

11 January 2007

Karen Watt
Director of Regulation and Inspection
Communities Scotland
Rosebery House
9 Haymarket Terrace
EDINBURGH
EH12 5YA

Dear Ms Watt

Section 74 of the Housing (Scotland) Act 2001 – Draft Requirement for a Remedial Plan

I refer to your letter dated 18 December 2006 concerning the above.

I confirm that this matter was considered at a meeting of West Dunbartonshire Council held on 17 January 2007. I have been instructed to convey the undernoted comments for your consideration.

West Dunbartonshire Council is very concerned to ensure that the best possible housing service is delivered to our tenants. Moreover, the Council is committed to achieving the Scottish National Housing Standard by the required date of 2015. The Council takes very seriously indeed the criticism of its housing and related services set out in your letter and notes with concern the intention of Scottish Ministers to serve a formal notice under Section 74 of the Housing (Scotland) Act 2001 requiring the submission of a remedial plan.

Having considered the content of your letter in detail, the Council has instructed me to assure you that West Dunbartonshire Council will co-operate fully with Communities Scotland and prioritise the preparation of a remedial plan covering all of the elements that you identify as requiring consideration and action.

The Council agrees that the preparation of the remedial plan will require strong leadership and good management skills. To facilitate the preparation of this plan and to ensure that the necessary resources will be made available to ensure its completion according to an agreed timetable, the Council has resolved to establish a dedicated Member-Officer Working Party involving senior councillors, myself as Chief Executive and other senior officers as required. This Working Party will receive regular reports from a team of officers charged with the responsibility of drafting the plan. Consultant support will be procured as required.

Throughout this process, the Council undertakes to liaise closely with Fanchea Kelly of Communities Scotland and agrees to submit reports against the objectives on a quarterly basis. The Council notes that the remedial plan will last for 12 to 18 months and that a full inspection of the housing service will take place in 2008/2009. It is the Council's clear intent to be in a position to demonstrate the required improvement in the delivery of its services once this inspection takes place.

Notwithstanding the above, it is the case that the Council has participated fully with Communities Scotland inspection and improvement process. Indeed the Council agreed to be one of five "Pathfinder" local authorities that first engaged with this regime. Since the completion of the Communities Scotland inspection of the Council's housing and related services in 2004, it is the Council's view that around 90% of the actions set out in the improvement plan have been completed and that a commitment can be given to complete outstanding issues in the near future.

Moreover, the Council can point to other improvements that have taken place since the completion of the Inspection. For example the level of rent arrears as a percentage of net debt has fallen from 16.7% in 2003/04 and now stands 14.5%.

In your letter you stress the importance of addressing current performance on the management of empty homes to achieve more early wins. In fact the number of void properties stood at 848 in December 2004 and has already fallen to 618. You will appreciate that actions to significantly reduce this total were set out in the Council's application to join the Community Ownership Programme, particularly with respect to proposed demolitions utilising Early Action Funding.

At a meeting which took place on 10 January 2007 involving Fanchea Kelly and Stephen Devine, it was gratifying to note that the commitment shown by Council officers at all levels to implementing the actions set out in the improvement plan was acknowledged.

As you will be aware, the Council's application to join the Community Ownership Programme has been rejected in its present form though encouragement has been given to the submission of a further application at a future date. It will be accepted that this rejection will inevitably require the Council to carry out some further appraisal of its housing strategy to a degree in line with your requirements in respect of the content of the proposed remedial plan.

Having regard to the above, the Council considers that it has voluntarily engaged with Communities Scotland's inspection and improvement regime. It is clear that much remains to be done and as indicated above the Council undertakes to continue to work closely with Communities Scotland to arrive at a satisfactory outcome.

While Scottish Ministers have indicated that they are minded to serve a formal notice on West Dunbartonshire Council requiring the submission of a remedial plan, it is noted from the relevant guidance that the draft notice can be withdrawn should the Authority make satisfactory proposals for action and Communities Scotland is satisfied that the production of a remedial action plan is no longer required.

In the light of the undertakings given by the Council as set out above, it is requested that the formal requirement to submit a remedial plan be withdrawn and that Communities Scotland and West Dunbartonshire Council act jointly in a voluntary arrangement to achieve a mutually satisfactory outcome.

I would be obliged if you would give full consideration to the above comments submitted on behalf of West Dunbartonshire Council.

Yours sincerely

David McMillan
Chief Executive