3. Background

- 3.1 Smoking is the single-most preventable cause of ill health, disability, and death in the UK. It is responsible for around 80,000 deaths a year, including [8,300 deaths per year in Scotland](#). No other consumer product kills up to two-thirds of its users. In 2022, the Office for National Statistics reported that 6.4 million people in the UK were active smokers. This represented 12.9% of the UK population, and [13.9% of the population of Scotland](#).
- 3.2 While existing legislative controls have reduced the uptake of tobacco use in younger persons, the use of Nicotine Vapour Products (NVPs, e-cigarettes or "vapes") has grown at a concerning rate. Action on Smoking and Health (ASH) report that the number of children using vapes has tripled in the past three years, and that [20.5% of children in Great Britain](#) had tried vaping in 2023.

- 3.3 As Health is a devolved matter in Scotland, Scottish Government have aspired towards a smokefree future for some time. In 2008, Scottish Government began an Action Plan to move towards a smoke-free future for Scotland; later publishing a Strategy in 2013. Around that time, Trading Standards services across Scotland were provided with annual funding from Scottish Government to carry out an enhanced programme of enforcement activity to ensure that tobacco products were being properly controlled. Laterally (and in light of changing controls), this funding was extended to support enhanced activity round NVPs (initially reported to Infrastructure, Land and Environment Policy Board in November 2017).
- 3.4 In Renfrewshire, there are around 290 businesses currently registered for the sale of tobacco, NVPs or both. Businesses must register with Scottish Government to sell these products, and compliance with this requirement along with other regulatory controls is enforced by officers in Trading Standards. To date in 2023, 65% of NVP products and 77% of tobacco products exposed for sale in 49 Renfrewshire traders have been found to be non-compliant (illicit, unsafe, non-compliant or misdescribed). These products were signed over to the service for destruction and this activity is used to inform future enforcement activity. The specifics around named traders cannot be provided due to legislative restrictions imposed by the Enterprise Act 2002.
- 3.5 Board members will note that the response is supportive of a ban on sale and supply of single-use vaping products for general consumer use. Officers support a position whereby these products would be sold or supplied only as a genuine smoking cessation aid, via a referral from a medical practitioner or smoking cessation service.
- 3.6 Depending on the options settled upon by Scottish Government, it is recognised within the consultation response that the proposals will require additional funding - in particular to support businesses. It would not be possible to effectively resource this significant additional work with the existing resources available to the Local Authority.
- 3.7 A further report will be brought to a future meeting of this Policy Board, when any draft legislation is published, with an update on implications for the Service.

Implications of the Report

1. **Financial** – unknown at the current time.
2. **HR & Organisational Development** – unknown at the current time.
3. **Community/Council Planning** –
 - *Our Renfrewshire is thriving* – regulation of this sector will ensure that retailers maintain high standards, are effectively regulated and will reduce the negative impacts on legitimate businesses from non-compliant retailers.

- *Our Renfrewshire is well* – the proposal for a smokefree future will reduce preventable deaths in Renfrewshire by around 650 per year. There will also be a significant reduction in demand for associated health services.
 - *Creating a sustainable Renfrewshire for all to enjoy* – the potential for a ban, restriction of these products and/or requirement to recycle single-use vaping products supports the circular economy; placing an emphasis on minimising waste and maximising reuse, recycling and recovery of resources rather than treating them as waste.
4. **Legal** – it is likely that any legislation to expand the controls on tobacco or NVPs will be conferred on Trading Standards, by means of imposing a duty on the local weights & measures authority. Duties imposed on the local weights & measures authority pass directly to Trading Standards by means of a delegation given to the Director of Environment, Housing & Infrastructure. Officers in that Team are competent in existing legislation and well placed to deliver any additional controls.
 5. **Property/Assets** – None.
 6. **Information Technology** – None.
 7. **Equality & Human Rights** –
 - (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
 8. **Health & Safety** – None.
 9. **Procurement** – None.
 10. **Risk** – None.
 11. **Privacy Impact** – None.
 12. **COSLA Policy Position** – N/A.
 13. **Climate Risk** – The proposals offer an opportunity to significantly reduce the climate risk posed by these products. These single-use products use lithium parts, highlighted by environmental campaigners as a 'critical material' in the transition to net zero. Within a Renfrewshire context, one of the five Plan for Net Zero themes is circular economy, placing an emphasis on 'minimising waste and maximising reuse, recycling and recovery of resources rather than treating them as waste.'
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List of Background Papers

(a) Background Papers – n/a.

Author: Faye Wilson, Serious Organised Crime & Trading Standards Manager

Email: faye.wilson@renfrewshire.gov.uk

Renfrewshire Council response to “Creating a smokefree generation and tackling youth vaping” – a consultation by the Department of Health & Social Care

Full consultation can be viewed [here](#).

Question 1 - Do you agree or disagree that the age of sale for tobacco products should be changed so that anyone born on or after 1 January 2009 will never be legally sold (and also in Scotland, never legally purchase) tobacco products?

Agree

Please explain your answer and provide evidence or your opinion to support further development of our approach.

We support the move towards a Smokefree Future for our children and young people.

To further enhance this, we would suggest the inclusion of “supply” in this provision, rather than just sale. This would prevent these products being given away as free samples, or similar.

The issue of people being addicted to tobacco over the years is one that causes major health issues and in turn becomes a strain on the NHS. The prospect of a ban which will deny anyone born after 2009 the opportunity to become addicted would be a huge step in the right direction.

Although stipulated as not within scope, we would also support a similar approach being taken in relation to the sale of vaping products with a view to stopping the increasing uptake by young persons of these products.

Question 2 - Do you think that proxy sales should also be prohibited?

Yes

Please explain your answer and provide evidence or your opinion to support further development of our approach.

In Scotland, The Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016 already makes it an offence for anyone to buy tobacco or Nicotine Vapour Products (NVPs) on behalf of people under the age of 18. Expanding this to future legislative controls would create a consistency in approach to proxy sales across the UK, and also protect vulnerable members of society from being exploited.

It must be noted that - while the criminalisation of this offence is an effective deterrent - it is our experience that it is much more difficult to enforce proxy purchase provisions than conventional under-age sales test purchasing.

Question 3 - Do you agree or disagree that all tobacco products, cigarette papers and herbal smoking products should be covered in the new legislation?

Agree

Please explain your answer and provide evidence or your opinion to support further development of our approach.

The Tobacco and Primary Medical Services (Scotland) Act 2010 already includes and defines smoking related products as follows: cigarette papers, cigarette tubes, cigarette filters, apparatus for making cigarettes, cigarette holders and pipes for smoking tobacco products. Including the suggested products would create a continuity in approach throughout the UK, and future proof the definition in a changing market.

It is currently a legal requirement for retail premises to display the following statement 'it is illegal to sell tobacco products to anyone under 18'. This requirement would need to be changed to align with the new age of sale/supply.

Question 4 - Do you agree or disagree that warning notices in retail premises will need to be changed to read 'it is illegal to sell tobacco products to anyone born on or after 1 January 2009' when the law comes into effect?

Agree

Please explain your answer and provide evidence or your opinion to support further development of our approach.

We are of the view that the Statutory Notice should remain and that the wording should reflect the policy change for continuity in all premises. A Statutory Notice demonstrates due diligence, and may deter any sale of tobacco or age restricted products. This also gives shop keepers and traders the opportunity to point out the legislative position, to anyone attempting to purchase tobacco illegally.

Question 5 - Do you agree or disagree that the UK Government and devolved administrations should restrict vape flavours?

Agree

Please explain your answer and provide evidence or your opinion to support further development of our approach.

With evidence indicating that children and young persons are attracted by the fruit flavours and odours of vapes, restricting the flavours would assist in reducing the continuing popularity and uptake of vaping in young persons. There can be no doubt that these flavourings are appealing to children.

Whilst research indicates that flavour may assist adults in transitioning from smoking to using NVPs as a tobacco cessation product, any continued availability could potentially lead back into the mainstream market, particularly with unscrupulous retailers. There is anecdotal evidence that flavoured NVPs are acting as a gateway product to smoking, for adults who have never used tobacco previously.

Restricting the flavour to tobacco would replicate the conventional smoking taste that the seasoned user was accustomed to, as opposed to a potentially more attractive alternative which could bring with it, it's own habit forming or addiction issues.

As a comparison, nicotine replacement products (such as nicotine lozenges and nicotine gum) marketed and licensed as medicinal products, are marketed in only a few different flavour options.

Question 6 - Which option or options do you think would be the most effective way for the UK Government and devolved administrations to implement restrictions on flavours? (You may select more than one answer)

- Option 1: limiting how the vape is described
- Option 3: limiting the characterising flavours (the taste and smell) of vapes

Please explain your answer and provide evidence or your opinion to support further development of our approach.

The preferred option(s) would be Options 1 and 3; however any limitation on the characteristic flavours would be inextricably linked to Option 2.

If the position was to place Nicotine Vapour Products within the consumer market as a smoking cessation aid only (in a similar manner as other countries have adopted); having tobacco only flavour would be best placed to fill this space. Option 1 would allow a standardisation of descriptions in way the current Regulations do, in relation to enabling the removal of attractive or appealing terms and replacing this with factual information and advisory warnings (Standardisation of Packaging of Tobacco Products Regulations 2015).

Question 7 - Which option do you think would be the most effective way for the UK Government and devolved administrations to restrict vape flavours to children and young people?

- Option A: flavours limited to tobacco only

Please explain your answer and provide evidence or your opinion to support further development of our approach.

The EU Tobacco Product Directive banned the use of menthol cigarettes throughout Europe in 2020 due to their popularity with young persons, so to permit Option B would appear to be counter-productive.

As this consultation is designed to address the use of these products by children and young people, the most effective way to restrict access to vape flavours is to limit the flavour of vape available. Option A would therefore be the preferred outcome, as – in any case where these products continue to be sold - our view is that vapes should be restricted to tobacco flavour.

Question 8 - Do you think there are any alternative flavour options the UK Government and devolved administrations should consider?

No

Please explain your answer and provide evidence or your opinion to support further development of our approach.

There are no additional flavours that have been identified for consideration. The preference is for a tobacco-only flavoured product, designed and controlled as a smoking cessation aid.

Question 9 - Do you think non-nicotine e-liquid, for example shortfills, should also be included in restrictions on vape flavours?

Yes

Please explain your answer and provide evidence or your opinion to support further development of our approach.

It is the view that all restrictions considered should be implemented across both the non-nicotine e-liquid and NVP market.

Many of the non-nicotine vapes include ingredients for use in food products. The vaping process heats and vaporizes these ingredients, and there is little research that suggests food-grade ingredients are safe for vaping.

If the same flavour restriction is not applied uniformly to all vape formats, there is a risk of problem shifting and children and young persons continuing to use habit-forming non-nicotine products, irrespective of concerns in respect of longer-term health issues.

Question 10 - Which option do you think would be the most effective way to restrict vapes to children and young people?

- Option 1: vapes must be kept behind the counter and cannot be on display, like tobacco products.

Please explain your answer and provide evidence or your opinion to support further development of our approach.

It is our belief that – in the absence of a position whereby these products are sold or supplied as a smoking cessation aid only - these age-restricted products should be regulated in much the same way as tobacco products, which in Scotland includes a display ban.

We would be very supportive of the Scottish Government bringing this measure in as soon as possible under provisions in the Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016, which would also end free samples among other measures. Reduced visibility could also lead to a reduction in pro-vaping attitudes. A display ban would need to be accompanied by restrictions on in-store advertising of vaping products, including generic vape advertising. Advertising of vapes in general needs to be enhanced to reduce the exposure of children and non-smoking adults to these products.

Anecdotally, our Officers report that many standalone retail shops display vape products on a shelf nestled between crisps and sweets. While this is challenged, and robust advice provided, there is no legal basis to prevent this at the current time.

Question 11 - Do you think exemptions should be made for specialist vape shops?

Don't know

Please explain your answer and provide evidence or your opinion to support further development of our approach.

Many vape shops currently sell other products, such as crisps & sweets or mobile phone cases/chargers. If any exemption is to be offered, the definition of a specialist vape shop would need to be clear and unambiguous as to its meaning; much like a traditional tobacconist in Scotland, where they only sell tobacco and smoking related products.

This would also mean vape displays or any advertising inside the store, must not be visible from outside. Entry to shops should be for strictly over 18s (or older if vape age restrictions are changed similar to the proposals for tobacco products). As previously stated, advertising of vapes in general needs to be enhanced to reduce the exposure of children and non-smoking adults to promotion of these products.

Question 12 - If you disagree with regulating point of sale displays, what alternative measures do you think the UK Government and devolved administrations should consider? Please explain your answer and provide evidence or your opinion to support further development of our approach.

We do not disagree with the regulating point of sale display.

Question 13 - Which option do you think would be the most effective way for the UK Government and devolved administrations to restrict the way vapes can be packaged and presented to reduce youth vaping?

- Option 2: prohibiting the use of all imagery and colouring on both the vape packaging and vape device but still allow branding such as logos and names

Please explain your answer and provide evidence or your opinion to support further development of our approach.

Option 2 would be the most effective way to restrict the way vapes could be packaged and presented, to reduce youth vaping and to ensure retailer compliance.

There should be no use of cartoon, characters etc. on the vape devices as they are child appealing. There should be no colour on the vapes as children and young persons are drawn to the colours and anecdotal evidence suggests some match the vape colour with their outfits.

Branding on vapes is not known to have any effect on purchase. Current legislation around standardisation of packaging of tobacco has removed the link between branding and use/purchase, which primarily existed due to the strength of tobacco advertising. That link is not known to exist between vape users and these products, with choices instead being made due to colour, flavour, tank size or price.

Great Britain should ensure that they are keeping in line with other countries that are introducing the standardised packaging for vapes, in line with existing controls on tobacco packaging. Consistency increases compliance amongst the retail community, and highlights non-compliance easily to the enforcement community.

Question 14 - If you disagree with regulating vape packaging, what alternative measures do you think the UK Government and devolved administrations should consider? Please explain your answer and provide evidence or your opinion to support further development of our approach.

We do not disagree with the introduction of regulating vape packaging.

Question 15 - Do you agree or disagree that there should be restrictions on the sale and supply of disposable vapes? That is, those that are not rechargeable, not refillable or that are neither rechargeable nor refillable.

Agree

Please explain your answer and provide evidence or your opinion to support further development of our approach.

The single use of intensively sourced materials (particularly lithium batteries damages the environment and water courses when disposed of incorrectly. Our residents report that our natural spaces are blighted through littering of these products; which are harmful to the ecosystem. These products are also very wasteful in terms of their single use purpose which is completely against our Council's ethos under our Ren Zero policy, particularly the circular economy theme.

Here in Scotland, The Environmental Protection (Single Use Plastic Products) (Scotland) Regulations 2021 introduced ban on single use plastic cutlery, balloon sticks, polystyrene cups and food containers, single use plastic plates, trays and bowls. We have also seen Scottish Government introduce legislation to manage and control the disposal of batteries and products containing batteries – The Waste Batteries (Scotland) Regulations 2009.

During visits, our Trading Standards team promote the Waste Electrical and Electronic Equipment Regulations 2013 'takeback scheme' and The Waste Batteries (Scotland) Regulations 2009, for the safe disposal of batteries. Visits suggest that compliance with these regulations is very low.

Question 16 - Do you agree or disagree that restrictions on disposable vapes should take the form of prohibiting their sale and supply?

Agree

Please explain your answer and provide evidence or your opinion to support further development of our approach.

This Council agrees that the preferred solution would be to introduce a ban on consumer sale/supply of disposable vape products. Council Motion 1 of 2 March 2023 supports this position.

Some of the on the market products have much higher levels of nicotine than cigarettes, and may be more addictive. A single use vape with a 2ml tank could contain up to 40mg of nicotine (20mg per ml), whereas a packet of 20 cigarettes could contain up to 20mg of nicotine (1mg per cigarette). A single use vape is far easier to consume than a pack of 20 cigarettes.

We would support a prohibition on the sale (or supply) to anyone born on or after 1 January 2009 in line with the proposal in Question 1 for tobacco products. This would not prevent current adult smokers from using vapes as an aid to quit smoking, but would make it more difficult for children to start. There could however still be a route for persons born on or after January 2009 to access these products as an aid to quit smoking but perhaps in a more controlled manner, e.g. as an aid to stop use, via Smoking Cessation professionals, a GP or Pharmacist, who can also consider other products such as nicotine replacement medicinal products.

Our services report that complaints alleging that children are obtaining and using disposable vapes continue to increase. The penalties currently available are not sufficiently punitive as to discourage further sales.

It has been evidenced that there are both compliant and non-compliant vape products on the market. It is also known that young persons are routinely buying these products. It therefore follows that young people are being exposed to potentially non-compliant vape products, and will be more vulnerable to negative health effects.

In addition, there is a significant concern regarding the disposal of vapes with many of these products found scattered around the local community. Disposable vapes include chemicals which are harmful to the environment and are a fire risk. The costs and resources to monitor and manage these issues are an additional burden to Local Authority.

Evidence indicates (ASH Scotland) that between 2020 and 2023 the use of disposable e-cigarettes increased ten-fold among 11-17-year-olds. It should be noted, that nearly all disposable e-cigarettes come in the maximum 20mg/ml (2%) nicotine concentration. These devices also use nicotine salts, which can increase addiction potential. The increase in the use of disposables coincided with overall increase of e-cigarette use.

Anecdotally, our young people in Renfrewshire report witnessing many other young people vaping in front of peers and younger children. Young people also report peers using lunch money to buy “vapes” rather than buying food, and allege that they see peers going on to try drugs after vaping or smoking. Parents report their children becoming ill at school from refusing to use hygienic facilities due to the proliferation of vape use in and these facilities.

Prohibiting disposable vapes would remove these burdens and would significantly reduce the risks highlighted to children and the environment.

Question 17 - Are there any other types of product or descriptions of products that you think should be included in these restrictions?

Please explain your answer and provide evidence or your opinion to support further development of our approach.

The current regulatory framework establishes the definition of products like disposable vapes and e-cigarettes, for example The Tobacco and Related Products Regulations 2016 and in Scotland, the Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016.

Definitions and descriptions differ and may cause some confusion. A UK-wide agreed and standardised interpretation; future-proofed to mitigate against future technology and development in this market, would be welcomed.

If bringing in such a prohibition, we would recommend a ban is imposed on the importation of disposable vapes to the UK (and indeed vapes that are non-compliant for any other reason), with such ban including importation for any reason and including consignments that are “passing through”.

Question 18 - Do you agree or disagree that an implementation period for restrictions on disposable vapes should be no less than 6 months after the law is introduced?

Agree

Please explain your answer and provide evidence or your opinion to support further development of our approach.

Whilst a short implementation period for restrictions on disposable vapes is welcome, there is some concern about the practicalities of this, and the financial impact on business.

Trading Standards services visit around 20% of tobacco/NVP retailers per year as part of an enhanced programme of activity around these products. These Officers are well placed support businesses through this transition by use of the 4 E’s – engage, explain, encourage, then enforce; however this could not be done in this timescale without significant additional funding to bolster resource.

Question 19 - Are there other measures that would be required, alongside restrictions on supply and sale of disposable vapes, to ensure the policy is effective in improving environmental outcomes?

Please explain your answer and provide evidence or your opinion to support further development of our approach.

In Renfrewshire, Trading Standards have found that the level of compliance with The Waste Electrical and Electronic Equipment Regulations 2013 'takeback scheme' and The Waste Batteries (Scotland) Regulations 2009, for the safe disposal of batteries, is very low.

There have been some examples of disposal recycling schemes run by particular brands of disposable vapes offering retailers selling their product access to disposal units, though there appears to be a very low uptake in this scheme by retailers. It has also been noted that some of the major supermarket operators have implemented facilities where disposable vapes can be disposed of but uptake by consumers is very low in comparison to purchases. This may be due to lack of awareness raising.

If these vapes are not prohibited, other options to improve environmental options are:

- Requiring products to be described as "recyclable" instead of "disposable" to highlight to consumers that the products should be recycled,
- Consideration of applying excise duty to vaping products and with a high rate of duty applied to the products that are single use or limited use products, or
- A surcharge on disposable vapes whereby a consumer returning a used disposable vape to the retailer will be given a refund or reduction in cost when purchasing a new disposable vape.

Question 20 - Do you have any evidence that the UK Government and devolved administrations should consider related to the harms or use of non-nicotine vapes?

Don't know

Please explain your answer and provide evidence or your opinion to support further development of our approach.

We have no direct evidence of harms, however it is fair to consider that non-nicotine vapes could be a precursor to individuals then experimenting with nicotine vapes and increasing the likelihood of addiction.

It is known that there are concerns that vaping of any product may cause adverse effects due to the aerosol particles.

The current product safety regime determines that before a product can be placed upon the UK/GB market that the manufacturer/importer is able to evidence the safety of the product. This requires following specific legislation requirements and industry standards etc. A similar approach to manufacturers of any nicotine or non-nicotine based products would be welcome.

Question 21 - Do you think the UK Government and devolved administrations should regulate non-nicotine vapes under a similar regulatory framework as nicotine vapes?

Yes

Please explain your answer and provide evidence or your opinion to support further development of our approach.

It is the view that non-nicotine vapes should be regulated in exactly the same way as nicotine based vapes, until such times as evidence is provided to support the notion that non-nicotine based products are not harmful or as harmful as nicotine based products.

Current product safety regime determines that before a product can be placed upon the UK/GB market that the manufacturer/importer is able to evidence the safety of the product. This requires following specific legislation requirements and industry standards etc. A similar approach to manufacturers of any nicotine or non-nicotine based products would be welcome.

Question 22 - Do you have any evidence that the UK Government and devolved administrations should consider on the harms or use of other consumer nicotine products such as nicotine pouches?

No

Please explain your answer and provide evidence or your opinion to support further development of our approach.

We are unable to directly evidence the harms of other nicotine products, however are of the view that the inclusion of nicotine or any chemical for that matter should only be permitted where evidence can be presented that it does not cause harm or is harmful to human beings.

We would like to see the current regulatory framework establish an appropriate definition of nicotine-based products consistently applied across the 4 nations, to ensure a consistent approach to these products. This definition should be future-proofed to ensure that - as advancements in technology and development of e-cigarettes and Nicotine Vapour Products are made - the definition remains fit for purpose.

The current regulatory framework defines products like disposable vapes and e-cigarettes, The Tobacco and Related Products Regulations 2016 and in Scotland, the Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016

Current product safety regime determines that before a product can be placed upon the UK/GB market that the manufacturer/importer is able to evidence the safety of the product. This requires following specific legislation requirements and industry standards etc.

A similar approach to manufacturers of any nicotine or non-nicotine based products would be welcome.

Question 22 - Do you think the UK Government and devolved administrations should regulate other consumer nicotine products such as nicotine pouches under a similar regulatory framework as nicotine vapes?

Yes

Please explain your answer and provide evidence or your opinion to support further development of our approach.

We are of the view that all consumer nicotine products should be regulated under a similar regulatory framework, consistently applied across the 4 nations, to ensure a standardised approach to these products.

A similar approach to manufacturers of any nicotine or non-nicotine based products would be welcome.

Local intelligence indicates that there have been incidents where free samples of nicotine pouches have been ordered online in different strengths where no ID or restrictions to buy on-line were required.

Question 23 - Do you think that an increase in the price of vapes would reduce the number of young people who vape?

Yes

Please explain your answer and provide evidence or your opinion to support further development of our approach.

It follows that increasing the price reduces the availability of what can be – at the current time – a “pocket money purchase”. Anecdotal evidence suggests however, that young persons are pooling money together to share disposable products at the current time and as such a price hike alone will not be sufficient.

Question 24 - Do you think that fixed penalty notices should be issued for breaches of age of sale legislation for tobacco products and vapes? Powers to issue fixed penalty notices would provide an alternative means for local authorities to enforce age of sale legislation for tobacco products and vapes in addition to existing penalties.

Yes

Please explain your answer and provide evidence or your opinion to support further development of our approach.

The correct tools to enable effective and proportionate enforcement should be at the heart of any criminal legislation. These tools, alongside penalties, must be reasonable and proportionate to the practices the legislation seeks to criminalise. They must also act as a deterrent and be punitive in nature.

While Fixed Penalty Notices are an important enforcement outcome, they cannot operate in isolation and must be part of a package of tools available to local authorities. For this sector, consideration should also be given to banning orders (available in Scotland after three underage sales at a premises).

The Tobacco and Primary Medical Services (Scotland) Act 2010 creates an offence for a person to sell a tobacco product (or cigarette papers) (section 4) or a nicotine vapour product (section 4A) to anyone under the age of 18. Section 27 gives an enforcement officer the power to issue a person a fixed penalty notice where there are reasons to believe that the person has sold a tobacco product (or cigarette papers) or a nicotine vapour product to someone under the age of 18. Legislation in Scotland therefore allows for fixed penalty notices to be issued for breaches of age of sale legislation for tobacco products and vapes. Extension of this across the UK would be preferred.

Question 25 - What level of fixed penalty notice should be given for an underage tobacco sale?

- Other

Please explain your answer and provide evidence or your opinion to support further development of our approach.

The approach taken on the enforcement of the underage sales of these products must be consistent. There should be one set of rules, and one set of enforcement tools / penalties (as much as feasibly possible) to avoid confusion for businesses and consumers, and to ensure effective and efficient enforcement is not overcomplicated.

A Fixed Penalty Notice must act as a deterrent while also being punitive. Set too low it may not do either; set too high it may go unpaid, resulting in neither outcome being met.

In Scotland there is a rising scale for fixed penalty notices issued under the Tobacco and Primary Medical Services (Scotland) Act 2010. These start at £200 for a first offence, £400 for a second offence, rising incrementally to a maximum £1000. £200 should therefore be considered as the minimum level of a fixed penalty notice but there should be a rising scale where there are repeat underage sales by the same person/business, mirroring what is currently in place in Scotland. Ideally however, it would be beneficial for penalties for this offence in particular to be raised significantly across all four Nations.

While fixed penalty notices are an important enforcement tool, they cannot operate in isolation and must be part of a package of tools available to local authorities. They will only work if there remains the threat of other sanctions instead of them, or where they go unpaid, up to and including prosecution. Consideration should also be had to banning orders (available in Scotland after 3 underage sales at a premises).

In Scotland, retailers are also required to register with Scottish Government if operating a tobacco or nicotine vapour product business. Their details appear on a public register, which has been a useful enforcement tool in helping identify retailers of tobacco and nicotine vapour products. While the register has been a useful innovation in Scotland, a requirement for businesses to gain a licence may be an alternative. If businesses are required to obtain licences and renew on an ongoing basis, this could assist with ensuring information is still accurate, there could be the ability to restrict the number of outlets if desired and it may also give a better route to effectively “banning” businesses from supplying tobacco products and nicotine vapour products in relation to businesses that there are concerns about their compliance with the legislation.

Question 26 - What level of fixed penalty notice should be given for an underage vape sale?

Other

Please explain your answer and provide evidence or your opinion to support further development of our approach.

The approach taken on the enforcement of the underage sales of these products must be consistent. There should be one set of rules, and one set of enforcement tools / penalties (as much as feasibly possible) to avoid confusion for businesses and consumers, and to ensure effective and efficient enforcement is not overcomplicated.

A Fixed Penalty Notice must act as a deterrent while also being punitive. Set too low it may not do either; set too high it may go unpaid, resulting in neither outcome being met.

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